



MINUTES

**Ordinary Council Meeting
Tuesday, 19 August 2025**

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**MINUTES OF BALRANALD SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MARKET STREET BALRANALD
ON TUESDAY, 19 AUGUST 2025 AT 5PM**

1 OPENING OF MEETING

The Mayor opened the meeting at 5pm.

2 PRAYER & ACKNOWLEDGMENT OF COUNTRY

Prayer

Almighty and eternal God, give us the grace to faithfully fulfil the duties of our office.

Shed the light of your wisdom and counsel upon us so that, strengthened by these gifts, we will, in the administration of the affairs of the council, always do what is right and just.

We ask that our deliberations will be both fruitful and wise.

Amen

Acknowledgement 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:

Mayor Louie Zaffina, Deputy Mayor Dwaine Scott, Cr Iain Lindsay-Field, Cr Alison Linnett, Cr Tracy O'Halloran, Cr Phillip Pippin, Cr German Ugarte and Cr Leigh Byron via Zoom.

IN ATTENDANCE:

Peter Bascomb (Interim General Manager), Hodi Beauliv (Executive Manager – Community & Governance, Edna Mendes (Acting Chief Financial Officer), David McKinley (Director of Infrastructure and Planning Services), Carol Holmes (Senior Executive Officer).

3 APOLOGIES

Nil

LZ

4 CONFIRMATION OF MINUTES**4.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 15 JULY 2025**

RESOLUTION 2025/121

Moved: Cr German Ugarte

Seconded: Cr Tracy O'Halloran

That Council confirms the Minutes of the Ordinary Council Meeting held on Tuesday, 15 July 2025 as a true and accurate record of the meeting with the following amendment to be made to the second point 2 of resolution 2025/104;

“That Council nominate Councillors Zaffina and O'Halloran to the Euston Progressive Advisory Committee (EPAC).”

CARRIED

4.2 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON TUESDAY, 22 JULY 2025

RESOLUTION 2025/122

Moved: Deputy Mayor Dwaine Scott

Seconded: Cr Iain Lindsay-Field

That Council confirms the Minutes of the Extraordinary Council Meeting held on Tuesday, 22 July 2025 as a true and accurate record of the meeting.

CARRIED**5 DISCLOSURE OF INTEREST**

There were no Disclosure of Interests submitted to this meeting.

6 MAYORAL/COUNCILLOR REPORT

6.1 MAYORAL MINUTE - ADDITIONAL MEMBER FOR SCAIWAC

RESOLUTION 2025/123

Moved: Cr Iain Lindsay-Field

Seconded: Cr German Ugarte

That Council appoints Ben Johnstone as a member of the Strengthening Community Access Inclusion & Wellbeing Advisory Committee (SWAIWAC).

CARRIED

6.2 MAYORS REPORT

RESOLUTION 2025/124

Moved: Cr Leigh Byron
Seconded: Cr Phillip Pippin

That the report be received and noted.

CARRIED

7 COMMITTEE REPORTS**7.1 EUSTON PROGRESSIVE ADVISORY COMMITTEE MEETING HELD ON MONDAY, 30 JUNE 2025**

RESOLUTION 2025/125

Moved: Cr German Ugarte
Seconded: Cr Iain Lindsay-Field

That Council:

- 1. Notes the Minutes of the Euston Progressive Advisory Committee meeting held on Monday 30 June 2025**
- 2. Source 3 quotes on town entrance signs to update the original design.**
- 3. Consider including quotes in the refurbishing building program of the Euston Recreation Club Rooms.**

CARRIED

7.2 EUSTON PROGRESSIVE ADVISORY COMMITTEE - MONDAY 28 JULY 2025

RESOLUTION 2025/126

Moved: Cr Iain Lindsay-Field
Seconded: Cr German Ugarte

That Council:

- 1. Note the Minutes of the Euston Progressive Advisory Committee meeting held on Monday 28 July 2025.**
- 2. Seek funding for 2 extra lights for Euston Football Oval.**

CARRIED

8 NOTICE OF MOTION

9 NOTICE OF RESCISSION

GENERAL MANAGER'S REPORTS (INCORPORATING ALL STAFF REPORTS)

