



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 18 May 2021**

**Order Of Business**

<b>1</b>	<b>Opening of Meeting</b> .....	<b>4</b>
<b>2</b>	<b>Acknowledgment of country</b> .....	<b>4</b>
<b>3</b>	<b>Apologies</b> .....	<b>4</b>
<b>4</b>	<b>Confirmation of Minutes</b> .....	<b>4</b>
4.1	Minutes of the Council Meeting held on 22 April 2021 .....	4
<b>5</b>	<b>Disclosure of Interest</b> .....	<b>4</b>
Mr Oliver McNulty, General Manager, declared a Non-Pecuniary interest in item 13.1, Planning Administration Report because he is named as being land owner.		
<b>6</b>	<b>Administrator Minute/Report</b> .....	<b>4</b>
<b>7</b>	<b>Committee Reports for Adoption</b> .....	<b>4</b>
7.1	SPORT AND RECREATION ADVISORY COMMITTEE HELD ON 25 FEBRUARY 2021 .....	4
7.2	Balranald Beautification Advisory Committee - held on 14th April 2021 .....	5
7.3	Growing Business Industry & Tourism Advisory Committee Meetings held on 3 March and 13 April 2021 .....	5
7.4	Euston Progressive Advisory Committee held on 29th March and 26th April 2021 .....	6
<b>General Manager's Reports (incorporating all staff reports) .....</b>		
<b>Part A – Items Requiring Decision.....</b>		
<b>8</b>	<b>General Manager's Reports</b> .....	<b>6</b>
8.1	REQUEST FOR SPONSORSHIP - SHITBOX RALLY.....	6
8.2	STAFF DEVELOPMENT - OFFICE CLOSURE.....	7
8.3	Operational Plan 2020-2021 Q3 Progress Report .....	7
<b>9</b>	<b>Corporate &amp; Community Services Reports</b> .....	<b>7</b>
Nil		
<b>10</b>	<b>Infrastructure &amp; Development Reports</b> .....	<b>8</b>
10.1	Commoner Application - Ray Mitchell.....	8
10.2	Commoner Application - Gerdi Rand.....	8
10.3	TENDERS - RFT 20/21-09 – CONSTRUCTION OF FOOTBALL CHANGE SHEDS .....	8
10.4	Infrastructure Report .....	9
10.5	TENDERS – RFT 20/21-06 - CONSTRUCTION OF TENNIS COURTS AT GREENHAM PARK, BALRANALD.....	9
10.6	TENDERS – RFT 20/21-15 - DESIGN AND CONSTRUCTION OF A CREATIVE LEARNING CENTRE AT BALRANALD ART GALLERY.....	10
10.7	TENDERS – RFT 20/21-17 SUPPLY AND INSTALLATION OF GRIDS.....	10
10.8	BALRANALD LANDFILL .....	10
<b>Part B – Items for Information.....</b>		
<b>11</b>	<b>General Manager's Reports</b> .....	<b>11</b>

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11.1	ADMINISTRATOR, GENERAL MANAGER AND DIRECTORS MEETINGS .....	11
11.2	OUTSTANDING ACTIONS FROM PREVIOUS MEETINGS .....	11
11.3	CIRCULARS FROM OFFICE LOCAL GOVERNMENT .....	11
<b>12</b>	<b>Corporate &amp; Community Services Reports.....</b>	<b>12</b>
12.1	STATEMENT OF FUNDS - APRIL 2021 .....	12
<b>13</b>	<b>Infrastructure &amp; Development Reports .....</b>	<b>12</b>
13.1	Planning Administration.....	12
<b>14</b>	<b>Notice of Motion / Questions on Notice .....</b>	<b>13</b>
	Nil	
<b>15</b>	<b>Confidential Matters .....</b>	<b>13</b>
	Nil	

**MINUTES OF BALRANALD SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, MARKET STREET BALRANALD  
ON TUESDAY, 18 MAY 2021 AT 5PM**

**1 OPENING OF MEETING****2 ACKNOWLEDGMENT OF COUNTRY**

We pay our respect to the Traditional Custodians of the Lands where we hold this meeting to Elders past, present and emerging.

**PRESENT:**

Administrator Mike Colreavy

**IN ATTENDANCE:**

Terri Bilske (Director Corporate & Community Services), Ray Davy (Director Infrastructure & Development), Carol Holmes (Senior Executive Officer), and Oliver McNulty (General Manager),

**3 APOLOGIES**

Nil

**4 CONFIRMATION OF MINUTES****4.1 MINUTES OF THE COUNCIL MEETING HELD ON 22 APRIL 2021**

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**RESOLUTION 2021/53**

Moved: Administrator Mike Colreavy

That the Minutes of the Council Meeting held on 22 April 2021 be received and adopted.

