



MINUTES

**Ordinary Council Meeting
Tuesday, 20 June 2023**

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**MINUTES OF BALRANALD SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MARKET STREET BALRANALD
ON TUESDAY, 20 JUNE 2023 AT 5PM**

1 OPENING OF MEETING

Administrator opened the meeting at 5pm.

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:

Craig Bennett (General Manager), Kerry Jones (Executive Manager of Engineering) Ray Mitchell (Health & Development Coordinator) and Carol Holmes (Senior Executive Officer).

3 APOLOGIES

Nil.

4 CONFIRMATION OF MINUTES

4.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 16 MAY 2023

RESOLUTION 2023/35

Moved: Administrator Mike Colreavy

That the Minutes of the Ordinary Council Meeting held on Tuesday, 16 May 2023 be received and noted.

CARRIED

5 DISCLOSURE OF INTEREST

There was no Disclosure of Interest submitted to this meeting.

6 ADMINISTRATOR MINUTE/REPORT

There was no Administrator Minute/Report included with this meeting.

7 COMMITTEE REPORTS**7.1 EUSTON PROGRESSIVE ADVISORY COMMITTEE MEETING HELD ON 24 APRIL 2023**

RESOLUTION 2023/36

Moved: Administrator Mike Colreavy

1. That the Minutes of the Euston Progressive Advisory Committee meeting held on Monday, 24 April 2023 be received and noted;
2. That Council email Euston Co-op to seek permission for a pathway at the Euston Co-op compound for the walking track;
3. That Council provide a status update on the new Netball Change Rooms tender and a follow up status on Stronger Country Communities Fund Round 4 to the EPAC;
4. That all the recommendations from Euston Progressive Advisory Committee action list be followed up;
5. That the Euston Progressive Advisory Committee be updated on speed limit arrangements within the Euston Settlement area;
6. That Council investigates whether signs can be placed in the Euston settlement stating "Local Traffic Only" to encourage heavy traffic to stay on the highway;
7. Noted that Council has inspected all local roads in the Euston Settlement area and repaired the pothole in Kilpatrick road as it was a safety risk;
8. That Teresa Garreffa be appointed membership of the Euston Progressive Advisory Committee subject to Council receiving the satisfactorily completed application form.

CARRIED

7.2 EUSTON PROGRESSIVE ADVISORY COMMITTEE MEETING HELD ON 29 MAY 2023

RESOLUTION 2023/37

Moved: Administrator Mike Colreavy

That:

1. The Minutes of the Euston Progressive Advisory Committee meeting held on Monday, 29 May 2023 be received and noted.
2. Council develops a data base of email addresses for Euston, for a way to distribute community information.

CARRIED

GENERAL MANAGER'S REPORTS (INCORPORATING ALL STAFF REPORTS)

PART A – ITEMS REQUIRING DECISION

8 GENERAL MANAGER'S REPORTS

8.1 ADOPTION OF THE DRAFT BUDGET FOR THE 2023/2024 FINANCIAL YEAR

RESOLUTION 2023/38

Moved: Administrator Mike Colreavy

That Council adopts the Draft Budget for the 2023/2024 Financial Year.

CARRIED

8.2 ADOPTION OF THE DRAFT REVENUE POLICY AND DRAFT FEES & CHARGES FOR THE 2023/2024 FINANCIAL YEAR

RESOLUTION 2023/39

Moved: Administrator Mike Colreavy

THAT:

1. In accordance with the provisions of section 535 of the Local Government Act, 1993 that Council makes, fixes, levies and adopts the **Rates and Charges** for the 2023/2024 Financial Year as detailed in the rating categories set out below; and
2. Council increases the Notional yield by the maximum 10% per annum, being year 6 of a 7-year Special Rate Variation that has already been approved by the Independent Pricing and Regulatory Tribunal of NSW as follows:

FARMLAND – GENERAL - a rate of zero point one three five (0.135) cents in the dollar on the land value of all rateable land in the area which has been categorised by the Council as **Farmland - General** with the dominant use being generally cropping or grazing over significant land area pursuant to Section 515 of the Local Government Act, 1993 and subject to a base amount of six hundred and sixty dollars (\$660) in respect of each separate parcel with the base amount producing thirteen point nine percent (13.9%) of the total amount of the rate levy for the Farmland - General rate sub-category; and

