BOURKE
SHIRE
COUNCIL

MINUTES

Ordinary Council Meeting

24 June 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, 24 JUNE 2024 AT 9.15AM

PRESENT: Cr Barry Hollman (Mayor), Cr Victor Bartley, Cr Sarah Barton, Cr Sally Davis, Cr Cec Dorrington, Cr Lachlan Ford (Deputy Mayor), Cr Sam Rice, Cr Grace Ridge (via Audio Visual Link), Cr Nathan Ryan, Cr Robert Stutsel

IN ATTENDANCE: Leonie Brown (General Manager), Peter Brown (Manager Works), Paul Flanagan (Manager Roads Services), Ang Pasang Rai (Manager Corporate Services), Dwayne Willoughby (Manager Planning, Regulatory and 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:

Gordon 'Scrubber' Courts	Robyn Davis	Wendy Goodman, nee Halliwell
Jim Griffin	Frank Hadley	Valerie Joan Myors

4 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5 ATTENDANCE BY AUDIO VISUAL LINK BY COUNCILLORS

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

Resolution 2024/112

Moved: Cr Sam Rice
Seconded: Cr Sarah Barton

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

Carried

6 DISCLOSURES OF INTEREST

Cr Victor Bartley declared a non-pecuniary conflict of interest in Item 20.1 of the Ordinary Council Meeting Agenda: Request for Assistance – 'A' Day Bowls Tournament. The reason for such interest is that Cr Bartley is the Secretary of the 'A' Day Bowls Committee. In making this declaration, Cr Bartley advised that he would leave the Chamber and be out of sight during Council's consideration of Item 20.1 of the Ordinary Council Meeting Agenda.

Cr Victor Bartley declared a non-pecuniary conflict of interest in Item 20.4 of the Ordinary Council Meeting Agenda – Request for Sponsorship – Outback Radio 2WEB. The reason for such interest is that Cr Bartley is a Financial Member of WREB Co-Op Ltd, the operator of 2WEB Community Radio Station in Bourke. In making this declaration, Cr Bartley advised that he would leave the Chamber and be out of sight during Council's consideration of Item 20.4 of the Ordinary Council Meeting Agenda.

Cr Sarah Barton declared a pecuniary conflict of interest in Item 7.1 of the Ordinary Council Meeting Agenda: Mayoral Minute – Mayoral Activities. The reason for such interest is that Cr Barton is employed by the Department of Regional NSW who provide funding for Regional and Remote Airports, as referred to in the Mayoral Activities Report. 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 Ordinary Council Meeting Agenda.

Cr Sarah Barton declared a pecuniary conflict of interest in Item 12.3 of the Ordinary Council Meeting Agenda: Business Arising Report - Notice of Motion – Proposed Motel. The reason for such interest is that Cr Barton and her husband own and operate an accommodation facility in Bourke, which the subject report relates to. 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 12.3 of the Ordinary Council Meeting Agenda.

Cr Sarah Barton declared a pecuniary conflict of interest in Item 12.3 of the Ordinary Council Meeting Agenda: Business Arising Report – Tender for the Provision of Building Trades and Services and Item 22.4 of the Closed Council Meeting Agenda: Tender for the Provision of Building Trades and Services. The reason for such interest is that Cr Barton's husband owns and operates a business that has submitted a tender in this matter. 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 12.3 of the Ordinary Council Meeting Agenda and during Council's consideration of Item 22.4 of the Closed Council Meeting Agenda.

Cr Sarah Barton declared a pecuniary conflict of interest in Item 17.1 of the Ordinary Council Meeting Agenda: Main Street Development. The reason for such interest is that Cr Barton is employed by the Department of Regional NSW who have provided funding for the Main Street Development. In making this declaration, Cr Barton advised that she would leave the Chamber and be out of sight during Council's consideration of Item 17.1 of the Ordinary Council Meeting Agenda.

