

August 24, 2017

ORDINARY MONTHLY MEETING

TO BE HELD

WEDNESDAY, AUGUST 30, 2017


Please address all communications to:
The General Manager
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Broken Hill NSW 2880
Phone 08 8080 3300
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ABN 84 873 116 132

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, August 30, 2017** commencing at 6:30pm 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 Taken on Notice from Previous Council Meeting
- 14) Questions for Next Meeting Arising from Items on this Agenda
- 15) Confidential Matters


JAMES RONCON
GENERAL MANAGER

LIVE STREAMING OF COUNCIL MEETINGS

PLEASE NOTE: This Council meeting is being streamed live, recorded, and broadcast online via Facebook. To those present in the gallery today, by attending or participating in this public meeting you are consenting to your image, voice and comments being recorded and published. The Mayor and/or General Manager have the authority to pause or terminate the stream if comments or debate are considered defamatory or otherwise inappropriate for publishing. Attendees are advised that they may be subject to legal action if they engage in unlawful behaviour or commentary.

MINUTES FOR CONFIRMATION

Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held Wednesday, July 26, 2017.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
JULY 26, 2017

Meeting commenced at 6:30p.m.

PRESENT: Councillor D. Turley (Mayor) Councillor D. Gallagher (Deputy Mayor)
Councillors C. Adams, M. Browne, M. Clark, T. Kennedy, B. Licul
and R. Page.

General Manager, Chief Operating Officer, Finance Manager, Corporate
Responsibility Officer, Executive Manager Strategic City Development,
Communication and Community Engagement Coordinator, Governance
Officer, Executive Support Officer and Digital Officer.

Media (2), Members of the Public (11).

APOLOGIES: Councillors B. Algate and J. Nolan.

RESOLUTION

Minute No. 45578

Councillor R. Page moved) That the apologies submitted on behalf of
Councillor M. Clark seconded) Councillors Algate and Nolan.

CARRIED

PRAYER

Councillor Adams delivered the prayer

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country

PUBLIC FORUM

Event Sponsorship Application

*Mr. Paul Armstrong spoke in support of the Event Sponsorship application for the Shearers' Reunion
which is being considered during the Confidential Section at this Council Meeting.*

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 45579

Councillor C. Adams moved) That the Minutes of the Ordinary Meeting of the
Councillor D. Gallagher seconded) Council of the City of Broken Hill held June 28,
2017 be confirmed.

CARRIED

DISCLOSURE OF INTEREST

Nil.

MAYORAL MINUTES

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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ITEM 1 - MAYORAL MINUTE NO. 5/17 - DATED JULY 26, 2017 - ILLEGAL WATER EXTRACTION PRACTICES IN THE BARWON-DARLING RIVER SYSTEM UNDERMINING THE FUTURE OF THE MURRAY DARLING BASIN SCHEME

11/426

Recommendation

1. That Mayoral Minute No. 5/17 dated July 26, 2017, be received.
2. That the Broken Hill City Council expresses its disgust at the betrayal of the people of western NSW and the reckless disregard for the Murray Darling Basin Plan which have been revealed by the Four Corners program.
3. That this Council supports the establishment of a royal commission or high level judicial inquiry of equal status into the abuse of water sharing plans and the theft of water intended for environmental use as revealed by the Four Corners report.
4. That the Broken Hill City Council calls on the NSW government as a matter of urgency to reinstate the Compliance Unit which was investigating water extraction in NSW and to report publicly on its findings as a matter of urgency as soon as they become available.
5. That the Council calls on the NSW government to place an immediate moratorium on the construction of the Wentworth to Broken Hill water pipeline and, further, calls for the immediate release of the Business Plan that led to the decision to construct this pipeline.

Councillor D. Turley moved) That the recommendation of item 1 be adopted.
Councillor M. Clark seconded)

Amendment

- Councillor D. Gallagher moved)
Councillor C. Adams seconded)
1. That Mayoral Minute No. 5/17 dated July 26, 2017, be received.
 2. That the Broken Hill City Council expresses its disgust at the betrayal of the people of western NSW and the reckless disregard for the Murray Darling Basin Plan which have been revealed by the Four Corners program.
 3. That this Council supports the establishment of a royal commission or high level judicial inquiry of equal status into the abuse of water sharing plans and the theft of water intended for environmental use as revealed by the Four Corners report.
 4. That the Broken Hill City Council calls on the NSW government as a matter of urgency to reinstate the Compliance Unit which was investigating water extraction in NSW and to report publicly on its findings as a matter of urgency as soon as they become available.

LOST

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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Councillor Gallagher requested that his name be recorded as voting for the amendment

The original motion was put.

The Mayor accepted an addendum to the motion as suggested by Councillor Kennedy to include in item 3 of the motion, that the theft of the water was not only for environmental flows but was also water for Broken Hill.

RESOLUTION

Minute No. 45580

Councillor D. Turley moved)

Councillor M. Clark seconded)

1. That Mayoral Minute No. 5/17 dated July 26, 2017, be received.
2. That the Broken Hill City Council expresses its disgust at the betrayal of the people of western NSW and the reckless disregard for the Murray Darling Basin Plan which have been revealed by the Four Corners program.
3. That this Council supports the establishment of a royal commission or high level judicial inquiry of equal status into the abuse of water sharing plans and the theft of water intended for environmental use and Broken Hill's water supply as revealed by the Four Corners report.
4. That the Broken Hill City Council calls on the NSW government as a matter of urgency to reinstate the Compliance Unit which was investigating water extraction in NSW and to report publicly on its findings as a matter of urgency as soon as they become available.
5. That the Council calls on the NSW government to place an immediate moratorium on the construction of the Wentworth to Broken Hill water pipeline and, further, calls for the immediate release of the Business Plan that led to the decision to construct this pipeline.

CARRIED

Councillor Gallagher requested that his name be recorded as voting against the motion of item 1.

NOTICES OF MOTION

ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 4/17 - DATED JULY 20, 2017 -
FORMATION OF STANDING COMMITTEE STRUCTURE

11/21

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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Notice of Motion

1. That Broken Hill City Council forms a standing committee structure that meets in the week prior to the ordinary monthly meeting of Council. The committees will vote on and pass recommendations for business to be discussed and voted on at the monthly meetings of Council. That the current portfolio system continues in conjunction with the standing committees.

Councillor T. Kennedy moved)
Councillor R. Page seconded) That the notice of motion be adopted.

Amendment

Councillor M. Browne moved)
Councillor B. Licul seconded) That the matter be deferred to allow
Chairpersons of the Key Direction Working
Groups to present a report to the August Council
Meeting with recommendations to improve the
operation of the Key Direction Working Groups.

That the scheduled six monthly review report of
the Key Direction Working Groups still apply and
be presented to the September Council Meeting.

Councillor Kennedy withdrew his Notice of Motion in favour of the amendment.

The amendment becomes the motion.

RESOLUTION

Minute No. 45581

Councillor M. Browne moved)
Councillor B. Licul seconded) That the matter be deferred to allow
Chairpersons of the Key Direction Working
Groups to present a report to the August Council
Meeting with recommendations to improve the
operation of the Key Direction Working Groups.

That the scheduled six monthly review report of
the Key Direction Working Groups still apply and
be presented to the September Council Meeting.

CARRIED

Councillor Page requested that his name be recorded as voting against the motion of item 2.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Nil.

REPORTS

ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 119/17 - DATED JULY 13, 2017 - WESTERN DIVISION STRATEGIC PLAN 11/173

RESOLUTION

Minute No. 45582

Councillor D. Gallagher moved)
Councillor C. Adams seconded)

1. That Broken Hill City Council Report No. 119/17 dated July 13, 2017, be received.
2. That Council commits to being a member of the Western Division Group of Councils for a period of four years (2017/2018, 2018/2019, 2019/2020 and 2020/2021 financial years).
3. That Council endorses the Western Division Strategic Business Plan proposal and advises the Western Division Councils of NSW of Broken Hill City Council's four year membership pledge.
4. That more responsibility be placed on the invited members (non-government organisations, government department representatives, Department of Premier and Cabinet and non-voting members) to have an obligation to attend meetings; and that this obligation be a funding requirement for non-government organisations in the Western Division region.
4. That Council advise the Western Division Executive and the Parliamentary Secretary of Western NSW of its decision.

CARRIED

It was noted that Deputy Mayor Gallagher, Councillor Browne and the Chief Operating Officer were Council's delegates at the Western Division Councils of NSW Annual Conference.

ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 120/17 - DATED JUNE 02, 2017 - ADOPTION OF DRAFT COMPLIANCE AND ENFORCEMENT POLICY 2017 12/14

Recommendation

1. That Broken Hill City Council Report No. 120/17 dated June 2, 2017, be received.
2. That Council adopts the Draft Compliance and Enforcement Policy 2017 as a Policy of Council.

RESOLUTION

Minute No. 45583

Councillor C. Adams moved)
Councillor M. Clark seconded)

- That the recommendation of item 4 be adopted.

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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The General Manager took a question on notice from Councillor Clark as to whether Council can mandate where homeowners display their house numbers.

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 121/17 - DATED JUNE 02, 2017 -
ADOPTION OF DRAFT RELATED PARTY TRANSACTION POLICY 12/14

Recommendation

1. That Broken Hill City Council Report No. 121/17 dated June 2, 2017, be received.
2. That Council adopts the Draft Related Party Transaction Policy as a Policy of Council.

RESOLUTION

Minute No. 45584

Councillor B. Licul moved) That the recommendation of item 5 be adopted.
Councillor M. Clark seconded)

CARRIED

ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 122/17 - DATED JUNE 20, 2017 - DRAFT
CIVIC AND CEREMONIAL FUNCTIONS AND REPRESENTATION POLICY FOR PUBLIC
EXHIBITION 12/14

Recommendation

1. That Council endorse the Draft Civic and Ceremonial Functions and Representation Policy for the purposes of public consultation.
2. That the Draft Civic and Ceremonial Functions and Representation Policy be exhibited for public comment for a 28 day period.
3. That the 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 Civic and Ceremonial Functions and Representation Policy.

RESOLUTION

Minute No. 45585

Councillor C. Adams moved) That the recommendation of item 6 be adopted.
Councillor M. Browne seconded)

CARRIED

ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 123/17 - DATED JULY 19, 2017 - AUDIT
RISK AND IMPROVEMENT COMMITTEE MINUTES FROM MEETING HELD 11 MAY 2017 13/19

Recommendation

1. That Broken Hill City Council Report No. 123/17 dated July 19, 2017, be received.
2. That the minutes of the Audit, Risk and Improvement Committee meeting held 11 May 2017 be adopted.

RESOLUTION

Minute No. 45586

Councillor D. Gallagher moved) That the recommendation of item 7 be adopted.
Councillor M. Clark seconded)

CARRIED

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**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 124/17 - DATED JULY 07, 2017 -
INVESTMENT REPORT FOR JUNE 2017**

17/82

Recommendation

1. That Broken Hill City Council Report No. 124/17 dated July 7, 2017, be received.

RESOLUTION

Minute No. 45587

Councillor M. Browne moved) That the recommendation of item 8 be adopted.
Councillor C. Adams seconded)

CARRIED

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 125/17 - DATED JUNE 27, 2017 -
PROPOSED COMPULSORY ACQUISITION OF CROWN LAND AND PART OF WILLYAMA
COMMON FOR EXTENSION TO BROKEN HILL LANDFILL FACILITY**

11/63

Recommendation

1. That Broken Hill City Council Report No. 125/17 dated June 27, 2017, be received.
2. That Council resolution minute no. 42491 dated 29 September 2010 be rescinded.
3. That the Willyama Common Trust raise no objection to the proposed acquisition of part of Willyama Common Reserve No. 2421, Lot 7300 in DP 1179131, under the terms of the *Local Government Act 1993* for the purpose of extension of Landfill.
4. That Council make an application to the Minister and Governor for approval to acquire part of the Willyama Common Reserve No. 2421 described as Lot 7300 in DP 1179131 and Crown Land described as Lot 1974 in DP 757298 by compulsory process under section 186(1) of the *Local Government Act 1993* for the purpose of extension of Landfill in accordance with the requirements of the *Land Acquisitions (Just Terms Compensation) Act 1991*.
5. That the land concerned once acquired be classified as operational land.
6. That documents required to be sealed by the Willyama Common Trust be executed by the General Manager and Mayor under Council's Seal in the absence of a Trust Seal.

RESOLUTION

Minute No. 45588

Councillor R. Page moved) That the recommendation of item 9 be adopted.
Councillor B. Licul seconded)

CARRIED

The General Manager took a question on notice from Councillor Kennedy regarding the exact cost of acquiring the Crown Land for an extension to the Broken Hill Landfill facility.

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 126/17 - DATED JUNE 22, 2017 -
MINUTES OF THE BROKEN HILL LIVING MUSEUM + PERFECT LIGHT PROJECT STEERING
GROUP MEETINGS AND REVISED TERMS OF REFERENCE**

14/181

Recommendation

1. That Broken Hill City Council Report No. 126/17 dated June 22, 2017, be received.
2. That Council adopts the revised Broken Hill Living Museum + Perfect Light Project Steering Group – Terms of Reference.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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3. That Council adopts the inclusion of three (3) Broken Hill Aboriginal Community Working Party Representatives Maureen O'Donnell, Donna Cruickshank and Denise Hampton on the Broken Hill Living Museum + Perfect Light Project Steering Group.
4. That minutes of the Broken Hill Living Museum + Perfect Light Project Steering Group Meeting held March 14, 2017 be received.
5. That minutes of the Broken Hill Living Museum + Perfect Light Project Steering Group Meeting held May 2, 2017 be received.
6. That minutes of the Broken Hill Living Museum + Perfect Light Project Steering Group Meeting held May 23, 2017 be received.

RESOLUTION

Minute No. 45589

Councillor B. Licul moved) That the recommendation of item 10 be adopted.
Councillor C. Adams seconded)

CARRIED

ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 127/17 - DATED JULY 06, 2017 - FLYING OF THE RAINBOW FLAG DURING BROKEN HEEL FESTIVAL 11/161

Recommendation

1. That Broken Hill City Council Report No. 127/17 dated July 6, 2017, be received.
2. That Council approve the flying of the Rainbow Flag at the Council Administration Building, Town Hall Façade, Broken Hill Civic Centre and the Town Square throughout the period leading into, during and following the Broken Heel Festival each year.

RESOLUTION

Minute No. 45590

Councillor B. Licul moved) That the recommendation of item 11 be adopted.
Councillor C. Adams seconded)

CARRIED

ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 128/17 - DATED JULY 06, 2017 - MUSEUM ADVISER'S ACTIVITY REPORT 16/121

Recommendation

1. That Broken Hill City Council Report No. 128/17 dated July 6, 2017, be received.
2. That the Museum Adviser's Activity Report for the period October 2016 to June 2017 be received.

RESOLUTION

Minute No. 45591

Councillor M. Browne moved) That the recommendation of item 12 be adopted.
Councillor C. Adams seconded)

CARRIED

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ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 129/17 - DATED JULY 13, 2017 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 372 HELD TUESDAY JULY 4, 2017. 11/397

Recommendation

1. That Broken Hill City Council Report No. 129/17 dated July 13, 2017, be received.
2. That the minutes for the Local Traffic Committee Meeting No. 372, held July 4, 2017, be received.
3. Item number 372.7.5 - That concrete speed humps be installed on east side of the entry to the Warnock Street Depot and to investigate the option of making the S-bend a T-intersection with a stop sign to be located adjacent to the entry of the Warnock Depot.
4. Item number 372.7.3 - That the request for the temporary road closure effecting Argent Street traffic be endorsed by Council and that any costs associated with the road closure be covered by the proponent.

RESOLUTION

Minute No. 45592

Councillor M. Browne moved) That the recommendation of item 13 be adopted.
Councillor B. Licul seconded)

CARRIED

ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 130/17 - DATED JULY 17, 2017 - ACTION LIST REPORT 11/25

Recommendation

1. That Broken Hill City Council Report No. 130/17 dated July 17, 2017, be received.

RESOLUTION

Minute No. 45593

Councillor M. Browne moved) That the recommendation of item 14 be adopted.
Councillor C. Adams seconded)

CARRIED

COMMITTEE REPORTS

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 131/17 - DATED JULY 05, 2017 - NOMINATION FOR MEMBERSHIP OF MEMORIAL OVAL COMMUNITY COMMITTEE 12/52

Recommendation

1. That Broken Hill City Council Report No. 131/17 dated July 5, 2017, be received.
2. That Ms Jody Whitehair be appointed as a community representative on the Memorial Oval Community Committee.

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ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 132/17 - DATED JULY 17, 2017 - MINUTES OF MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD JULY 4, 2017 12/52

Recommendation

1. That Broken Hill City Council Report No. 132/17 dated July 17, 2017, be received.
2. That minutes of the Memorial Oval Community Committee Meeting held July 4, 2017 be received.

ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 133/17 - DATED JULY 18, 2017 - MINUTES OF THE BIU BAND HALL COMMUNITY COMMITTEE MEETING HELD APRIL 18, 2017 16/8

Recommendation

1. That Broken Hill City Council Report No. 133/17 dated July 18, 2017, be received.
2. That minutes of the BIU Band Hall Community Committee Meeting held April 18, 2017 be received.

Minute No. 45594

Councillor T. Kennedy moved) That the recommendations of items 15 to 17 be
Councillor M. Clark seconded) adopted.

CARRIED

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 18 - QUESTIONS ON NOTICE NO. 7/17 - DATED JUNE 30, 2017 - COUNCILLORS QUESTIONS TAKEN ON NOTICE AT THE JUNE 2017 COUNCIL MEETING 16/82, 16/157

Recommendation

1. That Questions On Notice No. 7/17 dated June 30, 2017, be received.

RESOLUTION

Minute No. 45595

Councillor T. Kennedy moved) That the recommendation of item 18 be adopted.
Councillor M. Clark seconded)

CARRIED

ITEM 19 - QUESTIONS ON NOTICE NO. 8/17 - DATED JUNE 30, 2017 - PUBLIC FORUM QUESTIONS TAKEN ON NOTICE FROM THE JUNE 2017 COUNCIL MEETING 12/29

Recommendation

1. That Questions On Notice No. 8/17 dated June 30, 2017, be received.

RESOLUTION

Minute No. 45596

Councillor T. Kennedy moved) That the recommendation of item 19 be adopted.
Councillor R. Page seconded)

CARRIED

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

Incentive for House Numbering (from Item 4) 11/299
The General Manager took a question on notice from Councillor Clark as to whether Council can mandate where homeowners display their house numbers.

Acquisition of Crown Land for Broken Hill Landfill Extension (from Item 9) 11/63
The General Manager took a question on notice from Councillor Kennedy regarding the exact cost of acquiring the Crown Land for an extension to the Broken Hill Landfill facility.

Animal Control Facility T16/13
Councillor Adams asked if an update report could be provided to Council regarding the Animal Control Facility.

Country University Centre 11/109
Councillor Kennedy asked for an update on the formation of a Country University Centre in Broken Hill.

Councillor Gallagher gave a verbal presentation to Council and advised that an electronic copy was available on Councillors' iPads.

CONFIDENTIAL MATTERS

RESOLUTION

Minute No. 45597

Councillor B. Licul moved) That the meeting be closed to the public in
Councillor T. Kennedy seconded) accordance with Section 10(A) of the Local
Government Act 1993 in order for the
confidential items to be considered.

CARRIED

Members of the public and media left the Council Chambers at 7:13p.m.

Council's Grants and Project Coordinator remained in the public gallery.

ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 134/17 - DATED JULY 03, 2017 - EXPRESSIONS OF INTEREST - EVENT SPONSORSHIP 2017 - 2018 - CONFIDENTIAL 11/117
(General Manager's Note: This report considers information of a commercial nature and details that may confer a commercial advantage on competitors/other events and is deemed confidential under Section 10A(2) (d) of the Local Government Act, 1993 which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

RESOLUTION

Minute No. 45598

Councillor B. Licul moved) That the matter be deferred pending discussion
Councillor M. Clark seconded) and review of the applications and the
Sponsorship process at the Our Economy Key
Direction Working Group.

That a further report be presented to the August
Council Meeting.

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CARRIED

Council's Grants and Project Coordinator left the Council Chambers at 7:19p.m.

ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 135/17 - DATED JULY 06, 2017 - OPTUS ALTERNATIVE LEASE PROPOSAL - 334 MCCULLOCH STREET - CONFIDENTIAL 11/467
(General Manager's Note: This report considers a lease 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).

Recommendation

1. That Broken Hill City Council Report No. 135/17 dated July 6, 2017, be received.
2. That Council resolution minute no 45303 dated 29 June 2016 be rescinded in favour of the following:
3. That Council lease part of Lot 22 in DP 1211288 to Optus for the co-location of telecommunication equipment, subject to the following conditions:
 - a) That 2 (two) outdoor equipment cabinets and associated infrastructure be installed on the land in lieu of an equipment shelter or shed;
 - b) That all fencing materials, colour and design match and align with the fencing used for the Telstra compound;
 - c) That the lessee (Optus) be responsible for a compiled plan of the premises for lease purposes drafted by a surveyor;
 - d) That the lease be 4 x 5 year leases. Term 1 to commence on the date of execution of lease agreement and expires on 31/1/2020, term 2 to commence on 1/2/2020 to 31/1/2025, term 3 to commence on 1/2/2025 to 31/1/2030 and term 4 to commence on 1/2/2030 until 31/1/2035;
 - e) That, in addition to Council's legal costs for the negotiation and execution of the lease and reasonable disbursements, Optus be liable for all survey, plan drawing and other fees associated with the preparation of this lease agreement.
 - f) That the annual rent be set at \$6000 per annum and to be adjusted annually in accordance with the NSW Consumer Price Index.
 - g) That documents required to be sealed be executed by the General Manager and Mayor under Council's Seal.

RESOLUTION

Minute No. 45599

Councillor M. Browne moved) That the recommendation of item 21 be adopted.
Councillor T. Kennedy seconded)

CARRIED

RESOLUTION

Minute No. 45600

Councillor D. Gallagher moved) That the meeting resumes in open session.
Councillor M. Clark seconded)

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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Members of the public, media and staff returned to the Council Chambers at 7:20p.m.

The Mayor invited the General Manager to report on the items considered in closed session. The General Manager advised that Council has resolved, in respect of:

Item 20 – Broken Hill City Council Report No. 134/17 - dated July 03, 2017 - Expressions of Interest - Event Sponsorship 2017 - 2018 - Confidential

- That the matter be deferred pending discussion and review of the applications and the Sponsorship process at the Our Economy Key Direction Working Group.

- That a further report be presented to the August Council Meeting.

Item 21 - Broken Hill City Council Report No. 135/17 - dated July 06, 2017 - Optus Alternative Lease Proposal - 334 McCulloch Street – Confidential

- That Broken Hill City Council Report No. 135/17 dated July 6, 2017, be received.

- That Council resolution minute no 45303 dated 29 June 2016 be rescinded in favour of the following:

- That Council lease part of Lot 22 in DP 1211288 to Optus for the co-location of telecommunication equipment, subject to the following conditions:
 - That 2 (two) outdoor equipment cabinets and associated infrastructure be installed on the land in lieu of an equipment shelter or shed;
 - That all fencing materials, colour and design match and align with the fencing used for the Telstra compound;
 - That the lessee (Optus) be responsible for a compiled plan of the premises for lease purposes drafted by a surveyor;
 - That the lease be 4 x 5 year leases. Term 1 to commence on the date of execution of lease agreement and expires on 31/1/2020, term 2 to commence on 1/2/2020 to 31/1/2025, term 3 to commence on 1/2/2025 to 31/1/2030 and term 4 to commence on 1/2/2030 until 31/1/2035;
 - That, in addition to Council's legal costs for the negotiation and execution of the lease and reasonable disbursements, Optus be liable for all survey, plan drawing and other fees associated with the preparation of this lease agreement.
 - That the annual rent be set at \$6000 per annum and to be adjusted annually in accordance with the NSW Consumer Price Index.
 - That documents required to be sealed be executed by the General Manager and Mayor under Council's Seal.

There being no further business the Mayor closed the meeting at 7:23p.m.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON AUGUST 30, 2017.)

CHAIRPERSON

REPORTS

1.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 136/17 - DATED AUGUST 21, 2017 - CORRESPONDENCE REPORT - ALLEGED ILLEGAL WATER EXTRACTION PRACTICES IN THE BARWON-DARLING RIVER SYSTEM UNDERMINING THE FUTURE OF THE MURRAY DARLING BASIN SCHEME (11/426)</u>	18
2.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 137/17 - DATED AUGUST 23, 2017 - CORRESPONDENCE REPORT - INQUIRY INTO THE INTEGRITY OF THE WATER MARKET IN THE MURRAY-DARLING BASIN (11/426)</u>	23
3.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 138/17 - DATED AUGUST 17, 2017 - CORRESPONDENCE REPORT - MEMBERSHIP OF THE AUSTRALIAN FLOODPLAINS ASSOCIATION (11/161)</u>	27
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ORDINARY MEETING OF THE COUNCIL

August 21, 2017

ITEM 1BROKEN HILL CITY COUNCIL REPORT NO. 136/17

SUBJECT: CORRESPONDENCE REPORT - ALLEGED ILLEGAL WATER EXTRACTION PRACTICES IN THE BARWON-DARLING RIVER SYSTEM UNDERMINING THE FUTURE OF THE MURRAY DARLING BASIN SCHEME 11/426

Recommendation

1. That Broken Hill City Council Report No. 136/17 dated August 21, 2017, be received.
2. That correspondence from the Premier of NSW dated 10 August 2017 and NSW Labor Leader dated 16 August 2017 regarding the alleged illegal water extraction practices in the Barwon-Darling River System undermining the future of the Murray Darling Basin Scheme be received.

Executive Summary:

Council has received correspondence from the NSW Premier, Ms Gladys Berejiklian MP and the NSW Leader of the Opposition, Mr Luke Foley MP, in response to Council's correspondence dated 31 July 2017 regarding the alleged illegal water extraction practices in the Barwon-Darling River System undermining the future of the Murray Darling Basin Scheme.

Report:

Council at its meeting held July 26, 2017 considered Mayoral Minute 5/17 dated 26 July 2017 – Illegal water extraction practices in the Barwon-Darling River System undermining the future of the Murray Darling Basin Scheme and resolved to send correspondence to the NSW Premier, the Leader of the Opposition, the Federal Member for the Electorate of Parkes and the Member for Barwon.

Council sent correspondence to the abovementioned on the 31 July 2017, and a response has now been received from the NSW Leader of the Opposition and is attached to this report.

Attachments

1. [↓](#) Council's correspondence to the Premier of NSW
2. [↓](#) Correspondence from the Premier of NSW
3. [↓](#) Correspondence from the NSW Leader of the Opposition

JAMES RONCON
GENERAL MANAGER



Quote No L17/1717 - 11/426
DT:LMS

Telephone / Personal Enquiries
Ask for Mayor Darriea Turtey

31 July 2017

Please address all communications to:
The General Manager
240 Blende Street
PO Box 448
Broken Hill NSW 2880
Phone 08 8080 3300
Fax 08 8080 3424
council@brokenhill.nsw.gov.au
www.brokenhill.nsw.gov.au

ABN 84 873 116 132

The Hon. Gladys Berejiklian, BA, DintS, MCom MP
Premier of New South Wales
GPO Box 5341
SYDNEY NSW 2001

Dear Premier

Alleged illegal water extraction practices in the Barwon-Darling River System undermining the future of the Murray Darling Basin Scheme

Council at its meeting held Wednesday 26 July 2017 considered Mayoral Minute 5/17 dated 26 July 2017 – Illegal water extraction practices in the Barwon-Darling River System undermining the future of the Murray Darling Basin Scheme and resolved Minute No. (45580).

1. *That Mayoral Minute No. 5/17 dated 26 July 2017, be received.*
2. *That the Broken Hill City Council expresses its disgust at the betrayal of the people of western NSW and the reckless disregard for the Murray Darling Basin Plan which have been revealed by the Four Corners program.*
2. *That this Council supports the establishment of a royal commission or high level judicial inquiry of equal status into the abuse of water sharing plans and the theft of water intended for environmental use and Broken Hill's water supply as revealed by the Four Corners report.*
3. *That the Broken Hill City Council calls on the NSW government as a matter of urgency to reinstate the Compliance Unit which was investigating water extraction in NSW and to report publicly on its findings as a matter of urgency as soon as they become available.*
5. *That the Council calls on the NSW government to place an immediate moratorium on the construction of the Wentworth to Broken Hill water pipeline and, further, calls for the immediate release of the Business Plan that led to the decision to construct this pipeline.*

Cont'd...

L17/1717 - 11/426
DT:LMS

Page 2

I would appreciate the opportunity to meet with you, at a time and location of your convenience, to discuss the matters listed above. These issues are considered a matter of urgency for the people of Broken Hill.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DT' followed by a long, flowing, cursive line that ends in a sharp upward stroke.

DARRIEA TURLEY
MAYOR

Copy: Mr Luke Foley, Leader of the Opposition
Mr Mark Coulton, Federal Member for the Electorate of Parkes
Mr Kevin Humphries, Member for Barwon



Gladys Berejiklian MP
Premier of New South Wales

Reference: A2211657

1 0 AUG 2017

Ms Darriea Turley
Mayor
Broken Hill City Council
240 Blende St
PO Box 448
BROKEN HILL NSW 2880

Dear Mayor,

Thank you for your correspondence of 31 July 2017 in relation to the Barwon-Darling River System and the future of the Murray Darling Basin Plan.

The NSW Government remains committed to the Murray Darling Basin Plan, while seeking the best deal for NSW communities within that framework.

We take the allegations raised in the 24 July 2017 'Four Corners' report seriously. We have launched an urgent and thorough independent investigation into all of the allegations raised, which is being run by the eminent Mr Ken Matthews AO. The Secretary of the Department of Industry has also referred the allegations to the Independent Commission Against Corruption.

As the matters raised fall under the responsibility of the Minister for Regional Water, The Hon Niall Blair MLC, it is appropriate that the Minister considers your correspondence and I have forwarded it accordingly.

Thank you for taking the time to bring these issues to my attention.

Yours faithfully,

Gladys Berejiklian MP
Premier

CC: The Hon Niall Blair MLC, Minister for Regional Water



Luke Foley MP

NSW LABOR LEADER, LEADER OF THE OPPOSITION
Shadow Minister for Western Sydney



Mayor Darriea Turley
Broken Hill City Council
council@brokenhill.nsw.gov.au

16 August 2017

Dear Mayor Turley

Thank you for providing me with a copy of your letter of 31 July 2017 to the Premier setting out the Broken Hill City Council's position on serious allegations concerning water theft from the Barwon-Darling as revealed on the Four Corners program.

The program dealt with many of the issues that I discussed during a visit to Broken Hill and Menindee last year. Labor has taken determined action to pursue all the issues involved and has:

- Referred the entire matter to the Independent Commission Against Corruption;
- Subjected the Government to scrutiny in the NSW Parliament with successive question times in both the Legislative Assembly and Legislative Council dominated by the water issues of the Far West;
- Sought to disallow contentious water regulations introduced by Minister Blair;
- Sought to have the issues subjected to a formal parliamentary inquiry;
- Sought the release of an extensive number of documents using Standing Order 52 in the Legislative Council;
- Advocated for the establishment of a special commission of inquiry with full investigative powers, including the ability to subpoena documents, compel witnesses and protect whistleblowers, instead of the limited investigation initiated by the Berejiklian Government; and
- Ensured that all these issues have received extensive media attention.

I note your call for the NSW Government to place an immediate moratorium on the construction of the Wentworth to Broken Hill pipeline. I will be considering this matter with my colleagues, the Shadow Minister for Water, Chris Minns MP, and the Shadow Minister for Western NSW, Mick Veitch MLC, and have provided them with a copy of your correspondence.

I am hoping to visit Broken Hill again soon and look forward to discussing all these issues with you then.

Yours sincerely

Luke Foley MP
Leader of the Opposition

ORDINARY MEETING OF THE COUNCIL

August 23, 2017

ITEM 2**BROKEN HILL CITY COUNCIL REPORT NO. 137/17**

SUBJECT: **CORRESPONDENCE REPORT - INQUIRY INTO THE INTEGRITY
OF THE WATER MARKET IN THE MURRAY-DARLING BASIN**
11/426

Recommendation

1. That Broken Hill City Council Report No. 137/17 dated August 23, 2017, be received.
2. That Council makes a submission to the Senate Rural and Regional Affairs and Transport Reference Committee regarding the terms of reference for an inquiry into the integrity of the water market in the Murray-Darling Basin, by the due date of 28 September 2017.

Executive Summary:

Council has received an email dated 21 August 2017 inviting Council to make a submission in relation to the terms of reference for an inquiry into the integrity of the water market in the Murray-Darling Basin, in particular:

- a) the allegations of theft and corruption in the management of water resources in the Murray-Darling Basin,
- b) the investigation and public disclosure by authorities, including the New South Wales Government and the Murray-Darling Basin Authority, of reported breaches within the Murray-Darling Basin, including the Barwon-Darling Water Sharing Plan,
- c) the actions of member states in responding to allegations of corruption and the potential undermining of the Murray-Darling Basin Plan,
- d) the use of Commonwealth-owned environmental water for irrigation purposes, and the impact on Basin communities and the environment,
- e) the operation, expenditure and oversight of the Water for the Environment Special Account, and
- f) any other related matters.

Report:

Councillors are required to submit detailed information that they would like to see included in this submission to the General Manager's Office by close of business Friday 8 September 2017.

Information submitted by Councillors should be substantiated by facts so that a response and fact check can occur before a final submission can be prepared and submitted to the Senate Rural and Regional Affairs and Transport Reference Committee by the 28 September 2017 deadline.

Attachments

1. Correspondence from the Committee Secretary to the Senate Rural and Regional Affairs and Transport References Committee

JAMES RONCON
GENERAL MANAGER

THE SENATE
RURAL AND REGIONAL AFFAIRS AND TRANSPORT
REFERENCES COMMITTEE

18 August 2017

Cr Darriea Turley
Mayor
Broken Hill City Council
PO Box 448
BROKEN HILL NSW 2880

Via email: darriea.turley@brokenhill.nsw.gov.au

Dear Cr Turley

Inquiry into the integrity of the water market in the Murray-Darling Basin

On 16 August 2017 the Senate referred the following matters to the Senate Rural and Regional Affairs and Transport References Committee (the committee) for inquiry and report by 5 December 2017:

The integrity of the water market in the Murray-Darling Basin, with particular reference to:

- (a) the allegations of theft and corruption in the management of water resources in the Murray-Darling Basin,
- (b) the investigation and public disclosure by authorities, including the New South Wales Government and the Murray-Darling Basin Authority, of reported breaches within the Murray-Darling Basin, including the Barwon-Darling Water Sharing Plan,
- (c) the actions of member states in responding to allegations of corruption and the potential undermining of the Murray-Darling Basin Plan,
- (d) the use of Commonwealth-owned environmental water for irrigation purposes, and the impact on Basin communities and the environment,
- (e) the operation, expenditure and oversight of the Water for the Environment Special Account, and
- (f) any other related matters.

The committee invites you to make a submission addressing all or some of the terms of reference for this inquiry by 28 September 2017. Should you require an extension, please get in touch with the committee secretariat as soon as possible. Late submissions are not generally accepted unless an extension has been granted.

The committee encourages the lodgement of submissions via the Online Submission System at: http://www.aph.gov.au/Parliamentary_Business/Committees/OnlineSubmission. If this is not possible, submissions should be sent via email to rrat.sen@aph.gov.au or by post at the below address.

All submissions to the inquiry become committee documents upon receipt and are made public only after a decision by the committee. You should not release your submission to anyone until the committee advises you that it has been accepted and published. This is because although submissions are protected by parliamentary privilege once they are accepted by the committee, their unauthorised release before this is not.

Generally, once a submission is accepted by the committee, it is published under the submitter's name on the committee inquiry webpage. Publication of your submission includes it being loaded onto the internet (with your signature and/or contact details removed).

While the committee normally makes submissions public, it can consider a request to receive evidence – such as a submission or an attachment to a submission – as a confidential document. Confidential evidence is only provided to members of the committee and the name of the submitter is not made public.

If you would like the committee to consider receiving your evidence as confidential, please provide a covering letter to your submission that outlines the reasons for your request. The committee will sympathetically consider requests for confidentiality, but cannot make promises in advance. Contact the committee secretariat if you require further advice on confidential evidence.

Details about the inquiry, including the terms of reference, can be found on the committee webpage. Further information about making a submission is available on the parliamentary website.

If you have any questions, please contact the committee secretariat on (02) 6277 3511.

The committee looks forward to receiving your views on this important issue.

Yours sincerely,

**Dr Jane Thomson
Committee Secretary**

ORDINARY MEETING OF THE COUNCIL

August 17, 2017

ITEM 3BROKEN HILL CITY COUNCIL REPORT NO. 138/17

SUBJECT: CORRESPONDENCE REPORT - MEMBERSHIP OF THE AUSTRALIAN FLOODPLAINS ASSOCIATION 11/161

Recommendation

1. That Broken Hill City Council Report No. 138/17 dated August 17, 2017, be received.
2. That correspondence dated 27 July 2017 from the Australian Floodplains Association be received.
3. That Council accepts the invitation from the Australian Floodplains Association and joins the Association as a Group Member.
4. That the Mayor and the Our Environment Key Direction Portfolio Councillor be Council's delegates on the Australian Floodplains Association.

Executive Summary:

Council has received correspondence dated 27 July 2017 from the Australian Floodplains Association (AFA) inviting Broken Hill City Council to become a member of the Association to add voice and strength to the Association's advocacy efforts for strong, healthy communities in the Northern Basin of the Murray Darling Basin.

Report:

The AFA played a key role in assisting the ABC with the production of the recent Four Corners program aired on 24 July 2017.

The AFA was formed in 2005 by floodplain graziers and lobbies for healthy rivers and healthy communities and as such, equitable and fair water management within the Murray Darling and Lake Eyre Basins. It fought strongly for an equitable Murray Darling Basin Plan. The AFA feels the irrigation industry is favoured above other river users to the detriment of rivers and communities dependent upon them.

The Association partners with other like-minded groups to pursue this objective and has attracted a number of community groups up and down the Darling River as members. These communities feel they have been overlooked in the water debate. The AFA offers an alternate view to water management to that put by the powerful irrigation lobby. The AFA is not against irrigation but is against inequity and unfairness.

The AFA has a volunteer committee consisting of a President, Vice President, Secretary, Treasurer, committee members and a Public Officer. It is incorporated in NSW and has a business number. The President resides in Canberra while other committee members are located in Wentworth, Tilpa, Louth, Paroo River, Angeldool and Dirranbandi.

Due to the expanse of the Basin, nearly all meetings are held by Teleconference, but generally has a face to face Annual General Meeting which is held at various locations across the Basin. This year's Annual General Meeting was held in Louth, they also hold Community Awareness meetings to discuss various issues affecting the communities of the Basin region, one of which was recently held in Menindee and attended by residents and key stakeholders.

Individual membership consists of graziers, irrigators, and people from all types of experience ranging from ex Director NPWS, representatives on the MDBA Northern Basin Review Committee, people who are involved in other organisations such as South West Water Users Group. It's a really excellent group of people with extensive networks.

The Committee is elected at the Annual General Meeting with each membership having one vote, i.e. Group Membership has one vote and an Individual Membership has one vote.

Current group members include the Paroo River Association, the Louth Chamber of Commerce, the Central Darling Shire Council and the Wilcannia Tourist Association.

The AFA are currently inviting local Councils from the Murray Darling region to join the Association.

Strategic Direction:

- | | |
|----------------|---|
| Key Direction: | 3 Our Environment |
| Objective: | 3.1 Our environmental footprint is minimised |
| Function: | Environmental Footprint |
| DP Action: | 3.1.1.12 Advocate to secure a permanent clean, reliable and sustainable water supply for the City |
| | 3.1.1.15 Advocate 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. |

Relevant Legislation:

Nil

Financial Implications:

Costs associated with membership of the Australian Floodplain Association include:

- Annual group membership of \$50.00.
- Travel expenses associated with attending the Association's Annual Conference (held in a different location across the Basin each year).
- Travel expenses associated with attending Community Engagement Meetings (held across the Basin) should Council's delegates see value in attending.
- All other meetings will be via Teleconference.

Attachments

1. [↓](#) Invitation to join the Australian Floodplains Association

JAMES RONCON
GENERAL MANAGER



AUSTRALIAN
FLOODPLAIN
ASSOCIATION

Healthy Rivers - Healthy Communities

Hard copy correspondence to Julie McClure, Secretary AFA, Kallara Station, Tilpa, NSW 2840.
Email: Terry Korn PSM, President AFA, ausfloodplain@bigpond.com , mobile: 0447 847 399

The General Manager,
Broken Hill City Council
P O Box 448
BROKEN HILL NSW 2880

27th July, 2017

Dear Sir,

The Australian Floodplain Association invites you to join its organisation to add voice and strength to its efforts for strong, healthy communities in the Northern Basin of the Murray Darling Basin.

The organisation was formed in 2005 by floodplain graziers but membership has expanded to now include concerned individual non-grazing community members and community groups who want healthy rivers and healthy communities.

The AFA fought for a Basin Plan which would put more water into rivers and over floodplains so that river dependent communities have more diverse production systems. Diversity underpins resilience. If a community relies on limited production systems such as irrigation its resilience is diminished and it is more vulnerable to commodity price shocks.

The recent Four Corners show highlighted the plight of the Barwon Darling system. The AFA assisted Four Corners in its production because we believe the issue needed to be publicly aired. We are not against irrigation, many of our members having irrigation entitlements. We simply want fair and equitable water distribution and a healthy river for future generations. We are sure your council would share such an aspiration.

The AFA is a small organisation which relies on volunteers and community goodwill and is the only agricultural sector organisation in the water management debate other than the strong irrigation lobby and NSW Farmers.

We seek your support in our pursuit of healthy rivers and healthy communities and ask that you join the AFA as a Group Member for this reason.

Please contact me should you wish to discuss the matter further.

Yours sincerely,

Julie McClure
Secretary
Australian Floodplain Association
02 68 373964

ORDINARY MEETING OF THE COUNCIL

August 22, 2017

ITEM 4BROKEN HILL CITY COUNCIL REPORT NO. 139/17

SUBJECT: CORRESPONDENCE REPORT - AUSTRALIAN CITIZENSHIP CEREMONIES 11/75

Recommendation

1. That Broken Hill City Council Report No. 139/17 dated August 22, 2017, be received.
2. That correspondence dated August 14, 2017 from the Hon Alex Hawke MP, Assistant Minister for Immigration and Border Protection regarding the protocol for the conduct of Australian Citizenship Ceremonies be received.
3. That Council advises the Assistant Minister for Immigration and Border Protection that Council holds three Australian Citizenship Ceremonies each year (Australia Day, a day in May and on Citizenship Day (17 September)).
4. That the Australian Citizenship Ceremonies conducted by Broken Hill City Council are held in accordance with the Australian Citizenship Ceremonies Code.

Executive Summary:

Council has received correspondence from the Assistant Minister for Immigration and Border Protection, the Hon Alex Hawke MP regarding the conduct of Citizenship Ceremonies by Councils in NSW.

Report:

The Assistant Minister for Immigration and Border Protection has written to Councils in NSW raising concerns regarding reports that a small number of Councils have used Australian Citizenship Ceremonies as a tool to protest the practice of celebrating Australia Day on 26 January.

The correspondence sets out the requirements under the Australian Citizenship Ceremonies Code and advises that any Council who breaches the Code will have their authorization of office-holders revoked by the government.

Broken Hill City Council conducts three Australian Citizenship Ceremonies each year on the following dates:

- Australia Day 26 January
- A suitable day in May
- Citizenship Day 17 September

Broken Hill City Council's Australian Citizenship Ceremonies are held strictly in accordance with the Australian Citizenship Ceremonies Code and are held in high regard by the community of Broken Hill. The ceremony held on Australia Day each year is a major part of

the day's celebrations bringing the community together to celebrate being Australian and welcoming our new Australian citizens.