FARMLAND – IRRIGABLE HORTICULTURE - a rate of zero point five seven (0.57) cents in the dollar on the land value of all rateable land in the area which has been categorised by the Council as **Farmland – Irrigable - Horticulture** to include nut farms and other irrigatable intensive horticulture land use and has significant and substantial commercial purpose or character, pursuant to Section 515 of the Local Government Act, 1993 and subject to a base amount of six hundred and sixty dollars (\$660) in respect of each separate parcel with the base amount producing two point two percent (2.2%) of the total amount of the rate levy for the Farmland – Irrigable Horticulture rate sub-category; and

FARMLAND – INTENSE - a rate of zero point three one (0.31) cents in the dollar on the land value of all rateable land in the area which has been categorised by the Council as **Farmland - Intense** to have medium to high intensity of land use and an intermediate to major economic benefit pursuant to Section 515 of the Local Government Act, 1993 and subject to a base amount of six hundred and sixty dollars (\$660) in respect of each separate parcel with the base amount producing twenty point seven percent (20.7%) of the total amount of the rate levy for the Farmland Intense rate sub-category; and

RESIDENTIAL – BALRANALD - a rate of zero point five six four (0.564) cents in the dollar on the land value of all rateable land in the centre of the population being the Balranald Village Zone, being land which has been sub-categorised by the Council as **Balranald - Residential** pursuant to Sections 516 and 529 of the Local Government Act, 1993 and subject to a base amount of two hundred and ten dollars (\$210) in respect of each separate parcel with the base amount producing forty one point nine percent (41.9%) of the total amount of the rate levy for the Residential Balranald rate sub-category; and

RESIDENTIAL – EUSTON - a rate of zero point two four (0.24) cents in the dollar on the land value of all rateable land in the centre of the population being the Euston Village Zone, being land which has been sub-categorised by the Council as **Euston - Residential** pursuant to Sections 516 and 529 of the Local Government Act, 1993 and subject to a base amount of two hundred and ten dollars (\$210) in respect of each separate parcel with the base amount producing forty six point seven percent (46.7%) of the total amount of the rate levy for the Residential Euston rate sub-category; and

RESIDENTIAL – OXLEY - a rate of three point five (3.50) cents in the dollar on the land value of all rateable land in the centre of the population being the Oxley Village Zone, being land which has been sub-categorised by the Council as **Oxley - Residential** pursuant to Sections 516 and 529 of the Local Government Act, 1993 and subject to a base amount of one hundred and ten dollars (\$110) in respect of each separate parcel with the base amount producing thirty six point three percent (36.3%) of the total amount of the rate levy for the Residential Oxley rate sub-category; and

RESIDENTIAL – GENERAL – RURAL (0-2 hectares) - a rate of zero point three seven (0.37) cents in the dollar on the land value of all rateable land used for residential purposes and not located within the Balranald, Euston or Oxley Village Zones, being land which has been sub-categorised by the Council as **Residential - General – Rural (0-2 hectares)** pursuant to Sections 516 and 529 of the Local Government Act, 1993 and subject to a base amount of two hundred and ten (\$210) in respect of each separate parcel with the base amount producing forty two point five percent (42.5%) of the total amount of the rate levy for the Residential General – Rural (0-2 hectares) rate sub-category; and

RESIDENTIAL – RURAL (2-40 hectares) - a rate of zero point two two (0.22) cents in the dollar on the land value of all rateable land used for residential purposes and not located within the Balranald and Euston or Oxley Village Zones, being land which has been sub-categorised by the Council as **Residential - General – Rural (2-40 hectares)** pursuant to Sections 516 and 529 of the Local Government Act, 1993, subject to a base amount of two hundred and ten (\$210) in respect of each separate parcel with the base amount producing thirty two point one percent (32.1%) of the total amount of the rate levy for the Residential General – Rural (2-40 hectares) rate sub-category; and

