

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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PRESENT:

APOLOGIES:

DISCLOSURE OF INTERESTS

CALENDAR OF EVENTS

Calendar of Events November - December	
July	
17	Council Meeting @ 5pm
29	Balranald Motor Cross Round 4 – fundraiser for River Purtill (Wear Blue)
August	
1	Balranald Beautification Meeting @ 7pm
4	Roo Ball @ Theatre (Balranald Football Club)
5	Balranald Pony Club – Come & Try Day
7	Euston Beautification & Tourism Management Committee @ 9am
7	Tourism Committee Meeting @ 5pm
19	Mallee Almond Blossom Festival @ Robinvale Community Centre
21	Council Meeting @ 5pm

CONFIRMATION OF MINUTES

Recommendation:

That:

“The minutes of the Ordinary Meeting of Council held on Tuesday 26th June 2018 copies having previously been circulated to each Councillor be taken as read and confirmed.”

PRESENTATION/DELEGATIONS

MAYORAL MINUTE/REPORT

COMMITTEE REPORTS FOR ADOPTION

DELEGATES REPORTS

NOTICES OF MOTION/RESCISSION

Nil

GENERAL MANAGER’S REPORTS **(Incorporating all Staff Reports)**

PART A - ITEMS REQUIRING DECISION

General Managers Reports

Item G - 1 MURRAY DARLING ASSOCIATION NATIONAL CONFERENCE

File number: 316

Reporting Officer: Michael Kitzelmann, General Manager

Operational Plan Objective: Pillar One: Our People – a community that is proactive, engaged, inclusive and connected

Officer Recommendation:

That Council nominate its delegates to attend the 2018 MDA Conference.

Purpose of Report

To advise Council of the Annual MDA National Conference and Annual Meeting

Report

The 74st Annual Murray Darling Association National Conference and Annual General Meeting will be held in Leeton New South Wales from 29th – 31st August 2018.

The theme of the Conference is “Trust, Unity, Equity GROWTH.

In 2018 the MDA National Conference has an added attraction, with hot air balloon flights offered on the mornings of days two and three.

Council’s delegate to the MDA is Cr O’Halloran and substitute delegate is Cr Jolliffe.

While Council is considering whether to attend, it should also consider whether there are any motions which should be put up for consideration. This applies to all conferences Council attends.

Budget Implications

Registration for whole conference is \$699 per delegate plus travelling and accommodation costs.

<u>Financial Implication</u>	\$699 per delegate
<u>Legislative Implication</u>	Nil
<u>Policy Implication</u>	Nil
<u>Attachments</u>	Conference Registration Form

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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REGISTRATION FORM

74th National Conference & Annual General Meeting

29th-31st August 2018. Leeton, New South Wales

ABN 64 636 490 493

Personal Information

Title	Cr <input type="checkbox"/>	Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Ms <input type="checkbox"/>	Miss <input type="checkbox"/>	Other <input type="checkbox"/>
Surname	<input type="text"/>			First Name	<input type="text"/>	
Council/Org	<input type="text"/>					
Details will be published in a delegate list for distribution. If you do not wish your details to be published, please tick this box <input type="checkbox"/>						
Address	<input type="text"/>					
Town	<input type="text"/>			State	<input type="text"/>	Post Code <input type="text"/>
Region	<input type="text"/>			Ph.	<input type="text"/>	
Email	<input type="text"/>					
Badge Name	<input type="text"/>			Delegate (Y/N)	<input type="checkbox"/>	Partner (Y/N) <input type="checkbox"/>
Special Dietary Requirements	<input type="text"/>					

Registration Fees

(all registration fees include GST)

Please indicate in the appropriate box(es) your attendance details *

<input type="checkbox"/> Delegates Conference Package	Includes attendance at all sessions, AGM, Study Tour, Annual Dinner and Civic Reception	\$699
<input type="checkbox"/> Single Day Registration	Includes attendance at conference sessions only on day stipulated	\$350
<input type="checkbox"/> Partners Package	Includes Partners Tour, Study Tour, Annual Dinner and Civic Reception	\$340
<input type="checkbox"/> Annual Dinner only	Thursday 30 August 6.30pm	\$99
<input type="checkbox"/> Partners Tour only	Thursday 30 August 9.00am – 4.15pm	\$130
<input type="checkbox"/> Study Tour only (Includes, lunch, morning /afternoon tea)	Friday 31 August 8.30am – 4.15pm	\$130
<input type="checkbox"/> Civic Reception	Wednesday 29 August 6.00pm	\$0
<input type="checkbox"/> Annual General Meeting	Thursday 30 August 3.30pm – 5.00pm	\$0

Registration Total

Payment Methods

EFT

Banking Details: Bank **ANZ Bank** | BSB **012 505** | Account Number **2139 06893**
If paying electronically please send remittance to admin@mda.asn.au

RSVP

by 15 August
for catering

*Accommodation not included.

Murray Darling Association 463-465 High Street, Echuca VIC
3564 Ph 03 5480 3805 Email admin@mda.asn.au

This is Page 5 of the Business Paper of the Ordinary Monthly Meeting of Balranald Shire Council held in the Council Chambers, Market Street, Balranald on Tuesday 17th July 2018.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Item G - 2 ASSOCIATION OF MINING & ENERGY RELATED COUNCILS INC. MEMBERSHIP

File number:

Reporting Officer: Michael Kitzelmann, General Manager

Operational Plan Objective: Pillar Three: Our Economy – A community that ensures a strong and resilient economy.

Officer Recommendation:

That Council accept the invitation to join the Association of Mining & Energy Related Councils Inc. and nominate its delegates.

Purpose of Report

To advise Council of an invitation to join the Association of Mining & Energy Related Councils.

Report

Both the Mayor and General Manager were invited to attend a workshop earlier in the year on Solar Energy and Solar Farming held by the above association in Cobar.

The Association of Mining Related Councils of NSW was formed in 1982 as an alliance of Councils in NSW focussing on presenting a comprehensive, co-ordinated and co-operative approach to State and Federal Government on issues associated with coal production.

In 1993, the Association expanded to represent a metalliferous Council and became apparent that the AMRC could equally represent both interests. In 1999 the Association expanded its base once again to represent Local Government in all aspects of mining, including extractive industries, gas exploration, quarries and minerals.

By 2013, a new strategic framework was developed to guide the growth and direction of the Association. During 2014, in response to State Government policy related to Coal Seam Gas, the Association developed a comprehensive position paper which outlined the merits and concerns around the industry for members to consider and use to suit their own positions.

In 2017, the Association adopted a new direction embracing the necessity and opportunities surrounding the growing renewable energy sector in the form of its Strategic Plan for 2017 – 2020, with a new Vision and Strategic Direction and proposed name change to embrace the diversification – Association of Mining and Energy Related councils.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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It was finally adopted on 23rd February 2018 as a two year plan for 2018-2020 with new logo and acronym of MERC.

The Association believes that member Councils benefit enormously from being part of the Association in many ways as they endeavour to do what is best for their communities and to encourage economic development with environmental protection.

There are 19 Member councils, coming from large regional cities of Newcastle and Wollongong on the east coast, the Hunter Valley, the Central West, the North West, Far West and down to Wentworth Shire Council on the Murray River. Two other Councils have indicated their intention to join – one for mid coast and the other Warren Shire Council.

Costs of membership of the Association is currently \$7630 pa inclusive of GST, set at Annual General Meetings held in November, applicable from 1st July to 30th June each year. This has been maintained for the last several years.

The next two meetings will be in Sydney at NSW Parliament on 10th August 2018 and then the Wind Farming & Energy Workshop and Ordinary Meeting on 8/9th November 2018 at Crookwell.

<u>Financial Implication</u>	\$7630 for 12months membership
<u>Legislative Implication</u>	Nil
<u>Policy Implication</u>	Nil
<u>Attachments</u>	Proposal from MERC.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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The General Manager
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715

28th May 2018
PO Box 871
TAMWORTH
NSW 2340

Dear Michael,

Re: Membership of the Association of Mining & Energy Related Councils.

On behalf of the Association of Mining & Energy Related Councils (NSW) Incorporated, I would like to take this opportunity to thank you and your Mayor Cr Leigh Byron for attending and participating in our workshop on Solar Energy & Solar Farming on 10th May 2018, the networking dinner that evening, then the Ordinary meeting next morning on 11th May 2018.

I hope that all of the events met both your expectations and that your attendance was worthwhile.

From our perspective, with the mining and solar projects underway in your Shire and the interest shown by your Council and delegates in the workshop and what our Strategic direction is (“as the peak body in NSW empowering, resourcing and advocating on behalf of local councils impacted by mining and energy production”) your Council would be a worthy contributor and member. More importantly, as a small rural council limited by resources, there is experienced support available for your Council from our membership and executive.

Accordingly, our Association at its Ordinary meeting held on 11th May 2018 in Cobar, resolved that your Council be invited to join our Association. As an incentive to join, it was also resolved at the meeting that if your Council agrees to join the Association, the fees will be waived on a pro rata basis until the Annual General Meeting to be held on 9th November 2018 ie from 1st July 2018 to 8th November 2018 the fee would be reduced by approximately 35%.

Our next two meetings will be in Sydney at NSW Parliament on 10th August 2018 and then the Wind Farming & Energy workshop and Ordinary meeting on 8/9th November 2018 at Crookwell. To also assist you in your deliberations, the merits of being a member have been presented to Council previously and are attached again for your reference - refer Attachment A.

I look forward to your favourable response in due course. Please submit any enquiries to the undersigned

Yours faithfully,

Greg Lamont
Executive Officer
Association of Mining & Energy Related Councils (NSW) Inc.
Ph 0407937636 or email info@miningrelatedcouncils.asn.au

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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ATTACHMENT A

The Mayor
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715

22nd March 2018
PO Box 871
TAMWORTH
NSW 2340

Dear Cr Byron,

Re: Proposal for Membership of the Association of Mining & Energy Related Councils.

In view of the proposed renewable energy developments in your Council area (announced on 8th February 2018 by the Minister for Planning, Minister for Housing and Special Minister of State, the Hon Anthony Roberts that two Solar Farms at Limondale (250MW) and Sunraysia (200MW) in the Balranald Shire Council area have been approved by the NSW State Government), our Executive would like to invite your Council to consider becoming a member of our Association, the merits of doing so are outlined in this proposal.

I would appreciate it if you would take the time to read this proposal, discuss it with your Council and the new General Manager (I have copied him in to this proposal) to consider joining the Association of Mining & Energy Related Councils (MERC).

I did send a proposal in June 2017 to the General Manager at the time, but was not sure if it actually was brought to your or Council's attention, as I did not get a reply. Since then our Association has expanded its scope, adopted a new Strategic Direction, we are redesigning our website and logo, in order to be the voice for mining and energy related activities in NSW for Councils affected by the developments as the renewable energy debate unfolds.

Introduction

Firstly, I will outline the long history and growth of the Association in dealing with the State Government and development proponents, on behalf of our communities, on issues relating to mining and energy through extensive consultation and research processes. I will then outline the changes underway in strategic direction, the benefits of being a member and provide an analysis of the cost/benefits to assist your Council in its deliberations.

Background

The Association of Mining Related Councils of NSW was formed in 1982 as an alliance of Councils in NSW focussing on presenting a comprehensive, co-ordinated and co-operative approach to State and Federal Government on issues associated with coal production.

In 1993, the Association was approached to represent a metalliferous Council and it became apparent that the AMRC could equally represent both interests and subsequently became the Association of Mining Related Councils NSW. In 1999, the Association expanded its base once again to represent Local Government in all aspects of mining, including extractive industries, gas exploration, quarries and minerals.

By 2013, a new Strategic Framework was developed to guide the growth and direction of the Association. During 2014, in response to State Government policy related to Coal Seam Gas, the Association developed a comprehensive position paper which outlined the merits and concerns around this industry for members to consider and use to suit their own positions.

This is Page 9 of the Business Paper of the Ordinary Monthly Meeting of Balranald Shire Council held in the Council Chambers, Market Street, Balranald on Tuesday 17th July 2018.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

.....

In 2017, the Association adopted a new direction embracing the necessity and opportunities surrounding the growing renewable energy sector in the form of its Strategic Plan for 2017 – 2020, with a new Vision and Strategic Direction and proposed name change to embrace the diversification – Association of Mining and Energy Related Councils. It was finally adopted on 23rd February 2018 as a two year plan for 2018 - 2020 with a new logo and acronym of MERC.

The new two year Strategic Plan 2018 – 2020 has the following features, which can easily dovetail into your 2017 - 2021 Community Strategic Plan, Delivery Program and Resourcing Strategies:-

- *Vision – As the peak body in NSW empowering and resourcing local Councils and their communities, to address the challenges and opportunities created by mining, energy production and related infrastructure;*
- *Strategic Direction 1 - “Advocacy so that member Councils are heard” the purpose is to generate a dynamic and respected voice, representing member Councils and their communities affected by Mining and Energy production;*
- *Strategic Direction 2 - “Resourcing to support member Councils” the purpose is to strengthen the local capacity of member Councils through the sharing of expert knowledge and skills to protect the interests of their communities;*
- *Strategic Direction 3 - “Policy to empower member Councils” the purpose is to empower member Councils with the tools to design, plan and negotiate for the benefit of their communities;*
- *Key Performance Indicators and Performance Measures. Each Strategic Direction is split into three components (People, Processes, Products/ Practices) with Key Performance Indicators and Performance Measures to be aligned to the Executive Officer role and direction for the Executive Committee to take to ensure the Association achieves what it says it will.*

(A copy of the Association’s Strategic Plan 2018-2020 is attached for your information)

Consultation

The MERC through its strong network of member Council’s, has developed a broad socio – political base, where it is “apolitical” and works closely with the State and Federal Governments of the day. Member Councils in the Association represent the large regional Councils through to small Country Shires, all with the same interest of addressing the challenges and opportunities mining and energy developments bring to their local communities.

The MERC consults widely through a variety of channels within and across local government such as - Local Government NSW, Local Members of Parliament (State and Federal), Regional Organisations of Council/Joint Organisations, General Manager and Council senior staff professional associations.

The MERC has, over time also developed productive relationships with the peak mining group (NSW Minerals Council) and NSW Government departments (Planning, Energy, Resources, Environment, Regional Development, Local Government, etc.).

The MERC has also canvassed the opinion and support of Ministers and Shadow Ministers, Environment groups, Unions, University and Research entities and at its quarterly meetings arranges speakers on relevant topics and matters of interest to ensure delegates are well informed and able to relay information to their member Councils.

This is Page 10 of the Business Paper of the Ordinary Monthly Meeting of Balranald Shire Council held in the Council Chambers, Market Street, Balranald on Tuesday 17th July 2018.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Some delegates to the Association represent local government and have been appointed by their peers such as the Mines Subsidence Board (Subsidence Advisory NSW), Western Mining Taskforce, Regional Independent Assessment Panel for Resources for Regions and the Resources Advisory Forum, to name a few.

Our experienced delegates are often called upon to assist the State Government with input on its policy and direction on mining related matters and no doubt in time this will embrace emerging renewable energy issues eg we have delegates on the Joint Working Party on Voluntary Planning Agreements with the NSW Minerals Council, overseen by the Department of Planning & Environment senior staff. These Guidelines will be able to be used for all developments not just mining.

