BOURKE
SHIRE
COUNCIL

MINUTES

Ordinary Council Meeting

28 November 2022

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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 NOVEMBER 2022 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), Paul Flanagan (Manager Roads Services), Melanie Milgate (Economic Development Manager), Ang Pasang Rai (Manager Corporate Services), Dwayne Willoughby (Manager Environmental Services)

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:

Ruth Mary Buchanan Joanne McMaster Leah Pearse

Gary Pickworth Jeff Sowiak

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 Councillor Grace Ridge who was unable to attend the meeting due to personal reasons.

Resolution 2022/255

Moved: Cr Robert Stutsel
Seconded: Cr Sam Rice

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

Nil

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 2022/256

Moved: Cr Barry Hollman
Seconded: Cr Cec Dorrington

That the information in the Mayoral Minute – Mayoral Activities as presented to Council on Monday, 28 November 2022 be noted.

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.

Resolution 2022/257

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 November 2022 be adopted.

Carried

9 CONFIRMATION OF MINUTES

Resolution 2022/258

Moved: Cr Cec Dorrington
Seconded: Cr Victor Bartley

That the minutes of the Ordinary Council Meeting held on 31 October 2022 taken as read, confirmed as correct minutes and signed by the Mayor and the General Manger.

Carried

10 NOTICES OF MOTION

Nil

11 RESCISSION MOTIONS

Nil

12 BUSINESS ARISING

12.1 *** BUSINESS ARISING

File Number: C12.1

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

Resolution 2022/259

Moved: Cr Robert Stutsel
Seconded: Cr Victor Bartley

That the information in the Business Arising Report as presented to Council on Monday, 28 November 2022 be noted.

Carried

12.2 CALENDAR OF EVENTS

File Number: C12.6

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

Resolution 2022/260

Moved: Cr Cec Dorrington
Seconded: Cr Robert Stutsel

That the information in the Calendar of Events Report as presented to Council on Monday, 28 November 2022 be noted.

Carried

12.3 INFORMATION TO COUNCILLORS

File Number: C12.1

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

Resolution 2022/261

Moved: Cr Cec Dorrington
Seconded: Cr Robert Stutsel

That the contents of the Information to Councillors Report as presented to Council on Monday, 28 November 2022 be noted.

Carried

13 ENGINEERING SERVICES DEPARTMENT

Nil

14 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT

14.1 *** DRAFT PLANNING PROPOSAL

File Number: T5.1

The Council had before it the report of the Manager Environmental Services regarding the Draft Planning Proposal.

Resolution 2022/262

Moved: Cr Robert Stutsel
Seconded: Cr Sam Rice

1. **That Council endorse the Planning Proposal seeking gateway determination to amend Council's Local Environmental Plan 2012 (LEP) to facilitate an increase in small-scale commercial floor space through the permissibility of business premises and office premises with the R1 zone and to rezone Lot 62, DP1027306 – 68b, Sid Coleman Drive, North Bourke from SP2 to IN1.**

2. **That Council submit the subject Planning Proposal to the Department of Planning and Environment for consideration for a Gateway Determination in accordance with section 3.34 of the Environmental Planning and Assessment Act, 1979.**

Carried

14.2 ADDITIONAL PURPOSES TO CROWN RESERVES 81309 AND 81825

File Number: L1.9

The Council had before it the report of the Manager Environmental Services regarding the Additional Purposes to Crown Reserves 81309 and 81825.

Resolution 2022/263

Moved: Cr Cec Dorrington
Seconded: Cr Robert Stutsel

That the Additional Purposes of Community Purposes, added to Reserve 81309 (Enngonia War Memorial Hall), and Rural Services added to Reserve 81825 (Byrock Community Hall), be noted.

Carried

14.3 *** 2022/2023 ADOPTED FEES AND CHARGES

File Number: F1.1

The Council had before it the report of the Manager Environmental Services regarding the 2022/2023 Adopted Fees and Charges.

Resolution 2022/264

Moved: Cr Robert Stutsel
Seconded: Cr Victor Bartley

1. **That the Security deposit fee for the hire of the Bourke Sporting Complex, Area A – JB Renshaw, be increased from the current fee of $1000.00 to the proposed fee of $2500.00.**

2. **That the proposed fee be advertised for a period of 28 days and that the matter be referred back to Council setting out details of any objections.**

3. **That in the event of no objections being received to the proposal, the increased security deposit be adopted.**

Carried

14.4 STATE OF THE ENVIRONMENT REPORT

File Number: E6.3.1

The Council had before it the report of the Manager Environmental Services regarding the State of The Environment Report.

Resolution 2022/265

Moved: Cr Cec Dorrington
Seconded: Cr Robert Stutsel

That the information in the 2021-2022 State of the Environment Snapshot Report in respect of the Bourke Shire Council area, be noted.

Carried

15 GENERAL MANAGER

15.1 *** REVIEW OF ORGANISATIONAL STRUCTURE

File Number: S6.1

The Council had before it the report of the General Manager regarding the Review of Organisational Structure.

Resolution 2022/266

Moved: Cr Robert Stutsel
Seconded: Cr Sam Rice

1. **That in accordance with Section 332 of the Local Government Act 1993, Council endorse the General Manager as its only senior staff designated employee.**

2. **That Council notes the five (5) department structure as determined by the General Manager comprising Corporate Services / Economic Development / Environmental Services / Roads Services and Works Services Departments.**

Carried

16 CORPORATE SERVICES DEPARTMENT

16.1 *** BANK RECONCILIATION & STATEMENT OF BANK BALANCES

File Number: F1.1

The Council had before it the report of the Manager Corporate Services regarding the Bank Reconciliation & Statement of Bank Balances.