Cr Sally Davis declared a pecuniary conflict of interest in Item 12.3 of the Ordinary Council Meeting Agenda: Business Arising - North Bourke Storm Water Drainage. The reason for such interest is that Cr Davis and her husband own land adjacent to the land the subject of the reports and is in discussion with Council regarding a potential sale of a portion of such land. In addition, she has a

friendship with the landowner (Mr G Seiler). In making this declaration, Cr Davis advised she would leave the Chamber and be out of sight should Council seperately consider this matter as part of Item 12.3 of the Ordinary Council Meeting Agenda.

Cr Cec Dorrington declared a non-pecuniary interest in Item 20.2 of the Ordinary Council Meeting Agenda: Request for Assistance – Bourke and District Garden Club. The reason for such interest is that Cr Dorrington is the Treasurer of the Bourke and District Garden Club. In making this declaration, Cr Dorrington advised that he would leave the Chamber and be out of sight during Council's consideration Item 20.2 of the Ordinary Council Meeting Agenda.

Cr Cec Dorrington declared a non-pecuniary interest in Item 20.4 of the Ordinary Council Meeting Agenda: Request for Sponsorship – Outback Radio 2WEB. The reason for such interest is that Cr Dorrington is an employee of Outback Radio 2WEB. In making this declaration, Cr Dorrington advised that he would leave the Chamber and be out of sight during Council's consideration of Item 20.4 of the Ordinary Council Meeting 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. The reason for such interest is that Cr Ridge and her family have a business relationship with the owner of the land detailed in the report. In making this declaration, Cr Ridge advised she would turn off her Audio Visual Link and be out of sight should Council seperately consider this matter as part of Item 12.3 of the Ordinary Council Meeting Agenda.

Cr Nathan Ryan declared a non-pecuniary and less than significant interest in Item 12.3 of the Ordinary Council Meeting 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 should Council separately consider this matter as part of Item 12.3 of the Ordinary Council Meeting Agenda he would remain in the Chamber but would not contribute during Council's consideration of the matter.

Cr Robert Stutsel declared a non-pecuniary interest in Item 20.4 of the Ordinary Council Meeting Agenda: Request for Sponsorship – Outback Radio 2WEB. The reason for such interest is that Cr Stutsel is a Financial Member of WREB Co-Op Ltd, the operator of 2WEB Community Radio Station in Bourke. In making this declaration, Cr Stutsel advised that he would leave the Chamber and be out of sight during Council's consideration of the matter as Item 20.4 of the Ordinary Council Meeting Agenda.

Council's General Manager, Leonie Brown, declared a pecuniary conflict of interest in Item 12.3 of the Ordinary Council Meeting Agenda: Business Arising – Proposed Motel. The reason for such interest is that Mrs Brown and her husband own and operate a commercial accommodation facility in Bourke, which the subject report relates to. In making this declaration, Mrs Brown advised that she would leave the Chamber and be out of sight should Council separately consider this matter as part of Item 12.3 of the Ordinary Council Meeting Agenda.

Council's General Manager, Leonie Brown declared a pecuniary conflict of interest in Item 12.3 of the Ordinary Council Meeting Agenda: Business Arising Report – Tender for the Provision of Building Trades and Services and Item 22.4 of the Closed Council Meeting Agenda – Tender for the Provision of Building Trades and Services. The reason for such interest is that a relative of Mrs

Brown is one of the tenderers who has submitted a tender in this matter. In making this declaration, Mrs Brown advised that she would leave the chamber and be out of sight should Council separately consider this matter as part of Item 12.3 of the Ordinary Council Agenda and during Council's consideration of Item 22.4 of the Closed Council Meeting Agenda.