Strategic Direction:

Key Direction: 1 Our Community
Objective: 1.2 Our community works together
Function: Community Development
DP Action: Facilitate the celebration of Australia Day

Relevant Legislation:

Australian Citizenship Ceremonies Code

Financial Implications:

Nil additional expenditure required.

Attachments

1. [↓](#) correspondence from the Assistant Minister for Immigration and Border Protection

JAMES RONCON
GENERAL MANAGER



**THE HON ALEX HAWKE MP
ASSISTANT MINISTER FOR IMMIGRATION AND
BORDER PROTECTION**

Cr Darriea Turley
Her Worship Mayor of Broken Hill City Council
PO Box 448
BROKEN HILL NSW 2880

Dear Mayor,

Australian citizenship ceremonies

I am writing in regard to Australian citizenship ceremonies which are conducted by Councils such as yours under an authorisation by the Minister responsible for citizenship matters, the Hon Peter Dutton MP, and in accordance with the *Australian Citizenship Ceremonies Code* ('the Code').

This letter has been prompted by reports that a small number of Councils have used Australian citizenship ceremonies as a tool to protest the practice of celebrating Australia Day on 26 January.

Page 6 of Code provides that:

"Citizenship ceremonies are non-commercial, apolitical, bipartisan and secular. They must not be used as forums for political, partisan or religious expression or for the distribution of material which could be perceived to be of a commercial, political or religious nature."

The Commonwealth Government is committed to ensuring that citizenship ceremonies are treated in the 'non-commercial, apolitical, bipartisan and secular' manner prescribed by the Code. Where a Council uses a citizenship ceremony, or the ability of its office-holders to preside over one, as a tool to protest the practice of celebrating Australia Day on 26 January, I will consider this a serious breach of the *Australian Citizenship Ceremonies Code*, and will revoke the authorisation of office-holders of the Council as persons who may receive a pledge of commitment.

While citizenship ceremonies may be arranged for any date throughout the year (noting that, wherever possible, citizenship ceremonies should not be scheduled on parliamentary sitting days), a citizenship ceremony should not be used as a forum to protest the practice of celebrating Australia Day on 26 January. This includes arranging a citizenship ceremony to align with an 'anti or alternate Australia Day celebration'.

Further, research undertaken by the National Australia Day Council indicates that Australia Day is the most popular day for our newest citizens to attend their citizenship ceremony. As long as Australia Day is celebrated on 26 January, this is a

2

fitting date for a citizenship ceremony to take place and I encourage you to continue to hold ceremonies on that date.

Importantly, the Government wants to thank the vast majority of Councils for holding citizenship ceremonies in the manner prescribed by the Code.

I also wish to thank you for the contribution your Council makes through regularly hosting citizenship ceremonies. I appreciate that councils such as yours host the majority of citizenship ceremonies and play a vital role in welcoming our newest Australian citizens into their local community.

Yours faithfully



ALEX HAWKE

14 / 8 / 2017

ORDINARY MEETING OF THE COUNCIL

July 28, 2017

ITEM 5BROKEN HILL CITY COUNCIL REPORT NO. 140/17SUBJECT: PUBLIC INTEREST DISCLOSURES ANNUAL REPORT 2016/17
12/67**Recommendation**

1. That Broken Hill City Council Report No. 140/17 dated July 28, 2017, be received.
2. That the Broken Hill City Council Public Interest Disclosures Annual Report 2016/17 be forwarded to the Minister for Local Government and the NSW Ombudsman by 30 October 2017.

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, volunteers, consultants and contractors 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 2016 through to 30 June 2017.

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 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 25 November 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: Our Leadership
 Objective: Openness and Transparency in Decision Making
 Function: Corporate Support
 DP Action: Maintain good governance and best practice methods and ensure compliance with various guidelines, legislation and report requirements

Relevant Legislation:

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

Financial Implications:

Nil

Attachments

1. [↓](#) Policy - Reporting of Public Interest Disclosures

RAZIJA NU'MAN
CORPORATE RESPONSIBILITY OFFICER

JAMES RONCON
GENERAL MANAGER

REPORTING OF PUBLIC INTEREST DISCLOSURES POLICY

QUALITY CONTROL		
TRIM REFERENCES	D12/11938 - 12/14	
RESPONSIBLE POSITION	Corporate Responsibility Officer	
APPROVED BY	Council	
REVIEW DATE	October 2018	REVISION NUMBER 7
EFFECTIVE DATE	ACTION	MINUTE NUMBER
25 January 2012	Amendment Adopted	43177
10 October 2015 – 6 November 2015	Public Display	45074
25 November 2015	Adopted	45126
31 July 2017	Amended - Position Title change and correct branding applied	N/A

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 Corporate Responsibility Officer.

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*

Report:

Following the Council Meeting held March 2017 where the Key Direction Working Groups were formed, Council delegates and Council's Executive Leadership Team (ELT) members assigned to the Working Groups met to formalise their purpose and structure and establish a terms of reference (ToR) from which each Group would operate (see attachment for original ToR).

Council considered a Notice of Motion from Councillor Kennedy at its July 2017 Ordinary Meeting (later withdrawn) and from the discussion that ensued a meeting was to be convened of the Key Direction Working Group Chairs to 'tweak' the ToR so as to ensure that the Groups were achieving the desired outcomes.

The Key Direction Working Group Chairs and ELT members were invited to attend a workshop on 3 August 2017 to refine the ToR's (see attached draft amended ToR's). The groups all agreed with the amended ToR and refreshed approach and all have since met (with the exception of the Our Community Key Direction Working Group) and have a solid pathway of projects moving forward.

Following is a list of priorities for the Working Groups to focus on for the first quarter (July to September 2017):

Our Community**First Quarter Focus – July to September 2017**

- Objective 1.5.1 - Create opportunities for people to participate in active and healthy recreational activities.
- Objective 1.4.2 - Social and recreational opportunities are provided for the enjoyment of all
- Portfolio Group Goal – Increase disability access along our key area; increase community participation in the upkeep and cleanliness of our open spaces.
- Actions – Investigate relationships with community/disability agents within Broken Hill to increase accessibility within our City; investigate the creation of local groups to 'adopt a park' for assistance in maintenance and upkeep as well as creating a sense of community involvement/ownership.

Our Environment**First Quarter Focus – July to September 2017**

- Objective 3.1.1 – Reduce resource consumption and minimise waste
- Objective 3.1.4 – Reuse and recycling of resources is embraced by the community
- Portfolio Group Goal – Minimisation of waste to landfill through recycling and reuse
- Actions – Review Waste Strategy...; review community education strategy/ies; tour best practice facilities; engage interested stakeholders within Broken Hill and from outside Broken Hill; review impacts of container deposit legislation; investigate opportunities to reduce plastic bag use.

Our Leadership

First Quarter Focus – July to September 2017

- **OBJECTIVE 4.1 – OPENNESS AND TRANSPARENCY IN DECISION MAKING**
How do we achieve this?

CSP# Strategy	
4.1.1	Undertake communication and engagement with the community increases confidence in decision making
4.1.2	Social, environmental and economic sustainability is considered when making decisions
4.1.3	Decision-makers provide accountability through planning and reporting frameworks

- Portfolio Group Goal – To seek a better understanding as to how agencies currently or how they intend to integrate the CSP into their own business plans and forward planning
- Actions – Contact all agencies represented on the Community Round Table requesting their feedback.

Our Economy

First Quarter Focus – July to September 2017

- **OBJECTIVE 2.1 – OUR ECONOMY IS STRONG AND DIVERSIFIED AND ATTRACTS PEOPLE TO WORK, LIVE AND INVEST**

CSP Strategy 2.1.1	Create greater collaboration and strategic planning capacity with a view to identifying opportunities to increase economic activity and retention of residents	
Portfolio Group Goal	Provide information to leaders and community on the latest Census data and the use of Councils online data tool	
Actions	Provide workshops for community and leaders to analyze trends in the latest census data and in accordance with the ID data tool hosted by Council	<u>Status Update - Meeting held 29/6/17</u> Census data released 27/6/17 – Andrea to follow up potential workshop dates and arrange a pre-briefing with ID demographics to identify data opportunities. <u>Next meeting – 27/7/17</u> Andrea Roberts to provide a schedule of potential briefing dates.
	Produce information for the public and standardize reporting around Census data and trends.	Pending

CSP Strategy 2.1.4	Increase economic opportunities by activating public spaces	
Portfolio Group Goal	Review opportunities for Sturt Park as a vibrant community hub	
Actions	Engage stakeholders in the development of a blueprint for Sturt Park that maximises its potential as a vibrant hub for locals and visitors - through expanded skate park, events facilities, fitness and wellbeing capabilities, Smart technology and relationship with neighboring facilities.	<p><u>Status Update - Meeting held 29/6/17</u></p> <p>Briefed on: Skate Park funding/design possibilities by Andrew Bruggy and discussed an improved and expanded vision/blue print for the Sturt Park precinct.</p> <p><u>Next meeting – 27/7/17</u></p> <p>Will review further the opportunity for a comprehensive consultative approach to integrate all elements of Sturt Park and its neighborhood into a staged blue-print for the future - invite <i>Brendan Smith and Andrew Bruggy</i>.</p>
CSP Strategy 2.1.5	Manage and develop public infrastructure to enhance economic opportunities	
Portfolio Group Goal	Review opportunities to influence job creation through Council conducting roadworks and contracts for RMS	
Actions	Gain an understanding of the potential of Council to create jobs and economic gain through external road contracts	<p><u>Status Update - Meeting held 29/6/17</u></p> <p>Briefed on: Process to date by Andrew Bruggy.</p> <p><u>Next meeting – 27/7/17</u></p> <p>Will continue discussions and follow the process - <i>invite Brendan Smith and Andrew Bruggy</i></p>

- OBJECTIVE 2.2 – WE ARE A DESTINATION OF CHOICE AND PROVIDE A REAL EXPERIENCE THAT ENCOURAGES INCREASED VISITATION

CSP Strategy 2.2.6	Reinforce the established Broken Hill For Real Brand and the Australia’s First National Heritage Listed City positioning, to promote Broken Hill as a significant outback destination in Australia	
Portfolio Group Goal	Implement gateway signage	

<p>Actions</p>	<p>Ensure gateway signage is implemented on all major entrances to the City pronouncing Broken Hill as Australia's First Heritage City.</p>	<p><u>Status Update - Meeting held 29/6/17</u> Briefed on: Current status of sign infrastructure location/quality. <u>Next meeting – 27/7/17</u> Will review action taken with an emphasis on immediate results and clear communication outcomes for Councilors and community - <i>invite Brendan Smith and Andrew Bruggy</i></p>
<p>CSP Strategy 2.2.8</p>	<p>Continue with a proactive approach to the development, management and marketing of meetings, incentives, conferences and events (MICE)</p>	
<p>Portfolio Group Goal</p>	<p>Review the BHCC event sponsorship policy, procedure and application process for recommendation to Council</p>	
<p>Actions</p>	<p>Oversee the improvement of policy, procedure and process for Council events sponsorship including pre-assessment of event applications for referral to Council.</p>	<p><u>Next meeting – 27/7/17</u> Review the sponsorship policy and Round 1 applications for recommendation to Council August 2017 meeting. Review the approach being taken for the Rainbow Flag flying for Broken Hill Festival 2017 ensuring flag protocols are maintained. - <i>invite Anne Andrews</i></p>

The latest project offerings and minutes of the Our Economy, Our Environment and Our Leadership Key Direction Working Groups are also attached. These reports will be provided to Council on a monthly basis by way of updates and be presented to the Community Roundtable meetings quarterly.

This report to the August Council meeting will negate the aforementioned six month progress report as resolved at the March 2017 Ordinary Meeting of Council as follows:

ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 4/17 - DATED JULY 20, 2017 - FORMATION OF STANDING COMMITTEE STRUCTURE

11/21

RESOLUTION

Minute No. 45581

Councillor M. Browne moved)

Councillor B. Licul seconded)

That the matter be deferred to allow Chairpersons of the Key Direction Working Groups to present a report to the August Council Meeting with recommendations to improve the operation of the Key Direction Working Groups.

That the scheduled six monthly review report of the Key Direction Working Groups still apply and be presented to the September Council Meeting.

CARRIED

Strategic Direction:

Key Direction:	4 Our Leadership
Objective:	4.1 Openness and Transparency in Decision Making 4.3 We Unite to Succeed in Australia's First Heritage Listed City
Function:	Leadership and Governance
DP Action:	4.1.1.06 The Council Leadership group works well together to serve the community. 4.3.1.06 Provide leadership, structure and support to the Community Round Table or equivalent body in their review and management of the Community Strategic Plan

Relevant Legislation:

Local Government Act 1993

Financial Implications:

Nil

Attachments

1. [↓](#) Original Terms of Reference - Key Direction Working Groups
2. [↓](#) Draft amended Terms of Reference - Our Leadership
3. [↓](#) Draft amended Terms of Reference - Our Community
4. [↓](#) Draft amended Terms of Reference - Our Environment
5. [↓](#) Draft amended Terms of Reference - Our Economy
6. [↓](#) Our Leadership - minutes and actions from meeting held 15/06/2017
7. [↓](#) Our Community - minutes and actions from meeting held 04/07/2017
8. [↓](#) Our Environment - minutes from meeting held 02/08/2017

JAMES RONCON
GENERAL MANAGER

Terms of Reference

'Our' Portfolio Group

The role of the 'Our' portfolio group is to advance the key objectives of the our by working through each of the Community Strategic Plan (CSP) strategies, providing a policy direction and outcome, following consultation with the relevant interest groups that represent our community.

Objectives:

- Seek to engage the relevant community groups in pursuit of CSP key objective outcomes
- Work with the community interest groups to structure positive strategic outcomes in line with the key direction 'Our
- Work with external interest groups to structure positive strategic outcomes in line with the key direction of 'Our

The Portfolio group will:

- The portfolio group will choose a spokesperson/s to represent it at Roundtable and speak publically to its activities
- The portfolio group will nominate and prioritise its activities in addressing the CSP objectives
- Focus on one (1) CSP initiative per quarter, recognising that the required work may transcend quarters
- Engage relevant community interest groups to pursue positive community outcomes
- Engage relevant external interest groups to pursue positive community outcomes
- Seek to incorporate a smart technology solution/s where possible
- Will liaise with Councils Community Engagement Coordinator to disseminate information publically
- Where required, seek to establish a policy position to advance the community objective
- Where a policy position is required, advance the policy position in the first instance to the Community Roundtable
- Following the endorsement of the Community Roundtable, the policy position be advanced through the Council process to seek formal adoption

Membership:

- Councillor
- Councillor
- ELT Member
- Relevant community interest groups
- Relevant external interest groups

Secretariat:

- ELT Member

Meeting Frequency:

- Meetings as required to achieve the objective
- Estimated meetings two-three per quarter

Conduct of Meetings:

Guiding principles of the Portfolio Groups are as follows:

- Act in the best interests of Broken Hill City Council;
- Be informed and contribute;
- Be honest and objective;
- All members equal; and
- Maintain strict confidentiality when required.

First Quarter Focus – July to September 2017

- Objective 3.1.1 – Reduce resource consumption and minimise waste
- Objective 3.1.4 – Reuse and recycling of resources is embraced by the community
- Portfolio Group Goal – Minimisation of waste to landfill through recycling and reuse
- Actions – Review Waste Strategy...; review community education strategy/ies; tour best practice facilities; engage interested stakeholders within Broken Hill and from outside Broken Hill; review impacts of container deposit legislation; investigate opportunities to reduce plastic bag use.

KEY DIRECTIONS WORKING GROUP

TERMS OF REFERENCE

Trim 17/84

Our Leadership

The role of the 'Our Leadership' portfolio group is to advance the key objectives of the Our Leadership by working through each of the Community Strategic Plan (CSP) strategies, providing a policy direction and outcome, following consultation with the relevant interest groups that represent our community.

Objectives:

- Seek to engage the relevant community groups in pursuit of CSP key objective outcomes
- Work with the community interest groups to structure positive strategic outcomes in line with the key direction 'Our Leadership'
- Work with external interest groups to structure positive strategic outcomes in line with the key direction of 'Our Leadership'

The Portfolio group will:

- The portfolio group will choose a spokesperson/s to represent it at Roundtable and speak publically to its activities
- The portfolio group will nominate and prioritise its activities in addressing the CSP objectives
- Focus on one (1) CSP initiative per quarter, recognising that the required work may transcend quarters
- Engage relevant community interest groups to pursue positive community outcomes
- Engage relevant external interest groups to pursue positive community outcomes
- Seek to incorporate a smart technology solution/s where possible
- Will liaise with Councils Community Engagement Coordinator to disseminate information publically
- Where required, seek to establish a policy position to advance the community objective
- Where a policy position is required, advance the policy position in the first instance to the Community Roundtable
- Following the endorsement of the Community Roundtable, the policy position be advanced through the Council process to seek formal adoption

Membership:

- Mayor Darriea Turley
- Deputy Mayor Dave Gallagher
- ELT Member Razija Nu'man
- Relevant community interest groups
- Relevant external interest groups

Secretariat:

- ELT Member

Meeting Frequency:

- Meetings as required to achieve the objective
- Estimated meetings two-three per quarter

Conduct of Meetings:

Guiding principles of the Portfolio Groups are as follows:

- Act in the best interests of Broken Hill City Council;
- Be informed and contribute;
- Be honest and objective;
- All members equal; and
- Maintain strict confidentiality when required.

First Quarter Focus – July to September 2017

- OBJECTIVE 4.1 – OPENNESS AND TRANSPARENCY IN DECISION MAKING
 How do we achieve this?

CSP#	Strategy
4.1.1	Undertake communication and engagement with the community increases confidence in decision making
4.1.2	Social, environmental and economic sustainability is considered when making decisions
4.1.3	Decision-makers provide accountability through planning and reporting frameworks

- Portfolio Group Goal – To seek a better understanding as to how agencies currently or how they intend to integrate the CSP into their own business plans and forward planning
- Actions – Contact all agencies represented on the Community Round Table requesting their feedback.

KEY DIRECTIONS WORKING GROUP

TERMS OF REFERENCE

Trim 17/85

Our Community

The role of the 'Our Community' portfolio group is to advance the key objectives of the Our Community by working through each of the Community Strategic Plan (CSP) strategies, providing a policy direction and outcome, following consultation with the relevant interest groups that represent our community.

Objectives:

- Seek to engage the relevant community groups in pursuit of CSP key objective outcomes
- Work with the community interest groups to structure positive strategic outcomes in line with the key direction 'Our Community'
- Work with external interest groups to structure positive strategic outcomes in line with the key direction of 'Our Community'

The Portfolio group will:

- The portfolio group will choose a spokesperson/s to represent it at Roundtable and speak publically to its activities
- The portfolio group will nominate and prioritise its activities in addressing the CSP objectives
- Focus on one (1) CSP initiative per quarter, recognising that the required work may transcend quarters
- Engage relevant community interest groups to pursue positive community outcomes
- Engage relevant external interest groups to pursue positive community outcomes
- Seek to incorporate a smart technology solution/s where possible
- Will liaise with Councils Community Engagement Coordinator to disseminate information publically
- Where required, seek to establish a policy position to advance the community objective
- Where a policy position is required, advance the policy position in the first instance to the Community Roundtable
- Following the endorsement of the Community Roundtable, the policy position be advanced through the Council process to seek formal adoption

Membership:

- Councillor Tom Kennedy
- Councillor (Vacant)
- ELT Member Jay Nankivell
- Relevant community interest groups
- Relevant external interest groups

Secretariat:

- ELT Member

Meeting Frequency:

- Meetings as required to achieve the objective
- Estimated meetings two-three per quarter

Conduct of Meetings:

Guiding principles of the Portfolio Groups are as follows:

- Act in the best interests of Broken Hill City Council;
- Be informed and contribute;
- Be honest and objective;
- All members equal; and
- Maintain strict confidentiality when required.
- The groups seek to meet in the first week of each month
- Minutes of each meeting be kept and reported to council for information
- Liaise with the Community Engagement Coordinator to establish an engagement strategy and regular communication around group activities
- Extend 'open' invitations to all Councillors and ELT members to be part of other groups

First Quarter Focus – July to September 2017

- Objective 1.5.1 - Create opportunities for people to participate in active and healthy recreational activities.
- Objective 1.4.2 - Social and recreational opportunities are provided for the enjoyment of all
- Portfolio Group Goal – Increase disability access along our key area; increase community participation in the upkeep and cleanliness of our open spaces.
- Actions – Investigate relationships with community/disability agents within Broken Hill to increase accessibility within our City; investigate the creation of local groups to 'adopt a park' for assistance in maintenance and upkeep as well as creating a sense of community involvement/ownership.

Terms of Reference

'Our Environment' Key Directions Working Group

The role of the 'Our Environment' key directions working group is to advance the key objectives of the our environment by working through each of the Community Strategic Plan (CSP) strategies, providing a policy direction and outcome, following consultation with the relevant interest groups that represent our community.

Objectives:

- Seek to engage the relevant community groups in pursuit of CSP key objective outcomes
- Work with the community interest groups to structure positive strategic outcomes in line with the key direction 'Our Environment'
- Work with external interest groups to structure positive strategic outcomes in line with the key direction of 'Our Environment'

The key directions working group will:

- The key directions working group will choose a spokesperson/s to represent it at Roundtable and speak publically to its activities
- The key directions working group will nominate and prioritise its activities in addressing the CSP objectives
- Focus on one (1) CSP initiative per quarter, recognising that the required work may transcend quarters
- Engage relevant community interest groups to pursue positive community outcomes
- Engage relevant external interest groups to pursue positive community outcomes
- Seek to incorporate a smart technology solution/s where possible
- Will liaise with Councils Community Engagement Coordinator to disseminate information publically
- Where required, seek to establish a policy position to advance the community objective
- Where a policy position is required, advance the policy position in the first instance to the Community Roundtable
- Following the endorsement of the Community Roundtable, the policy position be advanced through the Council process to seek formal adoption

Membership:

- Councillor Marion Browne
- Councillor Maureen Clark
- ELT Member James Roncon
- Relevant community interest groups
- Relevant external interest groups

Secretariat:

- ELT Member

Meeting Frequency:

- Meetings as required to achieve the objective
- Estimated meetings two-three per quarter

Conduct of Meetings:

Guiding principles of the key directions working groups are as follows:

- Act in the best interests of Broken Hill City Council;
- Be informed and contribute;
- Be honest and objective;
- All members equal; and
- Maintain strict confidentiality when required.
- The groups seek to meet in the first week of each month
- Minutes of each meeting be kept and reported to council for information
- Liaise with the Community Engagement Coordinator to establish an engagement strategy and regular communication around group activities
- Extend 'open' invitations to all Councillors and ELT members to be part of other groups

First Quarter Focus – July to September 2017

- Objective 3.1.1 – Reduce resource consumption and minimise waste
- Objective 3.1.4 – Reuse and recycling of resources is embraced by the community
- Portfolio Group Goal – Minimisation of waste to landfill through recycling and reuse
- Actions – Review Waste Strategy...; review community education strategy/ies; tour best practice facilities; engage interested stakeholders within Broken Hill and from outside Broken Hill; review impacts of container deposit legislation; investigate opportunities to reduce plastic bag use.

KEY DIRECTIONS WORKING GROUP

TERMS OF REFERENCE

Trim 17/86

Our Economy

The role of the 'Our Economy' portfolio group is to advance the key objectives of the Our Economy by working through each of the Community Strategic Plan (CSP) strategies, providing a policy direction and outcome, following consultation with the relevant interest groups that represent our community.

Objectives:

- Seek to engage the relevant community groups in pursuit of CSP key objective outcomes
- Work with the community interest groups to structure positive strategic outcomes in line with the key direction 'Our Economy'
- Work with external interest groups to structure positive strategic outcomes in line with the key direction of 'Our Economy'

The Portfolio group will:

- The portfolio group will choose a spokesperson/s to represent it at Roundtable and speak publically to its activities
- The portfolio group will nominate and prioritise its activities in addressing the CSP objectives
- Focus on one (1) CSP initiative per quarter, recognising that the required work may transcend quarters
- Engage relevant community interest groups to pursue positive community outcomes
- Engage relevant external interest groups to pursue positive community outcomes
- Seek to incorporate a smart technology solution/s where possible
- Will liaise with Councils Community Engagement Coordinator to disseminate information publically
- Where required, seek to establish a policy position to advance the community objective
- Where a policy position is required, advance the policy position in the first instance to the Community Roundtable
- Following the endorsement of the Community Roundtable, the policy position be advanced through the Council process to seek formal adoption

Membership:

- Councillor Branko Licul
- Councillor Jim Nolan
- ELT Member Andrea Roberts
- Relevant community interest groups
- Relevant external interest groups

Secretariat:

- ELT Member

Meeting Frequency:

- Meetings as required to achieve the objective
- Estimated meetings two-three per quarter

Conduct of Meetings:

Guiding principles of the Portfolio Groups are as follows:

- Act in the best interests of Broken Hill City Council;
- Be informed and contribute;
- Be honest and objective;
- All members equal; and
- Maintain strict confidentiality when required.

ADDENDUM 1 – JULY TO SEPT, 2017

OBJECTIVE 2.1 – OUR ECONOMY IS STRONG AND DIVERSIFIED AND ATTRACTS PEOPLE TO WORK, LIVE AND INVEST

CSP Strategy 2.1.1	Create greater collaboration and strategic planning capacity with a view to identifying opportunities to increase economic activity and retention of residents	
Portfolio Group Goal	Provide information to leaders and community on the latest Census data and the use of Councils online data tool	
Actions	Provide workshops for community and leaders to analyze trends in the latest census data and in accordance with the ID data tool hosted by Council	<p><u>Status Update - Meeting held 29/6/17</u></p> <p>Census data released 27/6/17 – Andrea to follow up potential workshop dates and arrange a pre-briefing with ID demographics to identify data opportunities.</p> <p><u>Next meeting – 27/7/17</u></p> <p>Andrea Roberts to provide a schedule of potential briefing dates.</p>
	Produce information for the public and standardize reporting around Census data and trends.	Pending
CSP Strategy 2.1.4	Increase economic opportunities by activating public spaces	
Portfolio Group Goal	Review opportunities for Sturt Park as a vibrant community hub	
Actions	Engage stakeholders in the development of a blueprint for Sturt Park that maximises its potential as a vibrant hub for locals and visitors - through expanded skate park, events facilities, fitness and wellbeing capabilities, Smart technology and relationship with neighboring facilities.	<p><u>Status Update - Meeting held 29/6/17</u></p> <p>Briefed on: Skate Park funding/design possibilities by Andrew Bruggy and discussed an improved and expanded vision/blue print for the Sturt Park precinct.</p> <p><u>Next meeting – 27/7/17</u></p> <p>Will review further the opportunity for a comprehensive consultative approach to integrate all elements of Sturt Park and its neighborhood into a staged blue-print for the future - invite <i>Brendan Smith and Andrew Bruggy</i>.</p>

CSP Strategy 2.1.5	Manage and develop public infrastructure to enhance economic opportunities	
Portfolio Group Goal	Review opportunities to influence job creation through Council conducting roadworks and contracts for RMS	
Actions	Gain an understanding of the potential of Council to create jobs and economic gain through external road contracts	<p><u>Status Update - Meeting held 29/6/17</u> Briefed on: Process to date by Andrew Bruggy. <u>Next meeting – 27/7/17</u> Will continue discussions and follow the process - invite Brendan Smith and Andrew Bruggy</p>

OBJECTIVE 2.2 – WE ARE A DESTINATION OF CHOICE AND PROVIDE A REAL EXPERIENCE THAT ENCOURAGES INCREASED VISITATION

CSP Strategy 2.2.6	Reinforce the established Broken Hill For Real Brand and the Australia's First National Heritage Listed City positioning, to promote Broken Hill as a significant outback destination in Australia	
Portfolio Group Goal	Implement gateway signage	
Actions	Ensure gateway signage is implemented on all major entrances to the City pronouncing Broken Hill as Australia's First Heritage City.	<p><u>Status Update - Meeting held 29/6/17</u> Briefed on: Current status of sign infrastructure location/quality. <u>Next meeting – 27/7/17</u> Will review action taken with an emphasis on immediate results and clear communication outcomes for Councilors and community - invite Brendan Smith and Andrew Bruggy</p>
CSP Strategy 2.2.8	Continue with a proactive approach to the development, management and marketing of meetings, incentives, conferences and events (MICE)	
Portfolio Group Goal	Review the BHCC event sponsorship policy, procedure and application process for recommendation to Council	

Actions	Oversee the improvement of policy, procedure and process for Council events sponsorship including pre-assessment of event applications for referral to Council.	<u>Next meeting – 27/7/17</u> Review the sponsorship policy and Round 1 applications for recommendation to Council August 2017 meeting. Review the approach being taken for the Rainbow Flag flying for Broken Heel Festival 2017 ensuring flag protocols are maintained. - <i>invite Anne Andrews</i>
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KEY DIRECTIONS WORKING GROUP

OUR LEADERSHIP

Trim 17/84

Agenda/Minutes/Actions

Meeting – 15/06/17

<i>Item</i>	<i>Description</i>	<i>Update/Actions</i>
1	Welcome	Mayor Turley Razija Nu'man
	Apologies/	Clr Gallagher
2	Goal area identified	Objective 4.1 Openness and Transparency in Decision Making
3		Letter drafted to be drafted to all agencies represented at Community Round Table requesting feedback on how agencies integrate CSP directions into their own agency planning formats. Letter sent 20 June 2017.
4	Next meeting date	19/07/17

Meeting – 19/07/17

<i>Item</i>	<i>Description</i>	<i>Update/Actions</i>
1	Welcome	Mayor Turley – on speaker phone Peter Macbeth Razija Nu'man
	Apologies/	Clr Gallagher
2	Goal area identified	Objective 4.1 Openness and Transparency in Decision Making
3		Letter drafted to all agencies represented at Community Round Table requesting feedback on how agencies integrate CSP directions into their own agency planning formats. Two responses received – Barrier Area Local Command and Peter Macbeth, Director Public Schools NSW, Far West Network. ALC confirmed that their processes included being responsive to CSP.



3.1	<p>Discussion with Peter Macbeth</p>	<p>Was concern with CSP with regard to lack of emphasis on education with education representatives needing to ensure a stronger component be included in the CSP. Concern that the current education measures in the document could be more relevant particularly post school education data rather than NAPLAN outcomes. Peter offered to send through representative data.</p> <p>Peter stated that every school in Broken Hill needed to produce a 2018-2020 School Plan by end of the year. He was meeting also with all Principals as well as a Network Team. These would be opportunities to reference the CSP. The group went on to discuss the opportunities with the Country University Centre to be established in Broken Hill; the need to strengthen early childhood and pre-school education.</p> <p>Sees education as a vehicle for community development and traineeships leading to employability and full time jobs. Saw traineeships as a huge stepping stone for kids to learn whilst still at school. All understood literacy as being able to break the poverty cycle.</p> <p>Follow up steps</p> <ul style="list-style-type: none"> • Second reminder letter sent 28 July 2017 to remaining agencies who had not responded. • Peter has forwarded Broken Hill High School and Wilyama High School Annual Reports • Meeting arranged with Peter MacBeth and Library Coordinator to discuss education linkages • Meeting to be arranged with Shane Simmons YMCA Library Coordinator and Council IT Systems Coordinator to discuss YMCA Youth Hub directions and possibilities for alignment • Council has accepted up to six school based Aboriginal trainees for two years starting October 17, 2017 under the Elsa Dixon Aboriginal Employment Programme
4	<p>Next meeting date</p>	<p>TBC</p>

KEY DIRECTIONS WORKING GROUP

OUR COMMUNITY

Trim 17/58

Agenda/Minutes/Actions Meeting – July 4 2017

<i>Item</i>	<i>Description</i>	<i>Update/Actions</i>
1	Welcome	Chair – Councillor Tom Kennedy
	Apologies/	No Apologies
2	Objectives for 1 Quarter	Objectives set as: 1.5.1 - Create opportunities for people to participate in active and healthy recreational activities. 1.4.2 - Social and recreational opportunities are provided for the enjoyment of all
3	Actions Set	<ol style="list-style-type: none"> 1. Investigate relationships with community/disability agents within Broken Hill to increase accessibility within our City. 2. Investigate the creation of local groups to 'adopt a park' for assistance in maintenance and upkeep as well as creating a sense of community involvement/ownership.
3.1	Action Item 1	Jay to speak with Natasha Bearman from Ability Links to discuss an accessibility partnership and funding for access ramps as per the adopted 17/18 Budget and report back at next meeting.
3.2	Action Item 2	Jay to investigate the possibility of creating local community groups and how these groups would be set up. Liaison with Council's Corporate Risk Officer to assess insurance risks etc. Jay to report back to group at next meeting.
4	Next meeting date	TBA - August

KEY DIRECTIONS WORKING GROUP

OUR ENVIRONMENT

Trim 17/87

Agenda/Minutes/Actions Meeting – 2 August 2017

<i>Item</i>	<i>Description</i>	<i>Update/Actions</i>
1	Welcome	Cr Browne, James Roncon, Libby Guest
	Apologies/	Cr Clark
2	Container Deposit	Legislation has been passed and will commence on 1 December 2017
3	Recycling	
3.1	Kerb side recycling	Initiatives in Broken Hill to Commence with a Request for Quotation (RFQ) – economic analysis to sort and haul recyclables for BH Q17-9
		This RFQ will establish the cost parameters for establishing kerbside recycling in the city
3.2	Recycling	Seek to introduce a second bin into our administrative offices to recycle paper, bottles, cardboard etc.
3.3	View what other area's have in place	The group undertake a road trip to Mildura to view existing current businesses that operate sorting of recyclables, building of plastic furniture etc.
3.4	Plastic Bag Reduction Campaign	Look to introduce a plastic bag reduction campaign with council introducing their own recyclable shopping bag in exchange for (for instance) 10 plastic bags; start with two free council branded recycling bags per household.
3.5	Branded Items	Looking at council branded coffee mugs as a means to reduce waste
		Looking at a reduction in plastic bottles and an enhanced council branded water bottle.
3.6	Engagement Strategy	Create an engagement strategy around waste and recycling; Action: Libby to provide 2010 strategy as a baseline
3.7	Education Program	Undertake an education program around recycling more generally and specifically what council currently does
3.8	Material recycling facility	2017/18 capital budget allocation of \$500k to construct a 'sorting line' as part of a material recycling facility
4	Next meeting date	1st week of September 2017

ORDINARY MEETING OF THE COUNCIL

August 23, 2017

ITEM 7**BROKEN HILL CITY COUNCIL REPORT NO. 142/17****SUBJECT: RELOCATION OF THE LIBRARY****16/24****Recommendation**

1. That Broken Hill City Council Report No. 142/17 dated August 23, 2017, be received.
2. That the Council resolution from the Extraordinary Council Meeting held April 7, 2016 Minute Number 45235 to relocate the library to leased premises in the old Pellew and Moore building in Argent Street be formally rescinded.
3. That Council provide in principle support to the construction of a new modern library facility within the Argent Street urban precinct.
4. That Council engage with the Broken Hill community and seek its views on
 - a) The construction of a new modern library facility and preferred site;
 - b) Retaining the current site in its existing condition;
 - c) Refurbishing the current library building.
5. That Council receive a report at its December 2017 Ordinary Meeting of Council advising the outcomes of the community engagement process with recommendations on next steps in the process.
6. That Broken Hill City Councillors commit to the community engagement strategy and process, and actively engage with the community in support of this resolution.

Executive Summary:

Libraries have long played an important role in community life in Broken Hill. The first library in Broken Hill was opened as part of the Mechanics Institute in October 1891 and the bylaws for the Free Public Library of the Municipal District of Broken Hill appeared in the New South Wales Government Gazette on 24 December 1891. For many years the library was housed in the Town Hall which was opened by Sir Henry Parkes in August 1891. In 1911, a new section was added to the rear of the Town Hall to house the growing library and provide additional office space.

In 1973 the Broken Hill City Council proposed knocking the old Town Hall building down but due to community pressure it was decided to demolish the rear section and restore the facade. The restored Town Hall facade was opened on 13 March 1976.

The ornate Town Hall Facade remains a heritage feature at 256 Argent Street where it is currently tenanted by the West Darling Arts organisation. The land behind the Town Hall Facade is used for public parking space.

In 1964 a purpose built library building was opened at 245-249 Blende Street. It was

named the Charles Rasp Memorial Library after the Silver King who played a significant role in identifying the economic potential of the ore deposits at Broken Hill.

This building currently houses the public library downstairs with the Outback Archives upstairs. A major project on the archives facility is underway and the collection will be relocated to Council's Administrative Centre, with adequate preservation conditions and public access a priority.

The Broken Hill City Council is committed to ensuring that the community for which it assumes responsibility has the very best of amenities, has access to technology that it deserves and needs, and at the very least, a product offering that is on par with other cities and towns throughout Australia.

The decision to pause the library relocation to Argent Street in the Old Pellew & Moore's building allowed Council staff the opportunity to seek out expert opinion from the State Library of NSW on the current library site, and gauge the relative strengths, weaknesses and constraints the site may have. It also provided an opportunity to use that same expert opinion to provide a best practice overview of what a new library for Broken Hill might look like, and the opportunities that could provide to the community if it were amenable to going down that path.

This report seeks to provide that overview, supported by an independent review of the current site along with an overview of what a new facility might look like.

History

Council at an Extraordinary Meeting held 7 April 2016 resolved as follows:

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 64/16 - DATED MARCH 22, 2016 -
CONFIDENTIAL**

(General Manager's Note: This report considers a lease 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).

RESOLUTION

Minute No. 45235

Moved Councillor C. Adams)
 Seconded Councillor J. Richards)

That Broken Hill City Council Report No. 64/16 dated March 22, 2016, be received.

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.

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.

That the relocation of both the Library and the Archives be subject to all necessary compliance approvals.

That the General Manager be authorised to negotiate possible Lease arrangement (20 years + 20 years) with the various property owner(s).

That any costs associated with the move are considered as part of the 2016/17 budget process.

CARRIED

Council at its Ordinary meeting of Council held 22 February 2017 resolved as follows:

ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 23/17 - DATED FEBRUARY 09, 2017 - PROPOSED RELOCATION OF LIBRARY - CONFIDENTIAL 14/181

(General Manager's Note: This report considers a proposed lease 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).

RESOLUTION

Minute No. 45480

Councillor J. Nolan moved)
 Councillor D. Gallagher seconded)

1. That Broken Hill City Council Report No. 23/17 dated February 9, 2017, be received.
2. That Council place the Charles Rasp Library relocation to Argent Street, on hold, pending further analysis of the original business case that supported the April 2016 resolution of Council.

3. That Council note the significant increase in costs from those originally resolved and budgeted, as the catalyst for the decision.
4. That following further analysis, the General Manager present a report to the November 2017 Council meeting with a suggested pathway on which to move forward to establish the most practical and cost effective option to improving the library services.

CARRIED

This recommendation to pause the proposed library relocation was due in part to the upward spiralling of costs in comparison to the original proposed budget, a perceived lack of consultation with the community around the library relocation and significant community angst, and a clear understanding around the limitations of the current site located in Blende Street versus the benefits a new, leased site would provide.

Fortuitously, after the decision of Council in February 2017, the State Library of NSW was undertaking a round of service reviews across NSW library sites and the opportunity arose to meet with the reviewers to discuss the current library model being offered in Broken Hill. The plans as they then were - to relocate the library to Argent Street - were well known to NSW Libraries and they were quite enthusiastic to hear about the Council decision of February 2017 and what we thought the future of the library in Broken Hill might look like.

As well as the service review that they were undertaking, Council discussed the opportunity for them to undertake a review of the current library site in Blende Street and how it might compare to best practice libraries elsewhere in the State. This seemed the logical starting place in the discussion given there did not appear to be any readily available data by way of studies etc. that could provide this background. At the conclusion of this review, the State Library was also able to provide a model of what best practice libraries look like, which again was a further body of work Council had undertaken to complete following the February 2017 resolution of Council. Both reports are attached as attachment 1 and 2.

Recent Library Grant

Councillors will be familiar with the recent grant of \$200,000 granted to Council to assist with new furniture and technology upgrades for the proposed relocated library. Upon receipt of that grant, staff advised Libraries NSW of the February 2017 resolution and sought approval to change the scope of the \$200,000 grant spend to encompass 100% technology upgrades in the current site. A feature of this change in scope however was that the \$200,000 spend on technology would be capable of being seamlessly transitioned into another site if required. This approach was again welcomed by the funding body and more detail is available in the media release at attachment 3.

Current site

Broken Hill City Council (BHCC) operates one of the oldest public library services in NSW, with the municipal library opening in 1891. The library serves an estimated

population of 18,517 (18,027¹) people in Broken Hill as well as operating the Outback Letterbox Library service to residents in the Unincorporated Area and Central Darling Shire, a service that is funded by the State Library of NSW.

The current Blende street site is 907 square metres which means the current Broken Hill City Library building is undersized and inadequate to provide library services which meet the needs of the community. The public library is currently limited to 450 square metres downstairs, with the Outback Archives occupying a similar amount of space upstairs.

The recommended minimum size public library for a population of 18,856 (18,027²) is 1,496 square metres. The library was built in 1964 and has not had any major refurbishment since that time. It is well beyond its use-by date. The building places severe constraints on the library services and facilities the Broken Hill City Council can offer residents and visitors to the region.

Any refurbishment to the existing library site may encounter asbestos as a possible issue with a recent inspection by Carters Asbestos Management providing the following information:

- The inspection was only visual, no material samples were taken and tested. However given the age of the building and the cement sheeting used at various stages of construction, the report recommends all cement sheets should be treated as "suspected to contain asbestos".
- Council is to treat all vinyl floor products, bituminous containing products, window, air conditioning ductwork and control joint putty and all gaskets (other than rubber and cork) and friction materials as asbestos-containing unless confirmed otherwise by sample analysis.
- The inspection was primarily superficial. Inaccessible areas such as ducting, electrical, wall cavities, areas under floor coverings were not checked. It is recommended to wear suitable personal protective equipment (PPE) including respiratory protection when entering all ceiling and confined spaces as a minimum pre-caution.
- Whole building rated Priority 4 (low risk). No danger unless Council start renovating.

The current Civic Centre project has shown the problems asbestos can cause during refurbishment. The Library was built six years before the Civic Centre, and also contains the remnants of the original fire station. While more stringent testing would be required to confirm the potential issues listed above, preliminary assessments suggest a significant issue may exist.

Future options

The current library building places severe constraints on the library services and facilities the Broken Hill City Council can offer residents and visitors to the region. The space in the library on Blende Street is currently limited to 450 m² downstairs, with the Outback Archives occupying a similar amount of space upstairs. A contemporary library serving a community of this size 18,856 people (18,027³) should be 1,496 m².⁴

¹ <http://profile.id.com.au/broken-hill/population-estimate>

² Ibid

³ Ibid

⁴ Library Council of NSW (2012) People Places: : A Guide for Public Library Buildings in New South Wales. Third Edition. http://www.sl.nsw.gov.au/sites/default/files/people_places_0.pdf

A number of possible locations have been suggested for the Broken Hill City Library. The Broken Hill Living Museum + Perfect Light Project has identified the need to "protect and enhance the heritage streetscape of Argent Street" as part of the CBD. That project suggested the library could be relocated to Argent Street as an anchor tenant. This idea has merit, however a busy public library that serves as a vibrant community hub also needs adequate parking and fit for purpose facilities to meet the needs of library visitors. Some Argent Street sites that have been suggested include retrofitting the former Pellew and Moore Building (332 Argent Street) and a purpose built building incorporating the Town Hall Facade (256 Argent Street).

Other options include the renovation and refurbishment of the existing library building (245-249 Blende Street), including the top floor which has previously been occupied by the Outback Archives, however the total space available in this option is much less than the recommended 1,496 square metres.

This Design Brief covers the Library component within any proposed development, without recommending a specific site. It has been prepared by Public Library Services staff at the State Library of New South Wales following visits and consultation with the Library Coordinator and the staff of Broken Hill City Library. It will enable the design team to have a full understanding of the significance and sense of direction of the Library.

Urban Precinct

Argent Street is Broken Hill's main street and town centre, once a flourishing and vibrant thoroughfare it has undergone a serious decline over the decades, failing to compete with new shopping precincts and struggling for customers as the population steadily declines.

