



MINUTES

**Ordinary Council Meeting
Tuesday, 16 November 2021**

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**MINUTES OF BALRANALD SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MARKET STREET BALRANALD
ON TUESDAY, 16 NOVEMBER 2021 AT 5PM**

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

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

PRESENT:

Administrator Mike Colreavy

IN ATTENDANCE:

Gleann Wilcox (Acting General Manager), Ray Davy (Director Infrastructure & Development), Hodi Beauliv (Member) and Carol Hoanes (Senior Executive Officer).

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES**4.1 MINUTES OF THE COUNCIL MEETING HELD ON 19 OCTOBER 2021**

RESOLUTION 2021/189

Moved: Administrator Mike Colreavy

That the Minutes of the Council Meeting held on 19 October 2021 be received and noted.

CARRIED

5 DISCLOSURE OF INTEREST - There were no Disclosures of Interest.**6 ADMINISTRATOR MINUTE/REPORT - There was no Administrator Minute/Report.**

7 COMMITTEE REPORTS FOR ADOPTION**7.1 MINUTES OF THE WORKS COMMITTEE MEETING HELD ON 8 NOVEMBER 2021**

RESOLUTION 2021/190

Moved: Administrator Mike Colreavy

That Council

1. Receives and notes the Minutes of Works Committee Meeting held on Monday 8 November 2021;
2. Approves the Terms of Reference for the Works Committee as set out in the report.
3. Proceed with the calling of tenders to undertake construction works on Tapalin Mill Road as detailed in the report to the Committee.
4. Proceed with the calling of tenders to undertake construction works on Kilpatrick Road and Leslie Drive, Euston as detailed in the report to the Committee.
5. Notes the actions taken to progress the Visitor Information Centre project.
6. Endorses in principle the ten-year road construction programme as described in the report to the Committee, with the inclusion of the proposed Balranald Western Bypass, for the purposes of prioritising forward planning, design and grant applications, and requests that the programme be updated to reflect funding opportunities as and when they become available, and be reviewed annually on a ten year rolling basis.

CARRIED

7.2 EUSTON PROGRESSIVE ADVISORY COMMITTEE MEETING - HELD ON 27 SEPTEMBER & 25 OCTOBER 2021

RESOLUTION 2021/191

Moved: Administrator Mike Colreavy

That Council

1. Receives and notes the Minutes of the Euston Progressive Advisory Committee (EPAC) meetings held on Monday 27 September and 25 October 2021;
2. Investigate funding options to enable insulating the Club Rooms.
3. Make the conversion of the netball court to a covered Multipurpose court facility a priority;
5. Send the Euston Progressive Advisory Committee an email with updates on all the previous recommendations from the Committee to Council.

CARRIED

7.3 BALRANALD BEAUTIFICATION ADVISORY COMMITTEE HELD ON 6 OCTOBER 2021

RESOLUTION 2021/192

Moved: Administrator Mike Colreavy

That Council receives and notes the Minutes of the Balranald Beautification Advisory Committee (BBAC) meeting held on 6 October 2021 and the recommendations therein be adopted.

CARRIED

7.4 STRENGTHENING COMMUNITY ACCESS, INCLUSION & WELLBEING ADVISORY COMMITTEE HELD ON 4 NOVEMBER 2021

RESOLUTION 2021/193

Moved: Administrator Mike Colreavy

That Council

1. Receives and notes the Minutes of the Strengthening Community Access, Inclusion & Wellbeing Advisory Committee (SCAIW) meeting held on 4 November 2021.
2. Notes the SCAIW Advisory Committee's unanimous decision about merging to decline the request.

CARRIED

7.5 LOCAL TRAFFIC COMMITTEE MEETING HELD ON TUESDAY 9 NOVEMBER 2021

RESOLUTION 2021/194

Moved: Administrator Mike Colreavy

That the Minutes of the Local Traffic Committee meeting held on Tuesday 9 November 2021 be received and noted.

