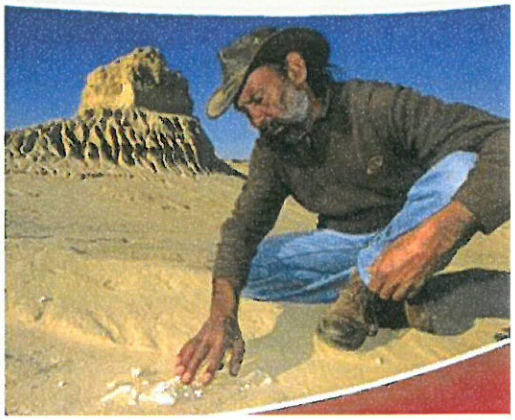
MINUTES

of the

Ordinary Meeting of Council

Held

20th August 2019



BALRANALD SHIRE COUNCIL

MINUTES

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Minutes of the Ordinary Meeting of the Balranald Shire Council held in Council Chambers, Market Street, Balranald on Tuesday 20th August 2019. Commencing at 5pm.

PRESENT: Cr Alan Purtill (Mayor), Cr Leigh Byron (Deputy Mayor), Cr Jeff Mannix, Cr German Ugarte, Cr Trevor Jolliffe, Cr Steve O'Halloran, Cr Doug Allen and Cr Jo Roberts.

Michael Kitzelmann (General Manager), Ray Davy (Director Infrastructure & Development), Kris Kershaw (Finance Manager) and Carol Holmes (Senior Executive Assistant) were also in attendance.

APOLOGIES: There were no apologies.

DISCLOSURE OF INTERESTS

Nil

CALENDAR OF EVENTS

Calendar of Events August - September	
August	
20	Council Meeting @ 5pm
23	FSWJO Meeting @ Buronga
26	Hostel @ 5pm
September	
3	Euston Beautification & Tourism Committee @ 9am
3	Tourism Committee @ 5pm
4	Balranald Beautification Committee @ 5pm
11	Traffic Committee Meeting @ 10am
12	LEMC @ 3pm
12	Internal Risk & Audit Committee Meeting @ 12noon
TBA	Community Safety Precinct Meeting
25	Infrastructure & Development Committee Meeting @ 4pm

CONFIRMATION OF MINUTES

Recommendation:
That:

"The minutes of the Ordinary Meeting of Council held on Monday 29th July 2019 copies having previously been circulated to each Councillor be taken as read and confirmed."

"The minutes of the Confidential Meeting of Council held on Monday 29th July 2019 copies having previously been circulated to each Councillor be taken as read and confirmed."

08.19.4627 **RESOLVED** on the motion of Cr Mannix and Allen that the Minutes of the Ordinary and Confidential meetings held on Monday 29th July 2019 be taken as read and confirmed.

PRESENTATION/DELEGATIONS

MAYORAL MINUTE/REPORT

The public inquiry hearings were held from 31st July 2019 to Wednesday 7th August 2019 with all councillors, senior staff and some community members attending as witnesses. Some members of the community came as observers for part of the hearings.

On Tuesday 6th August, Cr Leigh Byron, Michael Kitzelmann and I had a meet and greet over dinner with the Superintendent Paul Smith.

COMMITTEE REPORTS FOR ADOPTION

BALRANALD SHIRE COUNCIL
EUSTON BEAUTIFICATION & TOURISM COMMITTEE
MINUTES OF A MEETING HELD AT EUSTON COURTHOUSE
ON TUESDAY, 6TH AUGUST, 2019, AT 9.00 A.M.

Present: Ken Barnes (Chair), Edna Price, Geoffrey Windmill, Barry Watts, Ben Pupillo, Bev Harbinson.

Apologies: Vicki Barnes, Peter Smith.

Minutes: Moved Barry Watts seconded Geoffrey Windmill:
That the Minutes of the Meeting held on 2nd July, 2019, be accepted as a correct record. *Carried.*

NEXT MEETING: of the Euston Beautification & Tourism Committee will be held at **The Euston Courthouse** on **Tuesday, 3rd September, 2019**, commencing at 9.00 a.m.

