

September 18, 2019

ORDINARY MONTHLY MEETING

TO BE HELD


WEDNESDAY, SEPTEMBER 25, 2019

Please address all communications to:
The General Manager
240 Blende Street
PO Box 448
Broken Hill NSW 2880
Phone 08 8080 3300
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Dear Sir/Madam,

Your attendance is requested at the Ordinary Meeting of the Council of the City of Broken Hill to be held in the Council Chamber, Sulphide Street, Broken Hill on **Wednesday, September 25, 2019** commencing at 6:30 p.m. to consider the following business:

- 1) Opening Meeting
- 2) Apologies
- 3) Prayer
- 4) Acknowledgement of Country
- 5) Minutes for Confirmation
- 6) Disclosure of Interest
- 7) Mayoral Minute(s)
- 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
- 16) Conclusion of the meeting


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, August 28, 2019.

Minutes of the Extraordinary Meeting of the Council of the City of Broken Hill held Wednesday, September 04, 2019.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
AUGUST 28, 2019

Meeting commenced at 6:30pm

PRESENT:

Councillor D. Turley AM (Mayor) Councillor M. Browne (Deputy Mayor)
Councillors C. Adams, B. Algate, M. Clark, D. Gallagher, T. Kennedy,
B. Licul, J. Nolan and R. Page.

General Manager, Chief Operations Officer, Chief Financial Officer,
Director Corporate, Manager Communications, Governance Officer and
Executive Support Officer.

Media (3), Members of the Public (7).

APOLOGIES:

Nil

PRAYER

Councillor Adams delivered the prayer

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 46049

Councillor C. Adams moved
Councillor M. Browne seconded

)

)

That the Minutes of the Ordinary Meeting of the
Council of the City of Broken Hill held July 31,
2019 be confirmed.

CARRIED

DISCLOSURE OF INTEREST

Nil.

MAYORAL MINUTES

Nil.

NOTICES OF MOTION

Nil.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Nil.

REPORTS

ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 127/19 - DATED AUGUST 06, 2019 - 2017-2021 DELIVERY PROGRAM – KEY PERFORMANCE INDICATORS PROGRESS REPORT TO 30 JUNE 2019, INCLUSIVE OF OPERATIONAL PLAN 2018/2019 OUTCOMES 16/165

Motion

- Councillor T. Kennedy moved)
Councillor B. Algate seconded)
1. That Broken Hill City Council Report No. 127/19 dated August 6, 2019, be received.
 2. That Council adopt the 2017-2021 Delivery Program – Key Performance Indicators Progress Report to 30 June 2019, inclusive of Operational Plan 2018/2019 outcomes.
 3. That Council issues a media release apologising for the many Key Performance Indicators that were not met in the Delivery Program for 2018/2019.

Amendment

- Councillor M. Browne moved)
Councillor M. Clark seconded)
1. That Broken Hill City Council Report No. 127/19 dated August 6, 2019, be received.
 2. That Council adopt the 2017-2021 Delivery Program – Key Performance Indicators Progress Report to 30 June 2019, inclusive of Operational Plan 2018/2019 outcomes.

CARRIED

FOR: Crs Adams, Browne, Gallagher, Licul, Turley, Clark, Page and Nolan
AGAINST: Crs Algate and Kennedy

The amendment becomes the motion.

RESOLUTION

Minute No. 46050

- Councillor M. Browne moved)
Councillor M. Clark seconded)
1. That Broken Hill City Council Report No. 127/19 dated August 6, 2019, be received.
 2. That Council adopt the 2017-2021 Delivery Program – Key Performance Indicators Progress Report to 30 June 2019, inclusive of Operational Plan 2018/2019 outcomes.

CARRIED

FOR: Crs Adams, Browne, Gallagher, Licul, Turley, Clark, Page and Nolan
AGAINST: Crs Algate and Kennedy

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 128/19 - DATED AUGUST 07, 2019 -
REVIEW AND DEVELOPMENT OF THE COMMUNITY STRATEGIC PLAN 2040 "2040 OUR
BROKEN HILL", INCLUSIVE OF THE DRAFT COMMUNITY ENGAGEMENT STRATEGY 2020 FOR
THE COMMUNITY STRATEGIC PLAN REVIEW** 19/124

Resolved

1. That Broken Hill City Council Report No. 128/19 dated August 7, 2019, be received.
2. That Council support the approach being taken to review and develop the Broken Hill Community Strategic Plan 2040.
3. That Council endorse the draft Community Engagement Strategy 2020 for phase one review and information gathering for the Community Strategic Plan.

RESOLUTION

Minute No. 46051

Councillor M. Browne moved)
Councillor C. Adams seconded) CARRIED

FOR: Crs Adams, Browne, Gallagher, Licul, Turley, Clark, Page and Nolan
AGAINST: Crs Algate and Kennedy

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 129/19 - DATED JUNE 28, 2019 -
ADOPTION OF THE DRAFT CODE OF PRACTICE CLOSED CIRCUIT TELEVISION (CCTV)
SYSTEM PROGRAMME POLICY** 12/14

Resolved

1. That Broken Hill City Council Report No. 129/19 dated June 28, 2019, be received.
2. That Council adopts the draft Code of Practice Closed Circuit Television (CCTV) Programme Policy as a Policy of Council.
3. That the General Manager be authorised to sign and undertake any further negotiations with the NSW Police Force (Barrier Police District) in relation to the Close Circuit Television (CCTV) Programme.

RESOLUTION

Minute No. 46052

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

FOR: Crs Adams, Browne, Gallagher, Licul, Turley, Clark, Page and Nolan
AGAINST: Crs Algate and Kennedy

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 130/19 - DATED AUGUST 12, 2019 -
BUDGET CARRYOVER'S 2019/20** 14/175

Recommendation

1. That Broken Hill City Council Report No. 130/19 dated August 12, 2019, be received.
2. That Council revoke the budget items as listed below in *Table 1* for the amount of \$547,384
3. That Council note the carryover budget items as listed below in *Table 2* for the amount of \$4,390,623

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
AUGUST 28, 2019

Motion

- Councillor M. Browne moved)
Councillor B. Algate seconded)
1. That Broken Hill City Council Report No. 130/19 dated August 12, 2019, be received.
 2. That Council revoke the budget items as listed below in *Table 1* for the amount of \$547,384
 3. That Council note the carryover budget items as listed below in *Table 2* for the amount of \$4,390,623

Amendment

- Councillor T. Kennedy moved)
Councillor B. Algate seconded)
1. That Broken Hill City Council Report No. 130/19 dated August 12, 2019, be received.
 2. That Council be provided with a further report on the revoke of budget items and the carryover budget items to determine if they are still Council's priorities in these areas.

LOST

FOR: Crs Algate and Kennedy
AGAINST: Crs Adams, Browne, Gallagher, Licul, Turley, Clark, Page and Nolan

The original motion was put.

RESOLUTION

Minute No. 46053

- Councillor M. Browne moved)
Councillor B. Algate seconded)
1. That Broken Hill City Council Report No. 130/19 dated August 12, 2019, be received.
 2. That Council revoke the budget items as listed below in *Table 1* for the amount of \$547,384
 3. That Council note the carryover budget items as listed below in *Table 2* for the amount of \$4,390,623

CARRIED

FOR: Crs Adams, Browne, Gallagher, Licul, Turley, M Clark, R Page and Nolan
AGAINST: Crs Algate and T Kennedy

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 131/19 - DATED AUGUST 13, 2019 - REQUEST TO WAIVE DEAD ANIMAL FEES

11/199

Resolved

1. That Broken Hill City Council Report No. 131/19 dated August 13, 2019, be received.
2. That Broken Hill City Council waive dead animal fees for the RSPCA and RRANA at the Broken Hill Waste Management Facility.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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RESOLUTION

Minute No. 46054

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

CARRIED UNANIMOUSLY

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 132/19 - DATED AUGUST 14, 2019 -
INVESTMENT REPORT FOR JULY 2019**

17/82

Resolved

1. That Broken Hill City Council Report No. 132/19 dated August 14, 2019, be received.

RESOLUTION

Minute No. 46055

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

CARRIED UNANIMOUSLY

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 133/19 - DATED AUGUST 16, 2019 -
ANNUAL INVESTMENT REVIEW FOR THE PERIOD ENDING 30 JUNE 2019**

17/82

Resolved

1. That Broken Hill City Council Report No. 133/19 dated August 16, 2019, be received.

RESOLUTION

Minute No. 46056

Councillor B. Licul moved)
Councillor M. Clark seconded)

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 134/19 - DATED AUGUST 02, 2019 -
ALCOHOL-FREE ZONES**

11/307

Motion

Councillor T. Kennedy moved)
Councillor B. Algate seconded)

1. That Broken Hill City Council Report No. 134/19 dated August 2, 2019, be received.
2. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone known as Creedon Street, including public roads and laneways, public car parks and footpath area of Creedon Street bounded by Rakow and Wills Streets.
3. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone known as Shell Memorial including all public roads and laneways, public car parks and footpaths in an area bounded by Iodide, Thomas, Bromide and Mica Streets including Oxide Street from Thomas Street through to Morgan Street.
4. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone surrounding the E.T. Lamb Memorial Oval, including public roads and laneways, public car parks and footpath area surrounding the oval bounded by South,

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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Boughtman, Comstock and Jamieson Streets.

5. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone known as South Broken Hill including all public roads and laneways, public car parks and footpaths in an area bounded by Bonanza, Patton, Central and Hebbard Streets including South Street from Piper Street through to Wilson Street.
6. That Council refer the Draft Proposals for comment in accordance with the provisions of the *Local Government Act 1993* and Ministerial Guidelines (2009) to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area and all affected licensed premises and registered clubs that border on, adjoin or are adjacent to the proposed alcohol free zone, for response within thirty days of public notice.
7. That Council invite public comment on the proposal through an advertisement in local newspaper with time for response within thirty days.
8. That a further report be submitted to Council upon completion of the consultative process.

Amendment

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

1. That Broken Hill City Council Report No. 134/19 dated August 2, 2019, be received.
2. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone known as Creedon Street, including public roads and laneways, public car parks and footpath area of Creedon Street bounded by Rakow and Wills Streets.
3. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone known as Shell Memorial including all public roads and laneways, public car parks and footpaths in an area bounded by Iodide, Thomas, Bromide and Mica Streets including Oxide Street from Thomas Street through to Morgan Street.
4. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone surrounding the E.T. Lamb Memorial Oval, including public roads and laneways, public car parks and footpath area surrounding the oval bounded by South,

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Boughtman, Comstock and Jamieson Streets.

5. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone known as South Broken Hill including all public roads and laneways, public car parks and footpaths in an area bounded by Bonanza, Patton, Central and Hebbard Streets including South Street from Piper Street through to Wilson Street; with expansion from Bonanza Street to Morish Street and off Bonanza Street from Wilson Street to Picton Street. This is to incorporate other establishments supplying alcohol within the proposed Zone expansion.
6. That Council refer the Draft Proposals for comment in accordance with the provisions of the *Local Government Act 1993* and Ministerial Guidelines (2009) to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area and all affected licensed premises and registered clubs that border on, adjoin or are adjacent to the proposed alcohol free zone, for response within thirty days of public notice.
7. That Council invite public comment on the proposal through an advertisement in local newspaper with time for response within thirty days.
8. That a further report be submitted to Council upon completion of the consultative process.

CARRIED

FOR: Crs Adams, Browne, Gallagher, Licul, Turley, Clark, Page and Nolan
AGAINST: Crs Algate and Kennedy

RESOLUTION

Minute No. 46057

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

1. That Broken Hill City Council Report No. 134/19 dated August 2, 2019, be received.
2. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone known as Creedon Street, including public roads and laneways, public car parks and footpath area of Creedon Street bounded by Rakow and Wills Streets.
3. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone known as Shell Memorial including all public roads and laneways, public car parks and footpaths in an area bounded by Iodide,

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Thomas, Bromide and Mica Streets including Oxide Street from Thomas Street through to Morgan Street.

4. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone surrounding the E.T. Lamb Memorial Oval, including public roads and laneways, public car parks and footpath area surrounding the oval bounded by South, Boughtman, Comstock and Jamieson Streets.
5. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone known as South Broken Hill including all public roads and laneways, public car parks and footpaths in an area bounded by Bonanza, Patton, Central and Hebbard Streets including South Street from Piper Street through to Wilson Street; with expansion from Bonanza Street to Morish Street and off Bonanza Street from Wilson Street to Picton Street. This is to incorporate other establishments supplying alcohol within the proposed Zone expansion.
6. That Council refer the Draft Proposals for comment in accordance with the provisions of the *Local Government Act 1993* and Ministerial Guidelines (2009) to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area and all affected licensed premises and registered clubs that border on, adjoin or are adjacent to the proposed alcohol free zone, for response within thirty days of public notice.
7. That Council invite public comment on the proposal through an advertisement in local newspaper with time for response within thirty days.
8. That a further report be submitted to Council upon completion of the consultative process.

CARRIED

FOR: Crs Adams, Browne, Gallagher, Licul, Turley, Clark, Page and Nolan
AGAINST: Crs Algate and Kennedy

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 135/19 - DATED AUGUST 07, 2019 -
ACTION LIST REPORT**

11/21

Recommendation

1. That Broken Hill City Council Report No. 135/19 dated August 7, 2019, be received.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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RESOLUTION

Minute No. 46058

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

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 136/19 - DATED AUGUST 07, 2019 -
NOMINATIONS FOR COMMUNITY MEMBERSHIP OF COUNCIL S355 COMMITTEES** 12/52

Resolved

1. That Broken Hill City Council Report No. 136/19 dated August 7, 2019, be received.
2. That Mr Ron Butcher be appointed as community representatives on the Alma Oval Community Committee.

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 137/19 - DATED AUGUST 02, 2019 -
MINUTES OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE
MEETINGS HELD JULY 16, 2019** 12/51

Resolved

1. That Broken Hill City Council Report No. 137/19 dated August 2, 2019, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held July 16, 2019 be received.

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 138/19 - DATED AUGUST 13, 2019 -
MINUTES OF THE ALMA OVAL COMMUNITY COMMITTEE MEETING HELD 24 JULY 2019** 12/45

Resolved

1. That Broken Hill City Council Report No. 138/19 dated August 13, 2019, be received.
2. That minutes of the Alma Oval Community Committee Meeting held 24 July 2019 be received.

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 139/19 - DATED AUGUST 15, 2019 -
MINUTES OF THE PICTON OVAL COMMUNITY COMMITTEE MEETING HELD 13 AUGUST 2019** 12/54

Resolved

1. That Broken Hill City Council Report No. 139/19 dated August 15, 2019, be received.
2. That minutes of the Picton Oval Community Committee Meeting held 13 August 2019 be received.

Minute No. 46059

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

1. That the recommendations of items 10 to 13 be adopted.

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

**ITEM 14 - QUESTIONS ON NOTICE NO. 8/19 - DATED AUGUST 07, 2019 - COUNCILLOR
QUESTIONS TAKEN ON NOTICE AT THE JULY 2019 COUNCIL MEETING**

16/89

Recommendation

1. That Questions On Notice No. 8/19 dated August 7, 2019, be received.

RESOLUTION

Minute No. 46060

- | | | |
|-------------------------------|---|--|
| Councillor T. Kennedy moved |) | 1. That Questions On Notice No. 8/19 dated August 7, 2019, be received. |
| Councillor B. Algate seconded |) | |
| | | 2. That the Mayor and Councillors be given training in meeting procedures and regulations. |

CARRIED UNANIMOUSLY

Motion

- | | | |
|-------------------------------|---|---|
| Councillor T. Kennedy moved |) | 1. That Council invites Mr Bobos to submit a Development Application for the erection of his "Broken Hill" sign and a formal request to Council for waiver of the Development Application fees. |
| Councillor B. Algate seconded |) | |

LOST

FOR: Crs Algate and Kennedy
AGAINST: Crs Adams, Browne, Gallagher, Licul, Turley, Clark, Page and Nolan

SUPPLEMENTARY REPORTS

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 142/19 - DATED AUGUST 26, 2019 -
2018/2019 DRAFT ANNUAL FINANCIAL STATEMENTS**

19/74

Motion

- | | | |
|-------------------------------|---|---|
| Councillor T. Kennedy moved |) | That the matter be deferred to be dealt with at an Extraordinary Council Meeting. |
| Councillor B. Algate seconded |) | |

LOST

FOR: Crs Algate and Kennedy
AGAINST: Crs Adams, Browne, Gallagher, Licul, Turley, Clark, Page and Nolan

Councillor Kennedy called a point of order stating that the supplementary report could not be dealt with at this meeting as three days' notice had not been given to Councillors.

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The Mayor ruled that Broken Hill City Council Report No. 142/19 be dealt with at this meeting, as a matter of urgency.

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 142/19 - DATED AUGUST 26, 2019 - 2018/2019 DRAFT ANNUAL FINANCIAL STATEMENTS

19/74

Resolved

1. That Broken Hill City Council Report No. 142/19 dated August 26, 2019 be considered at this meeting.
2. That Broken Hill City Council Report No. 142/19 dated August 26, 2019, be received.
3. That the 2018/2019 Draft Primary Financial Statements as attached be received.
4. That the 2018/2019 Draft Primary Financial Statements as attached be referred to audit.
5. That Council adopt the attached Statements of Opinion on the 2018/19 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*.
6. 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.
7. That Council delegate the General Manager the authority to authorise the 2018/19 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.

RESOLUTION

Minute No. 46061

Councillor C. Adams moved)

Councillor D. Gallagher seconded)

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

From Item 17 – Confidential Report – Request for Tender T18/9 Repairs to Hailstorm Structure for the Broken Hill City Council

The Mayor took a question on notice from Councillor Kennedy regarding the accounting/auditing process required to deal with the payment received from Council's insurance company for the repair of Council's assets due to hailstorm damage.

CONFIDENTIAL MATTERS

RESOLUTION

Minute No. 46062

Councillor J. Nolan moved)

Councillor M. Clark seconded)

That the meeting be closed to the public in accordance with the *Local Government Act 1993 clause 10A(2)*, whilst the confidential matters are considered.

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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Members of the public and media left the Council Chambers at 7:56pm.

ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 140/19 - DATED AUGUST 19, 2019 - REQUEST FOR TENDER T19/11 FOR DESIGN OF AIR-CONDITIONING SYSTEMS UPGRADE FOR SIX BUILDINGS - CONFIDENTIAL Q19/11

(General Manager's Note: This report 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).

Resolved

1. That Broken Hill City Council Report No. 140/19 dated August 19, 2019, be received.
2. That Council award the tender to System Solutions Engineers for the tender amount of \$175,000 incl. GST to deliver design and project management services for air-conditioning systems control upgrade for six buildings.

RESOLUTION

Minute No. 46063

Councillor D. Gallagher moved)

Councillor C. Adams seconded)

CARRIED UNANIMOUSLY

ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 141/19 - DATED AUGUST 19, 2019 - REQUEST FOR TENDER T18/9 FOR REPAIRS TO HAILSTORM DAMAGED STRUCTURES FOR BROKEN HILL CITY COUNCIL - CONFIDENTIAL T18/9

(General Manager's Note: This report 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).

Resolved

1. That Broken Hill City Council Report No. 141/19 dated August 19, 2019, be received.
2. That Council approves NSW Government Public Works Advisory to Project Manage the reinstatement of Council's assets as a result of the hailstorm which occurred on 11th November 2016.

RESOLUTION

Minute No. 46064

Councillor C. Adams moved)

Councillor B. Licul seconded)

CARRIED UNANIMOUSLY

The Mayor took a question on notice from Councillor Kennedy regarding the accounting/auditing process required to deal with the payment received from Council's insurance company for the repair of Council's assets due to hailstorm damage.

RESOLUTION

Minute No. 46065

Councillor M. Clark moved)

Councillor J. Nolan seconded)

That the meeting resume in open session.

CARRIED UNANIMOUSLY

Members of the public and media returned to the Council Chamber at 8:08pm.

At the Mayor's invitation, the General Manager reported on the Council Resolutions of the items

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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considered in closed session.

There being no further business the Mayor closed the meeting at 8:10 pm.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 25 SEPTEMBER 2019.)

CHAIRPERSON

MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 04, 2019

Meeting commenced at 6:30pm

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

Chief Financial Officer, Chief Operating Officer, Director Corporate,
Manager Communications, Governance Officer and Executive Support
Officer.

