



# **AGENDA**

## **Ordinary Council Meeting Tuesday, 17 August 2021**

**Date: Tuesday, 17 August 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 Mayor. 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.

All mobile telephones of Councillors, Council Officers and visitors shall be switched off during the meeting. Recording of the proceedings is not to be carried out without the prior authority of Council.

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Notice is hereby given that an Ordinary Meeting of Council will be held in the Council Chambers, Market Street Balranald on:  
Tuesday, 17 August 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**

|                                                                |
|----------------------------------------------------------------|
| <b>4.1 MINUTES OF THE COUNCIL MEETING HELD ON 20 JULY 2021</b> |
|----------------------------------------------------------------|

**File Number: D21.54816**

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

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

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**OFFICER RECOMMENDATION**

That the Minutes of the Council Meeting held on 20 July 2021 be received and noted.

**HEADING**

Minutes of the Council Meeting held on Tuesday 20th July 2021.

**ATTACHMENTS**

- 1. Minutes of the Council Meeting held on 20 July 2021**



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 20 July 2021**

**Order Of Business**

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| Nil                                                              |           |
| <b>15 Confidential Matters .....</b>                             | <b>14</b> |
| Nil                                                              |           |

**MINUTES OF BALRANALD SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, MARKET STREET BALRANALD  
ON TUESDAY, 20 JULY 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 (via zoom due to Covid-19 isolation requirements).

**IN ATTENDANCE:**

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

**3 APOLOGIES**

Nil

**4 CONFIRMATION OF MINUTES****4.1 MINUTES OF THE COUNCIL MEETING HELD ON 15 JUNE 2021**

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**RESOLUTION 2021/99**

Moved: Administrator Mike Colreavy

That Council notes and receives the minutes of the Ordinary Council Meeting held on 15 June 2021

**CARRIED**

**4.2 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 29 JUNE 2021**

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**RESOLUTION 2021/100**

Moved: Administrator Mike Colreavy

That Council notes and receives the minutes of the Extraordinary Council meeting held on 29 June 2021

**CARRIED**

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

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**MOTION**

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**RESOLUTION 2021/101**

Moved:     Administrator Mike Colreavy

That Council now deal with the Corporate & Community Service Reports in today's agenda at Part 12 of the Agenda.

**CARRIED**

**12      CORPORATE & COMMUNITY SERVICES REPORTS****12.1     BALRANALD CARAVAN PARK FINANCIAL REPORT****PURPOSE OF REPORT**

The purpose of the Financial Review report is to provide Council with accurate and timely reporting of revenue and expenditure against the adopted Operational and Capital Works budget for the Balranald Caravan Park.

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**RESOLUTION 2021/102**

Moved:     Administrator Mike Colreavy

That Council receives and notes the Balranald Caravan Park Financial Report for the period ended on 30 June 2021.

**CARRIED**

**12.2     BIDGEE HAVEN QUARTERLY REPORT****PURPOSE OF REPORT**

The purpose of the Bidgee Haven Retirement Hostel Quarterly Report and financial review is to provide Council with information regarding activity within the Hostel including reporting of revenue and expenditure against the adopted and revised Operational and Capital Works budget.

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**RESOLUTION 2021/103**

Moved:     Administrator Mike Colreavy

That Council Receives and Notes the Bidgee Haven Retirement Hostel June 2021 Quarterly Report inclusive of financial information against the operational and capital budget.

**CARRIED**

**12.3 QUARTERLY TOURISM REPORT - APRIL TO JUNE 2021****PURPOSE OF REPORT**

To provide Council with an update on Tourism activity and provide the quarterly report on Revenue, Expenditure and Capital Works against the adopted Operational and Capital Works budget for the April to June 2021 quarter.

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**RESOLUTION 2021/104**

Moved: Administrator Mike Colreavy

That Council receives and notes the Quarterly Tourism Report April - June 2021.

**CARRIED**

**12.4 STATEMENT OF FUNDS - JUNE 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<sup>th</sup> June 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.
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**RESOLUTION 2021/105**

Moved: Administrator Mike Colreavy

That Council receives and notes the Statement of Funds for the period ending 30<sup>th</sup> June 2021.

**CARRIED**



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**7 COMMITTEE REPORTS FOR ADOPTION****7.1 BALRANALD BEAUTIFICATION ADVISORY COMMITTEE HELD ON 9 JUNE 2021**

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**RESOLUTION 2021/106**

Moved: Administrator Mike Colreavy

That Council

1. Receives and Notes the Minutes of the Balranald Beautification Advisory Committee (BBAC) meeting held on 9 June 2021.
2. Investigate the option to relocate the garbage bin from Foodworks to the Senior Citizens Centre or purchase a new one to place at Senior Citizens Centre, and deal with this under delegations if realistic.
3. Investigate costs to sandblasting and powder coating of the entrance gates at Greenham Park and to discuss the outcomes with BBAC for further consideration.
4. Investigate the history of the Greenham Park entry gates and forward to the committee for further discussion.

**CARRIED**

**7.2 AGEING WELL AGED CARE AND FACILITIES ADVISORY COMMITTEE MEETINGS HELD ON 10 JUNE 2021**

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**RESOLUTION 2021/107**

Moved: Administrator Mike Colreavy

That Council:

1. Receives and notes the Minutes of the Ageing Well, Aged Care and Facilities Advisory Committee (AWACAFAC) meeting held on 10 June 2021;
2. Includes a survey regarding the disability needs for our community from AWACAFAC in the next newsletter;
3. Notes the recommendation from this committee regarding Council forming a hostel Committee consisting of Council Staff and community members to assist with the operational requirements of the Hostel.
4. Inform AWACAFAC that Council is investigating options in relation to forming a committee for Bidgee Haven Hostel and the outcomes of this investigation are expected to be presented to Council in October 2021.

**CARRIED**

**7.3 STRENGTHENING COMMUNITY ACCESS, INCLUSION & WELLBEING ADVISORY COMMITTEE HELD ON 24 JUNE 2021**

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**RESOLUTION 2021/108**

Moved: Administrator Mike Colreavy

That Council:

1. Receives and notes the Minutes of the Strengthening Community Access Inclusion &

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Wellbeing Advisory Committee Meeting held on Thursday 24th June 2021.

2. Inform Strengthening Community Access Inclusion & Wellbeing Advisory Committee that Council considered the recommendation in relation to the Senior Citizens Building Fees at the extraordinary meeting held on 29 June 2021 and resolved to;
  - a. *Make another hire category for the Senior Citizens Building in Balranald for up to 2 hours for a cost of \$50.00 per session for not-for-profit organisations, with a once off cleaning fee deposit of \$325.00 for a series of bookings after consideration was given to three submissions received relating to the proposed fees and charges for 2021/22 as follows:-*
  - b. *Give delegations to the General Manager to assess the not-for-profit organisations hiring Council owned buildings on a case by case basis.*

**CARRIED**

#### **7.4 GROWING BUSINESS INDUSTRY & TOURISM ADVISORY COMMITTEE MEETING HELD ON 13 JULY 2021**

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##### **RESOLUTION 2021/109**

Moved: Administrator Mike Colreavy

That Council;

1. Receives and notes the Minutes of the GBITAC Meeting held on 13 July 2021.
2. Approach David Eastburn requesting him to develop a detailed proposal for the design and production of plaques commemorating the Balranald Shires' early pastoral stations and their history to be considered by Council and GBITAC.

**CARRIED**

#### **GENERAL MANAGER'S REPORTS (INCORPORATING ALL STAFF REPORTS)**

##### **PART A – ITEMS REQUIRING DECISION**

#### **8 GENERAL MANAGER'S REPORTS**

##### **8.1 CHANGE OF VENUE FOR NOVEMBER 2021 ORDINARY COUNCIL MEETING**

##### **PURPOSE OF REPORT**

To approve the November Ordinary Council Meeting being held on 16th November at Clare, with a venue still to be arranged.

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##### **RESOLUTION 2021/110**

Moved: Administrator Mike Colreavy

That Standing Orders be changed to allow the Ordinary Council Meeting scheduled for 16 November 2021 to be held at Clare, commencing at 5pm at a venue to be advised.

**CARRIED**

**8.2 LEASING OF THE ROYAL CAFE AREA OF THE ROYAL THEATRE COMPLEX****PURPOSE OF REPORT**

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

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**RESOLUTION 2021/111**

Moved: Administrator Mike Colreavy

1. That Council approves the lease of the Royal Theatre Café area to the Maker's Group as detailed in the request letter at Attachment 1.
2. The General Manager be authorised to negotiate the rental value for the premises.
3. The General Manager be authorised to endorse a formal commercial style lease agreement on behalf of Council.
4. The Maker's Group be advised that the premises is offered 'as is' and any additions or alterations are to be approved by an authorised officer of Council.
5. Utility service provisions and ongoing costs are at the full cost to the Lessees.

**CARRIED**

**8.3 DONATION REQUEST - BALRANALD COMMUNITY ARTS/CRAFTS INC.****PURPOSE OF REPORT**

To advise Council of a donation request received from Art Gallery seeking the annual sponsorship for Bal-Archies Acquisitive Awards for 2021.

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**RESOLUTION 2021/112**

Moved: Administrator Mike Colreavy

That Council approves the request for the sponsorship of Bal-Archies Acquisitive Awards 2021 for the amount of \$3000 from the 2021/2022 Annual Donation budget.

**CARRIED**

**8.4 REQUEST TO WRITE OFF FWJO INVOICE****PURPOSE OF REPORT**

Advise Council of a request to write off Far West Joint Organisation Invoice 7322 totalling \$15,021.88.

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**RESOLUTION 2021/113**

Moved: Administrator Mike Colreavy

That Council

1. Approves the request from the Far West Joint Organisation to write off Invoice 7322 totalling \$15,021.88
2. Write to the Far West Joint Organisation informing them of this decision and confirming the

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continued support of this important regional group.

**CARRIED**

## **9 CORPORATE & COMMUNITY SERVICES REPORTS**

Nil

## **10 INFRASTRUCTURE & DEVELOPMENT REPORTS**

### **10.1 DA 60/2021 - PROPOSED TWO LOT SUBDIVISION**

#### **PURPOSE OF REPORT**

To seek Council consent under Part 4 of the Environmental Planning & Assessment Act 1979 for a two lot subdivision of 150 Market Street Balranald.

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#### **RESOLUTION 2021/114**

Moved: Administrator Mike Colreavy

(Division)

That Council approves Development Application 60/2021 for a two lot subdivision of Lot 20 DP 820439, 150 Market Street Balranald, subject to the following conditions:

1. No alteration to approved plans and specifications is allowed unless separately approved by Council.
2. The subdivision must conform with the sketch plan as submitted, other than where varied by conditions of this consent.
3. An easement for drainage to the benefit of Balranald Shire Council is to be created 3m wide over the existing alignment of the sewer main.
4. Plans prepared by an appropriately qualified surveyor must be submitted to Council prior to the release of the Subdivision Certificate.
5. Alterations to existing or additional accesses are to be to the satisfaction of Council or its delegate, and at the applicant's full cost.
6. Any such adjustments to access to the proposed allotments require a road opening permit to be obtained from Council prior to the commencement of any works in the road reserve. The proponent is responsible for full cost of repairs to rectify any damage to public infrastructure.
7. Any adjustments required to existing services for the allotments are to be at the full cost of the proponent.
8. Water and sewer connection fees and charges to be at the applicant's full cost.
9. This approval does not constitute consent for the erection of any dwellings or other structures on the subject lands. Separate applications must be made for any buildings in accordance with the Environmental Planning and Assessment Act 1979.

**CARRIED**

**10.2 REDEVELOPMENT OF TENNIS COURTS AT GREENHAM PARK, BALRANALD****PURPOSE OF REPORT**

To recommend that the scope of works be varied from that originally approved by Council, to incorporate enhancements priced into the original tender for the subject works.

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**RESOLUTION 2021/115**

Moved: Administrator Mike Colreavy

That Council;

1. Approves a variation to the scope of the project, Greenham Park Tennis Courts, Contract No RFT-20/21-06 to include removal of trees, installation of a dividing fence and provision for future lighting of two tennis courts at an additional cost of \$40,828.00
2. Approves delegations to the General Manager to further amend the scope of the project to include installation of luminaires at an approximate cost of \$14,080 subject to funding being available within the current budget.

**CARRIED**

**10.3 INFRASTRUCTURE UPDATE****PURPOSE OF REPORT**

To update Council on infrastructure works currently in hand and in planning, updated to 9 July 2021.

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**RESOLUTION 2021/116**

Moved: Administrator Mike Colreavy

That Council receives and notes the monthly update if Infrastructure projects.

**CARRIED**

**10.4 DISPOSAL OF SURPLUS ASSETS****PURPOSE OF REPORT**

To obtain the approval of Council to dispose of numerous obsolete, damaged and/or redundant assets currently located at the Council Depot.

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**RESOLUTION 2021/117**

Moved: Administrator Mike Colreavy

That Council approves the sale by expressions of interest of various obsolete, damaged and/or redundant assets as listed in the attached schedule.

**CARRIED**

**PART B – ITEMS FOR INFORMATION****11 GENERAL MANAGER’S REPORTS****11.1 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 2021/118**

Moved: Administrator Mike Colreavy

That Council receives and notes this report.

**CARRIED**

**11.2 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 June 2021 Ordinary Meeting.

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**RESOLUTION 2021/119**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

**11.3 OUTSTANDING ACTIONS****PURPOSE OF REPORT**

To bring forward for information the Action Report with actions taken on previous Council resolutions.

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**RESOLUTION 2021/120**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

**11.4 OPERATIONAL PLAN PROGRESS REPORT****PURPOSE OF REPORT**

Under the Integrated Planning and Reporting (‘IP&R’) Framework, Council is required to report on 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. This report must detail 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 report outlines the end of year position for 2020/21.

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**RESOLUTION 2021/121**

Moved: Administrator Mike Colreavy

That Council receives and notes the Operational Plan 2020-2021 Progress Report.

**CARRIED**

**13 INFRASTRUCTURE & DEVELOPMENT REPORTS****13.1 PLANNING ADMINISTRATION****PURPOSE OF REPORT**

To advise Council of activities in the Planning area

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**RESOLUTION 2021/122**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

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

Nil

**15 CONFIDENTIAL MATTERS**

Nil

The Administrator noted that this would be Mrs Bilske's final Council Meeting. He thanked her for her contribution as Director Corporate and Community Services with Balranald Shire Council and wished her well in her retirement.

**The Meeting closed at 6.18pm.**

**The minutes of this meeting were confirmed at the Council Meeting held on 17 August 2021.**

.....  
**GENERAL MANAGER**

.....  
**ADMINISTRATOR**



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

**7 COMMITTEE REPORTS FOR ADOPTION****7.1 EUSTON PROGRESSIVE ADVISORY COMMITTEE MEETING HELD ON 28 JUNE 2021**

**File Number:** D21.55086

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

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

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**OFFICER RECOMMENDATION**

That Council receives and notes the Minutes of the Euston Progressive Advisory Committee (EPAC) meeting held on Monday 28 June 2021.

**PURPOSE**

To update Council on the Euston Progressive Advisory Committee meeting held on 28 June 2021.

**REPORT**

The Euston Progressive Advisory Committee (EPAC) meeting was held on Monday 28 June 2021. Key items covered:

- Signage information for Euston township has been given to Council.
- Relocation of a sign at 11 Murray Terrace, Riverfront to the opposite side of the river.
- Processes of constructing a driveway at 15 Murray Terrace, Ray confirmed that an application needs to be submitted to Council.
- Inquired about the process for the removal of trees at 3 Tayla Court
- A suggestion was made to see if council could change the google directions to divert traffic away from Bertram Road.
- It was suggested that lawn be planted on the Garreffa Parade Medium Strip.

At the meeting the committee raised some concerns in relation to operational matters and requested that Council address these; These were;

- Schedule grading of Tapalin Main Road into the 2021 works plan.
- Investigate installing address numbers to kerbs so it is easier for emergency vehicles to find street addresses.

These service requests will be tracked through Council's service request system and the outcome will be reported back to the Euston Progressive Advisory Committee at the next meeting.

**ATTACHMENTS**

1. Minutes - Euston Progressive Advisory Committee June 2021 [↓](#)

## Euston Progressive Advisory Committee

Monday 28<sup>th</sup> June

Opening Meeting at 6.00pm

Acknowledgement of Country

**Present:** Guy Fielding, Bill Vandenberg, Geoff Windmill, Louie Zaffina, Jan Windmill, Ray Davey, Santina Zappia

**Apologies:** Gray Woodhead, Glen Stewart, Rusty Roberts, Garry Mannix, Oliver McNulty

**Minutes of Previous Meeting:** Moved by Louie Zaffina, 2<sup>nd</sup> Geoff Windmill, Carried

**Correspondence:** Nil

### Matters Arising:

Community Consultation Forum was held, 2 people attended.

Tuesday morning is a council meeting to adopt the budget.

Bertram Rd and Taylor Rd are progressing well, but wet weather is slowing the process down.

Repairs on the weir trail to be done by Boss Earthmovers

Application for netball rooms have been lodged.

Council have ordered drinking stations for the two Euston walking trail entrances.

Ray to have a meeting with Louie regarding Kilpatrick Rd.

### Items Without notice:

Guy:

- Information Signage on Township was assigned to Gavin Helgeland, who is taking responsibility of this task now? - Ray Davey confirmed it is on his desk.
- Inquired of the process for relocating a sign at 11 Murray Terrace, river front. Ray approved for this to be relocated on the opposite side of the river.
- Inquired of the process for constructing a driveway at 15 Murray Terrace. Ray confirmed that an application for a driveway and/or a road opening permit can be submitted to council for this.

- Inquired of the process for the removal of trees at 3 Tayla Court. Ray will investigate this request.

Ray:

- Suggested address numbers to be installed on curbs, Jan suggested the committee to make a recommendation to Council. As below.

Santina:

- Would like to see if council can have Google change the flow of traffic to go through to Euston, not turning down into Bertram Rd, as many vehicles are doing U turns in their driveway. Ray suggested that this may prove difficult.

Geoff:

- Inquired if a Defibrillator could be installed at the Recreation ground. Guy confirmed that there is one located outside of the Euston Club accessible 24 hours. Ray suggested that placement of one at the Recreation ground posed a potentially higher risk of vandalism or theft due to this isolated location.

Louie:

- Inquired if lawn can be planted on the Garreffa Parade medium strip. Ray will investigate this request.

### **Recommendations to Council:**

**That the grading of Tapaulin Mail Rd be put to Council in their July meeting. Moved by Geoff Windmill, 2<sup>nd</sup> by Jan Windmill, Carried**

**That council investigate installing address numbers to curbs so it is easier for emergency vehicles to find street addresses. Moved by Geoff Windmill, 2<sup>nd</sup> by Jan Windmill, Carried**

**Next Meeting: Monday 26<sup>th</sup> July 2021**

**Meeting Closed at 6.35pm**

**7.2 BALRANALD BEAUTIFICATION ADVISORY COMMITTEE HELD ON 7 JULY AND 4 AUGUST 2021**

**File Number:** D21.54893

**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 (BBAC) meeting held on 7 July and 4 August 2021.
2. Review the locations of bins along Market Street, Balranald in consultation with members of Balranald Beautification Advisory Committee.
3. Investigate purchase and storage of Christmas decorations for Balranald, in consultation with Growing Business Industry & Tourism Advisory Committee and Balranald Inc.

**PURPOSE**

To update Council on the Balranald Beautification advisory Committee meeting held on 7 July and 4 August 2021.