Resolution 2022/267

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 October 2022 be noted.

Carried

16.2 *** INVESTMENT REPORT AS AT 31 OCTOBER 2022

File Number: F1.1

The Council had before it the report of the Manager Corporate Services regarding the Investment Report as at 31 October 2022.

Resolution 2022/268

Moved: Cr Cec Dorrington
Seconded: Cr Robert Stutsel

1. **That the report regarding Council's Investment Portfolio 31 October 2022 be received and noted.**
2. **That the Certificate of the Responsible Accounting Officer be noted, and the report adopted.**

Carried

16.3 *** CODE OF CONDUCT - ANNUAL SUMMARY

File Number: P4.1

The Council had before it the report of the Manager Corporate Services regarding the Code of Conduct - Annual Summary.

Resolution 2022/269

Moved: Cr Robert Stutsel
Seconded: Cr Cec Dorrington

1. **That it be noted that no Code of Conduct Complaints were made about Councillors and the General Manager, or costs incurred, during the reporting period of 1 October 2021 till 30 September 2022.**
2. **That the Office of Local Government be advised accordingly as per Part 11.2 of the Procedures for the Administration of the Model Code of Conduct.**

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 ACTIVITY REPORT - ENGINEERING SERVICES ROAD WORKS & WORKSHOP - WORKS UNDERTAKEN

File Number: E7.1

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

Resolution 2022/270

Moved: Cr Cec Dorrington
Seconded: Cr Robert Stutsel

That Council note the information in the Roads Department Road Works and Workshop Activity Report as presented to Council on Monday, 28 November 2022.

Carried

21.2 ACTIVITY REPORT - PARKS & GARDENS / TOWN SERVICES / WATER & WASTEWATER ENGINEERING SERVICES ACTIVITY REPORT

File Number: E7.1

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

Resolution 2022/271

Moved: Cr Cec Dorrington
Seconded: Cr Robert Stutsel

That Council note the information in the Parks and Gardens, Town Services and Water and Waste Water Engineering Services Department Activity Reports as presented to Council on Monday, 28 November 2022.

Carried

21.3 PLANNING, REGULATORY & ENVIRONMENTAL SERVICES - ACTIVITY REPORT

File Number: D3.1-A11.1-A8.1-T5.1-S10.1

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

Resolution 2022/272

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, 28th November 2022 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 2022/273

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 November 2022 be noted.

Carried

21.5 LIBRARY MANAGER'S ACTIVITY REPORT FOR OCTOBER 2022

File Number: L4.1

The Council had before it the report of the Library Manager regarding the Library Manager's Activity Report for October 2022.

Resolution 2022/274

Moved: Cr Cec Dorrington
Seconded: Cr Robert Stutsel

That the information in the Library Manager's Report for October 2022 as presented to Council on Monday, 28 November 2022 be noted.

Carried

21.6 TOURISM AND EVENTS MANAGER'S ACTIVITY REPORT

File Number: T4.3

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

Resolution 2022/275

Moved: Cr Cec Dorrington
Seconded: Cr Robert Stutsel

That the information in the Tourism and Events Managers Report for October 2022 as presented to Council on Monday, 28 November 2022 be noted.

Carried

22 CLOSED SESSION

Nil

23 FLOODING UPDATE

Prior to closing the meeting, the Mayor provided an update on the flooding currently impacting Bourke Shire. In doing so, the Mayor noted that whilst the Darling River at Bourke had peaked at a level of 13.95 metres, it would still be some time before the river was back in its banks, and that is subject to no further rainfall upstream. The Mayor further noted that when it became evident there would be water inundation of property in the community, he authorised the General Manager to utilise Council resources to assist people wherever Council could. The Mayor acknowledged that such action had been taken professionally, fairly and consistently, with the Mayor placing on record Councils thanks to its General Manager and her staff for their work during the difficult times. The Mayor advised that the efforts of the General Manager, and those of her staff, had not gone unnoticed. The Mayor also thanked the Police, and all Emergency Services for their work for the Bourke Community.

The Mayor advised that access to/from Bourke via the Sydney and Cobar Roads, to the south of Bourke, was still limited to essential service vehicles. Councils Roads Manager noted that these roads were closed to general usage due to saturation of the road base and concerns regarding the integrity of the base stemming from continual use. At this point, these roads are closed indefinitely.

The Mayor further noted that under the NSW Flood Plan, where a town is isolated, the NSW Government organises and funds the required logistics. An anomaly in the plan is that a town has to be totally isolated in terms of available access. With access to Bourke still being available from the north, under the plan, Bourke is not categorised as isolated. This is despite that a trip from Dubbo to Bourke via Cunnamulla adds some 900kms to the journey. The Mayor advised he has written to the Deputy Premier on the issue who had requested the Minister for Emergency Services to review the matter.

The Mayor further noted that airlink Air Services had come to the fore, working with the Far North West Joint Organisation and Council such that they are providing flights to and from Bourke on a

Monday to Friday daily basis. Reasonably priced, the extra flights are aimed at those who may have medical appointments in Dubbo.

The Meeting closed at 9.48am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 December 2022.

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CHAIRPERSON