Media - nil, Members of the Public – nil.

APOLOGIES: Nil.

The Mayor advised that the General Manager was an apology for the meeting.

DISCLOSURE OF INTEREST

Nil.

Moved Councillor M. Browne) That the meeting be closed to the public
Seconded Councillor M. Clark) in accordance with *the Local Government
Act 1993 clause 10A(2)*, whilst the
confidential matter is considered.

Councillor Kennedy called a point of order stating that the report should not be dealt with in closed session (under Section 10A(2) (e) (g) of the Local Government Act, 1993 which provides for information that would, if disclosed, prejudice the maintenance of law; AND which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege); and referred to a previous report and Mayoral Minute regarding the matter, which were considered by Council in closed session at the August 2017 Council Meeting and in which the subject report states that the meeting was improperly closed to the public.

The Mayor stated that legal advice had been sought which confirmed that the matter should be dealt with in closed session in accordance with the *Local Government Act 1993 Section 10A(2)(e) and (g)*. The Mayor ruled that the motion be put.

Minute No. 46066

Moved Councillor M. Browne) That the meeting be closed to the public
Seconded Councillor C. Adams) in accordance with *the Local Government
Act 1993 Section 10A(2)*, whilst the
confidential matter is considered.

CARRIED

FOR: Councillors Nolan, Clark, Licul, Algate, Page, Adams, Gallagher, Browne and Turley.
AGAINST: Councillor Kennedy

The meeting was closed to the public at 6:35 p.m. (no members of the media or public were present).

The meeting resumed in open session at 6:47 p.m. (no members of the media or public were present).

CONFIDENTIAL MATTERS

ITEM 1 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 15/19 - DATED AUGUST 29, 2019 - REQUEST TO CALL EXTRAORDINARY COUNCIL MEETING INCLUDING NOTICE OF MOTION REGARDING MATTERS PERTAINING TO THE CIVIC CENTRE REDEVELOPMENT -

CONFIDENTIAL

17/185

(General Manager's Note: This report is deemed confidential under Section 10A(2) (e) (g) of the Local Government Act, 1993 which provides for information that would, if disclosed, prejudice the maintenance of law; AND which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).

The motion of item 1 was dealt with in closed session and is contained in the confidential minutes.

The motion was LOST.

MATTER OF URGENCY

The Mayor's ruling regarding the matter of urgency is contained in the confidential minutes.

ITEM 2 - MATTER OF URGENCY - MATTERS PERTAINING TO THE CIVIC CENTRE REDEVELOPMENT

17/185

Minute No. 46067

Moved Councillor M. Browne
Seconded Councillor M. Clark

-) 1. That the matter of urgency be dealt with at this meeting.
-) 2. That Council authorise the Mayor to make a Submission relating to matters pertaining to the Civic Centre Redevelopment on behalf of Council in conjunction with Council's Solicitors, selected from its pre-approved Legal Panel.
- 3. That Councillors be invited to submit to the Mayor in writing, their contribution to the said submission by no later than 9 September 2019 to ensure the submission deadline of 13 September 2019 is met.
- 4. That each individual Councillor response is attached in full as an annexure to the said submission.

CARRIED

At the Mayor's request, the Chief Financial Officer read the resolution of the matters considered in closed session.

Councillor Kennedy left the Council Chambers at 6:49 p.m.

There being no further business the Mayor closed the meeting at 6:50 p.m.

MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 04, 2019

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 25 SEPTEMBER 2019.)

CHAIRPERSON

MAYORAL MINUTES

- 1. MAYORAL MINUTE NO. 4/19 - DATED SEPTEMBER 10, 2019 -
DECLARATION OF CLIMATE EMERGENCY (11/161).....20

- 2. MAYORAL MINUTE NO. 5/19 - DATED SEPTEMBER 18, 2019 - NSW
TRAINLINK TRIAL SERVICES (11/161)24

ORDINARY MEETING OF THE COUNCIL

September 10, 2019

ITEM 1MAYORAL MINUTE NO. 4/19SUBJECT: DECLARATION OF CLIMATE EMERGENCY 11/161**Summary**

Council has received correspondence from Broken Hill Landcare, urging Council to consider adopting its position on climate change.

More and more we are seeing the impact of a changing climate on our local community. Extreme weather events are occurring more regularly and with more impact.

Across the world we are seeing governments of all levels and all persuasions recognise the climate emergency unfolding and the need to take action to reduce the impact, adapt to the impact and build resilience to future impacts.

Countries including United Kingdom, Canada and the Republic of Ireland, 11 Councils in New Zealand including Auckland and Wellington Councils, and more than 24 Councils in Australia join in the more than 717 local, state, territory and national governments making the declaration that we are in a climate emergency.

Business as usual or incremental change has led us into a climate crisis. Councils play a key role:

- Education on the climate emergency using existing or low cost communication channels, while building support for a broader climate emergency mobilisation at the state, national and international levels
- Mitigation - reduce emissions and drawdown previous emissions
- Build community resilience against some climate change impact.

Council, even in climate emergency mode, cannot provide the needed solutions by ourselves, hence building pressure on higher levels of government to fund and legislate for emergency action to restore a safe climate are the most critical task a council can undertake.

Making a Climate Emergency Declaration is the first step. Impacts are being experienced by our local community, environment and infrastructure. These include mental and physical health issues due to more regular and intense droughts and other extreme weather events and also include:

- People cut off from food, medical supplies and care
- Animals and people injured or killed
- Increased costs on councils, governments and individuals for recovery

- Long-term disruption of transport links
- Loss of agricultural products and therefore revenue (as can't be transported to market)
- Health issues due to a lack of access to clean water, or exposure to polluted floodwaters

In addition, repeated damage to infrastructure as a result of more frequent or intense extreme events due to climate change is likely to have substantial financial, as well as emotional, costs for individuals and the community.

Droughts, storm and extreme rainfall events as well as fire weather are increasing and our preparedness as a community is poor. Whilst Council is undertaking a number of significant measures to reduce our carbon footprint and has identified ways for our city assets to adapt, underpinned by the recent adoption of the Sustainability Strategy, we can do more to put measures in place for the community to expand our response to the changes. Council and the community need to take a proactive approach to the impacts.

The latest Lowey Institute poll on Australians attitudes to international events released in the last few months shows that nearly 65% of Australians consider climate change to be a critical threat. For the first time in the history of the Poll, climate change topped the list of threats to Australia's vital interests in 2019, alongside cyberattacks, international terrorism and North Korea's nuclear program.

At a local government level in the latest Climate Change Adaptation survey, commissioned by NSW Office of Environment & Heritage and Local Government NSW, found that:

- The overwhelming majority (82 per cent) of local governments are currently experiencing impacts from climate change in their organisations, up from 59 per cent in 2015, with increasing awareness particularly at the executive levels of local government.
- Storms and flooding are still viewed as the most common climate impacts, while extreme heat and drought are described as having the most severe impacts.
- Concerns about impacts on assets and infrastructure, biodiversity and landscapes and general environmental health remain high, as are demands for emergency services, impacts on public safety and water supply/demand.
- Additional climate impacts have been identified in 2018: including urban heat effects, groundwater impacts, changed rainfall patterns (not drought), cold snaps (not long cold periods), and an increasing number of invasive species.

Incorporation of climate change/adaptation measures into council operational plans has increased in recent years, and prioritisation of climate adaptation activities has increased by in excess of 25 per cent since 2015.

In concert with our adopted Sustainability Strategy, 'Declaring a Climate Emergency' means that we as a Council look at everything, we do through a Climate Change Lens.

- What goals and targets should we adopt?

- How can we all reduce our emissions, drawdown and resilience?
- How can we continue to reduce our waste?
- What strategic and regulatory planning controls would we need to change?
- How can we better improve public and active transport to reduce our reliance on cars?

The role of local government in responding to climate change is critical. It's not just about reducing our emissions but helping our residents respond and build resilience to the impacts of a changing climate.

Recommendation

1. That Mayoral Minute No. 4/19 dated September 10, 2019, be received.
2. That Council recognises that climate change poses a serious risk to the people of Broken Hill and it should be treated as a national emergency.
3. That Council seek to prioritise a climate emergency response as part of the current review being undertaken around the Community Strategic Plan.

Attachments

1. [↓](#) Letter from Broken Hill Landcare

D TURLEY AM
MAYOR

Mayor Darriea Turley AM
Ph. 0429 848 480
E. darriea.turley@brokenhill.nsw.gov.au

Broken Hill Landcare
Contact: Anika Molesworth
Ph. 0408 386 121
E. anika.molesworth@gmail.com

2nd August 2019

Dear Mayor Turley,

Landcare Broken Hill is advocating for the City of Broken Hill to declare a Climate Emergency.

This declaration is to address the serious risk climate change poses to the City's population, local business and the surrounding environment.

In Australia, where the Climate Emergency declaration mobilisation and petition were launched in May 2016, 30 jurisdictions representing roughly 3 million people and 12% of the population have declared a Climate Emergency: 12 in NSW, 7 in VIC, 3 in WA, 3 in SA, 2 in Tasmania, 1 in Queensland, 1 in the Northern Territory and the government of the ACT.

In fact, 901 jurisdictions and local governments covering 206 million citizens have so far declared Climate Emergencies across the globe.

When governments at any level declare a Climate Emergency and match that declaration with clear and tangible outcomes of emergency action it becomes both symbolic and a powerful agent for change. Inaction and hollow gestures are not going to reduce emissions to meet international obligations and protect the places we call home from harmful climate change impacts.

We are already feeling the impacts of climate change in the Far West today. We are facing the worst drought in history, the lowest rainfall ever recorded, and this is impacting the people living in the region and the environment on which we depend.

Declaring a Climate Emergency is a step in the right direction toward strong climate action.

The call for declaring a Climate Emergency is not a structured movement with a specific guideline and a set of criteria as such. It is an open 'movement of movements', and there are many opinions about what are the best strategies for local governments to implement.

It is clear that the current Federal Government's policies are simply not working, as Australia's greenhouse gas emissions have increased for five consecutive years. But as 70% of global emissions are generated by cities, so the actions of city governments are critical.