Council's Manager of Planning, Regulatory and Environmental Services, Dwayne Willoughby declared a pecuniary conflict of interest in Item 12.3 of the Ordinary Council Meeting Agenda: Business Arising Report – Tender for the Provision of Building Trades and Services and 22.4 of the Closed Council Meeting Agenda – Tender for the Provision of Building Trades and Services. The reason for such interest is that a relative of Mr Willoughby is one of the tenderers who has submitted a tender in this matter. In making this declaration, Mr Willoughby advised that he would leave the chamber and be out of sight should Council separately consider this matter as part of Item 12.3 of the Ordinary Council Agenda and during Council's consideration of the matter as Item 22.4 of the Closed Council Meeting 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 2024/113

Moved: Cr Barry Hollman

That the information in the Mayoral Minute – Mayoral Activities Report as presented to Council on Monday, 24 June 2024, be noted.

Carried

Resolution 2024/114

Moved: Cr Lachlan Ford
Seconded: Cr Sally Davis

That the General Manager be requested to provide a report to the July 2024 Ordinary Meeting of Council which details Councils recent representations in respect of supporting the Bourke and District Children's Services (BDCS) following the announcement by the NSW Government in respect of the provision of funding for an alternative early childhood education model for Bourke, and in doing so, allow Council to determine a formalised policy position in respect of this matter, which effects both the Service and the Bourke community.

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
13.2	Information to Councillors	General Manager
17.1	Main Street Development	Manager Economic Development
21.4	General Managers Activity Report	General Manager
21.6	Tourism and Events Activity Report	Manager Economic Development

Resolution 2024/115

Moved: Cr Robert Stutsel
Seconded: Cr Cec Dorrington

That the recommendations as detailed in the un-starred items as contained in the agenda for the Ordinary Meeting of Council, held on Monday, 24 June 2024 be adopted save and except for Items 13.2, 17.1, 21.4 and 21.6 of the Agenda, with such item to be considered seperately.

Carried

9 CONFIRMATION OF MINUTES

Resolution 2024/116

Moved: Cr Cec Dorrington
Seconded: Cr Sally Davis

That the minutes of the Ordinary Council Meeting held on 27 May 2024 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 Acting General Manager regarding the Calendar of Events.

Resolution 2024/117

Moved: Cr Robert Stutsel
Seconded: Cr Cec Dorrington

That the report of the Acting General Manager regarding the Calendar of Events, as presented to Council on Monday, 24 June 2024, be noted.

Carried

12.2 INFORMATION TO COUNCILLORS

File Number: C12.1

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

Resolution 2024/118

Moved: Cr Robert Stutsel
Seconded: Cr Cec Dorrington

That the report of the Acting General Manager regarding Information to Councillors, as presented to Council on Monday, 24 June 2024, be noted.

Carried

12.3 *** BUSINESS ARISING REPORT

File Number: C12.1

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

Resolution 2024/119

Moved: Cr Robert Stutsel
Seconded: Cr Lachlan Ford

That the report of the Acting General Manager regarding Business Arising, as presented to Council on Monday, 24 June 2024, be noted.

Carried

13 ENGINEERING SERVICES DEPARTMENT

13.1 *** REMOVAL OF QUEENSLAND FIG TREE - TARCOON STREET, BOURKE

File Number: 3299

The Council had before it the report of the Manager Works regarding the Removal of Queensland Fig Tree - Tarcoon Street, Bourke.

Resolution 2024/120

Moved: Cr Robert Stutsel
Seconded: Cr Victor Bartley

1. **That as per Council's Street Tree Policy in respect of Queensland Fig Trees, Council proceed to advertise for a two (2) week period regarding its intention to undertake the removal of the Queensland Fig Tree, identified as Tree 3 in the report of Douglas Abor as commissioned by the Bourke High School, and as located on the eastern side of Tarcoon Street, Bourke, adjacent to the entry to the Bourke High School.**
2. **That following such advertising period, Council proceed to remove such tree, as a matter of priority, to address the extensive decay in the lower trunk which increases the risk of failure in a high use area, as reported.**
3. **That Council staff replace the Queensland Fig Tree with a suitable tree species.**
4. **That the Bourke High School be advised accordingly.**

Carried

13.2 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 2024/121

Moved: Cr Robert Stutsel
Seconded: Cr Victor Bartley

That the Minutes of the Meeting of the Bourke Shire Council Traffic Committee held on 11 June 2024 as presented to Council on Monday, 24 June 2024 be adopted.