BUSINESS – BALRANALD - a rate of three point zero (3.0) cents in the dollar on the land value of all rateable land in the Balranald Village Zone, being land which has been sub-categorised by the Council as **Business - Balranald** pursuant to Sections 518 and 529 of the Local Government Act, 1993 and subject to a base amount of four hundred and fifty dollars (\$450) in respect of each separate parcel with the base amount producing nineteen point eight percent (19.8%) of the total amount of the rate levy for the Business Balranald rate sub-category; and

BUSINESS – EUSTON - a rate of one point seven (1.7) cents in the dollar on the land value of all rateable land in the Euston Village Zone, being land which has been sub-categorised by the Council as **Business Euston** pursuant to Sections 518 and 529 of the Local Government Act, 1993 and subject to a base amount of four hundred and fifty dollars (\$450) in respect of each separate parcel with the base amount producing twelve point two (12.2%) of the total amount of the rate levy for the Business Euston rate sub-category; and

BUSINESS – RURAL - a rate of one point zero (1.0) cents in the dollar on the land value of all rateable land outside of any of the Balranald Shire Residential Village Zones and not identified in the otherwise described business areas, being land which has been sub-categorised by the Council as **Business - Rural** pursuant to Sections 518 and 529 of the Local Government Act, 1993 and subject to a base amount of two hundred and ten dollars (\$210) in respect of each separate parcel with the base amount producing thirty seven point seven percent (37.7%) of the total amount of the rate levy for the Business - Rural rate sub-category; and

BUSINESS – PARISH OF CHADWICK – SOLAR FARMS - rate of three point one eight (3.18) cents in the dollar on the land value of all rateable land within the Balranald Shire area which will be sub-categorised by the Council as **Business – Parish of Chadwick – Solar Farms** pursuant to Sections 518 and 529 of the Local Government Act, 1993 and subject to a base amount of two thousand, two hundred and fifty five dollars (\$2,255) in respect of each separate parcel with the base amount percentage producing two point seven percent (2.7%) of the total amount of the rate levy for the Business – Parish of Chadwick – Solar Farms sub category.

BUSINESS – RURAL GRAVEL & SAND EXTRACTION - a rate of one point six five (1.65) cents in the dollar on the land value of all rateable land in the Balranald Shire area which has been sub-categorised by the Council as **Business – Rural Gravel & Sand Extraction** (excluding mineral sands and gypsum extraction) pursuant to Sections 518 and 529 of the Local Government Act, 1993 and subject to a base amount of one hundred and twenty dollars (\$120) in respect of each separate parcel with the base amount producing thirty seven point eight percent (37.8%) of the total amount of the rate levy for the Business – Rural Gravel & Sand Extraction sub-category; and

BUSINESS – PARISHES OF PAIKA, PENARIE, WOOLPAGERIE, WILLILBAH EAST & MAGENTA – GYPSUM EXTRACTION - a rate of five point one (5.1) cents in the dollar on the land value of all rateable land in the Balranald Shire area which has been sub-categorised by the Council as **Business – Parishes of Paika, Penarie, Woolpageri, Willibah East & Magenta –Gypsum Extraction** (excluding mineral sands, gravel and sand extraction) pursuant to Sections 518 and 529 of the Local Government Act, 1993 and subject to a base amount of six hundred and sixty dollars (\$660) in respect of each separate parcel with the base amount producing seven point two percent (7.2%) of the total amount of the rate levy for the Business – Parishes of Paika, Penarie, Woolpagerie, Willibah East & Magenta – Gypsum Extraction sub-category; and

BUSINESS – PARISHES OF WILLILBAH, BIDURA, SOLFERINA - MINERAL SANDS EXTRACTION - rate of nine point two (9.2) cents in the dollar on the land value of all rateable land within the Balranald Shire area which will be sub-categorised by the Council as **Business – Parishes of Willilbah, Bidura, Solferina – Mineral Sands Extraction** pursuant to Sections 518 and 529 of the Local Government Act, 1993 and subject to a base amount of two thousand, two hundred and fifty five dollars (\$2,255) in respect of each separate parcel with the base amount percentage producing zero point three percent (0.3%) of the total amount of the rate levy for the Business – Parishes of Willilbah, Bidura, Solferina – Mineral Sands Extraction sub-category; and