**REPORT**

The Balranald Beautification Advisory Committee (BBAC) meeting was held in Council Chambers on Wednesday 7 July and 4 August 2021.

Committee Priorities

The Committee are considering sourcing quotes for rose bushes and other plants and pass onto Council for approval. A Working bee will be arranged and invite the schools to assist with the planting when they arrive.

Entrance Gates to Greenham Park Hall – Council is in the process of getting quotes to have gates sandblasting and powder coated. The committee were advised that sandblasting may cause damage to the gates, and powder coating may not be the option. Also, a suggestion was to place a plaque on the gates outlining the history of these gates.

Christmas Decorations – It was noted that it has been suggested that a large Christmas Tree Cut-out that visitors and locals can take selfies with and hashtag (#VisitBalranald) to promote Balranald around Christmas time. Lea is speaking to her son regarding making the tree.

Banner at Theatre – looks fantastic and has been a bit talking point amongst visitors and locals. It was requested that the tree nearest to the banner, be moved as it will block the view of the banner once it gets taller. Also, spotlights be placed on the banner to enable the banner be seen at nights.

Trees Issues – The committee suggested that the dead trees in Market Street need replacing.

Doggy Doo Bags – it was noted that dispensers could be located at the Lions Park, court Street Entrance of the Swing Bridge and at the Discovery Centre. Further locations can be added if required.

The committee noted the toilet for the cemetery has now been ordered.

Items raised at the committee meeting that relate to Operational matters will be noted and tracked as a service request. Progress on these will be reported back to the committee at their next meeting.

Recommendations to Council

- That the bin from the front of the Business Centre to the Senior Citizens Centre, and place a new bin near the Ex-Services Club.
- Gates at Greenham Park be sand blasted and powder coated, a plaque be placed on the gate or near the gates describing the history of the gates.
- Make a variation in Councils 2022-2023 budget to purchase Christmas Decorations for the town and have them stored properly and secured, so they can be used each year.
- Commence replacing or putting trees in where needed. It was suggested that the committee look into trees without roots that can destroy guttering/footpaths or invade sewer/water pipes.

**ATTACHMENTS**

1. **Minutes - BBAC - July 2021 - Balranald Beautification Advisory Committee** [!\[\]\(9bf097d682561b2ffd12d57a40ca73b1\_img.jpg\)](#)
2. **Minutes BBAC - August 2021- Balranald Beautification Advisory Committee** [!\[\]\(51d3868eac81c232f6ef399d2bd16077\_img.jpg\)](#)

**Balranald Shire Council Beautification Advisory Committee - Balranald  
Minutes of Meeting held at the Balranald Shire Council Chambers  
Wednesday 7<sup>th</sup> July 2021**



**Meeting Opened with Acknowledge of Country recited by Toni Tyrer – Chairperson of the Balranald Shire Council Beautification Advisory Committee – at 17:15hrs**

**Present:** Val Bradbury, Toni Tyrer (Chairperson), Penny Jolliffe, Sue Morton, Lea Lawrie, Gaye Renfrey, Ray Davy (BSC Director of Infrastructure and Development) and Karen Norfolk (Secretary)  
**Apologies:** Lynne Carter

**Minutes Read and Accepted:** Moved by Penny Jolliffe and Seconded by Sue Morton

**CORRESPONDENCE IN:**

- Email from Carol Holmes – Transport NSW Response re Pedestrian Hand Railings on Balranald Bridge
- Email from Sue Morton – re BBAC June Minutes and July's Agenda
- Email from Toni Tyrer – re BBAC June Minutes and July's Agenda
- Email from Carol Holmes – re Planting of Trees – Rose Bushes Email sent to St Joseph School and Balranald Central School – both schools willing to help plant the Trees-Rose Bushes
- Email from Dianne Williams – Community Christmas Tree
- Email from Carol Holmes – re Budget Update

**CORRESPONDENCE OUT:**

- Email to BBAC Members and Balranald Shire Council and Shire Representatives – BBAC June Minutes and July's Agenda
- Email to Carol Holmes – BBAC Budget Update
- Email to BBAC Members – Letter of Response from Transport NSW

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

**BALRANALD BEAUTIFICATION FINANCIAL STATEMENT:**

According to an email from Jay Panchal, dated the 6<sup>th</sup> July 2021, the BBAC has a balance of \$9,833.33

**AGENDA ITEMS:**

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

**Balranald Shire Council Update:**

- The Council has received and noted our Minutes from the Meeting held on Wednesday 12<sup>th</sup> May 2021
- Council is considering the installation of picnic tables and seats at the Discovery Centre and also a seat with a backrest on the corner of Market and Mayall Streets
- Council is reviewing and will report back to the BBAC the outcomes from the investigation into the water fixture issues along Moa Street especially from Church Street to the Cemetery – **Ray Davy reported to the Committee that the water fixtures have been looked at and all are working fine**
- Council are reviewing and will report back to the BBAC the outcomes of replacing trees with Queensland Box Trees and the planting of Trees in median strips where required – **it was suggested that we only replace trees that have died off in Moa Street, possibly with Queensland Box Trees**
- The Swing Bridge will hopefully be closed towards the end of year to widen it to two metres and put down a new decking with smaller grids. The bridge will be closed for about 2 to 3 months and hopefully finish before the Christmas Period. Shire is hoping for budge money to come through for the second Swing Bridge.

**COMMITTEE PRIORITIES:**

**Priority 1:** Plants and Rose Bushes – Ray Davy is going to investigate to see if the plants and rose bushes has been ordered and see if the costing came out of last financial year budget. Ray rang Gavin Helgeland while at the Meeting and Gavin said that he passed the quote of the plants and rose bushes onto another Shire Employee

**Priority 2:** Christmas Decorations – Lea Lawrie suggested that we look into a Christmas Tree Cut-Out that Visitors to Balranald (and Locals) can take Selfies with and hash tag (e.g. #VisitBalranald) to promote Balranald around Christmas Time. Lea will speak to her son to see if he could make the tree for us.

**RECOMMENDATIONS:**

- Same as June Meeting

**ITEMS WITHOUT NOTICE:**

- Banner on the Royal Theatre looks fantastic and has been a big talking point amongst Visitors and Locals. Val Bradbury asked if it was possible to move the tree nearest to the Banner, as once it starts to get taller it would block the view of the Banner. Also Val would like to see spotlights to highlight the Banner of a night.
- Tree Issues - The Committee brought to attention the dead trees in Market Street that need replacing. Ray Davy mentioned the removal of the Maple Trees near the Tennis courts. There is an Arborist coming to look at the trees at the Art Gallery.

**Next Meeting:** Wednesday 4<sup>th</sup> August 2021 at the Balranald Shire Chambers commencing at 17:00hrs (5:00pm)

**Meeting Closed:** 18:20hrs



**Balranald Shire Council Beautification Advisory Committee - Balranald  
Minutes of Meeting held at the Balranald Shire Council Chambers  
Wednesday 4<sup>th</sup> August 2021**



**Meeting Opened with Acknowledge of Country recited by Toni Tyrer – Chairperson of the Balranald Shire Council Beautification Advisory Committee – at 17:00hrs**

**Present:** Toni Tyrer (Chairperson), Lea Lawrie, Penny Jolliffe, Lynne Carter, Ray Davy (BSC Director of Infrastructure and Development), Hodi Beauliv (Director of Corporate and Community Services), Sue Morton and Karen Norfolk (Secretary)

**Apologies:** Val Bradbury and Gaye Renfrey

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

**CORRESPONDENCE IN:**

- Email from Lea Lawrie Acknowledgement of Email – BBAC July Minutes and August Agenda
- Email from Sue Morton – Acknowledgement of Email – BBAC July Minutes and August Agenda
- Email from Val Bradbury – Acknowledgement of Email – BBAC Minutes and August Agenda plus an Apology for August Meeting
- Email from Carol Holmes – Zoom Link for BBAC Meeting
- Email from Sue Morton – Acknowledgement of Email – Zoom Link

**CORRESPONDENCE OUT:**

- Email to BBAC Members and Balranald Shire Council and Shire Representatives – BBAC July Minutes and August Agenda
- Email to BBAC Members – Zoom Link
- Letter to Marianne O'Halloran – Transport NSW reply re Hand Railing on Bridge

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

**BALRANALD BEAUTIFICATION FINANCIAL STATEMENT:**

- The 2020/2021 Budget was not rolled over to cover the Plants and Rose Bushes that we after to plant down the Main Street.
- Hodi Beauliv will look up and send out a Financial Report to circulate with the Minutes.
- Hodi Beauliv suggested that we set a Budget for each Project that we undertake as a Committee – for example – a budget of \$1,000.00 for the plants and rose bushes

**AGENDA ITEMS:**

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

**Balranald Shire Council Update:**

- The Council has received and noted our Minutes from the Meeting held on Wednesday 9<sup>th</sup> June 2021
- Council is investigating the option to relocating the garbage bin from FoodWorks to the Senior Citizens Centre or purchasing a new one to place at Senior Citizens Centre and deal with this under delegations in realistic – **Bins have been ordered for the Senior Citizens Centre and the Swing Bridge**
- Council is investigating the costs to sandblast and powder coating of the entrance at Greenham Park and to discuss the outcomes with BBAC for further consideration – **Sue Morton was talking about this with a Local and they think sandblasting may cause damage to the gates and powder coating may not be an option**
- Council is investigating the history of the Greenham Park entry gates and forward to the committee for further discussion

- The Toilet for the Cemetery has now been ordered, as the Shire has been given the results of the Ground Survey. Should be here from Western Australia in the next week or so

**COMMITTEE PRIORITIES:**

**Priority 1:** Plants and Rose Bushes – The Committee asked if a Committee Member could look into quotes for the Plants and Rose Bushes and then pass the quotes onto the Shire?

**RECOMMENDATIONS:**

- Lea Lawrie made a recommendation that instead of using the BBAC's budget for Christmas Decorations, the Balranald Shire Council should make a Variation in their 2022/2023 Budget to purchase Christmas Decoration for the Township. Lea also recommends that the Decorations be stored properly and secured, so they are not damaged, which allow them to be used each year. Seconded by Penny Jolliffe
- Toni Tyrer recommended that we start replacing or putting trees in where needed. Ray Davy suggested that we look into trees without roots that can destroy guttering/footpaths or invade sewer/water pipes.

**ITEMS WITHOUT NOTICE:**

- Doggy Doo Bags – it looks like these dispensers could be located at the Lions Park, Court Street Entrance of the Swing Bridge and at the Discovery Centre. More locations can be added, if required
- A suggestion was made to move the bin from the front of the Business Centre to the Senior Citizens Centre, as that bin hardly gets use. It was also suggested to put a bin near the Ex-Services Club.
- Glenn Wilcox has been appointed Acting General Manager for the next six months, replacing Oliver McNulty, who has resigned as General Manager.

**Next Meeting:** Wednesday 1<sup>st</sup> September at the Balranald Shire Chambers commencing at 17:00hrs (5:00pm)

**Meeting Closed:** 18:15hrs

**7.3 STRENGTHENING COMMUNITY ACCESS, INCLUSION & WELLBEING ADVISORY COMMITTEE HELD ON 22 JULY 2021**

**File Number:** D21.54897

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

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

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**OFFICER RECOMMENDATION**

That Council;

1. Receives and notes the Minutes of the Strengthening Community Access Inclusion & Wellbeing Advisory Committee Meeting held on Thursday 22 July 2021.
2. Investigate and consider the process to become an accredited White Ribbon Organisation.

**PURPOSE OF REPORT**

To provide Council with a update on Strengthening Community Access Inclusion & Wellbeing (SCAIW) Advisory Committee meeting held on Thursday 22 July 2021.

**REPORT**

The SCAIW Advisory Committee met on Thursday 22 July 2021 and discussed several items that are documented in the attached minutes.

Seniors Building – General Manager advised the committee that a decision has been made that a new fee registrar for these premises – 2 hour hire fee is set at \$50, although, if an organisation is a registered charity and can demonstrate financial difficulty, they can appeal to General Manager for waiving of the fees.

Hodi was welcomed by the group, and Rachael explained the initial focus of this group was to create a service Directory. Hodi have a presentation of her past experiences. Rachael explained that they have guest speakers from various organisations that provide services to our community; these organisations are finding this group a great way to communicate and get information out to community and surrounding areas.

A letter of resignation from Robyn Davis was discussed. It was recommended that an acknowledgement letter be forwarded to Robyn thanking her for her time and commitment to the Committee.

White Ribbon – discussions and collating everyone's input on how best to bring awareness to White Ribbon Night due to not being able to host a public event because of Covid. General Manager also advised, about a Council where he had previously worked and how they had become an accredited White Ribbon Organisation, He discussed the opportunity for Balranald Shire Council to consider the accreditation process.

Hodi advised that she had discussions regarding an Action Plan for vulnerable persons with Inspector Darren Brand. She also advised the committee that Inspector Brands intentions were to have this plan adopted at the next Emergency Management Meeting. Input from this group into the plan was suggested by Hodi.

Hodi also discussed the work of SCAIW to Inspector Brand and their interest in better understanding the police roles and processes in supporting women fleeing violence. The SCAIW Committee will invite Inspector Brand to speak at their next meeting.

**ATTACHMENTS**

1. SCAIW Minutes Meeting 10 22 July 2021 [↓](#)

**B.S.C STRENGTHENING ACCESS INCLUSION & WELLBEING MEETING**

HELD SHIRE COUNCIL & ZOOM THURSDAY 22<sup>nd</sup> July 2021.

Opened: at 4.06pm via zoom by Rachel Williams chairperson.

In Attendance: Emma Moore, Lyn Flanagan, Lea Lawrie, Sue Balshaw, Hodi Beauliv & GM Oliver McNulty

Via ZOOM: Rachel Williams, Mandy Haley, Natalie Lay, Michelle White

APOLOGIES: Helen Murphy.

WELCOME to Country read by Rachel Williams.

M.O.P. Meeting: were distributed and read by all. Moved Lyn Flanagan that they be a true and accurate record. Seconded Emma Moore.

**Business Arising:**

- Oliver provided an update on Senior Citizens building management. Refer to our resolution from last months meeting: He stated that a decision has been made that a new fee registrar for these premises – for a two hour hire cost \$50, if organisation is a registered charity and can demonstrate financial difficulty can appeal to Mr Mc Nulty who can waive the fee as he has been given the authority to do this.
- Rachel welcomed Hodi Beauliv to our meeting and explained that our initial focus of our group was to create a SERVICE DIRECTORY.
- Hodi gave a presentation of her past experiences. She has worked in various councils in roles related to Economic development and Community Service development across a range of Local Governments and also Sunraysia Community Health Service
- All members introduced themselves to Hodi and why they are involved in this group.
- Rach explained that we have guest speakers from various organisation that provide services to our community. They are finding our group a great way to get information out about what they do, why and how they assist our community and surrounding areas.

**CORRESPONDENCE:**

- Inward: Resignation from Robyn Davis. Lea moved Sue second that we acknowledge the work Robyn does within our community and thank Robyn for her time and commitment

**GENERAL BUSINESS:**

- Main focus today is collating everyone's input on how best to bring awareness to White Ribbon Night (Friday 30<sup>th</sup> July). As with Covid we are unable to hold a public event.
- Mr Mc Nulty stated that he had previously worked for a Local Government who were an accredited White Ribbon Organisation, noting he would like for Balranald Shire Council to also undertake the accreditation process. Rachael offered to commence to process for My McNulty by sending through additional information and completing an EOI on the White Ribbon website. We all welcomed this support.
- Mr McNulty asked that this group consider in the future to get involved in development of a RECONCILIATION Action Plan and agreement. All present agreed to this.

#### RECOMMENDATION

That the Strengthening Community Access, Inclusion & Wellbeing Advisory Committee unanimously support Council's development of a Reconciliation Action Plan to support their upcoming Community Strategic Plan.

Moved: Nat lay

Seconded: Emma Moore

Carried

- Hodi Beauliv attended a meeting with inspector Darren Brand (NSW Police) and chair of the Local Emergency Response Group. He is in the process of developing a Action Plan for vulnerable persons: During a Pandemic- are they getting easy access to vaccinations, shelter, medical? If not how to assist those in our community to receive help and we keep them safe
- Inspector Brand would like to get this plan adopted at the next Emergency Management meeting. Hodi requested the input of the group into this plan, discussions included:
  - A discussion followed on how best to keep those vulnerable safe and connected with groups that can provide support.
  - Discussion on those that due to COVID now choose to stay home hence no social interaction, how best to connect them back into community safely?
  - Nat and Michelle stated that we need to keep the children safe and well there are programs within both schools that assist with this.
  - Michelle felt that messages are becoming overkill in the media, we need to communicate effectively with spoken word.
  - We all need to consider 'how do we get universal messaging to those that are vulnerable such as: elderly alone in their homes, Farmers out on properties, those mentally or physically challenged?

Rachael also met with Inspector Darren Brand explaining the work of SCAIW and their interest in better understanding the Police role and processes in supporting women fleeing violence. Inspector Brand is to be invited to speak at our next meeting.

HOW BEST TO SPREAD THE MESSAGE THAT VIOLENCE IS NOT ACCEPTABLE.  
WHITE RIBBON DAYS help spread the word.

Rach collated all ideas we decided to have a community mail out program with information, a white balloon and ribbon and where to go if you or someone you know needs help.

Emma and Rach collated a flyer to distribute, Provide bunting and balloon to business houses asking them to promote this cause in their windows for 30<sup>th</sup> July.

Guy Fielding Euston club manager to be asked if he would like to be involved and include Euston in our letterbox mail out.

Maari Ma happy to pay for mail out to community.

Vinnies Conference to purchase 500 balloons from Baker & Glen also a couple spools of white ribbon.

Suggestion was made that we ask community to take a photo and post it to # ? Rach & Emma Mandy to work this out?

Committee agreed to meet Monday to fill envelopes ahead of letterbox drops.

Meeting closed 5:25pm

**7.4 LOCAL TRAFFIC COMMITTEE - 10 AUGUST 2021**

**File Number:** D21.55114

**Reporting Officer:** Ray Davy, Director Infrastructure & Development

**Responsible Officer:** Ray Davy, Director Infrastructure & Development

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**OFFICER RECOMMENDATION**

1. That the Minutes of the Local Traffic Committee meeting held on 10 August 2021 be received and the following recommendations be adopted:
  - (i) That Council write to Transport for NSW to advocate for an 80 kmh buffer speed zone on the western approach to Balranald
  - (ii) That Council make representations to Transport for NSW for the installation of overtaking lanes on SH14 between Euston and Gol Gol

**LOCAL TRAFFIC COMMITTEE**

The Balranald Local traffic Committee held its quarterly meeting on Tuesday 10 August 2021 and considered a number of matters including:

- .Traffic calming measures at Bertram and Taylor Roads, Euston
- Urban speed limit SH14 – request for 80 kmh buffer zone
- Mallee Highway/Yanga Way – National route designation (B12)
- Atlas-Campaspe Mineral Sands Project – road closures
- Safety upgrades on MR67
- Iluka West Balranald Mineral Sands Project
- Overtaking lanes on SH14
- Traffic safety at Cadell Orchard (MR694)
- Balranald Gypsum – proposed new development

Minutes of the meeting are attached.

