



# **AGENDA**

## **Ordinary Council Meeting Tuesday, 15 June 2021**

**Date: Tuesday, 15 June 2021**

**Time: 5pm**

**Location: Council Chambers, Market Street Balranald**

**Oliver McNulty  
General Manager**

## **BALRANALD SHIRE COUNCIL**

### **AGENDA**

In Case of an emergency, for example a fire, please evacuate the building following the direction of the Administrator. The order to evacuate may be signified by a council officer or myself. Please proceed to the assembly area (in front of police station) or in the car park across the road. An instruction to evacuate to an area should be followed without delay to assist Council in ensuring the Health and Safety of all staff and visitors.

**LIVE STREAMING OF COUNCIL MEETINGS PLEASE NOTE:** This Council meeting is being streamed live, recorded, and broadcast online via Facebook. To those present in the gallery today, by attending or participating in this public meeting you are consenting to your image, voice and comments being recorded and published. The Administrator and/or General Manager have the authority to pause or terminate the stream if comments or debate are considered defamatory or otherwise inappropriate for publishing. Attendees are advised that they may be subject to legal action if they engage in unlawful behaviour or commentary.

### **Our Vision**

To create a better, more vibrant, more resilient and more engaged community, by capitalising upon its human, cultural, environmental and business assets and encouraging a strong sense of civic participation and pride.

### **Our Mission**

"Committed to Balranald Shire, Providing for our People, Protecting our Heritage, and Planning for our Future."

### **Our Values**

- Honesty:** We will be transparent, frank and truthful to ourselves, each other and with other people we deal with.
- Respect:** We will treat others as we want to be treated ourselves, we will be tolerant of each other and accept that people have different opinions.
- Enjoyment:** We will create a pleasant and enjoyable working environment with satisfying jobs.
- Teamwork:** We will cooperate and support each other to achieve common goals.
- Openness:** We will collaborate openly and provide opportunities to communicate and network regularly with each other.
- Leadership:** We will provide a clear strategy and direction and support all to achieve organisational and community goals.
- Customer Focus:** We will constantly strive to be responsive to our customers' needs and preferences by providing high quality services.

Notice is hereby given that an Ordinary Meeting of Council will be held in the Council Chambers, Market Street Balranald on:  
Tuesday, 15 June 2021 at 5pm

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**1 OPENING OF MEETING**

**The Council’s Charter**

(Chapter 3. Section 8 (1) Local Government Act 1993)

(1) A Council has the following charter:

- To provide directly or on behalf of other levels of government, after due consultation, adequate and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- To exercise community leadership;
- To exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism;
- To promote and to provide and plan for the needs of children;
- To properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development;
- To have regard to the long term and cumulative effects of its decisions;
- To bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible;
- To facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government;
- To raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants;
- To keep the local community and the State government (and through it, the wider community) informed about its activities;
- To ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected;
- To be a responsible employer.

(2) A council, in the exercise of its functions, must pursue its charter but nothing in the charter or this section gives rise to, or can be taken into account in, any civil cause of action.

**2 ACKNOWLEDGEMENT OF COUNTRY**

**Acknowledgement of Country**

We pay our respect to the Traditional Custodians of the Lands where we hold this meeting to Elders past, present and emerging.

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**3 APOLOGIES**

**4 CONFIRMATION OF MINUTES**

**4.1 MINUTES OF THE COUNCIL MEETING HELD ON 18 MAY 2021**

**File Number: D21.51748**

**Reporting Officer: Carol Holmes, Senior Executive Assistant**

**Responsible Officer: Oliver McNulty, General Manager**

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**OFFICER RECOMMENDATION**

1. That the Minutes of the Council Meeting held on 18 May 2021 be received and noted.

**PURPOSE OF REPORT**

Purpose of this report is to present the Minutes of Ordinary Council Meeting held on 18 May 2021.

**ATTACHMENTS**

1. Minutes of the Council Meeting held on 18 May 2021



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 18 May 2021**

**Order Of Business**

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| <b>2</b>                                                                                                                                                    | <b>Acknowledgment of country</b> .....                                                                       | <b>4</b>  |
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| Mr Oliver McNulty, General Manager, declared a Non-Pecuniary interest in item 13.1, Planning Administration Report because he is named as being land owner. |                                                                                                              |           |
| <b>6</b>                                                                                                                                                    | <b>Administrator Minute/Report</b> .....                                                                     | <b>4</b>  |
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|           | Nil                                                         |           |

**MINUTES OF BALRANALD SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, MARKET STREET BALRANALD  
ON TUESDAY, 18 MAY 2021 AT 5PM**

**1 OPENING OF MEETING****2 ACKNOWLEDGMENT OF COUNTRY**

We pay our respect to the Traditional Custodians of the Lands where we hold this meeting to Elders past, present and emerging.

**PRESENT:**

Administrator Mike Colreavy

**IN ATTENDANCE:**

Terri Bilske (Director Corporate & Community Services), Ray Davy (Director Infrastructure & Development), Carol Holmes (Senior Executive Officer), and Oliver McNulty (General Manager),

**3 APOLOGIES**

Nil

**4 CONFIRMATION OF MINUTES****4.1 MINUTES OF THE COUNCIL MEETING HELD ON 22 APRIL 2021**

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**RESOLUTION 2021/53**

Moved: Administrator Mike Colreavy

That the Minutes of the Council Meeting held on 22 April 2021 be received and adopted.

**CARRIED**

**5 DISCLOSURE OF INTEREST**

Mr Oliver McNulty, General Manager, declared a Non-Pecuniary interest in item 13.1, Planning Administration Report because he is named as being land owner.

**6 ADMINISTRATOR MINUTE/REPORT - Nil****7 COMMITTEE REPORTS FOR ADOPTION****7.1 SPORT AND RECREATION ADVISORY COMMITTEE HELD ON 25 FEBRUARY 2021 AND 28 APRIL 2021**

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**RESOLUTION 2021/55**

Moved: Administrator Mike Colreavy

That Council

1. Receives and notes the Minutes of the Sport & Recreation Advisory Committee (SARAC) for meetings held on both 25 February 2021 and 28 April 2021.
2. Notes the priority project lists proposed by the SARAC for the Stronger Country Communities Fund – Round Four and passes these lists onto the General Manager for consideration when suitable funding streams become available.
3. That all relevant advisory committees be consulted about the distribution of the Stronger Country Communities Funds grant money to obtain their input.
4. That the matter of wider sport club representation on the Sport and Recreation Advisory Committee be investigated and reported back to council.

**CARRIED**

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## **7.2 BALRANALD BEAUTIFICATION ADVISORY COMMITTEE - HELD ON 14TH APRIL 2021**

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### **RESOLUTION 2021/56**

Moved: Administrator Mike Colreavy

That Council;

1. Receives and notes the Minutes of the Balranald Beautification Advisory Committee (BBAC) meeting held on 14th April 2021;
2. Notes that the letters provided by BBAC, separate to the meeting minutes, will be responded to by the General Manager and the outcomes of these requests will be reported back to the Committee and to Council through the next available committee meeting; and
3. That the General Manager engage with the BBAC in relation into the priorities reported in the Minutes of their meeting of 14 April 2021.

**CARRIED**

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## **7.3 GROWING BUSINESS INDUSTRY & TOURISM ADVISORY COMMITTEE MEETINGS HELD ON 3 MARCH AND 13 APRIL 2021**

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### **RESOLUTION 2021/57**

Moved: Administrator Mike Colreavy

That Council:

1. Receives and notes the minutes of the meetings held on 3 March and 13 April 2021.
2. Refers the safety concerns of the heavy traffic through Market St raised by the GBITAC to the Local Traffic Committee.
3. Ensures a Council representative is present for the workshops to assist in the drafting of the GBITAC Annual Plan.
4. That the resolutions of Council on Advisory Committee recommendations noted in the draft Council Meeting Minutes be extracted and sent to the respective Committee Chairperson(s) as soon as practicable.
5. Commits to dedicating space in the Council Community News (the newsletter) for a rotation of Advisory Committee summary reports (covering a different Advisory Committee each Month).

**CARRIED**

**7.4 EUSTON PROGRESSIVE ADVISORY COMMITTEE HELD ON 29TH MARCH AND 26TH APRIL 2021**

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**RESOLUTION 2021/58**

Moved: Administrator Mike Colreavy

That Council:

1. Receives and notes the Minutes of the Euston Progressive Advisory Committee (EPAC) meeting held on Monday 29 March 2021.
2. Notes that a scheduled EPAC meeting held on Monday 26th April did not achieve a quorum and only notes were taken on discussions.
3. Investigate the cost to install tiling in the Lake Benanee public toilets and assess appropriate funding sources.

**CARRIED**

**GENERAL MANAGER'S REPORTS (INCORPORATING ALL STAFF REPORTS)****PART A – ITEMS REQUIRING DECISION****8 GENERAL MANAGER'S REPORTS****8.1 REQUEST FOR SPONSORSHIP - SHITBOX RALLY****PURPOSE OF REPORT**

To advise Council of a request from "DADFA's" Team for Sponsorship for participation in the Cancer Council's Shitbox Rally.

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**RESOLUTION 2021/59**

Moved: Administrator Mike Colreavy

That Council donate \$550 in line with past practice towards the Cancer Council in support of the DADFA's team by providing silver sponsorship towards their participation in the Shitbox Rally.

**CARRIED**

## 8.2 STAFF DEVELOPMENT - OFFICE CLOSURE

### PURPOSE OF REPORT

To advise Council of a Staff Development Workshop for all office staff to attend.

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### RESOLUTION 2021/60

Moved: Administrator Mike Colreavy

1. That Council approves the closure of Council's facilities, including office, library, VIC, Depot and Service NSW on Friday 11th June to enable all staff to attend a Staff Development Workshop.
2. That the General Manager advertises closure of Council's office and Service NSW for the morning of Friday 11th June, from 8.30am –2pm.

**CARRIED**

## 8.3 OPERATIONAL PLAN 2020-2021 Q3 PROGRESS REPORT

### PURPOSE OF REPORT

Under the Integrated Planning and Reporting ("IP&R") Framework, Council is required to report on its progress in implementing its Delivery Program and Operational Plan. This requirement is reflected in section 404(5) of the Local Government Act 1993 ("the Act"), which stipulates that the General Manager must ensure that regular progress reports are provided to the Council, at intervals of no more than six months, detailing the organisation's progress with respect to the principal activities detailed in the Delivery Program. It is the General Manager's Intention to provide Council with quarterly progress reports in relation to the progress of actions as outlined within the Operational Plan. This is the second of these quarterly progress reports in this current financial year.

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### RESOLUTION 2021/61

Moved: Administrator Mike Colreavy

That Council receives and notes the Operational Plan 2020-2021 Progress Report, contained in Attachment 1.

**CARRIED**

## 9 CORPORATE & COMMUNITY SERVICES REPORTS

Nil

**10 INFRASTRUCTURE & DEVELOPMENT REPORTS****10.1 COMMONER APPLICATION - RAY MITCHELL****10.2 COMMONER APPLICATION - GERDI RAND****PURPOSE OF REPORT**

To advise Council of an application received from Mr Ray Mitchell and Ms Gerdi Rand for enrolment as a Commoners on the Balranald Common.

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**RESOLUTION 2021/62**

Moved: Administrator Mike Colreavy

That Council approves the applications of Mr Ray Mitchell and Ms Gerdi Rand to be enrolled as Commoners on the Balranald Common.

**CARRIED**

This report was considered and Resolved with item 10.1.

**10.2 COMMONER APPLICATION - GERDI RAND****PURPOSE OF REPORT**

To advise Council of an application received from Ms Gerdi Rand for enrolment as a Commoner on the Balranald Common.

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**10.3 TENDERS - RFT 20/21-09 – CONSTRUCTION OF FOOTBALL CHANGE SHEDS****PURPOSE OF REPORT**

To inform Council of the outcome of tenders for the design and construction of new football change sheds at Greenham Park, Balranald

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**RESOLUTION 2021/63**

Moved: Administrator Mike Colreavy

1. That Council resolves in accordance with Regulation 178(1)(b) of the *Local Government (General) Regulations 2005* not to accept any tender for the design and construction of proposed football change sheds at Greenham Park, Balranald.
  2. That Council resolves in accordance with *Regulation 178(3)(e) of the Local Government (General) Regulations 2005* to enter into non-binding negotiations with P.J. & S.G. Murphy Builders for the works for the following reasons:
    - (a) None of the tenders received offered to undertake the works within Council's budget; and
    - (b) Council is satisfied that the tender process resulted in a fair representation of the local contracting market for works of this nature and that it is unlikely that fresh tenders will result in any substantially different outcome in this regard; and
    - (c) Council believes, on independent professional advice, that the best value for money is likely to be achieved through negotiations with a preferred contractor; and
    - (d) The tender received from P.J. & S.G. Murphy Builders offered the best value for money of
-

the tenders received and would have been the preferred tender in the event that Council resolved to accept any tender for the works.

3. That the General Manager be delegated authority to enter into a contract for the works with P.J. & S.G. Murphy Builders should negotiations result in an outcome within Council's budget for the works, and report the outcome to the June Ordinary Council Meeting.

**CARRIED**

## **10.4 INFRASTRUCTURE REPORT**

### **PURPOSE OF REPORT**

To update Council on infrastructure works currently in hand and in planning, updated to 12 May 2021.

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### **RESOLUTION 2021/64**

Moved: Administrator Mike Colreavy

That Council;

1. Receives and notes the monthly update of infrastructure projects report
2. Approves the updated schedule of projects, to be funded under the Local Roads and Community Infrastructure programme, round 1 and round 2, as set out in the attachment to this report.

**CARRIED**

## **10.5 TENDERS – RFT 20/21-06 - CONSTRUCTION OF TENNIS COURTS AT GREENHAM PARK, BALRANALD**

### **PURPOSE OF REPORT**

To recommend acceptance of the tender for the subject works.

---

### **RESOLUTION 2021/65**

Moved: Administrator Mike Colreavy

That Council;

1. Accepts the tender received from Equipment Solutions Plus Pty Ltd in the amount of \$250,375.44 including GST for Contract RFT - 20-21-06 - Construction of Tennis Courts at Greenham Park, Balranald;
2. Authorises the General Manager and Administrator to sign and affix the Common Seal of Balranald Shire Council to the Contract RFT - 20-21-06 - Construction of Tennis Courts at Greenham Park, Balranald documentation;
3. Authorises the General Manager to approve variations on the Contract RFT - 20-21-06 - Construction of Tennis Courts at Greenham Park, Balranald up to a maximum value of 10%.

**CARRIED**

**10.6 TENDERS – RFT 20/21-15 - DESIGN AND CONSTRUCTION OF A CREATIVE LEARNING CENTRE AT BALRANALD ART GALLERY****PURPOSE OF REPORT**

To recommend acceptance of the lowest tender for the subject works.

---

**RESOLUTION 2021/66**

Moved: Administrator Mike Colreavy

That Council

1. Accepts the tender received from PJ & SG Murphy Builders Pty Ltd for the Contract RFT 20-21-15 to Design and Construct the Creative Learning Centre at Balranald Art Gallery in the amount of \$255,000.00 including GST.
2. Authorises the General Manager and Administrator to sign and affix the Common Seal of Balranald Shire Council to the Contact documentation for the Design and Construct the Creative Learning Centre at Balranald Art Gallery
3. Authorises the General Manager to approve variations on the Contact up to a maximum value of 10%

**CARRIED**

**10.7 TENDERS – RFT 20/21-17 SUPPLY AND INSTALLATION OF GRIDS****PURPOSE OF REPORT**

To recommend acceptance of the lowest tender for the subject works.

---

**RESOLUTION 2021/67**

Moved: Administrator Mike Colreavy

That this matter be deferred to the Extraordinary Council Meeting held on 27 May 2021.

**CARRIED**

**10.8 BALRANALD LANDFILL****PURPOSE OF REPORT**

To provide Council with an update on the management of the Balranald Landfill.

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**RESOLUTION 2021/68**

Moved: Administrator Mike Colreavy

1. That the current arrangement with Cleanaway Ltd for the management of the Balranald Landfill be extended until 31 December 2021 on the terms set out in the confidential attachment.
2. That a report be brought to Council in September 2021 with recommendations for the long-term management of the facility.

**CARRIED**

**PART B – ITEMS FOR INFORMATION****11 GENERAL MANAGER'S REPORTS****11.1 ADMINISTRATOR, GENERAL MANAGER AND DIRECTORS MEETINGS****PURPOSE OF REPORT**

To advise Council of the meetings undertaken on behalf of Council by the Administrator, General Manager and Directors since April 2021 Ordinary Meeting.

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**RESOLUTION 2021/69**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

**11.2 OUTSTANDING ACTIONS FROM PREVIOUS MEETINGS****PURPOSE OF REPORT**

To bring forward for information the Action report with actions taken on previous council resolutions.

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**RESOLUTION 2021/70**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

**11.3 CIRCULARS FROM OFFICE LOCAL GOVERNMENT****PURPOSE OF REPORT**

To provide Council with copies of the circulars received from Office Local Government during the month of April 2021.

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**RESOLUTION 2021/71**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

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**12 CORPORATE & COMMUNITY SERVICES REPORTS****12.1 STATEMENT OF FUNDS - APRIL 2021****PURPOSE OF REPORT**

The purpose of this report is to:

1. Advise Council of the balance of funds and investments held for the month ending 30 April 2021;
  2. Certify that Council's investments have been made in accordance with the *Local Government Act 1993 (Section 625)*, the Local Government (General) Regulation 2005 (Section 212) and Council's Investment Policy, which was adopted by Council on the 17 October 2017.
- 

**RESOLUTION 2021/72**

Moved: Administrator Mike Colreavy

That Council receives and notes the Statement of Funds for the period ending 30 April 2021.

**CARRIED**

**13 INFRASTRUCTURE & DEVELOPMENT REPORTS**

Mr McNulty vacated the Chair of General Manager at 6.38pm because he had declared a Non Pecuniary interest in the following report.

Director Infrastructure & Development, Mr Ray Davy commenced in the General Manager Chair.

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**13.1 PLANNING ADMINISTRATION****PURPOSE OF REPORT**

To advise Council of activities in the Planning area

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**RESOLUTION 2021/73**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

General Manager, Mr McNulty returned at 6.39pm

**14 NOTICE OF MOTION / QUESTIONS ON NOTICE**

Nil

**15 CONFIDENTIAL MATTERS**

Nil

**The Meeting closed at 6.40pm.**

**The minutes of this meeting were confirmed at the Council Meeting held on 15 June 2021.**

.....  
**ADMINISTRATOR**

.....  
**GENERAL MANAGER**

**4.2 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 27 MAY 2021**

**File Number:** D21.51749

**Reporting Officer:** Carol Holmes, Senior Executive Assistant

**Responsible Officer:** Oliver McNulty, General Manager

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**OFFICER RECOMMENDATION**

1. That the Minutes of the Extraordinary Council Meeting held on 27 May 2021 be received and noted.

**PURPOSE OF REPORT**

Purpose of this report is to present the Minutes of the Extraordinary Council Meeting held on Thursday 27 May 2021.

**ATTACHMENTS**

1. Minutes of the Extraordinary Council Meeting held on 27 May 2021



# **MINUTES**

**Extraordinary Council Meeting  
Thursday, 27 May 2021**

**Order Of Business**

|          |                                                                                                                                                    |          |
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**MINUTES OF BALRANALD SHIRE COUNCIL  
EXTRAORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, MARKET STREET BALRANALD  
ON THURSDAY, 27 MAY 2021 AT 4PM**

**1 OPENING OF MEETING****2 ACKNOWLEDGMENT OF COUNTRY**

We pay our respect to the Traditional Custodians of the Lands where we hold this meeting to Elders past, present and emerging.

**PRESENT:**

Administrator Mike Colreavy

**IN ATTENDANCE:**

Terri Bilske (Director Corporate & Community Services), Oliver McNulty (General Manager) and Carol Holmes (Senior Executive Officer)

**3 APOLOGIES**

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**RESOLUTION 2021/73**

Moved: Administrator Mike Colreavy

That the apology from Mr Ray Davy, Director Infrastructure & Development be received and accepted.

**CARRIED**

**4 DISCLOSURE OF INTEREST - Nil****GENERAL MANAGER'S REPORTS (INCORPORATING ALL STAFF REPORTS)****PART A – ITEMS REQUIRING DECISION****5 CORPORATE & COMMUNITY SERVICES REPORTS****5.1 DRAFT REVENUE POLICY 2021/22****PURPOSE OF REPORT**

Under Section 405 of the Local Government Act 1993, Council is required to adopt an Annual Statement of Revenue by 30 June each year.

The Annual Statement of Revenue for the 2021/22 has been prepared and a resolution of Council is required to place the document on public exhibition for a period of 28 days. All submissions received will be considered prior to the document being adopted.

