



MINUTES

Ordinary Council Meeting

28 August 2023

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**MINUTES OF SHIRE OF BOURKE
ORDINARY COUNCIL MEETING
HELD AT THE BOURKE SHIRE COUNCIL, 29 MITCHELL STREET BOURKE NSW
ON MONDAY, 28 AUGUST 2023 AT 9.15AM**

PRESENT: Cr Barry Hollman (Mayor), Cr Sarah Barton, Cr Cec Dorrington, Cr Lachlan Ford (Deputy Mayor), Cr Sam Rice, Cr Grace Ridge (via AV Link), Cr Nathan Ryan, Cr Robert Stutsel

IN ATTENDANCE: Leonie Brown (General Manager), Peter Brown (Manager Works), Paul Flanagan (Manager Roads Services), Melanie Milgate (Economic Development Manager), Ang Pasang Rai (Manager Corporate Services), Dwayne Willoughby (Manager Environmental Services), Margo Anderson (Executive Assistant - Minutes)

1 OPENING PRAYER

The Mayor opened the meeting with a prayer

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor then provided an Acknowledgment of Country

3 REMEMBRANCE

Council stood in silence in the memory of the following recently deceased:

Albert James "Sonny" Bates	Bruce Darcy	Daniel Kavanagh	Rex McLeod
Kathleen Orcher	Linda Peachey	Robert "Curly" Rumble	Phyllis Smith
Lorna Vincent	Bryan Williamson		

4 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

A request for Leave of Absence was received from Cr Victor Bartley and Cr Sally Davis who were absent from the meeting due to personal reasons.

Resolution 2023/169

Moved: Cr Sarah Barton

Seconded: Cr Sam Rice

That the apologies received from Councillor Victor Bartley and Councillor Sally Davis be accepted and leave of absence granted.

Carried

5 ATTENDANCE BY AUDIO VISUAL LINK BY COUNCILLORS

A request to attend the meeting via Audio Visual Link was received from Councillor Grace Ridge who was unable to attend the meeting due to personal reasons.

Resolution 2023/170

Moved: Cr Sarah Barton

Seconded: Cr Robert Stutsel

That Cr Grace Ridge be permitted to attend the meeting via Audio-Visual link due to her inability to attend in person due to personal reasons.

Carried

6 DISCLOSURES OF INTEREST

Cr Sarah Barton declared a pecuniary conflict of interest in Item 7.1 of the Agenda – Mayoral Minute – Mayoral Activities, in respect of the meeting of the Far North West Joint Organisation and its discussions regarding the Extension of Western Air Services. The reason for such interest is that Cr Barton is employed by the Department of Regional NSW who provide funding for the Air Services and who have recently engaged a consultant to undertake a review of the Western Air Services. In making this declaration, Cr Barton advised that she would leave the Chamber and be out of sight should Council separately consider this matter as part of Item 7.1 of the Agenda.

Cr Sarah Barton declared a significant non-pecuniary interest in Item 12.3 of the Agenda - Business Arising, Proposed Projects Under Phase 4 of the Local Roads and Community Infrastructure Program (LR&CIP). The reason for such interest is that Cr Barton is the Secretary for the Back O' Bourke Picnic Race Club who make use of the Renshaw Sporting Complex and facilities, a potential project as listed in the report. In making this declaration, Cr Barton advised that she would leave the Chamber and be out of sight should Council consider this matter as part of Item 12.3 of the Agenda.

Cr Grace Ridge declared a pecuniary conflict of interest in Item 12.3 of the Agenda – Business Arising, North Bourke Storm Water Drainage. The reason for such interest is that Cr Ridge and her family have a business relationship with the owner of the land detailed within the report. In making this declaration, Cr Ridge advised that she would turn off her AV Link, and be out of sight should Council separately consider this matter as part of Item 12.3 of the Agenda.

Cr Grace Ridge declared a significant non-pecuniary interest in Item 12.3 of the Agenda - Business Arising, Proposed Projects Under Phase 4 of the Local Roads and Community Infrastructure Program (LR&CIP). The reason for such interest is that Cr Ridge is the Secretary for the Bourke P & A Show Committee who make use of the Renshaw Sporting Complex and facilities, a potential project listed in the report. In making this declaration, Cr Ridge advised that she would turn off her AV Link, and be out of sight should Council consider this matter as part of Item 12.3 of the Agenda.

Cr Nathan Ryan declared a less than significant non-pecuniary conflict of interest in Item 12.3 of the Agenda – Business Arising, Proposed Sale of Land to Bourke Aboriginal Corporation Health Service. The reason for such interest is that Cr Ryan is a contractor to the Bourke Aboriginal Corporation Health Service providing yard and property maintenance to Doctor's houses. In

making this declaration Cr Ryan advised that he would remain in the Chamber but would not contribute during Council's consideration of the matter.

At this juncture, Cr Sarah Barton left the meeting, the time being 9.25 am.