CLOSURE: There was no further business and the Meeting was closed.

Recommendation that the Minutes of Euston Beautification & Tourism Committee Meeting be received and noted.

08.19.4628 RESOLVED on the motion of Cr Ugarte and Roberts that the Euston Beautification & Tourism Committee Minutes be received and noted

DELEGATES REPORTS

Cr Byron – Robinvale Population Determination and Housing Strategy on 13th August

Cr Jolliffe - MDA Meeting in Euston, attended with Cr O'Halloran and Gavin Helgeland

Cr O'Halloran – MDA Meeting in Euston
Traffic Committee Meeting

NOTICES OF MOTION/RESCISSION

Nil

GENERAL MANAGER'S REPORTS (Incorporating all Staff Reports)

PART A - ITEMS REQUIRING DECISION

General Managers Reports

Item G - 1 **DONATION REQUESTS – AUGUST 2019**

File number: **D19.21609**

Reporting Officer: General Manager – Michael Kitzelmann

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

08.19.4629 **RESOLVED** on the motion Cr Byron and Jolliffe that the report be received and recommendation be adopted.

Officer Recommendation:

That Council provide the;
1. Outback Theatre for Young People $500
2. Balranald Swimming & Triathlon Club Inc. $500
3. Balranald Combined Churches $805
4. Balranald CanAssist $500
5. Balranald Lodge No 214 $500
6. Balranald Community Arts and Crafts Inc $350
7. Balranald Central School $835
8. Motorcycle Club Inc. $500

Purpose of Report

To advise Council of the donation applications received for this current round.

08.19.4630 **RESOLVED** on the motion Cr Allen and Mannix that the late report be received and inserted into the agenda.

Item LG – 1 ASSISTANCE AND SUPPORT FOR THE BALRANALD 5 RIVERS OUTBACK FESTIVAL COMMITTEE

File number:

Reporting Officer: General Manager Michael Kitzelmann

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

08.19.4631 **RESOLVED** on the motion Cr Allen and Mannix that the report be received and recommendation be adopted.

Officer Recommendation:
That Council provide the support and assistance as requested to the Balranald 5 Rivers Outback Festival for 2019 5 Rivers Festival.

Purpose of Report
To inform Council of a request received from 5 Rivers Festival Committee seeking support/permission from Council to host the 5 Rivers Outback Festival in 2019 and beyond.

Item G - 2 LAWN CEMETERY MONUMENT POLICY

File number: D19.21610

Reporting Officer: Director Infrastructure and Development – Andre Pretorius

Operational Plan Objective: Pillar 5 Our Infrastructure
5.3 Undertake key infrastructure improvements.

08.19.4632 **RESOLVED** on the motion Cr Allen and Roberts that the report be received and recommendation be adopted.

Officer Recommendation:
That Council advertise the amended Lawn Cemetery Monument Policy for a period of 28 days and any submissions be reported to the October meeting of Council

Purpose of Report

To review the Lawn Cemetery Monument Policy.

Item G - 3 CHANGE OF VENUE & TIME FOR SEPTEMBER MEETING

File number: D19.21674

Reporting Officer: Michael Kitzelmann, General Manager

Operational Plan Objective: Pillar Six: Our Leadership –

08.19.4633 **RESOLVED** on the motion Cr Allen and Roberts that Council move into committee of the whole to allow discussion of the agenda item.

08.19.4634 **RESOLVED** on the motion Cr Byron and Allen that Council revert back to the Council Meeting.

08.19.4635 **RESOLVED** on the motion Cr Allen and Roberts that Council hold the September Council Meeting in a meeting room at the Euston Club commencing at 3pm on Tuesday 17th September 2019.

Officer Recommendation:
That Council hold the September Council Meeting in a meeting room at the Euston Club commencing at 10am on Tuesday 17th September 2019.

Purpose of Report
To request a change of Venue and time for the September Council Meeting.

Corporate & Community Development Reports

Item C - 1 DRAFT PROCUREMENT POLICY

File number: D19.21673

Reporting Officer: Terri Bilske, Director Corporate and Community Services

Operational Plan Objective: Our Leadership 6.3.2 (a) provide good governance, prudent financial management and effective support services for all its activities.