Locals speak fondly of this wide main street and the memories held there and as we continue to write the history of this National Heritage Listed City we have a serious challenge on our hands to halt the decline, fill empty shops, support enterprise and create jobs.

In mid-2015, Council adopted the Living Museum & Perfect Light masterplan as its guiding principle and vision for the City. The aforementioned library relocation to Argent Street formed part of this masterplan and was largely predicated on the slow decline of Argent Street as an urban precinct in Broken Hill. The masterplan seeks to address the need for increased foot traffic into Argent Street to arrest this decline.

Research conducted under the LM+PL project showed that if Council were to keep doing things as they have always done them then there will be a spread of economic stagnation along Argent Street and the City overall. This would mean more empty shops, less jobs, less spending and a City heart that no longer offers the vibrancy that businesses, residents and visitors expect.

At the current time, Broken Hill has three competing urban precincts (Argent Street, Westside Plaza and North Village) and Argent Street is arguably running third in that race, so an interruption or disruption is required to ensure the ongoing vibrancy of this urban precinct. It is noted that the NSW Health Services development in Crystal Street will also add to this goal.

When Council resolved to relocate the library it was a clear move towards bringing an anchor tenant into Argent Street that would accommodate current library users and appeal to new generations through the development of a modern day library and community hub in line with our Smart Cities Framework.

Community Engagement and Timeframes

Community engagement around this matter is paramount and as noted earlier in the report, the perception was that Council did not adequately engage the community on the decision to relocate the current library to the Pellew & Moore site, and as a result angst ensued.

An extensive draft engagement strategy (attachment 4) has been prepared by staff with the view to ensuring this process is not derailed or undermined by the perception that there has been no engagement. The attached strategy sets out the proposed engagement process to ensure complete visibility. The presence of this strategy in the public domain at this time represents Council's commitment to engage where it can do so.

It should be noted though that there will be some parts of the process such as tenders involving commercial in confidence material etc. that simply cannot be made public. Where this is the case, it will be openly communicated by Council so interested parties are aware.

The other part of engagement that often confuses people is that every idea or thought they contribute will automatically be included or acted on throughout the process. It will be important for Councillors and staff during this engagement process to articulate that we are committed to taking all views forward as part of the final decision making process, and that they will be given due consideration and, where appropriate, integrated into the final outcome. However, engagement by its very nature is not a guarantee that all ideas are necessarily achievable.

It is envisioned that the engagement process, as per the diagram below, will occur shortly after the Ordinary Meeting of Council where it is adopted; following that process Council will seek to engage rigorously with the community, and subject to those outcomes, consider the next steps in the future of the Broken Hill library.



Parking

As part of the previous plan to relocate the library, the issue of parking was one of the key criteria that was continuously raised. Council had engaged GTA parking Consultants as part of the library relocation assessment (Environmental Impact). Due to the decision to pause the library relocation, the consultant's scope was adjusted to review and update the current parking strategy as various parking concerns had been raised by businesses in Argent Street. After site inspections and consultation sessions were held, the review is complete for the current parking arrangements and recommendations based on the comments and concerns of Argent Street Traders and Council Engineering staff.

The Chief Operating Officer has directed that the parking strategy review be put on hold as further assessment into the implementation of the Living Museum and Perfect Light concept is undertaken to ensure an integrated and relevant approach to revitalising the CBD and ensuring the objectives of the LM concept (diversifying and strengthening the economy, attracting tourism and preserving heritage). The parking strategy may be affected by the review.

Added to this and in discussions with the Barrier Command Superintendent, early plans and discussions are being pursued that may see the current Argent Street police site and the infrastructure that sits behind it on the block through to Blende Street, relocated to the NSW Government Office Block. Should this relocation occur, Council would be in the prime position to assume responsibility for the existing police site which could then provide for valuable additional parking for any preferred Argent Street site to support a new built library facility.

Funding opportunities

The recommendation above is seeking Council's in principle support for the construction of a new modern library facility in or around the Argent Street urban precinct.

While invariably the discussion will always come back to "how will this be funded?" it is the view of the writer that at this time that funding should very much be a secondary consideration because, if the will is there, it can be done. The primary objective now for Council and the community should be one of engagement and exploring all of the possibilities that may exist (which includes retaining the status quo on the current site or a refurbishment of the current site) and genuinely focus on this aspect of the process which essentially boils down to need.

In terms of funding though, Council will have significant opportunity to access Cultural grant funding, Stronger Communities funding, Resources for Regions funding and Building Better Regions funding at both the State and Federal government level; there are also the options around standalone loan funding and planned Council capital expenditure as part of future budgets, but it is again stressed that at this time the funding options should be secondary to engagement with the community.

Conclusion

In summary Council has a very unique opportunity to deal with the vexed question of a new modern library facility, versus retaining the current site as is, or refurbishing the current site, in a well-planned and articulated manner that seeks the views and input of the Broken Hill Community. At the conclusion of this process Council will be well placed to determine the next steps along the journey towards a modern, well resourced, technologically equipped library facility the Broken Hill community deserves and can be proud of.

Strategic Direction:

Key Direction: <enter key direction>
Objective: <enter objective>
Function: <enter function>
DP Action: <enter delivery program action>

Relevant Legislation:

Local Government Act 1993

State Records Act 1998

Library Act 1939

Financial Implications:

Nil at this time.

Attachments

1. [↓](#) Broken Hill Current Library Site Review
2. [↓](#) Broken Hill Library Design Brief
3. [↓](#) Media Release - Library Technology
4. [↓](#) Draft Library Community Engagement Strategy

JAMES RONCON
GENERAL MANAGER



Broken Hill City Library Review

State Library of NSW

May 2017

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Preamble

This review was conducted by the State Library of NSW at the invitation of Tracy Fraser, Library Coordinator, Broken Hill City Library, in accordance with the Library Act 1939, sections:

4A(a) *to promote, provide and maintain library services for the people of NSW through the State Library and through co-operation with local libraries...*,

4A(b) *to advise... local authorities...on matters of policy and administration relating to library services...*

5(1)(a) *to make or cause to be made careful inquiry into the administration and management of every local library*

5(1)(b) *to cause every local library...to be inspected from time to time*

The review was undertaken by Mylee Joseph and Kate O'Grady, Consultants, Public Library Services, State Library of NSW. Quality assurance and editorial input were provided by Philippa Scarf, Acting Manager Public Library Services and Cameron Morley, Acting Executive Director Public Libraries and Engagement, State Library of NSW.

Executive Summary

In June 2016 Ellen Forsyth, a member of the State Library consultancy team, visited Broken Hill City Library (BHCL) as part of the State Library's Assessment and Compliance program for public libraries. During this visit the possibility of a more extensive review of the library's services was discussed. In December 2016 Tracy Fraser, Library Coordinator Broken Hill City Council contacted the State Library of NSW to request a review of the services to cover library performance, staffing and opportunities for development.

Broken Hill City Council has been pursuing options for improving the library building and amenities for a number of months, including the development of architectural plans for the fit out of a rental property on Argent Street. In October 2016 the State Library provided Broken Hill City Council with extensive feedback on the Argent Street plans. The plans did not indicate a functional library space. The proposed building is undersized and further work would be required on the layout and façade. The State Library also identified safety and security concerns with the inclusion of the mezzanine structure. State Library staff are available to work with council on future plans.

At the Broken Hill City Council meeting (22 February 2017) it was resolved "*That Council place the Charles Rasp Library relocation to Argent Street, on hold, pending further analysis of the original business case that supported the April 2016 resolution of Council. That Council note the significant increase in costs from those originally resolved and budgeted, as the catalyst for the decision. That following further analysis, the General Manager present a report to the November 2017 Council meeting with a suggested pathway on which to move forward to establish the most practical and cost effective option*" in addition, a Broken Hill City Council media release (22 February 2017) indicated the Council's intention to "*undertake a review of the existing library building and establish what upgrades need to be made in the short term for it to continue to operate in its current Blende Street location. Further investigation will also be undertaken to consider the best course of action for the library's long-term future.*"

State Library consultancy staff Mylee Joseph and Kate O'Grady visited Broken Hill City Library on 28 February and 1 March 2017 to meet with library and council staff. Broken Hill City Council staff provided a range of information and statistics on library services both at interview and in writing following the visits. The State Library team analysed Broken Hill City Council Library services and performance with reference to industry best practice, state-wide trends and data, and NSW public library standards and guidelines.

The State Library's observations on Broken Hill City Library's current services and performance are as follows:

Use of the library by the community:

- Despite a decline in the overall population in Broken Hill, library membership has continued to grow which demonstrates that the library is a highly valued and essential service.
- Although there are a high number of library visits, the lack of space in the current building limits the activities that can be undertaken by the community and the services that council can offer.

Staffing:

- BHCL is within the recommendations for the total number of staff but has insufficient qualified staff members. The State Library recommends converting two of the current positions to qualified librarian or library technician roles. Introducing these positions will provide opportunities for career progression and succession planning.

Collections:

- BHCL's collection is of a suitable size and age but use of the collection is lower than the NSW average. This in part due to the current layout and amenity of the library space.
- Regular assessment of the collection is recommended to ensure that specific areas of the collection are up-to-date and suitable for community needs.

Facilities for the public:

- The overall appearance of the library is dated, tired and lacks appeal to a contemporary community. There is a lack of casual seating, meeting rooms and discussion spaces and up-to-date technology.
- The current library space is undersized (450 square metres) and even with substantial refurbishment and extension into the current Outback Archives floor the library would lack the space, access and amenity that the community requires.
- A new purpose built library (of approximately 1,500 square metres) using the design and size principles as outlined in *People Places*¹ would provide a contemporary library and community hub.

¹ Library Council of NSW (2012) *People Places: a guide for public library buildings in New South Wales*.
http://www.sl.nsw.gov.au/sites/default/files/people_places_0.pdf

Technology:

- The current Library Management System is at end of life and will require replacement in the short term.
- Although BHCL has a suitable number of PCs for the community the public access PCs and software need to be upgraded on a three to five year schedule.
- BHCL can better utilise the State Library's NSW.net services through improved Wi-Fi access and participation in the one library card program for access to state-wide databases.
- BHCL needs to provide a self-serve multi-function device for printing, copying and scanning for public use.
- BHCL needs to provide a range of resources for community use. These could include: video-conferencing, recording and maker-space facilities.

Detailed discussion occurs through the report, and a range of recommendations are provided.

1: Background

Broken Hill City Council (BHCC) operates one of the oldest public library services in NSW, with the municipal library opening in 1891. The library serves an estimated population of 18,557 people in Broken Hill as well as operating the Outback Letterbox Library service to residents in the unincorporated area and Central Darling Shire, a service that is funded by the State Library of NSW.

1.1 Introduction

Tracy Fraser, Library Coordinator Broken Hill City Council, requested a review by the State Library of New South Wales. Terms of reference were agreed upon prior to the visit on 28 February 2017. The components of the review listed below are the finalised list.

1.2 Components of the review

- Assess the current performance of the Library using the *Living Learning Libraries* standards and guidelines
- Assess the staffing structures to best serve the community (review current and proposed staff structures and required skill set)
- Identify areas of excellence and opportunities for development or improvement
- Recommend how the library can best respond to changing community needs
- Identify emerging trends and assess the strategic position
- Benchmarking and key performance indicators
- Assessment of current building
- Requirements for a new library building

All components of the review will consider and address, where appropriate legal compliance.

On 1 March 2017, State Library consultants met with James Roncon, General Manager Broken Hill City Council. Part of the discussion surrounded the decision to “pause” the relocation of the library to a vacant shop on Argent Street. The State Library consultants agreed to provide information in the report on the requirements of a new library building and an assessment of the current library building on Blende Street.

1.3 Review process

Mylee Joseph and Kate O'Grady, State Library of NSW, visited Broken Hill City Council on 28 February and 1 March 2017.

The consultants spoke with

- General Manager, James Roncon
- Director Corporate and Human Services, Razija Nu'man
- Library Coordinator, Tracy Fraser
- Community Programs Officer, Fiona Murray
- Library Assistants Martina Schindler, Fallon Lawn, Jess Picken, Karen Forbister and Jacqui Smith.

1.4 Methods

The review includes:

- Desktop research on best practice
- Site visit and observations
- Liaison with relevant Council and library staff
- Analysis of services and collections data against current standards and benchmarks

1.5 Standards and Guidelines

The Library Council of NSW publishes public library industry standards that have been applied in this review of the Broken Hill City Library (BHCL) services and facilities: *Living Learning Libraries: Standards and Guidelines for NSW Public Libraries* (2015)² and *People Places: a guide for public library buildings in New South Wales* (2012)³.

Living learning libraries, is an evidence-based guide to the development of library services in NSW. It provides a basis for comparison among library services, as well as a framework for service assessment and continuous improvement. It is intended to encourage best practice in service delivery not by presenting theoretical targets, but by highlighting what standards are already achieved by leading libraries.

Living Learning Libraries uses current *NSW Public Library Statistics* to set evidence-based targets for public library collections and services and is updated annually.

² Library Council of NSW (2015) *Living Learning Libraries: Standards and Guidelines for NSW Public Libraries*
<http://www.sl.nsw.gov.au/services/public-libraries/living-learning-libraries>

³ Library Council of NSW (2012) *People Places: a guide for public library buildings in New South Wales*.
http://www.sl.nsw.gov.au/sites/default/files/people_places_0.pdf

Three targets are described in the Standards:

Baseline target:	Derived from the median value. This is judged to be a reasonable minimum target for libraries.
Enhanced target:	Derived from the midpoint value of the third quartile. This target indicates the minimum enhanced level that higher performing libraries might achieve.
Exemplary target:	Derived from the value at the bottom of the fourth quartile (point immediately above the third quartile point (Q3)). This target indicates the minimum exemplary level that leading libraries might achieve

Please see Appendix 1 for an analysis of Broken Hill City Library's performance against the *Standards*.

People Places guidelines provide library managers and local councils with a practical tool to plan and create spaces which optimise the use of resources, while at the same time providing library buildings which will meet the needs of the community now and into the future.

1.6 NSW public library trends

NSW public libraries have experienced considerable growth in usage in recent years. The State Library has observed the following trends (Public Library Statistics 2014/15):

High usage of facilities and collections:

- Physical visits to public libraries have increased over the past 15 years with over 35 million visits
- Loans of collection items are significant at 43.68 million loans
- Attendance at library events and programs is one of the biggest growth areas, with 1.6 million people participating in over 74,000 programs
- Internet use and online services have experienced extremely high growth over a relatively short period:
- Visits to public library websites grew by more than 11% to 11 million over the 12 months from 2013/14.
- Onsite internet bookings in public libraries has more than doubled in the past 5 years to 9.5 million sessions. This includes substantial growth in Wi-Fi bookings from 4 million to 6 million.
- While ebook loans are not a high proportion of the 43.6 million above, they have increased by 62% in the past 2 years. Ebook loans are expected to increase as the format and library delivery methods are refined and simplified. This is expected to bring even more customers to libraries.

Libraries continue to provide what could be described as traditional services - the provision of collections and information to the community. However, it is also clear that our local communities expect public libraries to provide services in newer areas. These services reflect the role of modern public libraries as community facilities where people can meet, access technology, share and learn.

The following points are likely to present impacts and opportunities for libraries into the future:

- collection management: outsourcing and in-house models; hosting locally produced digital content and capturing born digital local studies material
- increasing demand for public spaces
- popularity of mobile technology and bring your own device (BYOD) services
- remote and outreach services
- ageing populations
- communities and libraries as makers
- technological advances.

2: State Library recommendations

The State Library recommends that Broken Hill City Library implement the following recommendations:

Membership and visits

1. Improve and increase space for casual reading, programs and technology access.
2. Develop a broader range of programs to appeal to more members of the community and bring more visitors to the library.
3. Promote library use through an outreach and marketing campaign.
4. Take an active role in the council's community engagement activities in the development of the Community Strategic Plan.

Staffing and training

5. Convert two of the existing staff positions to qualified library technician or librarian positions.
6. Introduce a trainee role on staff, investigate targeted Indigenous funding for this role.
7. Management and staff take available opportunities to participate in remote access training, including videoconferencing into State Library and NSW public library network meetings and training.
8. Management and staff take available opportunities to participate in webinars and online training options as highlighted in the State Library's professional development calendar.
9. Management and staff participate in learning communities (state-wide working groups) via email and video conferencing.
10. Management and staff utilise ALA online resources through the State Library's NSW.net service.

Public programs and outreach

11. Explore opportunities to partner with local organisations to deliver a broader range of public programs. Organisations could include Maari Ma and West Darling Arts. Due to lack of space it may be necessary to use other community spaces in the short term.
12. Investigate options to provide access to creative technology including makerspaces, recording studio and film editing suites.
13. Continue to activate the exhibition space in the library, including community curated exhibitions.
14. Investigate best practice early literacy research and assess the current preschool programs to ensure maximum effectiveness to meet community needs and early literacy development outcomes.
15. Explore children's outreach programs suitable for the community, targeting families that may not be current library users and looking into partnerships beyond local preschools.
16. Expand its offering of youth programs and outreach activities.
17. Include suitable youth space is included in any library refurbishment or relocation.
18. Explore local partnerships to assist with further developing the range of adult programs on offer.

19. Provide suitable spaces for technology, quiet study and adult programming as a priority in building refurbishment or relocation.
20. Invest in signage, branding and portable furniture to further explore options for use of the pop up library to promote library use.
21. Use tablets and mobile devices to enhance the range of services offered at a pop up library event, including signing up new members.
22. Partner with other council events to raise the profile of the library with the community via a pop up presence.
23. Staff liaise with the Indigenous Services team at the State Library
24. Staff participate in Aboriginal and Torres Strait Islander cultural competency training programs offered via the State Library.

Collection management

25. Assess the current reference and non-fiction collections to ensure that they are up to date and relevant to community needs.
26. Identify gaps and explore areas of improvement in the collection.
27. Review the management of overdue reminders.
28. Review the acquisitions workflow to identify best practice and efficiencies within the requirements of the Local Government Act 1993.
29. Investigate participation in the State Library 'one card' public membership where members of the public can access State Library resources with their public library membership.

Local studies

30. Explore opportunities for collecting current local information to create the local studies collection of the future.

Technology and digital inclusion

31. Urgently investigate a suitable replacement library management system
32. Public access PCs and software are upgraded on a three to five year schedule.
33. Investigate upgrade to Wi-Fi and internet connectivity in consultation with NSW.net.
34. Increase public access to a range of technologies including tablets and iPads, as well as maker and technology spaces as outlined in the building section below.
35. Planning for a new library building includes additional power points for clients who wish to use their own devices, with consideration given to purchasing furniture with built in access to power.
36. Purchase a multifunction printer/scanner/copier for customer use.
37. Staff access relevant training to keep up to date with new technologies and develop skills.

Library building and spaces

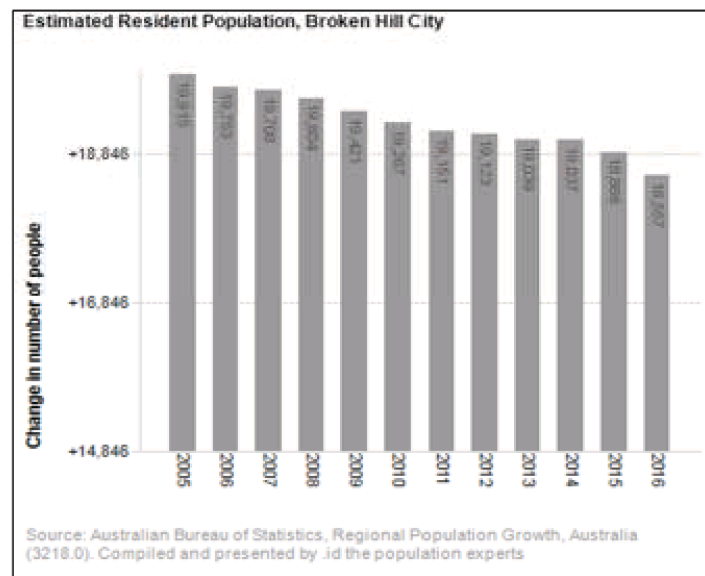
38. The current library building places severe constraints on the library services and facilities. The State Library recommends that BHCL addresses this in the short term.
39. Appearance of the library needs to be updated with new shelving within current guidelines for height, improved seating and consistency in furniture style.

40. Include makerspace, recording studio/film editing, meeting rooms, videoconference/streaming facilities, quiet spaces, casual seating, group study spaces, improved access to technology for library members who need to use their own device (power, Wi-Fi printing, desk/seating space), access to PCS (for government services etc), scanner and fax.
41. Council consider the implications of providing customer service and monitoring use of the library resources over two levels.
42. Council investigates options for a library of approximately 1,500 m² to provide a contemporary space with suitable services and programs for the Broken Hill community.

Further details are available in Appendix 2: Library Building Brief.

3: Broken Hill City Council

Broken Hill City Council had a population of 18,557 in 2016⁴. This is projected to fall to 17,600 in 2026. The City has some unique challenges as it is located in far western New South Wales about 1,100 kilometres west of Sydney and 500 kilometres east of Adelaide and is surrounded entirely by Unincorporated New South Wales (Far West). Broken Hill is the largest regional centre in the western half of New South Wales, with a total land area of 170 km² or 17,042 hectares, 1.11 people per hectare.



The 2011 census results show that:

- Aboriginal and Torres Strait Islander residents were approximately 7.5% of the population (1,398 people).
- 11.7% of the population were born overseas but the vast majority of the population speak English with 0.4% speaking Italian, 0.2% speaking Greek and 0.1% speaking Filipino/Tagalog and Australian Indigenous languages.

In 2011, Broken Hill City scored 899.6 on the SEIFA Index of Disadvantage, this is one of the lowest scores in NSW and it indicates that the community experiences significant challenges across a number of areas including income, educational attainment and unemployment.

- The size of Broken Hill City's labour force in 2011 was 7,639, of which 2,432 were employed part-time and 4,370 were full time workers.

⁴ Australian Bureau of Statistics 2016 estimated resident population (ERP) <http://profile.id.com.au/broken-hill/about>

- The unemployment rate is higher than other areas in regional NSW with Broken Hill unemployment rate of 8.3% compared with 6.1% for regional NSW.
- Analysis of the qualifications of the population in Broken Hill City in 2011 compared to Regional NSW shows that there was a lower proportion of people holding formal qualifications (Bachelor or higher degree; Advanced Diploma or Diploma; or Vocational qualifications), and a higher proportion of people with no formal qualifications.
- Overall, 31.0% of the population aged 15 and over held educational qualifications, and 52.8% had no qualifications, compared with 41.5% and 46.8% respectively for Regional NSW.

The major differences between qualifications held by the population of Broken Hill City and Regional NSW were:

- A *larger* percentage of persons with No qualifications (52.8% compared to 46.8%)
- A *smaller* percentage of persons with Bachelor or Higher degrees (6.9% compared to 12.4%)
- A *smaller* percentage of persons with Advanced Diploma or Diplomas (4.2% compared to 7.1%)
- A *smaller* percentage of persons with Vocational qualifications (19.8% compared to 22.1%)

2011 census analysis of the type of internet connection of households in Broken Hill City compared to Regional NSW shows that there was a higher proportion of households with either no internet connection or a dial up connection, and a lower proportion of households with broadband connectivity. Overall, 35.7% of households had no internet connection or a dial up connection, and 51.0% had broadband connectivity, compared with 28.4% and 61.3% respectively in Regional NSW. More recent data will be available from the Australian Digital Inclusion Index 2016⁵ which measures digital inclusion via three factors (access, affordability, digital ability) - all areas that public libraries can influence at the local level. The release of the 2016 Census results will also provide more detailed information about the local area.

Overall, these figures demonstrate the need for a library that can provide services and programs to assist with digital literacy and social inclusion.

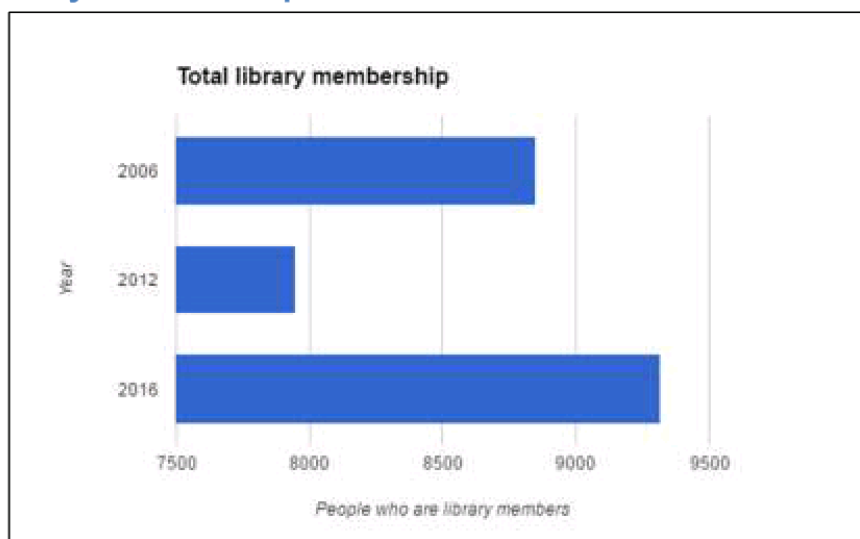
Broken Hill is also a popular tourist destination. In 2014/15, the total tourism and hospitality sales in Broken Hill City was \$70.9m, the total value added was \$39.2m.⁶ Travellers and tourists in the region are often visitors to the library, seeking local history information, directions and access to the internet and printer / copier services. As a signatory to the reciprocal agreement, visitors from other parts of NSW are welcome to join the library, and Broken Hill residents enjoy the same opportunity when visiting other parts of NSW. Staff commented on the frequency of referrals from the Visitors Centre to the Library to use the services and facilities.

⁵ Australian Digital Inclusion Index 2016 <http://digitalinclusionindex.org.au/>

⁶ Broken Hill City Economic Profile <http://economy.id.com.au/broken-hill/tourism-value>

4. Service analysis and discussion

4.1 Library membership



The data clearly demonstrates the library membership base is growing. In 2015/16 there were 9,318 library members. This membership represents 49.42% of the City's population. This is a good return on the Council's investment in the library as a high proportion of residents are using the facility. It is highly likely that improvement of the facilities and deliberate targeting of underserved groups in the community would see this rise significantly. As BHCL deletes inactive members every three years as recommended by the State Library. This indicates that this is an accurate reflection of current members. The total of 9,318 includes approximately 560 members of the Outback Letterbox Library. This is a highly valued service.

4.2 Visits

BHCL received a total of 74,934 visits in 2014/15. At 3.97 visits per capita BHCL is significantly below the baseline (State median) of 4.5 visits per capita. The State Library considers that the lack of available space and aesthetic appeal of the current Broken Hill City Library is a direct cause for the library's poor performance against this standard. The capacity to improve services is constrained by the undersized and inadequate library building. Low visitation is most likely due to space constraints which make it difficult for people to use the library for leisure, work or study, as well as making it difficult for staff to provide a suitable range of library programs.

Recommendations

1. BHCL needs more space for casual reading, programs and technology access.
2. BHCL develops a broader range of programs to appeal to more members of the community and bring more visitors to the library.
3. BHCL promote library use through an outreach and marketing campaign.
4. BHCL takes an active role in the council's community engagement activities in the development of the Community Strategic Plan.

4.2 Staffing

There are six EFT staff, including the Library Coordinator who is the only qualified member of staff. Other positions include a community programs officer and three full time library assistants and one job share role. There are a total of seven staff members. All staff rotate through a range of tasks including the Outback Letterbox Library and the Books on Wheels service.

All staff made positive comments about the new management and the changes that have recently been implemented. Communication and access to training were mentioned by all as being greatly improved. The development of a library procedures manual would assist staff, particularly when they are the sole staff member on duty during weekend shifts and evening shifts.

Staff structure

There are issues with the current staff structure. There is little opportunity for career progression which limits succession planning. Three of the staff members are partially through their library studies, however no recognition for achieving library and information qualifications is currently available. A possibility of career progression may be an incentive for completing the course.

Living Learning Libraries recommends a minimum 2.5 qualified staff members for the population of Broken Hill. The State Library recommends maintaining the current Library Coordinator role as a qualified librarian and introducing two qualified positions at the library technician or librarian level. Focus areas could be identified for these roles such as technology, outreach, programs or youth, based on local priorities. The remaining three staff would be at the library assistant level.

It is also recommended that council introduce a trainee role on staff. Investigating targeted Indigenous funding (eg. Elsa Dixon Aboriginal Employment Program) could be beneficial for the library and community. The need to include and support Indigenous Australian employment across the public library network is recognised as a priority in the Indigenous Spaces in Library Places strategy.⁷ Evidence from other libraries shows that having an Indigenous staff member encourages the local Indigenous community to feel more welcome in the library space. This role could focus on technology skills and youth programming, as well as participating in Indigenous specific programming. It would be appropriate to encourage the trainee to complete a Certificate III in Information and Cultural Services.

Recommendations

5. Convert two of the existing staff positions to qualified library technician or librarian positions.
6. Introduce a trainee role on staff, investigate targeted Indigenous funding for this role.

⁷ Indigenous spaces in library places: building a vibrant public library network inclusive of Indigenous peoples and communities <http://www.sl.nsw.gov.au/about-library-services-indigenous-services/indigenous-spaces-library-places>

4.3 Training

As library services and customer expectations continue to evolve the importance of continuing professional development and training for library staff is a critical success factor in public libraries. As noted above, staff mentioned an improvement in access to training with the employment of the current manager. There are more training opportunities that could be explored including online and videoconference options and participation in the public library network learning communities via email and videoconferencing. These opportunities can be especially beneficial for staff in a remote area such as Broken Hill. Face-to-face training is still important but it can be supplemented with remotely accessed training.

Areas to focus on could include:

- career progression
- technology and digital mentoring skills
- library and information services industry qualifications
- engaging with young people training program (developed by YAPA for SLNSW and the public library network)

The State Library noted that three out of the six staff members have been at the library for a number of years, two for over 30 years. The staff are very experienced and know their community well. Training and professional development are important to maintain enthusiasm, develop skills and to foster career growth for all staff, but for long term staff members it can be even more crucial. A range of professional development and training opportunities are listed in the State Library's professional development calendar at www.calendarwiz.com/nswpubliclibrarieslearn The State Library also provide access to the American Library Association eBooks through NSW.net which include aspects of public library service delivery, ranging from library management, cataloguing, marketing, social media, library systems, early literacy, youth services and readers' advisory work.

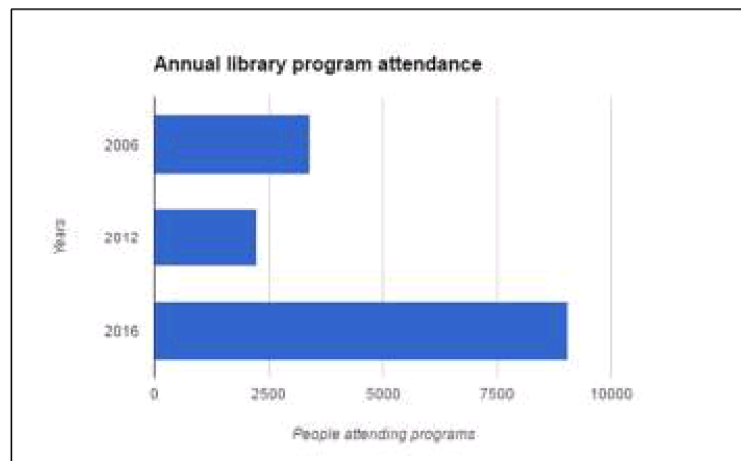
The State Library acknowledges the difficulty of attracting qualified staff to move to the area and the benefits of encouraging existing and new staff to undertake library studies by distance education.

Recommendations

7. Management and staff take available opportunities to participate in remote access training, including videoconferencing into State Library and NSW public library network meetings and training.
8. Management and staff take available opportunities to participate in webinars and online training options as highlighted in PD calendar.
9. Management and staff participate in learning communities (state-wide working groups) via email and videoconferencing.
10. Management and staff utilise ALA online resources through NSW.net.

4.4 Public programs and outreach

BHCL offers a range of public programs including early literacy sessions (babies, toddlers and pre-schoolers), summer reading club for children, knitting group, computer club and live streaming sessions. There is a clear trend in the growth of attendance at library programs which indicates their popularity. In 2015/16 a total of 9,054 people attended programs at the library.



There are many opportunities for public libraries to partner with local groups and organisations to deliver public programs. This can take the form of an Asset Based Community Development (ABCD) strategy where the library engages local creative communities by offering relevant, inclusive, and participatory programs and services and also representing the work of local creative communities (eg. poetry, writing, photography, etc.) in the library's collections. In Broken Hill, there is the potential for the library to partner with Maari Ma and West Darling Arts in a variety of ways (eg. public programming, sourcing local content for collections and exhibitions). However, the library is severely constrained in this area by the lack of suitable meeting spaces that can be used by community groups to stage their own activities with minimal intervention by library staff.

There are numerous resources that library staff can explore relating to community led programming and the opportunity for creative partnerships including *The Impact of Libraries as Creative Spaces*⁸ and the *Library as Incubator Project*⁹.

There is a growing trend in NSW public libraries to offer local communities access to technology tools and spaces via makerspaces with 3D printers and other equipment,

⁸ SLQ(2016) The impact of libraries as creative spaces <http://www.plconnect.slq.qld.gov.au/manage/research/libraries-as-creative-spaces>

⁹ Library as incubator project <http://www.libraryasincubatorproject.org/>

recording studios and film editing equipment, green screens, and recording and editing software packages. In a creative community like Broken Hill, with strong connections to film making, these types of spaces, tools and programs to foster local skills and creativity would be a relevant addition to core services. These types of services also attract a wide range of people who may not currently be library users and create opportunities for partnerships with schools and other organisations.

Recommendations

11. BHCL explore opportunities to partner with local organisations to deliver a broader range of public programs. Organisations could include Maari Ma and West Darling Arts. Due to lack of space it may be necessary to use other community spaces in the short term.
12. BHCL investigate options to provide access to creative technology including makerspaces, recording studio and film editing suites.
13. BHCL continue to activate the exhibition space in the library, including community curated exhibitions.

4.4.1 Children's programming

BHCL has a strong emphasis on early literacy programs for preschool children and their families. The library runs baby bounce, toddler time and preschool story telling programs on a weekly basis. This is an obvious strength and a priority for the library. The design of effective early literacy programs is informed by research-based practices that can help young children develop skills they need before they can learn to read. There are regular industry developments in the area of children's programs and literacy. The State Library is currently working on an Early Literacy project with Macquarie University. The BHCL team will be included in the rollout of this project. The library team is encouraged to continue to evaluate and develop the early literacy programs in line with best practice.

Staff reported that a high volume program of outreach to preschools had been reduced recently. Without an increase in staffing levels this program would have proved to be unsustainable. The reduction in visits has had a significant impact on program statistics. Number of programs decreased from 416 to 106, the number of participants has decreased from 6,400 to 1,155. The visits also had an impact on loans as delivery of bulk loans of children's books was part of the preschool visits. Currently staff are undertaking approximately three outreach visits per preschool per year. This seems to be a more realistic number of visits with the current staffing levels.

Children's outreach is an important part of library services and would be beneficial to the Broken Hill community however a strategy needs to be developed to target those most in need considering staff resourcing. Ideas could include visiting Maari Maa, Hub 123; an early childhood workers mixer with resource sharing; Indigenous health/outreach workers meeting with resource sharing; pop up library at local events for children and families.

BHCL participates in the annual summer reading program, providing motivation for school aged students to continue to read over the long summer break. Research indicates that summer reading programs help to reduce the loss of reading skills over the long summer break.

Recommendations

14. BHCL investigate best practice early literacy research and assess the current preschool programs to ensure maximum effectiveness to meet community needs and early literacy development outcomes.
15. BHCL explore children's outreach programs suitable for the community, targeting families that may not be current library users and looking into partnerships beyond local preschools.

4.4.2 Youth programming

BHCL staff all identified that youth (12-18) are underrepresented both as library users and library members. This group is notoriously hard to reach however BHCL could provide more services, collections and programs to attract this audience and build capability within young people in the community. It is also very important that a suitable youth space is considered in planning for a new library building.

Some examples of youth programs include:

- *Twilight markets* project at Griffith City Library <http://www.sl.nsw.gov.au/blogs/twilight-youth-market-griffith-city-library>
- Main street photography competition, that was then this is now matching heritage images
- Music programs such as *Live and Loud at the Library* (local youth bands performing after hours) held regularly at Taree and other libraries.
- Teen programming HQ (YALSA) <http://hq.yalsa.net/index.html>
- Creating content with augmented reality apps (eg. heritage videos in the main street using the free Aurasma Augmented Reality app)

Recommendations

16. BHCL expand its offering of youth programs and outreach activities.
17. A suitable youth space is included in any library refurbishment or relocation.

4.4.3 Lifelong learning and adult programming

Broken Hill currently offers some successful adult programming including the weekly Computer Club and live streaming of events such as *Sydney Writers' Festival* and *All About Women*. Staff noted that offering these events requires rearrangement of shelving and furniture which makes it difficult to organise these events on a regular basis. However, the State Library encourages BHCL to continue to explore options for live streaming events.

Many libraries have successful partnerships with U3A and other community organisations. BHCL could investigate offering writer in residence creative writing workshops, visiting author talks and acoustic music sessions at the Library. Distance education students and independent researchers make use of BHCL collections and facilities, often in competition with school students and other library programs as there are no quiet study spaces currently available.

Lack of space and access to technology are currently limiting BHCL providing a broader range and larger number of programs. As mentioned before, partnerships with local organisations could assist with the development of programs and access to space until the library has more space and resources for additional programs.

Planning for future library space should take into consideration facilities to support distance education including suitable group study space, video conferencing, internet access and collections.

Recommendations

18. BHCL explore local partnerships to assist with further developing the range of adult programs on offer.
19. Suitable spaces for technology, quiet study and adult programming are a priority in building refurbishment or relocation.

4.4.4 Outreach activities

BHCL provides outreach services to the community. Books on Wheels is the home library service delivering books to people who are unable to visit the library. The Outback Letterbox Library has been delivering books to Far Western NSW since 1977 and currently has approximately 560 clients. This program is funded with assistance from the State Library of NSW.

Mobile technology has made it possible for public libraries to create “pop up library” opportunities, signing up new library members and demonstrating digital services in a range of non-traditional venues. This allows the library to raise its profile in the local community and to attract new members. BHCL has recently been experimenting with a pop up library. Library staff took a collection of children’s books and an activity table to the town square during Children’s Week in 2016, and library information and collection items for borrowing to the aquatic centre in early 2017. More investment in terms of time and funding would help develop the pop up. A branded pull up banner and specifically designed furniture would make the pop up more appealing and promote the library services better to the community, including those who do not normally use the library services. The State Library’s publication *Mobile & Outreach Services: NSW public libraries*¹⁰ has information and images of outreach services and explores the variety of models in operation around NSW.

Recommendations

20. BHCL invest in signage, branding and portable furniture to further explore options for use of the pop up library to promote library use.
21. BHCL use tablets and mobile devices to enhance the range of services offered at a pop up library event, including signing up new members.
22. BHCL partner with other council events to raise the profile of the library with the community via a pop up presence.

¹⁰ Mobile & Outreach Services: NSW Public Libraries
http://www.sl.nsw.gov.au/sites/default/files/mobile_outreach_services.pdf

4.4.5 Indigenous community

The State Library recognises the importance of public libraries across the state actively engaging with and supporting Indigenous peoples and communities in the local area. The Indigenous Services team at the State Library worked closely with Public Library Services to develop a state-wide strategy *Indigenous Spaces in Library Places: Building a vibrant public library network inclusive of Indigenous peoples and communities*¹¹. The team is also available to provide advice to the BHCL team.

Recommendations

23. BHCL staff liaise with the Indigenous Services team at the State Library
24. BHCL staff are encouraged to participate in Aboriginal and Torres Strait Islander cultural competency training programs offered via the State Library.

4.5 Collection management

The statistics show a collection that is within the standards for age and items per capita. Turnover and circulation are slightly below the minimum benchmark. During interviews staff mentioned that particular areas of the collection are out of date, including health and science. It is recommended that BHCL uses the State Library's stock quality health check tool to assess the non-fiction collection.

It is acknowledged that the remote location of Broken Hill and the cost of sourcing material on inter library loan place particular pressures on the management of the library collection, a larger collection may be needed to meet community needs than may otherwise be indicated. Staff report that the DVD collection is very popular.

Areas of improvement within the collection could include: development of an Indigenous collection of books, music and DVDs; graphic novels, zines and comics by local artists and authors; development of a current local studies collection, see section 4.6 below.

4.5.1 Overdue reminder workflow

Circulation of the collection includes the efficient management of overdue reminders and accounts. Providing reminders of items coming due, reservations being available, etc. via email or SMS messaging is a common and popular service for customers. It is recommended that a review of the current overdue workflows be undertaken to identify opportunities for improving efficiency using the features of the library management system and for improving customer service.

4.5.2 Acquisitions workflow

The current acquisitions workflows are labour intensive and appear to have many more steps than those required by other councils in NSW. Many NSW councils have

¹¹ Indigenous Spaces in Library Places: Building a vibrant public library network inclusive of Indigenous peoples and communities <http://www.sl.nsw.gov.au/indigenous-spaces>

successfully outsourced aspects of the supply of library collections and there is a current *Library Books and Resource Materials (LGP507-3)* contract available. It is recommended that a review of the acquisition workflows be undertaken to ensure it is efficient and accountable.

4.5.3 Reference collection

Overall, public libraries are providing current and accessible reference information through online resources wherever possible, including encyclopaedias. This in turn reduces the physical size of reference collections on shelves. BHCL staff should closely review the current reference collection for suitability, currency and use. For example the World Book Encyclopedia is a 2012 edition and the 2008 edition is available for loan in junior non-fiction. These resources are out of date and it is inappropriate for BHCL to make them available to the public. Online reference resources are available through the State Library's Eresources collection. Residents in NSW who are members of their local public library can access these resources through the State Library's 'one card' program. BHCL can contact NSW.net to participate in this program.

Recommendations

25. BHCL assess the current reference and non-fiction collections to ensure that they are up to date and relevant to community needs.
26. BHCL identify gaps and explore areas of improvement in the collection.
27. BHCL review the management of overdue reminders.
28. BHCL review the acquisitions workflow to identify best practice and efficiencies within the requirements of the Local Government Act 1993.
29. Investigate participation in the State Library 'one card' public membership where members of the public can access State Library resources with their public library membership.

4.6 Local studies

Public libraries play a crucial role in access to and preservation of Local studies collections. It is an area where a library can show the unique nature of the local community. Broken Hill City Council has an extremely extensive and valuable local studies collection in the Outback Archives. It is unnecessary for the library to duplicate this collection. However the library can play a key role in collecting contemporary material, creating the local studies collection of the future. This will also allow for a range of interesting programs to be developed, potentially attracting new users to the library.

Areas to explore could include:

- Creating content with augmented reality apps (eg. heritage videos in the main street)
- Main street photography competition on the theme "that was then this is now" matching heritage images and adding contemporary images to the library's collection
- Collecting social media content relating to significant current events and festivals as well as council activities
- Host ebooks by local authors and poets, potentially through the State Library's *Indyreads* platform

- Developing a collection of graphic novels, zines, comics and art books by local artists and authors
- Creating a platform for a local online music collection using for example Rabble's *MUSICat*¹² which allows libraries to license music directly from local artists
- Facilitate the writing and collection of local stories (eg. the Story Centre at the Mid-Continent Public Library)
- Heritage materials as sources for creativity (eg. quilters and designers) and contemporary scholarship.

Recommendation

30. BHCL explore opportunities for collecting current local information to create the local studies collection of the future.

4.7 Outback Letterbox Library

The Outback Letterbox Library (OLL) has operated since 1977 as a key partnership between the State Library of NSW and the Broken Hill City Library. The Outback Letterbox Library primarily services residents of the Unincorporated Area and the Central Darling Shire.

The State Library grant contribution of \$100,000 per year to the Outback Letterbox Library is one sixth of the total BHCL budget. Statistics indicate that members of OLL has remained reasonably static at just above 500 since 2000. However, a survey of customer satisfaction and feedback would provide valuable insight for library staff.