7 MAYORAL MINUTE

7.1 MAYORAL MINUTE - MAYORAL ACTIVITIES

File Number: M2.1

The Council had before it the report of the Mayor regarding the Mayoral Minute - Mayoral Activities.

Resolution 2023/171

Moved: Cr Barry Hollman

That the information in the Mayoral Minute – Mayoral Activities Report as presented to Council on Monday, 28 August 2023 be noted.

Carried

At this juncture, Cr Sarah Barton returned to the meeting, the time being 9.27 am.

8 STARRING OF ITEMS

Council's Code of Meeting Practice provides that Council may at any time, resolve to adopt multiple items of business on the agenda by way of a single resolution.

In this regard the council had before it a list of reports, unstarred, with such items proposed to be adopted by Council in a single resolution.

Resolution 2023/172

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That the the recommendations as detailed in the un-starred items as contained in the agenda for the Ordinary Meeting of Council, held on Monday, 28 August 2023 be adopted.

Carried

9 CONFIRMATION OF MINUTES

Resolution 2023/173

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

That the minutes of the Ordinary Council Meeting held on 24 July 2023 be taken as read, confirmed as correct minutes and signed by the Mayor and the General Manger.

Carried

10 RESCISSION MOTIONS

Nil

11 NOTICES OF MOTION

Nil

12 BUSINESS ARISING**12.1 CALENDAR OF EVENTS****File Number: C12.6**

The Council had before it the report of the General Manager regarding the Calendar of Events.

Resolution 2023/174**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

That the information in the Calendar of Events Report as presented to Council on Monday, 28 August 2023 be noted.

Carried**12.2 INFORMATION TO COUNCILLORS****File Number: C12.1**

The Council had before it the report of the General Manager regarding the Information to Councillors.

Resolution 2023/175**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

That the contents of the Information to Councillors Report as presented to Council on Monday, 28 August 2023 be noted.

Carried**12.3 *** BUSINESS ARISING****File Number: C12.1**

The Council had before it the report of the General Manager regarding the Business Arising.

Resolution 2023/176**Moved: Cr Cec Dorrington****Seconded: Cr Sarah Barton**

That the information in the Business Arising Report as presented to Council on Monday, 28 August 2023 be noted.

Carried

13 ENGINEERING SERVICES DEPARTMENT**13.1 ACTIVE TRANSPORT PLAN - SUBMISSIONS REPORT****File Number: R7.7.19**

The Council had before it the report of the Manager Works regarding the Active Transport Plan - Submissions Report.

Resolution 2023/177**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

1. That the Active Transport Plan, marked Final and dated 21 August 2023, which has regard to the comments of Transport for NSW (TfNSW) be adopted.
2. That TfNSW be advised of Councils response to their submission and (TfNSW) be provided with a copy of the Final report.
3. That funding for the implementation of identified projects in the adopted Active Transport Plan be considered as part of the preparation of Councils 2024/2025 draft Operational Plan, or as grant or other funding opportunities become available.

Carried**14 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT****14.1 FOOD SURVEILLANCE ACTIVITY REPORT 2022 / 2023****File Number: H1.5**

The Council had before it the report of the Manager Environmental Services regarding the Food Surveillance Activity Report 2022 / 2023.

Resolution 2023/178**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

That the Food Surveillance Activity Report for 2022/2023 as presented to Council on Monday, 28 August 2023 be received and noted.

Carried

15 GENERAL MANAGER**15.1 DELIVERY PROGRAM REPORT 1 JULY 2022 TO 30 JUNE 2023****File Number: P4.2**

The Council had before it the report of the General Manager regarding the Delivery Program Report 1 July 2022 to 30 June 2023.

Resolution 2023/179**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

That Council notes the activity progress against the actions contained in the 2022/2023 Delivery Program for the period ending 30 June 2023.

Carried**16 CORPORATE SERVICES DEPARTMENT****16.1 *** BANK RECONCILIATION AND STATEMENT OF BANK BALANCES - JULY 2023****File Number: F1.1**

The Council had before it the report of the Manager Corporate Services regarding the Bank Reconciliation and Statement of Bank Balances - July 2023.

Resolution 2023/180**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

That the Certificate of Reconciliation of the Cash Book for all funds of the Council and the Statement of Bank Balances as at 31 July 2023 be noted.

Carried

16.2 * INVESTMENT REPORT AS AT 31 JULY 2023****File Number: F1.1**

The Council had before it the report of the Manager Corporate Services regarding the Investment Report as at 31 July 2023.

Resolution 2023/181**Moved: Cr Cec Dorrington****Seconded: Cr Sam Rice**

- 1. That the report regarding Council's Investment Portfolio 31 July 2023 be received and noted.**
- 2. That the Certificate of the Responsible Accounting Officer be noted, and the report adopted.**

Carried**16.3 *** RATES WRITE OFF ASSESSMENT 01886, 01737 AND 01760****File Number: R2.5**

The Council had before it the report of the Revenue Officer regarding the Rates Write Off Assessment 01886, 01737 and 01760.