Landcare Broken Hill would like to urge Broken Hill City Council to consider moving a motion to declare a Climate Emergency. We would welcome the opportunity to work with you and your Councillors to put in place strategies to both reduce emission generation and increase carbon storage.

For our City. For our future.



Anika Molesworth
On behalf of **Landcare Broken Hill**

ORDINARY MEETING OF THE COUNCIL

September 18, 2019

ITEM 2MAYORAL MINUTE NO. 5/19SUBJECT: NSW TRAINLINK TRIAL SERVICES 11/161**Summary**

NSW TrainLink received more than 500 response to a survey they sent out to various regional community members in February this year to help them gain an understanding of where the community needs to travel and when.

NSW TrainLink also conducted a number of community consultations and after listening to the public transport needs, they launched trial coach services connecting Broken Hill to Mildura and Broken Hill to Adelaide which commenced on 24 June 2019 for a six-month period with eligible pensioners and seniors utilising the Pensioners and Seniors concession fare of \$2.50.

One important factor of the coach service between Broken Hill to Mildura and Adelaide is that a large number of Broken Hill residents are required to travel to attend specialist appointments, with Mildura and Adelaide being the closest major cities that provide specialists medical services. Other reasons include visiting family and friends and for family holidays.

I have concerns that NSW TrainLink's trial concession fare of \$2.50 between Broken Hill and Adelaide has ceased during the trial period.

This will impact the outcome of the trial and may also result in the Broken Hill to Adelaide service being deemed unviable.

Broken Hill pensioners should not be disadvantaged for living in a rural community.

Recommendation

1. That Mayoral Minute No. 5/19 dated September 18, 2019, be received.
2. That Broken Hill City Council requests that NSW TrainLink reinstates the Country Pensioner Excursion ticket for Pensioners and Seniors travelling from Broken Hill to Adelaide at a cost of \$2.50 per ticket.

Attachments

There are no attachments for this report.

D TURLEY AM
MAYOR

NOTICES OF MOTION

1. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 16/19 - DATED SEPTEMBER 12, 2019 - 1) COUNCIL'S LEGAL EXPENSES SINCE 1 JULY 2016; AND 2) CIVIC CENTRE REFURBISHMENT COSTS (19/74, 16/92).....26

2. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 17/19 - DATED SEPTEMBER 12, 2019 - PICTON OVAL CRICKET PITCH (12/54)28

ORDINARY MEETING OF THE COUNCIL

September 12, 2019

ITEM 1MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 16/19

SUBJECT: 1) COUNCIL'S LEGAL EXPENSES SINCE 1 JULY 2016; AND
2) CIVIC CENTRE REFURBISHMENT COSTS 19/74, 16/92

Recommendation

1. That Motions of Which Notice has been Given No. 16/19 dated September 12, 2019, be received.
2. That Broken Hill City Council provides Councillors with a report at the October 2019 meeting outlining all Broken Hill City Council legal expenses incurred on all matters that Council have been involved in since 1 July 2016.
3. That Broken Hill City Council provides Councillors with the to-date total cost of the Civic Centre refurbishment, this is to include the associated employee costs and all associated legal expenses, the report outlining those costs is to be submitted at the October meeting of Council.

Summary

Councillor Kennedy submitted a Notice of Motion on 12 September 2019 at 12:44pm regarding Councillors being provided with information regarding the Civic Centre refurbishment.

Councillor Kennedy's Notice of Motion is as per the recommendation written above, and is attached to this report.

General Manager's Comment

With regard item 2, this information is readily available through adopted and published Annual Reports of Council and quarterly review documents again considered and adopted by Council. Cr Kennedy is welcome to undertake the required research to satisfy himself of such.

With regard item 3, the adopted position of Council has been to maintain this information in confidence while litigation in this matter is on foot. It would be counterproductive for Council to prejudice its own legal position and weaken its case.

Attachments

1. [↓](#) Councillor Kennedy's Notice of Motion

T. KENNEDY
COUNCILLOR

Notice of motion

Ordinary meeting of the Broken Hill City Council

To be held on 25/09/2019

From Councillor Tom Kennedy

That Broken Hill City Council provides councillors with a report at the October 2019 meeting outlining all BHCC legal expenses incurred on all matters that council have been involve in since the 1/07/2016.

That BHCC provide councillors with the to date total cost of the civic centre refurbishment, this is to include the associated employee costs and all associated legal expenses, the report outlining those cost is to be submitted at the October meeting of council.

Councillor Tom Kennedy



RECEIVED
12 SEP 2019
BY: 12.44pm

Notice of motion

Ordinary meeting of the Broken Hill City Council

To be held on 25/09/2019

From Councillor Tom Kennedy

That Broken Hill City Council liaises with the Picton oval management committee and the Barrier Cricket Association to put down an artificial cricket pitch to be ready for the 2019-20 cricket season.

The local cricket association has a shortage of pitches, the Jubilee Oval is under maintenance and the Zinc oval is coming to an end of use. The estimated cost for the artificial pitch is \$6,000.00

Councillor Tom Kennedy



RECEIVED
12 SEP 2019
BY: 12:44pm

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ORDINARY MEETING OF THE COUNCIL

September 6, 2019

BROKEN HILL CITY COUNCIL REPORT NO. 143/19SUBJECT: ELECTION OF DEPUTY MAYOR 11/18**Recommendation**

1. That Broken Hill City Council Report No. 143/19 dated September 6, 2019, be received.
2. That Council elect the Deputy Mayor at this meeting.
3. That the Deputy Mayor be elected for a twelve month term concluding at the September 2020 Council Meeting.
4. That voting for the Deputy Mayor Election be open voting, i.e. "show of hands".
5. That the result of the election of Deputy Mayor be sent to the Office of Local Government and to the Chief Executive Officer of the LGNSW.

Executive Summary:

Councillors may elect one Councillor to be Deputy Mayor in accordance with the *Local Government Act 1993 Section 231*. This person may be elected for the Mayoral term or for a shorter term. Council has historically elected a Deputy Mayor for a twelve month period.

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

Completed nomination forms should be given to the Returning Officer prior to the meeting or brought to the meeting and handed to the Returning Officer prior to the commencement of the meeting at 6:30pm, or prior to the ballot for the Deputy Mayor election being conducted.

Report:

As per the *Local Government Act 1993 Section 231* the Deputy Mayor's role is to exercise any function of the Mayor:-

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

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

The election of Deputy Mayor is to be conducted in accordance with the *Local Government (General) Regulations Schedule 7*, which provides:-

- The General Manager (or person appointed by the General Manager) is the Returning Officer.
- Nominations are to be made in writing by two or more Councillors (one of whom may be the nominee) and given to the Returning Officer. The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- Nominations may be made without notice but must be in writing signed by two or more Councillors one of whom may be the nominee. Nominations are not valid unless the Councillors nominated give consent to the nomination in writing.
- Nominations are to be announced and elections conducted at the same Council meeting at which Council resolves on the method of voting.
- If only one Councillor is nominated, that Councillor is elected.
- If more than one Councillor is nominated Council must decide by resolution whether the election will proceed by preferential ballot, ordinary ballot or open voting. Preferential ballots and Ordinary Ballots are to be secret ballots. Open voting means a show of hands or similar means.

Strategic Direction:

Key Direction:	4	Our Leadership
Objective:	4.1	Openness and transparency in decision making
Strategy:	4.1.1	Support the organisation to operate its legal framework

Relevant Legislation:

Local Government Act 1993, Section 231

Local Government (General) Regulations 2005, Schedule 7

Financial Implications:

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

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

Attachments

1. [↓](#) Nomination Form for Deputy Mayor

JAMES RONCON
GENERAL MANAGER



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

NOMINATION FOR DEPUTY MAYOR

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

Councillor _____

Nominated by:

Councillor	Signature

I, the undersigned Councillor of the City of Broken Hill, hereby accept the above nomination for the position of Deputy Mayor.

Councillor	Signature

DATE: ____ / ____ / 2019

ORDINARY MEETING OF THE COUNCIL

September 9, 2019

ITEM 2BROKEN HILL CITY COUNCIL REPORT NO. 144/19

SUBJECT: APPOINTMENT OF DELEGATES TO COMMITTEES -
SEPTEMBER 2019 TO SEPTEMBER 2020 11/9

Recommendation

1. That Broken Hill City Council Report No. 144/19 dated September 9, 2019, be received.
2. That Council determine its Councillor delegates to its Section 355 Committees and various other Committees as per the attached schedule.
3. That Councillor membership on Section 355 Committees and various other Committees be for a twelve month period being from the Council Meeting until the September 2020 Local Government Election.

Executive Summary:

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

Councillors have been requested to advise the General Manager's Office, in the days prior to the Council Meeting, should they wish for their current membership on the various Committees to remain. The time will be taken to go through the list one by one at the Council Meeting to ensure that full membership is achieved for the effective operation of each Committee/Working Group.

Report:

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

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

Council currently has 11 Section 355 committees, as follows:

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

The Constitutions of the above committees detail its membership. All of Council's Section 355 Committees include Councillor representation in their membership.

Attachment 1 to this report shows the current Council Delegate List (from September 2018 to September 2019) and the current committees and internal/external working groups, committees or organisations and also includes the number of delegates required for each.