**CARRIED**

**5 DISCLOSURE OF INTEREST**

Mr Oliver McNulty, General Manager, declared a Non-Pecuniary interest in item 13.1, Planning Administration Report because he is named as being land owner.

**6 ADMINISTRATOR MINUTE/REPORT - Nil****7 COMMITTEE REPORTS FOR ADOPTION****7.1 SPORT AND RECREATION ADVISORY COMMITTEE HELD ON 25 FEBRUARY 2021  
AND 28 APRIL 2021**

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**RESOLUTION 2021/54**

Moved: Administrator Mike Colreavy

That Council

1. Receives and notes the Minutes of the Sport & Recreation Advisory Committee (SARAC) for meetings held on both 25 February 2021 and 28 April 2021.
2. Notes the priority project lists proposed by the SARAC for the Stronger Country Communities Fund – Round Four and passes these lists onto the General Manager for consideration when suitable funding streams become available.
3. That all relevant advisory committees be consulted about the distribution of the Stronger Country Communities Funds grant money to obtain their input.
4. That the matter of wider sport club representation on the Sport and Recreation Advisory Committee be investigated and reported back to council.

**CARRIED**

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## **7.2 BALRANALD BEAUTIFICATION ADVISORY COMMITTEE - HELD ON 14TH APRIL 2021**

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### **RESOLUTION 2021/55**

Moved: Administrator Mike Colreavy

That Council;

1. Receives and notes the Minutes of the Balranald Beautification Advisory Committee (BBAC) meeting held on 14th April 2021;
2. Notes that the letters provided by BBAC, separate to the meeting minutes, will be responded to by the General Manager and the outcomes of these requests will be reported back to the Committee and to Council through the next available committee meeting; and
3. That the General Manager engage with the BBAC in relation into the priorities reported in the Minutes of their meeting of 14 April 2021.

**CARRIED**

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## **7.3 GROWING BUSINESS INDUSTRY & TOURISM ADVISORY COMMITTEE MEETINGS HELD ON 3 MARCH AND 13 APRIL 2021**

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### **RESOLUTION 2021/56**

Moved: Administrator Mike Colreavy

That Council:

1. Receives and notes the minutes of the meetings held on 3 March and 13 April 2021.
2. Refers the safety concerns of the heavy traffic through Market St raised by the GBITAC to the Local Traffic Committee.
3. Ensures a Council representative is present for the workshops to assist in the drafting of the GBITAC Annual Plan.
4. That the resolutions of Council on Advisory Committee recommendations noted in the draft Council Meeting Minutes be extracted and sent to the respective Committee Chairperson(s) as soon as practicable.
5. Commits to dedicating space in the Council Community News (the newsletter) for a rotation of Advisory Committee summary reports (covering a different Advisory Committee each Month).

**CARRIED**

**7.4 EUSTON PROGRESSIVE ADVISORY COMMITTEE HELD ON 29TH MARCH AND 26TH APRIL 2021**

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**RESOLUTION 2021/57**

Moved: Administrator Mike Colreavy

That Council:

1. Receives and notes the Minutes of the Euston Progressive Advisory Committee (EPAC) meeting held on Monday 29 March 2021.
2. Notes that a scheduled EPAC meeting held on Monday 26th April did not achieve a quorum and only notes were taken on discussions.
3. Investigate the cost to install tiling in the Lake Benanee public toilets and assess appropriate funding sources.

**CARRIED**

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

**PART A – ITEMS REQUIRING DECISION**

**8 GENERAL MANAGER’S REPORTS**

**8.1 REQUEST FOR SPONSORSHIP - SHITBOX RALLY**

**PURPOSE OF REPORT**

To advise Council of a request from “DADFA’s” Team for Sponsorship for participation in the Cancer Council’s Shitbox Rally.

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**RESOLUTION 2021/58**

Moved: Administrator Mike Colreavy

That Council donate \$550 in line with past practice towards the Cancer Council in support of the DADFA’s team by providing silver sponsorship towards their participation in the Shitbox Rally.

**CARRIED**

**8.2 STAFF DEVELOPMENT - OFFICE CLOSURE****PURPOSE OF REPORT**

To advise Council of a Staff Development Workshop for all office staff to attend.

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**RESOLUTION 2021/59**

Moved: Administrator Mike Colreavy

1. That Council approves the closure of Council's facilities, including office, library, VIC, Depot and Service NSW on Friday 11th June to enable all staff to attend a Staff Development Workshop.
2. That the General Manager advertises closure of Council's office and Service NSW for the morning of Friday 11th June, from 8.30am –2pm.