4.8 Technology and digital inclusion

Libraries play a key role in digital inclusion. This is especially important in towns like Broken Hill with areas of social disadvantage. Broken Hill City Library has the opportunity to improve access to technology for the community, providing broader access to basic services through improved Wi-Fi and internet as well as additional programs and resources to allow for learning and exploration.

4.8.1 Library Management System

BHCL currently uses the Amlib library management system. Amlib is at end of life and upgrades to the system will not be supported in future. This is a critical resource for the management of the library's collection and circulating activities and replacement of the system must be a priority.

While RFID and self-check are popular trends in public libraries, the loans per staff member do not indicate these are a high priority for Broken Hill.

¹² Musicat <http://www.musicat.co/>

4.8.2 Equipment

Over recent years there has been a change in the way people access online information, with more people using their own devices such as laptops, tablets or mobile phones. It is still important for libraries to provide free access to online resources via computers but facilities for own devices are also needed. Library spaces require more GPO (power outlets) to charge and use devices. Study tables and even casual seating can provide access to power.

A self-service multifunction printer/copier/scanner is required for public use. The current practise of staff scanning items for customers is not sustainable. Wi-Fi printing is also needed, from within the library at a minimum. There is also the option to allow people to send items to the library for printing from remote locations such as their home or office.

BHCL has some public access PCs that were supplied under the Federal Government's Broadband for Seniors program. This program will officially end on 30 June 2017 and will be replaced by the new Digital Literacy for Older Australians program on 1 October 2017. Participants currently involved in the initiative will have an opportunity to participate in the new program and will continue to have access to training resources and support during the transition period from 1 July 2017 to 30 September 2017. The equipment and software should be reviewed to ensure it is still up to date. Providing iPads or tablets for public use, with consideration of making these available for loan, should also be considered.

4.8.3 Connectivity

BHCL has a Wireless hotspot and subsidised internet connectivity via NSW.net. It is an opportune time to look at upgrading the service to improve bandwidth and speed.

4.8.4 Technology training and digital inclusion

BHCL staff report that the weekly Computer Club is well attended. This demonstrates a need for technology programming within the community. It is likely that additional digital skills programs will be well received. Staff will need to keep up to date with new technologies and equipment. Access to training as mentioned above in 4.3 is key to develop these skills.

The *Australian Digital Inclusion Index 2016*¹³ measures digital inclusion via three factors (access, affordability, digital ability) - all areas that public libraries can influence at the local level by providing Wi-Fi, public access PCs, free access to the internet, scanning, copying and low cost printing and Wi-Fi printing facilities as well as one-to-one tutoring and mentoring in digital skills and assistance in navigating online information services. In addition libraries provide training via programs like Tech Savvy Seniors and assistance to members of the public who require access and assistance to fill in online forms.

¹³ Australian Digital Inclusion Index 2016 <http://digitalinclusionindex.org.au/>

4.8.5 Social media

Broken Hill City Council makes effective use of social media to publicise events and deliver information and services. The Council's social media guidelines are available on their website. The Library operates a number of social media channels including:

- Facebook <https://www.facebook.com/Broken-Hill-City-Library-588372114508662/?ref=hl>
- Twitter <https://twitter.com/BHOBLibrary>
- Pinterest <https://au.pinterest.com/bcitylibrary/>
- Youtube <https://www.youtube.com/channel/UCOgvptAyU7CXYmJN-Sqo4Qg>

Broken Hill City Council also uses a number of social media channels including;

- Facebook <https://www.facebook.com/BrokenHillCityCouncil>
- Twitter <https://twitter.com/brokenhillcity>
- Instagram https://www.instagram.com/jamesroncon_gm/
- Youtube <https://www.youtube.com/channel/UC0PBR47sSVAQ6dGqUsDlqEQ>

4.8.6 Website

Broken Hill City Library has an attractive and easy to use website. Information on collections, programs and services is easy to find, however it does not look as though the social media channels are linked from the website. The online catalogue is clearly linked but the interface looks very outdated.

Recommendations

31. BHCL urgently investigate a suitable replacement library management system
32. The public access PCs and software are upgraded on a three to five year schedule.
33. Increase public access to a range of technologies including tablets and iPads, as well as maker and technology spaces as outlined in the building section below.
34. Investigate upgrade to Wi-Fi and internet connectivity in consultation with NSW.net.
35. Planning for a new library building includes additional powerpoints for clients who wish to use their own devices, with consideration given to purchasing furniture with built in access to power.
36. BHCL purchase a multifunction printer/scanner/copier for customer use.
37. Staff access relevant training to keep up to date with new technologies and develop skills.

5: Building

5.1 Current building

At 907 square metres the current Broken Hill City Library building is undersized and inadequate to provide library services which meet the needs of the community. The public library is currently limited to 450 square metres downstairs, with the Outback Archives occupying a similar amount of space upstairs.

The recommended minimum size public library for a population of 18,856 is 1,496 square metres. The library was built in 1967 and has not had any major refurbishment since that time. It is well beyond its use by date. The building places severe constraints on the library services and facilities the Broken Hill City Council can offer residents and visitors to the region.

5.1.1 Parking and public transport

The library is currently located on Blende Street, adjacent to the public toilets and opposite the newly refurbished Civic Centre. Parking is available behind the library and some on-street parking is also available. Parking for members of the community with a disability and/or mobility issues needs to be in a better location. Designated disabled parking is at the front of the library where access to the curb is quite steep. A better position for this parking would be beside the library with easy access via a ramp.

There is no bus stop located outside the library on Blende Street. Broken Hill bus routes stop along Argent Street, running approximately 8 am to 5 pm on weekdays and 9 am to 1 pm on Saturdays.

5.1.2 Entrance and accessibility

A ramp is available at the front of the building providing wheelchair and pram access. Access for people with a disability will become an increasingly important issue for Broken Hill City Council as the community ages.

The external entrance at the front of the library is fitted with an automatic opening door, however the airlock is not operational as the second door into the library from the foyer is not an automatic opening door. This may be compromising the operating efficiency of the air conditioning in the building.

The entry foyer is dominated by book sale shelving and a drinks machine. This does not convey an inviting first impression as a contemporary and welcoming library space. This space could be used to promote the activities on offer at the library, for example event signage and social media promotion.

Once one enters the library the space is dominated by a large imposing service desk. This desk could be reduced in size, in line with general trends in library buildings for smaller desks. This reduces the barrier between staff and customers, makes the entrance more welcoming and allows staff to more easily move out from behind the desk to assist customers.

The location of this desk doesn't allow for staff to easily monitor library customers anywhere in the library.

A lift is available to access the second floor where the archives are currently located. Access to the lift is via the staff area. This would need to be reviewed if the top floor is to become a publicly accessible library space.

5.1.3 General layout

The overall appearance of the library is dated, tired and lacks appeal to a contemporary community. This is unsurprising as the last major refurbishment was in 1967. The library has a mix of furniture in different styles, and is dominated by shelving. Most of the furniture is old and marked and the walls are marked and cracked.

5.1.4 Seating

In the adult/general collection area, the computer desks and study carrels are alongside windows blocking the light. This space could be used for casual seating with some sun treatment on windows rather than the drab blinds that are currently in use. As with the entrance area, providing a view of the library from outside that is inviting and appealing tends to draw visitors into the space. Apart from the carrels and computer desks, the majority of seating within this space is clustered together giving no sense of privacy to library customers. When the State Library visited the library tables with seating for 4 were only being used by one person. This demonstrates a need for casual seating to be placed throughout the library, among the shelves and collections to provide comfortable nooks for quiet reading. Alongside the DVD and Talking Book collections there is metal outdoor style furniture adding to the discordant feeling in the library space.

5.1.5 Shelving

Broken Hill City Library includes fixed wooden shelving around the walls. The middle of the library has a large number of shelves in rows, with too many shelves for the available space. This does not provide an appealing layout and line of sight is poor. There is a mix of style and colours in shelving finishes and some of the shelving is higher than the maximum recommended height of 1600mm in the adult area and 1300mm for the children's area.

As stated in *People Places*:

The arrangement of shelves can boost the appeal of library collections and break the rigid hierarchical environment typified by traditional libraries. Shelving arrangement has a significant influence on the internal ambience of a library and the user experience. As with furniture, shelves can be used to define spaces and create 'rooms' in open plan buildings.

There is some face out display in the DVD and Talking Books section. Face out display is encouraged as it increases the browsability and appeal of collections. However the magazine display is unappealing with material 'plonked' on shelves.

Although shelving dominates the Broken Hill City Library space, reducing the size of the collection in order to make more room for seating and services is not recommended as providing access to collections and loans are still key to the provision of a library service.

5.1.6 Children and youth areas

As with the rest of the library the children's and youth areas show tired, dated layout and furnishings. Multi-coloured plastic tables and chairs of two different sizes are located in two different sections of the children's area. It is likely that the larger version is for older children but the style looks suitable for younger children. The picture books are housed in plastic cubes on top of tables, which may pose a stability issue. In addition there are a few different styles of leather lounges grouped in children's and youth areas. These lounges were in use when the State Library visited BHCL but their style does not add to the appeal of the library space.

In the young adult area the shelving is too high. The main issue with this area is the location. It is not ideal to locate youth alongside the children's area as they feel that this associates them with the children and they definitely do not see themselves as children. The YA space does not offer any sense of privacy with no comfortable quiet reading spaces. It is possible to design a youth space to give a sense of privacy while providing supervision and security.

5.2 Relocation of the archives

It is noted that the archives will be moving to a new space in the basement and ground level of the council offices building. This move has been scheduled for July/August 2017 but may be delayed until 2018. The space vacated by the archives could be used as additional library space. Level one could be adapted for use as meeting spaces, a technology/makerspace, small business spaces and local studies room. The inclusion of facilities for students to videoconference into classes and meetings at TAFE or University would be a valuable addition to the community.

The inclusion of the archives floor would increase the size of the library however the total space would still be less than the recommended 1,496 square metres. There are additional considerations when managing a library that is over more than one level, specifically staffing and security issues.

5.3 Relocating the library

The Broken Hill Living Museum + Perfect Light Project has identified the need to "protect and enhance the heritage streetscape of Argent Street" as part of the CBD. The project suggested the library could be relocated to Argent Street as an anchor tenant. This idea has merit, as long as the proposed site provided adequate parking and fit for purpose facilities to meet the needs of library visitors.

5.3.1 Pellew and Moore shopfront

In 2016 Broken Hill City Council contacted the State Library asking for input into the design of a library building to be located in the former Pellew and Moore shop at 332 Argent Street.

In October 2016 the State Library provided a report with recommendations.

Comments included that at 576 square metres the building would be significantly undersized for the community. The preliminary designs did not include a functional library space.

The inclusion of an internal structure to create a mezzanine level would have been likely to cause service issues for staff, most significantly in customer safety. Activity on top of the mezzanine space and within the children's area underneath the mezzanine would not have been visible to staff and the structure would block views to many areas of the library. For a library service like Broken Hill that tends to have one staff member on the service desk at a time having clear lines of sight within the library is crucial.

Further work would have been required to specify layout, facade and mezzanine function. Lack of parking was also a major issues for this location. Another concern was that council does not own the site on Argent Street, which would necessitate the need for lease negotiation for security of tenure for the library.

5.3.2 New building behind Town Hall façade

A purpose built library building incorporating the Town Hall Facade at 256 Argent Street has also been provided as an option. The façade is currently housing a gallery displaying local artists. This would remain and the new library would be constructed behind the facade. The library would be located between Argent Street and the current library, taking up some of the current car park area.

There are many advantages to this plan including:

- A purpose built library can be designed of suitable size and to meet community needs
- This location would serve to reinvigorate Argent Street and tie in with the Living Museum and Perfect Light project
- Pedestrian and public transport access is via the main street
- This would return the library to its original location from the 1890s.

5.4 Considerations for new building

The recommended minimum size (population benchmark spreadsheet) for population of 18,856 is 1,496 square metres. Library spaces are increasingly being used for activities over and above book lending and study. Current community demand for programming and events, community space, meeting rooms for community groups and technology access points are reconstituting libraries as community hubs, and driving growth in the size of library buildings.

These trends are driving changes in the size and shape of library spaces. More space is required for:

- lending collections
- children's and young adult areas
- meeting rooms
- casual and formal seating and desks
- programs and events
- internet PCs and Wi-Fi access

Many NSW public libraries, including the current Broken Hill City Library, were built at a time when the prevailing service model was book storage and lending. These library buildings are not adequate to meet the needs of communities in the current era and will be even less able to meet needs into the future.

Recommendations

38. The current library building places severe constraints on the library services and facilities, the State Library recommends that BHCL addresses this in the short term.
39. Appearance of the library needs to be updated with new shelving within current guidelines for height, improved seating and consistency in furniture style.
40. Include makerspace, recording studio/film editing, meeting rooms, videoconference/streaming facilities, quiet spaces, casual seating, group study spaces, improved access to technology for library members who need to use their own device (power, Wi-Fi printing, desk/seating space), access to PCS (for government services etc), scanner and fax.
41. Council consider the implications of providing customer service and monitoring use of the library resources over two levels.
42. Council investigates options for a library of approximately 1,500 square metres to provide a contemporary space with suitable services and programs for the Broken Hill community.

Further details are available in Appendix 2: Library Building Brief.

6: Conclusion

The most pressing issue facing Broken Hill City Library is the library building. The lack of space severely curtails the range of programs and services the Library can offer to the community. This in turn limits the opportunities for lifelong learning and creative recreational pursuits available to the people of Broken Hill and disadvantages the young, the elderly and members of the community who have limited incomes and are underemployed.

Like all local government in New South Wales, Broken Hill City Council has budgetary constraints but the library is an excellent return on investment for community engagement, digital and social inclusion.

The State Library welcomes the opportunity to work with Broken Hill City Library on future building and service expansion plans with reference to standards, guidelines and best practice to meet council and community needs.

Appendix 1: Measurement parameters

Library Management Standards using 2015/16 data unless otherwise stated.
Population of 18,856 (ABS June 2015 figures) was used for calculations

Figure 1 Expenditure on library materials per capita

Broken Hill	\$2.96
Baseline	\$4.53
Enhanced	\$4.83
Exemplary	\$5.57

Figure 2 Borrowers (registered library members) as percentage of population

Broken Hill – 9,318 total members	49.4 %
Baseline	41.5%
Enhanced	49%
Exemplary	55%

Figure 3 Visits to library per capita

Broken Hill – 74,934 total visits	3.97
Baseline	4.5
Enhanced	5.0
Exemplary	5.4

Figure 4 Staff members – minimum level – Minimum number of staff per 3,000 eligible population

Broken Hill	# of staff per 3,000 population	6
Baseline	1	6.3
Enhanced	1.1	6.9
Exemplary	1.3	8.2

Figure 5 Qualified staff staffing level – for populations below 50 000

Broken Hill		1
Baseline	1 for every 7,500 pop	2.5
Enhanced	1 for every 5,000 pop	3.8
Exemplary	1 for every 4,000	4.7

Figure 6. Items per capita

	Population up to 100,000
Broken Hill total stock – 42,092 total lending stock 39,198	2.37
Baseline	2.38
Enhanced	2.58
Exemplary	3.34

Figure 7 Acquisitions per capita

	Populations up to 100,000
Broken Hill - 4,303	0.23
Baseline	0.24
Enhanced	0.27
Exemplary	0.33

Figure 8. Turnover of stock

Turnover of stock and circulation per capita provide an indication of how well the library's collection is used. Turnover of stock is obtained by dividing total circulation by the total number of items which are available for loan.

Broken Hill	2.45
Baseline	3.06
Enhanced	4.21
Exemplary	4.99

Figure 9. Circulation per capita

Broken Hill circulation 96,019	5.1
Baseline	5.51
Enhanced	6.54
Exemplary	7.71

Figure 10. % of library collection purchased in last 5 years

Broken Hill	54%
Baseline	49.44%
Enhanced	53.39%
Exemplary	56.69%

Figure 11. % of library collection purchased in last 10 years

Broken Hill	80%
Baseline	79%
Enhanced	83%
Exemplary	85.89%

Services, collections and programs	Service level provided 2015/16
Total opening hours	Broken Hill City Library – 52 hours pw Outback Archives – 35 hours pw Outback Letterbox Library – 35 hours pw
Internet work stations (standard = 1 PC for public access per 3000 residents or part thereof.	BHCL has 10 pcs with internet access. In an area with many people of low socio-economic status the State Library would recommend providing more than the minimum number of PCs because fewer people would have their own devices and/or access to internet at home.
Library programs	Number of programs 106 (decrease from 416 previous year) Number of participants 1,155 (decrease from 6,400 previous year). Consider this in light of preschool visits that were discontinued in 2016.
Ebooks	2,105 Broken Hill collection 12,199 from NSW.net
Audio books	724 adult 115 junior No e-audio
DVDs	3,660 adult 0 YA 405 junior
English as a second language (ESL)	0
Graphic novels	391
Home Library Service (Books on Wheels)	172 individual clients Deliver fortnightly No institutions visited
Exhibitions	2
Item holdings on Libraries Australia	0

Appendix 2: Library Design Brief

BROKEN HILL CITY COUNCIL

NEW BROKEN HILL CITY LIBRARY DESIGN BRIEF

May 2017

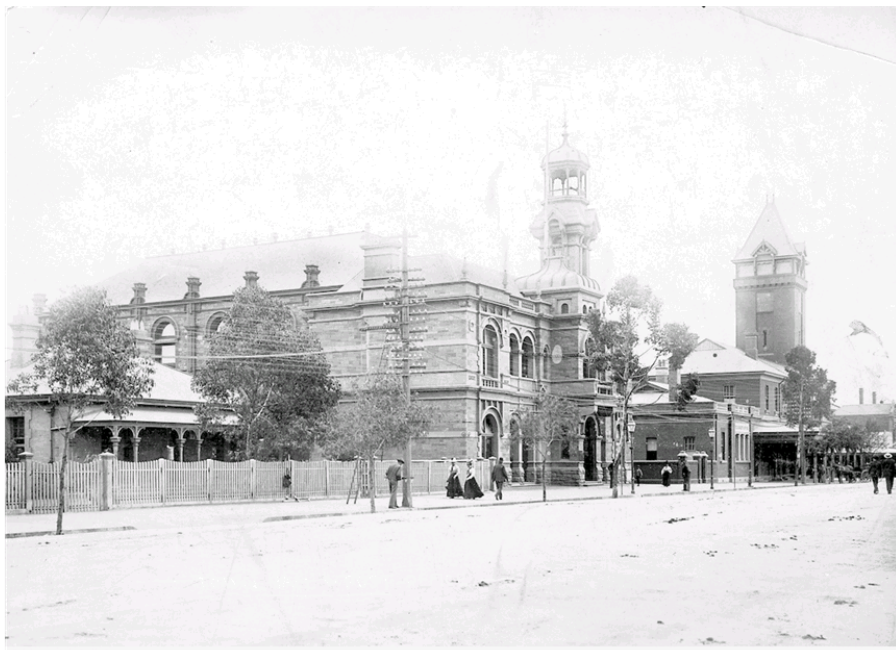
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This brief is based on the Library Building Brief templates that are available on the State Library website at www.sl.nsw.gov.au/public-library-services/library-buildings-and-spaces. Information specific to Broken Hill City Library has been included.

INTRODUCTION

Libraries have long played an important role in community life in Broken Hill. The first library in Broken Hill was opened as part of the Mechanics Institute in October 1891 and the bylaws for the Free Public Library of the Municipal District of Broken Hill appeared in the New South Wales Government Gazette on 24 December 1891. For many years the library was housed in the Town Hall which was opened by Sir Henry Parkes in August 1891. In 1911, a new section was added to the rear of the Town Hall to house the growing library and provide additional office space.



PRG 280/1/12/304

Image credit: Searcy Collection, State Library of South Australia circa 1915

In 1973 the Broken Hill City Council proposed knocking the old Town Hall building down but due to community pressure it was decided to demolish the rear section and restore the facade. The restored Town Hall facade was opened on 13 March 1976.

The ornate Town Hall Facade remains a heritage feature at 256 Argent Street where it is currently tenanted by the West Darling Arts organisation. The land behind the Town Hall Facade is used for public parking space.

1964 - today

In 1964 a purpose built library building was opened at 245-249 Blende Street. It was named the Charles Rasp Memorial Library after the Silver King who played a significant role in identifying the economic potential of the ore deposits at Broken Hill.



Image credit: By Wscaster CC BY-SA 3.0, via Wikimedia Commons, 2012

This building currently houses the public library downstairs with the Outback Archives upstairs. A major project on the archives facility is underway and the collection will be relocated into the council administration building with adequate preservation conditions and public access a priority.

A new library

The current library building places severe constraints on the library services and facilities the Broken Hill City Council can offer residents and visitors to the region. The space in the library on Blende street is currently limited to 450 m² downstairs, with the Outback Archives occupying a similar amount of space upstairs. A contemporary library serving a community of this size (18,856 people) should be 1,496 m².¹

A number of possible locations have been suggested for the Broken Hill City Library. The Broken Hill Living Museum + Perfect Light Project has identified the need to “protect and enhance the heritage streetscape of Argent Street” as part of the CBD. That project suggested the library could be relocated to Argent Street as an anchor tenant. This idea has merit, however a busy public library that serves as a vibrant community hub also needs adequate parking and fit for purpose facilities to meet the needs of library visitors. Some Argent Street sites that have been suggested include retrofitting the former Pellew and Moore Building (332 Argent Street) and a purpose built building incorporating the Town Hall Facade (256 Argent Street).

Other options include the renovation and refurbishment of the existing library building (245-249 Blende Street), including the top floor which has previously been occupied by the Outback Archives, however the total space available in this option is much less than the recommended 1,496 square metres.

¹ Library Council of NSW (2012) People Places: : A Guide for Public Library Buildings in New South Wales. Third Edition. http://www.sl.nsw.gov.au/sites/default/files/people_places_0.pdf

This Design Brief covers the Library component within any proposed development, without recommending a specific site. It has been prepared by Public Library Services staff at the State Library of New South Wales following visits and consultation with the Library Coordinator and the staff of Broken Hill City Library. It will enable the design team to have a full understanding of the significance and sense of direction of the Library.

DESIGN GUIDELINES

The Library will add value to the precinct as a cultural, community and tourist destination. Even in its current location and with cramped and dated facilities the Library already draws large numbers of people each day and is a key player in the cultural life of the City of Broken Hill.

In a remote, rural city such as Broken Hill, the library fills many roles as a community hub and a focus for community engagement and lifelong learning by providing information, entertainment, educational opportunities and fostering the creativity and skills of local residents.

The library and the archives work together to preserve and make accessible the heritage of the region to tourists, researchers, students and members of the community. Contemporary collecting is also a vital part of building the local studies collection in Broken Hill, this includes born digital materials (eg photographs, oral histories, video, ebooks and other electronic formats).

Contemporary libraries are active agents in supporting digital inclusion, providing residents and library visitors with essential access to Wi-Fi and a range of online services. Public access PCs and associated printer, scanner, copier facilities are in demand as well as direct assistance in locating government services online and navigating online forms.

A Library which will serve the community can be expressed in a number of ways:

- a landmark building symbolising the heart and soul of the City
- a sustainable building that is environmentally responsible and resource-efficient
- a contemporary space projecting the future of libraries and information services
- a hospitable, comfortable and welcoming facility for residents and visitors that encourages lengthy visits and frequent use
- an accessible building incorporating universal design
- a vibrant place, teeming with cultural activities that is attractive to a demographically and culturally diverse community
- a community meeting place, generating a feeling of ownership on the part of its users
- a connected place: providing the people of Broken Hill with access to the online world and the opportunity to learn new digital skills
- a safe place to be: a sanctuary from the extremes of the weather and an environment where all ages mix together
- a building of design excellence which enhances the image of Broken Hill and its streetscape, but relates logically to other buildings and spaces in its neighbourhood
- a dynamic, innovative and adaptable place: keeping options open, allowing for changes in emphasis and services over time, and able to accommodate emerging service opportunities

A number of elements of the Library vision are reflected in the qualities of space and facilities

which the client wishes to achieve:

- a light, airy, spacious feel, with good use made of natural light
- a building which is eye-catching and easy to see from the street, with an easily identifiable entrance
- an aesthetically pleasing building people will want to return to
- a building which will not date quickly, but which is contemporary in flavour
- a sense of the diverse history and geography of the City
- a variety of flexible spaces for people, programs and collections
- visibility in and out: allow passers-by to see into appropriate parts of the complex, and for many people inside to maintain visual contact with the outside
- a place where staff are strategically located and easily accessible to visitors
- a mix of active and passive spaces, and a variety of seating configurations
- a layout which facilitates user orientation and convenience
- a space that provides easy and unobtrusive access to technology

COMMUNITY CONSULTATION AND CLIENT INVOLVEMENT

During the planning and design process consultation with the community will be coordinated by Broken Hill City Council staff. As well as more general presentations at strategic times to the community as a whole, the consultation process will include key stakeholders, including major client groups of the Library. Regular contact will be maintained with the client's Project Control Group and with relevant committees of Council and advisory committees, such as the Access Committee.

SERVICES AND TRENDS

Services

The Broken Hill Library provides library resources and services to Broken Hill and the Far West NSW. The Library also operates the Outback Letterbox Library service to more than 500 members of the community living in extremely remote locations. Loans from the Library in 2015/16 totalled 96,019 items.

The Library received a total of 74,934 visits in 2014/15. An average of more than 200 people visit the Library each day, with busier times during storytime programs, study periods before exams, school holidays and the peak tourist season. The library is an important CBD location for tourists visiting the region, many seek information about local attractions and make use of the Wi-Fi, public access computers and library spaces. Use of the library space, collections and facilities is expected to continue growing steadily together with attendance at public programs and exhibitions.

Hours of opening

Monday	9am–6pm
Tuesday	9am–6pm
Wednesday	9am–6pm
Thursday	9am–6pm
Friday	9am–6pm
Saturday	10am–1pm
Sunday	1–5pm

The Library is closed on Public Holidays. Library hours are reviewed and revised in response to trends in demand and user requirements. Access to the Library's online resources is available 24 hours per day, 7 days per week.

Services and functions

The following list illustrates the variety of activities that occur in a contemporary Library:

- customer service point and self-check loans stations
- a broad range of library resources, print, non-print and online, including fiction and non-fiction collections, graphic novels (manga), audio books, large print, DVDs, talking books, newspapers and magazines
- a reference collection (NB: many reference resources are provided online)
- a representative collection of local history materials including access to online resources and digitised historical newspapers
- access to family history resources online
- a children's area, including activity space
- a young adult space
- customer service points, including self-check stations and roving reference assistance
- returns area, some with RFID enabled equipment and sorting (eg. self-return RFID smart shelves)
- after hours returns chute (RFID enabled for security and automated check in)
- extensive information technology provision, including:
 - public access PCs
 - public access to Wi-Fi and Wi-Fi enabled printing
 - workstations and power outlets for clients to use their own devices
 - facilities for technology training
 - photocopiers, printers, scanners, reading aids and adaptive technology
- tourist and community information (e.g. digital kiosk, noticeboards and pamphlet rack)
- study areas including group study rooms
- home library service, available to people who cannot visit the Library or carry books due to age, illness, or disability (e.g. work area for book selection, packing, unpacking, downloading electronic content)
- multi touch table or digital display of local studies digitised historical photographs and maps incorporating local Aboriginal communities, mining history and settler stories
- facilities for sound recording, film editing and other creative activities utilising technology
- facilities and meeting space for programmes including live streaming events, book clubs, early literacy storytimes, youth activities, makerspace events, author talks and community groups

Some services currently offered by Broken Hill Library

- Books on Wheels housebound library service available to residents unable to visit the Library
- The Outback Letterbox Library service providing free books by mail/freight to isolated people in Far Western New South Wales



Image credit: SLNSW – self-check unit at Ulladulla Library



Image credit: SLNSW ~ Meeting room at Grafton Library

Broken Hill City Library - Design Brief – 2017



Image credit: SLNSW ~ recording studio and film editing suite at Port Macquarie Library



Image credit: SLNSW ~ public access PCs at Rockdale Library

PRACTICAL & PHYSICAL ISSUES

This section of the brief identifies issues which influence the way in which the building is planned, designed and fitted out, and which may have a bearing on concepts generated in the early phases of the project.

Access and address

The building must be highly visible from the street with a path of travel which is unencumbered and very clear to pedestrians approaching along the street or from car parking.

There is to be only one public entrance and exit to the Library, in a clearly visible and logical location. Care must be taken to ensure safe and convenient access for pedestrians to the facility and around the site. Pedestrian/vehicle conflict must be avoided.

Accessibility and disability inclusion

The design team must ensure that all areas of the Library are safe and accessible to all potential users, regardless of any physical or sensory disability. This is a requirement which will influence the design of every part of the complex, from the provision of convenient parking spaces for people with disabilities, level access to the entrance, right down to the appropriate height and stability of furniture and equipment.

Some of the issues involved are:

- clear external signage
- handrail design
- convenient access from designated parking bays. These parking bays should be located as close to the public entrance as is safe and practicable.
- entries and doorways - automatic doors are essential for the main entrance and the entrance into the Library. Elsewhere care should be taken with the springing of swing doors (where self-closers are necessary) to ensure that such doors are convenient for people with disabilities.
- lift and stair design
- door furniture
- floor surfaces and coverings: changes in level or function should be signalled by an appropriate change of surface texture
- signs and guide maps
- width of doorways, aisles, corridors and passageways: adequate space must be provided to accommodate double strollers, and to allow for generous turning space for prams and wheelchairs.
- furniture and equipment selection
- shelving setout and design
- light levels
- technical aids and provision of special equipment
- emergency evacuation
- fire precautions

Attention is drawn to the *Australian Standard AS 1428, Design for access and mobility* series, to the *Building Code of Australia* and to Section 23 of the *Disability Discrimination Act*.

The needs of staff with disabilities are also to be taken into account in the design process.

Acoustics

Appropriate measures will be required to insulate the Library from external noise, noting that the site is adjacent to busy roads. Care must also be taken to ensure that air conditioning plant noise is within acceptable limits. The designer will need to be aware of the variety of tasks which take place in the Library, ranging from quiet study to group discussion. Careful placement of functions will assist in reducing potential conflict, but special acoustic treatment may be needed in some areas. Some recommended design sound levels are provided in Australian Standard AS2107.

Where audiovisual equipment is used in open areas the use of devices such as sound domes with integral speakers to limit the impact on adjacent areas should be investigated.

Deliveries

Convenient and safe access is required for vehicles making deliveries to the Library. A dedicated bay is required for the Outback Letterbox Library and Books on Wheels vehicles. The delivery area must be within easy reach of a lift serving the Library.

Disaster preparedness

Shut-off points for power, water and other utilities must be located in areas which are easily accessible to staff and other authorised personnel.

Ecological sustainability, energy efficiency and environmental awareness

The Local Government Act 1993, Section 7, requires council, councillors and council employees to have regard to the principles of ecologically sustainable development (ESD) in carrying out their responsibilities. ESD issues and proposed initiatives relating to the Library and any associated spaces are to be thoroughly canvassed and discussed with the appropriate Council officers during the early stages of planning and costing.

Electrical services

A modular ducting system, incorporated in a floor or ceiling grid, and around the perimeter of areas, will greatly facilitate minor relocations of furniture and equipment. Such ducting, and other conduits, ducts and cable trays, must allow for considerable expansion during the life of this facility.

Electrically "noisy" equipment should not be on the same circuits as computer equipment. Switchboards should be located so that electromagnetic interference does not affect sensitive equipment or raise occupational health and safety concerns.

Surge protection will be required on the main switchboard. Uninterruptible power supplies are required for all servers and critical electronic equipment.

Centralisation of power switching is required, so that it will not be necessary to turn off all individual switches, for example for public access computers, when the facility is closing. Main switches should be located at the staff entrance and must be secure.

Power outlets for library visitor use will be required to support the library's bring your own device (BYOD) services. These should be positioned to be easy to access but to avoid creating trip hazards when in use.

Finishes

Colour schemes and sample fabrics and materials are to be prepared for Council approval.

Durable, high quality and low maintenance finishes are required throughout the facility. The finishes selected should where appropriate be of a colour and a texture to discourage graffiti.

Where carpet is used it will be subjected to very hard wear at entrances, around counters and in most staff areas. A commercial grade carpet tile is required. The carpet will require a low pile, to facilitate trolley movement. Selection of the colour of the carpet and its pattern, if any, will require close consultation with Council staff. When laid on concrete, carpet tiles will require an underlay.

A quantity of spare carpet tiles (to be discussed with and approved by Council officers) from the same batch of carpet used for the fitout is to be handed over for placement in Council's store at the conclusion of the fitout of the premises.

Fire services

Fire extinguishers and hose reels will be installed as required by relevant legislation, and good practice will dictate the extent and type of fire detection systems installed. Any system of thermal and/or smoke detectors will be linked to Council security. There is no objection to the use of sprinklers in Library areas if these are required.

Flexibility and adaptability

The interior of the Library must be able to adapt easily to suit future changes in service provision. There should be a minimum of built-in items. Modular loose furniture should be used extensively. Permanent partitions should be minimised. Lighting, power and air conditioning should be able to cope with changes in layout without major service reconfiguration. The column module must be regular and generous, and must be subdivisible between column faces by 900 mm, the nominal standard shelf width. Inflexible elements, such as lift cores, stairs, services ducts and toilet blocks must not be located where they will have a major impact on future adaptability or flexibility of layouts.

The design of the new Library must take into account possible future changes in floor area requirements, allowing for expansion or contraction of Library space as needs, resources and technologies change during the life of the building.

Floor loading

The facility must be designed for flexible use. This means allowing for the installation of book shelving at virtually any point. Compact shelving must be allowed for in closed stack areas and in parts of the staff Work Room. See *Australian Standard AS1170.1* for floor loading information.

Floors

The Library must be on as few floors as practicable and economically achievable, in order to ensure that the number of staffed service points required for supervision is kept to the minimum, and to enable the most efficient and convenient layouts to be devised.

Functionality

Layouts should be simple to follow, with clear routes of travel, unobstructed sightlines where required, visual markers and a clear and logical set out of shelving to facilitate self-orientation.

Furniture and fittings

Furniture selection and design must take account of the wide range of users of Broken Hill

City Library, including people with physical disabilities. Care must be taken to ensure that designs are safe and ergonomically sound.

Furniture must be robust, yet attractive, and must be easy to maintain. Wherever possible furniture should be modular so as to facilitate reconfiguration as use and demand change. Readily available standard items of furniture are generally preferred to custom-built items, because of lower initial and replacement costs.

Furniture which will accommodate personal computers and associated equipment must incorporate suitable wire management facilities and powerpoints. The Library actively encourages clients to bring their own devices.

Lifts

A dedicated Library passenger lift, able to accommodate a stretcher, will be required linking public areas of the Library which are on more than one floor. Public access to this lift will not be feasible outside the Library's secure zone. Staff will require secure lift access to delivery or stack areas if these are on other levels.

Lighting

Controlled natural light is to be optimised whilst avoiding excessive heat loss or gain, glare and the unwanted effects of direct sunlight on library materials and people. Recommended light levels will generally follow the recommendations provided in AS 1680, Parts 1 and 2.

The need for light fittings which minimise glare, particularly in areas where computer terminals are used, is emphasised. After hours security lighting of the premises is to be provided. External lighting should use long-life components and be vandal-resistant.

Parking

Library users will require convenient access from parking areas, with designated parking for people with disabilities as close as possible to the nearest access point or lift. A number of short stay parking bays may be useful for people who are merely returning Library materials. A number of spaces in a secure zone will be required for Library vehicles, vehicles of people making service calls and for staff. Bicycle parking must also be provided somewhere in the precinct.

Safety and security

There will be perimeter and internal intruder alarms. Alarms will generally be required on emergency exit doors. An alarm panel for Library areas will be required at the main Service Desk.

A silent duress alarm button will be required at service desks. Alarms will be linked to Council's security contractor, and will also indicate alarm status at the interface between staff work areas and public areas.

Special care must be taken in deciding the location of the Library's book theft detection system and the furniture and fittings in the surrounding area. Usually the gates of a theft detection systems have specific site requirements and these should be obtained from the manufacturer, in conjunction with Council officers.

A robust and reliable locking system is required for the premises, designed to suit a Council master key system. The number of locks which are keyed to differ should be minimised. Card key access control will also be required at the staff entrance and for entry to staff areas (including the Cafe) from public areas and other selected locations.

CCTV security cameras will be required at strategic points inside and outside the facility, monitored at a main service desk.

Shelving

In general there are four categories of shelving to be considered in fitting out this library:

- "Standard library shelving": this refers to static, cantilever-type shelving. This shelving is appropriate for all public areas and in staff offices where there are considerable amounts of shelving. Standard shelving must exceed the minimum requirements of Australian Standard 2273-1973 *Steel library shelving*. A maximum height of 1600 mm is preferred for free-standing shelving in public areas, with a maximum height of 1300 mm in children's areas.
- "Office shelving": various lengths of shelving will be required in the staff offices. Some of this shelving would be selected to match the office furnishings.
- "Compactus shelving": this refers to rolling shelving on tracks, which may be surface-mounted or flush with the floor, with one or more access aisles per unit of compact shelving, permitting greater use of floor space for low-use materials.
- "Special shelving": this is required for items such as compact discs and picture books, and will include displays similar to those used by retailers.

A number of spare new shelves, brackets and safe and easily-installed and adjusted bookends are to be supplied as part of the fitout contract. The quantity required is to be discussed with Council officers.

Aisles between bays of shelves must be generous enough to suit all users and comply with access and mobility building standards. Where the ends of aisles allow for wheelchair turning the minimum aisle width between shelves is 1500 mm (i.e. the clear space between facing shelves). Dead end aisles should consider a greater dimension of 1540 mm to allow for 180 degree turns.

Signs

Signage requirements for specific areas will be referred to in this brief, and include:

- external signposting from nearby crossroads, parking areas and walkways
- prominent building identification, with large illuminated lettering on the exterior near the entrance
- major directory display signs on each floor
- emergency exit and other statutory signs
- door signs for the entry, exit and various internal doors
- easily changed signs, showing opening hours, layout, and, where appropriate, current and forthcoming activities
- area guides, which are large, highly visible signs for areas such as "Copying" and "Information"
- desk and counter-top signs
- shelf-signs, including signs to show the contents of bays and in some cases of individual shelves.

Where appropriate use may also be made of raised lettering or Braille.

Stormwater and roofwater

The roofing system, gutters and downpipes are to be designed to cater for the 1 in 100 year rainfall event in accordance with the CSIRO Design Guidelines, with rainfall events greater

than this frequency being safely discharged away from roofs and gutter collection systems. The roof design must avoid as far as practicable box gutters and parapets, with eaves gutters being the predominant rainwater disposal/collection system.

Temperature and humidity control

Council's aims and objectives for ecologically sustainable development are set out in its general documentation for the project. It should be noted that that library materials are prone to mould when subjected to high levels of relative humidity (RH). Although there is no universal standard for RH, it is generally accepted that a reasonable range for storage of paper-based materials is 40-60% RH. It is recognised that lending collections may be out of the Library and subjected to all kinds of conditions, and critical tolerances are not suggested for the Library as a whole. Appropriate and stable conditions will be required for the Library's IT equipment room.

Visual contact

Users and staff in the main areas of the Library should be able to maintain some visual contact with the outside, where considerable attention will be given to landscaping. Similarly, from the outside it must be possible, where appropriate, to see into the main areas of the Library, in order to give the passer-by some idea of the services and materials available within.

Walls

Wherever possible wall space will be required for display purposes. A suitable hanging system is required.

In corridors, at doorways and particularly near the Delivery Area and near service desks and Returns Room, walls will require protection from trolley impact and damage.

Windows

Staff and public areas must have access to natural light. Direct sunlight should not fall on collections or reader places. Opening windows should be lockable and keyed alike, and should be readily opened by staff in the event of mechanical breakdown.

Any blinds must be childproof and must not have long cords which are hazardous for children.

OUTLINE OF SPACE REQUIREMENTS

The following table provides an outline of space requirements for the Library. The floor areas are **net**, and an overall grossing factor is applied at the bottom of the tables.

Function	Type of floor space	sq m
Entrance	Sheltered space externally (Wi-Fi reaches this area)	external
After Hours Return Chute	Enclosed space; fire rated; RFID enabled.	5
Foyer	Public space; interactive heritage tourism display; community information and local events publicity	50
Meeting Room	Enclosed room.	50
Kitchenette	Enclosed room. Associated with Meeting Room.	10
Public toilets	Includes toilet for people with disabilities; parenting room with nappy change facility	50
Storage	Enclosed room for stackable chairs, folding tables	20
Security Point	Open area	5
Customer service point (adjacent to self check)	Open area	15
Self-service Loans>Returns	Open area	10
Computer Catalogues	Open area (distributed around library on shelf ends)	10
Printer / Copying	Open area	10
Display Area	Open area	20
Newspapers & Magazines	Open area	20

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Informal Reading	Open area	45
Lending Collections	Open area	240
Reader Seating	Open areas (distributed in clusters with access to power outlets for BYOD)	35
Reference Collection	Open area	15
Information Technology Area	Open area (public access PCs + tables with power outlets for BYOD)	35
Local & Family History Area	Open area: includes display, seating, PCs, open access shelves	20
Junior Computers / multi touch table	Open area.	10
Children's Display	Open area (wall space, display fittings in ceiling).	10
Preschool Children's Area	Open area for picture books, readers, children's and parents' seating.	25
Junior Seating	Open area	20
Junior Collections	Open area, variety of shelving	120
Children's Storytelling and Activities	Enclosed room or space that can be enclosed for storytime (eg. movable wall); consider "pram parking" requirements for storytime	50
Young Adult Area	Open area	20
Young Adult Collections	Open area	15
Group Study Room 1	Enclosed room	10
Group Study Room 2	Enclosed room	20
Recording studio / editing suite / makerspace	Enclosed room	20

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Manager, Library Services	Enclosed private office	15
Work Room	Open office area: includes some areas of compact shelving, & fireproof storage for backup tapes. Shelving for Outback Letterbox Library and Books on Wheels sorting	50
Server Room	Enclosed room.	11.5
Stack	Enclosed room; humidity and temperature control; compactus shelving	50
Staff Common Room	Enclosed room	15
Staff Toilets, Shower	Enclosed spaces	15
Cleaner's Store	Enclosed room	5
Storage	Enclosed room	20
Delivery Area	Enclosed space, roller shutter to delivery access	40
Returns Facility	Enclosed space	40
Library vehicle & service vehicle parking	2 secure parking bays, inc. Home Library Service vehicle	external
Library staff parking	2 secure parking bays	external
Waste Disposal & Recycling	External	external
Staff Entrances	External	external
Public Parking	External	external
Bicycle Parking	External	external
Outdoor area	External	external
NET FLOOR AREA		1246.5

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GROSS FLOOR AREA (net plus 20%)		1495.8
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BROKEN HILL
CITY COUNCIL

MEDIA RELEASE

31/7/2017

\$200,000 upgrade for library

Amenities at the Charles Rasp Memorial Library will receive an upgrade thanks to a \$200,000 grant from State Libraries NSW.

Council received \$200,000 through the Public Library Infrastructure Grant scheme, and will use the funds to purchase new technology for the library.

Library users will enjoy the use of 14 new computers, wireless printing, a 3D printer, and a self-service loan and return system.

Staff will also share in the benefits, with Council purchasing new Library Management software to better manage its books and other resources.

Council's General Manager, James Roncon, said all equipment was purchased with the future of the library in mind.

"It's important to remember that no decision has been made regarding the future of the library, so we wanted to make sure that any purchases would be compatible with any eventual outcome," he said.

"All of this technology is transferrable, and can be utilised within an upgrade of the existing library, or a completely new library, depending on which direction the project takes."

Mr Roncon said the new technology had the capacity to make the library more accessible, and easier to use.

"I think the new computers and the addition of a 3D printer will provide something for younger generations, and those with an interest in new technology.

"The self-service loan and return system will also be a great addition for those who want to use it.

"It will utilise an RFID chip system that will allow users to walk in, tap their card, tap the book they want to borrow or return, and walk out again, it will make things very quick and easy.

