



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 29 November 2022**

**Order Of Business**

<b>1</b>	<b>Opening of Meeting .....</b>	<b>4</b>
<b>2</b>	<b>Acknowledgment of country .....</b>	<b>4</b>
<b>3</b>	<b>Apologies .....</b>	<b>4</b>
<b>4</b>	<b>Confirmation of Minutes .....</b>	<b>4</b>
4.1	Minutes of the Council Meeting held on 18 October 2022 .....	4
<b>5</b>	<b>Disclosure of Interest .....</b>	<b>4</b>
<b>Nil</b>	<b>4</b>	
<b>6</b>	<b>Administrator Minute/Report .....</b>	<b>5</b>
6.1	ADMINISTRATOR'S MINUTE - PASSING OF COUNCIL'S GENERAL MANAGER JEFFERY SOWIAK .....	5
<b>7</b>	<b>Committee Reports for Adoption.....</b>	<b>5</b>
7.1	Euston Progressive Advisory Committee Meeting held on Monday 26 September 2022.....	5
7.2	Murray Darling Association (MDA) - Annual General Meeting held on 21 September 2022 and MDA Region 4 Ordinary Meeting held on 29 September 2022.....	5
7.3	Balranald Beautification Advisory Committee Meeting held on - 5 October 2022.....	5
7.4	Euston Progressive Advisory Committee Meeting held on Monday 24 OCTOBER 2022 .....	6
7.5	Strengthening Community Access Inclusion and Wellbeing Advisory Committee held on 27 October 2022.....	6
	<b>General Manager's Reports (incorporating all staff reports) .....</b>	<b>6</b>
	<b>Part A – Items Requiring Decision.....</b>	<b>6</b>
<b>8</b>	<b>General Manager's Reports .....</b>	<b>6</b>
8.1	Delegation of Acting General Manager.....	6
8.2	PRESENTATION OF THE ANNUAL FINANCIAL STATEMENTS TO COUNCIL AND THE PUBLIC FOR THE YEAR ENDED 30 JUNE 2022 .....	7
8.3	BALRANALD SHIRE COUNCIL 2021-2022 ANNUAL REPORT .....	7
8.4	DONATION REQUEST - ROBINVALE-EUSTON 80 SKI RACE SPONSORSHIP REQUEST .....	7
8.5	DONATION REQUEST - BEN JOHNSTONE .....	8
8.6	PROPOSED EMERGENCY ACCOMODATION.....	8
8.7	Discovery Centre Redevelopment Review of Environmental Factors .....	8
8.8	AMENDMENT TO BALRANALD LEP BALRANALD RESERVE.....	9
8.9	2024 COUNCIL ELECTIONS .....	9
8.10	DA 49/2018 Mod 2 - Modification Application to DA M49/2018 - Temporary Workers Accommodation Facility .....	10
8.11	DA 07/2005 Mod 1 - Modification Application to DA 07/2005 - Mixed Use Development.....	10

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**Part B – Items for Information ..... 11**

**9 General Manager’s Reports ..... 11**

9.1 REPORT ON AREAS OF COUNCIL'S FINANCIAL OPERATIONS ..... 11

9.2 HUMAN RESOURCES (HR) REPORT ..... 11

9.3 Planning Administration..... 12

9.4 ADMINISTRATOR, GENERAL MANAGER AND DIRECTORS MEETINGS ..... 12

9.5 GRANT STATUS UPDATE ..... 12

9.6 OUTSTANDING ACTIONS ..... 13

9.7 CIRCULARS FROM OFFICE LOCAL GOVERNMENT &  
CORRESPONDENCE OF INFORMATION ..... 13

9.8 Quarterly Budget Review Sept 30th ..... 13

9.9 ENGINEERING UPDATE FOR NOVEMBER 2022 ..... 14

**10 Notice of Motion / Questions on Notice ..... 14**

Nil

**11 Confidential Matters ..... 14**

Nil

**MINUTES OF BALRANALD SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, MARKET STREET BALRANALD  
ON TUESDAY, 29 NOVEMBER 2022 AT**

**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:**

Kerry Jones (Executive Manager of Engineering), Carol Holmes (Senior Executive Officer)

Manuel Moncada (External Auditor), Brett Hangar (External Auditor), John Batchelor (Finance Consultant) and Laurie Knight (Financial Consultant) were in attendance online via zoom.