Carried

14 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT

14.1 CROWN LAND DRAFT PLANS OF MANAGEMENT

File Number: 2621, 4260

The Council had before it the report of the Manager Planning, Regulatory and Environmental Services regarding the Crown Land Draft Plans of Management.

Resolution 2024/122

Moved: Cr Robert Stutsel
Seconded: Cr Cec Dorrington

That Council adopt the draft Generic Plan of Management – Bourke Shire Council, and the draft Plan of Management – Yantabulla Cemetery.

Carried

14.2 *** ADVENTURE PARK TENDERS

File Number: 20569

The Council had before it the report of the Manager Planning, Regulatory and Environmental Services regarding the Adventure Park Tenders.

Resolution 2024/123

Moved: Cr Sally Davis
Seconded: Cr Sam Rice

1. **That as per Clause 178(3)(e) of the Local Government (General) Regulation 2021, Council proceed to enter into negotiations with yet to be identified persons who have a known success in bringing like adventure park projects to fruition and/or relevant contractors on Councils Building Trades and Services Panel with a view to Council entering into a contract in relation to the subject matter of the tender.**
2. **That as per Clause 178(4)(a) of the Local Government (General) Regulation 2021, the reason for Council declining to invite fresh tender submissions or applications for the works is that Council has previously invited tenders for the works which resulted in the receipt of no tenders being received, leading Council to consider that a satisfactory result would not be achieved by again inviting tenders.**
3. **That as per Clause 178(4)(b) of the Regulation, the reason for Council determining to enter into negotiations with persons who have a known success in bringing like adventure park projects to fruition and/or relevant contractors on Councils Building Trades and Services Panel is that Council previously invited tenders for the project which resulted in no tenders being received and it is anticipated that negotiations with such persons provides the best prospect for the project being bought to fruition.**
4. **That the General Manager be requested to report to Council the outcome of negotiations prior to any contract being entered into.**

Carried

15 GENERAL MANAGER

15.1 PROPOSED NAMING OF ROAD - BUSTER LANE

File Number: 3221

The Council had before it the report of the Acting General Manager regarding the Proposed Naming of Road - Buster Lane.

Resolution 2024/124

Moved: Cr Robert Stutsel
Seconded: Cr Cec Dorrington

1. **That it be noted that the Buster Lane Road naming Proposal has been approved by the Geographical Names Board.**
2. **That the General Manager be requested to take the necessary action to prepare and submit a Road Name Gazettal Notice to formalise the Buster Lane proposal.**

Carried

15.2 *** PECUNIARY INTEREST RETURNS

File Number: S6.29-LD-S3.8.31

The Council had before it the report of the Acting General Manager regarding the Pecuniary Interest Returns.

Resolution 2024/125

Moved: Cr Robert Stutsel
Seconded: Cr Victor Bartley

That Council notes the information received in relation to Pecuniary Interest Returns as presented to Council on Monday, 24 June 2024.

Carried

16 CORPORATE SERVICES DEPARTMENT

16.1 *** BANK RECONCILIATION AND STATEMENT OF BANK BALANCES - 31 MARCH 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 March 2024.

Resolution 2024/126

Moved: Cr Sally Davis
Seconded: Cr Cec Dorrington

That the Certificate of Reconciliation of the Cash Book for all funds of the Council and the Statement of Bank Balances as at 31 May 2024 be noted.

Carried

16.2 *** INVESTMENT PORTFOLIO REPORT AS AT 31 MAY 2024

File Number: 2101

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

Resolution 2024/127

Moved: Cr Cec Dorrington
Seconded: Cr Sally Davis

1. **That the report of the Manager Corporate Services regarding Council's Investment Portfolio as at 31 May 2024, as presented to Council on Monday, 24 June 2024, be received and noted.**
2. **That the Certificate of the Responsible Accounting Officer be noted, and the report adopted.**

Carried

17 ECONOMIC DEVELOPMENT DEPARTMENT

At this juncture, Cr Sarah Barton left the meeting, the time being 10:06 am.

