



MINUTES

**Ordinary Council Meeting
Tuesday, 20 February 2024**

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**MINUTES OF BALRANALD SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MARKET STREET BALRANALD
ON TUESDAY, 20 FEBRUARY 2024 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:

Craig Bennett (General Manager), Glenn Carroll (Director of Governance, Business and Community Services), David McKinley (Director of Infrastructure and Planning Services) Adrian Edgcome-Lucas (Project Manager), and Carol Holmes (Senior Executive Assistant).

The General Manager introduced the two (2) new Directors, Mr Glenn Carroll and Mr David McKinley and welcomed them to the Council.

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES**4.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON FRIDAY, 22 DECEMBER 2023**

RESOLUTION 2024/1

Moved: Administrator Mike Colreavy

That the Minutes of the Ordinary Council Meeting held on Friday, 22 December 2023 be received and noted

CARRIED

- 5 **DISCLOSURE OF INTEREST** There were no Disclosure of Interests submitted to this meeting.
- 6 **ADMINISTRATOR MINUTE/REPORT**
- 6.1 **MAYORAL MINUTE - INVITATION TO JOIN THE COUNTRY MAYORS ASSOCIATION OF NSW INC**
-

RESOLUTION 2024/2

Moved: Administrator Mike Colreavy

THAT:

1. The invitation for the Balranald Shire Council to join the Country Mayors Association of NSW Inc be referred to the newly elected governing body for a decision after the September 14 2024 Local Government Elections.
2. The Country Mayors Association of NSW Inc be advised of the decision in “1” above by the end of February 2024.
3. Council includes \$1,125 in the Draft Budget for the 2024/2025 Financial Year to cover the membership subscription costs so that Council is able to join the Country Mayors Association of NSW Inc, if it subsequently resolves to do so.

CARRIED

7 COMMITTEE REPORTS**7.1 EUSTON PROGRESSIVE ADVISORY COMMITTEE MEETING HELD ON MONDAY 4 DECEMBER 2023****RESOLUTION 2024/3**

Moved: Administrator Mike Colreavy

That:

1. The Minutes of the Euston Progressive Advisory Committee meeting held on Monday, 4 December 2023 be received and noted; and
2. Council approach Transport for NSW (TfNSW) to investigate if signage (No Truck Parking) can be painted on the road in Cary Street as semi-trailers are still parking there.

CARRIED

7.2 STRENGTHENING COMMUNITY ACCESS INCLUSION & WELLBEING ADVISORY COMMITTEE MEETING HELD ON THURSDAY 1 FEBRAURY 2024**RESOLUTION 2024/4**

Moved: Administrator Mike Colreavy

That the Minutes of the Strengthening Community Access Inclusion & Wellbeing Advisory Committee meeting held on Thursday, 1 February 2024 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 REVIEW OF MAYORAL MINUTE - FINANCIAL MANAGEMENT - STATE OF ACCOUNTS WORK****RESOLUTION 2024/5**

Moved: Administrator Mike Colreavy

That Council reviews and notes the information provided in this report.

CARRIED

8.2 DATE AND TIME FOR ORDINARY COUNCIL MEETINGS**RESOLUTION 2024/6**

Moved: Administrator Mike Colreavy

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

Date	Time	Location
Tuesday, 26 March 2024	5 pm	Balranald Council Chambers
Tuesday, 23 April 2024	5 pm	Balranald Council Chambers
Tuesday, 21 May 2024	5 pm	Balranald Council Chambers
Tuesday, 25 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

8.3 PERFORMANCE IMPROVEMENT ORDER ACTION PLAN**RESOLUTION 2024/7**

Moved: Administrator Mike Colreavy

That Council endorses the Performance Improvement Order Action Plan as at Sunday, 31 December 2023.

CARRIED

8.4 REVIEW OF THE GENERAL MANAGER'S INSTRUMENT OF DELEGATION**RESOLUTION 2024/8**

Moved: Administrator Mike Colreavy

That:

- 1. Council adopts the updated Instrument of Delegation for the person occupying the position of General Manager or Acting General Manager and delegate to the General Manager or Acting General Manager the exercise of Council's powers, functions, duties and authorities contained in legislation, subject to the exclusions specified in the Instrument of Delegation.**
- 2. The updated Instrument of Delegation to the General Manager or Acting General Manager commences on Tuesday, 20 February 2024 and remains in force until specifically altered or revoked by Council.**
- 3. All previous delegations to the General Manager or Acting General Manager be revoked by Council.**

CARRIED

8.5 CURRENT ORGANISATIONAL STRUCTURE AS AT MONDAY, 5 FEBRUARY 2024**RESOLUTION 2024/9**

Moved: Administrator Mike Colreavy

That Council notes the information provided in this report.

CARRIED

8.6 REQUEST TO WAIVE RENT - MAKERS SHOP**RESOLUTION 2024/10**

Moved: Administrator Mike Colreavy

That Council waives the rent from 1 July 2023 until 30 November 2023 and accepts the Makers Shop vacating the premises at the Theatre Royal from Thursday, 30 November 2023.