**RESOLUTION 2021/74**

Moved: Administrator Mike Colreavy

That Council give notice of its intention to:

1. Make and levy the following Ordinary rates in accordance with s.534, s535 and s.537 of the Local Government Act 1993, as amended, for the 2021/22 financial year incorporating year 4 of the Special Rate Variation of 10% per annum over the Farmland, Residential and Business categories:

**RATES & CHARGES  
Proposed 2021/2022**

|                                                                                    | No of Properties for 2021/22 | Property Valuations 2021/22 | Ad Valorem Rate 2021/22 | Ad Valorem Value   | Base Rate 2021/22 | Base Rate Amount | Notional Income Yield | Base Rate % | Average Rate per Property |
|------------------------------------------------------------------------------------|------------------------------|-----------------------------|-------------------------|--------------------|-------------------|------------------|-----------------------|-------------|---------------------------|
| Farmland - General                                                                 | 254                          | \$443,203,500               | 0.00187                 | \$827,904          | \$600             | \$152,400        | \$980,304             | 15.55%      | \$3,859                   |
| Farmland - Irrigable Horticulture                                                  | 6                            | \$22,665,000                | 0.00640                 | \$145,056          | \$605             | \$3,630          | \$148,686             | 2.44%       | \$24,781                  |
| Farmland - Intense                                                                 | 120                          | \$33,419,300                | 0.00714                 | \$238,614          | \$605             | \$72,600         | \$311,214             | 23.33%      | \$2,593                   |
| <b>Farmland Total</b>                                                              | <b>380</b>                   | <b>\$499,287,800</b>        |                         | <b>\$1,211,574</b> |                   | <b>\$228,630</b> | <b>\$1,440,204</b>    |             | <b>\$3,790</b>            |
| Residential - Balranald                                                            | 532                          | \$23,436,000                | 0.00500                 | \$117,180          | \$200             | \$106,400        | \$223,580             | 47.59%      | \$420                     |
| Residential - Euston                                                               | 253                          | \$20,232,000                | 0.00290                 | \$58,673           | \$185             | \$46,805         | \$105,478             | 44.37%      | \$417                     |
| Residential - Oxley                                                                | 32                           | \$118,000                   | 0.04500                 | \$5,310            | \$100             | \$3,200          | \$8,510               | 37.60%      | \$266                     |
| Residential - General 0-2ha                                                        | 70                           | \$3,383,000                 | 0.00520                 | \$17,592           | \$182             | \$12,740         | \$30,332              | 42.00%      | \$433                     |
| Residential Rural - 2-40ha                                                         | 56                           | \$7,274,500                 | 0.00280                 | \$20,369           | \$230             | \$12,880         | \$33,249              | 38.74%      | \$594                     |
| <b>Residential - Total</b>                                                         | <b>943</b>                   | <b>\$54,443,500</b>         |                         | <b>\$219,123</b>   |                   | <b>\$182,025</b> | <b>\$401,148</b>      |             | <b>\$425</b>              |
| Business - Balranald                                                               | 69                           | \$3,572,000                 | 0.02800                 | \$100,016          | \$450             | \$31,050         | \$131,066             | 23.69%      | \$1,900                   |
| Business - Euston                                                                  | 16                           | \$2,632,000                 | 0.01850                 | \$48,692           | \$450             | \$7,200          | \$55,892              | 12.88%      | \$3,493                   |
| Business - Rural                                                                   | 83                           | \$2,290,300                 | 0.01200                 | \$27,484           | \$195             | \$16,185         | \$43,669              | 37.06%      | \$526                     |
| Business - Solar Farms                                                             | 2                            | \$4,139,000                 | 0.03300                 | \$136,587          | \$850             | \$1,700          | \$138,287             | 1.23%       | \$69,144                  |
| Business - Mining Gravel                                                           | 5                            | \$70,000                    | 0.01600                 | \$1,120            | \$110             | \$550            | \$1,670               | 32.93%      | \$334                     |
| Business - Parishes of Paida, Penarie, Woolpagerie & Majenta - Mining Gypsum       | 3                            | \$782,000                   | 0.05200                 | \$40,664           | \$460             | \$1,380          | \$42,044              | 3.28%       | \$14,015                  |
| Business - Parishes of Willibah, Bidura, Solferina - Mineral Sands Mines           | 1                            | \$8,520,000                 | 0.07290                 | \$621,108          | \$2,050           | \$2,050          | \$623,158             | 0.33%       | \$623,158                 |
| *Business - Parishes of Pitapunga, Crokee, Muckee & Lawrence - Mineral Sands Mines | 0                            | \$5,000,000                 | 0.16000                 | \$800,000          | \$2,050           | \$2,050          |                       |             | \$802,050                 |
| <b>Business - Total</b>                                                            | <b>179</b>                   | <b>\$27,005,300</b>         |                         | <b>\$1,775,671</b> |                   | <b>\$62,165</b>  | <b>\$1,035,786</b>    |             | <b>\$5,787</b>            |
| <b>GRAND TOTAL</b>                                                                 | <b>1502</b>                  | <b>\$580,736,600</b>        |                         | <b>\$1,610,874</b> |                   | <b>\$472,820</b> | <b>\$2,877,138</b>    |             | <b>\$1,916</b>            |

\* \$802,050 is expected rate revenue when property assessment is provided through supplementary, increasing the notional yield by this amount.

2. Increase the Notional Yield as approved through the 10% Special Rate Variation which includes the rate pegged amount of 2.0% for 2020/21 as determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART).
3. Increase the residential Sewer Access charge for a 20mm connection from \$510.00 to \$580.00 per annum. Larger connections will increase as listed in the proposed Schedule of Fees and Charges.

4. Increase Raw and Filtered water Access charges from \$315.00 to \$345.00 per annum for a 20mm connection.
5. Increase Raw water usage charges from 90 cents to \$1.00 for the first 600 kilolitres and from \$1.30 to \$1.40 per kilolitre for usage over 600 kilolitres.
6. Increase Filtered water usage charges from \$1.45 to \$1.55 per kilolitre up to 400 kilolitres and from \$2.20 to \$2.30 per kilolitre for usage over 400 kilolitres.
7. Charge water usage on Community Land such as Parks and Gardens at 40 cents per kilolitre.
8. Increase domestic waste collection charges from \$345.00 per annum to \$355.00 per annum and increase the domestic waste access charge for vacant land from \$55 to \$60 per annum.
9. Charge Tip fees as set out in the proposed Schedule of Fees and Charges.
10. Fix the fees and charges schedule for the 2021/22 year as set out in the Draft Annual Schedule of Fees and Charges.
11. Charge interest on overdue Rates, Domestic Waste, Water, Sewer and Debtors at 6% being the maximum rate determined by the Minister for Local Government for 2021/22.
12. Endorse and place the Draft Annual Statement of Revenue 2021/2022 incorporating Council's Revenue Policy and Schedule of Fees and Charges, on public exhibition for a period of 28 days pursuant to Sections 405 and 406 of the Local Government Act, 1993 from Friday, 28<sup>th</sup> May 2021 to Friday, 25<sup>th</sup> June 2021.
13. Increase all other Water and Sewer rates as listed in Fees and Charges.
14. Consider all submissions received during the public consultation period prior to the adoption of the Operational Plan for 2021/22.
15. Adopt the detailed Structure for General Rates & Charges as detailed in the Report on pages 6 and pages 8-14 of the Agenda.

**CARRIED**

## **5.2 QUARTERLY BUDGET REVIEW - MARCH 2021**

### **PURPOSE OF REPORT**

To advise Council of the Quarterly budget review and financial position as at 31 March 2021.

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**RESOLUTION 2021/75**

Moved: Administrator Mike Colreavy

1. That the Officer's Report be received and noted;
2. That the proposed budget adjustments to reflect Council decisions since budget and quarterly budget adjustments be endorsed;
3. That the Council endorses the Statement acknowledging the financial position is considered satisfactory.

**CARRIED**

**5.3 ENDORSEMENT OF THE DRAFT 2021/22 OPERATIONAL PLAN, LONG TERM FINANCIAL PLAN, FEES AND CHARGES AND REVENUE POLICY FOR PUBLIC EXHIBITION****PURPOSE OF REPORT**

The purpose of this report is to seek Council endorsement to place the 2021-2022 Draft Operational Plan, incorporating the proposed Annual Statement of Revenue and the proposed Fees and Charges and Draft Long Term Financial Plan on public exhibition as required under Sections 405 and 406 of the Local Government Act, 1993 and invite public submissions prior to formal adoption.

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**OFFICER RECOMMENDATION**

That Council:-

1. Endorses the Balranald Shire Council Draft Operational Plan 2021-22 for public exhibition inclusive of the proposed Statement of Revenue and the proposed 2021-22 Fees and Charges.
2. Endorses the Draft 10 year Long Term Financial Plan 2021-22 to 2030-31 to be placed on public exhibition.
3. Advertises the Draft Operational Plan and Long Term Financial Plan for a period of 28 days from Friday 28<sup>th</sup> of May and invites public submissions to be received by Council by close of business on Friday, 25<sup>th</sup> June 2021.
4. Be provided with a report explaining the water and sewer program capital projects to be funded from the proposed charge increases in 2021/22 and beyond for the community workshops and to the extraordinary Council Meeting to be held on 29 June 2021.

**The Meeting closed at 4.49pm**

**The minutes of this meeting were confirmed at the Council Meeting held on 15 June 2021.**

.....  
**ADMINISTRATOR**

.....  
**CHAIRPERSON**

- 5 DISCLOSURE OF INTEREST**
- 6 ADMINISTRATOR MINUTE/REPORT**

**7 COMMITTEE REPORTS FOR ADOPTION****7.1 GROWING BUSINESS INDUSTRY & TOURISM ADVISORY COMMITTEE MINUTES - HELD ON 4 MAY 2021**

**File Number:** D21.51747

**Reporting Officer:** Carol Holmes, Senior Executive Assistant

**Responsible Officer:** Oliver McNulty, General Manager

**OFFICER RECOMMENDATION**

That Council;

1. Receives and notes the Minutes of the GBITAC Meeting held on 4 May 2021.
2. Investigate the possibility of relocating the fish cleaning station from Memorial Drive boat ramp to the Bridge Road boat ramp, taking into consideration any potential health matters.

**GROWING BUSINESS, INDUSTRY AND TOURISM ADVISORY COMMITTEE**

The purpose of this report is to update Council on the Growing Business Industry & Tourism Advisory Committee (GBIT) meetings held on 4 May 2021.

The GBIT Advisory Committee meeting was held in Council Chambers on 4 May 2021 and discussed the following items;

1. Upgrade of the Discovery Centre Precinct
2. Guest Speaker – Kristy Orr from ACRE – Australia’s Creative Rural Economy. Kristy spoke to the Committee via zoom.
3. Fish Cleaning Station at Balranald River Bend.
4. Skilled Labour and Housing issues within Balranald Shire.

Recommendations to Council

1. The Committee supports the Anglers Club request that Council investigates the possibility that the fish cleaning station be moved from the Memorial Drive boat ramp to the Bridge Road Boat Ramp and this investigation consider any health matters.

**ATTACHMENTS**

1. Minutes - GBITAC - May 2021 [↓](#) 



**MEETING MINUTES**  
**GROWING BUSINESS INDUSTRY & TOURISM ADVISORY COMMITTEE**  
**4<sup>th</sup> May 2021**



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>employee investigating whether a grant could be applied for to facilitate the building of a fish cleaning facility at the Balranald Caravan Park site. Unfortunately there was not a quorum at that meeting and so a recommendation to Council could not be made. At the subsequent meeting under Business Arising from the prior Minutes, this matter was overlooked by the Committee and no recommendation was made and, as such, no action was required by Council.</p> <p>In Bill Harden's email to Simone Carmichael on the 4<sup>th</sup> May 2021 he said:<br/>         "The May meeting of Anglers Club has requested I follow up status of the Fish Washing Bay matter below. Look forward to your advice. In order to expedite this issue, we have recently discussed the possibility of moving the inoperative wash bay at the Memorial Drive boat ramp to the Bridge Boat Ramp vicinity."</p> |             |              |
| <b>ACTION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>NIL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Who</b>  | <b>When</b>  |
| <b>RECOMMENDATIONS TO COUNCIL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | The Committee supports the Anglers Club request that that Council investigates the possibility that the fish cleaning station be moved from the Memorial Drive boat ramp to the Bridge Road boat ramp and this investigation consider any health matters                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |              |
| 9.ii)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Workshop GBITAC Annual Plan (see DRAFT attached, to be finalised at May Meeting)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |             |              |
| <b>ACTION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>NIL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Who</b>  | <b>When</b>  |
| <b>RECOMMENDATIONS TO COUNCIL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |              |
| <b>10.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Items Without Notice (General Business)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |              |
| <p>10.i) The GM raised the problems of Housing and Skilled Labour in the Shire and the need for an Advocacy Strategy, a Housing Policy and an Attraction &amp; Investment Policy. He advised that the Shire has a very real opportunity here and Council is continuing to be in contact with local industry and service providers to support them to grow the region. Over the past number of years industry has grown across the region and more specifically within the Balranald Shire. He has written to State and Federal politicians requesting support from both and to ask for advice on the correct channels to discuss and develop plans to resolve these issues. The Committee was supportive of what had been outlined.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |              |
| <b>ACTION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>NIL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Who:</b> | <b>When:</b> |
| <b>RECOMMENDATIONS TO COUNCIL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>None</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |              |
| <p>10.ii) Adrian – Slogan<br/>         Adrian suggested the committee should have a slogan and a competition could be run. This matter was not raised under Business Arising and so will be held over until the June meeting</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             |              |
| <b>ACTION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>NIL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Who:</b> | <b>When:</b> |
| <b>RECOMMENDATIONS TO COUNCIL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>None</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |             |              |
| <b>11.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>MEETING CLOSED - 7:16pm<br/>         NEXT MEETING – 1/06/2021</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |              |

**7.2 BALRANALD BEAUTIFICATION ADVISORY COMMITTEE HELD ON 12 MAY 2021**

**File Number:** D21.51786

**Reporting Officer:** Carol Holmes, Senior Executive Assistant

**Responsible Officer:** Oliver McNulty, General Manager

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**OFFICER RECOMMENDATION**

That Council

1. Receive and Note the Minutes of the Balranald Beautification Advisory Committee meeting held on 12 May 2021.
2. Consider the installation of picnic tables and seats at Discover Centre and also a seat with a backrest on the corner of Market and Mayall Street.
3. Review and report back to the Committee the outcomes from the investigation into the water fixture issues along Moa Street especially from Church Street to the Cemetery.
4. Review and report back to the Committee the outcomes from the investigation of replacing trees with Queensland Box Trees and the planting of trees in median strips where required.

**PURPOSE**

To update Council on the Balranald Beautification advisory Committee meeting held on 12 May 2021.

**REPORT**

The Balranald Beautification Advisory Committee (BBAC) meeting was held in Council Chambers on Wednesday 12 May 2021. Several items were discussed on beautification ideas around Balranald.

Balranald Shire Council Update

Toilet at Balranald Cemetery will be installed next year. The toilet originally chosen by the committee will now be installed at ANZAC Park.

Table and Chair on the corner of Market and Mayall Streets will be moved to Senior Citizens Centre Lawn area.

Shire will investigate bins along the walking tracks and also looking at installing more furniture along them.

Committee Priorities

Ordering and planting of rose bushes and other plants in Market Street prior to 30 June, ordering will commence once Council has approved.

Recommendations to Council

Picnic Tables and Seats placed at the Discovery Centre for Visitors to sit at throughout the grounds to enjoy their meals.

Recommended for the water fixture along Moa Street, from Church St to Cemetery be repaired. Also would like to see trees replaced with Queensland Box Trees and some trees planted in the Median Strips where required.

A recommendation was made for a seat with a backrest to be placed on the corner of Market and Mayall Street (near IGA Carpark) after the table and seat is removed.

Discussion Items

A question was raised as to who is responsible for cleaning the footpaths? A response was made that Council will look at replacing the stones at a later date.

**ATTACHMENTS**

1. Minutes - Balranald Beautification Advisory Committee - May 2021 [↓](#) 

**Balranald Shire Council Beautification Advisory Committee - Balranald  
Minutes of Meeting held at the Balranald Shire Council Chambers  
Wednesday 12<sup>th</sup> May 2021**



**Meeting Opened with Acknowledge of Country recited by Toni Tyrer – Chairperson of the Balranald Shire Council Beautification Advisory Committee – at 17:05hrs**

**Present:** Sue Morton, Gaye Renfrey, Lynne Carter, Penny Jolliffe, Lea Lawrie, Toni Tyrer (Chairperson), Oliver McNulty (BSC General Manager), Ray Davy (BSC Director of Infrastructure and Development), Gavin Helgeland and Karen Norfolk (Secretary)

**Apologies:** NIL

**Minutes Read and Accepted:** Moved by Penny Jolliffe and Seconded by Lynne Carter

**CORRESPONDENCE IN:**

- Email from Sue Morton – Received April Minutes and May Agenda
- Email from Gerdi Rand – re Toilet Start Date
- Email from Sue Morton – re Change of Date for May Meeting

**CORRESPONDENCE OUT:**

- Email to Gerdi Rand – Toilets Start Date
- Email to Beautification Committee and Balranald Shire Council – April Minutes, May Agenda and Recommendation Letters
- Email to Val Bradbury and Sue Morton – Change of Date for May Meeting

**Moved by Karen Norfolk and Seconded by Lea Lawrie**

**BALRANALD BEAUTIFICATION FINANCIAL STATEMENT:**

Same as December Minutes - \$9,834.00 still to spend

**AGENDA ITEMS:**

**Reports:** No Beautification Report this Meeting Balranald

**Balranald Shire Council Update:**

- The Toilet at the Balranald Cemetery will be installed next year. The Toilet that we picked out at the March Meeting will now be installed at ANZAC Park.
- The Tables and Seat on the corner of Market and Mayall Streets (near IGA Car Park) will be moved to the Senior Citizens Centre Lawn Area. Toni Tyrer gave Ray Davy a diagram to where we want the Table and Seats installed.
- The Shire will look into Bins along the Walking Tracks and is looking into installing more furniture along them as well.

**COMMITTEE PRIORITIES:**

**Priority 1:** Ordering and Planting of Rose Bushes and other Plants in the Main Street – once the ordering of the Rose Bushes and Plants has been passed at the Council Meeting, the Committee will go ahead and order them before the 30<sup>th</sup> June 2021 and then organise a Working Bee

**RECOMMENDATIONS:**

- A recommendation was made for a couple of Tables and Seats to be placed at the Discovery Centre for Visitors to sit at throughout the grounds to enjoy their meals, as many do pack their own meals whilst travelling and really has nowhere to sit besides the lawn area
- Gaye Renfrey made a recommendation for the water fixture along Moa Street (especially from Church Street to the Cemetery) to be fixed. Also Gaye would like to see the trees replaced with Queensland Box Trees and for Trees to be planted in the Median Strips where required.

- Karen Norfolk made a recommendation for a seat with a backrest to be placed on the corner of Market and Mayall Streets (near the IGA Park) once the Table and Seats have been removed, so the space doesn't look bare.

**ITEMS WITHOUT NOTICE:**

- The question was asked to Oliver McNulty, if the Beautification Advisory Committee could get an acknowledgement of any correspondence sent and updates on any issues brought up in the correspondence
- Oliver McNulty suggested instead of writing letter after letter of Recommendations to the Balranald Shire Council, make a section in the Minutes for all Recommendations (which has happened in these Minutes)
- The question was asked to the Council Representatives at this meeting who was responsible for cleaning the footpaths? The Shire will look into replacing the stones at a later date

**Next Meeting:** Wednesday 9<sup>th</sup> June 2021 at the Balranald Shire Chambers commencing at 17:00hrs (5:00pm)

**Meeting Closed:** 17:55hrs

**7.3 STRENGTHENING COMMUNITY ACCESS, INCLUSION & WELLBEING ADVISORY COMMITTEE**

**File Number:** D21.51875

**Reporting Officer:** Carol Holmes, Senior Executive Assistant

**Responsible Officer:** Oliver McNulty, General Manager

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**OFFICER RECOMMENDATION**

1. That Council notes that there has been no meeting with Strengthening Community Access, Inclusion and Wellbeing Advisory Committee since March 2021 due to not having a quorum.
2. That Council notes the Committee's ongoing interest with Senior Citizens Building.

**PURPOSE OF REPORT**

To provide Council with a update on Strengthening Community Access Inclusion & Wellbeing (SCAIW) Advisory Committee.

**REPORT**

The SCAIW Advisory Committee scheduled meetings for both April and May, there were no attendees at April Meeting and only 4 members attended the May meeting.

As there was not a quorum there were no formal minutes taken.

The Chairperson has stated that the committee has an ongoing interest with the Senior Citizens Building. This will be included in their agenda for June 2021 Committee Meeting.

**ATTACHMENTS**

Nil

**GENERAL MANAGER'S REPORTS (INCORPORATING ALL STAFF REPORTS)****PART A – ITEMS REQUIRING DECISION****8 GENERAL MANAGER'S REPORTS****8.1 DATE AND TIME FOR ORDINARY COUNCIL MEETINGS**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.51045</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Carol Holmes, Senior Executive Assistant</b>                                                                                      |
| <b>Responsible Officer:</b>        | <b>Oliver McNulty, General Manager</b>                                                                                               |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

**OFFICER RECOMMENDATION**

1. Pursuant to Section 362 of the Local Government Act 1993 and Clause 3.2 of Councils Code of Meeting Practice, adopt the proposed 2020/2021 Schedule of Ordinary Council Meetings contained in this report.
2. Pursuant to section 9 of the *Local Government Act 1993* and clause 3.4 of Council's Code of Meeting Practice, provide public notice of the time, date and place of each scheduled Ordinary Meeting as set out in the table included in this report.