**ATTACHMENTS**

1. Local Traffic Committee Meeting - Minutes - 10 August 2021 [↓](#)

**BALRANALD SHIRE COUNCIL****Minutes of the Local Traffic Committee meeting 10 August 2021****1. ATTENDANCE**

Ray Davy, BSC (Chair)  
Insp Darren Brand (Police) on Zoom  
David Vant (TfNSW)  
Lisa Kennedy (TfNSW)  
Margie Van Zanten

**2. APOLOGIES**

Nil

**3. MINUTES**

Minutes of the meeting of the Committee on 11 May 2021 were endorsed with the correction that Margie Van Zanten was incorrectly noted as an apology.

**4. BUSINESS CARRIED FORWARD****4.1 Traffic calming measures at Bertram and Taylor Roads, Euston**

RD reported positive community feedback in relation to the installation of speed thresholds. DB and MVZ reported that they had found thresholds effective.

DV advised that Council can install reminder 80 km/h signs on SH14 and should submit a quotation for the works to TfNSW

**4.2 Urban speed limit SH14 – request for 80 km/h buffer zone**

The Committee confirmed its support for an 80 km/h buffer speed zone on the western approach to Balranald and recommended that Council write to TfNSW to advocate this. DB advised that local police would be supportive but was unable to state an official Departmental position.

**4.3 Mallee Highway/Yanga Way – National route designation (B12)**

RD reported that a proposal for a uniform corridor strategy (including consistent route marking signage) for the Mallee Highway/Yanga Way had the support of the Central Murray Regional Transport Forum and all Councils along route in three States. Council will continue advocacy of this to TfNSW.

**4.4 Atlas-Campaspe Mineral Sands Project – road closures**

RD reported that Stage 1 closure (Magenta-Wampo Road between the mine site and Boree Plains-Gol Gol Road) was currently in place. The next stage will be constructed under traffic management as no practicable alternate route exists. The Company and contractor have not advised any planned closures between now and the next meeting.



**4.5 Safety upgrades on MR67**

Upgrading of road furniture (signs, line marking and reflective pavement markers) on that part of MR67 that comprises the haul route to Ivanhoe has been completed and centrelines refreshed on the balance of the route.

Council has written to TfNSW seeking support for funding to rectify a 4km section that is below the legal minimum width for edge lines.

**5. NEW BUSINESS****5.1 Iluka West Balranald Mineral Sands Project**

RD reported that the Company expects work to commence by August 2022 with a new access and haul road to be constructed approximately 10km north of Balranald on MR67. Council is concerned that a proposed reallocation of the regional road designation from Mayall Street to the McCabe Street bypass should be in place before haulage commences, and notes that this will require modification to the McCabe/Market Street intersection to facilitate right turning movements into Market Street.

DV advised that Council should write to TfNSW to advance the proposal to the reclassification process currently under way. RD to contact Jodi McIntyre.

**5.2 Overtaking lanes on SH14**

The Committee gave its support to Council's Euston Progressive Advisory Committee request that Council make representations to TfNSW for the installation of overtaking lanes on SH14 between Euston and Gol Gol.

**5.3 Traffic safety at Cadell Orchard (MR694)**

RD had circulated an email from Australian Farming Services raising concerns about the safety of farm workers turning into Cadell Orchard at the start of the daily shift. RD/DV/LK to inspect following the meeting.

[Post meeting note: It was agreed on site that there was insufficient case for any road modifications but that "Turning Traffic" or similar warning signs be erected – RD/DV to liaise on procurement and installation.]

**6. MATTERS FOR INFORMATION ONLY****6.2 Balranald Gypsum – proposed new development**

RD briefed the Committee on a proposal by Balranald Gypsum to open a new extraction site approximately 10km north of Balranald, and the temporary use of an existing mine access road.

**7. GENERAL BUSINESS****7.1 Proposed familiarisation tour TfNSW Western**

DV advised that TfNSW Western intends to bring a contingent of staff to Balranald and Wentworth in conjunction with the November meeting for a familiarisation tour over approximately one week.

**7.2 Council General Manager**

RD advised that General Manager Oliver McNulty had resigned and that Glenn Wilcox had been appointed as interim Acting GM from 19 August 2021.

**7.3 Highway Patrol arrangements**

DB advised that regional Highway Patrol command had been relocated from Dareton to Broken Hill with a new Sergeant in command to commence shortly.

**8. NEXT MEETING**

The next meeting will be held on Tuesday 9 November 2021 commencing at 12.30pm.

**7.5 GROWING BUSINESS INDUSTRY & TOURISM ADVISORY COMMITTEE MEETING  
HELD ON 10 AUGUST 2021**

**File Number:** D21.55115

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

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

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**OFFICER RECOMMENDATION**

That Council

1. Receives and notes the Minutes of the Growing Business Industry & Tourism Advisory Committee (GBITAC) meeting held on 10 August 2021 be received noted.
2. Invite Celeste Swain, Water Infrastructure NSW to address the GBITAC September meeting with the purpose of updating the committee on Balranald Weir Project.

**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 10 August 2021.

The GBIT Advisory Committee meeting was held in Council Chambers on 10 August 2021 and discussed the following items;

- Approach David Eastburn requesting him to develop a detailed proposal for the design and production of plaques commemorating the Balranald Shire's early pastoral stations and their history to be considered by Council and GBITAC. – Hodi advised that a letter has been written to David.
- GBITAC Annual Plan has been placed on hold due to Covid impacting on travel to other locations.
- Resignation of Robin Davis – letter of acknowledgement has been sent from Council.
- Murrumbidgee Classic Fishing Competition AGM Report – Linda Nelson has been accepted onto the committee as GBIT Representative. The plan is to hold a fishing classic event in 2023.
- Mega Murals – Discussions regarding murals for both Balranald and Euston were held and committee agreed a strategy would be needed.
- SmartHub – something similar could be established in Balranald.
- History project – Videos featuring locals that have a deeper historical connection to the development of the township of Euston.
- Recruitment processes continue when the Interim General Manager commences.

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Recommendations to Council

- The committee fully supports the establishment of a weir able to hold useable water in Yanga Lake and seeks Council's ongoing support for the project.
- Council invite Celeste Swain, Water Infrastructure NSW to address the GBITAC September meeting with the purpose of updating the committee on Balranald Weir project.

**ATTACHMENTS**

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

CHAIR: Peter Lawler

MINUTES OFFICER: Hodi Beauliv /Simone Carmichael

[These minutes include LINKS that offer additional information on topics discussed.](#)

| AGENDA ITEM                       | DISCUSSION                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.                                | <b>Meeting commenced at 5:30pm – Council Chambers</b><br><b>Attendees:</b> Peter Lawler (Chair), Simone Carmichael arrived 5:40pm, Guy Fielding (zoom), Iain Lindsay-Field (via Zoom), Dianne Williams (via Zoom), Adrian Gorman, Sam Papa, Linda Nelson (via Zoom) arrived 5:45pm, Mike Colreavy (BSC Administrator), Ray Davy (BSC Director Infrastructure) left early, Hodi Beauliv (BSC Director Corporate and Community Development) |
| 2.                                | <b>Acknowledgement of country:</b> Iain L-F                                                                                                                                                                                                                                                                                                                                                                                               |
| 3.                                | <b>Apologies:</b>                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 4.                                | <b>Disclosures of Interest:</b> Nil                                                                                                                                                                                                                                                                                                                                                                                                       |
| 5.                                | <b>Confirm Previous Minutes are True &amp; Correct:</b><br>July Minutes confirmed, (Moved: Sam P, Seconded: Guy F)                                                                                                                                                                                                                                                                                                                        |
| 6.                                | <b>Business Arising from Minutes</b>                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                   | 6.i (July 6.iv) – Discovery Centre - Iain asked where the Discovery Centre development is up to. Ray Davy advised architect has completed the revised drawings and Ollie and Hodi are reviewing.<br><br>6.ii (July 9.i) – Windlab Proposal – request for contact details for Lisa Mangelsdorf on project, Iain keeping in touch with her. First drop-in info session saw about 10 people.                                                 |
| <b>ACTION</b>                     | <b>NIL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>RECOMMENDATIONS TO COUNCIL</b> | <b>Who:</b>                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                   | <b>When:</b>                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 7.                                | <b>Reports from Council</b>                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                   | Resolution 2021/108 from July GBITAC meeting;<br>2. Approach David Eastburn requesting him to develop a detailed proposal for the design and production of plaques commemorating the Balranald Shires' early pastoral stations and their history to be considered by Council and GBITAC.<br><br>Hodi advised Ollie has written to David Eastburn and is awaiting his response.                                                            |
| <b>ACTION</b>                     | <b>NIL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>RECOMMENDATIONS TO COUNCIL</b> | <b>Who</b>                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                                   | <b>When</b>                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 8.                                | <b>GBITAC Annual Plan check-in</b>                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                   | The annual plan is currently stalled. Ollie was driving the 'Project HQ' project, covid impacting on travel to other locations.                                                                                                                                                                                                                                                                                                           |
| 9.                                | <b>New Business</b>                                                                                                                                                                                                                                                                                                                                                                                                                       |

**9.1 Resignation of Robyn Davis from the GBITAC**

Letter received from council advising Robyn's resignation. Ollie has written to Robyn thanking her for her contribution to the GBITAC.

**9.2 Murrumbidgee Classic Fishing Competition AGM report**

Linda Nelson has been accepted on the Classic committee as GBITAC representative. The meeting was very well attended with a new committee elected. She advised the new Classic office bearers as follows;

President – Marshall Bodinnar

Treasurer – Ashlea Bodinnar

Secretary – Helen Dowling

Vice President – Wayne Beer

The plan is to hold the next Classic in 2023 and involve other community groups and businesses. Peter L has contacted Marshall Bodinnar to offer GBITAC support as it is recognized as a major tourism event for the shire.

**9.3 Mega Murals <https://www.facebook.com/Mega-Murals-107297588251313> (Linda)**

Linda came across a business offering mural painting services and thought it was something that would enhance Balranald Shire. Hodi gave examples from other towns including Wedderburn's "[Birds Eye View](#)" murals highlighting the attraction of a series of murals with a theme. Guy suggested Regent Parrots for Euston utilizing the town water towers and possibly Frogs for Balranald. It was agreed that a strategy would be needed.

**9.4 Notice of Motion – Adrian Gorman**

***This committee fully supports the establishment of a weir able to hold useable water in Yanga Lake.***

Discussion held and slight amendment made to Adrian's motion to include council support as in recommendation to council below. The amended motion was **Moved Adrian, Seconded Sam. Accepted unanimously.**

**9.5 Notice of Motion – Simone Carmichael**

***Council invite Celeste Swain, Water Infrastructure NSW SDLAM Project Manager Yanga & Millewa Supply Project, to address the GBITAC September meeting with the purpose of updating committee on the Balranald Low-Level Weir project.***

Discussion held and Simone explained how Water NSW are assessing the feasibility of raising the weir and including it as a [Sustainable Diversion Limit Adjustment Mechanism](#) (SDLAM) project. Adrian requested the reference to "Low-Level" be removed. The amended motion, as stated in recommendation to council below, was **Moved Simone, Seconded Linda. Carried unanimously**

|                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                    |                                   |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------|
| <b>ACTION</b>                     | <b>9.3 – investigate services and costs from Mega Murals.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Who - Linda</b> | <b>When – before next meeting</b> |
| <b>RECOMMENDATIONS TO COUNCIL</b> | <b>9.4 This committee fully supports the establishment of a weir able to hold useable water in Yanga Lake and seeks councils ongoing support for the project.</b><br><br><b>9.5 Council invite Celeste Swain, Water Infrastructure NSW, to address the GBITAC September meeting with the purpose of updating committee on the raising Balranald Weir project.</b><br>GBITAC Sept Meeting: 7 <sup>th</sup> Sept, 5:30pm Council Chambers.<br>Celeste Swain, Email: celeste.swain@dpie.nsw.gov.au, Address: 6 Stewart Avenue, Newcastle West NSW 2302, PO Box 2213 Dangar 2309. |                    |                                   |

**10. Items Without Notice (General Business)****10.1 – SmartHub – Iain L-F**

Iain explained the concept for a home for entrepreneurs to support business start-up and provide resources required for their success. He explained the Rockhampton model and their [2021-2023 Operational Plan](#) was tabled (attached). Iain suggested something similar could be established in Balranald, possibly in the Royal Theatre buildings, tailored to our smaller community and utilizing the NBN internet service for online businesses and remote mentoring.

Hodi provided some local examples;

- Mildura – Steve Timmis – Fossey’s Ginporium – Business Incubator, The Setts Business Centre
- Swan Hill – Mallee Rising - launchpad for entrepreneurship, including digital innovation in Australia, <https://malleerising.com.au/> Ph: 0473 069755
- Castlemaine - Kerry Anderson – Author, speaker, facilitator - New book “Australian Rural Entrepreneurs” <http://www.kerryanderson.com.au/>

### 10.2 – History Project – Guy F

Following on from the proposal for plaques commemorating the early pastoral properties in the shire, Guy advised the committee of a proposal from the Euston Historical Society for the production of 20 videos featuring locals that have a deeper historical connection to the development of the township of Euston (attached). Guy suggested funding could be sought to include Balranald or somehow incorporate the two projects.

### 10.3 – Recruitment – Peter L

Peter enquired if the locum GM, Glen Wilcox, will continue the recruitment of key staff including the Tourism Manager. Mike advised that Glen will start at BSC on the 20<sup>th</sup> August initially for 6 months with the hope that recruitment will continue uninterrupted but that is the acting GM’s call. The administrator has the authority to extent acting GM to 12 months. Mike advised that the Advisory Committee Chairs will be invited to a meet and greet after the next general council meeting.

Hodi advised that interviews are underway for the Tourism Manager’s position.

|                                   |                                                                            |            |             |
|-----------------------------------|----------------------------------------------------------------------------|------------|-------------|
| <b>ACTION</b>                     | <b>NIL</b>                                                                 | <b>Who</b> | <b>When</b> |
| <b>RECOMMENDATIONS TO COUNCIL</b> | <b>NIL</b>                                                                 |            |             |
| <b>11.</b>                        | <b>MEETING CLOSED – 6:40pm Next Meeting Tues 7<sup>th</sup> September.</b> |            |             |

**GENERAL MANAGER'S REPORTS (INCORPORATING ALL STAFF REPORTS)****PART A – ITEMS REQUIRING DECISION****8 GENERAL MANAGER'S REPORTS****8.1 DELEGATION OF APOINTMENT OF INTERIM ACTING GENERAL MANAGER**

|                                    |                                                                                                |
|------------------------------------|------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.55076</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 pursuant to section 351(1)(a) of the Local Government Act 1993, approve the Interim Acting General Manager, Mr Glenn Wilcox to act in the role of General Manager and delegate the powers, authorities, duties and functions as set out in the Instrument of Delegation to the General Manager from Friday 20 August 2021.

**PURPOSE OF REPORT**

To appoint an Acting General Manager for a period of at least 6 months.

**REPORT**

Due to the recent resignation of General Manager, Mr Oliver McNulty Council has appointed Mr Glenn Wilcox as an Interim Acting General Manager for a period of at least 6 months until the recruitment process has been completed.

To enable the administration of Council to operate efficiently and effectively, the Act enables Council to delegate, by resolution, any of its functions to the General Manager, except for those functions set out section 377(1)(a) to (u) of the Act. The appointment of the General Manager is a non-delegable function, meaning that Council is unable to delegate to the General Manager the ability to appoint another Council officer to act in that role.

The role of a council's General Manager is outlined at section 335 of the *Local Government Act 1993* ("the Act"), which provides:

*The general manager of a council has the following functions:*

- (a) to conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council,*
- (b) to implement, without undue delay, lawful decisions of the council,*
- (c) to advise the mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the council,*
- (d) to advise the mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to the council,*
- (e) to prepare, in consultation with the mayor and the governing body, the council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report,*



*(f) to ensure that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions,*

*(g) to exercise any of the functions of the council that are delegated by the council to the general manager,*

*(h) to appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the council,*

*(i) to direct and dismiss staff,*

*(j) to implement the council's workforce management strategy,*

*(k) any other functions that are conferred or imposed on the general manager by or under this or any other Act*

**FINANCIAL IMPLICATION**

Budgeted

**LEGISLATIVE IMPLICATION**

*Section 351 - Local Government Act 1993*

**POLICY IMPLICATION**

Nil

**RISK RATING**

Low

**ATTACHMENTS**

Nil

**8.2 CEMETERY POLICY**

|                                    |                                                                                                |
|------------------------------------|------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.54992</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. Remove the large statue currently located within the lawn cemetery that is not in keeping with the style and intent of the Lawn Cemetery.
3. Consult with the family that have erected the large statue to find a more suitable location for the statue and erect it for them in the new location.

**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 made 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 had 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.

After consideration of the policy and manual, at the June Ordinary meeting Council resolved to defer any resolution being made until an inspection of the Cemetery is conducted with Administrator and relevant Staff.

The Administrator and General Manager attended the cemetery to inspect the monument that raised concerns within the community. From the inspection it was noted that the monument was not in keeping within the intent of the Lawn Cemetery and has been recommended that it is removed and a more suitable alternate location be provided in consultation with the family.

The Administrator and General Manager have inspected the Cemetery since that meeting; therefore it is now brought back to Council for consideration.

**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** [↓](#)

2. Amended Cemetery Operating Manual [↓](#)

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

### 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 Council's 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              | 2.0                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 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 Management Act 2016</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

- 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 insitu 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-snipppers 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 or 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.*



**8.3 DONATION REQUEST - LODGE BALRANALD NO. 214.**

|                                    |                                                                                                                  |
|------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.54990</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 4: Our Culture – A community that respects and celebrates its diverse cultures, heritage and arts.</b> |

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**OFFICER RECOMMENDATION**

That Council approves the request for a donation of \$500 to Balranald Lodge No. 214 Incorporated.

**PURPOSE OF REPORT**

To advise Council of a donation request received seeking financial assistance of \$500 towards the Rates for 2021-2022.

**REPORT**

Council has received a request from Balranald Lodge 214 seeking financial support of \$500.

Lodge Balranald 214 financially assists schools with awards and sporting events, and assists families who are experiencing hardship and/or health issues. In the past Council has credited \$500 off the Lodge Rates through this community donation system. A similar request was approved in August 2020.

Lodge Balranald 214 property at 99 Church Street is rated as a category B, Business, although the lodge functions as a not-for-profit community organisation.

The guide lines in Councils Donation Policy are as follows;

- Organisations must be incorporated and formally structured to service the residents in Balranald Shire Council area and be based in Balranald Shire or alternatively have a regional focus that will benefit the residents within the Shire.
- Organisations must be a non-profit group involved in cultural, tourism, sporting, educational, health or community affairs.
- Requests for donations to charities/organisations registered outside the Balranald Shire area will not be considered.
- Council will consider one off contributions to other areas as a result of natural disaster.
- Organisations are required to complete Council's donation application form to have their request considered.
- A maximum of \$500 per annul applies for organisations.

Officers have made an assessment of this request in line criteria set out within Councils Donation Policy and are recommending approval of this request.

**FINANCIAL IMPLICATION**

Should Council approve the request of \$500, there will be a remaining balance of \$11,760.00 within the Community Donation.

**LEGISLATIVE IMPLICATION**

Nil

**POLICY IMPLICATION**

Donation Policy

**RISK RATING**

Nil

**ATTACHMENTS**

1. Lodge Balranald - Donations Application Form 2021 [!\[\]\(c6a8736a601a632e2c96605cf66055ed\_img.jpg\)](#)



# Donations Application Form

Address applications to:  
General Manager  
Balranald Shire Council  
PO Box 120  
BALRANALD NSW 2715

## Privacy Management

Information provided in this form is required in order to process the application. Provision of the information is voluntary; however, if insufficient information is provided, Council will be unable to process the application. The information will be available to authorised officers and may be made available to public enquiries under Government Information (Public Access) Act 2009.

|     | Info | Reply | Report | Discuss |
|-----|------|-------|--------|---------|
| GM  |      |       |        |         |
| DID |      |       |        |         |

Received 15 JUL 2021 11.27am  
DCCD  
File No.

