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ABN 84 873 116 132

September 21, 2016

ORDINARY MONTHLY MEETING

TO BE HELD

WEDNESDAY, SEPTEMBER 28, 2016

Dear Sir/Madam,

Your attendance is requested at the Ordinary Meeting of the Council of the City of Broken Hill to be held in the Council Chamber, Sulphide Street, Broken Hill on **Wednesday, September 28, 2016** commencing at 6:30 p.m. to consider the following business:

- 1) Apologies
- 2) Prayer
- 3) Acknowledgement of Country
- 4) Public Forum
- 5) Minutes for Confirmation
- 6) Disclosure of Interest
- 7) Mayoral Minute
- 8) Notice of Motion
- 9) Notices of Rescission
- 10) Reports from Delegates
- 11) Reports
- 12) Committee Reports
- 13) Questions on Notice
- 14) Questions for Next Meeting
- 15) Closed


JAMES RONCON
GENERAL MANAGER

MINUTES FOR CONFIRMATION

Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held Wednesday,
August 31, 2016.

REPORTS

1.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 191/16 - DATED AUGUST 29, 2016 - ELECTION OF DEPUTY MAYOR (11/18)</u>	5
2.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 193/16 - DATED AUGUST 29, 2016 - APPOINTMENT OF DELEGATES TO COMMITTEES - SEPTEMBER 2016 TO SEPTEMBER 2017 (11/9)</u>	8
3.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 194/16 - DATED JULY 20, 2016 - PUBLIC INTEREST DISCLOSURES ANNUAL REPORT 2015/2016 (12/67)</u>	14
4.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 195/16 - DATED SEPTEMBER 06, 2016 - DELEGATION OF FUNCTIONS (11/264)</u>	30
5.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 196/16 - DATED SEPTEMBER 19, 2016 - DISCLOSURE OF INTEREST RETURNS (11/265, 11/646)</u>	262
6.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 197/16 - DATED AUGUST 01, 2016 - DRAFT 2016/2017 COUNCILLOR SUPPORT POLICY FOR PUBLIC EXHIBITION (12/114)</u>	263
7.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 198/16 - DATED SEPTEMBER 14, 2016 - CORRESPONDENCE REPORT - OFFICE OF LOCAL GOVERNMENT COUNCILLOR WORKSHOP (11/355)</u>	282
8.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 199/16 - DATED SEPTEMBER 14, 2016 - CORRESPONDENCE REPORT - RELEASE OF IPART ISSUES PAPER FOR THE REVIEW OF PRICES FOR WATERNSW TO APPLY FROM JULY 1, 2017 (11/426)</u>	286
9.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 200/16 - DATED SEPTEMBER 13, 2016 - INVESTMENT REPORT FOR AUGUST 2016 (11/48)</u>	294
10.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 201/16 - DATED AUGUST 01, 2016 - ADOPTION OF DRAFT LOCAL APPROVALS POLICY (12/14)</u>	309

11.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 202/16 - DATED SEPTEMBER 05, 2016 - ADOPTION OF COUNCIL BUSINESS CONTINUITY POLICY (12/14)</u>	357
12.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 203/16 - DATED SEPTEMBER 12, 2016 - PLANNING AND DEVELOPMENT STATUS REPORT - AUGUST 2016 (11/467)</u>	363
13.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 204/16 - DATED SEPTEMBER 12, 2016 - S355 COMMITTEE TERM REPORTS 2012-2016 AND ANNUAL REPORTS 2015-2016 (16/94)</u>	364
14.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 205/16 - DATED SEPTEMBER 16, 2016 - AUDIT, RISK AND IMPROVEMENT COMMITTEE - INDEPENDENT MEMBERS APPOINTMENT (13/19)</u>	388
15.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 206/16 - DATED SEPTEMBER 16, 2016 - SAFE HAVEN ENTERPRISE VISA SCHEME (11/161)</u>	391
16.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 207/16 - DATED SEPTEMBER 16, 2016 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 363 HELD TUESDAY SEPTEMBER 6, 2016 (11/397)</u>	402
17.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 208/16 - DATED SEPTEMBER 20, 2016 - ACTION LIST REPORT - SEPTEMBER (11/25)</u>	421

ORDINARY MEETING OF THE COUNCIL

August 29, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 191/16

SUBJECT: ELECTION OF DEPUTY MAYOR

11/18

Recommendation

1. That Broken Hill City Council Report No. 191/16 dated August 29, 2016, be received.
2. That Council elect the Deputy Mayor at this meeting.
3. That the Deputy Mayor be elected for a 12 month term concluding at the September 2017 Council Meeting.
4. That voting for the Deputy Mayor Election be open voting, this is "show of hands".

Executive Summary:

Councillors may elect one councillor to be Deputy Mayor. This person may be elected for the Mayoral term or for a shorter term. Council has historically elected a Deputy Mayor for a 12 month period.

Nomination forms for the election of Deputy Mayor are enclosed with the business paper. Councillors wishing to nominate a candidate for the Office of Deputy Mayor may complete the form prior to the meeting and forward it to the Returning Officer (General Manager). However, it is still open to Councillors to nominate a candidate at the meeting if they so wish, provided the formalities concerning signatures and consent are observed. The nomination form for Deputy Mayor is attached to this report (Attachment 1).

Completed nomination forms should be given to the Returning Officer prior to the meeting or brought to the meeting and handed to the Returning Officer prior to the commencement of the meeting.

Report:

The Deputy Mayor's role is to exercise any function of the Mayor:-

- At the request of the Mayor, or
- If the Mayor is prevented by illness, absence, or otherwise from exercising the function; or
- If there is a casual vacancy in the Office of Mayor.

If no Deputy Mayor is elected or if the Deputy Mayor is unable to act, the Councillors may elect one of their number to act as Deputy Mayor.

The election is to be conducted in accordance with the Local Government (General) Regulations, which provides:-

- The General Manager or person appointed by the General Manager is the Returning Officer.

- Nominations may be made without notice but must be in writing signed by two or more Councillors one of whom may be the nominee. Nominations are to be announced and elections conducted at the same meeting.
- Nominations are not valid unless the Councillors nominated give consent to the nomination in writing.
- If more than one Councillor is nominated the Council must decide by resolution whether the election will proceed by preferential ballot, ordinary ballot or open voting. Preferential ballots and Ordinary Ballots are to be secret ballots. Open voting means a show of hands or similar means.

Strategic Direction:

Key Direction: 4 Our Leadership
Objective: 4.2 Our Leaders Make Smart Decisions
Function: Corporate Support
DP Action: 4.2.1.10 Increase Leadership capacity within Council

Relevant Legislation:

Local Government Act 1993
Local Government (General) Regulations.

Financial Implications:

The Deputy Mayor is entitled to an additional fee when acting in the role of Mayor.

This additional fee is a daily fee based on the annual additional Mayoral fee; with daily fee being calculated dependent on the number of days in the month, with the fee so payable deducted from the Mayor's fee.

Attachments

1. Nomination Form Deputy Mayor 1 Page

JAMES RONCON
GENERAL MANAGER

**BROKEN HILL**
CITY COUNCIL

To the Returning Officer/General Manager
Broken Hill City Council
PO Box 448
BROKEN HILL NSW 2880

NOMINATION FOR DEPUTY MAYOR

We, the undersigned Councillors of the City of Broken Hill hereby nominate the following Councillor for the position of Deputy Mayor:

Councillor _____

Nominated by:

Councillor	Signature

I, the undersigned, hereby accept the above nomination for the position of Deputy Mayor.

Councillor	Signature

DATE: ____ / ____ / 2016

AUSTRALIA'S FIRST HERITAGE LISTED CITY

ORDINARY MEETING OF THE COUNCIL

August 29, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 193/16

SUBJECT: APPOINTMENT OF DELEGATES TO COMMITTEES -
SEPTEMBER 2016 TO SEPTEMBER 2017

11/9

Recommendation

1. That Broken Hill City Council Report No. 193/16 dated August 29, 2016, be received.
2. That Council determine its Councillor delegates to its Section 355 Committees and various other Committees.
3. That all Councillor membership be for a twelve month period commencing immediately and ceases at the September 2017 Council Meeting, with the exception of the Broken Hill Heritage Committee.
4. That Councillor membership on the Broken Hill Heritage Committee commences October 10, 2016 to the September 2017 Council Meeting; and that the current delegates remain on the Committee until October 10, 2016 to ensure the success of the inaugural Miners' Memorial Day on October 9, 2016.
5. That Council advertises for community representation on the various Section 355 Committees in accordance with their respective constitutions.

Executive Summary:

Council needs to determine its representation on the Section 355 Committees of Council and also its delegates to various other organisations and committees. These machinery matters are usually considered by Council annually at the September Council Meeting.

Councillors are encouraged to send their preferences to the General Manager in the days prior to the Council Meeting, as this will assist with the flow of the meeting.

Report:

Section 355 of the *Local Government Act 1993* provides that a function of the Council may be exercised:

- (a) by the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means, or
- (b) by a committee of the council, or
- (c) partly or jointly by the council and another person or persons, or
- (d) jointly by the council and another council or councils, or
- (e) by a delegate of the council.

Council currently has 10 Section 355 committees, as follows:

- Alma Oval Community Committee
- Broken Hill Heritage Committee

- Broken Hill Regional Art Gallery Advisory Committee
- BIU Band Hall Community Committee
- ET Lamb Memorial Oval Community Committee
- Friends of the Flora and Fauna of the Barrier Ranges Community Committee
- Memorial Oval Community Committee
- Norm Fox Sportsground Community Committee
- Picton Sportsground Community Committee
- Riddiford Arboretum Community Committee

Broken Hill Heritage Committee

As the Broken Hill Heritage Committee is currently undertaking the final preparations for the inaugural Miners' Memorial Day to be held on Sunday, October 9, 2016; it is recommended that the current membership remains unchanged until after this inaugural event. This will ensure the continuity of preparations and therefore the success of this important community event.

The constitutions of the above committees detail its membership and all Section 355 Committees include Councillor representation in their membership.

Attachment 1 to this report lists the current committees and the number of Councillor delegates required for the effective operation of the Committees. Attachment 1 also lists other various internal and external working groups, committees or organisations where Council is also represented by elected Councillors.

Following Council's resolution on this matter, Community membership to the Section 355 Committees will be advertised and reported to the November Council meeting to determine appointments.

Strategic Direction:

Key Direction:	4	Our Leadership
Objective:	4.3	We Unite to Succeed
Function:		Leadership and Governance
DP Action:	4.3.1.2	Support Council's Section 355 Committees in undertaking their duties with Council

Relevant Legislation:

Local Government Act 1993 (Section 355)

Financial Implications:

Council's current Operational Plan includes provision for travel and related expenses for Council delegates to represent Council outside of Broken Hill.

Attachments

1. Number of Councillor Representatives required on various Committees 4 Pages

JAMES RONCON
GENERAL MANAGER



COUNCIL DELEGATES TO SECTION 355 COMMITTEES AND OTHER COMMITTEES

Sept 2016 to Sept 2017

COUNCIL S355 COMMITTEES	
COMMITTEE NAME	DELEGATES REQUIRED
Community Strategic Plan Round Table	Mayor 3 Key Direction Portfolio Councillors + Alternates <u>Our Leadership</u> Mayor 1 Alternate <u>Our Community</u> 1 Councillor 1 Alternate <u>Our Economy</u> 1 Councillor 1 Alternate <u>Our Environment</u> 1 Councillor 1 Alternate
Alma Oval Community Committee	At least 1 Councillor
Broken Hill Heritage Committee	3 Councillors
Broken Hill Regional Art Gallery Advisory Committee	3 Councillors
BIU Band Hall Community Committee	At least 1 Councillor

ET Lamb Memorial Oval Community Committee	At least 1 Councillor
Friends of the Flora and Fauna of the Barrier Ranges Community Committee	At least 1 Councillor
Memorial Oval Community Committee	At least 1 Councillor
Norm Fox Sportsground Community Committee	At least 1 Councillor
Picton Sportsground Community Committee	At least 1 Councillor
Riddiford Arboretum Community Committee	At least 1 Councillor
OTHER COMMITTEES	
COMMITTEE NAME	DELEGATES REQUIRED
Association of Mining Related Councils	1 Councillor
Australia Day Advisory Group	4 Councillors
Audit, Risk & Improvement Committee	2 Councillors
Asset Naming Committee	5 Councillors
Broken Hill Lead Reference Group	1 Councillor
Broken Hill Living Museum and Perfect Light Project Steering Group	Mayor 3 Councillors
Broken Hill Liquor Accord	1 Councillor
Broken Hill Solar Plant Community Consultative Committee	1 Councillor
Broken Hill Traffic Committee	1 Councillor (observer only)

Broken Hill ClubGRANTS Committee	2 Councillors
Community Assistance Grants Panel	Mayor 1 Councillor
Community Development Grants Assessment Panel (Community Assessment Panel)	1 Councillor
Disability Inclusion Action Plan Working Group	2 Councillors
Essential Water Customer Council	1 Councillor
General Manager's Performance Review Committee	Mayor Deputy Mayor 3 Councillors
Integrated Waste Management Working Group	Mayor 4 Councillors
Local Government Fit for the Future – Far West Initiative Advisory Committee	Mayor
Murray Darling Association	2 Councillors
National Parks and Wildlife Service Far West Regional Consultative Committee	1 Councillor
Reconciliation Action Plan (RAP)	3 Councillors
Robinson College Board	1 Councillor
Silverton Wind Farm Community Consultative Committee	1 Councillor
University Partnership Working Party	Mayor 1 Councillor
West Darling Arts	1 Councillor
Western Division Councils	2 Councillors
Western NSW Mining and Resource Development Taskforce	Mayor

Trust for Recreational Reserve (Broken Hill to Silverton Cycleway)	1 Councillor
Volunteer Working Group	4 Councillors

QUALITY CONTROL TABLE

MINUTE NO.	DATE	RESOLUTION
	September 28, 2016	Appointment of Delegates to Committees

ORDINARY MEETING OF THE COUNCIL

July 20, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 194/16

SUBJECT: PUBLIC INTEREST DISCLOSURES ANNUAL REPORT 2015/2016
12/67

Recommendation

1. That Broken Hill City Council Report No. 194/16 dated July 20, 2016, be received.
2. That the Broken Hill City Council Public Interest Disclosures Annual Report be forwarded to the Minister for Local Government and the NSW Ombudsman by 30 October 2016.

Executive Summary:

In accordance with Section 31 of the *Public Interest Disclosures Act 1994 (the Act)* each public authority must, within four months after the end of each reporting year, prepare an annual report on the public authority's obligations under the Act for submission to the Minister responsible for the public authority. A copy of the report is also to be provided to the NSW Ombudsman.

Council adopted the Reporting of Public Interest Disclosures Policy on 25 November 2015. The objective of this policy is to establish an internal reporting system for staff and Councillors to report wrongdoing without fear of reprisal. The policy sets out to whom wrongdoing can be reported at Broken Hill City Council, what can be reported and how reports of wrongdoing will be dealt with. A copy of the Reporting of Public Interest Disclosures Policy is attached for Council's information.

The Act focuses on corrupt conduct, maladministration, serious and substantial waste of public money or local government money (as appropriate), Government information contraventions and local government pecuniary interest contraventions.

Council's reporting year is aligned with financial year reporting. As such, this report is for 1 July 2015 through to 30 June 2016.

Report:

The *Public Interest Disclosures Regulation 2011 – Reg 4* requires the following information to be included in the Public Interest Disclosures Annual Report:

The <i>Public Interest Disclosures Regulation 2011</i>, requires the following information to be included in the Public Interest Disclosures Annual Report:		
	Requirement	Statistic
(a)	The number of public officials who have made a public interest disclosure to the public authority	Nil
(b)	The number of public interest disclosures received by the public authority in total and the number of public interest disclosures received by the public authority relating to each	Nil

	of the following: (i) corrupt conduct (ii) maladministration (iii) serious and substantial waste of public money or local government money (as appropriate) (iv) Government information contraventions (v) local government pecuniary interest contraventions	Nil Nil Nil Nil Nil
(c)	The number of public interest disclosures finalised by the public authority	Nil
(d)	Whether the public authority has a public interest disclosure policy in place	A copy of Council's Reporting of Public Interest Disclosures Policy is available on Council's website www.brokenhill.nsw.gov.au
(e)	What actions the head of the public authority has taken to ensure that his or her staff awareness responsibilities under section 6E (1) (b) of the Act have been met.	Council's Reporting of Public Interest Disclosures Policy was adopted by Council November 25, 2015 and is available on Council's website. Information on the Policies and Procedures are also included in Council's Corporate Induction program.

Strategic Direction:

Key Direction: 4. Our Leadership
 Objective: 4.1 Openness and Transparency in
 Function: Leadership & Governance
 DP Action: 4.1.1.13 Maintain good governance and best practice methods and ensure compliance with various guidelines and legislation

Relevant Legislation:

Public Disclosures Act 1994
Public Interest Disclosures Regulation 2011
Local Government Act 1993

Financial Implications:

There are no financial implications as a result of this report.

Attachments

1. Reporting of Public Interest Disclosures Policy 14 Pages

RAZIJA NU'MAN
DIVISION MANAGER CORPORATE AND HUMAN SERVICES

JAMES RONCON
GENERAL MANAGER



REPORTING OF PUBLIC INTEREST DISCLOSURES POLICY

QUALITY CONTROL

COUNCIL POLICY			
TRIM REFERENCES	12/14 – D12/11938		
RESPONSIBLE POSITION	Division Manager Corporate and Human Services		
APPROVED BY			
REVIEW DATE	October 2018	REVISION NO.	6
EFFECTIVE DATE	ACTION	MINUTE NO.	
25/1/2012	Amendment Adopted	43177	
10/10/15 – 6/11/15	Public Display	45074	
25/11/2015	Adopted	45126	

1. INTRODUCTION

Under section 6D of the *Public Interest Disclosures Act 1994* (the PID Act), public authorities are required to have a policy and procedures for receiving, assessing and dealing with public interest disclosures. The definition of public authorities includes Councils.

Broken Hill City Council is committed to encouraging and supporting the reporting of wrongdoing and corrupt conduct such as fraud, maladministration or serious and substantial waste of public money.

2. POLICY OBJECTIVE

The objective of this policy is to establish an internal reporting system for staff and Councillors to report wrongdoing without fear of reprisal. The policy sets out to whom wrongdoing can be reported at Broken Hill City Council, what can be reported and how reports of wrongdoing will be dealt with.

The policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to raise matters of concern at any time with their supervisors, but also have the option of making a report about a public interest issue in accordance with this policy and the *Public Interest Disclosures Act 1994*.

The internal reporting system established under this policy is not intended to be used for staff grievances, which should be raised through the Grievance Policy.

This Public Interest Disclosures policy is supported by the NSW Ombudsman's internal reporting policies and procedures guidelines under the *Public Interest Disclosures Act 1994*.

This policy is one of several related Council policies including its Code of Conduct, Statement of Ethical Principles, and policies relating to Gifts and Benefits, Fraud Control, and Conflicts of Interest.

3. POLICY SCOPE

This policy applies to Councillors, all employees of Council, Council volunteers, consultants and contractors working for Council. It may also apply to other persons who perform any public official functions for the Council.

4. POLICY STATEMENT

4.1. What should be reported?

You should report any wrongdoing you see within the Broken Hill City Council or any activities or incidents you see that you believe are wrong. Reports about the five categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act and local government pecuniary interest contravention – will be dealt with under the *PID Act* as public interest disclosures and according to this policy.

4.1.1. Corrupt conduct

- Corrupt conduct is the dishonest or partial exercise of official functions by a public official.

For example, this could include:

- the improper use of knowledge, power or position for personal gain or the advantage of others
- acting dishonestly or unfairly, or breaching public trust
- a member of the public influencing a public official to use their position in a way that is dishonest, biased or breaches public trust.

For more information about corrupt conduct, see the NSW Ombudsman's Guideline B2 on what can be reported at www.ombo.nsw.gov.au

4.1.2. Maladministration

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful
- refusing to grant someone a licence for reasons that are not related to the merits of their application
- issuing an order against a person without giving them procedural fairness
- failing to make a decision in accordance with official policy with no appropriate reason.

For more information about maladministration, see the NSW Ombudsman's guideline on maladministration at www.ombo.nsw.gov.au

4.1.3. Serious and substantial waste in local government

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in the loss or wastage of public money. This includes all revenue, loans and other money collected, received or held by, for or on account of the Council.

For example, this could include:

- misappropriation or misuse of public property
- purchase of unnecessary or inadequate goods and services
- poor project management practices leading to projects running over time
- having poor or no processes in place for a system involving large amounts of public funds.

For more information about serious and substantial waste, see the NSW Ombudsman's guideline on what can be reported at www.ombo.nsw.gov.au

4.1.4. Breach of the GIPA Act

A government information contravention is a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009* (GIPA Act).

For example, this could include:

- intentionally overlooking documents that are clearly covered by an access application
- destroying, concealing or altering records to prevent them from being released
- knowingly making decisions that are contrary to the legislation
- directing another person to make a decision that is contrary to the legislation.

For more information about government information contravention, see the NSW Ombudsman's guideline on what can be reported at www.ombo.nsw.gov.au.

4.1.5. Local government pecuniary interest contravention

A local government pecuniary interest contravention is a failure to comply with requirements under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, lodge written declarations and disclose pecuniary interests at Council and Council committee meetings. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example, this could include:

- a senior Council staff member recommending a family member for a Council contract and not declaring the relationship
- a General Manager holding an undisclosed shareholding in a company competing for a Council contract
- a Councillor participating in consideration of a DA for a property in which they or their family have an interest.

For more information about local government pecuniary interest contravention, see the NSW Ombudsman's guideline on what can be reported at www.ombo.nsw.gov.au.

4.1.6. Other wrongdoing

Although reports about the previous five categories of conduct can attract the specific protections of the PID Act, you should report all activities or incidents that you believe are wrong.

For example, these could include:

- harassment or unlawful discrimination
- reprisal action against a person who has reported wrongdoing
- practices that endanger the health or safety of employees or the public.

These types of issues should be reported to a supervisor, in line with the following Broken Hill City Council's policies and procedures on:

- Code of Conduct
- Statement of Ethical Principles
- Conflicts of Interest
- Equal Employment Opportunity
- Fraud Control
- Gifts and Benefits
- Grievances

All these policies are available from the home page link on Council's intranet.

Even if these reports are not dealt with as public interest disclosures, the Broken Hill City Council will consider each matter and make every attempt to protect the employee making the report from any form of reprisal.

4.1.7. When will a report be protected?

The Broken Hill City Council will support any employees who report wrongdoing. For a report to be considered a public interest disclosure, it has to meet all of the requirements under the PID Act. These requirements are:

- The report must be about one of the following five categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, or local government pecuniary interest contravention
- The person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing
- The report has to be made to either the General Manager or, for reports about the General Manager, the Mayor
 - a position nominated in this policy – see section 4.5 below

- one of the investigating authorities nominated in the PID Act – see section 4.12

Reports by employees and Councillors will not be considered to be public interest disclosures if they:

- mostly question the merits of government policy, including the policy of the governing body of the Council
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action.

4.2. How to make a report

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation.

If a report is made verbally, the person receiving the report must make a comprehensive record of the disclosure and ask the person making the disclosure to sign this record. The employee should keep a copy of this record.

If you are concerned about being seen making a report, ask to meet in a discreet location away from the workplace.

4.3. Can a report be anonymous?

There will be some situations where you may not want to identify yourself when you make a report. Although these reports will still be dealt with by the Broken Hill City Council, it is best if you identify yourself. This allows us to provide you with any necessary protection and support, as well as feedback about the outcome of any investigation into the allegations.

It is important to realise that an anonymous disclosure may not prevent you from being identified by the subjects of the report or your colleagues. If it is not known who made the report, it is very difficult to prevent any reprisal action.

4.4. Maintaining confidentiality

The Broken Hill City Council realises employees may want their report to remain confidential. This can help to prevent any action being taken against them for reporting wrongdoing.

Where possible and appropriate, Council will take steps to keep your identity, and the fact you have reported wrongdoing, confidential. However there may be situations where this may not be possible or appropriate. We will discuss with you whether it is possible to keep your report confidential.

If confidentiality cannot be maintained, we will develop a plan to support and protect you from risks of reprisal. You will be involved in developing this plan. You will also be told if your report will be dealt with under the Council's Code of Conduct, as this may mean certain information will have to be tabled at a Council meeting.

If you report wrongdoing, you should only discuss your report with those dealing with it. This will include the disclosures coordinator and the General Manager. If you discuss your report more broadly, you may affect the outcome of any investigation.

4.5. Who can receive a report within the Broken Hill City Council?

Staff are encouraged to report general wrongdoing to their supervisor. However the PID Act requires that – for a report to be a public interest disclosure – it must be made to certain public officials identified in this policy or any supporting Council procedures.

Any supervisor who receives a report that they believe may be a public interest disclosure must refer the employee making the report to one of the positions listed below.

If you are a Council employee and your report involves a Councillor, you should make it to the General Manager or the Mayor. If you are a Councillor and your report is about another Councillor, you should make it to the General Manager or the Mayor.

The following positions are the only employees within the Broken Hill City Council who can receive a public interest disclosure.

4.5.1. General Manager

You can report wrongdoing directly to the General Manager. The General Manager is responsible for:

- deciding if a report is a public interest disclosure
- dealing with reports made under the Council's Code of Conduct procedures
- determining what needs to be done next, including referring it to other authorities
- deciding what needs to be done to correct the problem that has been identified
- referring any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

The General Manager must make sure there are systems in place in the Broken Hill City Council to support and protect employees who report wrongdoing and is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

4.5.2. Mayor

If you are making a report about the General Manager, you should make your report to the Mayor. The Mayor is responsible for:

- deciding if a report is a public interest disclosure
- dealing with reports made under the Council's Code of Conduct procedures
- determining what needs to be done next, including referring it to other authorities
- deciding what needs to be done to correct the problem that has been identified.

The Mayor must make sure there are systems in place in the Broken Hill City Council to support and protect employees who report wrongdoing.

If the report is about the General Manager, the Mayor is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

4.5.3. Disclosures coordinator

The disclosures coordinator has a central role in dealing with reports made by employees. The disclosures coordinator will receive, assess, and refer to the people within the Broken Hill City Council who can deal with the reporter appropriately.

- deciding if a report is a public interest disclosure and how each report will be dealt with in consultation with the General Manager
- dealing with reports made under the Council's Code of Conduct procedures
- coordinate the response to the report
- acknowledge reports and provide updates and feedback to the reporter
- assess whether it is possible and appropriate to keep the reporter's identity confidential
- assess the risk of reprisal and workplace conflict related to or likely to arise out of a report and develop strategies to manage any risk identified
- where required, provide or coordinate support to staff involved in the reporting or investigation process, including protecting the interest of any officer the subject of a report
- provide six monthly reports to the NSW Ombudsman in accordance with section 6CA of the PID ACT.

Council's Disclosures Coordinator is the Division Manager Corporate and Human Services.

4.5.4. Disclosures officer

Disclosures Officers work with the Disclosures Coordinator, and are responsible for receiving, forwarding and/or dealing with reports made in accordance with this policy. The Disclosure Officer is responsible for:

- Documenting in writing any reports received verbally and have the document signed and dated by the reporter
- Making arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary away from the workplace
- Discussing with the reporter any concerns they may have about reprisal or workplace conflict
- Carrying out preliminary assessment and forward reports to the Disclosures Coordinator or General Manager for full assessment.

Council's Disclosures Officer is the Corporate Services Coordinator.

4.5.5 Supervisors and line managers

Supervisors and line managers play an important role in managing the immediate workplace of those involved in or affected by the internal reporting process. Supervisors and line managers should be aware of the internal reporting policy and are responsible for creating a local work environment where staff are comfortable and confident about reporting wrongdoing. They have a responsibility to:

- Encourage staff to report known or suspected wrongdoing within the organisation and support staff when they do
- Identify reports made to them in the course of their work which could be public interest disclosures, and assist the staff member to make the report to an officer authorised to receive public interest disclosures under this policy
- Implement local management strategies, in consultation with the disclosures coordinator, to minimise the risk of reprisal or workplace conflict in relation to a report
- Notify the Disclosures Coordinator or General Manager immediately if they believe a staff member is being subjected of reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the General Manager, notify the Mayor.

4.6. Who can receive a report outside of the Broken Hill City Council.

Staff and Councillors are encouraged to report wrongdoing within the Broken Hill City Council, but internal reporting is not the only option. You can also make a public interest disclosure to an investigating authority. Employees can do this first, or at any stage after their initial report to the Broken Hill City Council. If your report is about the General Manager or the Mayor, you should consider making it to an investigating authority. You can also choose to make a report to a Member of Parliament or a journalist, but **only** in limited circumstances.

4.6.1. Investigating authorities

The Public Interest Disclosures (PID) Act lists a number of investigating authorities in NSW where staff and Councillors can report wrongdoing and the type of wrongdoing each authority can deal with.

In relation to Council, these authorities are:

- the Independent Commission Against Corruption (ICAC) — for corrupt conduct
- the Ombudsman — for maladministration
- the Office of Local Government — for disclosures about local government
- Auditor-General of the NSW Audit Office – for disclosures about serious and substantial waste
- the Information Commissioner — for disclosures about a government information contravention i.e. breach of the GIPA Act.

You should contact the relevant authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that it is very likely the investigating authority will discuss the case with the Broken Hill City Council. Council will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. Council will also provide appropriate support and assistance to staff who report wrongdoing to an investigating authority.

4.6.2. Members of Parliament or journalists

To have the protections of the Public Interest Disclosures (PID) Act, staff reporting wrongdoing to a Member of Parliament (MP) or a journalist **must** have already made substantially the same report to one of the following:

- the General Manager of Council
- a person nominated in this policy, including the Mayor for reports about the General Manager
- an investigating authority in accordance with the PID Act.

Also, the Broken Hill City Council or investigating authority that received the report must have either:

- decided not to investigate the matter
- decided to investigate the matter, but not completed the investigation within six months of the original report
- investigated the matter but not recommended any action as a result
- not told the person who made the report, within six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true.

If you report wrongdoing to a person or an organisation that is not listed above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or the Broken Hill City Council Code of Conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside the Broken Hill City Council, contact the Disclosures Coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. The Unit's contact details are provided at the end of this policy.

4.7. Feedback to employees who report wrongdoing.

Employees who report wrongdoing will be told what is happening in response to their report.

When you make a report, you will be given:

- an acknowledgement that your disclosure has been received
- the timeframe for when you will receive further updates
- the name and contact details of the people who can tell you what is happening or handle any of your concerns.

The PID Act requires that you are provided with an acknowledgement letter and a copy of this policy within 45 days after you have made your report. Council will attempt to get this information to you within two working days from the date you make your report.

After a decision is made about how your report will be dealt with, you will be given:

- information about the action that will be taken in response to your report
- likely timeframes for any investigation
- information about the resources available within Broken Hill City Council to handle any concerns you may have
- information about external agencies and services you can access for support.

This information will be given to you within 10 working days from the date you make your report. You will also be advised if the report will be treated as a public interest disclosure and provide you with a copy of this policy at that time, as required by the PID Act.

During any investigation, you will be given:

- information on the ongoing nature of the investigation
- information about the progress of the investigation and reasons for any delay
- advice if your identity needs to be disclosed for the purposes of investigating the matter, and an opportunity to talk about this.

At the end of any investigation, you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified
- advice about whether you will be involved as a witness in any further matters, such as disciplinary or criminal proceedings.

4.8. Protection against reprisals

The PID Act provides protection for people reporting wrongdoing by imposing penalties on anyone who takes detrimental action substantially in reprisal for them making the public interest disclosure.

The Broken Hill City Council will not tolerate any reprisal action against employees who report wrongdoing. The criminal penalties that can be imposed include imprisonment or fines. Detrimental action is also misconduct that justifies disciplinary action. People who take detrimental action against someone who has made a disclosure may also be required to pay damages for any loss suffered by that person.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss
- intimidation or harassment
- discrimination, disadvantage or adverse treatment in relation to employment
- dismissal from, or prejudice in, employment
- disciplinary proceedings.

Taking detrimental action in reprisal is also a breach of the Council's Code of Conduct which may result in disciplinary action.

4.8.1. Responding to allegations of reprisals

If you believe that detrimental action has been or is being taken against you or someone else who has reported wrongdoing in reprisal for making a report, you should tell your supervisor, the Disclosures Coordinator or the General Manager immediately. In the case of an allegation of reprisal by the General Manager, the Mayor can alternatively be notified.

All supervisors must report any suspicions they have that reprisal action against an employee is occurring, or any reports that are made to them, to the Disclosures Coordinator or the General Manager.

If Broken Hill City Council becomes aware of or suspects that reprisal is being or has been taken against a person who has made a disclosure, Broken Hill City Council will:

- assess the allegation of reprisal to decide whether the report should be treated as a public interest disclosure and whether the matter warrants investigation or if other action should be taken to resolve the issue
- ensure a senior and experienced member of staff, who has not been involved in dealing with the initial disclosure, will investigate the suspected reprisal
- give the results of that investigation to the General Manager for a decision
- give the results of that investigation to the Mayor for a decision if the allegation of reprisal action is about the General Manager
- if it has been established that reprisal action is occurring against someone who has made a disclosure, take all steps possible to stop that activity and protect the employee who made the disclosure
- take appropriate disciplinary action or refer any evidence of an offence under section 20 of the PID Act to the ICAC or NSW Police force against anyone proven to have taken or threatened any action in reprisal for making a disclosure.

If you report reprisal action, you will be kept informed of the progress of any investigation and the outcome. The General Manager may issue specific directions to help protect against reprisals. These may include:

- issuing warnings to those alleged to have taken reprisal action against the employee who made the disclosure
- relocating the employee who made the disclosure or the subject officer within the current workplace
- transferring the employee who made the disclosure or the employee who is the subject of the allegation to another position for which they are qualified
- granting the employee who made the disclosure or the subject officer leave of absence during the investigation of the disclosure.

These directions will only be taken if the employee who made the disclosure agrees to it. The Disclosures Coordinator will make it clear to other employees that this action was taken in consultation with the employee and with management support – and is not a punishment.

If you have reported wrongdoing and feel that any reprisal action is not being dealt with effectively, contact the Office of Local Government, the Ombudsman or the ICAC –

depending on the type of wrongdoing you reported. Contact details for all these investigating authorities are included at the end of this policy.

4.8.2. Protection against legal action

If you make a disclosure in accordance with the PID Act, you will not be subject to any liability and no action, claim or demand can be taken against you for making the disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

4.9. Support for those reporting wrongdoing

The Broken Hill City Council will make sure that employees who have reported wrongdoing, regardless of whether they have made a public interest disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management, counselling services, legal or career advice.

Council also has employees who will support those who report wrongdoing. They are responsible for initiating and coordinating support, particularly to those who are suffering any form of reprisal.

All supervisors must notify the Disclosures Coordinator if they believe an employee is suffering any detrimental action as a result of disclosing wrongdoing.

4.10. Sanctions for making false or misleading disclosures

It is important that all employees are aware that it is a criminal offence under the Public Interest Disclosures (PID) Act to wilfully make a false or misleading statement when reporting wrongdoing.

4.11. Support for the subject of a report

The Broken Hill City Council is committed to ensuring employees who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential, where this is practical and appropriate. If you are the subject of a report, you will be:

- advised of the details of the allegation
- told your rights and obligations under our policies and procedures
- kept informed during any investigation
- given the opportunity to respond to any allegation made against you
- told the result of any investigation.

Where the reported allegations against the subject officer are clearly wrong or have been investigated and unsubstantiated, the subject officer will be supported by Broken Hill City Council. The fact of the allegations and any investigation will be kept confidential unless otherwise agreed to by the subject officer.

4.12. Resources

The contact details for external investigating authorities that employees can make a public interest disclosure to or seek advice from are listed below:

For disclosures about corrupt conduct:

Independent Commission Against
Corruption (ICAC)
Phone: 02 8281 5999
Toll free: 1800 463 909
Tel. typewriter (TTY): 02 8281 5773
Facsimile: 02 9264 5364
Email: icac@icac.nsw.gov.au
Web: www.icac.nsw.gov.au
Address: Level 21, 133 Castlereagh Street,
Sydney NSW 2000

**For disclosures about serious and substantial
waste:**

Auditor-General of the NSW Audit Office
Phone: 02 9275 7100
Facsimile: 02 9275 7200
Email: mail@audit.nsw.gov.au
Web: www.audit.nsw.gov.au
Address: Level 15, 1 Margaret Street,
Sydney NSW 2000

**For disclosures about breaches of the GIPA
Act:**

Information Commissioner
Toll free: 1800 472 679
Facsimile: 02 8114 3756
Email: ipcinfo@ipc.nsw.gov.au
Web: www.ipc.nsw.gov.au
Address: Level 11, 1 Castlereagh Street,
Sydney NSW 2000

For disclosures about maladministration:

NSW Ombudsman
Phone: 02 9286 1000
Toll free (outside Sydney metro): 1800 451 524
Tel. typewriter (TTY): 02 9264 8050
Facsimile: 02 9283 2911
Email: nswombo@ombo.nsw.gov.au
Web: www.ombo.nsw.gov.au
Address: Level 24, 580 George Street,
Sydney NSW 2000

**For disclosures about local government
agencies:**

Office of Local Government
Phone: 02 4428 4100
Tel. typewriter (TTY): 02 4428 4209
Facsimile: 02 4428 4199
Email: dlg@dlg.nsw.gov.au
Web: www.dlg.nsw.gov.au
Address: 5 O'Keefe Avenue,
Nowra NSW 2541

5. IMPLEMENTATION

5.1. Roles and Responsibilities

The following Council officers are responsible for the implementation and the adherence to this policy:

- General Manager
- Disclosure Coordinator
- Disclosure Officer
- Mayor
- Supervisors and line managers
- Employees who are aware of a disclosure must support those who have made disclosures, as well as protect and maintain their confidentiality; and must not victimise or harass anyone who has made a disclosure.

5.2. Communication

This Policy will be communicated to the community and staff in accordance with Council's Policy, Procedure and Process Framework and Council's Business Paper process. Following adoption by Council the Policy will be made available on Council's website.

Employees can also access advice and guidance from the Broken Hill City Council Disclosures Coordinator and the NSW Ombudsman's website at www.ombo.nsw.gov.au.

5.3. Associated Documents

The following documentation is to be read in conjunction with this policy.

- Code of Conduct
- Statement of Ethical Principles
- Gifts and Benefits Policy
- Conflicts of Interest Policy
- Fraud Control Policy
- Equal Employment Opportunity Policy
- Grievance Policy

6. REVIEW

Review of this policy will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines.

This policy will be reviewed every two years. The responsible Council officer will be notified of the review requirements three (3) months prior to the expiry of this policy.

7. LEGISLATIVE AND LEGAL FRAMEWORK

This policy is to be read in conjunction with the following:

Public Interest Disclosure Act 1994 (PID ACT)

Local Government Act 1993

Model Internal Reporting Policy, Ombudsman New South Wales, June 2014

Council employees shall refrain from personal activities that would conflict with proper execution and management of Council's Reporting of Public Interest Disclosures Policy. Council's Code of Conduct provides guidance for recognising and disclosing any conflicts of interest.

8. DEFINITIONS

"ICAC" shall mean the Independent Commission Against Corruption

"PID Act" shall mean *Public Interest Disclosures Act 1994*

ORDINARY MEETING OF THE COUNCIL

September 6, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 195/16

SUBJECT: DELEGATION OF FUNCTIONS

11/264

Recommendation

That Broken Hill City Council Report No. 195/16 dated September 6, 2016, be received.

That Council notes the Schedule of Delegable Functions for the Broken Hill City Council attached to this report at Attachment 1.

That Broken Hill City Council delegate to the Mayor of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachment 2.

That Broken Hill City Council delegate to the Deputy Mayor of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachment 3.

That Broken Hill City Council delegate to the General Manager of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachment 4.

That the Chief Operating Officer (Deputy General Manager) be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave, such appointment to cease upon the return to work of the General Manager; and that such person acting as General Manager pursuant to this resolution has all the functions, delegations, and sub-delegations given to the General Manager by the Council.

That Broken Hill City Council delegate to staff who hold the positions of Chief Operating Officer (Deputy General Manager), Manager Engineering Services, Manager Planning Development and Compliance, Asset Planner Buildings, Asset Planner Parks and Open Spaces, Roads and Parks Coordinator, Waste Management Coordinator, Trades Coordinator, Team Leader Parks and Open Spaces, Team Leader Roads, Labourer/Plant Operator, Works Operator, Ranger Living Desert and Finance Operations Coordinator, Senior Airport Reporting Officer, Airport Reporting Officer and Cemetery Services Coordinator of the Broken Hill City Council the relevant Functions under the *Noxious Weeds Act 1993* as indicated in the table attached to this report at Attachment 5.

That in accordance with the Local Government's Promoting Better Practice Review, the Delegations of Functions be reviewed in two years' time (September 2018).

That Council noted that the *Local Government Amendment (Governance and Planning) Bill 2016* will be presented to a future Council Meeting, once the commencement date has been proclaimed, explaining the amendments to the *Local Government Act 1993* and whether any amendments are required to the Delegations of Functions.

Executive Summary:

Due to the Broken Hill City Council Local Government Election held September 10, 2016 and this being the first meeting of the newly elected Council, it is necessary for Council to adopt the delegations for the Mayor, Deputy Mayor, General Manager along with the various delegations under the *Noxious Weeds Act 1993* which can only be delegated to staff by Council (cannot be delegated to staff under the General Manager's powers of sub-delegation).

A Schedule of all delegable functions is attached to the report. These delegations will be sub-delegated to various staff by the General Manager under Section 378 of the *Local Government Act 1993*.

Council has recently been notified that the NSW Government has assented to the *Local Government Amendment (Governance and Planning) Bill 2016*. Although some of the amendments came into force on the date of assent (30 August 2016) the majority will not come into effect until the government proclaims a date.

A report will be presented to a future Council Meeting, once the commencement date has been proclaimed, explaining the effect of the amendments to the *Local Government Act 1993* and if necessary, will include any amendments that may be required to be made to the Delegations of Functions.

Report:

Councils have certain functions and duties which they must perform, and certain powers which they may exercise, pursuant to the *Local Government Act 1993* as well as a range of other Acts. In most cases the relevant Acts grant those obligations and powers directly on the Council as a body. It is not practical or efficient for the Council as a body of elected members to perform the many functions or undertake the many duties and activities that are required in the day to day administration of the Council's roles and functions.

Delegations are the way in which the Council enables its Officers to undertake these duties on its behalf. Therefore it is necessary for the Council to take formal steps to delegate the authority to make decisions, perform functions or undertake duties and activities on behalf of Council to relevant Council Officers (this is pursuant to section 377 of the *Local Government Act 1993*).

There are a number of functions under the Local Government Act that Council cannot delegate. These are matters that Council must determine. These functions are set out in Section 377(1) as follows:

- a) The appointment of a General Manager,
- b) The making of a rate,
- c) A determination under section 549 as to the levying of a rate,
- d) The making of a charge,
- e) The fixing of a fee,
- f) The borrowing of money,
- g) The voting of money for expenditure on its works, services or operations,
- h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
- i) The acceptance of tenders which are required under this Act to be invited by the Council,
- j) The adoption of an operational plan under section 405,
- k) The adoption of a financial statement included in an annual financial report,
- l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,

- m) The fixing of an amount or rate for the carrying out by the Council of work on private land,
- n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the Council for the carrying out of any such work,
- o) The review of a determination made by the Council, and not by a delegate of the Council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,
- p) The power of the Council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons,
- r) A decision under section 234 to grant leave of absence to the holder of a civic office,
- s) The making of an application, or the giving of a notice, to the Governor or Minister,
- t) This power of delegation,
- u) Any function under this or any other Act that is expressly required to be exercised by resolution of the Council.

Under section 377 and 378 of the *Local Government Act 1993*, Council cannot delegate functions directly to an employee of Council. Rather, this must be done by first delegating to the General Manager who in turn sub-delegates to an employee. The General Manager therefore must be delegated the necessary functions to be able to sub-delegate those functions to an employee, with the exception of the delegations under the *Noxious Weeds Act 1993*.

Section 68 of the *Noxious Weeds Act 1993* states:

“Delegation by local control authorities:

A local control authority may delegate to a person any of the local control authority’s functions under this Act (other than this power of delegation) but only under this power of delegation.

Note: Accordingly, a council may not delegate any of its functions as a local control authority under this Act under the Council’s power of delegation under the Local Government Act 1993.”

A schedule of the delegations to be given to staff under the *Noxious Weeds Act 1993* is also attached for Council’s adoption.

Attached to the report is a schedule of all delegable functions along with Draft Delegations recommended for the Mayor, Deputy Mayor and the General Manager. The draft Delegations provide a standardised approach to the issuing of Delegations which refer to a Schedule of Delegable Functions. This Schedule is updated by Local Government Legal and reflects changes to Acts and Regulations that affect Local Government.

Compliance with Council’s policies are also included in Council’s Instruments of Delegations as well as delegations from third parties.

Strategic Direction:

Key Direction:	4. Our Leadership
Objective:	4.1 Openness and Transparency in Decision Making
Function:	Leadership and Governance
DP Action:	4.1.1.13 Maintain good governance and best practice methods and ensure compliance with various guidelines and legislation.

Relevant Legislation:

Local Government Act 1993, Sections 377-381.

Financial Implications:

Annual subscription to Local Government Legal's Delegations Database is \$4,000.00. This expenditure is included in the 2016/2017 Budget.

Attachments

- | | |
|---|-----------|
| 1. Schedule of all Delegable Functions | 198 Pages |
| 2. Draft Delegation to the Mayor | 3 Pages |
| 3. Draft Delegation to the Deputy Mayor | 3 Pages |
| 4. Draft Delegation to the General Manager | 13 Pages |
| 5. Draft Schedule of Delegations under the Noxious Weeds Act 1993 | 11 Pages |

JAMES RONCON
GENERAL MANAGER

Schedule of Delegable Functions

Code	Function
Aviation Transport Security Act 2004 (Cth)	
ATS Act 001	<p>Transport Security Program:</p> <p>Authority on behalf of the Council as an aviation industry participant to undertake all functions in relation to a transport security program in accordance with Part 2 of the Aviation Transport Security Act 2004 (Cth).</p> <p>Pursuant to</p> <p>Part 2 and in particular ss18 and 22 and 23A and 26A</p>
ATS Act 000	<p>All functions:</p> <p>Authority to exercise and or perform on behalf of the Council the Council's delegable functions as an airport operator and/or an aviation industry participant under this Act and the Regulations in force as amended from time to time.</p> <p>Pursuant to</p> <p>Aviation Transport Security Act 2004 and Aviation Transport Security Regulation 2005.</p>
Boarding Houses Act 2012	

BH Act 001	<p>Power of entry:</p> <p>Authority to authorise a person to enter a premises of a registered boarding house for the purpose of conducting an initial compliance investigation and issue an authority to enter premises under section 25. Authority to recover an approved fee in association with an initial compliance investigation in accordance with section 23.</p> <p>Pursuant to</p> <p>sections 17, 23 and 25</p>
BH Act 002	<p>Notice of Entry:</p> <p>Authority to give the proprietor or manager of the premises of a registered boarding house written notice of the intention to enter the premises in accordance with section 19 and to give a notification or use of force or urgent entry in accordance with section 21.</p> <p>Pursuant to</p> <p>sections 19 and 21 of the Boarding Houses Act 2012.</p>
BH Act 003	<p>Reasonable use of force:</p> <p>Authority to authorise the reasonable use of force in gaining entry to a premises to conduct an initial compliance investigation.</p> <p>Pursuant to</p> <p>section 20 of the Boarding Houses Act 2012.</p>
BH Act 004	<p>Exchange of information:</p>

	<p>Authority to enter into an information sharing arrangement with an administrator of the Boarding Houses Act 2012.</p> <p>Pursuant to</p> <p>section 94</p>
BH Act 005	<p>Court Proceedings:</p> <p>Authority to commence proceedings for an offence against a provision of Part 2 (Registration of Boarding Houses) of the Boarding Houses Act 2012.</p> <p>Pursuant to</p> <p>section 99 of the Boarding Houses Act 2012.</p>
BH Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Boarding Houses Act 2012</p>
Building Professionals Act 2005	
BP Act 001	<p>Applications for accreditation:</p> <p>Authority to recommend to the Building Professionals Board in respect of an application for accreditation to carry out certification work only on behalf of councils in accordance with section</p>

	<p>5(1A) of the Building Professionals Act 2005 and clause 7A of the Building Professionals Regulation 2007.</p> <p>Pursuant to</p> <p>section 5(1A)</p>
BP Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Building Professionals Act 2005</p>
BP Act 002	<p>Recommendation for accreditation:</p> <p>Authority to provide a recommendation on behalf of the Council in respect of an application for accreditation.</p> <p>Pursuant to</p> <p>Section 5(1A)</p>
BP Act 003	<p>Making complaint:</p> <p>Authority to make a complaint, provide further particulars of the complaint, and withdraw a complaint to the Board on behalf of Council against an accreditation holder in respect of the accreditation holder's professional conduct.</p>

	<p>Pursuant to</p> <p>Section 21 and 26</p>
BP Act 004	<p>Conciliation of complaints:</p> <p>Authority to undertake conciliation of a complaint on behalf of Council with the accreditation holder the subject of the complaint upon the recommendation of the Board to do so.</p> <p>Pursuant to</p> <p>Section 24</p>
BP Act 005	<p>Contracts for certification work:</p> <p>Authority to execute a written contract for certification work to be done in the name of or on behalf of the council.</p> <p>Pursuant to</p> <p>Section 73A</p>
BP Act 006	<p>Carrying out certification work:</p> <p>Authority to carrying out certification work of a class prescribed by the regulations that is done in the name of or on behalf of the council.</p> <p>Pursuant to</p> <p>Section 74A</p>

BP Act 007	<p>Councils to provide certain information:</p> <p>Authority to provide to the Board such information as is required by the regulations in relation to employees, or persons engaged by the council, who perform certification work on behalf of the council.</p> <p>Pursuant to</p> <p>Section 74B</p>
Cemeteries and Crematoria Act 2013	
C&C Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Cemeteries and Crematoria Act 2013</p>
C&C Act 001	<p>Cemeteries Register:</p> <p>Authority to notify the Cemeteries Agency in relation to the Cemeteries and Crematoria Register.</p> <p>Pursuant to</p> <p>s27 Cemeteries and Crematoria Act 2013</p>
C&C Act 002	Notice appeal:

	<p>Authority to appeal against an improvement notice issued by the Cemeteries Agency.</p> <p>Pursuant to</p> <p>s33(5) Cemeteries and Crematoria Act 2013</p>
C&C Act 003	<p>Comply with Notice / Order:</p> <p>Authority to take any actions to comply with an improvement notice in accordance with section 33 or short term order in accordance with section 36 issued by the Cemetery Agency. Authority to give, withdraw or vary an enforceable undertaking in accordance with section 39 and report to the Cemeteries Agency as required by a notice in accordance with section 41.</p> <p>Pursuant to</p> <p>ss33, 36, 39 and 41 of the Cemeteries and Crematoria Act 2013</p>
C&C Act 004	<p>Interment right:</p> <p>Authority to grant or renew, transfer to another person or transfer to the cemetery operator, an interment right.</p> <p>Pursuant to</p> <p>s47, s58 and s59 of the Cemeteries and Crematoria Act 2013</p>
C&C Act 005	<p>Cemetery Operators Register:</p> <p>Authority to keep and amend the cemetery operator's register in accordance with section 63 and make a copy of an entry in the register available in accordance with 63(10).</p>

	<p>Pursuant to</p> <p>s63 Cemeteries and Crematoria Act 2013</p>
C&C Act 006	<p>Heritage Advisory Committee:</p> <p>Authority to establish a heritage advisory committee, and appoint a chairperson of the committee, in accordance with section 69.</p> <p>Pursuant to</p> <p>s69 Cemeteries and Crematoria Act 2013</p>
C&C Act 007	<p>Advice of committee:</p> <p>Authority to seek advice of the heritage advisory committee in accordance with section 69(2).</p> <p>Pursuant to</p> <p>s69 Cemeteries and Crematoria Act 2013</p>
C&C Act 008	<p>Conversion of Cemeteries:</p> <p>Authority to exercise the council's functions under Schedule 4 (Conversion of Cemeteries) including considering and determining objections and making an application to the Minister that the whole or any part of the land referred to in a resolution of council under clause 3 be declared as a public park and authority to determine to preserve, or remove and preserve or dispose of a monument in accordance with the relevant provisions.</p> <p>Pursuant to</p>

	Schedule 4 (Conversion of Cemeteries) of the Cemeteries and Crematorium Act 2013.
Children (Protection and Parental Responsibility) Act 1997	
CPPR Act 001	<p>Operational Area:</p> <p>Authority to request the Attorney General to declare (or revoke a declaration) that an area is an operational area for the purposes of Division 2 of Part 3.</p> <p>Pursuant to</p> <p>sections 14 and 16</p>
CPPR Act 002	<p>Prepare draft Crime Prevention Plan:</p> <p>Authority to prepare a draft local crime prevention plan for the council's area</p> <p>Pursuant to</p> <p>Section 31(1)</p>
CPPR Act 003	<p>Prepare draft Crime Prevention Plan:</p> <p>Authority to request assistance from the Attorney-General in preparing draft plan</p> <p>Pursuant to</p> <p>Section 31(2)</p>
CPPR Act 004	Prepare draft Crime Prevention Plan:

	<p>Authority to publicise the intention to prepare a draft plan and seek and consider submissions on intention to prepare draft plan</p> <p>Pursuant to</p> <p>Section 31(3)</p>
CPPR Act 005	<p>Prepare draft Crime Prevention Plan:</p> <p>Authority to place draft plan on public exhibition</p> <p>Pursuant to</p> <p>Section 34</p>
CPPR Act 006	<p>Prepare draft Crime Prevention Plan:</p> <p>Authority to seek and consider submissions on draft plan</p> <p>Pursuant to</p> <p>Sections 34 and 35</p>
CPPR Act 007	<p>Prepare draft Crime Prevention Plan:</p> <p>Authority to adopt draft plan with or without amendments</p> <p>Pursuant to</p> <p>Section 35</p>

CPPR Act 008	Prepare draft Crime Prevention Plan: Authority to amend or revoke plan Pursuant to Section 37
CPPR Act 009	Prepare draft Crime Prevention Plan: Authority to request the Attorney-General to approve a draft Local Crime Prevention Plan or adopted Local Crime Prevention Plan as a safer community compact Pursuant to Section 39
CPPR Act 010	Apply for financial assistance: Where there is or is proposed to be a safer community compact for a council's area, authority to apply to the Attorney General for financial assistance in accordance with section 40. Pursuant to Section 40
CPPR Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.

	<p>Pursuant to</p> <p>Children (Protection and Parental Responsibility) Act 1997</p>
Civil Aviation Act 1988 (Cth)	
CA Act 001	<p>Civil Aviation Authorisation:</p> <p>Authority on behalf Council as the operator of an aerodrome to undertake all functions in relation to any necessary civil aviation authorisation as amended from time to time.</p> <p>Pursuant to</p> <p>Civil Aviation Act 1998 and Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998</p>
CA Act 000	<p>All functions:</p> <p>Authority to exercise and perform on behalf of the Council the Council's delegable functions under the Civil Aviation Act 1988, Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998, as amended from time to time.</p> <p>Pursuant to</p> <p>Civil Aviation Act 1988, Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998</p>
Commons Management Act 1989	
CM Act 001	Manage affairs of trust:

	<p>Authority to decide whether to accept appointment to manage affairs of trust</p> <p>Pursuant to</p> <p>Section 7(2)</p>
CM Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Commons Management Act 1989</p>
Community Land Development Act 1989	
CLD Act 001	<p>Compliance Certificate - Community Development and Precinct Land:</p> <p>Authority to grant a certificate in relation to the subdivision of a community development lot by a community plan of subdivision or subdivision of a precinct development lot by a precinct plan of subdivision in accordance with sections 8(4)(a) and 12(4)(a) respectively.</p> <p>Authority to issue a certificate signifying consent to the conversion of a community development lot to community property or neighbourhood lot to neighbourhood property under Schedule 6(1)(c) and Schedule 7(1)(c) respectively, or a certificate signifying consent to severing a community development lot from a community scheme, or a precinct development lot from a precinct scheme under Schedule 8(1)(b).</p> <p>Pursuant to</p>

	Section 8(4)(a), 12(4)(a), Schedules 6(1)(c), 7(1)(c) and 8(1)(b).
CLD Act 002	Development Contracts: Authority to certify a development contract in accordance with section 26(5) and approve the registration of an amendment of a development contract in accordance with section 27(2)(b) Pursuant to sections 26(5) and 27(2)(b)
CLD Act 003	By-laws: Authority to request that a community management statement or neighbourhood management statement includes specified by-laws. Pursuant to Schedule 3(4), Schedule 4(4)
CLD Act 004	Variation or termination of schemes: Authority to represent the council as a party to Supreme Court proceedings to vary or terminate a scheme under sections 70 and 71, and authority to consent to the termination of a neighbourhood scheme under section 72. Pursuant to Section 71(3)

CLD Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Community Land Development Act 1989</p>
Community Land Management Act 1989	
CLM Act 001	<p>Amendment of Development Contract:</p> <p>Authority to approve the amendment of a development contract and grant a development consent compliance certificate.</p> <p>Pursuant to</p> <p>section 16</p>
CLM Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Community Land Management Act 1989</p>
Community Services	

pa	Community Services Policy: To ensure the functions of the policy are carried out.
pa	Positive Ageing Policy: To ensure the functions of the policy are carried out.
pa	Shorty O'Neil Village Liquidity Management Policy: To ensure the functions of the policy are carried out.
pa	Social Policy: To ensure the functions of the policy are carried out.
pa	Youth Policy: To ensure the functions of the policy are carried out.
Companion Animals Act 1998	
CA Act 001	Notice Requiring registration: Authority to issue a notice requiring a companion animal to be registered. Pursuant to section 10B of the Companion Animals Act 1998

CA Act 002	Companion Animals killed by Traffic: Authority to act in relation to companion animals killed by traffic. Pursuant to section 11A
CA Act 003	Appointment of authorised officers: Authority to authorise an employee of the council as an authorised officer and provide the person with an identification card under section 69F of the Companion Animals Act 1998 Pursuant to section 5 (definitions)
CA Act 004	Off-leash Area: Authority to declare a public place to be an off-leash area in accordance with section 13(6). Pursuant to section 13(6)
CA Act 005	Prohibition in public places: Authority to make orders prohibiting dogs from recreation areas, public bathing areas, shopping areas and wildlife protection areas and to prohibit cats from wildlife protection areas Pursuant to

	sections 14 and 30
CA Act 006	<p>Revoke declaration:</p> <p>Authority to revoke a dangerous dog declaration in accordance with section 39 and revoke a declaration by an authorised officer that a dog is a restricted dog in accordance with section 58D, and give notice of revocation or of non revocation.</p> <p>Pursuant to</p> <p>sections 39, 40 and 58D, 58DA</p>
CA Act 007	<p>Act in Court proceedings:</p> <p>Authority to act in any local court appeal proceedings in relation to companion animals, including appeal proceedings against the making of a dangerous dog declaration or refusal to revoke a dangerous dog declaration and an appeal to the District Court against disqualification from owning a dog or cat.</p> <p>Pursuant to</p> <p>section 41, 44, 46, 24</p>
CA Act 008	<p>Commence Court Proceedings:</p> <p>Authority, subject to the General Manager's consent, to institute and carry on proceedings in the Local Court for an offence against the Companion Animals Act 1998</p> <p>Pursuant to</p>

	section 93
CA Act 009	<p>Unclaimed seized or surrendered animals:</p> <p>Authority to sell or destroy unclaimed seized or surrendered animals, and recover fees, charges and expenses from an owner</p> <p>Pursuant to</p> <p>section 64 and 64A and 66 and 67(a)</p>
CA Act 010	<p>Arrangement with Director-General:</p> <p>Authority to enter into an agreement or arrangement with the Director-General in accordance with section 74(4).</p> <p>Pursuant to</p> <p>section 74(4)</p>
CA Act 012	<p>Fees:</p> <p>Authorise any fee or charge payable under this Act:</p> <p>(a) to be paid by instalments, and</p> <p>(b) to be reduced or waived in respect of persons in receipt of a pension, benefit or allowance under the <i>Social Security Act 1991</i> of the Commonwealth.</p> <p>Pursuant to</p>

	section 95
CA Act 013	Notify nuisance dog or cat order: Authority to notify Director General of issuing of nuisance dog or cat order Pursuant to section 32A(6) section 31(6)
CA Act 014	Destroy animal: Authority to destroy dog seized in transition period Pursuant to section 57(5)
CA Act 015	Detain animal: Authority to detain animal which is being investigated or is the subject of proceedings Pursuant to section 64(3A)
CA Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under

	<p>this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Companion Animals Act 1998</p>
Companion Animals Regulation 2008	
CA Regulation 001	<p>Registration Agent:</p> <p>Authority to act on behalf of Council as a registration agent for the purposes of companion animals registration including serving a notice requiring an animal to be registered under clause 22 of the Regulation.</p> <p>Pursuant to</p> <p>Clause 13 and 22 of the Companion Animals Regulation 2008</p>
Contaminated Land Management Act 1997	
CLMM Act 001	<p>Management Orders:</p> <p>Authority, where the Council is the subject of a management order or approved voluntary management proposal made under Part 3 of the CLM Act, to carry out, or cause to be carried out, any requirement of such an order or proposal.</p> <p>Pursuant to</p> <p>sections 30 and 31</p>
CLMM Act 002	Voluntary management proposals:

	<p>Authority to prepare and submit a voluntary management proposal to the EPA for contaminated land owned by Council</p> <p>Pursuant to</p> <p>section 17</p>
CLMM Act 003	<p>Costs:</p> <p>Authority to issue a notice requiring payment of any reasonable costs incurred by Council in carrying out the requirements of an investigation or remediation order, including the entry into an arrangement for the payment of those costs, and apply to Registrar General to register a costs notice and to remove such notice</p> <p>Pursuant to</p> <p>Sections 35, 39, 41</p>
CLMM Act 004	<p>Disputes between EPA and public authorities:</p> <p>Authority to refer a dispute between the EPA and Council to the Premier for settlement in accordance with this section 102</p> <p>Pursuant to</p> <p>Section 102</p>
CLMM Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under</p>

	<p>this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Contaminated Land Management Act 1997</p>
Conveyancing Act 1919	
C Act 001	<p>Restrictions on use of land and public positive covenants (land held by prescribed authority):</p> <p>Authority to, by order, impose restrictions on the use of or impose public positive covenants on any prescribed land vested in the council, and vary any such restriction or covenant and rescind or revoke any such order, in accordance with section 88D.</p> <p>Pursuant to</p> <p>Section 88D</p>
C Act 002	<p>Restrictions on use of land and public positive covenants (land NOT held by prescribed authority):</p> <p>Authority to impose restrictions on the use of land or impose a public positive covenant on any land not vested in the council in accordance with section 88E.</p> <p>Pursuant to</p> <p>Section 88E</p>
C Act 003	<p>Effect of certain positive covenants:</p> <p>Authority to, on behalf of the council as the prescribed authority with the benefit of a public</p>

	<p>positive covenant over land, inspect the land, insure a structure, carry out development, recover expenses incurred and apply for registration of a charge over land in accordance with section 88F.</p> <p>Pursuant to</p> <p>Section 88F</p>
C Act 004	<p>Certificate of amount due:</p> <p>Authority to issue a certificate of amount due in accordance with section 88G.</p> <p>Pursuant to</p> <p>Section 88G</p>
C Act 005	<p>Enforcement of Covenants:</p> <p>Authority to apply to the Court on behalf of the council as a prescribed authority, to enforce a covenant imposing a restriction on the use of land or a positive covenant by seeking an injunction in accordance with section 88H, or for an order that the land be conveyed or transferred to the authority in accordance with section 88I or for an order requiring the delivery of any deed, certificate of title or other instrument relating to the title to the land in accordance with section 88J.</p> <p>Pursuant to</p> <p>sections 88H, 88I and 88J</p>
C Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under</p>

	<p>this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Conveyancing Act 1919</p>
Core Services	
pa	<p>Naming of Parks and Community Facilities Policy:</p> <p>To ensure the functions of the policy are carried out.</p>
Corporate Services	
pa	<p>Access to Information Policy:</p> <p>To ensure the functions of the policy are carried out.</p>
pa	<p>Code of Conduct Policy:</p> <p>To ensure the functions of the policy are carried out.</p>
pa	<p>Complaints Management Policy:</p> <p>To ensure the functions of the policy are carried out.</p>
pa	<p>Conduct of Government Instrumentality Functions Policy:</p> <p>To ensure the functions of the policy are carried out.</p>

pa	Conflicts of Interest Policy: To ensure the functions of the policy are carried out.
pa	Employee Travel Policy: To ensure the functions of the policy are carried out.
pa	Fraud Control Policy: To ensure the functions of the policy are carried out.
pa	Freedom of Information Policy: To ensure the functions of the policy are carried out.
pa	General Permits and Street Activities Policy: To ensure the functions of the policy are carried out.
pa	Model Code of Conduct for Local Councils in NSW: To ensure the functions of the policy are carried out.
pa	Privacy Management Plan: To ensure the functions of the policy are carried out.
pa	Reporting of Public Interest Disclosures Policy:

	To ensure the functions of the policy are carried out.
Crown Lands Act 1989, Crown Lands Regulation 2006, Crown Lands (General Reserves) By-laws 2006	
CL Act 001	Vesting of Crown Lands: Authority to agree for land to be vested in the Council under Part 4 Division 7 (Vesting of land in councils) and to agree to the excepting of assets, debts and liabilities from the vesting Pursuant to section 76
CL Act 002	Reserve Trust: Authority to carry out all functions associated with Council acting as a reserve trust manager in accordance with the legislation, including issuing licences and temporary licences. Pursuant to Part 5 of the Crown Lands Act 1989 and Part 3 of the Crown Lands (General Reserves) By-laws 2006
CL Act 003	Consent to declaration of crown land: Authority to consent to declaration of crown land in respect of land vested in or acquired by or on behalf of council Pursuant to

	section 138
CL Act 004	<p>Authorised persons:</p> <p>Authority to appoint members of staff of council as authorised persons</p> <p>Pursuant to</p> <p>Clause 4(1)(c)(d) Crown Lands (General Reserves) By Law 2006, clause 44(2) (c.)(d) Crown Lands Regulation 2006, section 153 Crown Lands Act 1989</p>
CL Act 005	<p>Enter into arrangement:</p> <p>Enter into arrangement with Director General for members of staff of Council to exercise powers of an authorised inspector under Part 7 Division 5A</p> <p>Pursuant to</p> <p>section 168E</p>
CL Act 006	<p>Appoint Authorised Inspectors if an arrangement under s.168E exists:</p> <p>Appoint Authorised Inspectors if an arrangement under s.168E exists: authority to appoint council staff to carry out all functions applicable to authorised inspectors under Part 7, Division 5A .</p> <p>Pursuant to</p> <p>Part 7, Division 5A, of the Crown Lands Act 1989</p>
CL Act 007	Minister?s powers delegated:

	<p>Authority to carry out any of the Ministers for Planning and Infrastructure's functions as delegated to the Council under section 180.</p> <p>Pursuant to</p> <p>section 180</p>
CL Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Crown Lands Act 1989</p>
Dangerous Goods (Road and Rail Transport) Act 2008	
DG Act 001	<p>Costs Recovery:</p> <p>Authority to recover costs and expenses incurred or the amount of loss or damage suffered in connection with an incident in accordance with the Dangerous Goods (Road and Rail Transport) Act 2008.</p> <p>Pursuant to</p> <p>sections 56, 57 and 68 of the Dangerous Goods (Road and Rail Transport) Act 2008</p>
DG Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable functions under</p>

	<p>this Act and the Regulations made under this Act in force and as amended from time to time.</p> <p>Pursuant to</p> <p>The Dangerous Goods (Road and Rail Transport) Act 2008 and Dangerous Goods (Road and Rail Transport) Regulation 2014</p>
Disability Inclusion Act 2014	
DI Act 2014	<p>All Functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable functions under this Act and any Regulation made under this Act in force from time to time.</p> <p>Pursuant to</p> <p>The Disability Inclusion Act 2014</p>
DI Act 001	<p>Agreement:</p> <p>Authority to enter into an agreement about financial assistance.</p> <p>Pursuant to</p> <p>section 30 of the Disability Inclusion Act 2014.</p>
Economic Development and Culture	
pa	Broken Hill Regional Art Gallery Donations and Gifts Policy:

	To ensure the functions of the policy are carried out.
pa	Acquisition and Loan of Objects Relating to Cultural Heritage Policy: To ensure the functions of the policy are carried out.
pa	Albert Kersten Mining and Minerals Museum Deductible Gift Recipient Fund Policy: To ensure the functions of the policy are carried out.
pa	Broken Hill Civic Centre Conditions of Hire Policy: To ensure the functions of the policy are carried out.
pa	Broken Hill Regional Art Gallery Acquisitions Policy: To ensure the functions of the policy are carried out.
pa	Broken Hill Regional Art Gallery Appraisals Policy: To ensure the functions of the policy are carried out.
pa	Broken Hill Regional Art Gallery Donations and Gifts Policy: To ensure the functions of the policy are carried out.
pa	Broken Hill Regional Art Gallery Loan of Art Works to Council Policy: To ensure the functions of the policy are carried out.

pa	Broken Hill Regional Art Gallery Loan of Works to External Locations Policy: To ensure the functions of the policy are carried out.
pa	Broken Hill Regional Art Gallery Reporting Procedures Policy: To ensure the functions of the policy are carried out.
pa	Business Development Policy: To ensure the functions of the policy are carried out.
pa	Cultural Policy: To ensure the functions of the policy are carried out.
pa	Event Sponsorship Policy: To ensure the functions of the policy are carried out.
pa	Filming within the Broken Hill City Council Area Policy: To ensure the functions of the policy are carried out.
pa	Leasing Licensing of Council Properties Policy: To ensure the functions of the policy are carried out.
pa	Logo and Brand Mark Policy:

	To ensure the functions of the policy are carried out.
pa	GeoCentre Management Policy: To ensure the functions of the policy are carried out.
pa	Public Art Policy: To ensure the functions of the policy are carried out.
pa	Social Networking and Online Media Policy: To ensure the functions of the policy are carried out.
pa	Sponsorship Policy: To ensure the functions of the policy are carried out.
pa	Volunteers Policy: To ensure the functions of the policy are carried out.
Environmental Planning and Assessment Act 1979	
EPA Act 001	LEP Planning Proposals: Authority to carry out the steps associated with the making of a local environmental plan, including preparing a planning proposal on behalf of the council as the relevant planning authority, carrying out community consultation and forwarding a planning proposal to the

	<p>Minister for Planning and Infrastructure, in accordance with Part 3, Division 4 of the EP&A Act.</p> <p>Pursuant to</p> <p>sections 55 - 58 and generally Part 3 Division 4 of the EP&A Act</p>
EPA Act 003	<p>Public Participation re DA:</p> <p>Authority to carry out public participation and consult with and obtain concurrence associated with an application for development consent in accordance with sections 79 - 79BA.</p> <p>Pursuant to</p> <p>sections 79 - 79BA EP&A Act</p>
EPA Act 002	<p>Prepare DCP:</p> <p>Authority to prepare, on behalf of the council as the relevant planning authority as defined in section 74B, a development control plan (or cause such a plan to be prepared) in accordance with section 74C of the EP&A Act.</p> <p>Pursuant to</p> <p>section 74C EP&A Act</p>
EPA Act 004	<p>Determination of DA:</p> <p>Authority to carry out all functions of the council as consent authority associated with the assessment and determination of an application for development consent including the imposition of conditions, reducing the period in which a development consent lapses and being</p>

	<p>satisfied in relation to specified matters in relation to bushfire prone land.</p> <p>Pursuant to</p> <p>sections 80, 80A and 95 and generally Part 6, Division 2 of the EP&A Act and Part 6 of the EP&A Regulation.</p>
EPA Act 005	<p>Review of determination:</p> <p>Authority to conduct a review of a determination of a development application in accordance with section 82A.</p> <p>Pursuant to</p> <p>section 82A</p>
EPA Act 006	<p>Review of rejection of DA:</p> <p>Authority to review a decision to reject and not determine a development application in accordance with section 82B</p> <p>Pursuant to</p> <p>section 82B</p>
EPA Act 007	<p>Complying Development:</p> <p>Authority to evaluate and determine an application for complying development in accordance with section 85A and modification of a complying development certificate in accordance with section 87 and generally Part 4, Division 3.</p>

	<p>Pursuant to</p> <p>section 85A</p>
EPA Act 008	<p>Crown Development:</p> <p>Authority to determine a Crown development application or refer such an application to the applicable regional panel and otherwise deal with Crown Development applications in accordance with Part 4, Division 4 of the EP&A Act, including to submit information to a panel or the Minister of Planning and Infrastructure and to comply with a direction of the Minister for Planning and Infrastructure under section 89A.</p> <p>Pursuant to</p> <p>sections 89 and 89A</p>
EPA Act 009	<p>Extension of lapsing period:</p> <p>Authority to determine an application for a 1-year extension of a consent in accordance with section 95A</p> <p>Pursuant to</p> <p>section 95A</p>
EPA Act 010	<p>Voluntary Planning Agreements:</p> <p>Authority to enter into, or agree to the revocation or amendment of, a voluntary planning agreement in accordance with Part 4, Division 6, Subdivision 2.</p> <p>Authority to execute Voluntary Planning Agreements on behalf of Council where agreement</p>

	<p>approved by council resolution</p> <p>Pursuant to</p> <p>Section 93F</p>
EPA Act 011	<p>Developer Contributions:</p> <p>Authority to impose conditions of development consent imposing developer contributions</p> <p>Pursuant to</p> <p>Part 4 Division 6 of EP&A Act</p>
EPA Act 012	<p>Preparation of contributions plan:</p> <p>Authority to prepare a draft contributions plan in accordance with section 94EA</p> <p>Pursuant to</p> <p>Section 94EA</p>
EPA Act 013	<p>Application for Modification:</p> <p>Authority to determine an application for modification of a consent, in accordance with section 96 or 96AA and to form the opinion that a modification is of minimal environmental impact.</p> <p>Pursuant to</p> <p>Sections 96 and 96AA of the EP&A Act and cl.17 of the EP&A Regulation</p>

EPA Act 014	<p>Review of modification application:</p> <p>Authority to conduct and determine a review of a determination made under section 96 or 96AA, in accordance with section 96AB.</p> <p>Pursuant to</p> <p>Section 96AB</p>
EPA Act 015	<p>Revocation or modification of consent:</p> <p>Authority to revoke or modify a development consent in accordance with section 96A.</p> <p>Pursuant to</p> <p>Section 96A</p>
EPA Act 016	<p>Part 4A Certificates:</p> <p>Authority to issue Part 4A Certificates in accordance with Part 4A of the EP&A Act and all associated and ancillary functions including to require additional information.</p> <p>Pursuant to</p> <p>Sections 109C and D and generally Part 4A of the EP&A Act and Parts 7 and 8 of the EP&A Regulation.</p>
EPA Act 017	<p>Principal Certifying Authority:</p> <p>Authority to act on behalf of the council as the principal certifying authority appointed in respect</p>

	<p>of building or subdivision work under Part 4A</p> <p>Pursuant to</p> <p>Section 109E and Part 4A of the EP&A Act</p>
EPA Act 018	<p>Agreement as to work:</p> <p>Authority to reach agreement on behalf of the consent authority with an applicant for a subdivision certificate in circumstances where the work has not yet been completed, in accordance with section 109J(2).</p> <p>Pursuant to</p> <p>Section 109J(2)</p>
EPA Act 019	<p>Part 5 consideration:</p> <p>Authority, on behalf of the council as the determining authority in relation to an activity under Part 5, to examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity in accordance with section 111.</p> <p>Pursuant to</p> <p>Section 111</p>
EPA Act 020	<p>Activities for which EIS required:</p> <p>Authority to determine whether to grant an approval in relation to an activity to which Part 5 Division 3 (where an EIS is required) applies in accordance with Part 5 Division 3 of the EP&A Act.</p>

	<p>Pursuant to</p> <p>Section 112</p>
EPA Act 021	<p>Appointment of Investigation Officers:</p> <p>Authority to appoint a person as a Council Investigation Officer for the purposes of Part 6, Division 1C (Investigative powers) of the EP&A Act and to authorise a person to be an Authorised Person for the purposes of section 127A (Penalty notices as to certain offences).</p> <p>Pursuant to</p> <p>Section 119B of the Environmental Planning & Assessment Act 1979 and clause 284((3)(c) of the Environmental Planning & Assessment Regulation 2000.</p>
EPA Act 022	<p>Investigation Authority powers:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions as an "investigation authority" under Part 6, Division 1C of the EP&A Act, including: Authority to give the owner or occupier of premises written notice of the intention of an investigation officer to enter the premises, in accordance with section 119E. Authority to authorise in writing (either generally on in a particular case) entry without notice if entry is required urgently in accordance with section 119E(4)(d). Authority to give notice that an investigation officer used force for the purpose of gaining entry to premises in accordance with section 119I(2). Authority to require a corporation to nominate a director or officer of the corporation in accordance with section 119K(2). Authority to give the owner or occupier of premises written notice requiring the owner/occupier to provide reasonable assistance and facilities to an investigation officer in accordance with section 119O. Authority to recover the reasonable costs of entry and inspection from the owner or occupier of the premises in accordance with section 119Q.</p>

	<p>Pursuant to</p> <p>Part 6, Division 1C of the EP&A Act</p>
EPA Act 026	<p>Settlement of disputes:</p> <p>Authority to submit a dispute to the Premier or the Minister for Planning and Infrastructure for settlement in accordance with section 121</p> <p>Pursuant to</p> <p>Section 121</p>
EPA Act 027	<p>Orders:</p> <p>Authority to exercise Council's functions under Part 6 Division 2A (Orders) in relation to the giving of orders, including to accept or reject particulars of work and to recover costs of preparing particulars under s121R and to modify or revoke an order under s121ZF and s121ZG respectively and all functions associated with the carrying out of work required by an Order under 121ZJ.</p> <p>Pursuant to</p> <p>Section 121B and generally Part 6, Division 2A of the EP&A Act</p>
EPA Act 028	<p>Orders:</p> <p>Authority to give Notice of Intention to give an order</p> <p>Pursuant to</p> <p>Section 121H</p>

EPA Act 029	<p>Orders:</p> <p>Authority to seek consent of Minister to give an order in respect of vacant crown land, a reserve or a common</p> <p>Pursuant to</p> <p>Section 121C</p>
EPA Act 030	<p>Orders:</p> <p>Authority to consider criteria in development control plan prior to issuing order</p> <p>Pursuant to</p> <p>Section 121F</p>
EPA Act 031	<p>Orders:</p> <p>Authority to hear and consider representations</p> <p>Pursuant to</p> <p>Section 121J</p>
EPA Act 032	<p>Orders (Determination):</p> <p>Authority to determine to give an order in accordance with a notice of intention, or an amended order or not to give an order, and to modify or revoke an order under s121ZF and s121ZG respectively.</p>

	<p>Pursuant to</p> <p>Sections 121K, 121ZF and 121ZG</p>
EPA Act 033	<p>Compliance Cost Notices:</p> <p>Authority for a person (the relevant authority) who gives an order under Part 6 Division 2A to serve on the other person a compliance cost notice and to recover any unpaid amount as a debt in accordance with section 121CA.</p> <p>Pursuant to</p> <p>Section 121CA</p>
EPA Act 034	<p>Certificate as to orders:</p> <p>Authority to determine the form of an application for a certificate as to orders in accordance with section 121ZP(2).</p> <p>Pursuant to</p> <p>Section 121ZP(2)</p>
EPA Act 035	<p>Enforcement of brothel closure orders by cessation of utilities :</p> <p>Authority to make application, or instruct the Council's lawyers, to make an application, to the Local Court or the Land & Environment Court for an order directing that a provider of water, electricity or gas to a brothel cease to provide those services</p> <p>Pursuant to</p>

	Section 121ZS
EPA Act 036	Restraint of breaches: Authority to commence and conduct court proceedings to remedy or restrain a breach of the EP&A Act, in accordance with section 123. Pursuant to Section 123
EPA Act 037	Proceedings for offences: Authority to commence and conduct proceedings for an offence against the EP&A Act or Regulations in accordance with section 127 Pursuant to Section 127
EPA Act 038	Penalty Notices (Authorised Persons): Authority to authorise a person to be an Authorised Person and thus be able to serve penalty notices for certain offences in accordance with section 127A. Pursuant to Section 127A
EPA Act 039	Planning Certificates:

	<p>Authority to issue a planning certificate in accordance with section 149 of the EP&A Act.</p> <p>Pursuant to</p> <p>Section 149</p>
EPA Act 040	<p>Building Certificates:</p> <p>Authority to decide to issue a building certificate in accordance with sections 149A - E.</p> <p>Pursuant to</p> <p>Section 149A to 149E</p>
EPA Act 041	<p>Imposition of Conditions:</p> <p>Authority to accept payment of security, by way of either a deposit or bank guarantee, authorise the drawing of any monies paid as security and authorise the release of any payment of security by an applicant pursuant to a condition of development consent imposed</p> <p>Pursuant to</p> <p>Section 80A(6)</p>
EPA Act 042	<p>Special Infrastructure Contributions:</p> <p>Authority to seek the consent of the Minister to accept, and to accept, the dedication of land or provision of material public benefit in satisfaction of a special infrastructure contribution condition imposed by the Minister</p> <p>Pursuant to</p>

	Section 94EF(5)
EPA Act 043	<p>Local infrastructure contributions:</p> <p>Authority to determine applications for refunds of, or amendments to, contributions or levies imposed as conditions of development consent</p> <p>Pursuant to</p> <p>Section 94 & 94A</p>
EPA Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Environmental Planning and Assessment Act 1979</p>
EPA Act 003(2)	<p>Public Participation - designated development:</p> <p>Authority to form the opinion that an amended, substituted or later development application differs only in minor respects from an original application for the purposes of section 79(6) of the EP&A Act.</p> <p>Pursuant to</p> <p>section 79(6) of the EP&A Act.</p>

EPA Act 045	Paper Subdivisions: Authority to carry out all delegable functions of the council as a relevant authority designated by a subdivision order Pursuant to Schedule 5 of the EP&A Act
Environmental Planning and Assessment Regulation 2000	
EPA Reg 001	Costs and expenses of studies: Authority to negotiate and sign an agreement on behalf of the council as the relevant planning authority with a person who requests the preparation of a planning proposal for the payment of the costs and expenses incurred by the authority in undertaking studies and other matters required in relation to the planning proposal in accordance with clause 11 of the Regulations. Pursuant to clause 11
EPA Reg 002	Landowner Consent: Issue owner consent on behalf of the Council to enable development, building or subdivision applications to be lodged in respect of property owned by Council pursuant to clause 8F. Pursuant to Clause 8F

EPA Reg 003	<p>Additional Information for DCP:</p> <p>Authority to request the owner of land to provide additional information for the purposes of making a development control plan (where an environmental planning instrument requires or permits such a plan to be prepared and submitted to the relevant planning authority) in accordance with clause 25.</p> <p>Pursuant to</p> <p>Clause 25</p>
EPA Reg 004	<p>Rejection of DA:</p> <p>Authority to reject a development application in accordance with clause 51.</p> <p>Pursuant to</p> <p>Clause 51</p>
EPA Reg 005	<p>Request for Additional Information:</p> <p>Authority to request the applicant for development consent to provide it with such additional information about the proposed development as it considers necessary to its proper consideration of the application in accordance with clause 54.</p> <p>Pursuant to</p> <p>Clause 54</p>
EPA Reg 006	<p>Amendment of DA:</p>

	<p>Authority to agree to the amendment of a development application in accordance with clause 55.</p> <p>Pursuant to</p> <p>Clause 55</p>
EPA Reg 007	<p>Replacement Applications:</p> <p>Authority to decide to dispense with compliance with Part 6 Division 7 of the Regulations (in relation to public participation - other advertised development).</p> <p>Pursuant to</p> <p>Clause 90</p>
EPA Reg 008	<p>Notice of voluntary surrender:</p> <p>Authority to carry out all functions of the Council as consent authority associated with the determination of a notice of voluntary surrender.</p> <p>Pursuant to</p> <p>Clause 97(4) of the <i>Environmental Planning and Assessment Regulation 2000</i></p>
EPA Reg 009	<p>Refund for withdrawal:</p> <p>Authority to refund to the applicant the whole or any part of any application fee paid in connection with an application what has been withdrawn.</p> <p>Pursuant to</p>

	clause 52(3) of the EP&A Regulation.
Finance	
pa	Asset Capitalisation Policy: To ensure the functions of the policy are carried out.
pa	Capital Project Expenditure Policy: To ensure the functions of the policy are carried out.
pa	Code of Business Practice Policy: To ensure the functions of the policy are carried out.
pa	Corporate Credit Card Policy: To ensure the functions of the policy are carried out.
pa	Debt Recovery Policy: To ensure the functions of the policy are carried out.
pa	Disposal of Assets Policy: To ensure the functions of the policy are carried out.

pa	Email Internet and Use of Computer Systems Policy: To ensure the functions of the policy are carried out.
pa	Hardship Policy: To ensure the functions of the policy are carried out.
pa	Investment Policy: To ensure the functions of the policy are carried out.
pa	Payment of Expenses to Councillors Policy: To ensure the functions of the policy are carried out.
pa	Provisions of Reserves for Employees Leave Entitlements Policy: To ensure the functions of the policy are carried out.
pa	Purchasing Policy: To ensure the functions of the policy are carried out.
pa	Tendering Policy: To ensure the functions of the policy are carried out.

pa	<p>Authority to Approve Purchases:</p> <p>Authority to authorise the purchase of goods and services to the spend limit and purchasing card limit allocated to the position within the area of budget responsibility.</p>
pa	<p>Authority to Approve Payments:</p> <p>Authority to certify electronic funds transfers, sign cheques and sign vouchers on behalf of Council to the limits authorised by the General Manager.</p>
pa	<p>Authority to General Manager to Write Off Debts:</p> <p>Authority to the General Manager to write off debts (including but not limited to rates, charges, interest and sundry debts) to the value of \$5,000 for any individual rate, charge or transaction (Minute No. 44690 Council Meeting 25/06/2014).</p>
Fines Act 1996	
Fines Act 001	<p>Internal Review:</p> <p>Authority to exercise the Council's functions as a reviewing agency under Part 3, Division 2A of the Fines Act 1996 including to decide not to conduct an internal review and take other such action as the delegate sees fit, in accordance with section 24B, conduct a review (provided the delegate was not involved in making the decision that is the subject of the review) in accordance with section 24C and 24E, serve a penalty reminder notice in accordance with section 24F, request additional information from the applicant in accordance with section 24D, give an official caution in accordance with section 24G.</p> <p>Pursuant to</p>

	Sections 24B, 24C, 24D, 24E and 24F
Fines Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Fines Act 1996</p>
Fire Brigades Act 1989	
FB Act 001	<p>Payment of Fire Brigades Contributions:</p> <p>Authority to make arrangements for the payment of fire brigade contributions in accordance with Part 5, Divisions 3 and 5 of the Fire Brigades Act 1989.</p> <p>Pursuant to</p> <p>Part 1, Division 5 of the Act</p>
FB Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Fire Brigades Act 1989</p>

Fluoridation of Public Water Supplies Act 1957	
FPWS Act 001	<p>Fluorine to public water supplies:</p> <p>Authority to carry out the council's functions under the Fluoridation of Public Water Supplies Act 1957 and Fluoridation of Public Water Supplies Regulation 2007 including authority to apply to the Secretary of the Department of Health for approval to add fluorine to any public water supply under Councils control and to add fluorine to such water supply in accordance with such approval or direction, the Act and Regulation</p> <p>Pursuant to</p> <p>Section 6</p>
FPWS Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Fluoridation of Public Water Supplies Act 1957</p>
Food Act 2003	
Food Act 001	<p>Seized items:</p> <p>Authority to deal with items seized by an authorised officer, in accordance with Part 4 Division 2.</p> <p>Pursuant to</p>

	sections 47, 48, 49, 50, 51, 53
Food Act 002	<p>Prohibition Notice and Certificate of Clearance:</p> <p>Authority to serve a prohibition notice or give a certificate of clearance in accordance with section 60</p> <p>Pursuant to</p> <p>sections 60(1) and (4)</p>
Food Act 003	<p>Compensation:</p> <p>Authority to determine an application for compensation in relation to a prohibition order and, if it is determined to grant compensation, to authorise the payment of such compensation in accordance with section 66</p> <p>Pursuant to</p> <p>section 66</p>
Food Act 004	<p>Fees and charges:</p> <p>Authority to exercise the powers of the Council in its capacity as enforcement agency in relation to fees and charges, being to waive the requirement to pay a fee, or extend the time for payment of a fee, in respect of an improvement notice in accordance with section 66AA of the Food Act 2003, to increase the charge or reduce or waive payment of a charge in accordance with clause 14(4), and to issue a notice imposing an annual administration charge, extend the time for payment of the charge or reduce or waive payment of the charge, in accordance with clause 15 of the Food Regulation 2015.</p>

	<p>Pursuant to</p> <p>Section 66AA(2) of the Food Act 2003 and clauses 14(4) and 15 of the Food Regulation 2015.</p>
Food Act 005	<p>Appointment of Authorised Officer:</p> <p>Authority for an enforcement agency to appoint a person as an authorised officer if the enforcement agency considers the person has appropriate qualifications or experience to exercise the functions of an authorised officer.</p> <p>Pursuant to</p> <p>Section 114</p>
Food Act 006	<p>Food Safety Programs:</p> <p>Priority classification system and frequency of auditing: authority to determine the priority classification of individual food businesses for the purposes of any food safety program, and to determine the frequency of auditing of any food safety programs.</p> <p>Pursuant to</p> <p>Section 93</p>
Food Act 007	<p>Court proceedings:</p> <p>Authority to act in relation to proceedings to review a decision to refuse a certificate of clearance.</p> <p>Pursuant to</p>

	Section 65
Food Act 008	<p>Institute proceedings:</p> <p>Authority to institute and carry on proceedings for an offence against the Food Act 2003 or the regulations.</p> <p>Pursuant to</p> <p>Sections 118, 119</p>
Food Act 009	<p>Authority to Sub-Delegate:</p> <p>Authority to sub-delegate a function of the Food Authority delegated by the Food Authority if authorised in writing to do so by the Food Authority.</p> <p>Pursuant to</p> <p>Section 109E(3)</p>
Food Act 010	<p>Delegated Powers:</p> <p>Authority for an Authorised Officer to carry out any function of the NSW Food Authority delegated and sub-delegated in accordance with section 109E.</p> <p>Pursuant to</p> <p>Section 109E</p>
Food Act 011	Consent to Delegation:

	<p>Authority to provide consent in writing to the Food Authority to the delegation of a function(s) of the NSW Food Authority.</p> <p>Pursuant to</p> <p>Section 109E(4)</p>
Food Act 012	<p>Appointment of Authorised Officer:</p> <p>Authority to appoint a person as an Authorised Officer for the purposes of the Food Act 2003 and provide each Authorised Officer appointed with a certificate of authority as an Authorised Officer under section 115.</p> <p>Pursuant to</p> <p>Sections 114 and 115</p>
Food Act 013	<p>Legal Proceedings:</p> <p>Authority to commence proceedings for an offence under the Food Act or Regulations</p> <p>Pursuant to</p> <p>Section 118</p>
Food Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p>

	Food Act 2003
Game and Feral Animal Control Act 2002	
GFAC Act 001	Recommending land be available for hunting: Authority to make recommendations in respect of land under control of council Pursuant to Sections 4, 20
GFAC Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Game and Feral Animal Control Act 2002
General Manager	
pa	Code of Meeting Practice Policy: To ensure the functions of the policy are carried out.
pa	Community Assistance Policy: To ensure the functions of the policy are carried out.

pa	Community Consultation Policy: To ensure the functions of the policy are carried out.
pa	Community Markets Policy: To ensure the functions of the policy are carried out.
pa	Compliance Risk Policy: To ensure the functions of the policy are carried out.
pa	Councillor Support Policy: To ensure the functions of the policy are carried out.
pa	Interaction Between Councillors and Staff Policy: To ensure the functions of the policy are carried out.
pa	Media Relations Policy: To ensure the functions of the policy are carried out.
pa	Risk Management Policy: To ensure the functions of the policy are carried out.
pa	Statement of Ethical Principles Policy:

	To ensure the functions of the policy are carried out.
Geographical Names Act 1966	
GN Act 001	Make submissions: Authority to make submissions to the Board in respect of proposed names or changes to names Pursuant to Section 9
GN Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Geographical Names Act 1966
Government Information (Public Access) Act 2009	
GIPA Act 001	Overriding Public Interest Against Disclosure: Authority to decide whether there is an overriding public interest against disclosure for the purposes of sections 6-9, 32(1)(d), 58(1)(d) and (f) Pursuant to

GIPA Act 002	<p>Authorised Proactive release of information:</p> <p>Authority to make any government information held by the council publicly available unless there is an overriding public interest against disclosure of the information.</p> <p>Pursuant to</p> <p>Section 7</p>
GIPA Act 003	<p>Informal release of information:</p> <p>Authority to release government information held by it to a person in response to an informal request by the person (that is, a request that is not an access application) unless there is an overriding public interest against disclosure of the information.</p> <p>Pursuant to</p> <p>Section 8</p>
GIPA Act 004	<p>Validity of application:</p> <p>Authority to decide whether the application is a valid access application and notify the applicant of its decision in accordance with sections 51, 51A and 52</p> <p>Pursuant to</p> <p>Section 51</p>
GIPA Act 005	<p>Consultation:</p> <p>Authority to consult with a person before providing access to information relating to the person</p>

	<p>and decide whether information about a person consulted under this section is likely to be included in the agency's disclosure for the purposes of giving a written notice to the person, in accordance with section 54</p> <p>Pursuant to</p> <p>Section 54</p>
GIPA Act 006	<p>Personal factors of the application:</p> <p>Authority to require an applicant to provide evidence concerning any personal factors of the application that were relevant to a decision by the agency that there was not an overriding public interest against disclosure of the information.</p> <p>Pursuant to</p> <p>Section 55</p>
GIPA Act 007	<p>Deciding access applications:</p> <p>Authority to decide an access application and give the applicant notice of the decision in accordance with section 9 and Part 4, Division 4 (sections 57 – 63).</p> <p>Pursuant to</p> <p>Sections 9 and Part 4, Division 4 of the Government Information (Public Access) Act 2009</p>
GIPA Act 008	<p>Processing charge:</p> <p>Authority to carry out the functions of the Council as an agency under the Government Information (Public Access) Act 2009 which are provided for in Part 4, Division 5 (sections 64-71)</p>

	<p>of the Government Information (Public Access) Act 2009 in accordance with those sections, including the following functions:</p> <ul style="list-style-type: none">• To impose or waive a processing charge, or discounted processing charge, for dealing with an access application,• to require the applicant to make an advance payment of a processing charge• to refuse to deal further with an access application if the applicant has failed to pay an advance deposit within the time required for payment. <p>Pursuant to</p> <p>Part 4, Division 5 of the Government Information (Public Access) Act 2009</p>
GIPA Act 009	<p>Deferral of access:</p> <p>Authority to defer access to information where the Council has decided to provide access in response to an access application, in accordance with section 78.</p> <p>Pursuant to</p> <p>Section 78</p>
GIPA Act 010	<p>Application for Internal review:</p> <p>Authority to agree to accept an application for internal review out of time.</p> <p>Pursuant to</p> <p>Section 83</p>

GIPA Act 011	<p>Conduct of Internal Review:</p> <p>Authority to determine an application for internal review of a decision of the Council and give the applicant notice of the decision in accordance with Part 5, Division 2.</p> <p>Pursuant to</p> <p>Part 5, Division 2 of the Government Information (Public Access) Act 2009</p>
GIPA Act 012	<p>Review by Information Commissioner:</p> <p>Authority, pursuant to a recommendation by the Information Commissioner, to reconsider a decision and make a new decision in accordance with section 93.</p> <p>Pursuant to</p> <p>Section 93</p>
GIPA Act 013	<p>Waiver, reduction or refund of fees and charges:</p> <p>Authority to waive, reduce or refund any fee or charge payable or paid under the Government Information (Public Access) Act 2009 in any case that the delegate thinks appropriate.</p> <p>Pursuant to</p> <p>Section 127</p>
GIPA Act 014	<p>Confidential information in register:</p> <p>Authority to decide whether or not to include information in the register</p>

	Pursuant to section 32
GIPA Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Government Information (Public Access) Act 2009</p>
Graffiti Control Act 2008	
GC Act 001	<p>Graffiti Removal Work :</p> <p>Authority to carry out graffiti removal work with consent of owner or occupier of private land or without such consent where graffiti visible from public place.</p> <p>Pursuant to</p> <p>Sections 11 and 12</p>
GC Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p>

	Graffiti Control Act 2008
Growth Centres (Development Corporations) Act 1974	
GCDC Act 001	Agreements: Authority to negotiate an agreement with a development corporation in accordance with section 19 or 30. Pursuant to Sections 19 and 30
GCDC Act 002	Disputes: Authority to submit a dispute between the council and a development corporation to the Minister for Planning & Infrastructure in accordance with section 32. Pursuant to Section 32
GCDC Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Growth Centres (Development Corporations) Act 1974

Heritage Act 1977	
Heritage Act 001	<p>Interim heritage orders:</p> <p>Authority (where authorised by the Minister for Heritage in accordance with section 25) to make an interim heritage order for a place, building, etc in the council's area that the delegate considers may, on further inquiry or investigation, be found to be of local heritage significance, and that the delegate considers is being or is likely to be harmed, in accordance with Part 3 of the Heritage Act 1977. Authority to revoke an interim heritage order in accordance with section 29(4)</p> <p>Pursuant to</p> <p>sections 25, 28 and 29</p>
Heritage Act 002	<p>Exemption from approval:</p> <p>Authority to grant an exemption from section 57(1) by causing an order to be published in the government gazette</p> <p>Pursuant to</p> <p>section 57(3)</p>
Heritage Act 003	<p>Applications for approval:</p> <p>Authority to give public notice of, and determine, an application for approval in relation to an item of environmental heritage in accordance with Part 4, Division 3, and to modify an approval in accordance with section 65A</p> <p>Pursuant to</p>

	Sections 61, 62, 63, 63A, 63B, 64 and 65A
Heritage Act 004	<p>Request Heritage Council:</p> <p>Authority to recommend to Minister listing of item on State Register</p> <p>Pursuant to</p> <p>Section 32</p>
Heritage Act 005	<p>Make submissions to Heritage Council:</p> <p>Authority to make submissions to Heritage Council on proposed recommendation for listing of item on State Register</p> <p>Pursuant to</p> <p>Section 33</p>
Heritage Act 006	<p>Request Heritage Council:</p> <p>Authority to recommend to Minister removal of listing of item on State Register and make submissions to Heritage Council in respect of a proposed recommendation to remove listing of item</p> <p>Pursuant to</p> <p>Section 38</p>
Heritage Act 007	Make submissions to Heritage Council:

	<p>Authority to make submissions to Heritage Council regarding item of environmental heritage worthy of conservation</p> <p>Pursuant to</p> <p>Section 166</p>
Heritage Act 008	<p>Refer a submission:</p> <p>Authority to refer a submission objecting to identification of item as of heritage significance in local environmental plan to a panel</p> <p>Pursuant to</p> <p>Section 170B</p>
Heritage Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Heritage Act 1977</p>
Holiday Parks (Long-term Casual Occupation) Act 2002	
HPLTCO Act 001	<p>All functions:</p> <p>Authority to exercise and/or perform all functions of the council as park owner</p>

	<p>Pursuant to</p> <p>Holiday Parks (Long-term Casual Occupation) Act 2002</p>
HPLTCO Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Holiday Parks (Long-term Casual Occupation) Act 2002</p>
Housing Act 2001	
Housing Act 001	<p>Enter into arrangements etc:</p> <p>Authority to enter into arrangements or agreements with corporation</p> <p>Pursuant to</p> <p>Section 13</p>
Housing Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Housing Act 2001</p>

Human Resources	
pa	Access and Equity Policy: To ensure the functions of the policy are carried out.
pa	Equal Employment Opportunity Policy: To ensure the functions of the policy are carried out.
pa	Gifts and Benefits Policy: To ensure the functions of the policy are carried out.
Impounding Act 1993	
Imp Act 001	Appointment of Impounding Officer: Authority to appoint a person as an impounding officer within the meaning of the Impounding Act 1993 Pursuant to Section 4
Imp Act 002	Functions of an Impounding Authority: Authority to carry out the functions of the Council as an impounding authority in relation to how impounded items are to be dealt with

	<p>Pursuant to</p> <p>Part 3 of the Impounding Act 1993</p>
Imp Act 003	<p>Court proceedings:</p> <p>Authority to represent the Council in relation to appeals against proceedings for offences, applications for review to the Administrative Decisions Tribunal.</p> <p>Pursuant to</p> <p>Sections 37 and 38</p>
Imp Act 004	<p>Authorisation of Authorised Person:</p> <p>Authority to authorise a person with special powers to destroy animals.</p> <p>Pursuant to</p> <p>Section 41</p>
Imp Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Impounding Act 1993</p>
Inclosed Lands Protection Act 1901	

ILP Act 001	Request: Authority to request person to leave inclosed land owned or occupied by Council Pursuant to Sections 4 and 5
ILP Act 002	Destroy animal: Authority to destroy goat trespassing on inclosed land owned or occupied by Council Pursuant to Section 7
ILP Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Inclosed Lands Protection Act 1901
Independent Pricing and Regulatory Tribunal Act 1992	
IPART Act 001	Arrangements with other entities: Authority to enter into arrangement with Tribunal for provision of assistance to or by the Tribunal

	Pursuant to Section 9
IPART Act 002	Provide information: Authority to provide information or make submissions to the Tribunal in connection with an investigation or report, or in connection with monitoring by the Tribunal Pursuant to Independent Pricing and Regulatory Tribunal Act 1992
IPART Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Independent Pricing and Regulatory Tribunal Act 1992
Information Services	
pa	Records Management Policy: To ensure the functions of the policy are carried out.
pa	Use of Mobile Phones Policy:

	To ensure the functions of the policy are carried out.
Infrastructure Strategy	
pa	Asset Management Policy: To ensure the functions of the policy are carried out.
pa	Construction of Paving on Public Footways Policy: To ensure the functions of the policy are carried out.
pa	Contractors Engagement Policy: To ensure the functions of the policy are carried out.
pa	Directional Signs Policy: To ensure the functions of the policy are carried out.
pa	Display of House Numbers Policy: To ensure the functions of the policy are carried out.
pa	Dumper Hire Policy: To ensure the functions of the policy are carried out.
pa	Exclusive Rights for Old Graves Policy:

	To ensure the functions of the policy are carried out.
pa	Installation of Planters in Argent Street Policy: To ensure the functions of the policy are carried out.
pa	Landscaping on Nature Strips Policy: To ensure the functions of the policy are carried out.
pa	Lane Widening Policy: To ensure the functions of the policy are carried out.
pa	Motor Vehicle Pool System and Private Lease Policy: To ensure the functions of the policy are carried out.
pa	Motor Vehicle Usage Policy: To ensure the functions of the policy are carried out.
pa	Operation of the Broken Hill Regional Aquatic Centre Policy: To ensure the functions of the policy are carried out.
pa	Operation of the Water Slide at the Broken Hill Regional Aquatic Centre Policy: To ensure the functions of the policy are carried out.

pa	Stormwater Drainage Systems Policy: To ensure the functions of the policy are carried out.
pa	Tree Management Policy: To ensure the functions of the policy are carried out.
pa	Vandalism Reward System Policy: To ensure the functions of the policy are carried out.
pa	Waste Services Policy: To ensure the functions of the policy are carried out.
pa	Disposal of Council Real Estate Policy: To ensure the functions of the policy are carried out.
Land Acquisition (Just Terms Compensation) Act 1991	
LAJTC Act 001	Land Acquisition: Authority to carry out the functions of the council as an authority of the State under the Land Acquisition (Just Terms Compensation) Act 1991, subject to a council resolution to compulsorily acquire land including an interest in land. Pursuant to

	Land Acquisition (Just Terms Compensation) Act 1991
LAJTC Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Land Acquisition (Just Terms Compensation) Act 1991</p>
Land and Environment Court Act 1979	
LEC Act 001	<p>Conciliation Conferences:</p> <p>Authority to reach agreement, on behalf of the Council, during a conciliation conference with the Applicant in a Class 1 merit review appeal</p> <p>Pursuant to</p> <p>Section 34(3)</p>
LEC Act 002	<p>Conciliation Conferences:</p> <p>Authority to give consent, on behalf of the Council, to a Commissioner disposing of a Class 1 merit review appeal during a conciliation conference</p> <p>Pursuant to</p> <p>Section 34(4)(b)</p>

LEC Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Land and Environment Court Act 1979</p>
Library Act 1939	
Library Act 001	<p>Requirements as to services to be provided by local libraries:</p> <p>Authority to provide, or arrange for the provision of services in relation to the provision, control and management of libraries, library services and information services</p> <p>Pursuant to</p> <p>Section 11</p>
Library Act 002	<p>Enter into agreements and arrangements:</p> <p>Authority to enter into agreements or arrangements with other local authorities</p> <p>Pursuant to</p> <p>Sections 12, 12A</p>
Library Act 003	<p>Subsidy:</p> <p>Authority to apply to the Library Council of NSW for a subsidy in accordance with section 13</p>

	<p>Pursuant to</p> <p>Section 13</p>
Library Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Library Act 1939</p>
Library Regulation 2010	
Library Reg 001	<p>Registration, Rules and determining value:</p> <p>Authority to:</p> <p>a) determine the procedure for registration of library borrowers in accordance with clause 5(2) of the Regulation;</p> <p>b) to refuse an application and cancel a person's registration as a borrower in accordance with clause 5(3) of the Regulation;</p> <p>c) to make rules to regulate the use of a council's local libraries in accordance with clause 6 of the Regulation;</p> <p>d) to determine the value of library material or series in accordance with clause 7 of the Regulation.</p> <p>Pursuant to</p>

	Clauses 5, 6 and 7
Library Reg 002	Library users may be directed to leave: Authority to determine the maximum period for which a person may be excluded from the library in accordance with clause 17(3) of the Regulation Pursuant to Clause 17(3)
Library Services	
pa	Access to Library Services Policy: To ensure the functions of the policy are carried out.
pa	Broken Hill Regional Writers Centre Policy: To ensure the functions of the policy are carried out.
pa	Library Policy: To ensure the functions of the policy are carried out.
pa	Outback Archives Policy: To ensure the functions of the policy are carried out.

Liquor Act 2007 and Liquor Regulation 2008	
Liq Act 001	<p>Authorise Complainant:</p> <p>Authority to authorise a person as a complainant in relation to a licensed premises for the purposes of section 79.</p> <p>Pursuant to</p> <p>Section 79(3)(c)</p>
Liq Act 002	<p>Submission re Late Hour Entry Declaration:</p> <p>Authority to make a submission to the Director-General in relation to a proposed late hour entry declaration or variation or revocation of a late hour entry declaration.</p> <p>Pursuant to</p> <p>Sections 89(2) and 90(3)</p>
Liq Act 003	<p>Making a complaint:</p> <p>Authority to make a complaint on behalf of the council as the local consent authority for a licenced premises in relation to a licensee, manager or close associate of a licensee to the Authority in accordance with section 139.</p> <p>Pursuant to</p> <p>Section 139 and clause 73 of the Liquor Regulation 2008</p>
Liq Act 000	<p>All functions:</p>

	<p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Liquor Act 2007</p>
Local Government (General) Regulation 2005	
LG Reg 001	<p>Act as appropriate person:</p> <p>Authority to act as an appropriate person, within the meaning of clause 164 of the Local Government (General) Regulation 2005, to receive or deal with tenders submitted to Council.</p> <p>Pursuant to</p> <p>Clause 164</p>
LG Reg 002	<p>Decide method of tendering:</p> <p>Authority to decide, pursuant to clause 166 of the Local Government (General) Regulation 2005, the method of tendering to be used where Council is required to invite tenders in accordance with section 55 of the Local Government Act 1993.</p> <p>Pursuant to</p> <p>Clause 166</p>
LG Reg 003	<p>Expressions of Interest and Selective tendering:</p> <p>Authority to carry out all of a council's functions under, and in accordance with, clauses <u>168</u></p>

	<p>(expressions of interest) and 169 (selective tendering method by which recognised contractors listed by council are invited to tender for particular kinds of proposed contracts) of the <i>Local Government (General) Regulation 2005</i>.</p> <p>Pursuant to</p> <p>clauses 168 and 169 of the Local Government (General) Regulation 2005</p>
LG Reg 004	<p>Tenders:</p> <p>Authority to extend a deadline in a tender advertisement in accordance with cl.172 and to request or consent to a variation of a tender being made in accordance with cl.176(2).</p> <p>Pursuant to</p> <p>Pursuant to cl.172 and cl.176</p>
LG Reg 005	<p>Water supply may be restricted:</p> <p>Authority to form an opinion that the available stored water or capacity of a water supply system is insufficient and publish a notice in accordance with s.137</p> <p>Pursuant to</p> <p>Pursuant to cl. 137</p>
LG Reg 006	<p>Erection of notices to indicate catchment districts:</p> <p>Authority to erect notices for indicating the boundaries of districts and directing attention to any prohibitions or restrictions.</p>

	<p>Pursuant to</p> <p>Pursuant to cl. 139</p>
LG Reg 007	<p>Works constructed to serve 2 or more councils:</p> <p>Authority to agree the convenient point to supply water to another council.</p> <p>Pursuant to</p> <p>Pursuant to cl.141(1)</p>
LG Reg 008	<p>Fire hydrants:</p> <p>Authority to exercise and/or perform the Council's functions in relation to fire hydrants.</p> <p>Pursuant to</p>
LG Reg 009	<p>Inspection of pipes:</p> <p>Authority to inspect pipes and drains and measurement of water and sewage in accordance with cl. 143.</p> <p>Pursuant to</p> <p>Pursuant to cl. 143</p>
LG Reg 010	<p>Cutting off or restricting water supply:</p> <p>Authority to cut off or restrict the supply of water to premises and refuse to supply water to premises in accordance with cl.144(1) and (3)</p>

	<p>Pursuant to</p> <p>Pursuant to cl. 144.</p>
LG Reg 011	<p>New sewer or stormwater drain to be constructed if less costly:</p> <p>Authority to hold the belief in relation to the cost of existing sewers or stormwater drains and construct a new sewer or stormwater drain, and serve an order on the owners or occupiers of premises concerned, in accordance with cl.145.</p> <p>Pursuant to</p> <p>Pursuant to cl. 145.</p>
LG Reg 012	<p>Connections to council's sewerage system:</p> <p>Authority to carry out works and provide connections and impose a charge sufficient to meet the cost of the work or materials, in accordance with cl.146.</p> <p>Pursuant to</p> <p>Pursuant cl.146.</p>
LG Reg 013	<p>Premises to be connected to water supply:</p> <p>Authority to exercise and/or perform the Council's functions in relation to the connection of premises to water supply by an independent house service pipe.</p> <p>Pursuant to</p> <p>Pursuant to cl.152.</p>

LG Reg 014	<p>Laying of house service pipes:</p> <p>Authority to authorise the laying of a house service pipe at a lesser depth in accordance with cl.153(2).</p> <p>Pursuant to</p> <p>PUsuant to cl. 153(2).</p>
LG Reg 015	<p>Security of water meters:</p> <p>Authority to require the owner of premises to protect a meter, approve a lock and key and require the key to be deposited with the Council.</p> <p>Pursuant to</p> <p>PUsuant to cl. 155</p>
LG Reg 016	<p>Water meter for one premises:</p> <p>Authority to authorises a meter to measure water supplied to a premises and another premises.</p> <p>Pursuant to</p> <p>Pursuant to cl. 156(2)(b)</p>
LG Reg 017	<p>Hire of meters:</p> <p>Authority to enter into an agreement for the hire of a water meter from the Council.</p> <p>Pursuant to</p>

	Pursuant to clause 157
LG Reg 018	<p>Testing of meters:</p> <p>Authority to arrange for a water meter to be examined and tested, require an owner to rectify or replace a meter found to be defective and enter into a special contract to regulate the supply of water while a meter is being rectified or replaced.</p> <p>Pursuant to</p> <p>Pursuant to cl. 158</p>
LG Reg 019	<p>Unmetered premises:</p> <p>Authority enter into a special contract or give permission for an occupier of unmetered premises to use water other than for domestic purposes.</p> <p>Pursuant to</p> <p>Pursuant to cl. 161</p>
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	
LG (M) Reg 001	<p>Certificates of completion:</p> <p>Authority to issue a certificate of completion or a written notice that states why such a certificate is not being issued, in accordance with clause 69 of the Regulation</p> <p>Pursuant to</p>

	Clause 69
LG (M) Reg 002	Approvals for manufactured home estates etc: Authority to grant an approval to operate a manufactured home estate, and to install a manufactured home and associated structures in a manufactured home estate in accordance with Part 2, Division 2 of the Regulation Pursuant to Part 2, Division 2
LG (M) Reg 003	Approvals for caravan parks etc: Authority to grant an approval to operate a caravan park or camping ground, and to install a moveable dwelling and associated structures in accordance with Part 3, Division 2 of the Regulation Pursuant to Part 3, Division 2
Local Government Act 1993	
LG Act 001	Certificate as to classification of land: Authority to issue a certificate stating the classification of public land Pursuant to

	section 54
LG Act 002	<p>Leases etc in respect of community land:</p> <p>Authority to grant a lease, licence or other estate in respect of community land in accordance with Chapter 6, Part 2, Division 2 of the Local Government Act 1993 and Part 4, Division 3 of the Local Government (General) Regulation 2005</p> <p>Pursuant to</p> <p>Section 45 and Chapter 6, Part 2, Division 2 of the Local Government Act 1993 and Part 4 Division 3 of the Local Government (General) Regulation 2005</p>
LG Act 003	<p>Approvals:</p> <p>Authority to reject a unclear or illegible application for approval for an activity specified in the table to section 68, or to determine such an application, or an application to amend, extend, renew, revoke or modify such an approval</p> <p>Pursuant to</p> <p>section 68, 85, 86, 94, 106, 107, 108 and Chapter 6, Part 1 of the Local Government Act 1993 generally</p>
LG Act 004	<p>Mayor Functions:</p> <p>Authority to:</p> <ul style="list-style-type: none"> • exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council

	<ul style="list-style-type: none">• exercise such other functions of the council as the council determines• preside at meetings of the council• carry out the civic and ceremonial functions of the mayoral office. <p>Pursuant to section 225</p>
LG Act 005	<p>Preparation of draft plans of management for community land:</p> <p>Authority to prepare a draft plan of management for community land in accordance with Chapter 6, Part 2, Division 2 of the Local Government Act 1993 and Part 4 of the Local Government (General) Regulation 2005</p> <p>Pursuant to Section 36</p>
LG Act 006	<p>Environmental upgrade agreement:</p> <p>Authority to enter into, and amend, an environmental upgrade agreement on behalf of the council with a building owner and a finance provider in relation to a building in accordance with Part 2A of Chapter 6.</p> <p>Pursuant to Section 54D</p>
LG Act 007	<p>Power to levy environmental upgrade charge:</p>

	<p>Authority to levy an environmental upgrade charge in accordance with an environmental upgrade agreement .</p> <p>Pursuant to</p> <p>Section 54I</p>
LG Act 009	<p>Private works:</p> <p>Authority to enter into an agreement with the owner or occupier of private land for the council to carry out works.</p> <p>Pursuant to</p> <p>Section 67</p>
LG Act 010	<p>Fees:</p> <p>Authority to require payment of a further approved fee if an application is amended.</p> <p>Pursuant to</p> <p>Section 80</p>
LG Act 011	<p>Withdrawal of Applications:</p> <p>Authority to authorise a refund in respect of fees paid by an applicant in respect of an application for a Section 68 Activity approval which is withdrawn</p> <p>Pursuant to</p>

	Section 88(3)
LG Act 012	<p>Review of determination of approvals:</p> <p>Authority to review the determination of an application for an approval for an activity in accordance with section 100</p> <p>Pursuant to</p> <p>Section 100</p>
LG Act 013	<p>Approvals for Filming:</p> <p>Authority to exercise the functions of the council in relation to applications for filming proposals including to determine an application under section 115, determine any security deposit, bond, fee or charge in accordance with section 116 and the reject an application under section 117, in accordance with Chapter 7, Part 1, Division 4.</p> <p>Pursuant to</p> <p>Section 115 and Chapter 7, Part 1, Division 4 of the Local Government Act 1993</p>
LG Act 014	<p>Orders:</p> <p>Authority to exercise Council's functions under Chapter 7, Part 2 of the Local Government Act 1993 in relation to the making of orders including:</p> <ul style="list-style-type: none"> a) the giving of an Order under section 124; a) issue a notice of intention to give an order in accordance with section 132, b) hear and consider representations made in relation to a notice of intention to give an order, in accordance with section 133 c) determine to give, or not give, an order in accordance with section 135;

	<p>d) accept or reject particulars of work in accordance with section 141;</p> <p>e) prepare or authorise the preparation of particulars of work and order the owner to carry out that work under section 141(3);</p> <p>f) recover from the owner expenses incurred in preparing particulars of work in accordance with section 141;</p> <p>g) modify an order in accordance with section 152;</p> <p>h) revoke an order in accordance with section 153</p> <p>Pursuant to</p> <p>Section 124, Chapter 7, Part 2 of the Local Government Act 1993 and Part 3 of the Local Government (General) Regulation 2005</p>
LG Act 015	<p>Abatement of Public Nuisances:</p> <p>Authority to take action to abate a public nuisance or order a person responsible for a public nuisance to abate it.</p> <p>Pursuant to</p> <p>Section 125</p>
LG Act 016	<p>Local Policies:</p> <p>Authority to prepare a draft local policy for approvals and orders under sections 158 and 159.</p> <p>Pursuant to</p> <p>Sections 158 and 159</p>

LG Act 017	<p>Authorisation of Power of entry:</p> <p>Authority to authorise a council employee or other person to enter land in accordance with section 191, 191A and generally Chapter 8, Part 2 of the Local Government Act 1993.</p> <p>Pursuant to</p> <p>Sections 191 and 191A</p>
LG Act 018	<p>Written Authority:</p> <p>Authority to issue a written authority to a person authorised, to enter premises</p> <p>Pursuant to</p> <p>Section 199</p>
LG Act 019	<p>Notice of entry:</p> <p>Authority to give written notice to the owner or occupier of the premises of the intention to enter the premises and authority to give notification of the use of force or urgent entry to such persons or authorities as appear to the delegate to be appropriate in the circumstances.</p> <p>Pursuant to</p> <p>Sections 193 and 195</p>
LG Act 020	<p>Recovery of costs and compensation:</p> <p>Authority to recover the reasonable costs of the entry and inspection from the owner or occupier of the premises and pay compensation in circumstances required by section 198.</p>

	Pursuant to Sections 197 and 198
LG Act 021	Appointment of Authorised Person: Authority to authorise an employee of a council as an authorised person, generally or specifically Pursuant to Section 3, Definition of "authorised person"
LG Act 022	Temporary appointments: Authority to appoint a person to a position temporarily Pursuant to Section 351
LG Act 023	Insurance: Authority to make arrangements for the council's adequate insurance against public liability and professional liability in accordance with the regulations. Pursuant to Section 382
LG Act 024	Categorisation of land for purposes of ordinary rates:

	<p>Authority to determine and declare the categorisation of rateable land within the Council's area</p> <p>Pursuant to</p> <p>Section 514</p>
LG Act 025	<p>Application for change of category:</p> <p>Authority to determine applications to change the category of rateable land</p> <p>Pursuant to</p> <p>Section 525</p>
LG Act 026	<p>Adjustment of rates following change in category:</p> <p>Authority to make an appropriate adjustment of rates paid or payable following a change in the category of rateable land</p> <p>Pursuant to</p> <p>Section 527</p>
LG Act 027	<p>Agreement as to periodical payment of rates and charges:</p> <p>Authority to write off or reduce interest accrued on rates or charges where a person complies with an agreement for the payment of rates or charges, pursuant to section 564 of the Local Government Act 1993 (NSW).</p> <p>Pursuant to</p>

	Section 564
LG Act 028	Accrued interest: Authority to write off accrued interest on rates and charges in accordance with section 567 of the Local Government Act 1993 Pursuant to Section 567
LG Act 029	Notice to occupier re unpaid rates: Authority to serve a notice on the occupier of land in relation to unpaid rates or charges in accordance with section 569 of the Local Government Act 1993 Pursuant to Section 569
LG Act 030	Liability of eligible pensioners: Authority to reduce a rate or charge in respect of land on which a dwelling is situated for an eligible pensioner in accordance with section 575 of the Local Government Act 1993 Pursuant to Section 575
LG Act 031	Extension of concession to avoid hardship:

	<p>Authority to order that a person is taken to be an eligible pensioner in accordance with section 577(1) and to order that a person is taken to be solely liable in respect of the land on which the dwelling is situated in accordance with section 577(2)</p> <p>Pursuant to</p> <p>Section 577</p>
LG Act 032	<p>Abandonment of pensioner rates and charges:</p> <p>Authority to waive or reduce rates, charges and interest due by any person prescribed by the regulations who is in receipt of a pension, benefit or allowance under the Social Security Act 1991 of the Commonwealth</p> <p>Pursuant to</p> <p>Section 582</p>
LG Act 034	<p>Redetermination on partial change of circumstances:</p> <p>Authority to make a due adjustment to the rates payable, or apply the provisions postponing rates, as the delegate considers equitable in the circumstances, in accordance with section 598</p> <p>Pursuant to</p> <p>Section 598</p>
LG Act 035	<p>Reduction of subsequent rate:</p> <p>Authority to verify the eligibility of the rateable person for a reduction in a subsequent rate as</p>

	<p>prescribed by the regulations and reduce the subsequent rate in accordance with section 599</p> <p>Pursuant to</p> <p>Section 599</p>
LG Act 036	<p>Objection in respect of certain land vested in public bodies:</p> <p>Authority to object to the inclusion of a parcel of land in the list in accordance with section 600(6) of the Local Government Act 1993</p> <p>Pursuant to</p> <p>Section 600(6)</p>
LG Act 037	<p>Discretion to waive, reduce or defer payment of a rate:</p> <p>Authority to waive, reduce or defer the payment of the whole or any part of the increase in the amount of the rate payable by the ratepayer in such circumstances, for such period and subject to such conditions as the delegate thinks fit.</p> <p>Pursuant to</p> <p>Section 601(2)</p>
LG Act 038	<p>Certificate as to rates and charges:</p> <p>Authority to issue a certificate as to the amount (if any) due or payable to the council, by way of rates, charges or otherwise, in respect of a parcel of land in accordance with section 603.</p> <p>Pursuant to</p>

	Section 603
LG Act 39	<p>Estimates of coastal protection charges:</p> <p>Authority to provide, on request, a person who would be liable to pay an annual charge for coastal protection services in relation to proposed coastal protection works with an estimate of the person's liability for that annual charge (if the council were to make such a charge) for each of the following 5 years, in accordance with section 606A.</p> <p>Pursuant to</p> <p>Section 606A</p>
LG Act 040	<p>Operational Land:</p> <p>Authority to grant (and renew, vary, terminate and otherwise deal with) a lease or licence in relation to operational land.</p> <p>Pursuant to</p> <p>Pursuant to <i>s22 Local Government Act 1993</i></p>
LG Act 041	<p>Waive or reduce fees:</p> <p>Authority to waive payment of, or reduce, a fee (whether expressed as an actual or a maximum amount) in a particular case if the council is satisfied that the case falls within a category of hardship or any other category in respect of which the council has determined payment should be so waived or reduced.</p> <p>Pursuant to</p>

	Section 610E
LG Act 042	<p>Investment of money :</p> <p>Authority to invest money that is not, for the time being, required by the Council for another purpose in accordance with section 625 and the current Ministerial Investment Order published in the Government Gazette.</p> <p>Pursuant to</p> <p>Section 625</p>
LG Act 043	<p>Notices in Public Places:</p> <p>Authority to erect a notice in a public place in accordance with section 632 and in relation to bathing and other water-based recreational activities, in accordance with section 633.</p> <p>Pursuant to</p> <p>Sections 632 and 633</p>
LG Act 044	<p>Alcohol Prohibited Place:</p> <p>Authority to declare a public place as an alcohol prohibited place under section 632A(4).</p> <p>Pursuant to</p> <p>Section 632A(4)</p>
LG Act 045	Alcohol Free Zone:

	<p>Authority to prepare a proposal for the establishment of an alcohol-free zone under section 644</p> <p>Pursuant to</p> <p>Section 644</p>
LG Act 046	<p>Agreement re free parking area:</p> <p>Authority to execute an agreement on behalf of the Council with the owner of private land under which the land, or any part of the land, is set aside for use as a free parking area.</p> <p>Pursuant to</p> <p>Section 650(6)</p>
LG Act 047	<p>Request for name and address:</p> <p>Authority to request an occupier or manager of any premises or an agent of the owner of the premises to disclose the name and address of the owner of the premises or of the person receiving or authorised to receive the rents of the premises and of the manager or occupier of the premises.</p> <p>Pursuant to</p> <p>Sections 662 and 663</p>
LG Act 048	<p>Remedy or restraint of breaches of LG Act:</p> <p>Authority to bring and conduct proceedings for the purpose of an order to remedy or restrain a breach of the Local Government Act 1993 in accordance with section 673.</p>

	<p>Pursuant to</p> <p>Section 673</p>
LG Act 049	<p>Failure to comply with order?carrying out of work by the council:</p> <p>Authority to do or arrange to be done through the Council's employees, contractors or agents, all such things as are necessary or convenient to give effect to the terms of an order issued by the Council including the carrying out of any work required by the order and recover expenses incurred in accordance with section 678 of the LG Act and otherwise give effect to the functions provided for in section 678</p> <p>Pursuant to</p> <p>Section 678</p>
LG Act 050	<p>Laying of informations:</p> <p>Authority to lay information in respect of any proceedings for an offence</p> <p>Pursuant to</p> <p>Section 684</p>
LG Act 051	<p>Appearance in local court:</p> <p>Authority for an employee of the council appointed in writing by the general manager to represent the council in all respects in proceedings in the local court and to institute and carry on any proceedings in the local court which the council is authorised to institute and carry on under the Local Government Act 1993.</p>

	Pursuant to Section 687
LG Act 052	Bankruptcy: Authority to represent Council and act on its behalf in any bankruptcy or winding up proceedings Pursuant to Section 688
LG Act 053	Other remedies: Authority to recover from the person: (a) any sum for damage sustained by it through the person's act or default, and (b) the costs and expenses incurred by it in remedying that damage, and (c) the value of anything wasted, misused or unlawfully consumed, diverted or taken by the person. Pursuant to Section 690
LG Act 054	Suing for debts: Authority to recover a rate, charge, fee or other money due to the council under this Act or the regulations as a debt. Pursuant to

	Section 695
LG Act 055	<p>Agreement as to compensation:</p> <p>Authority to agree with a claim for compensation under section 12(5) of the Graffiti Control Act 2008 or section 128 or 198 of this Act, in case of dispute, may by agreement between the council and the person claiming the compensation be referred to arbitration under the Commercial Arbitration Act 2010.</p> <p>Pursuant to</p> <p>Section 730(1)</p>
LG Act 056	<p>Certificate as to notices:</p> <p>Authority to issue a certificate to an applicant as to whether there are any outstanding notices issued by the council under this Act in respect of any land within the council's area.</p> <p>Pursuant to</p> <p>Section 735A</p>
LG Act 057	<p>Protection of privacy :</p> <p>Authority to determine a request made by a person that any material that is available (or is to be made available) for public inspection by or under that Act be prepared or amended so as to omit or remove any matter that would disclose or discloses the person's place of living if the person considers that the disclosure would place or places the personal safety of the person or the person's family at risk.</p>

	<p>Pursuant to</p> <p>Section 739</p>
LG Act 058	<p>Authority to authorise:</p> <p>Authority to authorise an employee of Council generally or specially in respect of any act, matter or thing</p> <p>Pursuant to</p> <p>Section 3, definition of "authorised person"</p>
LG Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Local Government Act 1993</p>
LG Act 059	<p>General Manager's functions:</p> <p>Authority to perform the functions of the General Manager, other than the power of delegation.</p> <p>Pursuant to</p> <p>Sections 335 and 378(1) of the Local Government Act 1993.</p>
LG Act 060	<p>Water Supply etc Construction of works:</p>

	<p>Authority to apply to the Minister of Primary Industries for the Minister to construct works of water supply, sewerage or stormwater drainage under the Public Works Act 1912</p> <p>Pursuant to</p> <p>Pursuant to: s57(1) LG Act</p>
LG Act 061	<p>Ownership of water supply, sewerage and stormwater drainage works:</p> <p>Authority to operate, repair, replace, maintain, remove, extend, expand, connect, disconnect, improve or do any other things that are necessary or appropriate to any of its works to ensure that, in the opinion of the person delegated this authority, the works are used in an efficient manner for the purposes for which the works were installed.</p> <p>Pursuant to</p> <p>Pursuant to: s59A(2) LG Act</p>
LG Act 062	<p>Council works approval from Minister:</p> <p>Authority to apply to the Minister for Primary Industries to do works specified in s.60 of the Local Government Act 1993 and cl.138 of the Local Government (General) Regulation.</p> <p>Pursuant to</p> <p>Pursuant to s.60 LG Act and cl.138 LG (Gen) Regulation</p>
LG Act 063	<p>Developer contributions for water management works:</p> <p>Authority to serve a notice on an applicant requiring the applicant to pay a contribution towards the cost of water management works and/or construct water management works in accordance</p>

	<p>with s306 <i>Water Management Act 2000</i>. Authority to be satisfied that a requirement has been complied with and to grant or refuse a certificate of compliance for development in accordance with 307 <i>Water Management Act 2000</i>.</p> <p>Pursuant to</p> <p>s64 LG Act and s306 <i>Water Management Act 2000</i></p>
Local Government and Other Authorities (Superannuation) Act 1927	
LG (Super) Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Local Government and Other Authorities (Superannuation) Act 1927</p>
Local Land Services Act 2013	
LLS Act 001	<p>Concurrence for a stock permit:</p> <p>Authority to provide the concurrence regarding the issuing of a stock permit in the case of a public road that is not a Crown road vested in the council.</p> <p>Pursuant to</p> <p>section 78(3)</p>
LLS 000	All functions:

	<p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Local Land Services Act 2013</p>
Major Events Act 2009	
ME Act 001	<p>Functions:</p> <p>Authority to exercise and/or perform Council's functions as a government agency</p> <p>Pursuant to</p> <p>Part 4 Division 2</p>
ME Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Major Events Act 2009</p>
Minister for Planning and Infrastructure	
tp	<p>Delegated authority from the Minister for Planning and Infrastructure to carry out functions under Section 59 of the Environmental Planning and Assessment Act 1979 for the making of</p>

	Local Environmental Plans (LEP's). : Making of Local Environmental Plans (LEP's)
Noxious Weeds Act 1993	
NW Act 001	Failure to control Noxious Weeds: Authority to give all notices required to be given and sign all written notices for that purpose Pursuant to section 12(2)
NW Act 002	LCAs? obligations to control noxious weeds on own land: Authority to control noxious weeds on land subject to a weed control order. Pursuant to Section 14
NW Act 003	Obligation to control aquatic weeds: Authority to control noxious weeds located on a watercourse, river or inland water in the local area. Pursuant to