CARRIED

8.7 QUARTERLY BUDGET REVIEW FOR THE PERIOD ENDING 31 DECEMBER 2023**RESOLUTION 2024/11**

Moved: Administrator Mike Colreavy

That Council approve the proposed alterations to the Budget and endorse that the projected financial position of the Balranald Shire Council for the year ending 30 June 2024 as at 31 December, 2023 is considered to be satisfactory.

CARRIED

8.8 DEVELOPMENT CONTRIBUTION PLAN WORKS SCHEDULE**RESOLUTION 2024/12**

Moved: Administrator Mike Colreavy

That Council:

1. Include the following projects, in priority order as identified by the Executive of Chairs Committee, as the Works Schedule of the Draft Development Contribution Plan:
 - (1) Riverfront – complete Riverside Trail;
 - (2) Housing Strategy;
 - (3) Pool and Upgrade Precinct;
 - (4) Active Travel Plan; and
 - (5) Regent Parrot for Euston.
2. Advertises the Draft Development Contribution Plan for a period of 28 days on Council's media platforms and at least 2 notices published in each of the Riverina Grazier, Swan Hill Guardian and the Robinvale Sentinel newspapers approximately 2 weeks apart.
3. Ensures that the results from the advertising be reported back to the Ordinary Council Meeting which is scheduled for Tuesday, 16 April 2024.

CARRIED

8.9 DA 17/2024 CHANGE OF USE AND FENCING FOR CRISIS ACCOMMODATION FACILITY CORNER OF MARKET & RIVER ST, BALRANALD**RESOLUTION 2024/13**

Moved: Administrator Mike Colreavy

That Council approve the change of building use and a maximum height 2.4m fence to Lots 1 and 2 Section 12 DP 758048, Corner of Market and River Streets, Balranald as per plans submitted to Council subject to the following conditions:

1. The development authorised by this consent must be carried out in accordance with the conditions of this consent and the listed approved documents:
 - (a) Plan Set 2023-118 Sheets 1 & 2 of 3 (Floor Plan and Elevations)
 - (b) Plan Set 2023-118 Sheet 1 of 1 (Amended Site Plan Showing Fence Elevation)
 - (c) Statement of Environmental Effects

Where there is inconsistency between the Statement of Environmental Effects and supporting documentation and the conditions of approval, the conditions of approval prevail to the extent of inconsistency.
2. No alteration to approved plans and specifications is allowed unless separately approved by Council.
3. All building work shall be carried out in accordance with the provisions of the Local Government Act 1993, the National Construction Code 2022, relevant Australian Standards and the Environmental Planning & Assessment Act 1979, regardless of any omission in the documentation submitted for approval.
4. No building materials shall be stored on the road reserve. All deliveries are to be placed immediately behind the property boundary.
5. Suitable hoardings to ensure the protection of the public are to be erected prior to

commencement of work and maintained during the timeframe of the works.

6. A sign must be erected in a prominent position on the work site showing:
 - (a) The name of the principal contractor and a telephone number on which that person may be contacted outside working hours.
 - (b) That unauthorised entry to the work site is prohibited.

Any such sign must be maintained while the building work is being carried out but must be removed when the work has been completed.

7. All works associated with the implementation / construction of the proposed activity (not operation of the proposal post construction), 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 1pm
 - 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 requirement under the relevant noise control legislation (POEO Act 1997).

8. 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.
9. Any waste or excavated materials removed from the site are to be taken to an authorised site for disposal. No fill is to be deposited on other land without the prior consent of Council.
10. The applicant is responsible to ensure that the fence is sited on the allotment as specified on the approved site plan.
11. The applicant is required to ensure that any easements registered over the title to the land are complied with.
12. No second-hand materials are to be used unless separately approved by Council and then made available for inspection prior to use.
13. All external metal cladding shall be of suitable colour and finish so as not to cause reflection or glare.
14. Any damage to Council's infrastructure or other services is the full responsibility of the proponent.
15. 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; and

- 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.

16. **Vegetation Buffer**

1. A 1.1m wide multilayered vegetative screen buffer must be planted to the Market Street frontage to provide screening of the Colourbond fence.
2. This buffer must be planted to maximise visibility for vehicles exiting neighbouring premises and using the Market and River Street intersection.
3. Vegetation shall have non-intrusive root systems to protect underground assets.
4. The planting must be completed within 6 months of the date of commencement of works.
5. The proponent must maintain this vegetative buffer during the life of the proposal.

Condition reason: To protect the amenity of neighbouring properties.