17.1 MAIN STREET DEVELOPMENT

File Number: 3196, 3222

The Council had before it the report of the Manager Economic Development regarding the Main Street Development.

Resolution 2024/128

Moved: Cr Robert Stutsel
Seconded: Cr Sam Rice

That the information contained in the report regarding the next phase of main street development be noted.

Carried

At this juncture, Cr Sarah Barton returned to the meeting, the time being 10:09 am.

18 DELEGATES AND COUNCILLORS REPORTS

Nil

19 POLICIES

Nil

20 PRÉCIS OF CORRESPONDENCE

At this juncture, Cr Victor Bartley left the meeting, the time being 10.09am.

20.1 *** REQUEST FOR ASSISTANCE - 'A' DAY BOWLS TOURNAMENT

File Number: 1232

The Council had before it the report of the Acting General Manager regarding the Request for Assistance - 'A' Day Bowls Tournament.

Resolution 2024/129

Moved: Cr Robert Stutsel
Seconded: Cr Sally Davis

That Council accede to the request of the 'A' Day Bowls Tournament Committee, in the amount of $500.

Carried

At this juncture, Cr Victor Bartley returned to the meeting, the time being 10.10am.

At this juncture, Cr Cec Dorrington left the meeting, the time being 10:10 am.

20.2 *** REQUEST FOR ASSISTANCE - BOURKE AND DISTRICT GARDEN CLUB

File Number: D5.2, 1456

The Council had before it the report of the Acting General Manager regarding the Request for Assistance - Bourke and District Garden Club.

Resolution 2024/130

Moved: Cr Robert Stutsel
Seconded: Cr Sam Rice

That Council support the application from the Bourke and District Garden Club for assistance comprising both in-kind and monetary ($1,500) for the 2024/2025 Competition up to a total amount of $2,500.00.

Carried

At this juncture, Cr Cec Dorrington returned to the meeting, the time being 10:12 am.

20.3 *** REQUEST FOR SUPPORT - NSW RURAL DOCTORS NETWORK BUSH BURSARY AND COUNTRY WOMEN'S ASSOCIATION OF NSW SCHOLARSHIP PROGRAM 2024/2025

File Number: 1232

The Council had before it the report of the Acting General Manager regarding the Request for Support - NSW Rural Doctors Network Bush Bursary and Country Women's Association of NSW Scholarship Program 2024/2025.

Resolution 2024/131

Moved: Cr Victor Bartley
Seconded: Cr Cec Dorrington

1. **That Council accede to the request from the Rural Doctors Network regarding financial support in the amount of $3,000 to assist the Bush Bursary Scheme in 2024/2025.**
2. **That Council advise the NSWRDN it is unable to fulfil the expected role of Council regarding the logistics of the student placement.**
3. **That Council suggest liaison with the NWAC regarding the student placement.**

Carried

At this juncture, Cr Victor Bartley, Cr Cec Dorrington, and Cr Robert Stutsel left the meeting, the time being 10.12am.

20.4 *** REQUEST FOR SPONSORSHIP - OUTBACK RADIO 2WEB

File Number: 20617

The Council had before it the report of the Acting General Manager regarding the Request for Sponsorship - Outback Radio 2WEB.

Resolution 2024/132

Moved: Cr Sam Rice
Seconded: Cr Sarah Barton

That Council increase its sponsorship to Outback Radio 2WEB to $7,135.00 + GST ($7,848.50).

Carried

At this juncture, Cr Victor Bartley, Cr Cec Dorrington and Cr Robert Stutsel returned to the meeting, the time being 10.14am.