	Section 17A
NW Act 004	Weed Control Notice: Authority to give, amend or revoke a weed control notice and to sign all written notices for that purpose Pursuant to Section 18
NW Act 005	Proposed Weed Control Notice: Authority to give prior notice of a proposed weed control notice and sign all written notices for that purpose. Pursuant to Section 18A
NW Act 006	Emergency weed control notice: Authority to give oral or written notice of an emergency weed control notice and to sign all written notices for that purpose. Pursuant to Section 18A(3)
NW Act 007	Authority to consider & determine:

	<p>Authority to consider submissions from occupiers regarding a proposed weed control notice and determine whether to proceed with the proposed notice and, if proceeding, whether to change its terms.</p> <p>Pursuant to</p> <p>Section 18A(2)(c) & (d)</p>
NW Act 008	<p>Noxious weed control by local control authority after notice not complied with :</p> <p>Authority to control of noxious weeds on land subject to a weed control order</p> <p>Pursuant to</p> <p>Section 20(1)</p>
NW Act 009	<p>Noxious Weed Control by LCA after Weed Control Notice not complied with:</p> <p>Authority to:</p> <p>(a) control noxious weeds on land subject to a weed control order</p> <p>(b) control noxious weeds on behalf of Council</p> <p>(c) enter premises for that purpose</p> <p>(d) give all notices required to be given and to sign all written notices for that purpose</p> <p>Pursuant to</p> <p>Section 20(1), (2) ,(3) & (4)</p>
NW Act 010	<p>Recommend weed control notice be given to public authority:</p> <p>Authority to recommend to the Minister that a weed control notice be given by the Minister for</p>

	<p>Primary Industries to a public authority or another local control authority.</p> <p>Pursuant to</p> <p>Section 21</p>
NW Act 011	<p>Weed control notices given by Minister:</p> <p>Authority to take all necessary action and authorise all such work to comply with a weed control notice given to the authority by the Minister for Primary Industries.</p> <p>Pursuant to</p> <p>Section 22</p>
NW Act 012	<p>Expenses:</p> <p>Authority to make demand for payment and to take all necessary action and provide all necessary instructions with respect to the recovery in an Court of competent jurisdiction of reasonable expenses incurred by or on behalf of the Council, together with interest, in ascertaining whether a weed control notice has been complied with an in taking action if it is not being complied with (including charges for any inspection of the land)</p> <p>Pursuant to</p> <p>Section 26(1),(3) & (4)</p>
NW Act 013	<p>Notice of Control of prohibited plants:</p> <p>Authority to give all notices required to be given and to sign all written notices for that purpose.</p>

	<p>Pursuant to</p> <p>Section 27(1)</p>
NW Act 014	<p>Noxious Weed control functions of local control authorities:</p> <p>Authority to exercise the noxious weed control functions of Council in relation to the area for which it is the local control authority.</p> <p>Pursuant to</p> <p>Section 36</p>
NW Act 015	<p>Temporary restrictions during noxious weed control:</p> <p>Authority to:</p> <ul style="list-style-type: none"> (a) impose temporary restrictions during noxious weed control. (b) require an owner or occupier of land to remove any animals from any part of the land and to prevent animals from entering any part of the land for a specified period, where Council is acting under section 20 of the Act. (c) temporarily close or obstruct public or private roads (other than any state highway, freeway, tollway or state work within the meaning of the Roads Act 1993) while measures to control noxious weeds are being taken on land adjacent to those roads (d) to temporarily close to navigation, or obstruct navigation in, any waters while measures to control noxious weeds are being taken in those waters. (e) to erect notices to warn people not to enter on, or remain on, any land on which measures are being taken to control noxious weeds. <p>Pursuant to</p>

	Section 36A(1),(2),(3),(4) & (5)
NW Act 016	<p>Record Keeping obligations of LCA:</p> <p>Authority to monitor the presence of noxious weeds, keep records, and report to the Director General.</p> <p>Pursuant to</p> <p>Section 37</p>
NW Act 017	<p>Power related to aquatic weeds:</p> <p>Authority to consider any objections, and authorise the drainage of a swamp.</p> <p>Pursuant to</p> <p>Section 38(2)</p>
NW Act 018	<p>Inspectors:</p> <p>Authority to appoint a person as an inspector as defined under the Noxious Weeds Act 1993.</p> <p>Pursuant to</p> <p>Section 41(1)</p>
NW Act 019	<p>Power of Entry:</p> <p>Authority to authorise a person to enter premises to control noxious weeds on the land.</p>

	Pursuant to Section 43 of the Noxious Weeds Act
NW Act 020	Inspections and Investigations: Authority to undertaken inspections and investigations and exercise all functions set out in section 44 of the Act. Pursuant to Section 44
NW Act 021	Notice of Entry: Authority to give all notices required to be given and to sign all written notices for that purpose. Pursuant to Section 45
NW Act 022	Use of force: Authority to authorise in writing the use of force in the circumstances of the case. Pursuant to Section 46
NW Act 023	Notification of use of force or entry:

	<p>Authority to give all notices required to be given and to sign all written notices for that purpose.</p> <p>Pursuant to</p> <p>Section 47</p>
NW Act 024	<p>Compensation:</p> <p>Authority to authorise the payment of compensation for damage caused by an inspector or authorised officer in entering premises.</p> <p>Pursuant to</p> <p>Section 49</p>
NW Act 025	<p>Certificates of Authority:</p> <p>Authority to issue a Certificate of Authority in accordance with section 50 of the <i>Noxious Weeds Act 1993</i>.</p> <p>Pursuant to</p> <p>Section 50</p>
NW Act 026	<p>Recovery of charges and fees:</p> <p>Authority to take all necessary action in a Court of competent jurisdiction and to provide all necessary instructions with respect to the recovery of any unpaid charges and fees due and payable to the Council under the Act.</p> <p>Pursuant to</p>

	Section 59
NW Act 027	Certificate as to weed control notices, expenses and charges on land: Authority to issue a Certificate as to weed control notices, expenses and charges on land. Pursuant to Section 64
NW Act 028	Delegation by local control authorities: Authority for a local control authority to delegate to a person any of the local control authority's functions under this Act (other than this power of delegation) but only under this power of delegation. Pursuant to Section 68
NW Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Noxious Weeds Act 1993
Ombudsman Act 1974	

Ombudsmans Act 001	Complaints: Authority to complain to the Ombudsman about the conduct of a public authority in accordance with section 12 Pursuant to Section 12
Ombudsmans Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Ombudsman Act 1974
Pesticides Act 1999	
Pesticides Act 001	Clean up action: Authority, where the council is advised by the EPA, or where the delegate reasonably suspects that any pesticide pollution is occurring or has occurred, to take or authorise such clean-up action as the delegate considers necessary in accordance with section 20, issue a compliance cost notice in relation to such action in accordance with section 28, recover any unpaid amounts specified in a compliance costs notice as a debt in accordance with section 29 and apply for a compliance cost notice to be registered as a charge on the land to which it relates in accordance with section 30. Pursuant to

	Sections 20, 28, 29 and 30
Pesticides Act 002	<p>Power of Entry:</p> <p>Authority to authorise a person to enter premises for the purpose of exercising the council's functions under Part 3 of the <i>Pesticides Act 1999</i> in accordance with section 35 of the <i>Pesticides Act 1999</i> and Chapter 7 of the <i>Protection of the Environment Operations Act 1997</i>.</p> <p>Pursuant to</p> <p>Section 35 of the Pesticides Act 1999</p>
Pesticides Act 003	<p>Recovery of costs etc:</p> <p>Authority to seek an order for costs, expenses and compensation in accordance with section 95 and to recover from the offender the costs and expenses incurred or the amount of the loss or damage incurred by the council in the Land and Environment Court in accordance with section 96.</p> <p>Pursuant to</p> <p>Sections 95, 96</p>
Pesticides Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p>

	Pesticides Act 1999
Pesticides Act 004	<p>Pesticide use notification plans:</p> <p>Authority to carry out all the functions associated with the requirement to prepare, finalise, notify the EPA and give public notice of, a pesticide use notification plan in accordance with Part 5 Division 2 of the Pesticides Regulation 2009.</p> <p>Pursuant to</p> <p>Part 5, Division 2 of the Pesticides Regulation 2009.</p>
Pipelines Act 1967	
Pipelines Act 001	<p>Object to compulsory acquisition of land or easement:</p> <p>Authority to make a written objection to the Minister in respect of a proposed compulsory acquisition</p> <p>Pursuant to</p> <p>Section 21</p>
Pipelines Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p>

	Pipelines Act 1967
Planning, Development & Compliance	
pa	Compliance and Enforcement Policy: To ensure the functions of the policy are carried out.
pa	Fire Safety in Existing Buildings Policy: To ensure the functions of the policy are carried out.
pa	Food Hawker and Vendor Regulations Policy: To ensure the functions of the policy are carried out.
pa	Footway Restaurants Settings Policy: To ensure the functions of the policy are carried out.
pa	Heritage Restoration Fund Loan Funds Policy: To ensure the functions of the policy are carried out.
pa	Illegal Vehicular Passage on Footpaths Policy: To ensure the functions of the policy are carried out.
pa	Keeping of Pigeons in Residential Areas Policy:

	To ensure the functions of the policy are carried out.
pa	Land Acquisitions Policy: To ensure the functions of the policy are carried out.
pa	Land Development Policy: To ensure the functions of the policy are carried out.
pa	Legionnaires Disease Policy: To ensure the functions of the policy are carried out.
pa	Local Orders Policy: To ensure the functions of the policy are carried out.
pa	Nuclear Waste Policy: To ensure the functions of the policy are carried out.
pa	Residential Buildings Conservation Policy: To ensure the functions of the policy are carried out.
pa	Shop Front Displays and Moveable Signs Policy: To ensure the functions of the policy are carried out.

pa	Signage of Major Tourist Attractions Policy: To ensure the functions of the policy are carried out.
pa	Smoke Free Playgrounds and Sporting Reserves Policy: To ensure the functions of the policy are carried out.
pa	Swimming Pool Barrier Inspection Policy: To ensure the functions of the policy are carried out.
pa	Waiving of Notice Preparation Fees Protection of the Environment Operations Act Policy: To ensure the functions of the policy are carried out.
Privacy and Personal Information Protection Act 1998	
PPIP Act 001	The powers to comply with Act: Authority to exercise and/or perform all powers and functions necessary or desirable to enable the Council to comply with its obligations under the Privacy and Personal Information Protection Act 1998. Pursuant to Privacy and Personal Information Protection Act 1998
PPIP Act 002	Conduct internal review:

	<p>Authority to conduct internal review requested by an aggrieved person</p> <p>Pursuant to</p> <p>Sections 53 and 54</p>
PPIP Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Privacy and Personal Information Protection Act 1998</p>
Protection of the Environment Operations (Clean Air) Regulation 2010	
PoEO (Clean Air) Reg 001	<p>Approval for certain fires:</p> <p>Authority to grant an approval in respect of the burning of dead and dry vegetation on the premises on which the vegetation grew, in accordance with Part 3 (section 13) of the Protection of the Environment Operations (Clean Air) Regulation 2010.</p> <p>Pursuant to</p> <p>Section 13</p>
Protection of the Environment Operations (Waste) Regulation 2005	
PoEO (Waste) Reg 001	<p>Application for waste and sustainability improvement payments:</p>

	<p>Authority to apply to the EPA for a waste sustainability improvement payment in accordance with section 46C of the Protection of the Environment Operations (Waste) Regulation 2005.</p> <p>Pursuant to</p> <p>Section 46C</p>
Protection of the Environment Operations Act 1997	
PoEO Act 001	<p>Clean-up notices:</p> <p>Authority to issue, vary or revoke a clean-up notice. A notice can be issued in writing, or orally in accordance with section 93.</p> <p>Pursuant to</p> <p>Sections 91 and 93</p>
PoEO Act 002	<p>Fees:</p> <p>Authority to waive payment of the whole or any part of the fee, or extend the time for payment of a fee, in respect of a clean-up notice or prevention notice.</p> <p>Pursuant to</p> <p>Sections 94, 100</p>
PoEO Act 003	<p>Prevention notices:</p> <p>Authority to issue, vary or revoke a prevention notice. A notice can be issued in writing, or orally</p>

	<p>in accordance with section 93</p> <p>Pursuant to</p> <p>Sections 96 and 110</p>
PoEO Act 004	<p>Action in event of failure to comply:</p> <p>Authority to take action to cause a prevention notice to be complied with if a person does not comply with a prevention notice given to the person.</p> <p>Pursuant to</p> <p>Section 98</p>
PoEO Act 005	<p>Voluntary clean-up action:</p> <p>Authority to take such clean-up action as the delegate considers necessary if the delegate reasonably suspects that a pollution incident has occurred or is occurring.</p> <p>Pursuant to</p> <p>Section 92(2)</p>
PoEO Act 006	<p>Compliance cost notices:</p> <p>Authority to:</p> <ul style="list-style-type: none">a) issue a compliance cost notice;b) recover any unpaid amounts as a debt;c) apply to register a compliance cost notice in relation to land; andd) where a compliance cost notice has been lodged or registered, issue a notice requiring the

	<p>person to pay the reasonable costs and expenses incurred by the authority in respect of the lodgement or registration and recover any unpaid amounts as a debt.</p> <p>e) revoke or vary a notice.</p> <p>Pursuant to</p> <p>Sections 104, 105, 106, 107(8), 110</p>
PoEO Act 007	<p>Appointment of Authorised Officers and authorisation of Enforcement Officers:</p> <p>Authority to appoint an officer or employee of the Council as an Authorised Officer and to authorise a member of staff of the Council to exercise the functions of an Enforcement Officer under Division 3 of Part 8.2 of the Act (in respect of penalty notice offences).</p> <p>Pursuant to</p> <p>Section 187 and 226 of the Protection of the Environment Operations Act and clause 81 of the Protection of the Environment Operations (General) Regulation 2009</p>
PoEO Act 008	<p>Requirement to provide information and records:</p> <p>Authority to give, revoke or vary a notice to a person to require the person to furnish information or records (or both).</p> <p>Pursuant to</p> <p>Section 192</p>

PoEO Act 009	<p>Court proceeding (agent or appointee):</p> <p>Authority to act as an agent or appointee of the Council to commence proceedings for an offence against the Act or Regulations.</p> <p>Pursuant to</p> <p>Section 218A</p>
PoEO Act 010	<p>Assistance to be given to authorised officers:</p> <p>Authority to issue a notice requiring the owner or occupier of a premises to provide such reasonable assistance and facilities to an authorised officer</p> <p>Pursuant to</p> <p>Section 200</p>
PoEO Act 011	<p>Court proceedings (officers and employees):</p> <p>Authority to institute proceedings for an offence against the Act or the Regulations (other than excluded offences) with the written consent of the council or a person authorised by the council, in accordance with sections 218 and 220.</p> <p>Pursuant to</p> <p>Sections 218 and 220</p>
PoEO Act 012	<p>Court proceedings (authority to provide consent):</p> <p>Authority to provide consent for an officer or employee to institute proceedings under section</p>

	<p>220.</p> <p>Pursuant to</p> <p>Section 220</p>
PoEO Act 013	<p>Noise control notices:</p> <p>Authority to give or issue, revoke or vary a noise control notice.</p> <p>Pursuant to</p> <p>Sections 264 and 266</p>
PoEO Act 014	<p>Compliance costs notice:</p> <p>Authority to issue a compliance costs notice and recover any unpaid amounts in court, apply to the Registrar-General for registration and recover costs relating to charge.</p> <p>Pursuant to</p> <p>Chapter 4, Part 4.5 of the Protection of the Environment Operations Act 1997</p>
PoEO Act 015	<p>Extend time:</p> <p>Authority to extend time for payment of, or waive, a fee</p> <p>Pursuant to</p> <p>section 267A(3)</p>

PoEO Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Protection of the Environment Operations Act 1997</p>
Public Health Act 2010	
PH Act 001	<p>Failure to comply with notice relating to regulated system:</p> <p>Authority to take action if the occupier of premises at which there is a regulated system fails to comply with an improvement notice.</p> <p>Pursuant to</p> <p>Section 44</p>
PH Act 002	<p>Prohibition Order:</p> <p>Authority to serve a prohibition order, and give a certificate of clearance, in accordance with section 45, and to determine a claim for compensation in accordance with section 49.</p> <p>Pursuant to</p> <p>Sections 45 and 49</p>
PH Act 003	<p>Agreement with Director General:</p>

	<p>Authority to enter into an agreement or arrangement with Director General</p> <p>Pursuant to</p> <p>Section 98</p>
PH Act 004	<p>Commence proceedings:</p> <p>Authority to commence proceedings against a breach of the Act or Regulations.</p> <p>Pursuant to</p> <p>Section 117</p>
PH Act 005	<p>Authority to appoint authorised officer:</p> <p>Power to appoint a member of the staff of the Council or a member of the staff of another government authority to be an authorised officer, where in the opinion of the Council, the person has appropriate qualifications or experience for such an appointment.</p> <p>Pursuant to</p> <p>Section 126</p>
PH Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p>

	Public Health Act 2010
Public Health Regulation 2012	
PH Reg 001	Fees: Authority to extend the time for payment of a fee or waive a fee in full or part in respect of an improvement notice or prohibition order. Pursuant to Clause 97
Public Interest Disclosures Act 1994	
PID Act 002	Provide report: Authority to provide report to Ombudsman and to Minister Pursuant to Section 6CA, section 31
PID Act 003	Refer evidence of an offence: Authority to refer evidence of an offence to Commissioner of Police or Commissioner Pursuant to Section 20

PID Act 004	Determine to disclose: Authority to determine to disclose and disclose identifying information Pursuant to section 22(1)(c)
PID Act 005	Provide investigating authority: Authority to provide investigating authority with view of Council as to proposed transfer of investigation, enter arrangements with investigating authority Pursuant to Section 25
PID Act 006	Notify person: Authority to notify person of action or proposed action in respect of a disclosure Pursuant to Section 27
PID Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to

	Public Interest Disclosures Act 1994
Public Works Act 1912	
PW Act 001	Appointment of Council as Agent: Authority to exercise the Council's functions as an agent of the Minister for Finance and Services if the Council has been so appointed. Pursuant to Section 157
PW Act 002	Handing over of work: Authority to agree to handing over of work to Council by Minister Pursuant to Section 153
PW Act 003	Handing over of work: Authority to agree to handing over of work to Council by RMS Pursuant to Section 154
PW Act 000	All functions:

	<p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Public Works Act 1912</p>
Real Property Act 1900	
RP Act 001	<p>Position of boundary under Real Property Act 1900:</p> <p>Authority to apply for a determination as to the position of a common boundary of adjoining lands and, if dissatisfied, appeal to the Land and Environment Court for a such a determination by the Court in accordance with sections 135B and 135J.</p> <p>Pursuant to</p> <p>Sections 135B and 135J</p>
RP Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Real Property Act 1900</p>
Restricted Premises Act 1943	

Restricted Premises Act 001	Make application: Authority to make application or instruct Council's lawyers to make application to the Land & Environment Court for a brothel closure order Pursuant to Section 17
Restricted Premises Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Restricted Premises Act 1943
Road Transport (General) Regulation 2013	
RT General Reg 001	Metered parking schemes: Authority to establish and operate metered parking schemes, not including setting of fees for parking in metred spaces Pursuant to Clause 60
RT General Reg 002	Metered parking areas:

	<p>Authority to set aside a road or part of a road as a metered parking area</p> <p>Pursuant to</p> <p>Clause 61</p>
RT General Reg 003	<p>Close a metered parking space:</p> <p>Authority to close a metered parking space with a sign</p> <p>Pursuant to</p> <p>Clause 65</p>
RT General Reg 004	<p>Ticket parking scheme:</p> <p>Authority to establish and operate ticket parking schemes, not including setting of fees for parking in ticket parking area</p> <p>Pursuant to</p> <p>Clause 66</p>
RT General Reg 005	<p>Close a ticket parking area or space:</p> <p>Authority to close a ticket parking area or space with a sign</p> <p>Pursuant to</p> <p>Clause 72</p>

RT General Reg 006	Coupon parking scheme: Authority to establish and operate coupon parking schemes, not including setting of fees for parking in a coupon parking area Pursuant to Clause 73
RT General Reg 007	Close a coupon area or space: Authority to close a coupon area or space with a sign Pursuant to Clause 77
RT General Reg 008	Phone parking scheme: Authority to establish and operate phone parking schemes, not including setting of fees for parking in a phone parking area Pursuant to Clause 78
RT General Reg 009	Close a phone parking area or space: Authority to close a phone parking area or space with a sign Pursuant to

	Clause 79
RT General Reg 010	<p>Agree common payment parking schemes:</p> <p>Authority to agree with other councils on the operation of parking schemes on a common payment basis, not including setting of fees</p> <p>Pursuant to</p> <p>Clause 82</p>
RT General Reg 011	<p>Agree with owners of land not owned by Council:</p> <p>Authority to agree with owners of land not owned by Council as to the exercise by Council of powers under Part 5 Division 1 in respect of that land</p> <p>Pursuant to</p> <p>Clause 84</p>
RT General Reg 012	<p>Issue a permit:</p> <p>Authorising the parking of a vehicle without charge or time restrictions, being a business parking permit, a commuter parking permit, a resident parking permit, a resident's visitor permit, a special event parking permit and a declared organisation parking permit</p> <p>Pursuant to</p> <p>Clause 95</p>

RT General Reg 013	Pre-issue parking coupons: Authority to issue pre-paid parking coupons Pursuant to Clause 74
Road Transport Act 2013	
RT Act 001	Removal of dangers and obstructions to traffic: Authority to authorise an employee of the council as the appropriate roads authority as an appropriate officer for the purposes of section 142 of the Road Transport Act 2013. Section 142 provides that an appropriate officer may remove the vehicle, thing or container and take such other steps as may be necessary to protect the public and facilitate the free flow of traffic Pursuant to Section 142
RT Act 002	Commence proceedings: Authority to recover as a debt expenses incurred under s.142 Pursuant to Section 142(2)
RT Act 003	Certificates:

	<p>Authority to provide certificates specifying an amount of costs incurred</p> <p>Pursuant to</p> <p>Section 142(3)</p>
RT Act 004	<p>Roads Compensation Order:</p> <p>Authority to apply for a roads compensation order</p> <p>Pursuant to</p> <p>Section 229</p>
RT Act 005	<p>Certificates:</p> <p>Authority to provide certificates as to maintenance of road, estimating monetary value of road infrastructure or of damage to it, estimating cost of remedying damage, estimating extent of offender's contribution to damage</p> <p>Pursuant to</p> <p>Section 230</p>
RT Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p>

	Road Transport Act 2013
Roads Act 1993	
Roads Act 001	Appointment of authorised officers: Authority to authorise an employee of Council to exercise functions of an authorised officer Pursuant to Section 4 definition of "authorised officer", section 251
Roads Act 002	Dedicate land: Authority to dedicate land left in subdivision effected prior to 1907 as public road by publishing notice in gazette Pursuant to Section 16
Roads Act 003	Serve notice: Authority to serve notice of intention to dedicate land as public road on owner Pursuant to Section 17
Roads Act 004	Identification of road boundaries:

	<p>Authority to:</p> <ul style="list-style-type: none"> a) cause surveys to be carried out to identify the boundaries of a public road in accordance with section 18; b) consider any submissions that have been duly made with respect to the proposed boundaries and approve the survey plan, either with or without alteration in accordance with section 21 <p>Pursuant to</p> <p>Sections 18 and 21</p>
Roads Act 005	<p>Publish notice:</p> <p>Authority to publish notice of proposed boundaries in newspaper and serve notice on owner of affected land</p> <p>Pursuant to</p> <p>Section 19</p>
Roads Act 006	<p>Road widening:</p> <p>Authority to:</p> <ul style="list-style-type: none"> a) submit to the Minister for Roads and Ports a proposed plan for the widening of a public road in accordance with section 22 b) make a road widening order in accordance with section 25 c) revoke or vary a road widening order in accordance with section 27 d) grant consent for the carrying out minor repairs or improvements to a building in accordance with section 26 e) direct an owner of land (where a person constructs, replaces or repairs a building or work on land affected by a road widening order in contravention of section 26) to carry out such work as is necessary to restore the land to the state it was in before the contravention occurred in

	<p>accordance with section 26(4).</p> <p>Pursuant to</p> <p>Sections 22, 25, 26, 26(4) and 27</p>
Roads Act 007	<p>Road Levels:</p> <p>Authority to:</p> <p>a) Prepare a prepare a proposal to fix the levels of a public road, or to vary the existing levels of a public road in accordance with section 29</p> <p>b) consider any submissions that have been duly made concerning the proposal and decide to proceed with the proposal, either with or without alteration (by making an order), or to abandon the proposal in accordance with section 31.</p> <p>Pursuant to</p> <p>Sections 29 and 31</p>
Roads Act 008	<p>Closing of public roads:</p> <p>Authority to:</p> <p>a) Make an application to the Minister for Roads and Ports to close a public road in accordance with section 34</p> <p>b) Consent to the closure of a road or a classified road owned by the council in accordance with section 37</p> <p>c) close a temporary public road for which the council is the roads authority if the road does not</p>

	<p>give access to an isolated road</p> <p>Pursuant to</p> <p>Sections 34 and 37</p>
Roads Act 009	<p>Cause a temporary public road to be closed :</p> <p>Authority to cause a temporary public road to be closed by publishing a notice in the Gazette</p> <p>Pursuant to</p> <p>Section 39</p>
Roads Act 010	<p>Consultation with roads authorities :</p> <p>Authority to make submissions to RMS regarding proposed action</p> <p>Pursuant to</p> <p>Section 58</p>
Roads Act 011	<p>Roads Authorities may appeal to Minister:</p> <p>Authority to determine whether aggrieved by RMS action and if so appeal to Minister</p> <p>Pursuant to</p> <p>Section 60</p>

Roads Act 012	Roads agreements between RMS and roads authorities: Authority to enter agreement with RMS transferring council's responsibilities for classified road Pursuant to Section 62
Roads Act 013	Power of roads authorities in respect to roadwork: Authority to carry out road work on public road or other land controlled by council Pursuant to Section 71
Roads Act 014	Notify RMS: Authority to notify RMS of work on classified road involving deviation or alteration of road or construction of bridge, tunnel or level crossing Pursuant to Section 75
Roads Act 015	Notify RMS: Authority to notify RMS of major road work Pursuant to

	Section 76
Roads Act 016	Construct bridges and tunnels across navigable waters: Authority to construct bridges and tunnels across navigable waters, give public notice of proposal, consider submissions, make decision, and give notice of decision Pursuant to Sections 78, 79, 80 and 81
Roads Act 017	Location of conduits: Authority to consult with persons as to location of conduits for utilities across public roads Pursuant to Section 85
Roads Act 018	Functions of Council in respect of private roads: Authority to direct the owner of a private road (other than a classified road) to carry out such work as is necessary to prevent the road from becoming unsafe or unsightly Pursuant to Section 86(1)
Roads Act 019	Traffic Control Facilities: Authority to seek consent of RMS, and with such consent, carry out traffic control work on

	<p>classified road</p> <p>Pursuant to</p> <p>Section 87(2)</p>
Roads Act 020	<p>Traffic Control Facilities:</p> <p>Authority to carry out traffic control work on unclassified road or transitway or road or road related area</p> <p>Pursuant to</p> <p>Section 87(3)</p>
Roads Act 021	<p>Tree felling:</p> <p>Authority to form the opinion that it is necessary to remove or lop a tree or other vegetation on or overhanging a public road for the purpose of a road work or to remove a traffic hazard, and to effect such removal or lopping</p> <p>Pursuant to</p> <p>Section 88</p>
Roads Act 022	<p>Alter landform:</p> <p>Authority to alter landform of land adjoining public road to ensure stability of road</p> <p>Pursuant to</p>

	Section 92
Roads Act 023	Carry out drainage work : Authority to carry out drainage work on land in vicinity of public road for purpose of draining or protecting public road Pursuant to Section 94
Roads Act 024	Give a direction: Authority to give a direction under Part 7 Pursuant to Sections 91 to 107 inclusive
Roads Act 025	Regulate traffic: Authority to regulate traffic on a public road by means of barriers or notices for any of the purposes set out in section 115(2) of the Roads Act 1993 (NSW) in so far as they apply to the Council as a roads authority. Pursuant to Section 115(2)
Roads Act 026A	Applications for consent:

	<p>Authority to apply to RMS for consent to erect a barrier or notice or carry out work or take any action to regulate traffic on a public road for other purposes; to remove any notice or barrier, to demolish any work or cease any action for which the RMS has given consent, and give public notice of such application</p> <p>Pursuant to</p> <p>Section 116</p>
Roads Act 026	<p>Request review:</p> <p>Authority to request Minister to review decision of RMS</p> <p>Pursuant to</p> <p>Section 119</p>
Roads Act 027	<p>Temporary regulation of traffic:</p> <p>Authority to serve (and revoke) an Order prohibiting a person from causing any vehicle under the person's control to pass along a specified local road</p> <p>Pursuant to</p> <p>Section 122</p>
Roads Act 028	<p>Authority to erect structures:</p> <p>Authority to authorise the holder of a footway dining approval to erect and maintain structures in, or over any part, of the footway</p>

	<p>Pursuant to</p> <p>Section 126</p>
Roads Act 029	<p>Public Gates:</p> <p>Authority to grant and/or revoke a permit for the erection of a public gate or the construction of a by-pass around a public gate.</p> <p>Pursuant to</p> <p>Sections 128, 130, 133 and 136</p>
Roads Act 030	<p>Approval to use footway for restaurant :</p> <p>Authority to determine an application for a footway dining approval</p> <p>Pursuant to</p> <p>Section 125</p>
Roads Act 031	<p>Determine an application for consent:</p> <p>Authority to determine an application for consent to: (a) erect a structure, or carry out work in, on or over a public road; (b) dig up or disturb the surface of a public road; (c) remove or interfere with a structure, work or tree on a public road; (d) pump water into a public road from any land adjoining a public road; (e) connect a road (whether public or private) to a classified road, and impose conditions on a consent.</p> <p>Pursuant to</p>

	Sections 138, 139 & 139A
Roads Act 032	Revocation of street vending consent: Authority to revoke a street vending consent and give notice of revocation Pursuant to Section 139C
Roads Act 033	Extend term: Authority to extend term of a street vending consent and impose conditions Pursuant to Sections 139D(1) and (5)
Roads Act 034	Transfer of street vending or other consent: Authority to transfer a street vending or other consent and impose conditions Pursuant to Sections 139D(3)(5) and (6)
Roads Act 035	Fresh consents: Authority to grant a fresh consent where previous consent revoked, expired or lapsed

	Pursuant to Section 139E
Roads Act 036	Revocation of Consent: Authority to revoke a consent by notice of revocation served on holder Pursuant to Section 140
Roads Act 037	Permits for road events: Authority to grant a permit to any person to conduct a road event (as defined) on a public road Pursuant to Section 144
Roads Act 038	Leasing of land above or below public road: Authority to grant a lease of air space above or land below public road with approval of Director of Planning Pursuant to Section 149
Roads Act 039	Transfer of public road to other roads authority:

	<p>Authority to consent to the transfer of a public road by the Minister for Roads and Ports from or to the Council</p> <p>Pursuant to</p> <p>Section 150</p>
Roads Act 040	<p>Short-term leases of unused public roads:</p> <p>Authority to grant short term lease of unused public road to adjoining owner or lessee, give public notice of proposed lease, consider submissions, make decision</p> <p>Pursuant to</p> <p>Sections 153, 154, 155 & 156</p>
Roads Act 041	<p>Naming of public roads:</p> <p>Authority to approve names and numbering for all roads for which the Council is the roads authority</p> <p>Pursuant to</p> <p>Section 162</p>
Roads Act 042	<p>Inspections and Investigations:</p> <p>Authority to inspect the land, for the purposes of an inspection, dig up any ground and take such measures as are necessary to ascertain the character and condition of the land and of any building, structure or work that is situated in, on or over the land, make surveys and take levels and, for those purposes, may dig trenches, break up the soil and set up any posts, stakes or</p>

	<p>marks, and may take samples or photographs in connection with any inspection.</p> <p>Pursuant to</p> <p>Section 165</p>
Roads Act 044	<p>Roads authority may take possession of land when constructing etc public road:</p> <p>Authority to use and occupy land along or near a road for the purpose of carrying out road work or providing a temporary road, and give notice of intention to do so</p> <p>Pursuant to</p> <p>Section 175</p>
Roads Act 045	<p>Access roads across land owned by public authority:</p> <p>Authority to enter into agreement with public authority regarding construction and maintenance of road</p> <p>Pursuant to</p> <p>Section 176</p>
Roads Act 046	<p>Financial or other assistance:</p> <p>Authority to enter into agreement with RMS for financial or other assistance</p> <p>Pursuant to</p> <p>Section 207</p>

Roads Act 047	<p>Apportionment of cost:</p> <p>Authority to agree to apportionment of cost of road work on a classified road forming boundary, make submissions to RMS regarding apportionment</p> <p>Pursuant to</p> <p>Section 209</p>
Roads Act 048	<p>Financial or other assistance:</p> <p>Authority to agree with another Council financial assistance from RMS for a classified road forming boundary</p> <p>Pursuant to</p> <p>Section 210</p>
Roads Act 049	<p>Roads authorities may levy tolls on road-ferries:</p> <p>Authority to lease the running of a road ferry, lease the collection of tolls and charges on a road ferry</p> <p>Pursuant to</p> <p>Section 216</p>
Roads Act 050	<p>Recovery of:</p> <p>Authority to determine the amount of contribution to which an owner of land adjoining a public road is required to contribute to the cost incurred by the Council in constructing or paving any</p>

	adjacent kerb, gutter or footway Pursuant to Section 217
Roads Act 051	Roads authority to supply RMS with plans and specifications : Authority to make submissions to RMS regarding proposed works Pursuant to Section 221
Roads Act 052	Roads authority may carry out work instead of paying compensation: Authority to enter an agreement to do work instead of pay compensation Pursuant to Section 227
Roads Act 053	Authorised officer may require production of information: Authority to require the owner of the vehicle or the person in charge of the vehicle to produce certain information immediately. Pursuant to Section 229

Roads Act 054	Roads authority may give effect to direction and recover costs: Authority to take action necessary to give effect to a direction and recover costs from person to whom direction given Pursuant to Section 238
Roads Act 055	Refer matters: Authority to refer matters to local land board Pursuant to Section 260
Roads Act 056	Footway restaurants: Authority to grant an approval pursuant to Part 9 Division 1 of the Roads Act 1993 (NSW) to use part of a footway for the purposes of a restaurant and to authorise a holder of an approval to erect and maintain structures in, on or over any part of the footway the subject of the approval. Pursuant to Part 9 Division 1
Roads Act 057	Street vending consent : Authority to grant, revoke, transfer or extend the term of a street vending consent

	<p>Pursuant to</p> <p>Part 9 Division 3</p>
Roads Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Roads Act 1993</p>
Rural Fires Act 1997	
RF Act 001	<p>Formation of Rural Fire Brigades:</p> <p>Authority to form (or form jointly with another council) one or more rural fire brigades for any rural fire district constituted for a council's area or part of its area in accordance with section 15</p> <p>Pursuant to</p> <p>Section 15</p>
RF Act 002	<p>Responsible local authorities:</p> <p>Authority to enter into agreement with another local authority to combine responsibility for fire districts</p> <p>Pursuant to</p>

	Section 7(2)
RF Act 003	Responsible local authorities: Authority to enter into agreement with another local authority to nominate the authority as having responsibility for some or all of fire district Pursuant to Section 7(3)
RF Act 004	Disbandment : Authority to disband a rural fire brigade Pursuant to section 17(1)
RF Act 005	Area of operations: Authority to determine the territory of a rural fire brigade and appoint officers for the brigade Pursuant to Section 18
RF Act 006	Responsibilities and functions: Authority to provide facilities and accommodation for fire control officer and consult with

	<p>Commissioner</p> <p>Pursuant to</p> <p>Sections 37 and 38</p>
RF Act 008	<p>Local bush fire danger period declaration:</p> <p>Authority to consult with and make recommendations in relation to the making of a local bush fire danger period declaration in accordance with section 83.</p> <p>Pursuant to</p> <p>Section 83</p>
RF Act 009	<p>Bush Fire Hazard Reduction Certificates:</p> <p>Authority to:</p> <p>a) determine an application for a bush fire hazard reduction certificate that authorises the carrying out of bush fire hazard reduction work on private land within the council's area by a person other than the Commissioner or a local authority in accordance with Part 4, Division 8</p> <p>b) Authority to certify a bush fire hazard reduction certificate in relation to bush fire hazard reduction work on land by the council in accordance with Part 4, Division 8</p> <p>Pursuant to</p> <p>Sections 100F(5) & 100G</p>
RF Act 010	<p>Proceedings for breach:</p> <p>Authority to bring proceedings on behalf of the Council in the Land and Environment Court for an</p>

	<p>order to remedy or restrain a breach of section 100F or 100G of the Act (in relation to bush fire hazard reduction certificates) in accordance with section 100H.</p> <p>Pursuant to</p> <p>Section 100H</p>
RF Act 011	<p>Rural Fire Brigade Contributions:</p> <p>Authority to arrange for the payment of rural fire brigade contributions in accordance with Part 5, Division 4</p> <p>Pursuant to</p> <p>Section 107</p>
RF Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Rural Fires Act 1997</p>
Rural Fires Regulation 2013	
RF Reg 001	<p>Rural Fire Brigades:</p> <p>Authority to register or refuse to register a person as a member of a rural fire brigade and remove</p>

	<p>a person's name from the register of members.</p> <p>Pursuant to</p> <p>clauses 5, 6 and 7</p>
Service NSW (One-stop Access to Government Services) Act 2013	
S NSW Act 001	<p>Delegation of:</p> <p>Authority to delegate customer service functions of council to CEO with the approval of a resolution of council</p> <p>Pursuant to</p> <p>Section 7</p>
S NSW Act 002	<p>Enter into:</p> <p>Authority to enter into agreement with CEO with the approval of a resolution of council</p> <p>Pursuant to</p> <p>Sections 8 and 16</p>
S NSW Act 003	<p>Agreements authorising:</p> <p>Authority to enter into agreement with CEO to act as agent of CEO</p> <p>Pursuant to</p>

	Section 12
S NSW Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Service NSW (One-stop Access to Government Services) Act 2013</p>
State Emergency and Rescue Management Act 1989	
SERM Act 001	<p>Combination of local government areas:</p> <p>Authority to agree to combine emergency management arrangements with other councils</p> <p>Pursuant to</p> <p>Section 27</p>
SERM Act 002	<p>Chair of Local Emergency Management Committee:</p> <p>Authority to act as the Chairperson of the Local Emergency Management Committee pursuant to section 28(2)(a) of the State Emergency and Rescue Management Act 1989 (NSW).</p> <p>Pursuant to</p> <p>Sections 28(2)(a) & 28(3)</p>

SERM Act 003	<p>Representative on Local Emergency Management Committee:</p> <p>Authority to determine the representative of an organisation on the Local Emergency Management Committee in accordance with section 28(2)(c).</p> <p>Pursuant to</p> <p>Section 28(2)(c)</p>
SERM Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>State Emergency and Rescue Management Act 1989</p>
State Emergency Service Act 1989	
SES Act 001	<p>Recommending appointment of local controller:</p> <p>Authority to recommend to the Commissioner a person to be appointed as the local controller of SES units in the Council's area.</p> <p>Pursuant to</p> <p>Section 17</p>
SES Act 002	Local controllers:

	<p>Authority to provide facilities and accommodation for local controller</p> <p>Pursuant to</p> <p>Section 17(5)</p>
SES Act 003	<p>Disposal by local councils of equipment purchased from Fund:</p> <p>Authority to sell or dispose, with the consent of the commissioner, of equipment</p> <p>Pursuant to</p> <p>Section 24X</p>
SES Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>State Emergency Service Act 1989</p>
State Records Act 1998	
SR Act 001	<p>Exercise functions:</p> <p>Authority to exercise the Council's functions, including the disposal of Council records and making of open and closed access directions in accordance with that Act and the State Records Regulation 2005</p>

	<p>Pursuant to</p> <p>State Records Act 1998</p>
SR Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>State Records Act 1998</p>
Strata Schemes (Freehold Development) Act 1973	
SS(FD)Act001	<p>Strata Certificates:</p> <p>Authority to issue a strata certificate in accordance with section 37, 38 and 39 or refuse to issue a strata certificate in accordance with section 38 and 40 of the Strata Schemes (Freehold Development) Act 1973</p> <p>Pursuant to</p> <p>sections 37 and 38</p>
SS(FD)Act002	<p>Instrument in relation to restrictions on utility lots:</p> <p>Authority to execute an instrument which provides that a utility lot the subject of a restriction under section 37(1) is released from that restriction.</p> <p>Pursuant to</p>

	section 39(4)
SS(FD)Act000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Strata Schemes (Freehold Development) Act 1973</p>
Strata Schemes (Freehold Development) Regulation 2012	
SS(FD) Reg 001	<p>Strata plans:</p> <p>Authority to sign and resign administration sheets as an authorised officer</p> <p>Pursuant to</p> <p>Clauses 8, 9, 12, 13</p>
SS(FD) Reg 002	<p>Inspection required:</p> <p>Authority to carry out inspections of buildings prior to issue of strata certificate</p> <p>Pursuant to</p> <p>Clause 30</p>
Strata Schemes (Leasehold Development) Act 1986	

SS(LD) Act 001	<p>Strata certificates:</p> <p>Authority to issue a strata certificate in accordance with sections 66, 67 and 68, or refuse to issue a strata certificate in accordance with section 67 and 69 of the Strata Schemes (Leasehold Development) Act 1986</p> <p>Pursuant to</p> <p>Sections 66 and 67</p>
SS(LD) Act 002	<p>Instrument in relation to restrictions on utility lots:</p> <p>Authority to execute an instrument which provides that a utility lot the subject of a restriction under section 68(1) is released from that restriction in accordance with section 68(4).</p> <p>Pursuant to</p> <p>Section 68(4)</p>
SS(LD) Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Strata Schemes (Leasehold Development) Act 1986</p>
Strata Schemes (Leasehold Development) Regulation 2012	
SS(LD) Reg 001	<p>Strata plans:</p>

	Authority to sign and resign administration sheets as an authorised officer Pursuant to Clauses 8, 9, 12, 13, 25
SS(LD) Reg 002	Inspection required: Authority to carry out inspections of buildings prior to issue of strata certificate Pursuant to Clause 31
Strata Schemes Management Act 1996	
SSM Act 001	Authority to: Authority to apply to Adjudicators and Tribunal for orders Pursuant to Chapter 5
SSM Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to

	Strata Schemes Management Act 1996
Surveying and Spatial Information Act 2002	
SSI Act 001	<p>Maintenance and repair of permanent survey marks :</p> <p>Authority to apply to the Minister for a direction that it is the duty of the Surveyor-General may to keep any or all of the permanent survey marks the subject of a notice to the council, in good condition and repair, in accordance with section 9.</p> <p>Pursuant to</p> <p>Section 9</p>
SSI Act 002	<p>Authority to:</p> <p>Authority to carry out surveys</p> <p>Pursuant to</p> <p>Section 5</p>
SSI Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Surveying and Spatial Information Act 2002</p>

Swimming Pools Act 1992	
SP Act 001	<p>Exemption from compliance:</p> <p>Authority to grant an exemption from all or any of the requirements of the access to swimming pools provisions, unconditionally or subject to conditions.</p> <p>Pursuant to</p> <p>Section 22</p>
SP Act 002	<p>Direction to comply:</p> <p>Authority to serve a direction requiring compliance with the access to swimming pools provisions.</p> <p>Pursuant to</p> <p>Section 23</p>
SP Act 003	<p>Authority to carry out inspection:</p> <p>Authority to carry out inspection of swimming pool, including on request of owner and charge a fee</p> <p>Pursuant to</p> <p>Sections 22B, 22C, 22F</p>
SP Act 004	<p>Authority to issue a certificate of compliance:</p> <p>Authority to issue a certificate of compliance and charge a fee</p>

	<p>Pursuant to</p> <p>Sections 22D, 22F</p>
SP Act 005	<p>Notice of intention:</p> <p>Authority to serve on the occupier of the premises a notice of intention to carry out the requirements of a direction given under section 23 (requiring compliance with the access to swimming pools provisions).</p> <p>Pursuant to</p> <p>Section 23A</p>
SP Act 006	<p>Directing a person to act:</p> <p>Authority to direct a person to act as "a person acting under the direction of a local authority" for the purposes of section 23A.</p> <p>Pursuant to</p> <p>Section 23A</p>
SP Act 007	<p>Appeals:</p> <p>Authority to represent the Council in relation to an appeal against a decision of the Council.</p> <p>Pursuant to</p> <p>Section 26</p>

SP Act 008	<p>Appointment of Authorised officer:</p> <p>Authority to appoint an employee of the Council or other person as an authorized officer for the purposes of the Act and Regulations.</p> <p>Pursuant to</p> <p>Section 27</p>
SP Act 010	<p>Investigation of complaint:</p> <p>Authority to investigate a complaint of non-compliance with the Act or Regulations.</p> <p>Pursuant to</p> <p>Section 29A</p>
SP Act 011	<p>Proceedings to remedy or restrain a breach:</p> <p>Authority to bring proceedings in the Land and Environment Court for an order to remedy or restrain a breach of the Act or Regulations.</p> <p>Pursuant to</p> <p>Section 30</p>
SP Act 012	<p>Proceedings to breach:</p> <p>Authority to bring proceedings in the Local Court for an offence against the Act or Regulations.</p> <p>Pursuant to</p>

	Section 36
SP Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Swimming Pools Act 1992</p>
Swimming Pools Regulation 2008	
SP Reg 001	<p>Application for exemption :</p> <p>Authority to determine the form of an application for exemption</p> <p>Pursuant to</p> <p>Clause 12</p>
SP Reg 002	<p>Give notice:</p> <p>Authority to give notice of decisions</p> <p>Pursuant to</p> <p>Clauses 15, 18B</p>
SP Reg 003	Issue a certificate of Non-Compliance:

	<p>Authority to be satisfied/ not satisfied on behalf of the local authority that the requirements for the issue of a certificate of compliance have been met, and issue a notice and/or certificate of non-compliance under clauses 18B and 18BA respectively.</p> <p>Pursuant to</p> <p>Pursuant to clauses 18B and 18BA</p>
Tattoo Parlours Act 2012	
TP Act 001	<p>Exchange of information:</p> <p>Authority to enter into information sharing arrangement with the Director General</p> <p>Pursuant to</p> <p>Section 36</p>
TP Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Tattoo Parlours Act 2012</p>
Threatened Species Conservation Act 1995	

TSC Act 001	<p>Biodiversity Certification:</p> <p>Authority to apply to the Minister for biodiversity certification in accordance with Part 7AA Division 3, and vary such an application under section 126N(3), and enter into an agreement with a person who requests the council to make an application for biodiversity certification for the payment of any costs and expenses incurred by the authority in undertaking studies and other matters required in relation to the application under section 126M(6).</p> <p>Pursuant to</p> <p>Sections 126J and 126M(6)</p>
TSC Act 002	<p>Make submissions:</p> <p>Authority to make submissions on a recommendation and consult with Minister</p> <p>Pursuant to</p> <p>sections 41, 45</p>
TSC Act 003	<p>Make submissions:</p> <p>Authority to make submissions on recovery plan, and threat abatement plan</p> <p>Pursuant to</p> <p>Sections 68, 79, 80</p>
TSC Act 004	<p>Give notice of proposed departure:</p> <p>Authority to give notice of proposed departure from recovery plan or threat abatement plan and</p>

	<p>consult with Director General</p> <p>Pursuant to</p> <p>Sections 71, 72, 88, 89</p>
TSC Act 005	<p>Enter into biobanking agreement:</p> <p>Authority to enter into biobanking agreement with Minister</p> <p>Pursuant to</p> <p>Section 127F(2)</p>
TSC Act 006	<p>Give notice of proposed development :</p> <p>Authority to give notice of proposed development on biobank site and refer a dispute to Premier</p> <p>Pursuant to</p> <p>Sections 127Q, 127R</p>
TSC Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Threatened Species Conservation Act 1995</p>

Transport Administration Act 1988	
TA Act 001	Referral of disputes: Authority to refer a dispute between the council and a transport authority to the Minister in accordance with section 111. Pursuant to Section 111
TA Act 002	Grants to Council: Authority to apply for grants in connection with use of roads by buses Pursuant to Section 106
TA Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Transport Administration Act 1988
Trees (Disputes Between Neighbours) Act 2006	
T(DBN) Act 001	Appearance before Court:

	<p>Authority to appear before the Court in any proceedings under this Part in relation to a tree in accordance with section 13 or 14G.</p> <p>Pursuant to</p> <p>Sections 13 and 14G</p>
T(DBN) Act 002	<p>Authorised person :</p> <p>Authority to authorise a person as an authorised person for the purposes of section 17 of the Act.</p> <p>Pursuant to</p> <p>Section 17</p>
T(DBN) Act 003	<p>Act as an authorised person :</p> <p>Authority to act as an authorised person for the purposes of section 17 of the Act</p> <p>Pursuant to</p> <p>Section 17</p>
T(DBN) Act 004	<p>Notice of intention:</p> <p>Authority to serve on the owner of land a notice of intention to enter land under section 17.</p> <p>Pursuant to</p> <p>Section 17</p>

T(DBN) Act 005	<p>Charge on Land:</p> <p>Authority (after obtaining an order of a court in proceedings against an owner of land for the recovery of costs in accordance with section 17 (8)) to apply to the Registrar-General for registration of the order in relation to that land, and certify that the amount has been paid or otherwise agree to a cancellation of the charge in accordance with section 17A.</p> <p>Pursuant to</p> <p>Section 17A</p>
T(DBN) Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Trees (Disputes Between Neighbours) Act 2006</p>
Valuation of Land Act 1916	
VL Act 001	<p>Application for Valuation:</p> <p>Authority to apply to the Valuer-General for a valuation of land held by or on behalf of the Council in accordance with section 14A(2)(a) or within the council)as the rating or taxing authority)'s local government area in accordance with section 14A(2)(c). Authority to apply for an apportionment factor in accordance with section 14X or 14BBA and for an assessed annual value of land which became rateable on or after 1 July 1977 in accordance with section 19B.</p> <p>Pursuant to</p>

	Sections 14A(2)(a), 14A(2)(c), 14X, 14BBA, 19B.
VL Act 002	Objection to Valuation and Appeal: Authority to make an objection to a valuation of the Valuer General in accordance with section 31 and if dissatisfied with the determination of the objection, to appeal in accordance with section 37. Pursuant to Sections 31 and 37
VL Act 003	Valuation Lists: Authority to forward to the Valuer-General particulars of any desired alterations to any valuation list under section 50(1), to request a new valuation list under section 51 and request that the Valuer-General make a new valuation of any land in accordance with section 60A. Pursuant to Sections 50(1) and 51 and 60A.
VL Act 004	Copies of entries to be supplied: Authority to agree with Valuer General regarding supply of information as to valuations Pursuant to Section 76

VL Act 005	Valuer-General not required to determine certain valuations: Authority to request Valuer General to determine assessed annual value of land Pursuant to Section 7D
VL Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Valuation of Land Act 1916
Water Management (General) Regulation 2011	
WM Reg 001	Shared Water Service: Authority to consent for a person to operate a shared water service. Pursuant to Clauses 119 and 124
WM Reg 002	Water to be taken through approved stoptap: Authority to consent to a person taking water from a water main and approve a stoptap in accordance with clause 121.

	<p>Pursuant to</p> <p>Clauses 121 and 124</p>
WM Reg 003	<p>Information regarding supply:</p> <p>Authority to direct an owner or occupier of land to supply information in accordance with clause 123.</p> <p>Pursuant to</p> <p>Clause 123</p>
WM Reg 004	<p>Measurement of water supply and access to meters:</p> <p>Authority to supply or otherwise approve a meter, and direct in relation to access to a meter, in accordance with clause 127.</p> <p>Pursuant to</p> <p>Clauses 125 and 127</p>
WM Reg 005	<p>Testing of meters:</p> <p>Authority to carry out the functions of the water supply authority under and in accordance with clause 130 of the Regulation 2011 and the Local Government Act 1993.</p> <p>Pursuant to</p> <p>Clause 130</p>

WM Reg 006	Installation of meters: Authority to install, charge hire for, or require the installation of meters etc in accordance with clause 131. Pursuant to Clause 131
WM Reg 007	Installation of fire hydrants: Authority to install fire hydrants and remove any fire hydrant in accordance with clause 132. Pursuant to Clause 132
WM Reg 008	Use of fire hydrants by authorised persons: Authority to authorise a person to take water from a fire hydrant in accordance with clause 135. Pursuant to Clause 135
WM Reg 009	Restrictions on use of water during periods of shortage: Authority to issue a notice to regulate or restrict water in accordance with clause 136. Pursuant to

	Clause 136
WM Reg 010	Shared sewerage service: Authority to consent to a shared sewerage service in accordance with clause 139. Pursuant to Clauses 139 and 140
WM Reg 011	Discharge approvals: Authority to: <ul style="list-style-type: none">- grant a discharge approval (cl145(1));- vary, revoke or impose further conditions of a discharge approval (cl145(3));- extend the period of effect of a discharge approval (cl146(2));- grant a renewal of a discharge approval (clauses 145 and 147);- suspend or cancel a discharge approval (cl148(1) or (3)). in accordance with Part 9, Division 4. Pursuant to Clauses 145 - 148 and generally Part 9, Division 4
WM Reg 012	Defer or waive payment of service charge:

	<p>Authority to form an opinion that reasonable cause has been shown and defer or waive payment of a service charge or part of it, in accordance with clause 199.</p> <p>Pursuant to</p> <p>Clause 199</p>
WM Reg 013	<p>Adjustment of service charge:</p> <p>Authority to adjust (or refuse to adjust) a service charge in circumstances provided for in, and in accordance with clause 200 and Part 9, Division 7. Authority to recover any increase or refund any amount in accordance with clause 200(4). Authority to allow or disallow an objection to the refusal to adjust a service charge in accordance with cl204.</p> <p>Pursuant to</p> <p>Clause 200</p>
WM Act 014	<p>Cutting off or restricting water supply:</p> <p>Authority to cut off or restrict the supply of water in circumstances provided for in clause 207.</p> <p>Pursuant to</p> <p>Clause 207</p>
WM Reg 015	<p>Fees and charges:</p> <p>authority on behalf of Council as a charging authority to waive or reduce any fee or charge imposed under the <i>Water Management Act 2000</i>.</p>

	<p>Pursuant to</p> <p>Clause 227</p>
Water Management Act 2000	
WM Act 001	<p>Authority to seek Minister's approval:</p> <p>Authority to seek Minister's approval for construction of public protective works</p> <p>Pursuant to</p> <p>Section 269</p>
WM Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Water Management Act 2000</p>
WM Act 002	<p>Water Supply Authority:</p> <p>Authority to exercise and/or perform on behalf of the Council as a water supply authority the Council's delegable functions under this Act and any Regulation made under the Act in force from time to time.</p>

	<p>Pursuant to</p> <p>Sections 291 - 293 generally, Part 2, Division 3</p>
WM Act 003	<p>Commercial Operations:</p> <p>Authority to seek the approval of the Governor and enter into commercial arrangements on behalf of the Council as a water supply authority.</p> <p>Pursuant to</p> <p>Section 294</p>
WM Act 004	<p>Entry on land:</p> <p>Authority to authorise a person to enter land and do the things referred to in sections 296 and 297 in accordance with those sections.</p> <p>Pursuant to</p> <p>Sections 296 and 297 of the Water Management Act 2000</p>
WM Act 005	<p>Break up roads:</p> <p>Authority to give notice to persons and open and break a public road etc in accordance with section 298.</p> <p>Pursuant to</p> <p>Section 298</p>

WM Act 006	<p>Altering position of conduits:</p> <p>Authority to serve a notice requiring the alteration of a conduit in accordance with section 299, and make the alteration in accordance with section 299(3).</p> <p>Pursuant to</p> <p>Section 299</p>
WM Act 007	<p>Obstruction of works:</p> <p>Authority to apply for and obtain an injunction in accordance with section 300.</p> <p>Pursuant to</p> <p>Section 300</p>
WM Act 008	<p>Finding source of pollution of water supply:</p> <p>Authority to give notice to a person, and try to find the source of pollution, and recover expenses, in accordance with section 301.</p> <p>Pursuant to</p> <p>Section 301</p>
WM Act 009	<p>Crown land in special areas:</p> <p>Authority to give approval in writing for the purposes of section 303 of the WM Act.</p> <p>Pursuant to</p>

	Section 303
WM Act 010	<p>Exercise of certain function in special areas:</p> <p>Authority to make representations for the purposes of section 304 of the WM Act.</p> <p>Pursuant to</p> <p>Section 304</p>
WM Act 011	<p>Certificates of compliance:</p> <p>Authority to impose certain requirements before granting a certificate of compliance in accordance with section 306 and grant, or refuse to grant, a certificate of compliance under section 307.</p> <p>Pursuant to</p> <p>Sections 306 and 307</p>
WM Act 012	<p>Connections:</p> <p>Authority to publish a notice of the availability of a water main or sewer main, make a connection at the expense of a landowner and recover any amount due for the connection in accordance with section 309 of the WM Act.</p> <p>Pursuant to</p> <p>Section 309</p>

WM Act 013	<p>Service charges, fees and other charges:</p> <p>Authority to exercise any function under Chapter 6, Part 2, Division 6, except for imposing fees under s310(2).</p> <p>Pursuant to</p> <p>Section 301(1)</p>
WM Act 014	<p>Recovery of rates, charges etc by charging authority:</p> <p>Authority to exercise and/or perform all of the council's delegable functions as a charging authority under the <i>Water Management Act 2000</i> and the <i>Water Management (General) Regulation 2011</i>.</p> <p>Pursuant to</p> <p>Chapter 7, Part 4, Division 1</p>
WM Act 015	<p>Compensation for interference:</p> <p>Authority to seek compensation for interference or damage to property in accordance with section 319.</p> <p>Pursuant to</p> <p>Section 319</p>
WM Act 016	<p>Access licence:</p> <p>Authority to apply to the Minister to increase the entitlement in accordance with section 66.</p>

	Pursuant to Sections 61 and 66(4)
Wilderness Act 1987	
Wilderness Act 001	Wilderness Protection Agreement: Authority to enter into a wilderness protection agreement with Minister Pursuant to Section 10
Wilderness Act 002	Proposals by statutory authorities affecting certain wilderness areas: Authority to give notice of proposed development in wilderness area Pursuant to Section 15
Wilderness Act 003	Resolution of certain disputes: Authority to refer a dispute to the Premier Pursuant to Section 21
Wilderness Act 000	All functions:

	<p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Wilderness Act 1987</p>
Willyama Common	
tp	<p>Authority to Council's General Manager to sub delegate to the relevant Council Officers to deal with the day to day management and operational matters relating to the Willyama Common; such matters to be dealt with in accordance with the requirements of the Willyama Common Management Plan.</p> <p>:</p> <p>Willyama Common</p>
tp	<p>Authority to deal with the day to day management and operational matters relating to the Willyama Common; such matters to be dealt with in accordance with the requirements of the Willyama Common Management Plan.</p> <p>:</p> <p>Willyama Common sub-delegation</p>
Work Health and Safety Act 2011	
WHS Act 001	Authority to apply to the regulator :

	<p>Authority to apply to the regulator for internal review of a reviewable decision and to the IRC for external review</p> <p>Pursuant to</p> <p>Part 12</p>
WHS Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Work Health and Safety Act 2011</p>

BROKEN HILL CITY COUNCIL

INSTRUMENT OF DELEGATION TO Mayor

On Wednesday, 28 September 2016 the Broken Hill City Council ("**Council**") resolved that:

1. All previous delegations of Functions the subject of this Instrument be revoked.
2. Pursuant to section 377 of the LG Act to delegate to the Mayor authority to exercise and/or perform on behalf of the Council the Council's Functions identified in **Schedule 1** subject to any condition or limitation specified.
3. The Mayor be conferred authority to carry out the Policy Authorities listed in **Schedule 2** and undertake any administrative actions necessary to carry out those Policy Authorities.
4. These delegations and authorities are subject to, and are to be exercised in accordance with:
 - a. the requirements of the relevant Legislation;
 - b. any conditions or limitations set out in **Schedule 1** and **Schedule 3**; and
 - c. any resolution or policy, procedure or budget adopted from time to time by the Council.
5. These delegations and authorities are effective from the date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.
6. In this delegation:
 - o '**Functions**' means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.
 - o '**Legislation**' includes an Act of the parliament of New South Wales or of the Commonwealth of Australia and a Regulation under an Act.
 - o '**LG Act**' means the *Local Government Act 1993* as amended.

Schedule 1: Delegated Functions**Local Government Act 1993**

Function Code	Function	Condition/ Limitation (if any)
LG Act 004	Mayor Functions – Authority to: <ul style="list-style-type: none"> • exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council • exercise such other functions of the council as the council determines • preside at meetings of the council • carry out the civic and ceremonial functions of the mayoral office. Pursuant To – section 225	

Schedule 2: Policy Authorities

Code	Policy Authority
N/A	N/A

Schedule 3: General Limitations

Limitation (if any)
N/A

Pursuant to a Resolution of the Council at its meeting of Wednesday, 28 September 2016,

Council Meeting held September 28, 2016

Minute Number

Mayor / Councillor

Date: Wednesday, 28 September 2016

Review date: Wednesday, 30 September 2020

Delegate Acknowledgement of Delegation

I _____ do hereby acknowledge that I have read and understood this Instrument of Delegation and that I will perform these delegations and authorities in accordance with this Instrument of Delegation and my position description.

Mayor of Broken Hill City Council

Date:

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BROKEN HILL CITY COUNCIL

INSTRUMENT OF DELEGATION TO Deputy Mayor Councillor

On Wednesday, 28 September 2016 the Broken Hill City Council ("**Council**") resolved that:

1. All previous delegations of Functions the subject of this Instrument be revoked.
2. Pursuant to section 377 of the LG Act to delegate to the Deputy Mayor Councillor Gallagher authority to exercise and/or perform on behalf of the Council the Council's Functions identified in **Schedule 1** subject to any condition or limitation specified.
3. The Deputy Mayor Councillor Gallagher be conferred authority to carry out the Policy Authorities listed in **Schedule 2** and undertake any administrative actions necessary to carry out those Policy Authorities.
4. These delegations and authorities are subject to, and are to be exercised in accordance with:
 - a. the requirements of the relevant Legislation;
 - b. any conditions or limitations set out in **Schedule 1** and **Schedule 3**; and
 - c. any resolution or policy, procedure or budget adopted from time to time by the Council.
5. These delegations and authorities are effective from the date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.
6. In this delegation:
 - o '**Functions**' means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.
 - o '**Legislation**' includes an Act of the parliament of New South Wales or of the Commonwealth of Australia and a Regulation under an Act.
 - o '**LG Act**' means the *Local Government Act 1993* as amended.

Schedule 1: Delegated Functions**Local Government Act 1993**

Function Code	Function	Condition/ Limitation (if any)
LG Act 004	<p>Mayor Functions –</p> <p>Authority to:</p> <ul style="list-style-type: none"> • exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council • exercise such other functions of the council as the council determines • preside at meetings of the council • carry out the civic and ceremonial functions of the mayoral office. <p>Pursuant To –</p> <p>section 225</p>	<p>The Deputy Mayor may only exercise these functions:</p> <ol style="list-style-type: none"> 1. at the request of the Mayor; or 2. if the Mayor is prevented by illness, absence or otherwise from exercising these functions; or 3. if there is a casual vacancy in the office of Mayor.

Schedule 2: Policy Authorities

Code	Policy Authority
N/A	N/A

Schedule 3: General Limitations

Limitation (if any)
N/A

Pursuant to a Resolution of the Council at its meeting of Wednesday, 28 September 2016,

Council Meeting held September 28, 2016

Minute Number

Mayor / Councillor

Date: Wednesday, 28 September 2016

Review date: Wednesday, 27 September 2017

Delegate Acknowledgement of Delegation

I _____ do hereby acknowledge that I have read and understood this Instrument of Delegation and that I will perform these delegations and authorities in accordance with this Instrument of Delegation and my position description.

Deputy Mayor Councillor of Broken Hill City Council

Date:

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BROKEN HILL CITY COUNCIL

INSTRUMENT OF DELEGATION TO GENERAL MANAGER

On Wednesday, 28 September 2016 the Broken Hill City Council ("**Council**") resolved that:

1. All previous delegations of Functions the subject of this Instrument be revoked.
2. The person who from time to time holds the position of General Manager of Council ("**General Manager**"), being at the date of this instrument James Roncon, be delegated authority under:
 - 2.a Section 377 of the LG Act, to exercise and/or perform on behalf of Council the Council's Functions under all Acts and Regulations in force and as amended from time to time:
 - i. **Subject to** any condition or limitation on a Function specified in Schedule 1; and
 - ii. **Excluding** those Functions:
 1. that are expressly prohibited from delegation as listed under Section 377 of the LG Act;
 2. which are expressly required by legislation to be exercised by a resolution of the Council.
 - 2.b Section 68 of the NW Act, to exercise and/or perform on behalf of Council the Functions of the Council (other than the power of delegation) under the NW Act.
3. The General Manager be sub-delegated authority to exercise and/or perform on behalf of Council the Functions delegated to the Council under, and in accordance with, the instrument of delegation to the Council set out in **Schedule 2**, **excluding** those Functions which pursuant to the terms of the delegation to the Council may not be sub-delegated.
4. The General Manager be conferred authority to carry out the Policy Authorities listed in **Schedule 3** and undertake any administrative actions necessary to carry out those Policy Authorities.
5. The General Manager be delegated any Function which is taken to be conferred or imposed on the Council pursuant to section 381(1) of the LG Act.

