



MINUTES

**Ordinary Council Meeting
Tuesday, 20 September 2022**

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	Nil	

MINUTES OF BALRANALD SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MARKET STREET BALRANALD
ON TUESDAY, 20 SEPTEMBER 2022 AT 5PM

1 OPENING OF MEETING

5.00PM

PRESENT:

Administrator Mike Colreavy

IN ATTENDANCE:

Jeff Sowiak (General Manager), Kerry Jones (Executive Manager of Engineering), Carol Holmes (Senior Executive Officer), Fiona Scoleri (Executive Assistant), Glenn Wilcox (Consultant)

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.

DEATH OF THE MONARCH

Administrator Mike Colreavy opened the meeting with a minute's respectful silence to mark the death of HRH Queen Elizabeth II.

3 APOLOGIES

Nil

PRESENTATION OF NORMA MALE EXCELLENCE AWARD 2022

Norma Male Excellence Award for 2022 presented to Anna Coates to acknowledge her excellent work for Council at the Bidgee Haven Hostel and more recently at the Balranald Caravan Park.

4 CONFIRMATION OF MINUTES

4.1 MINUTES OF THE COUNCIL MEETING HELD ON 16 AUGUST 2022

RESOLUTION 2022/159

Moved: Administrator Mike Colreavy

1. That the Minutes of the Council Meeting held on 16 August 2022 be received and noted.

CARRIED

5 DISCLOSURE OF INTEREST

NIL

6 ADMINISTRATOR MINUTE/REPORT

0.0 ADMINISTRATOR MINUTE - CHANGE MEETING DATE

RESOLUTION 2022/160

Moved: Administrator Mike Colreavy

I resolve that the scheduled date for the November 2022 Balranald Shire Council meeting be changed from 15 November to 22 November 2022.

CARRIED

7 COMMITTEE REPORTS FOR ADOPTION

7.1 BALRANALD BEAUTIFICATION ADVISORY COMMITTEE MEETING HELD ON WEDNESDAY 3 AUGUST 2022

PURPOSE OF REPORT

To update Council of the BBAC meeting held on Wednesday 3 August 2022.

RESOLUTION 2022/161

Moved: Administrator Mike Colreavy

That the Minutes of the Balranald Beautification (BBAC) Advisory Committee meeting held on 3 August 2022 be received and noted.

CARRIED

7.2 MURRAY DARLING ASSOCIATION - REGION 4 HELD ON 10 AUGUST 2022

RESOLUTION 2022/162

Moved: Administrator Mike Colreavy

1. That the Annual General Meeting Minutes of the Murray Darling Association (MDA) – Region 4 held on 10 August be received and noted.

CARRIED

7.3 STRENGTHENING COMMUNITY ACCESS INCLUSION AND WELLBEING ADVISORY COMMITTEE HELD ON 25 AUGUST 2022

RESOLUTION 2022/163

Moved: Administrator Mike Colreavy

1. That the Minutes of the Strengthening Community Access Inclusion and Wellbeing Advisory
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Committee (SCAIW) meeting held on Thursday 23 June 2022 be received and noted.

2. That Council support SCAIW offering in-kind support to MaariMa with planning and delivery of the November White Ribbon event; and
3. That Council commences planning for the 2023 Australia Day celebrations including committee membership and funding opportunities for Balranald Shire.

CARRIED

7.4 EXECUTIVE OF CHAIRS ADVISORY COMMITTEE HELD ON - WEDNESDAY 31ST AUGUST 2022

RESOLUTION 2022/164

Moved: Administrator Mike Colreavy

1. That the Minutes of the Executive of Chairs Advisory Committee meeting held on 31st August 2022 be received and noted.
2. That Council notes the Committee's support of the proposal from Robinvale/Euston Football Club to apply for some funding to upgrade the Euston Football Ground.
3. That the proposed projects set out in the table below and the proposal from Robinvale/Euston Football Club for upgrading the Euston Football Ground be endorsed and submitted to the funding body for approval

Stronger Country Communities Fund proposed projects Round 5				
Project	Brief Description	Indicative Cost	Admin	Total
1	Kyalite Memorial Park			
	Upgrade to Memorial Park rest area to include public toilets and ancillary facilities.	\$92,000	\$9,200	\$101,200
2	Balranald Shire Signage			
	Project to undertake recognition of first nations lands and enhance signage including town Balranald and Euston town entrance.	\$185,000	\$18,500	\$203,500
3	Safe Fencing Balranald Pool			
	To remove and replace non-compliant fencing with approved pool fencing around Balranald.	\$101,000	\$10,100	\$111,100
4	Netball Courts Balranald			
	To resurface Balranald Netball Courts	\$150,000	\$15,000	\$165,000
5	Basket Ball Balranald			
	To design and construct new basketball courts and facilities for Balranald	\$230,000	\$23,000	\$253,000
6	Hatfield Community facilities			
	To develop and install appropriate rest area or facilities for visitors to Hatfield.	\$100,000	\$10,000	\$110,000