Benefits

The Association believes that member Councils benefit enormously from being part of the Association in many ways as they endeavour to do what is best for their communities and to encourage economic development with environmental protection. Below are some of them:-

- *Long History: With over 35 years as an Association and with a dearth of experienced Councillors and senior staff involved, the Association is used as an advocate and is an entity with a “seat at the table” with Ministers and Shadow Ministers, Departmental staff and the NSW Minerals Council. This long history is invaluable in providing peer support;*
- *A Strong Apolitical Voice: A united “apolitical voice” consisting of large regional Councils and small Shire Councils at Regional, State and Federal level, on important mining and energy related issues which is listened to by politicians and developers;*
- *Meet the Decision Makers: Raise specific issues with the higher level decision makers, whereby two meetings a year are held regionally and two in Sydney to enable Members of Parliament and relevant Department Staff and other key note speakers to address delegates;*
- *Networking Opportunities: Collaborate with experienced Councillors and staff, to discuss matters of specific interest holistically and investigate and solve mining and energy related issues with other delegates, who as peers have mining and energy as part of their portfolios, areas of expertise and interest;*
- *Delegates on Government Working Parties: Delegates in working parties set up by the MERC on specific matters to assist members, for instance from the Voluntary Planning Agreement Working Party (VPAWP) with the NSW Minerals Council (it has the financial support from the Department of Planning), plus from delegates on Resources for Regions Panel, Resources Advisory Forum, Mines Subsidence/Rehabilitation and Western Mining issues as I have already outlined;*
- *Experienced Leadership: The structure of the MERC Executive is lean, flexible and diverse. It consists of a Chair (currently Mayor Warrumbungle Shire, Cllr Peter Shinton) and two Deputy Chairs (currently Mayor Cobar Shire Council, Cllr Lilliane Brady OAM and former Deputy Mayor Wollongong City Council, Cllr Chris Connor), plus three other delegates (currently Cllr Owen Hasler –former Mayor Gunnedah Shire Council, Cllr Michael Banasik – former Mayor Wollondilly Shire Council and Cllr Sue Moore, Mayor - Singleton Shire Council and an Executive Officer (currently Greg Lamont) as a contractor. There are no employees or any remuneration paid to the delegates;*

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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- Diverse Membership: Our nineteen Council members are very diverse, which is a positive feature, coming from large regional cities of Newcastle and Wollongong on the east coast, the Hunter Valley, the Central West, the North West, Far West and down to Wentworth Shire Council on the Murray River. Two other Councils have indicated their intention to join – one for Mid Coast and the other Warren Shire Councils;
- Members Kept Informed: The Association is very consultative and keeps its members informed through a monthly Newsletter, its web site and regular media releases when warranted. Refer details on our website www.miningrelatedcouncils.asn.au;
- Financially Sound: MERC has ample funds invested to cover contingencies and to engage consultants and research agencies to undertake studies or prepare submissions on behalf of delegates, if they are pertinent to mining and energy related matters that affect our member Councils. For example preparing submissions for EPA Act review, the Large Scale Solar Farm Development Guidelines, the Mines Rehabilitation Discussion paper, the Social Impact Assessment Guidelines put on exhibition by the Department Planning, a “cost per tonne of production” model for Social and Economic Impact of mining in Council areas as part of the Joint VPAWP to ensure a better deal for the community from the proponent and to better serve the community;
- Use of Panel of Experts: The Association has developed a panel of environmental, planning, mining, social and economic development impact consultants for access by member Councils (at their cost). The panel has been assessed by the MERC as having relevant qualifications and experience to refer to when a development is presented to Council and the Council doesn’t know where to start or doesn’t have the resources to help with the stringent assessment process and negotiations with the developers.;
- Flexible and Change Oriented: The local Council is the voice of the people and to be effective, it has to sensibly deal with change such as “Fit for the Future” assessments, changes in planning legislation, a changing political landscape, the debate on climate change and the provision of reliable energy options, which are even further complicated when dealing with the impacts of mining and energy related developments. The results of such vary with how they affect our communities, so your Council needs a support and a capable Association membership to provide assistance. We can provide that.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Testimonial

Delegate to the Association, Councillor Jim Nolan, Broken Hill City Council had this to say recently in May 2017, about his Councils membership of the Association:

“Broken Hill City Council recently signed its first Voluntary Planning Agreement (VPA), after 130 years of mining activity without one. The work undertaken by the Voluntary Planning Agreement Working Party and the peer and professional assistance received from the Association, all contributed toward our Council being more informed on our options, which resulted in obtaining an excellent VPA contribution arrangement for our community from the proposed mine expansion.

Also, Council received peer support and ideas from members and their professional staff for our Resources for Regions application and subsequent allocation in excess of \$5m. The \$5,843,000 received from both sources will more than cover our membership fees for the next 800 years!”

Cost

Cost of membership of the Association is currently \$7630 pa inclusive of GST, set at each Annual General Meeting held in November, applicable from 1st July to 30th June each year. This has been maintained for the last several years.

Cost Benefit Analysis

To undertake a “cost benefit analysis on whether membership is worthwhile or not” is a very difficult task to do, due to the intangible benefits to be received, which are often unable to be put into pure income terms, unless a grant is received for Resources for Regions and/or a VPA contribution for mining or energy development is received, that adequately compensates the Council for the impact of the development on infrastructure and the community. For example the earlier Broken Hill City Council case history.

However, the critical point of difference in the assessment of a Cost Benefit Analysis, is to focus on what the real purpose of a Council is – to represent the best interests of the wider community, not to sponsor any individual opinions or be influenced by developers or minority groups. The constituents rely on the local Council to ensure they have a voice, cost effective services and a good quality of life that is not unduly affected by any new development. How does one measure this intangible responsibility placed on the local Council?

When a Council is making the difficult decision to join or leave an entity it is a member of, it needs to take the core role of the Council into account. For example joining or leaving a resource sharing entity such as an Audit and Risk Committee or a Weeds County Council or the Flood Plain Management Association or the Murray Darling Association or NetWaste or a Weight of Loads Group or a Regional Joint Organisation of Councils or a state focussed entity like Local Government NSW. It is always hard to get a Cost Benefit Analysis that is measured in real tangible figures.

If a member Council of the Association or a Council contemplating joining the Association has or is about to finalise a Voluntary Planning Agreement, it can be set up so that the developer pays the Association membership and delegate costs as a contribution. This is a major point of difference.

In this way, the decision to join is a “cost positive” one and a most beneficial decision for your community using the new money from the developers, who are the ones who benefit the most financially and pay a contribution to the Council to assist the residents and ratepayers who are affected by the impacts of the development.

Conclusion

In view of the benefits outlined, to ensure all avenues for assistance are provided to the community and from a pure risk assessment point of view, if a Council has a mining and/or energy related development emerging, in action, concluded or in the rehabilitation stage, the Council can’t afford not to be part of an entity like the Association. After all, it is the Council’s responsibility to protect the community from the impacts of the development over and above what the government and Council planning processes have in place, hence the need for the Voluntary Planning Agreement.

This is Page 13 of the Business Paper of the Ordinary Monthly Meeting of Balranald Shire Council held in the Council Chambers, Market Street, Balranald on Tuesday 17th July 2018.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Councils are always keen to work with developers to ensure jobs and economic benefits are maximised, however it is a very restricted, difficult and costly process to endeavour to do it alone. There are many experienced peer support Councillors and staff that can help when part of an entity like the Association of Mining and Energy Related Councils and the peers within.

In addition, the membership of the Association will help your Council and other Councils that have specific interests in mining and energy developments in their Local Government Areas by liaising with other members and the government through the Association. Other entities deal with matters on a broader platform, whereas the MERC hones in on specific areas of interest in relation to mining and energy on behalf of its member Councils. This is what makes the Association unique and worthy of joining.

The Association would welcome your Council as a member, to increase our voice and to achieve the Vision and Strategic Directions proposed to make mining and energy related local government areas better places to live and grow in.

The Chair of the Association and the Executive Officer would welcome the opportunity to meet with Council or your representatives, to clarify any issues that may need consideration, prior to making a decision to join the Association.

To assist Council in making this important decision, our next regional meeting is at neighbouring Cobar Shire Council on 10th /11th May 2018 where we have our Executive Committee meeting in the morning on Thursday 10th May 2018, then we are having a workshop on Solar Farming with speakers from Councils that have been through the development and construction phase, senior government officials and experts all aiming to better inform delegates about the pitfalls, issues, lessons learnt and requirements.

Accordingly, I would like to invite you and the General Manager to attend the workshop as observers and participants if you wish, then to join us for our networking dinner that evening and to attend our General Meeting next morning from 9am to 1pm on Friday 11th May 2018 as observers to see how we operate and our effectiveness as a voice for the community. Your early indication for this workshop would be appreciated as accommodation in Cobar is limited.

We look forward to your favourable decision to join us on 10/11th May 2018 at Cobar and thereafter to resolve to join the Association in due course.

If you have any enquiries please submit them to the undersigned.

Yours sincerely,

Greg Lamont
Executive Officer
Association of Mining Related Councils
0407937636 or email info@miningrelatedcouncils.asn.au

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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**Item G - 3 BALRANALD FLOOD EMERGENCY SUB
PLAN**

File number:

Reporting Officer: General Manager

Operational Plan Objective: Pillar 6: Our Leadership - A community that values and fosters leadership, lifelong learning, innovation and good governance.

Officer Recommendation:

That Council endorse the Balranald Flood Emergency Sub Plan.

Purpose of Report

To advise Council of a Flood Emergency Sub Plan submitted to LEMC Meeting on Thursday 14th June 2018 for endorsement.

Report

The Balranald Flood Emergency Sub Plan is a sub plan of the Balranald Local Emergency Management Plan (EMPLAN). It has been prepared in accordance with the provisions of the *State Emergency Service Act 1989 (NSW)* and is authorised by the Local Emergency Management Committee in accordance with the provisions of the *State Emergency and Rescue Management Act 1989 (NSW)*.

NSW State Emergency Services (SES) have prepared the Sub plan and submitted by State Emergency Services NSW (SES) to the Balranald Local Emergency Management Committee (LEMC) for approval and endorsement. The LEMC approved of this document and recommended signatures be applied. When endorsed the document will then be included in the Local Emergency Management Plan.

<u>Financial Implication</u>	Nil
<u>Legislative Implication</u>	Nil
<u>Policy Implication</u>	Nil
<u>Attachments</u>	Balranald Flood Emergency Sub Plan under separate cover.

ITEM G - 4 COUNCIL ORGANISATIONAL STRUCTURE REVIEW

File number:

Reporting Officer: General Manager

Operational Plan Objective: Pillar Six: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.

Officer Recommendation:

That the proposed organisation structure be endorsed for Workplace Consultative Committee and Workforce review and consideration.

Purpose of Report

To seek Council's endorsement of the organisation structure therefore enabling consultation to occur at the operational workforce level. The proposed structure has been prepared over a period of three months to ensure better alignment with functional outputs across all vectors of Council operations.

Report

In accordance with Section 332, 333 of the *Local Government Act 1993*, the General Manager is required to prepare an organisational structure for adoption by Council for the delivery of strategic and operational initiatives aligned with the Balranald Shire Councils delivery and business plan. Council staff and executives have had a number of discussions about the organisational structure in workshops and staff interviews with the proposed structure subsequently being developed.

To best enable the continued implementation of the current Performance Improvement Order the review of the structure has focused on governance and leadership within each functional output of Council's operations.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

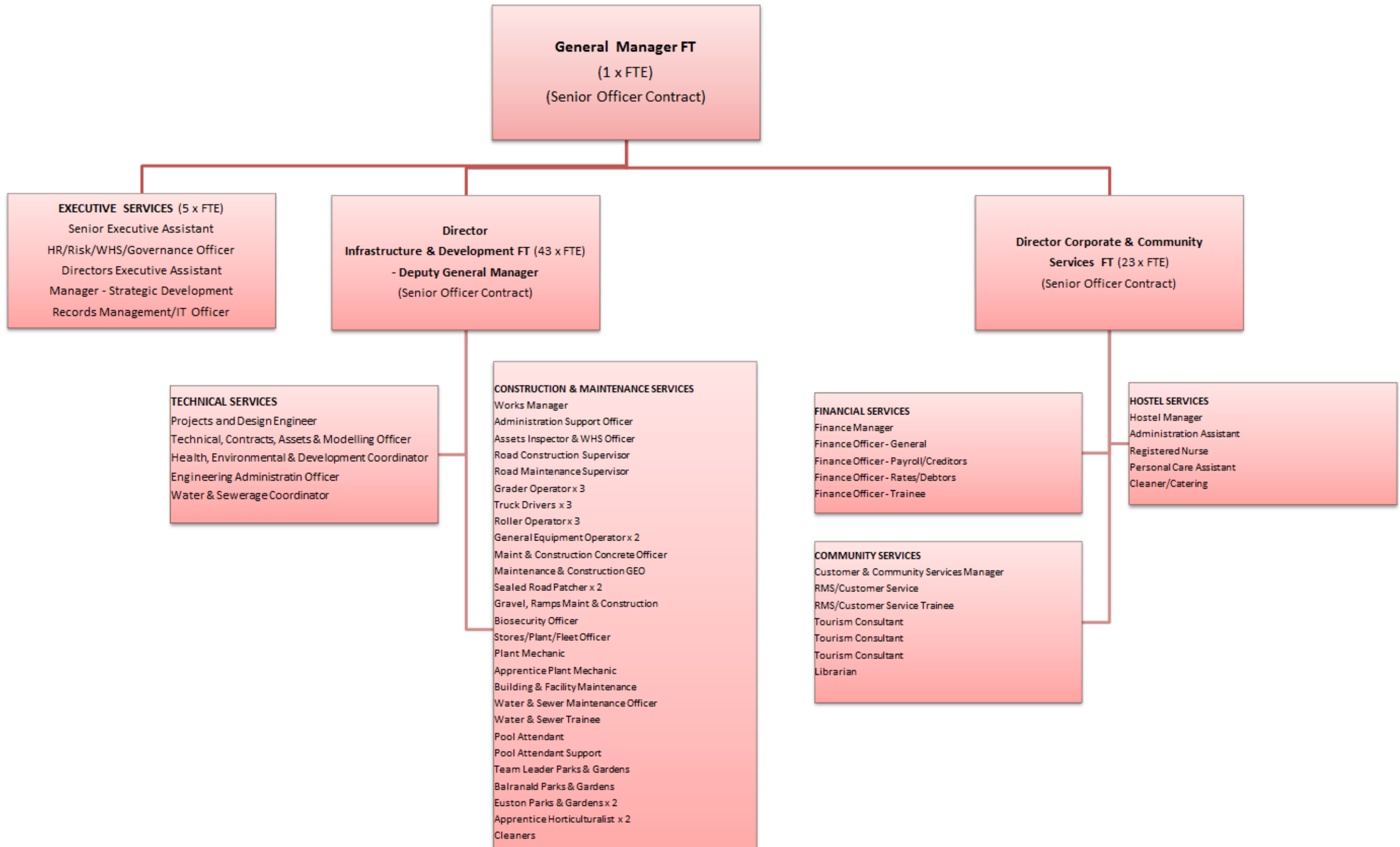
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Currently the General Manager is undertaking a restructure at the operational level, with the consultative committee and unions notified. The current adopted structure has an establishment of sixty seven (67) Full Time Equivalent (FTE) employees; the proposed structure maintains the existing number of FTE with the addition of 5 trainee positions. The identified trainee positions are subject to the successful application for funding and will only be implemented upon receipt of confirmation that funding is approved for each position. This will bring the proposed structure to seventy two (72) FTE subject to funding for the trainee positions. A copy of the final proposed structure will be provided to Councillors for approval and adoption at the August General Meeting of Council.

<u>Financial Implication</u>	Nil additional financial impact
<u>Legislative Implication</u>	Section 332 & 333 of the Local Government Act
<u>Policy Implication</u>	NA
<u>Attachments</u>	Organisational Structure by function

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Corporate & Community Development Reports

Item C – 1 BIDGEE HAVEN HOSTEL – FINANCIAL REPORT

File number:

Reporting Officer Director of Corporate and Community Development

Operational Plan Objective: Pillar Six: Our Leadership – a community that values and fosters leadership, lifelong learning, innovation and good governance

Officer Recommendation:

That Council

- Endorse the lodgement of an application for funding to the Aged Care Approvals Round (ACAR) for 15 additional beds at the Bidgee Haven Retirement Hostel and
- Note the interim financial information for the Bidgee Haven Retirement Hostel which has resulted in an operating profit of \$132,954 before the finalisation of accruals.

Purpose of Report

To provide Council with an update regarding the financial operations of the Bidgee Haven Hostel (the Hostel) at 30 June 2018 and provide information regarding a funding opportunity through Aged Care Approvals Round.

Report

At the 30 June 2018, the Hostel shows an operating profit of \$132,954. It should be noted that accruals will be finalised by 31 July 2018 and could alter the final result.

Revenue and Expenses to 30 June 2018:-

	Amended March Budget	June Actual
Revenue	\$1,256,000	\$1,296,524
Expenses	\$1,195,500	\$1,163,570

The financial result for 2017/18 financial year has been outstanding considering that a loss of \$315,496 was initially predicted in the original budget.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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The facility is a valuable asset to the Balranald community. In the last six months there have been 38 enquiries for dementia specific and aged care residents. Most had to be referred on to other facilities because the Bidgee Haven Retirement Hostel is not equipped to cater for dementia specific needs and is currently fully occupied. The demand needs to be addressed as soon as possible.

The Balranald Retirement Hostel was selected to participate in a Commonwealth Department of Health initiative to support rural and remote Aged Care providers. I attended this workshop in Wagga on 4 July with the Hostel Co-ordinator and the Hostel Registered Nurse, whereby amongst relevant information on regulatory compliance, exploring challenges with the Aged Care Funding Instrument, meeting with other service providers facing similar challenges and meeting with the Department of Health, the demand for more beds particularly in the dementia specific area was highlighted.