"We recognise that not everyone will be keen on the new technology however, and we'll still have staff on hand for those who prefer the traditional borrowing method."

Mr Roncon said a plan was now being drafted to purchase and install the equipment, with Council currently aiming for a completion date of April 2018.

– ENDS –

MEDIA CONTACT: Darrin Manuel, 0431 583 030



AUSTRALIA'S FIRST HERITAGE LISTED CITY



LIBRARY COMMUNITY ENGAGEMENT STRATEGY

BROKEN HILL
CITY COUNCIL
AUSTRALIA'S FIRST
HERITAGE LISTED CITY



Background

On April 7 2016, Councillors voted to move the Library to the former Pellew and Moore building in Argent. This decision was perceived as being undertaken without adequate community engagement, and caused significant angst amongst the community. Due to this community concern and spiralling project costs, Council voted on February 22 2017 to 'pause' the relocation.

Council is now in a position where it must make a decision on the future of the library to ensure Broken Hill's library has the very best of amenities, access to technology that it deserves and needs, and at the very least, a product offering that is on par with other cities and towns throughout Australia.

To make this decision, Council will need to consider, amongst other factors, feedback gathered from residents via a community engagement process. This process will need to be thorough to ensure as many people as possible are able to have their say on the library.

The community will be asked whether they would like Council to **rebuild** a new facility (and at which location), **renovate** the existing premises, or allow it to **remain** as is. Feedback will primarily be gathered by a survey and five public engagement sessions across three months.

Aim

The aim of this Engagement Strategy is to identify stakeholders and the best communication mediums that can be used to gather their feedback.

This feedback will be considered by Councillors when making a decision regarding the future of the current library

The undertaking of Community Engagement satisfies the following objectives listed within the current Community Strategic Plan:

Objective 4.1 — Openness and transparency in decision making.

Objective 4.4 — Our community is engaged and informed.



Level of engagement

When undertaking a major project, Council must determine the most appropriate level of participation by using the International Association of Public Participation (IAP2) Public Participation spectrum (shown above).

Depending on the nature and complexity of the project/initiative being delivered, the level of community engagement may vary. Similarly, this level may vary for different aspects or stages of the project/initiative.

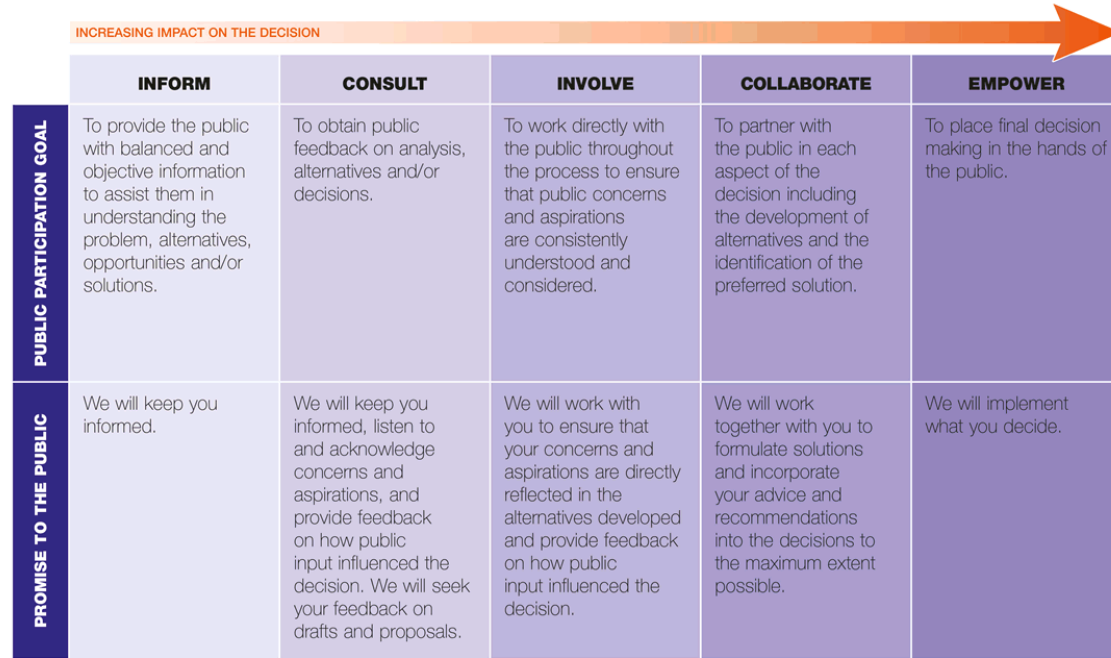
Community engagement for the location of the library falls under the spectrum's third impact level of **"involve"**.

The community's feedback will be a major consideration for Councillors when making a decision around the future of the library.

IAP2'S PUBLIC PARTICIPATION SPECTRUM



The IAP2 Federation has developed the Spectrum to help groups define the public's role in any public participation process. The IAP2 Spectrum is quickly becoming an international standard.





Stakeholders

- Regular library users
- Library program participants
- Library staff
- Councillors
- Council staff
- Business owners
- General public
- Aged/Disabled residents
- State Library of NSW
- State Government
- Federal Government
- Media
- Schools
- Youth

Communication methods

- Social media (*Facebook, twitter, instagram, live streams*)
- Council website
- Media releases (*To all media outlets, staff, community groups, and councillors*)
- Traditional media (*Newspaper, TV, ABC radio, community radio*)
- e-Mail
- Focus Groups (*To be hosted by Executive and Councillors*)
- Internal briefings
- Flyers
- Surveys

Indigenous focus

Council has traditionally struggled to reach our indigenous population when engaging with the community. To remedy this, the Mayor and General Manager will aim to address the Aboriginal Working Party before the December Council meeting and seek feedback from local elders on what direction aboriginal people would like to see the library take.



Stakeholder analysis

Regular library users: Typical library users who primarily borrow resources and make use of library amenities. May also take part in library programs. High priority stakeholders who will have a keen interest in the future of the library.
Can best be reached by: Flyers, surveys, focus groups.

Library program participants: Users who primarily come to the library to take advantage of the programs offered by Council and staff. May also borrow resources and make use of other library amenities. High priority stakeholders who will have a keen interest in the future of the library.
Can best be reached by: Flyers, surveys, focus groups.

Library staff: Will have a keen interest in the future of the library as employees. High priority stakeholders.
Can best be reached by: E-mail, internal briefings, survey.

Councillors: Will be charged with making a decision around the future of the library. Will need to take a leading role in the engagement process to gather community feedback in order to make an informed decision on behalf of the community.
Can best be reached by: E-mail, internal briefings.

Council staff: Will have a moderate interest in the future of the library as it is a Council asset.
Can best be reached by: E-mail, media releases, survey.

Business owners: Will have a moderate interest in the future of the library as the outcome is likely to have a direct impact on the amount of foot traffic and parking in the CBD.
Can best be reached by: E-mail, public information sessions, survey.

General public: May not regularly use the library, but may wish to have input on the future of the library. Likely to be interested in what new amenities/services a new library would offer.
Can best be reached by: Social media, traditional media, survey, focus groups, Council website.



Stakeholder analysis (continued)

State Library of NSW: Likely to have a strong interest in the direction Council takes given it has previously supplied funding for technology upgrades, and undertaken a significant review of the library and made a number of recommendations.

Can best be reached by: E-mail.

State/Federal Government: Likely to have an interest in the direction Council takes given one or both may be approached for project funding at a later date.

Can best be reached by: E-mail.

Aged/disabled residents: May have an interest in the outcome given the current library has some accessibility issues. Will want to ensure any future library is disability-friendly.

Can best be reached by: Traditional media, survey, social media. Contact will be made with community service groups in October for their assistance with distributing surveys to aged/disabled community members.

Media: Will have a keen interest in all aspects of the decision making process surrounding the library as it has been a source of controversy in the past. May help publicise the engagement process.

Can best be reached by: E-mail, press releases.

Schools: Although school involvement with the library has lessened due to the advent of technology, schools - particularly staff - may wish to have an input on what shape the library takes. A new or renovated library may provide new facilities or educational opportunities not currently available.

Will be contacted by phone/email directly, so have been omitted from communication matrix. Any engagement with children to be discussed/coordinated with schools.

Youth: May have an interest in what programs and technology would be available in the library in future.

Will liaise with youth council directly, so have been omitted from communication matrix. Engagement with high school students can also be discussed/coordinated with high schools.



Communication Matrix



	Regular library users	Library program attendees	Library staff	Councillors	Council staff	Business owners	General public	Aged and disabled residents	State Library of NSW	State Gov.	Federal Gov.	Media
Social media	Moderate	Moderate	Moderate	Moderate	Moderate	Moderate	Effective	Ineffective	Ineffective	Moderate	Moderate	Effective
Council website	Moderate	Moderate	Moderate	Moderate	Moderate	Moderate	Effective	Ineffective	Ineffective	Moderate	Moderate	Moderate
Media releases	Ineffective	Ineffective	Effective	Effective	Effective	Ineffective	Ineffective	Ineffective	Moderate	Moderate	Moderate	Effective
Traditional media	Effective	Moderate	Moderate	Moderate	Moderate	Moderate	Effective	Effective	Ineffective	Moderate	Moderate	Effective
E-Mail	Ineffective	Ineffective	Effective	Effective	Effective	Effective	Ineffective	Ineffective	Effective	Effective	Effective	Effective
Focus groups	Effective	Effective	Moderate	Moderate	Ineffective	Moderate	Effective	Moderate	Ineffective	Ineffective	Ineffective	Effective
Internal briefings	Ineffective	Ineffective	Effective	Effective	Effective	Ineffective	Ineffective	Ineffective	Ineffective	Ineffective	Ineffective	Ineffective
Flyers	Effective	Effective	Ineffective	Ineffective	Ineffective	Ineffective	Ineffective	Moderate	Ineffective	Ineffective	Ineffective	Ineffective
Surveys	Effective	Effective	Moderate	Moderate	Moderate	Effective	Effective	Effective	Ineffective	Ineffective	Ineffective	Ineffective



Key messages

- This engagement process is only to help determine the basic direction for the future of the library - **remain** as is, choose a new location to **rebuild**, or **renovate** the existing building. However we will also seek to gain input on what services and amenities stakeholders would like to see in their future library.
- Council recognises that previous decisions around the Library were perceived to be undertaken without sufficient engagement. Council will hold focus groups across three months, and will use surveys, social media, and engagement sessions to gather community feedback.
- While community engagement is a key part of any major decision, it is not the sole factor in determining an outcome. Councillors will have to consider community feedback along with a variety of other implications such as finances, available space, disability inclusion, future funding opportunities, and the condition of the current building when making a decision.
- Council has been advised by NSW State Library that the current building (907m² top and bottom floors combined) provides only 60% of the recommended library space for a city of Broken Hill's size (1,496m² recommended).
- After conducting an investigation of the Library, Carters Asbestos Management has advised that materials used in the Library's construction are likely to contain asbestos. Asbestos may lead to significant complications (as per Civic Centre) if Council choose to renovate.
- Council should ideally look to incorporate fresh new public toilets into the library project as the current public toilets on the corner of Chloride and Blende St are not disability compliant.
- Discussions are currently being held around the possibility of local Police relocating to the State Office Block. Should this occur, Council would be in an ideal position to assume responsibility for the existing police site, which could in turn provide valuable additional parking for any preferred Argent Street site to support a newly built facility.



Risks

Lack of engagement: The previous decision to move the library to the old Pellew and Moore building was viewed by the public as secretive, and lacking in community engagement. This diminished the community's trust in Council. Community engagement around the decision on the library's future needs to be robust, and as many people as possible must be given an opportunity to have their say, primarily via a survey.

Lack of understanding around engagement: While it is important to seek community feedback, it is also crucial that those taking part understand how their feedback will be used. Community engagement is a key part of any major decision, however it is not the sole factor in determining an outcome. Councillors will have to consider community feedback along with a variety of other implications such as finances, available space, disability inclusion, future funding opportunities, and the condition of the current building when making a decision. It is important that it is communicated that community engagement is just one step in the decision-making process.

Lack of understanding around the state of current facilities: It is important that the public are informed on the current limitations and problems associated with the current library. The State Library of NSW has assessed that even if Council renovated the current building and expanded into the top floor, it would still be 40% too small for a city of our size. Actively choosing to renovate a building that has been identified as undersized may impact on future funding applications. An investigation by the Carter group has also advised Council that, due to the age of the library, the building should be considered to contain asbestos. This could cause significant problems if renovated, and lead to delays and cost increases as encountered when renovating the Civic Centre. Disability access could also pose a problem should Council opt to renovate the current building, as the two floors are connected by a small lift and a narrow staircase. Making the current building disability-compliant is likely to incur a significant cost if renovations are undertaken.

It is important to inform the public of the factors mentioned above before seeking community feedback so the public can make an informed decision.

Media fallout: Regardless of whether the Council chooses to renovate, rebuild or let the library remain as is, there will be a section of the community that will be unhappy with the decision. This section will be given a platform by the local media, and Council will suffer some reputational damage. It can only be hoped that those in favour of the decision are given equal coverage in the interest of balance. Council must be as honest and transparent as possible throughout the decision making process.



Risks (continued)

Heritage/historical concerns: The current library was built around the remnants of the city's original fire station. Although the fire station structure is no longer recognisable and therefore of questionable heritage value, Council may attract criticism should it decide to rebuild on the site of the current library as a part of the city's history is still contained within. The murals on the side of the library may also be considered by residents to be of historic value.



Communication plan

What	Why	Who	When	How
Media release around August meeting outcomes	Inform public of Councillors' initial stance	CCEC	30/8/2017	Social media, email, website
TV/Radio/Print interviews around meeting outcomes	Inform public of Councillors' initial stance	GM/Mayor	After 30/8/2017 as requested	TV/Radio/Print
Media release to announce public focus groups	Inform public of upcoming focus groups	CCEC	7/9/2017	Social media, email, website
Post flyers to publicise focus groups	Inform public of upcoming focus groups	CCEC	7/9/2017	Hang flyers at library
TV/Radio/Print interviews to publicise focus groups	Inform public of upcoming focus groups	GM/Mayor	From 7/9/2017	TV/Radio/Print



Communication plan (continued)

What	Why	Who	When	How
Community radio advertisement promoting focus groups	Inform public of focus groups	CCEC	7/9/2017 to 1/11/2017	Community radio
Hold first focus group	Gather public feedback on library's future	ELT, Councillors, Digital Officer	26/9/2017, 6pm-7pm	Host at Library
Press release on outcomes of first focus group	Inform public of first session outcomes	Digital Officer	27/9/2017	Social media, email, website
Hold second community focus group	Gather public feedback on library's future	ELT, Councillors, Digital Officer	19/10/2017, 6pm-7pm	Host at Library
Hold third focus group session	Gather public feedback on library's future	ELT, Councillors, Digital Officer	24/10/2017, 6pm-7pm	Host at Library



Communication plan (continued)

What	Why	Who	When	How
Launch library survey	Gather public feedback on library's future	CCEC/Digital Officer	1/11/2017-27/11/2017	Social media, website
Press release publicising survey launch	Raise awareness about survey's availability, encourage participation	CCEC/Digital Officer	1/11/2017	Social media, email, website
Advertise survey on community radio	Raise awareness about survey's availability, encourage participation	CCEC	1/11/2017-27/11/2017	radio
Post flyers promoting survey, distribute hard copies	Promote survey, gather public feedback on library's future	CCEC	1/11/2017	Post flyers at library. Place surveys at library, gallery, admin centre.
Place survey in newspaper with accompanying advert	Promote survey, gather public feedback on library's future	CCEC	4/11/2017	Paid advertising in print media



Communication plan (continued)

What	Why	Who	When	How
Hold fourth focus group	Gather public feedback on library's future	ELT, Councillors, Digital Officer	13/11/2017, 6pm-7pm	Host at Library
Hold final focus group	Gather public feedback on library's future	ELT, Councillors, Digital Officer	27/11/2017, 6pm-7pm	Host at Library
Collate feedback from all engagement initiatives	Understand community's wishes for library's future	CCEC/Digital Officer	28/11/2017	Gather survey data and written feedback
Press release wrapping engagement process	Publicise outcomes of engagement process	CCEC/Digital Officer	29/11/2017	Social media, email, website
Prepare engagement report for December Council meeting	Accompany GM's report to Council around library future	CCEC	13/12/2017	Business papers



Ongoing or unfixed engagement

What	Why	Who	When	How
Internal briefings with staff	Update general staff on progress, gather feedback	GM/CCEC	Monthly	Internal briefing, internal email
Internal briefings with Executive	Update Executive on progress, gather feedback	CCEC	Fortnightly	Internal briefing
Internal briefings with Councillors	Update Councillors on progress, gather feedback	GM/CCEC	Monthly (or more often as requested)	Internal briefing, internal email
Podcasts with Councillors	Allow Councillors to speak freely about their thoughts on the library	Digital Officer/CCEC/Councillors	Anytime between 26/9/2017-27/11/2017	Community radio
Livestream Q&A with Mayor/GM	Field questions around library's future, and our engagement process	GM/Mayor/Digital Officer	Anytime between 26/9/2017-27/11/2017	Facebook stream. Session to be promoted once date is set.

ORDINARY MEETING OF THE COUNCIL

August 2, 2017

ITEM 8

BROKEN HILL CITY COUNCIL REPORT NO. 144/17

SUBJECT: ADOPTION OF DRAFT COMPLAINTS MANAGEMENT POLICY
D12/11853

Recommendation

1. That Broken Hill City Council Report No. 144/17 dated August 2, 2017, be received.
2. That Council adopts the draft revised Complaints Management Policy as a Policy of Council.

Executive Summary:

The purpose of the Draft Complaints Management Policy is to provide effective approach to the management of complaints.

The policy is based on the recommended NSW Ombudsman Complaint Handling Model Policy 2015.

The draft revised Complaints Management Policy was placed on public exhibition for a period of twenty eight days concluding 1 August 2017 during which time Council received no written submissions from the public.

Once adopted, it will supersede Council's current Complaints Management Policy 2002.

Report:

The review of Council's current 2002 Complaints Management Policy is based on the NSW Ombudsman Complaint Handling Model Policy, released in June 2015. The NSW Ombudsman intends to use the Complaint Handling Model Policy as a benchmark when auditing complaint handling policies and procedures of organisations within its jurisdiction which include NSW councils.

The policy is intended to ensure that complaints are handled fairly, efficiently and effectively.

Council's complaint management system is intended to:

- enable response to issues raised by people making complaints in a timely and cost-effective way;
- boost public confidence in Council administrative processes; and
- provide information that can be used to deliver quality improvements in Council services, staff and complaint handling.

This policy provides guidance to Council staff and people who wish to make a complaint on the key principles and concepts of Council's complaint management system.

As per the *Local Government Act 1993* Section 160, the draft revised policy was placed on public exhibition for twenty eight days concluding on 1 August 2017.

During the public exhibition period Council received no submissions from the public.

This report is now presented to Council to consider adoption of the draft revised Complaints Management Policy.

Strategic Direction:

Key Direction:	4 Our Leadership
Objective:	4.1.1 Communication and engagement with the community increase confidence 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

Privacy and Personal Information Protection Act 1998

Government Information (Public Access) Act 2009

Financial Implications:

Nil

Attachments

1. [↓](#) DRAFT COMPLAINTS MANAGEMENT POLICY

RAZIJA NU'MAN
CORPORATE RESPONSIBILITY OFFICER

JAMES RONCON
GENERAL MANAGER

DRAFT COMPLAINTS MANAGEMENT POLICY

QUALITY CONTROL		
TRIM REFERENCES	D12/11853 – 12/14	
RESPONSIBLE POSITION	Corporate Responsibility Officer	
APPROVED BY	Council	
REVIEW DATE	2021	REVISION NUMBER 4
EFFECTIVE DATE	ACTION	MINUTE NUMBER
27 November 2002	Adopted	39720
1 July 2017	Public Exhibition	
30 August 2017	Adopted	

1. INTRODUCTION

This policy is intended to ensure Broken Hill City Council handles complaints fairly, efficiently and effectively.

A complaint is an expression of dissatisfaction. A complaint covered by this policy can be distinguished from Service Requests and Requests for Information.

2. POLICY OBJECTIVE

Council's complaint management system is intended to:

- enable us to respond to issues raised by people making complaints in a timely and cost-effective way;
- boost public confidence in our administrative process; and
- provide information that can be used by us to deliver quality improvements in our services, staff and complaint handling.

This policy provides guidance to Council staff and people who wish to make a complaint on the key principles and concepts of our complaint management system.

3. POLICY SCOPE

This policy applies to all staff receiving or managing complaints from the public made to or about Council, regarding our services, staff and complaint handling.

Staff Grievances, Code of Conduct complaints and Public Interest Disclosures are dealt with through separate mechanisms.

4. POLICY STATEMENT

4.1 GUIDING PRINCIPLES



4.1.1 Facilitate Complaints

People Focus

Council is committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures and complaint handling.

Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame.

People making complaints will be:

- provided with information about Council's complaint handling process;
- provided with multiple and accessible ways to make complaints;
- listened to, treated with respect by Council's staff and actively involved in the complaint process where possible and appropriate; and
- provided with reasons for Council's decision(s) and any options for redress or review.

No Detriment to People Making Complaints

Council will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

Anonymous Complaints

Council accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided.

Accessibility

Council will ensure that information about how and where complaints may be made to or about us is well publicised. Council will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, Council will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, Member of Parliament, another organisation).

No Charge

Complaining to us is free.

4.1.2 Responding to Complaints

Early Resolution

Where possible, complaints will be resolved at first contact with Council.

Responsiveness

Council will promptly acknowledge receipt of complaints.

Council will assess and priorities complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately.

Council are committed to managing people's expectations, and will inform them as soon as possible, of the following:

- the complaints process;
- the expected time frames for our actions;
- the progress of the complaint and reasons for any delay;
- their likely involvement in the process; and
- the possible or likely outcome of their complaint.

Council will advise people as soon as possible when we are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

Council will also advise people as soon as possible when we are unable to meet our time frames for responding to their complaint and the reason for our delay.

Objectivity and Fairness

Council will address each complaint with integrity and in an equitable, objective and unbiased manner.

Council will ensure that the person handling a complaint is different from any staff member whose conduct or service is being complained about. Conflicts of interests, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

Responding Flexibly

Council staff are empowered to resolve complaints promptly and with as little formality as possible. Council will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

Council will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

Confidentiality

Council will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by the Council as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

4.1.3 Manage the Parties to a Complaint

Complaints Involving Multiple Agencies

Where a complaint involves multiple organisations, Council will work with the other organisation(s) where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within Council, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Where Council services are contracted out, we expect the contracted service providers to have an accessible and comprehensive complaint management system. Council take complaints not only about the actions of our staff but also the actions of our service providers.

Complaints Involving Multiple Parties

When similar complaints are made by related parties Council will try to arrange to communicate with a single representative of the group.

Empowerment of Staff

All Council staff managing complaints are empowered to implement our complaint management system as relevant to their role and responsibilities.

Council staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of our complaint management system.

Managing Unreasonable Conduct By People Making Complaints

Council are committed to being accessible and responsive to all people who approach us with feedback or complaints. At the same time our success depends on:

- our ability to do our work and perform our functions in the most effective and efficient way possible;
- the health, safety and security of our staff; and
- our ability to allocate our resources fairly across all the complaints we receive.

When people behave unreasonably in their dealings with Council, their conduct can significantly affect the progress and efficiency of our work. As a result, Council will take proactive and decisive action to manage any conduct that negatively and unreasonably affects us and will support our staff to do the same in accordance with this policy.

4.2 COMPLAINT MANAGEMENT SYSTEM



4.2.1 Introduction

When responding to complaints, Council staff should act in accordance with our complaint handling procedures as well as any other internal documents providing guidance on the management of complaints.

Council staff should also consider any relevant legislation and/or regulations when responding to complaints and feedback.

The five key stages in Council's complaint management system are set out below.

4.2.1.1 Receipt of Complaints

Council will record the complaint and its supporting information. Council will also assign a unique identifier to the complaint file.

The record of the complaint will document:

- the contact information of the person making a complaint;
- issues raised by the person making a complaint and the outcome(s) they want;
- any other relevant information; and
- any additional support the person making a complaint requires.

4.2.1.2 Acknowledgement of Complaints

Council will acknowledge receipt of each complaint promptly, and preferably within two business days.

Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

4.2.1.3 Initial Assessment and Addressing of Complaints

Initial Assessment

After acknowledging receipt of the complaint, Council will confirm whether the issue(s) raised in the complaint is/are within Council control. Council will also consider the outcome(s) sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, we will consider:

- how serious, complicated or urgent the complaint is;
- whether the complaint raises concerns about people's health and safety;
- how the person making the complaint is being affected;
- the risks involved if resolution of the complaint is delayed; and
- whether a resolution requires the involvement of other organisations.

Addressing Complaints

After assessing the complaint, Council will consider how to manage it. To manage a complaint Council may:

- give the person information or an explanation;
- gather information from the person or area that the complaint is about; or
- investigate the claims made in the complaint.

Council will keep the person making the complaint up to date on our progress, particularly if there are any delays. Council will also communicate the outcome of the complaint using the most appropriate medium. Which actions Council decide to take will be tailored to each case and take into account any statutory requirements.

4.2.1.4 Providing Reasons for Decisions

Following consideration of the complaint and any investigation into the issues raised, Council will contact the person making the complaint and advise them:

- the outcome of the complaint and any action we took;
- the reason(s) for our decision;
- the remedy or resolution(s) that we have proposed or put in place; and
- any options for review that may be available to the complainant, such as an internal review, external review or appeal.

If in the course of investigation, Council make any adverse findings about a particular individual, we will consider any applicable privacy obligations under the *Privacy and Personal Information Protection Act 1998* and any applicable exemptions in or made pursuant to that Act, before sharing our findings with the person making the complaint.

4.2.1.5 Closing the Complaint, Record Keeping, Redress and Review

Council will keep comprehensive records about:

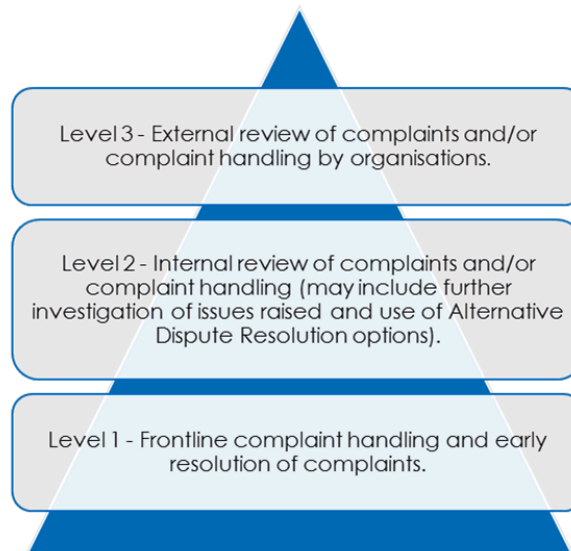
- how Council managed the complaint;
- the outcome(s) of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations; and
- any outstanding actions that need to be followed up.

Council will ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and/or senior management.

4.2.2 Alternative Avenues for Dealing with Complaints

Council will inform people who make complaints to or about us about any internal or external review options available to them such as the Office of Local Government.

4.2.3 The Three Levels of Complaint Handling



Council aim to resolve complaints at the first level, the frontline. Wherever possible staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision.

Where this is not possible, Council may decide to escalate the complaint to a more senior officer within Council. This second level of complaint handling will provide for the following internal mechanisms:

- assessment and possible investigation of the complaint and decision(s) already made; and/or
- facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Where a person making a complaint is dissatisfied with the outcome of Council's review of their complaint, they may seek an external review of our decision.

4.3 ACCOUNTABILITY AND LEARNING

4.3.1 Analysis and Evaluation of Complaints

Council will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular reports will be run on:

- the number of complaints received;
- the outcome of complaints, including matters resolved at the frontline;
- issues arising from complaints;
- systemic issues identified; and
- the number of requests we receive for internal and/or external review of our complaint handling.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of Council's customer service and make improvements.

Both reports and their analysis will be provided to the General Manager and senior management for review.

4.3.2 Monitoring of the Complaints Management System

Council will continually monitor our complaint management system to:

- ensure its effectiveness in responding to and resolving complaints; and
- identify and correct deficiencies in the operation of the system.

Monitoring may include the use of audits, complaint satisfaction surveys and online listening tools and alerts.

4.3.3 Continuous Improvement

Council are committed to improving the effectiveness and efficiency of our complaint management system. To this end, we will:

- support the making and appropriate resolution of complaints;
- implement best practices in complaint handling;
- recognise and acknowledge exemplary complaint handling by staff;
- regularly review the complaints management system and complaint data; and
- implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system.

5. IMPLEMENTATION

5.1 Roles and Responsibilities

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

Who	Commitment	How
General Manager	Provide a culture that values complaints and their effective resolution.	<ul style="list-style-type: none"> • Report publicly on Council's complaint handling; • Provide adequate support and direction to key staff responsible for handling complaints; • Regularly review reports about complaint trends and issues arising from complaints; • Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly; • Encourage staff to make recommendations for system improvements; • Recognise and acknowledge good complaint handling by staff; and • Support recommendations for service, staff and complaint handling improvements arising from the analysis of complaint data.

<p>Corporate Responsibility Officer</p>	<p>Establish and manage Council's complaint management system.</p>	<ul style="list-style-type: none"> • Provide regular reports to the General Manager on issues arising from complaint handling work; • Ensure recommendations arising out of complaint data analysis are canvassed with the General Manager and implemented where appropriate; • Recruit, train and empower staff to resolve complaints promptly and in accordance with Council's policies and procedures; • Encourage staff managing complaints to provide suggestions on ways to improve Council's complaint management system; • Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly; and • Recognise and acknowledge good complaint handling by staff.
<p>Frontline Staff</p>	<p>Demonstrate exemplary complaint handling practices.</p>	<ul style="list-style-type: none"> • Treat all people with respect, including people who make complaints; • Assist people make a complaint, if needed; • Comply with this policy and its associated procedures; • Keep informed about best practice in complaint handling; • Provide feedback to management on issues arising from complaints; • Provide suggestions to management on ways to improve Council's complaints management system; and • Implement changes arising from individual complaints and from the analysis of complaint data as directed by management.
<p>All Staff</p>	<p>Understand and comply with Council's complaint handling practices.</p>	<ul style="list-style-type: none"> • Treat all people with respect, including people who make complaints; • Be aware of Council's complaint handling policies and procedures; • Assist people who wish to make complaints access the Council's complaints process; • Be alert to complaints and assist staff handling complaints resolve matters promptly; • Provide feedback to management on issues arising from complaints; and • Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.

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.

- *Local Government Act 1993*
- *Privacy and Personal Information Protection Act 1998*
- *Government Information (Public Access) Act 2009*

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 within each term of Council following the Local Government Elections, or as required to ensure that it meets legislation requirements and the needs of the community and Council. The responsible Council officer will be notified of the review requirements three months prior to the expiry of this policy.

The Corporate Responsibility Officer 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*
- *Privacy and Personal Information Protection Act 1998*
- *Government Information (Public Access) Act 2009*

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

8. DEFINITIONS

'Complaint' - Expression of dissatisfaction made to or about Council, our services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.

A complaint covered by this policy can be distinguished from:

- Staff Grievances (see Council's Grievance Policy);
- Public Interest Disclosures made by Council staff (see Council's Reporting of Public Interest Disclosures Policy);
- Code of Conduct complaints (see Council's Model Code of Conduct Policy);
- Responses to requests for feedback about the standard of Council's service provision (see the definition of 'Feedback' below);
- Reports of problems or wrongdoing intended to bring a problem to Council's notice with no expectation of a response (see the definition of 'Feedback' below);
- Service Requests (see the definition of 'Service Request' below); and
- Requests for Information (see Council's Access to Information Policy).

'Complaint Management System' - All policies, procedures, practices, staff, hardware and software used by Council in the management of complaints.

'Dispute' - An unresolved complaint escalated either within or outside of Council.

'Feedback' - Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about us, about Council's services or complaint handling where a response is not explicitly or implicitly expected or legally required.

'Service Request' - A Service Request is a:

- request for approval;
- request for action;
- routine inquiries about Council's business;
- request for the provision of services and assistance;
- report of failure to comply with laws regulated by Council; or
- request for explanation of Council's policies, procedures and decisions.

'Grievance' - A clear, formal statement by an individual Council staff member about another staff member or a work related problem.

'Policy' - A statement of instruction that sets out how Council should fulfil our vision, mission and goals.

'Procedure' - A statement or instruction that sets out how Council's policies will be implemented and by whom.

'Public Interest Disclosure' - A report about wrong doing made by a public official in New South Wales that meets the requirements of the *Public Interest Disclosures Act 1994*.

ORDINARY MEETING OF THE COUNCIL

August 22, 2017

ITEM 9BROKEN HILL CITY COUNCIL REPORT NO. 143/17SUBJECT: 2016/2017 DRAFT ANNUAL FINANCIAL STATEMENTS 17/77**Recommendation**

1. That Broken Hill City Council Report No. 143/17 dated August 22, 2017, be received.
2. That the 2016/2017 Draft Primary Financial Statements as attached be received.
3. That the 2016/2017 Draft Primary Financial Statements as attached be referred to audit.
4. That Council adopt the attached Statements of Opinion on the 2016/17 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).
5. That Council delegate to the General Manager the authority to finalise the date at which the auditor's report and financial statements are to be presented to the public.
6. That Council delegate the General Manager the authority to authorise the 2016/17 General Purpose and Special Purpose Financial Statements and associated Special Schedules for issue immediately upon receipt of the auditors reports subject to there being no material audit changes or audit issues, in accordance with AASB 110.

Executive Summary:

Two separate financial reports are produced by Council each year to comply with State Government legislative requirements under the *Local Government Act 1993* and the *Public Finance and Audit Act 1983*.

The reports are the:

- General Purpose Financial Report
- Special Purpose Financial Report

The draft reports have been completed and the primary financial statements are attached.

Report:

Following the *Local Government Amendment (Governance and Planning) Bill 2016*, the timeline for the preparation, audit and presentation of Council's Annual Financial Statements has been brought forward significantly. Prior to this amendment, Council's Annual Financial Statements were to be lodged with the Office of Local Government by 31 October and presented to Councillors and the community by 30 November. Both these requirements are now required to be completed by 30 September. A timeline of events incorporating the required changes is listed below.

The Local Government Act provides for the following process to be observed by Councils for the preparation and audit of the annual financial reports:

1. Council staff prepare draft annual financial reports - July to August.
2. Draft report (this Agenda item) to Council for signing of Statement of Opinion by Council on the draft annual financial reports – 30 August 2017.
3. Auditor's complete audit and any adjustments are incorporated in final report – 15 September 2017.
4. Internal Audit Committee Meeting held – 15 September 2017
5. Auditor submits financial reports and audit reports to the Council and the Office of Local Government – by 27 September 2017
6. A notice is published in the local newspaper advising that the annual financial reports together with the auditors' reports will be presented to the public at an Ordinary meeting of the Council – 27 September 2017
7. The reports are presented to the public at the September Ordinary Council Meeting – 27 September 2017
8. Council submits audited financial statements and the Independent Auditors Reports to Office of Local Government and the Australian Bureau of Statistics – by 30 September 2017.

Statement by the Council

Section 413(2) of the *Local Government Act 1993* and Section 41C of the *Public Finance and Audit Act 1983* requires Council to include in the financial reports; a statement as to Council's opinion on each of the reports. The auditor requires these statements to be signed prior to the issue of the audit reports. The prescribed forms of the statements of opinion are attached and must be signed by the Mayor, at least one other Councillor, the General Manager and the Responsible Accounting Officer of the Council. (Refer to Attachments).

Following the audit of these reports, Council's Auditors, the NSW Auditor General, will be making a presentation to Councillors on the audited financial reports at the September 2017 Ordinary Council Meeting. This will provide the opportunity for an in-depth discussion on the financial results and trends.

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:

Local Government Act (1993)

Public Finance and Audit Act (1983)

Local Government Amendment (Governance and Planning) Bill 2016

Financial Implications:

The recommendation has no financial impact.

Attachments

1. [↓](#) Primary Financial Statements 2017
2. [↓](#) Special Purpose Financial Statements 2017
3. [↓](#) Statement of Opinion - Special Purpose Financial Statements 2017
4. [↓](#) Statement of Opinion - General Purpose Financial Statements 2017

JAY NANKIVELL
FINANCE MANAGER

JAMES RONCON
GENERAL MANAGER

Council of the City of Broken Hill

Income Statement

for the year ended 30 June 2017

Budget ¹ 2017	\$ '000	Notes	Actual 2017	Actual 2016
Income from continuing operations				
<i>Revenue:</i>				
16,699	Rates and annual charges	3a	16,453	16,386
3,472	User charges and fees	3b	3,966	3,401
446	Interest and investment revenue	3c	831	899
488	Other revenues	3d	830	2,535
9,667	Grants and contributions provided for operating purpose	3e,f	9,403	10,459
3,572	Grants and contributions provided for capital purposes	3e,f	4,768	3,537
<i>Other income:</i>				
–	Net gains from the disposal of assets	5	–	–
34,343	Total income from continuing operations		36,251	37,217
Expenses from continuing operations				
15,158	Employee benefits and on-costs	4a	14,518	13,776
394	Borrowing costs	4b	422	428
6,529	Materials and contracts	4c	6,299	5,646
6,987	Depreciation and amortisation	4d	6,624	6,767
–	Impairment	4d	–	–
4,453	Other expenses	4e	4,264	3,839
–	Net losses from the disposal of assets	5	10,431	154
33,521	Total expenses from continuing operations		42,558	30,610
822	Operating result from continuing operations		(6,307)	6,607
Discontinued operations				
–	Net profit/(loss) from discontinued operations	24	–	–
822	Net operating result for the year		(6,307)	6,607
822	Net operating result attributable to Council		(6,307)	6,607
–	Net operating result attributable to non-controlling interests		–	–
(2,750)	Net operating result for the year before grants and contributions provided for capital purposes		(11,075)	3,070

¹ Original budget as approved by Council – refer Note 16

Financial Statements 2017

Council of the City of Broken Hill

Statement of Comprehensive Income
for the year ended 30 June 2017

\$ '000	Notes	Actual 2017	Actual 2016
Net operating result for the year (as per Income Statement)		(6,307)	6,607
Other comprehensive income:			
Amounts which will not be reclassified subsequently to the operating result			
Nil			
Gain (loss) on revaluation of I,PP&E	20b (ii)	8,318	568
Total items which will not be reclassified subsequently to the operating result		8,318	568
Total other comprehensive income for the year		8,318	568
Total comprehensive income for the year		2,012	7,175
Total comprehensive income attributable to Council		2,012	7,175
Total comprehensive income attributable to non-controlling interests		-	-

This statement should be read in conjunction with the accompanying notes.

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Financial Statements 2017

Council of the City of Broken Hill

Statement of Financial Position
as at 30 June 2017

\$ '000	Notes	Actual 2017	Actual 2016
ASSETS			
Current assets			
Cash and cash equivalents	6a	21,800	18,343
Investments	6b	–	–
Receivables	7	2,991	2,788
Inventories	8	84	77
Other	8	229	330
Non-current assets classified as 'held for sale'	22	–	–
Total current assets		25,104	21,538
Non-current assets			
Investments	6b	–	–
Receivables	7	144	143
Inventories	8	–	–
Infrastructure, property, plant and equipment	9	231,146	234,070
Total non-current assets		231,290	234,213
TOTAL ASSETS		256,394	255,751
LIABILITIES			
Current liabilities			
Payables	10	1,738	1,637
Income received in advance	10	1,083	803
Borrowings	10	734	731
Provisions	10	3,652	3,896
Total current liabilities		7,207	7,067
Non-current liabilities			
Payables	10	–	–
Borrowings	10	3,576	5,126
Provisions	10	1,845	1,804
Total non-current liabilities		5,421	6,930
TOTAL LIABILITIES		12,628	13,997
Net assets		243,766	241,754
EQUITY			
Retained earnings	20	114,783	121,089
Revaluation reserves	20	128,983	120,665
Other reserves	20	–	–
Council equity interest		243,766	241,754
Non-controlling equity interests		–	–
Total equity		243,766	241,754

This statement should be read in conjunction with the accompanying notes.

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Council of the City of Broken Hill

Statement of Changes in Equity
for the year ended 30 June 2017

2017		Asset					2016						
		Retained	revaluation	Other	Non-	Total	Retained	revaluation	Other	Non-	Total		
\$ '000	Notes	earnings	reserve	reserves	Council controlling	equity	earnings	(Refer 20b)	(Refer 20b)	Council controlling	equity		
			(Refer 20b)	(Refer 20b)	interest					interest			
Opening balance (as per last year's audited accounts)		121,089	120,665	–	241,754	–	241,754	114,482	120,097	–	234,579	–	234,579
a. Correction of prior period errors	20 (c)	–	–	–	–	–	–	–	–	–	–	–	–
b. Changes in accounting policies (prior year effects)	20 (d)	–	–	–	–	–	–	–	–	–	–	–	–
Revised opening balance		121,089	120,665	–	241,754	–	241,754	114,482	120,097	–	234,579	–	234,579
c. Net operating result for the year		(6,307)			(6,307)	–	(6,307)	6,607	–	–	6,607	–	6,607
d. Other comprehensive income													
– Revaluations: IPP&E asset revaluation rsve	20b (ii)		8,318		8,318		8,318	–	568	–	568	–	568
Other comprehensive income		–	8,318	–	8,318	–	8,318	–	568	–	568	–	568
Total comprehensive income (c&d)		(6,307)	8,318	–	2,012	–	2,012	6,607	568	–	7,175	–	7,175
e. Distributions to/(contributions from) non-controlling interests					–	–	–	–	–	–	–	–	–
f. Transfers between equity		–	–	–	–	–	–	–	–	–	–	–	–
Equity – balance at end of the reporting period		114,783	128,983	–	243,766	–	243,766	121,089	120,665	–	241,754	–	241,754

This statement should be read in conjunction with the accompanying notes.

Council of the City of Broken Hill

Statement of Cash Flows
for the year ended 30 June 2017

Budget 2017	\$ '000	Notes	Actual 2017	Actual 2016
Cash flows from operating activities				
Receipts:				
15,864		Rates and annual charges	16,301	16,393
3,368		User charges and fees	4,185	3,495
417		Investment and interest revenue received	571	740
12,841		Grants and contributions	14,171	13,996
–		Bonds, deposits and retention amounts received	24	–
473		Other	2,084	3,536
Payments:				
(14,703)		Employee benefits and on-costs	(14,766)	(14,166)
(6,333)		Materials and contracts	(6,985)	(6,792)
(394)		Borrowing costs	(434)	(362)
–		Bonds, deposits and retention amounts refunded	–	(21)
(4,320)		Other	(4,518)	(4,611)
<u>7,213</u>		Net cash provided (or used in) operating activities	<u>10,633</u>	<u>12,208</u>
		11b		
Cash flows from investing activities				
Receipts:				
–		Sale of investment securities	189	8,500
163		Sale of infrastructure, property, plant and equipment	1,817	138
–		Deferred debtors receipts	–	46
Payments:				
–		Purchase of investment securities	–	(5,729)
(10,402)		Purchase of infrastructure, property, plant and equipment	(7,629)	(4,275)
–		Deferred debtors and advances made	(6)	–
<u>(10,239)</u>		Net cash provided (or used in) investing activities	<u>(5,629)</u>	<u>(1,320)</u>
Cash flows from financing activities				
Receipts:				
Nil				
Payments:				
(1,019)		Repayment of borrowings and advances	(1,547)	(698)
<u>(1,019)</u>		Net cash flow provided (used in) financing activities	<u>(1,547)</u>	<u>(698)</u>
(4,045)		Net increase/(decrease) in cash and cash equivalents	3,457	10,190
9,437		Plus: cash and cash equivalents – beginning of year	18,343	8,153
		11a		
<u>5,392</u>		Cash and cash equivalents – end of the year	<u>21,800</u>	<u>18,343</u>
		11a		
Additional Information:				
		plus: Investments on hand – end of year	–	–
		6b		
		Total cash, cash equivalents and investments	<u>21,800</u>	<u>18,343</u>

This statement should be read in conjunction with the accompanying notes.