	Net cost ex GST	\$858,000	\$85,800	\$943,800
	Administration & Supervision	\$85,800	=< 10%	
	Total Net GST	\$943,800		
	Allocation Available	\$943,758		
	Net Under over allocated	\$42		

CARRIED

GENERAL MANAGER'S REPORTS (INCORPORATING ALL STAFF REPORTS)

PART A – ITEMS REQUIRING DECISION

8 GENERAL MANAGER'S REPORTS

8.1 DISCLOSURE OF INTEREST RETURNS

PURPOSE OF REPORT

In accordance with the Model Code of Conduct for Local Council in NSW, Clause 4.21 and Part 4 it is a requirement to disclose pecuniary interests and other matters by designated personnel.

RESOLUTION 2022/165

Moved: Administrator Mike Colreavy

That Council notes the disclosure of interest register as tabled at this meeting.

CARRIED

8.2 ADVISORY COMMITTEE MEMBERSHIP, GUIDELINES AND TERMS OF REFERENCE

PURPOSE OF REPORT

To provide Council with an update on our Advisory Committee structure and seek extensions of existing members.

Administrator enquired about the process of Chairperson, Secretary etc. for each Advisory Committee.

General Manager advised that he would view the document and include a clause to the Guidelines if needed.

RESOLUTION 2022/166

Moved: Administrator Mike Colreavy

That Council

1. Adopts the Advisory Committee Guidelines, which includes the Terms of Reference of each Advisory Committee, with the amendment from General Manager to include election of Chairperson, secretary etc.;
2. Forward the attached Registration form to active members and formally offer an extension of

appointments to our existing Advisory Committees; and

3. Advertise for expressions of interests for the Advisory Committee to encourage new members to join.

CARRIED

8.3 DISABILITY INCLUSION ACTION PLAN

PURPOSE OF REPORT

Council is required to prepare, monitor and report on the progress in the implementation of the Council's Disability inclusion Action Plan (DIAP) prepared in accordance with Sect 12 of the Disability Inclusion Act 2014. The plan is required to be reviewed every four years and the purpose of the review is to ensure that the plan fulfills the requirements for people with disabilities to access buildings, events and facilities and opportunities for people with disabilities to access the range of services and activities available in the community.

RESOLUTION 2022/167

Moved: Administrator Mike Colreavy

That Council formally adopt the revised Disability Inclusion Action Plan 2022- 2026

CARRIED

8.4 DRAFT GENERAL PURPOSE ANNUAL FINANCIAL STATEMENTS 2021/2022

PURPOSE OF REPORT

To receive the Draft General Purpose and Special Purpose Annual Financial Statements for 2021/2022 that have been referred to the Audit Risk and Improvement Committee and endorsed for submission to the audit.

RESOLUTION 2022/168

Moved: Administrator Mike Colreavy

1. That Council receives and notes the Draft General Purpose Annual Financial Statements for 2021/2022; and
2. That the Draft Financial Statements be referred to audit.

CARRIED

8.5 STRONGER COUNTRY COMMUNITIES FUND ROUND 5

PURPOSE OF REPORT

The report seeks to consider and endorse the priority projects to be funded from the Stronger Country Communities Fund round 5.

RESOLUTION 2022/169

Moved: Administrator Mike Colreavy

1. That Council endorses the recommendations of the Executive Chairs Advisory Committee Meeting held on 31st August and propose the following projects for inclusion in the application for Stronger Country Communities Fund – Round Five from the Council allocation of \$943,758
 - (a) Kyalite Memorial Park Rest Area
 - (b) Balranald Shire Signage
 - (c) Safe Fencing Balranald Pool
 - (d) Netball Courts Balranald resurfacing
 - (e) Basket Ball Courts Balranald
 - (f) Hatfield Communities and
2. That Council endorses the Executive of Chairs Advisory Committee Meeting recommendation that Council support the Robinvale Euston Football Club application for funding to upgrade the Euston Recreational Area Grounds and Facilities from the Stronger Country Communities Fund Round 5 eligible communities fund allocation of \$387,978.
3. That a letter of appreciation be sent to the funding body.

CARRIED

8.6 DONATION REQUEST - BALRANALD PRESBYTERIAN CHURCH

PURPOSE OF REPORT

To advise Council;

1. of a donation request received from Balranald Combined Churches seeking Greenham Park Hall hire costs to be waived on the evening of 11 December 2022 for Christmas Carols; and
2. of a request received from Balranald Presbyterian Church seeking permission to use the Showers at Balranald Caravan Park for Coast to Coast Riders, approximately 35 men and women.