**PURPOSE OF REPORT**

Section 365 of the Local Government Act 1993 ("the Act") requires Council to meet at least 10 times each year, each time in a different month. Clause 3.1 of Council's Code of Meeting Practice ("Meeting Code") provides that Council shall, by resolution, set the frequency, time, date and place of its ordinary meetings. This report is set out to provide dates and times for these meetings for the remainder of 2020/21

**REPORT**

Council is requested to set the date and time for Ordinary Meetings of Council. Meeting dates and time for the last Council term was the third Tuesday of each month commencing at 5.00pm.

| Date              | Location                   |
|-------------------|----------------------------|
| 20 July 2021      | Balranald Council Chambers |
| 17 August 2021    | Balranald Council Chambers |
| 21 September 2021 | Balranald Council Chambers |
| 19 October 2021   | Balranald Council Chambers |
| 16 November 2021  | Euston Recreation Reserve  |
| 21 December 2021  | Balranald Council Chambers |
| 15 February 2022  | Balranald Council Chambers |
| 15 March 2022     | Balranald Council Chambers |

|               |                            |
|---------------|----------------------------|
| 19 April 2022 | Balranald Council Chambers |
| 17 May 2022   | Balranald Council Chambers |
| 21 June 2022  | Balranald Council Chambers |

All Ordinary Meetings will be streamed live on Facebook in line with the requirements of the Code of Meeting Practice.

Additional extraordinary meetings may be called through the year as required. These will be advertised as set out within the Code.

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

*Local Government Act 1993*

*\* Section 9 – Public Notice of Meetings*

**POLICY IMPLICATION**

Model Code of Meeting Practice

**RISK RATING**

Low

**ATTACHMENTS**

Nil

**8.2 ORDER OF BUSINESS**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.51046</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Carol Holmes, Senior Executive Assistant</b>                                                                                      |
| <b>Responsible Officer:</b>        | <b>Oliver McNulty, General Manager</b>                                                                                               |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

**OFFICER RECOMMENDATION**

1. Pursuant to section 365 of the *Local Government Act 1993* and clause 3.2 of Council's Code of Meeting Practice, adopt the proposed 2021/2022 Schedule of Ordinary Meetings contained in this report.
2. Pursuant to section 9 of the *Local Government Act 1993* and clause 3.4 of Council's Code of Meeting Practice, provide public notice of the time, date and place of each scheduled Ordinary Meeting as set out in the table included in this report.

**PURPOSE OF REPORT**

Section 365 of the Local Government Act 1993 ("the Act") requires Council to meet at least 10 times each year, each time in a different month. Clause 3.1 of Council's Code of Meeting Practice ("Meeting Code") provides that Council shall, by resolution, set the frequency, time, date and place of its ordinary meetings. This report is set out to provide dates and times for these meetings for the remainder of 2020/21.

**REPORT**

All Ordinary Meetings will be streamed live on Facebook in line with the requirements of the Code of Meeting Practice.

Additional extraordinary meetings may be called through the year as required. These will be advertised as set out within the Code.

Date and Time of each Council meeting;

| Meeting Date      | Time | Location                  |
|-------------------|------|---------------------------|
| 20 July 2021      | 5pm  | Balranald Council Chamber |
| 17 August 2021    | 5pm  | Balranald Council Chamber |
| 21 September 2021 | 5pm  | Balranald Council Chamber |
| 19 October 2021   | 5pm  | Balranald Council Chamber |
| 16 November 2021  | 5pm  | Balranald Council Chamber |
| 21 December 2021  | 5pm  | Balranald Council Chamber |
| 15 February 2021  | 5pm  | Balranald Council Chamber |
| 15 March 2021     | 5pm  | Balranald Council Chamber |
| 19 April 2021     | 5pm  | Balranald Council Chamber |
| 17 May 2021       | 5pm  | Balranald Council Chamber |
| 21 June 2021      | 5pm  | Balranald Council Chamber |

The Order of Business fixed may be altered if a motion to that effect, is carried. Such a motion can be moved without notice.

Order of Business is proposed as follows;

1. Opening of Meeting
2. Acknowledgement of Country
3. Apologies
4. Confirmation of Minutes
5. Disclosure of Interest
6. Administrator Report
7. Committee Reports for Adoption
8. Part A – Items requiring Decision
  - a. General Managers Reports
  - b. Corporate & Community Services Reports
  - c. Infrastructure & Development Reports
9. Part B – Items for Information
  - a. General Managers Reports
  - b. Corporate & Community Services Reports
  - c. Infrastructure & Development Reports
10. Notice of Motion / Questions on Notice
11. Confidential Matters
12. Closure of Meeting

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

*Local Government Act 1993*

- *Section 9 – Public Notice of Meetings.*

**POLICY IMPLICATION**

Model Code of Meeting Practice

**RISK RATING**

Low

**ATTACHMENTS**

Nil

**8.3 CEMETERY POLICY**

|                                    |                                                                                                |
|------------------------------------|------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.50879</b>                                                                               |
| <b>Reporting Officer:</b>          | <b>Carol Holmes, Senior Executive Assistant</b>                                                |
| <b>Responsible Officer:</b>        | <b>Oliver McNulty, General Manager</b>                                                         |
| <b>Operational Plan Objective:</b> | <b>Pillar 1: Our People – A community that is proactive, engaged, inclusive and connected.</b> |

**OFFICER RECOMMENDATION**

That Council

1. Adopt the Cemetery Management Policy as attached to this report.
2. Note that no submissions were received in relation through the advertising period in relation to the policy.
3. Note the submission received that relate to the Operating Manual and that it has been amended taking into consideration issues raised.

**PURPOSE OF REPORT**

To advise Council of the results of public exhibition in relation to the advertising of the Cemetery Policy and Operating Manual

**REPORT**

Council at the March Ordinary Council Meeting resolved to advertise the Draft Cemetery Policy and Operating Manual for review and comments from our community.

The Cemetery Policy and Operating Policy were both placed on public exhibition on our website and town notice boards and advertised in The Guardian.

Council has not received any comments in regards to the advertised policy; however Council received 2 written comments in regards to the Cemetery Operating Manual.

Mrs Murphy advised Council that the Operating Manual is very comprehensive and difficult to understand. The General Manager met with Mrs Murphy to discuss these issues and modifications have been added to the Manual taking into consideration her comments.

Mrs Parker advised Council that she was disappointed that the draft Operating Manual is suggesting that memorial items and statues can still be placed on the concrete plinth beside graves.

Both Mrs Parker and Mrs Murphy are very concerned of a large statue that has been placed in the Balranald Lawn Cemetery. This is an ongoing issue which has been addressed against the policy of the day. At the time this monument was erected there was no restriction on such a monument. Council offices will continue to liaise with all involved to try and come to a suitable outcome.

The Draft Cemetery Policy as presented defines Council's role and responsibilities for the cemeteries under its control. It also lists the framework and legislation that guides Council in relation to these activities.

The Draft Cemetery Operating Manual sets out how the cemeteries in Balranald and Euston will be managed and maintained on an ongoing basis. It sets out the roles and responsibilities in relation to the delivery of these services.

Currently, Council has two policies relating to Cemeteries these being Lawn Cemetery Monument Policy and Reservations for Lawn Cemeteries Policy. These two policies were rescinded in March and are now redundant by the adoption of the Cemeteries Policy.

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Local government Act 1993

Anti-Discrimination Act 1977

Birth Deaths and Marriages Registration Act 1995

Cemeteries and Crematoria Act 2013

Cemeteries and Crematoria Regulation 2014

Coroners Act 2009

Crown Lands Act 2016

Crown Lands (General Reserves) By-law 2006

Environmental Planning & Assessment Act 1979

Environmental Planning & Assessment Regulation 2000

Government Information (Public Access) Act 2009

Health Records Information Privacy Act 2002

Heritage Act 1977

Privacy & Personal Information Protection Act 1998

Public Health Act 2010

Public Health Regulation 2012

State Records Act 1998

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Workers Compensation Act 1987

Workplace Injury Management & Workers Compensation Act 1998

**POLICY IMPLICATION**

Update of Current Cemetery Policy

**RISK RATING**

Low

**ATTACHMENTS**

1. Cemetery Management Policy 2021 [!\[\]\(c8b951b74831171f66ef29a72f89ac05\_img.jpg\) !\[\]\(2bb871af7a214eb48512708ebf5ffde1\_img.jpg\)](#)
2. Amended Cemetery Operating Manual [!\[\]\(57986541c81a8331272c3152bcb62ab9\_img.jpg\) !\[\]\(7d0f2f550f45fda52579a86b9dcd5edf\_img.jpg\)](#)

|                                                                                   |                                   |                    |             |
|-----------------------------------------------------------------------------------|-----------------------------------|--------------------|-------------|
|  | <b>CEMETERY MANAGEMENT POLICY</b> | <b>Doc No. 1</b>   |             |
|                                                                                   |                                   | <b>Version</b>     | <b>Date</b> |
|                                                                                   |                                   | 1                  | March 2021  |
| <b>Controller</b>                                                                 | <b>Approved by:</b>               | <b>Review Date</b> |             |
|                                                                                   | <b>Council</b>                    |                    |             |
| <b>General Manager</b>                                                            | <b>Minute Number</b>              |                    |             |

### OBJECTIVE

To define Council's role and responsibilities for the cemeteries under Council's control.

### SCOPE

This policy applies to all cemeteries and memorial facilities in Balranald and Euston and the provision for all burials services; which are controlled, managed and maintained by Balranald Shire Council.

### POLICY STATEMENT

Balranald Shire Council recognises the right of all individuals to a dignified interment and treatment of their remains irrespective of religious belief and culture.

Council as the trustee of cemeteries in our local government area is responsible for the administration and management of plots, transfer of interment rights, approvals for monumental works, issuing of licences to work in cemeteries, maintenance of lawn and cemetery grounds, the interment of ashes and for the provision of indigent burials.

Pursuant to legislative requirements and standards Council will administer, maintain and operate the cemeteries under its control to ensure that sufficient land is acquired and allocated so that current and future generations have equitable access to interment services.

Council will provide a consistent and coherent Cemetery Management Plan for the governance and regulation of cemeteries to ensure that cemetery management demonstrates high levels of accountability, transparency and integrity, and will manage the cemeteries under Council's control in accordance with the principles of Crown land Management specified in section 1.4 of the Crown Lands Act 2016.

#### Cemetery Management Plan

Council will manage cemeteries in accordance with the appropriate legislation and Council's Cemetery Management Plan.

### Fees

For each application made to Council for cemetery services an administrative fee is applied. These fees are reviewed annually and can be found in Councils fees and charges document.

### **DEFINITION**

Cemetery: For the purposes of this policy the term cemetery will apply to all cemeteries and memorial facilities under Balranald Shire Council's control.

### **EXCEPTIONS**

This Policy does not relate to any privately managed cemeteries or privately managed Aboriginal cemeteries located within Shire boundaries.

### **LEGISLATION REQUIREMENTS**

Cemetery and memorial facility management is controlled by multiple legislation and as such these will be listed at the end of this policy.

### **RELATED DOCUMENTS**

- Cemeteries Management Plan

**POLICY HISTORY AND VERSION CONTROL**

|                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy Title         | Cemetery Management Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Directorate          | Infrastructure Services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Department           | Engineering and Assets                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Policy Group         | Environmental                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Responsible Officer  | Manager Engineering and Assets                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| History              | 1.0                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Relevant Legislation | <ul style="list-style-type: none"> <li>• Local government Act 1993</li> <li>• Anti-Discrimination Act 1977</li> <li>• Birth Deaths and Marriages Registration Act 1995</li> <li>• Cemeteries and Crematoria Act 2013</li> <li>• Cemeteries and Crematoria Regulation 2014</li> <li>• Coroners Act 2009</li> <li>• Crown Lands Act 2016</li> <li>• Crown Lands (General Reserves) By-law 2006</li> <li>• Environmental Planning &amp; Assessment Act 1979</li> <li>• Environmental Planning &amp; Assessment Regulation 2000</li> <li>• Government Information (Public Access) Act 2009</li> <li>• Health Records Information Privacy Act 2002</li> <li>• Heritage Act 1977</li> <li>• Privacy &amp; Personal Information Protection Act 1998</li> <li>• Public Health Act 2010</li> <li>• Public Health Regulation 2012</li> <li>• State Records Act 1998</li> <li>• Work Health and Safety Act 2011</li> <li>• Work Health and Safety Regulation 2011</li> <li>• Workers Compensation Act 1987</li> <li>• Workplace Injury Management &amp; Workers Compensation Act 1998.</li> </ul> |

|                                                                                   |  |                                |                  |
|-----------------------------------------------------------------------------------|--|--------------------------------|------------------|
|  |  | <b>BALRANALD SHIRE COUNCIL</b> |                  |
| <b>DRAFT - CEMETERY OPERATING MANUAL</b>                                          |  |                                |                  |
| Controller:                                                                       |  | Approved By:                   | Next Review Date |
| General Manager                                                                   |  |                                |                  |

### 1. BACKGROUND

Council have an adopted Cemetery Management Policy that defines Council roles and responsibility for the Cemeteries under its control

Cemeteries have cultural, historical, social, and religious values to the community. Balranald Shire Council manages and maintains its cemeteries guided by sound conservation and non-discriminatory principles so that significances for all members of the community are retained.

### 2. OBJECTIVE

The Cemetery Operating Manual document sets out how the Cemeteries in Balranald and Euston will be managed and maintained on an ongoing basis.

### 3. SCOPE

Some of the services that are outlined within this Cemetery Operating Manual include (but not limited to);

- a) The interment of the remains of deceased persons;
- b) The interment of the ashes of deceased persons;
- c) The regulation and control of the installation and maintenance of memorials erected to deceased persons;
- d) Regular scheduled maintenance activities consistent with Council's Works Program and other Delivery Programs.

### 4. CEMETERY LAYOUT

Council has 2 cemeteries within Balranald Shire, Balranald and Euston Cemeteries; each cemetery is comprised of the following sections;

- a) Catholic
- b) Anglican
- c) Presbyterian; and
- d) Lawn

### 5. DEFINITIONS

|                            |                                                                                                                                                                                            |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Adult:</b>              | Any person older than the age of 18 years and one day.                                                                                                                                     |
| <b>Applicant:</b>          | The person making an application for a burial or memorial right or for a work permit or other Council consent.                                                                             |
| <b>Approved Contractor</b> | Approved service provider appointed by Council or a family or Trust that has undergone required training and necessary site inductions to carry out a service at a Council owned cemetery. |

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Authorised Officer:</b>     | The Council officer or officers to whom the General Manager delegates authority from time to time to administer this Manual and who is authorised by the delegated authority to exercise the powers of an authorised person under this manual                                                                                                                                                                     |
| <b>Ashes:</b>                  | The processed remains recovered from the cremation of a body.                                                                                                                                                                                                                                                                                                                                                     |
| <b>Baby:</b>                   | Any person up to 5 years of age.                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Body:</b>                   | A human body or any part thereof                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Beam:</b>                   | A strip of concrete laid at the head of the grave on which a monument or plaque is placed.                                                                                                                                                                                                                                                                                                                        |
| <b>Burial:</b>                 | The interment of non-cremated human remains.                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Burial License:</b>         | A licence for interment of non-cremated human remains.                                                                                                                                                                                                                                                                                                                                                            |
| <b>Burial License Holder:</b>  | Person who has been issued with a burial licence.                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Burial Place:</b>           | A grave site, memorial site or other place for the disposition or commemoration of the remains of the dead, whether cremated or not.                                                                                                                                                                                                                                                                              |
| <b>Burial Right Holder:</b>    | The original owner/purchaser of the right of the burial. The recognised owner of the right of burial is that person currently entered into the cemetery's burial register. In some cases, the Burial Right Holder refers to a surviving member of the person's family, their executor or administrator, Power of Attorney, their heir or successor. Ownership may be formally transferred or bequeathed by a Will |
| <b>Council:</b>                | The Balranald Shire Council.                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Cemetery or Cemeteries:</b> | Designated area administered and operated by Council, containing one or more burial places and/or areas for cremated remains within the Balranald Shire Council area.                                                                                                                                                                                                                                             |
| <b>Child:</b>                  | Any person from 5 years up to 10 years of age                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Columbarium:</b>            | A structure having recesses in the walls to receive cremated remains.                                                                                                                                                                                                                                                                                                                                             |
| <b>Cremation:</b>              | To reduce a body to ashes by fire.                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Exhumation:</b>             | The removal of human remains from a grave.                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Fees and Charges:</b>       | A fee or charge fixed by Council and published annually in Council's Register of Fees and Charges.                                                                                                                                                                                                                                                                                                                |
| <b>General Manager:</b>        | The General Manager of the Balranald Shire Council.                                                                                                                                                                                                                                                                                                                                                               |
| <b>Grantee:</b>                | The recipient of a permit, right or approval under this Manual.                                                                                                                                                                                                                                                                                                                                                   |
| <b>Headstone:</b>              | Structure placed at the head of a grave on a beam.                                                                                                                                                                                                                                                                                                                                                                |
| <b>Inurnment:</b>              | The practice of placing an urn in a niche wall and closing it up or placed in a garden.                                                                                                                                                                                                                                                                                                                           |
| <b>Lawn Cemetery:</b>          | Burial area in which a concrete beam or individual grave markers are provided for the location of standard plaques and the remainder of the cemetery is mown grass.                                                                                                                                                                                                                                               |
| <b>Memorial Garden:</b>        | Garden area, path or the like in which ashes may be placed and a standard plaque placed. A standard plaque may be located in such areas without the placement of ashes.                                                                                                                                                                                                                                           |
| <b>Memorial Wall:</b>          | An area of the cemetery that is established for the memorialisation of cremated remains.                                                                                                                                                                                                                                                                                                                          |
| <b>Monument:</b>               | Any structure, tombstone, plaque, masonry, headstone, metal work, casting, kerbing or railing, or item placed over, in or around a burial right or grave site used for commemorative purposes.                                                                                                                                                                                                                    |
| <b>Monumental Mason:</b>       | A tradesman, mason or person possessing the skills to carry out monumental masonry work.                                                                                                                                                                                                                                                                                                                          |
| <b>Niche:</b>                  | Inurnment site or place in a wall where a container containing ashes of a deceased person may be placed.                                                                                                                                                                                                                                                                                                          |

**Owner of Burial Right:**

- a) a spouse of the deceased;
- b) a guardian of the deceased;
- c) brothers and sisters of the deceased, or of a spouse of the deceased;
- d) ascendants and descendants of the deceased, or of a spouse of the deceased; and
- e) the person who paid the respective fee for the burial right.

**Plaque:** Memorial sign that is attached to a beam, headstone or niche wall.

**Plinth:** A flat stone or concrete structure placed on a grave for which a plaque or monument is attached.

**Register:** Council's formal data repository containing details of a burial, memorial site, immurement right, and interment right or burial right.

**Reservation:** Pre-need burial right.

**Retrieval:** The removal of the cremated human remains from a grave, niche or garden.

**The Manual:** This manual.

**Transfer of Right of Burial:** The holder for the time being may transfer the right of burial in accordance with the rules of the cemetery and the transfer takes place upon successful completion of payment and details are entered into the burial register.

**6. ROLES AND RESPONSIBILITIES**

6.1. The Funeral Director is responsible for the following:

- a) Liaising with Family for Burial Details
- b) All General Preparations for the Burial
- c) Traffic Management in consultation with Council
- d) Invoicing designated Family Member, Friend or Administer of Estate for the cost of the Funeral

6.2. Balranald Shire Council is responsible for:

- a) Liaising with the Funeral Director to compile the Funeral Notices
- b) Updating and maintaining the Cemetery Database. Reasonable accurate records dating back to the early 1950s exist
- c) General Maintenance of Council Managed Cemetery Grounds
- d) Grave digging and backfill

6.3. The owner of the Burial Right or Family Member or another person who has a proper interest is responsible for:

- a) General Grave Maintenance
- b) Erection of Headstone

**7. PROCEDURE****7.1. Standard Conditions**

- a) Council will make such provision as it considers necessary for the following:
  - i. The setting aside of sections for different types, religious denominations and classes of burials.
  - ii. The establishment of standards of construction and design for monuments and structures, and conditions of entry for funeral directors, monumental

- masons, their workmen and contractors and other service providers associated with work in the Cemeteries.
- iii. The size, multiple use and location of burial places.
  - iv. The erection or the installation of structures.
  - v. The improvement and maintenance of cemeteries.
  - vi. The supply of goods and services incidental to the conduct of burials, monuments and other matters relating to cemeteries as per the adopted Revenue Policy/ Fees and Charges.
  - vii. The preservation, conservation and promotion of cemetery sites presently in use as places of community significance in terms of their architectural, heritage, social and genealogical content.
  - viii. The promotion and interpretation of cemeteries through the installation of signage, brochures and other interpretive materials when deemed necessary.
  - ix. The liaison with community groups and other organisations to carry out works relevant to the improvement, maintenance and promotion of cemeteries.
  - x. The establishment of regulations and prohibitions in respect to all areas of operation of Council cemeteries by service providers and the community.

## 7.2. Plot Reservations

Council will consider requests for plot reservations in the Shire's Cemeteries subject to the following guidelines:

- a) All plot reservations in all sections must be confirmed in writing.
- b) An administration fee and the fee for the "purchase of site" must be paid at the time of reservation; as detailed in Council's Fees and Charges.
- c) Site reservations will only be allowed in the developed sections of the Shires Denominational Cemeteries where there are site vacancies
- d) All plot reservations will be reconfirmed in writing every 10 years.
- e) If the reconfirmation of plot reservations are not received within 60 days of notification, the balance of the site fee will be refunded to the applicant and the plot returned to Council
- f) Requests for cancellation and refund of the site fee paid must be in writing.
- g) If an "Owner of Right of Burial" or "Grantee" cannot be identified the ownership will be transferred back to Council.
- h) A cancellation fee will be applicable on the following scale and will be deducted from the refund of the site fee:
  - i. Within the first five years of reservation 10% of the site fee
  - ii. After 5 years of reservation 20% of the site fee
- i) New interments (other than a second interment or reserved plot), must take the next available plot in the sequence.
- j) Sequencing shall be changed if there are WH&S issues with grave stability.