Strategic Direction:

Key Direction:	4	Our Leadership
Objective:	4.1	Openness and transparency in decision making
Strategy:	4.1.1	Support the organisation to operate its legal framework

Relevant Legislation:

Local Government Act 1993 (Section 355)

Financial Implications:

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

Attachments

1. Current Schedule of Delegates to Committees (September 2018 - September 2019)
[↓](#)

JAMES RONCON
GENERAL MANAGER



COUNCIL DELEGATES TO SECTION 355 COMMITTEES AND OTHER COMMITTEES

SEPTEMBER 2018 TO SEPTEMBER 2019

D18/49202

COUNCIL S355 COMMITTEES	
Committee Name	Delegates
<p>Community Strategic Plan Round Table</p> <p>Mayor 3x Key Direction Portfolio Councillors and Alternates</p> <p><u>Our Leadership</u> 1x Councillor 1x Alternate</p> <p><u>Our Community</u> 1x Councillor 1x Alternate</p> <p><u>Our Economy</u> 1x Councillor 1x Alternate</p> <p><u>Our Environment</u> 1x Councillor 1x Alternate</p>	<p><u>Our Leadership</u> (James Roncon) Mayor Turley (Chairperson) Councillor Gallagher (Alternate)</p> <p><u>Our Community</u> (Razija Nu'man) Councillor Kennedy (Chairperson) Councillor Page (Alternate)</p> <p><u>Our Economy</u> (Jay Nankivell) Councillor Licul (Chairperson) Councillor Nolan (Alternate)</p> <p><u>Our Environment</u> (Anthony Misagh) Deputy Mayor Browne (Chairperson) Councillor Clark (Alternate)</p>
<p>Alma Oval Community Committee At least 1 x Councillor</p>	<p>Councillor Algate Councillor Gallagher</p>
<p>Broken Hill Heritage Committee 5 x Councillors</p>	<p>Mayor Turley Deputy Mayor Browne Councillor Adams Councillor Clark Councillor Page</p>
<p>Broken Hill Regional Art Gallery Advisory Committee 2 x Councillors</p>	<p>Councillor Licul Councillor Clark</p>
<p>BIU Band Hall Community Committee At least 1 x Councillor</p>	<p>Councillor Licul</p>
<p>ET Lamb Memorial Oval Community Committee At least 1 x Councillor</p>	<p>Councillor Gallagher</p>

Friends of the Flora and Fauna of the Barrier Ranges Community Committee At least 1 x Councillor	Deputy Mayor Browne
Memorial Oval Community Committee At least 1 x Councillor	Councillor Gallagher
Norm Fox Sportsground Community Committee At least 1 x Councillor	Councillor Algate Councillor Gallagher
Picton Sportsground Community Committee At least 1 x Councillor	Councillor Adams Councillor Licul
Riddiford Arboretum Community Committee At least 1 x Councillor	Deputy Mayor Browne
OTHER COMMITTEES	
Committee Name	Delegates Required
Association of Mining Related Councils 1 x Councillor	Councillor Nolan Councillor Page (Alternate)
Australia Day Advisory Group 4 x Councillors	Deputy Mayor Browne Councillor Gallagher Councillor Adams Councillor Kennedy
Australian Floodplains Association Mayor + alternate	Mayor Turley Deputy Mayor Browne (alternate)
Australian Mining Cities and Centres Alliance Mayor + Deputy Mayor(alternate)	Mayor Turley Deputy Mayor Browne (alternate)
Audit, Risk & Improvement Committee 3 x Councillors	Mayor Turley Councillor Nolan Councillor Gallagher
Asset Naming Committee 5 x Councillors	Deputy Mayor Browne Councillor Licul Councillor Algate Councillor Adams Councillor Clark
Broken Hill Lead Reference Group 1 x Councillor	Deputy Mayor Browne
Broken Hill Liquor Accord 1 x Councillor	Councillor Gallagher
Broken Hill Traffic Committee 1 x Councillor (observer only)	Deputy Mayor Browne
Broken Hill ClubGRANTS Committee 2 x Councillors	Councillor Nolan Councillor Kennedy
City Improvement Working Group Mayor + 2-3 Councillors	Mayor Turley Deputy Mayor Browne Councillor Licul Councillor Adams

Community Assistance Grants Panel Mayor, 1 x Councillor and Our Community Portfolio Councillor	Councillor Gallagher Councillor Clark Councillor Kennedy (Our Community Portfolio)
Disability Inclusion Action Plan Working Group 2 x Councillors	Mayor Turley Councillor Adams
Essential Water Customer Council 1 x Councillor	Deputy Mayor Browne
General Manager's Performance Review Committee Mayor, Deputy Mayor and 3x Councillors	Mayor Turley Deputy Mayor Browne Councillor Gallagher Councillor Adams Councillor Kennedy
Library and Cultural Precinct Project Steering Group Mayor and Deputy Mayor	Mayor Turley Deputy Mayor Browne
Murray Darling Association 2 x Councillors	Deputy Mayor Browne Councillor Page
Reconciliation Action Plan (RAP) 3 x Councillors	Mayor Turley Deputy Mayor Browne vacant
Silverton Wind Farm Community Consultative Committee 1 x Councillor	Deputy Mayor Browne Councillor Nolan (Alternate)
Sister City Working Group 3 x Councillors	Councillor Adams Councillor Gallagher Councillor Nolan
Tidy Towns Working Group 2 x Councillors	Councillor Adams Deputy Mayor Browne
Western Division Councils 2 x Councillors	Mayor Turley Councillor Gallagher
Western NSW Mining and Resource Development Taskforce Mayor	Mayor Turley
Volunteer Working Group 4 x Councillors	Deputy Mayor Browne Councillor Page Councillor Adams Councillor Licul

QUALITY CONTROL TABLE		
Minute No.	Date	Resolution
45908	26 September 2018	Appointment of Delegates to Committees
45921	26 September 2018	Reduction in Councillor Delegates to the Broken Hill Regional Art Gallery Advisory Committee (from 3 to 2)

ORDINARY MEETING OF THE COUNCIL

September 17, 2019

ITEM 3BROKEN HILL CITY COUNCIL REPORT NO. 146/19SUBJECT: COUNCILLOR PROFESSIONAL DEVELOPMENT 11/468**Recommendation**

1. That Broken Hill City Council Report No. 146/19 dated September 17, 2019, be received.
2. That Council endorse the 'Councillor Development Program' as part of the transformational change management program currently underway across the staffing group.
3. That Council engage Dattner Grant to provide the program to ensure alignment across the elected and staffing groups.

Executive Summary:

Regular insight and updates through the budget consultation process and Councillor briefing sessions on the change management program being run across the staffing groups, saw Council receive a written report at the March 2019 explaining the process. In essence the General Manager has been leading a values-based leadership program designed to establish a strong set of values and behaviours across the work groups designed to shift an ingrained Council culture.

Report:

Through discussions at budget time, Councillor briefings and via a report to the March 2019 meeting of Council, Councillors have been kept abreast of the change management program being rolled out across the staffing cohort designed to deliver an agreed values-based culture that the entire workforce get to drive.

Organisation cultures develop over long periods of time and a poor culture impedes an organisation and the sum of all its parts, from performing at its best and delivering for its stakeholders. The Broken Hill City Council staff, led by the Executive Leadership Team are working across the entire organisation and establishing a new set of organisation values along with identifying supporting behaviours that will get the best out of the staff, and unsupporting behaviours that will not.

Honesty in deliberations, calling bad behaviours and supporting one another to be our best is a work in progress and real change in beginning to be seen across the staff group and a shift in the culture is slowly occurring. It must be remembered that cultures develop over long periods of time and cannot be changed quickly; it takes time, patience, effort and resolve to see real change.

To ensure alignment with the staffing group, the opportunity now presents for the elected leadership group to undertake a professional development initiative similar in focus to the staff. As attached Council will see the proposed program that will seek to align and galvanise

the elected Councillors focus and direction and set the tone for the 2020 elections and beyond.

In my individual discussions with Councillors the changes starting to occur across the organisation have not gone unnoticed and a commitment from the elected leaders would send a strong message to the staff about the importance of leading by example and establishing a strong culture across the organisation that everyone aligns with. I commend the program to you.

Strategic Direction:

Key Direction:	4	Our Leadership
Objective:	4.2	Our leaders make smart decisions
Strategy:	4.2.1	Provide learning and networking opportunities for elected members

Relevant Legislation:

Local Government Act 1993, Division 3

Financial Implications:

A budget for professional development for Councillors is included in Council's 2019/2020 budget.

Attachments

1. [↓](#) Report No. 29/19 - Organisation Values - March 2019 Council Meeting
2. [↓](#) Outline for Councillor Professional Development - Dattner Grant

JAMES RONCON
GENERAL MANAGER

Ordinary Meeting of the Council

27 March 2019

ORDINARY MEETING OF THE COUNCIL

March 14, 2019

ITEM 7BROKEN HILL CITY COUNCIL REPORT NO. 29/19SUBJECT: ORGANISATION VALUES 13/160**Recommendation**

1. That Broken Hill City Council Report No. 29/19 dated March 14, 2019, be received.

Executive Summary:

This report informs Council on an operational review of Council's internal Organisational Values. Following consultation with staff, a draft set of new Values were developed. A twelve month trial period will be undertaken with values adopted by the organisation through demonstrated leadership behaviours.

This review has not changed the Community Values within the Community Strategic Plan, or Council's Vision and Mission.

Report:

Council adopted a new set of Organisational Values in December 2015 as part of a broader revision of our Vision, Mission and Visual Identity (Minute No 45173). Since then, the organisation has undergone significant change including changes at the leadership, staff body and strategic direction levels.

Values are an important building block and the foundation for achieving organisational goals and developing a cohesive and constructive Organisational Culture. Values describe what individuals consider important; representing wants, preferences, desires, likes and dislikes. Values are hence, important motivators of behaviour and behaviour change.

In an organisational context, clearly defined and understood Values set agreed, commonly accepted and appropriate behaviours for success and build trust in the workforce.

Values define the 'right things' our employees should do and those behaviours that undermine achievement of goals.

Values are much more than words and require visible action from leaders to role model expected behaviours. Hence, reviewing and measuring Values alignment is an effective leadership development and cultural change tool.

Given the timeframe and changes that have occurred over the last four years and with a more stable leadership team now, the Executive Leadership Team felt it was prudent to undertake a review of our Values. This decision wasn't made quickly or taken lightly.

A large number of the workforce had provided feedback through General Manager lead staff focus groups (held between 2016 and 2017), through their Executive Leader or during

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27 March 2019

performance reviews that they did not understand or relate to the old values. In fact, they felt that these values were intrinsically linked to a challenging and difficult past (referring to the organizational restructure of 2014/2015). As such, they felt disconnected from the old set of Values and to the goals of the organisation more broadly.

A review our Values is part of our commitment to continually improving our workplace culture in line with our Workforce Management Plan:

WA 2.5 Leaders communicate the objectives, priorities and values of the organisation in a clear manner so employees understand expectations

This review has not changed the Community Values within the Community Strategic Plan, nor Council's Vision and Mission.

The Process

The process of reviewing and alignment of a new set of Values began during the Executive Leadership Development Program which ran during 2018.

Values based leadership was a key module of learning; used to enable our leaders to explore those things that are important for organisational success and how to gain personal alignment to organisational goals in the development of a constructive Executive Leadership Team (ELT). It was during this development program that it was considered how to become better as an organisation leading the aspirational goal of how to be "Pound for pound the best Council in NSW".