BUSINESS – PARISHES OF PITAPUNGA, CROKEE, MUCKEE & LAWRENCE - MINERAL SANDS EXTRACTION - rate of seventeen point six (17.6) cents in the dollar on the land value of all rateable land within the Balranald Shire area which will be sub-categorised by the Council as **Business – Parishes of Pitapunga, Crokee, Muckee & Lawrence – Mineral Sands Extraction** pursuant to Sections 518 and 529 of the Local Government Act, 1993 and subject to a base amount of two thousand, two hundred and fifty five dollars (\$2,255) in respect of each separate parcel with the base amount percentage producing zero point two six percent (0.26%) of the total amount of the rate levy for the Business – Parishes of Pitapunga, Crokee, Muckee & Lawrence – Mineral Sands Extraction sub-category; and

3. The Draft Schedule of Fees and Charges exhibited as part of Council's Draft Operational Plan and Budget for the 2023/2024 Financial Year and amended as part of this report and attached to this report as Attachment 2, be made, fixed, charged and adopted by Council for the 2023/2024 Financial Year.

The Fees & Charges, include the following:

Raw Water Supply Charges - Balranald and Euston

All Access and Water Usage charges have been calculated in accordance with the following scale, subject to the proviso that where a property has more than one connection each connection shall be charged separately:

Raw Water Access Charges

Connection Size	Annual Charge
20 mm connection	\$ 370.00
25 mm connection	\$ 578.00
32 mm connection	\$ 947.00
40 mm connection	\$ 1,480.00
50 mm connection	\$ 2,313.00
80 mm connection	\$ 5,920.00
100 mm connection	\$ 9,250.00

Usage Charges for Raw water will be \$1.10 per kilolitre up to 600 kilolitres usage, then \$1.65 per kilolitre for usage over 600 kilolitres. Raw Water usage on community land will be charged at 45 cents per kilolitre.

Note: Flats, Units, Multiple Dwellings will be charged with a Connection Charge plus 50% of the connection charge for each additional dwelling thereafter.

Filtered Water Supply Charges - Balranald and Euston

All Access and Water Usage charges have been calculated in accordance with the following scale, subject to the proviso that where a property has more than one connection each connection shall be charged separately:

Filtered Water Access Charges

Connection Size	Annual Charge
20 mm connection	\$ 425.00
25 mm connection	\$ 664.00
32 mm connection	\$ 1,088.00
40 mm connection	\$ 1,700.00
50 mm connection	\$ 2,656.00
80 mm connection	\$ 6,800.00
100 mm connection	\$10,625.00

Usage Charges for Filtered water will be \$1.75 per kilolitre up to 400 kilolitre usage, then \$2.65 per kilolitre for usage over 400 kilolitres.

Note: Flats, Units, Multiple Dwellings will be charged with a Connection Charge plus 50% of the base 20mm connection charge for each additional dwelling thereafter.

All other Water fees are listed in the Fees and Charges document and incorporated into Council's Operational Plan.

Sewerage Access Charges – Balranald and Euston**Residential Sewer Access Charges**

Residential sewer charges will be standardised to a base access charge of \$698. Unconnected properties will be charged 75% of the base access charge, being \$523.50.

Note: Flats, Units, Multiple Dwellings will be charged with a Connection Charge plus 50% of the base 20mm connection charge for each additional dwelling thereafter.

Non-Residential Sewer Access Charges

Non-Residential sewer access charges will be calculated in accordance with the following scale based on the size of the filtered water supply connection to the property, subject to the proviso that where a property has more than one sewer connection each connection shall be charged separately and provided further that in the event a residential property having access to the Balranald and Euston Sewerage Reticulation Mains that only has a raw water connection, the following scale of charges shall apply accordingly:

Connection Size	Annual Charge
20 mm connection (Base Access Charge)	\$ 698.00
25 mm connection	\$ 1,090.00
32 mm connection	\$ 1,786.00
40 mm connection	\$ 2,792.00
50 mm connection	\$ 4,362.00
80 mm connection	\$11,168.00
100mm connection	\$17,450.00
Unconnected at 75% of base access charge	\$ 523.50

A Pedestal Charge will apply to any accommodation camp facility and levied at \$200 per pedestal.