The Australian Government have identified the need and are investing in residential aged care services. The Department of Health is currently seeking applications through the 2018-19 Aged Care Approvals Round (ACAR) for:

- 13,500 residential aged care places
- 775 Short Term Restorative Care Places
- Up to \$60 million funding being made available for capital grants under the Rural, Regional and Other Special Needs Building Fund.

Priority will be given to suitable applications for services located in regional, rural and remote areas.

The 2018-19 ACAR is currently open and closes on 10 August 2018.

Balranald Council was previously successful in securing \$2 million to extend the Bidgee Haven Retirement Hostel to cater for a 12 bed dementia wing. The ACAR funding does not need to be matched and will be cost neutral.

It is recommended that another application is lodged increasing the grant application to cater for 15 additional beds including additional catering facilities, given that the need is so intense in this area.

If Council is successful, this will address a growing need for dementia specific care and additional aged care residents, and also increase employment opportunities for Balranald.

Conclusion

The Bidgee Haven Retirement Hostel has had a successful year with a financial result as predicted.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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The ACAR funding is an opportunity for the Hostel to expand and cater for the needs of the ageing population within our Community and should not be missed.

The following profit and loss statement as at 30 June 2018 is provided for your information.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

BIDGEE HAVEN RETIREMENT HOSTEL INTERIM PROFIT AND LOSS AS AT 30 JUNE 2018						
	BUDGET 2017-18	AMENDED BUDGET MAR 18	YTD BUDGET	YTD ACTUAL	VARIANCE	PROPOSED BUDGET 2018/19
<i>Income:</i>						
Care Subsidies	\$620,000	\$850,000	\$830,000	\$866,001	104%	\$850,000
Resident Care Fees	\$240,000	\$300,000	\$300,000	\$327,122	109%	\$230,000
Respite Care Fees		\$5,000	\$4,000	\$3,401	85%	\$5,000
Bond Retention		\$100,000	\$100,000	\$100,000	100%	
Fundraising donations	\$1,000	\$1,000	\$500	\$0	0%	\$1,000
	\$861,000	\$1,256,000	\$1,234,500	\$1,296,524	105%	\$1,085,000
<i>Expenditure</i>						
Salaries	\$880,983	\$725,000	\$725,000	\$723,346	100%	\$725,000
Contract Staff		\$64,500	\$64,500	\$64,334	100%	
Hostel -Medical Expenses	\$3,000	\$6,000	\$6,000	\$1,125	19%	\$6,000
Doctors Visits Hostel		\$2,500	\$2,500	\$2,209	88%	\$2,500
Training	\$5,000	\$5,000	\$5,000	\$1,317	26%	\$5,000
Advertising	\$1,000	\$1,000	\$1,000	\$60	6%	\$1,000
Electricity - Operational	\$30,000	\$26,000	\$26,000	\$19,801	76%	\$25,000
Consultancy		\$10,000	\$10,000	\$3,300	33%	\$10,000
General Expenses	\$600	\$2,000	\$2,000	\$1,476	74%	\$1,200
Linen Replacements	\$500	\$3,000	\$3,000		0%	\$500
Laundry Expenses	\$3,200	\$9,500	\$9,500	\$3,049	32%	\$8,000
Cleaning Materials	\$7,000	\$7,000	\$7,000	\$7,254	104%	\$0
Pharmaceutical Supplies	\$10,800	\$11,500	\$11,500	\$11,815	103%	\$7,500
Food Supplies	\$45,000	\$35,000	\$35,000	\$34,296	98%	\$35,000
Insurance	\$15,100	\$14,500	\$14,500	\$14,470	100%	\$14,900
Administration fees	\$102,500	\$102,500	\$102,500	\$102,750	100%	\$50,000
Printing and Stationery	\$3,500	\$3,000	\$3,000	\$5,481	183%	\$3,000
Rates & Charges on Council						
Property	\$10,113	\$10,000	\$10,000	\$9,390	94%	\$10,000
R & M Office Equipment	\$50,000	\$50,000	\$300	\$120	40%	\$52,000
R & M Motor Vehicle			\$1,200	\$1,190	99%	
R & M Furniture & Fittings			\$200	\$182	91%	
R & M Buildings			\$15,300	\$15,296	100%	
R & M Grounds			\$26,000	\$25,757	99%	
R & M Plant & Equipment			\$7,000	\$6,730	96%	
Subscriptions & Memberships	5200	\$5,200	\$5,200	\$5,963	115%	\$5,200
Licence Fees		\$300	\$250	\$258	103%	\$300
Telephone	\$3,000	\$2,000	\$1,800	\$1,951	108%	\$1,500
Valuation Fees				\$650		
Bond Transfer to Reserve		\$100,000	\$100,000	\$100,000	100%	
	\$1,176,496	\$1,195,500	\$1,195,250	\$1,163,570	97%	\$963,600
Net profit (Loss)	-\$315,496	\$60,500	\$39,250	\$132,954		\$121,400
Capital Expenditure	\$20,000	\$20,000	\$6,580		0%	\$20,000
- Washing Machine				\$4,712		
- Dryer				\$2,101		

This is Page 22 of the Business Paper of the Ordinary Monthly Meeting of Balranald Shire Council held in the Council Chambers, Market Street, Balranald on Tuesday 17th July 2018.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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<u>Financial Implication</u>	Impact on Council's Operational Budget
<u>Legislative Implication</u>	Nil
<u>Policy Implication</u>	Nil
<u>Attachments</u>	Nil

Infrastructure and Development Reports

Item I – 1 APPLICATION FOR ENROLMENT AS A COMMONER

File number: D18.7114

Reporting Officer: Director Infrastructure and Development – Andre Pretorius

Operational Plan Objective: Pillar 5 Our Infrastructure

Officer Recommendation:

That Council:

- 1) Approve the application of Mr J Barrett to be enrolled as a Commoner in the Balranald Common.
- 2) Negotiations between Council and the applicant be undertaken in relation to the area proposed to be used by the applicant.

Purpose of Report

To advise Council of an application received from Mr J Barrett for enrolment as a Commoner in the Balranald Common.

Report

Mr Barrett is proposing to use an area previously used by a previous commoner on Lot 7309 DP 1140440 near the intersection of MR67 and McCabe St for the keeping of livestock, namely horses. The applicant will be required to pay relevant fees as per our Revenue Policy.

Council is the Common Trust and should process the application in accordance with the established guidelines.

The essential elements of the process are:-

- i) The exhibition of the application on the Common;
- ii) Dealing with the application after 5 days exhibition and before 2 months from its receipt;
- iii) Ensuring the applicant is eligible.

The person must:-

- be a resident in the Land District
- not hold more than 20 hectares of land
- not be enrolled in any other Commoners roll.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Mr Barrett appears to meet these requirements. However another application is under consideration for the same general area at Item I-5. Negotiations between the Council and the two (2) applicants should be undertaken to achieve agreement in the use of the area.

The application was on exhibition at two (2) locations on the common and a notice was displayed on Council's street stall noticeboard between 04/07/2018 and 12/07/2018, with no submissions received.

<u>Financial Implication</u>	Commoner Fees are payable in accordance with Council's Revenue Policy
<u>Legislative Implication</u>	Nil.
<u>Policy Implication</u>	Compliance with Common Management Plan
<u>Attachment</u>	Nil.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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**Item I – 2 DA 43/2018 – PROPOSED REPLACEMENT OF
STEPS IN RIVER BANK**

File: DA 43/2018

Reporting Officer: Director Infrastructure and Development – Andre Pretorius

Operational Plan Objective: Pillar 5 Our Infrastructure

Division:

Officer Recommendation:

Council approve Development Application 43/2018 for the replacement of steps in the river bank on Lot 1 DP 1123942, 7 Bates Drive Euston, subject to the following conditions:

Balranald Shire Council:

1. No alteration to approved plans and specifications is allowed unless separately approved by Council.

Note: Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions will prevail to the extent of that inconsistency.

Reason: Statutory Compliance

2. This approval does not authorise the damage, destruction, altering, moving or other harms to any aboriginal cultural heritage in relation to carrying out the proposal.

A separate application under Part 6 of the National Parks & Wildlife Act 1974 must be made where harm to an Aboriginal object or Aboriginal place cannot be avoided. This application must be approved by the Office of Environment & Heritage prior to any harm occurring.

Reason: Statutory Compliance

3. 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 OEH 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 OEH.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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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 OEH contacted.

Reason: Statutory Compliance

4. All building work shall be carried out in accordance with the provisions of the Local Government Act 1993, The National Construction Code 2016, and The Environmental Planning & Assessment Act 1979, regardless of any omission in the documentation submitted for approval.

Reason: Statutory Compliance

5. In addition to meeting any specific performance criteria established under other conditions of this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction and operation of the development.

Reason: Environmental Amenity

6. All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding area from windblown dust, debris, noise and the like during the works and operation of the development.

Reason: Health and Amenity

7. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations.

Reason: Statutory Compliance

8. 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.

Reason: Statutory Compliance

NSW Fisheries:

1. The applicants will need to obtain a permit under the *Fisheries Management Act* or the *Water Management Act* if there is to be any excavation within, or filling of the waterway.
2. If any ground disturbance is to take place, erosion and sediment mitigation devices are to be erected in a manner consistent with currently accepted Best Management Practice (ie Managing Urban Stormwater: Soils and Construction 4th Edition Landcom, 2004) to prevent the entry of sediment into the waterway prior to any earthworks being undertaken. These are to be maintained in good working order for the whole duration of the works and

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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subsequently until the site has been stabilised and the risk of erosion and sediment movement from the site is minimal. Exposed soil is to be reseeded or turfed. *Reason – To ensure that sediment generated by the exposure of soil is not transported into the main water body.*

3. On completion of the works, the site is to be rehabilitated and stabilised. Surplus construction materials and temporary structures (other than silt fences and other erosion and sediment control devices) installed during the course of the works are to be removed. *Reason – To ensure that habitats are restored as quickly as possible, public safety is not compromised and aesthetic values are not degraded.*
4. Machinery is not to enter, or work from the waterway unnecessarily. *Reason – To ensure minimal risk of water pollution from oil or petroleum products and to minimise disturbance to the streambed substrate.*
5. No snags (tree trunks, root balls, limbs, branches or other woody debris) in the channel or on the bank of the river are to be moved, removed or otherwise interfered with either during the construction phase or at any time subsequently, without the concurrence of Department of Primary Industries Fisheries. *Reason - "Removal of Large Woody Debris" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*
6. Native vegetation (including trees such as River Red Gum, Black Box and River Coobah, shrubs, reeds such as Phragmites and grasses) on or adjacent to the river bank is not to be cleared, modified or otherwise harmed at any time during the construction or at any time subsequently. This does not include control of noxious or other recognised weeds. *Reason – "Decline in native riparian vegetation" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*
7. The District Fisheries Officer at Dareton (Telephone: 03 5019 8408, Mobile: 0427 429 579, Email: peter.heath@industry.nsw.gov.au) is to be notified at least 3 days prior to the commencement of construction (email or fax preferred). *Reason - To ensure that the local Fisheries Officer is aware that work on the river bank is about to commence.*
8. NSW Department of Primary Industries Fisheries is to be notified immediately if any fish kills occur in the vicinity of the works. In such a case all works are to cease until the issue is rectified and approval is given to proceed. *Reason –Department of Primary Industries Fisheries needs to be aware of fish kills so that it can assess the cause and mitigate further incidents in consultation with relevant authorities. They are also potentially contentious incidents from the public perspective. Work practices may need to be modified to reduce the impacts upon the aquatic environment.*

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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NSW EPA:

1. The proponent should take all necessary precautions and implement measures to prevent pollution of waters during construction of the development.

RMS:

1. No discharge (including sedimentary run-off) from the development should impact on the normal conditions of the adjacent river (in accordance with the Protection of the Environment Operations Act 1997).

Reason: To comply with NSW pollution legislation, noting RMS is an Appropriate Regulatory Authority pursuant to the Protection of the Environment Operations Act 1997.

Purpose of Report

To seek Council's approval to replace steps in the bank of the Murray River.

Report

BW & A National Building Consultants have submitted a development application seeking consent to replace steps in the river bank on Lot 1 DP 1123942, 7 Bates Drive, Euston.

Minimal land and vegetation disturbance is expected as the proposal is replacing existing non-compliant steps.

The proposal is permissible with consent in accordance with the Land Use Table of the Balranald Local Environmental Plan 2010 for RU5 and W2 zoned land.

The proposal has been referred to required state government agencies. The application has also been advertised in accordance with the provisions of Section 88 of the Environmental Planning & Assessment Reg 2000 and Murray Regional Environmental Plan No. 2.

Description of Land: Lot 1 DP 1123942

Zone: Zone RU5 (Village) & W2 (Recreational Waterway)

Planning Considerations

The land is dual zoned RU5 and W2 pursuant to Balranald Local Environmental Plan 2010 and the use of the land for this purpose is permissible with consent.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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The proposal is Integrated Development and subject to the provisions of the Murray Regional Environmental Plan No. 2, necessitating referrals to:

- Natural Resource Access Regulator (formerly DPI Water)
- Crown Lands
- NSW EPA
- Murray Darling Basin Association
- Roads and Maritime Services
- NSW Fisheries
- Dept Environment, Land, Water & Planning (VIC)
- Native Title Services Corporation (submission to Crown land in relation to land owners consent application)

Site Analysis

The area is the slope of the bank of Murray River, there is no requirement for vegetation removal to facilitate the proposal. The area is not identified as bush fire prone, however, it is identified as being in the flood planning area.

Access to the proposal is currently provided off Bates Drive.

Adjoining allotments are Zoned RU5 and are generally developed for residential purposes.

DEVELOPMENT APPLICATION ASSESSMENT

Under Section 79C of the EPA Act 1979,

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),

that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

Planning Instruments

The proposal is permissible in accordance with the land use tables for RU5 and W2 zoned land under the Balranald Local Environmental Plan 2010 and consultation in accordance with the Murray Regional Environmental Plan No. 2 has been undertaken. Agency responses are included in this report and their conditions/comments have been taken into consideration in the draft conditions of consent.

Impact of Development

Natural Environment:

The proposal is not likely to have significant impact on the natural environment of the area. The area has existing non-compliant steps (to be replaced) and has been cleared of endemic vegetation previously. The proposal is not likely to impact threatened species due to the small area of the activity and the use of the wider area for residential purposes.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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The proposal is not likely to contribute towards soil erosion, pollution or contamination of soil/water/air, due to the minor nature of the works and brief description of mitigation measures.

Built Environment:

The proposal will not adversely impact on the built environment. The surrounding area is substantially developed for residential purposes and some water recreational facilities. The proposal is not likely to significantly contribute to an increase in traffic volumes in the local area.

Social Impacts:

There are no known items of heritage significance likely to be impacted upon in the immediate footprint of the existing steps area. However, the development site is in a general location that is known for aboriginal occupation and has potential to hold cultural heritage and an unexpected finds protocol has been included in the draft conditions of consent.

As part of Crown Lands licencing there is likely to be a requirement to consult with Native Title Services Corporation in relation to the project.

The proposal is not likely to lead to significantly increased pressure on public infrastructure.

Economic Impacts:

No significant economic impacts are expected due to the nature and small scale of the project.

Site Suitability:

The proposal is suitable for this site. Council's planning instrument does not prohibit this proposal and the land is not subject to any known risk factors, i.e. significant bushfire risk. The construction has been designed to mitigate flooding risk factors.

The proposal is not likely to have any adverse effect on the landscape or scenic quality of the locality due to the project simply replacing existing steps.

Public Interest:

The proposal is not likely to have any adverse effect on the landscape or scenic quality of the locality. The proposal will not likely adversely impact public infrastructure.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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The neighbour/public notification period concluded on the 4th June 2018.

The following agencies have not responded to Council's referrals in the statutory timeframe of 21 days as specified by C11(2) of the Murray REP:

- Crown Lands
- Murray Darling Basin Association

Financial Implication	Nil.
Legislative Implication	Compliance with: Environmental Planning & Assessment Act 1979 Murray REP No. 2 Balranald LEP 2010
Policy Implication	Nil.
Attachments	Attachment 1: Site Plan Attachment 2: RMS Response Attachment 3: Fisheries Attachment 4: NSW EPA Attachment 5: DELWP Attachment 6: Natural Resource Access Regulator (formerly DPI Water)

PROPOSED RIVER BANK WORKS 7 BATE DRIVE EUSTON

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Attachment 2: RMS Response



Transport
Roads & Maritime
Services

5 June 2018

Mr Ray Mitchell
Health and Development Officer
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715
Emailed to: council@balranald.nsw.gov.au

Dear Mr Mitchell

Subject: DA2018/43 Replacement of existing steps and installation of two bollards on the river bank adjacent to Lot 1 DP1123942, 7 Bates Drive Euston NSW

In response to your correspondence on the subject proposal, which was received by my office on 15 May 2018, I advise that the NSW Maritime Division of Roads and Maritime Services (RMS) has no objections to this proposal, assessed on the grounds of impact to navigation, providing the following condition is adopted:

- No discharge (including sedimentary run-off) from the development should impact on the normal conditions of the adjacent river (in accordance with the *Protection of the Environment Operations Act 1997*).