Council engaged Dattner Grant, a specialist leadership and strategy consultancy, to undertake workshops in December 2018 with our employees and gain their feedback on a new set of Values.

During these workshops, employees participated in exercises like those undertaken by the ELT during the Executive Leadership Program to gain an understanding of their own values and critically evaluated those they thought and felt were important to pull us together and be our best.

Eighty two percent (82%) of the available workforce participated in the workshops; including full time, part time, and casual employees. The majority of values that were initially presented to staff as a 'starting point' for the sessions were significantly overhauled by participants, which is particularly pleasing and shows that staff had genuine interest in the sessions and a desire to influence the organisation's values.

The new draft set of Values for the organisation are:

Accountability, Pride, Perseverance, Courage & Honesty and Team Work.

The approach recommended to the ELT to ensure the values are aligned to organisation goals and well understood by the workforce, was to have leaders (Executive Leaders through to Coordinators) role model the behaviours in a consistent manner over a trial period of 12 months.

Leaders were supported to develop their leadership effectiveness and values alignment through a dedicated workshop held on 12 February 2019. Leaders were assessed through a 360degree feedback survey on how they are currently demonstrating the draft set of values.

They will continue to be supported through coaching and further development over the next 12 months. Employees will be provided an opportunity at the end of the twelve-month trial, to assess and comment on how well leaders have adopted the values, how successful they

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have been in bringing the organisation together, building trust and achieving results, after which the new Values will be formalized.

Strategic Direction:

Key Direction: Our Leadership
Objective: 4.1 Openness and Transparency in decision making.
Function: Corporate Support
DP Action: 4.1.1.18 Workforce Management Plan in accordance with IPR Framework.
WP Action: Leaders communicate the objectives, priorities and values of the organisation in a clear manner so employees understand expectations

Relevant Legislation:

Nil

Financial Implications:

\$37,700 – Workshops, training sessions, staff surveys

Attachments

There are no attachments for this report.

RAZIJA NU'MAN
DIRECTOR CORPORATE

JAMES RONCON
GENERAL MANAGER

**REVISED TIMING
BROKEN HILL COUNCILLORS DEVELOPMENT
260819**

Dattner Grant

Step One: Interviewing the Councillors – 2 days based on 10 people -and write up of report

Face to face, (1 hour per person) October 2019

Dattner Grant

Step Two: conducting LSI 1 & 2 for all Councillors
LSI 1 & 2 with breakout

On line, October/November 2019

Dattner Grant facilitator

Step Three: Two-day retreat for Councillors

January (end) 2019

Dattner Grant coach

Step Four: One on one coaching of Councillors x 2 days based on 12 people

End of February, 2019

Dattner Grant facilitator

Step Five: One day session to share outcomes

Early March 2020

Dattner Grant facilitator

Step Six: One day session bridging the gap (Councillor and EMT)

End March,2020



PREPARED FOR:
James Roncon, Broken Hill City Council

DATE:
1st August 2019



SCOPE OF WORK

The following provides a scope of activity designed to engage the Councillors of Broken Hill City Council in the transformational journey now underway, under the captaincy of James Roncon.

This is a significant time in the Council and to this extent, it is opportune for the Councillors themselves to consider how they might redefine the relationship of elected members to the executive and staff of Broken Hill City Council.

This should be an exciting journey for Councillors; a reward for effort put in, a new way of thinking/working together, an irrefutably important bonding exercise between the Council and elected members.

Step One - Honour the leaders

Purpose: Hear the voices of each of the Councillors in crafting an appropriate leadership journey that brings the elected members into the process being run in the Council itself.

Interview each of the 10 Councillors to get a clear perspective on:

- Why they put themselves forward for community leadership in this way
- How long they have been doing this?
- How they describe the dynamic of the Councillors as a group or leadership 'team'; what's working/not working and what they ideally would like to see done differently
- How they describe their expectations of the executive management team of Council – 'should be' to 'as is'
- Their leadership capabilities; strengths and challenges as individuals

Outcome: the narrative of the Councillors is captured and the themes identified, rather than the individuals. This informs the design of the collaborative process outlined. Leaders have a say in their own developmental journey.

**Note: the interviews will be patterned and themes written into a report for Councillors. This report informs development and the briefing is embedded into step three.*

Step Two - Measure leadership style

Purpose: Generate hard data on leadership style to back Councillors' qualitative insights about working as and with Councillors. Help each leader see how they are shaping the dynamic of the Council as a result of how they think as leaders and in turn behave.

Mirror the leadership tools being used by the Exec in order that:

- Councillors have exposure to the same insights/lessons that the Exec have
- We create a common language around constructive leadership ('as is' to 'should be')
- Diagnostic to be used Life Styles Inventory 1 & 2 – please refer to description in Appendix 1.

Outcome: Leadership style measured for each Councillor.

Step Three - Process the data

Purpose: to understand the link between leadership and culture; private space to process the results of the interviews, the diagnostics and to map out how the Councillors would prefer to operate together (culturally) and what needs to be done to create this.

Two-day private retreat for Councillors to cover:

- Review of themes that emerged from interviews
- Agree on key insights
- Create an intention (purpose) for shifting the dial on the relationship of Councillors to each other
- Introduce the link between leadership and culture of a team/council/community
- Share diagnostic results
- Set up one on one coaching

Outcome: Councillors have a shared sense of their 'as is' as a team/group, informed by one on one interviews and personal diagnostics which describe how they see themselves and how others interpret their behaviour.

Step Four - Supporting good leaders to get personal insight

Purpose: to ensure each leader has a private space to process personal diagnostic results

- One on one coaching, 45 mins per Councillor
- Help each individual to interpret their personal results and create a clear plan for interactions with other Councillors and the Exec

Outcome: Individuals feel supported and insightful about their leadership style and how they can develop behavioural flexibility as individuals and as a team.

Step Five - Sharing the knowledge

Purpose: To now bring the Councillors together to craft their desired way of operating, what they will personally commit to doing to ensure they get this and to agree on their expectations of the EMT

One day program:

- Coming together to share insights
- Create an informal 'charter' which describes how they will behave together
- Agree on expectations of the Exec (How we best work with the executive)

Outcome: Leaders have the opportunity to celebrate what they have learnt, they map how they want to behave and they are aligned on expectations of the Exec.

Step Six - Bridging the gap

Purpose: to draw an appropriate connection between the Exec and the Councillors, commensurate with the shared responsibility all leaders have on behalf of stakeholders

One day program – executive and Councillors:

- Share the journey – what are we aiming for together as leaders
- What is the role of the Councillors and their expectations of leaders
- What is the role of the Exec and their expectations of Councillors
- Building trust, giving and receiving feedback in a constructive shared culture

Outcome: A material shift in engagement of the two teams, a clear mandate for future interactions and an exciting and constructive road map for leadership going forward

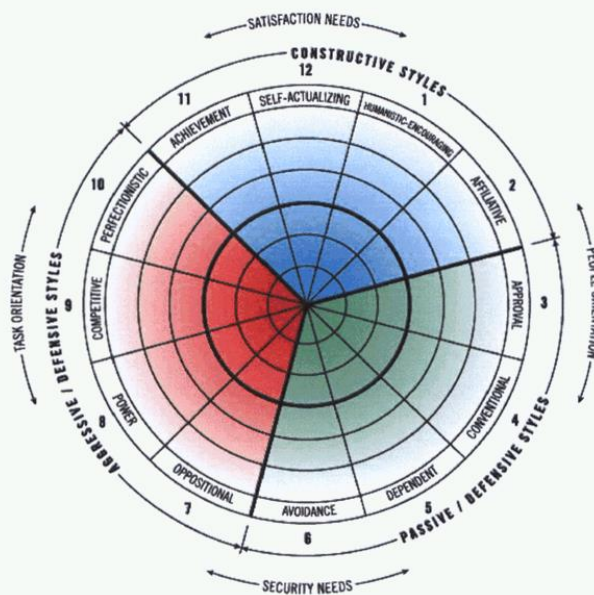
TIMING & PRICING *

Group	Item	Timing	Pricing* (ex GST)
Dattner Grant and one on one with Councillors	Step One: Interviewing the Councillors – 2 days based on 10 people -and write up of report	October 2019	\$15,000
Dattner Grant	Step Two: conducting LSI 1 & 2 for all Councillors	This will be conducted online during October 2019	LSI 1 & 2 with breakout report \$600 per person plus \$42 for 1 group report
Dattner Grant facilitator	Step Three: Two-day retreat for Councillors	November 2019	\$12,000
Dattner Grant coach	Step Four: One on one coaching of Councillors x 2 days based on 12 people	End of November, early December 2019	\$8,000
Dattner Grant facilitator	Step Five: One day session to share outcomes	End of January 2020	\$6,000
Dattner Grant facilitator	Step Six: One day session bridging the gap (Councillor and EMT)	Feb/March 2020	\$6,000

APPENDIX: LSI 1 & 2

The Life Styles Inventory (LSI) identifies the underlying thoughts and motivations that guide an individual's behaviour. Often referred to as personal styles, management styles and leadership styles, these represent the essence of an individual's effectiveness. The quality of an individual's thinking and behaviour contributes greatly to that person's work performance. Fortunately, you have the power to change ineffective thinking and behaviour - the kind that can paralyse an individual's effectiveness. But first you need to know if what you are doing now is supporting or detracting from quality performance.

The Life Styles Inventory (LSI) is based around the Human Synergetics Circumplex, describing constructive, passive/defensive and aggressive/defensive behaviours. In the LSI, the feedback is normed against how 9,000 individuals have described themselves (LSI 1) and how 5,000 individuals have been described by 25,000 others (LSI 2). The LSI provides for self-description (LSI 1) and feedback from others (LSI 2).



The Human Synergetics Circumplex

Whatever the results, there is no doubt that LSI 1 promotes lasting performance change and improvement by increasing personal understanding of your thinking and behaviour. The beauty of LSI 1 is that, unlike many other self-assessment tools, it provides a quantified measure for looking at strengths as well as self-defeating behaviours, so that you can further improve upon strengths and precisely target the areas in which you need to change. LSI 1 is part of the Life Styles System which

has been successfully used by over 1,000,000 managers and 240,000 organisations in the past 20 years.