**CARRIED**

**8.3 OPERATIONAL PLAN 2020-2021 Q3 PROGRESS REPORT****PURPOSE OF REPORT**

Under the Integrated Planning and Reporting ("IP&R") Framework, Council is required to report on its progress in implementing its Delivery Program and Operational Plan. This requirement is reflected in section 404(5) of the Local Government Act 1993 ("the Act"), which stipulates that the General Manager must ensure that regular progress reports are provided to the Council, at intervals of no more than six months, detailing the organisation's progress with respect to the principal activities detailed in the Delivery Program. It is the General Manager's Intention to provide Council with quarterly progress reports in relation to the progress of actions as outlined within the Operational Plan. This is the second of these quarterly progress reports in this current financial year.

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**RESOLUTION 2021/60**

Moved: Administrator Mike Colreavy

That Council receives and notes the Operational Plan 2020-2021 Progress Report, contained in Attachment 1.

**CARRIED**

**9 CORPORATE & COMMUNITY SERVICES REPORTS**

Nil

**10 INFRASTRUCTURE & DEVELOPMENT REPORTS****10.1 COMMONER APPLICATION - RAY MITCHELL****10.2 COMMONER APPLICATION - GERDI RAND****PURPOSE OF REPORT**

To advise Council of an application received from Mr Ray Mitchell and Ms Gerdi Rand for enrolment as a Commoners on the Balranald Common.

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**RESOLUTION 2021/61**

Moved: Administrator Mike Colreavy

That Council approves the applications of Mr Ray Mitchell and Ms Gerdi Rand to be enrolled as Commoners on the Balranald Common.

**CARRIED**

This report was considered and Resolved with item 10.1.

**10.2 COMMONER APPLICATION - GERDI RAND****PURPOSE OF REPORT**

To advise Council of an application received from Ms Gerdi Rand for enrolment as a Commoner on the Balranald Common.

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**10.3 TENDERS - RFT 20/21-09 – CONSTRUCTION OF FOOTBALL CHANGE SHEDS****PURPOSE OF REPORT**

To inform Council of the outcome of tenders for the design and construction of new football change sheds at Greenham Park, Balranald

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**RESOLUTION 2021/62**

Moved: Administrator Mike Colreavy

1. That Council resolves in accordance with Regulation 178(1)(b) of the *Local Government (General) Regulations 2005* not to accept any tender for the design and construction of proposed football change sheds at Greenham Park, Balranald.
  2. That Council resolves in accordance with *Regulation 178(3)(e) of the Local Government (General) Regulations 2005* to enter into non-binding negotiations with P.J. & S.G. Murphy Builders for the works for the following reasons:
    - (a) None of the tenders received offered to undertake the works within Council's budget; and
    - (b) Council is satisfied that the tender process resulted in a fair representation of the local contracting market for works of this nature and that it is unlikely that fresh tenders will result in any substantially different outcome in this regard; and
    - (c) Council believes, on independent professional advice, that the best value for money is likely to be achieved through negotiations with a preferred contractor; and
    - (d) The tender received from P.J. & S.G. Murphy Builders offered the best value for money of
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the tenders received and would have been the preferred tender in the event that Council resolved to accept any tender for the works.

3. That the General Manager be delegated authority to enter into a contract for the works with P.J. & S.G. Murphy Builders should negotiations result in an outcome within Council's budget for the works, and report the outcome to the June Ordinary Council Meeting.

**CARRIED**

#### **10.4 INFRASTRUCTURE REPORT**

##### **PURPOSE OF REPORT**

To update Council on infrastructure works currently in hand and in planning, updated to 12 May 2021.

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##### **RESOLUTION 2021/63**

Moved: Administrator Mike Colreavy

That Council;

1. Receives and notes the monthly update of infrastructure projects report
2. Approves the updated schedule of projects, to be funded under the Local Roads and Community Infrastructure programme, round 1 and round 2, as set out in the attachment to this report.

**CARRIED**

#### **10.5 TENDERS – RFT 20/21-06 - CONSTRUCTION OF TENNIS COURTS AT GREENHAM PARK, BALRANALD**

##### **PURPOSE OF REPORT**

To recommend acceptance of the tender for the subject works.