PART A – ITEMS REQUIRING DECISION

10 GENERAL MANAGER'S REPORTS

10.1 APPOINTMENT OF ARIC CHAIR

RESOLUTION 2025/127

Moved: Cr Tracy O'Halloran

Seconded: Cr Alison Linnett

That Council

1. Appoints Ms Kerry Phillips as the Independent Chair of Council's Audit Risk and Improvement Committee for a two-year term
2. Confirm the fee of \$1,650 ex GST, plus agreed travel and accommodation expenses, per meeting
3. Establishes a policy that the fee payable for other ARIC members who are eligible for payment be set at 75% of the fee payable to the Chair, plus agreed travel and accommodation expenses.

CARRIED

10.2 APPOINTMENT OF INTERNAL AUDITOR

RESOLUTION 2025/128

Moved: Cr Iain Lindsay-Field

Seconded: Cr Tracy O'Halloran

That Council appoint National Audits Group Pty Ltd (ABN 89128381920) as its Internal Auditor for a period of two years with the option of two by two-year extensions.

CARRIED

10.3 ACCOMMODATION FOR EMPLOYEES WITH HYBRID WORK ARRANGEMENTS**RESOLUTION 2025/129**

Moved: Cr Tracy O'Halloran

Seconded: Cr German Ugarte

That Council:

1. Approve the use of 38 Court St Balranald as furnished accommodation for use by employees engaged on a hybrid-work basis, or on a short-term arrangement.
2. Allocate \$35,000 from the Infrastructure Reserve for the purchase of the necessary furnishings.
3. Investigate the acquisition of land and the construction of a range of staff accommodation similar to the recent development at the Balranald MPS.
4. Staff develop a Hybrid Workers Accommodation Policy.

CARRIED

10.4 RENAMING THE POSITION OF GENERAL MANAGER**RESOLUTION 2025/130**

Moved: Cr Tracy O'Halloran

Seconded: Cr Leigh Byron

That Council

1. Renames the position in the Organisation Structure currently called General Manager (GM) as Chief Executive Officer (CEO)
2. Assigns the role of general manager, as defined in the *Local Government Act 1993*, to the position Chief Executive Officer
3. Determines that all references to the position of General Manager in any Council documentation, including but not limited to delegations and policies, be taken as referring to the position of Chief Executive Officer.

CARRIED

10.5 EMERGENCY APPOINTMENT OF ACTING GENERAL MANAGER**RESOLUTION 2025/131**

Moved: Cr Iain Lindsay-Field

Seconded: Cr Tracy O'Halloran

That Council establish the policy

1. That in circumstances of unplanned unavailability of the General Manager that the members of the Executive Leadership Team be assigned the role of Acting General Manager in the following order of priority:
 - (a) Executive Manager Community and Governance (EMCG)
 - (b) If the EMCG is unavailable, then the Director of Infrastructure & Planning Services (DIPS)
 - (c) If both the EMCG and DIPS are unavailable, then the Chief Financial Officer (CFO)
2. That the person assigned the role of Acting General Manager under this policy has the full range of functions and responsibilities of the General Manager.
3. That whoever is initially assigned the role of Acting General Manager remain in that role until the return of the substantive General Manager or there's a Council resolution varying the assignment.

CARRIED

10.6 EXPANSION OF OFFICE SPACE**OFFICER RECOMMENDATION**

That Council

1. Authorise the conversion of the Royal Café area in the Theatre Royal building to additional office space.
2. Allocate \$60,000 from the Infrastructure Reserve for the purpose of refitting the space.

MOTION

Moved: Cr Tracy O'Halloran

Seconded: Cr Phillip Pippin

That Council further investigate the costs of converting the Royal Theatre to Staff Offices and provide a floor plan and report back to Council.

AMENDMENT

Moved: Cr German Ugarte

Seconded: Cr Alison Linnett

That Council investigate other the use of other buildings and workshop ideas, plans and costs.

RESOLUTION 2025/132

Moved: Cr German Ugarte

Seconded: Cr Alison Linnett

That Council investigate the use of other buildings and hold a workshop to discuss the ideas, plans and costs.