Resolution 2023/182**Moved: Cr Robert Stutsel****Seconded: Cr Cec Dorrington**

- 1. That as a result of the sale of Rates Assessment Nos. 01886, 01737 and 01760 for the purposes of a National Park, Council deem the property non-rateable and in doing so write off rates levied for 2023/2024 in the amount of \$10,625.62.**
- 2. That in the event that non-rateable National Parks are not part of the "disadvantage component" in respect of calculations by the NSW Grants Commission in allocating Financial Assistance Grants to councils, Council make the necessary representations to Government with a view to addressing such anomaly which, as a result of the sale of significant parcels of farm land in the Bourke Shire to Government for the purpose of National Parks, is impacting Councils rate income.**

Carried**17 ECONOMIC DEVELOPMENT DEPARTMENT**

Nil

18 DELEGATES AND COUNCILLORS REPORTS

Nil

19 POLICIES

Nil

20 PRÉCIS OF CORRESPONDENCE

Nil

21 ACTIVITY REPORTS**21.1 ENGINEERING SERVICES - ROAD WORKS AND WORKSHOP - WORKS UNDERTAKEN
ACTIVITY REPORT****File Number: E7.1**

The Council had before it the report of the Manager Roads regarding the Engineering Services - Road Works and Workshop - Works Undertaken.

Resolution 2023/183**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

That Council note the information in the Engineering Services Road Works and Workshop – Works Undertaken Activity Report as presented to Council on Monday, 28 August 2023.

Carried**21.2 PARKS AND GARDENS / TOWN SERVICES / WATER AND WASTE WATER ENGINEERING
SERVICES ACTIVITY REPORT****File Number: E7.1**

The Council had before it the report of the Manager Works regarding the Parks and Gardens / Town Services / Water and Waste Water Engineering Services Activity Report.

Resolution 2023/184**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

That Council note the information in the Parks and Gardens, Town Services, Water and Wastewater Engineering Services Department Activity Reports as presented to Council on Monday, 28 August 2023.

Carried

21.3 PLANNING, REGULATORY & ENVIRONMENTAL SERVICES - ACTIVITY REPORT**File Number: D3.1-A11.1-A8.1**

The Council had before it the report of the Manager Environmental Services regarding the Planning, Regulatory & Environmental Services - Activity Report.

Resolution 2023/185**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

That the information in the Planning, Regulatory and Environmental Services Activity Report as presented to Council on Monday, 28 August 2023 be received and noted.

Carried**21.4 GENERAL MANAGER'S ACTIVITY REPORT****File Number: G2.1**

The Council had before it the report of the General Manager regarding the General Manager's Activity Report.

Resolution 2023/186**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

That the information in the General Manager's Activity Report as presented to Council on Monday, 28 August 2023 be noted.

Carried**21.5 LIBRARY MANAGER'S ACTIVITY REPORT FOR JULY 2023****File Number: L4.1**

The Council had before it the report of the Library Manager regarding the Library Manager's Activity Report for July 2023.

Resolution 2023/187**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

That the information in the Library Manager's Report for July 2023 as presented to Council on Monday, 28 August 2023 be noted.

Carried

21.6 TOURISM AND EVENTS REPORT**File Number: T4.3**

The Council had before it the report of the Coordinator Tourism Operations regarding the Tourism and Events Report.

Resolution 2023/188**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

That the information in the Tourism and Events Report for July 2023 as presented to Council on Monday, 28 August 2023 be noted.

Carried**22 CLOSED SESSION**

At this juncture, the Council gave consideration to moving into Closed Session of Council.

Resolution 2023/189**Moved: Cr Robert Stutsel****Seconded: Cr Lachlan Ford**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

22.1 * Outstanding Rates and Charges**

This matter is considered to be confidential under Section 10A(2) - (b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with discussion in relation to the personal hardship of a resident or ratepayer.

Carried

Council proceeded into closed session with the livestreaming of the meeting being paused at 9.45 am.

22.1 * OUTSTANDING RATES AND CHARGES****File Number: P2.5-R2.15-R2.22-P9.3**

The Council had before it the report of the Manager Corporate Services regarding the Outstanding Rates and Charges.

Resolution 2023/190**Moved: Cr Robert Stutsel****Seconded: Cr Cec Dorrington**

- 1. That Council notes the report on Outstanding Rates and Charges, Water Billing and Sundry Debtors owed to Council as at 30 June 2023.**
- 2. That the documents and considerations remain confidential to Council.**

Carried**Resolution 2023/191****Moved: Cr Sam Rice****Seconded: Cr Lachlan Ford****That Council moves out of Closed Council into Open Council.****Carried**

Open council resumed at 9.54am.

RESOLUTIONS FROM CLOSED SESSION OF COUNCIL

At the request of the Mayor, the General Manager read to the meeting the Councils resolutions as determined in the Closed Session of Council.

The Meeting closed at 9.55am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 September 2023.

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CHAIRPERSON