Reason: To comply with NSW pollution legislation, noting RMS is an Appropriate Regulatory Authority pursuant to the *Protection of the Environment Operations Act 1997*.

RMS has assessed this proposal based on the Applicants advice that the purpose of the proposed structure is to provide access to the adjoining waterway, rather than occupation by any vessel or floating apparatus.

RMS advises that any occupation by a vessel on the waterway adjoining the site (adjacent to Lot 1 DP 1123942) contrary to the *Marine Safety Act 1998* (maximum 28 days in a calendar year at any one location) will be considered unlawful, and activity beyond this scope will require modification to DA2018/43 to allow further assessment of the impacts to safe navigation and may be subject to a mooring licence administered by RMS.

It is important to note that no agent will be exempt from the provisions of the *Marine Safety Act 1998*, or any other relevant legislation, and all agents must comply with any direction given by RMS officers with regard to the prevention of pollution or safe navigation.

Should you have any queries in relation to this matter please contact Boating Safety Officer Eric Taylor 0427 502 752, and please forward a copy of the Determination of Consent for our information to NavigationAdviceSouth@rms.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Deon'.

Deon Voyer
Manager Operations South
Operations and Compliance Branch

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Attachment 3: Fisheries



Primary
Industries

Your Ref: 43/2018

Our Ref: C18/270

Date: 24 May 2018

The General Manager
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715

Attention: Ray Mitchell

Dear Mr Mitchell,

Re: DA 43/2018 Proposed replacement of stairs in the river bank adjacent to Lot 1 DP 1123942, 7 Bates Drive, Euston.

Thank you for referring the above proposal to DPI Fisheries for comment. I understand that the applicants wish to replace an existing set of stairs on the river with a new set of treated pine stairs.

DPI Fisheries is responsible for ensuring that fish populations including threatened species are conserved and that there is "no net loss" of key fish habitats upon which they depend. To achieve this, the Department ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act respectively) and the associated (*Policy and guidelines for fish habitat conservation and management 2013*). In addition the Department is responsible for ensuring the sustainable management of commercial and recreational fishing and aquaculture within NSW.

The information has been reviewed and I am pleased to advise that DPI Fisheries does not object to Council granting Development Consent to the proposal **provided the conditions listed below (or similar conditions that impose the same requirements) are incorporated into the Development Consent.**

Despite the absence of a 7 part test of significance, I do not consider that the works are likely to have a significant adverse impact upon threatened fish species, populations or the aquatic ecological community which reside in the river in this area provided the works are carried out as stated and all conditions are faithfully implemented.

Aquatic Ecosystems
Unit 3, 556 Macauley St ALBURY NSW 2640
Tel: (02) 6051 7768
ABN 72189919072
www.dpi.nsw.gov.au

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Conditions:

1. The applicants will need to obtain a permit under the *Fisheries Management Act* or the *Water Management Act* if there is to be any excavation within, or filling of the waterway.
2. If any ground disturbance is to take place, erosion and sediment mitigation devices are to be erected in a manner consistent with currently accepted Best Management Practice (ie Managing Urban Stormwater: Soils and Construction 4th Edition Landcom, 2004) to prevent the entry of sediment into the waterway prior to any earthworks being undertaken. These are to be maintained in good working order for the whole duration of the works and subsequently until the site has been stabilised and the risk of erosion and sediment movement from the site is minimal. Exposed soil is to be reseeded or turfed.
Reason – To ensure that sediment generated by the exposure of soil is not transported into the main water body.
3. On completion of the works, the site is to be rehabilitated and stabilised. Surplus construction materials and temporary structures (other than silt fences and other erosion and sediment control devices) installed during the course of the works are to be removed. *Reason – To ensure that habitats are restored as quickly as possible, public safety is not compromised and aesthetic values are not degraded.*
4. Machinery is not to enter, or work from the waterway unnecessarily. *Reason – To ensure minimal risk of water pollution from oil or petroleum products and to minimise disturbance to the streambed substrate.*
5. No snags (tree trunks, root balls, limbs, branches or other woody debris) in the channel or on the bank of the river are to be moved, removed or otherwise interfered with either during the construction phase or at any time subsequently, without the concurrence of Department of Primary Industries Fisheries. *Reason - "Removal of Large Woody Debris" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*
6. Native vegetation (including trees such as River Red Gum, Black Box and River Coobah, shrubs, reeds such as Phragmites and grasses) on or adjacent to the river bank is not to be cleared, modified or otherwise harmed at any time during the construction or at any time subsequently. This does not include control of noxious or other recognised weeds. *Reason – "Decline in native riparian vegetation" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*
7. The District Fisheries Officer at Dareton (Telephone: 03 5019 8408, Mobile: 0427 429 579, Email: peter.heath@industry.nsw.gov.au) is to be notified at least 3 days prior to the commencement of construction (email or fax preferred). *Reason - To ensure that the local Fisheries Officer is aware that work on the river bank is about to commence.*
9. NSW Department of Primary Industries Fisheries is to be notified immediately if any fish kills occur in the vicinity of the works. In such a case all works are to cease until the issue is rectified and approval is given to proceed. *Reason – Department of Primary Industries Fisheries needs to be aware of fish kills so that it can assess the cause and mitigate further incidents in consultation with relevant authorities. They are also potentially contentious incidents from the public perspective. Work practices may need to be modified to reduce the impacts upon the aquatic environment.*

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Could you please provide a copy of the Development Consent (if granted) for our records.

If you have any queries please call me.

Yours sincerely,

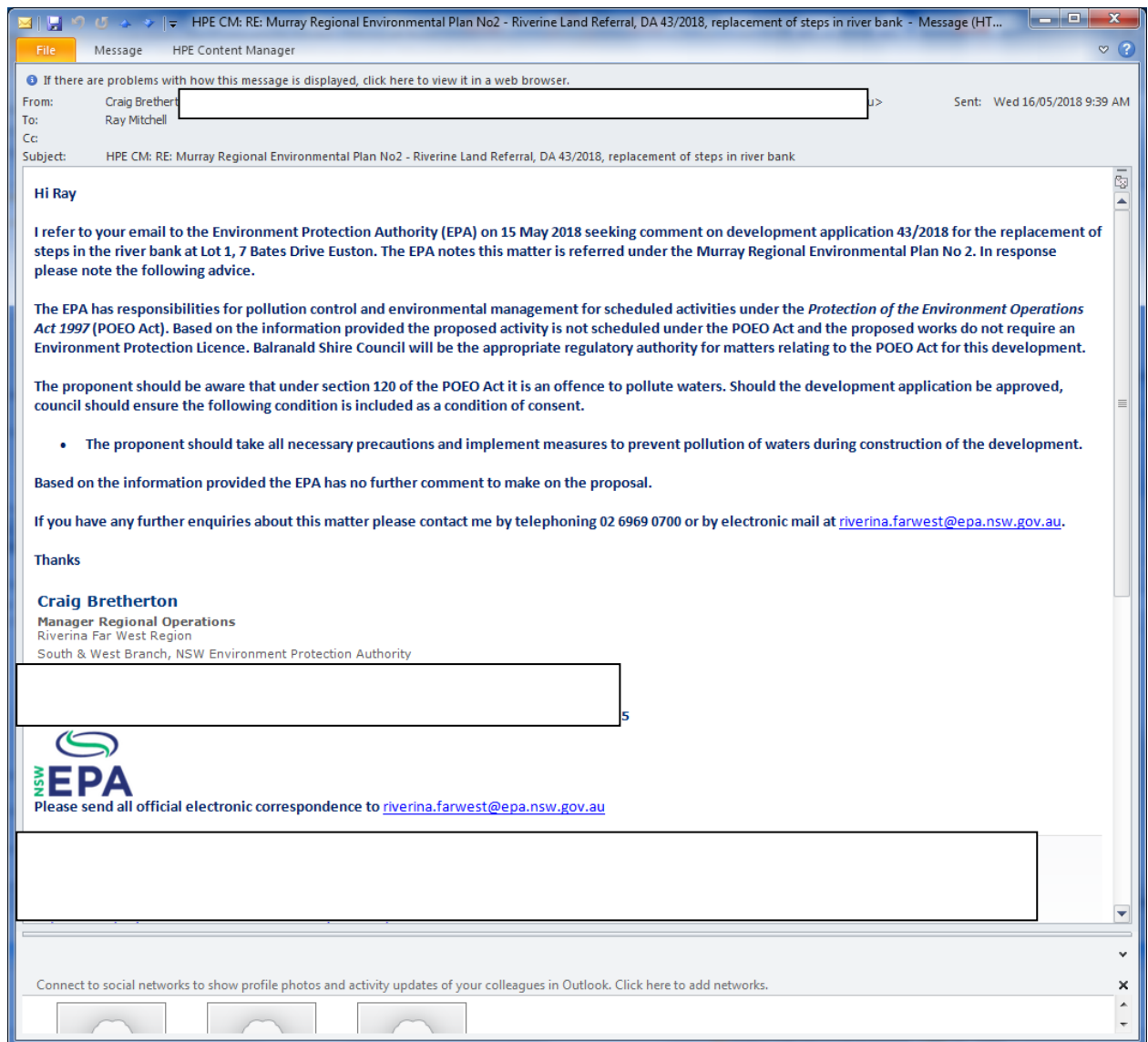


Luke Pearce
Fisheries Conservation Manager Greater Murray
Aquatic Habitat Protection
NSW Department of Primary Industries

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Attachment 4: NSW EPA



Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Attachment 5: DELWP

Department of Environment,
Land, Water and Planning

7 Taylor Street, Epsom
Box 3100, Bendigo DC 3554
Telephone 5430 4444
DX 214506

loddonmallee.planning@delwp.vic.gov.au

Ref: SP464112 / L5-3601 (20180605 cn)

Mr Aaron Drenovski
General Manager
Balranald Shire
PO Box 120
Balranald NSW 2715

Attention: Ray Mitchell

Dear Mr Drenovski,

**DEVELOPMENT APPLICATION : REPLACEMENT STAIRS
BW & A NATIONAL BUILDING CONSULTANTS
LOT 1, 7 BATES DRIVE EUSTON NSW**

Thank you for your letter dated and received on 15 May 2018 about the above application.

The application relates to works on the New South Wales side of the Murray River. The main issue for the department in this instance is one of visual impact.

The Department of Environment, Land, Water and Planning has considered the application and has no objection to the proposal.

If you have any questions regarding this matter, please contact Chris Naylor on telephone (03) 5430 4634.

Yours sincerely

Peter Shadwick
Planning and Approvals Program Officer
Planning and Approvals

08/06/2018

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2000. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002



Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Attachment 6: Natural Resource Access Regulator (formerly DPI Water) Response



Natural Resources
Access Regulator



The General Manager
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715

Our ref: IDAS1107021
File No: N/A
Your Ref: DA43/2018

28 June 2018

Attention: Ray Mitchell

Dear Mr Mitchell

Re: Development – for controlled activity described as: replacement of steps in the river bank
Located at: 7 Bates Dr, Euston

Natural Resources Access Regulator (formerly the Department of Industry - Water) has reviewed documents for the above development application and considers that, for the purposes of the *Water Management Act 2000* (WM Act), a controlled activity approval is not required and no further assessment by this agency is necessary.

The proposed activity is **exempt** from section 91E (1) of the WM Act in relation to controlled activities specified in clause 39 of Subdivision 4, and Part 2 of Schedule 5 of the *Water Management (General) Regulation 2011* that are carried out in, on or under waterfront land. **See attached** for details of the exemptions.

Should the proposed development be varied in any way that results in development extending onto land that is waterfront land, or encompassing works that are defined as controlled activities, then NRAR should be notified.

Further information on controlled activity approvals under the WM Act can be obtained from NRAR's website: www.water.nsw.gov.au go to *Water licensing > Approvals > Controlled activities*.

Please direct any questions regarding this correspondence to Jane Taylor by email to jane.taylor@nrar.nsw.gov.au.

Yours sincerely

David Zerafa
Senior Water Regulation
Water Regulation Operations
Natural Resources Access Regulator

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Item I – 3 DA 46/2018 – PROPOSED IRRIGATION PUMP STATIONS, PIPELINES & EASEMENTS

File: DA 46/2018

Reporting Officer: Director Infrastructure and Development – Andre Pretorius

Operational Plan Objective: Pillar 5 Our Infrastructure

Officer Recommendation:

Council note the approval under delegated authority of DA 46/2018 proposed irrigation pump stations, pipeline & easements with the following conditions:

Environmental Protection Authority (EPA)

- 1) The proponent should take all necessary precautions and implement measures to prevent pollution of waterways during the proposed works.
- 2) The proponent should be aware that under section 120 of the Protection of the Environment Operations Act 1997 it is an offence to pollute waters.

NSW Transport – Roads & Maritime Services

1. An Port (red) lateral navigation marker (post or buoy) including day shape in compliance with IALA System A must be fixed to the outermost edge of the floating pontoon so it can be seen by passing vessels.

Reason: To provide for safe navigation of vessels by providing visibility to passing vessels.

2. No discharge (including sedimentary run-off) from the development should impact on the normal conditions of the adjacent river (in accordance with the *Protection of the Environment Operations Act 1997*).

Reason: To comply with NSW pollution legislation, noting RMS is an Appropriate Regulatory Authority pursuant to the Protection of the Environment Operations Act 1997.

WaterNSW – General Terms of Approval

1. This General Terms of Approval (GTA) only applies to the proposed water supply work(s) described in the plans and associated documents found in Schedule 1, relating to development application DA46/2018 provided by Council to WaterNSW.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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2. Any amendments or modifications to the proposed water supply work(s) may render the GTA invalid. If the proposed water supply work(s) is amended or modified, WaterNSW, Buronga Office must be notified in writing to determine if any variations to the GTA will be required.
3. The application for a water supply work(s) approval must include the document(s) listed in Schedule 1.
4. Before constructing or carrying out any proposed water supply works(s), an application must be submitted to WaterNSW, and obtained, for a new or amended water supply work(s) approval under the Water Management Act 2000.
5. Any pipes conveying water from the water supply work(s) must be laid below ground level.
6. Any water management work(s) must comply with the conditions of the rules of the Water Sharing Plan where the work is to be constructed and used.
7. The water supply work(s) must be constructed and maintained in a way that will:
 - a) Ensure the works safe construction and operation and;
 - b) Prevent the possibility of damage being caused by the work or resulting from the work, to any public or private interest.
8. The construction, installation or use of the water supply work must not cause or increase erosion of the channel or bank of the watercourse.
9. If erosion is observed, the area must be stabilised with grass cover, stone pitching or any other material that will prevent any further occurrence of erosion.
10. Any water supply work(s) used for conveying or diverting water must be constructed to allow the free passage of floodwaters flowing to or from a river or lake.