A sewer usage charge of \$2.20 per kilolitre shall be levied on all non-residential properties, according to the actual volume of filtered water usage to which a Sewer discharge factor (SDF) has been applied.

Waste Management Charges**Domestic Waste Management Charge**

A waste management service charge of \$429.00 is applied to all assessments which are rateable occupied residential land to which the weekly collection service is available.

A property can request more than one weekly bin collection service for \$300.00 for each bin collection after the first.

Domestic Waste Access Charge

A charge of \$70.00 per assessment applies for all rateable, unoccupied residential land to which the weekly collection service is available.

Commercial Waste Management Charge

Charges are as scheduled hereunder:

Commercial twice weekly collection service (Balranald)	\$ 630.00
Additional commercial collection – twice weekly (Balranald)	\$ 429.00
Commercial weekly bin collection service (Euston)	\$ 429.00
Additional commercial collection – weekly (Euston)	\$ 300.00

Stormwater Management Charge

Council will levy a stormwater management charge, under section 496A of the Local Government Act, 1993 against rateable properties for which the service is available in order to establish and sustain a funding source for improved storm water management.

This charge appears as a separate charge on the rate notice.

Residential Property per annum	\$ 25.00
Residential Strata Property per annum	\$ 12.50
Business Property per annum	\$ 25.00
Business Strata Property per annum	\$ 12.50

4. Council increase all other service user charges as listed in Council's Draft Fees & Charges for the 2023/2024 Financial Year;
5. Council, in accordance with the provisions of Section 566 (3) of the Local Government Act, 1993 adopts the interest on overdue rates and charges for the period from 1 July 2023 until 30 June 2024 according to the maximum rate allowable and as advised by the Office of Local Government calculated on a daily simple interest basis. The rate set for the 2023/2024 Financial Year is nine percent (9%) per annum.
6. Council determines that the interest rate to apply to overdue debtors for the period from 1 July 2023 until 30 June 2024 will be the maximum rate of nine percent (9%) per annum as set by the Minister for Local Government.
7. Council makes no amendments to the base amount and ad valorem rate for the Rate Category/Sub-Category of Business – Parishes of Paika, Penaika, Penarie, Woolpagerie, Willilbah East & Magenta – Gypsum Extraction.
8. That a response be forwarded to Mr & Mrs Morton's submission in the terms as set out on pages 37 – 40 of the June 2023 report.

CARRIED

8.3 2023 BUSH BURSARIES AND COUNTRY WOMEN'S ASSOCIATION OF NSW SCHOLARSHIP PROGRAM

RESOLUTION 2023/40

Moved: Administrator Mike Colreavy

That Council:

1. Invests \$3,000 as sponsorship for the Rural Doctors Network to allow two students to undertake a two-week placement in our Local Government Area; and
2. Complete the application form and forward to the NSW Rural Doctors Network advising of Councils sponsorship.

CARRIED

8.4 DISCLOSURE BY DESIGNATED PERSON**RESOLUTION 2023/41**

Moved: Administrator Mike Colreavy

That Council notes that the General Manager has lodged a Disclosure of Interest Return and that this return is now being tabled at this meeting.

CARRIED

8.5 DA 25/2023 - SIX LOT SUBDIVISION - KILPATRICK ROAD EUSTON**RESOLUTION 2023/42**

Moved: Administrator Mike Colreavy

That Council approves Development Application 25/2023 for the six lot subdivision of Lots 13 & 17 DP 1282942 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 plan as submitted.**
- 3. Plans prepared by an appropriately qualified surveyor must be submitted to Council prior to the release of the Subdivision Certificate.**
- 4. Alterations to existing or additional accesses to the proposed allotments are to be to the satisfaction of Council or its delegate, and at the applicant's full cost.**
- 5. Any adjustments for 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 applicant is responsible for full cost of repairs to rectify any damage to public infrastructure.**
- 6. 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 & Assessment Act 1979.**
- 7. The created allotments will not carry a dwelling entitlement.**

Reasons for the imposition of conditions:

- Statutory compliance
- Ensure appropriate infrastructure is provided for the development
- Ensure impacts on the natural and built environment are minimised

CARRIED

**8.6 DA 27/2023 - TWO LOT SUBDIVISION - SUNNYSIDE 48633 STURT HIGHWAY
BALRANALD**

RESOLUTION 2023/43

Moved: Administrator Mike Colreavy

That consideration of this application be deferred until the 18 July 2023 Ordinary Council Meeting in order for the lots to be clarified.