08.19.4636 **RESOLVED** on the motion Cr Ugarte and Allen that the report be received and recommendation be adopted.

Officer Recommendation:

1. That the draft Procurement Policy be advertised for a period of 28 days for public comment.
2. Any public comments be reported to Council at the October meeting.

Purpose of Report

The purpose of this report is to seek Council endorsement of the Draft Procurement Policy to go on public exhibition for public comment.

Item C - 2 WORKPLACE SURVEILLANCE POLICY – AUGUST 2019

File number: **D19.21609**

Reporting Officer: Terri Bilske – Director Corporate & Community Services

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

08.19.4637 **RESOLVED** on the motion Cr Ugarte and Allen that the report be received and recommendation be adopted.

Officer Recommendation:

1. That the draft Workplace Surveillance Policy be advertised for a period of 28 days for public comment.
2. Any public comments be reported to Council at the October meeting.

Purpose of Report

To advise Council to give consideration to the adoption of Workplace Surveillance Policy.

Infrastructure and Development Reports

Item I – 1 DA 32/2019 – WORKERS ACCOMMODATION

File: DA 32/2019

Reporting Officer: Director Infrastructure and Development – Ray Davy

Operational Plan Objective: Pillar 5 Our Infrastructure

08.19.4638 **RESOLVED** on the motion Cr Jolliffe and Byron that the report be received and recommendation be adopted.

Cr O'Halloran voted against the motion.

Officer Recommendation:
Council approve Development Application 32/2019 for the installation of temporary workers accommodation facility subject to the conditions listed at Attachment 2.

Purpose of Report

To seek Council's approval for a temporary workers accommodation facility on Lot 1675 DP 763439.

Item I – 2 DA 02/2020 – PROPOSED SUBDIVISION

File number: DA 02/2020, D19.20907

Reporting Officer: Director Infrastructure and Development – Ray Davy

Operational Plan Objective: Pillar 5 Our Infrastructure

08.19.4639 **RESOLVED** on the motion Cr Ugarte and Allen that the report be received and recommendation be adopted.

Officer Recommendation:

Council approve Development Application 02/2020 for the subdivision of Lot 4808 DP 762298, Prungle Mail Rd, Balranald, subject to the following conditions:

1) No alteration to approved plans and specifications is allowed unless separately approved by Council.
2) The subdivision must conform with the sketch plan as submitted.
3) Plans prepared by an appropriately qualified surveyor must be submitted to Council prior to the release of the Subdivision Certificate.
4) Access to the proposed lots, or alteration to existing accesses, is to be to the satisfaction of Council or its delegate, and at the applicant's full cost.
5) This approval does not constitute consent for the erection of any dwellings or other structures on the subject lands. Separate applications must be made for any buildings in accordance with the Environmental Planning & Assessment Act 1979.

Reasons for the imposition of conditions:

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

Purpose of Report

To seek Council's consent for a development application from G Rae to subdivide land to facilitate a farm adjustment.

Item I – 3 REQUEST TO USE THEATRE ROYAL FOR TEMPORARY SUPERMARKET

File number: D19.21517

Reporting Officer: General Manager – Michael Kitzelmann

Operational Plan Objective: Pillar 5 Our Infrastructure

08.19.4640 **RESOLVED** on the motion Cr O'Halloran and Allen that Council authorise the General Manager or his delegate to negotiate a short term commercial arrangement to occupy the Theatre Royal for a temporary supermarket with Mr Doyle and furthermore all proceeds from this arrangement be used for improvements of the Theatre Royal complex.

Officer Recommendation:
Council determine if Option A or Option B is the appropriate course of action.

A. authorise the General Manager or his delegate to negotiate a short term commercial arrangement to occupy the Theatre Royal for a temporary supermarket with Mr Doyle; or

B. refuse the request to occupy the Theatre Royal.

Purpose of Report
To seek Council's approval to utilise a Council freehold building asset for a short term commercial undertaking.