6. In the absence of the General Manager that a person appointed by resolution to act as General Manager assume all Functions, delegations, and sub-delegations of the General Manager for the period only of the absence of the General Manager unless otherwise resolved by the Council.
7. These delegations and authorities are subject to, and are to be exercised in accordance with:
- a.a the requirements of the relevant Legislation;
 - a.b any conditions or limitations set out in **Schedule 1**; and
 - a.c any resolution or policy, procedure or budget adopted from time to time by the Council.
8. These delegations and authorities are effective from the date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.
9. In this delegation:
- o “**Acts**” includes legislation enacted by the parliaments of New South Wales and of the Commonwealth of Australia;
 - o “**Functions**” means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.
 - o “**Legislation**” includes an Act of the parliament of New South Wales or of the Commonwealth of Australia and a Regulation under an Act.
 - o “**LG Act**” means the *Local Government Act 1993* as amended.
 - o “**NW Act**” means *Noxious Weeds Act 1993* as amended.

Schedule 1: Limitations

Part A – Limitations applicable to specific statutory Function (if any)	
Legislation	Limitation (if any)
N/A	N/A

Part B – General Limitations
N/A

Schedule 2: Instruments of Delegation to Council

Delegator	Instrument Name	Date Of Instrument
Minister for Planning and Infrastructure	Making of Local Environmental Plans (LEP's)	Wednesday, 26 February 2014

Schedule 3: Policy Authorities

Code	Policy Authority
Access and Equity Policy	To ensure the functions of the policy are carried out.
Access to Information Policy	To ensure the functions of the policy are carried out.
Access to Library Services Policy	To ensure the functions of the policy are carried out.
Acquisition and Loan of Objects Relating to Cultural Heritage Policy	To ensure the functions of the policy are carried out.
Albert Kersten Mining and Minerals Museum Deductible Gift Recipient Fund Policy	To ensure the functions of the policy are carried out.
Approved Students Educational Training Institutions Policy	To ensure the functions of the policy are carried out.
Asbestos Policy	To ensure the functions of the policy are carried out.
Asset Accounting Policy	To ensure the functions of the policy are carried out.
Asset Accounting Policy	To ensure the functions of the policy are

	carried out.
Asset Management Policy	To ensure the functions of the policy are carried out.
Authority to Approve Payments	Authority to certify electronic funds transfers, sign cheques and sign vouchers on behalf of Council to the limits authorised by the General Manager.
Authority to Approve Purchases	Authority to authorise the purchase of goods and services to the spend limit and purchasing card limit allocated to the position within the area of budget responsibility.
Authority to General Manager to Write Off Debts	Authority to the General Manager to write off debts (including but not limited to rates, charges, interest and sundry debts) to the value of \$5,000 for any individual rate, charge or transaction (Minute No. 44690 Council Meeting 25/06/2014).
Bring Your Own Device Policy	To ensure the functions of the policy are carried out.
Broken Hill Cemetery Operations Policy	To ensure the functions of the policy are carried out.
Broken Hill Civic Centre Conditions of Hire Policy	To ensure the functions of the policy are carried out.
Broken Hill Regional Art Gallery Acquisitions Policy	To ensure the functions of the policy are carried out.
Broken Hill Regional Art Gallery Appraisals Policy	To ensure the functions of the policy are carried out.
Broken Hill Regional Art Gallery Donations and Gifts Policy	To ensure the functions of the policy are carried out.
Broken Hill Regional Art Gallery Donations and Gifts Policy	To ensure the functions of the policy are carried out.
Broken Hill Regional Art Gallery Loan of Art Works to Council Policy	To ensure the functions of the policy are carried out.

Broken Hill Regional Art Gallery Loan of Works to External Locations Policy	To ensure the functions of the policy are carried out.
Broken Hill Regional Art Gallery Reporting Procedures Policy	To ensure the functions of the policy are carried out.
Broken Hill Regional Writers Centre Policy	To ensure the functions of the policy are carried out.
Business Development Policy	To ensure the functions of the policy are carried out.
Capital Project Expenditure Policy	To ensure the functions of the policy are carried out.
Cemetery Management Policy	To ensure the functions of the policy are carried out.
Child Protection - Employment Screening Policy	To ensure the functions of the policy are carried out.
Child Protection - Mandatory Reporting Policy	To ensure the functions of the policy are carried out.
Code of Business Practice Policy	To ensure the functions of the policy are carried out.
Code of Conduct Policy	To ensure the functions of the policy are carried out.
Code of Meeting Practice Policy	To ensure the functions of the policy are carried out.
Community Assistance Grants Policy	To ensure the functions of the policy are carried out.
Community Consultation Policy	To ensure the functions of the policy are carried out.
Community Markets Policy	To ensure the functions of the policy are carried out.
Community Services Policy	To ensure the functions of the policy are

	carried out.
Complaints Management Policy	To ensure the functions of the policy are carried out.
Compliance and Enforcement Policy	To ensure the functions of the policy are carried out.
Compliance Risk Policy	To ensure the functions of the policy are carried out.
Conduct of Government Instrumentality Functions Policy	To ensure the functions of the policy are carried out.
Conflicts of Interest Policy	To ensure the functions of the policy are carried out.
Construction of Paving on Public Footways Policy	To ensure the functions of the policy are carried out.
Corporate Credit Card Policy	To ensure the functions of the policy are carried out.
Councillor Support Policy	To ensure the functions of the policy are carried out.
Cultural Policy	To ensure the functions of the policy are carried out.
Damage Loss Theft of Property or Personal Effects Policy	To ensure the functions of the policy are carried out.
Debt Recovery Policy	To ensure the functions of the policy are carried out.
Directional Signs Policy	To ensure the functions of the policy are carried out.
Disciplinary Policy	To ensure the functions of the policy are carried out.
Display of House Numbers Policy	To ensure the functions of the policy are

	carried out.
Disposal of Assets Policy	To ensure the functions of the policy are carried out.
Disposal of Council Real Estate Policy	To ensure the functions of the policy are carried out.
Drug and Alcohol Free Workplace Policy	To ensure the functions of the policy are carried out.
Drug and Alcohol Programme Policy	To ensure the functions of the policy are carried out.
Dumper Hire Policy	To ensure the functions of the policy are carried out.
Email Internet and Use of Computer Systems Policy	To ensure the functions of the policy are carried out.
Email Internet and Use of Computer Systems Policy	To ensure the functions of the policy are carried out.
Employee Assistance Programme Policy	To ensure the functions of the policy are carried out.
Employee Leave Balances Policy	To ensure the functions of the policy are carried out.
Employee Travel Policy	To ensure the functions of the policy are carried out.
Employee Travelling Expenses in Relation to Workers Compensation Claims Policy	To ensure the functions of the policy are carried out.
Engagement and Training of Apprentices Policy	To ensure the functions of the policy are carried out.
Equal Employment Opportunity Policy	To ensure the functions of the policy are carried out.
Filming within the Broken Hill City Council Area Policy	To ensure the functions of the policy are carried out.

Fire Safety in Existing Buildings Policy	To ensure the functions of the policy are carried out.
Food Hawker and Vendor Regulations Policy	To ensure the functions of the policy are carried out.
Footway Restaurants Settings Policy	To ensure the functions of the policy are carried out.
Freedom of Information Policy	To ensure the functions of the policy are carried out.
General Permits and Street Activities Policy	To ensure the functions of the policy are carried out.
GeoCentre Management Policy	To ensure the functions of the policy are carried out.
Gifts and Benefits Policy	To ensure the functions of the policy are carried out.
Grievance Policy	To ensure the functions of the policy are carried out.
Hardship Policy	To ensure the functions of the policy are carried out.
Heritage Restoration Fund Loan Funds Policy	To ensure the functions of the policy are carried out.
HIV Aids Policy	To ensure the functions of the policy are carried out.
Illegal Vehicular Passage on Footpaths Policy	To ensure the functions of the policy are carried out.
Installation of Planters in Argent Street Policy	To ensure the functions of the policy are carried out.
Intellectual Property Policy	To ensure the functions of the policy are carried out.
Interaction Between Councillors and Staff	To ensure the functions of the policy are

Policy	carried out.
Investment Policy	To ensure the functions of the policy are carried out.
Issuing Certificates of Service and References	To ensure the functions of the policy are carried out.
Land Acquisitions Policy	To ensure the functions of the policy are carried out.
Land Development Policy	To ensure the functions of the policy are carried out.
Landscaping on Nature Strips Policy	To ensure the functions of the policy are carried out.
Lane Widening Policy	To ensure the functions of the policy are carried out.
Leasing Licensing of Council Properties Policy	To ensure the functions of the policy are carried out.
Legionnaires Disease Policy	To ensure the functions of the policy are carried out.
Library Policy	To ensure the functions of the policy are carried out.
Local Orders Policy	To ensure the functions of the policy are carried out.
Logo and Brand Mark Policy	To ensure the functions of the policy are carried out.
Media Relations Policy	To ensure the functions of the policy are carried out.
Model Code of Conduct for Local Councils in NSW	To ensure the functions of the policy are carried out.
Motor Vehicle Pool System and Private Lease Policy	To ensure the functions of the policy are carried out.

Motor Vehicle Usage Policy	To ensure the functions of the policy are carried out.
Naming of Parks and Community Facilities Policy	To ensure the functions of the policy are carried out.
Nuclear Waste Policy	To ensure the functions of the policy are carried out.
Occupational Rehabilitation Policy	To ensure the functions of the policy are carried out.
Operation of the Broken Hill Regional Aquatic Centre Policy	To ensure the functions of the policy are carried out.
Operation of the Water Slide at the Broken Hill Regional Aquatic Centre Policy	To ensure the functions of the policy are carried out.
Outback Archives Policy	To ensure the functions of the policy are carried out.
Positive Ageing Policy	To ensure the functions of the policy are carried out.
Privacy Management Plan	To ensure the functions of the policy are carried out.
Procurement Policy	To ensure the functions of the policy are carried out.
Provisions of Reserves for Employees Leave Entitlements Policy	To ensure the functions of the policy are carried out.
Public Art Policy	To ensure the functions of the policy are carried out.
Records Management Policy	To ensure the functions of the policy are carried out.
Reporting of Public Interest Disclosures Policy	To ensure the functions of the policy are carried out.

Residential Buildings Conservation Policy	To ensure the functions of the policy are carried out.
Risk Management Policy	To ensure the functions of the policy are carried out.
Secondary Employment Policy	To ensure the functions of the policy are carried out.
Security of Taxation File Numbers	To ensure the functions of the policy are carried out.
Shop Front Displays and Moveable Signs Policy	To ensure the functions of the policy are carried out.
Signage of Major Tourist Attractions Policy	To ensure the functions of the policy are carried out.
Smoke Free Playgrounds and Sporting Reserves Policy	To ensure the functions of the policy are carried out.
Social Networking and Online Media Policy	To ensure the functions of the policy are carried out.
Social Policy	To ensure the functions of the policy are carried out.
Sponsorship Policy	To ensure the functions of the policy are carried out.
Sponsorship Policy	To ensure the functions of the policy are carried out.
Statement of Ethical Principles Policy	To ensure the functions of the policy are carried out.
Stormwater Drainage Systems Policy	To ensure the functions of the policy are carried out.
Suspension of Driver's Licence	To ensure the functions of the policy are carried out.
Swimming Pool Barrier Inspection Policy	To ensure the functions of the policy are

	carried out.
Tendering Policy	To ensure the functions of the policy are carried out.
Training Policy	To ensure the functions of the policy are carried out.
Tree Management Policy	To ensure the functions of the policy are carried out.
Use of Mobile Phones Policy	To ensure the functions of the policy are carried out.
Vandalism Reward System Policy	To ensure the functions of the policy are carried out.
Volunteers Policy	To ensure the functions of the policy are carried out.
Waiving of Notice Preparation Fees Protection of the Environment Operations Act Policy	To ensure the functions of the policy are carried out.
Waste Services Policy	To ensure the functions of the policy are carried out.
Workers Compensation Claims Management Policy	To ensure the functions of the policy are carried out.
Working in Hot Conditions Skin Cancer and Employee Clothing Policy	To ensure the functions of the policy are carried out.
Workplace Health and Safety Policy	To ensure the functions of the policy are carried out.
Workplace Smoking Policy	To ensure the functions of the policy are carried out.
Youth Policy	To ensure the functions of the policy are carried out.

Pursuant to a Resolution of the Council at its meeting of Wednesday, 28 September 2016,

Council Meeting held September 28, 2016
Minute Number

Mayor / Councillor

Date: Wednesday, 28 September 2016

Review date: Wednesday, 30 September 2020

General Manager's acknowledgement of Delegations of Authority

I _____, currently employed by the Council in the position of General Manager, do hereby acknowledge that I have read and understood this Instrument of Delegation and that I will perform these delegations and authorities in accordance with this Instrument of Delegation and my position description.

General Manager of Broken Hill City Council

Date:

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Schedule of Delegable Functions

Noxious Weeds Act 1993		
Code	Function	Responsible Officer
NW Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Noxious Weeds Act 1993</p>	<p>Chief Operating Officer</p> <p>Manager Infrastructure Strategy</p>
NW Act 001	<p>Failure to control Noxious Weeds:</p> <p>Authority to give all notices required to be given and sign all written notices for that purpose</p> <p>Pursuant to</p> <p>section 12(2)</p>	<p>Manager Planning Development and Compliance</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>
NW Act 002	<p>LCAs' obligations to control noxious weeds on own land:</p>	<p>Living Desert Ranger</p> <p>Team Leader Roads</p>

	<p>Authority to control noxious weeds on land subject to a weed control order.</p> <p>Pursuant to</p> <p>Section 14</p>	<p>Team Leader Parks and Open Spaces</p> <p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Senior Airport Reporting Officer</p> <p>Airport Reporting Officer</p> <p>Cemetery Services Coordinator</p> <p>Works Operator</p> <p>Labourer/Plant Operator</p>
NW Act 003	<p>Obligation to control aquatic weeds:</p> <p>Authority to control noxious weeds located on a watercourse, river or inland water in the local area.</p> <p>Pursuant to</p> <p>Section 17A</p>	<p>Team Leader Roads</p> <p>Team Leader Parks and Open Spaces</p> <p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Senior Airport Reporting Officer</p> <p>Airport Reporting Officer</p> <p>Cemetery Services Coordinator</p> <p>Works Operator</p> <p>Labourer/Plant Operator</p>
NW Act 004	<p>Weed Control Notice:</p> <p>Authority to give, amend or revoke a weed control notice and to sign all written notices for that purpose</p> <p>Pursuant to</p> <p>Section 18</p>	<p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>

NW Act 005	<p>Proposed Weed Control Notice:</p> <p>Authority to give prior notice of a proposed weed control notice and sign all written notices for that purpose.</p> <p>Pursuant to</p> <p>Section 18A</p>	<p>Manager Planning Development and Compliance</p> <p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>
NW Act 006	<p>Emergency weed control notice:</p> <p>Authority to give oral or written notice of an emergency weed control notice and to sign all written notices for that purpose.</p> <p>Pursuant to</p> <p>Section 18A(3)</p>	<p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>
NW Act 007	<p>Authority to consider & determine:</p> <p>Authority to consider submissions from occupiers regarding a proposed weed control notice and determine whether to proceed with the proposed notice and, if proceeding, whether to change its terms.</p> <p>Pursuant to</p> <p>Section 18A(2)(c) & (d)</p>	<p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>
NW Act 008	<p>Noxious weed control by local control authority after notice not complied with :</p>	<p>Team Leader Roads</p> <p>Team Leader Parks and Open Spaces</p>

	<p>Authority to control of noxious weeds on land subject to a weed control order</p> <p>Pursuant to</p> <p>Section 20(1)</p>	<p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Senior Airport Reporting Officer</p> <p>Airport Reporting Officer</p> <p>Cemetery Services Coordinator</p> <p>Works Operator</p> <p>Labourer/Plant Operator</p>
NW Act 009	<p>Noxious Weed Control by LCA after Weed Control Notice not complied with:</p> <p>Authority to:</p> <p>(a) control noxious weeds on land subject to a weed control order</p> <p>(b) control noxious weeds on behalf of Council</p> <p>(c) enter premises for that purpose</p> <p>(d) give all notices required to be given and to sign all written notices for that purpose</p> <p>Pursuant to</p> <p>Section 20(1), (2) ,(3) & (4)</p>	<p>Manager Planning Development and Compliance</p> <p>Team Leader Roads</p> <p>Team Leader Parks and Open Spaces</p> <p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p> <p>Senior Airport Reporting Officer</p> <p>Airport Reporting Officer</p> <p>Cemetery Services Coordinator</p> <p>Works Operator</p> <p>Labourer/Plant Operator</p>
NW Act 010	<p>Recommend weed control notice be given to public authority:</p> <p>Authority to recommend to the Minister that a weed control notice be given by the Minister for Primary Industries to a public authority or another local control authority.</p>	

	Pursuant to Section 21	
NW Act 011	Weed control notices given by Minister: Authority to take all necessary action and authorise all such work to comply with a weed control notice given to the authority by the Minister for Primary Industries. Pursuant to Section 22	Trades Coordinator Roads and Parks Coordinator Waste Management Coordinator Asset Planner Buildings Asset Planner Parks and Open Spaces
NW Act 012	Expenses: Authority to make demand for payment and to take all necessary action and provide all necessary instructions with respect to the recovery in an Court of competent jurisdiction of reasonable expenses incurred by or on behalf of the Council, together with interest, in ascertaining whether a weed control notice has been complied with an in taking action if it is not being complied with (including charges for any inspection of the land) Pursuant to Section 26(1),(3) & (4)	
NW Act 013	Notice of Control of prohibited plants:	Manager Planning Development and Compliance Team Leader Roads

	<p>Authority to give all notices required to be given and to sign all written notices for that purpose.</p> <p>Pursuant to</p> <p>Section 27(1)</p>	<p>Team Leader Parks and Open Spaces</p> <p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>
NW Act 014	<p>Noxious Weed control functions of local control authorities:</p> <p>Authority to exercise the noxious weed control functions of Council in relation to the area for which it is the local control authority.</p> <p>Pursuant to</p> <p>Section 36</p>	<p>Team Leader Roads</p> <p>Team Leader Parks and Open Spaces</p> <p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>
NW Act 015	<p>Temporary restrictions during noxious weed control:</p> <p>Authority to:</p> <p>(a) impose temporary restrictions during noxious weed control.</p> <p>(b) require an owner or occupier of land to remove any animals from any part of the land and to prevent animals from entering any part of the land for a specified period, where Council is acting under section 20 of the Act.</p> <p>(c) temporarily close or obstruct public or private roads (other than any state highway, freeway, tollway or state work within the meaning of the Roads Act 1993) while measures to control noxious weeds are being taken on land adjacent to those roads</p> <p>(d) to temporarily close to navigation, or obstruct navigation in,</p>	<p>Living Desert Ranger</p> <p>Team Leader Roads</p> <p>Team Leader Parks and Open Spaces</p> <p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>

	<p>any waters while measures to control noxious weeds are being taken in those waters.</p> <p>(e) to erect notices to warn people not to enter on, or remain on, any land on which measures are being taken to control noxious weeds.</p> <p>Pursuant to</p> <p>Section 36A(1),(2),(3),(4) & (5)</p>	
NW Act 016	<p>Record Keeping obligations of LCA:</p> <p>Authority to monitor the presence of noxious weeds, keep records, and report to the Director General.</p> <p>Pursuant to</p> <p>Section 37</p>	<p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>
NW Act 017	<p>Power related to aquatic weeds:</p> <p>Authority to consider any objections, and authorise the drainage of a swamp.</p> <p>Pursuant to</p> <p>Section 38(2)</p>	<p>Team Leader Roads</p> <p>Team Leader Parks and Open Spaces</p> <p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>
NW Act 018	<p>Inspectors:</p>	<p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>

	<p>Authority to appoint a person as an inspector as defined under the Noxious Weeds Act 1993.</p> <p>Pursuant to</p> <p>Section 41(1)</p>	
NW Act 019	<p>Power of Entry:</p> <p>Authority to authorise a person to enter premises to control noxious weeds on the land.</p> <p>Pursuant to</p> <p>Section 43 of the Noxious Weeds Act</p>	<p>Team Leader Roads</p> <p>Team Leader Parks and Open Spaces</p> <p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p> <p>Senior Airport Reporting Officer</p> <p>Airport Reporting Officer</p> <p>Cemetery Services Coordinator</p> <p>Works Operator</p> <p>Labourer/Plant Operator</p>
NW Act 020	<p>Inspections and Investigations:</p> <p>Authority to undertaken inspections and investigations and exercise all functions set out in section 44 of the Act.</p> <p>Pursuant to</p> <p>Section 44</p>	<p>Team Leader Roads</p> <p>Team Leader Parks and Open Spaces</p> <p>Trades Coordinator</p> <p>Roads and Parks Coordinator</p> <p>Waste Management Coordinator</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p> <p>Senior Airport Reporting Officer</p> <p>Airport Reporting Officer</p> <p>Cemetery Services Coordinator</p>

		Works Operator Labourer/Plant Operator
NW Act 021	<p>Notice of Entry:</p> <p>Authority to give all notices required to be given and to sign all written notices for that purpose.</p> <p>Pursuant to</p> <p>Section 45</p>	<p>Manager Planning Development and Compliance</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>
NW Act 022	<p>Use of force:</p> <p>Authority to authorise in writing the use of force in the circumstances of the case.</p> <p>Pursuant to</p> <p>Section 46</p>	<p>Manager Planning Development and Compliance</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>
NW Act 023	<p>Notification of use of force or entry:</p> <p>Authority to give all notices required to be given and to sign all written notices for that purpose.</p> <p>Pursuant to</p> <p>Section 47</p>	<p>Manager Planning Development and Compliance</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>

NW Act 024	<p>Compensation:</p> <p>Authority to authorise the payment of compensation for damage caused by an inspector or authorised officer in entering premises.</p> <p>Pursuant to</p> <p>Section 49</p>	<p>Manager Planning Development and Compliance</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>
NW Act 025	<p>Certificates of Authority:</p> <p>Authority to issue a Certificate of Authority in accordance with section 50 of the <i>Noxious Weeds Act 1993</i>.</p> <p>Pursuant to</p> <p>Section 50</p>	<p>Manager Planning Development and Compliance</p> <p>Asset Planner Buildings</p> <p>Asset Planner Parks and Open Spaces</p>
NW Act 026	<p>Recovery of charges and fees:</p> <p>Authority to take all necessary action in a Court of competent jurisdiction and to provide all necessary instructions with respect to the recovery of any unpaid charges and fees due and payable to the Council under the Act.</p> <p>Pursuant to</p> <p>Section 59</p>	<p>Finance Operations Coordinator</p>

NW Act 027	<p>Certificate as to weed control notices, expenses and charges on land:</p> <p>Authority to issue a Certificate as to weed control notices, expenses and charges on land.</p> <p>Pursuant to</p> <p>Section 64</p>	<p>Trades Coordinator Roads and Parks Coordinator Waste Management Coordinator Asset Planner Buildings Asset Planner Parks and Open Spaces</p>
NW Act 028	<p>Delegation by local control authorities:</p> <p>Authority for a local control authority to delegate to a person any of the local control authority's functions under this Act (other than this power of delegation) but only under this power of delegation.</p> <p>Pursuant to</p> <p>Section 68</p>	

ORDINARY MEETING OF THE COUNCIL

September 19, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 196/16

SUBJECT: DISCLOSURE OF INTEREST RETURNS 11/265, 11/646

Recommendation

1. That Broken Hill City Council Report No. 196/16 dated September 19, 2016, be received.
2. That Council note the submission of the required returns by the Councillors and Designated Persons of Council.
3. That access to Council's Register of Returns of Disclosures by Councillors and Designated Persons be in accordance with the provisions of the *Local Government Act 1993* and other relevant legislation.

Executive Summary:

In accordance with the requirements of Section 449 of the *Local Government Act 1993*, returns for Disclosure by Councillors and Designated Persons are required for completion and return by September 30, 2016.

Submission of the Disclosures by Councillors and Designated Persons Returns requires formal acknowledgement by Council.

Disclosure Returns have now been received by the General Manager from all Councillors and Designated Persons required to submit a return for the period to June 30, 2016.

Strategic Direction:

Key Direction 4: Our Leadership
Objective 4.1: Openness and Transparency in Decision Making
Action 4.1.1.13 Maintain good governance and best practice methods and ensure compliance with various guidelines and legislation.

Relevant Legislation:

In accordance with the requirements of Section 449 (3) of the *Local Government act 1993* a Councillor or Designated Person holding that position at June 30 in any year must complete and lodge with the General Manager, within three months after that date, a return in the form prescribed by the regulations.

Attachments

There are no attachments for this report.

JAMES RONCON
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

August 1, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 197/16

SUBJECT: DRAFT 2016/2017 COUNCILLOR SUPPORT POLICY FOR PUBLIC EXHIBITION 12/114

Recommendation

1. That Broken Hill City Council Report No. 197/16 dated August 1, 2016, be received.
2. That Council adopt the draft 2016/2017 Councillor Support Policy for the purpose of public exhibition.
3. That the draft 2016/2017 Councillor Support Policy be placed on public exhibition for a twenty eight day period.
4. That Council receives a further report at the conclusion of this exhibition, detailing submissions received and any recommended changes arising, with a view to adopting the draft 2016/2017 Councillor Support Policy; and the policy be forwarded to the Deputy Director General of Local Government within twenty eight days of adoption.

Executive Summary:

The purpose of the Councillor Support Policy is to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties. The policy ensures that these are provided in an accountable and transparent manner and does so by ensuring:

- The provisions of the policy allow all members of the community to seek election to Council without being financially or otherwise disadvantaged by undertaking the civic duties of a Councillor;
- Clear identification of the expenses that may be claimed, and facilities that will be provided to Councillors of Broken Hill City Council in carrying out their civic duties;
- Compliance with the requirements of Section 252, 253 and 254 of the *Local Government Act 1993*, and clause 403 of the *Local Government (General) Regulation 2005* as amended by the *Local Government Amendment (Governance and Planning) Bill 2016*.

Report:

Councils are required to review their Councillor Support Policy on an annual basis. Public notice must be given prior to the annual policy adoption process, even if the proposed amendments are not substantial.

This policy must now be subject to public exhibition in accordance with the provisions of Sections 252 and 253 of the *Local Government Act 1993*.

Key Direction: 4. Our Leadership
 Objective: 4.1 Openness and Transparency in Decision Making
 Function: Leadership & Governance
 DP Action: 4.1.1.3 – The Council leadership group works well together to serve the community

Relevant Legislation:

Section 252 of the *Local Government Act 1993* (as amended by the *Local Government Amendment (Governance and Planning) Bill 2016*:

- (1) Within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.
- (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.
- (3) A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.
- (4) A council may from time to time amend a policy under this section.
- (5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.

Section 253 of the *Local Government Act 1993*:

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.
- (3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.
- (4) Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:
 - (a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and
 - (b) a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and
 - (c) a copy of the notice given under subsection (1).
- (5) A council must comply with this section when proposing to adopt a policy each year in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.

Note: Although the *Local Government Amendment (Governance and Planning) Bill 2016* amends Section 253 by omitting item (4) this change does not take effect until a date to be proclaimed whereas other amendments took effect on the date of assent.

Section 403 of the *Local Government (General) Regulation 2005*:

A policy under section 252 of the Act must not include any provision enabling a council:

- (a) to pay any councillor an allowance in the nature of a general expense allowance, or

(b) to make a motor vehicle owned or leased by the council available for the exclusive or primary use or disposition of a particular councillor other than the mayor.

Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW

These guidelines have been prepared under the provisions of section 23A of the *Local Government Act* as Director General's Guidelines.

Financial Implications:

All expenses detailed within the 2016/2017 Policy are provided for within the adopted Operational Plan.

Any additional expenses and facilities provided for under this Policy will need to be balanced with an appropriate budget allocation.

Attachments

1. Draft Councillor Support Policy 16 Pages

JAMES RONCON
GENERAL MANAGER

DRAFT COUNCILLOR SUPPORT POLICY

QUALITY CONTROL			
TRIM REFERENCES	D12/13302 – 12/114		
RESPONSIBLE POSITION	General Manager		
APPROVED BY			
REVIEW DATE	September 2020	REVISION NUMBER	16
EFFECTIVE DATE	ACTION	MINUTE NUMBER	
24/09/2014	Adopted	44759	
30/09/2015	Public Exhibition	45075	
25/11/2015	Adopted	45128	

1. INTRODUCTION

This policy has been developed to ensure good governance and best practice standards are adhered to.

The policy is made in accordance with sections 252, 253 and 254 of the *Local Government Act 1993* (NSW).

2. POLICY OBJECTIVE

The purpose of the policy is to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties. The policy ensures that these are provided in an accountable and transparent manner and does so by ensuring:

- The provisions of the policy allow all members of the community to seek election to Council without being financially or otherwise disadvantaged by undertaking the civic duties of a Councillor;
- Clear identification of the expenses that may be claimed, and facilities that will be provided to Councillors of Broken Hill City Council in carrying out their civic duties;
- Compliance with the requirements of Section 252, 253 and 254 of the *Local Government Act 1993*, and clause 403 of the *Local Government (General) Regulation 2005*.

This policy excludes annual fees paid to the Mayor and Councillors in accordance with Sections 248-251 of the *Local Government Act 1993*. These fees are determined annually and are based on the determinations made by the Local Government Remuneration Tribunal.

Should Council be in a period of Administration, the adopted Councillor Support Policy applies to the Administrator of the Council.

3. POLICY SCOPE

This policy is relevant to all Councillors.

4. POLICY STATEMENT

GENERAL PAYMENT OF EXPENSES

4.1. Payment of Expenses

Councillors will be reimbursed for expenses reasonably incurred in the performance of their role as a Councillor. General allowances unrelated to actual expenses will not be paid.

A general allowance is a sum of money paid by a Council to a Councillor to expend on an item or a service that is not required to be receipted and / or otherwise reconciled according to a set procedure and within a specific timeframe. (A Statutory Declaration is included at Annexure 1 for this purpose).

It is not appropriate or lawful for Council to pay general allowances unrelated to actual expenses incurred and which are designed to supplement Councillors' annual fees.

4.2. Reimbursement and Reconciliation of Expenses

Councillors must provide a certified claim in the form provided by the General Manager for all travel, incidental and out of pocket expenses incurred. Payment will only be made for:

- a) expenses covered under this Policy; and
- b) items accompanied by appropriate tax invoice receipts or as provided in clause 7.2(c);
- c) Incidental expenses may not require specific receipts provided it can be demonstrated that expenditure was incurred and is not general in nature. Where receipts are not required it would be appropriate for Councillors to certify that the expenditure was for the purpose intended.

Where no receipts or tax invoices are submitted; a Councillor shall be required to sign a Statutory Declaration to confirm that the expense was incurred (Appendix 1).

If a Statutory Declaration is provided in lieu of receipts and tax invoices, Councillors are required to personally retain any supporting documentation for audit purposes and shall be required to produce this documentation to Council upon request.

The level of supporting documentation should be commensurate with the nature of expenditure. For example expenditure on parking, tolls, refreshments and the like may only require a signed statement listing the payments.

Other than provided in Clause 7.1.3, all claims must be submitted within thirty (30) days of being incurred unless reasonable cause can be shown for the delay.

Failure to meet this timeframe will result in a decline of the reimbursement.

4.3. Payment in Advance

Councillors will be provided with an advance payment for expenses to be incurred under this Policy upon request to the General Manager.

Councillors must reconcile advance payments within seven (7) days of the provision of the service or completion of the travel.

All items to be reconciled must be accompanied by appropriate tax invoice receipts.

Funds not acquitted will be advised to the Councillor and deducted from the next scheduled Councillor payment.

4.4. Establishment of Monetary Limits and Standards

The following are monetary limits for reasonable out-of-pocket expenses:

Expense	Refund Basis	Daily Limit \$	Comment
Registration Costs	Actual	None	Includes costs relating to official luncheons, dinners, tours/inspections which are relevant to the interests of the Council.
Accommodation	Actual up to daily limit	Zone 1: \$300 per day Zone 2: \$250 per day Zone 3: \$200 per day	Limits are dependent on the location of accommodation, providing for regional differences in costs. Zone 1: Capital Cities Zone 2: Regional Cities Zone 3: Country Where evidence is provided that accommodation within the above cost range cannot be provided or is not available then the General Manager has the discretion to approve the increase in costs.
Out of pocket expenses	Actual up to daily limit	Reviewed annually – based on the ATO Reasonable Allowance	Expenses in this category may include: Reasonable refreshments Reasonable telephone or internet usage; Meals not included in registration fees etc. The following expenses will not generally be reimbursed and are the responsibility of the councillor: Alcohol (see note*) Mini-bar items
Enrolment fees	Actual	None	In most cases, Council will arrange and fund attendance of Councillors at training courses.
Air Travel	Actual	None	In most cases, Council will arrange and fund Councillors air travel when required.
Rail Travel	Actual	None	In most cases, Council will only arrange and fund Councillors air travel when requested.
Taxi	Actual	None	Travel for official Council business or training only.
Bus	Actual	None	Travel for official Council business or training only.
Parking/Tolls	Actual	None	Travel for official Council business or training only.

Expense	Refund Basis	Daily Limit \$	Comment
Telephone	Actual	\$50 per month	Council related calls only.
Use of private motor vehicle	Actual	Per km allowance as defined in the BHCC Award	The use of a Council pool car should be considered for car travel prior to use of own vehicle.
Personal care or child care expenses: up to four (4) hours	Actual up to daily limit	\$80 per day	Council will reimburse a Councillor's costs to a maximum of \$80 to cover a four (4) hour engagement of a babysitter/caregiver where required to allow the Councillor to attend any Council, Committee meetings, working party or workshop. The four (4) hour period shall include 30 minutes prior to and after the conclusion of the meeting or workshop.
Personal care or child care expenses: more than four (4) hours	Actual up to hourly limit	\$15 per hour	An additional hourly rate of up to \$15 per hour will be paid for meetings and workshops etc. that go beyond the four (4) hours engagement period referred to above.

* Council will not reimburse expenses relating to alcoholic beverages unless the expenses have been incurred as part of legitimate Council business and the Councillor can identify the strategic benefit to the Broken Hill City Council and community.

Examples include:

- Civic Functions
- Entertaining members of the public in order to promote a Local Government initiative or project
- Evening meals associated with a seminar or other function at a particular venue during which significant official business is engaged in during a meal.

4.5. Incidental Expenses

Council will cover incidental travel expenses-provided that it can be demonstrated that the expenses were actually incurred - and that established reconciliation procedures are followed, for example, the completion of a claim form. A claim form must include an itemised account of expenditure and should not be general in nature.

Council will not reimburse personal travel expenses.

4.6. Expenses – Accompanying Person

When a service is shared between a Councillor and accompanying person, the expense associated with the service will be reimbursed as long as the expense did not increase due to the attendance of the accompanying person.

Where costs increase due to the attendance of the accompanying person, Council will only reimburse the amount that relates to the Councillor. In the case of accommodation paid by Council, the Councillor must pay the difference between the single person rate and the rate charged for additional persons.

However, Council will meet the reasonable direct costs of an accompanying person for attendance at official Council functions that are of a formal and ceremonial nature within the City of Broken Hill. For example, civic receptions; award ceremonies; conferences held in Broken Hill at which Council is the host or is represented and charitable functions for charities supported by the Council.

Council will not pay for costs associated with accompanying persons who accompany a Councillor at any event or function outside the Council area, including interstate and overseas.

SPECIFIC EXPENSES FOR MAYOR AND COUNCILLORS

4.7. Attendance at Seminars and Conferences

Councillor Attendance at seminars and conferences must be approved by Council on a case by case basis.

Council will cover registrations fees for conferences, seminars and the like that are attended by the Councillor as a representative of the Council.

Council will also cover travel and accommodation costs as set out in Clause 8.4 below.

4.8. Attendance at External Committee Meetings

Councillors may travel to and attend meetings directly relating to their appointment on external committees and other groups on behalf of Council, without prior approval of Council.

Council will cover travel and accommodation costs as set out in Clause 8.4 below.

4.9. Training and Educational Expenses

Council supports the professional development of all Councillors. In order to facilitate this, an annual training plan shall be maintained and a budget provided to meet the needs identified in the training plan.

In general, training will be provided on a group basis for all Councillors. Council will organise and fully fund the training. All training and educational expenses must be directly related to the Councillor's civic functions and responsibilities.

Training for individual Councillors must be approved by the Mayor upon receipt of a request in writing. The Mayor will consult with the General Manager as approval is subject to availability of funds and relevance of training in accordance with the Division of Local Government Councillor Induction and Professional Development – A Guide for Councils.

Council will continue to develop, fund and implement a Councillor training and development program with particular reference to the Division's Councillor Induction and Professional Development Guide.

4.10. Travel Arrangements and Expenses

All travel associated with Council business must be properly authorised prior to travel being undertaken. Councillors must not approve their own travel. Authorisation must be obtained in the following ways:

4.11. Authorisation

- a) All Councillors' travel must be authorised by resolution of Council, except in cases of urgency or where it relates to attendance at external committee meetings to which the Councillor has been appointed by Council. In situations of urgency, the Mayor may authorise travel which must then be endorsed at the next Council meeting;
- b) Councillors' Authority to Travel forms may be obtained from the Executive Support Officer. They must be signed by the Mayor or the Deputy Mayor in the absence of the Mayor;
- c) In cases of exceptional circumstances, Councillor's travel may be authorised by the General Manager;
- d) In the case of the Mayor, Authority to Travel forms may be authorised by the General Manager or the Chief Operating Officer/Deputy General Manager in the absence of the General Manager;
- e) Authority to Travel forms must be signed by the Councillor who undertook the travel as soon possible after travel has been completed to confirm that the travel was undertaken and payment for any approved outstanding expenses may be made. These forms must be returned to the Executive Support Officer, within 30 days of the travel being completed, unless reasonable cause can be shown for the delay.

4.12. Travel Arrangements

- a) All travel arrangements must be made through the Executive Support Officer. Travel arrangements must not be made by individuals unless prior approval has been obtained in writing from the General Manager;
- b) Travel must be for the purpose approved. Changes must not be made to travel arrangements unless prior approval has been obtained from the General Manager;
- c) Should the General Manager approve Councillors to make their own travel arrangements, the Councillor is not permitted to accumulate Frequent Flyer points for Council-funded travel;
- d) Travel may be by air (economy class), rail (first class), coach or motor vehicle, depending upon which is the most cost effective mode;
- e) Councillors intending to travel by motor vehicle must abide by the provisions of Council's Motor Vehicle Usage Policy;
- f) Councillors requiring air travel should advise the Executive Support Officer as soon as travel has been authorised so that any discount fares may be utilised;
- g) Should Councillors wish to be accompanied by another person, prior approval must be obtained from the Mayor. All travel costs associated with the travel of the other person must be paid by the other person unless otherwise resolved by Council;
- h) All travel by Councillors must be undertaken using the most direct route and the most practicable and economical mode of transport, subject to any personal medical considerations;
- i) Councillors are personally responsible for all traffic or parking fines incurred whilst they are driving private or Council vehicles on Council business.

4.13. Accommodation

- a) The Executive Support Officer will arrange suitable room accommodation, based upon cost and convenience. A Councillor may choose accommodation at a different location but it must be at the same cost or less;
- b) Council will pay accommodation costs and hotel/motel parking fees where they are not included in accommodation costs;
- c) Council will not pay for separate or upgraded accommodation for spouse, partner or accompanying persons. The Councillor will be invoiced for any additional associated costs;
- d) Council orders for accommodation will not include meals, drinks, laundry, telephone and other costs incurred at a hotel/motel; such costs will be paid by the Councillor on check-out;
- e) Should accommodation not be able to be booked in advance because of uncertain travel arrangements, accommodation charges must be paid by the traveller and a reimbursement claimed upon return to Broken Hill. Reimbursement of reasonable accommodation costs will only be made if a tax invoice is produced.

4.14. Incidental Expenses

Council will reimburse the reasonable out-of-pocket expenses involved in travel as detailed in this Policy.

4.15. Overseas Travel

Prior to any action in respect of overseas travel, a report shall be prepared for Council's consideration in advance of the proposed travel, detailing the purpose of the travel, meetings, costs, conferences and seminars together with the expected tangible benefits that may be derived for the Broken Hill community.

If the overseas travel is approved all the provisions within this Councillor Support Policy will apply in respect of travel arrangements and costs to be met by Council.

Upon return a detailed report is to be provided to Council by the Councillor(s) who undertook the travel measuring tangible outcomes against the original expectations.

4.16. Cancellation

Any cancellation of travel arrangements must be advised to the Executive Support Officer as soon as practicable.

4.17. Telephone Costs and Telecommunications

Call charges up to the monetary monthly limit shall be reimbursed by Council upon receipt of a Statutory Declaration by a Councillor that the amount relates to Council business and is accompanied by a schedule of itemised calls.

4.18. Care and Other Related Expenses

Council adopts the principle of the payment of child care expenses for children up to and including the age of 16 years, to enable a Councillor to attend to their civic duties.

However, child care will only be available to enable the Councillor's attendance at essential Council activities and will be the subject of a separate application by the affected Councillor in each instance, for determination by the Mayor and General Manager.

In situations where care is required for a partner or other immediate family member to enable the Councillor's attendance at essential Council activities, a separate application will be required from the affected Councillor in each instance, for determination by the Mayor and General Manager.

4.19. Insurance Expenses and Obligations

Section 382 of the Act requires Council to make arrangements for adequate insurance against public liability and professional liability.

Council will affect an appropriate level of insurance for Councillors in the following areas:

- a) Personal Accident/Travel Insurance – coverage of Councillor and spouse, partner or accompanying person, while on Council business;
- b) Public Liability – for matters arising out of Councillors' performance of their civic duties and/or exercise of their Council functions;
- c) Professional Indemnity – for matters arising out of Councillors' performance of their civic duties and/or exercise of their Council functions;
- d) Councillors & Officers Liability – for matters arising out of Councillors' performance of their civic duties and /or exercise of their Council functions.

Council will meet any excess applicable under a policy but the appropriate excess applicable will be reviewed upon the renewal of these insurances. A duty of care is required by all insured persons. Terms and conditions are as per policy wordings.

Councillors are not covered by workers compensation payments or arrangements.

Council may obtain insurance cover against the risk of having to meet the reasonable legal costs of a Councillor or to reimburse those costs, provided that the costs or reimbursements are ones that Council is authorised to meet.

4.20. Attendance at Non-Council Functions

- a) Consideration will be given to meeting the cost of Councillors' attendance at dinners and other non-Council functions that provide briefings from key members of the community, politicians and business where the function is relevant to the Council's interest and is held in Broken Hill, such cost to be the reasonable expenses of a required registration fee and or necessary meal and beverage cost; when clause 7.8 (b) does not apply. Requests should be made prior to the event via the Mayor to the Council's General Manager;
- b) The majority of briefings for Councillors will be organised by the General Manager and take place at a Council venue and budgeted in Council's operating expenditure;
- c) No payment will be made by Council for attendance by a Councillor at any political fundraising event, for any donation to a political party or candidate's electoral fund, or for some other private benefit.

4.21. Legal Expenses and Obligations

- a) Council will indemnify or reimburse the reasonable legal expenses of:
 - A Councillor defending an action arising from the performance in good faith of a function under the Act; or
 - A Councillor defending an action in defamation provided that the outcome of the legal proceedings is favourable to the Councillor.
- b) Reasonable legal costs may also be available for an inquiry, investigation or hearing into a Councillor's conduct by an appropriate investigative or review body including the following, provided that the subject of the inquiry, investigation or hearing arises from the performance in good faith of a Councillor's functions under the Act and the matter before the investigative or review body has proceeded past any initial assessment phase to a formal investigation or review:
 - Local Government Pecuniary Interest and Disciplinary Tribunal
 - Independent Commission Against Corruption
 - Office of the NSW Ombudsman
 - Division of Local Government
 - Department of Premier and Cabinet
 - NSW Police Force
 - Director of Public Prosecutions
 - Council's Conduct Review Committee / Reviewer
- c) In the case of a conduct complaint made against a Councillor, legal costs may only be made available where a matter has been referred by the General Manager to a conduct reviewer/conduct committee to make formal enquiries into that matter in accordance with the procedures in Council's Code of Conduct;
- d) In the case of a pecuniary interest or misbehaviour matter legal costs may only be made available where a formal investigation has been commenced by the Division of Local Government;
- e) Legal costs will only be provided where the investigative or review body makes a finding that is not substantially unfavourable to a Councillor. This may include circumstances in which a matter does not proceed to a finding. In relation to a councillor's conduct, a finding by an investigative or review body that an inadvertent minor technical breach had occurred may not necessarily be considered a substantially unfavourable outcome;
- f) Council will not meet the legal costs of legal proceedings initiated by a Councillor under any circumstances;
- g) Council will not meet the legal costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation;
- h) Council will not meet legal costs for legal proceedings that do not involve a Councillor performing their role as a Councillor;
- i) Approval must be sought and given in writing from the General Manager prior to legal expenses being incurred.

GENERAL PROVISION OF FACILITIES

4.22. Provision of Facilities generally

Facilities, equipment and services will be provided that are appropriate to support the Mayor and Councillors in undertaking their role as elected members of the Council.

4.23. Private Use of Equipment and Facilities

Councillors should not obtain private benefit from the provision of equipment and facilities, nor from travel bonuses such as "Frequent Flyer" schemes or any other such loyalty programs while on Council business.

It is acknowledged that incidental use of Council equipment and facilities may occur from time to time and such incidental private use is not subject to a compensatory payment back to Council.

Where more substantive private use occurs, Councillors must advise the General Manager in writing and the Councillor will be charged on a cost recovery basis for that private use. The General Manager will establish a register to record all such applications, reconciliations and reimbursements. Council will invoice Councillors for any such substantive private use on a quarterly basis.

Council facilities, equipment and services are not to be used to produce election material or for any other political purposes.

4.24. Acquisition and Return of Equipment and Facilities

Councillors are required to return all equipment issued to them, excluding clothing, within one (1) month after the completion of their term of office, during extended leave of absence or at the cessation of their civic duties.

Councillors may have the option to purchase Council equipment previously allocated to them at the cessation of their duties. If the item is for sale, it may be purchased at an agreed fair market price or written down value. Councillors may make application in writing to the General Manager for consideration of this option and determination of same.

EQUIPMENT AND FACILITIES PROVIDED FOR COUNCILLORS

4.25. Clothing

Each Councillor will be provided with the following corporate clothing for use as part of their civic duties i.e. attendance at Council Meetings, civic functions etc.:

- a) Jacket with embroidered Council logo – one jacket during a term of office;
- b) Neck tie/scarf – a sufficient number of neck ties/scarves embroidered with the Council's logo; and
- c) A Councillor name badge.

Additional clothing, within the Council's current uniform range may be purchased by Councillors at the Councillor's own expense.

4.26. Office/Meeting Room Facilities

A Councillor Office/meeting room is available on the Ground Floor at Council's Administrative Centre for use by Councillors in the conduct of their duties of office and for Councillor interviews with constituents.

The office/meeting room will be equipped with a telephone, a computer with internet, email and Windows software and connected to a scanner/printer/copier.

The refurbishment of the Ground Floor of the Administrative Centre to incorporate Council's archives will include the provision of a Councillor office/meeting room.

It will be necessary for Councillors to make bookings for use of the Councillor Office through the General Manager's Office and these bookings will appear on the Councillor's Outlook Calendar as a reference for Councillors of the availability of the office.

4.27. Reference Materials

All Councillors will be issued with either an electronic or hardcopy copy of Bluet's Local Government Handbook (NSW) Latest Edition and Councillor's reference manual compiled by the General Manager.

Other reference materials will be provided as requested by Councillors or as deemed necessary by the General Manager.

4.28. Meals and refreshments

Council will provide appropriate light meals and refreshments at Council Workshops, meetings and meetings of Council and Committees which run over normal meal times.

4.29. Mobile Telephones

Upon request Councillors may be provided with a standard mobile telephone for the purpose of conducting Council business and must be used in a manner consistent with the Council's Mobile Phones Policy.

The Mobile Telephone Agreement must be completed by Councillors who are provided with a mobile phone (Appendix 2).

4.30. Tablet Computers

A tablet computer (iPad) will be provided to all Councillors, in lieu of printed Council Business Papers and other reference materials / information.

Councillors will be required to set-up their own Apple ID and supporting account for the purposes of downloading apps.

A once-off \$15 iTunes voucher may be requested by Councillors to enable them to purchase Council business related apps. Cost incurred in purchasing any other apps necessary for Council business will be reimbursed on supply of a tax invoice and explanation of how the purchase relates to Council business.

Councillors are not to store personal photos/videos/music/games on their iPads as this can cause unnecessary operating problems when downloading large documents and business papers.

Help Desk-support will be provided for Council business purposes.

4.31. Council Motor Vehicles

Access to Council's Motor Vehicle Fleet will be provided to the Mayor and Councillors for the purposes of travelling to and from meetings, conferences and seminars where it is identified to be the most direct and / or cost effective option.

Use of Council's Motor Vehicle Fleet is to be in accordance with the Motor Vehicle Usage Policy.

GIFTS AND BENEFITS

4.32. Given By Councillors

In circumstances where it is appropriate for Councillors to give a gift or benefit, for example on a Council business related trip or when receiving visitors; these gifts and benefits should be of token value as defined in Council's Code of Conduct and Council's "Gifts and Benefits" Policy.

4.33. Received by Councillors

The provisions of Council's Code of Conduct and Council's "Gifts and Benefits" Policy will apply.

PROVISION OF ADDITIONAL EQUIPMENT & FACILITIES FOR THE MAYOR

4.34. Mobile Telephone

Council will provide at its cost a mobile phone for use in relation to official duties and functions of the Office of Mayor. Council will meet rental and the cost of official calls. The account for the mobile phone will be in the name of Broken Hill City Council and the Mayor must advise the Council in writing monthly of any personal calls made from the mobile phone as the cost of these personal calls is to be met by the Mayor.

4.35. Office Facilities

Council will provide the following office facilities at the Administrative Centre:

- a) Office space; sufficient quantity of quality office space necessary to fulfil the duties of Mayoral office;
- b) Telephone; a high quality digital telephone with direct in dial and direct line facilities;
- c) Furniture; An appropriate quantity of quality office furniture;
- d) Stationery; including Mayoral letterhead, envelopes and stationery generally.

4.36. Secretarial Support

Secretarial support facilities are available to the Mayor through the Executive Support Officer during normal office hours. The General Manager may on request provide access to secretarial support outside office hours for Council business, for example, public meetings and ceremonies.

Council will meet the cost of postage of mail forwarded by the Mayor in the conduct of official duties.

4.37. Purchase Card

Council shall provide the Mayor with a purchase card for business expenditure only and must comply with the general terms and conditions within Council's Purchase Card Procedures or any other relevant policies and procedures.

DISPUTE RESOLUTION REGARDING EXPENSES AND FACILITIES FOR COUNCILLORS

4.38. Process

Should any dispute arise about the payment of expenses or provision of facilities for Councillors, the Councillor(s) concerned are required to submit a formal written request to the General Manager advising the issue in dispute and the provision or remedy sought.

The General Manager is to give proper consideration to any such request and make a decision as to whether the claim is in keeping with this policy; whether the claim is not appropriate and/or whether the Councillor Support Policy needs to be reviewed.

Should the Councillor, on receipt of the General Manager's reply, consider the matter needs to be reviewed; the Councillor must make a written submission to the Independent Chair of the Audit Committee. The Chair will consider and decide the matter.

5. IMPLEMENTATION

5.1. Roles and Responsibilities

The General Manager is responsible for ensuring that Council is operating in accordance with the provisions of this policy.

5.2. Communication

This Policy will be communicated to the community and staff utilising Council's Policy, Procedure and Process Framework and Council's Business Paper process. Following adoption by Council the Policy will be made available on Council's website.

5.3. Associated Documents

The following documentation is to be read in conjunction with this policy:

- Broken Hill City Council Code of Conduct
- Motor Vehicle Usage Policy
- Mobile Phone Policy
- Purchase Card Procedure
- Annexure 1 – Statutory Declaration
- Annexure 2 – Mobile Telephone Agreement

6. REVIEW

Review of this policy will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines.

This Policy must be reviewed within the first twelve (12) months of each new term of Council with public notice to ensure it meets the requirements of legislation and the needs of Council.

The General Manager is responsible for the review of this policy.

7. LEGISLATIVE AND LEGAL FRAMEWORK

This policy is to be read in conjunction with the following:

- Local Government Act 1993 (sections 252-254)
- Local Government (General) Regulation 2005 (section 403)
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW 2009.

Council representatives shall refrain from personal activities that would conflict with proper execution and management of Council's Councillor Support Policy; Council's Code of Conduct provides guidance for recognising and disclosing any conflicts of interest.

8. DEFINITIONS

"Accompanying Person" shall mean a person who has a close relationship (partner / spouse) with the Councillor and / or provides carer support to the Councillor).

"ATO" shall mean Australian Taxation Office.

"Incidental Travel Expenses" shall mean business expenses incurred while undertaking approved travel other than airfares and accommodation. Expenses such as reasonable business related hospitality and entertainment, domestic meals, taxi fares, business related communication, business related excess baggage and stationery are examples that fall into this category.

"Personal Travel Expenses" shall mean expenses of a personal nature incurred by the traveller when on approved travel. Expenses such as personal entertainment, including use of the hotel mini-bars and in-house videos, laundry and personal travel are examples that fall into this category.

"Traveller" shall mean The Mayor, Deputy Mayor or Councillor approved to undertake travel on behalf of the Council.



ANNEXURE 1

BROKEN HILL CITY COUNCIL

REIMBURSEMENT OF INCIDENTAL EXPENSES INCURRED BY COUNCILLORS

STATUTORY DECLARATION

On _____ (date), I _____ (name),

a Councillor of Broken Hill City Council, of:

_____ (address)

Do solemnly and sincerely declare that:

1. On _____ (date) I did incur expenditure in accordance with the Councillor Support Policy, in the sum of:

\$ _____

2. I am unable to produce invoices, receipts, dockets and/or related documents which evidence the expenditure referred to in paragraph 1. However, I verify that I incurred the expenses in relation to my duties as Councillor for Broken Hill City Council.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1900.

Signed: _____

Witnessed: _____

Name of Witness: _____

Qualification of the Witness: Justice of the Peace

Solicitor

Registration Number of Justice of the Peace (or stamp): _____

1. Councillor	2. General Manager	3. Executive Support Officer
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ANNEXURE 2

BROKEN HILL CITY COUNCIL MOBILE TELEPHONE AGREEMENT

I, _____ (the "approved user")

acknowledge the following:

1. That I have received and read a copy of Council's Mobile Phones Policy;
2. That I have been granted use of a Council mobile telephone in accordance with Council's Mobile Phone Policy;
3. That I will comply with the requirements of this policy;
4. That I accept responsibility for the equipment granted to me;
5. That I will reimburse Council for all private and personal calls made on the Council mobile telephone that has been allocated to me;
6. That the mobile phone and associated equipment must be returned to Council at the end of my term of Council;
7. The mobile telephone number and serial number of the equipment allocated to me are:

a) mobile telephone number: _____

b) mobile telephone serial number: _____

c) sim card serial number: _____

Councillor

Date

ORDINARY MEETING OF THE COUNCIL

September 14, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 198/16

SUBJECT: CORRESPONDENCE REPORT - OFFICE OF LOCAL
GOVERNMENT COUNCILLOR WORKSHOP

11/355

Recommendation

1. That Broken Hill City Council Report No. 198/16 dated September 14, 2016, be received.
2. That Councillors confirm their attendance with the General Manager's Office for the Office of Local Government Councillor Workshop "Hit the Ground Running" in Broken Hill on Thursday November 3, 2016.

Executive Summary:

Council has received a circular from the Office of Local Government advising that in conjunction with the Local Government NSW, the Office of Local Government will be conducting a "Hit the Ground Running" Councillor Workshop in Broken Hill on Thursday, November 3, 2016.

Report:

The workshop is designed to provide Councillors with the information to support them to serve the community and to carry out their duties and responsibilities as Councillors.

The workshops will discuss the following topics:

- Local Government reform and how it will affect each Council
- *Local Government Amendment Bill (Governance and Planning) 2016*
- Model Code of Conduct
- Integrated Planning and Reporting framework
- Learning and Professional Development for Councillors

Full details of the workshop have not yet been released. Councillors are encouraged to attend this important workshop and this report is presented to Council for Councillors to register their attendance by contacting the General Manager's Office.

Strategic Direction:

Key Direction: 4 Our Leadership
Objective: 4.2 Our Leaders make Smart Decisions
Function: Leadership and Governance
DP Action: 4.2.1.2 Encourage attendance at meetings and workshops

Relevant Legislation:

Local Government Act 1993

Local Government Amendment Bill (Governance and Planning) 2016

Financial Implications:

Full details of the workshop have not yet been released.

As the workshop will be held in Broken Hill, no travel expenses will be incurred.

Attachments

1. Office of Local Government circular 16-33 2 Pages

JAMES RONCON

GENERAL MANAGER



Office of
Local Government

Circular to Councils

Circular Details	Circular No 16-33 / 12 September 2016 / A512313
Previous Circular	N/A
Who should read this	General Managers/Councillors
Contact	Development Team on (02) 4428 4100 or onestopshop@fitforthefuture.nsw.gov.au
Action required	Information

2016 Local Government Elections - Hit the Ground Running Councillor Workshops

What's new or changing

- In collaboration with Local Government NSW, OLG will again be providing support to councils and councillors to help them in their roles by conducting *Hit the Ground Running* councillor workshops following local government elections on Saturday 10 September, 2016.
- The workshop dates and locations are as follows:

Nowra	Monday 24 October 2016
Moruya	Wednesday 26 October 2016
Glen Innes	Wednesday 26 October 2016
Tamworth	Thursday 27 October 2016
Goulburn	Thursday 27 October 2016
Camden	Wednesday 2 November 2016
Euston	Wednesday 2 November 2016
Blacktown	Thursday 3 November 2016
Broken Hill	Thursday 3 November 2016
Parkes	Tuesday 8 November 2016
Gilgandra	Wednesday 9 November 2016
Singleton	Wednesday 9 November 2016
Sydney 1	Thursday 10 November 2016
Ballina	Tuesday 15 November 2016
Griffith	Tuesday 15 November 2016
Coffs Harbour	Wednesday 16 November 2016
Wagga Wagga	Wednesday 16 November 2016
Sydney 2	Tuesday 22 November 2016
Lithgow	Wednesday 23 November 2016
Moree	Wednesday 23 November 2016
Cobar	Tuesday 29 November 2016

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 44 913 630 046

What this will mean for your council

- The one-day workshops will be based on the '5 Key Things' all Councillors need to know in order for them to be effective in their roles.
- An online registration system will be available for General Managers to register councillor attendance in late September 2016, and information about how to access the system will be provided in the near future.
- General Managers are asked to coordinate the registration of Councillors once details about the online registration system are provided.

Key points

- The workshops are designed to help all Councillors hit the ground running following the September 2016 elections. The workshops provide essential information to support Councillors in serving their community and fulfilling their responsibilities. All Councillors are strongly encouraged to attend.
- The 2016 program has been updated to include information on how local government reform affects each council, particularly following recent amendments to the *Local Government Act 1993*.
- The updated workshop material will also include crucial information for all Councillors on the Model Code of Conduct, Integrated Planning and Reporting framework and the support available to them during their term in relation to learning and professional development.
- General Managers are asked to widely promote the workshops and strongly encourage attendance. This could be achieved by providing relevant workshop dates/locations in the council calendar and including the workshops on the agenda for the first council meeting.

Where to go for further information

- A promotional flyer with further details will be available shortly.
- Any queries about the Workshops can be directed to Council's Relationship Manager by email to onestopshop@fitforthefuture.nsw.gov.au



Tim Hurst
Acting Chief Executive

ORDINARY MEETING OF THE COUNCIL

September 14, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 199/16

SUBJECT: CORRESPONDENCE REPORT - RELEASE OF IPART ISSUES
PAPER FOR THE REVIEW OF PRICES FOR WATERNSW TO
APPLY FROM JULY 1, 2017 11/426

Recommendation

1. That Broken Hill City Council Report No. 199/16 dated September 14, 2016, be received.
2. That Councillors provide their feedback regarding the IPART Issues Paper into WaterNSW's Rural Bulk Water Pricing Proposal to the General Manager's Office by October 7, 2016 in order for a submission to be formulated and lodged by October 17, 2016.

Executive Summary:

Council has received correspondence from IPart NSW forwarding an Issues Paper as part of their review of the maximum prices to be charged by WaterNSW from July 1, 2017 for its rural bulk water services.

Report:

IPART is reviewing the maximum prices that WaterNSW can charge its customers for rural bulk water services. The prices set by IPART will apply for four years from July 1, 2017.

WaterNSW's proposal includes passing on costs of the Murray-Darling Basin Authority and the Broder Rivers Commission to its customers in the Murray, Murrumbidgee and Border Valleys.

Submissions to the Issues Paper close on October 17, 2016. Three public forums will be held in Moree, Sydney and Coleambally from late October to mid November 2016.

It is anticipated that IPART will release a draft decision on Water NSW's prices for further consultation in March 2017.

Attachments

- | | |
|---|---------|
| 1. IPART - emailed correspondence | 1 Page |
| 2. IPart Issues Paper - Murray Valley region - WaterNSW's Rural Bulk Water Pricing Proposal | 2 Pages |
| 3. IPart Issues Paper - Water NSW Review Rural Bulk Water Prices General Overview | 2 Pages |
| 4. IPart Media Release | 2 Pages |

JAMES RONCON
GENERAL MANAGER

Bartlett, Leisa

From: Maria Tortura <Maria_Tortura@ipart.nsw.gov.au> on behalf of WaterNSW Rural Mailbox <WaterNSWRural@ipart.nsw.gov.au>
Sent: Tuesday, 13 September 2016 10:38 AM
Subject: RELEASE OF ISSUES PAPER FOR THE REVIEW OF PRICES FOR WATERNSW TO APPLY FROM 1 JULY 2017\

Good morning,

Today we released an Issues Paper as part of our review of the maximum prices to be charged by WaterNSW from 1 July 2017 for its rural bulk water services. Our Issues Paper addresses some of the key issues that are contained in WaterNSW's pricing proposal, which was published on our website on 1 July 2016.

We aim to set prices to recover an appropriate level of revenue needed to support the provision of WaterNSW's monopoly services in an efficient and effective manner. We will be looking at the efficiency and prudence of WaterNSW's past and projected expenditure, taking into account drivers of this expenditure and outcomes achieved.

To facilitate participation in this price review, we have released an Issues Paper which outlines our approach to the determination of prices, and includes a number of questions on which stakeholder feedback is sought. We have attached a Fact Sheet and the Media Release which relate to the Issues Paper. These documents are available on IPART's website, www.ipart.nsw.gov.au.

I would like to take this opportunity to invite you to share your views on the questions raised in the Issues Paper or any other issues that you believe are relevant. Submissions from stakeholders and members of the public are due by 17 October 2016 and can be lodged through our [website](#).

As part of this review, we will be holding three public hearings (Moree, Sydney, and Coleambally) in late October/November 2016, prior to the release of draft prices for public comment in March 2017. Further details about the arrangements for the public hearings will be available on our website closer to the hearing dates.

Timetable for WaterNSW price review for rural bulk water services

Pricing Proposal from WaterNSW received	30 June 2016
IPART Issues Paper released	13 September 2016
Public submissions due	17 October 2016
Public Hearing – Northern NSW - Moree	31 October 2016
Public Hearing – Sydney	7 November 2016
Public Hearing – Southern NSW - Coleambally	14 November 2016
Release Draft Determination and Draft Report	7 March 2017
Public Hearing – Sydney	4 April 2017
Receive submissions on Draft Determination and Draft Report	10 April 2017
Release Determination and Final Report	6 June 2017

If you have any queries regarding the completion of your submission, please contact John Madden, Director Water Pricing, on (02) 9113 7780.

Murray Valley Issues Paper - WaterNSW's rural bulk water pricing proposal



In this Fact Sheet we highlight selected key information from WaterNSW's pricing proposal for customers in the Murray valley. This information is not exhaustive and should be read in conjunction with our General Overview Fact Sheet and Issues Paper.

Overview

- Forecast annual entitlement for 2016-17: General Security 2,081,716 ML; High Security 261,883 ML.
- Forecast annual usage for 2016-17: 1,537,145 ML (20-year rolling average).
- Proposed user share notional revenue requirement (NRR): \$71.2 million over 2017-18 to 2020-21 or \$17.8 million per year. The user share of NRR is the portion of total costs that are paid for by customers. This is used as the basis for WaterNSW setting proposed prices.
- The proposed user share of NRR for the Murray valley represents around 24.4% of WaterNSW's proposed total user share of NRR across the state.
- Proposed average annual user share of NRR over the four year determination period is decreasing when compared to the 3 years of the current determination.
- On average, Murray Darling Basin Authority (MDBA) costs represent 69.3% of the total proposed annual user share NRR for Murray valley.
- Proposed volatility cost (ie, the costs of purchasing the risk transfer product) represents 2.3% of user share NRR for the Murray Valley over the determination period.

Under WaterNSW's proposal, final entitlement charges (ie, bulk water plus MDBA charges) would increase for high security entitlement holders and general security holders in real terms. The usage charge would decrease for all customers. WaterNSW has proposed a change in price structure for MDBA charges from the current 40:60 fixed to usage split to 100% fixed charge on entitlement.

Consistent with WaterNSW's proposal, the price and revenue figures below are in \$2016-17 (ie, they **exclude** the effects of inflation beyond 2016-17).