CARRIED

PART B – ITEMS FOR INFORMATION

9 GENERAL MANAGER'S REPORTS

9.1 MONTHLY INVESTMENTS REPORT

RESOLUTION 2024/14

Moved: Administrator Mike Colreavy

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

CARRIED

9.2 MONTHLY INVESTMENTS REPORT

RESOLUTION 2024/15

Moved: Administrator Mike Colreavy

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

CARRIED

9.3 REPORT ON FINANCIAL INFORMATION AS AT 31 JANUARY 2024

RESOLUTION 2024/16

Moved: Administrator Mike Colreavy

That Council receives and notes the financial information contained in this report for the period ending, 31 January 2024

.CARRIED

9.4 REPORT ON FINANCIAL INFORMATION AS AT 31 DECEMBER 2023

RESOLUTION 2024/17

Moved: Administrator Mike Colreavy

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

CARRIED

9.5 OUTSTANDING RATES AND USAGE CHARGES AS AT 31 DECEMBER 2023

RESOLUTION 2024/18

Moved: Administrator Mike Colreavy

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

CARRIED

9.6 OUTSTANDING RATES AND USAGE CHARGES AS AT 31 JANUARY 2024

RESOLUTION 2024/19

Moved: Administrator Mike Colreavy

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

CARRIED

9.7 OUTSTANDING DEBTORS AS AT 31 DECEMBER 2023

RESOLUTION 2024/20

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.8 OUTSTANDING DEBTORS AS AT 31 JANUARY 2024

RESOLUTION 2024/21

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.9 GRANT FUNDED PROJECTS STATUS UPDATE

RESOLUTION 2024/22

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.10 QUARTERLY TOURISM REPORT

RESOLUTION 2024/23

Moved: Administrator Mike Colreavy

That the report be received and noted

CARRIED

9.11 ACTIVITIES UNDERTAKEN WITHIN THE PLANNING DEPARTMENT

RESOLUTION 2024/24

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.12 ENGINEERING UPDATE FOR DECEMBER 2023 AND JANUARY 2024

RESOLUTION 2024/25

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.13 OUTSTANDING ACTIONS AS AT FRIDAY, 16 FEBRUARY 2024

RESOLUTION 2024/26

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.14 MEETINGS ATTENDED BY THE ADMINISTRATOR, THE GENERAL MANAGER AND THE DIRECTORS

RESOLUTION 2024/27

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

9.15 CIRCULARS FROM THE OFFICE OF LOCAL GOVERNMENT

RESOLUTION 2024/28

Moved: Administrator Mike Colreavy

That the report be received and noted.

CARRIED

10 NOTICE OF MOTION / QUESTIONS ON NOTICE

Nil

11 CONFIDENTIAL MATTERS

RESOLUTION 2024/29

Moved: Administrator Mike Colreavy

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 Tender VP 280968 - Euston Recreation Reserve Football Club - Field Refurbishment

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

11.2 Tender VP 391887 - Balranald Lions Park Redevelopment

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

11.3 Tender VP 397271 - Balranald Discovery Centre Extension

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

11.4 Tender VP 384929 - Euston Recreation Reserve - Netball Precinct

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CARRIED

RESOLUTION 2024/30

Moved: Administrator Mike Colreavy

That Council moves out of Closed Council into Open Council and the General Manager advise that Council adopted the Recommendations of the Confidential Report, being;

11.1 Tender VP 280968 - Euston Recreation Reserve Football Club - Field Refurbishment

That Council approves the tender received from Equipment Solutions Plus Pty Ltd for the Euston Recreation Reserve Football Club Field Refurbishment for the amount of \$798,730 (exclusive of GST).

11.2 Tender VP 391887 - Balranald Lions Park Redevelopment

That Council approves the tender received from Equipment Solutions Plus Pty Ltd for the Balranald Lions Park Redevelopment for the amount of \$955,594.50 (excluding GST).

11.3 Tender VP 397271 - Balranald Discovery Centre Extension

That Council approves the tender received from Beechworth Cabinets & Joinery Pty Ltd for the Balranald Discovery Centre Extension for the amount of \$600,000 (excluding GST).


11.4 Tender VP 384929 - Euston Recreation Reserve - Netball Precinct

That Council approves the tender received from Equipment Solutions Plus Pty Ltd for the Euston Recreation Reserve - Netball Precinct for the amount of \$716,750 (exclusive of GST).

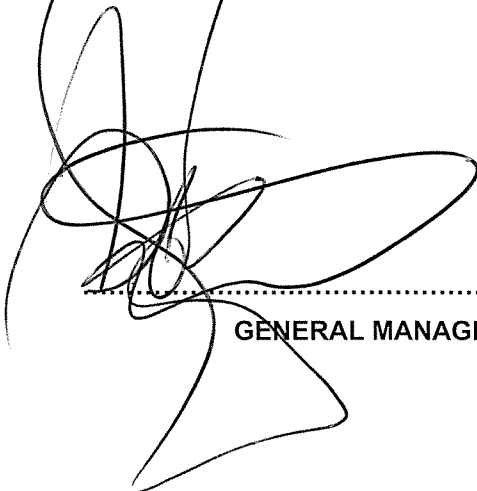
CARRIED

The Meeting closed at 6pm.

The minutes of this meeting were confirmed at the Council Meeting held on 26 March 2024.



.....
ADMINISTRATOR



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GENERAL MANAGER