



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 21 November 2023**

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         Nil

**MINUTES OF BALRANALD SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, MARKET STREET BALRANALD  
ON TUESDAY, 21 NOVEMBER 2023 AT 5PM**

**1 OPENING OF MEETING** - The meeting opened 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), Adrian Edgcome-Lucas (Member) and Carol Holmes (Senior Executive Assistant).

**3 APOLOGIES**

Nil

**4 CONFIRMATION OF MINUTES**

**4.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 17 OCTOBER 2023**

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**RESOLUTION 2023/138**

Moved: Administrator Mike Colreavy

**That the Minutes of the Ordinary Council Meeting held on Tuesday, 17 October 2023 be received and noted.**

**CARRIED**

5        **DISCLOSURE OF INTEREST** There were no Disclosure of Interests 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 MONDAY 23 OCTOBER 2023**

**COMMITTEE RECOMMENDATION**

That the Minutes of the Euston Progressive Advisory Committee meeting held on Monday, 23 October 2023 be received and noted.

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**RESOLUTION 2023/139**

Moved:     Administrator Mike Colreavy

**CARRIED**

7.2      **GROWING BUSINESS INDUSTRY AND TOURISM ADVISORY COMMITTEE MEETING HELD ON THURSDAY, 19 OCTOBER 2023**

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**RESOLUTION 2023/140**

Moved:     Administrator Mike Colreavy

**THAT:**

1.    The Minutes of the Growing Business Industry and Tourism Advisory Committee meeting held on Thursday, 19 October 2023 be received and noted;
2.    Copies of the current Discovery Centre design plans be distributed to the Committee Members; and
3.    The Chair of the Growing Business Industry and Tourism Advisory Committee recommends to the Executive of Chairs Advisory Committee that they approach the various indigenous groups to encourage nominations for 2024 Council election and that this item be added to the agenda for Executive of Chairs Meeting which is to be held in December 2023.

**CARRIED**

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**7.3 BALRANALD BEAUTIFICATION ADVISORY COMMITTEE MEETING HELD ON 25 OCTOBER 2023**

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**RESOLUTION 2023/141**

Moved: Administrator Mike Colreavy

**That The Minutes of the Balranald Beautification Advisory Committee meeting held on Wednesday, 25 October 2023 be received and noted.**

**CARRIED**

**7.4 STRENGTHENING COMMUNITY ACCESS INCLUSION & WELLBEING ADVISORY COMMITTEE MEETING HELD ON THURSDAY 26 OCTOBER 2023**

**RESOLUTION 2023/142**

Moved: Administrator Mike Colreavy

**That the Minutes of the Strengthening Community Access Inclusion & Wellbeing Advisory Committee meeting held on Thursday, 26 October 2023 be received and noted.**

**CARRIED**

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

**PART A – ITEMS REQUIRING DECISION**

**8 GENERAL MANAGER'S REPORTS**

**8.1 PRESENTATION OF THE ANNUAL AUDITED FINANCIAL STATEMENTS FOR THE 2022/2023 FINANCIAL YEAR**

**RESOLUTION 2023/143**

Moved: Administrator Mike Colreavy

**That Council receives and notes the report on the audited Annual Financial Statements and associated audit reports, for the year ending 30 June 2023.**

**CARRIED**

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**8.2 QUARTERLY BUDGET REVIEW FOR THE PERIOD ENDING 30 SEPTEMBER 2023****RESOLUTION 2023/144**

Moved: Administrator Mike Colreavy

**That Council endorses that the projected financial position of the Balranald Shire Council for the year ending 30 June, 2024 as at 30 September, 2023 is considered to be satisfactory.**

**CARRIED**

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**8.3 DATE AND TIME FOR ORDINARY COUNCIL MEETINGS****RESOLUTION 2023/145**

Moved: Administrator Mike Colreavy

**That Council adopts the following dates, time and location for Ordinary Council Meetings from Friday, 1 December 2023 until Tuesday, 31 December 2024:**