### 7.3. Notification and Hours of Operation

- a) Two working days' notice must be given at all times to allow sufficient time for grave digging to be completed.
- b) Burials with less than 48 hours' notice will only be considered if achievable.
- c) Burials and exhumations shall take place only during the hours approved by Council and in accordance with the Land Act 1994 and Regulations.

Burial hours are:

- Between 7.30am and 4.30pm Monday to Friday. Additional fees will be incurred outside these hours.
- By arrangement with the Balranald Shire Council Director Infrastructure and Development or nominated person on Saturdays, Sundays, public holidays (except Good Friday, Anzac Day and Christmas Day).
- As the Council may determine from time to time.

### 7.4. Grave Allotment Sizes and Grave Preparation

- a) Please refer to Council's Revenue Policy with regards to allotment sizes.
- b) The following depths shall apply–
  - i. Single – 1.22m
  - ii. Double – 2.250m
- c) The use of ground penetration radar (GPR) can be conducted by Council staff or approved Contractors to determine the feasibility of a double interment or digging. This shall be at no cost to Council.
- d) "Probing" can be conducted by Council staff to determine the feasibility of a double interment.

It should be noted that these processes are limited to the condition of the casket from the first interment, or ground conditions are often unreliable.

- e) Only nominated Balranald Shire Council staff (or those contracted to Council) will prepare graves. Grave preparation includes –
  - i. Digging
  - ii. Placement of a grave cover on the grave awaiting arrival of Funeral Directors.
- f) Funeral Directors are required to supply lowering tapes and a marquee if required.
- g) The responsibility of the Funeral Director concludes when the last of the Funeral Directors employees leave the site having covered the grave, for safety reasons, with an approved grave cover, supplied by Balranald Shire Council.
- h) Participation by Council staff in the actual interment process is not permitted. This includes Council staff carrying the casket from the funeral car. It is acknowledged that Council staff may from time to time participate in the actual interment process and they will do so in their own private capacity.
- i) All activities undertaken within the Cemetery Grounds shall comply with relevant WorkCover and Work Health, Environmental and Safety requirements.
- j) Council will backfill a grave within one hour of the removal of the Funeral Director's equipment.
- k) It is recommended that the Funeral Directors advise the family of the deceased not to be present during the filling of a grave as some families find this process distressing.

### 7.5. Monuments in Lawn Cemeteries

- a) Balranald Lawn Cemetery grave site monuments/headstones are restricted to plaques rather than other monuments. Plaques designs are of the family's choice restricted to a size capable of being affixed to Council's standard concrete pedestal
- b) All monuments/headstone in the Euston Lawn Cemetery are restricted to a maximum height of 610mm, width of 615mm and a depth of 260mm.
- c) Installation of headstones or plaques
  - i. Only Council staff or a contractor approved by Council shall install a headstone or plaque.
  - ii. Wooden crosses could be considered by Council, in the event of financial hardship.

### 7.6. Monuments

- a) Where a lawn cemetery section has been established by Council the placement of any form of monumental work or plaque or other adornment will be restricted to the continuous concrete plinth installed by Council in these areas. No memorial fixture or fittings is to be attached to or placed on the continuous concrete plinth without prior approval from Council.
- b) The use of ornaments or tributes (e.g. glass or ceramic statues/crosses) likely to be damaged or broken is not permitted in the lawn cemeteries. Any monument, memorial, vase or other adornment placed on any part of the grave (other than the continuous concrete plinth) in a lawn cemetery area may be removed by Council without notice to the owner of the burial right or any relative or family of the deceased.
- c) All monumental works carried out in the cemeteries are subject to prior approval by Council to any person it considers adequately qualified to carry out the work.
- d) This will include all documentation as required by Council.
- e) All monuments and monumental work must comply with *AS 4204-1994 Headstones and Cemetery Monuments*.
- f) Council will only grant a monumental permit with the consent of the grantee of the burial licence or as deemed appropriate by Council.
- g) Any structure that after being assessed is considered to be an immediate hazard and represents a risk for staff and cemetery visitors will be removed by Council. Council will make reasonable efforts to contact the burial right holder or family representative and instruct same to take immediate steps to repair or remove the structure.

### 7.7. Ash Interments

- a) Ashes can be interred in the (Balranald and Euston) Cemetery under consent of Council. Consent from Council is required for all ashes interments.
- b) The interment of Ashes can only be carried out by Funeral Directors, or if approved under the supervision of Council staff. However, the ashes casket can be placed in the allotted space and back filled, if needed by a family member or friend of the deceased under the supervision of Council staff.
- c) Ashes shall not be spread above ground in any of the cemeteries under Council management.

### 7.8. Ornaments and Flowers

- a) Un-breakable ornaments or tributes placed on a plinth adjacent to a site shall not exceed 40cm in height,
- b) Flowers can be placed near graves/memorials. Fresh or limited artificial flowers are welcome tributes. These should be housed in approved containers provided.
- c) Visitors are encouraged to remove such items when they become unsightly, weathered or wither.
- d) Floral tributes, both fresh and artificial, or other items that encroach on neighbouring memorials or graves will be removed without notice. Glass vases, jars or other non-approved receptacles or ornaments, candles, wind chimes are not permitted and will be removed.
- e) The grounds will be kept neat and tidy by removing withered or weathered floral arrangements and any tributes deemed unsuitable or unsightly. This will be carried out at Council's discretion. Ornaments re-located by cemetery staff may be retrieved from the Council Office. The Council reserves the right to dispose of items two weeks after being removed. These items are not to be placed back on the grave or memorial.
- f) Council does not accept any responsibility for items left at Cemeteries.

### 7.9. Cemetery Plaques

- a) Plaques must be no larger than the concrete pedestal at the head of each grave within the Lawn Cemetery; Note that Ashes – Memorial Wall Internment & Plaque (300X210).
- b) A plaque order form shall only be signed by the Executor of the will or persons authorised by the Executor.
- c) No offensive wording shall be placed on any plaque.
- d) The securing of a single item which requires the use of adhesive only such as new plaques, military insignia and photographs do not require a work permit.

### 7.10. Lighting

- a) Solar powered lights or spikes on individual sites are prohibited.

### 7.11. Special Burial Requirements

- a) Council is aware of the diverse range of faiths within our community and strives to develop a deep understanding of burials for specific cultural, religious and spiritual beliefs. The following outlines the basic requirements for burials other than those outlined in this manual:
  - iii. Application must be made to Council to give consideration to burials that do not meet the requirements of this manual however are able to meet obligations specified under current legislation.
  - iv. Council recommendations, observations and authorisations for burials requests will be made in accordance with the applicable by-laws, the Public Health Act 1991 and the Public Health (Disposal of Bodies) Regulations 2011, Work, Health and Safety regulations as well as other guidelines if needed.
  - v. If permission is granted the grantee must meet all requirements under all relevant legislation including but not limited to the Public Health Act and the Work, Health and Safety Act.
  - vi. Council shall be indemnified absolutely, by the grantee, in the event of any action suit or claim brought by any other person for damages or loss to

extent that such damage or loss may be suffered as a result of customs exercised by persons attending the burial.

#### **7.12. Grave reopening**

- a) Council will liaise with Funeral Directors and, if required with family members.
- b) Testing of grave sites for the purpose of reopening shall be at full cost to the applicant.
- c) At the cost of the owner of the burial right, Council will arrange the removal of all monumental work necessary to facilitate the reopening of a grave for a second interment (where permitted) and it will be the responsibility of the owner of the burial right to arrange reinstatement after the burial at the owner of the burial right's cost. All restoration of existing monumental works shall be in accordance with the Australian standard for restoration work.
- d) If however the masonry appears to be constructed in an unworkmanlike manner, Council will hold the owners of the headstone responsible for the repairs. An assessment will be carried out by a Council officer and the undertaker will be given sufficient notification before work takes place.
- e) Burial allotments within the lawn cemeteries are allowed to be re-opened at a later date.
- f) Ash interment could be considered at a grave site by Council without involving a Funeral Director.

#### **7.13. Exhumation**

- a) An exhumation may only take place when an order by a Coroner or a Court permit is issued or an applicant has obtained an order, prior to commencing exhumation.
- b) Other requirements:
  - i. Approval for exhumation by NSW Department of Health in accordance with the provision of Public Health (Disposal of Bodies) Regulation, 2012;
  - ii. Approval from Council with the full payment of all associated fees being payable by the applicant.

#### **7.14. Maintenance and Repair of Memorials by Owner of a Burial Right – General**

- a) The owner of the burial right or any relative or family of the deceased or another person, who has a proper interest in the maintenance of a memorial to a deceased person, may, with the approval of the General Manager or an authorised officer, carry out maintenance or repair work on a memorial in a Council cemetery.
- b) A person who carries out maintenance or repair work under this section must comply with directions by the General Manager or an authorised officer about how the work is to be carried out in accordance with prescribed standards, technical specifications or other prescribed documentation issued by Council from time to time.

#### **7.15. Maintenance Repair and Removal of Memorials**

- a) Council may carry out maintenance or repair work on a memorial after consulting with the family; however Council is not obliged to carry out maintenance or repair work on a memorial unless obliged to do so under a maintenance contract.
- a) Council may remove a memorial if it has become unsafe or has fallen into a state of disrepair or may enclose the memorial in a manner as to make it safe. The cost of making a memorial safe may be recovered by Council from the owner of the burial right.

- b) If there is no immediate danger to the public, Council must, before repairing or removing a memorial under this section, give members of the deceased's family whose identity and whereabouts are known to Council reasonable notice of its intention to remove the memorial.
- c) Council is not obliged to reinstate a memorial removed under this section.
- d) Incorrectly placed monuments moved from their original location should be reinstated if documentation of the correct location is available. Where the original location cannot be found, monuments should be placed in a group of monuments whose original location is unknown.
- e) Odd alignment of monuments should not be regarded as a problem since these often date from a period before the cemetery may have been surveyed. They should be preserved, so far as it is practicable and safe to do so.

#### **7.16. General Maintenance of Graves in Denominational Cemetery**

- a) It is the responsibility of the owner of a burial right or a member of the family of a deceased person, or another person who has a proper interest in the maintenance of the plot to maintain the grave plot and any fixture thereon. Council will maintain the surrounding area, including pathways, plants, fencing and structures.
- b) In undertaking maintenance of areas surrounding graves including pathways, plants, fencing and structures, Council employees or approved contractors will take reasonable care to minimise any damage to masonry, monuments or grave structures.
- c) Council may undertake maintenance of a grave plot where requested by the owner of a burial right or a member of the family of a deceased person, or another person who has a proper interest in the maintenance of the plot at the expense of the person requesting the work.
- d) Where the owner of a burial right or a member of the family of a deceased person, or another person who has a proper interest in the maintenance of the plot cannot be identified or located Council may authorise maintenance of the plot, particularly if the plot has some distinct local heritage or historical value.
- e) Where a Lawn Cemetery has been established by Council, maintenance of a grave by the owner of the burial right is limited to maintenance of any monument erected or placed on the continuous concrete plinth installed by Council in these areas. Council may remove from a grave plot any empty flower containers, decayed wreaths or dead flowers if deemed unsightly.
- f) The use of ornaments or tributes (e.g. glass or ceramic statues/crosses) likely to be damaged or broken is not permitted in the lawn cemetery.
- g) In any Council cemetery, glass jars and other breakable containers should not be used for the display of floral or other tributes. Plastic or other non-breakable containers should be used for the purpose.

### 7.17. Non-Compliant Memorials

Memorials that do not comply with the criteria set out within this manual in situ or future they will be assessed in accordance with Councils policy and manual of the time that the infrastructure was installed. In situations where it does not meet the criteria it will be removed by Council in consultation with the family of the Burial Right holder.

### 7.18. Grounds Maintenance

a) Minimum standards for grounds maintenance of Council cemeteries are defined as:

- i. Presenting Council facilities in a clean and tidy condition for use by the community within the limits of allocated budget.
- ii. Exercising due care so as to minimise the risk of damage to grave plots, memorials and the like.
- iii. Complying with Workplace Health and Safety obligations.
- iv. Complying with identified risk/hazard minimisation strategies.
- v. A commitment to Quality Assurance principles of continuous systems improvement.
- vi. Developing and maintaining a team environment to achieve a consistently high standard of customer service.

b) Grass Cutting

- i. Grass cutting in Council Lawn cemeteries is carried out using pedestrian operated lawn mowers, and ride-on machines with slashers as appropriate to the particular area of the cemetery being maintained.
- ii. The use of line trimmers, whipper-snippers and other similar devices will be limited to areas where the use of such equipment will not cause damage to graves or monumental structures.
- iii. Council will schedule its grass cutting activities in the denominational sections to 4 times per year, unless otherwise required and where funds permit.

c) Planting of Trees and Shrubs

No shrubs, bushes, trees or live growing plants may be planted at any place or time within the cemeteries by any individual other than regular cemetery maintenance personnel, unless prior approval has been obtained by Council

d) Weed Control

- i. Chemicals are used to poison weeds and grass around the perimeter of structures, graves and fences to assist with or minimise lawn mower access. Weed control will be undertaken on average 4 times each year particularly during the warmer growing period or following significant rain events.
- ii. Where significant or noxious weeds are prevalent in a cemetery, Council will take action to eradicate such weeds by poisoning irrespective of whether such weeds are contained within a grave plot or growing on a pathway or other area.
- iii. A notice shall be erected to inform visitors about planned chemical usage.

e) Tree and Vegetation Management

- i. Council will remove trees or vegetation where it poses a Work Health and Safety threat to visitors or personnel.
- ii. Council will remove trees and vegetation where it is deemed that the tree or vegetation poses a threat to the stability or causes damage to a monument or memorial or any other asset.

f) Litter

- i. Litter and other debris, whatever the source, is picked up from the cemetery grounds on a minimum of one occasion per week between Mondays and Fridays.
- ii. Spent flowers and wreaths will, on occasions, be removed as part of the litter clearance.
- iii. Council will provide refuse bins at different locations on site for the collection of waste materials in the cemeteries.

g) Animals or pests within the Confines of a Cemetery

- i. Where it is detected or notified that an animal or animals have become trapped within the confines of a cemetery, Council will make every effort to humanely remove these animals from the cemetery as soon as practicable after detection or notification.
- ii. Where animals become trapped in the cemetery grounds and die, Council will make every effort to remove the carcasses of these animals as soon as practicable after detection or notification to reduce odour and visual pollution for persons visiting the cemetery.
- iii. Council may from time to time establish animal control or baiting programs to control nuisance animals or pests.

h) Responsibility for Damage

- i. Council will not assume responsibility for vandalism. Where vandalism is discovered, the matter will be reported to the local police for investigation and reasonable efforts will be made to notify the owner of a burial right or a member of the family of a deceased person, or another person who has a proper interest in the maintenance of the grave where the vandalism has occurred.
- ii. Council will not automatically assume responsibility for any damage allegedly caused to any structure, monument, grave, or plinth by Council Personnel in the execution of their duties in a cemetery but will investigate how such damage may have occurred.
- iii. If an authorised officer has reason to believe that a person has committed, is committing or about to commit an offence in the cemetery, the authorised officer may require the person to leave the cemetery forthwith.

i) Maintenance of Structures

- i. Where structures have been provided in a cemetery for public use, an adequate program of maintenance will be undertaken to ensure such structures are fit for the designated purpose.

**7.19. Unsafe Monuments in Denominational Cemeteries**

a) Any monument identified as posing a safety risk will be accorded a category ranking:

- i. **Category 1**  
Monuments over 1.75 metres in height that:
  - Are likely to collapse or fall over at any time
  - Have significant sections or parts separating from the main monument irrespective of cause (subsidence, deterioration etc).
- ii. **Category 2**  
Monuments 1.75 metres or less in height that:
  - Are likely to collapse or fall over at any time
  - Have significant sections or parts separating from the main monument irrespective of cause (subsidence, deterioration etc).

***Repair of monuments***

The area surrounding the monument is to be immediately secured with barriers and danger signs.

- Council will make reasonable efforts to contact the burial right holder or family representative and instruct same to take immediate steps to repair the monument.
- If contact has not been made with the "burial right holder" or family representative within 14 days, Council will take steps to make the monument safe.
- *Note: Making the monument safe will (usually) consist of laying the headstone down on a sound base of the grave.*

- iii. **Category 3**  
The following will apply to monuments that are affected by subsidence and are leaning by more than 10 degrees, but are otherwise deemed to be in sound condition.

***Identification and Reporting***

- Any identification of unsafe monuments and consequent actions under this clause will be thoroughly documented and supported with photographs. All actions will be recorded on file and against the respective cemetery register entry.

***Subsidence***

- Where subsidence is evident, Council will fill and compact the ground in the normal manner.
- Old graves will be filled where possible.

**Repair of Monument**

- Council will not repair monuments and will only act to ensure public safety.
- Council will make reasonable efforts to contact the burial right holder or family representative and instruct same to take immediate steps to repair the monument.
- Council will continue to monitor the site until such time as the monument is identified as Category 1 or Category 2. The appropriate procedure will then be activated.
- Council reserves the right to remove the monument for safety reasons.

**7.20. Offences**

- a) It is an offence to do any of the following within a cemetery:
- i. A person must not interfere with a grave, or with flowers or tokens on a grave or memorial, must not remove, damage or interfere with any structure, memorial or plant in any Council controlled cemetery unless the approval of the Council has first been obtained.
  - ii. Film or photograph within the cemetery for the purpose of commercial use. Prior approval must be sought from Council for filming of any kind.
  - iii. Bury, inter or exhume any human remains, whether cremated or not without written authority of Council.
  - iv. Enter or remain in a cemetery between sunset and sunrise unless by prior arrangement.
  - v. Cause or permit an animal that is not under the person's control to enter or remain in a cemetery. Dogs shall be kept on a leash at all times.
  - vi. Take part in any gathering, meeting or assembly, except for the purpose of religious or other ceremony or burial or commemoration.
  - vii. Engage in trade or commerce or other work without prior Council approval.
  - viii. Distribute any circular, advertisement, paper, drawn or photographic matter.
  - ix. Carry on a business or advertise the same.
  - x. Erect a commercial sign.
  - xi. Drive a motor vehicle within the cemetery in a dangerous or careless manner of without reasonable consideration of others.
  - xii. Drive or park a vehicle on any known burial place, verge or plantation or in a manner that is likely to impede traffic.
  - xiii. Discharge a firearm (except at a military funeral).
  - xiv. Bring into or leave any garden waste, oil drums, rubbish, refuse, scrap metal, rock, soil, sand or any other such substances.
  - xv. Remove any dead timber, logs, trees, flora, whether standing or fallen without prior approval from Council.
  - xvi. Kill, capture or in any way interfere with any animal, bird, fish or other fauna, whether native or introduced. Plant any tree, shrub, ground coverage without Council approval.
  - xvii. Note: Offenders may be prosecuted under the relevant Local, State or Federal Law. Part of the reason for these prohibitions is to ensure that surrounding memorials structures and Council's assets are not damaged. Council reserves the right to seek recovery for the cost of repairs necessary. These costs are to be recovered from the service provider or individual responsible for the work and Council is entitled to refuse entry into any of the Council cemeteries by that service provider until the cost of those repairs are recovered. Council has the discretion to take any appropriate action in respect of offences which may include prosecution under the Land Act 1994

and Regulations and in respect to cemetery service providers to refuse subsequent entry to its cemeteries until the matter is resolved to the satisfaction of Council.

**PERFORMANCE INDICATOR**

- 1) Reduction in number of complaints
- 2) WH&S Compliance

**MANUAL REVIEW DATE**

This manual will be reviewed every two years from the date of formal adoption by Council.

**RELATED DOCUMENTS**

*Local Government Act, 1993*  
*Local Government (General) Regulation 2005*  
*Cemeteries and Crematoria Act 2013*  
*Cemetery and Crematoria Regulation 2014*  
*The Privacy and Personal Information Protection Act 1998 (PPiP Act)*  
*Public Health (Disposal of Bodies) Regulation 2012,*  
*Local Government: Control of Cemeteries Amendment Act 1966;*  
*The Local Government Control of Cemeteries Amendment Act (Act No. 52, 1966),*  
*Public Health Act 2010,*  
*AS 4204-1994: Headstones and cemetery monuments*  
*Balranald Shire Council Revenue Policy.*

**8.4 YOUTH COUNCIL RESERVE**

|                                    |                                                                                                |
|------------------------------------|------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.51180</b>                                                                               |
| <b>Reporting Officer:</b>          | <b>Carol Holmes, Senior Executive Assistant</b>                                                |
| <b>Responsible Officer:</b>        | <b>Oliver McNulty, General Manager</b>                                                         |
| <b>Operational Plan Objective:</b> | <b>Pillar 1: Our People – A community that is proactive, engaged, inclusive and connected.</b> |

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**OFFICER RECOMMENDATION**

That Council approves of the Unrestricted Financial Reserve being held by Council for the exclusive use of Balranald Shire Youth Council.

**PURPOSE OF REPORT**

To seek approval of financial reserves being held for Youth Council.

**REPORT**

Youth Council are seeking approval to have funds that they have raised deposited into an unrestricted financial reserve for the exclusive use of Youth Council.

