



MINUTES

Ordinary Council Meeting

4 March 2024

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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, 4 MARCH 2024 AT 9:15AM**

PRESENT: Cr Barry Hollman (Mayor), Cr Sarah Barton, Cr Cec Dorrington, Cr Lachlan Ford (Deputy Mayor), Cr Grace Ridge, Cr Robert Stutsel

IN ATTENDANCE: Leonie Brown (General Manager), 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:

| | | | |
|---------------------|-----------------------------------|------------------|-------------------------|
| Roy Bligh | Lathan Brown | Rhondda Crain | Matilda Ferguson |
| Denise Gillies | Norm Halliwell | David Harvey | Lynne Homer nee Langley |
| Ken 'Red' Knight | Rhonda Lewis | Nancy 'Nan' Long | George Lyons |
| Wally Prince | Bernie Reed | Trevor Roach | Terry 'Freck' Ronayne |
| Larry Rudd | Beverley 'Raina' Solomon nee Reid | | Tony Stringer |
| Vincent West-Morgan | | | |

4 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Requests for Leave of Absence were received from Cr Victor Bartley, Cr Sally Davis, Cr Sam Rice and Cr Nathan Ryan who were absent from the meeting due to personal reasons.

Resolution 2024/1

Moved: Cr Robert Stutsel

Seconded: Cr Cec Dorrington

That the apologies received from Councillor Victor Bartley, Councillor Sally Davis, Councillor Sam Rice and Councillor Nathan Ryan be accepted and leave of absence granted.

Carried

5 ATTENDANCE BY AUDIO VISUAL LINK BY COUNCILLORS

Nil

6 DISCLOSURES OF INTEREST

Cr Sarah Barton declared a pecuniary conflict of interest in Item 21.5 – General Manager’s Activity Report. The reason for such interest is that Cr Barton is an employee of the Department of Regional NSW who coordinated the delivery of the Regional Development Roundtable meeting in Bourke on 12 December 2023. In making this declaration, Cr Barton advised she would leave the Chamber and be out of sight should Council separately consider this matter as part of Item 21.5 of the Agenda.

Cr Grace Ridge declared a pecuniary conflict of interest in Item 12.3 of the Ordinary Council Meeting Agenda – Business Arising, North Bourke Storm Water Drainage and Item 22.3 of the Confidential Council Meeting 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 leave the Chamber and be out of sight should Council separately consider Item 12.3 of the Agenda and that she would leave the Chamber and be out of sight during Councils consideration of Item 22.3 of the Agenda.

7 MAYORAL MINUTE**7.1 MAYORAL MINUTE - MAYORAL ACTIVITIES**

File Number: 1707

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

Resolution 2024/2

Moved: Cr Barry Hollman

That the information in the Mayoral Minute – Mayoral Activities Report as presented to Council on Monday, 4 March 2024, be noted.

Carried

7.2 MAYORAL MINUTE - COST SHIFTING**File Number: M2.1, F1.1**

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

Resolution 2024/3**Moved: Cr Barry Hollman**

- 1. That the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year be noted.**
- 2. That a copy of the LGNSW Cost Shifting report be placed on Council's website for the information of Bourke Shire residents.**
- 3. That Council write to the NSW Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.**

Carried**7.3 MAYORAL MINUTE - AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA)****File Number: 2847**

The Council had before it the report of the Mayor regarding the Mayoral Minute - Australian Local Government Association (ALGA).

Resolution 2024/4**Moved: Cr Barry Hollman**

- 1. That the Mayor and General Manager attend the Australian Local Government Association General Assembly and associated activities to be held in Canberra from 2 - 5 July 2024.**
- 2. That Councillors who wish to attend the ALGA event in Canberra advise their intentions to the General Manager prior to 8 March 2024.**

Carried**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. The following additional reports were identified by Council to be starred for individual consideration.

| Item No | Name of Report | Officer |
|---------|--|-------------------|
| 21.1 | Engineering Services - Road Works and Workshop Activity Report | Paul Flanagan |
| 21.4 | Planning, Regulatory & Environmental Services Activity Report | Dwayne Willoughby |
| 21.5 | General Manager's Activity Report | Leonie Brown |
| 21.8 | Tourism and Events Activity Report | Melanie Milgate |

Resolution 2024/5**Moved: Cr Robert Stutsel****Seconded: Cr Sarah Barton**

That the recommendations as detailed in the un-starred items as contained in the agenda for the Ordinary Meeting of Council, held on Monday, 4 March 2024 be adopted save and except for items No 21.1, 21.4, 21.5 and 21.8 of the Agenda, with such items to be considered seperately.