<b>Date</b>	<b>Time</b>	<b>Location</b>
Tuesday, 19 December 2023	5 pm	Balranald Council Chambers
Tuesday, 20 February 2024	5 pm	Balranald Council Chambers
Tuesday, 19 March 2024	5 pm	Balranald Council Chambers
Tuesday, 16 April 2024	5 pm	Balranald Council Chambers
Tuesday, 21 May 2024	5 pm	Balranald Council Chambers
Tuesday, 18 June 2024	5 pm	Balranald Council Chambers
Tuesday, 23 July 2024	5 pm	Balranald Council Chambers
Tuesday, 20 August 2024	5 pm	Balranald Council Chambers
Tuesday, 17 September 2024	5 pm	Balranald Council Chambers
Tuesday, 24 September 2024	5 pm	Balranald Council Chambers
Tuesday, 22 October 2024	5 pm	Balranald Council Chambers
Tuesday, 26 November 2024	5 pm	Balranald Council Chambers
Tuesday, 17 December 2024	5 pm	Balranald Council Chambers

**CARRIED**

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**8.4 AGED CARE PRUDENTIAL STANDARDS POLICY****RESOLUTION 2023/146**

Moved: Administrator Mike Colreavy

**That Council endorses for the Draft Aged Care Prudential Standards Policy to go out on public exhibition for 28 days. (If after the 28 days of public exhibition no significant submissions are received from the public, then the Draft Aged Care Prudential Standards Policy will be adopted by Council. Otherwise, a further report will be prepared for a future Ordinary Council Meeting to allow for the significant submissions to be considered by Council).**

**CARRIED**

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## 8.5 DA 07/2005 MOD 2 - MODIFICATION APPLICATION TO DA 07/2005 - MIXED USE DEVELOPMENT

### RESOLUTION 2023/147

Moved: Administrator Mike Colreavy

That Council approve Modification Application DA 07/2005 Mod 2 for the mixed use development on Lot 2 DP 1244384, 51819 Sturt Highway Euston, subject to the following conditions:

#### Mod 1 Changes

#### Mod 2 Changes

1. Development is to be generally in accordance with the approved plans except where amended by the following conditions of consent.
2. The residential and retail components of the proposal as shown hatched on the approved plans are excluded from the development consent.
3. A master plan and detailed design plan for the various components of the development including each building and related civil infrastructure, access driveways and parking layout is to be prepared and submitted to the Transport for NSW and Council prior to commencement of any works. This includes appropriate Section 68 application/s being made to Council under the Local Government Act 1993 for caravan park/manufactured home elements prior to commencement of any works.
4. The subject site is to have one access point (B) only off Sturt Highway and one (A) off the Murray Valley Highway as stated in the traffic report. Proposed access point (C) is to be deleted from the site plan. Adjacent industrial development is to have one separate access point (D) off the Sturt Highway.
5. All access driveways are to be constructed with a minimum width of 6 - 9 metres in accordance with AS 2890.1 – 2004 to accommodate largest larger size vehicles that are likely to service the subject site in accordance with AS 28990.1-2004 and AS 2890.2-2002.
6. Swept path of the largest vehicle entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2-2002 and to Councils satisfaction. A copy of the plan showing the swept path is to be submitted to Council/Transport for NSW for assessment prior to commencement of any works.
7. The design and construction of the Channelised Right Turn (CHR) intersection treatment on Sturt Highway and Murray Valley Highway is to be in accordance with Transport for NSW requirements. Detail design of the proposed Channelised Right Turn Treatment (CHR) is to be submitted to the Transport for NSW for approval prior to commencement of any works.
8. Proposed access location off Sturt Highway and Murray Valley Highway is to have adequate sight distance in either direction in accordance with the Transport for NSW's Road Design Guide for the prevailing speed limit.
9. Off street car parking associated with the subject development including turn path, aisle widths, parking bay dimensions, sight distances and loading bay should be in accordance with AS 2890.1-2004 and AS 2890.2-2002. Consideration is to be given to provide disable parking facility on site. Number of parking spaces is to be to Councils satisfaction.
10. The Developer will have to sign a Work Authorisation Deed (WAD) with the Transport for NSW for the proposed intersection treatment (Channelised Right Turn) prior to commencement of any construction. All the roadwork associated with the development is to be approved by Council and the Transport for NSW prior to the site being occupied by the developer / tenants.