20.5 *** REQUEST FOR ASSISTANCE - BOURKE WARRIORS ABORIGINAL RUGBY LEAGUE CLUB

File Number: 20617

The Council had before it the report of the Acting General Manager regarding the Request for assistance - Bourke Warriors Aboriginal Rugby League Club.

Resolution 2024/133

Moved: Cr Robert Stutsel
Seconded: Cr Victor Bartley

That Council not accede to the request of the Bourke Warriors ARLC to fund sponsorship for the clubs participation in the NSW Koori Knockout.

Carried

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 2024/134

Moved: Cr Robert Stutsel
Seconded: Cr Cec Dorrington

That the report of the Manager Roads regarding Engineering Services - Road Works and Workshop Activity, as presented to Council on Monday, 24 June 2024, be noted.

Carried

21.2 ENGINEERING SERVICES - PARKS AND GARDENS, TOWN SERVICES, WATER AND WASTE WATER ACTIVITY REPORT

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.

Resolution 2024/135

Moved: Cr Robert Stutsel
Seconded: Cr Cec Dorrington

That the report of the Manager Works regarding Engineering Services - Parks and Gardens, Town Services and Water and Wastewater Activity, as presented to Council on Monday, 24 June 2024, be noted.

Carried

21.3 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 2024/136

Moved: Cr Robert Stutsel
Seconded: Cr Cec Dorrington

That the report of the Manager Environmental Services regarding Planning, Regulatory and Environmental Services Activity, as presented to Council on Monday, 24 June 2024, be noted.

Carried

21.4 GENERAL MANAGER'S ACTIVITY REPORT

File Number: 4170

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

Resolution 2024/137

Moved: Cr Lachlan Ford
Seconded: Cr Robert Stutsel

That the report of the Acting General Manager regarding General Manager Activity for May 2024, as presented to Council on Monday, 24 June 2024, be noted.

Carried

21.5 LIBRARY ACTIVITY REPORT

File Number: 2780

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

Resolution 2024/138

Moved: Cr Robert Stutsel
Seconded: Cr Cec Dorrington

That the report of the Library Manager regarding Library Activity for the month of May 2024, as presented to Council on Monday, 24 June 2024, be noted.

Carried

21.6 TOURISM AND EVENTS ACTIVITY REPORT

File Number: T4.3

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

Resolution 2024/139

Moved: Cr Lachlan Ford
Seconded: Cr Robert Stutsel

That the report of the Coordinator Tourism regarding Tourism and Events Activity for May 2024, as presented to Council on Monday, 24 June 2024, be noted.

Carried

At this junction, the meeting was adjourned to allow Councillors to meet with representatives of the NSW Police, the time being 10.40am.

The meeting reconvened at 11.15am.

22 CLOSED SESSION

Resolution 2024/140

Moved: Cr Robert Stutsel
Seconded: Cr Victor Bartley

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 * Tender 01/25 for Plant Hire 2024/2025**

This matter is considered to be confidential under Section 10A(2) - (d)(i) 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

22.2 * Water Bore Tenders - Wanaaring**

This matter is considered to be confidential under Section 10A(2) - (d)(i) 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

22.3 * Evaluation of Submissions Tender: "NetWaste Tender for Collection and Recycling of Used Tyres F4207"**

This matter is considered to be confidential under Section 10A(2) - (d)(i) 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

22.4 * Tender for the Provision of Building Trades and Services**

This matter is considered to be confidential under Section 10A(2) - (d)(i) 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Carried

Council proceeded into closed session with the livestreaming of the meeting being paused at 11.16am.

22.1 *** TENDER 01/25 FOR PLANT HIRE 2024/2025

File Number: 20618

The Council had before it the report of the Acting General Manager regarding the Tender 01/25 for Plant Hire 2024/2025.