RESOLUTION 2022/170

Moved: Administrator Mike Colreavy

That Council

1. Approves the request from the Combined Church's Community Carols for a donation of the Greenham Park Hall hire costs totalling \$270.
2. Advise the Combined Church Community Carols that the hall hire costs have been waived and the hall must be left clean and tidy.
3. Advise Pastor Dennis Rayson that permission is granted for the Coast to Coast Riders sleeping at Balranald Presbyterian Church to use of the showers at Balranald Caravan Park as a donation from Council.

CARRIED

8.7 POLICY REVIEW PUBLIC GATES AND GRIDS**PURPOSE OF REPORT**

To review the exiting policy to ensure compliance with current legislation/regulations and to provide for a process to manage, replace, approve and remove public gates and stock grids on roads.

RESOLUTION 2022/171

Moved: Administrator Mike Colreavy

That Council invite public submissions concerning the draft Public Gates and Stock Grids Policy to replace the Grids-Retention Removal and Replacement Policy adopted on 21st Feb 2017

CARRIED

8.8 NRAR WATER LICENSE PENALTY**PURPOSE OF REPORT**

To advise Council concerning the issue and then subsequent withdrawal of a Water Access License non-compliance and penalty issued for accessing water at Bidura Bore for road works.

RESOLUTION 2022/172

Moved: Administrator Mike Colreavy

That the report be received and actions to ensure that water access points are fully compliant be noted.

CARRIED

8.9 BALRANALD COMMERCIAL WASTE CHARGES**PURPOSE OF REPORT**

Council has been approached by the current commercial operator of the waste depot, to consider a reduced fee for bulk commercial waste generated from their operations and this request has initiated further consideration as to the possible implications for larger commercial operations at the waste depot and licensing requirements.

RESOLUTION 2022/173

Moved: Administrator Mike Colreavy

That Council as from 1st October, 2022;

1. Confirm that the charge for commercial waste at the Balranald waste facility is \$130.00 per tonne with provision that a 10% prompt payment discount be applied for compacted and separated commercial waste to accounts where payment is made within 30 days of invoice and
2. Discourage and if legally possible ban the acceptance of waste that is known to be from outside of the shire area at any of Council facilities.

CARRIED

8.10 DA 42/2022 - FIVE (5) LOT SUBDIVISION - YURANIGH ST BALRANALD**PURPOSE OF REPORT**

To seek Council consent under Part 4 of the Environmental Planning & Assessment Act 1979 for a five (5) lot subdivision of Lot 2 DP 1044708, Yuranigh St Balranald.

DIVISION

RESOLUTION 2022/174

Moved: Administrator Mike Colreavy

That Council approves Development Application 42/2022 for a five (5) lot subdivision of Lot 2 DP 1044708, Yuranigh St 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 to the plan as submitted, other than where varied by conditions of this consent.
3. An easement for service infrastructure is to be created in line with version 2 of the proposed servicing plan.
4. A spoon drain crossing must be installed for each individual allotment in accordance with the Balranald West Drainage Scheme specifications prior to release of the subdivision certificate. This is to be at the applicant's full cost.
5. A road opening permit must 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.
6. Water and sewer connection fees and charges to be at the applicant's full cost and paid to Council prior to the release of the subdivision certificate.
7. Plans prepared by an appropriately qualified surveyor must be submitted to Council via the NSW Planning Portal prior to the release of the Subdivision Certificate.
8. Any adjustments required to existing services for the allotments are to be at the full cost of the proponent.
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

8.11 DA 02/2023 - DWELLING - BUILDING LINE SETBACK VARIATION - 9 CARY STREET STREET EUSTON**PURPOSE OF REPORT**

To consider a building setback variation on Lot 7 DP 1123942, 9 Cary St, Euston.

RESOLUTION 2022/175

Moved: Administrator Mike Colreavy

That Council approves a primary building line setback variation to 4m for a dwelling on Lot 7 DP 1123942, 9 Cary Street Euston as per Site Plan for Job No. 110945 dated 21/7/22 as submitted with Development Application 02/2023.

CARRIED

8.12 S7.12 DEVELOPMENT CONTRIBUTION PLAN**PURPOSE OF REPORT**

To exhibit the Draft 7.12 Development Contribution Plan

RESOLUTION 2022/176

Moved: Administrator Mike Colreavy

That Council

1. Place the Draft S7.12 Development Contribution Plan on public exhibition for a period of 28 days; and
2. Receive a further report following conclusion of public exhibition to consider any submissions.

CARRIED

PART B – ITEMS FOR INFORMATION**3 GENERAL MANAGER'S REPORTS****9.1 GRANT STATUS UPDATE****PURPOSE OF REPORT**

To provide Council with an updated summary of the current and active grant funded projects across Council.