CARRIED

PART B – ITEMS FOR INFORMATION

9 GENERAL MANAGER'S REPORTS

9.1 REPORT ON FINANCIAL INFORMATION AS AT WEDNESDAY, 31 MAY 2023

RESOLUTION 2023/44

Moved: Administrator Mike Colreavy

That Council receives and notes the financial information contained in this report for the period ending Wednesday, 31 May 2023.

CARRIED

9.2 MONTHLY INVESTMENTS REPORT

RESOLUTION 2023/45

Moved: Administrator Mike Colreavy

That Council receives and notes the information contained in this report.

CARRIED

9.3 GRANTS STATUS UPDATE

RESOLUTION 2023/46

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.4 ACTIVITIES UNDERTAKEN WITHIN THE PLANNING DEPARTMENT

RESOLUTION 2023/47

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.5 ENGINEERING UPDATE - 31 MAY 2023

RESOLUTION 2023/48

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.6 OUTSTANDING ACTIONS AS AT THURSDAY, 15 JUNE 2023

RESOLUTION 2023/49

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.7 MEETINGS ATTENDED BY THE ADMINISTRATOR, THE GENERAL MANAGER AND THE EXECUTIVE MANAGER OF ENGINEERING

RESOLUTION 2023/50

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.8 CIRCULARS FROM THE OFFICE OF LOCAL GOVERNMENT

RESOLUTION 2023/51

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

10 NOTICE OF MOTION / QUESTIONS ON NOTICE

Nil.

11 CONFIDENTIAL MATTERS

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

11.1 Organisational Structural Review

The live streaming of the Meeting was paused at 6.24pm.

Executive Manager of Engineering, Health & Development Coordinator, Senior Executive Assistant and members of the public left the room at 6.25pm.

The livestreaming of the Meeting commenced at 6.35pm.

RESOLUTION 2023/52

Moved: Administrator Mike Colreavy

That Council moves out of Closed Council into Open Council and the General Manager reports on the recommendations made in Closed Committee.

.CARRIED

11.1 ORGANISATION STRUCTURAL REVIEW

RESOLUTION 2023/53

Moved: Administrator Mike Colreavy

That Council adopts the Recommendation of the Confidential Report, being:

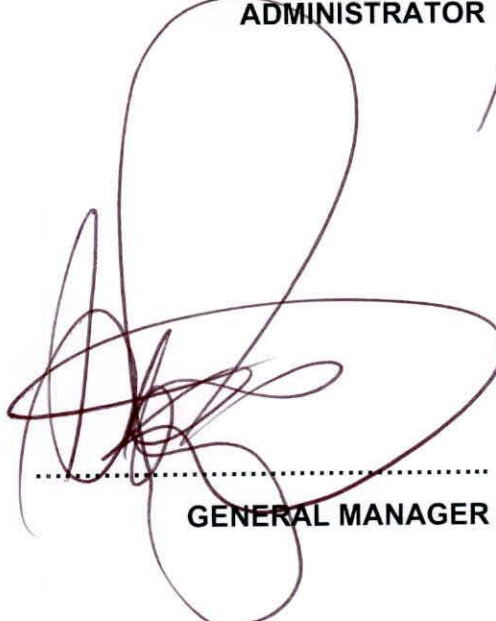
That Council re-determines the senior staff positions of the organisational structure for the Balranald Shire Council, for implementation by the General Manager, so that it becomes a two Directorate Structure (reporting to the General Manager) as follows:

Director of Governance, Business and Community Services and Director of Infrastructure and Planning Services.

CARRIED

12 CLOSURE OF THE MEETING - The Meeting closed at 6.38pm.

The minutes of this meeting were confirmed at the Council Meeting held on 18 July 2023.


.....
ADMINISTRATOR
.....
GENERAL MANAGER