Resolution 2024/141

Moved: Cr Robert Stutsel
Seconded: Cr Victor Bartley

1. **That the tenders received for the Supply of Plant and Equipment Hire to Council for the period 1 July 2024 to 30 June 2025, as below, be accepted for the purpose of the engagement of contractors to supplement the plant and equipment requirements of Council when, and if, required:**
   - **Wideland Equipment Hire Pty Ltd**
   - **A Plant Equipment Pty Ltd**
   - **Brooks Hire Service Pty Ltd**
   - **Coates Hire Operations Pty Ltd**
   - **Conplant Pty Ltd**
   - **Darnel Pastoral Company**
   - **DJ & M Paterson Transport**
   - **Fenworx Pty Ltd t/a Newpave Asphalt**
   - **Garfs Mechanical Service**
   - **J and B Consolidated Pty Ltd**
   - **KC Sandford and WL Styles**
   - **L and L Bunyan Pty Ltd t/a Bourke Waste Management**
   - **Lewis Ag Logistics Pty Ltd**
   - **PremiAir Services Pty Ltd**
   - **Richardson Rural Contracting Pty Ltd**
   - **RM and CA Sandford and PJ Duncan**
   - **Rollers Australia Pty Ltd**
   - **Rosmech Sales and Service Pty Ltd**
   - **Stabilised Pavements of Australia**
   - **The Stabilising Pty Ltd**
   - **THM Hire Pty Ltd**
   - **W.J Cohen**
2. **That the various tenderers be advised of Councils resolution and confirm that:**

   - as per the tender documentation, the Form of Agreement contained therein is that of a 'Standing Offer' and does not place any contractual obligation on the Council to hire or engage any contractors;

   - tenders submitted were merely statements by a prospective contractor that they are willing to supply specified plant and equipment in accordance with the terms and conditions contained within Council's Tender Documentation; and,

   - Council will be in further contact should it wish to source plant and equipment hire from a selected firm.

3. **That it be confirmed that following the annual determination by Council to accept tenders for the inclusion of nominated Plant and Equipment in Council's Annual Plant Hire Register, the General Manager be authorised to add/delete/amend any such plant on the Plant Hire Register involving plant and equipment tendered by an organisation as part of Council's Annual Plant Hire and Equipment Tender.**
4. **That the documents and considerations in respect to this matter remain confidential to Council.**

Carried

22.2 *** WATER BORE TENDERS - WANAARING

File Number: 1232

The Council had before it the report of the Manager Roads regarding the Water Bore Tenders - Wanaaring.

Resolution 2024/142

Moved: Cr Sam Rice
Seconded: Cr Sally Davis

1. **That Council decline to accept either of the tender submissions lodged in respect of the drilling of new artesian bores (2) at Mooleyarrah Road Reserve and in Wanaaring Village at 102 O'Grady St, Wanaaring.**
2. **That as per Clause 178(3)(e) of the Local Government (General) Regulation 2021, Council enter into negotiations with The Impax Group Pty Ltd with a view to potentially entering into separate contracts for:**
   (a) the drilling of a bore at the Mooleyarrah Road Reserve, Wanaaring, as a matter of priority, and;
   (b) the drilling of the Wanaaring Town Bore, following the receipt of the necessary government approvals.
3. **That as per Clause 178(4)(a) of the *Local Government (General) Regulation 2021*, the reason for Council declining to invite fresh tender submissions or applications for the works is that Council is in receipt of two (2) tenders which provided a combined price for the drilling of two (2) bores, providing Council with the knowledge to negotiate, in a timely manner and based on the receipt of the necessary government approvals, separate contracts for the respective bore sites.**
4. **That as per Clause 178(4)(b) of the *Regulation*, the reason for Council determining to enter into negotiations with the Impax Group Pty Ltd is that Council has previously invited tenders for the bore drilling projects and as a result of such tenders, the Impax Group was the highest scored tenderer following the evaluation of tenders based on the project proceeding in its initial format, with the Impax Group Pty Ltd considered the best prospect for the project being bought to fruition within available resources.**
5. **That the General Manager be authorised to take the necessary action to bring the necessary contracts to finalisation.**
6. **That the documents and considerations in respect to this matter remain confidential to Council.**

Carried

22.3 *** EVALUATION OF SUBMISSIONS TENDER: "NETWASTE TENDER FOR COLLECTION AND RECYCLING OF USED TYRES F4207"

File Number: 1193

The Council had before it the report of the Manager Planning, Regulatory and Environmental Services regarding the Evaluation of Submissions Tender: "NetWaste Tender for Collection and Recycling of Used Tyres F4207".