Schedule 1

- Philip Robertson, Development Application for a proposed Pump Stations, Pumps and Pipelines, Lot 4 DP 1170452 and Lot 2 DP 1222792 Sturt Highway, Euston 2737 dated 17 May 2018

NSW Primary Industries – Fisheries

1. The applicants will need to obtain a permit under the *Fisheries Management Act* or the *Water Management Act* if there is to be any excavation within, or filling of the waterway.
2. If any ground disturbance is to take place, erosion and sediment mitigation

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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devices are to be erected in a manner consistent with currently accepted Best Management Practice (ie Managing Urban Stormwater: Soils and Construction 4th Edition Landcom, 2004) to prevent the entry of sediment into the waterway prior to any earthworks being undertaken. These are to be maintained in good working order for the whole duration of the works and subsequently until the site has been stabilised and the risk of erosion and sediment movement from the site is minimal. Exposed soil is to be reseeded or turfed. *Reason – To ensure that sediment generated by the exposure of soil is not transported into the main water body.*

3. On completion of the works, the site is to be rehabilitated and stabilised. Surplus construction materials and temporary structures (other than silt fences and other erosion and sediment control devices) installed during the course of the works are to be removed. *Reason – To ensure that habitats are restored as quickly as possible, public safety is not compromised and aesthetic values are not degraded.*
4. Machinery is not to enter, or work from the waterway unnecessarily. *Reason – To ensure minimal risk of water pollution from oil or petroleum products and to minimise disturbance to the streambed substrate.*
5. No snags (tree trunks, root balls, limbs, branches or other woody debris) in the channel or on the bank of the river are to be moved, removed or otherwise interfered with either during the construction phase or at any time subsequently, without the concurrence of Department of Primary Industries Fisheries. *Reason - "Removal of Large Woody Debris" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*
6. Native vegetation (including trees such as River Red Gum, Black Box and River Coobah, shrubs, reeds such as Phragmites and grasses) on or adjacent to the river bank is not to be cleared, modified or otherwise harmed at any time during the construction or at any time subsequently. This does not include control of noxious or other recognised weeds. *Reason – "Decline in native riparian vegetation" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*
7. Trees are not to be used for the tying up or securing of vessels. *Reason – Continued use of trees for mooring can damage the bank of the tree and lead to its death.*

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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8. The District Fisheries Officer at Dareton (Telephone: 03 5019 8408, Mobile: [REDACTED], Email: [REDACTED] is to be notified at least 3 days prior to the commencement of construction (email or fax preferred). *Reason - To ensure that the local Fisheries Officer is aware that work on the river bank is about to commence.*
9. NSW Department of Primary Industries Fisheries is to be notified immediately if any fish kills occur in the vicinity of the works. In such a case all works are to cease until the issue is rectified and approval is given to proceed. *Reason – Department of Primary Industries Fisheries needs to be aware of fish kills so that it can assess the cause and mitigate further incidents in consultation with relevant authorities. They are also potentially contentious incidents from the public perspective. Work practices may need to be modified to reduce the impacts upon the aquatic environment.*
10. The inlet to the suction pipe is to be fitted with a screen with a mesh not greater than 6mm. The screen is to be maintained and kept in place at all times whilst pumping is underway. *Reason - To help prevent entrainment of fish and other aquatic biota.*

Balranald Shire Council

1. This consent does not imply approval for dwellings, accommodation structures, workshops or outbuildings. Separate applications for these structures must be lodged.

Reason: Statutory Compliance

2. 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 OEH 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 OEH.

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 OEH contacted.

Reason: Statutory Compliance

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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3. In addition to meeting any specific performance criteria established under other conditions of this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction and operation of the development.

Reason: Environmental Amenity

4. The person having benefit of the development consent must undertake appropriate measures to ensure that, as a result of the development, the site does not become an area of weed seed production and to prevent their spread into surrounding bushland or public open space areas.

Reason: Environmental Protection

5. All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding area from windblown dust, debris, noise and the like during the works and operation of the development.

Reason: Health and Amenity

6. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations.

Reason: Statutory Compliance

7. The proponent must ensure that any approvals required under the Water Management Act 2000 are obtained prior to the commencement of any works.

Reason: Statutory Compliance

Purpose of Report

To advise Council of a Development Application approval of irrigation pump stations, pipeline and easements on Lot 4 DP1170452 and Lot 2 DP1222792, Sturt Hwy, Euston.

Report

Philip Robertson on behalf of MJ Lanteri Pty Ltd, applied for consent to install pump stations, pipe lines and easements on Lot 4 DP1170452 and Lot 2 DP1222792, Sturt Hwy, Euston.

Minimal land and vegetation disturbance is expected as the proposal is to be located and routed through an existing disturbed area that is used for existing pump stations and agricultural industry.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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The proposal is permissible with consent in accordance with the Land Use Table of the Balranald Local Environmental Plan 2010 for RU1 zoned land.

The proposal has been referred to required state government agencies. The application has also been advertised in accordance with the provisions of Section 88 of the Environmental Planning & Assessment Reg 2000 and Murray Regional Environmental Plan No. 2.

Description of Land: Lot 2 DP1222792
Lot 4 DP1170452

Zone: Zone RU1, Primary Production

Planning Considerations

The land is zoned RU1 pursuant to Balranald Local Environmental Plan 2010 and the use of the land for a pump station is permissible with consent.

The proposal is Integrated Development and subject to the provisions of the Murray Regional Environmental Plan No. 2, necessitating referrals to:

NSW EPA
WaterNSW
Roads and Maritime Services
NSW Fisheries
Murray Darling Basin Association
Crown Lands (no response in the 21 day statutory time frame)
Department of Environment, Land, Water and Planning (VIC)
DPI Water

Site Analysis

There is no apparent landslip, creep or significant requirement for vegetation removal to facilitate the proposal. Only minimal areas of the alignment of the pipeline are shown as bushfire prone and contaminating activities are not known by Council to have been carried out on the land. The existing infrastructure has been designed to mitigate flooding risk factors.

Access to the allotment is currently provided off the Sturt Hwy.

Adjoining allotments are Zoned RU1 and are generally used for agricultural purposes.

The neighbour/public notification period concluded on the 22/06/2018, there was one (1) submission received.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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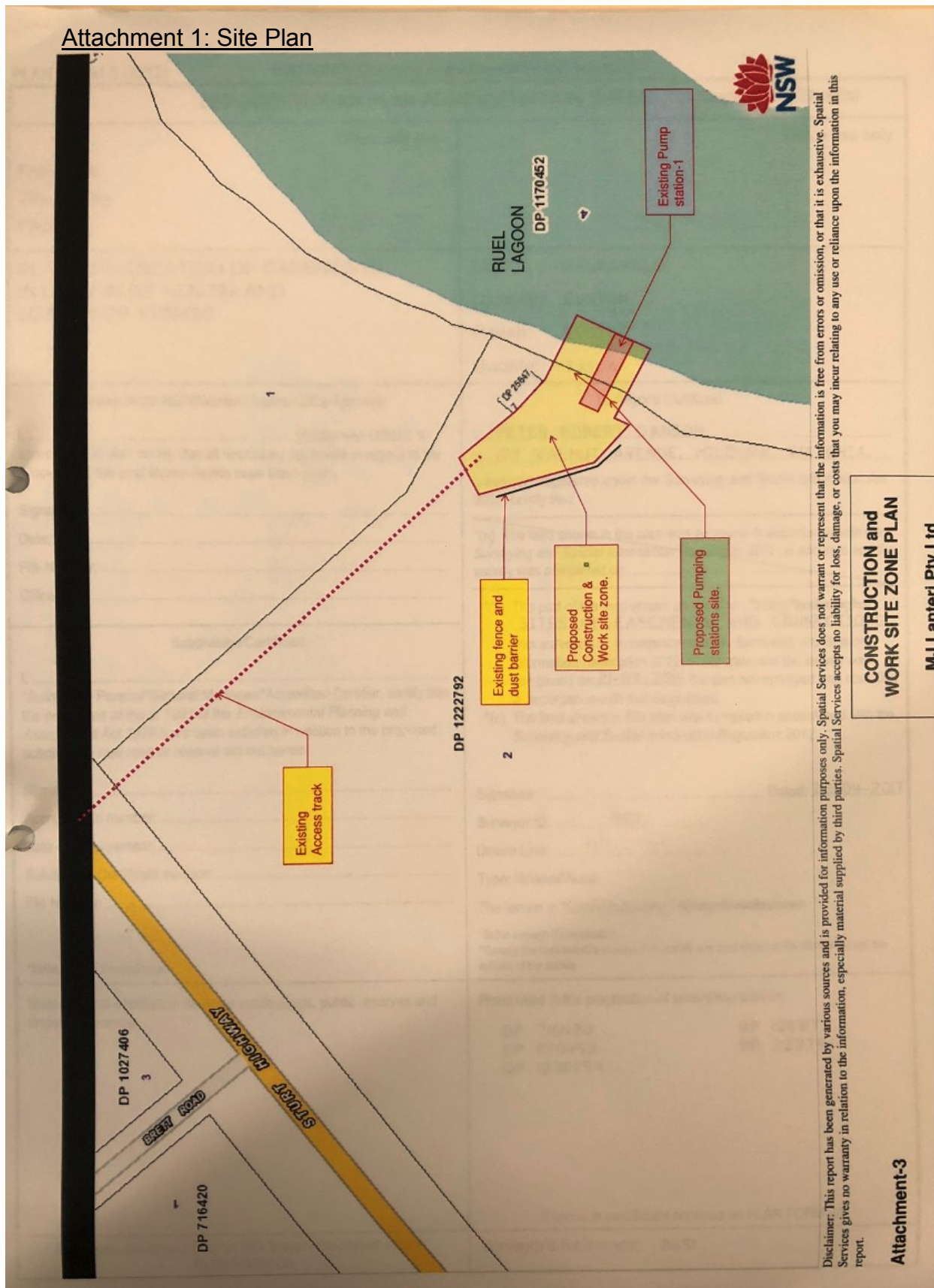
Submission By	Concern	Comment
B Leorke	Impact on his domestic off take from the Lagoon during low water events	Reviewed by WaterNSW, not likely to cause impact due to the regulatory environment of the Water Management Act 2000

Financial Implication	Nil.
Legislative Implication	Requires compliance with: Environmental Planning & Assessment Act & Reg Water Management Act 2000 Murray Regional Environmental Plan No. 2 BSC Local Environmental Plan 2010
Policy Implication	Nil.
Attachments	Attachment 1: Site Plan Attachment 2: Response from EPA Attachment 3: Murray Darling Basin Authority Attachment 4: Dept. Environment, Land, Water & Planning Attachment 5: Roads & Maritime Service Attachment 6: DPI Fisheries Attachment 7: WaterNSW Attachment 8: Submission from B Leorke Attachment 9: Letter to B Leorke

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Attachment 1: Site Plan

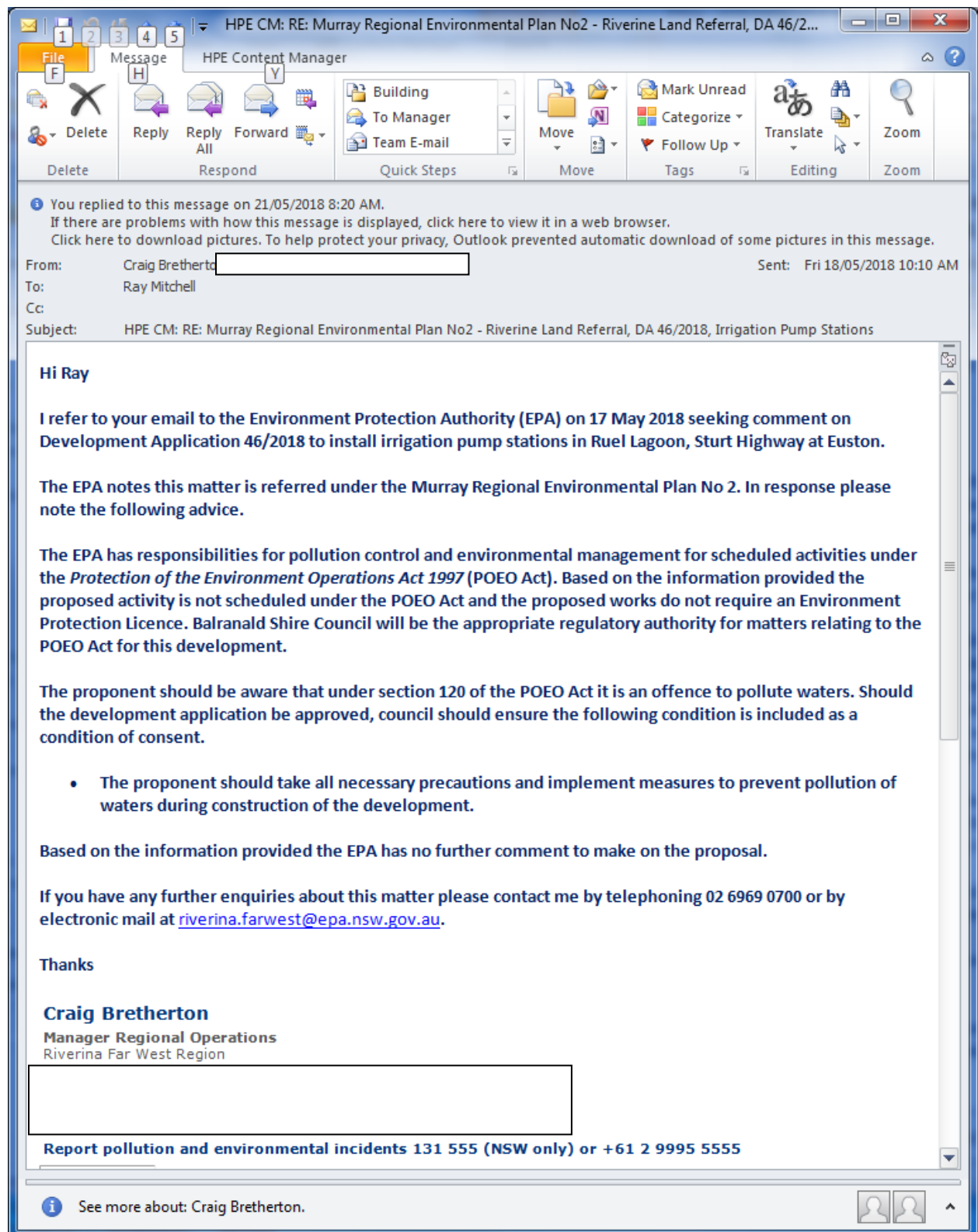


This is Page 49 of the Business Paper of the Ordinary Monthly Meeting of Balranald Shire Council held in the Council Chambers, Market Street, Balranald on Tuesday 17th July 2018.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Attachment 2: Response from EPA



This is Page 50 of the Business Paper of the Ordinary Monthly Meeting of Balranald Shire Council held in the Council Chambers, Market Street, Balranald on Tuesday 17th July 2018.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

Attachment 3: Response from Murray Darling Basin Authority



MDBA TRIM REF: D18/30633
YOUR REF: DA 46/2018

Date: 27 June 2018

Mr Ray Mitchell
Balranald Shire Council
70 Market Street
Balranald, NSW 2715
rmitchell@balranald.nsw.gov.au

Dear Mr Mitchell,

Subject: Development Application – DA 46/2018

This letter is in reference to development application, DA 46/2018 – installation of irrigation pump stations in Ruel Lagoon, Sturt Hwy, Euston, NSW. The subject land is Ruel Lagoon (western bank), Lot 4, DP 1170452, Easements FF, GG, HH II and JJ.

In considering this proposal, it is the Murray-Darling Basin Authority's (MDBA) role to ensure that the water quality of the River Murray is maintained or improved, contributing to the protection of the riverine and floodplain environment. In addition, our role is to ensure that there is no impact on flow carrying capacity of the River Murray.

Based on the information provided, the MDBA has now assessed this planning proposal and concludes that the proposed activity, in isolation, is unlikely to have a detrimental impact on the flow, use, control or quality of the River Murray. Therefore, the MDBA has no comments or conditions on development application, DA 46/2018.

The proponent of development application, DA 46/2018, needs to be aware that the MDBA has responsibility to regulate the River Murray and cannot guarantee water levels. As part of river operations, variation in river and weir pool levels, both up and downstream, may become more pronounced, or that average levels may significantly change.

Should you have any further queries, please contact Dr Tapas Biswas on tapas.biswas@mdba.gov.au or (02) 6279 0574.

Yours sincerely,

General Manager
River Management Enhancement
River Management Division

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Attachment 4: Response from Dept. Environment, Land, Water & Planning



Department of Environment,
Land, Water and Planning

Attachment 5: Response from Roads & Maritime Service

7 Taylor Street
Box 3100, Bendigo DC 3554
Telephone 5430 4444
DX 214506

Ref: SP464148 (20180628 ps)

Mr Aaron Drenovski
General Manager
Balranald Shire
PO Box 120
Balranald NSW 2715

Attention: Ray Mitchell

Dear Mr Mitchell,

DEVELOPMENT APPLICATION DA 46/2018
ROBERTSON : PUMP
RUEL LAGOON, STURT HIGHWAY, EUSTON

Thank you for your letter dated and received on 17 May 2018 regarding the above development application.

The application relates to works on the New South Wales side of the Murray River. The main issue for the department in this instance is one of visual impact.

The Department of Environment, Land, Water and Planning has considered the application and has no objection to the proposal.

If you have any questions regarding this matter please contact me on telephone (03) 50514348.

Yours sincerely

Peter Shadwick
Planning and Approval Program Officer
Planning & Approvals

08/06/2018

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002



Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Transport
Roads & Maritime
Services

6 June 2018

Mr Ray Mitchell
Health and Development Officer
Balranald Shire Council
PO Box 120, BALRANALD NSW 2715
Emailed to: council@balranald.nsw.gov.au

Dear Mr Mitchell

Subject: DA2018/46 Installation of three additional irrigation pump stations at Lot 2 DP 1222792 Sturt Highway, Euston NSW

In response to your correspondence on the subject proposal, which was received by my office on 17 May 2018, I advise that the Maritime Division of Roads and Maritime Services (RMS) has no objections to this proposal as presented, assessed on the grounds of impact to navigation, providing the following conditions are adopted:

1. A Port (red) lateral navigation marker (post or buoy) including day shape in compliance with IALA System A must be fixed to the outermost edge of each floating pontoon so it can be seen by passing vessels.