Carried**9 CONFIRMATION OF MINUTES****Resolution 2024/6****Moved: Cr Cec Dorrington****Seconded: Cr Lachlan Ford**

That the minutes of the Ordinary Council Meeting held on 18 December 2023 be taken as read, confirmed as correct minutes and signed by the Mayor and the General Manager.

Carried**Resolution 2024/7****Moved: Cr Sarah Barton****Seconded: Cr Robert Stutsel**

That the minutes of the Ordinary Council Meeting held on 26 February 2024 be taken as read, confirmed as correct minutes and signed by the Mayor and the General Manager.

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 2024/8**Moved: Cr Robert Stutsel****Seconded: Cr Sarah Barton**

That the report of the General Manager regarding the Calendar of Events, as presented to Council on Monday, 4 March 2024, 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 2024/9**Moved: Cr Robert Stutsel****Seconded: Cr Sarah Barton**

That the report of the General Manager regarding Information to Councillors, as presented to Council on Monday, 4 March 2024, be noted.

Carried

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

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

Resolution 2024/10**Moved: Cr Sarah Barton****Seconded: Cr Robert Stutsel**

That the report of the General Manager regarding Business Arising, as presented to Council on Monday, 4 March 2024, be noted.

Carried**13 ENGINEERING SERVICES DEPARTMENT****13.1 BOURKE LOCAL TRAFFIC COMMITTEE MEETING MINUTES****File Number: C6.6**

The Council had before it the report of the Manager Roads regarding the Bourke Local Traffic Committee Meeting Minutes.

Resolution 2024/11**Moved: Cr Robert Stutsel****Seconded: Cr Sarah Barton**

That the Minutes of the Meeting of the Bourke Shire Council Traffic Committee held on 12 December 2023 as presented to Council on Monday, 4 March 2024 be adopted.

Carried**14 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT**

Nil

15 GENERAL MANAGER**15.1 *** 2024 TOUR DE OROC**

File Number: D5.1, D5.3

The Council had before it the report of the General Manager regarding the 2024 Tour de OROC.

Resolution 2024/12

Moved: Cr Robert Stutsel

Seconded: Cr Sarah Barton

That Council contribute a donation of up to \$10,000 towards the costs associated with the hosting of the Tour de OROC riders and support crew in Bourke for the 2024 ride.

Carried

15.2 * PROPOSED NAMING OF THE NORTH BOURKE OVAL**

File Number: 1355 (A10.12)

The Council had before it the report of the General Manager regarding the Proposed Naming of the North Bourke Oval.

Resolution 2024/13

Moved: Cr Cec Dorrington

Seconded: Cr Lachlan Ford

- 1. That Council proceed to seek community feedback on the proposal to renaming the cricket ground at North Bourke to “The Neville Simpson Memorial Sports Ground” as per the Guidelines of the Geographical Names Board.**
- 2. That a further report be submitted to Council in respect of the outcome of such consultation, for a Council resolution in respect of submitting the naming proposal to the Geographical Names Board or otherwise.**

Carried

16 CORPORATE SERVICES DEPARTMENT**16.1 *** BANK RECONCILIATION AND STATEMENT OF BANK BALANCES - 31 DECEMBER 2023****File Number: 2108**

The Council had before it the report of the Manager Corporate Services regarding the Bank Reconciliation and Statement of Bank Balances - 31 December 2023.

Resolution 2024/14**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 December 2023 be noted.

Carried**16.2 *** BANK RECONCILIATION AND STATEMENT OF BANK BALANCES - 31 JANUARY 2024****File Number: 2108**

The Council had before it the report of the Manager Corporate Services regarding the Bank Reconciliation and Statement of Bank Balances - 31 January 2024.

Resolution 2024/15**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 January 2024 be noted.

Carried

16.3 * INVESTMENT PORTFOLIO REPORT AS AT 31 DECEMBER 2023****File Number: 2101**

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

Resolution 2024/16**Moved: Cr Robert Stutsel****Seconded: Cr Cec Dorrington**

1. That the report of the Manager Corporate Services regarding Council's Investment Portfolio as at 31 December 2023, as presented to Council on Monday, 4 March 2024, be received and noted.
2. That the Certificate of the Responsible Accounting Officer be noted, and the report adopted.

Carried**16.4 *** INVESTMENT PORTFOLIO REPORT AS AT 31 JANUARY 2024****File Number: 2101**

The Council had before it the report of the Manager Corporate Services regarding the Investment Portfolio Report as at 31 January 2024.