CARRIED

10.7 HARBEN STREET DRAINAGE ISSUES**RESOLUTION 2025/133**

Moved: Cr Iain Lindsay-Field

Seconded: Cr German Ugarte

That Council

1. Add \$65,000 to the capital expenditure budget to provide sufficient funding to address both the drainage issues in front of the Balranald Early Learning Centre as well as the additional work identified in Council resolution 2025/1.
2. Fund the additional expenditure through carried-forward savings identified while preparing the FY24 Annual Statements.

CARRIED

10.8 MURRAY DARLING ASSOCIATION 2025 NATIONAL CONFERENCE**RESOLUTION 2025/134**

Moved: Cr Alison Linnett

Seconded: Cr Leigh Byron

That Council authorises the attendance of the Mayor and two councillors at the Murray Darling Association 2025 National Conference

CARRIED

10.9 ADVISORY COMMITTEE GUIDELINES**RESOLUTION 2025/135**

Moved: Deputy Mayor Dwaine Scott

Seconded: Cr German Ugarte

That Council adopts the updated Advisory Committee Guidelines as attached to this report which includes the Terms of Reference of each Advisory Committee.

CARRIED

10.10 DONATION REQUEST - SPORTING PARTICIPANT**RESOLUTION 2025/136**

Moved: Cr Tracy O'Halloran

Seconded: Cr Iain Lindsay-Field

That Council donate \$150.00 to Rachael Jones as she meets the guidelines of the Donations, Subsidies & Financial Assistance Policy for her participation in 2 of the events.

CARRIED

10.11 GREENHAM PARK HALL HIRE FEE WAIVER REQUEST - COMBINED CHURCHES 2025 - CHRISTMAS CAROLS**RESOLUTION 2025/137**

Moved: Cr Alison Linnett

Seconded: Cr German Ugarte

1. That Council waives the fees for the hire of Greenham Park Hall for the Community Christmas Carols to be held on Sunday, 14 December 2025 as requested; and
2. writes to Balranald Presbyterian Church advising that the hall hire costs have been waived, however if hall is left in an untidy state an invoice will be sent to cover the cleaning costs.

CARRIED**10.12 THEATRE ROYAL FEE WAIVER REQUEST - MAARI MA HEALTH - BALRANALD HEALTH, WELLBEING AND SUPPORT SERVICES EXPO****RESOLUTION 2025/138**

Moved: Cr Tracy O'Halloran

Seconded: Cr Alison Linnett

That Council:

- i. waives the fees for the hire of Theatre Royal Hall by Maari Ma for the Balranald Health, Wellbeing and Support Services Expo..
- ii. writes to Maari Ma Health to advise that the hall hire costs have been waived, however if hall is left in an untidy state an invoice will be sent to cover the cleaning costs.

CARRIED**10.13 DONATION REQUEST - MALLEE FAMILY CARE****RESOLUTION 2025/139**

Moved: Cr Alison Linnett

Seconded: Cr Iain Lindsay-Field

That Council donate \$500 to Mallee Family Care towards the library hire fees.**CARRIED**

10.14 DRAFT UNIFORM POLICY**OFFICER RECOMMENDATION****That Council**

1. Notes the revised draft Uniform Operational Policy.
2. Acknowledges that the matter is operational and refers the Policy back to the Interim General Manager for determination.

This report lapsed for the want of a mover and seconder

10.15 REVIEW OF COUNCIL POLICIES**RESOLUTION 2025/140**

Moved: Cr Tracy O'Halloran

Seconded: Cr German Ugarte

That Council approve the policies listed in the report to be publicly exhibited for a period of 28 days to seek public comment and for any significant public submissions to be reported back to the October 2025 Ordinary Council meeting, otherwise the policies will be deemed to be adopted immediately by Council following the exhibition period with the removal of GIPA, Privacy Management Policy, Keeping of Animals, Staff Housing and Footpath Policies and hold a workshop to discuss these removed policies.