WaterNSW's proposed prices, change over 2016-17 to 2020-21 (per ML, \$2016-17)

	Bulk water charges (excluding inflation)		MDBA charges (excluding inflation)		Final charges (excluding inflation)	
High Security	↓	15.1% (\$1.79 to \$1.52)	↑	105.4% (\$3.22 to \$6.61)	↑	62.4% (\$5.00 to \$8.13)
General Security	↑	0.7% (\$0.97 to \$0.98)	↑	162.4% (\$1.74 to \$4.58)	↑	104.7% (\$2.71 to \$5.55)
Usage	↓	14.9% (\$2.31 to \$1.97)	↓	100% (\$4.17 to \$0.00)	↓	69.6% (\$6.48 to \$1.97)

Murray

WaterNSW's proposed NRR for Murray valley (\$000s, \$2016-17)

	2017-18	2018-19	2019-20	2020-21	Total ^a	Average Proposed ^a	Average ACCC	Change ^b
Base building block	5,395	5,428	5,442	5,403	21,668	5,417	9,613	-43.6%
UOM ^c allowance	39	39	39	39	158	39	12	237.1%
MDBA costs	15,187	11,710	11,261	11,261	49,419	12,355	10,646	16.0%
Total user share	20,622	17,177	16,743	16,703	71,245	17,811	20,371	-12.1%
Total NRR-Murray	21,519	18,072	17,631	17,582	74,805	18,701	20,584	-7.5%
Total user share (%)	96%	95%	95%	95%	95%	95%	100%	

a Total and annual average over 2017-18 to 2020-21.

b Annual average (2017-18 to 2020-21) compared with average annual (2014-15 to 2016-17).

c Unders and Overs Mechanism (UOM).



WaterNSW's pricing proposal includes indicative customer bills, for a range of entitlement and usage volume scenarios, under its proposed fixed and usage charges.

Below we present two of these scenarios: a general security bill based on a customer holding a 1,000 ML entitlement and using 60% of the entitlement; and a high security bill based on a customer holding a 500 ML entitlement and using 100% of the entitlement held in a year.

The bill impacts presented below are in nominal dollars (ie, they **include** the effects of forecast inflation, assumed to be 2.5% per year, beyond 2016-17).

Under WaterNSW's proposed final prices, typical bills (including MDBA costs) would decrease for high security entitlement holders and increase for general security entitlement holders.

Indicative customer bill impacts of proposed final prices (\$nominal)

	High Security (including inflation)	General Security (including inflation)
 3.1%	\$5,745 (2016-17) \$5,565 (2020-21)	 12.6%
		\$6,598 (2016-17) \$7,432 (2020-21)

The Issues Paper contains a number of questions for stakeholder comment. The following questions are particularly relevant to stakeholders in the Murray valley:

- WaterNSW has forecast a total MDBA user share of costs of about \$58.8 million over the four years to 2020-21. This represents an annual average increase of 13.3% compared with the previous three years. Is the proposed MDBA user share of costs efficient?
- WaterNSW has proposed to change the MDBA charge from a 40:60 fixed to usage split to a 100% fixed charge per ML. How should MDBA charges be structured?
- WaterNSW has proposed reducing the high security premium, which would shift costs towards general security users. Is this adjustment reasonable?
- Irrigation Corporations and Districts (ICDs) conduct activities that warrant rebates from charges in recognition of avoided costs. The rebates proposed by WaterNSW for the upcoming determination are around 50% less than the rebates determined by the ACCC for 2016-17. Are the levels of ICD rebates proposed by WaterNSW reasonable?

WaterNSW review: Rural bulk water prices - general overview



13 September 2016



WHAT

IPART is reviewing maximum prices that WaterNSW (formerly State Water) can charge for its rural bulk water services.

WaterNSW delivers bulk water to irrigators and other licence holders on regulated rivers across NSW. It operates 42 large dams and weirs and other delivery infrastructure in the State's rivers to provide water to its 6,300 customers.

Its area of operations is divided into 13 valleys. Separate information sheets for each valley are available on [our website](#).



WHY

This review will set prices for WaterNSW's services to apply from 1 July 2017.

IPART's Issues Paper summarises and provides initial views on WaterNSW's Pricing Proposal. Key issues for the review are summarised on the next page.

The Issues Paper and WaterNSW's proposal are available on [our website](#).

We are seeking views from stakeholders.



HOW

We will engage expert consultants to assist us to review WaterNSW's capital and operating expenditure proposals. We will then set prices to allow WaterNSW to recover only the efficient costs of its services from users.

WaterNSW proposes to continue to pass through costs of the Border Rivers Commission and the Murray-Darling Basin Authority to customers through its prices in three valleys. These costs will also be subject to review.

We will also make decisions on:

- ▼ length of time for which we set prices
- ▼ forecast water sales and entitlement volumes
- ▼ how to address the risks to WaterNSW associated with revenue volatility, and
- ▼ the structure of WaterNSW's prices.

In making our decisions, we will consider the impacts on WaterNSW, its customers and other stakeholders, along with other factors.



WHEN

Key dates for this price review

17 Oct 2016	Submissions due
31 Oct 2016	Public hearing: Moree
7 Nov 2016	Public hearing: Sydney
14 Nov 2016	Public hearing: Coleambally
7 Mar 2017	Draft Report and Draft Determination released
4 Apr 2017	Public hearing: Sydney
10 Apr 2017	Submissions to Draft Report and Draft Determination due
6 Jun 2017	Final Report and Determination released
1 July 2017	New prices apply



WHAT NEXT

Submissions are due by 17 October 2016.

We prefer submissions via our online [form](#). You can also send comments by fax to (02) 9290 2061, or by mail to:

Price review for WaterNSW (Rural)

IPART
PO Box K35
Haymarket Post Shop NSW 1240

Unless they are identified as confidential, we plan to put all submissions on our website soon after the closing date for submissions.

WaterNSW review: Rural bulk water prices



Have your say

The following table lists some key issues we have identified for this review and provides a brief summary of WaterNSW's proposal and our initial position. We are interested in stakeholder views on these issues, and on the full list of questions in the Issues Paper.

Key issue	Summary of current position
WaterNSW's proposed capital expenditure	<p>WaterNSW underspent its allowance for the user share of its capital expenditure by 3.3% (around \$1.9 million) over the four years to 2016-17. Over the next four years, WaterNSW has proposed an average annual user share of capital expenditure of around \$37.2 million. For the three years to 2016-17, the user share allowed averaged around \$15.7 million.</p> <p>IPART will engage an expert consultant to review the prudence and efficiency of WaterNSW's forecast capital expenditure.</p>
Costs relating to Border Rivers Commission (BRC) and Murray-Darling Basin Authority (MDBA)	<p>WaterNSW has incorporated BRC and MDBA costs in its proposed prices for the Border, Murray and Murrumbidgee valleys.</p> <p>IPART will review the efficiency of these costs. During this review, the NSW Government may direct WaterNSW to fund these costs, which would constitute a regulatory obligation. If this occurs, we would set prices to allow WaterNSW to comply with this obligation (ie, we would allow WaterNSW to pass these costs onto users via prices in the three valleys). We will also examine WaterNSW's proposal to recover these costs through a fixed charge per ML of entitlement, as opposed to a 40:60 split between fixed and usage charges.</p>
Cost allowance to manage revenue volatility	<p>WaterNSW has proposed purchasing a risk transfer product (RTP) to manage its risks associated with revenue volatility, while maintaining a 40:60 split between fixed and usage charges. This RTP would replicate an 80:20 fixed to usage price structure, so that only 20% of WaterNSW's revenue would be tied to water sales. WaterNSW estimated the annual costs of this would represent around an extra 5% per year on the user share of its revenue requirement. It has proposed including this cost in prices for general security entitlement holders.</p> <p>IPART has not formed a view on WaterNSW's proposal to recover its costs of the RTP from water users via prices. However, we will consider whether the proposed approach to risk is appropriate and how it could be best managed.</p>
Allocating costs between water users and the NSW Government	<p>WaterNSW has proposed continuing to recover the majority (70%) of its costs from users. Costs are currently allocated to water users or the Government based on the 'impactor pays' principle. This principle seeks to allocate costs to different individuals or groups in proportion to their contribution to creating the costs (or the need to incur the costs).</p> <p>IPART will review cost shares to ensure they continue to reflect the share of costs imposed by each party.</p>
Allocating shared or common costs between WaterNSW's business areas	<p>WaterNSW supplies bulk water to rural customers (the subject of this review), and Greater Sydney customers including Sydney Water (the subject of a separate review completed by IPART in June 2016). WaterNSW must allocate common costs (such as corporate costs) between these parts of its business in proposing its revenue requirement and prices. It proposes splitting these costs at 55% to Greater Sydney and 45% to rural valleys.</p> <p>IPART's expenditure consultant will review the allocation of common costs.</p>
Alternative approaches to cost recovery	<p>WaterNSW's proposed prices in the North Coast and South Coast valleys would recover 12% and 44% of their user share of costs, respectively, by 2021.</p> <p>IPART will examine alternative approaches for setting prices in valleys where full cost recovery is unlikely to be achieved.</p>

Media Release



Independent Pricing and Regulatory Tribunal

WATERNSW (RURAL) PRICING REVIEW – ISSUES PAPER RELEASE

13 SEPTEMBER 2016

The Independent Pricing and Regulatory Tribunal (IPART) has outlined the key issues to be considered in its review of the maximum prices that WaterNSW (formerly State Water) can charge its customers for rural bulk water services. Prices set by IPART would apply for four years from 1 July 2017.

WaterNSW operates 42 large dams and weirs across NSW, as well as other infrastructure, to deliver water to its 6,300 rural customers.

IPART Chair, Dr Peter Boxall, said IPART will review WaterNSW's expenditure to ensure that its proposed prices reflect the most efficient costs of providing services to customers.

Under WaterNSW's proposal, the total cost of supplying its services will reduce in real terms. The lower overall cost is driven by reductions in operational expenditure and a lower return on capital. At the same time, WaterNSW's proposed capital expenditure allocated to water users is higher than the current level used to set prices.

WaterNSW's proposal also includes passing through costs of the Murray-Darling Basin Authority and the Border Rivers Commission to its customers in the Murray, Murrumbidgee and Border valleys.

"The Issues Paper released today highlights key aspects of WaterNSW's proposal, including a new cost allowance for WaterNSW to manage its risk of revenue volatility, and its allocation of costs between water users and the NSW Government," Dr Boxall said.

Submissions to the Issues Paper are due by 17 October 2016, and three public forums will be held in Moree, Sydney and Coleambally from late October to mid-November.

All comments made in submissions and at public forums will be considered by IPART before it releases a draft decision on WaterNSW's prices for further consultation in March 2017.

Copies of the Issues Paper and accompanying Fact Sheets are available on IPART's website <<http://www.ipart.nsw.gov.au>>.

Media Contact: Julie Sheather 02 9290 8403 or 0409 514 643

Timetable for WaterNSW price review for rural bulk water services

Pricing Proposal from WaterNSW received	30 June 2016
IPART Issues Paper released	13 September 2016
Public submissions due	17 October 2016
Public Hearing – Northern NSW - Moree	31 October 2016
Public Hearing – Sydney	7 November 2016
Public Hearing – Southern NSW - Coleambally	14 November 2016
Release Draft Determination and Draft Report	7 March 2017
Public Hearing – Sydney	4 April 2017
Receive submissions on Draft Determination and Draft Report	10 April 2017
Release Determination and Final Report	6 June 2017

ORDINARY MEETING OF THE COUNCIL

September 13, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 200/16SUBJECT: INVESTMENT REPORT FOR AUGUST 201611/48**Recommendation**

1. That Broken Hill City Council Report No. 200/16 dated September 13, 2016, be received.

Executive Summary:

The *Local Government (General) Regulation 2005* (Part 9, Division 5, Clause 212), effective from 1 September 2005, requires the Responsible Accounting Officer of a Council to provide a written report setting out details of all monies that have been invested under Section 625 (2) of the *Local Government Act 1993*, as per the Minister's Amended Investment Order gazetted 11 March 2011. The Responsible Accounting Officer must also include in the report, a certificate as to whether the investment has been made in accordance with the Act, the Regulations and the Council's Investment Policy.

Report:

Council's investments as at 31st August 2016 are detailed in Attachment 1.

Portfolio Summary		
Portfolio Performance vs. RBA Cash Rate	✓	Council's investment performance did exceed benchmark.
Investment Policy Compliance		
Legislative Requirements	✓	Compliant with policy
Portfolio Credit Rating Limit	✓	Compliant with policy
Institutional Exposure Limits	✓	Compliant with policy
Term to Maturity Limits	✓	Compliant with policy

Market Review**Global issues**

In the US, the latest jobs report was weaker than expected with August payrolls only increasing 151,000, down sharply from previous months. This, combined with other recent soft data, strengthens the case for the US Federal Reserve to keep interest rates unchanged until at least December.

In China, the latest data revealed continuing economic contraction. Retail sales, industrial production and trade figures were all disappointing. Economists are predicting more interest rate cuts by the Bank of China in the coming months.

Domestic issues

Australia's latest employment data was stronger than expected with new jobs in July increasing by 26,200; more than double economists' predictions. Detractors noted that part time jobs are boosting the results as new full time jobs are weak.

Overall business capital expenditure was down 5.5% for the June quarter, led by a 16% spending cut by miners. Consumer spending was also disappointing with retail sales figures flat for July after only very modest gains in May and June.

Interest rates

The RBA's official cash rate remains at 1.50% following the central bank's 25bps cut in early August. The money market is pricing in another cut by mid-2017.

Term deposit rates across most maturities ended 15-20 basis points lower for the month. Three month TDs from Australian majors closed August in the 2.50%- 2.60% area and the best indicative 12 month rate from a four major was at 2.65%.

Council's Portfolio by Source of Funds – August 2016

As at 31st August 2016, Council's Investment Portfolio had a current market valuation of \$20,740,542 or principal value (face value) of \$20,682,640 with the source of these funds being detailed in the table below.

	Source of Funds	Principal Amount
GENERAL FUND	Operating Capital & Internal Restrictions	9,624,640
	Accommodation Bonds Reserve	45,000
	Royalties Reserve	475,000
	Domestic Waste Management Reserve	5,544,000
	Grants	4,519,000
	Developer Contributions	475,000
	TOTAL PORTFOLIO	\$20,682,640

Certificate by Responsible Accounting Officer

All investments have been placed in accordance with Council's Investment Policy, Section 625 of the *Local Government Act 1993* (as amended), the Revised Ministerial Investment Order gazetted 11 February 2011, Clause 212 of the *Local Government (General) Regulations 2005* and Third Party Investment requirements of the then Department Local Government Circular 06-70. Council continues to obtain independent financial advice on its investment portfolio in accordance with the then Department of Local Government Circular of 16 September 2008.

Strategic Direction:

Key Direction 4: Our Leadership
 Objective 4.1: Openness and Transparency in Decision Making
 Action 4.1.1.13 Maintain good governance and best practice methods and ensure compliance with various guidelines and legislation.

Relevant Legislation:

This report is provided for Council's consideration in compliance with the requirements of *Part 9, Division 5, Clause 212 of the Local Government (General) Regulations 2005*.

Financial Implications:

The recommendation has no financial impact.

Attachments

1. Monthly Investment Report - August 2016 12 Pages

JAY NANKIVELL
FINANCE MANAGER

JAMES RONCON
GENERAL MANAGER



**Investment Summary Report
August 2016**



Broken Hill City Council

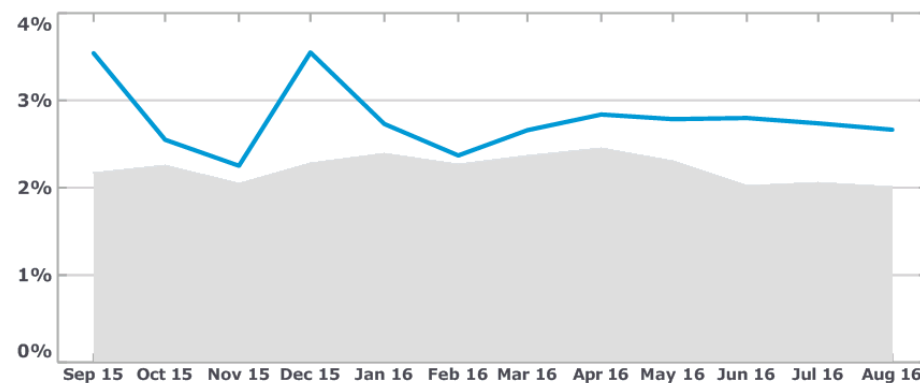
Executive Summary



Investment Holdings

	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	2,182,639.60	2,182,639.60	1.15
Term Deposit	18,500,000.00	18,557,902.86	2.76
	20,682,639.60	20,740,542.46	2.59

Investment Performance

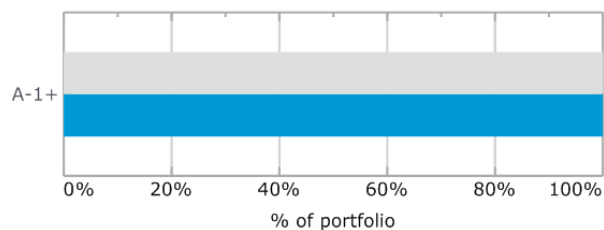


Portfolio Annualised Return

Ausbond BB Index Annualised Return

Investment Policy Compliance

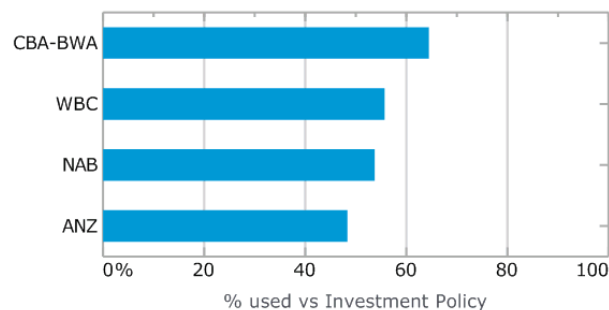
Total Credit Exposure



Portfolio Exposure

Investment Policy Limit

Highest Individual Exposures



% used vs Investment Policy

Term to Maturities

Maturity Profile	Face Value (\$)	Policy Max
Between 0 and 1 Year	20,682,640	100% 100%
	20,682,640	

Broken Hill City Council

Investment Holdings Report

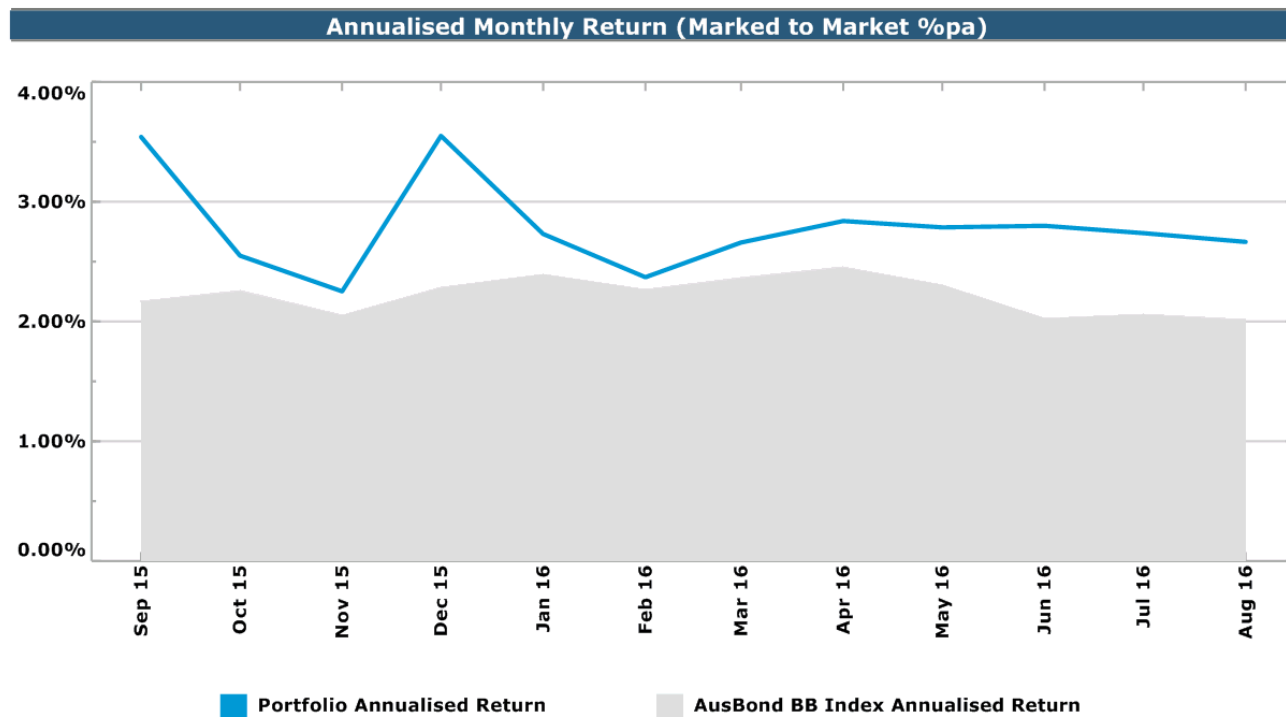


Cash Accounts						
Face Value (\$)	Current Yield	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
2,107,848.30	1.1500%	Westpac Group	A-1+	2,107,848.30	473409	Cheque
74,791.30	1.0500%	Westpac Group	A-1+	74,791.30	473410	Maxi
2,182,639.60	1.1466%			2,182,639.60		

Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
14-Sep-16	2,500,000.00	3.0000%	National Australia Bank	A-1+	2,500,000.00	19-May-16	2,521,575.34	533748	21,575.34	AtMaturity	
14-Sep-16	1,000,000.00	2.7500%	Bankwest	A-1+	1,000,000.00	13-Jul-16	1,003,767.12	534070	3,767.12	AtMaturity	
10-Oct-16	1,000,000.00	2.6000%	Bankwest	A-1+	1,000,000.00	10-Aug-16	1,001,567.12	534264	1,567.12	AtMaturity	
10-Oct-16	500,000.00	2.6000%	Bankwest	A-1+	500,000.00	10-Aug-16	500,783.56	534262	783.56	AtMaturity	
12-Oct-16	2,000,000.00	2.8500%	ANZ Banking Group	A-1+	2,000,000.00	8-Jun-16	2,013,273.97	534003	13,273.97	AtMaturity	
24-Oct-16	1,000,000.00	2.6000%	Bankwest	A-1+	1,000,000.00	24-Aug-16	1,000,569.86	534265	569.86	AtMaturity	
26-Oct-16	1,000,000.00	2.9500%	Westpac Group	A-1+	1,000,000.00	27-Jul-16	1,002,909.59	534072	2,909.59	AtMaturity	
2-Nov-16	2,000,000.00	2.6000%	Bankwest	A-1+	2,000,000.00	3-Aug-16	2,004,131.51	534258	4,131.51	AtMaturity	
2-Nov-16	500,000.00	2.6000%	Bankwest	A-1+	500,000.00	3-Aug-16	501,032.88	534260	1,032.88	AtMaturity	
9-Nov-16	500,000.00	2.9500%	National Australia Bank	A-1+	500,000.00	6-Jul-16	502,303.42	534071	2,303.42	AtMaturity	
16-Nov-16	1,000,000.00	2.9500%	National Australia Bank	A-1+	1,000,000.00	13-Jul-16	1,004,041.10	534073	4,041.10	AtMaturity	
16-Nov-16	1,000,000.00	2.7000%	Westpac Group	A-1+	1,000,000.00	17-Aug-16	1,001,109.59	534259	1,109.59	AtMaturity	
16-Nov-16	1,000,000.00	2.6800%	National Australia Bank	A-1+	1,000,000.00	31-Aug-16	1,000,073.42	534266	73.42	AtMaturity	
23-Nov-16	1,000,000.00	2.6500%	Westpac Group	A-1+	1,000,000.00	24-Aug-16	1,000,580.82	534261	580.82	AtMaturity	
30-Nov-16	2,500,000.00	2.6800%	ANZ Banking Group	A-1+	2,500,000.00	31-Aug-16	2,500,183.56	534263	183.56	AtMaturity	
	18,500,000.00	2.7597%			18,500,000.00		18,557,902.86		57,902.86		

Broken Hill City Council

Investment Performance Report



Historical Performance Summary

	Portfolio	AusBond BB Index	Outperformance
Aug 2016	2.66%	2.01%	0.66%
Last 3 Months	2.74%	2.04%	0.71%
Last 6 Months	2.75%	2.20%	0.55%
Financial Year to Date	2.70%	2.03%	0.67%
Last 12 months	2.80%	2.22%	0.58%

Broken Hill City Council Accrued Interest Report



Accrued Interest Report								
Asset Type	Deal Number	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return
Westpac Group	473409	2,107,848.30				31		
Westpac Group	473410	74,791.30				31		
Cash								
Bankwest	534006	500,000.00	1-Jun-16	3-Aug-16	2,459.59	2	78.08	2.85%
Bankwest	534008	2,000,000.00	1-Jun-16	3-Aug-16	9,838.36	2	312.33	2.85%
Bankwest	533751	1,000,000.00	11-May-16	10-Aug-16	6,980.82	9	690.41	2.80%
Bankwest	534007	500,000.00	8-Jun-16	10-Aug-16	2,459.59	9	351.37	2.85%
Bankwest	533750	500,000.00	19-May-16	17-Aug-16	3,452.05	16	613.70	2.80%
Bankwest	533749	1,000,000.00	25-May-16	24-Aug-16	6,980.82	23	1,764.38	2.80%
ANZ Banking Group	534004	2,000,000.00	1-Jun-16	31-Aug-16	13,961.64	30	4,602.74	2.80%
ANZ Banking Group	534005	500,000.00	1-Jun-16	31-Aug-16	3,490.41	30	1,150.68	2.80%
National Australia Bank	533748	2,500,000.00	19-May-16	14-Sep-16	0.00	31	6,369.86	3.00%
Bankwest	534070	1,000,000.00	13-Jul-16	14-Sep-16	0.00	31	2,335.62	2.75%
Bankwest	534262	500,000.00	10-Aug-16	10-Oct-16	0.00	22	783.56	2.60%
Bankwest	534264	1,000,000.00	10-Aug-16	10-Oct-16	0.00	22	1,567.12	2.60%
ANZ Banking Group	534003	2,000,000.00	8-Jun-16	12-Oct-16	0.00	31	4,841.10	2.85%
Bankwest	534265	1,000,000.00	24-Aug-16	24-Oct-16	0.00	8	569.86	2.60%
Westpac Group	534072	1,000,000.00	27-Jul-16	26-Oct-16	0.00	31	2,505.48	2.95%
Bankwest	534258	2,000,000.00	3-Aug-16	2-Nov-16	0.00	29	4,131.51	2.60%
Bankwest	534260	500,000.00	3-Aug-16	2-Nov-16	0.00	29	1,032.88	2.60%
National Australia Bank	534071	500,000.00	6-Jul-16	9-Nov-16	0.00	31	1,252.74	2.95%
National Australia Bank	534073	1,000,000.00	13-Jul-16	16-Nov-16	0.00	31	2,505.48	2.95%
Westpac Group	534259	1,000,000.00	17-Aug-16	16-Nov-16	0.00	15	1,109.59	2.70%
National Australia Bank	534266	1,000,000.00	31-Aug-16	16-Nov-16	0.00	1	73.42	2.68%

Broken Hill City Council

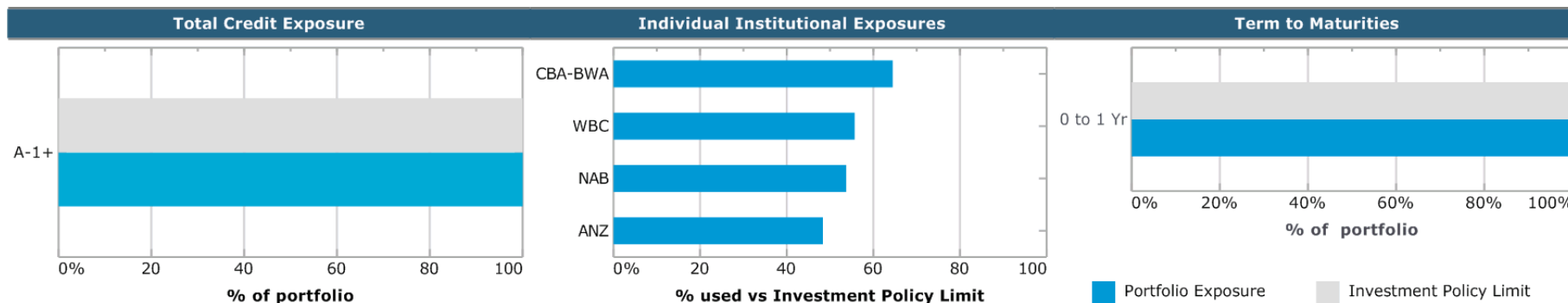
Accrued Interest Report



Accrued Interest Report								
Asset Type	Deal Number	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return
Westpac Group	534261	1,000,000.00	24-Aug-16	23-Nov-16	0.00	8	580.82	2.65%
ANZ Banking Group	534263	2,500,000.00	31-Aug-16	30-Nov-16	0.00	1	183.56	2.68%
Term Deposit					49,623.29		39,406.30	2.81%
					49,623.29		39,406.30	<u>2.81%</u>

Broken Hill City Council

Investment Policy Compliance Report



	Credit Rating	Face Value (\$)	Policy Max
Short Term	A-1+	20,682,640	
		20,682,640	100%
		20,682,640	100%

✓ = compliant
X = non-compliant

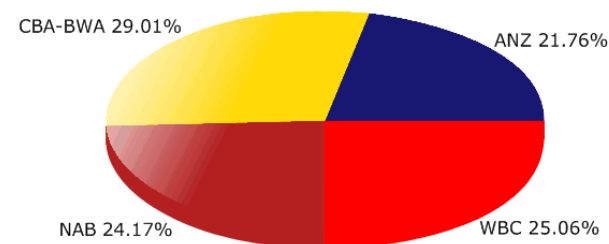
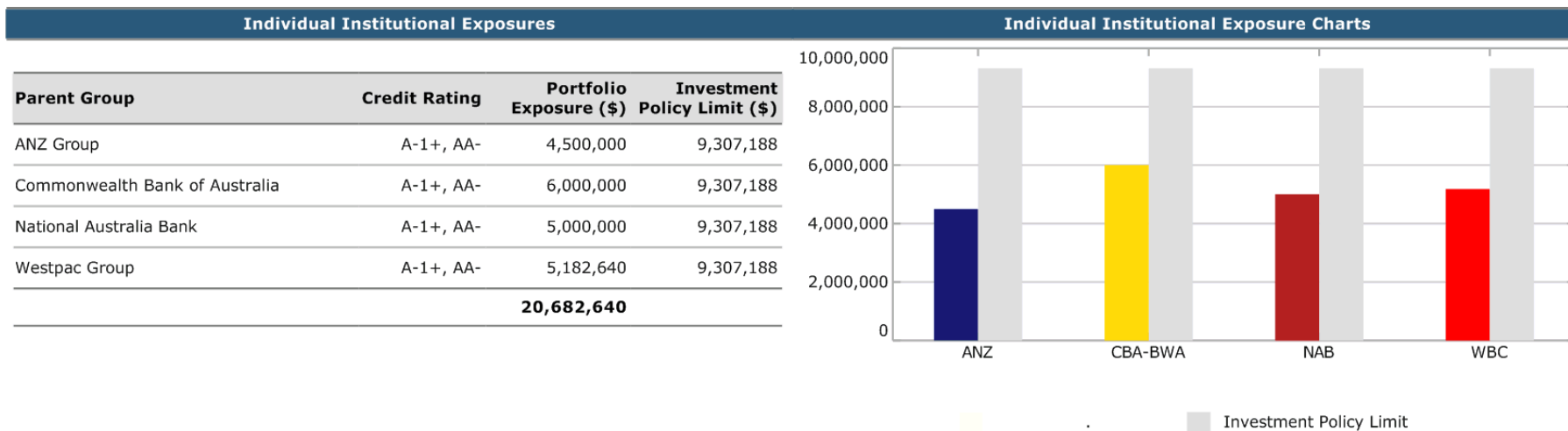
	% used vs Investment Policy Limit
Commonwealth Bank of Australia (A-1+, AA-)	64% ✓
Westpac Group (A-1+, AA-)	56% ✓
National Australia Bank (A-1+, AA-)	54% ✓
ANZ Group (A-1+, AA-)	48% ✓

	Face Value (\$)	Policy Max
Between 0 and 1 Year	20,682,640	100% 100% ✓
	20,682,640	

Detailed Maturity Profile	Face Value (\$)
00. Cash + Managed Funds	2,182,640 11%
01. Less Than 30 Days	3,500,000 17%
02. Between 30 Days and 60 Days	5,500,000 27%
03. Between 60 Days and 90 Days	7,000,000 34%
04. Between 90 Days and 180 Days	2,500,000 12%
	20,682,640

Broken Hill City Council

Individual Institutional Exposures Report



Broken Hill City Council
Cash Flows Report



Current Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Received
3-Aug-16	534006	Bankwest	Term Deposits	Interest - Received	2,459.59
		Bankwest	Term Deposits	Maturity Face Value - Received	500,000.00
				Deal Total	502,459.59
	534008	Bankwest	Term Deposits	Interest - Received	9,838.36
		Bankwest	Term Deposits	Maturity Face Value - Received	2,000,000.00
				Deal Total	2,009,838.36
	534258	Bankwest	Term Deposits	Settlement Face Value - Paid	-2,000,000.00
				Deal Total	-2,000,000.00
	534260	Bankwest	Term Deposits	Settlement Face Value - Paid	-500,000.00
				Deal Total	-500,000.00
Day Total					12,297.95
10-Aug-16	533751	Bankwest	Term Deposits	Interest - Received	6,980.82
		Bankwest	Term Deposits	Maturity Face Value - Received	1,000,000.00
				Deal Total	1,006,980.82
	534007	Bankwest	Term Deposits	Interest - Received	2,459.59
		Bankwest	Term Deposits	Maturity Face Value - Received	500,000.00
				Deal Total	502,459.59
	534262	Bankwest	Term Deposits	Settlement Face Value - Paid	-500,000.00
				Deal Total	-500,000.00
	534264	Bankwest	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
				Deal Total	-1,000,000.00
Day Total					9,440.41
17-Aug-16	533750	Bankwest	Term Deposits	Interest - Received	3,452.05
		Bankwest	Term Deposits	Maturity Face Value - Received	500,000.00
				Deal Total	503,452.05
	534259	Westpac Group	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
				Deal Total	-1,000,000.00
Day Total					-496,547.95

Broken Hill City Council

Cash Flows Report



Current Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Received
24-Aug-16	533749	Bankwest	Term Deposits	Interest - Received	6,980.82
		Bankwest	Term Deposits	Maturity Face Value - Received	1,000,000.00
				Deal Total	1,006,980.82
	534261	Westpac Group	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
				Deal Total	-1,000,000.00
	534265	Bankwest	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
				Deal Total	-1,000,000.00
Day Total					-993,019.18
31-Aug-16	534004	ANZ Banking Group	Term Deposits	Interest - Received	13,961.64
		ANZ Banking Group	Term Deposits	Maturity Face Value - Received	2,000,000.00
				Deal Total	2,013,961.64
	534005	ANZ Banking Group	Term Deposits	Interest - Received	3,490.41
		ANZ Banking Group	Term Deposits	Maturity Face Value - Received	500,000.00
				Deal Total	503,490.41
	534263	ANZ Banking Group	Term Deposits	Settlement Face Value - Paid	-2,500,000.00
				Deal Total	-2,500,000.00
	534266	National Australia Bank	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
				Deal Total	-1,000,000.00
Day Total					-982,547.95
Net Cash Movement for Period					-2,450,376.71

Next Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Due
14-Sep-16	533748	National Australia Bank	Term Deposit	Interest - Received	24,246.58
		National Australia Bank	Term Deposit	Maturity Face Value - Received	2,500,000.00
				<u>Deal Total</u>	<u>2,524,246.58</u>
	534070	Bankwest	Term Deposit	Interest - Received	4,746.58
		Bankwest	Term Deposit	Maturity Face Value - Received	1,000,000.00

Broken Hill City Council

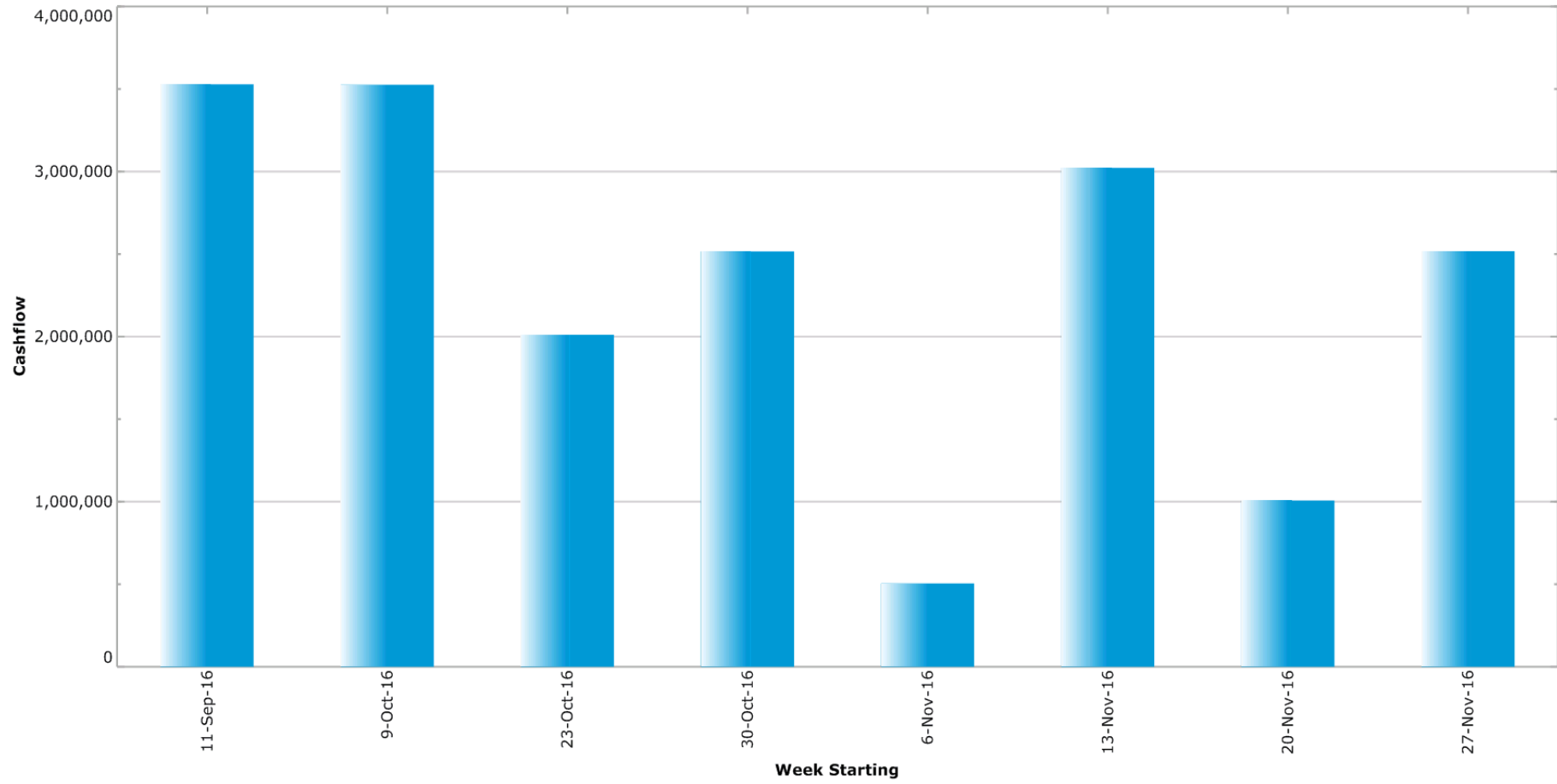
Cash Flows Report



Next Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Due</u>
<u>Deal Total</u>					<u>1,004,746.58</u>
<u>Day Total</u>					<u>3,528,993.15</u>
<u>Net Cash Movement for Period</u>					<u>3,528,993.15</u>

Broken Hill City Council
Cash Flows Report



ORDINARY MEETING OF THE COUNCIL

August 1, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 201/16

SUBJECT: ADOPTION OF DRAFT LOCAL APPROVALS POLICY 12/14

Recommendation

1. That Broken Hill City Council Report No. 201/16 dated August 1, 2016, be received.
2. That Council adopts the Draft Local Approvals Policy as a policy of Council.

Executive Summary:

Council considered the Draft Local Approvals Policy at its Ordinary Council Meeting held July 27, 2016 and resolved (Minute No. 45293) to place the draft policy on public exhibition as per Section 160 of the Local Government Act 1993.

The draft policy was placed on public exhibition for twenty eight days concluding on Tuesday, August 30, 2016.

During the public exhibition period Council received zero written submissions.

Minor formatting and amendments to numbering have been made to the public during the time that it has been on public exhibition. No changes to the content of the policy were made.

Report:

Council has a responsibility under Section 8 of the *Local Government Act 1993* to ensure that its regulatory activities are carried out in a consistent manner and without bias.

Council's regulatory and enforcement actions should be exercised to ensure the health, safety and environmental protection of all stakeholders including residents, visitors, workers and business operators. All stakeholders should have confidence in the decision making and internal review processes.

The Local Approvals Policy is prepared under Chapter 7, Part 3 of the *Local Government Act 1993* ("the Act"). This policy has been developed to ensure good governance and best practice standards are adhered to.

Broken Hill City Council's officers are required to make decisions and use discretion when applications for approval under section 68 of the Act are assessed.

The purpose of this Policy is to supplement provisions of the Act and the *Local Government (General) Regulation 2005* by:

- Part 1: Specifying the circumstances in which a person is not required to obtain a particular approval from the Council.

- Part 2: Specifying criteria which the Council must consider when determining whether or not to grant approval to a particular activity.
- Part 3: Specifying other matters relating to such approvals that are not dealt with by the Act or Regulations.

In accordance with Section 160 of the *Local Government Act 1993* the Draft Approvals Policy will be placed on public exhibition for a period of 28 days, during which time submissions may be made to the Council. As mentioned earlier in this report, Council received no submissions during the public exhibition of the draft Policy.

POLICY SCOPE

The Policy applies to all land within the Broken Hill City Council local government area. The Policy applies to approvals for the following activities which are listed in the Table to Section 68 of the Act.

SECTION 68 ACTIVITIES

Part A – Structures or Places of Public Entertainment

1. Install a manufactured home, moveable dwelling or associated structure on land.
2. (Repealed)
3. (Repealed)

Part B – Water Supply, Sewerage and Storm water Drainage Work

1. Not applicable – Relevant Water Authority (Essential Water)
2. As above
3. As above
4. As above
5. Carry out stormwater drainage work
6. Not applicable – Water Authority (Essential Water)

Part C – Management of Waste

1. For fee or reward, transport waste over or under a public place.
2. Place waste in a public place.
3. Place a waste storage container in a public place.
4. Not applicable – Water Authority for approval
5. Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility.
6. Operate a system of sewerage management (within the meaning of Section 68A)

Part D – Community Land

1. Engage in a trade or business
2. Direct or procure a theatrical, musical or other entertainment for the public.
3. Construct a temporary enclosure for the purpose of entertainment.
4. For fee or reward, play a musical instrument or sing.
5. Set up, operate or use a loudspeaker or sound amplifying device.

6. Deliver a public address or hold a religious service or public meeting.

Part E – Public Roads

1. Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.
2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.
3. (Repealed)

Part F – Other Activities

1. Operate a public car park.
2. Operate a caravan park or camping ground.
3. Operate a manufactured home estate.
4. Install a domestic oil or solid fuel heating appliance, other than a portable appliance.
5. Install or operate amusement devices.
6. (Repealed)
7. Use a standing vehicle or any article for the purpose of selling any article in a public place.
8. (Repealed)
9. (Repealed)
10. Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations.

Strategic Direction:

Key Direction:	4. Our Leadership
Objective:	4.1 Openness and Transparency in Decision Making
Function:	Leadership & Governance
DP Action:	4.1.1.13 – Maintain good governance and best practice methods and ensure compliance with various guidelines and legislation

Relevant Legislation:

Local Government Act 1993

Section 68 specifies all the different types of Local Approvals that requires consent and Section 160 of the *Local Government Act 1993* requires plans and policies to be placed on public exhibition for a period of 28 days, during which time submissions may be made to the Council.

Financial Implications:

Nil

Attachments

1. DRAFT LOCAL APPROVALS POLICY 45 Pages

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER

DRAFT LOCAL APPROVALS POLICY

QUALITY CONTROL			
TRIM REFERENCES	D16/26160 - 11/660		
RESPONSIBLE POSITION	Manager Planning, Development and Compliance		
APPROVED BY			
REVIEW DATE	September 2018	REVISION NUMBER	1
EFFECTIVE DATE	ACTION	MINUTE NUMBER	
27 July 2016	Public Exhibition	45293	

1. INTRODUCTION

The Policy is a local approvals policy prepared and adopted under Chapter 7, Part 3 of the Local Government Act 1993 ('the Act').

The purpose of this Policy is to supplement provisions of the Act and the Local Government (General) Regulation 2005 by:

- Part 1: Specifying the circumstances in which a person is not required to obtain a particular approval from the Council.
- Part 2: Specifying criteria which the Council must consider when determining whether or not to grant approval to a particular activity.
- Part 3: Specifying other matters relating to such approvals that are not dealt with by the Act or Regulations.

2. POLICY OBJECTIVE

The Policy aims to:

- provide guidance for those participating in the local approvals process in the Broken Hill City Council local government area;
- specify the criteria which Council will take into consideration in determining applications for approval under the Local Government Act 1993; and
- specify any other matters relating to the approvals process under the Local Government Act 1993.

3. POLICY SCOPE

The Policy applies to all land within the Broken Hill City Council local government area. The Policy applies to approvals for the following activities which are listed in the Table to Section 68 of the Act.

SECTION 68 ACTIVITIES**Part A – Structures or Places of Public Entertainment**

1. Install a manufactured home, moveable dwelling or associated structure on land.
2. (Repealed)
3. (Repealed)

Part B – Water Supply, Sewage and Stormwater Drainage Work

1. Not applicable – Contact the water authority for approvals (Essential Water).
2. As above
3. As above
4. As above
5. Carry out stormwater drainage work.
6. Not applicable – Contact the water authority for approvals (Essential Water).

Part C – Management of Waste

1. For fee or reward, transport waste over or under a public place.
2. Place waste in a public place.
3. Place a waste storage container in a public place.
4. Not applicable – Contact water authority for approval.
5. Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility.
6. Operate a system of sewage management (within the meaning of Section 68A).

Part D – Community Land

1. Engage in a trade or business.
2. Direct or procure a theatrical, musical or other entertainment for the public.
3. Construct a temporary enclosure for the purpose of entertainment.
4. For fee or reward, play a musical instrument or sing.
5. Set up, operate or use a loudspeaker or sound amplifying device.
6. Deliver a public address or hold a religious service or public meeting.

Part E – Public Roads

1. Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.
2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.
3. (Repealed)

Part F – Other Activities

1. Operate a public car park.
2. Operate a caravan park or camping ground.
3. Operate a manufactured home estate.

4. Install a domestic oil or solid fuel heating appliance, other than a portable appliance.
5. Install or operate amusement devices.
6. (Repealed)
7. Use a standing vehicle or any article for the purpose of selling any article in a public place.
8. (Repealed)
9. (Repealed)
10. Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations.

4. POLICY STATEMENT

Section 68 of the Local Government Act 1993 lists those activities, which require approval under the Local Government Act 1993. The Broken Hill Local Environmental Plan 2013 (LEP) outlines those activities which require approval under the Environmental Planning and Assessment Act 1979.

Development activity often requires approval under both the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979. To improve approval procedures and increase efficiency, the opportunity exists for those who wish to do so, to obtain all required approvals relating to a development activity under both Acts in one simplified process.

Where an activity requires approval under the Local Government Act and the Environmental Planning and Assessment Act it may be applied for as part of the Development Application.

What are other relevant documents?

The following documents are related, either directly or indirectly, to the Policy:

- a) Local Government Act 1993 – particularly Chapter 7.
- b) Local Government (General) Regulation 2005.
- c) Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.
- d) Department of Local Government Practice Note 14 issued March 1996 titled Local Approvals Policies.
- e) Other legislation may also be applicable, depending on the type of activity involved, for example the Protection of the Environment Operations Act 1997, the Environmental Planning and Assessment Act 1979.

4.1 PART 1 – EXEMPTIONS FROM THE NECESSITY TO OBTAIN APPROVAL

- **Column 1** Outlines the activities for which approval is required under Section 68 of the Local Government (General) Regulation 2005
- **Column 2** Outlines where exemptions are provided under the Regulations.
- **Column 3** Outlines where exemptions are provided under this Policy.

If exemptions are not provided by either the Regulations or by this Policy or if exemption criteria cannot be met, approval from Council is required. Further exemptions may be provided under Council's Local Environmental Plan (LEP) or under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 in respect of the need for approval under the Environmental Planning and Assessment Act 1979, as amended.

Column 1	Column 2 – Exemptions under the Regulation	Column 3 – Exemptions under the Policy
Part A – Structures or Places of Public Entertainment		
1. Install a manufactured home, moveable dwelling or associated structure on land.	Yes	No
2. Repealed	n/a	n/a
3. Repealed	n/a	n/a
Part B – Water Supply, Sewage and Stormwater Drainage Work		
1. Carry out water supply work.	Contact water authority	Contact water authority
2. Draw water from a council water supply or a standpipe or sell water so drawn.	Contact water authority	Contact water authority
3. Install, alter, disconnect or remove a meter connected to a service pipe.	Contact water authority	Contact water authority
4. Carry out sewage work.	Contact water authority	Contact water authority
5. Carry out stormwater drainage work.	No	Yes
6. Connect a private drain or sewer with a public drain or sewer under the control of a council or with a drain which connects with such a public drain or sewer.	Contact water authority	Contact water authority
Part C – Management of Waste		
1. For fee or reward, transport waste over or under a public place.	Yes	No
2. Place waste in a public place.	Yes	Yes
3. Place a waste storage container in a public place.	No	Yes
4. Dispose of waste into a sewer of the council.	Yes	No
5. Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility.	Yes	No
6. Operate a system of sewage management (within the meaning of Section 68A)	Yes	No
Part D – Community Land		
1. Engage in a trade or business.	No	No
2. Direct or procure a theatrical, musical or other entertainment for the public.	No	No
3. Construct a temporary enclosure for the purpose of entertainment.	No	No
4. For fee or reward, play a musical instrument or sing.	No	No
5. Set up, operate or use a loudspeaker or sound amplifying device.	Yes	Yes

Column 1	Column 2 – Exemptions under the Regulation	Column 3 – Exemptions under the Policy
6. Deliver a public address or hold a religious service or public meeting.	No	No
Part E – Public Roads		
1. Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.	No	No
2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.	No	Yes
3. (Repealed)	n/a	n/a
Part F – Other Activities		
1. Operate a public car park.	Yes	No
2. Operate a caravan park or camping ground.	No	No
3. Operate a manufactured home estate.	No	No
4. Install a domestic oil or solid fuel heating appliance, other than a portable appliance.	Yes	Yes
5. Install or operate amusement devices.	Yes	No
6. (Repealed)	n/a	n/a
7. Use a standing vehicle or any article for the purpose of selling any article in a public place.	No	No
8. (Repealed)	n/a	n/a
9. (Repealed)	n/a	n/a
10. Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations.	No	No

4.1.1 Part A – Structures or Places of Public Entertainment**4.1.1.1 Install a manufactured home, moveable dwelling or associated structure on land**Exemptions provided under the Regulations

The following exemptions are provided by the Regulations for these activities:

Activity	Regulation
Installation of moveable dwellings and associated structures in caravan parks and camping grounds, provided the structure is designed, constructed and installed in accordance with the relevant provisions of the Regulations, the site is not liable to flooding and the installation occurs with the consent of the holder of the approval to operate the caravan park or camping ground concerned.	Clause 74 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005
Installation of not more than two caravans, campervans or tents on any land, so long as they are not occupied for more than two days at a time and are not occupied for more than 60 days (in total) in any single period of 12 months.	Clause 77(a) of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005
Installation of not more than one caravan or campervan on land occupied by the owner of the caravan or campervan in connection with that owner's dwelling/house, so long as it is used for habitation only by the owner or by members of the owner's household and is maintained in a safe and healthy condition.	Clause 77(b) of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005
Installation of a caravan or campervan on pastoral or agricultural land, so long as it is merely occupied seasonally by persons employed in pastoral or agricultural operations on the land.	Clause 77(c) of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005
Installation of a caravan, campervan or tent on Crown reserves or on land that is reserved or dedicated under the Forestry Act 1916.	Clause 78 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

If the above exemption criteria provided by the Regulations cannot be met, see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.2 Part B – Water Supply, Sewage, Sewage and Stormwater Drainage Works**4.1.2.1 Carry out stormwater drainage work**Exemptions provided under the Regulations

No exemptions are provided for this activity under the Regulations; see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

The following exemptions are provided for these activities under this Policy:

Activity	Exemption Requirements/Conditions
Carry out stormwater drainage work	All plumbing and drainage work shall be carried out to the requirements of AS/NZS 3500 and the National Construction Code (Plumbing Code of Australia).

If the exemption criteria provided by this Policy cannot be met, consent is required from Council.

4.1.3 Part C – Management of Waste**4.1.3.1 For fee or reward, transport waste over or under a public place**Exemptions provided under the Regulations

The following exemptions are provided by the Regulations:

Activity	Regulation
<p>The transporting of waste over or under a public place for fee or reward if:</p> <ul style="list-style-type: none"> i. the activity is licenced under the Protection of the Environment Operations Act 1997, or ii. the activity is being carried out in the Sydney metropolitan area as defined in Part 3 (Interpretative provisions) of Schedule 1 to that Act, or iii. the waste is being transported through the area of the council and is not being collected or deposited in that area. 	<p>Clause 48(a) of the Local Government (General) Regulation 2005</p>

If the exemption criteria provided by the Regulations cannot be met, see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council.

4.1.3.2 Place waste in a public placeExemptions provided under the Regulations

The following exemptions are provided by the Regulations:

Activity	Regulation
The placing of waste in a public place, if it is done in accordance with arrangements instituted by the Council.	Clause 48(b) of the Local Government (General) Regulation 2005

If the exemption criteria provided by the Regulations cannot be met, see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

The following exemptions are provided for these activities under this Policy:

Activity	Exemption Requirements/Conditions
Place waste in a public place	<p>The placing of waste or recyclable materials in a public place may be carried out if it is in accordance with arrangements instituted by the Council.</p> <p>NOTE: At the time of printing the only arrangements instituted by Council for the placing of waste or recyclable materials in a public place are:</p> <ul style="list-style-type: none"> a) to allow residents to place mobile garbage bins or recycling bins on the footpath for collection by Council's solid waste and recycling collection service; and b) to provide street litter bins into which the public may deposit litter.

If the exemption criteria provided by this Policy cannot be met, consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.3.3 Place a waste storage container in a public placeExemptions provided under the Regulations

No exemptions are provided for this activity under the Regulations; see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

The following exemptions are provided for these activities under this Policy:

Activity	Exemption Requirements/Conditions
Place a waste storage container in a public place	<p>The placing of waste or recyclable materials in a public place may be carried out if it is in accordance with arrangements instituted by the Council.</p> <p>NOTE: At the time of printing the only arrangements instituted by Council for the placing of waste or recyclable materials in a public place are:</p> <ul style="list-style-type: none"> a) to allow residents to place mobile garbage bins or recycling bins on the footpath for collection by Council's solid waste and recycling collection service; and b) to provide street litter bins into which the public may deposit litter.

If the exemption criteria provided by this Policy cannot be met, consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.3.4 Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facilityExemptions provided under the Regulations

The following exemptions are provided by the Regulations:

Activity	Regulation
<p>The installation, construction or alteration of a waste treatment device, if that installation, construction or alteration is done:</p> <ul style="list-style-type: none"> I. under the authority of a licence in force under the Protection of the Environment Operations Act 1997, or II. in a vessel used for navigation, or in a motor vehicle registered under the Road Transport (Vehicle Registration) Act 1997 that is used primarily for road transport. 	<p>Clause 48(e) of the Local Government (General) Regulation 2005</p>

If the exemption criteria provided by the Regulations cannot be met, see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.3.5 Operate a system of sewage management (within the meaning of Section 68A)

Exemptions provided under the Regulations.

The following exemptions are provided by the Regulations:

Activity	Regulation
<p>So much of the operation of a system of sewage management as is limited to an action carried out:</p> <ul style="list-style-type: none"> i. under the authority of a licence in force under the Protection of the Environment Operations Act 1997, or ii. in a vessel used for navigation, or in a motor vehicle registered under the Road Transport (Vehicle Registration) Act 1997 that is used primarily for road transport. 	<p>Clause 48(f) of the Local Government (General) Regulation 2005</p>
<p>Despite the other provisions of this Regulation, a person who purchases (or otherwise acquires) land on which any sewage management facilities are installed or constructed may operate a system of sewage management without the approval required under section 68 of the Act for the period of three months after the date on which the land is transferred or otherwise conveyed to the person (whether or not an approval is in force, as at that date, in relation to the operation of a system of sewage management on that land).</p> <p>Further, if the person duly applies, within the period of 2 months after the date on which the land is transferred or otherwise conveyed to the person, for approval to operate the system of sewage management concerned, the person may continue to operate that system of sewage management without approval until the application is finally determined.</p>	<p>Clause 47 of the Local Government (General) Regulation 2005</p>

If the exemption criteria provided by the Regulations cannot be met, see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council.

4.1.4 Part D – Community land**4.1.4.1 Engage in a trade or business**Exemptions provided under the Regulations

No exemptions are provided for this activity under the Regulations; see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.4.2 Direct or procure a theatrical, musical or other entertainment for the publicExemptions provided under the Regulations

No exemptions are provided for this activity under the Regulations; see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.4.3 Construct a temporary enclosure for the purpose of entertainmentExemptions provided under the Regulations

No exemptions are provided for this activity under the Regulations; see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.4.4 For fee or reward, play a musical instrument or singExemptions provided under the Regulations

No exemptions are provided for this activity under the Regulations; see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.4.5 Set up, operate or use a loudspeaker or sound amplifying deviceExemptions provided under the Regulations

The following exemptions are provided by the Regulations:

Activity	Regulation
A loudspeaker or sound amplifying device may be set up, operated or used on community land without the prior approval of the council if it is done in accordance with a notice erected on the land by the council or if it is done in the circumstances specified, in relation to the setting up, operation or use (as the case may be), in Part 1 of the local approvals policy applying to the land. See exemptions provided under this policy below.	Clause 49 of the Local Government (General) Regulation 2005

If the exemption criteria provided by the Regulations cannot be met, see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

The following exemptions are provided for these activities under this Policy:

Activity	Exemption Requirements/Conditions
Set up, operate or use a loudspeaker or sound amplifying device	The loudspeaker or sound amplifying device is set up, operated or used on community land if it is in accordance with a Notice on that land permitting the activity.

If the exemption criteria provided by this Policy cannot be met, consent is required from Council.

4.1.4.6 Deliver a public address or hold a religious service or public meetingExemptions provided under the Regulations

No exemptions are provided for this activity under the Regulations; see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.5 Part E – Public Roads**4.1.5.1 Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway**Exemptions provided under the Regulations

No exemptions are provided for this activity under the Regulations; see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.5.2 Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road

Exemptions provided under the Regulations

No exemptions are provided for this activity under the Regulations; see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

The following exemptions are provided for these activities under this Policy:

Activity	Exemption Requirements/Conditions
Under awning advertising sign	<ul style="list-style-type: none"> a) The sign is attached below the awning of a building within Business or Industrial zones under the Broken Hill Local Environmental Plan. b) The sign is to be erected approximately horizontal to the ground and at no point less than 3.0 metres from the ground/footpath level. c) The sign shall not project beyond the edge of the awning. The awning to which the sign is attached is structurally adequate to maintain the additional load placed upon it.

If the exemption criteria provided by this Policy cannot be met, consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.6 Part F – Other activities

4.1.6.1 Operate a public car park

Exemptions provided under the Regulations

The following exemptions are provided by the Regulations:

Activity	Regulation
A public car park may be operated without the prior approval of the council if approval for its erection or operation has already been given by the council in connection with another approval or development consent and the car park complies with any applicable conditions of that approval or development consent.	Clause 66 of the Local Government (General) Regulation 2005

If the exemption criteria provided by the Regulations cannot be met, see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council.

4.1.6.2 Operate a caravan park or camping ground

Exemptions provided under the Regulations

No exemptions are provided for this activity under the Regulations; see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.6.3 Operate a manufactured home estate

Exemptions provided under the Regulations

No exemptions are provided for this activity under the Regulations; see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.6.4 Install a domestic oil or solid fuel heating appliance, other than a portable appliance

Exemptions provided under the Regulations

The following exemptions are provided by the Regulations:

Activity	Regulation
A domestic oil or solid fuel heating appliance (other than a portable appliance) may be installed without the prior approval of the council if details of the appliance are included in plans and specifications for the relevant building approved under Part 4A of the Environmental Planning and Assessment Act 1979.	Clause 70 of the Local Government (General) Regulation 2005

If the exemption criteria provided by the Regulations cannot be met, see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

The following exemptions are provided for these activities under this Policy:

Activity	Exemption Requirements/Conditions
Install a domestic oil or solid fuel heating appliance, other than a portable appliance.	<p>a) The flue/chimney height is to be 1 metre above any other building within a 15 metre radius. The flue height is to be at least 4.6 metres above floor level.</p> <p>b) Installation is to be in accordance with:</p> <ul style="list-style-type: none"> ○ The National Construction Code (Building Code of Australia). ○ AS 2918: Domestic Solid Fuel Burning Appliances and Installation. ○ NSW Department of Environment and Conservation's publication <i>Environmental Guidelines for Selecting, Installing and Operating Domestic Solid Fuel Heaters</i>. <p>c) The heater must comply with the emission controls stated in AS 4013:</p> <ul style="list-style-type: none"> ○ Domestic Solid Fuel Burning Appliances - Methods for determination of flue gas emission. <p>d) Must not cause a smoke or odour nuisance to adjoining or nearby properties.</p>

If the exemption criteria provided by this Policy cannot be met, consent is required from Council.

4.1.6.5 Install or operate amusement devicesExemptions provided under the Regulations

The following exemptions are provided by the Regulations:

Activity	Regulation
Amusement devices not required to be registered under the Work Health and Safety Regulation 2011 may be installed or operated without the prior approval of the council.	Clause 71 of the Local Government (General) Regulation 2005
<p>A small amusement device may be installed or operated without the prior approval of the council if:</p> <ul style="list-style-type: none"> a) the ground or other surface on which the device is to be or has been erected is sufficiently firm to sustain the device while it is in operation and is not dangerous because of its slope or irregularity or for any other reason, and b) the device is registered under the Work Health and Safety Regulation 2011, and c) the device: <ul style="list-style-type: none"> i. is to be or has been erected, and ii. it to be or is being operated, in accordance with all conditions (if any) relating to its erection or operation set out in the current certificate of registration issued for the device under that Regulation, and d) there exists for the device a current log book within the meaning of Chapter 5 of that Regulation, and e) in the case of a device that is to be or is installed in a building, fire egress is not obstructed, and (f) there is in force a contract of insurance or indemnity that indemnifies to an unlimited extent (or up to an amount of not less than \$10,000,000 in respect of each accident) each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability. 	Clause 75 of the Local Government (General) Regulation 2005

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.6.6 Use a standing vehicle or any article for the purpose of selling any article in a public placeExemptions provided under the Regulations

No exemptions are provided for this activity under the Regulations; see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.1.6.7 Carry out activity prescribed by the regulations or an activity of a class or description prescribed by the regulationsExemptions provided under the Regulations

No exemptions are provided for this activity under the Regulations; see below for exemption criteria provided by this Policy.

Exemptions provided under this Policy

No exemptions are provided for this activity under this Policy therefore consent is required from Council. See Section 4.2 for specific requirements for the submission of an application and for matters which Council will take into consideration when considering such an application.

4.2 PART 2 – CRITERIA COUNCIL MUST CONSIDER WHEN DETERMINING APPLICATIONS**4.2.1 The Approvals System**

There are three levels to the NSW approvals system. The first level consists of the primary legislation being the Environmental Planning and Assessment Act 1979 and Local Government Act 1993.

The second level is the regulations made under the Environmental Planning and Assessment Act 1979 and Local Government Act.

The third level is Council Policies, Guidelines and Codes, including this document. Council must consider various matters in each level of the approvals system when it determines applications for development activity as listed in the sections below.

4.2.1.1 Level 1 - Legislative Criteria

The following legislation sets out the main issues which must be considered in assessing applications:

- Section 89 of the Local Government Act 1993 and the Local Government (General)
- Regulation 2005, together with the National Construction Code (Building Code of Australia) and related Australian Standards.

4.2.1.2 Level 3 - Council Policies

The following Council documents also include criteria for the assessment of development activity and will be considered as part of the Local Approvals Policy:

- Food Hawker and Vendor Regulations
- Footpath Restaurant Settings
- Shop Front Display & Moveable Signs
- Procedure for the issue of General Permits and Permission for Street Activities
- Community Markets Policy

NOTE: Above policies are not contained within the Local Approvals Policy. A copy of these documents will need to be obtained by the applicant from Council.

The following external documents adopted by Council include criteria for the assessment of development activity and will be considered as part of the Local Approvals Policy:

- Australian Standard AS4674-2004 Design, Construction and Fitout of Food Premises
- NSW Food Authority – Guidelines for Mobile Food Vending Vehicles
- NSW Food Authority – Guidelines for Food Businesses at Temporary Events

NOTE: The above documents are not contained within the Local Approvals Policy. A copy of these documents will need to be obtained by the applicant from external sources.

4.2.2 General matters for consideration under Regulations

The regulations made under the Local Government Act 1993 prescribe a number of matters that must be considered by Council when dealing with an activity application, as detailed under the respective headings below:

4.2.3 Part B – Water supply, sewage, sewage and stormwater drainage works

1. Carry out water supply work – Not relevant to Broken Hill City Council
2. Carry out sewage work - Not relevant to Broken Hill City Council
3. Carry out stormwater drainage work

Consideration Criteria

Clause 13 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council as follows:

'The council must not approve an application for an approval allowing water supply, sewage or stormwater drainage work to be carried out unless it is satisfied that the activity as proposed to be carried out will comply with any applicable standards set out or referred to in Part 2 of Schedule 1 and with any other applicable standards or requirements set out or referred to in this Regulation'.