Resolution 2024/17**Moved: Cr Robert Stutsel****Seconded: Cr Lachlan Ford**

1. That the report of the Manager Corporate Services regarding Council's Investment Portfolio as at 31 January 2024, as presented to Council on Monday, 4 March 2024, be received and noted.
2. That the Certificate of the Responsible Accounting Officer be noted, and the report adopted.

Carried

16.5 * 2024/2025 OPERATIONAL PLAN PREPARATION****File Number: P4.1**

The Council had before it the report of the Manager Corporate Services regarding the 2024/2025 Operational Plan Preparation.

Resolution 2024/18**Moved: Cr Sarah Barton****Seconded: Cr Robert Stutsel**

- 1. That Councils 2024/2025 Draft Operational Plan be prepared utilising the 4.5% General Rate increase as determined by IPART for Bourke Shire Council.**
- 2. That any Councillors wishing to have an item included for consideration in the 2024/2025 Draft Operational Plan, are requested to notify the Manager of Corporate Services by 8 March 2024.**
- 3. That the timetable for the preparation and adoption of Council's 2024/2025 Operational Plan be adopted.**

Carried**16.6 *** QUARTERLY BUDGET REVIEW TO 31 DECEMBER 2023****File Number: 2023**

The Council had before it the report of the Manager Corporate Services regarding the Quarterly Budget Review to 31 December 2023.

Resolution 2024/19**Moved: Cr Robert Stutsel****Seconded: Cr Cec Dorrington**

- 1. That the document titled "Quarterly Budget Review Statement – 31 December 2023" be received and noted.**
- 2. That the variations of income and expenditure as identified in the "Quarterly Budget Review Statement – 31 December 2023" be adopted.**

Carried

16.7 DELIVERY PROGRAM - HALF YEARLY REVIEW 2023/2024**File Number: P4.1**

The Council had before it the report of the Manager Corporate Services regarding the Delivery Program - Half Yearly Review 2023/2024.

Resolution 2024/20**Moved: Cr Robert Stutsel****Seconded: Cr Sarah Barton**

That Council note the Half Yearly Delivery Program Review Report as presented to the Ordinary Meeting of Council held on Monday, 4 March 2024.

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 ACTIVITY REPORT****File Number: 1945**

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

Resolution 2024/21**Moved: Cr Sarah Barton****Seconded: Cr Lachlan Ford**

That the report of the Manager Roads regarding Engineering Services - Road Works and Workshop Activity, as presented to Council on Monday, 4 March 2024, be noted.

Carried**21.2 ENGINEERING SERVICES - PARKS AND GARDENS, TOWN SERVICES, WATER AND WASTE WATER ACTIVITY REPORT - DECEMBER 2023****File Number: E7.1**

The Council had before it the report of the Manager Works regarding the Engineering Services - Parks and Gardens, Town Services, Water and Waste Water Activity Report - December 2023.

Resolution 2024/22**Moved: Cr Robert Stutsel****Seconded: Cr Sarah Barton**

That the report of the Manager Works regarding Engineering Services - Parks and Gardens, Town Services and Water and Wastewater Activity for the month of December 2023, as presented to Council on Monday, 4 March 2024, be noted.

Carried

21.3 ENGINEERING SERVICES - PARKS AND GARDENS, TOWN SERVICES, WATER AND WASTE WATER ACTIVITY REPORT - JANUARY 2024**File Number: E7.1**

The Council had before it the report of the Manager Works regarding the Engineering Services - Parks and Gardens, Town Services, Water and Waste Water Activity Report - January 2024.

Resolution 2024/23**Moved: Cr Robert Stutsel****Seconded: Cr Sarah Barton**

That the report of the Manager Works regarding Engineering Services - Parks and Gardens, Town Services and Water and Wastewater Activity for the month of January 2024, as presented to Council on Monday, 4 March 2024, be noted.

Carried**21.4 PLANNING, REGULATORY & ENVIRONMENTAL SERVICES ACTIVITY REPORT****File Number: 1102,1322,1059,1165**

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

Resolution 2024/24**Moved: Cr Robert Stutsel****Seconded: Cr Lachlan Ford**

That the report of the Manager Environmental Services regarding Planning, Regulatory and Environmental Services Activity, as presented to Council on Monday, 4 March 2024, be noted.

Carried

21.5 GENERAL MANAGER'S ACTIVITY REPORT**File Number: 4170**

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

Resolution 2024/25**Moved: Cr Lachlan Ford****Seconded: Cr Sarah Barton**

- 1. That the report of the General Manager regarding General Manager Activity for December 2023 and January 2024, as presented to Council on Monday, 4 March 2024, be noted.**
- 2. That Council acknowledge the work and dedication of Council staff in assisting with the clean-up of debris as a result of the storms that impacted Bourke on 7 and 8 January 2024 and again on 12 February 2024.**

Carried**21.6 LIBRARY ACTIVITY REPORT - DECEMBER 2023****File Number: 2780**

The Council had before it the report of the Library Manager regarding the Library Activity Report - December 2023.