CARRIED

10.16 DA 36/2020 MOD 1 - HOSTEL REDEVELOPMENT & EXTENSION - 24 MAYALL STREET BALRANALD - MODIFICATION APPLICATION**RESOLUTION 2025/141**

Moved: Cr Iain Lindsay-Field

Seconded: Cr Alison Linnett

That Council approve Development Application 36/2020 Mod 1 for the redevelopment and extension of the Bidgee Haven Hostel subject to the following draft conditions of consent:

1. The development must be carried out in accordance with:
 - (a) C4 Architects P/L Plan Set named Development Application, Proposed Bidgee Haven Resident Room Extension, dated January 2020, Drawing Numbers P100-PL104, PL120, PL200-PL202, PL400 and PL401, address label shown as 24 Mayall St, Balranald.
 - (b) Statement of Environmental Effects authorised by G Helgeland, dated 27/04/2020, Issue D1.

except as amended in accordance with any conditions of this consent.

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 the inconsistency.

2. All building work shall be carried out in accordance with the provisions of the Local Government Act 1993, The National Construction Code 2019, relevant Australian

Standards, the Environmental Planning & Assessment Act 1979 and the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, regardless of any omission in the documentation submitted for approval.

3. A Construction Certificate application is required to be submitted to and issued by Balranald Shire Council or an Accredited Certifier prior to any excavation or building works being carried out onsite. This should specifically include Fire Safety provisions, in line with Condition 2.
4. In accordance with Section 34 of the Building and Construction Industry Long Service Payments Act 1986, the applicant must pay a long service levy at the prescribed rate of 0.35% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more. The Long Service Levy is payable prior to the issue of a Construction Certificate. Details demonstrating compliance are to be submitted to the Certifying Authority.
5. The buildings/structures shall comply with the requirements of the Commonwealth Disability Discrimination Act 1992, the Commonwealth Premises Code and the NSW Anti-Discrimination Act 1977.

Note 1: The Disability Discrimination Act 1992 and the Anti-Discrimination Act 1977 provide that it is an offence to discriminate against a person in a number of different situations. IT IS THE OWNER'S RESPONSIBILITY TO ENSURE THAT THE BUILDING COMPLIES WITH THIS LEGISLATION.

Note 2: Guidelines in respect of disabled access produced by the Human Rights and Equal Opportunity Commission are available from the Commission. The Applicant should ensure that these matters are addressed in the plans and specifications submitted with the application for a construction certificate.

6. Implement Crime Prevention through Environmental Design (CPTED) principles and strategies to minimise the opportunity for crime which may include:
 - provide adequate lighting to common areas as required under Australian Standard AS 1158: Lighting for roads and public spaces
 - design of landscaping, adjacent to mailboxes and footpaths, must not provide concealment opportunities for criminal activity
 - design the development to avoid foot holes or natural ladders so as to minimise unlawful access to the premises
 - provide signage within the development to identify all facilities, entry / exit points and direct movement within the development
7. Prepare a Construction Environmental Management Plan (CEMP), including a Construction Traffic Management Plan (CTMP), Vehicle Movement Plan and Traffic Control Plan. The CEMP shall be prepared with the intention of causing minimal impact on the environment and operation of the road network during construction of the development. The Construction Environmental Management Plan is to provide for:
 - Emergency response plan (pollution incident)
 - Waste and stockpiling management
 - Erosion and sediment control
 - Delivery and storage of materials
 - Worker's parking and amenities
 - Hours of construction
 - Noise and dust mitigation
 - Process of handling complaints
 - Crane permits (crane location plan)
 - Describe the volume and type of traffic generated by the works including designed routes
 - Include measures to maintain the safe and efficient operation of the surrounding road network
 - Any proposed Construction zones within Councils Road Reserves. Note: The

"Construction Zones" require separate application and approval from Council.