Clause 15 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council as follows:

(1) This clause applies to the following activities:

- (a) carrying out water supply work,
- (b) drawing water from the council water supply or a standpipe,
- (c) installing, altering, disconnecting or removing a water meter connected to a service pipe,
- (d) carrying out sewage work,
- (e) carrying out stormwater drainage work.

(2) *In determining an application for the purposes of section 68 of the Act for an approval to do any of the activities to which this clause applies, the Council must have regard to the following considerations:*

- (a) the protection and promotion of public health,*
- (b) the protection of the environment,*
- (c) the safety of its employees,*
- (d) the safeguarding of its assets,*
- (e) any other matter that it considers to be relevant in the circumstances.*

Part 2 of Schedule 1 of the Local Government (General) Regulation 2005 specifies mandatory that water supply work or sewage work that is plumbing and drainage work within the meaning of the *Plumbing and Drainage Act 2011* must comply with that Act and the regulations under that Act. Any water supply work or sewage work that is not plumbing and drainage work under that Act, and any stormwater drainage work, must comply with the National Construction Code (Plumbing Code of Australia).

4.2.4 Part C – Management of waste

4.2.4.1 Place a waste storage container in a public place

Consideration Criteria

Clause 27 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council as follows:

In determining an application for approval to place on a road a building waste storage container, the council is to take into consideration any requirements or guidelines relating to the location, size and visibility of building waste storage containers that are notified to the council from time to time by the Roads and Traffic Authority.

4.2.5 Part C – Management of waste

4.2.5.1 Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility

Consideration Criteria

Clause 29 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council as follows:

- 1) In determining an application for approval to install, construct or alter a sewage management facility, the council must take into consideration the matters specified in this clause.*
- 2) Environment and health protection matters.*
- 3) The council must consider whether the proposed sewage management facility (or the proposed sewage management facility as altered) and any related effluent application area will make appropriate provision for the following:*
 - a) preventing the spread of disease by micro-organisms,*
 - b) preventing the spread of foul odours,*
 - c) preventing contamination of water,*
 - d) preventing degradation of soil and vegetation,*
 - e) discouraging insects and vermin.*

4) *Ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned, the re-use of resources (including nutrients, organic matter and water), the minimisation of any adverse impacts on the amenity of the land on which it is installed or constructed and other land in the vicinity of that land.*

5) *Guidelines and directions*

The council must consider any matter specified in guidelines or directions issued by the Director-General in relation to the matters referred to in subclause (2).

4.2.6 Part E – Public roads

1. Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.
2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.

Consideration Criteria

Clause 50 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council as follows:

In determining an application for an approval under Part E of the Table to section 68 of the Act the council must take into account:

- a) *the provisions of the Roads Act 1993, and*
- b) *any relevant standards and policies of public authorities applying to the use of the road.*

4.2.7 Part F – Other activities

4.2.7.1 Operate a public car park

Consideration Criteria

Clause 53 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council as follows:

In determining an application for approval to operate a public car park the council is to take the following matters into consideration:

- a) *the roads and traffic authorities views about the application,*
- b) *the effect of the car park on the movement of vehicular traffic and pedestrian traffic,*
- c) *whether the number of vehicles proposed to be accommodated is appropriate having regard to the size of the car park and the need to provide off-street parking facilities within the car park for the temporary accommodation of vehicles,*
- d) *whether the means of ingress and egress and means of movement provided or to be provided within the car park are satisfactory,*
- e) *whether there will be adequate provision for pedestrian safety and access for people with disabilities,*
- f) *whether the internal design of parking facilities and system of traffic management are satisfactory,*
- g) *whether, in the case of a car park that is a building, adequate ventilation is provided or to be provided,*

- h) the Work Health and Safety Act 2011, and the regulations made under that Act, as regards the safety of persons who will be employed at the proposed car park or of persons who will go there,*
- i) whether there will be adequate provision for the management of stormwater and the minimisation of stormwater pollution.*

4.2.8 Part F – Other activities

4.2.8.1 Operate a caravan park or camping ground

Consideration Criteria

The Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 contains mandatory requirements for the operation of a caravan park and camping ground. As a result, Council will evaluate all relevant activity applications to ensure that:

- a) Supporting plans and documents clearly demonstrate an intention to comply with the requirements of the regulation.
- b) Where such an intention is not demonstrated, an assessment will be made of whether it is feasible for the applicant to comply and hence whether it is appropriate to issue a conditional approval or hold the application pending the supply of the necessary information.

4.2.8.2 Application requirements and general matters for consideration under this Local Approvals Policy

Under the terms of this Local Approvals Policy, the following matters must be considered in addition to any matters prescribed by the regulations for the respective activity applications.

NOTE: For an application to be acceptable to Council the application must contain all of the information and documents required by:

- a) The Local Government Act 1993 as amended and the Regulations made thereunder;
- b) The provisions of this section; and
- c) The Environmental Planning and Assessment Act 1979 (where applicable).

Applications not meeting these requirements will be deemed by Council as "containing insufficient information" and therefore unacceptable pursuant to Section 86 of the Local Government Act 1993 as amended. Such applications will not be dealt with until all of the required information and documents have been submitted to Council.

4.2.9 Part A – Structures or Places of Public Entertainment**4.2.9.1 Install a manufactured home, moveable dwelling or associated structure on land**Introduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) The submission of applications for the installation of manufactured homes, moveable dwellings and associated structures on land; and
- b) The matters that Council will take into consideration when determining applications to install manufactured homes, moveable dwellings and associated structures.

Applications

Applications to install a manufactured home, moveable dwelling or associated

Structure shall:

- a) Be made on the appropriate application form, or by a letter or other document containing all of the information required by the Local Government Act 1993, as amended, the Regulations made thereunder and the Broken Hill City Council Local Approvals Policy to enable Council to properly consider and determine the application;
 - i. **NOTE:** This approval may be obtained as part of the Development Application,
 - ii. required under the Environmental Planning and Assessment Act 1979.
- b) Be accompanied by the relevant fees, charges and security deposits listed in the list of fees and charges incorporated in Council's Schedule of Fees and Charges;
- c) Be made by the owner or a person authorised by the owner in writing;
- d) Be accompanied by a plan showing the proposed location of the manufactured home, moveable dwelling or associated structure and its relationship to:
 - i. The boundaries of the property;
 - ii. Any roads or footways on the land;
 - iii. Other manufactured homes, moveable dwellings or associated structures on the land; and
 - iv. Any permanent or temporary structure on the land.
- e) Be accompanied by Plans and Specifications showing:
 - i. Floor plan of the manufactured home, moveable dwelling or associated structure showing dimensions;
 - ii. Details of amenities such as water supply, gas supply, electricity supply, waste disposal, laundry facilities, toilet facilities, shower facilities and cooking facilities.
- f) Be accompanied by details of how the manufactured home, moveable dwelling or associated structure is to be secured on the proposed site; and
- g) Any additional information required to be submitted with the Development Application under the Environmental Planning and Assessment Act 1979.

Matters Council will take into consideration

When determining an application to install a manufactured home, moveable dwelling or associated structure Council will take into consideration:

- a) Whether all of the information required to enable Council to properly consider and determine the application has been submitted;
- b) Whether all of the relevant fees, charges and security deposits listed in the list of fees and charges incorporated in Council's Schedule of Fees and Charges have been paid;
- c) The provisions of the Local Government Act 1993 as amended, and in particular, those matters prescribed in Section 89 of that Act;
- d) The provisions of any other relevant Statute or Regulation;
- e) Any applicable standards that are specified in the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005;
- f) Whether adequate provision has been made to ensure the health, safety and convenience of the occupants of any moveable dwelling or associated structure;
- g) Whether Development Consent pursuant to the provisions of the Environmental Planning and Assessment Act 1979, as amended, is required prior to an approval being granted pursuant to Chapter 7 of the Local Government Act 1993, as amended, and if so, whether such Development Consent has been granted; and
- h) Any other matter that Council considers relevant in the particular case.

4.2.10 Part C – Management of waste**4.2.10.1 Place waste in a public place**Introduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) The submission of applications to place waste in a public place; and
- b) The matters Council will take into consideration when determining applications to place waste in a public place.

Applications

Applications to place waste in a public place shall:

- a) Be made on the appropriate application form, or by a letter or other document containing all of the information required to enable Council to properly consider and determine the application;
- b) Be accompanied by the relevant fees, charges and security deposits listed in the list of fees and charges incorporated in Council's Schedule of Fees and Charges;
- c) Be accompanied by a site plan, drawn to scale, showing the location where it is proposed to place waste in a public place;
- d) Be accompanied by Plans and Specifications, reports, standards and such other documents as Council deems necessary in the particular case to enable Council to give appropriate consideration to the application; and
- e) Be accompanied by any other information considered necessary by Council in the particular case.

Matters Council will take into consideration

When determining an application to place waste in a public place Council will take into consideration:

- a) Whether all of the information required to enable Council to properly consider and determine the application has been submitted to Council;
- b) Whether all of the relevant fees, charges and security deposits listed in the list of fees and charges incorporated in Council's Schedule of Fees and Charges have been paid;
- c) The provisions of the Local Government Act 1993, as amended, and in particular Section 89 of that Act;
- d) The provisions of the Local Government (General) Regulation 2005, and in particular Division 4 of Part 2 of that Regulation;
- e) The provisions of the Roads Act 1993 and the Regulations made thereunder;
- f) The provisions of any relevant Statute or Regulation;
- g) The safety of the public and the protection of property; and
- h) Any other matter that Council considers relevant in the particular case.

4.2.10.2 Place a waste storage container in a public placeIntroduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) The submission of applications to place a waste storage container in a public place; and
- b) The matters Council will take into consideration when determining applications to place a waste storage container in a public place.

Applications

The Application to place a waste storage container in a public place shall:

- a) Be made on the appropriate application form, or by a letter or other document containing all of the information required to enable Council to properly consider and determine the application;
- b) Be accompanied by the relevant fees, charges and security deposits listed in the list of fees and charges incorporated in Council's Schedule of Fees and Charges;
- c) Be accompanied by a site plan, drawn to scale, showing the proposed location of the waste storage container;
- d) Be accompanied by Plans and Specifications showing the design, type and location of any structure or structures to be used to prevent public access to the waste storage container and the type, design and location of any proposed signs, warning lights or other safety equipment;
- e) Be accompanied by a statement providing details of:
 - i. The days on which it is proposed to have the waste storage container in the public place; and
 - ii. Any public risk insurance policy available to indemnify Council and the applicant against claims; and
- f) Be accompanied by any other information deemed necessary by Council in the particular case.

Matters Council will take into consideration

When determining an application to place a waste storage container in a public place

Council will take into consideration:

- a) Whether all of the information required to enable Council to properly consider and determine the application has been submitted to Council;
- b) Whether all of the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges have been paid;
- c) The provisions of the Local Government Act 1993 as amended, and in particular Section 89 of that Act;
- d) The provisions of the Local Government (General) Regulation 2005;
- e) The provisions of the Roads Act 1993 and the Regulations made thereunder;
- f) The effect that the waste storage container and any barricades or structures erected
 - i. to prevent public access to the container will have on pedestrian movements in the vicinity of the waste storage container,
 - ii. and whether adequate provision has been made for pedestrian access to nearby premises;
- g) The safety of the public and the protection of property;
- h) The effect that the waste storage container and any barricade or structure erected to
 - i. prevent public access to that container will have on vehicular movements and
 - ii. vehicular parking in the vicinity of the waste storage container;
- i) The period during which it is proposed to have the waste storage container in the public place;
- j) The adequacy of the available public risk insurance with regard to the protection of Council and the public; and
- k) Any other matter considered relevant by Council in the particular case.

4.2.10.3 Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facilityIntroduction

This section contains information in respect to Council's requirements regarding:

- a) The submission of applications for the installation, construction or alteration of a waste treatment device or a human waste storage facility, or a drain connected to such device or facility; and
- b) The matters that Council will take into consideration when determining an application to install, construct or alter such waste treatment device or human waste storage facility, and the drains connected to such device or facility.

NOTE: The Dictionary to the Local Government Act 1993 defines the following as:

"Human waste storage facility" means a device for holding or disposing of human waste, including a cesspit, septic tank, septic closet, water closet, chemical closet, humus closet and combustion closet.

"Waste" means:

(a) effluent, being any matter or thing, whether solid or liquid or a combination of solids and liquids, which is of a kind that may be removed from a human waste storage facility, sullage pit or grease trap, or from any holding tank or other container forming part of or used in connection with a human waste storage facility, sullage pit or grease trap, or

(b) trade waste, being any matter or thing, whether solid, gaseous or liquid or a combination of solids, gases and liquids (or any of them), which is of a kind that comprises refuse from any industrial, chemical, trade or business process or operation, including any building or demolition work, or garbage, being all refuse other than trade waste and effluent, and includes any other substance defined as waste for the purposes of the Protection of the Environment Operations Act 1997, and a substance is not precluded from being waste merely because it is capable of being refined or recycled.

Applications

Applications to install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility shall:

- a) Be made by the owner, or by a person authorised in writing by the owner;
- b) Be made on the appropriate application form, or by a letter which contains all of the information deemed necessary by Council to enable Council to properly determine the application;
- c) Be accompanied by the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges;
- d) Be accompanied by two sets of plans and specifications of the proposed installation or alteration which clearly indicate:
 - i. The fittings or appliances proposed to be connected to the Waste Treatment Device or Human Waste Storage Facility;
 - ii. The size and type of the various components of the Waste Treatment Device or Human Waste Storage Facility, including septic tanks, collection or storage tanks, effluent disposal areas, pipes, fittings, pits, valves and other components, and the materials from which the aforementioned components will be constructed or made;
 - iii. The proposed location of the Waste Treatment Device or Human Waste Storage Facility, the effluent disposal area, and all pipes, fittings, pits, valves and components; and
 - iv. Any other matter which the Council, in the particular case, deems necessary to enable Council to properly consider the application; and
- e) Be accompanied by a Certificate of Accreditation from the NSW Department of Health;
- f) Be accompanied by a geo-technical study prepared by an experienced Geo-technical Engineering Consultant certifying that any proposed effluent disposal area is located in position and is of sufficient design and capacity to ensure that all effluent arising from the buildings on the land can be disposed of on the site without causing nuisances and/or pollution, both in the short and long term.

NOTES:

1. The testing for the geo-technical study is to be carried out by a NATA registered laboratory. Matters such as geology, stratigraphy (in particular soil profile and permeability) must be addressed.

Matters Council will take into consideration

When determining an application to install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to such device or facility, Council will take into consideration:

- a) The provisions of the Local Government Act 1993, as amended, and in particular
- b) the provisions of Section 89 of that Act;
- c) The provisions of the Local Government (General) Regulation 2005;
- d) The provisions of ASNZ 3500 Parts 1 to 4 published by the Standards Association of Australia;
- e) The provisions of the National Construction Code (Plumbing Code of Australia);
- f) Whether approval to erect a building pursuant to Section 68 of the Local Government Act 1993 as amended is required prior to the waste treatment device or human waste storage facility being installed, constructed or altered, and if so whether such approval has been issued by Council;
- g) Whether the land is suitable for the installation of a device for the treatment of human waste, or for a human waste storage facility, and whether any effluent from such devices can be disposed of in a satisfactory manner;
- h) The protection and promotion of public health;
- i) The protection of the environment;
- j) Whether all of the information required to enable Council to properly consider the application has been submitted to Council;
- k) Whether all the fees, charges and security deposits required to be paid by Council's Schedule of Fees and Charges have been paid; and
- l) Any other matter Council considers relevant in the particular case.

4.2.11 Part D – Community land**4.2.11.1 Engage in a trade or business**Introduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) The submission of applications for approval to engage in a trade or business on community land; and
- b) The matters that Council will take into consideration when determining applications for approval to engage in a trade or business on community land.

Applications

Applications for approval to engage in a trade or business on community land, shall:

- a) Be made on the appropriate application form, or by a letter which contains all of the information required to enable Council to properly determine the application.

- b) Be accompanied by the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges.
- c) Where the activity involves selling food to the public, be accompanied by documentary evidence that the provisions of the NSW Food Authority – Guidelines for Mobile Food Vending Vehicles and the NSW Food Authority – Guidelines for Food Businesses at Temporary Events, will be complied with.
- d) Be accompanied by a statement providing details of:
 - i. The days and times during which it is proposed to engage in the trade or business;
 - ii. Any public liability insurance designed to indemnify the applicant and Council against claims for injury to persons and damage to property while the trade or business is being conducted;
- e) If considered necessary by Council in the particular case, be accompanied by plans and specifications showing the design, type and location of any structures, barricades, tables or articles proposed to be placed or left on the community land for the purpose of engaging in the trade or business; and
- f) Be accompanied by any other information that Council considers relevant in the particular case.

Matters Council will take into consideration

When determining an application to engage in a trade or business on community land Council will take into consideration the following criteria:

- a) The provisions of the Local Government Act 1993 as amended, and in particular Section 89 of that Act;
 - i. The provisions of the Local Government (General) Regulation 2005;
 - ii. Whether all of the information necessary for Council to properly determine the application has been submitted to Council;
 - i. Whether all the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges have been paid;
- b) Whether, if the trade or business involves selling food to the public, the provisions of the NSW Food Authority – Guidelines for Mobile Food Vending Vehicles and the NSW Food Authority – Guidelines for Food Businesses at Temporary Events, will be complied with;
- c) The effect that the proposed trade or business will have on the enjoyment of the community land by members of the public;
- d) The safety of the public and the protection of property;
- e) Any management plan that Council has adopted in respect to the management of Community Land;
- f) Whether any public liability insurance taken out in respect to the proposed trade or business is adequate to protect Council against claims for injuries to persons and damage to property; and
- g) Any other matter that Council considers relevant in the particular case.

4.2.11.2 Direct or procure a theatrical, musical or other entertainment for the public.Introduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) The submission of applications for approval to direct or procure a theatrical, musical or other entertainment for the public on community land; and
- b) The matters Council will take into consideration when determining applications for approval to direct or procure a theatrical, musical or other entertainment for the public on community land.

Applications

Applications for approval to direct or procure a theatrical, musical or other entertainment for the public on community land shall:

- a) Be made on the appropriate application form, or by a letter which contains all of the information required to enable Council to properly consider the application.
- b) Be accompanied by the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges.
- c) Be accompanied by a statement providing details of:
 - i. The days and times during which it is proposed to conduct the theatrical, musical or other entertainment;
 - ii. The number of persons expected to attend the function;
 - iii. The procedures and methods proposed to be used for crowd control;
 - iv. The arrangements proposed for cleaning the site during and after the function;
 - v. The number and type of toilets and other facilities proposed to be provided at the function;
 - vi. The location, design and type of all amplification equipment proposed to be used at the function, and the expected noise levels (in dB(A)) at the boundaries of the community land concerned;
 - vii. The location, type and design of all food outlets proposed to be operated at the function; and
 - viii. The location and type of any seating proposed to be provided at the function.
- d) Be accompanied by plans and specifications and the proposed location of any barricades or structures proposed to be used at the activity.
- e) Be accompanied by documentation providing details of any public risk insurance available for the function from the time work commences in setting up the equipment until the site is cleared.
- f) Be accompanied by any other information deemed necessary by Council in the particular case.

Matters Council will take into consideration

When determining an application for approval to direct or procure a theatrical, musical or other entertainment for the public on community land, Council will take into consideration the following criteria:

- a) Whether development consent under the Environmental Planning and Assessment Act 1979 as amended, is required prior to an approval being granted pursuant to Section 68 of the Local Government Act 1993 as amended, to a person to direct or provide a theatrical, musical or other entertainment for the public on community land, and if so, whether such consent has been issued by Council;
- b) Whether all of the information required to enable Council to properly consider and determine the application has been submitted to Council;
- c) Whether all of the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges has been paid;
- d) The provisions of the Local Government Act 1993 as amended, and in particular Section 89 of that Act;
- e) The provisions of the Local Government (General) Regulation 2005;
- f) The provisions of the Protection of the Environment Operations Act 1997 (POEO Act) as amended, and the Regulations made thereunder;
- g) The safety of the public and the protection of property;
- h) The adequacy of the available public liability insurance with regard to the protection of the Council and the applicant against claims for injuries to persons and damage to property;
- i) Any management plan adopted by Council in respect to the management of Community Land;
- j) Whether alcohol will be available on the site, and if so, whether a liquor licence has been issued and any conditions attached thereto;
- k) Whether adequate toilet facilities will be available on the site; and
- l) Any other matter that Council considers relevant in the particular case.

4.2.11.3 Construct a temporary enclosure for the purpose of entertainmentIntroduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) The submission of applications for approval to construct a temporary enclosure for the purpose of entertainment on community land; and
- b) The matters Council will take into consideration when determining an application to construct a temporary enclosure for the purpose of entertainment on community land.

Applications

Applications for approval to construct a temporary enclosure on community land for the purpose of entertainment shall:

- a) Be made on the appropriate application form, or by a letter which contains all of the information requested to enable Council to properly determine the application;
- b) Be accompanied by the relevant fees, charges and security deposits incorporated on Council's Schedule of Fees and Charges;
- c) Be accompanied by plans and specifications showing the design, type and location of the structure or structures proposed to be used to enclose the section of

community land, and the type, design and location of any proposed signs, warning lights or other safety equipment;

- d) Be accompanied by details of any public liability insurance designed to indemnify Council and the applicant against claims for injury to persons and damage to property while the section of community land is enclosed; and
- e) Be accompanied by any other information that Council considers relevant in the particular case.

Matters Council will take into consideration

When determining an application to construct temporary enclosures on community land for the purpose of entertainment, Council will take the following criteria into consideration:

- a) Whether all of the information required to enable Council to properly determine the application has been submitted to Council;
- b) Whether all of the relevant fees, charged and security deposits incorporated on Council's Schedule of Fees and Charges have been paid;
- c) The provisions of the Local Government Act 1993 as amended, and particularly Section 89 of that Act;
- d) The provisions of the Local Government (General) Regulation 2005;
- e) The effect that the enclosure will have on the enjoyment of the community land by members of the public;
- f) The provisions of any relevant Statute or Regulation, and any relevant standards and policies of public authorities applying to the use of the road;
- g) The safety of the public and the protection of property;
- h) The period during which it is proposed to enclose the section of community land;
- i) Whether any public liability insurances taken out in respect to the enclosure of the community land is adequate to protect Council against claims for injury to persons and damage to property;
- j) Any management plan which Council has adopted in respect to the management of community land;
- k) Whether development consent pursuant to the provisions of the Environmental Planning and Assessment Act, 1979 as amended is required for the activity, and if so, whether such consent has been issued;
- l) Whether adequate toilet facilities will be available on the site;
- m) Whether alcohol will be available on the site, and if so, whether a liquor licence has been issued and any conditions attached thereto; and
- n) Any other matter that Council considers relevant in the particular case.

4.2.11.4 For fee or reward, play a musical instrument or sing

Introduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) The submission of applications for approval to play a musical instrument or sing for a fee or reward on community land; and
- b) The matters Council will take into consideration when determining applications for approval to play a musical instrument or sing for a fee or reward on community land.

Applications

Applications for approval to play a musical instrument or sing for a fee or reward on community land shall:

- a) Be made on the appropriate application form, or by a letter which contains all of the information required to enable Council to properly consider the application.
- b) Be accompanied by the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges.
- c) Be accompanied by a statement providing details of:
 - i. The days and times during which it is proposed to play the musical instrument or sing;
 - i. The location where it is proposed to play the musical instrument or sing; and
 - ii. The name, address and telephone number of the persons accepting responsibility for the activities.

Matters Council will take into consideration

When determining an application for approval to play a musical instrument or sing for a fee or reward on community land, Council will take the following criteria into consideration:

- a) Whether all of the information required to enable Council to properly determine the application has been submitted to Council;
- b) Whether all of the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges have been paid;
- c) The provisions of the Local Government Act 1993 as amended, and in particular Section 89 of that Act;
- d) The provisions of the Local Government (General) Regulation 2005;
- e) The safety of the public and the protection of property;
- f) The provisions of Code No 1 - Busking; and
- g) Any other matter that Council considers relevant in the particular case.

4.2.11.5 Deliver a public address or hold a religious service or public meetingIntroduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) The submission of applications for approval to deliver a public address or hold a religious service or public meeting on community land; and
- a) The matters Council will take into consideration when determining applications for approval to deliver a public address or hold a religious service or public meeting on community land.

Applications

Applications for approval to deliver a public address or hold a religious service or public meeting on community land, shall:

- a) Be made on the appropriate application form, or by a letter which contains all of the information required to enable Council to properly consider the application.
- b) Be accompanied by the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges.

- c) Be accompanied by a statement providing details of:
 - i. The days and times during which it is proposed to conduct the activity;
 - ii. The number of persons expected to attend the function;
 - iii. The procedures and methods proposed to be used for crowd control;
 - iv. The arrangements proposed for cleaning the site during and after the function;
 - v. The number and type of toilets and other facilities proposed to be provided at the function;
 - vi. The location, design and type of any artificial lighting proposed to be used at the function;
 - vii. The location, design and type of any amplification equipment proposed to be used at the function, and the expected noise levels (in dB(a)) at the boundaries of the community land concerned;
 - viii. The location, type and design of all food outlets proposed to be operated at the function; and
 - ix. The location and type of any seating proposed to be provided at the activity;
 - x. Be accompanied by plans and specifications and the proposed location of any barricades or structures proposed to be used at the function.
- d) Be accompanied by documentation providing details of any public risk insurance available for the function from the time work commences in setting up the equipment until the site is cleared.
- e) Be accompanied by any other information deemed necessary by Council in the particular case.

Matters Council will take into consideration

When determining an application for approval to deliver a public address or hold a religious service or public meeting on community land Council will take into consideration the following criteria:

- a) Whether development consent under the Environmental Planning and Assessment Act 1979 as amended is required prior to an approval being granted pursuant to Section 68 of the Local Government Act 1993 as amended, for the proposed activity and if so, whether such consent has been issued by Council;
- b) Whether all the information required to enable Council to properly consider and determine the application has been submitted to Council;
- c) Whether all of the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges have been paid;
- d) The provisions of the Local Government Act 1993 as amended, and in particular Section 89 of that Act;
- e) The provisions of the Local Government (General) Regulation 2005;
- f) The provisions of the Protection of the Environment Operations Act 1997 (POEO Act) as amended and the Regulations made under that Act;
- g) The safety of the public and the protection of property;
- h) The adequacy of the available public risk insurance with regard to the protection of Council and the public; and
- i) Any other matter that Council considers relevant in the particular case.

4.2.12 Part E – Public roads**4.2.12.1 Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway**Introduction

The purpose of this section is to provide the public with information as to Council's requirements in respect to:

- a) The submission of applications to swing or hoist goods across or over any part of a public road by means of a lift, hoist, or tackle projecting over the footway; and
- b) The matters that Council will take into consideration when determining applications to swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.

Applications

Applications to swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway shall:

- a) Be made by the owner, or by a person authorised in writing by the owner;
- b) Be made on the appropriate application form, or by a letter which contains all of the information deemed necessary by Council to enable Council to properly determine the application;
- c) Be accompanied by the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges;
- d) Be accompanied by plans and specifications showing the design, type and location of the machinery or structure proposed to be used to swing or hoist goods across the roadway;
- e) Be accompanied by plans and specifications showing the design, type and location of the structure or structures proposed to be used to enclose the area over which the goods will be lifted, and the type, design and location of any proposed signs, warning lights or other safety equipment; and
- f) Be accompanied by any current approval or licence issued by the WorkCover Authority of NSW.

Matters Council will take into consideration

When determining an application for approval to swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway, Council will take into consideration:

- a) Whether all of the information required to enable Council to properly consider and determine the application has been submitted to Council;
- b) Whether all of the relevant fees, charges and security deposits listed in the list of fees and charges incorporated in Council's Schedule of Fees and Charges have been paid;
- c) The provisions of the Local Government Act 1993, as amended, and in particular Section 89 of that Act;
- d) The provisions of the Local Government (General) Regulation 2005;
- e) The provisions of the Roads Act 1993 and the Regulations made thereunder;
- f) The effect that the enclosure of the portion of the road over which the goods will be lifted will have on pedestrian movements in the vicinity of the proposed enclosure;

- g) and whether adequate provision has been made for pedestrian access to nearby premises;
- h) The safety of the public and the protection of property;
- i) The effect that the enclosure of the portion of the road over which the goods will be lifted will have on vehicular parking in the vicinity of the proposed enclosure;
- j) The period during which it is proposed to keep the public place enclosed; and
- k) Any other matter or thing Council considers relevant in the particular case.

4.2.12.2 Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road

Introduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) The submission of applications for approval to erect an advertising structure over a public road, or expose or allow to be exposed (whether for sale or otherwise) any article in or on so as to overhang any part of a road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road; and
- b) The matters that Council will take into consideration when determining applications for approval to erect an advertising structure over a public road, or expose or allow to be exposed (whether for sale or otherwise) any article in or on so as to overhang any part of a road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.

Applications

Applications for approval to erect an advertising structure over a public road, or expose or allow to be exposed (whether for sale or otherwise) any article in or on so as to overhang any part of a road, shall:

- a) Be made on the appropriate application form, or by a letter which contains all of the information required to enable Council to properly determine the application;
- b) Be accompanied by the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges;
- c) Be accompanied by plans and specifications drawn to scale of the proposed advertising structure or article which is intended to overhang the road, showing:
 - i. The dimensions of the proposed advertising structure or article;
 - ii. the location of the proposed advertising structure or article; and
 - iii. The minimum distance between the footpath and the lowest part of the advertising structure or article.

NOTE: The minimum clearance between the footpath and the lowest part of the advertising structure or article is 3.0 metres.

- d) Be made and requested by the owner of the building to which the advertising structure or article is to be attached, by a letter signed by the owner authorising the submission of the application; and
- e) Be accompanied by any other information considered necessary by Council in the particular case.

Matters Council will take into consideration

When determining an application to erect an advertising structure over a public road, or expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of a road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road, Council will take into consideration:

- a) The provisions of the Local Government Act 1993 as amended and in particular, Section 89 of that Act;
- b) The provisions of the Local Government (General) Regulation 2005 and in particular, Division 5 of Part 2 of that Regulation;
- c) The provisions of the National Construction Code (Building Code of Australia);
- d) The provisions of the Roads Act 1993 as amended and the Regulations made thereunder;
- e) The provisions of any relevant Statute or Regulation, and any relevant standards and policies of public authorities applying to the use of the road;
- f) Whether development consent under the Environmental Planning and Assessment Act 1979 as amended is required prior to an approval for the proposed activity being issued under the Local Government Act 1993 as amended, and if so, whether such development consent has been issued by Council;
- g) The safety of the public and the protection of property;
- h) Whether adequate access to utility services will be maintained, and
- i) Any other matter that Council considers relevant in the particular case.

4.2.13 Part F – Other activities**4.2.13.1 Operate a caravan park or camping ground**Introduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) the submission of applications to operate a caravan park and/or camping ground on land; and
- b) The matters that Council will take into consideration when determining applications to operate a caravan park and/or camping ground.

Applications

Applications to operate a caravan park or camping ground shall:

- a) Be made by the owner or a person authorised by the owner in writing;
- b) Be made on the appropriate application form, or by a letter or other document containing all of the information required by the Local Government Act 1993, as amended, the Regulations made thereunder and the Broken Hill City Council Local Approvals Policy to enable Council to properly consider and determine the application;

Note: This approval may be obtained as part of the Development Application required under the Environmental Planning and Assessment Act 1979.

- c) Be accompanied by the relevant fees and charges listed in the list of fees and charges incorporated in Council's Schedule of Fees and Charges;

- d) Be accompanied by a plan showing the proposed location and layout of the caravan park and/or camping ground and its relationship to:
 - i. The boundaries of the property;
 - ii. Any roads or footways on the land;
 - iii. All manufactured homes, moveable dwellings or associated structures on the land; and
 - iv. Any permanent or temporary structure on the land.
- e) Be accompanied by Plans and Specifications showing:
 - i. The location and layout of all caravans and camping sites designated as either for short term or long term residence;
 - ii. The location and layout of caravan and campsites;
 - iii. The details of amenities such as electricity supply, waste disposal, laundry facilities, toilet facilities, and shower facilities; and
 - iv. The location of all firefighting services within the land.

Matters Council will take into consideration

When determining an application to operate a caravan park and/or camping ground Council will take into consideration:

- a) Whether all of the information required to enable Council to properly consider and determine the application has been submitted;
- b) Whether all of the relevant fees and charges listed in the list of fees and charges incorporated in Council's Schedule of Fees and Charges have been paid;
- c) The provisions of the Local Government Act 1993 as amended, and in particular, those matters prescribed in Section 89 of that Act;
- d) The provisions of the Local Government (General) Regulation 2005.
- e) Any applicable standards that are specified in the Local Government (Manufactured Home Estates caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005;
- f) The provisions of any other relevant Statute or Regulation;
- g) Whether adequate provision has been made to ensure the health, safety and convenience of the occupants of any moveable dwelling or associated structure or campsite;
- h) Whether Development Consent is required pursuant to the provisions of the Environmental Planning and Assessment Act 1979 as amended, prior to an approval being granted pursuant to Chapter 7 of the Local Government Act 1993, and if so, whether such Development Consent has been granted; and
- i) Any other matter Council considers relevant in the particular case.

4.2.13.2 Operate a manufactured home estate

Introduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) The submission of applications to operate a manufactured home estate on land; and
- b) The matters that Council will take into consideration when determining applications to operate a manufactured home estate.

Applications

Applications to operate a manufactured home estate shall:

- a) Be accompanied by the relevant fees and charges incorporated in Council's Schedule of Fees and Charges;
- b) Be made by the owner or a person authorised by the owner in writing;
- c) Be made on the appropriate application form, or by a letter or other document containing all of the information required by the Local Government Act 1993, as amended, the Regulations made thereunder and the Broken Hill City Council Local Approvals Policy to enable Council to properly consider and determine the application;

Note: This approval may be obtained as part of the Development Application required under the Environmental Planning and Assessment Act 1979.

- d) Be accompanied by a plan showing the proposed location and layout of the manufactured home estate and its relationship to:
 - i. The boundaries of the property;
 - ii. Any roads or footways on the land;
 - iii. All manufactured homes, moveable dwellings or associated structures on the land; and
 - iv. Any permanent or temporary structure on the land, including community amenities and buildings.
- e) Be accompanied by Plans and Specifications showing:
 - i. All those services and facilities required by the Local Government (Manufactured Homes Estates, Caravan Parks, camping Grounds and Moveable Dwellings) Regulation 2005;
 - ii. The location and layout of all parking spaces for vehicles;
 - iii. The area and dimensions of residential sites; and
 - iv. The location of all firefighting services within the land.
- f) Be accompanied by such additional information required by Council to enable Council to properly determine the application.

Matters Council will take into consideration

When determining an application to operate a manufactured home estate Council will take into consideration:

- a) Whether all of the information required to enable Council to properly consider and determine the application has been submitted;
- b) Whether all of the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges have been paid;
- c) The provisions of the Local Government Act 1993, as amended, and in particular, those matters prescribed in Section 89 of that Act;
- d) The provisions of the Local Government (General) Regulation 2005;
- e) Any applicable standards that are specified in the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005;
- f) The provisions of any other relevant Statute or Regulation;

- g) Whether adequate provision has been made to ensure the health, safety and convenience of the occupants of any moveable dwelling or associated structure or campsite;
- h) Whether Development Consent is required pursuant to the provisions of the Environmental Planning and Assessment Act 1979, as amended, prior to an approval being granted pursuant to Chapter 7 of the Local Government Act 1993, and if so, whether such Development Consent has been granted; and
- i) Any other matter Council considers relevant in the particular case.

4.2.13.3 Install or operate amusement devices

Introduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) The submission of applications to install or operate amusement devices (within the meaning of the Work Health and Safety Regulation 2011); and
- b) The matters that Council will take into consideration when determining applications to install or operate amusement devices (within the meaning of the Work Health and Safety Regulation 2011).

Applications

Applications for approval to install or operate amusement devices (within the meaning of the Work Health and Safety Regulation 2011) shall:

- a) Be made by the owner, or a person authorised in writing by the owner;
- b) Be made on the appropriate application form, or by a letter which contains all of the information deemed necessary by Council to enable Council to properly determine the application;
- c) Be accompanied by the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges;
- d) Be accompanied by documentary evidence that the amusement device is registered with the WorkCover Authority of NSW under the Work Health and Safety Regulation 2011 as amended;
- e) Be accompanied by documentary evidence that there is in force a contract of insurance or indemnity which indemnifies to an unlimited extent (or up to an amount of not less than \$5,000,000 in respect of each accident (\$10,000,000 on Council land) each person who would be liable for damages for death or personal injury arising out of the operation or use of the amusement device and any total or partial failure or collapse of the device against that liability;
- f) Be accompanied by a statement as to the dates and times upon which it is proposed to operate the amusement device; and
- g) Be accompanied by a statement as to the date and time upon which the amusement device will be installed and ready for operation to enable an inspection to be carried out for the purpose of issuing an approval prior to the amusement device being operated.

Matters Council will take into consideration

In its assessment and determination of an application to install or operate amusement devices (within the meaning of the Work Health and Safety Regulation 2011), Council will take the following criteria into consideration:

- a) The provisions of the Local Government Act 1993 as amended, and in particular the provisions of Section 89 of that Act;
- b) The provisions of the Local Government (General) Regulation 2005, and in particular Subdivision 5 of Division 5 of Part 2 of that Regulation;
- c) The provisions of the Work Health and Safety Act 2011 as amended;
- d) The provisions of the Work Health and Safety Regulation 2011 as amended;
- e) Whether all of the information deemed necessary by Council to enable the application to be properly considered has been submitted to Council;
- f) Whether all of the fees, charges and security deposits required to be paid by Council's Schedule of Fees and Charges have been paid; and
- g) any other matter or thing Council considers relevant in the particular case.

4.2.13.4 Use a standing vehicle or any article for the purpose of selling any article in a public placeIntroduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) The submission of applications to use a standing vehicle or any article for the purpose of selling any article in a public place; and
- b) The matters Council will take into consideration when determining applications to use a standing vehicle or any article for the purpose of selling any article in a public place.

Applications

Applications for approval to use a standing vehicle or any article for the purpose of selling any article in a public place shall:

- a) Be made on the appropriate application form or by a letter which provides details of:
 - i. The location where it is proposed to sell the articles;
 - ii. The articles that it is proposed to sell; and
 - iii. The dates and times on which and during which it is proposed to sell the articles.
- b) Be accompanied by the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges;
- c) Be accompanied by details of public risk insurance to indemnify the applicant and Council against claims for damages; and
- d) Be accompanied by documentation showing how any food to be sold is to be protected.

Matters Council will take into consideration

In its assessment and determination of an application to use a standing vehicle or any article for the purpose of selling any article in a public place, Council will take the following criteria into consideration:

- a) The provisions of the Local Government Act 1993 as amended, and particularly Section 89 of that Act;
- b) The provisions of the Local Government (General) Regulation 2005;
- c) Whether if the trade or business involves selling food to the public, the provisions of:
 - i. the NSW Food Authority – Guidelines for Mobile Food Vending Vehicles; and
 - ii. NSW Food Authority – Guidelines for Food Businesses at Temporary Events, will be complied with.
- d) The provisions of the Roads Act 1993 as amended and the Regulations made thereunder;
- e) The safety of the public and the protection of property;
- f) The effect that the standing vehicle or article used for the purpose of selling articles will have on pedestrian movements in the vicinity of the vehicle or article, and whether adequate provision has been made for pedestrian access to nearby premises;
- g) The effect that the standing vehicle or articles used for the purpose of selling articles will have on vehicular movements and vehicular parking;
- h) Whether the applicant has made provision for public liability insurance to a level considered adequate by Council; and
- i) Any other matter that Council considers relevant in the particular case.

4.2.13.5 Carry out activity prescribed by the regulations or an activity of a class or description prescribed by the regulationsIntroduction

The purpose of this section is to provide information as to Council's requirements in respect to:

- a) The submission of applications for approval to carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations; and
- b) The matters Council will take into consideration when determining an application for approval to carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulation.

Applications

Application for approval to carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations shall:

- a) Be made on the appropriate application form or by a letter which contains all of the information required to enable Council to properly determine the application;
- b) Be accompanied by the relevant fees, charges and security deposits incorporated in Council's Schedule of Fees and Charges;
- c) Be made by the owner, or by a person authorised in writing by the owner; and
- d) Be accompanied by any other documents or information deemed necessary by Council in the particular case.

Matters Council will take into consideration

When determining an application to carry out an activity prescribed by the regulations or an activity of a clause or description prescribed by the regulations, Council will take the following criteria into consideration:

- a) The provisions of the Local Government Act 1993 as amended, and particularly Section 89 of that Act;
- b) The provisions of the Local Government (General) Regulation 2005;
- c) Whether all of the information required to enable Council to properly consider the application has been submitted;
- d) The provision of any relevant Statute or Regulation;
- e) Whether development consent under the Environmental Planning and Assessment Act 1979 as amended is required prior to an approval for the proposed activity being issued under the Local Government Act 1993 as amended, and if so, whether such development consent has been issued by Council; and
- f) Any other matter that Council considers relevant in the particular case.

4.3 PART 3 – OTHER MATTERS**4.3.1 Refund of Fees**

If an application is withdrawn or is cancelled or lapses, the applicant may be eligible for a part refund of some fees. Applications for a refund of fees must be in writing to Council.

Upon receipt of such an application, Council will determine the refund in accordance with the criteria shown in the table below.

The Stage at which the Refund is requested	How to Determine the Fees that are Refundable
Applications which are Unclear or Illegible.	When the application has been returned to the applicant pursuant to Section 85 of the Local Government Act 1993 or Clause 51 of the Environmental Planning & Assessment Regulations 2000 on the grounds that the application is unclear or illegible, the whole of the application fee and the security deposit, if any, shall be refunded.
Withdrawal of applications before checking of Documentation has commenced.	When an application is withdrawn by the applicant in writing pursuant to Section 88 of the Local Government Act 1993 or Clause 52 of the Environmental Planning and Assessment Regulation 2000 and the checking of the plans, specifications and/or other relevant documentation has not commenced, 50% of the application fee shall be refunded, provided always that Council shall retain not less than \$50 nor more than \$200 of the application fee.

Withdrawal of applications after checking of Documentation has commenced.	When an application is withdrawn by the applicant in writing pursuant to Section 88 of the Local Government Act 1993 or Clause 52 of the Environmental Planning and Assessment Regulation 2000 and Council has commenced processing the application by checking the plans, specifications and/or other relevant documentation, 25% of the application fee shall be refunded, provided always that Council shall retain a minimum of \$50 of the application fee.
Land Use component of Combined Development Application refused.	All Council fees relating to the building component of the application will be refunded.
Applications withdrawn, cancelled or lapsed after checking of Documentation has been completed.	When an application is withdrawn, cancelled or lapses after the checking of the documentation has been completed, Council shall retain the whole of the application fee.
Security Deposits - Circumstances where Security Deposits will be refunded in full.	Security deposits shall be refunded in full where: <ul style="list-style-type: none"> a) the application is returned to the applicant by Council as being unclear or illegible and no further action is taken in respect to the application; b) the application is withdrawn by the applicant and the proposed activity is not commenced; and c) the activity has reached the stage of practical completion in accordance with the approval issued by Council and approval to occupy the building has been issued by Council, provided that no damage has been caused to Council works.
Security Deposits - Circumstances where Council will retain part or all of Security Deposit.	Security deposits shall be retained by Council in full or in part where damage has been caused to Council works as a result of the activity, the subject of the application, in accordance with the following criteria: <ul style="list-style-type: none"> a) the cost or estimated cost of repairing the damage to Council's works or property as determined by the Director Engineering Services shall be deducted from the security deposit, and the remainder, if any, shall be refunded to the applicant; or b) where the cost or estimated cost of repairing the damage to Council works or property as determined by the Director Engineering Services exceeds the amount of Security Deposit held by Council, the whole of the Security Deposit shall be retained by Council and an account for the remainder shall be forwarded to the applicant.

4.3.2 When does an Approval Lapse

An approval under Section 68 of the Local Government Act 1993 or Section 92 of the Environmental Planning and Assessment Act 1979 lapses five years after the date from which the approval operates unless:

- a) the approval states otherwise; or
- b) the activity has physically substantially commenced within the meaning of the applicable Act.
- c) An extension of an approval may be granted if:
 - i. a request is received by Council in writing prior to the date on which the approval would have lapsed; and
 - b) Council determines that the approval should be so extended.

4.3.3 Code No 1 - Busking

Local Government Act 1993 as amended - Section 68, Part D (4)

Introduction

This Code provides details of Council's requirements in respect to "busking" on community land.

Definition

BUSKER means an itinerant musician or actor.

BUSKING means a busker performing in a public place.

Application

This Code applies to all areas within the Broken Hill City Council local government area. It is to be read in conjunction with the Broken Hill City Council Local Approvals Policy.

Insurance

Council may require that an application to undertake busking shall not take effect until the applicant has provided Council with a copy of a public risk policy with a minimum value of \$10 million which contains the following clause:

"It is hereby agreed that the indemnity given by this policy is extended to the Broken Hill City Council in respect to the operation of an approved footpath/street activity"

Conditions of Approval

All persons busking in accordance with approval by Council pursuant to Part D of the Table to Section 68 of the Local Government Act 1993, as amended, shall comply with all conditions of approval imposed by Council in respect to that consent.

Conditions of approval will be directed at:

- a) Protecting members of the public against injuries resulting from obstructions placed on public places by "buskers";
- b) Protecting Council against claims for damages resulting from injuries resulting from the activities of "buskers";
- c) Ensuring that members of the public are not harassed by or obstructed by buskers; and
- d) Limiting the duration, days and locations upon which and where busking will be permitted.

5. IMPLEMENTATION

5.1 Roles and Responsibilities

The following Council officers are responsible for the implementation and the adherence to this policy:

- General Manager
- Manager Planning, Development and Compliance
- Rangers
- Compliance Officers

5.2 Communication

This Policy will be communicated to the community and staff in accordance with Council's Policy, Procedure and Process Framework and Council's Business Paper process. Following adoption by Council the Policy will be made available on Council's website.

5.3 Associated Documents

The following documentation is to be read in conjunction with this policy:

- Compliance and Enforcement Policy
- Local Orders Policy

6. REVIEW

Review of this policy will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines.

The standard review period will be every two years from the effective date, or when amendments have been made to relevant legislation. The responsible Council officer will be notified of the review requirements three months prior to the expiry of this policy.

The Manager Planning, Development and Compliance is responsible for the review of this policy.

7. LEGISLATIVE AND LEGAL FRAMEWORK

This policy is to be read in conjunction with the following:

- Local Government Act 1993 and subordinate regulations.

Council employees shall refrain from personal activities that would conflict with proper execution and management of Council's Local Approvals Policy. Council's Code of Conduct provides guidance for recognising and disclosing any conflicts of interest.

8. DEFINITIONS

Expressions used in the Policy are defined in the Dictionary at the end of the Local Government Act 1993 (the "Act Dictionary").

ORDINARY MEETING OF THE COUNCIL

September 5, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 202/16

SUBJECT: ADOPTION OF COUNCIL BUSINESS CONTINUITY POLICY 12/14

Recommendation

1. That Broken Hill City Council Report No. 202/16 dated September 5, 2016, be received.
2. That Council adopt the Draft Business Continuity Policy as a Policy of Council.

Executive Summary:

At its Ordinary Council Meeting held August 31, 2016 Council resolved (Minute No. 45319) to defer the adoption of this policy until the election of the new Council.

Council had previously considered the Draft Business Continuity Policy at its Ordinary Council Meeting held June 29, 2016 and resolved (Minute No. 45292) to place the draft policy on public exhibition as per Section 160 of the *Local Government Act 1993*.

The draft policy was placed on public exhibition concluding on Tuesday, August 2, 2016. During the public exhibition period Council received nil written submissions regarding the Draft Policy.

This policy is presented to Council for adoption unamended.

Report:

The objective of this policy is to ensure implementation of the integrated planning and management processes that are designed to minimise disruption related risks at Council.

The policy is required to ensure Council can maintain uninterrupted availability of key business resources necessary to meet Council's strategic and operational objectives and legal obligations.

This policy was endorsed by the Audit Committee on June 16, 2016.

Broken Hill City Council is committed to developing business resilience and securing long term performance and sustainability of its operations. Business Continuity Management is an integral part of business risk management, corporate governance and quality management.

In order for Council to minimise the impact of an emergency or adverse event in its activities, it must consider a range of actions and measures that it can take to prevent and prepare for, respond and recover from the emergency.

The purpose of this Policy is to ensure that Council is well equipped to respond to a wide variety of disruptions in order to support the continuing availability of processes and resources to achieve its business objectives

The Business Continuity Policy is an integral part of good governance and an important element in Council's Risk Management framework for resilience and response capability in order to safeguard people and operations as well as to uphold confidence in the organisation.

This Policy is supported by the Business Continuity Plan which is an operational plan for the implementation of this Business Continuity Policy into Council operations and consists of two supporting documents. The Business Continuity Plan (consisting of 2 parts; 1 – Manual and 2- Procedure) is an operational best practice guide.

Strategic Direction:

Key Direction:	4. Our Leadership
Objective:	4.1 Openness and transparency in decision making
Function:	Leadership & Governance
DP Action:	4.1.3 Decision-makers provide accountability through planning and reporting frameworks

Relevant Legislation:

There is no current legislative requirement for the implementation of Business Continuity Management. However, there is an expectation that Council undertakes business continuity planning as part of its overall Governance responsibilities.

AS/NZS ISO 31000:2009 - Risk Management Principles and Guidelines.
AS 5050:2010 Business Continuity – Managing Disruption-related Risks

Financial Implications:

The development of the Business Continuity Plan and Critical Function Sub Plans were provided for as a special project in the Financial Year 2015 budget.

There will be no costs associated with implementation of the Critical Function Sub Plans until Financial Year 2018 as per the Manual.

Attachments

1. Draft Business Continuity Policy 4 Pages

RAZIJA NU'MAN
DIVISION MANAGER CORPORATE AND HUMAN SERVICES

JAMES RONCON
GENERAL MANAGER



DRAFT BUSINESS CONTINUITY POLICY

QUALITY CONTROL		
TRIM REFERENCES	12/14 – D15/1951	
RESPONSIBLE POSITION	Division Manager Corporate and Human Services	
APPROVED BY		
REVIEW DATE	October 2016	REVISION NUMBER 1
EFFECTIVE DATE	ACTION	MINUTE NUMBER
29 June 2016	Public Exhibition	45292

1. INTRODUCTION

Broken Hill City Council is committed to developing business resilience and securing long term performance and sustainability of its operations. Business Continuity management and planning is an integral part of good governance and an important element in Council's Risk Management Framework.

2. POLICY OBJECTIVE

The purpose of this policy is to ensure implementation of the integrated planning and management processes that are designed to minimise disruption related risks at Council.

The policy is required to ensure Council can define what infrastructure and resources are required to achieve minimum operating performance and maintain uninterrupted availability of key business resources necessary to meet Council's strategic and operational objectives and legal obligations.

3. POLICY SCOPE

This policy covers Disruptive Incidents (Incidents) of such a scale as to otherwise be beyond the coping capability of an organisation's normal management system.

The General Manager will undertake appropriate action(s) necessary to assess, evaluate and respond to and recover from disruptive incidents.

This policy is subordinate to the Risk Management Policy.

4. POLICY STATEMENT

Through the establishment of Business Continuity Plans (BCP) this policy will provide a mechanism that enables Council and its officers to:

- Build resilience within Council's operations.
- Manage business interruption risks in accordance with AS/NZS 5050:2010 Business Continuity – Managing Disruption Related Risk.
- Develop resumption plans based on criticality of business functions rather than geographic location.

- Identify and document roles and responsibilities for key staff positions to plan, review and implement the Business Continuity Plan.
- Minimise the impact of function loss on Council's stakeholders and the community.
- Minimise the impact of function loss on Council's reputation.
- Minimise any risks associated with public health, safety and/or welfare.
- Ensure Council considers regulatory requirements and/or compliance with legally enforceable contracts during outages.
- Maintain control of expenditure and minimise extraordinary costs resulting from incidents.

5. IMPLEMENTATION

5.1. Roles and Responsibilities

The following Council officers are responsible for the implementation and the adherence to this policy:

- The Broken Hill City Council BCP is developed under the authority of the Executive Team. Prior to implementation the plan is reviewed and approved by that body.
- The General Manager or delegated Council Officer holds the authority to develop, assess, evaluate, and activate Council Business Continuity arrangements and procedures in response to incidents.
- A standing authority is given to the Sub-Plan owners by the Executive Team to implement the actions identified within the sub plans.

5.2. Communication

This Policy will be communicated to the community and staff in accordance with Council's Policy, Procedure and Process Framework and Council's Business Paper process. Following adoption by Council the Policy will be made available on Council's website.

5.3. Associated Documents

The following documentation is to be read in reference with this policy:

- Risk Management Framework
- Risk Management Policy
- Draft Business Continuity Plan – Manual; Procedure and Critical Function sub-plans
- Emergency Plan & Procedures
- Contractors Engagement Policy 2014
- Broken Hill City Council Consent Award 2015

6. REVIEW

Review of this policy will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines.

The Division Manager Corporate and Human Services is responsible for the review of this policy.

This policy will be reviewed annually. The General Manager will report to Council and/or Audit Committee on the outcome of the review and make recommendations for amendment or alteration if required.

7. LEGISLATIVE AND LEGAL FRAMEWORK

There is no current legislative requirement for the implementation of Business Continuity Management. However, there is an expectation that Council undertakes business continuity planning as part of its overall Governance responsibilities.

This policy is to be read with reference to with the following:

- Local Government Act 1993
- The Business Continuity Institutes "Good Practice Guidelines 2010"
- AS/NZS 5050:2010 Business Continuity – Managing Disruption Related Risk
- Australian National Audit Office (ANAO) Guide: Business Continuity-Building Resilience in Public Sector Entities
- ISO 31000:2009 Risk Management - Principles and Guidelines
- ISO Guide 73:2009 – Risk Management – Vocabulary
- NSW Public Health Act 1991 & Associated 2002 Regulations
- Environmental Planning & Assessment Act 1979
- Civil Aviation Act 1988
- Broken Hill City Council Consent Award 2015

Council employees will refrain from personal activities that conflict with proper execution and management of Council's Business Continuity Policy. Council's Code of Conduct provides guidance for recognising and disclosing any conflicts of interest.

8. DEFINITIONS

'Authorised Representative' is the General Manager or any delegated or authorised Council Officer to develop, assess, evaluate, and activate of Council policies and procedures in response to incidents.

'Accountable Person' is the Manager of the critical function/s that are the subject of a BCP. The Manager owns the Business Continuity Plan that covers the respective critical function/s in their branch.

'Business Continuity Management' is the holistic management process that identifies potential threats to an organisation and the impacts to business operations those threats, if realised, might cause, and which provides a framework for building organisational resilience with the capability of an effective response that safeguards the interests of its key stakeholders, reputation, brand and value-creating activities. *(ISO 22301 Societal security – Business continuity managements systems – Requirements).*

'Business Interruption' is any event, whether anticipated (i.e. public service strike) or unanticipated (i.e. blackout) which disrupts the normal course of business operations at an organisation location.

'Examples of Business Disruptive Incidents'

- Natural,(fire, flood, earthquake)
- Deliberate acts of arson, sabotage, theft, terrorism
- Industrial action
- Workplace Safety Incidents
- Major Traffic Accidents
- Closure of business of third party suppliers

'Business Continuity Plan' is documented procedures that guide organisations to respond, recover, resume and restore to a pre-defined level of operation following disruption. *(ISO 22301 Societal security – Business continuity managements systems – Requirements).*

'Incident Management' is the strategic management of the response to an emergency or business disruption event. (*Australian National Audit Office 2009 – Business Continuity Management*).

'Critical Objectives' are objectives that must be achieved during a period of disruption. (AS/NZ 5050 – 2010 – Business Continuity – Managing disruption-related risk).

'Critical Operations' are a business function or part thereof identified as essential for survival of an organisation and achievement of its critical objectives. (AS/NZ 5050 – 2010 – Business Continuity – Managing disruption-related risk).

'Risk' is the effect of uncertainty on objectives (AS/NZS ISO 31000 – 2009 Risk Management – Principles and Guidelines).

ORDINARY MEETING OF THE COUNCIL

September 12, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 203/16

SUBJECT: PLANNING AND DEVELOPMENT STATUS REPORT - AUGUST
2016 11/467

Recommendation

1. That Broken Hill City Council Report No. 203/16 dated September 12, 2016, be received.

Executive Summary:

OUTSTANDING ITEMS						
140/2015	22/10/15	Mr T Hicks	21-23 Pinnacles Place	Cremator and shed with small chapel	13/7/16	Applicant decided not to withdraw DA as had previously verbally advised. More information requested. Awaiting specifications.
AUGUST 2016						
85/2016	3/8/16	W. Lee	404 Crystal Street	New toilet block at commercial premises	14/9/16	Approved
CDC1/2016	8/8/16	T. Yacopetti	4-6 Cobalt Street	Internal alterations to building	14/9/16	Approved
86/2016	11/8/16	G.R Woods	484 Wolfram Street	Alterations to tennis club including disabled toilet, new canopy and verandah	6/9/16	Approved
90/2016	25/8/16	Murdi Paaki Regional Rugby League Council	Lamb Oval	New storage shed	14/9/16	Approved

Relevant Legislation:

Environmental Planning and Assessment Act 1979

Financial Implications:

Nil

Attachments

There are no attachments for this report.

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

September 12, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 204/16

SUBJECT: S355 COMMITTEE TERM REPORTS 2012-2016 AND ANNUAL
REPORTS 2015-2016 16/94

Recommendation

1. That Broken Hill City Council Report No. 204/16 dated September 12, 2016, be received.
2. That the Annual Report 2015/16 and Term Report 2012-2016 received from Section 355 Committees be received and noted.

Executive Summary:

In accordance with Section 355 of the *Local Government Act 1993* (the Act), Council has the ability to delegate some of its functions to a Committee of Council by way of appointment of community members to manage or advise on particular Council assets or functions. The committees are commonly known and referred to as Section 355 Committees.

Report:

Council's Section 355 Advisory and Asset Committee Frameworks state that all committees are for the term of the current Council (four years). As Broken Hill held a Local Government Election in September 2016, all committees were issued correspondence in August and September advising of the Local Government Election and subsequent reporting requirements, to align with the committees pending end of term.

Both the Section 355 Advisory and Asset Committee Frameworks state that committees are required to submit reports to Council, specifically for the current term of Council being an Annual Report for period 2015-2016; a Financial Report for period 2015-2016, if relevant; and a Term Report for period 2012-2016. All reports were to be submitted to Council prior to 30 August 2016, for presentation to Council at the September Council meeting. An Annual Report and Term Report template were provided to Committees.

The Section 355 Advisory and Asset Committee Frameworks provide the structure for how the Committees are to operate and are attached for Council's information.

There are currently 11 Section 355 Committees:

- Alma Oval Community Committee
- BIU Band Hall Community Committee
- Broken Hill Heritage Committee
- Broken Hill Regional Art Gallery Advisory Committee
- Community Strategic Plan Round Table
- ET Lamb Memorial Oval Community Committee
- Friends of the Flora and Fauna of the Barrier Ranges Committee
- Memorial Oval Community Committee
- Norm Fox Sporting Complex Community Committee
- Picton Sportsground Community Committee
- Riddiford Arboretum Community Committee

To date, reports have been received from the following committees:

- BIU Band Hall Community Committee
- Broken Hill Regional Art Gallery Advisory Committee
- Friends of the Flora and Fauna of the Barrier Ranges Committee
- Norm Fox Sporting Complex Community Committee

To date, reports remain outstanding for the following committees:

- Alma Oval Community Committee
- Broken Hill Heritage Committee
- Community Strategic Plan Round Table
- ET Lamb Memorial Oval Community Committee
- Memorial Oval Community Committee
- Picton Sportsground Community Committee
- Riddiford Arboretum Community Committee

A copy of the reports received to date, are attached for Council's information.

Strategic Direction:

Key Direction: 4. Our Leadership
 Objective: 4.3 We Unite to Succeed
 Function: Leadership & Governance
 DP Action: 4.3.1.2 Support Council's section 355 Committees in undertaking their duties with Council

Relevant Legislation:

Local Government Act 1993 - Section 355 'How does a council exercise its functions?'
 Section 377 'General power of the council to delegate'.

Financial Implications:

There are no financial implications arising from the recommendations of this report. Where relevant, a Financial Report for period 2015-2016 has been included.

Attachments

1. Annual Report 2015-2016 - BIU Band Hall Community Committee	3 Pages
2. Annual Report 2015-2016 - Broken Hill Regional Art Gallery Advisory Group	3 Pages
3. Annual Report 2015-2016 - Friends of the Flora and Fauna of the Barrier Ranges Community Committee	4 Pages
4. Annual Report 2015-2016 - Norm Fox Sporting Complex Community Committee	6 Pages
5. Term Report 2012-2016 - BIU Band Hall Community Committee	2 Pages
6. Term Report 2012-2016 - Broken Hill Regional Art Gallery Advisory Group	2 Pages
7. Term Report 2012-2016 - Friends of the Flora and Fauna of the Barrier Ranges Community Committee	1 Page
8. Term Report 2012-2016 - Norm Fox Sporting Complex Community Committee	1 Page

RAZIJA NU'MAN

DIVISION MANAGER CORPORATE AND HUMAN SERVICES

JAMES RONCON

GENERAL MANAGER

BROKEN HILL
CITY COUNCIL

355 COMMITTEE ANNUAL REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 355 COMMITTEE

Name of Committee: Barrier Industrial Union's Band Hall S355 Committee

Annual Report
Period:

2016 (Committee only formed in 2016)

ANNUAL REPORT

	Date of Meeting	Meeting conducted	No quorum, meeting not held
1. Number of meetings conducted and dates of meetings	4/5/16	4/5/16	

	Member Name	Date	Date	Date	Date
2. Attendance by Members	Peter Lake	4/5/16			
	Caroline Dunnin	4/5/16			
	Robynne Sande	4/5/16			
	Ross Mawby	4/5/16			
	Branko Licul	4/5/16			
	Dave Gallagher	4/5/16			

The BIU Band S355 Committee was only formed in April 2016, after the splitting of the BIU Band Hall & Soccer Complex S355 Committee at the end of 2015.

3. Activities / Projects / Achievements

There was considerable confusion about the new constitution, which was created by council without any consultation with the relevant parties. This meant that a secretary and treasurer were not elected, as these positions would be significantly different depending on what the clarification of committee was. The committee's questions were not answered until the 15th of

The committee is new, and significantly different in scope (hall hire was previously done by the BIU Band itself) to the previous committee. There will be a lot of bugs to be worked out after the Council Elections.

4. Ongoing Issues

None.

**5. Completed
Maintenance**

The committee does not yet have a bank account. I believe the previous committee's bank account had \$7,651.57 at closing.

6. Financial Report

Please detail any other relevant information:

PRIVACY STATEMENT

Council is collecting your personal information in accordance with the Privacy and Personal Information Protection Act 1998. The purpose for collecting your personal information is to obtain and record contact details and to assess your suitability for appointment to a S355 Committee.

The intended recipients of the personal information collected includes Council officers, S355 Committee members and contractors or other agents contracted by Council. If appointed to a committee, your name and contact details may be included on Council's website and in Council's Business Papers.

The supply of the information is voluntary. If you cannot provide or do not wish to provide the information sought, Council may not be able to process your application.

You may make application for access or amendment to information held by Council. Council will consider any such application in accordance with the Act. Enquiries concerning this matter can be directed to the Public Officer council@brokenhill.nsw.gov.au or addressed to Broken Hill City 240 Blende Street. Broken Hill is the agency that holds the information collected.

Signature

Caroline Dunning

Digitally signed by Caroline Dunning
Date: 2016.08.30 15:11:33 +09'30'

Date: 30/8/16

Printed Name

Caroline Dunning

Position

Deputy Chair

3. Activities / Projects / Achievements

The BIU Band S355 Committee was only formed in April 2016, after the splitting of the BIU Band Hall & Soccer Complex S355 Committee at the end of 2015.

There was considerable confusion about the new constitution, which was created by council without any consultation with the relevant parties. This meant that a secretary and treasurer were not elected, as these positions would be significantly different depending on what the clarification of committee was. The committee's questions were not answered until the 15th of July. It was suggested in this reply that the committee be put on hold until after the Council Elections.