Reason: To provide for safe navigation of vessels by providing visibility to passing vessels.

2. No discharge (including sedimentary run-off) from the development should impact on the normal conditions of the adjacent river (in accordance with the *Protection of the Environment Operations Act 1997*).

Reason: To comply with NSW pollution legislation, noting RMS is an Appropriate Regulatory Authority pursuant to the *Protection of the Environment Operations Act 1997*.

RMS has assessed this proposal based on the Applicants advice in the application that the purpose of the proposed structure is for a pump pontoon rather than the occupation of any vessel.

RMS advises that any occupation by a vessel on the waterway adjoining the site (Lot 2 DP 1222792) contrary to the *Marine Safety Act 1998* (maximum 28 days in a calendar year at any one location) will be considered unlawful, and activity beyond this scope will require modification to DA2018/46, to allow further assessment of the impacts to safe navigation and may be subject to a mooring licence administered by Roads and Maritime Services.

It is important to note that no agent will be exempt from the provisions of the *Marine Safety Act 1998*, or any other relevant legislation, and all agents must comply with any direction given by RMS officers with regard to the prevention of pollution or safe navigation.

Should you have any queries in relation to this matter please contact Boating Safety Officer Eric Taylor [redacted] and please forward a copy of the Determination of Consent for our information to NavigationAdviceSouth@rms.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Deon'.

Deon Voyer
Manager Operations South
Operations and Compliance Branch

This is

2/91 Foreshore Road Port Kembla NSW 2505 | www.rms.nsw.gov.au | 131 236

Shire Council held in the Council Chambers, Market Street, Balranald on Tuesday 17th July 2018.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Attachment 6: Response from DPI Fisheries



Your Ref: 46/2018

Our Ref: IDA18/56

Date: 24 May 2018

The General Manager
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715

Attention: Ray Mitchell

Dear Mr Mitchell,

Re: DA 45/2018 Proposed irrigation pump and pipeline installation at Lot 4 DP 1170452 and Lot 2 DP 1222792, Sturt Highway Euston.

Thank you for referring the above proposal to DPI Fisheries for comment. I understand that the applicants wish to install an additional 4 pump stations, at the above location.

DPI Fisheries is responsible for ensuring that fish populations including threatened species are conserved and that there is "no net loss" of key fish habitats upon which they depend. To achieve this, the Department ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act respectively) and the associated (*Policy and guidelines for fish habitat conservation and management 2013*). In addition the Department is responsible for ensuring the sustainable management of commercial and recreational fishing and aquaculture within NSW.

The information has been reviewed and I am pleased to advise that DPI Fisheries does not object to Council granting Development Consent to the proposal **provided the conditions listed below (or similar conditions that impose the same requirements) are incorporated into the Development Consent.**

Despite the absence of a 7 part test of significance, I do not consider that the works are likely to have a significant adverse impact upon threatened fish species, populations or the aquatic ecological community which reside in the river in this area provided the works are carried out as stated and all conditions are faithfully implemented.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Conditions:

1. The applicants will need to obtain a permit under the *Fisheries Management Act* or the *Water Management Act* if there is to be any excavation within, or filling of the waterway.
2. If any ground disturbance is to take place, erosion and sediment mitigation devices are to be erected in a manner consistent with currently accepted Best Management Practice (ie Managing Urban Stormwater: Soils and Construction 4th Edition Landcom, 2004) to prevent the entry of sediment into the waterway prior to any earthworks being undertaken. These are to be maintained in good working order for the whole duration of the works and subsequently until the site has been stabilised and the risk of erosion and sediment movement from the site is minimal. Exposed soil is to be reseeded or turfed. *Reason – To ensure that sediment generated by the exposure of soil is not transported into the main water body.*
3. On completion of the works, the site is to be rehabilitated and stabilised. Surplus construction materials and temporary structures (other than silt fences and other erosion and sediment control devices) installed during the course of the works are to be removed. *Reason – To ensure that habitats are restored as quickly as possible, public safety is not compromised and aesthetic values are not degraded.*
4. Machinery is not to enter, or work from the waterway unnecessarily. *Reason – To ensure minimal risk of water pollution from oil or petroleum products and to minimise disturbance to the streambed substrate.*
5. No snags (tree trunks, root balls, limbs, branches or other woody debris) in the channel or on the bank of the river are to be moved, removed or otherwise interfered with either during the construction phase or at any time subsequently, without the concurrence of Department of Primary Industries Fisheries. *Reason - "Removal of Large Woody Debris" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*
6. Native vegetation (including trees such as River Red Gum, Black Box and River Coobah, shrubs, reeds such as Phragmites and grasses) on or adjacent to the river bank is not to be cleared, modified or otherwise harmed at any time during the construction or at any time subsequently. This does not include control of noxious or other recognised weeds. *Reason – "Decline in native riparian vegetation" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*
7. Trees are not to be used for the tying up or securing of vessels. *Reason - Continued use of trees for mooring can damage the bark of the tree and lead to its death.*
8. The District Fisheries Officer at Dareton (Telephone: 03 5019 8408, Mobile: 0427 429 579, Email: peter.heath@industry.nsw.gov.au) is to be notified at least 3 days prior to the commencement of construction (email or fax preferred). *Reason - To ensure that the local Fisheries Officer is aware that work on the river bank is about to commence.*
9. NSW Department of Primary Industries Fisheries is to be notified immediately if any fish kills occur in the vicinity of the works. In such a case all works are to cease until the issue is rectified and approval is given to proceed. *Reason – Department of Primary Industries Fisheries needs to be aware of fish kills so that it can assess the cause and mitigate further incidents in consultation with relevant authorities. They are also*

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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potentially contentious incidents from the public perspective. Work practices may need to be modified to reduce the impacts upon the aquatic environment.

10. The inlet to the suction pipe is to be fitted with a screen with a mesh not greater than 6mm. The screen is to be maintained and kept in place at all times whilst pumping is underway. Reason - To help prevent entrainment of fish and other aquatic biota.

Could you please provide a copy of the Development Consent (if granted) for our records.

If you have any queries please call me.

Yours sincerely,



Luke Pearce
Fisheries Conservation Manager Greater Murray
Aquatic Habitat Protection
NSW Department of Primary Industries

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Attachment 7: Response from WaterNSW



General Manager
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715



Our ref IDAS1107060
Your ref DA46/2018

25 June 2018

Attn: Ray Mitchell,

Dear Sir/Madam,

RE: Integrated Development Referral – General Terms of Approval
Dev Ref: DA46/2018
Description: Pump Station, Pumps and Pipelines
Location: Euston NSW

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the above location. Attached, please find WaterNSW's General Terms of Approval (GTA) for the proposed development requiring a Water Supply Work Approval under the Water Management Act 2000 (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 91A (3) of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, WaterNSW requests these GTA be included (in their entirety) in Council's development consent. Please also note WaterNSW requests notification:

- if Council receives an application under s96 of the EPA Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, WaterNSW recommends the following condition be included in the development consent:

The attached GTA issued by WaterNSW do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to WaterNSW for a Water Supply Work approval after consent has been issued by Council and before the commencement of any work or activity.

This is Page 57 of the Business Paper of the Ordinary Monthly Meeting of Balranald Shire Council held in the Council Chambers, Market Street, Balranald on Tuesday 17th July 2018.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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A completed application form must be submitted to WaterNSW together with any required plans, documents, application fee, security deposit or bank guarantee (if required) and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Application forms are available from the WaterNSW website at:

www.watnsw.com.au [Customer Service](#) [Water Licensing](#) [Approvals](#)

WaterNSW requests that Council provide a copy of this letter to the development consent holder.

WaterNSW also requests a copy of the determination for this development application be provided by Council as required under section 91A (6) of the EPA Act.

Yours sincerely



Tracie Scarfone
A/Manager Water Regulation South
Assessments and Approvals
Customer and Community

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

Attachment 8: Submission from B Leorke

Leorke Plumbing Services Pty Ltd

ABN: 48 074 670 652

13th September 2017

General Manager
Balranald Shire Council
70 Market Street
Balranald
NSW 2715

ATT: General Manager

Ref: NMR:DA 07/2017

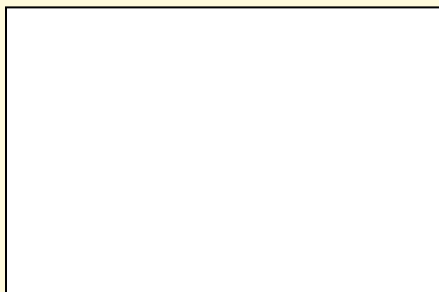
Proposed Pump Site Upgrade & Addition Installation of 300mm Pump, Drawing Water From Lagoon

My concern with additional pumps drawing water from the Lagoon on low River Levels, may affect water supply to my existing domestic pump supply.

In the last 3 years Lock 15 has been altering water levels to the River Lock Pool, and on low pool level, pool height is extremely low at my site Lot 4 Euston Station.

I would like to ask council to investigate water recovery into the Lagoon from The Murray River, at low pool level, with additional pump installations prior to approval of New & Upgraded Systems.

Regards
Brendon Leorke



Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

Attachment 9: Letter to B Leorke



BALRANALD SHIRE COUNCIL

ALL COMMUNICATIONS
MUST BE ADDRESSED TO
THE GENERAL MANAGER

Contact: RM:D18.6539

70 Market Street, Balranald NSW 2715
PO Box 120, Balranald NSW 2715

Tel: 03 5020 1300

Fax: 03 5020 1620

Email: council@balranald.nsw.gov.au

Web: www.visitbalranald.com.au

21 June 2018

Mr Brendon Leorke
33 – 35 Moore St
ROBINVALE VIC 3549

Dear Brendon,

Re: Development Application 46/2018 - Proposed Pump Stations on Ruel Lagoon, M Lanteri.

Council has received your submission in relation to the above mentioned development application and have sought advice from WaterNSW in relation to water recovery into Ruel Lagoon during low pool events.

WaterNSW have advised that water supply to the development would be managed by Water NSW – Water Systems Operation according to orders placed by Water Access Licence/approval holders prior to use.

Should users take water without pre- ordering, reducing the pool levels and affecting other users on Ruel Lagoon this would be considered a breach of approval conditions and appropriate actions under the Water Management Act would apply.

WaterNSW further advise that the proposed development is not likely to impact on properties on properties on Ruel Lagoon.

Should you have further enquiries, please contact the undersigned during normal office hours.

Yours faithfully,

Ray Mitchell
Health & Development Officer
For the GENERAL MANAGER

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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**Item I – 4 DA M42/2015 – S96 MODIFICATION OF CONSENT
SUBDIVISION 114 BALLANDELLA ST, BALRANALD**

File number: DA M42/2015

Reporting Officer: Director Infrastructure and Development – Andre Pretorius

Operational Plan Objective: Pillar 5 Our Infrastructure

Division:

Officer Recommendation:

Council consent to the modification of the consent for boundary realignment of A/154004 and B//158340, 114 Ballandella St Balranald, subject to the following conditions;

- 1) The subdivision conforms strictly with the sketch plan as submitted.
- 2) Any new access driveways are to be constructed to the satisfaction of Council, or its delegate, and at the applicants full cost.
- 3) This approval carries a dwelling entitlement for each lot, however it does not provide for any construction approval(s). A separate application must be made for any new structure(s) on the lot(s).
- 4) Application must be made for raw and filtered water metres and a sewer connection point prior to any construction approval being issued for new rear lot 2. All costs for these services is the responsibility of the developer.
- 5) Access to the lots through the reserve is denied.

Reason/s: Statutory Compliance

Purpose of Report

To seek Council's consent to modify a development approval for a boundary realignment of 114 Ballandella St, Balranald.

Report

Council approved DA 42/2015 in June 2015, Minute Number 06.15.3500 from P & J Lawler. A Modification of Consent application has been lodged, requesting reconsideration of Condition 2 of the consent, this condition is:

- 2) Subject to the concurrence of Telstra and Essential Energy.

Council approved a similar modification of consent application for DA 25/2017 for F Fitzgerald.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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The application indicates that off grid electricity provision is economically available. See attachment 2.

Additionally, the Balranald Local Environmental Plan 2010 (LEP) specifies that water, electricity, sewage and road access are required to be considered in relation to subdivisions in RU5 (Village) zones, the LEP does not require the consideration of communications in relation to a subdivision as per Clause 6.3.

The information submitted with the application and review of Clause 6.3 of the LEP appears sufficient to permit the Modification of Consent application.

<u>Financial Implication</u>	Nil.
<u>Legislative Implication</u>	Environmental Planning & Assessment Act 1979 Balranald LEP 2010
<u>Policy Implication</u>	Nil.
<u>Attachments</u>	Attachment 1: Modification Request Cover Letter Attachment 2: Indicative Alternative Energy Option

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Attachment 1: Modification Request Cover Letter

The General Manager
Balranald Shire Council
PO Box 120
Balranald 2715

Box 204 PO
BALRANALD 2715
20/6/18

Dear Sir,

Ref DA 42/2015

attached please find an application to modify the above DA, due to changing circumstances since approval date. Concurrence of Telstra (Condition 2) is no longer necessary due to availability of wireless internet and mobile phones - hence no need for a landline.

A similar situation exists with connection to the electricity grid via Essential Energy. A quote from consultant Dale McMillan, Swan Hill (Spot-on Power) indicates a connection fee around \$20,000, which is comparable to the cost of off-grid power.

We request that Council remove condition 2 to allow this subdivision to proceed.

Yours faithfully
Pat Lanier

PAT LANIER
Ph 0488 728986
jelanier@bigpond.com

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Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Item I – 5 APPLICATION FOR ENROLMENT AS A COMMONER

File number: D18.7115

Reporting Officer: Director Infrastructure and Development – Andre Pretorius

Operational Plan Objective: Pillar 5 Our Infrastructure

Officer Recommendation:

That Council:

- 1) Approve the application of Ms A Stevens to be enrolled as a Commoner in the Balranald Common.
- 2) Negotiations between Council and the applicant be undertaken in relation to the area proposed to be used by the applicant.

Purpose of Report

To advise Council of an application received from Ms A Stevens for enrolment as a Commoner in the Balranald Common.

Report

Ms Stevens is proposing to use an area previously used by a previous commoner on Lot 7309 DP 1140440 near the intersection of MR67 and McCabe St for the keeping of livestock, namely horses. The applicant will be required to pay relevant fees as per our Revenue Policy

Council is the Common Trust holder and should process the application in accordance with the established guidelines.

The essential elements of the process are:-

- iv) The exhibition of the application on the Common;
- v) Dealing with the application after 5 days exhibition and before 2 months from its receipt;
- vi) Ensuring the applicant is eligible.

The person must:-

- be a resident in the Land District
- not hold more than 20 hectares of land
- not be enrolled in any other Commoners roll.

Ms Stevens appears to meet these requirements. However another application is under consideration for the same general area at Item I- 1. Negotiations between the

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Council and the two (2) applicants should be undertaken to achieve agreement in the use of the area.

The application was on exhibition at two (2) locations on the common and a notice was displayed on Council's street stall noticeboard between 04/07/2018 and 12/07/2018, with no submissions received.

<u>Financial Implication</u>	Commoner Fees are payable in accordance with Council's Revenue Policy
<u>Legislative Implication</u>	Nil.
<u>Policy Implication</u>	Compliance with Common Management Plan
<u>Attachment</u>	Nil.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Item I – 6 DA 51/2018 – PROPOSED CONSOLIDATION & BOUNDARY REALIGNMENT

File number: DA 51/2018

Reporting Officer: Director Infrastructure and Development – Andre Pretorius

Operational Plan Objective: Pillar 5 Our Infrastructure

Officer Recommendation:

Council consent to the consolidation and boundary realignment of Lot 11 DP 237740, Lots 116, 118, 120 & 121 DP 590794, Lots 1, 2 & 3 DP 1064236, Lot 1 DP 716420, Lots 1 & 2 DP 1108867, Lot 2 DP 1127033, Lot 1 DP 1139411, Lot 2 DP 1190440 and Lot 2 & 3 DP 1190642 subject to the following conditions;

- 1) No alteration to approved plans and specifications is allowed unless separately approved by Council.
- 2) Driveway access to the reconfigured lots, or alteration to existing access, is to be to the satisfaction of Council or its delegate, and at the applicants full cost.
- 3) The applicant must obtain a road opening permit prior to the commencement of construction of any new or alterations to access arrangements.
- 4) Any water supplies to the subject lands are the full responsibility of the applicant.
- 5) Separate application must be made for any Development Consent for any new structures on the adjusted allotments.