8. A certificate of compliance will be required for any exhaust system to compliment the issue of an Occupation Certificate.
9. Construction & Maintenance of Food Preparation Areas
 - (a) To enable surfaces to be easily cleaned and sanitised:
 - i. Floors, walls and ceilings in all food preparation areas are to be constructed with smooth and impervious material to enable effective cleaning and sanitation. The intersection of the walls and floors are to be coved (uninterrupted surface) to minimise build up of dirt and food waste. The intersection of the walls and ceiling is to be tight jointed (uninterrupted surface), sealed and dust-proofed;
 - ii. If a cool room is proposed, the floor of the cool room shall be graded to the doorway and the cavity formed between the external walls of the room and the walls of the premises shall be sealed so as to prevent the access of vermin and food spillage.
 - (b) So that food preparation surfaces can be easily cleaned and sanitised, all food contact surfaces and equipment in food preparation areas such as the counter, benches, drainage boards, and table tops shall be constructed with smooth and impervious material, non-absorbent material free of cracks, crevices or cavities.
 - (c) To enable hands to be effectively washed, hand washing facilities shall be located where they can be easily accessed in a convenient location to food handlers. Hand washing facilities shall be solely used for the purpose of hand washing only and have:
 - i. An adequate supply of warm running water through an approved mixing device. The mixing device is to be adjusted to enable hand washing in water with a minimum temperature of 40°C; and
 - ii. A supply of single use towels and soap are required at the hand basin at all times.
10. Temperature Measuring Devices (e.g. Thermometers)
 - (a) All appliances capable of holding hot and cold foods (including milk and milk products, eggs, meat, fish, cooked rice and opened shell fish) shall be provided with either:
 - i. a numerically scaled indicating thermometer; or
 - ii. a recording thermometer; or
 - iii. an alarm system to continuously monitor the temperature of the appliance.
 - (b) So that potentially hazardous foods are stored under temperature control a food business must have a temperature measuring device that is:
 - i. is readily accessible at all times; and
 - ii. can accurately measure the temperature of potentially hazardous food to $\pm 1^{\circ}\text{C}$.
11. Light Fittings:
 - (a) All glass lights (e.g. fluorescent tubes) above food preparation areas (including store rooms and cool rooms containing food) are to be fitted with shatter proof light fittings to minimise foreign physical contamination in the case of blown, broken glass from light.
12. Food Handlers – Adequate Skills and Knowledge:
 - (a) Food Businesses are to ensure that persons undertaking or supervising food handling operations have appropriate skills and knowledge in food safety and food hygiene matters.
13. Building over Sewer

All works must be supervised by Council staff and undertaken by licensed personnel. The applicant must:

- (a) Provide a detailed design to Council before any construction.
- (b) Any construction to be supervised by Council staff.
- (c) All construction to be done by licensed and experienced staff.
- (d) All costs of this, as well as any cost in the case of damage to the sewer, must be borne by the applicant.

No construction activities may be undertaken until satisfactory arrangements are approved by Council in relation to the siting of the building extension over Council's reticulated sewer infrastructure.

14. Demolition:

- (a) Asbestos: Detection, removal and disposal of asbestos is the responsibility of the owner. Please refer to SafeWork NSW guidelines. Please contact Council, in advance, when disposing of asbestos.
 - (b) Removal of Hazardous Waste: Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).
 - (c) Only competent persons, or competent and registered persons shall carry out removal.
 - (d) Removal of asbestos or materials containing asbestos fibres, shall be in accordance with the National Occupational Health and Safety Commission code of practice.
 - (e) All demolition works and asbestos handling/removal is to be carried out in accordance with NSW Workcover requirements.
 - (f) Precautions to be observed and procedures to be adopted during the removal of dangerous or hazardous materials other than asbestos, shall be in accordance with the relevant State regulations pertaining to those materials.
15. The applicant is required to ensure that any easements registered over the title to the land are complied with.
16. Prior to the commencement of construction or installation, the proponent shall lodge with Council, and receive approval for the following listed S68 Local Approval(s):
- (a) carry out water supply work
 - (b) carry out sewerage work
 - (c) carry out stormwater drainage work
 - (d) install, alter, disconnect or remove a meter connected to a service pipe.
17. Erect a temporary hoarding or temporary construction site fence between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works, if the works:
- could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
 - could cause damage to adjoining lands by falling objects, or
 - involve the enclosure of a public place or part of a public place.

Note 1: A structure on public land or on or over a public road requires the prior approval of the relevant authority under the Local Government Act 1993 or the Roads Act 1993, respectively.

Note 2: The Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017 contain provisions relating to scaffolds, hoardings and other temporary structures.

18. A sign is to be erected in a prominent position on any site on which building work:
- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a

telephone number on which that person may be contacted outside working hours, and

- (c) stating that unauthorised entry to the site is prohibited. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out.

19. Provide or make available toilet facilities at the work site before works begin and maintain the facilities until the works are completed at a ratio of one toilet plus one additional toilet for every twenty (20) persons employed at the site.