**3 APOLOGIES**

Nil

**4 CONFIRMATION OF MINUTES**

**4.1 MINUTES OF THE COUNCIL MEETING HELD ON 18 OCTOBER 2022**

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**RESOLUTION 2022/187**

Moved: Administrator Mike Colreavy

That the Minutes of the Council Meeting held on 18 October 2022 be received and noted.

**CARRIED**

**5 DISCLOSURE OF INTEREST**

Nil

**6 ADMINISTRATOR MINUTE/REPORT**

**6.1 ADMINISTRATOR'S MINUTE - PASSING OF COUNCIL'S GENERAL MANAGER  
JEFFERY SOWIAK**

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**RESOLUTION 2022/188**

Moved: Administrator Mike Colreavy

That the Administrator's Minute be noted.

**CARRIED**

**7 COMMITTEE REPORTS FOR ADOPTION**

**7.1 EUSTON PROGRESSIVE ADVISORY COMMITTEE MEETING HELD ON MONDAY 26  
SEPTEMBER 2022**

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**RESOLUTION 2022/189**

Moved: Administrator Mike Colreavy

That the Minutes of the Euston Progressive Advisory Committee meeting held on Monday 26 September 2022 be received and noted.

**CARRIED**

**7.2 MURRAY DARLING ASSOCIATION (MDA) - ANNUAL GENERAL MEETING HELD ON  
21 SEPTEMBER 2022 AND MDA REGION 4 ORDINARY MEETING HELD ON 29  
SEPTEMBER 2022**

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**RESOLUTION 2022/190**

Moved: Administrator Mike Colreavy

That the Minutes of the Murray Darling Association (MDA) Annual General Meeting held on 21 September and Region 4 Ordinary Meeting held on 29 September 2022 be received and noted.

**CARRIED**

**7.3 BALRANALD BEAUTIFICATION ADVISORY COMMITTEE MEETING HELD ON - 5  
OCTOBER 2022**

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**RESOLUTION 2022/191**

Moved: Administrator Mike Colreavy

That the Minutes of the Balranald Beautification Advisory Committee (BBAC) meeting held on Wednesday 5 October 2022 be received and noted.

**CARRIED**

**7.4 EUSTON PROGRESSIVE ADVISORY COMMITTEE MEETING HELD ON MONDAY 24 OCTOBER 2022**

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**RESOLUTION 2022/192**

Moved: Administrator Mike Colreavy

1. That the Minutes of the Euston Progressive Advisory Committee meeting held on Monday 24<sup>th</sup> October 2022 be received and noted.
2. Modifications of plans for the netball changing room 2<sup>nd</sup> public toilet be made and provided to the Euston Progressive Committee Meeting.

**CARRIED**

**7.5 STRENGTHENING COMMUNITY ACCESS INCLUSION AND WELLBEING ADVISORY COMMITTEE HELD ON 27 OCTOBER 2022**

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**RESOLUTION 2022/193**

Moved: Administrator Mike Colreavy

That the Minutes of the Strengthening Community Access Inclusion and Wellbeing Advisory Committee (SCAIW) meeting held on Thursday 27 October 2022 be received and noted.

**CARRIED**

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

**PART A – ITEMS REQUIRING DECISION**

**8 GENERAL MANAGER'S REPORTS**

**8.1 DELEGATION OF ACTING GENERAL MANAGER**

**PURPOSE OF REPORT**

To undertake the business of Council, delegations are required to be issued to the Acting General Manager.

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**RESOLUTION 2022/194**

Moved: Administrator Mike Colreavy

That the Delegations contained in resolution 2022-69, be made to apply to Mr Kerry Jones while he undertakes the current role of Council's Acting General Manager following the passing of Mr Jeffery Sowiak, until further notice, or until Council amends the delegation by resolution.

**CARRIED**

**8.2 PRESENTATION OF THE ANNUAL FINANCIAL STATEMENTS TO COUNCIL AND THE PUBLIC FOR THE YEAR ENDED 30 JUNE 2022**

**PURPOSE OF REPORT**

To present Council with the Balranald Shire Council's Annual Financial Statements as audited by the NSW Audit Office through Nexia, Auditors appointed by the NSW Audit Office and to present the Statements to the Public pursuant to Section 419 of the Local Government Act (1993) as advised and reported in the Meeting of Council on 20<sup>th</sup> September 2022 and advertised on Council's website.