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Nil

**POLICY IMPLICATION**

Nil

**RISK RATING**

Low

**ATTACHMENTS**

Nil

**8.5 LEASING OF THE ROYAL CAFE AREA OF THE ROYAL THEATRE COMPLEX**

|                                    |                                                                                                          |
|------------------------------------|----------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.51787</b>                                                                                         |
| <b>Reporting Officer:</b>          | <b>Ray Mitchell, Health &amp; Development Officer</b><br><b>Carol Holmes, Senior Executive Assistant</b> |
| <b>Responsible Officer:</b>        | <b>Oliver McNulty, General Manager</b>                                                                   |
| <b>Operational Plan Objective:</b> | <b>Pillar 3: Our Economy – A community that ensures a strong and resilient economy.</b>                  |

**OFFICER RECOMMENDATION**

That Council:

1. advertise for expressions of interest to lease the Royal Café area of the Theatre Royal complex for a period of 14 days;
2. any submissions received be reported to the July meeting of Council; and
3. Rev R Davis' request be considered in conjunction with any submissions received from the advertising process as part of the July report.

**PURPOSE OF REPORT**

To advise Council of a request to lease the Royal Café area of the Royal Theatre Complex.

**REPORT**

Council has received a request from a local group of handicraft hobbyists to lease the Royal Café area of the Royal Theatre Complex to display and retail their wares, retail supplies and provide an advice/teach type service in relation to the specialties of the group. The proposal is for an initial 12 month period with extension options should the enterprise be successful.

The Royal Café area has been used historically for retail type purposes and this request would appear to be in keeping with the use of the premises.

However, in order to assist decision making processes, it could be considered appropriate for Council to test the market in relation to the premises and gauge any wider interest. This will help to ensure that Council is achieving the best use of and return on our public assets.

The Theatre complex is freehold.

**FINANCIAL IMPLICATION**

Newspaper advertising costs of around \$600

Potential income generation, historically around \$600 per month

**LEGISLATIVE IMPLICATION**

Local Government Act 1993

**POLICY IMPLICATION**

Nil

**RISK RATING**

Low

**ATTACHMENTS**

Nil

**8.6 ESTABLISHMENT OF BIDGEE HAVEN BOARD OF MANAGEMENT**

|                                    |                                                                                                                                        |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.51798</b>                                                                                                                       |
| <b>Reporting Officer:</b>          | <b>Oliver McNulty, General Manager</b>                                                                                                 |
| <b>Responsible Officer:</b>        | <b>Oliver McNulty, General Manager</b>                                                                                                 |
| <b>Operational Plan Objective:</b> | <b>Pillar 2: Our Place – A liveable and thriving community that maintains lifestyle opportunities and addresses its disadvantages.</b> |

**OFFICER RECOMMENDATION**

That Council

1. Approve the appointment on an interim committee for the oversight of the Bidgee Haven Hostel made up of 6 membrs.
2. Note that the Director Corporate & Community Services will commence a process to review management models and options for the Bidgee Haven Hostel.
3. That a report with recommendations in relation to these options be presented to Council by December 2021 at the latest.

**PURPOSE OF REPORT**

To update Council and to provide direction in relation to the establishment of a Bidgee Haven Hostel Committee of Management (the Board).

**REPORT**

In November 2020 Council considered a report in relation to the establishment of a Bidgee Haven Board of Management (Doc ID D20.44329).

At this meeting Council resolved;

“to establish a Bidgee Haven Hostel Committee of Management with a view to providing a further to Councils December Council Meeting.”

In the report it outlined that a committee of Management be formed to manage the asset and be comprised of members with the necessary skills to deal with and provide advice on business related matters and the general operations of the Hostel.

A draft charter will be prepared and referred to the Ageing Well, Aged Care and Facilities Advisory Committee for comment before presenting a report to Council in December.

**Status**

A further report was not provided to Council in December 2020. A draft charter has not been prepared for a committee or discussed with the Ageing Well, Aged Care and Facilities Advisory Committee (AWACAF).

Discussions have taken place with the AWACAF outlining the delay at this time in relation to the development of a board.

It has been explained that the Council are currently focusing on the proposed development to extend the Hostel by 156 beds.

This includes identification of funding opportunities, negotiations with a contractor and development of an independent business case. Council are currently recruiting a new Director Corporate & Community Development and a priority task upon the commencement will be to investigate governance model for the Hostel.

Council are committed to the development of a board subject to the completion of this work.

In the interim period to comply with the requirements of the licence for the running of the Hostel it is proposed that an interim committee be established to assist in the oversight of the facility.

This committee will consist of the Administrator, Councils General Manager, Director Infrastructure & Development, Director Corporate & Community Services, Genevieve McConnell and an independent community member invited to be on the committee.

The Ageing Well Aged Care & Facilities Advisory Committee will continue to be engaged in the process of developing a future committee.

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

*Local Government Act 1993*

**POLICY IMPLICATION**

Nil

**RISK RATING**

Nil

**ATTACHMENTS**

Nil

**9 CORPORATE & COMMUNITY SERVICES REPORTS****9.1 SALE OF LAND FOR UNPAID RATES**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.51604</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Janelle Dalton, Rates Officer</b>                                                                                                 |
| <b>Responsible Officer:</b>        | <b>Terri Bilske, Director Corporate &amp; Community Services</b>                                                                     |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

**OFFICER RECOMMENDATION**

1. That Council, pursuant to Section 713 and other relevant sections of the Local Government Act 1993, authorises sale proceedings to sell the properties listed in this report at a public auction at a time and place to be determined.
2. That Outstanding Collections (Aust) Pty Ltd (OSC) be appointed to administer the sale on Council's behalf.
3. That Council authorises Council staff and OSC to proceed with the necessary arrangements, pertaining to the sale of the properties listed in this report, as set out in the Local Government Act 1993 and Local Government (General) Regulation 2005.
4. That Council delegates authority to the General Manager to take the following actions pertaining to the properties specified in the report:
  - a. To withdraw from sale any property that prior to the commencement of the auction has had all Rates and charges, including expenses of Council incurred in connection with the sale, and paid in full.
  - b. To withdraw any property from sale for technical or legal reasons.
  - c. To set reserve prices for sale of the properties at auction.
  - d. To negotiate by private treaty and accept offers for sale of any property that fails to sell at auction.
  - e. To execute Sale and Purchase contracts, and property transfer documents, under Council's Common Seal/or by the General Manager.

**PURPOSE OF REPORT**

To advise and seek Council's approval to commence recovery action by way of sale of the properties with outstanding rates for more than 5 years.

**REPORT**

Under Section 713 of the Local Government Act, Council may sell land for unpaid rates and charges if

- In the case of vacant land, it has remained unpaid for more than one year, or
- In the case of any other land, it has remained unpaid for more than 5 years,

This report advises Council of land on Council's records that satisfy the conditions for Sale of Land for unpaid Rates and Charges, under Section 713 and Policy for Collection of Outstanding Rates and recommends that Council resolve to commence the process of selling four (4) parcels of

vacant land and one (1) parcel of land containing a unoccupied residential dwelling for unpaid rates and charges to recover \$22,589.85 in outstanding debts, as at 31 May 2021.

The collection of rates in this manner is a last resort, with many other recovery processes and efforts made to contact the owners. In the case of all these properties, the owners are all deceased, or one of unknown address, and Council or the Debt Collectors have not been able to contact. The action constitutes good financial management, preventing the excessive build-up of large outstanding debts.

Section 715 specifies the process of selling land and notices that must be given. Council's Debt Collector Outstanding Collections (Aust) Pty Ltd (OSC) will administer the whole sale of land process on behalf of Council and will be required to comply with the provisions of this section and are instructed to proceed with the necessary arrangements, pertaining to the sale of the properties listed in this report.

Section 716 states that any sale of land under this division must be by way of public auction, if it fails to sell at public auction, may be sold by private treaty. The public auction must take place no sooner than 3 months and no later than 6 months from the date of advertising the sale.

The following assessments have been identified as having outstanding rates, exceeding 5 years of rates.

| Assessment | Owner                  | Address                       | Title description       | VG Value     | Land | Overdue Rates and Interest to 31/5/21 |
|------------|------------------------|-------------------------------|-------------------------|--------------|------|---------------------------------------|
| 2604793    | estate Blandthorn      | 145 Ballandella St, Balranald | Lot B DP 333666         | \$ 45,000.00 |      | <b>\$ 15,567.98</b>                   |
| 2605526    | estate A J L'Hotellier | Sturt Highway, Euston         | Lot 3 DP 221453         | \$ 40,000.00 |      | <b>\$ 1,825.06</b>                    |
| 3453384    | G Perks                | Oxley Street, Oxley           | Lot 10 Sec 37 DP 758821 | \$ 2,000.00  |      | <b>\$ 1,590.54</b>                    |
| 3787736    | estate FH Silvester    | Sturt Highway, Balranald      | Pt Lot 8 DP 751203      | \$ 40,000.00 |      | <b>\$ 2,422.29</b>                    |
| 3801895    | estate WH Griffiths    | Market St, Balranald          | Lot 3, 4 DP 1201771     | \$ 1,500.00  |      | <b>\$ 1,183.98</b>                    |

Details of each assessment

|                      |                                            |                           |                      |
|----------------------|--------------------------------------------|---------------------------|----------------------|
| Property Assessment: | 2604793                                    | VG Valuation at 1/7/2019: | \$45,000             |
| Overdue Rates:       | \$15,567.98                                | 2020/2021 Rates:          | \$1,898.53           |
| Area:                | 1012m2                                     | Land Status/use:          | Unoccupied residence |
| Property Address:    | 145 Ballandella Street, Balranald NSW 2715 | Title Description:        | Lot B DP 333666      |
| Owner:               | Estate Mr James Richard Blandthorn         |                           |                      |
| Pensioner:           | No (deceased)                              |                           |                      |

Details:

As per legislation the property has had annual rates and instalment notices issued to the last known address. Reminder notices have been issued for outstanding debts. While the owner still lived at the property debt collection had commenced and the ratepayer started making some payments. The ratepayer deceased prior to paying all debts. The debt collection agency sought to conduct a next of kin search and contacted a known relative. They advised that no known will was in place at the time of the ratepayers death. No payment of rates or correspondence has been received from any relative or solicitor following his death.

The Debt collectors will be instructed to seek legal advice to ensure that all processes in regards to deceased estates have been complied with.

The property is situated in Ballandella Street and the existing residence may not be considered fit for occupation. Council has received numerous calls expressing interest in purchasing the parcel of land. Sales proceeds are expected to cover overdue amounts and legal costs.



|                      |                                 |                           |                     |
|----------------------|---------------------------------|---------------------------|---------------------|
| Property Assessment: | 2605526                         | VG Valuation at 1/7/2019: | \$40,000            |
| Overdue Rates:       | \$1,825.06                      | 2020/2021 Rates:          | \$362.70            |
| Area:                | 4047m2                          | Land Status/use:          | Vacant land (rural) |
| Property Address:    | Sturt Highway, Euston NSW 2737  | Title Description:        | Lot 3 DP 221453     |
| Owner:               | Estate Alfred John L' Hotellier |                           |                     |
| Pensioner:           | No (deceased)                   |                           |                     |

Details:

As per legislation the property has had annual Rates notices and instalment notices issued to the last known address. Reminder notices have been issued for outstanding debts. A grandchild of the deceased was paying rates for a short time after his grandfather passed away, but after discussion with family he decided to stop paying rates as he had no legal right to sell the property. The only way forward was for the property to be sold for unpaid rates. The grandchild has been in contact with Council and has advised that Mr L'Hotellier died without a known will, and has no surviving children, as they are both also deceased. He supports Council selling the property for unpaid rates. Mr L'Hotellier is believed to have three grandchildren.

The Debt Collectors will be instructed to seek legal advice to ensure that all processes in regards to estates have been complied with and that they continue to advise the known grandchild of Mr L'Hotellier of the progress of any sale.

The property is situated along the Sturt Highway, near to the intersection of the Murray Valley Highway. The land is bordered by vineyards and the neighbouring owners may have interest in the land to extend their vineyards.



|                      |                               |                           |                             |
|----------------------|-------------------------------|---------------------------|-----------------------------|
| Property Assessment: | 3453384                       | VG Valuation at 1/7/2019: | \$2,000                     |
| Overdue Rates:       | \$1,590.54                    | 2020/2021 Rates:          | \$182.62                    |
| Area:                | 2023m2                        | Land Status/use:          | Vacant land (rural)         |
| Property Address:    | Oxley Street, Oxley, NSW 2711 | Title Description:        | Lot 10 Section 37 DP 758821 |
| Owner:               | Mr George Perks               |                           |                             |
| Pensioner:           | No record                     |                           |                             |

Details:

As per legislation the property has had annual Rates notices and instalment notices issued, along with reminder notices, however they have been issued to “unknown address”.

The Valuer General first issued a valuation for this assessment in 2009 and at that time they were unable to provide to Council a postal address or contact details. The Debt Collectors have sought to locate Mr Perks by a “Skip trace” and have not been able to locate him. Extensive enquiries have not provided any known address of the ratepayer.

The Debt collectors will be instructed to seek legal advice to ensure that all processes in regards to any potential deceased estates have been complied with.

The property is situated in the township area of Oxley, north of Balranald. The property is vacant land. Council and the local real estate agent receive enquiries from time to time regarding any land which may be for sale in this area to occupy for weekend stays and for fishing in the nearby river.



|                                   |                                    |                           |                      |
|-----------------------------------|------------------------------------|---------------------------|----------------------|
| Property Assessment:              | 3787736                            | VG Valuation at 1/7/2019: | \$40,000             |
| Overdue Rates:                    | \$2,422.29                         | 2020/2021 Rates:          | \$615.46             |
| Area:                             | 9.6ha                              | Land Status/use:          | Vacant land (rural)  |
| Property Address:                 | Sturt Highway                      | Title Description:        | Part Lot 8 DP 751203 |
| Owner:                            | Estate Mr Fredrick Henry Silvester |                           |                      |
| Pensioner listed against property | No (deceased)                      |                           |                      |

Details:

As per legislation the property has had annual Rates notices and instalment notices issued, along with reminder notices, however they have been issued to “unknown address”.

The Valuer General first issued a valuation for this assessment in 2009 and at that time they were unable to provide to Council a postal address or contact details. It is unknown why they created a new assessment at this time.

The Debt Collectors sought to locate Mr Silvester by a “Skip trace” and field visit. They found in searches that Mr Silvester purchased the property in 1938 and deceased in the 1960’s. His solicitor was called Mr Hugh McHugh and is also long deceased. The land is being used by a third party for grazing, with no known lease in place.

The Debt collectors will be instructed to seek legal advice to ensure that all processes in regards to any potential deceased estates have been complied with.

The property is split by the Sturt Highway, bordering the south bank of the Murrumbidgee River. The Valuer Generals’ map provided below also appears to have an old road reserve dissecting the property.



|                      |                                   |                           |                                |
|----------------------|-----------------------------------|---------------------------|--------------------------------|
| Property Assessment: | 3801895                           | VG Valuation at 1/7/2019: | \$1,500                        |
| Overdue Rates:       | \$1,183.98                        | 2020/2021 Rates:          | \$211.95                       |
| Area:                | 534.07m2                          | Land Status/use:          | Vacant land – used for laneway |
| Property Address:    | Market Street, Balranald NSW 2715 | Title Description:        | Lot 3, 4 DP 1201771            |
| Owner:               | Estate Mr William Henry Griffiths |                           |                                |
| Pensioner            | No (deceased)                     |                           |                                |

Details:

As per legislation the property has had annual rates and instalment notices issued to the last known address. Reminder notices have been issued for outstanding debts. No contact with Council has been made.

The assessment is located off Market street and has been used for a laneway. Lot 6 DP 23404 and Lot 7 DP 23404 is owned by the same person and uses the property for access to the back of their property and shed in which operates an auto electrical business.

This assessment was created in 2014 after the registration of DP 1201771 by Land Registry. It is unknown why Land Registry created this plan at this time. The land was registered in the last known owner, being Mr WH Griffiths. The Debt Collectors have sought to locate information on Mr Griffiths by a “Skip trace” and have not been able to locate any details about him or any known relatives. A field call was carried out and neighbours advised that the ratepayer was deceased, but no details of any known family were known.

Following contact with NSW Land Registry Services, they advised Council the following:

*“Lots 3 & 4 in DP 1201771 were created as a result of the residue remaining after transfers F503891 (Lot 3 in DP 23404), F444553 (Lot 5 in DP 23404) and F444554 (Lot 6 in DP 23404). Please note that these lots state the benefits of the right of carriageway and Lot 3 & 4 in DP 1201771 state the affecting on title. Lot 5 & 7 in DP 23404 do not have the benefit as no dealing has been lodged to formally grant this benefit.”*

The Debt collectors will be instructed to seek legal advice to ensure that all processes in regards to the rights of carriageway are disclosed in information provided prior to any auction, and form part of details in an auction contract, and all required transfers and legal process are completed following any sale.



**FINANCIAL IMPLICATION**

Council must apply any purchase money received by in from the sale of land for unpaid rates and charges, firstly for the expenses of the Council incurred in connection with the sale, and then secondly towards any rate or charge in respect of the land due to council and the Crown as a consequence of the sale on an equal basis.

**LEGISLATIVE IMPLICATION**

Council and its appointed Debt Collector will abide by all requirements of the Local Government Act which apply to sale of land for unpaid rates.

**POLICY IMPLICATION**

Council have followed all procedures set out in Policy for Collection of Outstanding Rates

**RISK RATING**

Council is at financial risk of unpaid rates debt becoming greater than what can be attained by sale of land proceeds. Should the proceeds from the sale of land not exceed the value of rates and charges owing plus the costs associated with the sale, the balance will be borne by Council and funded from the provision for bad and doubtful debts. The process is a legal process which has a measure of risk. Outstanding Collections (Aust) Pty Ltd (OSC) are experienced in the process of selling land for unpaid rates and charges.

Four (4) of the properties have a good chance of being purchased and interest in these parcels have already been expressed.

One (1) property represents limited opportunity to recover outstanding rates and charges as it is an insignificant parcel of land that was previously non valued land that Land Registry has provided a valuation and ownership of long deceased persons. Although considerable expense will be required to conduct the sale, this is the last avenue for Council to take ownership of this parcel and potentially be classify as public land. To leave the properties to accrue rates and charges is contrary to Council's Debt Recovery Policy and has a negative effect on Council's arrears ratio.

**ATTACHMENTS**

Nil

**10 INFRASTRUCTURE & DEVELOPMENT REPORTS****10.1 BUDGET VARIATION BALRANALD LOCAL ENVIRONMENTAL PLAN 2010 REVIEW**

|                                    |                                                                                                                           |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.50655</b>                                                                                                          |
| <b>Reporting Officer:</b>          | <b>Ray Mitchell, Health &amp; Development Officer</b><br><b>Terri Bilske, Director Corporate &amp; Community Services</b> |
| <b>Responsible Officer:</b>        | <b>Ray Davy, Director Infrastructure and Development</b>                                                                  |
| <b>Operational Plan Objective:</b> | <b>Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.</b>       |

**OFFICER RECOMMENDATION**

That Council reallocates funds from the budget line items as shown below to facilitate the Balranald Local Environmental Plan 2010 review:

| Description                  | Number         | YTD    | Unexpended   | Proposed reallocation |
|------------------------------|----------------|--------|--------------|-----------------------|
| Building Control advertising | 5520-2110-0000 | \$456  | \$4544       | \$3000                |
| Bal Tip Operations           | 0272-0002-0000 | \$2120 | \$11644      | \$4000                |
| Bal Tip clean-up             | 0272-0003-0000 | \$0    | \$5000       | \$5000                |
| Euston 12 hour               | 0272-0004-0000 | \$0    | \$9500       | \$9500                |
|                              |                |        | <b>TOTAL</b> | <b>\$21500</b>        |

**PURPOSE OF REPORT**

To request budget variation for the Balranald Local Environmental Plan 2010 (LEP) review.

**REPORT**

At Council's meeting of September 2020, Council resolved to undertake some review into the LEP. A Request for Services procurement process has been undertaken revealing that the review will cost in the order of \$25000.

In order to progress the LEP review, Council would need to give consideration to allocating or reallocating funds to undertake the work.

Existing budget areas that could be reallocated without impairing the functions under the cost centre are shown below:

| Description                  | Number         | YTD    | Unexpended   | Proposed reallocation |
|------------------------------|----------------|--------|--------------|-----------------------|
| Building Control advertising | 5520-2110-0000 | \$456  | \$4544       | \$3000                |
| Bal Tip Operations           | 0272-0002-0000 | \$2120 | \$11644      | \$4000                |
| Bal Tip clean-up             | 0272-0003-0000 | \$0    | \$5000       | \$5000                |
| Euston 12 hour               | 0272-0004-0000 | \$0    | \$9500       | \$9500                |
|                              |                |        | <b>TOTAL</b> | <b>\$21500</b>        |

There is also some potential from 0520-2121-000, \$21250 unexpended with \$3750YTD.