BROKEN HILL
CITY COUNCIL

355 COMMITTEE ANNUAL REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 355 COMMITTEE

Name of Committee: Broken Hill Regional Art Gallery Advisory Group

Annual Report
Period:

2015-2016

ANNUAL REPORT

	Date of Meeting	Meeting conducted	No quorum, meeting not held
1. Number of meetings conducted and dates of meetings	See attached		
2. Attendance by Members	Member Name	Date	Date
	See attached		
3. Activities / Projects / Achievements	Participation on the selection panel for the Pro Hart Outback Open Art Prize.		
	Recommendations to Council in relation to the Public Art Policy.		
	Project Working Group established for a public art component of the Broken Hill Living Museum and Perfect Light Project.		
	Opening of two exhibitions Deborah Kelly: No Human Being is Illegal and A Touch of Glass.		
4. Ongoing Issues	Establishment of a fundraising committee to raise funds for the gallery's restoration fund.		
	Nil		

AUSTRALIA'S FIRST HERITAGE LISTED CITY

Not applicable to this committee

**5. Completed
Maintenance**

Not applicable to this committee

6. Financial Report

Please detail any other
relevant information:

PRIVACY STATEMENT

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Signature



Date: 08/09/2016

Printed Name

Andrea Roberts

Position

Manager Economic Development and Culture

Broken Hill Regional Art Gallery Advisory Group					
Attendance 2015/2016					
Name	6/10/2015	8/12/2015	17/2/2016	14/4/2016	1/6/2016
Alex Price (Secretary)		✓	✓	✓	✓
Andrea Roberts (Manager Economic Development and Culture)		✓		✓	
Andrew Bruggy (Acting Deputy General Manager)					✓
James Roncon (General Manager)				✓	
Sharon Hutch (Acting General Manager)		✓	✓		
Francois Van Der Berg (Manager Plannig Development and Compliance)			✓		
Cathy Farry (Culture and Heritage Curator)	✓				
Councillor Darriea Turley (Chairperson)	✓	Apology	✓	✓	
Councillor Marion Browne (Deputy Chairperson)	✓	✓	✓	✓	✓
Councillor Christine Adams	✓	✓	✓	✓	✓
Councillor Branko Licul	✓	✓	✓	Apology	✓
Rick Ball	✓	Apology	Apology	✓	✓
Susan Thomas					✓
Stan Dineen				✓	✓
Robyn Taylor			Apology	✓	✓
Iris Dobbin	Apology	✓	Apology	Apology	✓
Andrw Gosling	Apology	✓	Apology		



SECTION 355 COMMITTEE

Annual Report
Period:

2015/2016

ANNUAL REPORT

Member Name	Date	Date	Date	Date
-------------	------	------	------	------

See seperate Pc

Support with opening and closing of the Living Desert Reserve - once every 3 weeks and extra support as required (annual leave etc)

Recycled pavers laid on existing pathway in Sanctuary to reduce erosion at the geological site

Recycled crushed bitumen spread on existing pathways to improve safety for walking in the Sanctuary area of the Living Desert

Section of the Scenic lookout pathway was concreted to improve safety and prevent path being washed away during times of rain

- Further path upgrades
- Further weeding activities
- Upgrade entrance pathway to Sanctuary Information to allow disabled access
- Upgrade Information Hut at Pay Bay for volunteers to control gateway, greet visitors and supply information brochures

Page 372

Maintenance activities are on-going with many listed above to support Living
Desert Rangers

**5. Completed
Maintenance**

Not Applicable as works completed by this committee is done in accordance
with Council's Living Desert budget

6. Financial Report

Please detail any other
relevant information:

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Signature



Date: 17/08/16

Printed Name

Darrell Ford - no electronic signature

Position

Living Desert Ranger

Friends of the Flora and Fauna of the Barrier Ranges Community Committee

Attendance 2015/2016

Name	July	August	September	October	November
Darrell Ford	x	x	x	x	
Marion Browne	x	x			x
Darriea Turley				x	
Sue Spangler					
Nevada Ford	x		x	x	
John Rogers (Chairperson)	x	x	x	x	x
Kellie Scott (Vice Chairperson)	x				x
David Spielvogel	x	x	x	x	x
Jill Spielvogel	x	x	x	x	x
Ronald Tumes	x	x	x	x	x
Jeff Crase	x	x	x	x	x
Lyn Campigli	x	x		x	x
Evan Scott	x				x
Emily Scott	x	x			x
Dean Fletcher		x			x
Megan Allen					
Ray Allen		x	x	x	
Jamie Scott					
Geoffrey Hoare					
Neville Bent					
Hans Noorman					x
Sandra Havran					
Alison Gander					
Steven Quartermain					
Ronald Fletcher					

Decemeber	January	Febuary	March	April	May	June
		x	x			x
no meeting	no meeting		x	x		x
		x				
		x	x	x	x	x
			x			
		x	x	x	x	x
		x	x	x	x	x
		x	x	x	x	x
		x	x	x	x	x
		x	x	x	x	x
		x			x	x
				x		
		x	x	x		x
		x	x	x	x	x
		x			x	
						x
			x	x		x
						x

BROKEN HILL

355 COMMITTEE ANNUAL REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 355 COMMITTEE

Name of Committee: NORM FOX SPORTS COMMITTEE (Community Committee)

Annual Report
Period:

ANNUAL REPORT

	Date of Meeting	Meeting conducted	No quorum, meeting not held
1. Number of meetings conducted and dates of meetings			NO 1 HELD
	<u>Done work Committee</u>		

	Member Name	Date	Date	Date	Date
2. Attendance by Members	<u>X</u>				
	<u>Chairman</u>	<u>Chairman</u>			
	<u>Secretary</u>	<u>Finance Officer</u>			
	<u>Finance Officer</u>				

3. Activities / Projects / Achievements


4. Ongoing Issues

CONDITION O.K. OVAL CONDITION NOT
GOOD FOR HALF SEASON FOR CRICKET.
SINCE VARIANTS ON OVAL HAS SINCE RECOVERED
50%.

5. Completed
Maintenance

Minor Maintenance

6. Financial Report

Has been done. and marked 

Please detail any other
relevant information:

VARIOUS VOLUNTEERS NO. 5.
VOLUNTEERS. CANTEN.
MAUREEN. CAMPBELL
PATRICK CAMPBELL

PRIVACY STATEMENT

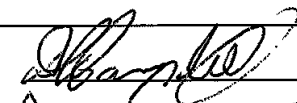
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Signature



Date:

30 / 8 / 16

Printed Name

DONALD CHARLES CAMPBELL

Position

CHAIRPERSON.

BROKEN HILL

355 COMMITTEE ANNUAL REPORT

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SECTION 355 COMMITTEE

Name of Committee: NORM FOX SPORTS COMMITTEE Community Committee

Annual Report
Period:

ANNUAL REPORT

	Date of Meeting	Meeting conducted	No quorum, meeting not held
1. Number of meetings conducted and dates of meetings			<u>No Meeting</u>

	Member Name	Date	Date	Date	Date
2. Attendance by Members					

3. Activities / Projects / Achievements

4. Ongoing Issues

CONDITION OF GUAL. RECOVERING
hope full of recovery

5. Completed
Maintenance

Toilets 3 ok new General Maintenance
new watering system. Sprinkler
system for oval

6. Financial Report

Has been done and marked

Please detail any other
relevant information:

~~Loss of members David Medhurst
Resigned~~

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Signature

Date: 30-8-2016

Printed Name

David Charles Campbell

Position

CHAIRPERSON

BROKEN HILL

355 COMMITTEE ANNUAL REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 355 COMMITTEE

Name of Committee: NORM FOX SPORTS COMPLEX COMMUNITY COMMITTEE

Annual Report
Period: _____

ANNUAL REPORT

1. Number of meetings conducted and dates of meetings	Date of Meeting	Meeting conducted	No quorum, meeting not held	

2. Attendance by Members	Member Name	Date	Date	Date	Date

3. Activities / Projects / Achievements

4. Ongoing Issues

Overall issues. Last year -
even rectified -

5. Completed
Maintenance

General Maintenance Toilet - 3
Watering System Renewed

6. Financial Report

Has been Done and Marked
by Auditor

Please detail any other
relevant information:

Loss of members due medical
or Resigns

PRIVACY STATEMENT

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Signature

Don Campbell

Date:

30/8/2016

Printed Name

DONALD CHARLES CAMPBELL

Position

Chairperson

BROKEN HILL
CITY COUNCIL

355 COMMITTEE TERM REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 355 COMMITTEE

Name of Committee: Barrier Industrial Union's Band Hall S355 Committee

Term Report Period: 2016 (Committee only formed in 2016)

TERM REPORT

1. The Committee –
provide an overview
of the responsibilities of
the Committee

The BIU Band S355 Committee was only formed in April 2016, after the splitting of the BIU Band Hall & Soccer Complex S355 Committee at the end of 2015.

There was considerable confusion about the new constitution, which was created by council without any consultation with the relevant parties. This

Please see above.

**2. Activities / Projects /
Achievements /
Highlights**

3. Ongoing Issues

The committee is new, and significantly different in scope (hall hire was previously done by the BIU Band itself) to the previous committee. There will be a lot of bugs to be worked out after the Council Elections.

Please detail any other
relevant information:

PRIVACY STATEMENT

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Signature

Caroline Dunning

Digitally signed by Caroline Dunning
Date: 2016.08.30 15:07:40 +09'30'

Date: 30/8/16

Printed Name

Caroline Dunning

Position

Deputy Chair

TERM REPORT – BIU BAND HALL COMMITTEE

1 . The Committee – provide an overview of the responsibilities of the Committee

The BIU Band S355 Committee was only formed in April 2016, after the splitting of the BIU Band Hall & Soccer Complex S355 Committee at the end of 2015.

There was considerable confusion about the new constitution, which was created by council without any consultation with the relevant parties. This meant that a secretary and treasurer were not elected, as these positions would be significantly different depending on what the clarification of committee was. The committee's questions were not answered until the 15th of July. It was suggested in this reply that the committee be put on hold until after the Council Elections.

According to the Council, the new committee's responsibilities are: Hall hire, cleaning, electricity and forwarding of maintenance requests on to council for the BIU Band Hall.

BROKEN HILL
CITY COUNCIL

355 COMMITTEE TERM REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 355 COMMITTEE

Name of Committee: Broken Hill Regional Art Gallery Ad

Term Report Period: 2012 - 2016

TERM REPORT

See attached

1. **The Committee** –
provide an overview
of the responsibilities of
the Committee

See attached

2. **Activities / Projects /
Achievements /
Highlights**

Nil

3. **Ongoing Issues**

Please detail any other
relevant information:

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Signature



Date: 08/09/2016

Printed Name

Andrea Roberts

Position

Manager Economic Development and Culture

AUSTRALIA'S FIRST HERITAGE LISTED CITY

The Broken Hill Regional Art Gallery is comprised of 10 Members made up of the following:

- 3 Councillors
- 6 Community members
- 1 Council Contact Officer

2012 -2016 Activities/Projects/Achievements

Preselection of art works for the Pro Hart Outback Art Prize in 2013 / 2014 / 2015 /2016

Consultation of public art work. All proposed public art is assessed by the committee for approval.

Approval of donated art works being accessioned into the collection of the Broken Hill Regional Art Gallery. These have been works of local and national significance including

- Victor Gordon's donation of his artwork – Sanguine Terminus at White Rocks
- Anne Jaumees sponsorship donation for public art in Broken Hill.
- Robert Stollar

The committee was involved in the application process for local artists to exhibit. Exhibitions include

- Visiting sculptor and drawer artist from Brooklyn, New York Linda Matalon "Objects and Energies"

Local Artist Exhibitions

- Ann Evers
- Fay Attard
- Glenda Beeston
- Thomas Degens
- Dennis Hebbard
- Keleigh Woodards
- Glynis Thorp and Brian Harris
- 10th Anniversary of the Broken Hill Regional Art Gallery being in the Sully's Building and 110th Anniversary of the collection in October/ November.

The committee reviewed all of Council's policies relating to art including Acquisition, Appraisals, Donations and Gifts, Loans and Gifts, Reporting Procedures and Public Arts.

BROKEN HILL
CITY COUNCIL

355 COMMITTEE TERM REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 355 COMMITTEE

Name of Committee: Friends of the Flora and Fauna of the Barrier Ranges Community Committee

Term Report Period: 2012 - 2016

TERM REPORT

1. **The Committee** –
provide an overview
of the responsibilities of
the Committee

The Committee is responsible for working with the Living Desert Ranger to maintain the Living Desert Flora and Fauna Sanctuary, which has been established to protect local flora and fauna and create passive recreation opportunities for visitors.

2. **Activities / Projects /
Achievements /
Highlights**

On-going Support with opening and closing of the Living Desert Reserve - once every 3 weeks and extra support as required (annual leave etc)
Utilizing recycled pavers and recycled crushed bitumen on existing pathways to improve safety for walking throughout the Sanctuary area of the Living Desert as required

3. **Ongoing Issues**

Continued weeding program and continued path upgrades including disabled access to information area in the Sanctuary
Upgrade of information hut at the entrance area

Please detail any other
relevant information:

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Signature



Date: 17/08/16

Printed Name

Darrell Ford

Position

Living Desert Ranger

AUSTRALIA'S FIRST HERITAGE LISTED CITY

BROKEN HILL

355 COMMITTEE TERM REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 355 COMMITTEE

Name of Committee: Norm - Fox SPORTS COMPLEX - Community COMMITTEE

Term Report Period: _____

TERM REPORT

1. The Committee –
provide an overview
of the responsibilities of
the Committee

2. Activities / Projects /
Achievements /
Highlights

3. Ongoing Issues

Please detail any other
relevant information:

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Signature

Printed Name

Position

Date:

[Signature]
DENNIS CHARLES CAMPBELL
CHAIRPERSON

30-8-2016

ORDINARY MEETING OF THE COUNCIL

September 16, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 205/16

SUBJECT: AUDIT, RISK AND IMPROVEMENT COMMITTEE - INDEPENDENT MEMBERS APPOINTMENT 13/19

Recommendation

1. That Broken Hill City Council Report No. 205/16 dated September 16, 2016, be received.
2. That Council appoint Mr. James Mitchell and Mr. Damian Pulgies as the two (2) independent members of the Broken Hill City Council Audit, Risk and Improvement Committee.

Executive Summary:

It is a requirement under the *Local Government Act 1993* for Councils to elect an Audit, Risk and Improvement Committee for each new term of Council. Appointments will be for four (4) years, concluding at the 2020 Local Government General Elections. It is recommended by the Office of Local Government, that Council appoints two independent members to the committee, one of which will be appointed to chair. This committee replaces Council's current Audit committee.

Report:

Chapter 13, Part 4A of the Local Government Amendment (Governance and Planning) Bill 2016 (NSW), states that a Council must appoint an Audit, Risk and Improvement Committee.

The Committee must keep under review the following aspects of the council's operations:

- (a) Compliance
- (b) Risk management,
- (c) Fraud control,
- (d) Financial management,
- (e) Governance,
- (f) Implementation of the strategic plan, delivery program and strategies,
- (g) Service reviews,
- (h) Collection of performance measurement data by the council,
- (i) Any other matters prescribed by the regulations.

Advertisements for the Independent Member positions on the Broken Hill City Council Audit, Risk and Improvement Committee were advertised in the Barrier Daily Truth, Council's website, Council's Facebook Page and LinkedIn.

The selection Criteria for applications was advertised as follows:

- Knowledge of local government
- Strong communication skills
- High levels of personal integrity and ethics
- Sufficient time available to devote to their responsibilities as a Committee Member
- High levels of financial integrity and, if possible accounting, financial, legal compliance and/or risk management experience or qualifications.

At the close of business on Friday, 9 September 2016 six (6) applications had been received by Council, from the following individuals:

- Mr James Mitchell
- Mr Damian Pulgies
- Mr Thomas Hynes
- Mr Jai Ram
- Mr Andrew Smith
- Mr Dean Gearen

Council wishes to applaud the high level of applications for the position and was impressed by the high quality of applications received.

All applications were assessed against the selection criteria as follows:

	Knowledge of Local Government	Communications Skills	Personal Integrity and Ethics	Sufficient Time Available	Financial Integrity and Qualifications	Overall Assessment
James Mitchell	Yes	Yes	Yes	Yes	Yes	Recommended
Damian Pulgies	Limited	Yes	Yes	Yes	Yes	Recommended
Thomas Hynes	Limited	Yes	Yes	Yes	Yes	Not Recommended
Jai Ram	Yes	Yes	Yes	Unclear	Yes	Not Recommended
Andrew Smith	No	Yes	Yes	Unclear	Limited	Not Recommended
Dean Gearen	No	Yes	Yes	Yes	Limited	Not Recommended

James Mitchell is recommended for an independent position on the Audit, Risk and Improvement Committee as he brings a wealth of financial, local government, audit and risk knowledge and has chaired a number of Local Government and State Government Audit & Risk Committee's throughout NSW.

Damian Pulgies, whilst he does not possess a strong background in local government, has extensive financial experience dating back to 1994, in particular audit and risk experience with global corporations that would suggest that he has acquired the skills, experience and insights needed to add significant value as an independent Audit, Risk and Improvement Committee member.

Thomas Hynes, whilst he has a high level of experience and knowledge in the fields of finance, legal compliance, risk and audit and would be a very capable member of the Audit, Risk and Improvement Committee, his limited experience in Local Government and his lack of recent exposure in senior financial management positions, puts his application second to Damian Pulgies.

With regard Jai Ram, it is not clear from Mr Ram's application whether he will have immediate time to devote to the Audit, Risk and Improvement Committee given his location in Toowoomba and the requirement for travelling time and full time work obligations. He advises that he does plan to retire next year which may mean a change in his circumstances in the future. Mr Ram has extensive experience in internal audit positions but is lacking recent experience in senior financial management positions within an organisation. As with Thomas Hynes, Jai Ram would be a capable member of the Audit, Risk and Improvement

Committee but due to the high level of applications received from James Mitchell and Damian Pulgies, Jai Ram is not among the preferred applicants.

In the case of Andrew Smith and Dean Gearen, both applications lacked local government experience and financial qualifications suitable for an appointment to the Audit, Risk and Improvement Committee.

The advertisement for the independent members of the Audit, Risk and Improvement Committee also stated that nominations for the position of Independent Chair would be accepted. Neither of the two preferred applicants indicated whether they were applying for the role of chairperson. It is appropriate that the Committee itself choose the Chairperson, which should take place at the first committee meeting currently scheduled for Thursday 6 October 2016.

Strategic Direction:

Key Direction:	Our Leadership
Objective:	Openness and Transparency in Decision Making
Function:	Decision-makers provide accountability through planning and reporting frameworks.
DP Action:	Maintain good governance and best practice methods and ensure compliance with various guidelines and legislation

Relevant Legislation:

Local Government Amendment (Governance and Planning) Bill 2016 (NSW)

Financial Implications:

The establishment of an independent Audit, Risk and Improvement Committee will strengthen Council's risk and financial governance arrangements.

A budget of \$12,000 was adopted in the 2016/2017 operational plan for the ongoing costs of the Audit, Risk and Improvement Committee.

Attachments

There are no attachments for this report.

JAY NANKIVELL
FINANCE MANAGER

JAMES RONCON
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

September 16, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 206/16

SUBJECT: SAFE HAVEN ENTERPRISE VISA SCHEME 11/161

Recommendation

1. That Broken Hill City Council Report No. 206/16 dated September 16, 2016, be received.
2. That Council provides in principle support for participation in the SHEV scheme.
3. That Council obtain further information on type and level of State and Federal support that would accompany involvement.
4. That Council, pending the outcome of further discussions with State and Federal Departments around the levels of support available, engage community and stakeholder agencies in their views, state of preparedness and interests on this issue.

Executive Summary:

All Councils in NSW with the exception of Sydney, Newcastle, Wollongong and the Central Coast areas have received a letter from The Hon Catherine Cusack (MLC), Parliamentary Secretary to the Premier, regarding the Safe Haven Enterprise Visa (SHEV) scheme seeking Councils' views on their community's willingness to welcome new arrivals and the level of support and opportunities their community may be able to offer refugees.

Report:

All Councils in NSW with the exception of Sydney, Newcastle, Wollongong and the Central Coast areas have received a letter from The Hon Catherine Cusack (MLC), Parliamentary Secretary to the Premier, regarding the Safe Haven Enterprise Visa (SHEV) scheme seeking Councils' views on their community's willingness to welcome new arrivals and the level of support and opportunities their community may be able to offer refugees.

The letter points out that NSW was the first state to sign up to the SHEV which provides asylum seekers an alternative to the Temporary Protection Visa with a five-year option to live, study and work in regional NSW.

These visas will be available to those assessed to be genuine refugees by the Commonwealth Government.

SHEV holders have access to a range of Commonwealth and NSW Government services including employment services (such as Jobactive and the Australian Apprenticeship Scheme), primary and secondary education, TAFE, Medicare and mental health support services amongst others. They also have the same workplace rights as Australian workers, including access to the minimum wage.

The NSW Government recognises that it will be important that asylum seekers and refugees are encouraged to settle in areas with services and infrastructure to support them.

The letter goes on to say that this project will help provide labour in our regions where some jobs are difficult to fill and match the contribution of individuals and families aspiring to be good citizens.

In addition, the NSW Government is interested in Councils' views on the best ways to work together with local government to ensure successful resettlement outcomes.

Local Government NSW seeks community views and interests on this project by 14 October 2016 by any Councils interested in hosting SHEV holders in their area.

Discussion

It is unfortunate that a very short response time frame, namely by 14 October, was given for a detailed consultation to occur with community and stakeholder agencies on such an important project which could hold significant benefit for Broken Hill, in terms of its social, tourism and economic impacts. Certainly, there are Councils throughout Australia which have benefitted greatly from this type of settlement.

Fortunately, Council does have some background on the matter of refugee settlement.

Council will recall that at its Ordinary Meeting 25 November, 2015 (Minute No 45122) that following requests from some sections of the community to explore the possibility of resettlement of Syrian Refugees, Cr. Christine Adams undertook a fact finding exploration with stakeholders, a short survey at community markets, a review of social media responses and discussion with Federal and State Members of Parliament at the time.

Whilst the exploration was undertaken at a time when there was much less certainty around the status of refugees and the level of support to be provided by the Federal government, this time round, there is clarity with the delivery of the SHEV programme.

Cr. Adams' report outlined a city with history in accepting immigrants into a thriving mining community, current level of available housing, education and a wide range of health and welfare infrastructure. It reported a general positive view of acceptance by persons who provided feedback but premised on State and Federal assistance to expand local employment opportunities, preparation of support services for responsive service delivery, financial assistance for building ownership/renovations.

It is important that Council further explore the opportunities within this project by engaging in further discussion with State and Federal Departments.

It is recommended that Council provide in principle support for participation in the SHEV scheme, obtain further information on type and level of State and Federal support that would accompany involvement, particularly when the letter specifically calls for Councils' views 'about the best ways to work together with local government to ensure successful resettlement outcomes,' and engage community and stakeholder agencies in their views, state of preparedness and interests on this issue.

Strategic Direction:

Key Direction:	Our Leadership
Objective:	4.2 Our leaders make smart decisions
Function:	Leadership and Governance
DP Action:	4.2.1.12 Monitor potential changes to government policy and legislation and make submission where considered important for the local community

Relevant Legislation:

Not applicable

Financial Implications:

There are potential economic benefits to be explored.

Attachments

- | | |
|---|------------|
| 1. Correspondence from NSW Government Parliamentary Secretary to the Premier re Safe Haven Enterprise Visa Scheme | 5
Pages |
| 2. Mayoral Minute - Syrian Refugees | 3
Pages |

RAZIJA NU'MAN
DIVISION MANAGER CORPORATE AND HUMAN SERVICES

JAMES RONCON
GENERAL MANAGER



The Hon Catherine Cusack MLC
Parliamentary Secretary to the Premier

Reference: 2016-A1718646

Clr Wincen Cuy
Mayor
Broken Hill City Council
PO Box 448
BROKEN HILL NSW 2880

Dear Mayor

RE: SAFE HAVEN ENTERPRISE VISA SCHEME

As you may be aware, NSW was the first state to sign up to the Safe Haven Enterprise Visa (SHEV) scheme, which will give asylum seekers an alternative to the Temporary Protection Visa, with a five-year option to live, study and work in regional NSW.

These visas will be available to those assessed to be genuine refugees by the Commonwealth Government and who indicate they are prepared to work or study in NSW. Sydney, Newcastle, Wollongong and the Central Coast areas are excluded from this scheme. The Department of Immigration and Border Protection provides further information on SHEVs at <http://www.ima.border.gov.au/en/Applying-for-a-protection-visa/Safe-Haven-Enterprise-visas>.

This is good news for regional NSW as it will help provide labour in our regions where some jobs are difficult to fill and match the contribution of individuals and families aspiring to be good citizens.

The NSW Government is committed to working with the Commonwealth Government and service providers to achieve the best outcomes for asylum seekers and refugees living in NSW. It also recognises that it will be important that asylum seekers and refugees are encouraged to settle in areas with services and infrastructure to support them.

SHEV holders have access to a range of Commonwealth and NSW Government services including employment services (such as Jobactive and the Australian Apprenticeship Scheme), primary and secondary education, TAFE, Medicare, and mental health support services amongst others. They also have the same workplace rights as Australian workers, including access to the minimum wage. The attached factsheet provides a detailed list of services available to SHEV holders.

As Mayor of a regional location included in the SHEV scheme, we are seeking your views on your community's willingness to welcome new arrivals and the support and opportunities your community may be able to offer refugees. In addition, the NSW Government is interested in your views about the best ways to work together with local government to ensure successful resettlement outcomes.

2

Local Government NSW encourages you to seek your community's views and interests on this issue. Please contact Natalie Juresic at Multicultural NSW on Natalie.juresic@multicultural.nsw.gov.au by 14 October 2016 if you are interested in hosting SHEV holders in your area or would like further information about the scheme.

Yours sincerely



Cr Keith Rhoades AFSM
PRESIDENT
LOCAL GOVERNMENT NSW



The Hon. Catherine Cusack MLC
PARLIAMENTARY SECRETARY TO THE PREMIER



Australian Government
Department of Immigration
and Border Protection

Summary of Commonwealth entitlements, services and support for Temporary Protection visa (TPV) and Safe Haven Enterprise visa (SHEV) holders

Entitlement/service/support	Access
Employment	
Work	There are no work restrictions for TPV/SHEV holders. TPV/SHEV holders have work rights and entitlements, including access to the Fair Work Ombudsman.
Employment Services	TPV/SHEV holders have access to <i>jobactive</i> . This service is provided to people receiving income support payment from Centrelink and assists them to find and retain work which suits their circumstances.
Education	
Education	There are no restrictions on TPV/SHEV holders attending public primary and secondary schooling. TPV/SHEV holders who turn 18 in a final year of study may complete that year. Secondary schooling at TAFE is not funded by the Commonwealth. TPV/SHEV holders who gain entry to a TAFE college or other tertiary institution such as university are not funded by the Commonwealth and are considered to be full fee paying students.

Entitlement/service/support	Access
HECS-HELP scheme	TPV/SHEV holders are not eligible to access the HECS-HELP scheme (a Commonwealth Government loan scheme available to eligible students enrolled in Commonwealth supported places).
Adult Migrant English Programme (AMEP)	TPV/SHEV holders are able to access AMEP. AMEP provides up to 510 hours of free English language tuition to assist in development of English language and settlement skills. AMEP funding is available until 30 June 2016.
Skills for Education and Employment (SEE)	TPV/SHEV holders have access, subject to meeting a number of eligibility criteria including looking for work and in receipt of one of a number of income support payments from Centrelink. If under 21 years an applicant does not need to be in receipt of income support. Adult Migrant English Program (AMEP) clients are eligible for referral to the SEE Program, however, upon commencement, the client's participation in AMEP will cease.
Translating and Interpreting Service (TIS)	TPV/SHEV holders can access free Interpreting services to assist with Medicare and other health services provided by GPs, medical specialists and pharmacists. TPV/SHEV holders also have access to a free translating service for two years following the grant of their initial visa, to allow translation of selected documents.
English as a Second Language (ESL) Programmes	TPV/SHEV holders are no longer eligible for tailored ESL programmes. TPV/SHEV holders can enrol in ESL and language classes at their own cost or as part of mainstream services provision. <u>Note:</u> Individuals are no longer eligible for funding under the 2015/16 IMA ESL Programme, however, adults are able to complete any Department funded ESL course they were completing at the time of their TPV/SHEV grant.
Social services and healthcare	
Centrelink payments (social services)	TPV/SHEV holders may be eligible for some social security (Centrelink) payments such as Special Benefit, Rent Assistance and family assistance payments. Other benefits may also be available, depending on the individual's financial and other circumstances.
Healthcare (Medicare)	TPV/SHEV holders are eligible for Medicare support from the date of their visa grant. Some Medicare services require a contribution from the individual.
Access to torture and trauma counselling	TPV/SHEV holders can access counselling through the Member agencies of the Forum of Australian Services for Survivors of Torture and Trauma.
Access to mental health support	TPV/SHEV holders who require mental health support can access Allied Psychological Services following referral from their General Practitioner.

Summary of Commonwealth entitlements, services and support that Temporary Protection visa (TPV) and Safe Haven Enterprise visa (SHEV) holders can access | 2

Entitlement/service/support	Access
National Disability Insurance Scheme (NDIS)	TPV/SHEV holders are not eligible to receive support through the NDIS.
Other	
Transitional support arrangements	TPV/SHEV holders may be eligible to receive transitional support depending on their circumstances (including their previous access to support).
Complex Case Support (CCS)	TPV/SHEV holders are eligible for CCS on an as-needs basis. CCS provides specialised and intensive case management services to address the person's immediate and complex needs.
Humanitarian Settlement Services	TPV/SHEV holders do not have access to Humanitarian Settlement Services.
Settlement Services Grants	TPV/SHEV holders do not have access to Settlement Services Grants.
Additional Services	TPV/SHEV holders are able to access other services, including (subject to standard eligibility assessment by the relevant agency): <ul style="list-style-type: none"> • Family Law and Legal Aid Services (www.australia.gov.au) • Family and Relationship Service: (www.familyrelationships.gov.au) • Children and Parenting Services (www.dss.gov.au) • Substance Misuse Services (www.health.gov.au, or relevant state or territory Department of Health websites) • Headspace: Support, information and assistance for people 12-25 experiencing moderate mental health issues (www.headspace.org.au) • Mental Health Respite Carer Support Programme and National Carer Counselling Service: Assistance for those caring for a person with mental ill health (www.dss.gov.au) • Partners in Recovery: Assistance for those experiencing severe and complex mental illness and complex needs (www.health.gov.au)

For more comprehensive information on a range of Commonwealth services and support for TPV and SHEV holders see: <https://www.dss.gov.au/settlement-and-multicultural-affairs/programs-policy/australian-government-support>

Summary of Commonwealth entitlements, services and support that Temporary Protection visa (TPV) and Safe Haven Enterprise visa (SHEV) holders can access | 3

Ordinary Meeting of the Council

25 November 2015

ORDINARY MEETING OF THE COUNCIL

November 18, 2015

MAYORAL MINUTE NO. 11/15SUBJECT: SYRIAN REFUGEES 11/161**Summary**

Following requests from some sections of the community to explore the possible resettlement of Syrian Refugees in Broken Hill, I approached Cr. Christine Adams to further examine what may be needed in terms of Council and stakeholder support before any significant consultation takes place with our community on the subject.

I thank Cr. Adams for the considerable effort she has put in in trying to gain as much information to present to Council and ultimately our community.

The following report from Councillor Adams:

The Mayor suggested I research the possibility of offering Syrian refugees haven in Broken Hill as a fact finding exercise only, following media reports Council and Susan Ley had had discussions regarding a settlement. That initial contact with the office was regarding information, there was no offer put forward to resettle refugees in the city as we did not have the required facts to go to the community.

The following sets out a range of information, both positive and negative, in an attempt to gain some clarity around the national resettlement.

What has been difficult to ascertain is:

- How will Australian/State Governments assist a community willing to offer sanctuary to Syrian refugees?
- Is there a possibility of setting up an industry to assist employment in an area that experiences high unemployment levels?
- We have several hundred empty houses within our city that would require upgrading. Would there be financial assistance to do so?
- Headspace will be active in the city from next year. Will an organisation such as Headspace be able to provide services to the Syrian refugees if they were located in Broken Hill?

Councillors conducted a short survey at the community markets in September. The overall response from 51 responses was : 41 Yes; 8 NO; 2 Undecided.

Since that time there has been an extraordinary number of posts on Facebook; once again divided. It is important to note that many Facebook contributors have made multiple comments.

Many supporting the possibility were influenced by the successful migration of Post Second World War Two to Broken Hill. Whilst that cannot be denied we are not that

Ordinary Meeting of the Council

25 November 2015

affluent city now.

Those opposing the possibility of the city accepting refugees have valid reasons; high unemployment, homelessness, reduced government services. For some there is a genuine fear of increased violence within our community. Their concerns are exactly the questions I have posed to various government departments assuming due process of refugees occurred before settlement in Australia.

I have contacted both Federal and State Government Offices, Local member for Barwon Kevin Humphries and talked with staff at Sussan Ley's office. While I have been given a number of government bodies and advocacy groups to gain information, I am waiting replies from most. Professor Peter Sheargold AC, recently appointed NSW Coordinator-General for Refugee Resettlement, stated in a Media Release (7/10/2015) from the NSW Department of Premier and Cabinet:

"The availability of accommodation and services such as health, counselling and pathways to education and local business opportunities will be critical to successful resettlement".

My interpretation from that comment is the services mentioned would already be strong within the areas chosen but I look forward to future information from the Departments I have contacted.

In approaching various stakeholder groups, I provided the following:

Broken Hill citizens, like many within Australia, were shocked and saddened by recent events and, like other Australians, have reacted in different ways. Some residents immediately want to offer our city as a haven for the refugees; others do not. In saying that only a small number have commented on the possibility. Broken Hill's Mayor, Councillor Wincen Cuy has asked me to collate as much information as possible re the settlement of refugees in a small city so that we can, if and when the time comes, present a detailed accurate report to the Broken Hill residents because, ultimately it would be their decision if our city could offer a new life to Syrian refugees.

Broken Hill was one city that successfully welcomed thousands of migrants post Second War from the former Yugoslavia, Italy, Malta, Greece and other European countries. At that time we were a population of over 30 thousand; today we are 20,000 and ageing; many of the migrants arrived through chain migration so they had family/friend support; today we do not have a Syrian community. Post WW2 migrants share similar core values re religion; today is similar and we do have a small community of Sufi living in our city. Employment opportunities post WW2 were abundant; today we have high unemployment and a large number of persons on welfare benefits.

Importantly we need to address those issues and have clarity on what assistance both government and other organisations can deliver.

We have several hundred empty houses within our city that would require upgrading. Would there be financial assistance to do so?

I have mentioned Headspace will be present in 2016. Will an organisation such as headspace be able to provide services to the Syrian refugees if they were located in Broken Hill?

Ordinary Meeting of the Council

25 November 2015

Would the Australian/State Government assist in setting up an industry to assist employment?

Good intentions are admirable but we as a community will need to know we can offer security, friendship, hope and opportunity if we are to consider refugee settlement in Broken Hill.

Will appreciate any advice you can supply.

It does seem that both Australian and State Governments are still grappling with the complexities of Syrian settlement within Australia. Professor Sheargold also stated settlement will be a staged process over approximately 18 months and NSW will settle at least 4,000 Syrian and Iraqi refugees. He said that the humanitarian crisis occurring in the Middle East is unpredictable and Australia and NSW are working within that context.

Given that our questions still remain unanswered it is difficult to take a case to the Broken Hill community regarding the possible resettlement or support for resettlement for Syrian refugees within our community.

This is based on:

- Employment opportunities
- Support Services
- Financial assistance for building ownership/ renovations
- Lack of information State/ Federal Assistance

Recommendation

That Mayoral Minute No. 11/15 dated November 18, 2015, be received and endorsed.

That with a lack of solid information from the State and Federal Governments in relation to a seamless integration of Syrian Refugees into the Broken Hill community that Council does not continue to pursue this matter further.

Attachments

There are no attachments for this report.

W CUY
MAYOR

ORDINARY MEETING OF THE COUNCIL

September 16, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 207/16

SUBJECT: MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO
363 HELD TUESDAY SEPTEMBER 6, 2016 11/397

Recommendation

1. That Broken Hill City Council Report No. 207/16 dated September 16, 2016, be received.
2. That the minutes for the Local Traffic Committee Meeting No. 363, held 6 September 2016, be received.
3. That Council adopt the recommendation of the Traffic Committee meeting held September 6, 2016.
 - a. 363.8.2 - That Council write to Mr Regan Edgecumbe thanking him for his comments and advising Mr Edgecumbe that Council has held extensive community consultation regarding the Parking Strategy and have recommended a review of the Parking Strategy after a trial period of 12 months; his comments will be considered as part of this process.
 - b. 363.8.3 - That Council write to Ms Pauline Jones thanking her for her comments and advising Ms Jones that Council has held extensive community consultation regarding the Parking Strategy and have recommended a review of the Parking Strategy after a trial period of 12 months; her comments will be considered as part of this process.

Executive Summary:

Guidelines published in March 2009 by the Roads and Traffic Authority (now known as the Roads and Maritime Services), titled '*A guide to the delegation to councils for the regulation of traffic*' states: "The Local Traffic Committee (LTC) has no decision-making powers and is primarily a technical review committee. It only advises the Council on matters for which the Council has delegated authority, being certain prescribed traffic control devices and traffic control facilities.

The Council must refer all traffic related matters to the LTC prior to exercising its delegated functions. Matters related to State Roads or functions that have not been delegated to the elected Council must be referred directly to Roads and Maritime Services or relevant organisation. Such matters must not be referred to the LTC.

Council is not bound by the advice given by its LTC. However if Council does wish to act contrary to the unanimous advice of the LTC or when the advice is not unanimous, it must notify Roads and Maritime Services & the NSW Police and wait 14 days before proceeding."

Report:

This report is to provide Council with the minutes and action list of the Local Traffic Committee meeting held 6 September 2016, which details recommendations to Council for consideration and adoption.

Strategic Direction:

Key Direction: 4. Our Leadership
 Objective: 4.3 United We Stand
 Function: Leadership & Governance
 DP Action: 4.3.1.1 Develop committees and/or workgroups for key issues and projects impacting Council and the City

Relevant Legislation:

- Road Transport (Safety and Traffic Management) Regulation 1999, and
- Road Rules 2008
- A guide to the delegation to councils for the regulation of traffic (guidelines)

Financial Implications:

Financial implications for any of the recommendations to Council will be detailed in the LTC minutes, if relevant.

Attachments

1. Local Traffic Committee Meeting No 363 - 6 September 2016 - minutes 3 Pages
2. Local Traffic Committee Meeting No 363 - 6 September 2016 - action list 14 Pages

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER

The Minutes of the Local Traffic Committee Meeting No. 363 have been approved by voting members on line:

All in favour:

Yet to vote:

Against:

MINUTES OF LOCAL TRAFFIC COMMITTEE MEETING NO. 363
HELD TUESDAY 6 SEPTEMBER 2016
COMMENCING AT 9.30 AM
GROUND FLOOR MEETING ROOM - COUNCIL ADMINISTRATION
BUILDING

MEETING OPEN: 9:35 am

Welcome to all present

363.1 PRESENT:

Andrew Bruggy	Acting Deputy General Manager, Broken Hill City Council
James Druitt	Asset Planner Transport - observer
Marion Browne	Councillor
Lacey Butcher	BHCC Minute Secretary
Joe Sulcich	Roads and Maritime Services Representative
Sergeant Kerri Lane	Broken Hill Police Representative
Peter Beven	Local Member Representative
Andrew Schultz	Broken Hill City Council – observer
Rebecca McLaughlin	Broken Hill City Council – observer

Andrew advised that Andrew Schultz and Rebecca McLaughlin were observing for Chairperson training.

363.2 APOLOGIES: Nil

ABSENT: Nil

363.3 DISCLOSURE OF INTEREST: Nil

363.4 REPRESENTATIONS: Nil

363.5 ADOPTION OF PREVIOUS MINUTES:

It was noted that the previous minutes of meeting No.362 held 2 August 2016 were confirmed via online voting as follows:

All in favour:	RMS, BHCC and Local Member
Yet to vote:	Police
Against:	Nil

363.6 COUNCIL RESOLUTIONS ON TRAFFIC COMMITTEE MATTERS:

The following Committee Recommendations were endorsed by Council at its meeting held 31 August 2016

ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 183/16 - DATED AUGUST 17, 2016 -
MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO.362, HELD 2 AUGUST 2016

11/397

Recommendation

1. That Broken Hill City Council Report No. 183/16 dated August 17, 2016, be received.
2. That the Minutes for the Local Traffic Committee Meeting No.362, held August 2, 2016 be received.

RESOLUTION

Minute No. 45324

Councillor D. Gallagher moved

Councillor M. Browne seconded

)

)

That the recommendation of item 16 be adopted.

CARRIED

363.7 MATTERS ARISING FROM THE PREVIOUS MEETING or FROM COUNCIL RESOLUTIONS:
Nil

363.8 CORRESPONDENCE IN:

363.8.1 Marilyn Harris

Request to review Motorbike parking bays in front of 207 Argent Street, Broken Hill (This issue was previously raised in August LTC).

Recommendation:

The Chairperson requested that the Asset Planner Transport investigate removal of the motorbike bays and replacement with car parking bays and report back to the Committee for further recommendation to Council.

Agreed Action

The Chairperson requested that the Asset Planner Transport investigate removal of the motorbike bays and replacement with car parking bays and report back to the Committee for further recommendation to Council.

All in Favour: BHCC, RMS, Police and Local Member Representative
Yet to Vote: Nil
Against: Nil

363.8.2 Repco, Store Manager, Mr Regan Edgecumbe

Request for review of the four hour parking zone located in the vicinity of 7 Oxide Street, Broken Hill.

Recommendation:

That the committee recommend to Council that Council write to Mr Regan Edgecumbe thanking him for his comments and advising Mr Edgecumbe that Council has held extensive community consultation regarding the Parking Strategy and have recommended a review of the Parking Strategy after a trial period of 12 months; his comments will be considered as part of this process.

Agreed Action

That the committee recommend to Council that Council write to Mr Regan Edgecumbe thanking him for his comments and advising Mr Edgecumbe that Council has held extensive community consultation regarding the Parking Strategy and have recommended a review of the Parking Strategy after a trial period of 12 months; his comments will be considered as part of this process.

All in Favour: BHCC, RMS, Police and Local Member Representative
Yet to Vote: Nil
Against: Nil

363.8.3 Ms Pauline Jones – Randall Jones Automotive

Request for review of the four hour parking zone located in the vicinity of 5 and 7 Oxide Street, Broken Hill.

Recommendation:

That the committee recommend to Council that Council write to Ms Pauline Jones thanking her for her comments and advising Ms Jones that Council has held extensive community consultation regarding the Parking Strategy and have recommended a review of the Parking Strategy after a trial period of 12 months; her comments will be considered as part of this process.

Agreed Action

That the committee recommend to Council that Council write to Ms Pauline Jones thanking her for her comments and advising Ms Jones that Council has held extensive community consultation regarding the Parking Strategy and have recommended a review of the Parking Strategy after a trial period of 12 months; her comments will be considered as part of this process.

All in Favour: BHCC, RMS, Police and Local Member Representative
Yet to Vote: Nil

Against: Nil

363.9 GENERAL BUSINESS:
Nil

363.10 ITEMS FOR NEXT MEETING:
Nil

363.11 NEXT MEETING DATE: 4 October 2016

MEETING CLOSED: 10:54am

Action List - Local Traffic Committee

Updated: September 2016

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
346.8.3	<p>Fran McKinnon</p> <p>Request by Fran McKinnon, Nation Trust of Australia, Broken Hill and District Branch to establish directional signs to the site of the "Ambush train/ore truck" in the following locations:</p> <p>Cnr of Brookfield Avenue and Morgan Street and the Cnr of Doe & Hynes Streets with the following wording:</p> <p>"Ambush Site – Picnic Train Attack"</p>	D15/5750	10 March 2015	<p>Agreed Action:</p> <p><i>That Council invoice The National Trust of Australia, Broken Hill and District Branch for the funds they have available and that Council submits an application through the Tourist Attraction Signposting Assessment Committee for approval to erect tourist signs.</i></p> <p>Kath</p> <p>On approval from Council Meeting arrange invoice for payment of available funds and send with acceptance letter.</p> <p>15 April 2015 CRM 21449/2015</p> <p>Enter CRM for Himan and David Zaho requesting submission of application for signage through TASCO.</p> <p>Kath</p> <p>Printing of Tax Invoice requested and to be attached to letter for payment. COMPLETED</p> <p>2 June 2015</p> <p>Application has been submitted to TASCO waiting response.</p> <p>2 September 2015</p> <p>Andrew to follow up response to application with David Zhao and advise committee of update.</p> <p>October 7 2015</p> <p>Mr Joe Sulicich advised that signage for this area does not require approval from TASCO as the signs will not be erected on a State or RMS designated Road. There is a possibility that funding may be available through the RMS.</p> <p>4 November 2015</p> <p>Letter to be sent to Fran McKinnon requesting wording to be used on the signs.</p> <p>13 November</p> <p>Letter sent.</p> <p>David to obtain quotes for signs.</p> <p>Agreed Action:</p> <p><i>That Council order signs with the wording advised by Fran McKinnon being "Ambush Site – Picnic Train Attack 1km" and "Ambush Site – Picnic Train Attack and install at the corner of Brookfield Avenue and Morgan Street and Doe and Hynes Street.</i></p> <p>CRM 23968/2016</p> <p>CRM entered to have directional signage ordered and installed at the location.</p> <p>8 March 2016</p> <p>David Zhao advised that one quote has been received, still waiting on further quotes to be submitted.</p> <p>8 March 2016 Kath</p> <p>Letter issued to Fran requesting payment of funds to assist with the cost of producing signs.</p>	<p>14 April 2015</p> <p>1 April 2015</p> <p>7 July 2015</p> <p>October 2015</p> <p>Pending as of June 2016</p> <p>Pending as of July 2016</p> <p>Pending as of August 2016</p>
		D15/48358			
		D16/9966			

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			<p>5 April 2016</p> <p>April 14, 2016 D16/17865</p> <p>June 5, 2016</p> <p>June 9, 2016</p> <p>July 5, 2016</p> <p>July 25, 2016</p> <p>August 2, 2016</p>	<p>Councillor Browne to follow up date of payment and advise secretary for confirmation of funds received with Finance Operations Team.</p> <p>Councillor Brown advised funds have not yet been paid, as they are waiting for the funds to be received from head office in Sydney.</p> <p>Email received by Councillor Browne advising that discussion with Fran McKinnon regarding the funds - Fran advised issue with Sydney office and she will follow up.</p> <p>Penny Robinson to check if Council have received funds and advised Marion Browne if further follow up is required.</p> <p>Penny Robinson sent email to Marion Browne advising that at this time funds are still outstanding.</p> <p>Marion Brown advised the committee that the funds are now arranged and should be received by Council in the near future.</p> <p>As of July 25, 2016, funds remain indicating as outstanding.</p> <p>Marion Brown advised that as per the last update, the advice she has received is that funds are now arranged and should be received by Council in the near future.</p>	
353.7.1	<p>Thomas Street Speed Counters – Broken Hill Hospital & GP Super Clinic</p> <p>Original request received July 2014 from the Far West Local Health District to consider reducing the speed limit within the vicinity of the Hospital and the GP Super Clinic. Concerns were raised that pedestrian traffic has increase since the Super Clinic has opened.</p>	CRM 22603/2015	<p>September 30</p> <p>28 October 2015</p> <p>2 December 2015 Kath</p>	<p>Counters where placed in the area in December 2014, but the results from these counters are unable to be located.</p> <p>Counters have been requested to be relayed again for a two week period and the results will be reported back to the Committee.</p> <p>Spoke with David Zhao who advised the tubes will be installed within the next few weeks.</p> <p>Action undertaken, David to obtain results and submit to committee at the December meeting.</p> <p>Draft letter committee's recommendation from its meeting held December 2015.</p> <p>Recommendation:</p> <p><i>That no Zebra Crossing be installed at this location due to the fact that it would not met the Australian Standards for the volume of foot and vehicular traffic within the area.</i></p>	December 2015

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
		D15/53866	1 February 2016	That alternatives for traffic calming devise options be investigated and reported back to the committee for further discussion.	
			8 March 2016	Letter issued advising Committee's recommendation. Follow up with James Druitt to clarify if speed counters have been installed. Discussion held with David Zhao and James Druitt that the current information supplied to the committee does not provide an accurate indication of speed within this area.	April 2016 Advised action is now Complete - June 2016
			5 April 2016	Recommendation: That the tubes be re-instated for two weeks to capture speeds limit between 40km and 60km. That a report be prepared of the results and be submitted back to the Committee at the April committee meeting.	
			3 May 2016	Advised by James Druitt that counters are being installed this week for a two week period. Joe RMS recommended that the Vulnerable Pedestrian Standards be considered in the report back to the committee.	Pending
			3 May 2016 D16/23591	Speed counter results are back. Used over date of 6 – 15 April 2016 - indicates that 90% of drivers are driving under the speed limit in this zone. LTC committee note that there is no current issue in this zone.	
			5 June 2016	Letter drafted in response to the Hospital attention to Noni Inglis, and this action item to be removed once issued. - Letter issued.	
			July 5, 2016	This action item is to remain pending at this stage as James Druitt and Joe Sulicich to clarify requirements of Vulnerable Person Standards relating to this area.	
			August 2, 2016 James Druitt.	Further follow up undertaken by RMS, Joe Sulicich will provide an update to the August meeting. RMS, Joe Sulicich provided the committee with information on the standards for the Vulnerable Persons requirements for implementing a zebra crossing and advised that a raised crossing is preferable for this area. A traffic count is needed to make this determination. Council Officer, James Druitt is to arrange traffic count and report back to the committee the outcome.	

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			Sept 6, 2016	Joe Sulicich also advised that if this was eligible under the Vulnerable Persons requirements that Council could approach RMs to seek funding assistance. Council Officer, James Druitt reported a 400 per day pedestrian count between 7:30am – 3:15pm. Joe Sulicich to investigate if figures met the Vulnerable Persons requirements and if Council could approach RMs to seek funding assistance	
356.9.1	Wright and Warnock Street Intersection Councilor Browne has been approached by a resident for the Committee to consider alternative options to reduce speeds of motorists in this area as the current measures in place are not adequate.	D16/32609	1 February 2016 8 March 2016 30 May 2016 CRM 24806/2016 5 June 2016 July 5, 2016 August 2, 2016	Agreed action: <i>That Mr Andrew Bruggy, Acting Deputy General Manager write to residents within Wright street area for their consultation of installing a Col-de-sac at the intersection of Wright and Warnock Streets.</i> <i>David Zhao advised he will commence the consultation with residents.</i> <i>CRM entered requesting that David Zhao to commence consultation and report back to committee.</i> Pending as letter box drop to go out to residents in this area for comment. Letter box drop responses returned. Outcome is that Council will trial a 2 week that will see blocking access to Wright and Long Street in an attempt to divert traffic to Williams Street. The outcome will be reported back to the committee to decide on further action/outcome. Emergency services will required to be notified prior to these being erected. James Druitt to advise LTC secretary to issue email notification once dates are advised. (Surveys returned scanned into TRIM system) Traffic Speed count conducted with the following results: •Wright Street – 2698 Vehicles Below the speed limit •Wright Street – 337 Vehicles Above the speed limit •Long Street – 730 Vehicles Below the speed limit •Long Street – 39 Vehicles Above •Warnock Street – 8050 Vehicles Below the speed limit •Warnock Street – 362 Vehicles Above the speed limit Two week trial to commence of a temporary closure of the areas. Advertising in BDT to occur, letter box drop arranged for local residents by James Druitt and secretary to advise via email the local emergency services.	Pending as of June 2016 Pending as of July 2016

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			Sept 6, 2016	James Druitt to report the outcome and feedback to the committee for further review. Andrew Bruggy and James Druitt to investigate the installation of speed humps in Wright Street	
357.8.2	<p>Review of Speed Zone from Creedon Street/ Barrier Highway Intersection to Waste Depot Turn-off</p> <p>Currently the speed zone of 80km commences just past the Creedon Street and Barrier Highway intersection, and then requiring motorists to slow down to 60km within a short distant to ensure a safe left hand turn onto the Depot Road.</p> <p>It has been proposed that the speed limit be decreased to 60km until after the turn-off onto Depot Road to alleviate the need to slow suddenly.</p>	CRM 23805/2016	<p>Kath D16/15165</p> <p>Kath D16/15171</p> <p>3 May 2016</p> <p>5 June 2016</p> <p>July 5, 2016</p> <p>August 2, 2016</p> <p>Sept 6, 2016</p>	<p>Agreed Action:</p> <p><i>This request is outside of the Committee's scope, a letter is to be issued to the RMS to conduct a review of the current traffic speed zone and report back to the committee of their findings.</i></p> <p><i>Letter advising the next course of action issued to Rebecca McLaughlin outlining the committee's recommendation.</i></p> <p><i>Letter issued to RMS requesting a review to be undertaken and findings to be reported back to the LTC committee.</i></p> <p><i>Clarify with RMS in June meeting progress on review.</i></p> <p><i>Joe Sulicich - RMS Representative advised that he is to undertake the review.</i></p> <p><i>Review has been completed and Joe Sulicich - RMS Representative will provide and updated to the committee in August meeting.</i></p> <p><i>Joe Sulicich - RMS Representative advised outcome remains pending with RMS Parkes head office and he will advise the committee of outcome when possible. .</i></p> <p><i>Letter advising of outcome to be sent to Rebecca McLaughlin</i></p>	<p>Pending as of June 2016</p> <p>Pending as of July 2016</p> <p>Pending as of August 2016</p>
357.8.3	<p>Parking Issues 181 Newton Lane</p> <p>Complaint received from resident Mrs Hall of 181 Newton Lane, regarding parking issues and damages to her fence caused from parents dropping off and picking up children from Burke Ward Public School.</p> <p>The initial investigation into this matter was dealt with by Council's Ranger, Mr Geoff Creed and a report with suggested recommendation was submitted prior to the meeting for the Committee's consideration.</p>	D16/6235	<p>Kath</p> <p>CRM 24265/2016</p> <p>Penny D16/15178</p>	<p>Agreed Action:</p> <p><i>That Council source wooden Stopper Blocks to be installed in front of Mrs Hall's fence at 181 Newton Lane to prevent further damage to her fence.</i></p> <p><i>That "No Stopping" signs be installed along the whole lane between Gypsum Street and Harvy Street being on the opposite side to the Burke Ward Primary School grounds</i></p> <p><i>Letter to be drafted once approval of committee minutes endorsed by Council at the March Council meeting is received.</i></p> <p><i>CRM entered for actioning.</i></p> <p><i>Letter sent to Mrs Hall advising of the committee's recommendation</i></p>	Pending as of June 2016

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			<p>CRM 24265/2016 Response Received</p> <p>3 May 2016</p> <p>10 June 2016 CRM 24893/2016</p> <p>July 5, 2016</p> <p>August 2, 2016</p>	<p>Response to CRM received from David Zhao - Recommended to Purchase heavy duty plastic car stops which will cost around \$400.00 for purchase and install. – Response included for May meeting.</p> <p>CRM required pending response from May Council Meeting.</p> <p>CRM entered for works to commence.</p> <p>James Druitt is to arrange works and materials.</p> <p>Council Officer, James Druitt has advised the committee that 20 x old railway sleepers have been donated to council by ARTC. The only cost to council was \$350.00 for delivery costs.</p> <p>Sleepers to be laid shortly to complete this action item.</p> <p>COMPLETED 6/9/2016</p>	<p>Pending as of July 2016</p> <p>Pending as of August 2016</p>
357.9.1	<p>Galena & Wright Street Intersection</p> <p>Senior Constable Chaff advised the Committee that the Police have had incidents recently where motorists are cutting across the centre line when turning left from Galena Street into Wright Street posing a danger to oncoming motorist in Wright Street.</p>		<p>Kath</p> <p>CRM 24237/2016 Report D16/17693</p> <p>3 May 2016</p> <p>10 June 2016 CRM 24894/2016</p> <p>July 5, 2016</p>	<p>Agreed Action:</p> <p><i>That Council undertakes a cost analyse to paint a blister onto the road on the left hand side of Wright Street before making a left hand turn into Galena Street and place yellow rumble strips in the middle of the blister.</i></p> <p><i>That a centre island be painted in the middle of the road at the corner of Wright Street at the intersection of Wright and Galena Streets with yellow rumble stripes to force motorists to turn at the middle of the intersection.</i></p> <p><i>That the cost analyst and plan be submitted to the next Committee meeting scheduled for April 5, 2016 for consideration by the Committee.</i></p> <p>CRM to be entered once approval of committee minutes endorsed by Council at the March Council meeting is received.</p> <p>CRM entered for actioning</p> <p>Report provided by David Zhao - included in Agenda for May meeting.</p> <p>CRM required pending response from May Council Meeting.</p> <p>CRM entered for works to commence</p> <p>Pending quotes to be obtained by James Druitt prior to commencing works.</p>	<p>May 2016</p> <p>Pending as of June 2016</p> <p>Pending as of July 2016</p>

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			August 2 , 2016	Action pending with Council Officer Peter Ryan. Line marking has re-commenced and this action is due to be completed by September 2016. Rumble bars are also to be installed to complete this action list item.	Pending as of August 2016
			Sept 6, 2016	CRM to be entered to redesign the centre rumble bars and remove the left radius rumble bars at the intersection of Wright and Galena Street	
357.9.2	Morgan Street and Brookfield Avenue Intersection Senior Constable Chaff advised the Committee that the Police have had incidents recently where motorists are cutting across the centre line when turning left into Morgan Street from Brookfield Avenue posing a danger to oncoming motorist in Morgan Street.		Kath CRM 24238/2016 Report D16/17693 3 May 2016 10 June 2016 CRM 24895/2016 July 5, 2016 August 2, 2016	Agreed Action: <i>That Council undertakes a cost analyse to paint a blister onto the road on the left hand side of Morgan Street before making a left hand turn into Brookfield Avenue and place yellow rumble strips in the middle of the blister.</i> <i>That a centre island be painted in the middle of the road at the corner of Morgan Street at the Brookfield Avenue intersection with yellow rumble strips to force motorists to turn left into Morgan Street at the middle of the intersection.</i> <i>That the cost analyst and plan of be submitted to the next Committee meeting scheduled for April 5, 2016 for consideration by the Committee.</i> CRM to be entered once approval of committee minutes endorsed by Council at the March Council meeting is received. CRM entered for actioning Report provided by David Zhao - included in Agenda for May meeting. CRM required pending response from may Council Meeting - proposing that Council action works of line marking only, Council are not recommended by LTC to install barriers. CRM entered for works to commence Pending quotes to be obtained by James Druitt prior to commencing works. Action pending with Council Officer Peter Ryan. Line marking has re-commenced and this action is due to be completed by September 2016. Rumble bars are also to be installed to complete this action list item.	May 2016 Pending as of June 2016 Pending as of July 2016 Pending as of August 2016

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			Sept 6, 2016	CRM to be entered to redesign the centre rumble bars and remove the left radius rumble bars at the intersection of Morgan Street and Brookfield Avenue.	
358.7.1	Traffic Light Signals Argent/Chloride intersection		5 April 2016	<p>Recommendation:</p> <p>Identified that Traffic Lights on the Argent/Chloride Street Intersection are not functioning correctly in that they are not sensing vehicles queuing at the red light.</p> <p>Joe Sulicich advised LTC that RMS are aware and are going to send a team to further investigate.</p> <p>Agreed Action:</p> <p>Joe Sulicich to report back to LTC from outcome of the investigation.</p> <p>CRM to be actioned to David Zhao/Andrew Bruggy to query who is responsible for engaging maintenance relating to traffic lights.</p> <p>Letter to be issued. Letter D16/23426</p> <p>Letter to be issued to Rebecca McLaughlin as she had also entered CRM noting this issue – CRM 240855/2016.</p> <p>RMS Representative, Joe Sulicich has advised that RMD Regional Manager is investigating and Joe to advise the committee of outcome.</p> <p>Remains pending as of August committee meeting.</p> <p>COMPLETED 6/9/2016</p>	<p>Pending as of June 2016</p> <p>Pending as of July 2016</p> <p>Pending as of August 2016</p>
359.9.3	Marking of Traffic Lanes at Argent Street Traffic Light Intersections		3 May 2016	<p>Recommendation:</p> <p>That Mr Joe Sulicich, RMS representative provide a copy of the original line marking plans to Council for reference, noting that modifications to the original plans will be required due to changes of traffic conditions.</p> <p>It is recommended that directional arrows be marked within each lane to indicate traffic flow.</p> <p>Agreed Action:</p> <p>That Mr Joe Sulicich, RMS representative provide a copy of the original line marking plans to Council for reference, noting that modifications to the original plans will be required due to changes of traffic conditions.</p>	Works to commence in June 2016
			3 May 2016	Original Plans provided to secretary - have been copied and	

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			<p>5 June 2016</p> <p>July 5, 2016</p> <p>August 2, 2016</p>	<p>work flowed to David Zhao for their information. David to return to Joe - RMS.</p> <p>Council to continue to investigate line marking. RMS are continuing to investigate sensor/detectors.</p> <p>RMS representative - Joe Sulicich asked that the directive of "directional arrows be marked within each lane to indicate traffic flow," be removed and that lane lines are just marked – Police representative has queried why Joe has requested this? Committee to seek clarification from Joe at next committee meeting.</p> <p>RMS representative - Joe Sulicich advised that historically directional arrows have never been marked only the marking of the lane lines.</p> <p>RMS advice is that police can still book for traffic infringements without the directional arrows marked as long as the lane lines are marked. Council advised by RMS to seek a traffic engineer's advice prior to marking directional arrows.</p> <p>Council Officer James Druitt to make enquiries with RMS relating to this clarification and provide feedback to the committee.</p>	<p>Pending – August 2016</p>
360.9.2	Review of angle parking in front of Broken Hill Supplies	<p>Request D16/24638</p> <p>D16/29447</p>	<p>5 June 2016</p> <p>Penny July 4, 2016</p> <p>CRM 25037/2016</p> <p>July 5, 2016</p> <p>August 2, 2016</p>	<p>Correspondence received from Dario Licul - requesting review of angle parking in front of Broken Hill Supplies</p> <p>Recommendation: Council Officer to review and report to committee recommendations.</p> <p>Agreed Action: Council Officer to review and report to committee recommendations</p> <p>Response letter issued to Mr Licul.</p> <p>CRM entered to request Council Officer, James Druitt undertake review of this request and report recommendation back to Committee.</p> <p>Review pending from James Druitt.</p> <p>Council Officer, James Druitt met with Mr Licul with the agreed outcome to implement 45 degree parking bays in the direct vicinity of 401 – 403 Mica Street.</p> <p>COMPLETED 6/9/2016</p>	<p>Pending as of July 2016</p> <p>Pending as of August 2016.</p>
360.8.2	Review of 60 degree parking lines at the corner of Mica/Chloride Streets and request for short term parking bay area.	<p>Request D16/19712</p> <p>Acknowled</p>	<p>June 7, 2016</p> <p>James Druitt to review.</p>	<p>Request for review of 60 degree parking lines at the corner of Mica/Chloride Streets and request for short term parking bay area.</p>	<p>Pending as of August 2016</p>

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
		gement letter D16/23167	Sept 6, 2016	<p>Recommendation: The Committee notes this correspondence received and agree that parking should be returned to 45 degree parking and a Council Officer is to make appointment for review of requirement for short term parking bay. Amending the angled parking may result in loss of 1 parking space.</p> <p>Agreed Action: Parking should be returned to 45 degree parking and a Council Officer is to make appointment for review of requirement for short term parking bay. Amending the angled parking may result in loss of 1 parking space.</p> <p>James Druitt to talk to the applicant regarding delivery times for loading zone.</p>	
361.9.1	Heavy Vehicle Route at the Iodide/Crystal Street intersection.	CRM 25215/2016 Sept 6, 2016	July 5, 2016	<p><i>Peter Beven raised issue of the Heavy Vehicle Route at the Iodide/Crystal Street intersection. Line marking has eroded with traffic.</i></p> <p>Recommendation: Chairperson requested that secretary enter a report in the Customer Request Management System (CRM) for a Council Officer to review.</p> <p>Agreed Action The secretary is to enter a report in the Customer Request Management System (CRM) for a Council Officer to review</p> <p>All in favour: BHCC, Local Member & Police Yet to vote:RMS Against: Nil</p> <p>CRM entered requesting that findings/proposed action be reported back to the committee.</p> <p>James Druitt advised that works are part of Council's maintenance program and are funded by RMS</p> <p>COMPLETED 6/9/2016</p>	Pending as of August 2016
361.9.3	Broken Hill Street Signage - Spelling of street names		July 5, 2016	<p><i>Marion Browne queried the new street signs being replaced around the City and requested is it possible to find out the correct spelling of Harvey/Harvy Street and Wickes/Wicks Street.</i></p> <p>Recommendation: A Council Officer will investigate the spelling of Harvey/Harvy and Wickes/Wicks Streets and review spelling on street signs. The Council Officer will report back to the committee the findings.</p>	July 2016

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
				<p>Agreed Action A Council Officer will investigate the spelling of Harvey/Harvy and Wickes/Wicks Streets and review spelling on street signs. The Council Officer will report back to the committee the findings</p> <p>August 2, 2016 All in favour: BHCC, Local Member & Police Yet to vote: RMS, Against: Nil</p> <p>Sept 6, 2016 James Druitt (Council Officer) to provide update to committee. Council Officer, James Druitt to clarify spelling against gazette. James Druitt advised that the correct spelling is as follows Harvy Street Wickes Street</p> <p>COMPLETED 6/9/2016</p>	Pending as of August 2016
361.9.9	Clearing of Verge - Silver City/Menindee Road	CRM 25216/2016	<p>July 5, 2016 <i>Peter Beven requests Council clear what is on Council road/verge area on the Silver City/Menindee Road as right to road way, makes it difficult to see animals.</i></p> <p>Recommendation: Chairperson requested that secretary enter a report in the Customer Request Management System (CRM) for a Council to clear what Council can.</p> <p>Agreed Action The secretary is to enter a report in the Customer Request Management System (CRM) for action.</p> <p>August 2, 2016 All in favour: BHCC, Local Member & Police Yet to vote: RMS, Against: Nil CRM entered requesting clearing as described above.</p> <p>RMS Regional Roads funding is available for Council use and work proposed to be undertaken including slashing and shoulder grading in this area. COMPLETED 6/9/2016</p>	<p><i>Peter Beven requests Council clear what is on Council road/verge area on the Silver City/Menindee Road as right to road way, makes it difficult to see animals.</i></p> <p>Recommendation: Chairperson requested that secretary enter a report in the Customer Request Management System (CRM) for a Council to clear what Council can.</p> <p>Agreed Action The secretary is to enter a report in the Customer Request Management System (CRM) for action.</p> <p>All in favour: BHCC, Local Member & Police Yet to vote: RMS, Against: Nil CRM entered requesting clearing as described above.</p> <p>RMS Regional Roads funding is available for Council use and work proposed to be undertaken including slashing and shoulder grading in this area. COMPLETED 6/9/2016</p>	Pending as of August 2016
362.9.1	Miners Day Memorial October 9, 2016, query temporary road closure.		August 2, 2016	Query from Christine Adams relating to closure of the four streets surrounding the Sturt Park for the period of 11am - 1.30pm on October 9, 2016 for the purpose of Wheelbarrow race as a part of activities for this event. Comment sought from Local Traffic Committee relating to this event.	Pending as of August 2016

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			Sept 6, 2016	<p>Recommendation: Council's Acting Deputy General Manager, Andrew Bruggy to attend the next Miners Day Memorial Committee to seek clarification of time required for temporary road closure and space required. Committee to suggest temporary closure of the inner traffic road, still allowing for parking around this area for the event goers.</p> <p>Agreed Action Council's Acting Deputy General Manager, Andrew Bruggy to attend the next Miners Day Memorial Committee to seek clarification of time required for temporary road closure, space required of road way and options preferable to the Committee as above.</p> <p>All in favour: BHCC, RMS Yet to vote: Police and Local Member Representative Against: Nil</p> <p>Council's Acting Deputy General Manager, Andrew Bruggy advised that the preferable option was a half road closure.</p> <p>COMPLETED 6/9/2016</p>	
362.9.2	Electoral Office Parking 178 Argent Street		August 2, 2016	<p><i>Parking options discussed for the Electoral Office for pre-polling at 178 Argent Street</i></p> <p>Recommendation: Committee recommend to remove the 15 minute short term parking bays in Blende Street (currently in front of the former Everybody's store) and implement the at the Electoral Office for pre polling, 3 x disability accessible parking bays for 15 minute parking. Proposed that this be implemented as of August 29 to September 9, 2016. To be removed after September 9, 2016.</p> <p>Committee also recommend that an accessible temporary ramp be installed at this area for the abovementioned period.</p> <p>Agreed Action: Remove 15 minute short term parking bays in Blende Street (currently in front of the former Everybody's store). Implement at the Electoral Office for pre polling, 3 x disability accessible parking bays for 15 minute parking. Implementation as of August 29 to September 9, 2016. To be removed after September 9, 2016. Temporary ramp be installed at this area for the abovementioned period.</p> <p>Council's Asset Planner Transport, James Druitt to investigate/action parking and ramp requirements as above-mentioned.</p>	Pending as of August 2016

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
				<p>All in favour: BHCC, RMS Yet to vote: Police and Local Member Representative Against: Nil</p> <p>COMPLETED 6/9/2016</p>	
362.9.3	Motorbike parking bays in front of 207 Argent Street		<p>August 2, 2016</p> <p>September 6, 2016</p>	<p><i>Query from Committee member Marion Browne if these motorbike parking bays are still required or can these be changed to car parks.</i></p> <p>Recommendation: Committee recommend the removal of motorbike parking bays and replace with car parking bays.</p> <p>Agreed Action Committee Secretary to enter request to remove the motorbike bays and replace with car parking bays.</p> <p>All in favour: BHCC, RMS Yet to vote: Police and Local Member Representative Against: Nil</p> <p>Recommendation: The Chairperson requested that the Asset Planner Transport investigate removal of the motorbike bays and replacement with car parking bays and report back to the Committee for further recommendation to Council.</p> <p>Agreed Action The Chairperson requested that the Asset Planner Transport investigate removal of the motorbike bays and replacement with car parking bays and report back to the Committee for further recommendation to Council.</p> <p>All in favour: BHCC, RMS, Police and Local Member Representative Yet to vote: Nil Against: Nil</p>	<p>Pending as of August 2016</p> <p>To be updated at October meeting</p>
362.9.4	Duff Street Shopping Centre, car park area maintenance.		August 2, 2016	<p><i>Query from Committee member Marion Browne regarding who is responsible for the maintenance of this car parking area for the purposed of general maintenance and sealing purposes.</i></p> <p>Recommendation: Council's Asset Planner Transport, James Druitt to investigate if this area is a Council road area for the purpose of maintenance requests.</p> <p>Agreed Action</p>	Pending as of August 2016

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
				<p>Council's Asset Planner Transport, James Druitt to investigate if this area is a Council road area for the purpose of maintenance requests.</p> <p>All in favour: BHCC, RMS Yet to vote: Police and Local Member Representative Against: Nil</p> <p>COMPLETED 6/9/2016</p>	

ORDINARY MEETING OF THE COUNCIL

September 20, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 208/16

SUBJECT: ACTION LIST REPORT - SEPTEMBER

11/25

Recommendation

1. That Broken Hill City Council Report No. 208/16 dated September 20, 2016, be received.

Executive Summary:

The purpose of the report is to ensure that Council and the community are informed on the status of actions required by previous decisions of Council.