*Letting  
delong*

## GUIDELINES FOR APPROVAL OF COUNCIL DONATIONS

Council's donation program is a opportunity to give funding and recognition to individuals, community groups and organisations that play an important part in helping develop the region's environmental sustainability, community wellbeing, economic prosperity and cultural life.

Council donations generally do not apply to individuals however in certain circumstances donations may be provided.

Organisations will be eligible for a maximum of \$500 per financial year. Applications are required to meet eligibility criteria outlined in Council's Donations Policy.

More information regarding this funding can be requested by contacting Council's Director of Corporate & Community Services, on (03) 5020 1300.

### 1. Community group or organisation details

Please note, to avoid duplication, the details provided below will become your organisation's principle contact for all correspondence relating to the Donations Programme.

Community group or organisation: Lodge Balranald N° 214

Postal address: PO Box 40 Balranald NSW 2715

Contact person: Bill Harben

Position: Secretary Telephone No: 0429 201 003

E-mail address: wharben@bigpond.net.au

### 2. Objectives of your community group or organisation:

Build a better world by building better men to work in their communities by making a worthwhile contribution to Society.

### 3. Is your organisation not for profit?

☒ Yes / No



4. Is your organisation registered for GST? Yes / No (please circle)

5. ABN Number (if applicable): N/A

6. Project or Event Name: Support youth tertiary education and family bereavement needs

7. Amount Requested \$: 500.00

8. Is the project still viable if your community group or organisation receives less than the requested amount?  
Provide reason

Yes, although will be more selective: Pandemic restrictions have limited internal fundraising.

9. If income exceeds expenses what will happen to the excess funds?

There will be no excess funds due to cost of rates, insurance and building and grounds maintenance.

10. Project Details – please complete the section below or attach a copy of your event plan

| Brief project description                                                                           |                   |                                                                                            |                                                                               |
|-----------------------------------------------------------------------------------------------------|-------------------|--------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| What are you going to do?                                                                           |                   | Survive financially in order to continue providing charitable assistance to the community. |                                                                               |
| When are you going to do it?                                                                        |                   |                                                                                            |                                                                               |
| Where are you going to do it?                                                                       |                   |                                                                                            |                                                                               |
| Who is involved?                                                                                    |                   |                                                                                            |                                                                               |
| Why are you doing it?                                                                               |                   |                                                                                            |                                                                               |
| Start Date                                                                                          |                   | Finish Date                                                                                |                                                                               |
| List each component of your project                                                                 |                   |                                                                                            |                                                                               |
| Lodge property at 99 Church St                                                                      |                   | Cost of component                                                                          | Amount requested from Council                                                 |
| is rated as a Category B                                                                            |                   | Rates                                                                                      |                                                                               |
| Business address, although the                                                                      |                   | \$ 450 + Base Rate                                                                         | \$                                                                            |
| lodge functions as a not-for-profit                                                                 |                   | \$ 1300 + Rate Category                                                                    | \$ 500.00                                                                     |
| community organisation                                                                              |                   | \$                                                                                         | \$                                                                            |
| TOTAL (include gst)                                                                                 |                   | \$                                                                                         | \$                                                                            |
| Please list any funding your organisation has received in the past 18 months (Council and External) |                   |                                                                                            |                                                                               |
| Date funding received                                                                               | Amount of funding | Purpose of funding                                                                         | Have you met all the acquittal conditions of previous funding?                |
| 2020/2021                                                                                           | 500.00            | Reduce rates expense                                                                       | Yes - \$500 was credited to Lodge Rate instalments in previous financial year |

Name: Bill Harben

Position: Secretary

Signature: [Signature]

Date: 15/7/2021

Name: Russell Bodinnar

Position: Treasurer

Signature: [Signature]

Date: 15/7/2021

**8.4 DONATION REQUEST - CANASSIST**

|                                    |                                                                                                                  |
|------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.55078</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 4: Our Culture – A community that respects and celebrates its diverse cultures, heritage and arts.</b> |

---

**OFFICER RECOMMENDATION**

That Council approves the donation request of \$500 to Balranald branch CanAssist.

**PURPOSE OF REPORT**

To advise Council of a donation request received from CanAssist seeking funding of \$500.

**REPORT**

Council has received a donation application form from Balranald Branch CanAssist seeking financial support. Council considers donation applications August and February of each financial year.

Balranald CanAssist provides financial assistance and support for cancer patients and their families within the Balranald District.

The branch is run purely by donations and fundraising. Then administration and executive committee are volunteers only. They have requested this financial assistance to help with the printing costs of flyers and pamphlets, this will enable them to get the word out about their services to patients that may not be aware of this great committee.

The committee were advised by Sydney head office that all branch fundraising were to cease in 2020 due to COVID-19. In 2021, it is still an upward climb for them as a branch and the organisation as a whole. Although being in a COVID free area, restrictions have returned and they have had to close their bookshop, which does bring in small amounts of income.

The guide lines in Councils Donation Policy are as follows;

- Organisations must be incorporated and formally structured to service the residents in Balranald Shire Council area and be based in Balranald Shire or alternatively have a regional focus that will benefit the residents within the Shire.
- Organisations must be a non-profit group involved in cultural, tourism, sporting, educational, health or community affairs.
- Requests for donations to charities/organisations registered outside the Balranald Shire area will not be considered.
- Council will consider one off contributions to other areas as a result of natural disaster.
- Organisations are required to complete Council's donation application form to have their request considered.
- A maximum of \$500 per annul applies for organisations.

Officers have made an assessment of this request in line criteria set out within Councils Donation Policy and are recommending approval of this request.

**FINANCIAL IMPLICATION**

Should Council approve the request of \$500, there will be a remaining balance of \$11,160.00 within the Community Donation.

**LEGISLATIVE IMPLICATION**

Nil

**POLICY IMPLICATION**

Donation Pollicy

**RISK RATING**

Low

**ATTACHMENTS**

1. Donation Application - Page 1 - CanAssist [↓](#)
2. Donation Application - Page 2 - CanAssist [↓](#)



## Donations Application Form

Address applications to:  
General Manager  
Balranald Shire Council  
PO Box 120  
BALRANALD NSW 2715

### Privacy Management

Information provided in this form is required in order to process the application. Provision of the information is voluntary; however, if insufficient information is provided, Council will be unable to process the application. The information will be available to authorised officers and may be made available to public enquiries under Government Information (Public Access) Act 2009.

### GUIDELINES FOR APPROVAL OF COUNCIL DONATIONS

Council's donation program is a opportunity to give funding and recognition to individuals, community groups and organisations that play an important part in helping develop the region's environmental sustainability, community wellbeing, economic prosperity and cultural life.

Council donations generally do not apply to individuals however in certain circumstances donations may be provided.

Organisations will be eligible for a maximum of \$500 per financial year. Applications are required to meet eligibility criteria outlined in Council's Donations Policy.

More information regarding this funding can be requested by contacting Council's Director of Corporate & Community Services, on (03) 5020 1300.

#### 1. Community group or organisation details

Please note, to avoid duplication, the details provided below will become your organisation's principle contact for all correspondence relating to the Donations Programme.

Community group or organisation: Can Assist (Balranald Branch)

Postal address: PO Box 230, Balranald, NSW 2715

Contact person: Jenny Blake (President) 0427 517194, Tina Powis (Secretary) 0487 166070

Position: Alison Linnell (Treasurer) Telephone No: 0427 502019

E-mail address: jennyblake63@outlook.com or tina10@actv8.net.au

#### 2. Objectives of your community group or organisation:

To provide financial assistance and support to cancer patients and their families

3. Is your organisation not for profit? ☒ Yes ☐ No

4. Is your organisation registered for GST? Yes / No (please circle)

5. ABN Number (if applicable): 76 000 412 715

6. Project or Event Name: Can Assist - We can help.

7. Amount Requested \$: 500

8. Is the project still viable if your community group or organisation receives less than the requested amount?  
Provide reason

\*

The Branch is always grateful for any donation it receives

9. If income exceeds expenses what will happen to the excess funds?

Every dollar this Branch receives or has goes to patients and their families

10. Project Details – please complete the section below or attach a copy of your event plan

|                                     |                                                                                        |                               |
|-------------------------------------|----------------------------------------------------------------------------------------|-------------------------------|
| Brief project description           | Provide information either via pamphlets or advertising to let people know we can help |                               |
| What are you going to do?           | As soon as possible                                                                    |                               |
| When are you going to do it?        | Throughout the Balranald District                                                      |                               |
| Where are you going to do it?       | The Executive Committee                                                                |                               |
| Who is involved?                    | To help those in need who may not be aware of the assistance the Branch provides       |                               |
| Why are you doing it?               |                                                                                        |                               |
| Start Date                          | <u>2021</u>                                                                            | Finish Date <u>2022</u>       |
| List each component of your project | Cost of component                                                                      | Amount requested from Council |
| <u>Advertising the Branch</u>       | <u>\$250</u>                                                                           | <u>\$</u>                     |
| <u>Printing of flyers etc.</u>      | <u>\$250</u>                                                                           | <u>\$</u>                     |
|                                     | <u>\$</u>                                                                              | <u>\$</u>                     |
|                                     | <u>\$</u>                                                                              | <u>\$</u>                     |
|                                     | <u>\$</u>                                                                              | <u>\$</u>                     |
| TOTAL (include gst)                 | <u>\$</u>                                                                              | <u>\$</u>                     |

\*Donations only

The Branch is run purely by donations only and all administration by volunteer Executive Committee

Name: Tina Powis

Position: Secretary

Signature: T. Powis

Date: 9/7/2021

Name: Alison Linnett

Position: Treasurer

Signature: A. Linnett

Date: 9. July 2021.

Following the guidelines issued by our Sydney Head Office all the Branch fundraising ceased in 2020 due to COVID-19. It was difficult to work out how the Branch was to continue supporting cancer patients and their families during that year. However, kind donations were received to help the Branch continue.

In 2021, it is still an upward climb for us as a Branch and the organisation as a whole. With 54 branches in the state, some of which are in hot spot areas of New South Wales, we have been one of the luckier ones being in a COVID free area. However, times have changed again with the return of restrictions due to COVID-19. In accordance with Head Office guidelines the Book Shop will remain closed for the present time. The income from this valuable source has of course now ceased. We, as a Branch, still intend to keep on providing assistance to as many families as we can, but the concern for us is there could be families out there who may not be aware of the help we can give them at such a difficult time. Your assistance in granting this donation to the Branch will help to extend the helping hand, by providing information via our pamphlets or advertising in the local outlets.

**9 CORPORATE & COMMUNITY SERVICES REPORTS**

Nil

**10 INFRASTRUCTURE & DEVELOPMENT REPORTS****10.1 DA 15/2021 - PROPOSED STEPS AND PONTOON - 3 BATES DRIVE EUSTON**

|                                    |                                                                                                                     |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.54715</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 &amp; Development</b>                                                          |
| <b>Applicant:</b>                  | <b>William Vandenberg</b>                                                                                           |
| <b>Owner:</b>                      | <b>Mr W.R. &amp; Mrs D.E. Vandenberg</b>                                                                            |
| <b>Proposal:</b>                   | <b>Steps on River Bank and Floating Pontoon</b>                                                                     |
| <b>Location:</b>                   | <b>3 Bates Drive, Euston NSW 2737</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**

(Division)

That Council approve Development Application 15/2021 for the installation of steps on the river bank and a floating pontoon on Lot 3 DP 1123942, 3 Bates Drive Euston, subject to the following conditions:

**Balranald Shire Council:**

1. The development authorised by this consent must be carried out in accordance with the conditions of this consent and the listed approved documents:
  - a. Site Plan
  - b. Tonkin Consulting Plans – Project Number 202625, Revision 1, Sheets S00, S01, S02, S03, S04 & S05
  - c. Statement of Environmental Effects – Construction of New Steps
  - d. Statement of Environmental Effects – Proposed Pontoon

Where there is inconsistency between the Statement of Environmental Effects and supporting documentation and the conditions of approval, the conditions of approval prevail to the extent of the inconsistency.

Reason: To confirm and clarify the terms of consent

2. No alteration to approved plans and specifications is allowed unless separately approved by Council.

Reason: Statutory Compliance

3. This approval does not authorise the damage, destruction, altering, moving or other harms to any aboriginal cultural heritage in relation to carrying out the proposal.

A separate application under Part 6 of the National Parks & Wildlife Act 1974 must be made where harm to an Aboriginal object or Aboriginal place cannot be avoided. This application must be approved by Heritage NSW prior to any harm occurring.

Reason: Statutory Compliance

4. 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.

Reason: Statutory Compliance

5. All building work shall be carried out in accordance with the provisions of the Local Government Act 1993, The National Construction Code 2019, and The Environmental Planning & Assessment Act 1979, regardless of any omission in the documentation submitted for approval.

Reason: Statutory Compliance

6. In addition to meeting any specific performance criteria established under other conditions of this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction and operation of the development.

Reason: Environmental Amenity

7. All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding area from windblown dust, debris, noise and the like during the works and operation of the development.

Reason: Health and Amenity

8. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations.

Reason: Statutory Compliance

9. 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.

Reason: Statutory Compliance

#### **NSW Department of Primary Industries - Fisheries:**

10. The applicants will need to obtain a permit under the Fisheries Management Act or the Water Management Act if there is to be any excavation within or filling of the waterway.
11. If any ground disturbance is to take place, erosion and sediment mitigation devices are to be erected in a manner consistent with currently accepted Best Management Practice (ie Managing Urban Stormwater: Soils and Construction 4th Edition Landcom, 2004) to prevent the entry of sediment into the waterway prior to any earthworks being undertaken. These are to be maintained in good working order for the whole duration of the works and subsequently until the site has been stabilised and the risk of erosion and sediment movement from the site is minimal. Exposed soil is to be reseeded or turfed.

Reason – To ensure that sediment generated by the exposure of soil is not transported into the main water body.



12. On completion of the works, the site is to be rehabilitated and stabilised. Surplus construction materials and temporary structures (other than silt fences and other erosion and sediment control devices) installed during the course of the works are to be removed.

Reason – To ensure that habitats are restored as quickly as possible, public safety is not compromised and aesthetic values are not degraded.

13. Machinery is not to enter, or work from the waterway unnecessarily.

Reason – To ensure minimal risk of water pollution from oil or petroleum products and to minimise disturbance to the streambed substrate.

14. No snags (tree trunks, root balls, limbs, branches or other woody debris) in the channel or on the bank of the river are to be moved, removed or otherwise interfered with either during the construction phase or at any time subsequently, without the concurrence of Department of Primary Industries Fisheries.

Reason - "Removal of Large Woody Debris" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.

15. Native vegetation (including trees such as River Red Gum, Black Box and River Coobah, shrubs, reeds such as Phragmites and grasses) on or adjacent to the river bank is not to be cleared, modified or otherwise harmed at any time during the construction or at any time subsequently. This does not include control of noxious or other recognised weeds.

Reason – "Decline in native riparian vegetation" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.

16. The District Fisheries Officer at Dareton (Mobile: 0427 429 579, Email: <peter.heath@industry.nsw.gov.au>) is to be notified at least 3 days prior to the commencement of construction (email or fax preferred).

Reason - To ensure that the local Fisheries Officer is aware that work on the river bank is about to commence.

17. NSW Department of Primary Industries Fisheries is to be notified immediately if any fish kills occur in the vicinity of the works. In such a case all works are to cease until the issue is rectified and approval is given to proceed.

Reason – Department of Primary Industries Fisheries needs to be aware of fish kills so that it can assess the cause and mitigate further incidents in consultation with relevant authorities. They are also potentially contentious incidents from the public perspective. Work practices may need to be modified to reduce the impacts upon the aquatic environment.

#### **Natural Resources Access Regulator – General Terms of Approval:**

18. A controlled activity approval (CAA) under the Water Management Act 2000 will be required from Natural Resources Access Regulator prior to any work commencing. Once received the CAA will then be assessed and will be required to be issued prior to any works proceeding on site.

#### **NSW EPA:**

19. The proponent must take all necessary precautions and implement all practical measures that could be taken to prevent, control, abate or mitigate water pollution and protect human health and the environment from harm during the construction phase.

#### **Transport for NSW (formerly RMS):**

20. Each side of the pontoon orientated in the direction of the navigable channel must have red reflective material (e.g. discs) affixed.

21. A port top mark, in full compliance with IALA System A, must be placed on structure.

Note: A licence may be required from Transport for NSW Maritime Division for the proposed occupation of water by the structure pursuant to Clause 22 of the Marine Safety Regulation 2016 which includes provision to apply a fee equivalent to the market rate for the use of the waters.

## PURPOSE OF REPORT

To seek Council's approval to install a floating pontoon and steps on the bank of the Murray River, Lot 3 DP 1123942, 3 Bates Drive Euston.

## REPORT

Mr William Vandenberg has submitted a development application seeking consent to install a floating pontoon and steps on the bank of the Murray River on Lot 3 DP 1123942, 3 Bates Drive Euston.

Minimal land and vegetation disturbance is expected as the proposed is being installed in a bare area of the river bank.

The proposal is permissible with consent in accordance with the Land Use Table of the Balranald Local Environmental Plan 2010 for RU5 and W2 zoned land.

The proposal has been referred to required state government agencies. The application has also been advertised in accordance with Councils Community Participation Plan 2019 and Murray Regional Environmental Plan No. 2.

Description of Land: Lot 3 DP 1123942

Zone: Zone RU5 (Village) & W2 (Recreational Waterway)

### Planning Considerations

The land is dual zoned RU5 and W2 pursuant to Balranald Local Environmental Plan 2010 and the use of the land for this purpose is permissible with consent.

The proposal is Integrated Development and subject to the provisions of the Murray Regional Environmental Plan No. 2, necessitating referrals to:

- Natural Resource Access Regulator (formerly DPI Water)
- WaterNSW
- Crown Lands
- NSW EPA
- Murray Darling Basin Authority
- Transport for NSW (formerly RMS)
- Department of Primary Industries (Fisheries)

### Site Analysis

The area is the slope of the bank and channel of the Murray River, there is no requirement for vegetation removal to facilitate the proposal. The area is not identified as bush fire prone, however, it is identified as being in the flood planning area.

Access to the proposal is currently provided off Bates Drive.

Adjoining allotments are Zoned RU5 and are generally developed for residential purposes.

## 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

The proposal is permissible in accordance with the land use tables for RU5 and W2 zoned land under the Balranald Local Environmental Plan 2010 and consultation in accordance with the Murray Regional Environmental Plan No. 2 has been undertaken. Agency responses are included in this report and their conditions/comments have been taken into consideration in the draft conditions of consent.

## Impact of Development

### *Natural Environment*

The proposal is not likely to have significant impact on the natural environment of the area. The area has no significant vegetation on the bank or in the general area of the allotment. The proposal is not likely to impact threatened species due to the small area of the activity and the use of the wider area for residential purposes.

The proposal is not likely to contribute towards soil erosion, pollution or contamination of soil/water/air, due to the minor nature of the works and description of mitigation measures.

### *Built Environment*

The proposal will not adversely impact on the built environment. The surrounding area is substantially developed for residential purposes and some water recreational facilities. The proposal is not likely to significantly contribute to an increase in traffic volumes in the local area.