**FINANCIAL IMPLICATION**

\$25000

**LEGISLATIVE IMPLICATION**

Environmental Planning & Assessment Act 1979

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

**POLICY IMPLICATION**

Balranald Local Environmental Plan 2010

**RISK RATING**

low

**ATTACHMENTS**

Nil

**10.2 DA 49/2021 - PROPOSED INSTALLATION OF A TRANSPORTABLE SECONDARY DWELLING (DUAL OCCUPANCY)**

|                                    |                                                                                                                     |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.51447</b>                                                                                                    |
| <b>Reporting Officer:</b>          | <b>Ray Mitchell, Health &amp; Development Officer<br/>Nikkita Manning-Rayner, Administration Assistant</b>          |
| <b>Responsible Officer:</b>        | <b>Ray Davy, Director Infrastructure and Development</b>                                                            |
| <b>Applicant:</b>                  | <b>Expandable Container Homes</b>                                                                                   |
| <b>Owner:</b>                      | <b>Newnham Holdings Pty Ltd</b>                                                                                     |
| <b>Proposal:</b>                   | <b>Transportable Secondary Dwelling (Dual Occupancy)</b>                                                            |
| <b>Location:</b>                   | <b>164 Lily Street, Balranald NSW 2715</b>                                                                          |
| <b>Operational Plan Objective:</b> | <b>Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.</b> |

**OFFICER RECOMMENDATION**

Council approve Development Application 49/2021 for the installation of a transportable secondary dwelling (dual occupancy) on Lot 27 DP 1037, 164 Lily Street Balranald, subject to the following conditions:

1. No alteration to approved plans and specifications is allowed unless separately approved by Council.
2. All building work shall be carried out in accordance with the provisions of the Local Government Act 1993, The National Construction Code 2019, relevant Australian Standards and The Environmental Planning & Assessment Act 1979, regardless of any omission in the documentation submitted for approval.
3. A person who is carrying out or in charge of carrying out the Building work MUST notify Council two working days prior to the following stages of the construction process;
  - (a) at the completion of preparation of footings prior to placement of concrete/stumps.
  - (b) at the completion of the building, prior to the use of the building.

Note: For the above notifications you may contact Council's office on 5020 1300 between 8.30am-5.00pm Monday to Friday.

Note: Council has a statutory responsibility to inspect building work in progress and therefore work must cease immediately in cases where the above listed inspections are to be undertaken.

4. The applicant must ensure that a copy of the plans, specifications, Consultant Engineers Report and other documents approved by Council are available on the site during the 24 hours following any compulsory notification.
5. Suitable hoardings to ensure the protection of the public are to be erected and separately approved by Council prior to commencement of work
6. No building materials shall be stored on the road reserve. All deliveries are to be place immediately behind the property boundary.
7. The applicant is responsible for the supply and maintenance of temporary toilet accommodation for use by persons working on the site.
8. All works associated with the implementation / construction of the proposed activity (not operation of the proposal post occupational certificate), involving electric or pneumatic tools, or other noisy operations, shall be restricted to the following hours of operation:

- Monday to Friday: 7am to 6pm
- Saturdays: 8am to 5pm
- Sundays and Public Holidays: no work permitted

The following activities may be carried out in association with construction outside of these hours:

- any works that do not cause noise emissions to be audible at any nearby residences not located on the Premises;
- the delivery of materials as requested by Police or other authorities for safety reasons; and
- emergency work to avoid the loss of lives, property and/or to prevent environmental harm.

Note: All noise generating activities are subject to the requirements of the Protection of the Environment Operations Act 1997. This condition of consent does not relieve the proponent including developers, contractors or their agents from the requirements under the relevant noise control legislation (POEO Act 1997).

9. A sign must be erected in a prominent position on the work site showing:
- a) The name address and telephone number of the Principal Certifying Authority for the work
  - b) The name of the principal contractor and a telephone number on which that person may be contacted on outside working hours.
  - c) That unauthorised entry to the work site is prohibited.

Any such sign must be maintained while the building work is being carried out, but must be removed when the work has been completed.

10. No work is to be carried out which would cause nuisance by way of emission of noise, vibration, smell, fumes, smoke vapour, steam, soot, ash, dust, grit, oil, waste-water, waste products or otherwise.
11. Any waste or excavated material removed from the site is to be taken to an authorised site for disposal. No fill is to be deposited on other land without the prior consent of Council.
12. The applicant is responsible to ensure that the building is sited on the allotment as specified on the approved site plan and installed to the design levels approved by Council.
13. The applicant is required to ensure that any easements registered over the title to the land are complied with.
14. All work must be carried out in accordance with the Building/ Development Approval and any connections required to any:-
- (a) public electricity supply
  - (b) public water supply
  - (c) public sewerage system
  - (d) public telecommunications system,
- must be made in accordance with the requirements of the relevant authority.
15. No second hand materials are to be used unless separately approved by Council and then made available for inspection and prior to use.
16. Finished floor level is to be a minimum of 0.35 metres above street drainage level.
17. Roof water drainage is to be disposed of to the street drainage system.

18. All external metal cladding shall be colourbond, suitable colour and finish so as not to cause reflection or glare.
19. All vehicle movements to and from the allotment must be in a forward direction.
20. The proponent must make adequate provision for onsite parking, including visitor parking.
21. The building work shall be protected from subterranean termite attack in accordance with AS 3660 Part 1 "Protection of Buildings from Subterranean Termites Part 1: New Buildings" and all required certificates shall be forwarded to Council immediately by the applicant.  

Note: In cases where the building specification indicates the use of a hand sprayed chemical barrier against termites you are advised that the effective life of organophosphate products is 6-10 years which is less than the economic life of the building. The applicant is required to place in a prominent position (eg inside the meterbox) documentation indicating the chemical used, dosage, and date of treatment for future reference.
22. Smoke alarms complying with AS 3786 must be hard wired to the mains electricity supply and provided with a standby power supply and located in accordance with the manufacturer's specification.
23. Any fuel combustion heater shall be installed in accordance with AS 2918-1990.
24. A road opening permit is to be obtained from Council prior to the commencement of any proposed works on the nature strip road reserve. The applicant is responsible for full cost of repairs to rectify any damage to kerb, guttering, footpath, bitumen seal or nature strip.
25. The building shall NOT BE USED OR OCCUPIED for any purpose other than the building class approved, without the prior consent of Council.
26. The building shall NOT BE USED OR OCCUPIED until completed and a certificate of completion has been issued by Council or until approval has been granted by the Council to occupy an incomplete building.
27. A site drainage diagram is to be provided prior to a certificate of completion being issued. This diagram is to be to scale and include sub-floor or under slab drain layout, together with measurements for drains taken to permanent corners or lines.
28. Any damage to Councils infrastructure or other services is the full responsibility of the proponent.
29. If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:
  - Not further harm the object
  - Immediately cease all work at the particular location
  - Secure the area so as to avoid further harm to the Aboriginal object
  - Notify Heritage NSW as soon as practical on 131555, providing any details of the Aboriginal object and its location
  - Not recommence any work at the particular location unless authorised in writing by Heritage NSW.

In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.

## PURPOSE OF REPORT

To seek development consent under Part 4 of the Environmental Planning & Assessment Act 1979 for the installation of a transportable secondary dwelling (dual occupancy) at 164 Lily Street Balranald.

**REPORT**

A development application has been lodged by Expandable Container Homes on behalf of Newnham Holdings Pty Ltd to install a transportable secondary dwelling creating a dual occupancy at the rear of Lot 27 DP 1037, 164 Lily Street Balranald.

|                      |                    |
|----------------------|--------------------|
| Description of Land: | 27//1037           |
| Area:                | 1280m2             |
| Zone:                | Zone RU5 (Village) |

*Background*

The location of the proposal is an established residential area.

The application for development has been assessed in accordance with Section 4.15 of the EP&A Act and relevant local and state environmental planning instruments. The application was notified in accordance with Council's Community Participation Plan 2019. Nil public submissions were received.

*Site Analysis*

The site forms part of an established residential area in the Balranald township, with some mixed uses nearby. This includes the Greenham Park complex and an overflow transport depot. Additionally, dual occupancy and a unit development exist in close proximity to the proposed site.

The proposed development is not likely to detract from any surrounding land use due to the proposal being in keeping with the use of the land for generally residential purposes.

There is no apparent landslip, creep or requirement for native or significant vegetation removal to facilitate the proposal. The site of installation is not identified as bushfire or flood prone.

Access to the allotment is currently provided via an all-weather earthen driveway. An additional driveway is proposed to permit access to the new dwelling. The new driveway will require a Road Opening Permit application to be submitted to and approved by Council prior to any works being undertaken.

**DEVELOPMENT APPLICATION ASSESSMENT**

Under Section 4.15 of the EPA Act 1979,

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

- (i) any environmental planning instrument, and
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
- (iii) any development control plan, and
- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),  
that apply to the land to which the development application relates,

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

## Planning Instruments

### *Balranald Local Environmental Plan 2010*

The proposal is permissible in accordance with the land use table for RU5 zoned land under the Balranald Local Environmental Plan 2010 (LEP).

The objectives of the RU5 (Village) Zone under the Balranald Local Environmental Plan 2010 are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To define the town boundaries of Balranald, Euston and Kyalite.
- To encourage and provide opportunities for population and local employment growth.
- To ensure development maintains and contributes to the character of the zone.
- To protect the amenity of residents.
- To ensure that development does not create unreasonable demands for the provision or extension of services.
- To retain and facilitate expansion and redevelopment of the existing central business districts of the townships of Balranald and Euston and to further strengthen the core retail functions of those areas.

The proposal is considered to be largely consistent with the zone objectives in that the proposal is of a residential nature that is in keeping with the mixed use of the area and is not likely to unduly impact infrastructure services in the area.

In accordance with Part 6 of the LEP, the proposal is not likely to impact on biodiversity values of sensitive land overlays under the LEP due to the land being historically and currently used for residential purposes. Additionally, the land subject to the proposal is not identified as flood prone on the Flood Planning overlay of the LEP.

The proposal is not located in close proximity to items identified on the Heritage Schedule of the LEP and no sites or items of cultural heritage are identified on the site.

### *Development Control Plans*

There are no Development Control Plans that apply to the land.

### *Designated Development*

The proposed development is not designated development.

### *State Environmental Planning Policy 55 – Remediation of Land*

The development site is an established residential area. A search of Council's records does not identify that there has been any previous usage of the site that could lead to any potential site contamination. Therefore, no further investigation was required.

### *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*

The proposed development does not include the removal of any native or significant vegetation.

## Impact of Development

### *Natural Environment*

The site of the proposal is an existing residential property; no significant or native vegetation is proposed to be removed. The site is not identified on the sensitive land overlays of the LEP.

It is considered that there is no significant impact on the natural environment.

#### *Built Environment*

It is considered that the proposal has no significant impact on the built environment due to compliance with local and state planning instruments as discussed above.

The proposal is consistent with the residential nature of the locality and is not likely to significantly contribute to an increase in traffic volumes in the local area. There are no likely traffic safety impacts due to the location of the proposal not significantly impacting traffic sightlines.

The building location, design and boundary fencing is not likely to lead to privacy impacts. The proposed dwelling is to be located four (4) metres from the secondary boundary which is consistent with Council's setback policy requirement of three (3) metres.

Utility services are provided to the existing dwelling and only require minor augmentation to cater for the proposal.

#### *Social Impacts*

There are no known areas/items of heritage significance likely to be impacted upon in the immediate area. The proposal is not likely to lead to significantly increased pressure on public infrastructure.

The secondary dwelling is proposed to be used as rental accommodation which will increase housing options in the Balranald area.

#### *Economic Impacts*

The proposal is not likely to create adverse economic impacts in the area.

#### *Public Interest*

The proposal is not likely to have any adverse effect on the landscape or scenic quality of the locality. The proposal will not likely adversely impact on public infrastructure.

The public interest is best served by the orderly and economic use of land for permissible purposes in a form which is cognisant of and does not impact unreasonably on development on surrounding land, and which satisfies a market demand, in this case increasing housing options in the Balranald area.

The proposal is considered to be in the public interest as it:

- will not significantly impact the natural or built environments;
- is in keeping with the residential characteristics of the area
- will increase housing options in the Balranald area.

#### Submissions

The adjoining landholders were notified of the proposal in accordance with Council's Community Participation Plan; the notification period concluded on the 4<sup>th</sup> June 2021, no submissions were received.

#### Conclusion

The application has been assessed under the provision of the Environmental Planning and Assessment Act 1979. The evaluation of this development has concluded that the proposed development application is compliant with the legislative requirements for this type of proposal and it is recommended that DA 49/2021 be approved subject to conditions.

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Environmental Planning & Assessment Act 1979

Balranald Shire Council Local Environmental Plan 2010

State Environmental Planning Policy 55 – Remediation of Land

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

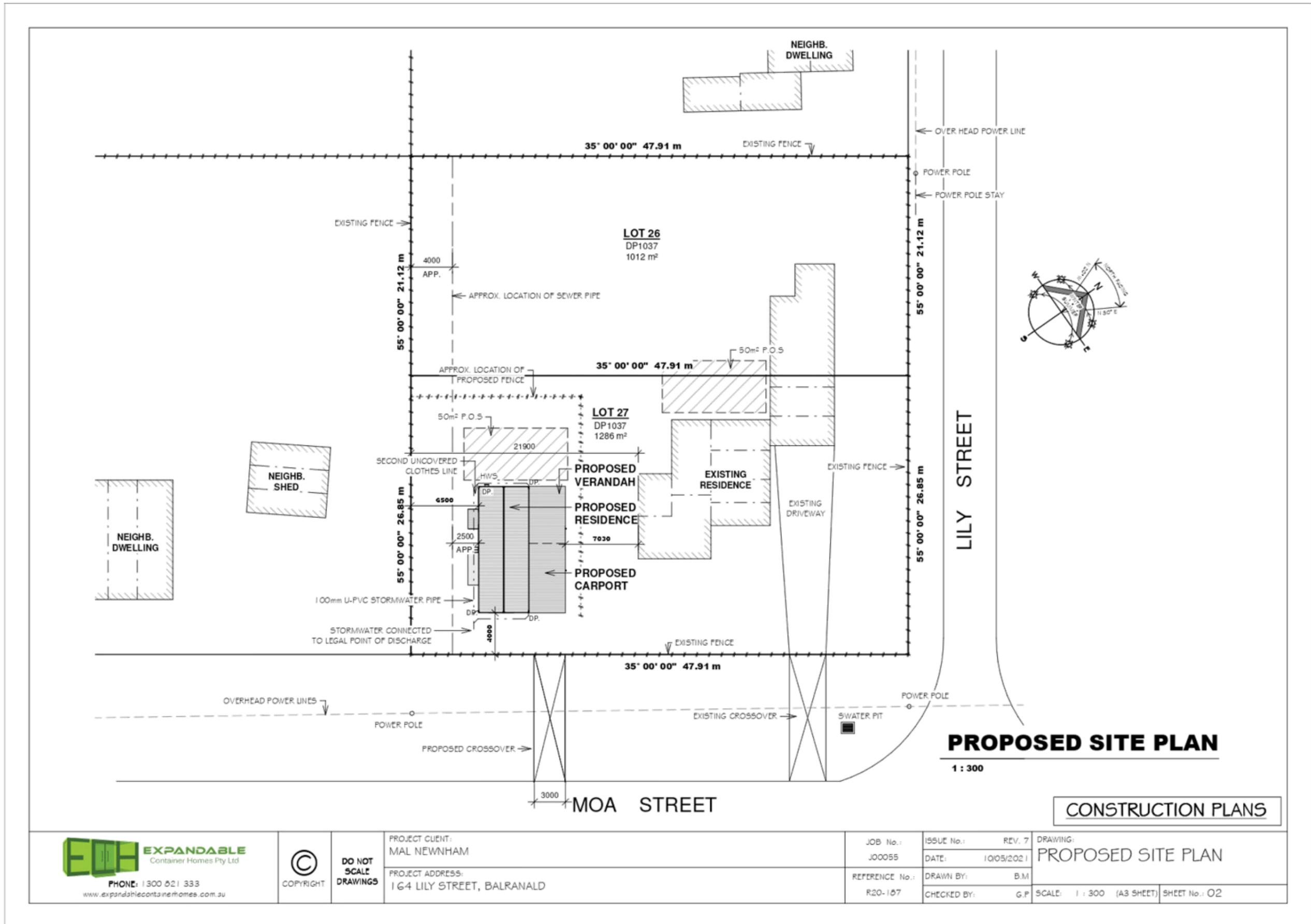
Balranald Shire Council Building Setback Policy

**POLICY IMPLICATION**

Nil

**ATTACHMENTS**

1. DA 49/2021 - Site Plan & Elevations [↓](#) 



**EXPANDABLE**  
Container Homes Pty Ltd  
PHONE: 1300 621 333  
www.expandablecontainerhomes.com.au

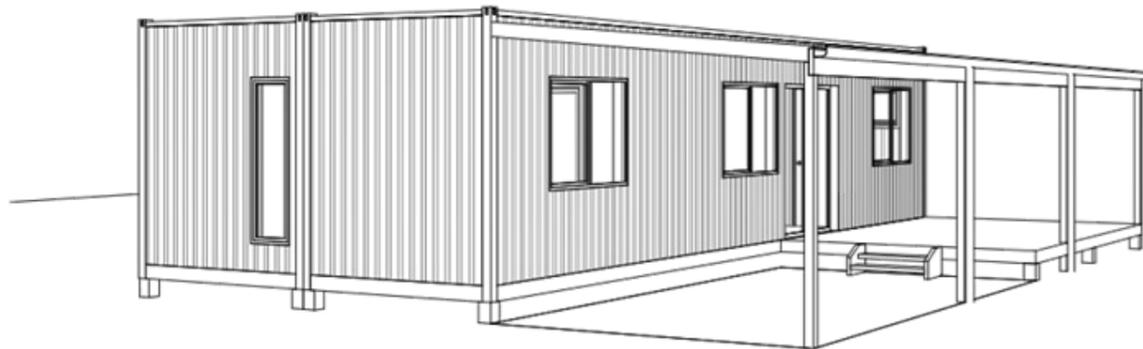
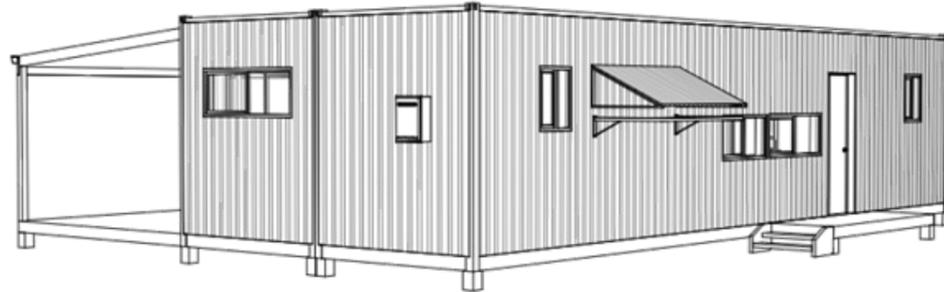
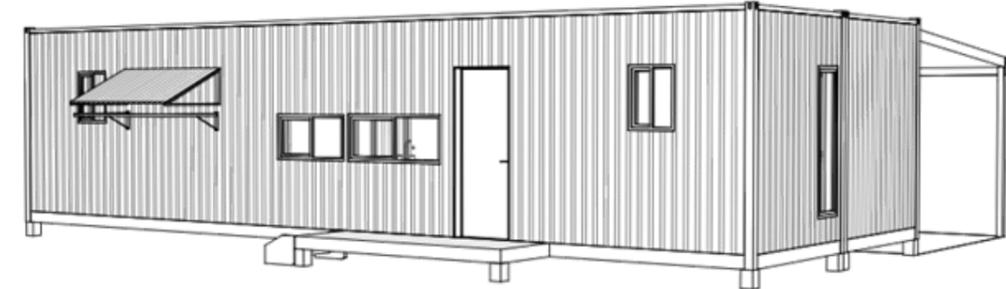
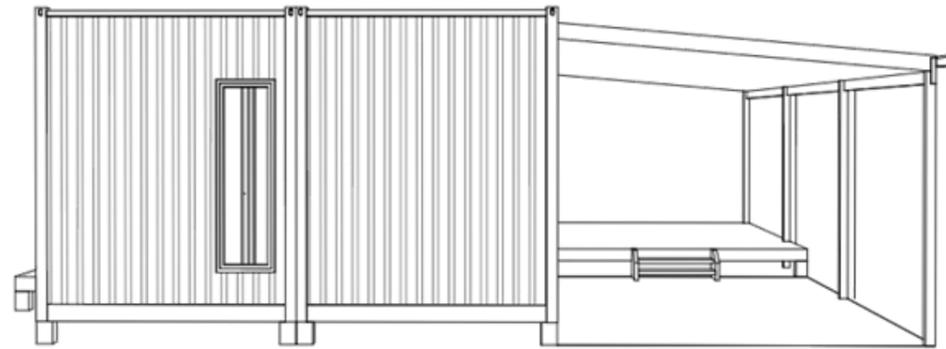


**DO NOT SCALE DRAWINGS**

PROJECT CLIENT:  
MAL NEWNHAM  
PROJECT ADDRESS:  
164 LILY STREET, BALRANALD

JOB No.: J00055  
REFERENCE No.: R20-167  
ISSUE No.: REV. 7  
DATE: 10/05/2021  
DRAWN BY: B.M.  
CHECKED BY: G.P.