Each toilet must:

- be a standard flushing toilet connected to a public sewer, or
- have an on-site effluent disposal system approved under the Local Government Act 1993, or
- be a temporary chemical closet approved under the Local Government Act 1993

20. Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.
21. Roof water drainage is to be directed to the street drainage in urban areas.
22. Finished floor level is to be established so as to minimise the potential for storm water inundation of the buildings.
23. Any alterations to existing surface levels on the site shall be undertaken in such a manner so as to ensure that no surface water is drained onto or impounded on adjoining properties. Stormwater discharge points must not result in the concentration of stormwater flows, increased flow velocities or potential erosion issues.
24. All construction/demolition work on the site is to be carried out between the hours of 7.00 am and 6.00 pm Monday to Friday inclusive, 7.00 am to 5.00 pm Saturdays and no work is permitted on Sundays and Public Holidays. Written approval must be obtained from the General Manager of Balranald Shire Council to vary these hours.
- 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).
25. 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.
26. All external metal cladding shall be of suitable colour and finish so as not to cause reflection or glare.
27. All materials onsite or being delivered to the site are to be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 are to be complied with when placing/stockpiling loose material or when disposing of waste products or during any other activities likely to pollute drains or watercourses.
28. No second hand materials are to be used unless separately approved by council and then made available for inspection prior to use.
29. Any damage to Councils infrastructure or other services is the full responsibility of the proponent.
30. All Landscaping shall be installed in accordance with the approved plans prior to the issue of an Occupation Certificate.
31. Submit a Certificate of Compliance for all plumbing and drainage work and a Sewer Service Diagram showing sanitary drainage work (to be provided by licensed plumber) in accordance with the Plumbing and Drainage Act 2011.
32. No person is to use or occupy the building or alteration that is the subject of this approval without the prior issuing of an Occupation Certificate.

33. The use of the premises must not give rise to offensive noise as defined in the Protection of the Environment Operations Act 1997.
34. Where Balranald Shire Council is not the Principal Certifying Authority, a final inspection of water connection, sewer and stormwater drainage shall be undertaken by Council and a Final Notice of Inspection issued, prior to the issue of an Occupation Certificate.
35. 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 the Department of Planning, Industry and Environment as soon as practical on 131555, providing any details of the Aboriginal object and its location; and
 - Not recommence any work at the particular location unless authorised in writing by Department of Planning, Industry and Environment.

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 Department of Planning, Industry and Environment contacted.

36. The developer shall appoint a registered land surveyor to provide guidance on the location of the property boundaries, the cost to be carried by the developer. Where construction will take place on a shared boundary, the adjacent landowner shall be given 7 days notice. The developer shall rectify any damage to the neighbours property, any costs incurred to make good the property, shall be to the developers cost.

CARRIED

In Favour: Crs Louie Zaffina, Dwaine Scott, Leigh Byron, Iain Lindsay-Field, Alison Linnett, Tracy O'Halloran, Phillip Pippin and German Ugarte

Against: Nil

CARRIED 8/0

10.17 DA 24/2025 PROPOSED RESIDENTIAL & COMMERCIAL DEVELOPMENT

RESOLUTION 2025/142

Moved: Cr German Ugarte

Seconded: Deputy Mayor Dwaine Scott

That Council approve Development Application 24/2025 for 11 Motel Style Accommodation Units, a Manager's Office & a Cafe on Lots 3 & 4 Section 5 DP 758402, 35 Murray Terrace, Euston, subject to the following Draft Conditions of Consent:

Terms of Approval

The reasons for the imposition of conditions are:

- 1) To ensure a quality urban design for the development which complements the surrounding environment.
- 2) To maintain neighbourhood amenity and character.
- 3) To ensure compliance with relevant statutory requirements.
- 4) To provide adequate public health and safety measures.

- 5) Because the development will require the provision of, or increase the demand for, public amenities and services.
- 6) To ensure the utility services are available to the site and adequate for the development.
- 7) To prevent the proposed development having a detrimental effect on adjoining land uses.
- 8) To minimise the impact of development on the environment.