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**RESOLUTION 2022/195**

Moved: Administrator Mike Colreavy

That Council receives and notes the report on the Balranald Shire's Annual Financial Statements and associated Auditor Reports and the presentation of the Statements to the Public for the year ended 30 June 2022.

**CARRIED**

**8.3 BALRANALD SHIRE COUNCIL 2021-2022 ANNUAL REPORT**

**PURPOSE OF REPORT**

To provide a copy of the Balranald Shire Council 2021-22 Annual Report to Council for adoption.

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**RESOLUTION 2022/196**

Moved: Administrator Mike Colreavy

That Council adopts the Balranald Shire Council 2021-22 Annual Report.

**CARRIED**

**8.4 DONATION REQUEST - ROBINVALE-EUSTON 80 SKI RACE SPONSORSHIP REQUEST**

**PURPOSE OF REPORT**

To advise Council of a request from the Robinvale/Euston 80 Ski Race Committee for sponsorship of the 2023 Ski Race.

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**RESOLUTION 2022/197**

Moved: Administrator Mike Colreavy

That Council approve the request from the Robinvale-Euston 80 Ski Race Committee for sponsorship of \$2,000 for the 2023 event.

**CARRIED**

**8.5 DONATION REQUEST - BEN JOHNSTONE**

**PURPOSE OF REPORT**

To advise Council of a request from Ben Johnstone seeking assistance with travelling costs to attend the Rural Youth Ambassador's Program in Sydney.

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**RESOLUTION 2022/198**

Moved: Administrator Mike Colreavy

That Council approve of a donation of \$500 to Ben Johnstone to assist with travelling costs to attend the Rural Youth Ambassador's Program in Sydney.

**CARRIED**

**8.6 PROPOSED EMERGENCY ACCOMODATION**

**PURPOSE OF REPORT**

To seek Council's endorsement of the proposal to renovate the former maternal and child health residence located at 78 Market Street as Emergency Accommodation subject to consideration of building and planning approvals.

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**RESOLUTION 2022/199**

Moved: Administrator Mike Colreavy

That Council endorses the recommendation from the Strengthening Community Access Inclusion and Wellbeing Advisory Committee to renovate the former maternal and child health residence located at 78 Market Street, Balranald as Emergency Accommodation subject to consideration of building and planning approvals and receipt of the necessary grant funding.

**CARRIED**

**8.7 DISCOVERY CENTRE REDEVELOPMENT REVIEW OF ENVIRONMENTAL FACTORS**

**PURPOSE OF REPORT**

To advise Council of approval processes around the proposed redevelopment of the Discovery Centre.

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**RESOLUTION 2022/200**

Moved: Administrator Mike Colreavy

That Council

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1. Receive the Balranald Discovery Centre Modification Works Review of Environmental Factors V1.1; and
2. Undertake the redevelopment works in accordance with the Balranald Discovery Centre Modification Works Review of Environmental Factors V1.1 through a tender process.

**CARRIED**

## **8.8 AMENDMENT TO BALRANALD LEP BALRANALD RESERVE**

### **PURPOSE OF REPORT**

Council is aware that there is an anomaly in the existing LEP in relation to zoning of the Balranald Reserve at 9 Endeavour Drive owned by the Balranald Local Aboriginal Lands Council and this report endorses a rezoning proposed by the Dept of Planning to reflect the land use.

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### **RESOLUTION 2022/201**

Moved: Administrator Mike Colreavy

That Council endorse the advice given to the Dept of Planning that Council would not have any objection to the proposed amendment of the Balranald Local Environmental Plan 2010 to rezone the whole of lot 126 DP 751170 situated at 9 Endeavour Drive Balranald and owned by the Balranald Local Aboriginal Land Council, from RU1 Primary Production to RU5 Village to reflect existing uses of the site.

**CARRIED**

## **8.9 2024 COUNCIL ELECTIONS**

### **PURPOSE OF REPORT**

To recommend Council enter into an arrangement with NSW Electoral Commission to administer the 2024 Council Elections.

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### **RESOLUTION 2022/202**

Moved: Administrator Mike Colreavy

That subject to the NSW Government terminating the period of Administration by September 2024 in time for the local government elections.