DRAWING:  
**PROPOSED SITE PLAN**  
SCALE: 1 : 300 (A3 SHEET) SHEET No.: 02



**CONSTRUCTION PLANS**

**EXPANDABLE**  
Container Homes Pty Ltd  
PHONE: 1300 621 333  
www.expandablecontainerhomes.com.au



**DO NOT  
SCALE  
DRAWINGS**

PROJECT CLIENT:  
MAL NEWNHAM  
PROJECT ADDRESS:  
164 LILY STREET, BALRANALD

|                |             |            |
|----------------|-------------|------------|
| JOB No.:       | ISSUE No.:  | REV. 7     |
| J00055         | DATE:       | 10/05/2021 |
| REFERENCE No.: | DRAWN BY:   | B.M        |
| R20-167        | CHECKED BY: | G.P        |

DRAWING:  
**3D-VIEWS**

SCALE: (A3 SHEET) SHEET No.: 06

**10.3 AWARD OF CONTRACT – CONSTRUCTION OF FOOTBALL CHANGE SHEDS**

|                                    |                                                                                                                     |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.51818</b>                                                                                                    |
| <b>Reporting Officer:</b>          | <b>Ray Davy, Director Infrastructure and Development</b>                                                            |
| <b>Responsible Officer:</b>        | <b>Ray Davy, Director Infrastructure and Development</b>                                                            |
| <b>Operational Plan Objective:</b> | <b>Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.</b> |

**OFFICER RECOMMENDATION**

That Council notes the award of a contract for RFT 20/21-09 Design and Construction of Balranald Football Club Changerooms to P.J. & S.G. Murphy Builders in the amount of \$447,000 plus GST.

**PURPOSE OF REPORT**

To inform Council of the outcome of negotiations for the award of a contract for the design and construction of new football change sheds at Greenham Park, Balranald

**REPORT**

As reported to Council at the May 2021 Ordinary Council Meeting, tenders for the subject works were invited through TenderLink, closing at 4pm on Tuesday 4<sup>th</sup> May 2021. Three tenders were received; however none were within Council's budget for the works.

Accordingly, Council resolved to reject all tenders, to authorise the General Manager to enter into negotiations with the preferred contractor, P.J. & S.G. Murphy Builders, and to delegate authority to the General Manager to enter into a contract for the works should negotiations result in an outcome within Council's budget. Council also resolved that the outcome of this process be reported to the current meeting.

As previously reported, the project is to be funded through a grant of \$500,000 from the Commonwealth Government arising from an election promise in 2019. After making allowance for approximately \$20,000 of these funds already committed to preliminary concept design works and site investigations, and making provision for a design and construction contingency equivalent to 5% of the project value, Council's available budget for the contract would be approximately \$455,000 excluding GST.

Negotiations with the preferred contractor resulted in an amended contract price of \$447,000 plus GST, which falls within the above budget figure. Accordingly, the General Manager has acted under delegated authority to award a contract for the works in that amount.

**FINANCIAL IMPLICATION**

\$500,000 grant fully funded

**LEGISLATIVE IMPLICATION**

*Local Government (General) Regulations 2005*, as detailed in the Report to May OCM

**POLICY IMPLICATION**

Procurement Policy

**RISK RATING**

Low

**ATTACHMENTS**

Nil



**10.4 SUPPLIER PANEL FOR THE HIRE OF PLANT AND EQUIPMENT**

|                                    |                                                                                                |
|------------------------------------|------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.51880</b>                                                                               |
| <b>Reporting Officer:</b>          | <b>Carol Holmes, Senior Executive Assistant</b>                                                |
| <b>Responsible Officer:</b>        | <b>Ray Davy, Director Infrastructure and Development</b>                                       |
| <b>Operational Plan Objective:</b> | <b>Pillar 1: Our People – A community that is proactive, engaged, inclusive and connected.</b> |

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**OFFICER RECOMMENDATION**

That a Supplier Panel be established for the hire of plant and equipment for the two financial years 2021-22 and 2022-23, comprising the firms responding the Council's request for Quotations RFQ 20/21-12 and the rates quoted for various items as recorded in document D21.50333 on Council's record management system.

**PURPOSE OF REPORT**

The purpose of this report is to recommend the establishment of a Supplier Panel for the hire of plant and equipment for the two financial years 2021-22 and 2022-23, for use on Council's capital works and maintenance programmes at various locations within the Shire.

**REPORT**

Council invited quotations on a Schedule of Rates basis from companies which have Plant and Equipment that Council may utilise over the following 24 month period (Request for Quotations RFQ 2020-21/12). The purpose of doing so was to identify those companies capable of supplying plant and equipment to be utilised on Council's capital works and maintenance programmes, and to establish competitive rates for the hire of such plant and equipment for a period of two years, thus minimising the administrative burden associated with undertaking competitive procurement multiple times throughout the year.

Submissions were sought on both a "wet" and "dry" hire basis, where:

"wet hire" means the supply of equipment with a skilled operator, and

"dry hire" means the supply of the plant item only.

Quotations were received for numerous items of plant and equipment from the following firms:

- A.M.Forster
- Agrtrade
- Bitu-Mill
- Boss Earthmoving
- Bott Civil
- Cameron Hire
- Coates Hire
- Coburns Earthmoving
- Conplant
- Handford Earthmoving
- Mallee Earthmoving & Excavations
- McKeon Earthmoving

- MTS Earthmoving
- North West Grader Hire
- Porter Plant
- Potters Excavations
- Rollers Australia
- Stabilco
- Stabiliser Pavements of Australia
- Tolbra
- Yellow Hire

A full schedule of all prices quoted is contained in document D21.50333 on Council's record management system. As this document runs to more than 1000 lines of information, it has not been replicated as an attachment to this Report

All submissions were checked for compliance with Council's Brief for Service including the provision of insurance details. All rates quoted were considered to be genuinely competitive for the nature of the plant and equipment in question.

It is recommended that a Supplier Panel be established comprising the above firms and that the quoted rates be approved. In meeting its needs for externally sourced plant and equipment, Council may:

- Select a supplier from the Supplier Panel; or
- Ask two or more members of the Supplier Panel to quote for defined works; or
- Call for fresh proposals including but not limited to members of the Supplier Panel.

The choice of a method for procuring plant and equipment will vary according to availability, urgency and the scale of Council's needs. It is not intended that Council be bound to utilise only members of the Supplier Panel.

#### **FINANCIAL IMPLICATION**

Unqualified

#### **LEGISLATIVE IMPLICATION**

Local Government (General) Regulations 2005

#### **POLICY IMPLICATION**

Procurement Policy

#### **RISK RATING**

Low

#### **ATTACHMENTS**

Nil

**PART B – ITEMS FOR INFORMATION****11 GENERAL MANAGER’S REPORTS****11.1 OUTSTANDING ACTIONS FROM PREVIOUS MEETINGS**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.49996</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Carol Holmes, Senior Executive Assistant</b>                                                                                      |
| <b>Responsible Officer:</b>        | <b>Oliver McNulty, General Manager</b>                                                                                               |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

**OFFICER RECOMMENDATION**

That the report be received and noted.

**PURPOSE OF REPORT**

To bring forward for information the Action report with actions taken on previous council resolutions.

**REPORT**

Outstanding Actions from previous meetings in the attached report.

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Nil

**POLICY IMPLICATION**

Nil

**RISK RATING**

Moderate

**ATTACHMENTS**

1. **Outstanding Action List - June 2021** [↓](#) 

|             |                                     |                              |
|-------------|-------------------------------------|------------------------------|
| Outstanding | <b>ACTIONS REPORT</b>               | Printed: 9 June 2021 2:06 PM |
|             | Division:<br>Committee:<br>Officer: | Date From:<br>Date To:       |

| Meeting            | Date       | Officer                 | Title                                                                                                | Target     |
|--------------------|------------|-------------------------|------------------------------------------------------------------------------------------------------|------------|
| Council 15/09/2020 | 15/09/2020 | Mitchell, Ray           | Balranald Local Environmental Plan 2010 Additional Clause                                            | 31/03/2021 |
| Council 17/11/2020 | 17/11/2020 | Kozlowski, Peter        | Establishment of Bidgee Haven Board of Management                                                    | 30/06/2021 |
| Council 17/11/2020 | 17/11/2020 | Helgeland, Gavin        | Disability Action Plan Review                                                                        | 1/12/2020  |
| Council 17/11/2020 | 17/11/2020 | Kozlowski, Peter        | Strategy to Deal with Road Network Damage due to Unauthorised Vehicle Movements During Road Closures | 1/12/2020  |
| Council 15/12/2020 | 15/12/2020 | Helgeland, Gavin        | REPORT ON EUSTON PROGRESSIVE ADVISORY COMMITTEE                                                      | 31/05/2021 |
| Council 15/12/2020 | 15/12/2020 | Davy, Ray               | Purchase of Land from Balranald Club                                                                 | 29/12/2020 |
| Council 16/03/2021 | 16/03/2021 | McNulty, Oliver         | Financial Management                                                                                 | 30/03/2021 |
| Council 22/04/2021 | 22/04/2021 | McNulty, Oliver         | ASSET MANAGEMENT UPDATE                                                                              | 6/05/2021  |
| Council 18/05/2021 | 18/05/2021 | Manning-Rayner, Nikkita | Commoner Application - Ray Mitchell                                                                  | 1/06/2021  |
| Council 18/05/2021 | 18/05/2021 | Manning-Rayner, Nikkita | Commoner Application - Gerdi Rand                                                                    | 1/06/2021  |
| Council 18/05/2021 | 18/05/2021 | Davy, Ray               | TENDERS – RFT 20/21-17 SUPPLY AND INSTALLATION OF GRIDS                                              | 1/06/2021  |
| Council 18/05/2021 | 18/05/2021 | Davy, Ray               | BALRANALD LANDFILL                                                                                   | 1/06/2021  |

**11.2 CIRCULARS FROM OFFICE LOCAL GOVERNMENT**

|                                    |                                                                                                |
|------------------------------------|------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.51846</b>                                                                               |
| <b>Reporting Officer:</b>          | <b>Carol Holmes, Senior Executive Assistant</b>                                                |
| <b>Responsible Officer:</b>        | <b>Oliver McNulty, General Manager</b>                                                         |
| <b>Operational Plan Objective:</b> | <b>Pillar 1: Our People – A community that is proactive, engaged, inclusive and connected.</b> |

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**OFFICER RECOMMENDATION**

That the report be received and noted.

**PURPOSE OF REPORT**

To provide Council with copies of the circulars received from Office Local Government since 11 May 2021.

**REPORT**

Council receives circulars from Office of Local Government with updates and information relevant to our Council. Whilst many of the circulars are of an administrative nature, there may be matters that are of interest to Community members.

Circulars Council has received in April and May 2021 as follows;

1. Circular 21-06 Determination of the Local Government Remuneration Tribunal;
2. Circular 21-07 Commencement of Local Government Amendment Act 2021;
3. 21-08 Consultation on draft Model Social Media and Councillor and Staff Interaction Policies and on the development of Model Media Policy;
4. 21-09 Crown Lands – Plans of Management – Funding Extension;

All the circulars can be found on OLG's website <https://www.olg.nsw.gov.au/circulars/>

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Nil

**POLICY IMPLICATION**

Nil

**RISK RATING**

Low

**ATTACHMENTS**

Nil

**12 CORPORATE & COMMUNITY SERVICES REPORTS****12.1 STATEMENT OF FUNDS - MAY 2021**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.51835</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Kristy Cameron, Finance Officer<br/>Jay Panchal, Finance Manager</b>                                                              |
| <b>Responsible Officer:</b>        | <b>Terri Bilske, Director Corporate &amp; Community Services</b>                                                                     |
| <b>Operational Plan Objective:</b> | <b>Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.</b> |

**OFFICER RECOMMENDATION**

That Council receives and notes the Statement of Funds for the period ending 31<sup>st</sup> May 2021.

**PURPOSE OF REPORT**

The purpose of this report is to:

1. Advise Council of the balance of funds and investments held for the month ending 31<sup>st</sup> May 2021;
2. Certify that Council's investments have been made in accordance with the *Local Government Act 1993 (Section 625)*, the Local Government (General) Regulation 2005 (Section 212) and Council's Investment Policy, which was adopted by Council on the 17 October 2017.

**REPORT**

Council's total investments including cash as at 31<sup>st</sup> May 2021 is \$17,141,776. This is an increase of \$875,756 on the previous month's total of \$16,266,200. It should be noted that the balance of Council's cash at bank account changes daily with revenue received and expenses paid.

Receipts for May 2021 included:-

|                                        |           |
|----------------------------------------|-----------|
| • FAGS 4 <sup>th</sup> Quarter Payment | \$534,747 |
| • RTR 4 <sup>th</sup> Quarter Payment  | \$350,973 |
| • Hostel Aged Care subsidies           | \$71,595  |
| • Transport NSW                        | \$92,960  |
| • Caravan Park fees                    | \$41,831  |

Expenses for May 2021 included:-

|                             |           |
|-----------------------------|-----------|
| • Plant Hire                | \$101,494 |
| • Oxley Road Stabilisation  | \$53,475  |
| • Domestic Waste Contractor | \$10,235  |
| • Greenham Pk Toilet        | \$21,000  |

The Table below shows the actual monthly interest received for investments to 31<sup>st</sup> May 2021.

| Month        | Amount             |
|--------------|--------------------|
| Sep.21       | 20,482.00          |
| Nov.21       | 11,814.00          |
| Dec.21       | 5,110.00           |
| Mar.21       | 7,104.00           |
| April.21     | 16,500.00          |
| May.21       | 4167.53            |
| <b>Total</b> | <b>\$65,177.00</b> |

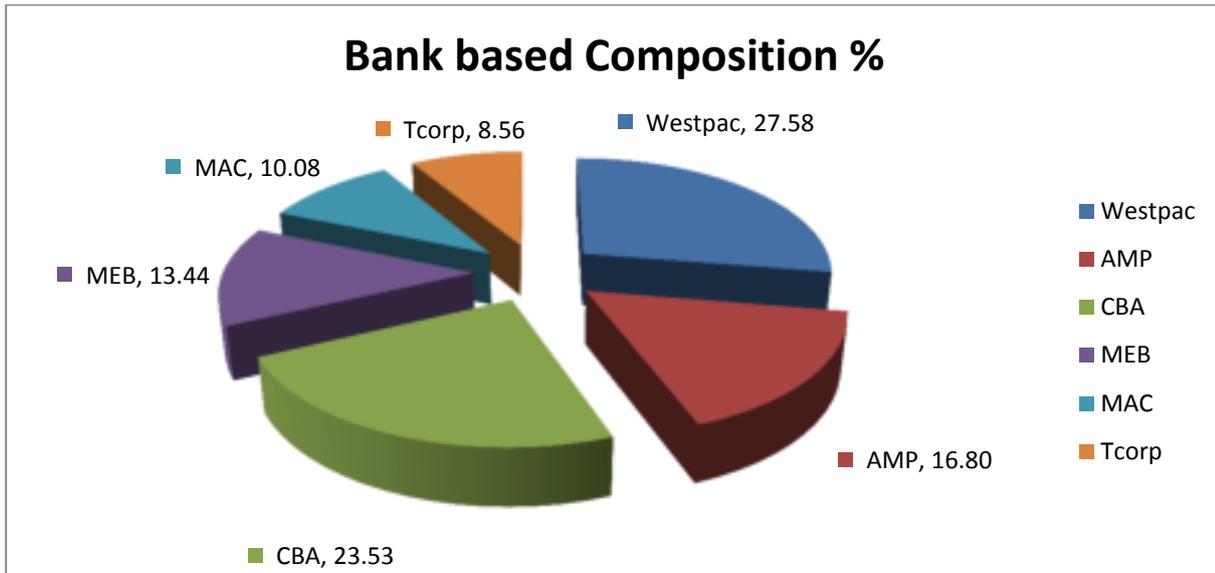
Council's cash and at call accounts are used for the purpose of day to day operations of Council. Term Deposit investments are \$13,000,000.00 as at 31<sup>st</sup> May 2021.

A summary of Council's investment and cash balances as at 31<sup>st</sup> May 2021 is as follows

|                                                   | Reference | S&P Rating | Term (Days) | Start Date | Maturity Date | Interest Rate/Rate of | Investment Value  |
|---------------------------------------------------|-----------|------------|-------------|------------|---------------|-----------------------|-------------------|
| <b>Term Deposits</b>                              |           |            |             |            |               |                       |                   |
| Westpac Bank a/c No. 176-576                      | INV12     | A-1+       | 371         | 10.11.2020 | 16.11.2021    | 0.60%                 | 1,000,000         |
| Westpac Bank a/c No. 176 840                      | INV14     | A-1+       | 182         | 30.12.2020 | 30.06.2021    | 0.25%                 | 1,000,000         |
| Westpac Bank a/c No. 177 237                      | INV       | A-1+       | 365         | 03.09.2020 | 03.09.2021    | 0.80%                 | 750,000           |
| Westpac Bank a/c no: 177616                       | INV       | A-1+       | 92          | 29.03.2021 | 29.06.2021    | 0.10%                 | 750,000           |
| NAB Bank a/c No. 98-074-9382                      | INV19     | A-1+       |             |            |               |                       |                   |
| AMP - 045970                                      | INV20     | BBB+       | 0           |            |               |                       |                   |
| Commonwealth Bank                                 |           | A-1+       | 365         | 04.03.2021 | 04.03.2022    | 0.46%                 | 500,000           |
| Commonwealth Bank                                 |           | A-1+       | 365         | 04.03.2021 | 04.03.2022    | 0.46%                 | 1,000,000         |
| Macquarie Bank - 051049                           |           | A-1        | 170         | 16.03.2021 | 02.09.2021    | 0.40%                 | 500,000           |
| Commonwealth Bank                                 |           | A-1+       | 180         | 17.03.2021 | 13.09.2021    | 0.35%                 | 500,000           |
| Commonwealth Bank                                 |           | A-1+       | 180         | 17.03.2021 | 13.09.2021    | 0.35%                 | 500,000           |
| Commonwealth Bank                                 |           | A-1+       | 300         | 19.03.2021 | 13.01.2022    | 0.39%                 | 500,000           |
| AMP - 51396                                       |           | A-2        | 154         | 18.03.2021 | 19.08.2021    | 0.70%                 | 500,000           |
| Commonwealth Bank                                 |           | A-2        | 365         | 22.03.2021 | 18.03.2022    | 0.42%                 | 500,000           |
| Macquarie Bank - 051476                           |           | A-1        | 244         | 24.03.2021 | 23.11.2021    | 0.45%                 | 500,000           |
| Me Bank - 051498                                  |           | A-2        | 180         | 25.03.2021 | 21.09.2021    | 0.40%                 | 500,000           |
| Me Bank - 051499                                  |           | A-2        | 182         | 25.03.2021 | 23.09.2021    | 0.40%                 | 500,000           |
| Macquarie Bank - 051553                           |           | A-1        | 268         | 30.03.2021 | 23.12.2021    | 0.40%                 | 500,000           |
| Me Bank - 051548                                  |           | A-2        | 177         | 30.03.2021 | 23.09.2021    | 0.40%                 | 500,000           |
| Me Bank - 051568                                  |           | A-2        | 182         | 01.04.2021 | 30.09.2021    | 0.40%                 | 500,000           |
| AMP - 51880                                       |           | A-2        | 91          | 20.04.2021 | 20.07.2021    | 0.45%                 | 500,000           |
| AMP - 51944                                       |           | A-2        | 91          | 21.04.2021 | 21.07.2021    | 0.45%                 | 500,000           |
| AMP 52049                                         |           | A-2        |             | 29.04.2021 | 29.10.2021    | 0.65%                 | 1,000,000         |
|                                                   |           |            |             |            |               |                       |                   |
| <b>Total Term Deposits</b>                        |           |            |             |            | Average rate  | 0.44%                 | <b>13,000,000</b> |
| <b>At Call Accounts</b>                           |           |            |             |            |               |                       |                   |
| Westpac Cash Reserves a/c No. 162 975             |           | A-1+       |             |            | AT CALL       | 0.09%                 | 603,336           |
| TCorp a/c No. 1268                                |           | A-1+       |             |            | AT CALL       | 0.96%                 | 1,274,020         |
| <b>Cash Accounts</b>                              |           |            |             |            |               |                       |                   |
| Westpac Bank a/c No. 000 060                      |           |            |             |            | CASH AT BANK  | 0.01%                 | 2,264,420         |
| <b>TOTAL BANK</b>                                 |           |            |             |            |               |                       | <b>4,141,776</b>  |
| <b>TOTAL INVESTMENTS PORTFOLIO INCLUDING CASH</b> |           |            |             |            |               |                       | <b>17,141,776</b> |

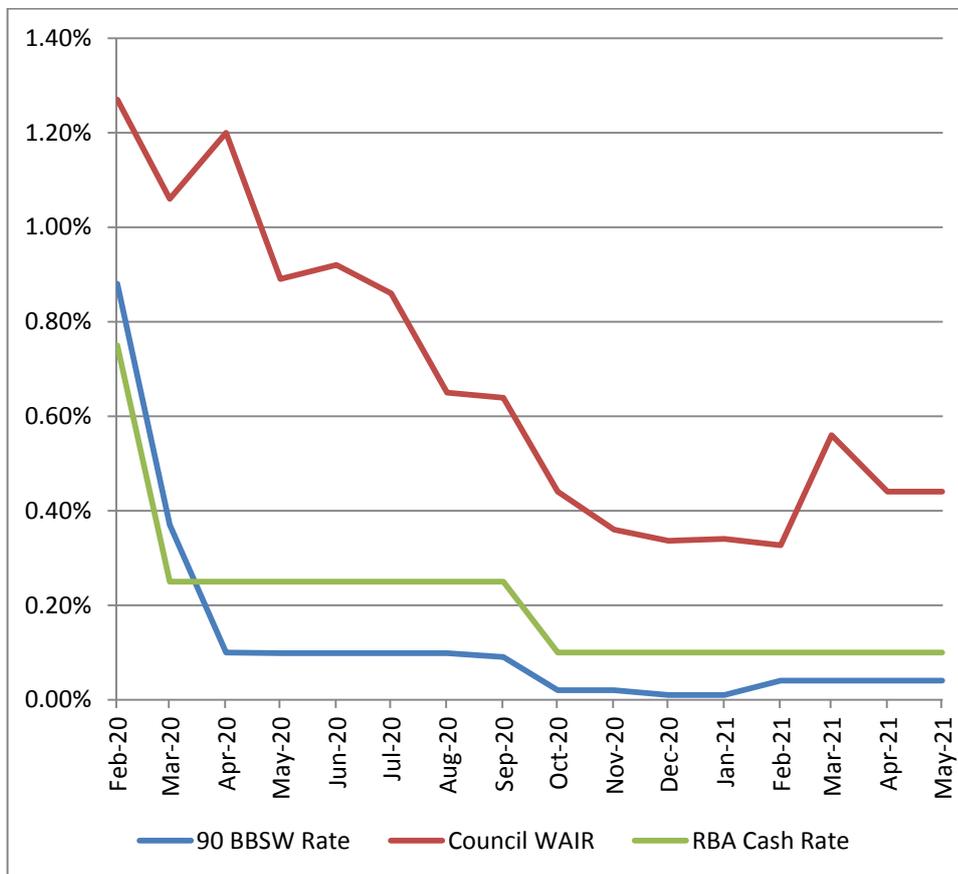
The table and graph below show the composition of investments with financial institutions.

| Ratings  | Composition % | Amount ('000) |
|----------|---------------|---------------|
| A-1+     | 59.67         | 8,877         |
| BBB+     | 16.80         | 2,500         |
| A-1      | 10.08         | 1,500         |
| A-2      | 13.44         | 2,000         |
| <b>0</b> | <b>99.99</b>  | <b>14,877</b> |



Council’s weighted average return for all investments and cash accounts for the month is 0.44%, which is above the required 90 bank bill swap reference rate of 0.04% as at 31<sup>st</sup> May 2021. Note that the official cash rate stayed at 0.10% for May. The weighted average return rate is the rate which considers the size of the investment as well as the interest rate of the investment. The graph below shows Council’s performance for the past 12 months against the 90 bank bill swap reference rate.