Item I – 4 BALRANALD SWIMMING POOL

File: D19.21677

Reporting Officer: Director of Infrastructure and Development – Ray Davy

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

08.19.4641 **RESOLVED** on the motion Cr Roberts and Allen that Council go into committee of the whole to discuss the agenda item.

08.19.4642 **RESOLVED** on the motion Cr Allen and Ugarte that Council revert back to open Council.

08.19.4643 **RESOLVED** on the motion Cr Allen and Ugarte that the Balranald Swimming Pool be deferred until next council meeting after seeking feedback from community members.

Officer Recommendation:

1. That the opening hours for Balranald Swimming Pool for the 2019-20 season be fixed as proposed.
2. That the admission charge for casual entry to Balranald Swimming Pool be abolished for the 2019-20 season
3. That a comprehensive review of operating arrangements, opening hours and charges for the Balranald Swimming Pool be conducted following the 2019-20 season and reported to Council no later than May 2020

Purpose of Report

To propose that Balranald Swimming Pool be operated for fixed hours with no entry fee for casual admission for the 2019-20 season, and that these arrangements and the operating arrangements for the pool be reviewed thereafter.

PART B - ITEMS FOR INFORMATION

General Manager's Reports

ITEM G – 4 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

08.19.4644 **RESOLVED** on the motion Cr Byron and Mannix that the correspondence be noted.

Officer Recommendation:
For information.

Purpose of Report

To advise Council of recent correspondence of interest.

ITEM G - 5 ACTION SHEET

Reporting Officer: General Manager – Michael Kitzelmann

File Number: 120

08.19.4645 RESOLVED on the motion Cr Roberts and Byron that the action sheet be received and noted.

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.

Corporate and Community Development Division

Item C - 3 STATEMENT OF FUNDS: 31 July 2019

File number: D19.21635

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

08.19.4646 RESOLVED on the motion Cr Byron and Mannix that the Statement of Funds be received and noted.

Officer Recommendation:

That Council receive and note the Statement of Funds for the period ending 31 July 2019.

Purpose of Report

The purpose of this report is to:

1. To advise Council of the balance of funds and investments held for the month ending 31 July 2019;
2. Certify that Council's investments have been made in accordance with the *Local Government Act 1993 (Section 625)*, the Local Government (General) Regulation 2005 (Section 212) and Council's Investment Policy, which was adopted by Council on the 17 October 2017.

Item C - 4 BIDGEE HAVEN HOSTEL – July 2019

File number: D19.21628

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.

08.19.4647 RESOLVED on the motion Cr Ugarte and Roberts that the Bidgee Haven Hostel Report be received and noted.

Officer Recommendation:

That Council

Note the Interim July 2019 Financial Report

Purpose of Report

To note the financial operations of the Bidgee Haven Hostel (the Hostel) as at 31 July 2019.

Item C - 5 TOURISM REPORT – August 2019

File number: D19.21586

Reporting Officer: Director of Corporate & Community Services

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

08.19.4648 RESOLVED on the motion Cr Mannix and Allen that the Tourism Report be received and noted

Officer Recommendation:

That Council accept the July 2019 Tourism report for information.

Purpose of Report

To provide Council with a progress report on Tourism activities.

Item C - 6 **2019-2020 COUNCIL INSURANCE PREMIUMS**

File number: **D19.21644**

Reporting Officer: Director of Corporate and Community Development

Operational Plan Objective: Pillar 6: Our Leadership 6.3.2 – Provide good governance, prudent financial management and effective support services for all its activities.

08.19.4649 **RESOLVED** on the motion Cr Allen and Roberts that the 2019-2020 Council Insurance Premiums Report be received and noted.

Officer Recommendation:

That Council receive and note the 2019-2020 insurance premium information.

Purpose of Report

The purpose of the Financial Review report is to provide Council with accurate and timely reporting of expenditure against the adopted Operational budget in relation to Council's insurances.

Item C - 7 **FINANCIAL REVIEW – JULY 2019**

File number: **D19.21667**

Reporting Officer: Director of Corporate & Community Development

Delivery Program and Long Term Financial Plan Objective: Pillar 6: Our Leadership 6.3.2 – Provide good governance, prudent financial management and effective support services for all its activities.