#### *Social Impacts*

There are no known items of heritage significance likely to be impacted upon in the immediate footprint of the proposal area. However, the development site is in a general location that is known for aboriginal occupation and has potential to hold cultural heritage and an unexpected finds protocol has been included in the draft conditions of consent.

The proposal is not likely to lead to significantly increased pressure on public infrastructure.

#### *Economic Impacts*

No significant economic impacts are expected due to the nature and small scale of the project.

#### *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 public infrastructure.

#### Submissions

The neighbour / public notification period concluded on the 29<sup>th</sup> July 2021 with no submissions received. Responses from state agency referrals are attached with a summary below.

| <b>Agency</b>                             | <b>Advice</b>                                                                |
|-------------------------------------------|------------------------------------------------------------------------------|
| Natural Resource Access Regulator         | Controlled Activity Approval required                                        |
| Water NSW                                 | Decision not required                                                        |
| Crown Lands                               | Referral rejected                                                            |
| NSW EPA                                   | No environmental protection licence required, comments provided              |
| Murray Darling Basin Authority            | No conditions required by authority                                          |
| Transport for NSW (formerly RMS)          | No objections, occupation of water way licence may be required from Maritime |
| Department Primary Industries (Fisheries) | Conditions provided                                                          |

#### 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 15/2021 be approved subject to conditions.

#### **FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Compliance with:

Environmental Planning & Assessment Act 1979

Fisheries Management Act 1994

Water Management Act 2000

Murray REP No. 2

Balranald LEP 2010

**POLICY IMPLICATION**

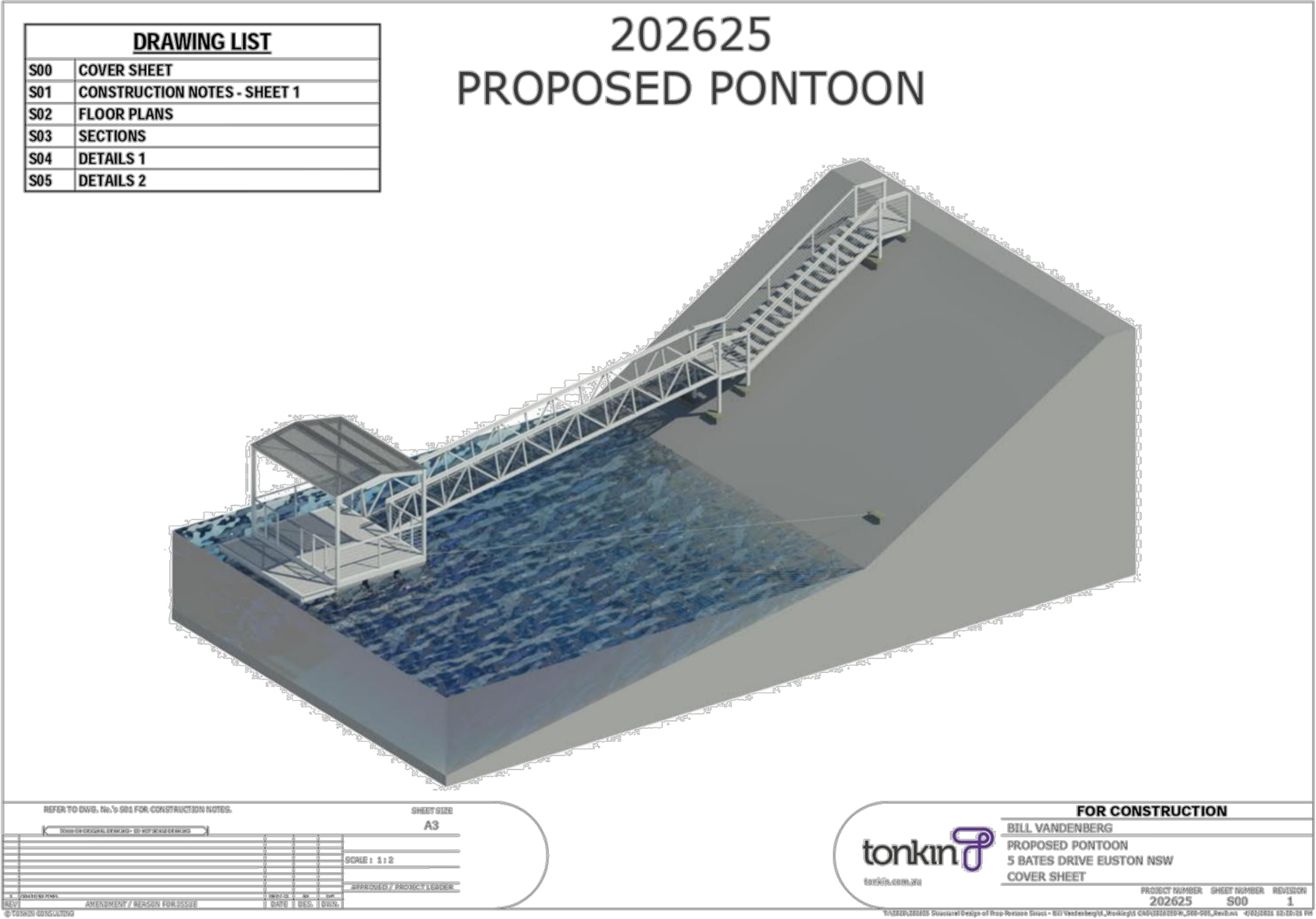
Nil

**ATTACHMENTS**

1. DA 15/2021 - Vandenberg - Proposed Steps and Pontoon - Site Plan [↓](#)
2. DA 15/2021 - Vandenberg - Proposed Steps and Pontoon - Plans [↓](#)
3. DA 15/2021 - Vandenberg - Proposed Steps and Pontoon - Steps SEE [↓](#)
4. DA 15/2021 - Vandenberg - Proposed Steps and Pontoon - Pontoon SEE [↓](#)
5. DA 15/2021 - Vandenberg - Proposed Steps and Pontoon - NRAR Response [↓](#)
6. DA 15/2021 - Vandenberg - Proposed Steps and Pontoon - EPA Response [↓](#)
7. DA 15/2021 - Vandenberg - Proposed Steps and Pontoon - MDBA Response [↓](#)
8. DA 15/2021 - Vandenberg - Proposed Steps and Pontoon - Transport for NSW Response [↓](#)
9. DA 15/2021 - Vandenberg - Proposed Steps and Pontoon - Fisheries Response [↓](#)





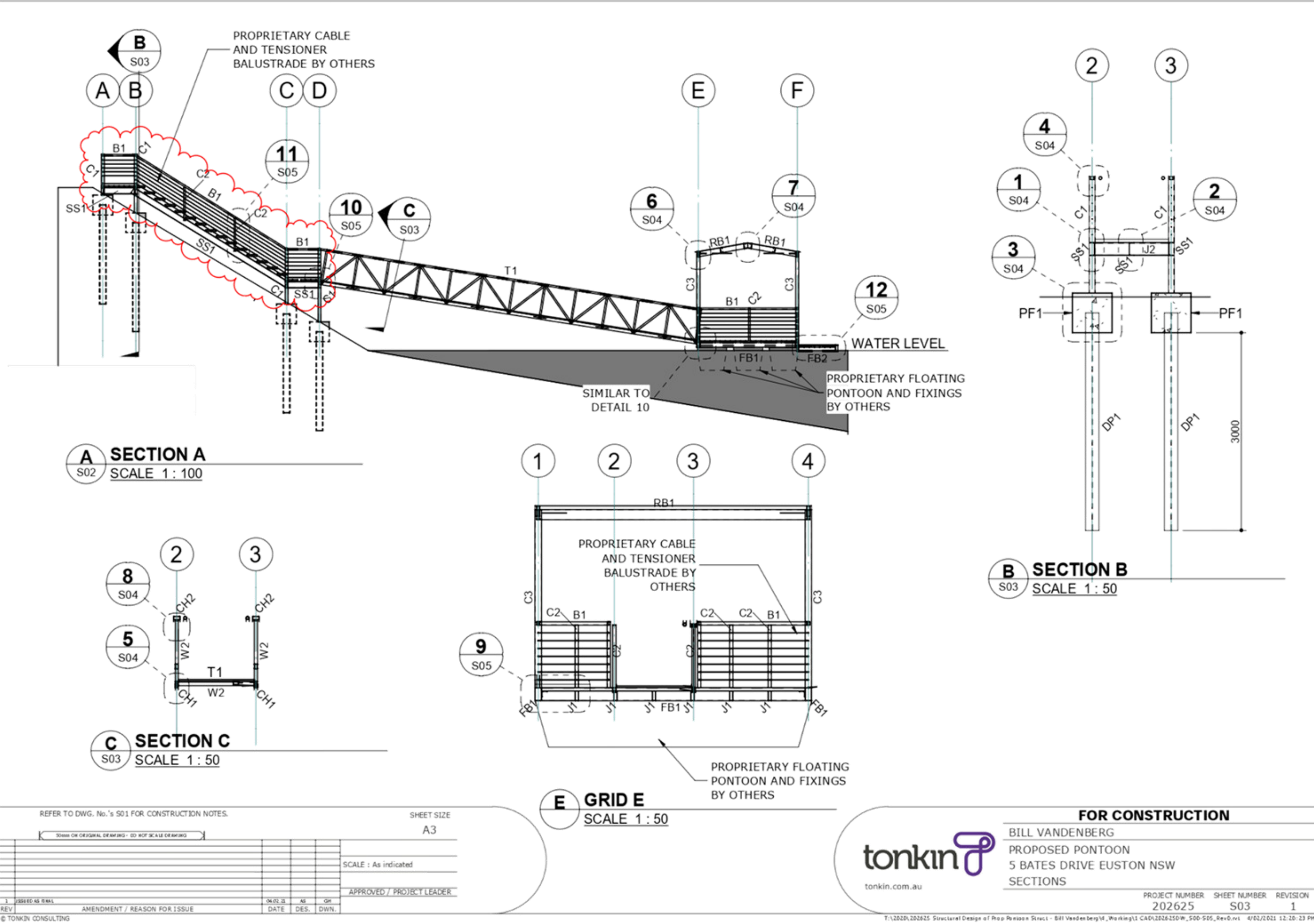


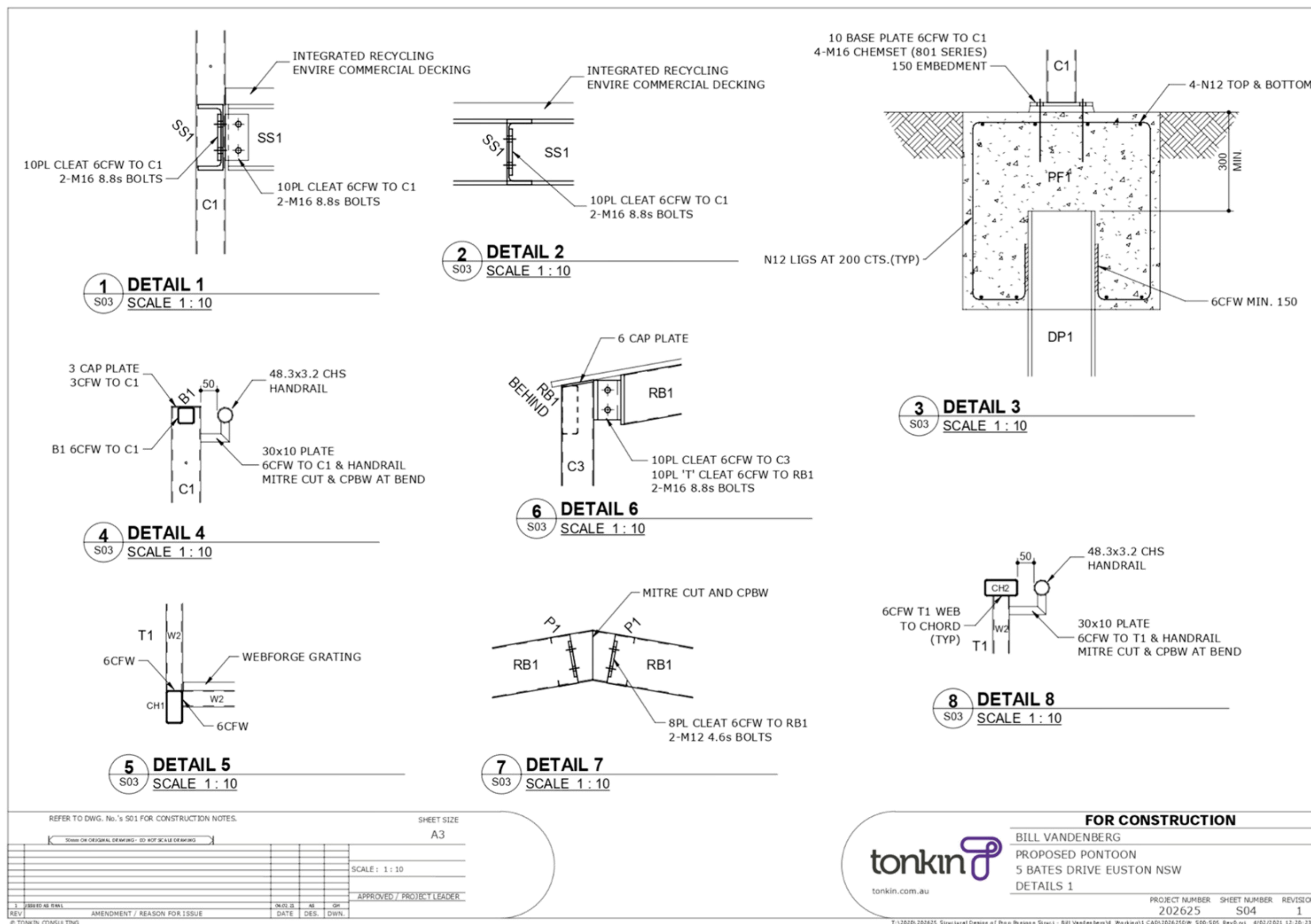


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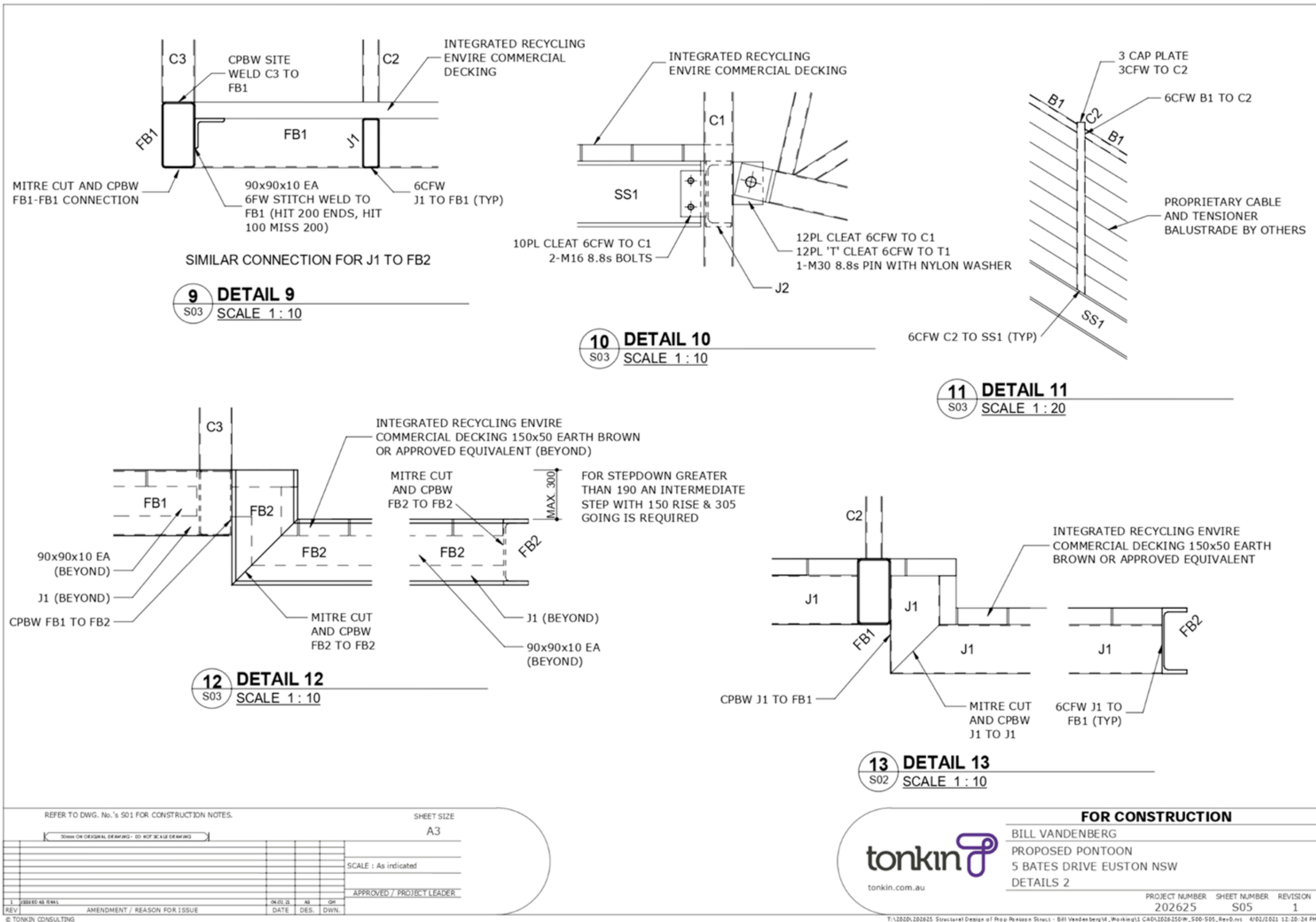












## STATEMENT OF ENVIRONMENTAL EFFECTS

ADDRESS - Lot 3 Bates Drive Euston NSW 2737

### PROPOSED DEVELOPMENT: ... Construction of New Steps

SITE CONSTRAINTS - What constraints apply to the site? ie trees, obstacle limitation surface plan, adjoining development, location of utilities, slope, easements, overland flow paths, flooding, bushfire

### Construction of New Steps

Potential Impacts – Issues that have the potential to cause an impact upon the environment include:

- 1) Tree removal or damage  
**There will be no tree removal or damage to trees during the construction**
- 2) Visual and aesthetic impact including impact on residential areas, from outdoor storage etc  
**The visual impact will be enhanced**
- 3) Impact on adjoining development, adjoining different zones, nearby residences, airport operations etc  
**There will be no impact to adjoining properties**
- 4) Traffic generation, access and movement patterns including impacts on existing road system  
**Not Applicable**
- 5) Impact on overland flow paths  
**Not Applicable**
- 6) Waste products generated  
**Not Applicable**
- 7) Siting, including in front of adjoining buildings, on boundary.  
**The new steps will be installed Area of the new steps will be 20sqm**

Visual appearance (height, bulk, building materials, colours, reflective quality, detailing, lack of landscaping etc).....

**The visual appearance will be enhanced. Construction details as per plan**

Design incompatibility with neighbouring development and streetscape

**Not Applicable**

Noise, vibration, dust and the like....