Purpose of Report

To seek Councils consent to a proposed consolidation and boundary realignment in the Euston Settlement in the Brett Rd, Leslie Drive and Sturt Hwy area.

Report

A Development Application has been lodged by Roy Costa Planning on behalf of Joseph Lanteri P/L & Michael Lanteri P/L to undertake consolidation and boundary realignment.

Description of Land: Lot 11 DP 237740

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Lots 116, 118, 120 & 121 DP 590794
Lots 1, 2 & 3 DP 1064236
Lot 1 DP 716420
Lots 1 & 2 DP 1108867
Lot 2 DP 1127033
Lot 1 DP 1139411
Lot 2 DP 1190440
Lot 2 & 3 DP 1190642

Area: 161ha

Zone: Zone RU4 Rural Small Holdings

The 16 allotments involved in this application are proposed to be consolidated into 4 allotments with boundary changes of allotments carrying dwellings:

Proposed Lot 1: 1238m²
Proposed Lot 2: 6070m²
Proposed Lot 3: 90.58ha
Proposed Lot 4: 69.72ha

Planning Considerations:

11 of the 16 lots are currently under the minimum lot size for the zone, this proposal adjusts this to two (2).

The existing allotments carry dwelling entitlements, the consolidation and boundary adjustment will reduce the number of dwelling entitlements from 16 to 4 (with potential for rural workers dwellings). The reduction of dwelling entitlements is considered as reducing potential land use conflict between the intensive plant agriculture and rural residential uses posed with a number of smaller blocks.

The consolidation of the land could also be considered as increasing the longer term employment generation security of these highly productive agricultural lands rather than being on-sold for lower productivity rural residential purposes.

The boundary realignment does not trigger subdivision requirements of the Balranald Local Environmental Plan as the realignment does not constitute a subdivision.

The consolidation and boundary realignment are permissible with consent.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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The adjoining property landholders have been notified in accordance with Section 88 of the Environmental Planning and Assessment Regulation 2000, and no submissions were received.

<u>Financial Implication</u>	Nil.
<u>Legislative Implication</u>	Environmental Planning & Assessment Act 1979 Balranald LEP 2010
<u>Policy Implication</u>	Nil.
<u>Attachments</u>	Plan of Proposal

PART B - ITEMS FOR INFORMATION

General Manager's Reports

ITEM G – 5 CORRESPONDENCE

File Number:

Reporting Officer: General Manager – Michael Kitzelmann

Operational Plan Objective: Pillar 1: Our People – A community that is proactive, engaged, inclusive and connected

Officer Recommendation:
For information.

Purpose of Report

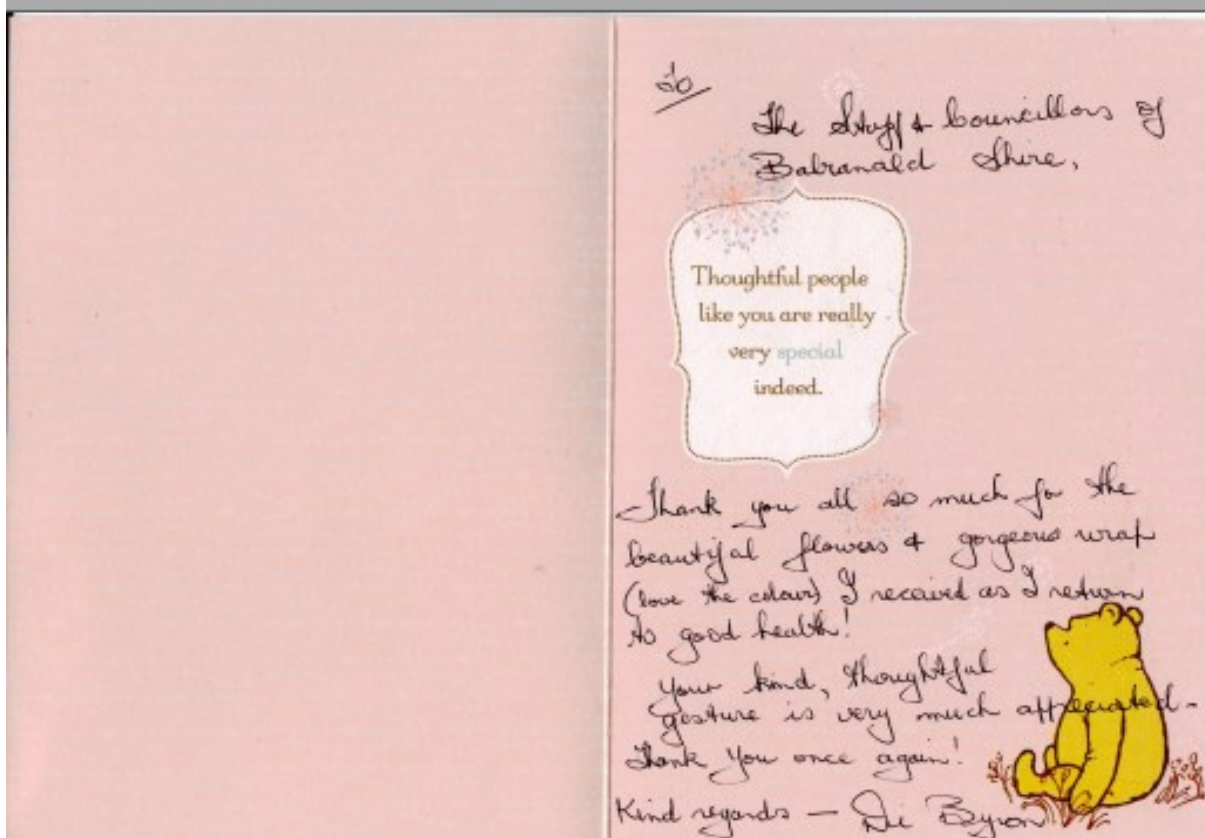
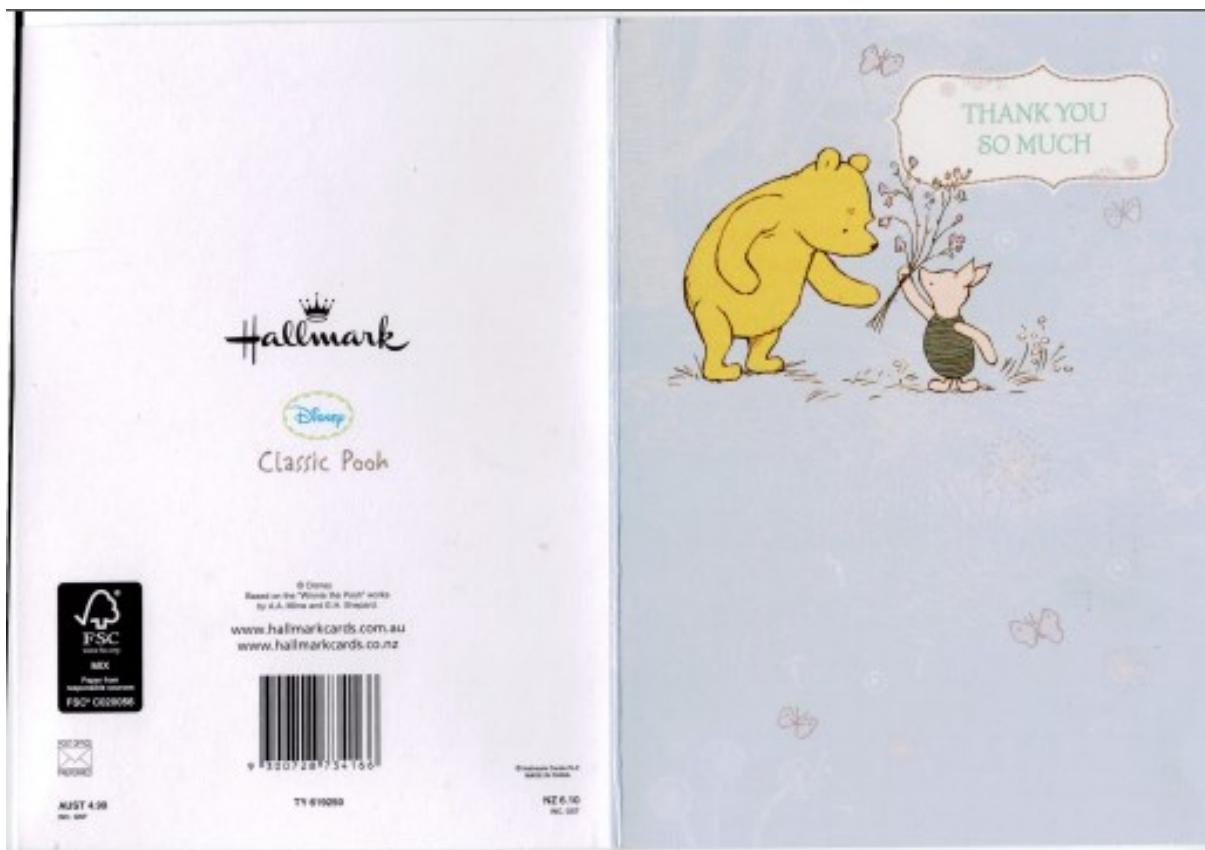
To advise Council of recent correspondence of interest.

Report

1. Thankyou card from Dianne Byron
2. Letter from Ken Spinks

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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This is Page 72 of the Business Paper of the Ordinary Monthly Meeting of Balranald Shire Council held in the Council Chambers, Market Street, Balranald on Tuesday 17th July 2018.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Austin Evans MP
Member for Murray
104-110 Banna Avenue
Griffith NSW 2680

Dear Mr Evans,

With the evidence of climate change and the prevailing weather conditions, I view with concern the ability of the Murrumbidgee River to be capable of delivering the water demanded from it by the increasing development of agricultural industries eg cotton and nuts as observed in its lower reaches.

The quality of the water to townships in this lower end of the river is so poor that townspeople are purchasing bottled water in huge quantities in preference to the council's supplied filtered water. It is to be noted that the filtering and additional chemicals renders water no longer pure filtered water as claimed.

In past years, Balranald township houses had rainwater tanks to supply clean potable water especially during summer periods when the river supply was unpredictable before the installation of the weirs. We are now at the same situation prior to the introduction of the weirs.

The councils and government need to consider implementing a system encouraging all households and residents to install rainwater tanks and systems to provide clean household water in preference to purchasing expensive bottled water. Having a rainwater tank not only has a health benefit, but saves water that would normally run down gutters and be wasted. The scheme could be implemented by the state government and administrated by councils statewide.

If such an idea were to be adopted and financed, householders need to be informed as to the installation costs of tanks and pumps suitable for domestic use, and compared with the expenses of purchasing drinking/kitchen use water over a period of time eg twelve months, and future financial savings. A statewide system would benefit households and commercial businesses as the water could be used for gardens, etc, if it was contaminated by industrial pollution.

This type of program needs special consideration as water is a finite commodity in Australian communities especially in country areas. I would like to mention that one farmer has harvested all rainwater from shed roofs to provide for household use, garden ,and farm use and be self sufficient

I look forward to your favourable comments and actions.

Yours sincerely,
Ken Spinks.

	Info	Reply	Report	Discuss
				GM
18 JUN 2018				

21 News P.2
 11/6/2018

The Sunraysia Daily
 Edition Show 2.15 The
 Sunraysia Daily

SunraysiaDaily

News 6
MINISTER for Agriculture John Pether has reaffirmed the State Government's commitment to play its part in the fight against Queensland fruit fly.

Nation 11
SURVIVORS of child sexual abuse will be able to sue churches and other institutions under sweeping changes to NSW's civil litigation laws.

World 12
THE Duke and Duchess of Sussex have taken their places for the first time with the Queen as Buckingham Palace's balcony after trooping the Colour.

Toxins in Darling

Disease linked to bacteria in three places

By Christopher Teate
 cteate@sunrasyadaily.com.au

BREATHROUGH research has revealed the presence of a toxin, which scientists believe could cause the deadly motor neurone disease (MND), in the lower Darling River.

Researchers from NSW universities tested water from 13 places across the state with blue-green algae outbreaks for a toxin called BMAA, which is produced by algae bacteria.

BMAA has been linked to MND, a progressive illness that affects ability to move, speak, eat and breathe and kills about half its patients within 18 months of diagnosis.

The scientists found BMAA in 70 per cent of the samples, including in water from three sites along the lower Darling at Burrumbidgee, Pooncarrie and Merindab, as well as from the Murrumbidgee River at Balranald.

How BMAA was not detected in samples taken from the Murray River, at Collingran and Buxton.

The Darling River samples were taken at different points during 2015, when the lower Darling was last bound for a cease-to-flow, while the Murray River samples were taken during an algal bloom in 2016.

The findings could raise greater concerns about the effects of the Darling River's management on the health of humans, livestock and plants.

A red alert for blue-green algae in the Darling between Pooncarrie and Burrumbidgee was declared in March and the river is expected to stop flowing at the end of this year without significant rainfall.

"The presence of BMAA in water bodies that are used for crop irrigation is concerning," the report said.

BMAA has previously been shown to be taken up by plants and to become associated with plant protein. The uptake of BMAA by crop plants therefore increases the risk of human and animal exposure, and has the potential to negatively affect plant health.

Researchers also indicated there was a possibility BMAA could be transferred between livestock, in dairy products, and to children from mothers in breast milk.

A growing body of scientific evidence has identified blue-green algae as a risk factor for the development of MND, with clusters of cases observed around lakes where the bacteria that produce BMAA is present.

One example is at Griffith in the NSW Riverina, where the rate of MND had more than tripled in the past decade, with the number of cases per population 10 times greater than other areas in Australia.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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ITEM G - 6 ACTION SHEET

Reporting Officer: General Manager – Michael Kitzelmann

File Number: 120

Officer Recommendation:

That Council receive and note the report.

Purpose of Report

To bring forward for Councillors information the Action Report with actions taken on previous council resolutions.



**BALRANALD SHIRE COUNCIL
ACTION SHEET**

**JUNE
2018**

MIINUTE	DIRECTOR / FILE NO	<u>SUBJECT</u>	DATE COMPLETE D	COMMENTS CURRENT STATUS
08.17.4038	DCCD	Cultural Committee – measurements for replacement Curtain @ theatre		In Progress – quotes are being sought.
08.17.4039	DID	Euston Beautification – Investigate possibilities of construction of boat ramp below Lock/Weir with unspent grant monies.		Potential LEMC item.
09.17.4080	DID	Discuss options with John & Robyn Hoyle-Holdsworth regarding water supply at Lake Benanee		John Hoyle-Holdsworth was contacted on 10 July and additional information was requested.
04.18.4280	DID	Consent to DA 35/2018 – Proposed boundary adjustment Island Road		Ongoing
04.18.4282	GM	Letter be sent to Austin Evans re- fish ladder, Weir and Trees		Completed, letter sent, discussed at Nimmie Caira Meeting, Sydney Parliament house and 10th July 2018

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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04.18.4278	DCCD	Note \$500 donation to Mallee Almond Blossom Festival in 2018/2019 donation budget, have donation form filled out.	8.05.2018	Donation application emailed to committee.
04.18.4299	DID/GM	Balranald Caravan Park Advise Tenderer A of outcome of tender - Present Contract to successful Tenderer - Negotiate with Managers	17.04.2018 18.05.2018	Completed Completed In Progress
05.18.4311	DID	Complete works along Market Street footpath, if any funds left commence construction of River St Footpath	June/July 2018	Completed. A section (approx. 35 metres) of footpath in River Street between Market and Church Street has been installed.
05.18.4312	DID	Continue discussions with Hay and Wentworth Shires to implement formal agreements.		In progress
05.18.4313	DID	Endorse the proposed expenditure strategy for staged works Kilpatrick Road		Ongoing
06.18.4331	DCCD	Increase rates as per recommendation for the 2018/2019 year		Completed
06.18.4332	DCCD	Adopt Operational Plan, considering submissions and amendments	26.06.2018	Completed
06.18.4333	GM	GM & Mayor enter and Sign contract with Service NSW, execute necessary documentation under common seal	04.07.2018	Completed
06.18.4334	DID	Euston Mechanics Institute, Reserve 34175 – advise crown lands of council trust and seek ministerial approval for appointment of trust.	13.06.2018	Completed
06.18.4336	DID	Approve DA 47/2018 – Proposed Small Scale Solar Farm	29.06.2018	Completed
06.18.4337	DID	Vary the secondary building line – 138 Church Street	27.06.2018	Completed
06.18.4338	DID	Approve DA 34/2018 as per recommendation	28.06.2018	Completed
06.18.4339	DID	Advertise Building Line Policy for 28 days	29.06.2018	Advertised on Web and Guardian 4/7/18, Sentinel 12.07.2018

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Corporate and Community Development Division

Item C - 2 STATEMENT OF FUNDS: 30 JUNE 2018

File number: 085

Reporting Officer Director of Corporate and Community Development

Operational Plan Objective: Pillar Six: Our Leadership - a community that values and fosters leadership, lifelong learning, innovation and good governance

Officer Recommendation:
That Council receive and note the report

Purpose of Report

To advise Council of Funds and Investment held for the month ending 30 June 2018.