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SPFS 2017

Council of the City of Broken Hill

Income Statement of Council's Other Business Activities

for the year ended 30 June 2017

\$ '000	Civic Centre (Entertainment centre) Category 1/2		Shorty O'Neil Village centre Category 1/2	
	Actual 2017	Actual 2016	Actual 2017	Actual 2016
Income from continuing operations				
User charges	154	43	50	45
Other income	–	13	–	–
Total income from continuing operations	154	56	50	45
Expenses from continuing operations				
Employee benefits and on-costs	116	70	12	18
Materials and contracts	411	30	43	96
Depreciation, amortisation and impairment	495	495	119	255
Other expenses	137	71	54	141
Total expenses from continuing operations	1,159	666	228	510
Surplus (deficit) from continuing operations before capital amounts	(1,005)	(610)	(178)	(465)
Grants and contributions provided for capital purposes	3,911	–	–	–
Surplus (deficit) from continuing operations after capital amounts	2,906	(610)	(178)	(465)
Surplus (deficit) from discontinued operations	–	–	–	–
Surplus (deficit) from all operations before tax	2,906	(610)	(178)	(465)
Less: corporate taxation equivalent (30%) [based on result before capital]	–	–	–	–
SURPLUS (DEFICIT) AFTER TAX	2,906	(610)	(178)	(465)
Plus opening retained profits	(1,932)	(1,502)	508	746
Plus/less: prior period adjustments	–	–	–	–
Add:				
– Subsidy paid/contribution to operations	2,979	180	52	227
Closing retained profits	3,953	(1,932)	382	508
Return on capital %	-8.3%	-7.4%	-20.1%	-7.8%
Subsidy from Council	1,293	788	199	595

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SPFS 2017

Council of the City of Broken Hill

Income Statement of Council's Other Business Activities
for the year ended 30 June 2017

\$ '000	Airport		Commercial waste	
	Category 1/2		Category 1/2	
	Actual 2017	Actual 2016	Actual 2017	Actual 2016
Income from continuing operations				
User charges	720	646	826	816
Other income	5	5	–	5
Total income from continuing operations	725	651	826	821
Expenses from continuing operations				
Employee benefits and on-costs	293	267	102	135
Borrowing costs	20	22	–	–
Materials and contracts	255	233	451	485
Depreciation, amortisation and impairment	413	413	12	3
Other expenses	75	77	2	24
Total expenses from continuing operations	1,056	1,012	567	647
Surplus (deficit) from continuing operations before capital amounts	(331)	(361)	259	174
Grants and contributions provided for capital purposes	–	–	–	–
Surplus (deficit) from continuing operations after capital amounts	(331)	(361)	259	174
Surplus (deficit) from discontinued operations	–	–	–	–
Surplus (deficit) from all operations before tax	(331)	(361)	259	174
Less: corporate taxation equivalent (30%) [based on result before capital]	–	–	(78)	(52)
SURPLUS (DEFICIT) AFTER TAX	(331)	(361)	181	122
Plus opening retained profits	587	904	1,064	730
Plus/less: prior period adjustments	–	–	–	–
– Corporate taxation equivalent	–	–	78	52
Add:				
– Subsidy paid/contribution to operations	(2,217)	44	(434)	160
Closing retained profits	(1,961)	587	889	1,064
Return on capital %	-2.2%	-3.1%	32.2%	17.7%
Subsidy from Council	647	577	–	–

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SPFS 2017

Council of the City of Broken Hill

Statement of Financial Position – Council's Other Business Activities

as at 30 June 2017

\$ '000	Civic Centre (Entertainment centre) Category 1/2		Shorty O'Neil Village Category 1/2	
	Actual	Actual	Actual	Actual
	2017	2016	2017	2016
ASSETS				
Current assets				
Cash and cash equivalents	-	-	-	-
Investments	-	-	-	-
Receivables	1	44	-	1
Inventories	-	-	-	-
Other	-	-	-	-
Non-current assets classified as held for sale	-	-	-	-
Total Current Assets	1	44	-	1
Non-current assets				
Investments	-	-	-	-
Receivables	-	-	-	-
Inventories	-	-	-	-
Infrastructure, property, plant and equipment	12,110	8,214	887	5,993
Total non-current assets	12,110	8,214	887	5,993
TOTAL ASSETS	12,111	8,258	887	5,994
LIABILITIES				
Current liabilities				
Bank overdraft	-	-	-	-
Payables	3	2	45	45
Borrowings	-	-	-	-
Provisions	-	-	-	-
Total current liabilities	3	2	45	45
Non-current liabilities				
Payables	-	-	-	-
Borrowings	-	-	-	-
Provisions	-	-	-	-
Total non-current liabilities	-	-	-	-
TOTAL LIABILITIES	3	2	45	45
NET ASSETS	12,108	8,256	842	5,949
EQUITY				
Retained earnings	3,953	(1,932)	382	508
Revaluation reserves	8,155	10,188	460	5,441
Council equity interest	12,108	8,256	842	5,949
Non-controlling equity interest	-	-	-	-
TOTAL EQUITY	12,108	8,256	842	5,949

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SPFS 2017

Council of the City of Broken Hill

Statement of Financial Position – Council's Other Business Activities

as at 30 June 2017

\$ '000	Airport		Commercial waste	
	Category 1/2		Category 1/2	
	Actual 2017	Actual 2016	Actual 2017	Actual 2016
ASSETS				
Current assets				
Cash and cash equivalents	-	-	-	-
Investments	-	-	-	-
Receivables	23	45	85	112
Inventories	-	-	-	-
Other	-	-	-	-
Non-current assets classified as held for sale	-	-	-	-
Total Current Assets	23	45	85	112
Non-current assets				
Investments	-	-	-	-
Receivables	-	-	-	-
Inventories	-	-	-	-
Infrastructure, property, plant and equipment	14,107	10,980	804	982
Total non-current assets	14,107	10,980	804	982
TOTAL ASSETS	14,130	11,025	889	1,094
LIABILITIES				
Current liabilities				
Bank overdraft	-	-	-	-
Payables	-	-	-	-
Borrowings	-	-	-	-
Provisions	-	-	-	-
Total current liabilities	-	-	-	-
Non-current liabilities				
Payables	-	-	-	-
Borrowings	-	-	-	-
Provisions	-	-	-	-
Total non-current liabilities	-	-	-	-
TOTAL LIABILITIES	-	-	-	-
NET ASSETS	14,130	11,025	889	1,094
EQUITY				
Retained earnings	(1,961)	587	889	1,064
Revaluation reserves	16,091	10,438	-	30
Council equity interest	14,130	11,025	889	1,094
Non-controlling equity interest	-	-	-	-
TOTAL EQUITY	14,130	11,025	889	1,094

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Council of the City of Broken Hill

Special Purpose Financial Statements
for the year ended 30 June 2017

Statement by Councillors and Management
made pursuant to the Local Government Code of Accounting Practice and Financial Reporting

The attached Special Purpose Financial Statements have been prepared in accordance with:

- the NSW Government Policy Statement 'Application of National Competition Policy to Local Government',
- the Division of Local Government Guidelines 'Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality',
- the Local Government Code of Accounting Practice and Financial Reporting,
- the NSW Office of Water Best-Practice Management of Water and Sewerage Guidelines.

To the best of our knowledge and belief, these financial statements:

- present fairly the operating result and financial position for each of Council's declared business activities for the year, and
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 30 August 2017.

Darriea Turley
Mayor

David Gallagher
Councillor

James Roncon
General manager

Jay Nankivell
Responsible accounting officer

Council of the City of Broken Hill

General Purpose Financial Statements

for the year ended 30 June 2017

Statement by Councillors and Management

made pursuant to Section 413(2)(c) of the *Local Government Act 1993 (NSW)* (as amended)

The attached General Purpose Financial Statements have been prepared in accordance with:

- the *Local Government Act 1993 (NSW)* (as amended) and the regulations made thereunder,
- the Australian Accounting Standards and professional pronouncements, and
- the Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these financial statements:

- present fairly the Council's operating result and financial position for the year, and
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 30 August 2017.

Darriea Turley
Mayor

David Gallagher
Councillor

James Roncon
General manager

Jay Nankivell
Responsible accounting officer

ORDINARY MEETING OF THE COUNCIL

August 22, 2017

ITEM 10BROKEN HILL CITY COUNCIL REPORT NO. 145/17

SUBJECT: ADDITIONAL BUDGET FOR CAPITAL PROJECT - MEMORIAL
OVAL JUDGES BOX 17/66

Recommendation

1. That Broken Hill City Council Report No. 145/17 dated August 22, 2017, be received.
2. That Council approves the addition of \$76,000 towards the budget for the replacement of the Memorial Oval Judges Box.

Executive Summary:

The replacement of the Memorial Oval Judges Box was approved for the 2017-18 Operational Plan with a budget of \$100,000. The quote for design and construction of the box has come back at \$119,588 ex GST. Additional budget is required primarily for the demolition of the existing structure, connection of power to the new structure and disposal costs.

Report:

The Broken Hill Harness Racing Club and Harness Racing NSW approached Council advising that the existing judges box at Memorial Oval is unfit for use due to its deteriorated physical condition, lack of space for required personnel and is overall unsafe.

The Broken Hill Harness Racing Club are a major user of the Memorial Oval facility and attracts a steady following from residents and visitors. The decision was made in the budget to replace the existing box with a suitable facility.

The estimated budget for the project was \$100,000. The amount was recommended in initial discussions with the prefabricated containers industry.

The preferred quote of \$119,588 ex GST includes the design, engineering, construction, delivery and install of the new structure, however excludes the costs of connecting the power to the main, crane hire, demolition, slab construction, and disposal costs due to the variability of these costs on the suppliers end. Council will obtain quotes for these items and estimated that it will cost \$40,000 overall.

There is significant risk if additional funding is not obtained. If the judges box is not replaced, the trotting club would not be allowed to proceed with their season and will impact on their ability to operate in future years. Representatives from the trotting club have stated that if the new box is not constructed in time for the season, it is more than likely there will be no more trots in Broken Hill.

The trotting club hires the oval 10 times a year at \$1140.91 ex GST per race generating an income of \$11,409.10 p.a. On a standard race night, the races attract up to 400 people and on the St Pats race weekend, over 2000. The trotting club have intentions to increase their exposure and numbers by attracting TAB races where the new judges box would be critical

to house the equipment. They anticipate an increase in numbers to around 1000 people per race.

Strategic Direction:

Key Direction: Our Environment
Objective: Proactive and responsible planning supports the community and the environment
Function: Built Environment
DP Action: Provide sustainable management of assets in accordance with Asset Management Plan Buildings

Relevant Legislation:

N/A

Financial Implications:

Increase Memorial Oval Judges Box budget to \$176,000. The additional \$76,000 including contingency to be sourced from the approved Bitumen Wagon Replacement budget.

Attachments

There are no attachments for this report.

JAMES RONCON
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

August 22, 2017

ITEM 11BROKEN HILL CITY COUNCIL REPORT NO. 146/17SUBJECT: BUDGET CARRYOVER'S 2017/18 14/175**Recommendation**

1. That Broken Hill City Council Report No. 146/17 dated August 22, 2017, be received.
2. That Council revoke the budget items as listed below in *Table 1* for the amount of \$1,745,500
3. That Council note the carryover budget items as listed below in *Table 2* for the amount of \$6,735,895

Executive Summary:

At the conclusion of each financial year some works remain either not commenced or not completed. Under *Local Government (General) Regulation (2005)* Division 5, Section 211 (Authorisation of Expenditure) it is necessary for Council each year to revoke funds for those works that are not commenced in order that the works can be carried out during the following financial year. It is not a requirement for Council to revoke funds for works that have commenced or are/have been contracted to be carried out.

As at 30 June 2017, ten projects as listed below in *Table 1* for \$ 1,745,500 require Council's revoke and ten projects as listed below in *Table 2* for \$6,735,895 have been included for Council's notation.

Report:

A reconciliation of all budgeted capital items for the 2016/17 financial year has been completed. As a result of this reconciliation, ten projects have been identified that have yet to be commenced. For these works to be carried out in the 2017/18 financial year Council are required to revoke these funds.

In addition there are ten projects that have been started in the 2016/17 financial year but are incomplete. These are included in this report for Council notation.

Below is a summary of the capital works that are required to be carried forward into the 2017/2018 financial year.

For Council's re-vote:

The capital projects that have yet to be started with their matching unspent funds and Council contribution are listed below and require Council to formally re-vote them as part of the 2017/18 budget:

Table 1

1	Telephone Network Upgrade	\$200,000
2	Sturt Park Shed Extension	\$7,000
2	Administration Building Management System replacement	\$25,000
3	Art Gallery- Workshop Studio Toilet	\$29,000
4	Gateway Signs	\$150,000
5	Library Technology Upgrade	\$200,000
6	7 x Heavy Plant	\$1,048,000
8	Portable Traffic Lights	\$50,000
9	Variable Message Sign Board	\$30,000
10	Council Chambers Blinds Replacement	\$6,500
	Total required for re-vote:	\$1,745,500

1. Telephone Network Upgrade –

- The existing fixed line telephone infrastructure is outdated and incompatible with modern communications technology and must be replaced prior to Telstra withdrawing technical support. The project commencement has been delayed in 2016/17 to allow time for investigation of technical options and user consultations prior to tendering. An Expression of Interest was advertised in June 2017, with suitable applicants being invited to tender for the project in early September 2017.

2. Sturt Park Shed Extension –

- The Sturt Park shed extension is required to relocate parks and gardens equipment from the Administration Building loading bay to provide space for the cleaners to store products into the vacated area at the loading bay. This was a Q3 budget addition in 2017 and is expected to be completed in conjunction with the timing of the Archives build.

3. Administration Building – Building Management System replacement -

- Upgrade of Building Management System (BMS) will provide the necessary front end to allow for the planned smooth replacement of existing BMS technologies that have reached the end of their software and hardware life. This is expected to be completed in conjunction with the archives build.

4. Art Gallery Workshop Studio Toilet –

- The Art Gallery Workshop Studio has been operating without a toilet for some time. A toilet would significantly improve the comfort and accessibility of children, aged and disabled users of the workshop and enhance capacity grow participation in accordance with funding and budget targets. This work was

delayed due to the availability of contractors to carry out the planned works. It is expected for these works to be completed by the end of 2017.

5. Gateway Signs –

- The budget of \$150K is for the design and construction of new welcome to Broken Hill signs on the Silver City and Barrier highways and the Airport road. The project is scheduled to be completed in 2017/18.

6. Library Technology Upgrade –

- In 2016/17 Council received a \$200K Public Library Infrastructure Grant to partly fund the relocation of the Charles Rasp Library. The State Library has subsequently approved a variation to the grant to enable the funds to be used to upgrade equipment and software. Procurements for the resources is currently underway and it is expected that they will be purchased early 2018.

7. 7 x Heavy Plant –

- The budget of \$1,048K is for the replacement of 7 items of heavy plant – 1 water tanker, 1 compactor, 1 924K Loader and 4 tipper trucks. Replacement of these items did not commence in 2016/17 and as a consequence requires Council's revote. These are expected to be purchased in the first half of 2018, in conjunction with the 2017/18 budgeted plant replacement program.

8. Portable Traffic Lights –

- Portable Traffic Lights will allow Council to competitively quote for RMS works on highways, which often require long term traffic control (such as traffic lights). Portable traffic lights would also allow Council to minimize exposure stop/go but traffic controllers to hazardous situations. These are expected to be purchased by the end of 2017.

9. Variable Message Sign Board –

- Council currently has one Variable Message Sign board. An additional Variable Message Sign will allow Council to competitively quote for RMS works on highways, which require minimum 2 x Variable Message Sign boards to properly notify traffic of works. These are expected to be purchased by the end of 2017.

10. Council Chambers Blinds Replacement

- Council had planned for the curtains in the Council Chambers to be replaced with modern day/night roller blinds in the 2016/17 budget year, however these works have been delayed until September 2017 and therefore requires a revote for capital expenditure.

For Council's notation:

The following list is of commenced but incomplete projects for the 2016/17 financial year and is for Council's notation. All unspent funds on these projects were placed in reserves at the year end and will be brought forward to cover the cost of these projects. These works with their matching reserves and/or unspent grant funds will be added to this year's budget.

Table 2

No.	Project Name	Expenditure
1	Construction of Covered Waste collection Area	\$192,308
2	Comstock St – Intersection Renewals	\$430,133
3	Stormwater Drainage Wyman Ln to Wyman St	\$52,000
4	Brookfield Avenue footbridge	\$34,530
5	Fencing of Landfill Extension Area	\$73,517
6	Litter Fencing Upgrade	\$60,280
7	Reshaping and Resealing Public Drop off area	\$63,435
8	BHP Project – Mining& Mineral Intersections	\$2,181,956
9	BHP Project – Archives	\$3,352,736
10	Various Passenger Vehicles	\$295,000
	Total carry forward that does not require a re-vote:	\$6,735,895

1. Construction of Covered Waste Collection Area
 - This projected is currently underway and is expected to be completed by the end of 2017.
2. Comstock Street – Intersection Renewals
 - Reconstruction of the Eyre Street and Patton Street intersections with Comstock Street was carried over into 2017/18 budget year and was subsequently completed in August 2017.
3. Stormwater Drainage – Wyman Lane to Wyman Street -
 - Installation of an underground stormwater system with drainage pit and pipes connecting Wyman Lane to Wyman Street. This work will reduce the risk of residential properties flooding during heavy rain events. This land was purchased in July 2017.
4. Brookfield Avenue footbridge
 - The budget of \$35k towards the Brookfield Avenue Footbridge was budgeted for in 2015/16 and is to be funded by \$30k from s94 Developers Contribution Reserve. The construction of the footbridge was delayed due to poor weather conditions in the 2015/16. Further delays in 2016/17 are due to the need to relocate an Essential Energy pole in the drain that the footbridge spans. This is expected to be completed by the end of 2017.

5. Fencing of Landfill Extension Area – Waste Depot
 - The budget of \$75K towards the fencing of the landfill area was budgeted in the 2015/16 and funded by \$75K from the Waste reserve. This project wasn't started due to the land acquisitions not occurring, this will be finalised in 2017/18.
6. Litter Fencing Upgrade – Waste Depot
 - Litter fencing upgrades for Broken Hill Waste Management Facility - focusing around the quarry area where large trucks are dumping. Following the Waste Audit assessment in Sept 2015, a requirement was placed on the Landfill Licence (5898) that the site is to be litter free by 2017. The upgrading of the fencing along with other works will assist in achieving this requirement. This upgrade is expected to be completed by the end of 2017.
7. Reshaping and Resealing Public Drop off area – Waste Depot
 - The re-shaping of the site and sealing of the area will enable further upgrades for sorting of varied wastes, reducing dust and wind-blown litter and improving the amenity of the facility. Some of these works link to the EPA Waste Audit requirements. This work is expected to be completed in conjunction with the covered waste collection area.
8. BHP Project – Mining & Mineral Intersections
 - The budget of \$2,181,956 is to complete the design and construction of mineral and art intersections along Argent Street. This project will continue throughout 2017/18.
 - The project is full funded by BHP. Council received part payment of \$1,159,000 in 2015/16 and can expected the remaining payments as progress continues.
9. BHP Project – Archives
 - The budget of \$3,352,736 is to complete the relocation of the Broken Hill City archives from the Charles Rasp Library to the basement and ground floor of the Administration Building as well the digitisation of the current archive exhibits. This project is currently in the design concept phase and is expected to have detailed costings and construction plans prepared by the end of October 2017.
 - The project is full funded by BHP. Council received part payment of \$1,712,500 in 2015/16 and can expected the remaining payments as progress continues.
11. Various Passenger Vehicles –
 - Council's passenger vehicle fleet sustained significant damage during the recent hail storm. Finalising insurance claims for these vehicles delayed their planned replacement beyond the end of 2016/17 and as a consequence Council's budget is required to be carried forward. These vehicles began to arrive in August.

In summary, \$1,745,500 requires a Council re-vote and \$6,735,895 will be carried forward into the 2016/17 financial year which does not require a Council re-vote.

The total carry forward to go into 2016/17 is \$8,481,395

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 (General) Regulation (2005) Division 5, Section 211

Financial Implications:

The recommendation will have an impact on the representation of the cash flow in the 2017/18 year as the carry forward of \$8,481,395 was not forecasted in this year and the budgeted expenses have been deferred from 2016/17 to 2017/18. It however will not have an effect on Council's budgeted cash position or budgeted income statement as these were forecasted for 2017/18 based on these capital projects being completed in 2016/17.

Attachments

There are no attachments for this report.

JAY NANKIVELL
FINANCE MANAGER

JAMES RONCON
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

August 9, 2017

ITEM 12BROKEN HILL CITY COUNCIL REPORT NO. 147/17SUBJECT: INVESTMENT REPORT FOR JULY 201717/82**Recommendation**

1. That Broken Hill City Council Report No. 147/17 dated August 9, 2017, 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.

As at 31st July 2017, Council's Investment Portfolio had a current market valuation of \$21,441,922 or principal value (face value) of \$21,401,058 and was compliant with all legislative and policy requirements.

Report:

Council's investments as at 31st July 2017 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**

The International Monetary Fund (IMF) now forecasts global growth in 2017 to finish +3.50% and 2018 growth to improve to +3.60%. This is up from the low 3% area the IMF predicted over the past several years.

In China, economic data continues to be encouraging with GDP remaining at 6.90% and retail sales and industrial production showing improvements. However, high levels of local government and private debt remains a concern.

In the US, despite the recent failure of Republicans to pass health care reform and expectations that Presidents Trump's pro-business tax reform could suffer the same fate, the

US share market continues to hit new highs and overall economic growth is trending modestly higher.

Domestic issues

In Australia, the latest employment data showed a net gain of 14,000 jobs with a large component of full-time positions offsetting a drop in part-time roles. The unemployment rate remained unchanged at 5.6%.

Latest inflation data showed a drop below the RBA's 2-3% target range with a reading of 1.90% for the year ending June. Price rises in medical services, tobacco and alcohol were offset by falls in petrol, holiday travel/accommodation and fruit & vegetables.

Interest rates

The RBA's official cash rate remains at 1.50%. The market is pricing in a rate hike to 1.75% by November 2018.

Term deposit rates across most maturities ended lower for the month. The best indicative 3 month TD from Australian majors closed July in the 2.40% area down from 2.45% in June. The highest 12 month rate from a four major was down to approx. 2.55% from 2.60% a month earlier.

Council's Portfolio by Source of Funds – July 2017

As at 31st July 2017, Council's Investment Portfolio had a current market valuation \$21,441,922 or principal value (face value) of \$21,401,058 with the source of these funds being detailed in the table below.

	Source of Funds	Principal Amount
GENERAL FUND	Operating Capital & Internal Restrictions	9,286,058
	Accommodation Bonds Reserve	45,000
	Royalties Reserve	470,000
	Domestic Waste Management Reserve	6,360,000
	Grants	4,800,000
	Developer Contributions	440,000
	TOTAL PORTFOLIO	\$21,401,058

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. [↓](#) Investment Report - July 2017

JAY NANKIVELL
FINANCE MANAGER

JAMES RONCON
GENERAL MANAGER



**Investment Summary Report
July 2017**



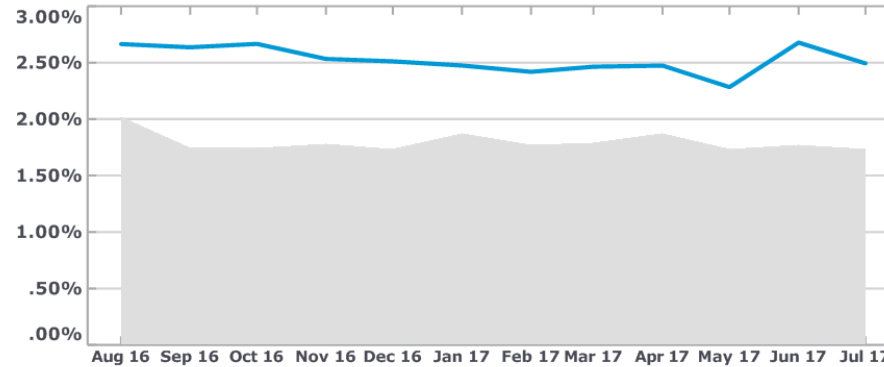
Broken Hill City Council
Executive Summary



Investment Holdings

	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	6,429,787.07	6,429,787.07	2.35
Managed Funds	3,971,270.78	3,971,270.78	2.51
Term Deposit	11,000,000.00	11,040,864.40	2.48
	21,401,057.85	21,441,922.25	2.45

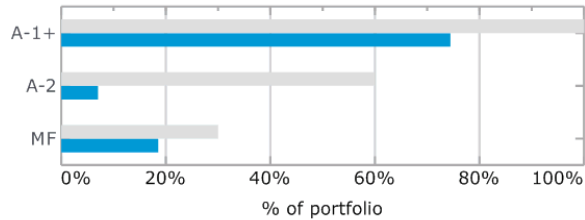
Investment Performance



■ Portfolio Annualised Return ■ Ausbond BB Index Annualised Return

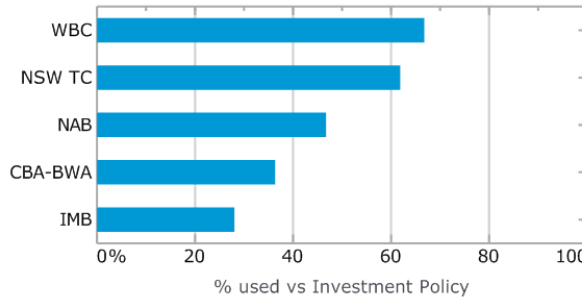
Investment Policy Compliance

Total Credit Exposure



■ Portfolio Exposure ■ Investment Policy Limit

Highest Individual Exposures



Term to Maturities

Maturity Profile	Face Value (\$)	Policy Max
Between 0 and 1 Year	21,401,058	100% 100%
	21,401,058	

Broken Hill City Council

Investment Holdings Report



Cash Accounts

Face Value (\$)	Current Yield	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
1,411,055.39	1.1200%	Westpac Group	A-1+	1,411,055.39	473409	Cheque
5,018,731.68	2.7000%	Westpac Group	A-1+	5,018,731.68	535442	90d Notice
6,429,787.07	2.3533%			6,429,787.07		

Managed Funds

Face Value (\$)	Current Yield	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.	Reference
2,966,794.30	2.4239%	New South Wales T-Corp	MF	Cash Facility	2,966,794.30	535329	
1,004,476.48	2.7807%	New South Wales T-Corp	MF	Strategic Cash Facility	1,004,476.48	535330	
3,971,270.78	2.5141%				3,971,270.78		

Term Deposits

Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
2-Aug-17	1,500,000.00	2.5000%	IMB Ltd	A-2	1,500,000.00	3-May-17	1,509,246.58	535295	9,246.58	AtMaturity	
8-Aug-17	500,000.00	2.5000%	National Australia Bank	A-1+	500,000.00	10-May-17	502,842.47	535296	2,842.47	AtMaturity	
16-Aug-17	1,000,000.00	2.5000%	Bankwest	A-1+	1,000,000.00	18-May-17	1,005,136.99	535297	5,136.99	AtMaturity	
23-Aug-17	1,500,000.00	2.5000%	Bankwest	A-1+	1,500,000.00	24-May-17	1,507,089.04	535298	7,089.04	AtMaturity	
30-Aug-17	1,000,000.00	2.4700%	National Australia Bank	A-1+	1,000,000.00	31-May-17	1,004,195.62	535299	4,195.62	AtMaturity	
30-Aug-17	500,000.00	2.4800%	ANZ Banking Group	A-1+	500,000.00	31-May-17	502,106.30	535300	2,106.30	AtMaturity	
30-Aug-17	1,000,000.00	2.4800%	ANZ Banking Group	A-1+	1,000,000.00	31-May-17	1,004,212.60	535301	4,212.60	AtMaturity	
20-Sep-17	1,000,000.00	2.5000%	National Australia Bank	A-1+	1,000,000.00	22-Jun-17	1,002,739.73	535443	2,739.73	AtMaturity	
4-Oct-17	1,000,000.00	2.4500%	Bankwest	A-1+	1,000,000.00	5-Jul-17	1,001,812.33	535591	1,812.33	AtMaturity	
25-Oct-17	2,000,000.00	2.4600%	National Australia Bank	A-1+	2,000,000.00	21-Jul-17	2,001,482.74	535590	1,482.74	AtMaturity	
	11,000,000.00	2.4827%			11,000,000.00		11,040,864.40		40,864.40		

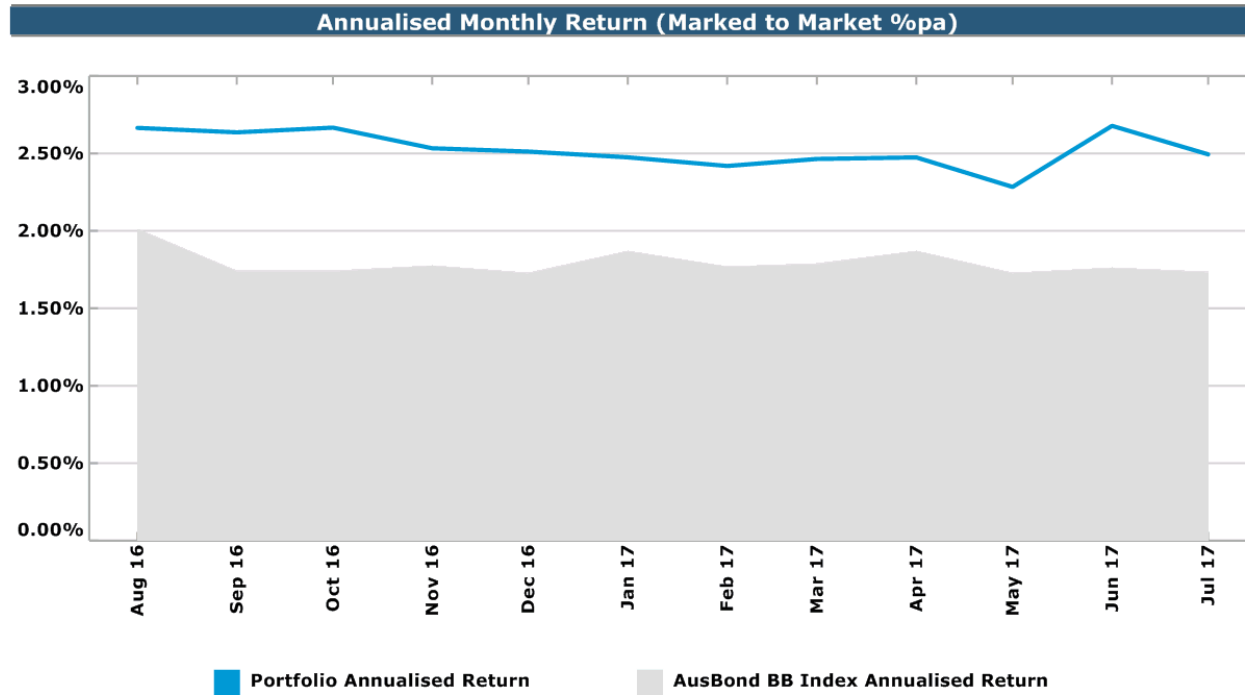
Broken Hill City Council Accrued Interest Report



Accrued Interest Report

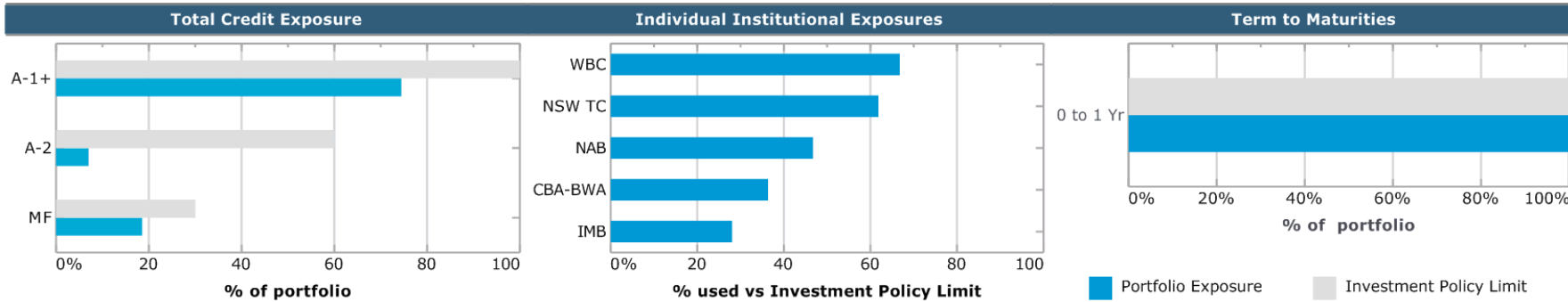
Asset Type	Deal Number	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return
Cash								
Westpac Group	473409	1,411,055.39			818.15	31	818.15	1.12%
Westpac Group	535442	5,018,731.68			11,482.37	31	11,482.37	2.70%
					12,300.52		12,300.52	2.47%
Managed Funds								
New South Wales T-Corp	535329	2,966,794.30	29-Apr-17	29-Dec-17	0.00	31	5,799.27	2.42%
New South Wales T-Corp	535330	1,004,476.48	29-Apr-17	29-Dec-17	0.00	31	2,337.13	2.78%
					0.00		8,136.40	2.52%
Term Deposit								
Bankwest	535215	1,000,000.00	5-Apr-17	5-Jul-17	6,232.88	4	273.97	2.50%
Bankwest	534944	2,000,000.00	23-Feb-17	19-Jul-17	20,800.00	18	2,564.38	2.60%
ANZ Banking Group	535217	500,000.00	26-Apr-17	26-Jul-17	3,141.37	25	863.01	2.52%
IMB Ltd	535295	1,500,000.00	3-May-17	2-Aug-17	0.00	31	3,184.93	2.50%
National Australia Bank	535296	500,000.00	10-May-17	8-Aug-17	0.00	31	1,061.64	2.50%
Bankwest	535297	1,000,000.00	18-May-17	16-Aug-17	0.00	31	2,123.29	2.50%
Bankwest	535298	1,500,000.00	24-May-17	23-Aug-17	0.00	31	3,184.93	2.50%
National Australia Bank	535299	1,000,000.00	31-May-17	30-Aug-17	0.00	31	2,097.81	2.47%
ANZ Banking Group	535300	500,000.00	31-May-17	30-Aug-17	0.00	31	1,053.15	2.48%
ANZ Banking Group	535301	1,000,000.00	31-May-17	30-Aug-17	0.00	31	2,106.30	2.48%
National Australia Bank	535443	1,000,000.00	22-Jun-17	20-Sep-17	0.00	31	2,123.29	2.50%
Bankwest	535591	1,000,000.00	5-Jul-17	4-Oct-17	0.00	27	1,812.33	2.45%
National Australia Bank	535590	2,000,000.00	21-Jul-17	25-Oct-17	0.00	11	1,482.74	2.46%
					30,174.25		23,931.78	2.50%
Grand Totals					42,474.77		44,368.70	2.49%

Broken Hill City Council
Investment Performance Report



Historical Performance Summary			
	Portfolio	AusBond BB Index	Outperformance
Jul 2017	2.49%	1.73%	0.76%
Last 3 Months	2.48%	1.74%	0.75%
Last 6 Months	2.47%	1.77%	0.70%
Financial Year to Date	2.49%	1.73%	0.76%
Last 12 months	2.53%	1.79%	0.74%

Broken Hill City Council
Investment Policy Compliance Report



	Credit Rating	Face Value (\$)	% used vs Investment Policy Limit	Policy Max	
Short Term	A-1+	15,929,787	74%	100%	✓
		15,929,787			
Short Term	A-2	1,500,000	7%	60%	✓
		1,500,000			
Short Term	MF	3,971,271	19%	30%	✓
		3,971,271			
		21,401,058	100%		

✓ = compliant
X = non-compliant

Institution	% used vs Investment Policy Limit	
Westpac Group (A-1+, AA-)	67%	✓
New South Wales T-Corp (MF)	62%	✓
National Australia Bank (A-1+, AA-)	47%	✓
Commonwealth Bank of Australia (A-1+, AA-)	36%	✓
IMB Ltd (A-2, BBB)	28%	✓
ANZ Group (A-1+, AA-)	16%	✓

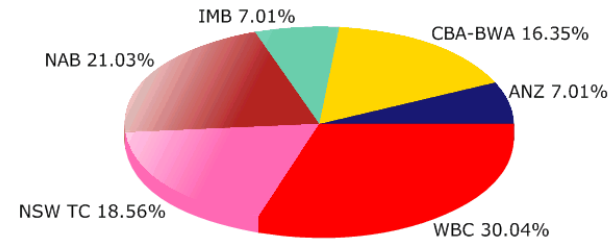
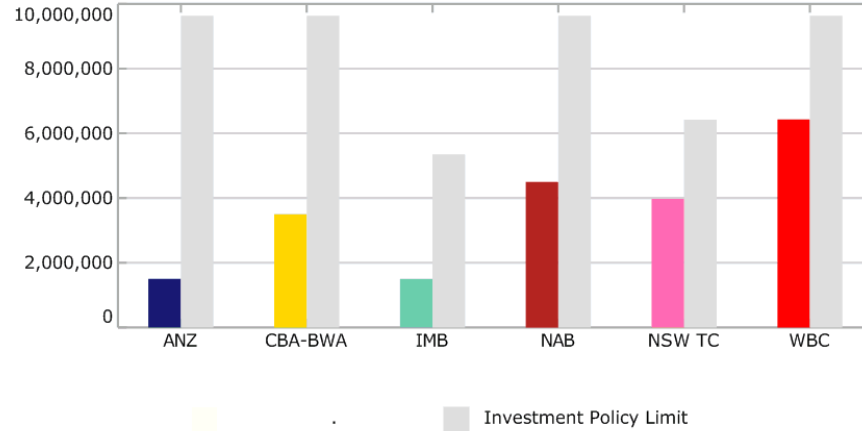
Term	Face Value (\$)	% used vs Investment Policy Limit	Policy Max	
Between 0 and 1 Year	21,401,058	100%	100%	✓
21,401,058				
Detailed Maturity Profile		Face Value (\$)		
00. Cash + Managed Funds	10,401,058	49%		
01. Less Than 30 Days	4,500,000	21%		
02. Between 30 Days and 60 Days	3,500,000	16%		
03. Between 60 Days and 90 Days	3,000,000	14%		
21,401,058				

Broken Hill City Council
Individual Institutional Exposures Report



Individual Institutional Exposures **Individual Institutional Exposure Charts**

Parent Group	Credit Rating	Portfolio Exposure (\$)	Investment Policy Limit (\$)
ANZ Group	A-1+, AA-	1,500,000	9,630,476
Commonwealth Bank of Australia	A-1+, AA-	3,500,000	9,630,476
IMB Ltd	A-2, BBB	1,500,000	5,350,264
National Australia Bank	A-1+, AA-	4,500,000	9,630,476
New South Wales T-Corp	MF	3,971,271	6,420,317
Westpac Group	A-1+, AA-	6,429,787	9,630,476
		21,401,058	



Broken Hill City Council

Cash Flows Report



Current Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>	
5-Jul-17	535215	Bankwest	Term Deposits	Interest - Received	6,232.88	
		Bankwest	Term Deposits	Maturity Face Value - Received	1,000,000.00	
					<u>Deal Total</u>	<u>1,006,232.88</u>
	535591	Bankwest	Term Deposits	Settlement Face Value - Paid	-1,000,000.00	
					Day Total	6,232.88
19-Jul-17	534944	Bankwest	Term Deposits	Interest - Received	20,800.00	
		Bankwest	Term Deposits	Maturity Face Value - Received	2,000,000.00	
					<u>Deal Total</u>	<u>2,020,800.00</u>
					Day Total	2,020,800.00
21-Jul-17	535590	National Australia Bank	Term Deposits	Settlement Face Value - Paid	-2,000,000.00	
					<u>Deal Total</u>	<u>-2,000,000.00</u>
					Day Total	-2,000,000.00
26-Jul-17	535217	ANZ Banking Group	Term Deposits	Interest - Received	3,141.37	
		ANZ Banking Group	Term Deposits	Maturity Face Value - Received	500,000.00	
					<u>Deal Total</u>	<u>503,141.37</u>
					Day Total	503,141.37
					Net Cash Movement for Period	530,174.25

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>	
2-Aug-17	535295	IMB Ltd	Term Deposit	Interest - Received	9,349.32	
		IMB Ltd	Term Deposit	Maturity Face Value - Received	1,500,000.00	
					<u>Deal Total</u>	<u>1,509,349.32</u>
					Day Total	1,509,349.32
8-Aug-17	535296	National Australia Bank	Term Deposit	Interest - Received	3,082.19	
		National Australia Bank	Term Deposit	Maturity Face Value - Received	500,000.00	
					<u>Deal Total</u>	<u>503,082.19</u>

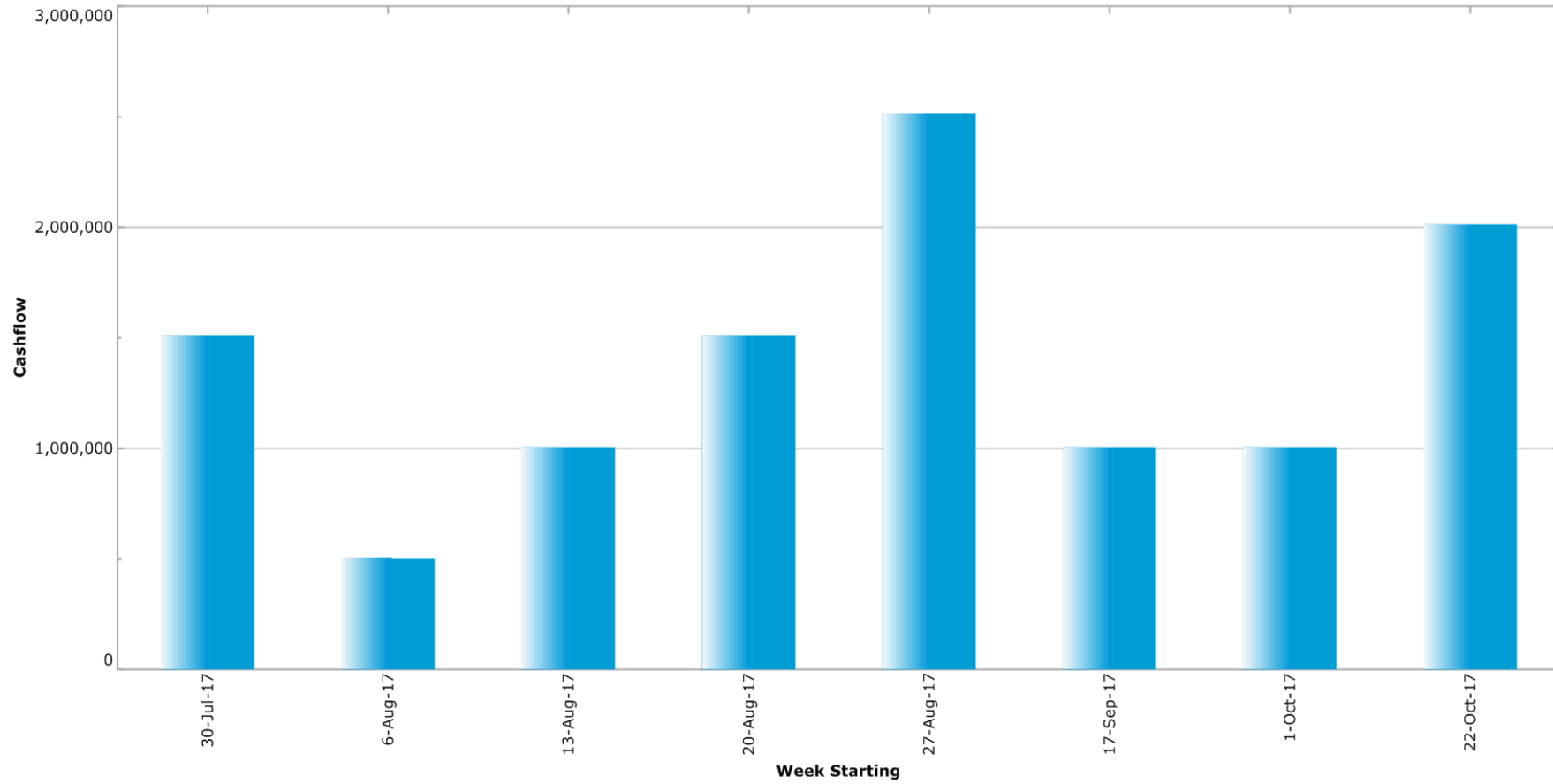
Broken Hill City Council

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>
Day Total					503,082.19
16-Aug-17	535297	Bankwest	Term Deposit	Interest - Received	6,164.38
		Bankwest	Term Deposit	Maturity Face Value - Received	1,000,000.00
<u>Deal Total</u>					<u>1,006,164.38</u>
Day Total					1,006,164.38
23-Aug-17	535298	Bankwest	Term Deposit	Interest - Received	9,349.32
		Bankwest	Term Deposit	Maturity Face Value - Received	1,500,000.00
<u>Deal Total</u>					<u>1,509,349.32</u>
Day Total					1,509,349.32
30-Aug-17	535299	National Australia Bank	Term Deposit	Interest - Received	6,158.08
		National Australia Bank	Term Deposit	Maturity Face Value - Received	1,000,000.00
<u>Deal Total</u>					<u>1,006,158.08</u>
	535300	ANZ Banking Group	Term Deposit	Interest - Received	3,091.51
		ANZ Banking Group	Term Deposit	Maturity Face Value - Received	500,000.00
<u>Deal Total</u>					<u>503,091.51</u>
	535301	ANZ Banking Group	Term Deposit	Interest - Received	6,183.01
		ANZ Banking Group	Term Deposit	Maturity Face Value - Received	1,000,000.00
<u>Deal Total</u>					<u>1,006,183.01</u>
Day Total					2,515,432.60
Net Cash Movement for Period					<u>7,043,377.81</u>

Broken Hill City Council
Cash Flows Report



ORDINARY MEETING OF THE COUNCIL

August 18, 2017

ITEM 13BROKEN HILL CITY COUNCIL REPORT NO. 148/17

SUBJECT: TRANSFER OF BROKEN HILL STUDIOS TRADEMARK TO CPS
BROKEN HILL PTY LTD 16/150

Recommendation

1. That Broken Hill City Council Report No. 148/17 dated August 18, 2017, be received.
2. That the Mayor and General Manager be authorised to execute the Deed of Assignment of Trademark under the Common Seal of Council.
3. That it is noted that all rights to the future use of this Trademark will be transferred following the affixing of the Common Seal.