**Not Applicable**

11) Other

**Not Applicable**

WHAT STAFF NUMBERS are to be employed? ..... **Not Applicable**

WHAT PLANT OR MACHINERY is to be installed **Not Applicable**

HOURS & DAYS OF OPERATION **Not Applicable**

## STATEMENT OF ENVIRONMENTAL EFFECTS

**IMPACT IDENTIFICATION** - How have the impacts been identified:

There will be little or no environmental impact

**IMPACT MINIMISATION** — How is the development going to address site constraints, minimise environmental impacts including those listed previously, eg visual impact and offset any potential adverse effects from the use, eg from servicing, emissions, waste products generated, hours of operation, noise, possible contaminants

All works will be carried out during normal operating hours ensuring that there will be no detrimental impact to any neighbours during the construction phase. Excavation will be limited to required footings only. The new steps will be replaced with new steps to comply with the building code of Australia. Steps comprised of galvanised steel construction identical with neighbour L. & K. Zaffina

**CONSTRUCTION IMPACT** - What steps are to be taken to mitigate any impacts of construction activity including security, working on sloping sites and sediment loss, working near public assets, from noise, vehicle movements, rubbish and the like.

Construction impact will be managed by current Worksafe practices, Barriers will be placed at any sensitive areas to prevent debris from entering the river system. all rubbish will be removed from site on completion of construction. Construction to be carried out by same contractor as for L. & K. Zaffina

**ANY OTHER ISSUES?**

This proposal will not result in any loss of vegetation, no landscaping is proposed, Excavation is limited to footings only.

**DEPARTURES FROM PLANNING PROVISIONS** in the DEVELOPMENT CONTROL PLAN

Provide request and reasoning for departures, including reasoning and evidence

**Not Applicable**

**STATEMENT OF ENVIRONMENTAL EFFECTS**ADDRESS: 5 BATES DRIVE EUSTON NSWPROPOSED DEVELOPMENT: PROPOSED PONTOON

SITE CONSTRAINTS – What constraints apply to the site? ie trees, obstacle limitation surface plan, adjoining development, location of utilities, slope, easements, overland flow paths, flooding, bushfire:

THERE ARE NO SITE CONSTRAINTS WITH THIS DEVELOPMENT.

POTENTIAL IMPACTS – Issues that have the potential to cause an impact upon the environment include:

- 1) Tree removal or damage NO TREES OR VEGETATION WILL BE REMOVED OR DAMAGED
- 2) Visual and aesthetic impact including impact on residential areas, from outdoor storage etc THERE WILL BE NO IMPACT ON RESIDENTIAL AREAS
- 3) Impact on adjoining development, adjoining different zones, nearby residences, airport operations, etc THERE WILL BE NO IMPACT ON ADJOINING PROPERTIES
- 4) Traffic generation, access and movement patterns including impacts on existing road system NOT APPLICABLE
- 5) Impact on overland flow paths NOT APPLICABLE
- 6) Waste products generated NOT APPLICABLE
- 7) Siting, including in front of adjoining buildings, on boundary NOT APPLICABLE
- 8) Visual appearance (height, bulk, building materials, colours, reflective quality, detailing, lack of landscaping etc) VISUAL APPEARANCE WILL BE ENHANCED
- 9) Design incompatibility with neighbouring development and streetscape PROPOSED PONTOON IS COMPATIBLE WITH NEIGHBOURING PONTOON
- 10) Noise, vibration, dust and the like NOT APPLICABLE
- 11) Other NOT APPLICABLE

WHAT STAFF NUMBERS are to be employed? NOT APPLICABLEWHAT PLANT OR MACHINERY is to be installed? NOT APPLICABLEHOURS & DAYS OF OPERATION NOT APPLICABLE

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## STATEMENT OF ENVIRONMENTAL EFFECTS

**IMPACT IDENTIFICATION** - How have the impacts been identified:

THERE WILL BE LITTLE OR NO IMPACTS CAUSED BY THIS DEVELOPMENT.

**IMPACT MINIMISATION** - How is the development going to address site constraints, minimise environmental impacts including those listed previously, eg visual impact and offset any potential adverse effects from the use, eg from servicing, emissions, waste products generated, hours of operation, noise, possible contaminants.

ALL WORKS WILL BE CARRIED OUT DURING NORMAL OPERATING HOURS ENSURING NO DETRIMENTAL IMPACT TO ANY NEIGHBOURS DURING THE CONSTRUCTION PHASE.  
EXCAVATION LIMITED TO FOOTPATHS ONLY.

**CONSTRUCTION IMPACT** - What steps are to be taken to mitigate any impacts of construction activity including security, working on sloping sites and sediment loss, working near public assets, from noise, vehicle movements, rubbish and the like.

CONSTRUCTION IMPACT WILL BE MANAGED BY CURRENT WORKSAFE PRACTICES, BARRIERS WILL BE PLACED AT ANY SENSITIVE AREAS TO PREVENT DEBRIS ENTERING THE DRAIN SYSTEM. ALL RUBBISH WILL BE REMOVED FROM SITE ON COMPLETION.

**ANY OTHER ISSUES?**

THIS PROPOSAL WILL NOT IMPACT ON VEGETATION, NO LANDSCAPING IS PROPOSED. EXCAVATION IS LIMITED TO FOOTPATHS ONLY.

**DEPARTURES FROM PLANNING PROVISIONS in the DEVELOPMENT CONTROL PLAN**

- Provide request and reasoning for departures, including reasoning and evidence.

NOT APPLICABLE.

## STATEMENT OF ENVIRONMENTAL EFFECTS

|                        |             |           |      |
|------------------------|-------------|-----------|------|
| Applicant's Signature: | OFFICE USE: | Date: / / | CSO: |
|------------------------|-------------|-----------|------|



DAVID WILLIAMS  
BW&A NATIONAL Pty Ltd

### Legal Reference:

- Section 78A(9) of the *Environmental Planning and Assessment Act 1979* states that the regulations may specify what is required to be submitted with a development application.
- Clause 50(1)(a) of the *Environmental Planning and Assessment Regulation 2000* states that the development applications must contain information and documents specified in schedule 1, part 1.
- Schedule 1, part 1, subclause 2(1)(c) of the *Environmental Planning and Assessment Regulation 2000* requires the submission of Statements of Environmental Effects (SEE's) with all Development Applications (other than designated development).
- Schedule 1, part 1, subclause 4 of the *Environmental Planning & Assessment Regulation 2000* states that such ESS's must show
  - The environmental impacts of the development
  - How the impacts have been identified
  - The steps to be taken to protect the environment or lessen the expected harm to the environment
  - Any matters required to be indicated by any guidelines issued by the Director General.



## Natural Resources Access Regulator

Contact: Shavaun Tasker

Phone: [REDACTED]

Email: [REDACTED]

Balranald Shire Council  
(uploaded to planning portal)

Our ref: IDAS1138120  
Our file: CNR-18886 A-28328  
Your ref: DA15/2021

Attn: Raymond Mitchell

Dear Raymond,

23/07/2021

**Re: Referral under MREP2**

**Described as: Installation of steps, gangway and pontoon.**

**To be located or carried out at: Lot 3 DP1123942, 3 Bates Drive, EUSTON NSW 2737.**

Natural Resources Access Regulator (formerly the Department of Industry - Water) has reviewed documents for the above development application which has been referred under the **Murray Regional Environmental Plan No 2 – Riverine Land**.

☐ **Additional information required**

In order to complete our assessment, the following additional information is required.

☐ **No approval required.**

NRAR considers that, for the purposes of the *Water Management Act 2000*, a controlled activity approval will not be required if the activity is being carried out in accordance with a lease, licence, permit or other right in force under the *Crown Lands Act 1989* or the *Crown Lands (Continued Tenures) Act 1989*, or is exempt under the legislation.

However, should the proposed development be varied in any way that results in development extending onto land that is waterfront land, or encompassing works that are defined as controlled activities then NRAR should be notified.

☒ **Approval Required**

The proposed 'works' will be occurring on waterfront land, a **controlled activity approval** (CAA) under the *Water Management Act 2000* will be required from this agency **prior** to any work commencing. Once received the CAA will then be assessed and will be required to be issued prior to any works proceeding on site.

Further information on Controlled Activity Approvals can be obtained from: [Guidelines for controlled activities | NSW Dept of Natural Resources Access Regulator](#)

Please direct any questions regarding this correspondence to Shavaun Tasker by email at [REDACTED]

Yours sincerely

**Per: David Zerafa**  
**Senior Water Regulation Officer**  
**Natural Resource Access Regulator**

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[nrar.servicedesk@dpi.nsw.gov.au](mailto:nrar.servicedesk@dpi.nsw.gov.au)

Template Ref: WLS 015(CX), Version 1.0 – June 2017



DOC21/523451-7

Mr Oliver McNulty  
The General Manager  
Balranald Shire Council  
PO Box 120  
BALRANALD NSW 2715

Attention: Raymond Mitchell

**ELECTRONIC**  
9 July 2021

**DA 15/2021 – Steps and Pontoon – 3 Bates Drive, Euston, NSW 2737**

Dear Mr McNulty,

Thank you for Balranald Shire Council's request for NSW Environment Protection Authority's (NSW EPA) input for the Steps and Pontoon – 3 Bates Drive, Euston, NSW 2737 – DA 15/2021 (the Proposal).

The Proposal was referred to the NSW EPA under the Murray Regional Environmental Plan No.2 and consists of:

- The construction of a floating pontoon and steps on the banks of the Murray River, at LOT 3 DP 1123942 – 3 Bates Drive, Euston, NSW 2737.

Based on the information provided, the Proposal does not appear to require an environment protection licence under the *Protection of the Environment Operations Act 1997* (POEO Act). Furthermore, the NSW EPA understands that the proposal is not being undertaken by or on behalf of a NSW Public Authority nor are the proposed activities other activities for which the NSW EPA is the appropriate regulatory authority.

The proponent should be aware that under section 120 of the POEO Act it is an offence in NSW to pollute waters. Should the development application be approved, the proponent must take all necessary precautions and implement all practical measures that could be taken to prevent, control, abate or mitigate water pollution and protect human health and the environment from harm during the construction phase.

In view of these factors, the NSW EPA has no further comment to provide on the Proposal.

|                              |                            |                    |                   |                                                                                      |
|------------------------------|----------------------------|--------------------|-------------------|--------------------------------------------------------------------------------------|
| <b>Phone</b> +61 2 6969 0700 | <b>Fax</b> +61 2 6969 0710 | PO Box 397         | Suite 7           |                                                                                      |
| <b>Phone</b> 131 555         | <b>TTY</b> 133 677         | Griffith           | 130-140 Banna Ave | <a href="http://www.epa.nsw.gov.au">www.epa.nsw.gov.au</a>                           |
| (from outside NSW)           | <b>ABN</b> 43 692 285 758  | NSW 2680 Australia | Griffith NSW      | <a href="mailto:riverina.farwest@epa.nsw.gov.au">riverina.farwest@epa.nsw.gov.au</a> |
|                              |                            |                    | 2680 Australia    |                                                                                      |



If you have any further enquiries about this matter, please contact Arron Nelson on 02 6969 0700 or by electronic mail at [riverina.farwest@epa.nsw.gov.au](mailto:riverina.farwest@epa.nsw.gov.au).

Yours sincerely



**JOSH GODBEE**  
**A/UNIT HEAD**  
**Regulatory Operations**  
**NSW Environment Protection Authority**



MDBA REF: D21/26528  
YOUR REF: DA 15/2021 (CNR-18886, A-28327)

30 June 2021

Raymond Mitchell  
Balranald Shire Council  
c/- [NSW Government Planning Portal](#)

Dear Raymond

**Subject: Development Application – DA 15/2021 (CNR-18886, A-28327)**

We refer to the above proposal for steps & a floating pontoon on the River Murray at 3//DP 1123942, 3 Bates Dr Euston NSW 2737.

In considering this proposal, it is the role of the Murray-Darling Basin Authority (MDBA) to ensure the water quality of the River Murray is maintained or improved, contributing to the protection of the riverine and floodplain environment. Additionally, we ensure there is no impact on the flow carrying capacity of the River Murray.

Based on the information provided, the MDBA has completed its assessment and concludes the proposal is unlikely to have a detrimental impact on the flow, control, or quality of the River Murray.

The MDBA notes that no conditions apply to this proposal in relation to use of the river.

The proponent of this proposal should note the MDBA has responsibility to regulate the River Murray and cannot guarantee water levels. As part of river operations, variation in river and weir pool levels may become more pronounced, and average levels may significantly change.

Should you have any further queries, please direct them to [RiverMurrayHealth@mdba.gov.au](mailto:RiverMurrayHealth@mdba.gov.au).

Yours sincerely,



Dr Asitha Katupitiya  
Director  
River Murray Water Quality

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Office locations  
Adelaide, Albury-Wodonga, Canberra, Goondiwindi, Griffith, Mildura, Murray Bridge, Toowoomba

[mdba.gov.au](http://mdba.gov.au)

1800 230 067

[engagement@mdba.gov.au](mailto:engagement@mdba.gov.au)





13 July 2021

Raymond Mitchell  
Balranald Shire Council  
PO Box 120  
Balranald NSW 2715

Dear Mr Mitchell,

**Subject: DA14/2020 – Pontoon at the end of existing steps in the river bank – Lot 1 DP 1123942 – 7 Bates Dr, Euston NSW 2737**

In response to your development application referral lodged on the NSW ePlanning portal, I wish to confirm that the Maritime Division of Transport for NSW (Maritime) has **no objections** to this proposal assessed on the grounds of impact to navigation.

Maritime has assessed this proposal based on the submission that the purpose of the proposed structure is for a gangway and pontoon to provide access to the river for recreation purposes, rather than the occupation of any vessel.

In assessing this proposal, Maritime acknowledge the email advice from NSW Department of Industry – Lands (dated 2 June 2021) that the land title/s ('the Property') the subject Development Application relates to enjoys 'Presumptive Title'. Further the advice from Crown Lands NSW is that the land where the proposed structure (being a pontoon) commences from is held by the applicant, rather than the Crown, and Maritime understands the proposed structure **cannot** be subject to a Domestic Waterfront Licence (DWL) administered by DoI – Lands.

Regardless of the Property enjoying Presumptive Title, Maritime considers any waters adjoining the Property extending from the riverbank, or above the riverbed, to be 'NSW navigable waters'.

In the absence of a licensing mechanism administered by council (as landholder), Maritime may issue a Direction to the Applicant relating to the proposed occupation of water by the structure pursuant to Clause 22 of the *Marine Safety Regulation 2016*, which includes provision to apply a fee equivalent to the market rate for the use of the waters.

It is important to note that no agent shall be exempt from the provisions of the *Marine Safety Act 1998*, or any other relevant legislation, and all agents must comply with any direction given by Maritime officers with regard to the prevention of pollution.

Should you have any queries in relation to this matter, please contact Boating Safety Officer, Troy O'Hara on [REDACTED].

Yours sincerely,



Deon Voyer  
Manager Operations South  
Transport for NSW – Maritime

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Transport for NSW

2/91 Foreshore Rd, Port Kembla NSW 2505 | T 13 12 36 | W [transport.nsw.gov.au](http://transport.nsw.gov.au) | ABN 18 804 239 602



Your Ref: DA15/2021

Our Ref: IDA21/87

Date: 14 July 2021

The General Manager  
Balranald Shire Council  
PO Box 120  
BALRANALD NSW 2715

**Re: DA 15/2021 construct steps and pontoon, Lot 3 DP 1123942, Murray River, 3 Bates Drive Euston.**

Thank you for referring the above proposal to DPI Fisheries for comment. I understand that the applicant wishes to construct a set of steps and floating pontoon at the above location.

DPI Fisheries is responsible for ensuring that fish populations including threatened species are conserved and that there is "no net loss" of key fish habitats upon which they depend. To achieve this, the Department ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act respectively) and the associated *Policy and Guidelines for Aquatic Habitat Management and Fish Conservation (1999)*. In addition, the Department is responsible for ensuring the sustainable management of commercial and recreational fishing and aquaculture within NSW.

The information has been reviewed and I am pleased to advise that DPI Fisheries does not object to Council granting Development Consent to the proposal **provided the conditions listed below (or similar conditions that impose the same requirements) are incorporated into the Development Consent.**

Despite the absence of a 7 part test of significance, I do not consider that the works are likely to have a significant adverse impact upon threatened fish species, populations or the aquatic ecological community which reside in the river in this area provided the works are carried out as stated and all conditions are faithfully implemented.

**Conditions:**

1. The applicants will need to obtain a permit under the *Fisheries Management Act* or the *Water Management Act* if there is to be any excavation within or filling of the waterway.

Aquatic Ecosystems  
Unit 5, 620 Macaulay St ALBURY NSW 2640  
Tel: (02) 6051 7768  
ABN 72189919072  
[www.dpi.nsw.gov.au](http://www.dpi.nsw.gov.au)



2. If any ground disturbance is to take place, erosion and sediment mitigation devices are to be erected in a manner consistent with currently accepted Best Management Practice (ie Managing Urban Stormwater: Soils and Construction 4th Edition Landcom, 2004) to prevent the entry of sediment into the waterway prior to any earthworks being undertaken. These are to be maintained in good working order for the whole duration of the works and subsequently until the site has been stabilised and the risk of erosion and sediment movement from the site is minimal. Exposed soil is to be reseeded or turfed. *Reason – To ensure that sediment generated by the exposure of soil is not transported into the main water body.*

3. On completion of the works, the site is to be rehabilitated and stabilised. Surplus construction materials and temporary structures (other than silt fences and other erosion and sediment control devices) installed during the course of the works are to be removed. *Reason – To ensure that habitats are restored as quickly as possible, public safety is not compromised and aesthetic values are not degraded.*

4. Machinery is not to enter, or work from the waterway unnecessarily. *Reason – To ensure minimal risk of water pollution from oil or petroleum products and to minimise disturbance to the streambed substrate.*

5. No snags (tree trunks, root balls, limbs, branches or other woody debris) in the channel or on the bank of the river are to be moved, removed or otherwise interfered with either during the construction phase or at any time subsequently, without the concurrence of Department of Primary Industries Fisheries. *Reason - "Removal of Large Woody Debris" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*

6. Native vegetation (including trees such as River Red Gum, Black Box and River Coobah, shrubs, reeds such as Phragmites and grasses) on or adjacent to the river bank is not to be cleared, modified or otherwise harmed at any time during the construction or at any time subsequently. This does not include control of noxious or other recognised weeds. *Reason – "Decline in native riparian vegetation" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*

7. The District Fisheries Officer at Dareton ( Mobile: 0427 429 579, Email: [peter.heath@industry.nsw.gov.au](mailto:peter.heath@industry.nsw.gov.au)) is to be notified at least 3 days prior to the commencement of construction (email or fax preferred). *Reason - To ensure that the local Fisheries Officer is aware that work on the river bank is about to commence.*

8. NSW Department of Primary Industries Fisheries is to be notified immediately if any fish kills occur in the vicinity of the works. In such a case all works are to cease until the issue is rectified and approval is given to proceed. *Reason –Department of Primary Industries Fisheries needs to be aware of fish kills so that it can assess the cause and mitigate further incidents in consultation with relevant authorities. They are also potentially contentious incidents from the public perspective. Work practices may need to be modified to reduce the impacts upon the aquatic environment.*

Could you please provide a copy of the Development Consent (if granted) for our records.

If you have any queries please call me.

Yours sincerely,



Luke Pearce  
Fisheries Manager Greater Murray  
Freshwater Environment  
NSW Department of Primary Industries

**PART B – ITEMS FOR INFORMATION****11 GENERAL MANAGER’S REPORTS****11.1 ADMINISTRATOR, GENERAL MANAGER AND DIRECTORS MEETINGS**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.52042</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 advise Council of the meetings undertaken on behalf of Council by the Administrator, General Manager and Directors since July 2021 Ordinary Meeting.