11. If any of the components of the proposed development fail to meet Council's approval and / or replaced with another type of development, a new development proposal is to be assessed as a separate development and is to be presented to the Regional Development Committee and / or Local Development Committee for its consideration.
12. Internal car parking area is to be strategically and appropriately sign posted and line marked to assist in directing vehicles around and through the facility. For pedestrian safety, footpaths for pedestrians through the car park are to be provided.
13. All activities including loading and unloading associated with this development are to take place within the subject site.
14. All vehicles are to enter and exit the site in a forward direction.
15. Suitable provision is to be made on-site for construction vehicles to alleviate any need to park on either Sturt Highway or Murray Valley Highway.
16. Suitable provision should be made to retard any increased storm water run-off directly from the subject on either Sturt Highway or Murray Valley Highway.
17. Consideration is to be given to provide taxi and coach parking facility on-site for the development.
18. Consideration is to be given to providing public transport facilities to the development.
19. All works associated with the proposed development shall be at no cost to ~~the~~ [Transport for NSW](#).
20. The subdivision of any part of the land is to be subject to a separate Development Application to Council.
21. The development is to include the provision of a potable water supply to each habitable building to the satisfaction of Council or its delegate.
22. Effluent generated on site is to be treated via an on-site plant, or disposed of off-site, to the satisfaction of Council or its delegate.
23. The development is to be protected from a 1 in 100 year flood to the satisfaction of Council or its delegate.
24. The written concurrence of Telstra and Country Energy to be provided to the detail design.
25. All waste generated on the site both during construction and when operational is to be disposed of in a segregated and acceptable form to Councils landfill site or other facility to Councils satisfaction.
26. Full details of any landscaping and any tree removal are to be provided with detailed design submissions.
27. All pollutants including oils, silts, grey water and surface drainage are to be retained on site and arrested by approved methods to the satisfaction of Council or their delegate.
28. Stormwater from the site is to be directed to the Murray River via formal drainage easements to the satisfaction of Council or their delegate.
29. All signage to be the subject of a separate application to Council unless classified as exempt from needing approval.
- ~~30. All works are to cease immediately should any archaeological sites of Aboriginal Cultural Heritage value be uncovered or discovered until an appropriate representative of the NSW National Parks and Wildlife makes an appropriate assessment or judgement.~~



31. No work is to be carried out which would cause nuisance by way of emission of noise, vibration, smell, fumes, smoke vapour, steam, soot, ash, dust, grit, oil, waste-water, waste products or otherwise.
32. 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.
33. All works associated with the implementation / construction of the proposed activity (not operation of the proposal post occupational certificate), involving electric or pneumatic tools, or other noisy operations, shall be restricted to the following hours of operation:
- Monday to Friday: 7am to 6pm
  - Saturdays: 8am to 5pm
  - Sundays and Public Holidays: no work permitted

The following activities may be carried out in association with construction outside of these hours:

- any works that do not cause noise emissions to be audible at any nearby residences not located on the premises;
- the delivery of materials as requested by Police or other authorities for safety reasons; and
- emergency work to avoid the loss of lives, property and/or to prevent environmental harm.

Note: All noise generating activities are subject to the requirements of the protection of the Environment Operations Act 1997. This condition of consent does not relieve the proponent including developers, contractors or their agents from the requirements under the relevant noise control legislation (POEO Act 1997).

34. 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.

**CARRIED**

**8.6 DA 12/2024 - BOUNDARY REALIGNMENT - 54 TAYLOR ROAD & 53 LESLIE DRIVE EUSTON - LOTS 101 & 102 DP 1253139****RESOLUTION 2023/148**

Moved: Administrator Mike Colreavy

That Council approves Development Application 12/2024 for a boundary realignment between Lots 101 and 102 DP 1253139 – 54 Taylor Road and 53 Leslie Drive Euston, 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, other than where varied by the conditions of this consent.
3. 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.
4. Proposed Lot 1 will carry no dwelling entitlement.
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 the 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. 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**

**8.7 DRAFT HERITAGE PARK RESERVE PLAN OF MANAGEMENT****RESOLUTION 2023/149**

Moved: Administrator Mike Colreavy

That Council:

1. Places the Draft Plan of Management Heritage Park Reserve, Reserve No. 9909 on public exhibition for a period of 28 days; and
2. Provides a copy of the Draft Plan of Management Heritage Park Reserve, Reserve No. 9909 to the Balranald Men's Shed Inc, Youth Council and the Discovery Café proprietors as part of the public exhibition process; and
3. Reports the results of the public exhibition to the February 20, 2024 Ordinary Council Meeting.