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 except as amended in accordance with any conditions of this consent:
 - (a) Rigby Designs Drawing Number 23-066-DA1, Sheet 1 of 3, 23-066-DA2, Sheet 2 of 3 and 23-066-DA3, Sheet 3 of 3
 - (b) Planning Report prepared by Jackson Planning, labelled Mixed Use Development, 35 Murray Terrace, Euston, NSW, 2737, not dated.

except as amended in accordance with any conditions of this consent.

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 the 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 2019, relevant Australian Standards and The Environmental Planning & Assessment Act 1979, regardless of any omission in the documentation submitted for approval.
4. In accordance with the provisions of the Environmental Planning & Assessment Act 1979 construction works approved by this consent must not commence until:
 - (a) A Construction Certificate has been issued by Council or an Accredited Certifier. Either Council or an Accredited Certifier can act as the "Principal Certifying Authority."
 - (b) A Principal Certifying Authority has been appointed and Council has been notified in writing of the appointment.

The documentation required under this condition must show that the proposal complies with all Development Consent conditions and is not inconsistent with the approved plans, the National Construction Code and the relevant Australian Standards.

5. In accordance with Section 34 of the Building and Construction Industry Long Service Payments Act 1986, the applicant must pay a long service levy at the prescribed rate of 0.25% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$250,000 or more. The Long Service Levy is payable prior to the issue of a Construction Certificate or Section 68 Approval. Details demonstrating compliance are to be submitted to the Certifying Authority.
6. Prior to the commencement of installation, the proponent shall lodge with Council, and receive approval for the following other listed Section 68 Local Government Act 1993 approvals:
 - (a) carry out water supply work
 - (b) carry out sewerage work
 - (c) carry out stormwater drainage work
7. Suitable hoardings to ensure the protection of the public are to be erected and separately

approved by Council prior to commencement of work.

8. Finished floor level is to be a minimum of 0.35 metres above the street drainage level.
 9. Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.
 10. Off-street car parking spaces shall be provided upon the site in accordance with the approved plans and be constructed in accordance with accepted engineering practice and/or guidelines.
 11. All accommodation parking associated with the development is to be onsite.
 12. Any trafficable grates installed within the driveway system shall be designed and installed in a manner that prevents nuisance by way of noise when vehicles drive over them.
 13. All vehicle movements to and from the allotment must be a forward direction.
 14. A sign is to be erected in a prominent position on the work site showing:
 - (a) the name, address and telephone number of the principal certifying authority for the work, and
 - (b) the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) that unauthorised entry to the site is prohibited.
- Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out.
15. Any alterations to existing surface levels on the site shall be undertaken in such a manner as to ensure that no additional surface water is drained onto or impounded on adjoining properties. Stormwater discharge points must not result in the concentration of stormwater flows, increased flow velocities or potential erosion issues.
16. Soil erosion control measures shall be implemented on the site.
17. All works associated with the implementation / construction of the proposed activity (not operation of the proposal post occupation certificate), involving electric or pneumatic tools, or other noisy operations, shall be restricted to the following hours of operation:
 - Monday to Friday: 7.00 am and 6.00 pm
 - Saturdays: 8.00 am to 1.00 pm
 - 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).

18. 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.

19. 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.
20. The applicant is responsible to ensure that the buildings are sited on the allotment as specified on the approved site plan.
21. The applicant is required to ensure that any easements registered over the title to the land are complied with.
22. All work must be carried out in accordance with the Building/ Development Approval and any connections required to any:-
 - public electricity supply
 - public water supply
 - public sewerage system
 - public telecommunications system,must be made in accordance with the requirements of the relevant authority.
23. No second-hand materials are to be used unless separately approved by Council and then made available for inspection prior to use.
24. Roof water drainage is to be disposed of to the street drainage system.
25. All external metal cladding shall be of suitable colour and finish so as not to cause reflection or glare.
26. A temporary onsite toilet is to be provided and must remain throughout the project or until an alternative facility meeting Council's requirements is available onsite.
27. All materials onsite or being delivered to the site are to be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 are to be complied with when placing/stockpiling loose material or when disposing of waste products or during any other activities likely to pollute drains or watercourses.
28. All landscaping shall be installed in accordance with the approved plans prior to the issue of an Occupation Certificate.
29. The buildings shall NOT BE USED OR OCCUPIED until completed and an occupation certificate has been issued by the principal certifying authority or until approval has been granted by the principal certifying authority to occupy an incomplete building.
30. Any variation to the proposed use as approved in this documentation requires the further consent of Council.
31. A road opening permit is to be obtained from Council prior to the commencement of any proposed works on the nature strip road reserve. The applicant is responsible for full cost of repairs to rectify any damage to kerb, guttering, footpath, bitumen seal or nature strip.
32. A site drainage diagram is to be provided to Council prior to an occupation certificate being issued. This diagram is to be to scale and include sub-floor or under slab drain layout, together with measurements for drains taken to permanent corners or lines..
33. Any damage to Councils infrastructure or other services is the full responsibility of the applicant.
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 Department of Planning, Industry and Environment as soon as practical on 131555, providing any details of the Aboriginal object and its location; and