**REPORT**

| <b>DATE</b> | <b>Meeting</b>                                                          | <b>Topic</b>                                 | <b>Who was involved</b> |
|-------------|-------------------------------------------------------------------------|----------------------------------------------|-------------------------|
| 21 July     | Vic Health                                                              | Mildura Community Leadership briefing        | GM, DID                 |
| 21 July     | Windlab                                                                 | Proposed Wind farm in Balranald/Kyalite area | GM                      |
| 22 July     | Youth Council                                                           | Ordinary Meeting                             | GM                      |
| 22 July     | Vic Cross Border Commission                                             | Border control update                        | GM, DID                 |
| 22 July     | Strengthening Community Access Inclusion & Wellbeing Advisory Committee | Monthly meeting                              | GM, DCCS                |
| 26 July     | Vic Cross Border Commission                                             | Border control update                        | GM, DID                 |
| 26 July     | Euston Progressive A C                                                  | Monthly committee meeting                    | DID, DCCS               |
| 27 July     | Waste Meeting                                                           | Discuss Regional Waste Strategy              | GM                      |
| 28 July     | Interviews                                                              | Librarian                                    | DCCS                    |
| 28 July     | Caravan Park                                                            | Caravan Park Handover                        | DCCS                    |
| 28 July     | RDA Meeting                                                             | Board Meeting in Albury                      | GM                      |

|          |                                                    |                                                      |                                                  |
|----------|----------------------------------------------------|------------------------------------------------------|--------------------------------------------------|
| 28 July  | Lower Murray Water                                 | Murray Floodplain Restoration Project update         | DID                                              |
| 29 July  | Interviews                                         | Manager Tourism & Economic Development               | DCCS                                             |
| 29 July  | Australia Farming Services                         | Road safety MR694                                    | DID                                              |
| 29 July  | Iluka Ltd                                          | Balranald project update                             | DID                                              |
| 29 July  | Murray Socioeconomic Activation Taskforce (MSEATS) | Fortnightly meeting                                  | DID                                              |
| 29 July  | Vic Cross Border Commission                        | Border control update                                | GM, DID                                          |
| 30 July  | Hostel                                             | Building Extension – Council Workshop                | Administrator, GM, DCCS, Gen McConnell and Terri |
| 30 July  | Tronox Ltd                                         | Road closures update                                 | DID                                              |
| 30 July  | NSW Cross Border Commission                        | Border control conference                            | DID                                              |
| 30 July  | Clare School                                       | National Tree Planting Day event                     | DID                                              |
| 2 August | Staff Meeting                                      | Briefing with Administrator – Acting General Manager | Administrator – All staff                        |
| 2 August | Vic Cross Border Commission                        | Border control update                                | GM, DID                                          |
| 4 August | Tronox Ltd                                         | Access to gravel                                     | DID                                              |
| 4 August | Balranald Beautification A C                       | Monthly meeting                                      | DID, DCCS                                        |
| 5 August | Meeting in Euston                                  | Ratepayer                                            | GM                                               |
| 5 August | Public Works Advisory                              | Integrated Water Cycle Management Strategy update    | DID                                              |
| 5 August | Executive Meeting                                  | Handover Arrangements                                | GM, Administrator, DCCS                          |
| 5 August | Vic Cross Border Commission                        | Border control update                                | GM, DID                                          |
| 6 August | FWJO                                               | General Managers Meeting                             | GM                                               |
| 6 August | Dept Regional NSW                                  | Stronger Country Communities Fund                    | DID                                              |
| 6 August | NSW Cross Border Commissioner                      | Border control issues                                | DID                                              |

|                                                               |                                      |                             |                              |
|---------------------------------------------------------------|--------------------------------------|-----------------------------|------------------------------|
| 10 August                                                     | GBIT Advisory Committee              | Monthly Meeting             | DCCS                         |
| 10 August                                                     | Traffic Committee                    | Quarterly meeting           | DID                          |
| 11 August                                                     | Youth Council                        | Ordinary Meeting            | GM                           |
| 12 August                                                     | FWJO                                 | Destination Management Plan | GM, DCCS                     |
| 12 August                                                     | olden Rivers Real Estate             | Housing                     | GM, DCCS                     |
| 12 August                                                     | Local Emergency Management Committee | Quarterly meeting           | DID, Administrator           |
| 17 August                                                     | Ordinary Council Meeting             | Monthly meeting             | Administrator, GM, DID, DCCS |
| Administrator - Mike Colreavy                                 |                                      |                             |                              |
| General Manager (GM)- Oliver McNulty (Acting GM – Ray Davy))  |                                      |                             |                              |
| Director Infrastructure & Development (DID) - Ray Davy        |                                      |                             |                              |
| Director Corporate & Community Services (DCCS) - Hodi Beauliv |                                      |                             |                              |

**FINANCIAL IMPLICATION**

Budgetted

**LEGISLATIVE IMPLICATION**

N/A

**POLICY IMPLICATION**

Payment of Expenses and Provisions for Administrator, Mayor and Councillors Policy

Code of Conduct

Conferences Seminar Attendance Policy

**RISK RATING**

Low

**ATTACHMENTS**

Nil

**11.2 OUTSTANDING ACTIONS**

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.54186</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> |

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**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 Actions - 12 August 2021 [↓](#)

| Meeting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Date       | Officer          | Title                         | Target     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------------|-------------------------------|------------|
| Council 17/11/2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 17/11/2020 | Helgeland, Gavin | Disability Action Plan Review | 21/09/2021 |
| <b>Notes</b><br>23 Nov 2020 - 10:08 AM - Peter Kozlowski<br>This matter is delegated to Gavin for action in conjunction with relevant Advisory Committees.<br>23 Nov 2020 - 10:16 AM - Peter Kozlowski<br>Action reassigned to Helgeland, Gavin by: Kozlowski, Peter for the reason: The Manager Strategic Development is the most appropriate person to coordinate this task.<br>15 Jul 2021 - 2:37 PM - Carol Holmes<br>Revised Target Date changed by: Holmes, Carol From: 1 Dec 2020 To: 21 Sep 2021<br>Reason: Given to AWACAF Advisory Committee for their review and comments. Report back to Council after viewing and updating |            |                  |                               |            |

| Meeting                                                                                                                                                                                     | Date       | Officer          | Title                                                                                                | Target     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------------|------------------------------------------------------------------------------------------------------|------------|
| Council 17/11/2020                                                                                                                                                                          | 17/11/2020 | Kozlowski, Peter | Strategy to Deal with Road Network Damage due to Unauthorised Vehicle Movements During Road Closures | 21/09/2021 |
| <b>Notes</b><br>15 Jul 2021 - 2:38 PM - Carol Holmes<br>Revised Target Date changed by: Holmes, Carol From: 1 Dec 2020 To: 21 Sep 2021<br>Reason: A further report will be made for Council |            |                  |                                                                                                      |            |

| Meeting                                                                                                                                                                                                                                  | Date       | Officer   | Title                                | Target     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------|--------------------------------------|------------|
| Council 15/12/2020                                                                                                                                                                                                                       | 15/12/2020 | Davy, Ray | Purchase of Land from Balranald Club | 30/09/2021 |
| <b>Notes</b><br>15 Jul 2021 - 2:45 PM - Carol Holmes<br>Revised Target Date changed by: Holmes, Carol From: 29 Dec 2020 To: 30 Sep 2021<br>Reason: Working in progress, arranging surveyors and pricings and have discussions with Club. |            |           |                                      |            |

| Meeting                                                                                                                                                                                                                                            | Date       | Officer       | Title           | Target     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------------|-----------------|------------|
| Council 15/06/2021                                                                                                                                                                                                                                 | 15/06/2021 | Holmes, Carol | CEMETERY POLICY | 31/08/2021 |
| <b>Notes</b><br>2 Jul 2021 - 3:49 PM - Carol Holmes<br>Revised Target Date changed by: Holmes, Carol From: 29 Jun 2021 To: 31 Aug 2021<br>Reason: Report deferred until August Council Meeting - Administrator will inspect site prior to meeting. |            |               |                 |            |

| Meeting                                                                                                                                                                                                                   | Date       | Officer       | Title                                                       | Target     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------------|-------------------------------------------------------------|------------|
| Council 15/06/2021                                                                                                                                                                                                        | 15/06/2021 | Mitchell, Ray | Leasing of the Royal Cafe area of the Royal Theatre Complex | 30/07/2021 |
| <b>Notes</b><br>2 Jul 2021 - 3:28 PM - Carol Holmes<br>Revised Target Date changed by: Holmes, Carol From: 29 Jun 2021 To: 30 Jul 2021<br>Reason: Report Deferred for advertising and report back to July Council Meeting |            |               |                                                             |            |

| Meeting                                                                                                                                                                                        | Date       | Officer         | Title                                             | Target     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------|---------------------------------------------------|------------|
| Council 15/06/2021                                                                                                                                                                             | 15/06/2021 | McNulty, Oliver | ESTABLISHMENT OF BIDGEE HAVEN BOARD OF MANAGEMENT | 30/09/2021 |
| <b>Notes</b><br>2 Jul 2021 - 3:51 PM - Carol Holmes<br>Revised Target Date changed by: Holmes, Carol From: 29 Jun 2021 To: 30 Sep 2021<br>Reason: Report deferred to September Council Meeting |            |                 |                                                   |            |

| Meeting                                                                                                                                                                                                                                   | Date       | Officer       | Title                    | Target     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------------|--------------------------|------------|
| Audit Risk and Improvement Committee 17/06/2021                                                                                                                                                                                           | 17/06/2021 | Holmes, Carol | RECORD MANAGEMENT REVIEW | 30/09/2021 |
| <b>Notes</b><br>15 Jul 2021 - 3:18 PM - Carol Holmes<br>Revised Target Date changed by: Holmes, Carol From: 1 Jul 2021 To: 30 Sep 2021<br>Reason: Report back to ARIC at the next ARIC Meeting of the recommendations and implementations |            |               |                          |            |

| Meeting                                                                                                                                                                        | Date       | Officer       | Title                                                           | Target     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------------|-----------------------------------------------------------------|------------|
| Council 20/07/2021                                                                                                                                                             | 20/07/2021 | Holmes, Carol | BALRANALD BEAUTIFICATION ADVISORY COMMITTEE HELD ON 9 JUNE 2021 | 30/09/2021 |
| <b>Notes</b><br>10 Aug 2021 - 2:13 PM - Carol Holmes<br>Revised Target Date changed by: Holmes, Carol From: 3 Aug 2021 To: 30 Sep 2021<br>Reason: Waiting for quotes for gates |            |               |                                                                 |            |

| Meeting            | Date       | Officer       | Title                                                       | Target    |
|--------------------|------------|---------------|-------------------------------------------------------------|-----------|
| Council 20/07/2021 | 20/07/2021 | Mitchell, Ray | Leasing of the Royal Cafe area of the Royal Theatre Complex | 3/08/2021 |
| <b>Notes</b>       |            |               |                                                             |           |

| Meeting            | Date       | Officer                 | Title                                     | Target    |
|--------------------|------------|-------------------------|-------------------------------------------|-----------|
| Council 20/07/2021 | 20/07/2021 | Manning-Rayner, Nikkita | DA 60/2021 - Proposed Two Lot Subdivision | 3/08/2021 |
| <b>Notes</b>       |            |                         |                                           |           |

| Meeting            | Date       | Officer   | Title                                                      | Target    |
|--------------------|------------|-----------|------------------------------------------------------------|-----------|
| Council 20/07/2021 | 20/07/2021 | Davy, Ray | Redevelopment of Tennis Courts at Greenham Park, Balranald | 3/08/2021 |
| <b>Notes</b>       |            |           |                                                            |           |

| Meeting                                                                                                                                                                                | Date       | Officer   | Title                      | Target     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------|----------------------------|------------|
| Council 20/07/2021                                                                                                                                                                     | 20/07/2021 | Davy, Ray | Disposal of Surplus Assets | 30/09/2021 |
| <b>Notes</b><br>12 Aug 2021 - 5:17 PM - Carol Holmes<br>Revised Target Date changed by: Holmes, Carol From: 3 Aug 2021 To: 30 Sep 2021<br>Reason: In Progress - Outdoor Team reviewing |            |           |                            |            |



**11.3 CIRCULARS FROM OFFICE LOCAL GOVERNMENT**

**File Number:** D21.54187  
**Reporting Officer:** Carol Holmes, Senior Executive Assistant  
**Responsible Officer:** Oliver McNulty, General Manager  
**Operational Plan Objective:** Pillar 1: Our People – A community that is proactive, engaged, inclusive and connected.

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**OFFICER RECOMMENDATION**

That Council receive and note this report.

**PURPOSE OF REPORT**

To provide Council with copies of the circulars received from Office Local Government during the month of July 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 June and July;

1. Circular 21-18 Calendar of Compliance and Reporting Requirements 2021/22
2. Circular 21-19 Joint Organisation Calendar of Compliance and Reporting Requirements 2021-22.
3. Circular 21-20 Postponement of local government elections to 4 December 2021
4. Circular 21-21 Accounting and Financial Reporting Fundamentals – Information Session
5. Circular 21-22 Updated guidance on the appointment and dismissal of senior staff
6. 21-23 End of Year Financial Reporting 2020-21

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

**ATTACHMENTS**

Nil

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

|                                    |                                                                                                                                      |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.54885</b>                                                                                                                     |
| <b>Reporting Officer:</b>          | <b>Kristy Cameron, Finance Officer</b><br><b>Jay Panchal, Finance Manager</b>                                                        |
| <b>Responsible Officer:</b>        | <b>Hodi Beauliv, 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> July 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> July 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> July 2021 is \$16,882,152. This is a decrease of \$1,158,606 on the previous month's total of \$18,040,758. It should be noted that the balance of Council's cash at bank account changes daily with revenue receipted and payments are made.

Receipts for July 2021 included:-

- Aged care receipts \$ 70,120

Payments for July 2021 included:-

- Investments with AMP Bank \$ 500,000
- Bal & Eus AC Main Renewals \$ 122,697
- Crushed concrete for various roads \$ 103,454
- Aircon at Theatre Royal \$ 94,411
- Balranald Football change room \$ 73,755
- Kyalite-Wiemby road upgrade process \$ 55,363
- Grid on Oxley-Claire, Footpath Excavation on-Moa St, Drainage works on Sydney St. \$ 47,324
- Art and craft centre \$ 38,750
- Plant repairs and Maintenance \$ 34,413
- Purton lane Construction \$ 31,044
- Insurance Payment (Part) \$ 30,957

No term deposits have fallen due as at 31<sup>st</sup> July 2021, so nil interest has been received on investments year to date.

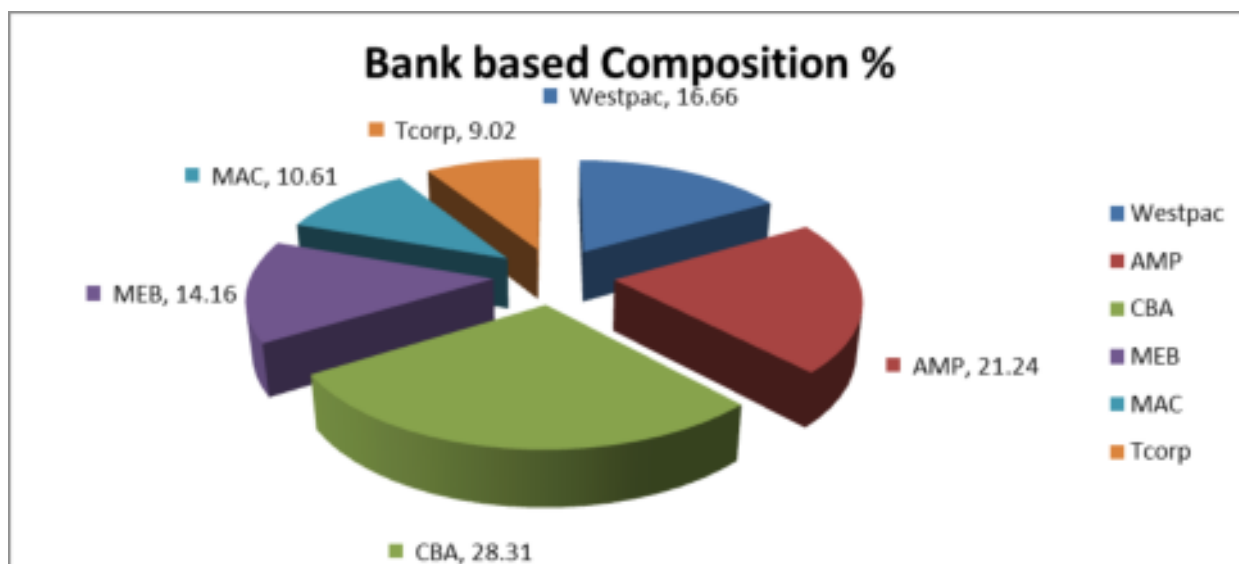
Council's cash and at call accounts are used for the purpose of day to day operations of Council. Term Deposit investments are \$12,250,000.00 as at 31<sup>st</sup> July 2021.