LSI 2 provides you with the valuable opportunity to take a close look at yourself through the eyes of five others who know you well. This gives two balancing perceptions - your self-concept together with an accurate measure of the way your intentions and actions are interpreted by colleagues. A request for feedback opens the lines of communication between you and those with whom you work. This can result in the following benefits:

- Greater Self Understanding
- Improved ability to work as part of a team
- Knowledge of the impact your behaviour has on others
- Increased productivity
- Stronger interpersonal skills
- Fresh perspective on your potential strengths and areas of difficulty

How LSI works

Participants are asked to complete a self-assessment (LSI 1) as well as nominating up to 8 respondents to complete the survey on their behalf (LSI 2). Human Synergistics administer the tool, and we keep in close contact with them for the duration of the project.

DATTNER GRANT TERMS OF SERVICE PROVISION

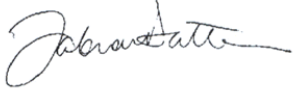
1. The agreed investment for this project excludes GST. This figure does not include the supply of materials or the printing of participant handouts. As the client, you may choose to undertake the printing yourself and Dattner Grant can supply the file as an Adobe PDF document. Travel, accommodation or any other expenses incurred by Dattner Grant in providing this service will be charged at cost plus a 10% administration fee
2. A payment of 20% of the total project fee will be invoiced and payable upon confirmation of this contract. Payment will be due within fourteen (14) working days of receipt of invoice
3. The balance of work will be invoiced at the end of each workshop/module
4. Payment will be due within fourteen (14) working days of receipt of invoice
5. Full confirmation of this project is acknowledged upon receipt of a signed copy of this document or by email confirmation from you, the client
6. Cancellation or rescheduling of this work (program/workshop/module or any other part thereof) with less than six (6) weeks' notice prior to commencement will incur a 100% cancellation fee.
7. Cancellation of the work (workshop/module or any other part thereof) with between 7-12 weeks' notice will incur a 50% cancellation fee

ADMINISTRATION & LOGISTICS

Unless explicitly advised, it is Dattner Grant's undertaking that your organisation will handle the vast majority of the program logistics. Administration and logistics can include, but not limited to:

- Travel arrangements for any program participants
- Venue sourcing and booking
- Catering arrangements
- Equipment and room set up arrangements (IT, table arrangements, name tags, flip charts, stationery)
- Purchasing of additional props or workshop aids as advised by Dattner Grant
- Printing of participant handouts (including folder set up, individual workshop materials and support documents)
- Following up participants (and their respondents) that have failed to complete pre-program diagnostics during the specified time frame as advised by Dattner Grant
- The arrangement of interview schedules within your organisation
- The arrangement of coaching session schedules within your organisation
- All communication with participants regarding a program, with the exception of the issuing of program pre-work or diagnostics

Signed:



Fabian Dattner
Dattner Grant Pty Ltd
01/08 /2019

James Roncon
Broken Hill City Council
/ /2019

ORDINARY MEETING OF THE COUNCIL

August 7, 2019

ITEM 4**BROKEN HILL CITY COUNCIL REPORT NO. 147/19****SUBJECT: PUBLIC INTEREST DISCLOSURES ANNUAL REPORT 2018/19**
12/67**Recommendation**

1. That Broken Hill City Council Report No. 147/19 dated August 7, 2019, be received.
2. That the Broken Hill City Council Public Interest Disclosures Annual Report 2018/19 be forwarded to the Minister for Local Government and the NSW Ombudsman by 30 October 2019.

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. (This Policy is currently the subject of a report to the current meeting of Council recommending endorsement of the updated Policy. The attachment to this report to Council is the 2019 version Council endorsed for public display for consultation purposes and will replace the 2015 Policy upon Council's final resolution).

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 2018 through to 30 June 2019.

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 and intranet site. Information on Policies and Procedures are also included in Council's Corporate Induction Program.

Strategic Direction:

Key Direction:	4.	Our Leadership
Objective:	4.1	Openness and transparency in decision making
Strategy:	4.1.1	Support the organization to operate its legal framework

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
DIRECTOR CORPORATE

JAMES RONCON
GENERAL MANAGER

REPORTING OF PUBLIC INTEREST DISCLOSURES POLICY

QUALITY CONTROL		
TRIM REFERENCES	D12/11938 - 12/14	
RESPONSIBLE POSITION	Director Corporate	
APPROVED BY	Council	
REVIEW DATE	July 2021	REVISION NUMBER 8
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 2019	Public Display	46031
	Adopted	

1. INTRODUCTION

In accordance with 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 (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 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 PID Act.

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

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

This policy is one of several related Council policies including its Code of Conduct, Statement of Business Ethics, 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 suspected serious wrongdoing you see within 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 *Government Information (Public Access) Act 2009* (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.

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.

4.1.3 Serious and substantial waste of public money

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.

4.1.4 Breach of the GIPA Act

A government information contravention is a failure to properly fulfil functions under the 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.

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 Development Application for a property in which they or their family have an interest.

For more information about what should be reported, see the NSW Ombudsman's Guideline B2 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 Council's policies and procedures on:

- Code of Conduct
- Statement of Business Ethics
- Conflicts of Interest
- Equal Employment Opportunity
- Fraud Control
- Gifts and Benefits
- Complaints Management

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 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 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
 - 1..1..1. a position nominated in this policy – see section 4.5 of this policy
 - 1..1..2. one of the investigating authorities nominated in the PID Act – see section 4.12 of this policy

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 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 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 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 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 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 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 (ICAC).

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 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 Director Corporate.

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 Council

Staff and Councillors are encouraged to report wrongdoing within the 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 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 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 (OLG) — 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 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 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 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 Council Code of Conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside the 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 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.

If you make a report which meets the requirements of the PID Act but the report was made under a statutory or legal obligation or incidental to the performance of your day to day functions, you will not receive an acknowledgement letter or a copy of this policy.

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 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 Council becomes aware of or suspects that reprisal is being or has been taken against a person who has made a disclosure, 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 OLG, 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 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 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 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: jpcinfo@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 (OLG)
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
- Disclosures Coordinator
- Disclosures 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 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 Business Ethics
- Gifts and Benefits Policy
- Conflicts of Interest Policy
- Fraud Control Policy
- Equal Employment Opportunity Policy
- Complaints Management 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

"**Council**" shall mean Broken Hill City Council

"**ICAC**" shall mean the Independent Commission Against Corruption

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

ORDINARY MEETING OF THE COUNCIL

August 20, 2019

ITEM 5**BROKEN HILL CITY COUNCIL REPORT NO. 148/19****SUBJECT: ADOPTION OF THE DRAFT GIFTS AND BENEFITS POLICY 12/14****Recommendation**

1. That Broken Hill City Council Report No. 148/19 dated August 20, 2019, be received.
2. That Council adopts the draft Gifts and Benefits Policy as a policy of Council.

Executive Summary:

Council at its Ordinary Meeting held 31 July 2019 considered the Draft Gifts and Benefits Policy and resolved (Minute Number 46033) to place the draft policy on public exhibition for a period of 28 days.

At the conclusion of the public exhibition period on 31 August 2019, Council received nil submissions from the public.

Report:

Council adopted its Code of Conduct Policy at the March 2019 Council Meeting (Minute No. 46028) based on the Model Code of Conduct for Local Councils in NSW 2018 which sets the minimum standards of conduct for Council officials in NSW. Council Officials include Councillors, members of staff, administrators, Council committee members, delegates of Council and Council advisers.

Council adopted its Code of Conduct Policy at the March 2019 Council Meeting (Minute No. 46028) based on the Model Code of Conduct for Local Councils in NSW 2018.

The Model Code of Conduct was prescribed by regulation to assist Council officials to:

- Understand and comply with minimum ethical and behavioural standards that are expected of them as Council officials
- Provide clear guidance to local communities on the minimum ethical and behavioural standards they can expect of Council officials who serve them
- Promote transparency and accountability
- Promote community confidence in the integrity of the decisions councils make and the functions they exercise on behalf of their local communities
- Enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- Act in a way that enhances public confidence in local government.

The Code allows extension to non-Council officials i.e., volunteers, contractors and wholly advisory committees.

A review of Council's policies/strategies and processes is required following Council's adoption of the new Model Code of Conduct to ensure that they align with the new standards of conduct for Councillors, Council staff, committees, volunteers, contractors and wholly advisory committees of Council. Council's Gifts and Benefits Policy is one of the policies that required review due to the adoption of the Code of Conduct Policy.

As per Council's resolution (Minute Number 46033) the draft Gifts and Benefits Policy was placed on public exhibition for a period of 28 days closing 31 August 2019.

Council received nil submissions from the public during the public exhibition period.

The draft policy is now presented to Council for the purpose of formal adoption.

Strategic Direction:

Key Direction:	4	Our Leadership
Objective:	4.1	Openness and transparency in decision making
Strategy:	4.1.1	Support the organisation to operate its legal framework

Relevant Legislation:

Local Government Act 1993, Section 440

Local Government (General) Regulation 2005

Financial Implications:

Nil

Attachments

1. [↓](#) Draft Gifts and Benefits Policy

JAMES RONCON
GENERAL MANAGER

DRAFT GIFTS AND BENEFITS POLICY

QUALITY CONTROL			
TRIM REFERENCES	D12/11893 - 12/114		
RESPONSIBLE POSITION	General Manager		
APPROVED BY	General Manager/ELT		
REVIEW DATE	June 2021	REVISION NUMBER	3
EFFECTIVE DATE	ACTION	MINUTE NUMBER	
25 March, 2003	Adopted by Council	39893	
22 October, 2009	Adopted by Council	42195	

1. INTRODUCTION

Council is committed to preventing any and all forms of corruption within its organisation.

2. POLICY OBJECTIVE

The policy specifies requirements and provides guidance to Councillors, Council employees, contractors and volunteers on the issue of gifts and benefits. This policy prescribes procedure and reinforces the requirements set down in Council's adopted Code of Conduct Policy.

3. POLICY SCOPE

This policy applies to all Councillors, Council employees, contractors and volunteers in the carrying out of their functions as Council officials.