Resolution 2024/143

Moved: Cr Robert Stutsel
Seconded: Cr Sam Rice

1. **That the Tender F4207 for the Collection and Recycling of Used Tyres be awarded to JLW Services Pty Ltd for their tendered prices as set out in this report for the initial two (2) year term with the option of two (2) x 12-month available extensions.**
2. **That as the existing contract expiry date (1 May 2024) has surpassed, a new contract start date for the two (2) year term will be advised by NetWaste upon endorsement from the NetWaste Steering Committee, and then acceptance by the NetWaste host Orange City Council via Council meeting.**
3. **That the General Manager be authorised to execute the necessary contract for the Collection and Recycling of Used Tyres.**
4. **That the documents and considerations in respect to this matter remain confidential to Council.**

Carried

At this juncture, Cr Sarah Barton; Councils General Manager, Leonie Brown; and Council's Manager Planning, Regulatory and Environmental Services, Dwayne Willoughby, left the meeting, the time being 11:25am.

At this juncture, Councils Manager Special Projects, Mark Riley, joined the meeting via Audio-Visual link, the time being 11.25am.

22.4 *** TENDER FOR THE PROVISION OF BUILDING TRADES AND SERVICES

File Number: 20261

The Council had before it the report of the Manager Special Projects regarding the Tender for the Provision of Building Trades and Services.

Resolution 2024/144

Moved: Cr Sally Davis
Seconded: Cr Robert Stutsel

1. **That the following tenderers be included on Councils Building Trades Panel in respect of the potential provision of the identified services:**

Tenderer	Trade Service
AJ's Electrical and Hire Pty Ltd, Bourke	Electrical
All Plumbing by Dan Barton Pty Ltd, Bourke	Plumbing
Conex Group Pty Ltd, Seven Hills	Concreting
Simon Lawson, Bourke	Building and Carpentry
Sam Smith, Bourke	Electrical
360 Engineering Pty Ltd, Mosman	Electrical
Will Brothers Pty Ltd, Bourke	Mechanical
Ross Williams, Bourke	Electrical

2. **That prior to the engagement of any trade provider as per the Building Trades Panel, and then again annually where engaged, the respective provider be required to provide evidence of their Workers Compensation, Public Liability and Comprehensive Motor Vehicle Insurances and Work Health and Safety Documentation.**
3. **That the inclusion of the above tenderers on Councils Building Trades Panel operate from 1 July 2024 for an initial period of 2-year's, with a further 2-year option term available, effective 1 July 2026, solely at Councils discretion.**
4. **That the Building Trades Panel Arrangement allow for accepted Suppliers to adjust their service offering (including price) on an annual basis, or at Council's discretion and that the Building Trades Panel Arrangement be refreshed on an annual basis, or at the Council's discretion, to allow for existing Suppliers to withdraw and new Suppliers to be added.**
5. **That the documents and considerations in respect to this matter remain confidential to Council.**

Carried

At this juncture, Cr Sarah Barton, Leonie Brown, General Manager and Dwayne Willoughby, Manager Planning, Regulatory and Environmental Services returned to the meeting, the time being 11:45 am.

At this juncture, Councils Manager Special Projects, Mark Riley, departed the meeting, the time being 11.45am.

Resolution 2024/145

Moved: Cr Sally Davis
Seconded: Cr Victor Bartley

That Council moves out of Closed Council into Open Council.

Carried

Open council resumed at 11.45am.

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 11.55am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 22 July 2024.

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CHAIRPERSON