	TERM	START DATE	MATURITY DATE	INTEREST RATE	INVESTMENT VALUE
Term Deposits					
BANKWEST	150	4/04/2018	1/09/2018	2.60%	500,000
NAB	210	5/12/2017	3/07/2018	2.50%	500,000
NAB	120	4/04/2018	2/08/2018	2.60%	1,000,000
BENDIGO BANK	243	7/12/2017	7/08/2018	2.50%	500,000
NAB	150	8/03/2018	5/08/2018	2.58%	500,000
NAB	90	8/06/2018	6/09/2018	2.73%	1,000,000
NAB	90	19/06/2018	17/09/2018	2.73%	500,000
NAB	90	26/06/2018	24/09/2018	2.76%	500,000
Total term deposits			Average rate	2.63%	5,000,000
At Call Accounts					
Westpac Cash Reserves			AT CALL	0.60%	867,558
TCorp			AT CALL		1,200,000
Cash Accounts					
Westpac Bank			CASH AT BANK		2,350,264
TOTAL BANK					4,417,822
TOTAL INVESTMENTS PORTFOLIO INCLUDING CASH					9,417,822

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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RESTRICTED FUNDS	EXTERNAL	INTERNAL	June 17 TOTAL	QBR1	QBR2	QBR3	Other	JUNE 18 Total
Specific Purpose Unexpended Grants	553,320		553,320					553,320
Domestic Waste Management	144,009		144,009		-33,000			111,009
Water Supplies	610,947		610,947	-10,000				600,947
Sewerage Service	1,295,916		1,295,916	-326,000				969,916
Caltex		750,000	750,000					750,000
Plant & Vehicle Replacement		559,196	559,196					559,196
Infrastructure Replacement		214,000	214,000					214,000
Employee Leave Entitlements		269,000	269,000					269,000
Deposits, Retentions & Bonds		106,000	106,000					106,000
Carry Over Works		730,077	730,077	-730,077				0
Caravan Park		168,353	168,353					168,353
Euston Cemetery		38,000	38,000					38,000
Health Reserve		6,000	6,000					6,000
Hostel Bonds		110,960	110,960		100,000			210,960
Hostel Reserve		0	0					0
Market Street Improvements		20,000	20,000					20,000
Town Clock		3,000	3,000					3,000
Theatre Royal Improvements		4,669	4,669					4,669
Gravel Pit Rehabilitation		245,085	245,085					245,085
Lake Benanee Capital Improvements		1,126	1,126					1,126
Other Assets Replacement		286,000	286,000	14,000				300,000
Other (Unexpended Cont. Euston)	50,000		50,000					50,000
TOTAL RESTRICTED FUNDS	2,654,192	3,511,466	6,165,658	-1,052,077	67,000	0	0	5,180,581

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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FUNDS HELD	Investment	Bank	Combined	Restricted	JUNE 18 Total
General Fund	3,150,000	3,379,083	6,529,083	3,498,709	3,030,374
Domestic Waste Management	0	272,283	272,283	111,009	161,274
Water Supplies	600,000	610,874	1,210,874	600,947	609,927
Sewerage Service	1,250,000	155,583	1,405,583	969,916	435,667
TOTAL FUNDS HELD	5,000,000	4,417,822	9,417,822	5,180,581	4,237,241

Cashbook Summary	
Opening cashbook Balance	607,574
Plus Receipts	4,711,622
Less Payments	2,968,933
Cashbook Balance at 30 June 2018	2,350,264

Statement Summary	
Opening Statement Balance	605,090
Plus Receipts	4,711,722
Less Payments	2,965,816
Bank Statement Balance at 30 June 2018	2,350,996
Plus Unpresented Receipts	15,713
Less Unpresented Payments	16,445
Reconciliation Balance at 30 June 2018	2,350,264

Certification by the Responsible Accounting Officer:

In accordance with paragraph 212(1)(b) of the Local Government (General) Regulation, the investments listed in this report have been made in accordance with:

- (i) The Local Government Act, 1993
- (ii) The Regulations, and
- (iii) Councils Investment Policy

S Bilske

Terri Bilske
Responsible Accounting Officer
10 July 2018

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Item C - 3 TOURISM REPORT – JUNE 2018

File number: 771B

Reporting Officer: Director of Corporate & Community Development

Operational Plan Objective: Pillar 3: Our Economy – 3.2.1 Tourism

Officer Recommendation:

That Council receive and note the Tourism report.

Purpose of Report

To provide Council with a progress report on Tourism activities for June 2018.

Report

June has continued the trend of visitors coming to our Shire to experience the many attractions on offer. Marketing activities through social media and the website continue to produce an increased awareness of Balranald and surrounds, contributing to the number of visitors we see around the shire.

A summary of these results are provided in the attached dashboard report which provides insights to Council on the top reasons for visitors stopping in Balranald and how visitors are hearing about Balranald.

Financial Implication	Nil
Legislative Implication	Nil
Policy Implication	Nil
Attachments	Tourism Monthly Reporting Dashboard

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

TOURISM MONTHLY REPORTING DASHBOARD: FOR THE MONTHS OF: JUNE 2018

VISITOR WALK-INS @ THE DISCOVERY CENTRE

Walk-in Figures

Date	Numbers	%Change
Visitor Information Centre Current Month	905	
Same period last year		
Interpretive Pavilion Current Month	1267	

Visitor Breakdown Figures @ Visitor Info

From Where	Breakdown	% of Total
Intra-State	Within NSW	45%
Interstate	1. VIC 4. WA 2. QLD 5. TAS 3. SA 6. NT	48%
International	1. China 4. France 2. Japan 5. Asia 3. New Zealand 6. USA	5%
No Address		2%
Enquiries generated by phone, website, promotions & posts	125	Same period last year

Top Attractions for this period

1. Interpretive Pavilion
2. Looking around
3. Yanga N.P.
4. Munga N.P.
5. Museum
6. RV camping
7. Gaol
8. Southern Cross
9. Swing Bridge
10. Frog Trail
11. OGA Tours
12. Other (Military Trail, Gallery & Heritage Trail)

How did visitors hear of Balranald & Surrounds and/or reason for visit?

1. Passing Through and stopped
2. Discovery Centre
3. Live in the Area
4. Return visit due to positive experience
5. Visiting Family & Friends
6. Print Media
7. Word of Mouth
8. Web/Social Media

SALES

Sales Figures

Date	Sales
Current Period May 2018	\$4294.05
Donation Box amount:	\$579.35

Merchandise – Top Sellers

Top 5	Products
1	Frog Figurines
2	Postcards
3	Pistachios
4	Magnets
5	Souvenirs

TOURISM FACEBOOK PROMOTIONAL ACTIVITIES

TOTAL PAGE LIKES	2	Number of Promotional Posts:	0
Total Audience Reach for this period	33	Total Engagement (likes, comments, shares, clicks)	1451



Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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TOURISM MONTHLY REPORTING DASHBOARD: FOR THE MONTHS OF: JUNE 2018

TOURISM WEBSITE (Discover Balranald & Surrounds)

Total Number of Visitors to the website (to date – Statistics commenced Aug 2016)	46765	Total page views	102907
This Period	318		575
Percentage New Visitors Percentage Return Visitors	☞ 85% ☞ 15%	Average Duration	☞ 3.05 minutes
Top 10 Pages (out of 61) for the reporting period	1. Home/Visitor Guide 2. Road access 3 Balranald Discovery Centre 4. Activities to do 5. 5 Rivers 6. Top Eats 7. Free Camping/RV 8. Top Stays 9. Driving Distances 10. Balranald	Audience – Top 6 Cities for the period Audience – Top 6 Countries for the period DEMOGRAPHICS SOURCE OF TRAFFIC	☞ Melbourne, Sydney, Adelaide, Brisbane, Canberra, Central Coast ☞ Australia, Canada, U.S.A., Russia, China, Republic of Korea. ☞ 67% between 45yrs – 65+ ☞ 54% Social Media, 32% Organic, 8% Direct, 6% Referral sites

OTHER MARKETING ACTIVITIES

Marketing and promotion of the following areas were promoted via social media, print media & radio:

- Updates to road conditions access to National Parks
- Upcoming National Parks activities on Facebook
- Upcoming Events on Facebook and Website



Infrastructure and Development Reports

Item I - 7 PLANNING ADMINISTRATION

File: D18.7111

Reporting Officer: Director Infrastructure and Development – Andre Pretorius

Operational Plan Objective: Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment

Officer Recommendation:
That the report be noted.

Purpose of Report

To advise Council of activities in the Planning area.

Report

The following Construction Certificates, Complying Development Certificates, Section 68 Certificates and / or Notices of Determination have been issued under delegated authority since the June 2018 meeting of Council.

Application	Owner/Applicant	Locality	Description
DA 44/2018	L.M. Bodinnar	82-92 Court Street Balranald	Commercial Premises (Shed)
DA 48/2018	EB Mawson & Sons P/L	Duryea Street Balranald	Machinery Shed
DA 52/2018	Anthony Jewell	127 Boynton Street Balranald	Demolition of Existing Dwelling & Erection of Shed
S68 08/2018	Cristal Mining Australia	Magenta Wampo Road Balranald	On-Site Sewerage Management System (above ground installation)

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

.....

The following numbers of other certificates have been issued.

149(2)	149(5)	121ZP	735A	Drainage Diagram	Noxious Weeds
11	2	0	0	6	0

<u>Financial Implication</u>	Nil.
<u>Legislative Implication</u>	The approvals process.
<u>Policy Implication</u>	Nil.
<u>Attachments</u>	Nil.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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Item I - 8 MAINTENANCE AND CONSTRUCTION PROGRAM

File: D18.7128

Reporting Officer: Director of Infrastructure and Development – Andre Pretorius

Operational Plan Objective: Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment

Officer Recommendation:

That the report be noted and accepted.

Purpose of Report

To provide Council with a progress report on works, since the June meeting.

Report

1. Roads Program

Rounding off on what has been a safe and productive financial year, there has been quite a lot of maintenance and capital works for the period.

a) Capital Works Programs

Works have been undertaken in the following areas:

- Grid replacement:
 - Wooranbara-Corrong Rd – [Roads to Recovery]
 - Mildura Ivanhoe Rd – [Roads to Recovery]
- Road Construct and Seal: MR67, Clare-Mossgiel/Mildura Ivanhoe intersection – [Repair Program].
- Road Trial: MR514 (Oxley Rd) – [Block Grant]
- Footpath Construction: Market Street and River St.
- Wool Track Project – Preliminary design and high level engineers estimate.
- Pavement repair – Balranald Area (Island Rd, Riverbend and Balranald Low-level Weir road), Redbank Weir Rd [Natural Disaster Funding]

b) Maintenance

- Gravel Patching:
 - Tillara Rd
 - Oxley Clare
- Grading:
 - Oxley Rd
 - Marma Box Creek
- Grid Maintenance:

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

.....

- Prungle Marma [Roads to Recovery]

1.1 Roads to Recovery

Mildura-Ivanhoe, Wooranbara-Corrong Rds

Installation of new double grids, wings and sealed approaches.

Kilpatrick Rd

Road design and strategy is being finalised, after review of detailed feature and topographical survey. This strategy will include different project delivery options.

1.2 Repair Program

MR67

Works have commenced on the road construction at the Clare- Mossgiel intersection with the drainage, box-cut and sub-grade level formed and proof-rolled. The first 150mm lift of gravel has been proof-rolled with no rework required. Three culverts have been installed *[see photos]*.

1.3 Block Grant

MR514

A trial road construction has been completed using Terra 3000 which was mixed into the existing road formation, then graded and compacted on two 500m sections. This trial has been sign-posted and will be monitored regularly. Preliminary assessments indicated that the road becomes slippery when wet and Council officers are in discussion with suppliers. *[see photos]*.

1.4 Natural Disaster Funding

Contractors have been selected to carry out work under this funding. Works have commenced on Redbank Weir Rd where the road is being repaired and a culvert unblocked.

1.5 Wool Track Project: MR67

Several options are being considered through the engineer's estimate for the 12.5km of unsealed road to be constructed and sealed. Preliminary design drawings were discussed with the engineering team.

2 Water Supply and Sewerage Program

2.1 Sewer Pond 1 Renewal

Diversion pipeline for Pond 1 has been completed and the pond has been drained. Commencement of the contract is expected to occur once the pond floor has sufficiently dried.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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2.2 Balranald and Euston Pump Station Maintenance

Bell Environmental has been awarded this contract. A timeframe for commencement will be worked out in the next couple of weeks.

2.3 Water Main Renewal and air Scouring

Documentation for these works is being prepared which will involve location and repair of valves, air scouring and renewal of old AC mains in both Euston and Balranald.

3 Miscellaneous Works

3.1 Gravel Extraction/Supply

Two areas of South Clare gravel have been exposed and deep ripped and are presently being used for the Repair Program. Rehabilitation works are also in progress on site in areas where gravel has been removed.

The application for the Ridge Extension gravel pit has been stalled due to a lack of landholder consent.

Initial landholder consultation has occurred and exploratory work is planned at Manfred and Hearts Horn stations located along the Mildura - Ivanhoe Rd. If successful, gravel from these properties will be used for the Wooltrack Project due to the close proximity.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

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4 Grant Applications & Funding

Below is a summary of Grant Funding opportunities either in application or under consideration. Council is yet to establish a strategy for which funds to apply for and when.

Funding Scheme	Funding Opportunity	Funding Amount/Range	Status	Comments
Regional Freight Funding	Fixing Country Truck Washes – Round Two [16/17]	\$300k approved + \$60k commitment from Council	Grant Successful.	A Funding Deed Draft was received. Presently undertaking investigations for proof of concept design
Regional Growth Fund	Stronger Country Communities Fund – Round 1	Allocation = \$763k; Project Application Amount = \$923k	Grant Successful	Deed signed. Design phase underway
Regional Growth Fund	Stronger Country Communities Fund – Round 2	Allocation = \$1,367,596	All seven submissions have been progressed to the assessment stage	Minimum 50% of allocation is required to be committed to sporting projects
Regional Development Australia	Joint submission with eight other shires – “Our Region – Our Rivers”	\$33M worth of projects with \$16M commitment from the group. Our Shire is leveraging SCCF (\$923k) for an additional \$923k to develop riverfront areas	EOI submitted	Riverfront beautification theme. Concepts/objectives to be substantiated once EOI progresses to detailed business case.
Regional Growth Fund	Growing Local Economies Grant	>\$1M; BCR>1	Open	Power, Roads, Connectivity, Accommodation Facility

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

.....

4.1 Stronger Country Communities Fund, Round One: Mainstreet Revitalisation Project

The second reference group workshop occurred on the 5th July in the council chambers [see photos]. The workshop was very productive and allowed minor refinement of the concept design.

A listening post was set-up on Friday morning (6th July) on Market Street to get feedback from our community [see photos]. There was healthy feedback from the community and this was captured via feedback submission forms. Overall, the project was viewed favourably by the community.

4.2 Fixing Country Truck Washes – Round Two: Balranald Truck Wash Project

Officers are currently reviewing nett present value and payback period of this facility to determine whole-of-life costs.

Financial Implication	As per budgeted works program.
Legislative Implication	Nil.
Policy Implication	Rural Roads Policy.
Attachments	Photos.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

.....

Second workshop of the Market Street Revitalisation Project



Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

.....

MR 67 Repair Programme – Installation of drainage culverts



This is Page 91 of the Business Paper of the Ordinary Monthly Meeting of Balranald Shire Council held in the Council Chambers, Market Street, Balranald on Tuesday 17th July 2018.

Balranald Shire Council
Agenda – Ordinary Meeting – Tuesday 17th July 2018

.....

Oxley Road (MR 514)



This is Page 92 of the Business Paper of the Ordinary Monthly Meeting of Balranald Shire Council held in the Council Chambers, Market Street, Balranald on Tuesday 17th July 2018.

QUESTIONS ON NOTICE

CLOSED MEETING - CONFIDENTIAL MATTERS