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- Not recommence any work at the particular location unless authorised in writing by Department of Planning, Industry and Environment.

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 Department of Planning, Industry and Environment contacted.

CARRIED

In Favour: Crs Louie Zaffina, Dwaine Scott, Leigh Byron, Iain Lindsay-Field, Alison Linnett, Tracy O'Halloran, Phillip Pippin and German Ugarte

Against: Nil

CARRIED 8/0

PART B – ITEMS FOR INFORMATION

11 GENERAL MANAGER'S REPORTS

11.1 REPORT OF FINANCIAL INFORMATION

RESOLUTION 2025/143

Moved: Cr Iain Lindsay-Field

Seconded: Deputy Mayor Dwaine Scott

That Council note the financial information contained in this report for the period ending, 31 July 2025.

CARRIED

11.2 MONTHLY INVESTMENTS REPORT

RESOLUTION 2025/144

Moved: Cr Iain Lindsay-Field

Seconded: Deputy Mayor Dwaine Scott

That Council note the information provided in this report.

CARRIED

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11.3 OUTSTANDING RATES AND USAGE CHARGES AS AT 31 JULY 2025**RESOLUTION 2025/145**

Moved: Cr Iain Lindsay-Field

Seconded: Cr Leigh Byron

That Council notes the information contained within this report.**CARRIED**

11.4 OUTSTANDING DEBTORS AS AT 31 JULY 2025**RESOLUTION 2025/146**

Moved: Cr Tracy O'Halloran

Seconded: Deputy Mayor Dwaine Scott

That Council note the report.**CARRIED**

11.5 GRANT FUNDED PROJECTS STATUS UPDATE**RESOLUTION 2025/147**

Moved: Cr Iain Lindsay-Field

Seconded: Deputy Mayor Dwaine Scott

That Council notes the report.**CARRIED**

11.6 INFRASTRUCTURE UPDATE FOR JULY 2025**RESOLUTION 2025/148**

Moved: Cr German Ugarte

Seconded: Deputy Mayor Dwaine Scott

That Council notes the report.**CARRIED**

11.7 ACTIVITIES UNDERTAKEN WITHIN THE PLANNING DEPARTMENT**RESOLUTION 2025/149**

Moved: Cr Iain Lindsay-Field

Seconded: Cr Tracy O'Halloran

That Council notes the report.**CARRIED**

11.8 OUTSTANDING ACTIONS AUGUST 2025

RESOLUTION 2025/150

Moved: Cr German Ugarte
Seconded: Cr Iain Lindsay-Field

That Council notes the report.

CARRIED

11.9 CIRCULARS FROM THE OFFICE OF LOCAL GOVERNMENT

RESOLUTION 2025/151

Moved: Cr German Ugarte
Seconded: Deputy Mayor Dwaine Scott

That Council notes the report.

CARRIED

11.10 MEETINGS ATTENDED BY THE MAYOR, THE INTERIM GENERAL MANAGER AND DIRECTORS

RESOLUTION 2025/152

Moved: Cr Iain Lindsay-Field
Seconded: Cr German Ugarte

That Council notes the report.

CARRIED

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12 NOTICE OF MOTION / QUESTIONS ON NOTICE

Nil

13 CONFIDENTIAL MATTERS

Nil

14 CLOSURE OF MEETING The Meeting closed at 6.44pm.

The minutes of this meeting were confirmed at the Council Meeting held on 16 September 2025.


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MAYOR