Executive Summary:

The Central Power Station Site was sold to CPS Broken Hill Pty Ltd on November 7, 2016. Following the sale, Council have undertaken to provide the new owners with the appropriate and necessary information to assist in any future ventures regarding this site. This has included the transfer in ownership of the Broken Hill Studios Trademark.

Report:

Following the sale of the Central Power Station Site (also known as the Broken Hill Studios) to CPS Broken Hill Pty Ltd, the new owners have requested the transfer in ownership of the Broken Hill Studios Trademark.

As Council are no longer in possession of this property, the requirement for Council to be in ownership of this Trademark as it is no longer required. It is noted, that Council has not used this Trademark in any advertising or product material for a number of years.

It is to be noted that all rights to the future use of this Trademark will be transferred following the affixing of the Common Seal.

Strategic Direction:

- Key Direction: 2 Our Economy
Objective: 2.1 Our economy is strong and diversified and attracts people to work, live and invest
Function: Economic Development
DP Action: 2.1.1.03 Collaborate with government and industry partners to explore investment opportunities for the City

Relevant Legislation:

Nil

Financial Implications:

Nil – All associated legal fees and transfer costs will be incurred by CPS Broken Hill Pty Ltd.

Attachments

There are no attachments for this report.

JAMES RONCON
GENERAL MANAGER

Deed of assignment of trade mark

Broken Hill City Council
(Assignor)

CPS Broken Hill Pty Ltd
(Assignee)

Date:



Level 16, MLC Centre, 19 Martin Place Sydney NSW 2000
Tel: 61 2 9228 9200 Fax: 61 2 9228 9299

Level 9, 469 La Trobe Street Melbourne VIC 3000
Tel: 61 3 9602 9444 Fax: 61 3 9642 0382

Level 4, 40 Creek Street Brisbane QLD 4000
Tel: 61 7 3004 3500 Fax: 61 7 3004 3599

Unit 2, 37 Canberra Avenue Forrest ACT 2603
Tel: 61 2 6156 4332 Fax: 61 2 9228 9299

Deed of assignment of trade mark

Details

Parties

Assignor	Name	Broken Hill City Council
	ABN	84 873 116 132
	Address	240 Blende Street, BROKEN HILL, NSW 2880

Assignee	Name	CPS Broken Hill Pty Ltd
	ABN	30 612 023 739
	Address	PO Box 7, Broken Hill, NSW 2880

Date of Deed

Deed of assignment of trade mark

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Terms

Introduction

- A. The Assignor is the registered proprietor in Australia of the trade mark registration described in the Schedule to this Deed (*Trade Mark*).
- B. The Assignor has agreed to assign to the Assignee its entire right, title and interest in the Trade Mark in Australia on the terms and conditions contained in this Deed.

It is agreed

1. Interpretation

- 1.1. In this Deed, unless otherwise indicated by the context:
 - (a) words importing the singular include the plural and vice versa;
 - (b) headings are for convenience only and do not affect interpretation of this Deed;
 - (c) a reference to a clause, paragraph, schedule or the Details page is a reference to a clause, paragraph, schedule or the Details page of this Deed;
 - (d) where any word or phrase is given a definite meaning in this Deed, any part of speech or other grammatical form of that word or phrase has a corresponding meaning;
 - (e) an expression importing a natural person includes a body corporate, partnership, joint venture, association or other legal entity;
 - (f) a reference to a statute, statutory provision or regulation includes all amendments, consolidations or replacements thereof;
 - (g) a reference to a party to a document includes that party's legal personal representatives, successors and permitted assigns;
 - (h) a covenant or agreement on the part of or for the benefit of two or more persons binds or benefits them jointly and severally;
 - (i) a reference to a body, whether statutory or not:
 - (i) which ceases to exist; or
 - (ii) whose powers or functions are transferred to another body,is a reference to the body which replaces it or which substantially succeeds to its powers or functions; and
 - (j) *including* and similar expressions are not words of limitation.

Deed of assignment of trade mark

TressCox LAWYERS

2. Assignment of trade mark

The Assignor assigns (from the date of this Deed) to the Assignee, its entire right, title and interest in the Trade Mark in Australia including:

- (a) all rights of the Assignor to institute and maintain proceedings against any person who infringes or wrongfully uses the Trade Mark whether or not the infringement or wrongful use took place prior to the date of this Deed; and
- (b) all other intellectual property rights in the Trade Mark including copyright subsisting in the Trade Mark,

without the goodwill of the business conducted by the Assignor making use of the Trade Mark.

3. Execution of documentation

The Assignor agrees with the Assignee to do all things and execute all documents reasonably requested by the Assignee to further perfect the Assignee's ownership of the Trade Mark including, if requested by the Assignee, in order to assist the Assignee in protecting the rights in the Trade Mark.

4. Duty

The Assignee must pay all duty (including all fines, interest and penalties except those arising from the default of another party) in respect of this Deed and any transactions contemplated under this Deed or otherwise arising out of, or incidental to, this Deed.

5. General

- 5.1. **Governing law:** This Deed is governed by the laws of New South Wales. Each party irrevocably submits to the non-exclusive jurisdiction of the courts of New South Wales.
- 5.2. **Further assurance:** Each party will from time to time do all things (including executing all documents) necessary or desirable to give full effect to this Deed.
- 5.3. **Counterparts:** This Deed may be executed in any number of counterparts each signed by one or more parties. Each counterpart when so executed is deemed to be an original and all such counterparts taken together constitute one document and the date of this Deed will be the date on which a counterpart is executed by the last party. The exchange of executed counterparts by email or fax will create a binding deed.
- 5.4. **Whole agreement:** In relation to the subject matter of this Deed:

Deed of assignment of trade mark

TressCox LAWYERS

- (a) this Deed is the whole agreement between the parties; and
- (b) this Deed supersedes all oral and written communications by or on behalf of any of the parties.


- 5.5. **No reliance on warranties and representations:** In entering into this Deed, each party:
- (a) has not relied on any warranty or representation (whether oral or written) in relation to the subject matter of this Deed made by any person; and
 - (b) has relied entirely on its own enquiries in relation to the subject matter of this Deed.

This clause does not apply to warranties and representations that this Deed expressly sets out.

- 5.6. **Severance:** If any part of this Deed is invalid or unenforceable, this Deed does not include it. The remainder of this Deed continues in full force.

- 5.7. **No merger:** Nothing in this Deed merges, extinguishes, postpones, lessens or otherwise prejudicially affects any right, power or remedy that a party may have against another party or any other person at any time.

Schedule

Trade Mark	Application Number	Goods/Services
	1428849	<p>Class 16: Paper, cardboard and goods made from these materials in this class; printed matter for the purpose of advertising, marketing and promotion of film and media studio services; newsletters; brochures; pamphlets; publications; calendars, cards; prints; photographs; posters, transfers and stickers; bumper stickers; stationery and office requisites; writing instruments</p> <p>Class 25: Clothing, footwear, headgear and accessories in this class for the aforementioned goods</p> <p>Class 41: Entertainment services; provision of film and television production facilities, including facilities and areas for the filming and presentation of media programs; motion picture studio services; cinema studio services; recording studio services; rental of film, television and recording studios; rental of film and television production equipment; provision of information, advisory and consultancy services in relation to the aforementioned services</p>

Deed of assignment of trade mark

TressCox LAWYERS

Signing Page

Executed as a Deed.

THE SEAL of **BROKEN HILL CITY COUNCIL** (ABN 84 873 116 132) is affixed in accordance with Regulation 400 of the *Local Government (General) Regulation 2005* (NSW) in the presence of:

Signature of authorised person

Signature of authorised person

Name of authorised person

Name of authorised person

Title/Capacity

Title/Capacity

EXECUTED for and on behalf of **CPS BROKEN HILL PTY LTD** (ABN 30 612 123 739) in accordance with Section 127(1) of the *Corporations Act 2001*:

Signature of Director

Signature Director/Secretary

Name of Director

Name of Director/Secretary

ORDINARY MEETING OF THE COUNCIL

August 18, 2017

ITEM 14BROKEN HILL CITY COUNCIL REPORT NO. 149/17SUBJECT: NSW STRONGER COUNTRY COMMUNITY FUNDING 16/154**Recommendation**

1. That Broken Hill City Council Report No. 149/17 dated August 18, 2017, be received and the nominated projects endorsed by Council.

Executive Summary:

The NSW Government is investing \$1.3 billion in regional infrastructure to activate local economies and improve services in communities, through the Regional Growth Fund.

The Regional Growth Fund includes six funds and incorporates the Stronger Country Communities Fund that is designed to support councils and community groups to deliver local infrastructure projects.

Following the announcement, subsequent media by the NSW Government and community liaison by Council in July, Council lodged three projects on behalf of the community. These included the revitalisation of Patton Park, a combination project of the toilet facilities at Patton Park and the Broken Hill Pony Club and an Infrastructure Renewal (court repair project) on behalf of the Broken Hill Tennis Association Inc.

Report:

The NSW Government is investing \$1.3 billion in regional infrastructure to activate local economies and improve services in communities, through the Regional Growth Fund.

The Regional Growth Fund includes six funds that will provide investment opportunities for projects that facilitate regional development through the:

- Stronger Country Communities Fund – supporting councils and community groups to deliver crucial local infrastructure to improve quality of life
- Resources for Regions – supporting the infrastructure needs of mining-affected regional economies
- Regional Cultural Fund – delivering investment to support bold and exciting regional arts and culture
- Regional Sports Infrastructure – supporting participation and high achievement in sport for regional NSW communities by improving facilities
- Growing Local Economies – unlocking economic potential by building or upgrading power, transport and telecommunications links and water and sewerage services
- Connecting Country Communities – investing in better mobile phone and internet connectivity to support businesses and families living and working in regional areas and drive regional productivity.

Examples of suitable projects include:

- Building new community facilities such as parks, playgrounds, walking and cycle pathways
- Refurbishing existing local facilities (such as community centres and libraries)
- Enhancing local parks and the supporting facilities (such as kitchens and toilet blocks).

The window of opportunity for Broken Hill community to apply was from July 7 to August 9, 2017. This fund is a quarantined and is a non-competitive grant meaning that each local government area receives a base allocation with additional funding calculated in accordance with population size and a loading that accounts for variation in costs of construction across NSW.

The community of Broken Hill has been allocated \$858,000.00 in 2017/2018 and \$858,000 in 2018/2019. Funding not used in 2017/2018 is rolled into 2018/2019.

Following the announcement at the beginning of July 2017, subsequent media by the NSW Government and community liaison by Council, a report for Councillors was prepared to inform an assessment meeting which was held on August 8, 2017. Councillors ranked the three projects that that were eligible for funding and ready to be assessed by the State panel.

1. Patton Park Revitalisation - \$395,000.00. The revitalisation of Patton Park is a \$1.2m project. This application addresses the requirements to demolish and remove out-dated equipment and amenities with Australian standard facilities and includes a request for funding for improved playground and BBQ facilities and footpath upgrade.
2. Broken Hill Toilet Facility Upgrade – Patton Park and Broken Hill Pony Club - \$270,000.00.
3. Broken Hill Tennis Association Inc. - \$150,000.00. Infrastructure Renewal Project – court repair and improvements.

.Strategic Direction:

Key Direction:	Our Community
Objective:	1.12: Our Community Works Together
Function:	Community Development
DP Action:	2.1.04 Develop and maintain new and existing partnerships including interagency agreements

Relevant Legislation:

Nil.

Financial Implications:

Nil. This responsibility falls within the existing position of the Grants and Projects Coordinator Position.

Attachments

There are no attachments for this report.

ANDREA ROBERTS
EXECUTIVE MANAGER STRATEGIC CITY DEVELOPMENT

JAMES RONCON
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

August 22, 2017

ITEM 15BROKEN HILL CITY COUNCIL REPORT NO. 150/17SUBJECT: LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2017 11/364**Recommendation**

1. That Broken Hill City Council Report No. 150/17 dated August 22, 2017, be received.
2. That registration and travel arrangements be made for three Councillors (Mayor, Deputy Mayor and one other Councillor) to attend the Local Government NSW Conference to be held in Sydney, December 4-6, 2017.
3. That Council's Mayor and Deputy Mayor be Council's voting delegates to the Conference.
4. That Council considers motions to the conference and advises the General Manager prior to September 15, 2017 in order for them to be presented to the September Council meeting for endorsement as motions to the Conference close October 9, 2017 and must include the extract from the September Council Meeting minutes of Council's support for the motion/s.

Executive Summary:

The 2017 Local Government NSW Conference will be held in Sydney, December 4-6, 2017.

Although Council's delegates to this conference cannot be determined until after the September Elections, registration and travel arrangements need to be pre-booked (names to be provided prior to travel).

Report:

The Local Government NSW Conference is the annual policy-making event the councils of NSW. The Conference is the pre-eminent event of the local government year where local Councillors come together to share ideas and debate issues that shape the way we are governed.

Attendance to this conference will ensure that remote areas such as the Far West are not placed at a disadvantage by decisions made. In 2016, Council provided three Councillor representatives to attend this important annual event.

At the time of writing this report the number of voting members allowed for each Council had not been announced. Council is normally entitled to two voting delegates at this conference.

The Conference will involve two types of voting:

1. One for voting in the elections for Office Bearers and the Board.
2. One for voting on motions.

Council will be able to submit motions for consideration online through the Association's website. The Board has resolved that motions will be included in the Business paper for the Conference where they:

1. Are consistent with the objects of the Association (see Rule 4 of the Associations rules);
2. Relate to Local Government in NSW and/or across Australia;
3. Concern or are likely to concern Local Government as a sector;
4. Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association;
5. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
6. Are clearly worded and unambiguous in nature; and
7. Do not express preference for one or several members over one or several other members.

For a motion to be included in the Business Paper for the conference, accompanying evidence of its support by Council must be included (extract of Council Meeting minutes). As the closing date for motions closes after the September Council Meeting (9 October 2017), Council must determine its motions at the September Council Meeting in order for them to be eligible.

This report is provided for Council to determine its voting members and its delegates to the Conference and as a reminder for Councillors to consider motions to the Conference. These motions must be provided to the General Manager by 5:00pm on Friday 15 September 2017 in order for them to be included in the Business Paper for the September Council Meeting.

Strategic Direction:

Key Direction: 4 Our Leadership
 Objective: 4.2 Our Leaders Make Smart Decisions
 Function: Leadership and Governance
 DP Action: 4.2.1.13: Accept opportunities to attend training and events that provide value through information, ideas and solutions that add value to our community.

Relevant Legislation:

Nil.

Financial Implications:

Costs to attend the Conference include:

Early Bird Registration (before 23 October 2017)	\$899.00
Full Registration (after 23 October 2017)	\$999.00
Opening Reception, Gala Dinner and conference breakfast (approx. cost)	\$230.00
Return flights to Sydney	from \$796.00 to \$1340.00/person (depending on availability)
Accommodation	up to \$240.00/night/person (limit as per Travel Policy)

The usual reimbursement of out-of-pocket travel expense will apply.

Attachments

1. [↓](#) NSW Local Government Annual Conference - Conference information
2. [↓](#) NSW Local Government Annual Conference - draft program

JAMES RONCON
GENERAL MANAGER



Our ref: R15/0015 Out-26719

4 August 2017

Mr James Roncon
General Manager
Broken Hill City Council
PO Box 448
BROKEN HILL NSW 2880

Dear Mr Roncon

**Official notice and instructions for registration:
Local Government NSW Annual Conference 2017**

I write to provide you with official notice of this year's Local Government NSW Annual Conference 2017 (Conference) and to detail important information in addition to the information provided on 2 June 2017.

This year's Conference will be held later than usual – from **Monday 4 December to Wednesday 6 December at the Hyatt Regency, Sydney.**

As previously advised, this year the Conference will involve two types of voting: delegates will vote on motions which determine the policies and priorities for LGNSW and the sector, and eligible delegates will vote in elections for the LGNSW Office Bearers and Board.

This letter contains important information on the Conference, about:

- Registering to attend the Conference (opens late August)
- Registering to vote for (a) motions (b) Board elections
- Submitting motions (open now)
- General Conference information

I very much look forward to coming together in December to share ideas and debate sector-wide issues.

Yours sincerely

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

Cr Keith Rhoades AFSM
President

Attachments:

1. *Registration – to attend the Conference*
2. *Registration – as a voting delegate*
3. *Submitting motions*
4. *General Conference information*

LOCAL GOVERNMENT NSW
GPO BOX 7003 SYDNEY NSW 2001
LB, 28 MARGARET ST SYDNEY NSW 2000
T 02 9242 4000 F 02 9242 4111
LGNSW.ORG.AU LGNSW@LGNSW.ORG.AU
ABN 49 853 913 882

Attachment 1: Registration – to attend the Conference

Registrations open in late August on the LGNSW website. We invite councillors, Mayors, General Managers and senior staff to register to attend. You will be able to register an individual or group.

- **Early Bird registration rate is \$899** and applies if you register and pay by 23 October 2017
- **Standard registration rate is \$999** for all registrations from 24 October – 27 November 2017

Members wishing to take advantage of the Early Bird rates but uncertain of councillors' names due to pending Local Government elections can still register the requisite number of attendees and confirm names up to and including Monday 23 October 2017 (advising delegates' names and alterations to delegates' names can be completed online).

Confirmation, Cancellation Policy and Enquiries

Should you be unable to attend, once registered, a substitute delegate is welcome to attend in your place at no additional charge. All cancellations and amendments must be advised in writing to the Conference Secretariat, Bradley Hayden, at Bradley@csem.com.au.

Cancellations made by 5.00pm Monday 27 November 2017 will be eligible for a full refund less a \$110 administration fee per registration. Cancellations made after 5.00pm Monday 27 November 2017 are not refundable.

Note: Voting delegates must be registered to vote on motions and also be registered to attend the Conference.

Attachment 2: Registration – as a voting delegate

Separate from Conference registration, financial members must nominate:

- (a) the names of their voting delegates for voting on motions and,
- (b) where applicable, the names of their voting delegates for voting in the elections for the Association's Office Bearers and Board.

Voting entitlements

The Association's Rules require the development of two rolls of voters, one for voting on policy motions, and a separate roll of voters for voting in the elections for the Association's Office Bearers and Board. A copy of the Rules may be found at www.fwc.gov.au/registered-organisations/find-registered-organisations/local-government-and-shires-association-new

Each financial member is entitled to a certain number of voting delegates. The formula for calculating members' voter entitlements is prescribed at Rule 23 of the Association's Rules.

Ordinary members will need to nominate the names of their delegate(s) for both types of voting: voting for the Association's Office Bearers and Board and voting on policy motions.

Associate members will need to nominate the names of their delegate(s) for voting on policy motions only.

Voting on Policy Motions

Ordinary members and associate members of the Association must be financial on Monday 9 October 2017 to vote on policy motions that require consideration by the Conference.

LGNSW will notify members by Friday 13 October 2017 of the number of voting delegates that they are entitled to send to the Conference to vote on motions.

Forms for nominating the names of each member's delegate(s) will be made available on the Association's website by 13 October 2017. Members are encouraged to give early consideration to nominating the names of voting delegates well before 13 October by internally preparing a draft/reserve voter list of councillors.

The deadline to provide LGNSW with the names of delegates to vote on policy motions is Wednesday 1 November. Nominations of voting delegates received after the closing date cannot be accepted. However a member may substitute the name(s) of one voting delegate for another, at any time, in line with Rule 34 of the Association's Rules.

Voting for the Association's Office Bearers and Board

The scheduled election for the Association's Office Bearers and Board is to take place this year. If an office is contested, nominated voting delegates will vote by attendance at the Conference on Tuesday 5 December 2017.

The Australian Electoral Commission (AEC) will conduct the election for the Association's Office Bearers and Board. Once the AEC issues an election notice inviting nominations for Office Bearers and Board, members can be advised, including of when members are required to tell LGNSW the names of their voting delegates for the elections. Members and potential candidates who are interested in the election process and timeline should review the Association's Rules.

Nominating as a candidate for Election for the Association's Office Bearers and Board

To nominate for the Board, a person must be a Councillor of a Council which is an Ordinary member of the Association or a member of the Board of the Aboriginal Land Council (ALC) if ALC is an Ordinary member.

Nominations must be made using the prescribed form (which the AEC will make available when it calls for nominations), and must comply with the above requirements. There is no requirement for councils to formally endorse a person's nomination as a candidate at a council meeting.

Important dates for voting

Please note the 2017 deadlines for voting.

Deadline	Action
Monday 9 October	Deadline for payment of membership fees (required for your council to be entitled to vote on policy motions and for the Board).
Friday 13 October	Members notified of number of delegates that can vote on policy motions.
At a date to be confirmed by the AEC	AEC to issue an election notice inviting nominations for Office Bearers and the Board.
Wednesday 1 November	Deadline for members to provide names to LGNSW of delegates who will vote on policy motions.

For further information about voting please contact Ms Debra Law, Divisional Coordinator – Member Services, on 02 9242 4142 or Debra.Law@lgnsw.org.au.

Attachment 3: Submitting Motions

All members can put forward motions to be considered at the Conference.

Members are now invited to submit motions using the online form on the LGNSW Annual Conference webpage <http://lgnsw.org.au/events-training/local-government-nsw-annual-conference>.

The LGNSW Board is working to ensure the motions debate centres on advancing the sector wide policy agenda in new ways. Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions. Members are encouraged to review the Action Report of resolutions from the 2016 Conference before submitting motions for the 2017 Conference. The Action Report is available on the LGNSW Annual Conference webpage under 'Past Conference - 2016'.

The Board has resolved that motions will be included in the Business Paper for the Conference only where they:

1. are consistent with the objects of the Association (see Rule 4 of the Association's rules);
2. relate to Local Government in NSW and/or across Australia;
3. concern or are likely to concern Local Government as a sector;
4. seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association;
5. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
6. are clearly worded and unambiguous in nature; and
7. do not express preference for one or several members over one or several other members.

For a motion to be included in the Business Paper for the Conference the submitting member needs to provide accompanying evidence of its support. Such evidence may include an extract of the minutes of the meeting at which the member resolved to submit the motion for consideration by the Conference.

Deadline for submitting motions

To allow printing and distribution of the Business Paper before the Conference, members are asked to submit their motions by COB **Monday 9 October 2017**. In line with the LGNSW rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is 12 midnight on Monday 6 November 2016.

For further information on submitting motions please contact Ms Elizabeth Robertson, Policy Officer, on 02 9242 4028 or Elizabeth.Robertson@lgnsw.org.au.

Attachment 4: General Conference information

Business Papers

The full Conference Business Paper is expected to be available on the LGNSW website and copies forwarded to members approximately one week prior to the Conference.

LGNSW's financial reports will be available to members at least 21 days before the Conference.

Conference Program Outline

Training sessions: When registering for Conference, attendees can also register for afternoon sessions to be held Monday 4 December. Topics this year are amalgamation case studies, and elected life and good governance.

President's Opening Reception: The opening reception will be held in the evening on Monday 4 December.

First business day of the Conference and the LGNSW Board elections: Voting delegates will be invited to vote on motions and vote in the Board elections on Tuesday 5 December. The NSW Premier, the Hon. Gladys Berejiklian MP has been invited for the opening address.

Second business day: The Australian Local Government Women's Association (ALGWA) Breakfast will be held prior to the business sessions. Day 2 on Wednesday 6 December will include addresses from Ministers, keynote speakers and concurrent information sessions.

Conference Gala Dinner: The dinner will be held on Wednesday 6 December and all those registered for the Conference may attend.

A detailed program will be available on the LGNSW Annual Conference webpage.

Accommodation

December is a busy time in Sydney and LGNSW encourages delegates to book accommodation as early as possible to avoid disappointment.

For Conference delegates wishing to stay at the venue (Hyatt Regency) a reduced accommodation rate is available from Sunday 3 December until Thursday 7 December. For group bookings please contact Ashley Markovic, Group Reservations Coordinator, on 02 9290 4812 or Ashley.Markovic@hyatt.com.

Outstanding Service Awards

The Outstanding Service Awards will be presented at the Conference Gala Dinner. For information about the Awards, including where to apply and eligibility, please check the LGNSW website.

Privacy Statement

LGNSW, which is regulated by the Privacy Act 1988 (Cth), collects private information about registered attendees to the Conference such as names, addresses, telephone numbers, credit card information and email addresses. We use the private information you give us to process your registration and to send you information in relation to the Conference.

If you choose not to provide some or all of the private information that we have sought, LGNSW may be unable to process your registration or it may result in you being unable to vote at the Conference. Further information about how LGNSW collects, holds and uses private information is contained in LGNSW's Privacy Policy which is available on the website at the following web address: <http://www.lgnsw.org.au/privacy>.



Local Government NSW Annual Conference 2017

Monday 4 – Wednesday 6 December 2017

Main conference venue is Hyatt Regency Sydney, 161 Sussex Street Sydney

This program is correct at the time of publication; speakers and program details may have changed due to unforeseen circumstances.

DRAFT PROGRAM (as of 11 August 2017)

MONDAY 4 December	
1.00pm – 4.00pm	Bump in sponsors to set up trade exhibition Bump in voting booths into Wharf 4 and 5
2.00pm – 4.45pm	Registration opens in Foyer
3.00pm – 4.00pm	Two optional concurrent councillor training/information sessions. Coming together post-amalgamation: lessons and next steps three case studies Peter Tegart , Interim General Manager, Queanbeyan Palerang Regional Council Ashley Hall , Administrator, Edward River Council Gail Connolly , General Manager, Georges River Council (invited) or Elected life and good governance: building your capabilities. A session for new councillors
4.00pm – 5.00pm	Sessions repeated above
5.00pm – 7.00pm	President's Opening Reception in Maritime Ballroom in the trade exhibition
TUESDAY 5 December – Business Session Day 1 / Grand Ballroom/Maritime Ballroom	
7.30am – 5.00pm	Registration opens on main landing
8.00am – 9.00am	Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors (Voting for all positions at the one time) in Wharf 3, 4 and 5 (rooms)
8.15am – 9.00am	Distribution of voting materials and electronic handsets Trade exhibition opens in Maritime Ballroom
9.15am – 9.45am	Address from The Hon Gladys Berjikian MP , Premier of New South Wales (invited)
9.45am – 11.00am	Address from Cr Keith Rhoades AFSM , President, LGNSW Opening of the Federal Conference , chaired by Cr Keith Rhoades AFSM including demonstration of voting units, adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members. Business session and consideration of motions.

11.00am – 11.30am	<p>Opening of the State Conference, chaired by Cr Keith Rhoades AFSM including adoption of standing orders. Presentation of the auditor's report, general financial and operating report to members.</p> <p>Business sessions and consideration of motions.</p> <p>Morning tea in trade exhibition area Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors</p>
11.30am – 1.00pm	Consideration of Conference business continued, chaired by the President
1.00pm – 2.00pm	<p>Lunch in trade exhibition Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors</p>
2.00pm – 3.30pm	Consideration of Conference business continued, chaired by the President
3.30pm – 4.00pm	<p>Afternoon tea in trade exhibition area Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors</p>
4.00pm – 5.30pm	<p>Consideration of Conference business continued, chaired by the President Collection of all electronic handsets and motions voting cards Conference business session closes</p>
5.30pm – 6.30pm	<p>Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors Voting closes</p>
6.00pm – 7.00pm	Delegate networking function in trade exhibition area
7.30pm	Trade exhibition closes. Free night for delegates.
Wednesday 6 December – Business Session Day 2 / Grand Ballroom/Maritime Ballroom/Wharf rooms	
7.30am – 5.00pm	Registration opens
7.30am – 8.45am	<p>Australian Local Government Women's Association (ALGWA NSW) Breakfast Special Guest Speaker Rhoda Roberts, Head of First Nation Programming, Sydney Opera House, Festival Director Boomerang, will speak on Accessing and Creating Relationships with Your Local Community.</p>
8.00am – 5.30pm	Trade exhibition open in Maritime Ballroom
9.00am – 9.05am	Introduction by Ellen Fanning , Master of Ceremonies
9.05am – 9.20am 9.20am – 9.35am	<p>Address from The Hon Gabrielle Upton MP, Minister for Local Government Facilitated questions from the conference to the Minister</p>
9.35am – 10.05am	<p>Keynote: Dr Jonathan Carr-West, Chief Executive, Local Government Information Unit UK presents on Transforming Local Government or the role of councils in economic development (invited)</p>
10.05am – 10.30am	Morning tea in trade exhibition area
10.30am – 10.45am 10.45am – 11.00am	<p>Address from The Hon Peter Primrose MLC, Shadow Minister for Local Government Facilitated questions from the conference to the Shadow Minister</p>
11.00am – 11.15am	Keynote: Short Address from The Hon Melinda Pavey MP , Minister for Roads,

11.15am – 11.30am	Maritime and Freight, Keynote: Short Address from Carolyn McNally , Secretary of the Department of Planning and Environment, on Housing Affordability and Partnerships with Councils.
11.30am – 11.40am	MC to facilitate Q and A to both speakers (10 mins only)
11.40am – 12.10pm	Address from Stuart Reeve , Managing Director, Micromex Research and Consulting on Community Perceptions of Local Government
12.10pm – 12.30pm	Presentation of the AR Bluett Awards (20 mins)
12.30pm - 12.40pm	Address from Cr Keith Rhoades AFSM , LGNSW President on Association Initiatives
12.40pm – 12:50pm	Treasurer’s Report
12.50pm – 1.40pm	Lunch in the trade exhibition area General Managers Lunch sponsored by StateCover: a short update from StateCover, Local Government Super and LGP (30 mins)
1.40pm – 3.10pm	MOVE TO CONCURRENT SESSIONS
Environment and Planning 1.40pm – 1.45 intro 1.45pm – 2.05pm 2.05pm – 2.10 intro 2.10pm – 2.30pm 2.30pm – 2.35intro 2.35pm – 2.55pm 2.55pm – 3.10pm Q and A	Stream facilitated by Stephen Beaman PSM , Executive Director Waste and Resource Recovery, Environment Protection Authority (EPA). <ul style="list-style-type: none"> • Dr Bruce Christie, Deputy Director General, Biosecurity and Food Safety, Department of Primary Industries on The biosecurity framework and shared responsibilities • Stephen Beaman PSM, Executive Director Waste and Resource Recovery EPA on Introducing a Container Deposit Scheme • Tom Celebrezze, Director Biodiversity Policy, Office of Environment and Heritage Biodiversity reforms and Local Government
Infrastructure and Economics 1.40pm – 1.45 intro 1.45pm – 2.05pm 2.05pm – 2.10 intro 2.10pm – 2.30pm 2.30pm – 2.35intro 2.35pm – 2.55pm 2.55pm – 3.10pm Q and A	Stream facilitated by TBC <ul style="list-style-type: none"> • Greg Dyer, General Manager City of Parramatta, Case study on the Redevelopment of Parramatta Square • Susie Matthews, Director Small Business Engagement, NSW Department of Industry on In Support of night-time economies • Sean Gordon, Chief Executive Officer, Darkinjung Local Aboriginal Land Council on Building local economies and the economic development of aboriginal lands

<p>People and Communities</p> <p>1.40pm – 1.45 intro 1.45pm – 2.05pm 2.05pm – 2.10 intro 2.10pm – 2.30pm 2.30pm – 2.35intro 2.35pm – 2.55pm 2.55pm – 3.10pm Q and A</p>	<p>Stream facilitated by TBC</p> <ul style="list-style-type: none"> • Jody Broun, Director NSW/ACT, Red Cross on Disaster Preparedness – council's building resilience with their communities in times of natural disaster or accident • Wendy Waller, Mayor and Shabnam Bhana, Community Development Worker, Liverpool City Council, and Cr Greg Conkey, Mayor, Wagga Wagga City Council on Refugee Resettlement • Mary Barry, Chief Executive Officer, Our Watch on the national framework for preventing violence against families and women,
<p>3.10pm – 3.20pm</p> <p>3.20pm – 4.00pm</p> <p>4.00pm – 4.30pm</p>	<p>RETURN TO PLENARY SESSION AND CLOSE OF CONFERENCE</p> <p>Keynote: Annabel Crabb, Walkley Award winning journalist on 'What the community wants and expects from government; what local government can learn from the international, national and state experience; and what it means for local government in the future'.</p> <p>Afternoon tea and delegate networking function in trade exhibition area</p>
<p>7.30pm – 11.00pm</p>	<p>CONFERENCE DINNER, Grand Ballroom Hyatt Regency (in the conference room)</p>
<p>7.30pm</p> <p>7.45pm</p> <p>8.00pm</p> <p>8.10pm</p> <p>8.35pm</p> <p>9.35pm</p> <p>11.00pm</p>	<p>Doors open</p> <p>Delegates seated and entrée served</p> <p>LGNSW President introduces Elite Sponsor, StateCover Mutual Limited</p> <p>LGNSW President and Elite Sponsor present the Outstanding Service Awards Presentation of the Heart Foundation Local Government Awards National Winner by CEO Kerry Doyle (invited)</p> <p>Main course served</p> <p>Entertainment and dancing</p> <p>Function finishes</p>
<p>CLOSE OF CONFERENCE</p>	

This program is correct at the time of publication. Speakers and program details may change due to unforeseen circumstances.

ORDINARY MEETING OF THE COUNCIL

August 23, 2017

ITEM 16BROKEN HILL CITY COUNCIL REPORT NO. 151/17SUBJECT: ACTION LIST REPORT 11/21**Recommendation**

1. That Broken Hill City Council Report No. 151/17 dated August 23, 2017, 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 Council resolutions.

Report:

A new format Action List was presented to the June 2017 Council Meeting to provide Councillors with a clearer way of reporting on the progress of outstanding Council resolutions. Council resolved:

RESOLUTION*Minute No. 45570**Councillor J. Nolan moved**Councillor M. Browne seconded*

-) 1. *That Broken Hill City Council Report No. 106/17 dated June 16, 2017, be received.*
-) 2. *That the Action List continues to be produced in its previous format with the addition of colour coding to distinguish items that are:*
 - a) not yet commenced (shaded red)*
 - b) in progress (shaded yellow)*
 - c) complete (shaded green).**Items completed to be removed from the list the following month.*

CARRIED

As per Minute No. 45570, the Action List has been produced in the new colour coded format and shows the progress of Council' outstanding decisions.

The Action List attached to this report is for information only and will be provided to Council on a monthly basis.

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:

Local Government Act 1993

Financial Implications:

Nil

Attachments

1. [↓](#) Action List

JAMES RONCON
GENERAL MANAGER

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Extraordinary Meeting of the Council 30 October 2013	False	Further Business
<p>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</p> <p style="text-align: right;">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> <p>That Minerals be excluded from the acquisition.</p> <p>That Council obtain a Native Title opinion in relation to Lot 5939 in DP 725373, formerly part of Western Lands Lease 1060.</p> <p>That if necessary, Council liaise with other parties that may have an interest in Lot 5939 in DP 725373 should Native Title issues require to be addressed.</p> <p>That upon acquisition the land be classified as Operational Land.</p> <p>That compensation be determined as at the date of acquisition by the Acquisition Valuation Branch of the Land and Property Management Authority.</p> <p>That the consent of the Crown (Trade and Investment, Crown Lands Western Division) and the Division of Local Government be sought should all matters be agreed upon to dispense with pre-acquisition requirements given that the compensation as determined at the date of acquisition will be the purchase price.</p> <p>That documents relating to this matter be executed under Council's Common Seal if required.</p>		
<p>RESOLUTION Minute No.44468 Councillor D. Gallagher moved) Councillor C. Adams seconded)</p>		<p>That the recommendation of item 1 be adopted.</p>
<p>CARRIED</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
14 Jul 2017 - 4:43 PM - Leisa Bartlett		
Action reassigned to Francois VanDerBerg by: Leisa Bartlett		
16 Sep 2016 - 1:27 PM - Leisa Bartlett		
Results of EOI need to be analysed and assess implications.		
20 Jun 2016 - 2:41 PM - Leisa Bartlett		
Pending outcome of Expression of Interest process.		
16 Sep 2015 - 11:38 AM - Andrew Bruggy		
Council sending letter to Minister and Crown.		
20 Apr 2015 - 4:18 PM - Leisa Bartlett		
With impending EOI outcome - no further action at this stage with report to future Council Meeting.		
12 Jun 2014 - 11:37 AM - Louine Hille		
History of site being compiled for submission to Barrister.		
14 May 2014 - 11:41 AM - Leisa Bartlett		
Native Title status of one remaining lot to be determined.		
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)	That the recommendation of item 14 be adopted.
Councillor C. Adams seconded)	
CARRIED		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>28 Jun 2017 - 3:57 PM - Elizabeth Guest</p> <p>Draft licence received for review. Property boundaries are being confirmed before finalising licence. Six maps is out and lat and longs have been obtained from Crown Lands for GIS officer to map to confirm boundaries.</p> <p>15 Jun 2017 - 10:04 AM - Leisa Bartlett</p> <p>Instructions have been sent to Solicitor to draw up licence document.</p> <p>16 Mar 2017 - 11:26 AM - Leisa Bartlett</p> <p>Council has received written advice from the NSW Aboriginal Land Council on Wednesday 15th March that there is no objection to the issue of the Crown Licence, on the condition that:</p> <ol style="list-style-type: none"> The tenure is no higher than a licence The licence only formalises the existing informal arrangement (area affected by the dam and the existing access to the property) The licence terminates if the claim of the subject land (Living Desert) is granted in the future Any proposed future works on the claimed land in relation to this licence – with the exception of basic fence maintenance – is referred to the NSW ALC for consent prior to the works commencing. <p>Council's Solicitor will now be advised to continue to draw up licence agreement.</p> <p>16 Sep 2016 - 1:34 PM - Leisa Bartlett</p> <p>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.</p> <p>06 Jun 2016 - 3:47 PM - Brendan Smith</p> <p>Action reassigned to Andrew Bruggy by: Leisa Bartlett</p> <p>10 Dec 2015 - 9:39 AM - Brendan Smith</p> <p>Action reassigned to Leisa Bartlett by: Leisa Bartlett</p> <p>06 May 2015 - 4:59 PM - Frederick Docking</p> <p>Further investigation required into obtaining Ministerial Consent for Licence. Have made contact with Crown Lands.</p>	<p>False</p>	<p>Confidential Matters</p>
<p>Confidential Matters of the Council 25 November 2015</p>		
<p>ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 268/15 - DATED OCTOBER 28, 2015 - - CONFIDENTIAL 11/63</p>		
<p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 268/15 dated October 28, 2015, be received.</p> <p>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).</p> <p>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.</p> <p>That the license terms be for four years, with the option to renew being first offered to the current licensees.</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>That the common seal be affixed to the licences as required.</p>		
<p>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.</p>		
<p>RESOLUTION Minute No.45147 Councillor P. Black moved) Councillor B. Algate seconded)</p> <p>That the recommendation of item 27 be adopted.</p> <p style="text-align: right;">CARRIED</p>		
<p><i>28 Jun 2017 - 3:56 PM - Elizabeth Guest</i> Draft licences received for review. Draft licence will now be sent to licensee for review</p>		
<p><i>15 Jun 2017 - 10:05 AM - Leisa Bartlett</i> Information sent to solicitor to draw up licence document.</p>		
<p><i>16 Mar 2017 - 11:24 AM - Leisa Bartlett</i> Council has received written advice from the NSW Aboriginal Land Council on Thursday 16th March, advising that the licence for the area occupied by Schembri can be granted with the following conditions: a. Any improvements being of a temporary nature to be removed if required if the licence is terminated; b. The licence agreement containing a provision that is may be terminated in the event Aboriginal Land Claim 40503 is determined as a grant by the Crown Lands Minister c. The Aboriginal Culture and Heritage protection provisions of National Parks and Wildlife Act 1974 being complied with. Council's Solicitor will now be instructed to continue to draw up licence agreement.</p>		
<p><i>12 Sep 2016 - 3:55 PM - Leisa Bartlett</i> Submission to be sent to Land Claims Unit to assess the proposed licence and determine whether licence can be issued.</p>		
<p><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.</p>		
<p><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.</p>		
<p><i>07 Dec 2015 - 1:58 PM - Leisa Bartlett</i> Process commenced for issuing of licences.</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
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		
<u>Recommendation</u>		
<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> <ol style="list-style-type: none"> 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. 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. c. That rental at commencement be \$250 per annum and that this rental be reviewed annually for CPI increases. 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. e. That the Alma Swimming Club insure its assets and contents for replacement value as determined in conjunction with its insurer. f. That all other standard leasing requirements be complied with. g. That the Alma Swimming Club be liable for Council's legal fees incurred in this matter. h. That, in the absence of a Trust Seal, lease documents be signed by the Mayor and General Manger under Council's Common Seal. 		
RESOLUTION		
Minute No.45323		
Councillor J. Nolan moved)		That the recommendation of item 15 be adopted.
Councillor J. Richards seconded)		
CARRIED		
18 Aug 2017 - 4:19 PM - Leisa Bartlett		
Solicitor sent draft lease to Minister for Crown Lands for ratification. Lease has been approved and has been sent to Alma Swimming Club for signature.		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>15 Jun 2017 - 10:06 AM - Leisa Bartlett Alma Swimming Club have approved the draft lease. Council's Solicitor is finalising lease and sending to Alma Swimming Club to sign. COMPLETE</p> <p>23 May 2017 - 10:03 AM - Leisa Bartlett Reply received from Alma Swimming Club with queries on lease clauses. Liaising with Club at present.</p> <p>13 Apr 2017 - 10:35 AM - Leisa Bartlett Further email enquiry sent to Swimming Club whether they have received and reviewed the lease documents.</p> <p>17 Mar 2017 - 2:48 PM - Leisa Bartlett Solicitor sent lease documents to Alma swimming club on 19 Feb 2017. No response to date</p> <p>09 Feb 2017 - 11:41 AM - Leisa Bartlett Draft lease received and checked. Solicitor to send lease to Alma Swimming Club for signature prior to sending to Council.</p> <p>17 Nov 2016 - 5:03 PM - Louise Schipanski Meeting held, instructions to be sent to Solicitor to draft lease.</p> <p>16 Sep 2016 - 2:38 PM - Leisa Bartlett Meeting to be arranged with Alma Swimming Club to discuss Council resolution and terms of lease.</p>		
Confidential Matters of the Council 28 September 2016	False	Confidential Matters
<p>ITEM 27 - 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 - <u>CONFIDENTIAL</u> EO16/4 (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).</p>		
<p>Recommendation</p>		
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 212/16 dated September 15, 2016, be received. 2. That Council accepts the offer of \$8,500.00 from Mr Phillip Cvirn for purchase of land at the Broken Hill Regional Airport being part Lot 1 in DP1162606 (Lot 52 in DP876533 on Council's internal mapping system). 3. That each party be liable for their own legal costs incurred. 4. That the Mayor and General Manager be delegated to sign the sale of land contract under the Common Seal of Council. 		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>18 Aug 2017 - 4:20 PM - Leisa Bartlett Contract has been drawn up and is in the process of being signed.</p> <p>14 Jul 2017 - 4:44 PM - Leisa Bartlett Action reassigned to Francois VanDerBerg by: Leisa Bartlett</p> <p>23 May 2017 - 10:40 AM - Leisa Bartlett Plans rejected by LPI due to condition of papers. Plans to be re-submitted. Surveyor has been engaged pending plans being approved. Estimate this to be completed by end of June.</p> <p>13 Apr 2017 - 2:02 PM - Leisa Bartlett March/April contact made with RFDS to sign Section 88 form and forward to Department of Land and Property Information to finalise sale.</p> <p>17 Mar 2017 - 2:49 PM - Andrew Bruggy Mr Cvim was advise 16th March, that still with Land and Property Information</p> <p>22 Dec 2016 - 2:23 PM - Leisa Bartlett Surveyor delayed due to waiting for Department of Property Land Information to register subdivision plans for sale of land at Airport to RFDS. Once these plans have been registered, plans to subdivide land for Mr Cvim can be drawn.</p> <p>13 Oct 2016 - 4:57 PM - Leisa Bartlett Letters sent to both applicants. Surveyor to be arranged to survey land for subdivision for sale purposes.</p>		
<p>Ordinary Meeting of the Council 30 November 2016</p>	<p>False</p>	<p>Confidential Matters</p>
<p>ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 246/16 - DATED NOVEMBER 23, 2016 - SUBDIVISION AND SALE OF LAND LOT 1 DP 1140550 - CONFIDENTIAL 11/338 (General Manager's Note: This report considers Subdivision and Sale of Land and is deemed confidential under Section 10A(2) (a) of the Local Government Act, 1993 which contains matters that will involve the discussion of personnel matters concerning a particular individual).</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> That Broken Hill City Council Report No. 246/16 dated November 23, 2016, be received. That Broken Hill City Council subdivide the land at 173 Murton Street (Lot 1 DP 1140550) and prepare sale of land contracts to the affected parties. That the Mayor and General Manager be authorised to sign the sale of land contracts and transfers under the Common Seal of Council. 		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
16 Jun 2017 - 2:23 PM - Leisa Bartlett Council's solicitor is waiting for advice from purchasers solicitor.		
17 Mar 2017 - 3:48 PM - Leisa Bartlett solicitors are finalising contracts.		
06 Dec 2016 - 4:59 PM - Jay Nankivell Solicitor and surveyor engaged to prepare subdivision and contracts for sale of land.		
Ordinary Meeting of the Council 14 December 2016	False	Confidential Matters
<p>ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 266/16 - DATED DECEMBER 13, 2016 - EOI16/5 - LEASING OPPORTUNITIES AT THE TOURIST AND TRAVELLERS CENTRE - CONFIDENTIAL EOI16/5</p> <p>(General Manager's Note: This report considers a lease 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).</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> That Broken Hill City Council Report No. 266/16 dated December 13, 2016, be received. That Council enters into a lease arrangement with JA & JM Gordon Investments Pty Ltd for occupation of Shop 3 at the Tourist and Travellers Centre plus exclusive use of two designated parking spaces located between the trade waste receptacle and the bus wash bay at the Centre. That the initial term of the lease be three years with three options to renew the lease each of three years duration. That the initial base rental be \$2,937.00 to be increased by a percentage of outgoings of the Tourist and Travellers Centre, to be negotiated by the General Manager. That the total rental amount be reviewed for CPI increases on July 1 each year with the first CPI review to be July 1, 2017. That all other standard lease terms as per the <i>Conveyancing Act 1919</i> be included. That the General Manager and Mayor be authorised to sign the lease contract under the Common Seal of Council. 		
<p>RESOLUTION Minute No.45422 Councillor T. Kennedy moved) Councillor M. Browne seconded)</p>		<p>That the recommendation of item 24 be adopted.</p> <p style="text-align: right;">CARRIED</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
18 Aug 2017 - 4:20 PM - Leisa Bartlett Lease documents signed by all parties. COMPLETE		
16 Aug 2017 - 11:21 AM - Razija Nu'man Lease documents signed August 2017. COMPLETE		
14 Jul 2017 - 4:45 PM - Leisa Bartlett Awaiting signed lease from Lessee.		
19 May 2017 - 10:54 AM - Leisa Bartlett Contact made with Lessee who advised that his Solicitor is reviewing the lease prior to him signing. Expect matter to be finalised in the next few weeks.		
03 Apr 2017 - 1:34 PM - Leisa Bartlett Lease forwarded to interested lessee end of March 2017.		
16 Mar 2017 - 1:52 PM - Leisa Bartlett Council's solicitor has forwarded through a draft lease for checking.		
09 Feb 2017 - 11:50 AM - Leisa Bartlett Negotiations are occurring with applicant regarding final rental amount.		
Ordinary Meeting of the Council 26 April 2017	False	Confidential Matters
<p>ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 78/17 - DATED APRIL 06, 2017 - UNITS 1-12/14 BLENDE STREET - PROPOSED TRANSFER TO LEGACY - CONFIDENTIAL 11/333 (General Manager's Note: This report considers Legal advice and is deemed confidential under Section 10A(2) (g) of the Local Government Act, 1993 which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> That Broken Hill City Council Report No. 78/17 dated April 6, 2017, be received. That Council authorize the General Manager to sign the Deed of Agreement with Legacy and forward to Adelaide Legacy That the seal of the Council be applied to the document That upon Legacy signing of the Deed that Council authorize the General Manager to undertake all necessary negotiations and steps to finalise transfer of title to Adelaide Legacy Inc. the governing body for Legacy in South Australia and Broken Hill. 		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>RESOLUTION Minute No.45532 Councillor B. Algate moved) Councillor C. Adams seconded)</p> <p>That the recommendation of item 17 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>14 Jul 2017 - 4:52 PM - Leisa Bartlett</i> CEO of Legacy advised 14/7 that the transfer deeds have been signed and would be hand delivered to Legacy solicitors for sending to Council Solicitors.</p> <p><i>07 Jun 2017 - 9:04 AM - Razija Nu'man</i> Minor changes occurred to Deed of Agreement with new Deed needing to be signed. New Deed signed and sealed 6 June 2017 for forwarding to Council solicitor.</p> <p><i>18 May 2017 - 5:10 PM - Leisa Bartlett</i> Documents signed and sealed and forwarded to Council's solicitor.</p>		
<p>Ordinary Meeting of the Council 26 April 2017</p>	<p>False</p>	<p>Confidential Matters</p>
<p>ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 79/17 - DATED APRIL 10, 2017 - LEASE AT AIRPORT TO AIRSERVICES AUSTRALIA - PART OF LOT 1 IN DP1162606 AND LOT 3 IN DP1162606 - CONFIDENTIAL 11/197</p> <p>(General Manager's Note: This report considers a lease 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).</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> That Broken Hill City Council Report No. 79/17 dated April 10, 2017, be received. That Council enters a lease arrangement with AirServices Australia for use of land at the Airport for aviation control services being Part of Lot 1 in DP1162606 and Lot 3 in DP1162606. That the initial term of the lease be 10 years with 2 x 10 year options of renewal. That the rental be \$1.00 per annum. That AirServices Australia be liable for all legal fees in the set up and renewal of the lease. That the Mayor and General Manager be authorised to execute the lease documents under the Common Seal of Council. 		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
RESOLUTION		
Minute No.45533		
Councillor B. Licul moved)	That the recommendation of item 18 be adopted.
Councillor M. Clark seconded)	
CARRIED		
14 Jul 2017 - 4:46 PM - Leisa Bartlett		
Action reassigned to Francois VanDerBerg by: Leisa Bartlett		
16 Jun 2017 - 2:38 PM - Leisa Bartlett		
Liaising with Solicitor regarding amendants requested from AirServices Australia		
19 May 2017 - 10:59 AM - Leisa Bartlett		
Letter sent to Solicitor advising of Council resolution to draw up new lease documents.		
Ordinary Meeting of the Council 28 June 2017	False	Reports
ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 105/17 - DATED JUNE 14, 2017 - LIVE STREAMING - COMMUNICATIONS AUDIT 16/6		
<u>Recommendation</u>		
1. That Broken Hill City Council Report No. 105/17 dated June 14, 2017, be received.		
2. That Council supports a closed trial of live streaming for the July 2017 Council Meeting, with subsequent meetings to be streamed to the public from August 2017.		
3. That Council note the communications audit being undertaken with Sauce Communications, and current data surrounding community engagement.		
RESOLUTION		
Minute No.45568		
Councillor D. Gallagher moved)	That the recommendation of item 9 be adopted.
Councillor B. Licul seconded)	
CARRIED		
31 Jul 2017 - 3:00 PM - Leisa Bartlett		
A trial of Live Streaming took place at the July Council Meeting. COMPLETE		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 28 June 2017	False	Reports
ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 112/17 - DATED JUNE 13, 2017 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 371 HELD TUESDAY JUNE 6, 2017.		
<p style="text-align: right;">11/397</p>		
<p><u>Recommendation</u></p>		
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 112/17 dated June 13, 2017, be received. 2. That the minutes for the Local Traffic Committee Meeting No. 371, held June 6, 2017, be received. 3. Item number 371.7.1 - That the request for road closure as per The Palace Hotel's Traffic Control Plan for: <p style="margin-left: 40px;">Date: 5/24/2017 Author: D Morris Project: Road Closure – Broken Heel Festival Card Number 0033028816.</p> <p style="margin-left: 40px;">be endorsed by Council and that any costs associated with the road closure be covered by The Palace Hotel.</p> 4. Item number 371.7.2 – That the loading zone located in Oxide Street in front of the Old Royal Tavern, 146-148 Oxide Street, be removed and replaced with parallel parking. A taxi zone to be placed in Mica Street near the vicinity of the Old Royal Tavern, 146-148 Oxide Street for the purpose of allowing a drop-off area with the aim to reduce the occurrence of double parking in the Oxide Street area 5. Item number 371.7.3 – That Council notes that the committee have no objections to the School of the Air, Motorcade Event that will be held on Tuesday, 1 August 2017 6. Item number 371.7.4 – That Council contact the businesses within Argent Lane from Bromide to Kaolin Streets in relation to the proposed installation of 'No Parking Signs'; and if there are no objections from this consultation, signage will be installed. 7. Item number 371.7.5 – That existing signage located in the vicinity of 130 – 136 Eyre Street be removed and replaced with two 'No Stopping' signs. 		
<p>RESOLUTION Minute No.45569 Councillor M. Browne moved) Councillor C. Adams seconded)</p>		<p>That the recommendation of item 10 be adopted.</p> <p style="text-align: right;">CARRIED</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 28 June 2017	False	Confidential Matters
<p>ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 116/17 - DATED JUNE 06, 2017 - LICENCE TO OPERATE KIOSK AND CLEANING OF THE TERMINAL BUILDING AT THE BROKEN HILL AIRPORT - CONFIDENTIAL 11/197</p>		
<p>(General Manager's Note: This report considers a licence agreement 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).</p>		
<p><u>Recommendation</u></p>		
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 116/17 dated June 6, 2017, be received. 2. That Council approves a licence to the current operators (Baust and Johnstone) for operation of the Airport Kiosk and cleaning of the Airport Terminal Building on Council's behalf, for a twelve month period commencing July 1, 2017. 3. That Council pays the licensee the current licence amount with a 2.39% CPI increase. 4. That all other terms be in accordance with the previous licence agreement. 5. That the Mayor and General Manager be authorised to sign the licence agreement under the Common Seal of Council. 		
<p>RESOLUTION</p>		
<p>Minute No.45574</p>		
Councillor C. Adams moved)	That the recommendation of item 17 be adopted.
Councillor D. Gallagher seconded)	
<p style="text-align: right;">CARRIED</p>		
<p>31 Jul 2017 - 2:55 PM - Leisa Bartlett</p>		
<p>Lease finalised and signed by all parties. COMPLETE</p>		
<p>14 Jul 2017 - 3:33 PM - Leisa Bartlett</p>		
<p>Instructions sent to Solicitor and draft licence has been received for checking.</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 28 June 2017	False	Confidential Matters
ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 117/17 - DATED JUNE 14, 2017 - LEASE OF NORTH MINE HALL TO FAR WEST HACC SERVICES INC - CONFIDENTIAL 13/17 (General Manager's Note: This report considers a lease 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).		
Recommendation		
1. That Broken Hill City Council Report No. 117/17 dated June 14, 2017, be received. 2. That Council enters a new lease agreement with Far West HACC Services Inc for exclusive use of the North Mine Hall for an initial twelve (12) month period commencing 1 July 2017 and concluding 30 June 2018; with three options to renew of twelve (12) months duration. 3. That the rental fee be set at \$5,000.00 per year for the initial lease (which will be covered by a Community Assistance Grant) and the three (3) x twelve (12) month renewal options at a peppercorn rental fee of \$1.00 per annum. 4. That the lease include a clause to allow the Far West HACC Services Inc to terminate the lease with one month's notice should government funding not be approved for the operation of the Senior's Lounge. 5. That Far West HACC Services Inc makes the hall available as a polling place when required for Local, State and Federal Elections. 6. That each party is responsible for their respective legal fees. 7. That the Mayor and General Manager be authorised to sign the lease documents under the Common Seal of Council.		
RESOLUTION Minute No.45575 Councillor B. Algate moved) Councillor D. Gallagher seconded)		
		That the recommendation of item 18 be adopted.
		CARRIED
18 Aug 2017 - 4:21 PM - Leisa Bartlett Far West HACC request an amendment. Lease documents being re-issued for signature. 31 Jul 2017 - 2:56 PM - Leisa Bartlett Draft lease received and checked. Lease finalised and solicitor forwarding to Far West HACC for signing. 14 Jul 2017 - 3:34 PM - Leisa Bartlett Instructions sent to Solicitor to draw up new lease.		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 28 June 2017	False	Confidential Matters
<p>ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 118/17 - DATED JUNE 13, 2017 - ACCESS ARRANGEMENT FOR EXPLORATION LICENCE EL8457 WILLYAMA COMMON - CONFIDENTIAL 11/63</p> <p>(General Manager's Note: This report considers a licence agreement 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).</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 118/17 dated June 13, 2017, be received. 2. That Council as Trustees of the Willyama Common, advise CBH Resources that EL 8457 is affected by Aboriginal Land Claim 40471, and that permission from the Claim Unit (in Crown Lands) will be required. 3. That the Code of Environmental Practice for Mineral Exploration on Willyama Common be attached to the Agreement as a special condition. 4. That Council as Trustees of the Willyama Common, sign the Land Access and Compensation Agreement for Mineral Exploration after receiving written advice that CBH Resources has dealt with the Aboriginal Land Claim that affects the area. <p>RESOLUTION Minute No.45576 Councillor B. Algate moved) Councillor J. Nolan seconded)</p> <p>That the recommendation of item 19 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>03 Jul 2017 - 3:20 PM - Elizabeth Guest</i> CBH notified of land claim details for the site</p>		
Ordinary Meeting of the Council 26 July 2017	False	Mayoral Minute
<p>ITEM 1 - MAYORAL MINUTE NO. 5/17 - DATED JULY 26, 2017 - ILLEGAL WATER EXTRACTION PRACTICES IN THE BARWON-DARLING RIVER SYSTEM UNDERMINING THE FUTURE OF THE MURRAY DARLING BASIN SCHEME 11/426</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> 1. That Mayoral Minute No. 5/17 dated July 26, 2017, be received. 2. That the Broken Hill City Council expresses its disgust at the betrayal of the people of western NSW and the reckless disregard for the Murray Darling Basin Plan which have been revealed by the Four Corners program. 		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
	<ol style="list-style-type: none"> 3. That this Council supports the establishment of a royal commission or high level judicial inquiry of equal status into the abuse of water sharing plans and the theft of water intended for environmental use as revealed by the Four Corners report. 4. That the Broken Hill City Council calls on the NSW government as a matter of urgency to reinstate the Compliance Unit which was investigating water extraction in NSW and to report publicly on its findings as a matter of urgency as soon as they become available. 5. That the Council calls on the NSW government to place an immediate moratorium on the construction of the Wentworth to Broken Hill water pipeline and, further, calls for the immediate release of the Business Plan that led to the decision to construct this pipeline. 	
<p>RESOLUTION Minute No.45580 Councillor D. Turley moved) Councillor M. Clark seconded)</p>		<ol style="list-style-type: none"> 1. That Mayoral Minute No. 5/17 dated July 26, 2017, be received. 2. That the Broken Hill City Council expresses its disgust at the betrayal of the people of western NSW and the reckless disregard for the Murray Darling Basin Plan which have been revealed by the Four Corners program. 3. That this Council supports the establishment of a royal commission or high level judicial inquiry of equal status into the abuse of water sharing plans and the theft of water intended for environmental use and Broken Hill's water supply as revealed by the Four Corners report. 4. That the Broken Hill City Council calls on the NSW government as a matter of urgency to reinstate the Compliance Unit which was investigating water extraction in NSW and to report publicly on its findings as a matter of urgency as soon as they become available. 5. That the Council calls on the NSW government to place an immediate moratorium on the construction of the Wentworth to Broken Hill water pipeline and, further, calls for the immediate release of the Business Plan that led to the decision to construct this pipeline. <p style="text-align: right;">CARRIED</p>
<p>18 Aug 2017 - 3:36 PM - Louise Schipanski Correspondence sent to the Premier, with copies to: Mr Luke Foley, Leader of the Opposition</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Mr Mark Coulton, Federal Member for the Electorate of Parkes Mr Kevin Humphries, Member for Barwon COMPLETE		
Ordinary Meeting of the Council 26 July 2017	False	Notice of Motion
ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 4/17 - DATED JULY 20, 2017 - FORMATION OF STANDING COMMITTEE STRUCTURE		11/21
<p><u>Notice of Motion</u></p> <p>1. That Broken Hill City Council forms a standing committee structure that meets in the week prior to the ordinary monthly meeting of Council. The committees will vote on and pass recommendations for business to be discussed and voted on at the monthly meetings of Council. That the current portfolio system continues in conjunction with the standing committees.</p> <p>RESOLUTION Minute No.45581 Councillor M. Browne moved) Councillor B. Licul seconded)</p> <p>That the matter be deferred to allow Chairpersons of the Key Direction Working Groups to present a report to the August Council Meeting with recommendations to improve the operation of the Key Direction Working Groups.</p> <p>That the scheduled six monthly review report of the Key Direction Working Groups still apply and be presented to the September Council Meeting.</p> <p style="text-align: right;">CARRIED</p> <p><i>18 Aug 2017 - 3:45 PM - Louise Schipanski</i></p> <p>Meeting held with the Chairs of each Key Direction on 3 August 2017. The Terms of Reference has been updated and a report prepared for August Ordinary meeting. COMPLETE</p>		
Ordinary Meeting of the Council 26 July 2017	False	Reports
ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 119/17 - DATED JULY 13, 2017 - WESTERN DIVISION STRATEGIC PLAN		11/173
<p>RESOLUTION Minute No.45582 Councillor D. Gallagher moved) Councillor C. Adams seconded)</p> <p>1. That Broken Hill City Council Report No. 119/17 dated July 13, 2017, be received.</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
		<p>2. That Council commits to being a member of the Western Division Group of Councils for a period of four years (2017/2018, 2018/2019, 2019/2020 and 2020/2021 financial years).</p> <p>3. That Council endorses the Western Division Strategic Business Plan proposal and advises the Western Division Councils of NSW of Broken Hill City Council's four year membership pledge.</p> <p>4. That more responsibility be placed on the invited members (non-government organisations, government department representatives, Department of Premier and Cabinet and non-voting members) to have an obligation to attend meetings; and that this obligation be a funding requirement for non-government organisations in the Western Division region.</p> <p>4. That Council advise the Western Division Executive and the Parliamentary Secretary of Western NSW of its decision.</p> <p style="text-align: right;">CARRIED</p> <p><i>18 Aug 2017 - 3:47 PM - Louise Schipanski</i></p> <p>Council has committed to being a member of the Western Division Group of Councils for a period of four years. COMPLETE</p>
Ordinary Meeting of the Council 26 July 2017	False	Reports
<p style="text-align: center;">ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 120/17 - DATED JUNE 02, 2017 - ADOPTION OF DRAFT COMPLIANCE AND ENFORCEMENT POLICY 2017 12/14</p>		
<p><u>Recommendation</u></p>		
<p>1. That Broken Hill City Council Report No. 120/17 dated June 2, 2017, be received.</p> <p>2. That Council adopts the Draft Compliance and Enforcement Policy 2017 as a Policy of Council.</p>		
<p>RESOLUTION</p> <p>Minute No.45583</p> <p>Councillor C. Adams moved)</p> <p>Councillor M. Clark seconded)</p> <p style="text-align: right;">That the recommendation of item 4 be adopted.</p> <p style="text-align: right;">CARRIED</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>31 Jul 2017 - 2:57 PM - Leisa Bartlett</p> <p>All processes complete to adopt new policy. COMPLETE</p>		
Ordinary Meeting of the Council 26 July 2017	False	Reports
<p>ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 121/17 - DATED JUNE 02, 2017 - ADOPTION OF DRAFT RELATED PARTY TRANSACTION POLICY 12/14</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> That Broken Hill City Council Report No. 121/17 dated June 2, 2017, be received. That Council adopts the Draft Related Party Transaction Policy as a Policy of Council. <p>RESOLUTION</p> <p>Minute No.45584</p> <p>Councillor B. Licul moved) Councillor M. Clark seconded)</p> <p>That the recommendation of item 5 be adopted.</p> <p style="text-align: right;">CARRIED</p>		
<p>31 Jul 2017 - 2:57 PM - Leisa Bartlett</p> <p>All processes complete to adopt new policy. COMPLETE</p>		
Ordinary Meeting of the Council 26 July 2017	False	Reports
<p>ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 122/17 - DATED JUNE 20, 2017 - DRAFT CIVIC AND CEREMONIAL FUNCTIONS AND REPRESENTATION POLICY FOR PUBLIC EXHIBITION 12/14</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> That Council endorse the Draft Civic and Ceremonial Functions and Representation Policy for the purposes of public consultation. That the Draft Civic and Ceremonial Functions and Representation Policy be exhibited for public comment for a 28 day period. That the 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 Civic and Ceremonial Functions and Representation Policy. 		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
RESOLUTION		
Minute No.45585		
Councillor C. Adams moved)	That the recommendation of item 6 be adopted.
Councillor M. Browne seconded)	
CARRIED		
28 Jul 2017 - 4:38 PM - Leisa Bartlett		
Draft Policy placed on public exhibition 29/7/17 to 25/8/17. COMPLETE		
Ordinary Meeting of the Council 26 July 2017	False	Reports
ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 126/17 - DATED JUNE 22, 2017 - MINUTES OF THE BROKEN HILL LIVING MUSEUM + PERFECT LIGHT PROJECT STEERING GROUP MEETINGS AND REVISED TERMS OF REFERENCE		
		14/181
<u>Recommendation</u>		
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 126/17 dated June 22, 2017, be received. 2. That Council adopts the revised Broken Hill Living Museum + Perfect Light Project Steering Group – Terms of Reference. 3. That Council adopts the inclusion of three (3) Broken Hill Aboriginal Community Working Party Representatives Maureen O'Donnell, Donna Cruickshank and Denise Hampton on the Broken Hill Living Museum + Perfect Light Project Steering Group. 4. That minutes of the Broken Hill Living Museum + Perfect Light Project Steering Group Meeting held March 14, 2017 be received. 5. That minutes of the Broken Hill Living Museum + Perfect Light Project Steering Group Meeting held May 2, 2017 be received. 6. That minutes of the Broken Hill Living Museum + Perfect Light Project Steering Group Meeting held May 23, 2017 be received. 		
RESOLUTION		
Minute No.45589		
Councillor B. Licul moved)	That the recommendation of item 10 be adopted.
Councillor C. Adams seconded)	
CARRIED		
17 Aug 2017 - 10:32 AM - Leisa Bartlett		
Three new members representing the Broken Hill Aboriginal Community Working Party, Maureen O'Donnell, Donna Cruickshank and Denise Hampton have been included and formally welcomed to the Broken Hill Living Museum + Perfect Light Project Steering Group. COMPLETE		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 26 July 2017	False	Reports
ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 127/17 - DATED JULY 06, 2017 - FLYING OF THE RAINBOW FLAG DURING BROKEN HEEL FESTIVAL 11/161		
<u>Recommendation</u>		
1. That Broken Hill City Council Report No. 127/17 dated July 6, 2017, be received. 2. That Council approve the flying of the Rainbow Flag at the Council Administration Building, Town Hall Façade, Broken Hill Civic Centre and the Town Square throughout the period leading into, during and following the Broken Heel Festival each year.		
RESOLUTION		
Minute No.45590		
Councillor B. Licul moved)	That the recommendation of item 11 be adopted.
Councillor C. Adams seconded)	
		CARRIED
Ordinary Meeting of the Council 26 July 2017	False	Reports
ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 129/17 - DATED JULY 13, 2017 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 372 HELD TUESDAY JULY 4, 2017. 11/397		
<u>Recommendation</u>		
1. That Broken Hill City Council Report No. 129/17 dated July 13, 2017, be received. 2. That the minutes for the Local Traffic Committee Meeting No. 372, held July 4, 2017, be received. 3. Item number 372.7.5 - That concrete speed humps be installed on east side of the entry to the Warnock Street Depot and to investigate the option of making the S-bend a T-intersection with a stop sign to be located adjacent to the entry of the Warnock Depot. 4. Item number 372.7.3 - That the request for the temporary road closure effecting Argent Street traffic be endorsed by Council and that any costs associated with the road closure be covered by the proponent.		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>RESOLUTION Minute No.45592 Councillor M. Browne moved) Councillor B. Licul seconded)</p>		
		<p>That the recommendation of item 13 be adopted.</p> <p style="text-align: right;">CARRIED</p>
Ordinary Meeting of the Council 26 July 2017	False	Committee Reports
<p>ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 131/17 - DATED JULY 05, 2017 - NOMINATION FOR MEMBERSHIP OF MEMORIAL OVAL COMMUNITY COMMITTEE 12/52</p> <p><u>Recommendation</u></p> <p>1. That Broken Hill City Council Report No. 131/17 dated July 5, 2017, be received.</p> <p>2. That Ms Jody Whitehair be appointed as a community representative on the Memorial Oval Community Committee.</p> <p><i>28 Jul 2017 - 4:38 PM - Leisa Bartlett</i></p> <p>Process complete to appoint new member. COMPLETE</p>		
Ordinary Meeting of the Council 26 July 2017	False	Confidential Matters
<p>ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 134/17 - DATED JULY 03, 2017 - EXPRESSIONS OF INTEREST - EVENT SPONSORSHIP 2017 - 2018 - CONFIDENTIAL 11/117</p> <p>(General Manager's Note: This report considers information of a commercial nature and details that may confer a commercial advantage on competitors/other events and is deemed confidential under Section 10A(2) (d) of the Local Government Act, 1993 which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).</p>		
<p>RESOLUTION Minute No.45598 Councillor B. Licul moved) Councillor M. Clark seconded)</p>		<p>That the matter be deferred pending discussion and review of the applications and the Sponsorship process at the Our Economy Key Direction Working Group.</p> <p>That a further report be presented to the August Council Meeting.</p> <p style="text-align: right;">CARRIED</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT										
Ordinary Meeting of the Council 26 July 2017	False	Confidential Matters										
<p>ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 135/17 - DATED JULY 06, 2017 - OPTUS ALTERNATIVE LEASE PROPOSAL - 334 MCCULLOCH STREET - CONFIDENTIAL 11/467</p> <p>(General Manager's Note: This report considers a lease 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).</p>												
<p>Recommendation</p>												
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 135/17 dated July 6, 2017, be received. 2. That Council resolution minute no 45303 dated 29 June 2016 be rescinded in favour of the following: 3. That Council lease part of Lot 22 in DP 1211288 to Optus for the co-location of telecommunication equipment, subject to the following conditions: <ol style="list-style-type: none"> a) That 2 (two) outdoor equipment cabinets and associated infrastructure be installed on the land in lieu of an equipment shelter or shed; b) That all fencing materials, colour and design match and align with the fencing used for the Telstra compound; c) That the lessee (Optus) be responsible for a compiled plan of the premises for lease purposes drafted by a surveyor; d) That the lease be 4 x 5 year leases. Term 1 to commence on the date of execution of lease agreement and expires on 31/1/2020, term 2 to commence on 1/2/2020 to 31/1/2025, term 3 to commence on 1/2/2025 to 31/1/2030 and term 4 to commence on 1/2/2030 until 31/1/2035; e) That, in addition to Council's legal costs for the negotiation and execution of the lease and reasonable disbursements, Optus be liable for all survey, plan drawing and other fees associated with the preparation of this lease agreement. f) That the annual rent be set at \$6000 per annum and to be adjusted annually in accordance with the NSW Consumer Price Index. g) That documents required to be sealed be executed by the General Manager and Mayor under Council's Seal. 												
<table border="1" style="width: 100%;"> <tr> <td data-bbox="232 1145 1055 1174">RESOLUTION</td> <td data-bbox="1057 1145 1886 1174"></td> </tr> <tr> <td data-bbox="232 1176 1055 1201">Minute No.45599</td> <td data-bbox="1057 1176 1886 1201"></td> </tr> <tr> <td data-bbox="232 1203 1055 1228">Councillor M. Browne moved)</td> <td data-bbox="1057 1203 1886 1228">That the recommendation of item 21 be adopted.</td> </tr> <tr> <td data-bbox="232 1230 1055 1256">Councillor T. Kennedy seconded)</td> <td data-bbox="1057 1230 1886 1256"></td> </tr> <tr> <td data-bbox="232 1257 1055 1283"></td> <td data-bbox="1057 1257 1886 1283" style="text-align: right;">CARRIED</td> </tr> </table>			RESOLUTION		Minute No.45599		Councillor M. Browne moved)	That the recommendation of item 21 be adopted.	Councillor T. Kennedy seconded)			CARRIED
RESOLUTION												
Minute No.45599												
Councillor M. Browne moved)	That the recommendation of item 21 be adopted.											
Councillor T. Kennedy seconded)												
	CARRIED											

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 26 July 2017	False	Reports
ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 125/17 - DATED JUNE 27, 2017 - PROPOSED COMPULSORY ACQUISITION OF CROWN LAND AND PART OF WILLYAMA COMMON FOR EXTENSION TO BROKEN HILL LANDFILL FACILITY 11/63		
<u>Recommendation</u>		
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 125/17 dated June 27, 2017, be received. 2. That Council resolution minute no. 42491 dated 29 September 2010 be rescinded. 3. That the Willyama Common Trust raise no objection to the proposed acquisition of part of Willyama Common Reserve No. 2421, Lot 7300 in DP 1179131, under the terms of the <i>Local Government Act 1993</i> for the purpose of extension of Landfill. 4. That Council make an application to the Minister and Governor for approval to acquire part of the Willyama Common Reserve No. 2421 described as Lot 7300 in DP 1179131 and Crown Land described as Lot 1974 in DP 757298 by compulsory process under section 186(1) of the <i>Local Government Act 1993</i> for the purpose of extension of Landfill in accordance with the requirements of the <i>Land Acquisitions (Just Terms Compensation) Act 1991</i>. 5. That the land concerned once acquired be classified as operational land. 6. That documents required to be sealed by the Willyama Common Trust be executed by the General Manager and Mayor under Council's Seal in the absence of a Trust Seal. 		
RESOLUTION Minute No.45588 Councillor R. Page moved) Councillor B. Licul seconded)		That the recommendation of item 9 be adopted.
CARRIED		

COMMITTEE REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 152/17 - DATED AUGUST 15, 2017 - MINUTES OF THE ART GALLERY ADVISORY COMMITTEE MEETING HELD 22 MAY 2017 (12/46)..... 254

ORDINARY MEETING OF THE COUNCIL

August 15, 2017

ITEM 1**BROKEN HILL CITY COUNCIL REPORT NO. 152/17**

SUBJECT: **MINUTES OF THE ART GALLERY ADVISORY COMMITTEE**
MEETING HELD 22 MAY 2017 **12/46**

Recommendation

1. That Broken Hill City Council Report No. 152/17 dated August 15, 2017, be received.
2. That minutes of the Broken Hill Regional Art Gallery Advisory Committee Meeting held 22 May 2017 be received.

Executive Summary:

Council has received minutes of the Broken Hill Regional Art Gallery Advisory Committee Meeting held 22 May 2017 for endorsement by Council.

Report:

As per Council's Section 355 Advisory Committee Framework Manual and the Constitution of the Broken Hill Heritage Committee (both adopted March 2017), the Committee is required to provide Council with a copy of their meeting minutes following each Committee meeting.

Accordingly, the Broken Hill Regional Art Gallery Advisory Committee has submitted minutes from its meeting held 22 May 2017 for Council's endorsement.

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 Councils Section 355 Committees in undertaking their duties with Council

Relevant Legislation:

The Broken Hill Regional Art Gallery Advisory Committee operates under Council's S355 Advisory Committee Framework Manual, the Broken Hill Regional Art Gallery Advisory Committee Constitution and the *Local Government Act, 1993* (Section 355).

Financial Implications:

Nil.

Attachments

1. [↓](#) Minutes of the Broken Hill Art Gallery Advisory Committee Meeting 22/05/2017

RAZIJA NU'MAN
CORPORATE RESPONSIBILITY OFFICER

JAMES RONCON
GENERAL MANAGER



ORDINARY MEETING MINUTES TEMPLATE

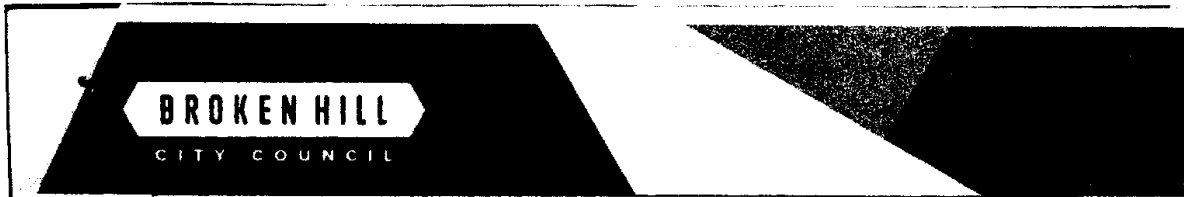
MINUTES – Art Gallery Advisory Committee

*Minutes confirmed 12/7
Susanne Olsen
seconded -
Robyn*

Date	22/05/2017	Time Meeting opened: 1715	Time Meeting closed: 2040
Location	Broken Hill Regional Art Gallery		
Present	Cr. Maureen Clark, Cr. Branko Licul, Tracy Fraser, John Sloane, Iris Dobbin, Susanne Olsen, Andrew Gosling, Robyn Taylor, Tara Callaghan (non-member), Darren Parker (non-member), Ryan O'Callaghan (non-member)		
Apologies	Rick Ball, Clark Barrett, Jenny Cattonar, Stan Dineen, Eve-lyn Kennedy, Justice Simon Malesworth, Natasha Bearman (absent), Cr Ron Page (absent)		
Observer			
Next Meeting	Wednesday 12 July 2017		

*Mavis
Chair*

AGENDA	MOVED BY	SECONDED
Welcome and Apologies	Cr. Clark	
Confirmation of Minutes from previous meeting held	Tracy Fraser	Andrew Gosling
Correspondence: <i>NIL</i> <ul style="list-style-type: none"> • Correspondence In • Correspondence Out 		
Reports: <i>NIL</i> <ul style="list-style-type: none"> • Name of Report • Financial Report 		
General business <i>No General Business was discussed due to finalist judging</i>		
Pro Hart Outback Art Prize Finalist Judging <i>264 entrants 43 finalists selected</i>		
Work, Health and Safety <i>NIL</i>		
Future Agenda Items <ol style="list-style-type: none"> 1. <i>Hand out and read constitution with all members (Chair and Tara)</i> 2. <i>Pro Hart Outback Art Prize – review of selection process (Chair, Tara, Clark Barrett)</i> 3. <i>Update on acquisitions (Tara)</i> 4. <i>Update on collection re-hang (tour with Tara to talk through new pieces)</i> 5. <i>Update on restoration project (Tara will show new work)</i> 		



AGENDA	MOVED BY	SECONDED
<p><i>that has been elected for restoration)</i></p> <p>6. Update on building changes (Tara)</p> <p>7. Discuss MC duties at Gallery Openings (Chair and Tara)</p> <p>8. Potential extension of the exhibition cycle for 2019 (Tara)</p> <p>9. Briefing on Artists in Residence (Rick Ball)</p>		
<p>Next Meeting Wednesday 12th July 2017</p>		
<p>Meeting Closed There being no further business the Chairperson declared the meeting closed at 20.40 pm.</p>		

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETINGS

1. QUESTIONS ON NOTICE NO. 9/17 - DATED JULY 28, 2017 - COUNCILLORS QUESTIONS TAKEN ON NOTICE AT THE JULY 2017 COUNCIL MEETING (11/299, 11/63, T16/13)..... 259

ORDINARY MEETING OF THE COUNCIL

July 28, 2017

ITEM 1QUESTIONS ON NOTICE NO. 9/17

SUBJECT: COUNCILLORS QUESTIONS TAKEN ON NOTICE AT THE JULY 2017 COUNCIL MEETING 11/299, 11/63, T16/13

Summary

The following report provides responses to questions from Councillors that were taken on notice at the Council Meeting held July 26, 2017.

Recommendation

1. That Questions On Notice No. 9/17 dated July 28, 2017, be received.

Background

Below are the responses to questions from Councillors which were taken on notice at the Council Meeting held July 26, 2017.

Question:

Incentive for House Numbering (from Item 4) 11/299
The General Manager took a question on notice from Councillor Clark as to whether Council can mandate where homeowners display their house numbers.

Response:

There are two ways Council may control the location of house numbers: development controls and orders.

It is possible that Council, as the consent authority, could place conditions upon a development consent that required house numbers to be displayed in a particular location or manner.

However, it may be difficult for such a condition to meet the following criteria to be lawful and enforceable (the Newbury test):

1. It must be imposed for a planning purpose.
2. It must fairly and reasonably relate to the development for which permission is being given.
3. It must be reasonable.

There are also a significant number of situations where house numbers may be erected without the need for consent. This means Council would have no opportunity to place such conditions on a consent, as no consent is required to be obtained.

For example, one of the criteria for a letterbox to be exempt development is that it must have appropriate numbering that is visible from the road alignment (State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, Part 2, Division 1, Subdivision 25). House numbering could also be erected as exempt development in accordance with the provisions for Building Identification Signs (State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, Part 2, Division 2, Subdivision 2).

Council also has opportunity to mandate the location of house numbers by serving an order on the owner or occupier of the land “to identify [the] premises with such numbers or other identification in such manner as specified in the order” (order 8 in the table to section 124, Local Government Act 1993).

Such an order can only be issued if the premises concerned has a frontage to or entrance from a road and there are no markings that can readily be seen and understood from the road. Procedural fairness requirements must also be met, as stipulated in the Act.

In considering issuing an order under the Local Government Act 1993, Council must consider (in addition to relevant provisions in the Act and Regulation) its adopted Local Orders Policy.

Council’s current Local orders Policy was adopted at the General Meeting on 30 September 2015. The policy is currently under a routine review by staff and a revised version will be presented to Council in the coming months.

The current Local Orders Policy indicates that, in determining whether to issue an order of the type discussed above, Council will consider the following criteria:

- Whether a local emergency service or other relevant body considers that the property lacks adequate identification.
- Whether the property number can be easily legible from the road. Digits should be no less than 50mm in height.
- For residential premises, whether the house numbers are displayed in large, reflective digits on the house facade and/or the letter box.
- For non-residential premises, whether the property numbers are displayed in large, reflective digits on the facade of the main building.
Where this position or building is not clearly visible from the road, the digits should be placed on a fence, sign or similar structure close to the street frontage.
- Whether there is unauthorised use of, or duplication of, numbers.
- Whether numbers are not in accordance with the street patterns.
- Whether there is potential for confusion in the identification of premises.
- If plants, trees or other objects obstruct existing identification signage or numbers from being clearly legible from the road, additional identification should be erected or the obstruction removed.
- Kerbside numbering is recommended and encouraged, but does not replace the need for the premises to be identified elsewhere, in accordance with the above principles.

Question:

Acquisition of Crown Land for Broken Hill Landfill Extension (from Item 9) 11/63
The General Manager took a question on notice from Councillor Kennedy regarding the exact cost of acquiring the Crown Land for an extension to the Broken Hill Landfill facility.

Response:

The exact amount to be paid for the land, to be acquired through the compulsory process, is not known at this stage – 9.08.2017.

The cost of the land may be determined through two methods.

The method commonly used with compulsory acquisitions is to obtain a valuation from the Valuer General subsequent to the gazettal of the Acquisition Notice in the Government Gazette.

The second method is negotiations with the landowner. Council is currently exploring this method. No cost is determined at the time of writing this report.

Question:

Animal Control Facility T16/13
Councillor Adams asked if an update report could be provided to Council regarding the Animal Control Facility.

The tender document has been rewritten to provide for a lump sum contract and is currently being reviewed by the project manager. It is envisaged that the tender will be advertised towards the end of August 2017

Attachments

There are no attachments for this report

JAMES RONCON
GENERAL MANAGER

CLOSED

Council Meeting to be held **Wednesday, August 30, 2017**

1. **MAYORAL MINUTE NO. 6/17 - DATED JUNE 19, 2017 - GENERAL MANAGER'S PERFORMANCE REVIEW - CONFIDENTIAL**

(General Manager's Note: This report considers a staffing matter and is deemed confidential under Section 10A(2) (a) of the Local Government Act, 1993 which contains matters that will involve the discussion of personnel matters concerning a particular individual).

2. **BROKEN HILL CITY COUNCIL REPORT NO. 153/17 - DATED AUGUST 17, 2017 - EVENT SPONSORSHIP 2017 - CONFIDENTIAL**

(General Manager's Note: This report considers information of a confidential nature and may confer a commercial advantage on competitors/other events and is deemed confidential under Section 10A(2) (d) of the Local Government Act, 1993 which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

3. **BROKEN HILL CITY COUNCIL REPORT NO. 154/17 - DATED AUGUST 23, 2017 - CIVIC CENTRE REDEVELOPMENT - LEGAL REVIEW BRIEFING - CONFIDENTIAL**

(General Manager's Note: This report considers legal advice and is deemed confidential under Section 10A(2) (g) of the Local Government Act, 1993 which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).

4. **MAYORAL MINUTE NO. 7/17 - DATED AUGUST 22, 2017 - PROBITY AUDIT REPORT - CIVIC CENTRE REFURBISHMENT PROJECT AV CONTRACT PROBITY AUDIT REVIEW - CONFIDENTIAL**

(General Manager's Note: This report considers probity audit of Telstra contractual arrangements with Broken Hill City Council and is deemed confidential under Section 10A(2) (g) of the Local Government Act, 1993 which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).