CARRIED

RESOLUTION 2021/195

Moved: Administrator Mike Colreavy

That the late item 7.6 Growing Business Industry & Tourism Advisory Committee Meeting held on 9 November 2021 and Item 7.7 Executive of Chairs Committee Meetings held on 21 September and 9 November 2021 be admitted to the agenda.

CARRIED

7.6 GROWING BUSINESS INDUSTRY & TOURISM ADVISORY COMMITTEE MEETING HELD ON 9 NOVEMBER 2021

RESOLUTION 2021/196

Moved: Administrator Mike Colreavy

That Council receives and notes the Minutes of the Growing Business Industry & Tourism Advisory Committee (GBITAC) meeting held on 9 November 2021

CARRIED

7.7 EXECUTIVE OF CHAIRS COMMITTEE HELD ON 21 SEPTEMBER AND 9 NOVEMBER 2021**EXECUTIVE OF CHAIRS REQUEST - 9 NOVEMBER 2021****ADMINISTRATORS REMARKS**

After the Ageing Well Aged Care & Facilities Advisory Committee met on 14 October 2021, it recommended that Council proceed with the expansion of Bidgee Haven whilst Council investigates the possibility of negotiating a sale of the "whole" Bidgee Haven Retirement Hostel complex - i.e. Aged Care, Dementia Care and Independent Living Units.

On 19 October Council resolved:

- That Council receives and notes the Minutes of the Ageing Well, Aged Care and Facilities Advisory Committee (AWACAFAC) meeting held on 14 October 2021.
- That tendering and construction of the 15 bed extension be placed on hold, at this stage.
- That advice be sought from the funding body about the potential to transfer the approved grant funding to a future hostel operator.
- That expressions of interest be called for the sale of the Bidgee Haven Hostel complex to an experienced, specialist aged care operator.
- That the pre-construction design and planning work, and preparation of tender documents currently underway, be finalised by Council for inclusion with the sale of the complex.

The Executive of Chairs requested to meet me on this subject. This occurred on 9 November 2021 – the majority of Chairs were present. During a lengthy discussion, the Chairs urged Council not to divest the Bidgee Haven Hostel under any circumstances expressing a strong sense of ownership and control of the Hostel among the community, as well as a very sentimental attachment to it. They unanimously rejected all the reasons for divestment to an experienced, specialist aged-care operator. They expressed fears that the Government may change its direction on aged care and remove the beds from Balranald. They implied that the safest option for retaining community control of the Hostel is for Council to retain it. They were unconcerned that in Council's hands, the Hostel is not financially viable in the long term, or about the impacts of that on other Council infrastructure.

The session with the Chairs ended with their recommendation to put the divestment on-hold:

- *The decision be put on hold and other scenarios be looked at for the operation of the Hostel.*
- *Continue discussions with the Chairs and invite two other community members (Mia Zajina and Peter Lowler) who have extensive knowledge in this space.*

In the absence of an elected governing body at Balranald, Council's advisory committees exist to provide community input into the appointed governing body's decision-making. When I met with them, the Chairs asked me to consider if the advisory committees are of any use if they are not listened to.

Please be assured that the advisory committees are listened to. This is exemplified by most recommendations coming to Council from these committees, up until now, being adopted by Council. That is not to say that Council accepts every comment made by individual committee members, or by an individual Chair. My responsibility is to judge what is in Council's best interests, what comments or advice to accept, and (sometimes) what to reject. For example, in that session, without offering any evidence at all, one Chair accused the Government of being 'corrupt' as a reason for not divesting the Hostel. That kind of unsubstantiated commentary has played no part in the decision I am about to relay to you. It is counter-productive because it triggers a higher level of alertness to everything that is said in these types of discussions, and it undermines the credibility of the person(s) who made the accusation.

Council is in a challenging overall financial position. We are currently still awaiting the Annual Financial Statements for the Year ended 30 June 2021. These are expected to be finalised by mid-January. Once they are received, I will be better placed to understand the relationship between our overall financial position, the risk implications attached to retaining the Hostel as a 15-bed facility, or the proposed extension to 30 beds, and the importance, or otherwise, to its continuing viability of divestment to a specialist aged-care provider.