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##### **RESOLUTION 2021/64**

Moved: Administrator Mike Colreavy

That Council;

1. Accepts the tender received from Equipment Solutions Plus Pty Ltd in the amount of \$250,375.44 including GST for Contract RFT - 20-21-06 - Construction of Tennis Courts at Greenham Park, Balranald;
2. Authorises the General Manager and Administrator to sign and affix the Common Seal of Balranald Shire Council to the Contract RFT - 20-21-06 - Construction of Tennis Courts at Greenham Park, Balranald documentation;
3. Authorises the General Manager to approve variations on the Contract RFT - 20-21-06 - Construction of Tennis Courts at Greenham Park, Balranald up to a maximum value of 10%.

**CARRIED**

**10.6 TENDERS – RFT 20/21-15 - DESIGN AND CONSTRUCTION OF A CREATIVE LEARNING CENTRE AT BALRANALD ART GALLERY****PURPOSE OF REPORT**

To recommend acceptance of the lowest tender for the subject works.

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**RESOLUTION 2021/65**

Moved: Administrator Mike Colreavy

That Council

1. Accepts the tender received from PJ & SG Murphy Builders Pty Ltd for the Contract RFT 20-21-15 to Design and Construct the Creative Learning Centre at Balranald Art Gallery in the amount of \$255,000.00 including GST.
2. Authorises the General Manager and Administrator to sign and affix the Common Seal of Balranald Shire Council to the Contact documentation for the Design and Construct the Creative Learning Centre at Balranald Art Gallery
3. Authorises the General Manager to approve variations on the Contact up to a maximum value of 10%

**CARRIED**

**10.7 TENDERS – RFT 20/21-17 SUPPLY AND INSTALLATION OF GRIDS****PURPOSE OF REPORT**

To recommend acceptance of the lowest tender for the subject works.

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**RESOLUTION 2021/66**

Moved: Administrator Mike Colreavy

That this matter be deferred to the Extraordinary Council Meeting held on 27 May 2021.

**CARRIED**

**10.8 BALRANALD LANDFILL****PURPOSE OF REPORT**

To provide Council with an update on the management of the Balranald Landfill.

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**RESOLUTION 2021/67**

Moved: Administrator Mike Colreavy

1. That the current arrangement with Cleanaway Ltd for the management of the Balranald Landfill be extended until 31 December 2021 on the terms set out in the confidential attachment.
2. That a report be brought to Council in September 2021 with recommendations for the long-term management of the facility.

**CARRIED**

**PART B – ITEMS FOR INFORMATION****11 GENERAL MANAGER'S REPORTS****11.1 ADMINISTRATOR, GENERAL MANAGER AND DIRECTORS MEETINGS****PURPOSE OF REPORT**

To advise Council of the meetings undertaken on behalf of Council by the Administrator, General Manager and Directors since April 2021 Ordinary Meeting.

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**RESOLUTION 2021/68**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

**11.2 OUTSTANDING ACTIONS FROM PREVIOUS MEETINGS****PURPOSE OF REPORT**

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

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**RESOLUTION 2021/69**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

**11.3 CIRCULARS FROM OFFICE LOCAL GOVERNMENT****PURPOSE OF REPORT**

To provide Council with copies of the circulars received from Office Local Government during the month of April 2021.

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**RESOLUTION 2021/70**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

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**12 CORPORATE & COMMUNITY SERVICES REPORTS****12.1 STATEMENT OF FUNDS - APRIL 2021****PURPOSE OF REPORT**

The purpose of this report is to:

1. Advise Council of the balance of funds and investments held for the month ending 30 April 2021;
  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.
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**RESOLUTION 2021/71**

Moved: Administrator Mike Colreavy

That Council receives and notes the Statement of Funds for the period ending 30 April 2021.

**CARRIED**

**13 INFRASTRUCTURE & DEVELOPMENT REPORTS**

Mr McNulty vacated the Chair of General Manager at 6.38pm because he had declared a Non Pecuniary interest in the following report.

Director Infrastructure & Development, Mr Ray Davy commenced in the General Manager Chair.

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**13.1 PLANNING ADMINISTRATION****PURPOSE OF REPORT**

To advise Council of activities in the Planning area

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**RESOLUTION 2021/72**

Moved: Administrator Mike Colreavy

That the report be received and noted.

**CARRIED**

General Manager, Mr McNulty returned at 6.39pm

14 NOTICE OF MOTION / QUESTIONS ON NOTICE

Nil

15 CONFIDENTIAL MATTERS

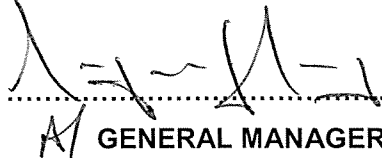
Nil

The Meeting closed at 6.40pm.

The minutes of this meeting were confirmed at the Council Meeting held on 15 June 2021.



ADMINISTRATOR



GENERAL MANAGER