08.19.4650 **RESOLVED** on the motion Cr Allen and Jolliffe that the Financial Review – July 2019 Report be received and noted.

Officer Recommendation:

That the report on the Financial Review against Council's Operational Plan to 31 July 2019 be received and noted.

Purpose of Report

The purpose of the Financial Review report is to provide Council with accurate and timely reporting of income and expenditure against the adopted 2019-20 Operational and Capital Works budget.

Item C - 8 **JULY 2019 FINANCIAL REPORT - CARAVAN PARK**
File number: **D19.21633**

Reporting Officer: Director of Corporate and Community Development

Operational Plan Objective: Pillar 6: Our Leadership 6.3.2 – Provide good governance, prudent financial management and effective support services for all its activities.

08.19.4651 **RESOLVED** on the motion Cr Roberts and Byron that the July 2019 Financial Report – Caravan Park be received and noted.

Cr O'Halloran voted against the motion.

Officer Recommendation:

1. That Council receive and note the 31 July 2019 financial report for the caravan park.

Purpose of Report

The purpose of the Financial Review report is to provide Council with accurate and timely reporting of revenue and expenditure against the adopted Operational and Capital Works budget in relation to the Caravan Park.

Infrastructure and Development Reports

Item I - 5 PLANNING ADMINISTRATION

File: D19.21471

Reporting Officer: Director Infrastructure and Development – Ray Davy

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

08.19.4652 **RESOLVED** on the motion Cr Ugarte and Allen that the Planning Administration report be received and noted.

Officer Recommendation:

1. That the report be noted.
2. That approval be given to advertise a proposed fee of $10 (including GST) per week for the private use of Council-owned animal traps, with a $25 refundable deposit

Purpose of Report

To advise Council of activities in the Planning area.

Item I - 6 MAINTENANCE AND CONSTRUCTION PROGRAM

File: D18.11716

Reporting Officer: Director of Infrastructure and Development – Ray Davy

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

08.19.4653 **RESOLVED** on the motion Cr Ugarte and Allen that the Planning Administration report be received and noted.

Officer Recommendation:

1. That the report be noted.
2. That approval be given to advertise a proposed fee of $175.00 for installation of reduced capacity raw water supply to residential premises

Purpose of Report

To provide Council with a progress report on works currently in hand, and to update Council on matters previously referred to the DID for report.

QUESTIONS ON NOTICE There were no questions on notice.

08.19.4654 **RESOLVED** on the motion Cr Mannix and Roberts that Council go into closed committee to discuss the confidential matters.

CLOSED MEETING - CONFIDENTIAL MATTERS

08.19.4655 **RESOLVED** on the motion Cr Byron and Mannix that Council revert back to open Council and the Mayor reported the recommendations of the closed committee.

Item CI - 1 CONFIDENTIAL ITEM – ATLAS-CAMPASPE MIMINERAL SANDS PROJECT: PROPOSED MODIFICATION TO DEVELOPMENT CONSENT

File: D19.21734

Reporting Officer: Director of Infrastructure and Development – Ray Davy

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

Reason for Confidentiality
This report is CONFIDENTIAL in accordance with Section 10A (2) (c) of the Local Government Act 1993, which information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business

08.19.4656 **RESOLVED** on the motion Cr Byron and Mannix that the report be received and recommendation be adopted.

Officer Recommendation:
That Council authorise the General Manager to advise the Department of Planning, Industry and Environment of Council's support for the proposed modification of the Atlas-Campaspe Mineral Sands Project, subject to satisfactory agreement being reached with Tronox Limited in relation to the management and maintenance of local roads affected by the proposed change.

Purpose of Report

To obtain Council endorsement of support for proposed modifications to the development approval for the Atlas-Campaspe Mineral Sands Project.

CLOSURE: There being no further business the meeting closed at 6.45pm.

Confirmed, Chairman of the Ordinary Meeting of the Balranald Shire Council held on Tuesday 17th September 2019 at which the meeting the signature was subscribed hereto:

Chairman

General Manager