Having listened carefully to the arguments of the Ageing Well, Aged Care & Facilities Advisory Committee and to those of the Executive of Chairs, I have decided that putting the divestment decision on hold for a brief period until February 2022 will not unduly expand the governance and financial risks to Council. Council will further review the matter at that time. Expressions of interest will therefore not be called for the sale of the Bidgoe Haven Hostel complex to an experienced, specialist aged-care operator while the matter is on hold. In the interim, Council has been provided advice at Item 12.2 of today's Agenda on appropriate interim governance and management oversight arrangements for the Hostel.

RESOLUTION 2021/197

Moved: Administrator Mike Colreavy

1. The decision to go to expressions of interest for the divestment of Bidgoe Haven Hostel provided in Clause 4 of Council Resolution No 2021/166 (19 October 2021) be placed on hold until February 2022;
2. There be a further report on this matter to the February 2022 Council Meeting;
3. In the interim, the General Manager has provided advice to Council on the interim governance structure for the Hostel in the report at Item 12.2 on today's Agenda;
4. That my opening remarks on this matter be recorded in the minutes of this meeting;
5. Receive and note the Minutes of the Executive of Chairs Committee Meeting held on Tuesday 21 September and 9 November 2021; and
6. Continue discussions with the Chair's and invite two other community members (Mia Zaifira and Peter Lawler) who have extensive knowledge in this space.

CARRIED

GENERAL MANAGER'S REPORTS (INCORPORATING ALL STAFF REPORTS)**PART A – ITEMS REQUIRING DECISION****8 GENERAL MANAGER'S REPORTS****8.1 ADOPTION OF MODEL CODE OF MEETING PRACTICE****PURPOSE OF REPORT**

To seek Council agreement to formally adopt the revised Model Code of Meeting Practice 2021 for Local Councils in NSW presented by Office of Local Government.

RESOLUTION 2021/198

Moved: Administrator Mike Colreavy

That the Draft Model Code of Meeting Practice be placed on exhibition and advertised for a period of 28 days for public comment and any public comments be reported back to the February Ordinary Council Meeting.

CARRIED

9 CORPORATE & COMMUNITY SERVICES REPORTS**9.1 QUARTERLY BUDGET REVIEW - SEPTEMBER 2021****PURPOSE OF REPORT**

To advise Council of the Quarterly budget review and financial position as at 30 September 2021.

RESOLUTION 2021/199

Moved: Administrator Mike Colreavy

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

CARRIED

9.2 TENDERS – RFT 20/21-07 - IT TRANSFORMATION AND MANAGED SERVICES**PURPOSE OF REPORT**

To recommend acceptance of the successful tender for Balranald Shire Council's IT Transformation and Managed Services.

RESOLUTION 2021/200

Moved: Administrator Mike Colreavy

That Council

1. Accept the tender received from Eflex for the Contract RFT 20/21-07 IT Transformation and Managed Service in the amount of \$820,645.45 excluding GST for a 3-year contract with the ability to extend for a further 2 year term and then another 1 year term
2. Authorise the General Manager and Administrator to sign and affix the Common Seal of Balranald Shire Council to the Contract documentation for the IT Transformation and Managed Services

CARRIED

9.3 BALRANALD SHIRE COUNCIL 2020-21 ANNUAL REPORT AND END OF TERM REPORT**PURPOSE OF REPORT**

To provide a copy of the Balranald Shire Council 2020-21 Annual Report and the 2017-2021 End of Term report to Council for adoption.

RESOLUTION 2021/201

Moved: Administrator Mike Colreavy

That Council receive the Balranald Shire Council 2020-21 Annual Report and the 2017-2021 End of Term report and place copies on Council's Website.

CARRIED

9.4 ADVICE FROM DEPARTMENT OF HEALTH REGARDING GRANT FUNDING FOR THE BALRANALD RETIREMENT HOSTEL

RESOLUTION 2021/202

Moved: Administrator Mike Colreavy

That the attached letter from the Australian Government Department of Health on the funding for the Balranald Retirement Hostel be noted.