Resolution 2024/26**Moved: Cr Robert Stutsel****Seconded: Cr Sarah Barton**

That the report of the Library Manager regarding Library Activity for the month of December 2023, as presented to Council on Monday, 4 March 2024, be noted.

Carried

21.7 LIBRARY ACTIVITY REPORT - JANUARY 2024**File Number: 2780**

The Council had before it the report of the Library Manager regarding the Library Activity Report - January 2024.

Resolution 2024/27**Moved: Cr Robert Stutsel****Seconded: Cr Sarah Barton**

That the report of the Library Manager regarding Library Activity for the month of January 2024, as presented to Council on Monday, 4 March 2024, be noted.

Carried**21.8 TOURISM AND EVENTS ACTIVITY REPORT - DECEMBER 2023****File Number: T4.3**

The Council had before it the report of the Coordinator Tourism Operations regarding the Tourism and Events Activity Report - December 2023.

Resolution 2024/28**Moved: Cr Lachlan Ford****Seconded: Cr Sarah Barton**

That the report of the Coordinator Tourism regarding Tourism and Events Activity for December 2023, as presented to Council on Monday, 4 March 2024, be noted.

Carried

21.9 TOURISM AND EVENTS ACTIVITY REPORT - JANUARY 2024**File Number: T4.3**

The Council had before it the report of the Coordinator Tourism Operations regarding the Tourism and Events Activity Report - January 2024.

Resolution 2024/29**Moved: Cr Robert Stutsel****Seconded: Cr Sarah Barton**

That the report of the Coordinator Tourism regarding Tourism and Events Activity for January 2024, as presented to Council on Monday, 4 March 2024, be noted.

Carried**22 CLOSED SESSION**

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

Resolution 2024/30**Moved: Cr Cec Dorrington****Seconded: Cr Robert Stutsel**

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, Charges and Sundry Debtors**

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.

22.2 * Oxley Street Resealing Project**

This matter is considered to be confidential under Section 10A(2) - (d)(ii) 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 information that would, if disclosed, confer a commercial advantage on a competitor of the council.

22.3 * North Bourke Stormwater Drainage**

This matter is considered to be confidential under Section 10A(2) - (g) 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Carried

Council proceeded into closed session with the livestreaming of the meeting being paused at 10.13am.

22.1 * OUTSTANDING RATES, CHARGES AND SUNDRY DEBTORS**

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, Charges and Sundry Debtors.

Resolution 2024/31

Moved: Cr Cec Dorrington

Seconded: Cr Robert Stutsel

- 1. That Council notes the report on Outstanding Rates and Charges, Water Billing and Sundry Debtors owed to Council as at 31 December 2023.**
- 2. That the documents and considerations remain confidential to Council.**

Carried

22.2 * OXLEY STREET RESEALING PROJECT**

File Number: 20347

The Council had before it the report of the General Manager regarding the Oxley Street Resealing Project.

Resolution 2024/32

Moved: Cr Cec Dorrington

Seconded: Cr Sarah Barton

- 1. That the report of the General Manager regarding the Oxley Street resealing project, as presented to Council on Monday, 4 March 2024, be noted.**
- 2. That the documents and consideration of this matter remain confidential to Council.**

Carried

At this juncture, Cr Grace Ridge left the meeting, the time being 10:25 am.

22.3 * NORTH BOURKE STORMWATER DRAINAGE****File Number: D6.1, D6.2, V1.6**

The Council had before it the report of the Manager Special Projects regarding the North Bourke Stormwater Drainage.

Due to the lack of a quorum, the Chairman adjourned consideration of this item to the March 2024 Ordinary Meeting of Council commencing at 9.15am on Monday, 25 March 2024 in the Council Chamber.

The reason for such lack of a quorum was a result of the apologies tendered by Cr Bartley, Cr Davis, Cr Rice and Cr Ryan and the interests declared by Cr Ridge which saw Cr Ridge leave the room in respect of this matter.

At this juncture, Cr Grace Ridge returned to the meeting, the time being 10:32 am.

Resolution 2024/33**Moved: Cr Robert Stutsel****Seconded: Cr Sarah Barton****That Council moves out of Closed Council into Open Council.****Carried**

Open council resumed at 10.33am.

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 10.35am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 March 2024.

.....
CHAIRPERSON