1. pursuant to s. 296(2) and (3) of the *Local Government Act 1993 (NSW)* ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to

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administer all constitutional referenda of the Council.

CARRIED

**8.10 DA 49/2018 MOD 2 - MODIFICATION APPLICATION TO DA M49/2018 - TEMPORARY WORKERS ACCOMMODATION FACILITY**

**PURPOSE OF REPORT**

To seek Council under Part 4.55 of the Environmental Planning and Assessment Act 1979 to modify a consent for Workers Accommodation Facility at 61 Bank Street, Balranald.

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**RESOLUTION 2022/203**

Moved: Administrator Mike Colreavy

1. Council approves the Modification Application DA 49/2018 Mod 2 for the installation of a Temporary Workers Accommodation Facility on Lots 37, 38 & 39 DP 75110 subject to the Draft Conditions of Consent listed at Attachment 4, with condition 3 to be modified as follows;  
*If the use of the land for the approved purpose ceases permanently, evidenced by 12 month cessation of the activity as a workers camp, the land must be returned to predeveloped conditions within 6 months of cessation.*
2. Persons that made submissions in relation to the Application be notified of the determination in writing.

CARRIED

**8.11 DA 07/2005 MOD 1 - MODIFICATION APPLICATION TO DA 07/2005 - MIXED USE DEVELOPMENT**

**PURPOSE OF REPORT**

To seek Council under Part 4.55 of the Environmental Planning and Assessment Act 1979 to modify a consent for a mixed use development at 51819 Sturt Highway, Euston NSW 2737.

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**RESOLUTION 2022/204**

Moved: Administrator Mike Colreavy

Council approves Modification Application DA 07/2005 Mod 1 for the mixed use development on Lot 2 DP 1244384, 51819 Sturt Highway Euston, subject to the Draft Conditions of Consent listed at Attachment 6.

CARRIED

**PART B – ITEMS FOR INFORMATION****9 GENERAL MANAGER'S REPORTS****9.1 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

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**RESOLUTION 2022/205**

Moved: Administrator Mike Colreavy

That Council receives and notes the following financial information for the period ending 31 October 2022 contained in t his report.

**CARRIED**

**9.2 HUMAN RESOURCES (HR) REPORT****PURPOSE OF REPORT**

To inform Council of Human Resources current staff data, positions vacant and training that will be ongoing throughout 2022-23.

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**RESOLUTION 2022/206**

Moved: Administrator Mike Colreavy

That the HR Report be received and noted.

**CARRIED**

**9.3 PLANNING ADMINISTRATION**

**PURPOSE OF REPORT**

To advise Council of activities in the Planning area

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**RESOLUTION 2022/207**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

**9.4 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 October 2022 Ordinary Meeting.

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**RESOLUTION 2022/208**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

**9.5 GRANT STATUS UPDATE**

**PURPOSE OF REPORT**

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

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**RESOLUTION 2022/209**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

**9.6 OUTSTANDING ACTIONS****PURPOSE OF REPORT**

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

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**RESOLUTION 2022/210**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

**9.7 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 October Council Meeting.

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**RESOLUTION 2022/211**

Moved: Administrator Mike Colreavy

That Council receives and notes this report.

**CARRIED**

**9.8 QUARTERLY BUDGET REVIEW SEPT 30TH****PURPOSE OF REPORT**

To enable the Council to review the current years revised estimated of expenditure and income as detailed in the Quarterly Budget Review.

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**RESOLUTION 2022/212**

Moved: Administrator Mike Colreavy

That the Quarterly Budget Review to 30<sup>th</sup> September 2022 be received and noted and the variations proposed therein be approved.

**CARRIED**

9.9 ENGINEERING UPDATE FOR NOVEMBER 2022

PURPOSE OF REPORT

To provide Council with an update on Engineering works currently in progress and in planning, updated to 25 November 2022.

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RESOLUTION 2022/213

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

10 NOTICE OF MOTION / QUESTIONS ON NOTICE

Nil

11 CONFIDENTIAL MATTERS

Nil

The Meeting closed at 7.05pm.

The minutes of this meeting were confirmed at the Council Meeting held on 13 December 2022.

  
.....  
ADMINISTRATOR

  
.....  
ACTING GENERAL MANAGER