CARRIED

10 INFRASTRUCTURE & DEVELOPMENT REPORTS**10.1 INFRASTRUCTURE UPDATE****PURPOSE OF REPORT**

To update Council on infrastructure works currently in hand and in planning, updated to 10 November 2021.

RESOLUTION 2021/203

Moved: Administrator Mike Colreavy

That the monthly update of infrastructure projects be received and noted

CARRIED

PART B – ITEMS FOR INFORMATION**11 GENERAL MANAGER'S REPORTS****11.1 BETTER PRACTICE RECOMMENDATIONS****PURPOSE OF REPORT**

Council at its October 2021 Meeting resolved to adopt the report on the Voluntary assessment of the organisation under the Office of Local Governments Better Practice Review assessment program.

RESOLUTION 2021/204

Moved: Administrator Mike Colreavy

That the report be received and noted and I look forward to future editions when we start to reduce outstanding requirements.

CARRIED

11.2 OUTSTANDING ACTIONS**PURPOSE OF REPORT**

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

RESOLUTION 2021/205

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

11.3 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 October 2021 Ordinary Meeting.

OFFICE RECOMMENDATION

That the report be received and noted.

RESOLUTION 2021/206

Moved: Administrator Mike Colreavy

That the Recommendations from Item 11.3 and 11.4 be adopted.

CARRIED

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

To provide Council with copies of the circulars received from Office Local Government since October Council Meeting.

RESOLUTION 2021/207

Moved: Administrator Mike Colreavy

That Council receive and note this report.

CARRIED

11.5 DRAFT COMMUNITY STRATEGIC PLAN**PURPOSE OF REPORT**

This report is to provide advice on the development of a new Community Strategic Plan as required under the Local Government Act 1993.

RESOLUTION 2021/208

Moved: Administrator Mike Colreavy

That Council

1. Note the development of the Draft Issues Paper and the survey; and
2. Advertise the survey on Council's website and monthly community newsletter.

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.

RESOLUTION 2021/209

Moved: Administrator Mike Colreavy

That Council receive and note the Balranald Caravan Park Financial Report for the period ended on 30 September 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 Operational and Capital Works budget.

RESOLUTION 2021/210

Moved: Administrator Mike Colreavy

1. That Council receive and note the Bidgee Haven Retirement Hostel September 2021 Quarterly Report inclusive of financial information against the operational and capital budget.
2. That Council approves the appointment of an internal committee, consisting of the Administrator, General Manager, Director Corporate and Community Services and Hostel Coordinator for the oversight of the Balranald Bidgee Haven Retirement Hostel.

CARRIED

12.3 STATEMENT OF FUNDS - OCTOBER 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 October 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 are moving towards compliance with Council's Investment Policy, which was adopted by Council on the 17 October 2017
-

RESOLUTION 2021/211

Moved: Administrator Mike Colreavy

That Council receives and notes the Statement of Funds for the period ending 31 October 2021.

CARRIED

12.4 MONTHLY FINANCE REPORT - OCTOBER 2021**PURPOSE OF REPORT**

The purpose of this report is to advise Council of the actions undertaken during October 2021 to ensure Council's transactions are up-to-date and correct in the Practical and subsidiary ledger systems for the month ending 31 October 2021

RESOLUTION 2021/212

Moved: Administrator Mike Colreavy

That Council receives and notes the report on the status of Council's financial operating systems and processes.

CARRIED

12.5 QUARTERLY TOURISM REPORT - JULY TO SEPTEMBER 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 September 2021 quarter.

RESOLUTION 2021/213

Moved: Administrator Mike Colreavy

That Council receives and notes the Quarterly Tourism Report July - September 2021.

CARRIED

13 INFRASTRUCTURE & DEVELOPMENT REPORTS

13.1 PLANNING ADMINISTRATION

PURPOSE OF REPORT

To advise Council of activities in the Planning area

RESOLUTION 2021/214

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 Meeting closed at 6.04pm.

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


ADMINISTRATOR


ACTING GENERAL MANAGER