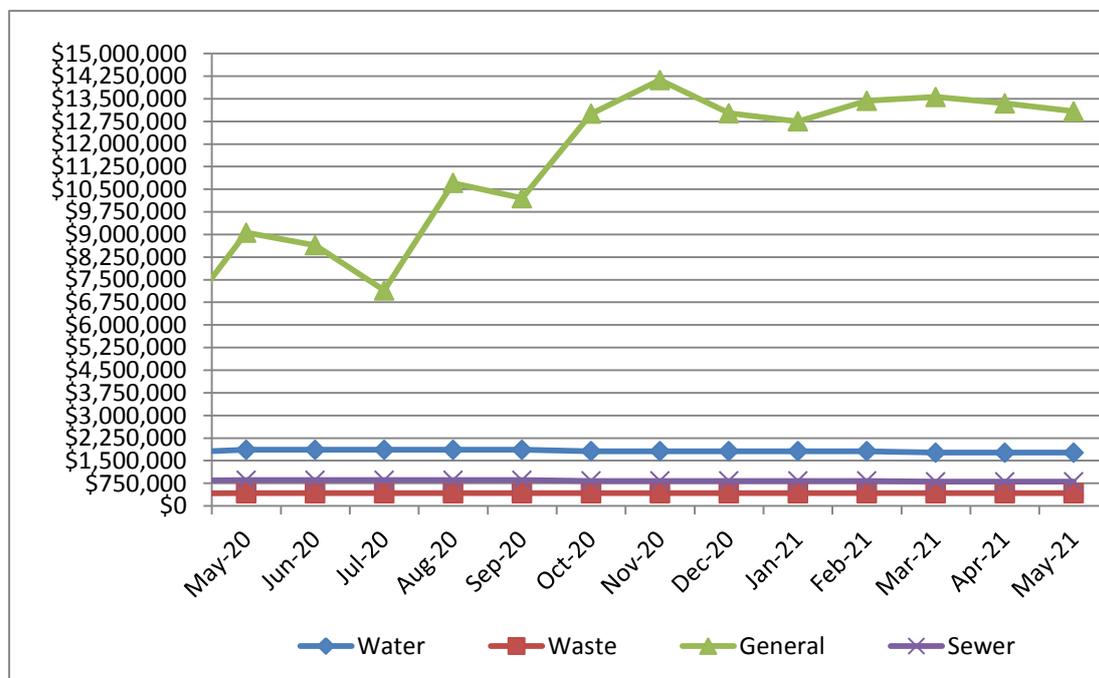
Month End Return on Investments for Past 12 Months



Council’s total investment and cash accounts balance of \$17,141,776 across the funds as listed below:

| FUNDS HELD              | General Fund      | Waste Fund     | Water Fund       | Sewer Fund     |
|-------------------------|-------------------|----------------|------------------|----------------|
| Restricted              | 3,326,129         | 422,104        | 1,767,782        | 800,840        |
| Unrestricted            | 10,824,921        | 0              | 0                | 0              |
| <b>TOTAL FUNDS HELD</b> | <b>14,151,050</b> | <b>422,104</b> | <b>1,767,782</b> | <b>800,840</b> |

Balance by Funds for Past 12 Months



The table below shows the individual make-up of the restricted amounts that combine to a total of \$7,223,380 at end of month:

The bank reconciliation on the Westpac cash account, or operating account, has been reconciled as at 31<sup>st</sup> May 2021 and is shown below:

| RESTRICTED FUNDS                                   | External         | Internal         | Feb 2021 Total   |
|----------------------------------------------------|------------------|------------------|------------------|
| Specific Purpose Unexpended Grants                 | 255,000          |                  | 255,000          |
| Domestic Waste Management                          | 627,130          |                  | 627,130          |
| Water Supplies                                     | 2,207,195        |                  | 2,207,195        |
| Sewerage Service                                   | 1,221,868        |                  | 1,221,868        |
| Other (Unexpended Cont. Euston)                    | 50,000           |                  | 50,000           |
| Future Development Reserve                         |                  | 414,864          | 414,864          |
| Plant & Vehicle Replacement                        |                  | 366,104          | 366,104          |
| Infrastructure Replacement                         |                  | 214,000          | 214,000          |
| Employee Leave Entitlements                        |                  | 269,000          | 269,000          |
| Deposits, Retentions & Bonds                       |                  | 127,842          | 127,842          |
| Caravan Park                                       |                  | 133,458          | 133,458          |
| Euston Cemetery                                    |                  | 14,466           | 14,466           |
| Health Reserve                                     |                  | 6,000            | 6,000            |
| Hostel Bonds                                       |                  | 1,743,377        | 1,743,377        |
| Hostel Reserve                                     |                  | 32,935           | 32,935           |
| Market Street Improvements                         |                  | 140,000          | 140,000          |
| Town Clock                                         |                  | 3,000            | 3,000            |
| Gravel Pit Rehabilitation                          |                  | 234,065          | 234,065          |
| Lake Benanee Capital Improvements                  |                  | 1,126            | 1,126            |
| Other Assets Replacement                           |                  | 286,000          | 286,000          |
| Berrett Park Revitalisation (Council Contribution) |                  | 2,000            | 2,000            |
| <b>TOTAL RESTRICTED FUNDS</b>                      | <b>4,361,193</b> | <b>3,988,238</b> | <b>8,349,431</b> |

|                                              |                  |
|----------------------------------------------|------------------|
| <b>Cashbook Summary</b>                      |                  |
| Opening Cashbook Balance                     | 1,388,823        |
| Plus Receipts                                | 1,938,906        |
| Less Payments                                | (1,063,310)      |
| <b>Cashbook Balance at 31 May 2021</b>       | <b>2,264,420</b> |
| <b>Statement Summary</b>                     |                  |
| Opening Statement Balance                    | 1,390,723        |
| Plus Receipts                                | 1,904,852        |
| Less Payments                                | (1,063,310)      |
| <b>Bank Statement Balance at 31 May 2021</b> | <b>2,232,265</b> |
| Plus Unpresented Receipts                    | 35,580           |
| Less Unpresented Payments                    | (3,425)          |
| <b>Reconciliation Balance at 31 May 2021</b> | <b>2,264,420</b> |

**SUMMARY**

Council currently holds \$17,141,776 in Cash and Investments. The average interest rate trend has risen for May 2021 being 0.44% overall.

As with all financial reports, the reported figures are based on a point of time only and vary daily. However, Council is in a reasonable financial position but it is essential that all expenditure is kept within the approved budget to achieve a breakeven point or better position for this financial year.

I hereby certify that the investments listed within this report were made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

*J Blake*

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

The Local Government Act 1993  
The Local Government (General) Regulation 2005  
Ministerial Investment Order (Gazetted 11 February 2011)

**POLICY IMPLICATION**

Council's Investment Policy (Approved 17<sup>th</sup> October 2017)

**RISK RATING**

Low

**ATTACHMENTS**

Nil

**13 INFRASTRUCTURE & DEVELOPMENT REPORTS****13.1 PLANNING ADMINISTRATION**

|                                    |                                                                                                                     |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.51446</b>                                                                                                    |
| <b>Reporting Officer:</b>          | <b>Ray Mitchell, Health &amp; Development Officer</b><br><b>Nikkita Manning-Rayner, Administration Assistant</b>    |
| <b>Responsible Officer:</b>        | <b>Ray Davy, Director Infrastructure and Development</b>                                                            |
| <b>Operational Plan Objective:</b> | <b>Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.</b> |

**OFFICER RECOMMENDATION**

That the report be received and noted.

**PURPOSE OF REPORT**

To advise Council of activities in the Planning area

**REPORT**

The following Notices of Determination, Construction Certificates, Complying Development Certificates, Section 68 Certificates, Subdivision Certificates and / or Occupation Certificates have been issued under delegated authority since the May meeting of Council.

| Application | Owner/Applicant                                              | Locality                      | Description                                   |
|-------------|--------------------------------------------------------------|-------------------------------|-----------------------------------------------|
| DA 35/2021  | Price Merrett Consulting for B & H Farms Pty Ltd             | 1395 Meilman Road, Euston     | Irrigation Pump Station, Pipeline & 650ML Dam |
| DA 47/2021  | Statewide Demolition & Asbestos Removal for Mrs V.L. Berrett | 51965 Sturt Highway, Euston   | Demolition of Fire Damaged Dwelling           |
| CDC 10/2021 | Hinton Building Pty Ltd for Mr T.H. Dang & Mrs T.T.Q. Nguyen | 151 Boynton Street, Balranald | Dwelling, Alfresco & Garage                   |
| CC 22/2021  | Jason Harwood Homes for M Zaffina                            | 14 Garreffa Parade, Euston    | Dwelling                                      |

The following numbers of certificates relating to conveyancing have been issued since the May meeting of Council.

|                                                                                          |   |
|------------------------------------------------------------------------------------------|---|
| Environmental Planning & Assessment Act 1979<br>Planning Information Certificates (10.7) | 4 |
| Environmental Planning & Assessment Act 1979<br>Building Certificates (6.24)             | 0 |
| Environmental Planning & Assessment Act 1979<br>Outstanding Orders (121ZP)               | 0 |

|                                                            |   |
|------------------------------------------------------------|---|
| Local Government Act 1993<br>Outstanding Orders (735A)     | 0 |
| Local Government Act 1993<br>Drainage Diagram              | 1 |
| Biosecurity Act 2015<br>Outstanding Orders (Noxious Weeds) | 0 |

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Environmental Planning &amp; Assessment Act 1979

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Local Government Act 1993

Biosecurity Act 2015

Conveyancing Act 1919

**POLICY IMPLICATION**

Nil

**ATTACHMENTS**

Nil

**13.2 INFRASTRUCTURE REPORT - JUNE 2021**

|                                    |                                                                                                                     |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.51876</b>                                                                                                    |
| <b>Reporting Officer:</b>          | <b>Carol Holmes, Senior Executive Assistant</b>                                                                     |
| <b>Responsible Officer:</b>        | <b>Ray Davy, Director Infrastructure and Development</b>                                                            |
| <b>Operational Plan Objective:</b> | <b>Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.</b> |

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**OFFICER RECOMMENDATION**

That the monthly update of infrastructure projects be received and noted.

**PURPOSE OF REPORT**

To update Council on infrastructure works currently in hand and in planning, updated to 7 June 2021.

**REPORT****1. Road construction and maintenance****1.1 Construction***Regional roads*

Bitumen sealing of a 2km section of MR514 (Oxley Road) was unable to be completed as scheduled due to the impact of wet weather in the days immediately preceding the scheduled works. It is hoped that this can still be done before 30 June 2021 to meet funding obligations.

Contractors have commenced work on the widening of MR296 (Kyalite-Moulamein Road) from the Kyalite Caravan Park to the Shire boundary.

No response has yet been forthcoming to Council's funding submission for widening the formation of a narrow 6 km section of MR67 north of Homebush, scheduled for the 2021-22 year.

*Local roads*

Bitumen sealing of a reconstructed 2.7 km section of Marma-Box Creek Road was carried out as scheduled in late May. A further extension of the bitumen pavement, subject to the balance of funding available, will be undertaken later in the year.

Construction is under way on the reconstruction and sealing of approximately 13 km of the Weimby-Kyalite Road to Junction Park Station.

Drainage improvements and sealing of Purton Lane in Balranald has been completed.

Preliminary work has commenced on improvements to the Hatfield-The Vale Road at Binda with the main works scheduled to commence within the next couple of weeks. Preliminary works are also in hand for improvements to Kilpatrick Road and Leslie Drive, Euston.

Submissions are being prepared for funding applications under Round 3 of the State's Fixing Local Roads programme, with proposals to extend the seal on Marma-Box Creek Road and to rectify a dangerous section of Tapalin Mail Road.

### **1.2 Unsealed road maintenance**

Limited maintenance grading work is being undertaken to deal with safety issues as they arise.

The approaches to 12 grids on Marma Box Creek Road and D Block Road have recently been sealed to reduce future maintenance. Eighteen new double grids have been installed to replace damaged single grids, mainly on the Mildura-Ivanhoe Road and the Oxley-Clare Road.

Council is still awaiting the outcome of its submission for reclassification of the Mildura-Ivanhoe Road to regional road status.

### **1.3 Sealed road maintenance**

Work is in hand for the installation of traffic calming of Bertram and Taylor Roads, Euston. These roads will be closed temporarily in coming weeks for the construction to be carried out.

A contract has been awarded for safety improvements (line marking and reflective pavement markers) to the 100km of MR67 from Hatfield to the Shire boundary, in preparation for the road to be used for haulage of mineral sands concentrate from the Atlas-Campaspe mine to the proposed railhead at Ivanhoe. As previously reported, installation of additional signs and guideposts will be carried out by Council staff.

### **1.4 Bridge maintenance**

No change since the last report.

## **2. Water, sewerage and drainage**

### **2.1 Integrated Water Cycle Management (IWCM) Plan**

A workshop was held on 25<sup>th</sup> May with the Department of Planning, Industry and Environment (DPIE) Water Division and Public Works Advisory (PWA) to discuss the "Options Paper" prepared by PWA. The paper identified significant future risks to the ability of Council's water and sewer infrastructure to cope with projected growth in both Balranald and Euston. This will guide future investment in water and sewer infrastructure in future years.

### **2.2 Balranald Sewerage Program**

Work is complete on the latest round of sewer relining. A contract has been awarded for a switchboard upgrade for Pump Station No 2.

### **2.3 Balranald Water Network**

A contract has been awarded for a switchboard upgrade for the main raw water intake. A replacement pump for the intake has been purchased, awaiting contractor availability for installation. These works will be delayed until July-August due to difficulty in obtaining some components.

A contract has been awarded for the next round of AC mains replacement, with works scheduled to commence on 15<sup>th</sup> June..

Contracts have been awarded for inspection and minor remedial works to the filtered water reservoir and for the inspection and desludging of the raw water reservoir. These works will take place later this year.

## **2.4 Euston Sewerage Program**

The proposed upgrading of the main inlet structure and pump replacement has been deferred until later in the year.

## **2.5 Euston Water Network**

Work on the current round of AC mains replacement is complete.

## **2.6 Kyalite Water Supply**

Council continues to investigate the viability of consolidation and taking of over the supply of raw water to the village, and potential future supply of potable water.

## **3. Civic enhancement projects**

### **3.1 Market Street upgrade**

Work is required to rectify some omissions and defects, including some market umbrellas and drinking stations that were part of the original scope. Conversion of streetlights to LED which was part of the original scope is now to be carried out by Essential Energy as part of a town-wide project in July-August.

### **3.2 Riverfront precinct**

A contract has been awarded for an additional 1.9km loop of the ecotrail walkway. Planning is in hand for modifications to the existing swing bridge and the southern approach to improve accessibility. Council has been advised that funding for the proposed second bridge is potentially available in 2022

## **4. Buildings and Facilities**

### **4.1 Greenham Park**

Negotiations have been conducted with a preferred contractor for construction of new change rooms for the football club.. This is the subject of a separate report.

Orders have been placed for new furniture for Greenham Park Hall. A container has been installed on site as a secure storage facility. A new disabled toilet has been installed.

A contract has been awarded for the upgrading of the tennis courts to sand-filled artificial turf. Council is negotiating with the contractor to include lighting of two courts

### **4.2 Swimming Pool**

No new works to report.

### **4.3 Bidgee Haven Hostel**

No update since last report. As resolved by Council in March, no final decision to award a construction contract will be made until the outcome is known of Council's application for additional funding.

#### **4.4 Aerodrome**

A contract has been awarded for upgrading the perimeter fence, funded under the Local Roads and Community Infrastructure Programme.

#### **4.5 Visitor Centre/Discovery Centre**

A design team, led by C4 Architects of Adelaide, has been appointed for the design and documentation of the proposed upgrading project. This firm also carried out the earlier concept design that was previously reported to Council.

#### **4.6 Balranald Library**

As previously reported, Council has received \$70,000 in funding for some capital works at the library in 2021-22 but the details of how this will be allocated are yet to be considered.

#### **4.7 Theatre Royal**

Work is in hand to upgrade heating in the Theatre. Funds have been allocated under Round 2 of the Local Roads and Community Infrastructure Programme for a conservation plan and some upgrading of underutilised spaces in the building.

#### **4.8 Balranald Landfill**

Council resolved in May 2021 to extend the current management arrangements until December 2021. Discussions are in hand with the management company relating to potential upgrading of the entrance area including provision for recyclable materials.

#### **4.9 Euston Landfill**

No change since the last report.

#### **4.10 Balranald Cemetery**

Ground penetrating radar (GPR) investigation of the site of a proposed toilet has been completed, to ensure that no unmarked graves will be disturbed, and the report of the analysis is awaited.

#### **4.11 Euston Cemetery**

No update since last report.

#### **4.12 Euston Recreation Reserve**

Proposals are being sought from suitably qualified consultants for the preparation of a masterplan for public spaces in Euston generally. Enhancements to the reserve and the potential upgrading of the Max Willis Reserve as a visitor "arrival point" will be assessed following the adoption of the masterplan.

#### **4.13 Euston Riverfront Reserve and Walking Trails**

A contract has been awarded to improve accessibility of the tracks at several locations. A "walkover" of the Eco trail to the Robinvale Weir was conducted by the Euston

Progressive Advisory Committee on 25<sup>th</sup> March and preferred enhancement works (signage, seating etc) identified which will be considered in 2021-22. A similar “walkover” of the Euston-Robinvale walking track was conducted on 31<sup>st</sup> May with Year 5-6 pupils from Euston Primary School, arranged by the Petaurus Education Group, and a number of suggestions put forward by the group will be considered for implementation.

#### **4.14 Ben Scott Memorial Bird Walk**

Improvements to the walking track including repairs to the concrete and timber boardwalks have been completed. Signs have been received but are still to be erected.

#### **4.15 Balranald Creative Learning Centre**

A contract has been awarded for the design and construction of this facility.

#### **4.16 Kyalite Riverside Reserve**

The Kyalite Progress Association has identified a number of improvements it is seeking to have undertaken. The construction of a path and steps linking Anzac Park to the Riverfront Reserve has been identified as a priority to be funded under the Local Roads and Community Infrastructure Programme, with other works to be carried out by the Association members. A parking area adjacent to Anzac Park is proposed, with preliminary works for the access to be carried out pro bono by the contractors engaged for the Main Road 296 project.

#### **4.17 Anzac Park, Balranald**

Preliminary arrangements are in hand for perimeter fencing and installation of a modular toilet, as previously reported.

### **5. Town Maintenance Works**

#### **5.1 Balranald town maintenance**

The Operations team continue to carry out routine town maintenance tasks and specific works as required from time to time.

#### **5.2 Euston town maintenance**

Landscaping of the main entries to the town has been identified by the Euston Progressive Advisory Committee as a priority for funding from the Local Roads and Community Infrastructure Programme. Details of this are being addressed as part of the proposed masterplan for public spaces in Euston generally.

### **6. Forward planning**

The Works Programme for forthcoming year has been incorporated in the draft 2021-22 budget.

### **FINANCIAL IMPLICATION**

As per budgeted works program unless otherwise noted.

### **LEGISLATIVE IMPLICATION**

Nil

**POLICY IMPLICATION**

Access to Town Water Supply Policy

Footpath Policy

Grids Policy

Recreation Areas Policy

Signs Policy

**RISK RATING**

Project based risks have been individually assessed.

**ATTACHMENTS**

Nil

**14 NOTICE OF MOTION / QUESTIONS ON NOTICE**

Nil

**15 CONFIDENTIAL MATTERS**

Nil

**16 CLOSURE OF MEETING**