RESOLUTION 2022/177

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.2 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 Managers since August 2022 Ordinary Meeting.

RESOLUTION 2022/178

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.3 CIRCULARS FROM OFFICE LOCAL GOVERNMENT & CORRESPONDENCE OF INFORMATION**PURPOSE OF REPORT**

To provide Council with copies of the circulars received from Office Local Government and correspondence of interest received since the August Council Meeting.

RESOLUTION 2022/179

Moved: Administrator Mike Colreavy

That Council receives and notes this report.

CARRIED

9.4 OUTSTANDING ACTIONS**PURPOSE OF REPORT**

To bring forward for information the Action Report with outstanding actions from previous Council resolutions.

RESOLUTION 2022/180

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.5 PLANNING ADMINISTRATION**PURPOSE OF REPORT**

To advise Council of activities in the Planning area

RESOLUTION 2022/181

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.6 ENGINEERING UPDATE AS OF 13 SEPTEMBER 2022**PURPOSE OF REPORT**

To provide Council with an update on Engineering works currently in progress and in planning, updated to 13 September 2022.

RESOLUTION 2022/182

Moved: Administrator Mike Colreavy

That the report be received and noted

CARRIED

9.7 KYALITE-MOULAMEIN REPAIR PROGRAM 20/21 OVER EXPENDITURE**PURPOSE OF REPORT**

To determine the reason why the 5% bond for lump sum Contract RFT 20/21-09 – MR296 Design and Construct Kyalite Moulamein Road at Kyalite was not accounted for at the time for payment.

RESOLUTION 2022/183

Moved: Administrator Mike Colreavy

That the over-expenditure of \$21,526.30 from Transport for NSW – Block Grant Funding 2021/2022 be received and noted.

CARRIED

9.8 REPAIR PROGRAM AND BLOCK GRANT 21/22 OVER EXPENDITURE**PURPOSE OF REPORT**

1. To inform Council of an over-expenditure of \$230,5193.05 from 2021/22 Transport for NSW Block Grant Funding.
 2. To show how this over-expenditure occurred.
-

RESOLUTION 2022/184

Moved: Administrator Mike Colreavy

That the report on the over-expenditure of \$230,513.05 from Transport for NSW – Block Grant Funding 2021/2022 be received and noted.

CARRIED

9.9 END OF YEAR RESERVES AND UNRESTRICTED FUNDS**PURPOSE OF REPORT**

To endorse the level of restricted and unrestricted reserves for the year ended 30th June 2022.

RESOLUTION 2022/185

Moved: Administrator Mike Colreavy

That Council

1. Receives the report and notes the balance of Restricted Reserves.
2. Approves the Internally Restricted Reserve balances as at 30th June 2022.
3. Approves of the utilisation of the Plant Reserve to fund a significant upgrade to the plant fleet and to use this opportunity to dispose of unserviceable plant and equipment that has reached the end of its useful life. Individual details of these and the relevant budget adjustments will be reported to Council as they occur.
4. Approves of the utilisation of the Caravan Park reserve to renew/replace existing cabins that are due for renewal. Individual details of these and the relevant budget adjustments will be reported to Council as they occur.
5. Consider a further report on utilisation of the Infrastructure Replacement Fund for infrastructure replacement projects.

CARRIED

9.10 REPORT ON AREAS OF COUNCIL'S FINANCIAL OPERATIONS**PURPOSE OF REPORT**

The purpose of this report is to advise and report to council on the status of the following financial areas of operation-

- 1 Investments
- 2 Bank Reconciliation
- 3 Monthly Statement of Rates and Charges
- 4 Monthly Summary of Revenue and Expenditure for the Caravan Park
- 5 Monthly Summary of Revenue and Expenditure for the Bidgee Haven Hostel
- 6 Monthly Summary of Revenue and Expenditure for the Tourist Information Centre
- 7 Monthly Summary of Revenue and Expenditure for the Library
- 8 Debtors
- 9 Grants – See separate report
- 10 Statement of Currency of Work within the Finance Function of Council

RESOLUTION 2022/186

Moved: Administrator Mike Colreavy

That Council receives and notes the following financial information for the period ending 31 August 2022.

CARRIED

10 NOTICE OF MOTION / QUESTIONS ON NOTICE


Nil

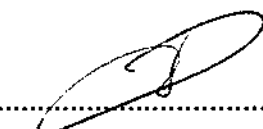
11 CONFIDENTIAL MATTERS

Nil

The Meeting closed at 6.37pm.

The minutes of this meeting were confirmed at the Council Meeting held on 18 October 2022.


ADMINISTRATOR


GENERAL MANAGER