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

| Term Deposits                                     | Reference | S&P Rating | Term (Days) | Start Date | Maturity Date | Interest Rate/ Rate of Return | Investment Value  |
|---------------------------------------------------|-----------|------------|-------------|------------|---------------|-------------------------------|-------------------|
| <a href="#">Westpac Bank A/C 176-576</a>          | INV12     | A-1+       | 371         | 10/11/2020 | 16/11/2021    | 0.60%                         | 1,000,000         |
| <a href="#">Westpac Bank A/C 176 840</a>          | INV14     | A-1+       | 182         | 30/12/2020 | 30/06/2021    | 0.25%                         | -                 |
| <a href="#">Westpac Bank A/C 177 237</a>          | INV       | A-1+       | 365         | 3/09/2020  | 3/09/2021     | 0.80%                         | 750,000           |
| <a href="#">Westpac Bank A/C 177616</a>           | INV       | A-1+       | 92          | 29/03/2021 | 29/06/2021    | 0.10%                         | -                 |
| <a href="#">NAB Bank A/C 98-074-9382</a>          | INV19     | A-1+       |             |            |               |                               |                   |
| <a href="#">AMP - 045970</a>                      | INV20     | BBB+       | 0           |            |               |                               |                   |
| <a href="#">Commonwealth Bank</a>                 |           | A-1+       | 365         | 4/03/2021  | 4/03/2022     | 0.46%                         | 500,000           |
| <a href="#">Commonwealth Bank</a>                 |           | A-1+       | 365         | 4/03/2021  | 4/03/2022     | 0.46%                         | 1,000,000         |
| <a href="#">Macquarie Bank - 051049</a>           |           | A-1        | 170         | 16/03/2021 | 2/09/2021     | 0.40%                         | 500,000           |
| <a href="#">Commonwealth Bank</a>                 |           | A-1+       | 180         | 17/03/2021 | 13/09/2021    | 0.35%                         | 500,000           |
| <a href="#">Commonwealth Bank</a>                 |           | A-1+       | 180         | 17/03/2021 | 13/09/2021    | 0.35%                         | 500,000           |
| <a href="#">Commonwealth Bank</a>                 |           | A-1+       | 300         | 19/03/2021 | 13/01/2022    | 0.39%                         | 500,000           |
| <a href="#">AMP - 51396</a>                       |           | A-2        | 154         | 18/03/2021 | 19/08/2021    | 0.70%                         | 500,000           |
| <a href="#">Commonwealth Bank</a>                 |           | A-1+       | 365         | 22/03/2021 | 18/03/2022    | 0.42%                         | 500,000           |
| <a href="#">Macquarie Bank - 051476</a>           |           | A-1        | 244         | 24/03/2021 | 23/11/2021    | 0.45%                         | 500,000           |
| <a href="#">Me Bank - 051498</a>                  |           | A-2        | 180         | 25/03/2021 | 21/09/2021    | 0.40%                         | 500,000           |
| <a href="#">Me Bank - 051499</a>                  |           | A-2        | 182         | 25/03/2021 | 23/09/2021    | 0.40%                         | 500,000           |
| <a href="#">Macquarie Bank - 051553</a>           |           | A-1        | 268         | 30/03/2021 | 23/12/2021    | 0.40%                         | 500,000           |
| <a href="#">Me Bank - 051548</a>                  |           | A-2        | 177         | 30/03/2021 | 23/09/2021    | 0.40%                         | 500,000           |
| <a href="#">Me Bank - 051568</a>                  |           | A-2        | 182         | 1/04/2021  | 30/09/2021    | 0.40%                         | 500,000           |
| <a href="#">AMP - 53454</a>                       |           | A-2        | 240         | 20/07/2021 | 17/03/2022    | 0.60%                         | 500,000           |
| <a href="#">AMP - 53473</a>                       |           | A-2        | 243         | 21/07/2021 | 21/03/2022    | 0.60%                         | 500,000           |
| <a href="#">AMP 52049</a>                         |           | A-2        | 183         | 29/04/2021 | 29/10/2021    | 0.65%                         | 1,000,000         |
| <a href="#">Commonwealth Bank</a>                 |           | A-1+       | 180         | 25/06/2021 | 22/12/2021    | 0.35%                         | 500,000           |
| <a href="#">AMP - 53356</a>                       |           | A-2        | 180         | 14/07/2021 | 10/01/2022    | 0.50%                         | 500,000           |
| <b>Total Term Deposits</b>                        |           |            |             |            | Avg Rate      | 0.45%                         | <b>12,250,000</b> |
| <b>At Call Accounts</b>                           |           |            |             |            |               |                               |                   |
| Westpac Cash Reserves A/C 162 975                 |           | A-1+       |             |            | At Call       | 0.09%                         | 603,377           |
| Tcorp A/C 1268                                    |           | A-1+       |             |            | At Call       | 0.96%                         | 1,274,313         |
| <b>Cash Accounts</b>                              |           |            |             |            |               |                               |                   |
| Westpac Bank A/C 000 060                          |           |            |             |            | Cash at Bank  | 0.01%                         | 2,754,462         |
| <b>TOTAL BANK</b>                                 |           |            |             |            |               |                               | <b>4,632,152</b>  |
| <b>TOTAL INVESTMENTS PORTFOLIO INCLUDING CASH</b> |           |            |             |            |               |                               | <b>16,882,152</b> |

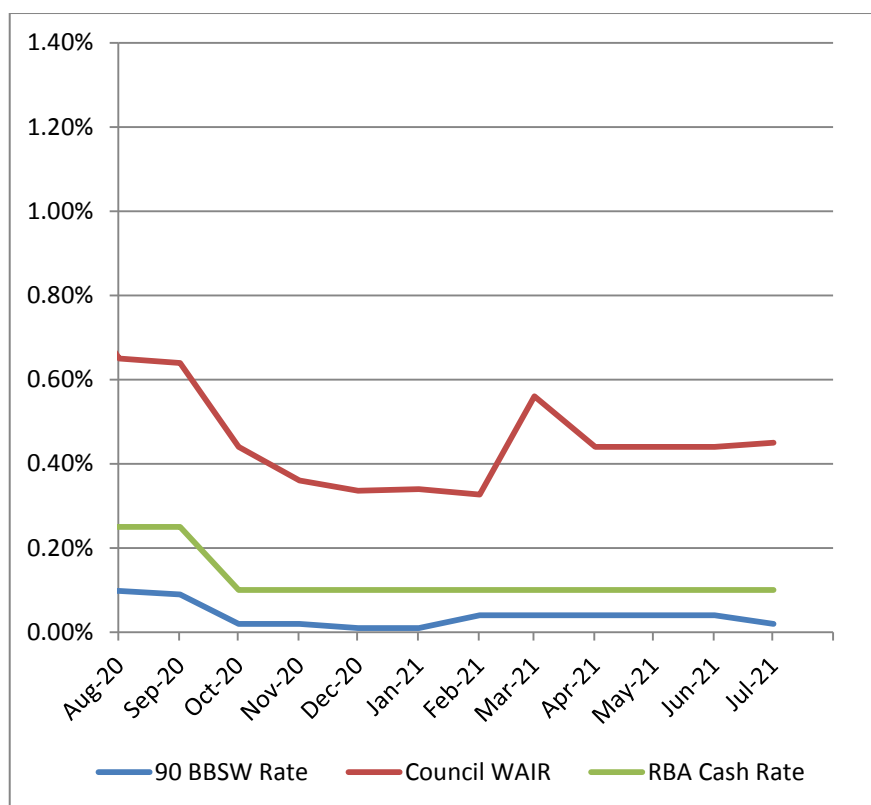
The table and graph below show the composition of investments with financial institutions.

| Ratings  | Composition % | Amount ('000) |
|----------|---------------|---------------|
| A-1+     | 53.99         | 7,627         |
| BBB+     | 21.24         | 3,000         |
| A-1      | 10.61         | 1,500         |
| A-2      | 14.16         | 2,000         |
| <b>0</b> | <b>100.00</b> | <b>14,127</b> |



Council's weighted average return for all investments and cash accounts for the month is 0.45%, which is above the required 90 bank bill swap reference rate of 0.02% as at 31<sup>st</sup> July 2021. Note the official cash rate stayed at 0.10% for July. 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.

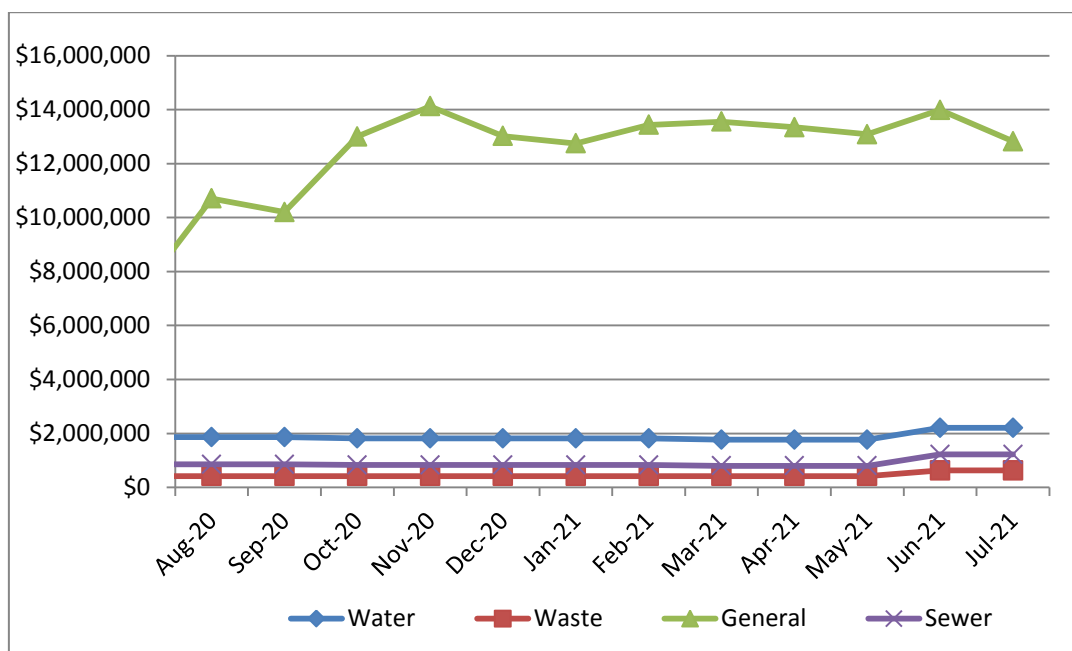
#### Month End Return on Investments for Past 12 Months



Council's total investment and cash accounts balance of \$16,882,152 across the funds as listed below:

| FUNDS HELD              | General Fund      | Waste Fund     | Water Fund       | Sewer Fund       |
|-------------------------|-------------------|----------------|------------------|------------------|
| Restricted              | 4,293,238         | 627,130        | 2,207,195        | 1,221,868        |
| Unrestricted            | 8,532,722         | 0              | 0                | 0                |
| <b>TOTAL FUNDS HELD</b> | <b>12,825,960</b> | <b>627,130</b> | <b>2,207,195</b> | <b>1,221,868</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 \$8,349,431 at end of month:

| RESTRICTED FUNDS                                   | External         | Internal         | June 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> |

The reserves are to be adjusted as a part of the 2020-21 end of financial year processes.

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

|                                               |                  |
|-----------------------------------------------|------------------|
| <b>Cashbook Summary</b>                       |                  |
| Opening Cashbook Balance                      | 4,413,109        |
| Plus Receipts                                 | 355,758          |
| Less Payments                                 | (2,014,405)      |
| <b>Cashbook Balance at 30 June 2021</b>       | <b>2,754,462</b> |
| <b>Statement Summary</b>                      |                  |
| Opening Statement Balance                     | 4,410,750        |
| Plus Receipts                                 | 360,202          |
| Less Payments                                 | (2,016,350)      |
| <b>Bank Statement Balance at 30 June 2021</b> | <b>2,754,601</b> |
| Plus Unpresented Receipts                     | 3,707            |
| Less Unpresented Payments                     | (3,846)          |
| <b>Reconciliation Balance at 30 June 2021</b> | <b>2,754,462</b> |

### SUMMARY

Council currently holds \$16,882,152 in Cash and Investments. The average interest rate trend has risen for July 2021 being 0.45% 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.



### 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>D21.54104</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 &amp; 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 July meeting of Council.

| Application                                  | Owner/Applicant                                     | Locality                                         | Description                        |
|----------------------------------------------|-----------------------------------------------------|--------------------------------------------------|------------------------------------|
| DA 58/2021                                   | James Golsworthy<br>Consulting for Almas<br>Almonds | Meilman Station,<br>1111 Meilman<br>Road, Euston | Irrigation Pump Station<br>Upgrade |
| DA 01/2022                                   | Mr David Fuller for Mr<br>Wayne Beer                | 149 Ballandella<br>Street, Balranald             | Transportable Dwelling             |
| S68 01/2022                                  | Mr David Fuller for Mr<br>Wayne Beer                | 149 Ballandella<br>Street, Balranald             | Transportable Dwelling             |
| OC 01/2022<br>(certificate of<br>completion) | Condely Construction                                | 151 Ballandella<br>Street, Balranald             | Sanitary plumbing for<br>dwelling  |

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

|                                                                                          |   |
|------------------------------------------------------------------------------------------|---|
| Environmental Planning & Assessment Act 1979<br>Planning Information Certificates (10.7) | 9 |
| 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              | 3 |
| Biosecurity Act 2015<br>Outstanding Orders (Noxious Weeds) | 0 |

The following Section 4.6 Variations have been issued under delegated authority since the July meeting of Council.

| Application | Owner/Applicant | Locality | Description |
|-------------|-----------------|----------|-------------|
| Nil         | -               | -        | -           |

### FINANCIAL IMPLICATION

Nil

### LEGISLATIVE IMPLICATION

Environmental Planning & 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 UPDATE**

|                                    |                                                                                                                     |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>File Number:</b>                | <b>D21.55088</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 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 9 August 2021.

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

Bitumen sealing of both the 2km section of MR514 (Oxley Road) and the reconstruction of MR296 (Kyalite-Moulamein Road) from the Kyalite Caravan Park to the Shire boundary has been successfully completed.

Council has been advised that its funding submission under the Regional Roads Repair Programme for widening the formation of a narrow 6km section of MR67 (Balranald-Ivanhoe Road) north of Homebush has been unsuccessful. Attention is now turning to whether this important safety upgrade can be otherwise funded through alternative sources.

Safety improvements including edge lines and reflective pavement markers have been installed on that part of MR67 that will become part of the haul route from the Atlas-Campaspe mine. In addition, centreline marking on the balance of the road from Balranald to Hatfield has been renewed. Work will commence shortly on culvert extensions, shoulder improvements and upgraded signage on this road.

Preliminary planning is in hand for road realignment projects on MR67 at Hatfield and MR514 at Juanbung to eliminate hazardous curves. Once the design, costings and acquisition negotiations have been completed, funding for these projects will be sought to enable the works to be carried out in 2022-23

*Local roads*

Work is continuing on the reconstruction and sealing of approximately 13km of the Weimby-Kyalite Road, with the section from the Windomal intersection to Junction Park Station now sealed. Completion of this project is expected in October.

Work will resume shortly on a further extension of the bitumen pavement on Marma-Box Creek Road with the expectation that this can be extended to the Wampo intersection by November.

Raised thresholds recently installed on Bertram and Taylor Roads, Euston appear to have been successful as a traffic calming measure. Additional work at the entrances to these roads will be carried out shortly to further manage traffic speeds.

As reported last month:

- Work on improvements to the Hatfield-The Vale Road at Binda has been delayed by other priorities but will commence shortly.
- Pavement rehabilitation on Kilpatrick Road and the widening of Leslie Drive in Euston is expected to commence within the next two months.
- Applications have been submitted for funding of four projects under Round 3 of the Fixing Local Roads programme:
  - Tapalin Mail Road alignment improvements at the Shire boundary with Wentworth Shire
  - 2km extension of bitumen on Euston-Prungle Road
  - Reconstruction of 3km of Benanee Road to eliminate recurrent flooding problems
  - Further extension of bitumen sealing on Marma-Box Creek Road westwards from Wampo intersection

## **1.2 Unsealed road maintenance**

Maintenance grading on unsealed roads is being resumed on a programmed basis, concentrating on sections that are in especially poor condition. Sections of the Mildura-Ivanhoe Road and the Oxley-Clare Road have been graded, with the Tin Tin-Bidura (Burke and Wills) Road, Tapalin Mail Road, Tammit Road Euston-Prungle Road and Benanee Road programmed next. A comprehensive survey of road conditions across the unsealed network is being undertaken to prioritise expenditure on what is always a major cost centre for Council.

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**

Bitumen reseals, edge maintenance and heavy patching works for the year are currently being evaluated.

## **1.4 Bridge maintenance**

No change since the last report.

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

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

Engineering staff continue to liaise with Public Works Advisory and DPIE (Water) to finalise the Strategy. At this stage the focus is on refining the future growth in demand for both Balranald and Euston. Once finalised and accepted by DPIE (Water), this will form the basis of future funding for water and sewer infrastructure in the Shire.

## **2.2 Balranald Sewerage Program**

A further round of sewer relining is underway. The switchboard upgrade for Pump Station No 2 is ready to proceed as soon as the contractor is available. A replacement for a failed pump at Pump Station No 1 is also required and this will be added to the budgeted programme of works

## **2.3 Balranald Water Network**

A switchboard upgrade for the main raw water intake is awaiting contractor availability. A replacement pump for the intake has been purchased, awaiting contractor availability for installation, with work now expected later this month. This upgrade is necessary to allow the planned inspection and desludging of the raw water reservoir. Inspection and minor remedial works to the filtered water reservoir is expected to take place in October.

Scope and pricing is in hand for a further round of AC mains replacement.

## **2.4 Euston Sewerage Program**

No update since the last report.

## **2.5 Euston Water Network**

Scope and pricing is in hand for a further round of AC mains replacement.

## **2.6 Kyalite Water Supply**

Council continues to investigate the viability of consolidation and taking 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**

Orders have been placed to rectify some omissions from the works that were part of the original scope. Conversion of streetlights to LED will now be carried out by Essential Energy as part of a town-wide project in November.

## **3.2 Riverfront precinct**

As previously reported, contracts have been awarded for an additional 1.9km loop of the ecotrail walkway and for modifications to the existing swing bridge to improve accessibility. Orders have also been placed for the toilet and barbecues to be installed at the River Bend. As previously advised, it is expected that funding for the proposed second bridge will be available in 2022.

# **4. Buildings and Facilities**

## **4.1 Greenham Park**

A contract has been awarded for construction of new change rooms for the football club. On site construction, commencing with demolition of the existing building, will occur immediately following the current football season.

Work has commenced on the upgrading of four of the tennis courts to sand-filled artificial turf. Upgraded LED lighting of two courts is currently under consideration, subject to budget. Improvements to the carpark are also proposed

#### **4.2 Swimming Pool**

No new works to report.

#### **4.3 Bidgee Haven Hostel**

No update since last report. Although Council's application for additional funding has been provisionally approved, a number of details remain to be resolved before construction proceeds.

#### **4.4 Aerodrome**

Work on upgrading the perimeter fence has been held up by material supply delays. It is now expected that work on site will commence in November.

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

Updated concept plans have been received by Council and are under review. Contract documentation is in hand with a view to inviting tenders for construction as soon as possible, in order for the works to be complete within the funding deadline of June 2022..

#### **4.6 Balranald Library**

Preliminary planning is in hand for some minor capital works at the library.

#### **4.7 Theatre Royal**

Commissioning of upgraded heating in the Theatre is still delayed by some metering issues, which are being worked through with Essential Energy. Funds have been allocated in the current budget for a conservation plan and some upgrading of underutilised spaces in the building.

#### **4.8 Balranald Landfill**

No change since the last report.

Council, along with other Councils in the region, has entered into a Memorandum of Understanding with Hay Shire Council for the development in Hay of a regional recycling facility. The intention is that recyclables will be separately collected as part of the proposed upgrades to the landfill, and then transported periodically to the regional facility.

#### **4.9 Euston Landfill**

No change since the last report.

**4.10 Balranald Cemetery**

The report on the ground penetrating radar (GPR) investigation of the site of a proposed toilet has been received and this project is now clear to proceed.

**4.11 Euston Cemetery**

No update since last the report.

**4.12 Euston Recreation Reserve**

No change since the last report. Funding applications have been submitted for replacement of the netball change sheds and upgraded lighting. 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 for public spaces in Euston generally.

**4.13 Euston Riverfront Reserve and Walking Trails**

No change since the last report. A number of enhancements to signage, furniture and amenities are in hand, including a drinking fountain at the entrance to the Robinvale walking track. Discussions are in hand to acquire use of an area of land for a small carpark at the entrance to the track.

**4.14 Balranald Creative Learning Centre**

A contract has been awarded for the design and construction of this facility. Preliminary site works have commenced.

**4.16 Kyalite Riverside Reserve**

Work is proceeding to develop a parking area adjacent to Anzac Park, led by the local Progress Association with Council assistance. The construction of a path and steps linking Anzac Park to the Riverfront Reserve will be carried out later this year.

**4.17 Anzac Park, Balranald**

Perimeter fencing and installation of a toilet are complete. A number of dying and potentially dangerous trees are to be substantially cut back.

**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.

Stormwater drainage is problematic at various locations around the town and options for remedial action are being investigated.

**5.2 Euston town maintenance**

The Operations team continue to carry out routine town maintenance tasks and specific works as required from time to time. Landscaping of the main entries to the town has been identified by the Euston Progressive Advisory Committee and is being addressed as part of the proposed masterplan for public spaces in Euston generally.

**6. Forward planning**

Planning for implementation of the Works Programme for forthcoming year is largely complete. As always, this will be refined throughout the year as new grant funding outcomes are announced.

**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

Roads 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**