**CARRIED**

**8.8 RELOCATION OF THE NSW STATE EMERGENCY SERVICE TO THE BALRANALD RESCUE SQUAD HEADQUARTERS****RESOLUTION 2023/150**

Moved: Administrator Mike Colreavy

**That Council:**

1. Advises Crown Land that it has no objections to becoming the trustee for Lot 138 DP 820500;
2. Work with the Balranald Rescue Squad to surrender the lease over Lot 138 DP 820500 to Crown Land; and
3. Authorises for the General Manager to offer the State Emergency Service a licence to occupy the Balranald Rescue Squad headquarters after the Crown Land reservation and trustee nomination gazettal processes are finalised for Lot 138 DP 820500.

**CARRIED**

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**PART B – ITEMS FOR INFORMATION****9 GENERAL MANAGER'S REPORTS****9.1 REPORT ON FINANCIAL INFORMATION AS AT 31 OCTOBER 2023****RESOLUTION 2023/151**

Moved: Administrator Mike Colreavy

**That Council receives and notes the financial information contained in this report for the period ending Tuesday, 31 October 2023.**

**CARRIED**

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**9.2 MONTHLY INVESTMENTS REPORT****RESOLUTION 2023/152**

Moved: Administrator Mike Colreavy

**That Council receives and notes the information provided in this report.**

**CARRIED**

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**9.3 OUTSTANDING DEBTORS AS AT 31 OCTOBER 2023**

**RESOLUTION 2023/153**

Moved: Administrator Mike Colreavy

**That the report be received and noted.**

**CARRIED**

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**9.4 OUTSTANDING RATES AND USAGE CHARGES AS AT 31 OCTOBER 2023**

**RESOLUTION 2023/154**

Moved: Administrator Mike Colreavy

**That Council receives and notes the information contained within this report.**

**CARRIED**

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**9.5 GRANT FUNDED PROJECTS STATUS UPDATE**

**RESOLUTION 2023/155**

Moved: Administrator Mike Colreavy

**That the report be received and noted.**

**CARRIED**

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**9.6 ACTIVITIES UNDERTAKEN WITHIN THE PLANNING DEPARTMENT**

**RESOLUTION 2023/156**

Moved: Administrator Mike Colreavy

**That the report be received and noted.**

**CARRIED**

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**9.7 ENGINEERING UPDATE FOR OCTOBER 2023**

**RESOLUTION 2023/157**

Moved: Administrator Mike Colreavy

**That the report be received and noted.**

**CARRIED**

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**9.8 OUTSTANDING ACTIONS AS AT TUESDAY, 14 NOVEMBER 2023**

**RESOLUTION 2023/158**

Moved: Administrator Mike Colreavy

1. That the report be received and noted; and
2. That the action proposed in relation to resolutions 2020/75 and 2021/164 be reported to Council.

**CARRIED**

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**9.9 MEETINGS ATTENDED BY THE ADMINISTRATOR, THE GENERAL MANAGER AND THE ACTING INTERIM DIRECTOR OF INFRASTRUCTURE AND PLANNING SERVICES**

**RESOLUTION 2023/159**

Moved: Administrator Mike Colreavy

**That the report be received and noted.**

**CARRIED**

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**9.10 CIRCULARS FROM THE OFFICE OF LOCAL GOVERNMENT**

**RESOLUTION 2023/160**

Moved: Administrator Mike Colreavy

**That the report be received and noted.**

**CARRIED**

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**10 NOTICE OF MOTION / QUESTIONS ON NOTICE**

Nil

**11 CONFIDENTIAL MATTERS**

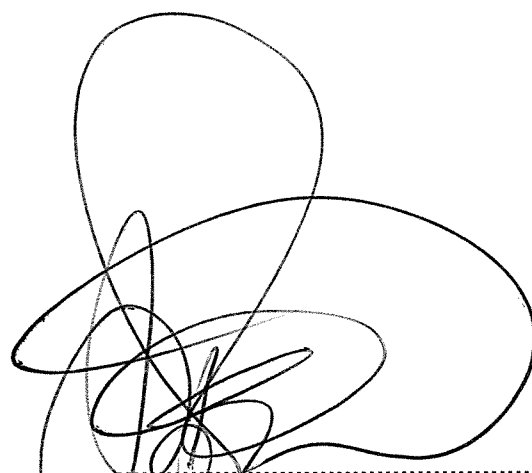
Nil

**The Meeting closed at 5.58pm.**

The minutes of this meeting were confirmed at the Council Meeting held on 22 December 2023.



ADMINISTRATOR



GENERAL MANAGER