Report:

The Action List attached to this report is for information only and will be provided to Council on a monthly basis.

The report covers Council's decisions at Ordinary and Extraordinary Council Meetings for the period January 27, 2010 to August 31, 2016.

Discussions have been held with staff regarding the long outstanding items on the Action List, most of which are leasing/licencing matters. Staff will be working to finalise these items as a priority and/or request Council to rescind resolutions where circumstances have changed.

Strategic Direction:

Key Direction: 4 - Our Leadership
Objective: 4.2 – Our Leaders Make Smart Decisions
Function: Leadership and Governance
DP Action: 4.2.1.1 - Decisions are made in a timely manner to ensure effective delivery.

Relevant Legislation:

Nil

Financial Implications:

Nil

Attachments

1. Action List - Ordinary Meetings 13 Pages
2. Action List - Extraordinary Meetings 1 Page

JAMES RONCON
GENERAL MANAGER

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Confidential Matters of the Council 29 February 2012	False	Confidential Matters
<p>ITEM 1 (Item 45 in open minutes) - SUSTAINABILITY REPORT NO. 8/12 - DATED JANUARY 13, 2012 – RENEWAL OF LEASE TO THE AERO CLUB OF BROKEN HILL INC. AT AIRPORT - CONFIDENTIAL</p> <p style="text-align: right;">11/232</p> <p><u>Recommendation</u></p> <p>That Sustainability Report No. 8/12 dated January 13, 2012 be received.</p> <p>That Council renew its lease with The Aero Club of Broken Hill Inc. for a period of five (5) years being the first option to renew the lease.</p> <p>That the lease be amended as outlined in the body of this report to address water charges.</p> <p>That documents relating to this matter be executed under Council's Common Seal as required.</p> <p>RESOLUTION <u>Minute No. 43222</u> Councillor B. Algate moved) Councillor N. Gasmier seconded)</p> <p style="text-align: right;">That the recommendation of item 1 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>03 May 2012 - 3:23 PM - Leisa Bartlett</i> Documents with Lessee for execution.</p> <p><i>02 Aug 2012 - 3:25 PM - Leisa Bartlett</i> Reminder to return documents sent.</p> <p><i>07 Feb 2013 - 3:26 PM - Leisa Bartlett</i> Lease with Council's Solicitor for registration. Lease has been requisitioned twice due to plan reference - LPI have changed rules. Further advice to be sought from Council's Solicitor.</p> <p><i>06 Jun 2013 - 3:28 PM - Leisa Bartlett</i> LPI have rejected registration due to change in Airport Title descriptions. Further survey work required prior to re-lodgement of Lease.</p> <p><i>22 Oct 2013 - 2:18 PM - Louine Hille</i> New plan of subdivision for Lease purposes being prepared. Due 30 October 2013.</p> <p><i>15 Nov 2013 - 11:06 AM - Michelle Rolton</i> Plan now due November 2013, as additional survey works were required.</p> <p><i>17 Jan 2014 - 12:14 PM - Louine Hille</i> Draft Plan received for examination and approval.</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p><i>13 Feb 2014 - 12:10 PM - Michelle Rolton</i> Lot numbering determined, awaiting final plan.</p> <p><i>11 Jun 2014 - 3:29 PM - Louine Hille</i> Plan requires minor amendment to stop it being requisitioned. Development Consent to subdivision for lease purposes required. Development Application being compiled.</p> <p><i>11 Dec 2014 - 4:42 PM - Frederick Docking</i> Amendment for water charges to lease draft signed and returned. GM to sign off DA and return to Tracey Stephens for consent for lease purposes.</p> <p><i>06 May 2015 - 4:56 PM - Frederick Docking</i> Pending Sub Division for lease purposes</p> <p><i>19 Jan 2016 - 2:59 PM - Leisa Bartlett</i> Sub-division plans being lodged with Dept. Lands Information. Once the plan is registered, the lease can be finalised.</p> <p><i>06 Jun 2016 - 3:46 PM - Andrew Bruggy</i> Action reassigned to Andrew Bruggy by: Leisa Bartlett</p> <p><i>17 Aug 2016 - 1:51 PM - Tracy Stephens</i> Awaiting new Administration Sheet for signing by GM and Mayor. Subdivision plans can then be registered with LPI.</p> <p><i>16 Sep 2016 - 1:25 PM - Leisa Bartlett</i> Awaiting documentation from Surveyor. Due to recent subdivision for sale of land to RFDS, the DP planning numbers will change and therefore will affect this subdivision for lease purposes, therefore it is necessary to wait until the DPI have processed the RFDS subdivision before this plan is lodged.</p>		
Extraordinary Meeting of the Council 30 October 2013	False	Further Business
<p><u>ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 269/13 - DATED OCTOBER 17, 2013 - WILLYAMA COMMON - COMPULSORY ACQUISITION OF CROWN LAND AT BROKEN HILL AIRPORT</u> 11/89, 11/214</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 269/13 dated October 17, 2013, be received.</p> <p>That Council compulsorily acquire Crown Land being Lots 5938 and 5939 in DP 725373 as shown in the attached diagram for "Airport Purposes" to formalise existing occupation.</p> <p>That the acquisition be under the Terms of the Local Government Act 1993.</p> <p>That the consent of the Minister and Governor be sought for the acquisition.</p> <p>That Council seek agreement from Trade and Investment, Crown Lands Western Division for the acquisition.</p>		

CARRIED

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Confidential Matters of the Council 30 April 2014	False	Confidential Matters
ITEM 31- BROKEN HILL CITY COUNCIL REPORT NO. 99/14 - DATED APRIL 10, 2014 - - CONFIDENTIAL		11/233
<u>Recommendation</u>		
That Broken Hill City Council Report No. 99/14 dated April 10, 2014, be received.		
That Council release Kamachlo Pty Ltd from its obligations under lease of property at the Airport.		
That Council call for public expressions of interest to lease		
<ol style="list-style-type: none"> 1. The workshop on land currently described as Lot 2 DP 641460 and 2. The former Tank Farm site on land currently described as Lot 14 DP 641460 		
That documents relating to these matters be executed under Councils Common Seal as required.		
That Council commence actions against the Guarantor to recover the outstanding debt.		
RESOLUTION		
<u>Minute No. 44656</u>		
Councillor M. Browne moved)	That the recommendation of item 31 be adopted.
Councillor J. Richards seconded)	
14 May 2014 - 12:04 PM - Michelle Rolton		CARRIED
Process commenced.		
11 Sep 2014 - 9:47 AM - Lacey Butcher		
Awaiting debt recovery		
17 Feb 2015 - 10:44 AM - Leisa Bartlett		
Awaiting further investigation.		
13 Aug 2015 - 9:22 AM - Shane Nankivell		
Action reassigned to Harry Stamboulidis by: Leisa Bartlett		
15 Jan 2016 - 12:50 PM - Louise Schipanski		
Recovery of the outstanding debit is being processed through Executive Collections (debt collector)		
06 Jun 2016 - 3:47 PM - Shane Nankivell		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Action reassigned to Shane Nankivell by: Leisa Bartlett 16 Sep 2016 - 1:29 PM - Leisa Bartlett All avenues of debt recovery exhausted. Report to be prepared to October Council Meeting recommending to write off bad debt. COMPLETE		
Ordinary Meeting of the Council 24 September 2014	False	Reports
ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 231/14 - DATED SEPTEMBER 04, 2014 - LICENCE PART LIVING DESERT STATE PARK ADJACENT 376 NINE MILE ROAD TO FORMALISE ADVERSE POSSESSION 11/411 <u>Recommendation</u> That Broken Hill City Council Report No. 231/14 dated September 4, 2014, be received. That Council, in its appointed capacity of Trust Manager of the Living Desert State Park Trust grant a Licence, with Ministerial consent, to Cristal-Lee White and Mathew Joseph Dempster for the purpose of "Environmental Protection and Access". That documents relating to this matter be executed under Council's Common Seal in the absence of a Trust Seal. RESOLUTION Minute No. 44768 Councillor P. Black moved) Councillor C. Adams seconded) That the recommendation of item 14 be adopted. CARRIED		
06 May 2015 - 4:59 PM - Frederick Docking Further investigation required into obtaining Ministerial Consent for Licence. Have made contact with Crown Lands. 10 Dec 2015 - 9:39 AM - Andrew Bruggy Action reassigned to Leisa Bartlett by: Leisa Bartlett 06 Jun 2016 - 3:47 PM - Andrew Bruggy Action reassigned to Andrew Bruggy by: Leisa Bartlett 16 Sep 2016 - 1:34 PM - Leisa Bartlett Due to Aboriginal Land Claim and native title implications, this matter needs to be referred to Crown Lands for review prior to proceeding. This may take several months before advice is received.		
Ordinary Meeting of the Council 26 August 2015	False	Reports
ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 185/15 - DATED AUGUST 12, 2015 - DEVELOPMENT OF A DRAFT CONSOLIDATED DEVELOPMENT CONTROL PLAN (DCP) FOR BROKEN HILL CITY COUNCIL 11/126		

Page 6 of 27

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Report prepared to September 2016 Council Meeting for adoption of draft DCP. COMPLETE		
Confidential Matters of the Council 25 November 2015	False	Confidential Matters
<u>ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 268/15 - DATED OCTOBER 28, 2015 - - CONFIDENTIAL</u>		11/63
<u>Recommendation</u>		
That Broken Hill City Council Report No. 268/15 dated October 28, 2015, be received.		
That Council, in its capacity as Trustees of the Willyama Common, grant three licenses to Anthony Schembri; John and Leanne Ray; and Mark Doyle for recreational purposes (a permissible use as described in the Management Plan of the Willyama Common) for the keeping of horses, horse riding and training).		
That the licenses be drawn subject to the three applicants agreeing to pay market rent for the land and associated legal/license set-up fees and that the granting of the licenses is also subject to the applicants abiding by the Management Plan for the Willyama Common and the Local Environmental Plan with regards to any development of the subject land.		
That the license terms be for four years, with the option to renew being first offered to the current licensees.		
That the common seal be affixed to the licences as required.		
That Karl Hahn be advised that a license is not available for the land indicated in his submission which encompasses the old south depot, south of Broken Hill in the Willyama Common due to it being a restricted area which is subject to asbestos rehabilitation works.		
RESOLUTION		
<u>Minute No. 45147</u>		
Councillor P. Black moved)	That the recommendation of item 27 be adopted.
Councillor B. Algate seconded)	
		CARRIED
<i>07 Dec 2015 - 1:58 PM - Leisa Bartlett</i>		
Process commenced for issuing of licences.		
<i>13 Apr 2016 - 5:06 PM - Leisa Bartlett</i>		
Valuations received for market rent and 3 applicant advised of annual rent amount and terms of licence and requested to advise Council by May 13, 2016 if they wish Council to proceed to draw up licence agreements.		
<i>06 Jun 2016 - 12:26 PM - Leisa Bartlett</i>		
Two applicants have withdrawn due to valuation and recent Aboriginal Land Claim. seeking legal advice regarding issuing a licence to third applicant due to Land Claim.		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>12 Sep 2016 - 3:55 PM - Leisa Bartlett</p> <p>Submission to be sent to Land Claims Unit to assess the proposed licence and determine whether licence can be issued.</p>		
Ordinary Meeting of the Council 27 April 2016	False	Reports
<p>ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 80/16 - DATED APRIL 05, 2016 - TOURISM AND CULTURAL ATTRACTIONS ACTIVITY REPORT FOR JULY 2015 TO MARCH 2016</p> <p>11/514</p> <p>RESOLUTION Minute No. 45249 Councillor C. Adams moved) Councillor B. Algate seconded)</p> <p>That Broken Hill City Council Report No. 80/16 dated April 5, 2016, be received.</p> <p>That Council investigates the feasibility of the placement of a traffic counter at the pay booth at the Living Desert to detect whether the new pay booth is effective and whether all visitors to the facility are paying (giving an allowance for annual passes to be considered in the count results).</p> <p>CARRIED</p> <p>29 Apr 2016 - 2:52 PM - Andrew Bruggy</p> <p>Estimated Completion Date changed by: Leisa Bartlett From: 04 May 2016 To: 28 Apr 2016</p> <p>04 May 2016 - 10:39 AM - Elizabeth Guest</p> <p>James Druitt has been directed to install traffic Counter</p> <p>Signage showing the instructions on a larger scale will be installed as it may assist with the use of the machine.</p> <p>Data will be checked to ensure the right data has been downloaded and reported</p> <p>16 Sep 2016 - 1:46 PM - Leisa Bartlett</p> <p>Data has been received and now needs to be compared to visitation statistics. A report will be prepared to a future Council Meeting.</p> <p>COMPLETE</p>		
Confidential Matters of the Council 27 April 2016	False	Confidential Matters
<p>ITEM 30 - BROKEN HILL CITY COUNCIL REPORT NO. 93/16 - DATED APRIL 22, 2016 - - CONFIDENTIAL</p> <p>11/214</p> <p><u>Recommendation</u></p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>That Broken Hill City Council Report No. 93/16 dated April 22, 2016, be received.</p> <p>That Council approves the sale of part of Lot 1 DP 1162606 at the Broken Hill Airport the Royal Flying Doctor Service South Eastern Section for the purchase price of \$5,500.00 inc.GST.</p> <p>That the Mayor and General Manager be authorised to sign the sale of land contract and affix the Council Seal if required.</p> <p>RESOLUTION <u>Minute No. 45260</u> Councillor D. Gallagher moved) Councillor J. Nolan seconded)</p> <p>That the recommendation of item 30 be adopted.</p> <p>CARRIED</p> <p><i>20 Jun 2016 - 9:42 AM - Andrew Bruggy</i> Subdivision for sale purposes being carried out. Sale contract being drafted.</p> <p><i>15 Jul 2016 - 2:31 PM - Andrew Bruggy</i> With ABB to finalise</p> <p><i>16 Sep 2016 - 1:48 PM - Leisa Bartlett</i> Sale of land finalised. COMPLETE</p>		
Ordinary Meeting of the Council 25 May 2016	False	Reports
<p>ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 94/16 - DATED MAY 11, 2016 - CORRESPONDENCE REPORT - SECURING PART OF THE MILTON LAVERS COLLECTION FOR BROKEN HILL</p> <p>13/155</p> <p>RESOLUTION <u>Minute No. 45265</u> Councillor P. Black moved) Councillor C. Adams seconded)</p> <p>That Broken Hill City Council Report No. 94/16 dated May 11, 2016, be received.</p> <p>That correspondence from the Milton Lavers Collection Action Group dated May 10, 2016 seeking a donation from Council to purchase the remainder of a part of the Milton Lavers Mineral Collection, be received.</p> <p>That Council votes funding of \$5,670.35 to the Milton Lavers Collection Action Group towards the purchase of mineral specimens that are currently on loan and</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>20 Jun 2016 - 2:56 PM - Leisa Bartlett</p> <p>Payment being arranged.</p> <p>12 Sep 2016 - 3:30 PM - Leisa Bartlett</p> <p>Paid June 2016 COMPLETE.</p>		<p>on display at the Albert Kersten Mining and Minerals Museum, in order for the mineral specimens to remain in Broken Hill.</p> <p>That the mineral specimens will remain in the ownership of the community, with Council as the custodian and will remain on display at the Albert Kersten Mining and Minerals Museum.</p> <p>CARRIED</p>
<p>Ordinary Meeting of the Council 25 May 2016</p>	False	Reports
<p>ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 103/16 - DATED MAY 13, 2016 - PREFERRED LOCATION FOR NEW COUNCIL POUND</p>		
<p>11/141</p>		
<p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 103/16 dated May 13, 2016, be received.</p> <p>That Council proceed with the preliminary design and planning approval for a new pound facility near the office of the Airport Reporting Officer.</p>		
<p>RESOLUTION</p> <p>Minute No. 45273</p> <p>Councillor P. Black moved)</p> <p>Councillor J. Nolan seconded)</p> <p>That the recommendation of item 9 be adopted.</p>		
<p>CARRIED</p>		
<p>16 Jun 2016 - 1:40 PM - Leisa Bartlett</p> <p>Legal advice sought in regards to permissability to construct animal pound at Airport. Advice is that pound facility is prohibited and that Schedule 1 to LEP be amended. Report prepared for June Meeting.</p> <p>16 Sep 2016 - 1:51 PM - Leisa Bartlett</p> <p>COMPLETE</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 25 May 2016	False	Reports
ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 104/16 - DATED MAY 12, 2016 - LEASE NORTH MINE HALL 13/17		
<u>Recommendation</u> That Broken Hill City Council Report No. 104/16 dated May 12, 2016, be received. That the General Manager negotiates a reasonable lease arrangement with FWHACC for a period of 12 months, in accordance with Councils adopted Leasing and Licensing Policy. RESOLUTION <u>Minute No. 45274</u> Councillor J. Nolan moved) Councillor J. Richards seconded)		
		That the recommendation of item 10 be adopted.
		CARRIED
<i>17 Jun 2016 - 12:12 PM - Leisa Bartlett</i> Information sent to Solicitors, Lease being prepared. <i>04 Aug 2016 - 4:18 PM - Leisa Bartlett</i> Lease fully executed and finalised. COMPLETE		
Ordinary Meeting of the Council 25 May 2016	False	Reports
ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 107/16 - DATED MAY 16, 2016 - DEED OF SURRENDER AND TRANSFER - AIR SERVICES AUSTRALIA 11/141		
<u>Recommendation</u> That Broken Hill City Council Report No. 107/16 dated May 16, 2016, be received. That Council authorises the General Manager and Mayor to affix Council's seal to the "Deed of Surrender and Transfer" to terminate aforementioned lease arrangement. RESOLUTION <u>Minute No. 45276</u> Councillor P. Black moved) Councillor C. Adams seconded)		
		That the recommendation of item 13 be adopted.

MEETING	FURTHER REPORT REQUIRED	SUBJECT
CARRIED		
<p>16 Jun 2016 - 1:42 PM - Leisa Bartlett</p> <p>Documents executed and sent to Air Services Australia for final execution.</p> <p>04 Aug 2016 - 4:19 PM - Leisa Bartlett</p> <p>Awaiting Surrender of Lease form from Solicitors.</p> <p>16 Sep 2016 - 1:52 PM - Leisa Bartlett</p> <p>Process continuing, Council's Solicitor querying identifying numbers listed on form from AirServices Australia's solicitor.</p>		
Confidential Matters of the Council 25 May 2016	False	Confidential Matters
<p>ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 117/16 - DATED MAY 10, 2016 - TRANSFER OF LAND - FORMER RAILWAYTOWN COMMUNITY CENTRE TO BROKEN HILL FAMILY DAY CARE COMMITTEE INC. - <u>CONFIDENTIAL</u></p> <p>11/197</p>		
<p>RESOLUTION</p> <p>Minute No. 45284</p> <p>Councillor C. Adams moved)</p> <p>Councillor J. Richards seconded)</p>		
<p>That Broken Hill City Council Report No. 117/16 dated May 10, 2016, be received.</p> <p>That Council rescinds minute number 42408 of June 30, 2010 in favour of the following motion:</p> <p>That the Broken Hill Day Care Committee Inc. provide Council with its financial record for examination to ascertain whether the Committee has the financial capacity to continue to operate from the building once they have taken ownership.</p> <p>That Council transfer property at 55-59 Gypsum Street, the former Railwaytown Community Centre (being Lot A of DP 349204, Lot 1 of DP 926696 and Lot 1 of DP 1135911), to Broken Hill Family Day Care Committee Inc. for the sum of \$1.00 if demanded.</p> <p>That the property be accepted as is.</p> <p>That the Committee be liable for all costs relating to insurance, rates if applicable, garbage collection, water, electricity and the like.</p> <p>That each party be liable for their own legal fees.</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>That documents relating to this matter be executed under Council's Common Seal.</p> <p>CARRIED</p> <p>20 Jun 2016 - 2:57 PM - Leisa Bartlett</p> <p>Council staff are currently reviewing 3 years of the Committee's financial statements.</p> <p>15 Jul 2016 - 2:32 PM - Leisa Bartlett</p> <p>Financials reviewed. Council to make determination at September Council meeting.</p> <p>16 Sep 2016 - 1:53 PM - Leisa Bartlett</p> <p>Report prepared to September 2016 Council Meeting. COMPLETE</p>		
Ordinary Meeting of the Council 29 June 2016	False	Reports
<p>ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 130/16 - DATED JUNE 14, 2016 - PROPOSED AMENDMENT TO BROKEN HILL LOCAL ENVIRONMENTAL PLAN 2013 - SITE SPECIFIC PLANNING PROPOSAL TO ALLOW FOR ADDITIONAL PERMITTED USE AT BROKEN HILL AIRPORT PRECINCT 11/529</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 130/16 dated June 14, 2016, be received. 2. That Council support preparing a site specific Planning Proposal to amend Schedule 1 of Broken Hill Local Environmental Plan 2013 to allow for an additional permitted use (being "Council Animal Pound Facility") on Lot 1 DP 1162606 known as 86 Airport Road, Broken Hill, 3. That the planning proposal be submitted to the Department of Planning and Environment for consideration in accordance with Section 56 of the <i>Environmental Planning and Assessment Act 1979</i>. 4. That Council request to exercise its delegations under Section 59 of the <i>Environmental Planning and Assessment Act 1979</i>. 5. That Council undertake community consultation in accordance with the Gateway Determination and requirements of the Department of Planning and Environment, and legislative requirements. <p>RESOLUTION Minute No. 45298</p> <p>Councillor B. Algate moved) Councillor J. Nolan seconded)</p> <p>That the recommendation of item 9 be adopted.</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>16 Sep 2016 - 1:53 PM - Leisa Bartlett</p> <p>Council received Gateway approval 16/9/16 to authorise public exhibition of draft LEP. The plan will now be placed on public exhibition with a report to be presented to Council at the conclusion of this period. COMPLETE</p>		
Ordinary Meeting of the Council 29 June 2016	False	Reports
<p>ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 134/16 - DATED JUNE 09, 2016 - RECOMMENDATIONS OF THE COMMUNITY ASSISTANCE GRANTS PANEL FOR ROUND 1 OF 2016/2017</p> <p>16/44</p> <p>RESOLUTION Minute No. 45302</p> <p>Councillor J. Nolan moved) Councillor J. Richards seconded)</p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 134/16 dated June 9, 2016, be received. 2. That Council adopts the recommendations of the Community Assistance Grants Panel for applications received for Round 1 of 2016/2017, being: 3. General Community Assistance: <ol style="list-style-type: none"> a) Grant of \$1,000.00 to Life Education NSW towards providing drug education programme to Broken Hill school students (subsidy to participants). b) Grant of \$1,000.00 to Barrier Primary School Sports Association towards subsidising travel costs for students to travel to represent Broken Hill at sporting carnivals. c) Grant of \$5,000.00 to South Broken Hill Golf Club towards replacing floor coverings at the South Golf Club. d) Grant of \$2,335.00 to Broken Hill Philharmonic Society towards payment of rates at their principal premises. e) Grant of \$2,500.00 to U3A Broken Hill towards rental costs of a meeting space for 2016/2017 financial year. 		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
		<ul style="list-style-type: none"> f) Grant of \$3,000.00 to Broken Hill Eisteddfod Society towards Adjudicator costs for 2016 Eisteddfod. g) Grant of \$1,200.00 to Quota International of Broken Hill for payment of hire of the Civic Centre for 10cent Auction. h) Grant of \$1,000.00 to Broken Hill Repertory Society towards payment of rates at their principal premises. i) That Council declines the request from Neve Robins for a grant towards costs associated with her attendance at the United Space School in Texas as the request does not comply with the eligibility or assessment criteria of the Community Assistance Grants Policy. j) Grant of \$1,795.00 to Burke Ward P&C Association for payment of waste services fees for their Continental Fete. k) Grant of \$1,795.00 to Silver City Racing Club for payment of waste services fees for the Silver City Cup Race Meeting. l) Grant of \$3,000.00 to Broken Hill Swimming Club towards the refurbishment/modification of an old caravan into a mobile catering/service van.
		<p>4. That the draft Grant Agreement be adopted and the Mayor be authorised to sign the Grants Agreements associated with Round 1 of 2016/2017, on behalf of Council.</p>
		<p>5 That approval be deferred for Painting and Minor Restoration Works:</p> <ul style="list-style-type: none"> (a. Grant of \$500.00 to Katrina Watt of the Mackenzie Business Centre towards the external painting of the McKenzie Business Centre at 41-47 Crystal Street, Broken Hill; and b. Grant of \$500.00 to Sergio Bressanelli of Hande Pty. Ltd. towards the external painting of the Hande Electrics Store at 197-199 Argent Street, Broken Hill.) pending a report to the July Council Meeting outlining the requirements for approval, in particular:

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<ul style="list-style-type: none"> Whether it is a requirement that the building be of heritage design and construction. Whether the Heritage Adviser has approved the applications, and Whether the colour scheme has to be heritage colours. <p style="text-align: right;">CARRIED</p> <p>14 Jul 2016 - 5:00 PM - Leisa Bartlett</p> <p>Process commenced for payment of grant monies to successful applicants. Awaiting return of signed Grant Agreements together with invoice from successful organisations, before grants are paid. Letter sent to unsuccessful applicant.</p> <p>16 Sep 2016 - 1:57 PM - Leisa Bartlett</p> <p>All processes complete and all grants paid. COMPLETE</p>		
Confidential Matters of the Council 29 June 2016	False	Confidential Matters
<p><u>ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 146/16 - DATED JUNE 16, 2016 - REQUEST TO PURCHASE LAND AT BROKEN HILL AIRPORT - CONFIDENTIAL</u></p> <p style="text-align: right;">11/214</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> That Broken Hill City Council Report No. 146/16 dated June 16, 2016, be received. That Council advertise for public consultation for a period of 28 days to receive Expressions of Interest in the purchase of land, being part of Lot 1 DP 1162606, at the Broken Hill Regional Airport. <p>16 Sep 2016 - 1:58 PM - Leisa Bartlett</p> <p>EOI closed. Further report prepared for September 2016 Council Meeting COMPLETE</p>		
Ordinary Meeting of the Council 27 July 2016	False	Reports
<p><u>ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 154/16 - DATED JULY 15, 2016 - COUNCILLOR ATTENDANCE AT THE LOCAL GOVERNMENT NSW ANNUAL CONFERENCE, 16-18 OCTOBER, 2016</u></p> <p style="text-align: right;">11/364</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
RESOLUTION Minute No. 45294 Councillor D. Gallagher moved) Councillor J. Richards seconded)		
		1. That Broken Hill City Council Report No. 154/16 dated July 15, 2016, be received. 2. That registration and travel arrangements be made for the newly elected Mayor, Deputy Mayor and three Councillors (to be Councillor Turley as member of the Local Government NSW Board (if re-elected) and up to two newly elected Councillors) to attend the Local Government NSW Conference to be held in Wollongong, October 16-18, 2016. 3. That Council's newly elected Mayor and Deputy Mayor be Council's voting delegates to the Conference. 4. That Council determines its motions to the conference at this Council Meeting as motions close August 22, 2016 and must include the extract from the Council Meeting minutes of Council's support for the motion.
		CARRIED
16 Sep 2016 - 2:16 PM - Leisa Bartlett EOI to be sent to new Councillors to advise their interest. COMPLETE		
Ordinary Meeting of the Council 27 July 2016	False	Reports
ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 156/16 - DATED JUNE 01, 2016 - TEMPORARY SUSPENSION OF ALCOHOL FREE ZONE		11/307
<u>Recommendation</u>		
1. That Broken Hill City Council Report No. 156/16 dated June 1, 2016, be received. 2. That Council approve the temporary suspension of the Alcohol Free Zone for the portion of Sulphide Street, adjacent to the Palace Hotel. Specific details of the suspension and road closure are Crystal Lane (East end), Crystal Lane (West end), Sulphide Street (South end) and Sulphide Street and Argent Street (bounded by the Palace Hotel and Argent St House). This area will include both footpaths in the closed section of Sulphide Street. 3. That the temporary suspension be in place from Friday, 09 September to Monday, 12 September 2016 subject to the final conditions, inclusive of trading times, contained in the liquor licence as advised by Barrier Local Area Command.		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>4. That the temporary suspension of the Alcohol Free Zone for the portion of Sulphide Street, adjacent to the Palace Hotel be advised to the public by way of media release and advertisement in the Barrier Daily Truth. That the advertisement also confirms that all other existing alcohol free zones in Broken Hill remain in force.</p> <p>5. That the General Manager be authorised to implement the suspension and advertising processes on final advice of Barrier Local Area Command.</p> <p>6. That Barrier Local Area Command be advised of Council's decision.</p> <p>RESOLUTION <u>Minute No. 45296</u> Councillor J. Nolan moved) Councillor C. Adams seconded)</p> <p>That the recommendation of item 8 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>16 Sep 2016 - 2:18 PM - Leisa Bartlett</i> All processes finalised. COMPLETE</p>		
Ordinary Meeting of the Council 27 July 2016	False	Reports
<p>ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 157/16 - DATED JULY 04, 2016 - SCORES ON DOORS 11/137</p> <p><u>Recommendation</u></p> <p>1. That Broken Hill City Council Report No. 157/16 dated July 4, 2016, be received.</p> <p>2. That Council adopts the 'Scores on Doors' program for its food businesses to promote compliance with hygiene and food safety standards, promote consumer trust in food businesses and to further the reputation and economy of food businesses in Broken Hill.</p> <p>RESOLUTION <u>Minute No. 45297</u> Councillor B. Algate moved) Councillor M. Browne seconded)</p> <p>That the recommendation of item 9 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>16 Sep 2016 - 2:19 PM - Leisa Bartlett</i> Report prepared to September 2016 Council Meeting regarding Draft Scores on Doors Policy. COMPLETE</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 27 July 2016	False	Reports
ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 159/16 - DATED JULY 11, 2016 - COMMUNITY ASSISTANCE GRANTS - PAINT GRANTS 16/44		
<u>Recommendation</u>		
1. That Broken Hill City Council Report No. 159/16 dated July 11, 2016, be received.		
2. That Broken Hill City Council approve both applications under stream 3 - Painting and Minor Restoration Works as follows:		
a. Grant of \$500.00 to Katrina Watt of the Mackenzie Business Centre towards the external painting of the McKenzie Business Centre at 41-47 Crystal Street, Broken Hill.		
b. Grant of \$500.00 to Sergio Bressanelli of Hande Pty. Ltd. towards the external painting of the Hande Electrics Store at 197-199 Argent Street, Broken Hill.		
RESOLUTION		
<u>Minute No. 45299</u>		
Councillor C. Adams moved)	That the recommendation of item 11 be adopted.
Councillor B. Licul seconded)	
		CARRIED
16 Sep 2016 - 2:20 PM - Leisa Bartlett		
All processes finalised - grants have been paid. COMPLETE.		
Ordinary Meeting of the Council 27 July 2016	False	Reports
ITEM 12- BROKEN HILL CITY COUNCIL REPORT NO. 160/16 - DATED JULY 12, 2016 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO.361, HELD 5 JULY 2016 11/397		
<u>Recommendation</u>		
1. That Broken Hill City Council Report No. 160/16 dated July 12, 2016, be received.		
2. That the Minutes for the Local Traffic Committee Meeting No.361, held July 5, 2016 be received.		
3. That the request for road closure as per The Palace Hotel's updated Traffic Control Plan, Titled: "Road Closure – Broken Heel Festival", valid from Friday 9 September 2016 to Monday 12 September 2016", be endorsed by Council and that any costs associated with the road closure be covered by The Palace Hotel.		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
RESOLUTION Minute No. 45300 Councillor B. Algate moved) Councillor J. Nolan seconded) <i>16 Sep 2016 - 2:20 PM - Leisa Bartlett</i> Road was closed for Broken Hill Festival. COMPLETE		
That the recommendation of item12 be adopted.		
CARRIED		
Confidential Matters of the Council 27 July 2016	False	Confidential Matters
ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 167/16 - DATED JULY 14, 2016 - - <u>CONFIDENTIAL</u> 14/192		
<u>Recommendation</u>		
1. That Broken Hill City Council Report No. 167/16 dated July 14, 2016, be received.		
2. That Council approves the Mayor and General Manager to execute the Deed of Assignment, Consent to Assignment of Lease from Phillip John Cvirn to James Andrew Nesbit, Maria Nesbit, James Alfred O'Hara Nesbit and Jennifer Faye Nesbit for lease of Council's land at the Broken Hill Airport (Part 1/1162606 being Lot 51 in DP 876533); and affix Council's Common Seal if required.		
3. That the new Lessee be responsible for all legal fees (including Council's) associated with the sale of the leasehold.		
<i>04 Aug 2016 - 5:00 PM - Leisa Bartlett</i> Deed of Assignment executed by Council and forwarded to Council's solicitor for registration. Awaiting advice from Council's solicitor.		
<i>16 Sep 2016 - 2:22 PM - Leisa Bartlett</i> Awaiting advice from solicitor.		
Confidential Matters of the Council 27 July 2016	False	Confidential Matters
ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 168/16 - DATED JULY 14, 2016 - - <u>CONFIDENTIAL</u> 11/214		
<u>Recommendation</u>		
1. That Broken Hill City Council Report No. 168/16 dated July 14, 2016, be received.		
2. That the Mayor and General Manager be authorised to execute the Lease Agreement with ARINC Rockwell Collins under the Common Seal of Council		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Minute No. 45307 Councillor D. Gallagher moved Councillor M. Browne seconded))	That the confidential reports be considered in open session and the recommendations of items 20 to 21 be adopted.
16 Sep 2016 - 2:30 PM - Leisa Bartlett		CARRIED
Lease with ARINC Rockwell Collins for execution and to then be sent to Council for execution under Seal.		
Ordinary Meeting of the Council 31 August 2016	False	Reports
ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 169/16 - DATED AUGUST 10, 2016 - CORRESPONDENCE REPORT - LOCAL GOVERNMENT FIT FOR THE FUTURE REFORM		
11/304		
.		
RESOLUTION		
Minute No. 45311 Councillor M. Browne moved Councillor J. Nolan seconded))	1. That Broken Hill City Council Report No. 169/16 dated August 10, 2016, be received. 2. That Council does not support the "Amalgamation No Thank You" campaign against the forced council amalgamations by the NSW Government.
16 Sep 2016 - 2:32 PM - Leisa Bartlett		CARRIED
Letter to be sent to Marj Bollinger.		
Ordinary Meeting of the Council 31 August 2016	False	Reports
ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 170/16 - DATED AUGUST 11, 2016 - CORRESPONDENCE REPORT - FINANCIAL ASSISTANCE TOWARDS LEGAL FEES - COWRA SHIRE COUNCIL		
11/304		
.		
RESOLUTION		
Minute No. 45312 Councillor M. Browne moved Councillor D. Turley seconded))	1. That Broken Hill City Council Report No. 170/16 dated August 11, 2016, be received.

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>16 Sep 2016 - 2:34 PM - Leisa Bartlett</p> <p>Financial assistance paid. COMPLETE</p>		<p>2. That correspondence received from Local Government NSW dated July 20, 2016 requesting financial assistance to the Cowra Shire Council for legal costs incurred in a Land and Environment Court matter regarding the ability of councils to issue orders under section 124 of the <i>Local Government Act NSW 1993</i> in relation to animal welfare issues that are not covered by other laws, be received.</p> <p>3. That Council provides financial support through Local Government NSW for legal assistance to Cowra Shire Council in the amount of \$421.73 towards legal costs incurred.</p> <p>CARRIED</p>
<p>Ordinary Meeting of the Council 31 August 2016</p> <p>False</p> <p>Reports</p>		<p>ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 172/16 - DATED AUGUST 02, 2016 - END OF TERM REPORT 2012-2016 16/64</p> <p><u>Recommendation</u></p> <p>1. That Broken Hill City Council Report No. 172/16 dated August 2, 2016, be received.</p> <p>2. That Council adopt the End of Term Report 2012-2016.</p> <p>RESOLUTION Minute No. 45314 Councillor D. Gallagher moved) Councillor J. Richards seconded)</p> <p>That the recommendation of item 5 be adopted.</p> <p>CARRIED</p> <p>16 Sep 2016 - 2:35 PM - Leisa Bartlett</p> <p>To be published along with Annual Report once Annual Report is adopted. COMPLETE</p>
<p>Ordinary Meeting of the Council 31 August 2016</p> <p>False</p> <p>Reports</p>		<p>ITEM 7- BROKEN HILL CITY COUNCIL REPORT NO. 174/16 - DATED AUGUST 17, 2016 - 2015/2016 DRAFT ANNUAL FINANCIAL STATEMENTS 13/92</p> <p><u>Recommendation</u></p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>1. That Broken Hill City Council Report No. 174/16 dated August 17, 2016, be received.</p> <p>2. That the 2015/2016 draft primary Financial Statements as attached be received.</p> <p>3. That Council adopt the attached Statements of Opinion on the 2015/16 General Purpose and Special Purpose Financial Statements and the Mayor, the Deputy Mayor, the General Manager and the Responsible Accounting Officer sign the Statements in accordance with Section 413(2)(c) of the Local Government Act (1993).</p> <p>RESOLUTION <u>Minute No. 45316</u> Councillor J. Richards moved) Councillor C. Adams seconded)</p> <p>That the recommendation of item 7 be adopted.</p> <p>CARRIED</p> <p><i>14 Sep 2016 - 8:16 AM - Jay Nankivell</i></p> <p>Mayor, Deputy Mayor, General Manager & Responsible Accounting Officer, have signed GPFS and SPFS ready for Audit. COMPLETE</p>		
Ordinary Meeting of the Council 31 August 2016	False	Reports
<p>ITEM 8- BROKEN HILL CITY COUNCIL REPORT NO. 175/16 - DATED AUGUST 03, 2016 - BUDGET CARRYOVER'S 2016/17 14/175</p> <p><u>Recommendation</u></p> <p>1. That Broken Hill City Council Report No. 175/16 dated August 3, 2016, be received.</p> <p>2. That Council revote the budget of \$670,000 expenditure for the construction of the landfill extension area, the purchase of 2 x heavy plant vehicles, the construction of the Brookfield Avenue footbridge and the upgrade of both the Administration building and Visitor Information Centre air conditioners for the 2016/17 year to enable these works to be out.</p> <p>RESOLUTION <u>Minute No. 45317</u> Councillor C. Adams moved) Councillor D. Gallagher seconded)</p> <p>That the recommendation of item 8 be adopted.</p> <p>CARRIED</p> <p><i>14 Sep 2016 - 8:17 AM - Jay Nankivell</i></p> <p>Carryover Budget has been loaded into CIVICA and the 16/17 budget has been amended to reflect these updates. COMPLETE</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 31 August 2016	False	Reports
ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 177/16 - DATED JULY 04, 2016 - ADOPTION OF THE DRAFT BUSINESS CONTINUITY POLICY		12/14
<p>12 Sep 2016 - 4:26 PM - Leisa Bartlett</p> <p>Re-listed for September Council Meeting. COMPLETE</p>		
Ordinary Meeting of the Council 31 August 2016	False	Reports
ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 178/16 - DATED JULY 04, 2016 - ADOPTION OF THE DRAFT DEVELOPMENT CONTROL PLAN 2016		11/126
<p>Minute No. 45319</p> <p>Councillor M. Browne moved) Councillor C. Adams seconded)</p> <p>That items 10 and 11 be deferred; and the new Council be briefed on the two draft policies prior to them being re-presented to Council for adoption.</p> <p>CARRIED</p> <p>12 Sep 2016 - 4:26 PM - Leisa Bartlett</p> <p>Re-listed for September Council Meeting. COMPLETE</p>		
Ordinary Meeting of the Council 31 August 2016	False	Reports
ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 179/16 - DATED AUGUST 17, 2016 - DRAFT SCORES ON DOORS POLICY FOR PUBLIC EXHIBITION		12/14
<p><u>Recommendation</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 179/16 dated August 17, 2016, be received. 2. That Council endorse the draft Scores on Doors Policy for the purposes of public consultation. 3. That the draft Scores on Doors Policy be exhibited for public comment for a 28 day period. 4. That Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the Draft Scores on Doors Policy. 		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
RESOLUTION Minute No. 45320 Councillor J. Richards moved) Councillor D. Gallagher seconded) <i>12 Sep 2016 - 4:27 PM - Leisa Bartlett</i> Draft policy has been placed on public exhibition closing Friday 30 September 2016. COMPLETE		
		That the recommendation of item 12 be adopted.
		CARRIED
Ordinary Meeting of the Council 31 August 2016	False	Reports
ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 180/16 - DATED AUGUST 11, 2016 - COUNCILLOR ATTENDANCE AT THE MURRAY DARLING ASSOCIATION NATIONAL CONFERENCE AND AGM - DUBBO OCTOBER 26-27, 2016 11/364		
RESOLUTION Minute No 45321 Councillor M. Browne moved) Councillor D. Gallagher seconded)		
		1. That Broken Hill City Council Report No. 180/16 dated August 11, 2016, be received. 2. That the Mayor (or alternate) and two (2) Councillors attend the Murray Darling Association National Conference with the preference being that one of the two Councillors is a new serving Councillor. 3. That an expression of interest be sent to the newly elected Councillors to advise their availability.
		CARRIED
<i>16 Sep 2016 - 2:37 PM - Leisa Bartlett</i> EOI to be sent to newly elected Councillors to advise availability. COMPLETE		
Ordinary Meeting of the Council 31 August 2016	False	Reports
ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 181/16 - DATED AUGUST 12, 2016 - LATE MOTIONS TO THE NSW LOCAL GOVERNMENT CONFERENCE 13/147		

Printed: Tuesday, 20 September 2016 1:31:55 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
RESOLUTION Minute No. 45322 Councillor C. Adams moved) Councillor D. Turley seconded)		
		1. That Broken Hill City Council Report No. 181/16 dated August 12, 2016, be received. 2. That Council requests that the NSW Local Government Association accepts Council's late motions as detailed below a. That Local Government NSW supports the Local Government Authorities of Broken Hill City Council, Wentworth Shire Council and Central Darling Shire Council with their campaign for a sustainable Darling River System that ensures the health and wellbeing of the communities that live along it and enriches the economic, social, environmental and cultural values that has been part of its long history. b. That Local Government NSW lobby the state government to fund the establishment and ongoing operation of their proposed Far West Authority. c. That Local Government NSW encourages all NSW Councils to register their protest regarding the collection of the State Government's Emergency Services Property Levy via Council rates That Local Government NSW makes representations to the Prime Minister, Federal Treasurer, NSW Premier and the NSW Treasurer on behalf of all concerned NSW councils protesting against the introduction of an Emergency Services Property Levy.
12 Sep 2016 - 4:28 PM - Leisa Bartlett Late motions submitted 7/9/2016. COMPLETE		CARRIED
Ordinary Meeting of the Council 31 August 2016	False	Reports
ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 182/16 - DATED AUGUST 15, 2016 - LEASE OF LAND AT GLADSTONE PARK TO ALMA SWIMMING CLUB INC. 11/197 Recommendation		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>1. That Broken Hill City Council Report No. 182/16 dated August 15, 2016, be received.</p> <p>2. That Council's previous resolution of September 2, 2009 (minute number 42106) be rescinded in favour of a new motion:</p> <p>a. That Council, in its appointed capacity to manage the affairs of the Gladstone Park Reserve Trust, lease as much land as is necessary fronting Morish Street to formalise the existing occupation by the Alma Swimming Club Inc. together with an additional four metres along the eastern side of the site, for swimming club purposes.</p> <p>b. That the term of the lease be five years and that during this term, Council investigates another Trust model for management of the Gladstone Park Reserve that is better suited to the usage of the Reserve and also acceptable to the Department of Crown Lands.</p> <p>c. That rental at commencement be \$250 per annum and that this rental be reviewed annually for CPI increases.</p> <p>d. That public liability insurance in the sum of \$20 million be provided noting the rights and interests of Council as Trustee and the Minister administering the Crown Lands Act 1989, and that this amount be increased from time to time as required by Council's insurers.</p> <p>e. That the Alma Swimming Club insure its assets and contents for replacement value as determined in conjunction with its insurer.</p> <p>f. That all other standard leasing requirements be complied with.</p> <p>g. That the Alma Swimming Club be liable for Council's legal fees incurred in this matter.</p> <p>h. That, in the absence of a Trust Seal, lease documents be signed by the Mayor and General Manger under Council's Common Seal.</p> <p>RESOLUTION <u>Minute No. 45323</u> Councillor J. Nolan moved) Councillor J. Richards seconded)</p> <p>That the recommendation of item 15 be adopted.</p> <p>CARRIED</p> <p><i>16 Sep 2016 - 2:38 PM - Leisa Bartlett</i> Meeting to be arranged with Alma Swimming Club to discuss Council resolution and terms of lease.</p>		

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MEETING	FURTHER REPORT REQUIRED	SUBJECT
Confidential Matters of the Council 07 April 2016	False	Confidential Matters
ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 64/16 - DATED MARCH 22, 2016 - - CONFIDENTIAL 15/99		
<u>Recommendation</u> <u>Minute No. 45235</u> Moved Councillor C. Adams) Seconded Councillor J. Richards)		<p>That Broken Hill City Council Report No. 64/16 dated March 22, 2016, be received.</p> <p>That Council implement the relocation of the library in line with the recommendation of the adopted Broken Hill Living Museum + Perfect Light Project considering the maintenance and repair issues of the current building.</p> <p>That Council implement the relocation of the Archives to the basement and ground floor of the administration building in line with the BHPB funding received, and proposal contained in the report considering the maintenance and repair issues of the current building.</p> <p>That the relocation of both the Library and the Archives be subject to all necessary compliance approvals.</p> <p>That the General Manager be authorised to negotiate possible Lease arrangement (20 years + 20 years) with the various property owner(s).</p> <p>That any costs associated with the move are considered as part of the 2016/17 budget process.</p> <p>CARRIED</p>
20 Jun 2016 - 4:22 PM - Andrew Bruggy Negotiations commenced with landlord 20 Sep 2016 - 2:07 PM - Leisa Bartlett Lease has been drafted and is being reviewed by the Lessor's Solicitor.		

COMMITTEE REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 209/16 - DATED
SEPTEMBER 13, 2016 - MINUTES OF THE PICTON OVAL COMMUNITY
COMMITTEE MEETING HELD SEPTEMBER 12, 2016 (12/54)..... 451

2. BROKEN HILL CITY COUNCIL REPORT NO. 210/16 - DATED
SEPTEMBER 20, 2016 - MINUTES OF THE BROKEN HILL HERITAGE
ADVISORY COMMITTEE MEETING HELD AUGUST 11, 2016 AND
SEPTEMBER 17, 2016 (15/87) 453

ORDINARY MEETING OF THE COUNCIL

September 13, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 209/16

MEETING HELD SEPTEMBER 12, 2016

12/54

Recommendation

1. That Broken Hill City Council Report No. 209/16 dated September 13, 2016, be received.
2. That minutes of the Picton Oval Community Committee meeting held September 12, 2016 be received.

Executive Summary:

Council has received minutes of the Picton Oval Community Committee meeting held September 12, 2016 for endorsement by Council.

Report:

Council, at its meeting held April 28, 2010 considered Group Manager Governance & Community Report No. 19/10 and as part of that report's motion; resolved:

"That Council's Section 355 Committee's be instructed to submit to Council a copy of the relevant Section 355 Committee's meeting minutes within five working days of each meeting, for endorsement." (Minute no. 42328).

Accordingly, the Picton Oval Community Committee has submitted minutes from its meeting held September 12, 2016 for Council's endorsement.

Strategic Direction:

- | | | |
|----------------|---------|---|
| Key Direction: | 1. | Our Community |
| Objective: | 1.4 | Our built environment supports our quality of life |
| Function: | | Open Spaces |
| DP Action: | 1.4.1.7 | Provide parks and open spaces for passive recreational activity |

Relevant Legislation:

The Picton Oval Community Committee operates under Council's Section 355 Asset Committee Standard Constitution and the *Local Government Act 1993* (Section 355).

Financial Implications:

Nil

Attachments

- | | |
|---|-----------|
| 1. Minutes of the Picton Oval Community Committee meeting held September 12, 2016 | 1
Page |
|---|-----------|

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER

PICTON OVAL MANAGEMENT COMMITTEE MEETING
MINUTES

MONDAY, 12th SEPTEMBER 2016

Present: N. Hannigan, T. Rynne, P. Adams, J. O'Neill, N. Davey.

Apologies: G. Hogan, C. Adams (councillor rep.), C. Williams (Little A's)

Meeting Commenced: 7:30p.m.

Matters Arising:

1. Marshmellow weed throughout oval to be looked at again.

Correspondence In:

1. BHCC – Annual reports
2. Little A's – Letter for use of oval Terms 4 (2016) & Term 1 (2017)

Correspondence Out:

Financial Report:

1. Noel to complete direct debit forms for Blackwoods and Origin to pay accounts. Committee all in favour.

General Business:

1. Water bubbler requires a work order for the Council to be fixed.
2. Oval to be checked again for black beetle.
3. Water coming up through drain in men's toilet. Turned into a bigger job than expected. Committee to thank Council for their prompt response to fix sewer problem.
4. Committee to investigate whether to replace ride-on mower. Committee to look at options available and get three quotes. Does Council have suppliers that Committee could contact?
5. Build-up of dirt over the bottom of rail needs to be removed to prevent rusting of wire.
6. Working Bee on Sunday, 9th October at 10:00a.m. at oval.

Meeting: Monday, 10th October 2016

ORDINARY MEETING OF THE COUNCIL

September 20, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 210/16

SUBJECT: MINUTES OF THE BROKEN HILL HERITAGE ADVISORY
COMMITTEE MEETING HELD AUGUST 11, 2016 AND
SEPTEMBER 17, 2016 15/87

Recommendation

1. That Broken Hill City Council Report No. 210/16 dated September 20, 2016, be received.
2. That minutes of the Broken Hill Heritage Advisory Committee meetings held August 11, 2016 and September 17, 2016 be received.

Executive Summary:

Council has received minutes of the Broken Hill Heritage Advisory Committee meetings held August 11, 2016 and September 17, 2016.

Report:

In accordance with the adopted s355 Advisory Committee Standard Constitution, minutes of the matters discussed at the Broken Hill Heritage Advisory Committee meetings must be kept and a copy forwarded to Council.

Accordingly, Council has received the minutes of the Broken Hill Heritage Advisory Committee meetings held August 11, 2016 and September 17, 2016 for endorsement by Council.

Strategic Direction:

Key Direction:	Our Economy
Objective:	2.2 We are a destination of choice and provide a real experience that encourages increased visitation
Function:	Tourism Development
DP Action:	2.2.1.12 Investigate opportunities arising from Broken Hill's listing as a heritage city

Relevant Legislation:

Local Government Act 1993 (Section 355)

Council's adopted Section 355 Advisory Committee Constitution

Financial Implications:

Nil.

Attachments

- | | |
|--|-------|
| 1. Minutes of the Broken Hill Heritage Advisory Committee held August 2016 | 2 |
| | Pages |
| 2. Minutes of the Broken Hill Heritage Advisory Committee meeting - September 2016 | 4 |
| | Pages |

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER

Broken Hill Heritage Committee

Council Chambers

6pm –Thursday 11 August 2016

Minutes

Present: Mayor Wincen Cuy (Chairperson) Councillor Marion Browne (Vice Chairperson)
Councillor Christine Adams (Secretary) Fran McKinnon OAM, Andrew Gosling, Greg Braes
CFMEU (guest)

Apologies. Susan Olsen, Paula Chancellor

Minutes of previous meeting. Moved Marion; Seconded Andrew. Accepted

Business arising from the minutes

- 'Save this date' sent to MPs and others. Apology from Kevin Humphries.
- Traffic Committee recommends partial road closure for the Wheelbarrow race. In hand.
- Greg Braes invited to August meeting.
- Mayor Cuy to chase up Perilya/CBH re sponsorship
- Vintage Car Club advised preference is Sturt Park only.

Further Business:

- Pastor Wayne Lee to lead prayer service
- Combined choir of Broken Hill Singers and Philharmonic members. Time of service inconvenient for church goers. If event eventually becomes a weekend perhaps the commemoration service could be Saturday?
- Consolidated Civil & Mining: \$2200
Merry Go Round Hire: \$480
Junior Photographic & Art Competition \$500
Facepainting \$500
BIU Band \$250
Medallions?

- Foundation Broken Hill
Wheelbarrow Race-Naming Rights
Prize \$1000
Perpetual Trophy
4 individual trophies
Medallions?
- Silver City Tours
65 seat coach & driver. Suggestion that bus leaves from VIC. Possible 2 trips to & from Line of Lode? First in first served policy. Marion or Chris to discuss HACC providing transport for clients needing disability access.
- Trades Hall Activities: Helen Buddle has this well under control. May need assistance setting up prior to the day.
- Photographic/Art competitions. Secretary to further investigate with WDA and Trades Hall re an official opening on Saturday. Trades Hall to sell afternoon tea for fundraising.
- Medallions: Secretary and Events Team Staff to investigate further re medallions.
- Promotion/media. Secretary to consult with Events team re promotion of event.

Next meeting at Council Chambers 5.30pm Thursday 8th September 2016

Broken Hill Heritage Committee

Council Chambers

10am –Saturday 17 September 2016

Minutes

Present: Wincen Cuy (Chairperson) Councillor Marion Browne (Vice Chairperson)
Councillor Christine Adams (Secretary) Anne Andrews (BHCC Events Co-ordinator) Paula
Williams Susan Olsen Helen Buddle (guest)

Apologies. Fran McKinnon

Minutes of previous meeting. Moved : Marion Browne. Seconded: Paula Williams

Business arising from the minutes

- Pastor Wayne Lee to lead prayer service
- Sasha Cox accepted invitation to read 1902 poem
- Combined choir of Broken Hill Singers and Philharmonic members. To follow up.
- Silver City Tours
65 seat coach & driver. Bus will leave from VIC at 9 and 9.30am. Residents to be encouraged to use bus instead of cars. Emphasise limited parking.
- Traffic Committee recommends partial road closure for the Wheelbarrow race. In hand. Chris met with David (infrastructure) 16/9/16. Race to begin in Chloride Street but will finish in Beryl Street opposite Civic Centre to avoid hassles with drain. Chris to notify Hash Harriers
- CBH re sponsorship-\$1100: Photographic & Art Competition Prizes to be announced at Trades Hall 10am Saturday 8th October. Rachel sending letter inviting Visko Sulicich or representative to present prizes. Mark Coulton to present People's Choice prizes which he is donating.
- Consolidated Civil & Mining: \$2200
Merry Go Round Hire: \$480
Facepainting \$500
BIU Band \$250

Junior Wheelbarrow races conducted by YMCA
% Medallions-ordered

- Foundation Broken Hill \$2200
Wheelbarrow Race-Naming Rights
Prize \$1000 & Medallions
- Promotion/media. ADVERTS ALREADY COMMENCED. FLYERS DISTRIBUTED
THROUGHOUT CITY FOR ALL ACTIVITIES.

Further Business regarding Miners' Memorial Day.

- Draft Order of Service presented to committee. Chris to continue liaising with Greg Braes. Council to print A5 sheets for service.
- Chairs & sound system provided by council will be delivered on Friday and stored in restaurant. Council staff to attend at 8am and assist Greg and co to place seating in position.
- Gary Radford OAM will also provide seating plus whistle
- Chris to advise Greg Braes to acknowledge Gaynor Halliday and Quota for maintenance of Miners' Memorial.
- Afternoon Programme Sturt Park. See attached
- Trades Hall-art/photography entries to be judged on Friday. Suggestion: Bob Groves/art; Andrew Gosling/ photography
- Council and Railway Museum to provide bollards for exhibition security.

Saturday opening hours 10-4. Chris to send invitation to Danny O'Connor for him or his representative to open exhibitions.

Quota and Trades Hall Trust on duty.

Gold Coin entry-proceeds Trades Hall

Morning/afternoon tea on sale-proceeds Trades Hall

Sunday: Trades Hall : Open 12-4pm. Danny to open Trades hall. Quota volunteers will be in attendance at all time.

- Saturday Sturt Park. Stalls
Rotary-barbecue and drinks
RRANA-ice creams and drinks
Railway Museum-lolly stall
Rachel Merton will contact individual groups re participation.
- Anne to query liquor licence for 2016; if unsuccessful follow up for 2017.
- Burk Ward Drum and Fife Band now in programme. Chris to liaise with BIU Band re placement of Burke Ward presentation.
- Paula advised Vintage Cars will be in attendance. She and Susan will follow up re form requirements.
- Anne to liaise with Council's media team re double page spread in BDT-similar to Christmas Pageant advertising. It is hoped that the BDT will provide this as a community service.

Further Business.

- Liquor Licence for Sturt Park event 2017
- Paula Susan & Helen will promote 'Hunters and Collectors of Broken Hill' at the Trades Hall. This will be an excellent project in which residents will be encouraged to record their collections and ultimately a new historical industry will be established.
- The committee approved a workshop to revise and improve our strategic plan. We thank Paula Williams who will be convening this workshop. Date to be confirmed.
- Following from the previous discussion Marion Browne moved; Christine Adams seconded the following motion to be submitted to council: 'that submissions for Broken Hill Heritage Committee be deferred until the constitution and strategic plan has been revised'.
- Present members are encouraged to reapply for this committee at the appropriate time. Secretary to email relevant forms to present members.

- The committee agreed that we investigate the return of the mine whistle into operation. More info required.
- Query from Stan Goodman re missing panels at Miners' Memorial. Crown Lands advised secretary they have this in hand. Unfortunately missing panels may not be replaced before the Memorial Day. CL also communicating with Stan Goodman.
- Also perhaps a request to council that the Goodman book be kept in stock and not ordered on request. This would need to go to council or alternatively would come under management of Trust when appointed. No date as to when this may occur.

The committee thanked our outgoing chairman Wincen Cuy & wished him well.

The next meeting will be to finalise activities for Miners' Memorial Day:

Gloria Jeans. Wednesday 5th October 4.30pm

QUESTIONS ON NOTICE

1. QUESTIONS ON NOTICE NO. 6/16 - DATED AUGUST 23, 2016 -
COUNCILLORS QUESTION TAKEN ON NOTICE AT JULY AND AUGUST
COUNCIL MEETINGS (11/214) 462

ORDINARY MEETING OF THE COUNCIL

August 23, 2016

QUESTIONS ON NOTICE NO. 6/16

SUBJECT: COUNCILLORS QUESTION TAKEN ON NOTICE AT JULY AND
AUGUST COUNCIL MEETINGS 11/214

Summary

The following report provides responses to questions from Councillors which were taken on notice at the Council Meetings held July 27, 2016 and August 31, 2016.

Recommendation

1. That Questions On Notice No. 6/16 dated August 23, 2016, be received.

Background

The following question was raised by Councillor Algate at the Council Meeting held July 2016. Unfortunately, due to the amount of investigation required to evaluate the options of both EFTPOS and ATM (bank operated and privately operated), and answer was not available for the August Council Meeting. Council now provides an answer to the question.

Question:

EFTPOS and ATM Facilities and the Broken Hill Airport 11/214
The Mayor took a question on notice from Councillor Algate regarding whether it would be possible for Council to provide EFTPOS facilities at the Broken Hill Airport Kiosk and ATM facilities in the terminal building for visitors' convenience?

Response:

Council investigated the possibility of having an ATM placed at the Broken Hill Airport Terminal, via seeking interest from commercial banks as well as placing a private ATM operated by Council in the terminal. There was no interest from commercial banks in placing an ATM at the airport due to the low foot traffic it would provide the banks with no added benefits, and if Council was to pursue this option it would come at a large initial cost estimated to be \$50,000 as well as an ongoing operating cost estimated to be \$30,000 per year. The option of obtaining or leasing a private ATM was also investigated, this option poses cash management/handling risks that are required to be mitigated. This option which includes free placement of the ATM, cash management and cash handling services from private providers would come at an estimated annual cost to Council of \$14,000.

Council also investigated the possibility of placing eftpos facilities at the Broken Hill Airport Kiosk. Due to the current lease arrangement, the tenant is not required to supply eftpos facilities, and after further discussions with the current tenant of the kiosk this does not appear to be an option during the current lease period.

Council recommends the best option is to consider reviewing the Airport Kiosk lease and include the requirement that the tenant provides eftpos facilities in a new lease. The lease is up for renewal mid-2017 and is the least costly option to Council whilst still providing a service to visitors and airport users. Council does not recommend placing an ATM in the Broken Hill Airport Terminal at a cost to Council to provide benefits to commercial enterprise.

Attachments

There are no attachments for this report.

JAMES RONCON
GENERAL MANAGER

CLOSED

Council Meeting to be held **Wednesday, September 28, 2016**

1. **BROKEN HILL CITY COUNCIL REPORT NO. 211/16 - DATED AUGUST 23, 2016 - HERITAGE VERANDAH REVIVAL LOAN - 350 ARGENT STREET, BROKEN HILL (11/467)- CONFIDENTIAL**

(General Manager's Note: This report considers a loan and grant and is deemed confidential under Section 10A(2) (c) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).

2. **BROKEN HILL CITY COUNCIL REPORT NO. 212/16 - DATED SEPTEMBER 15, 2016 - EXPRESSION OF INTEREST 16/4 - SALE OF LAND AT THE BROKEN HILL REGIONAL AIRPORT (EOI16/4)- CONFIDENTIAL**

(General Manager's Note: This report considers sale of land and is deemed confidential under Section 10A(2) (c) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).

3. **BROKEN HILL CITY COUNCIL REPORT NO. 213/16 - DATED AUGUST 16, 2016 - BROKEN HILL CITY COUNCIL REPORT NO. 213/16 - DATED AUGUST 16, 2016 - TRANSFER OF OWNERSHIP OF 55-59 GYPSUM STREET TO BROKEN HILL FAMILY DAY CARE COMMITTEE INC. (11/197)- CONFIDENTIAL**

(General Manager's Note: This report considers sale of an asset and is deemed confidential under Section 10A(2) (c) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).