4. POLICY STATEMENT

General Principles

4.1 Gifts and Benefits

Councillors, Council employees, contractors and volunteers MUST NOT:

- a) seek or accept a bribe or other improper inducement
- b) seek gifts or benefits of any kind
- c) accept any gift or benefit that may create a sense of obligation on their part or may be perceived to be intended or likely to influence them in carrying out their public duty

- d) accept any gift or benefit of more than token value (\$50.00) per single gift, or where gifts from a person or organisation over a twelvemonth period, when aggregated, do not exceed a value of \$50.00
- e) accept an offer of cash or a cash-like gift, regardless of the amount (e.g. gift voucher, credit cards or debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons).
- f) participate in competitions for prizes where eligibility is based on the Council being in or entering into a customer-supplier relationship with the competition organiser.
- g) personally, benefit from reward points programs when purchasing on behalf of the Council.

See Clauses 4 to 6 which provides examples of what is not considered a gift and benefit; what is considered a token gift or benefit; and what is considered a gift or benefit of value.

4.2 The Legislative Perspective

Corruptly receiving a gift or benefit is an offence.

- a) Section 440 of the *Local Government Act (NSW) 1993*, requires all councils to adopt a code of conduct. All councillors, employees, members of Council committees and Council delegates must comply with the applicable provisions of Council's code of conduct in carrying out their functions as Council officials. Council contractors and volunteers are also required to observe the relevant provisions of Council's code.

Section 6 of Broken Hill City Council's Code of Conduct Policy addresses gifts and benefits.

- b) Section 249B of the *Crimes Act 1900 (NSW)* creates an offence for any individual corruptly receiving or seeking any benefit as an inducement to do or not do, something in relation to their official duties or receiving benefits for showing favour or disfavour to any person in relation to their official duties.
- c) The *Independent Commission Against Corruption Act 1988 (NSW)* (which applies to all public authorities and public officers as defined in Section 3 of the Act) empowers the ICAC to investigate any allegation or complaint that, or any circumstances which in the ICAC's opinion imply that:

- corrupt conduct;
- or conduct liable to allow, encourage or cause the occurrence of corrupt conduct; or
- conduct connected with corrupt conduct
- may have occurred, may be occurring or may be about to occur.

In respect of findings by ICAC, which may be as the result of a public inquiry, ICAC has the power under the legislation to express an opinion as to whether.

- consideration should or should not be given to obtaining the advice of the Director of Public Prosecutions as to prosecution of a person for a specified criminal offence.

- consideration should be given to taking action against a person for a specified disciplinary offence; or the taking of action against a public official on specified grounds with a view to dismissing, dispensing with the services of, or otherwise terminating the services of the public official.

4.3 Broken Hill City Council

All councillors, employees, members of Council Committees, Council delegates, contractors and volunteers must comply with the applicable provisions of Council's adopted Code of Conduct Policy and with all applicable policies and procedures of Council.

4.4 Circumstances not considered to be Gifts and Benefits

A gift or benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment. A reference to a gift or benefit does not include:

- a) a political donation for the purposes of the *Electoral Funding Act 2018*.
- b) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them.
- c) attendance by a council official at work-related event or function for the purposes of performing their official duties, or
- d) free or subsidised meals, beverages or refreshments of token value provided to council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i) the discussion of official business
 - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
 - iii) conferences
 - iv) council functions or events
 - v) social functions organised by groups, such as council committees and community organisations

4.5 Gifts and Benefits of Token Value

Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a twelve-month period that, when aggregated, do not exceed a value of \$50.00. These gifts and benefits may be accepted but MUST be declared and the gift surrendered along with the declaration form pending the General Manager's decision (other than flowers and perishable food (eg, home baked goods)). They include but are not limited to:

- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$50.00.
- b) gifts of alcohol that do not exceed a value of \$50.00.
- c) ties, scarves, coasters, tie pins, diaries, chocolates, flowers or the like.
- d) prizes or awards that do not exceed \$50.00 in value.

- e) Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single twelve month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same twelve month period would exceed \$50.00 in value.
- f) offers of cash or a cash-like gift MUST NOT be accepted, regardless of the amount (e.g. gift voucher, credit cards or debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons).

Token gifts and benefits as listed above must be declared as required by Council's Code of Conduct Policy and Gifts and Benefits policy and the gift surrendered along with the declaration form pending the General Manager's decision (other than flowers and perishable food (eg, home baked goods)).

4.6 Gifts and Benefits of Value

Gifts and benefits of more than token value (those that exceed \$50.00 for one or more gifts or benefits received from a person or organisation over a twelve-month period that, when aggregated, exceed a value of \$50.00). These gifts and benefits MUST be declared:

Gifts and benefits of value, that is, which have more than a token value include, but are not limited to:

- a) tickets to major sporting events (such as state or international cricket matches or matches in other national sporting codes (including NRL, AFL, FFA, NBL) with a ticket value exceeding \$50.00
- b) corporate hospitality at a corporate facility at major sporting events
- c) free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons
- d) the use of holiday homes
- e) free or discounted travel
- e) items of clothing or jewellery and similar.
- f) offer of cash or a cash-like gift MUST NOT be accepted, regardless of the amount (e.g. gift voucher, credit cards or debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons).

4.7 Declaration of Gifts and Benefits

- a) All gifts and benefits MUST be declared and the gift surrendered along with the declaration form pending the General Manager's decision (other than flowers and perishable food (eg, home baked goods)). Token gifts and benefits usually do not create a sense of obligation in the receiver that will influence, or appear to influence, the exercise of his/her official duties.

Declarations must be in the form attached to this policy (Appendix 1). This form is available on the intranet and all Council workplaces.

- b) If you are offered a gift or benefit that is of more than token value, the following procedure must be followed:
- (i) politely decline to accept the gift or benefit
 - (ii) make notes immediately after the approach has been made setting out as clearly as possible what occurred, including:
 - Date, time and place of the incident
 - To whom the offer was made
 - Who made the offer?
 - The response to the offer
 - Any other relevant details of the offer
 - Sign and date the notes.

The informant should keep a copy of the notes for their own records.

- (iii) Inform the relevant ELT Manager as soon as possible, in writing. Within 24 hours the General Manager must be informed of the offer by either the ELT Manager or the individual concerned; in writing.
- (iv) Where you receive a gift or benefit that cannot reasonably be refused or returned, this must be disclosed promptly to your ELT Manager or the General Manager. The recipient, and General Manager must ensure that any gifts or benefits that are received are recorded in Council's Gifts Register. The gift or benefit must be surrendered to Council, unless the nature of the gift or benefit makes this impractical.

The Gift Register must include at a minimum:

- The nature of the gift or benefit
 - The estimated monetary value of the gift or benefit
 - The name of the person who provided the gift or benefit, and
 - The date on which the gift or benefit was received. (*Source: Code of Conduct*)
- (v) A Councillor, Council employee, contractor or volunteer must avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment from them or the Council.
 - (vi) A Councillor, Council employee, contractor or volunteer must take all reasonable steps to ensure that their immediate family members do not receive gifts or benefits that give rise to the appearance of being an attempt to secure favourable treatment. Immediate family members ordinarily include parents, spouses, children and siblings.
 - (vii) A Councillor, Council employee, contractor or volunteer must not use their position to influence other council officials in the performance of their public or professional duties to obtain a private benefit for themselves or for somebody else.
 - (viii) A Councillor, Council employee, contractor or volunteer must not take advantage (or seek to take advantage) of his/her status or position with or

of functions they perform for Council in order to obtain a private benefit for themselves or for any other person or body.

- c) Any Councillor, Council employee, contractor or volunteer who believes they have been offered a bribe, either as cash or in some other form must:
- (i) refuse the bribe
 - (ii) make notes immediately after the approach has been made setting out as clearly as possible what occurred, including:
 - Date, time and place of the incident
 - To whom the offer was made
 - Who offered the possible bribe?
 - The response to the offer
 - Any other relevant details of the offer
 - Sign and date the notes.

The informant should keep a copy of the notes for their own records.

- (iii) inform the relevant ELT Manager of Council, Council's Public Officer (Director Corporate) or the General Manager. However, the General Manager must be informed in writing within 24 hours of the occurrence.

The General Manager must:

- inform the ICAC
- inform the Police.

Offering bribes to a public official is a serious matter. Councillors, Council employees, contractors or volunteers involved in any way or with knowledge of such occurrences are required to report this information to Council's General Manager in writing or may make a Protected Disclosure in accordance with Council's Protected Disclosures Policy.

- d) Council has the right to suspend any employee or volunteer in respect of clause 8(c).

4.8 Vexatious Reports and Complaints

Council will not tolerate vexatious reports and complaints in respect of the Gifts and Benefits Policy and disciplinary action may be taken in accordance with Council's Disciplinary Policy.

4.9 Designated Persons

Some "Designated Persons" within Council are directly involved in tendering, procurement and planning and development matters and are therefore involved in the exercise of discretionary decision-making powers. These Council officials must not accept gifts and benefits of any kind, regardless of their value, from persons seeking the exercise of Council's decision-making discretion or who have sought the exercise of the Council's decision-making discretion within the previous twelve months.

In particular, regarding development decisions, public officials must ensure that development decisions are properly made and that parties involved in the

development process are dealt with fairly; and must avoid any occasion for suspicion of improper conduct in the development assessment process.

In determining development applications, public officials must ensure that no action, statement or communication between themselves and applicants or objectors conveys any suggestion of willingness to provide improper concessions or preferential treatment.

4.10 Former Public Officials

Corrupt conduct as defined in the ICAC Act includes:

- (i) any conduct of a public official or former public official that constitutes or involves a breach of public trust.
- (ii) any conduct of a public official or former public official that involves the misuse of information or material that he or she has acquired in the course of his or her official functions, whether or not for his or her benefit or for the benefit of any other person.

4.11 Internal Reporting

This situation is covered by Council's Protected Disclosures Policy.

4.12 External Complaint/Reporting

Complaints regarding corrupt conduct by public officials received from the general public should be referred to the General Manager. Should the complaint concern the General Manager, then it should be referred to the Mayor.

Matters can also be reported direct to the Independent Commission Against Corruption, G.P.O. Box 500, SYDNEY NSW 2001.

5. IMPLEMENTATION

5.1 Roles and Responsibilities

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

- General Manager
- Executive Leadership Team

5.2 Communication

This Policy will be communicated to staff in accordance with Council's Policy, Procedure and Process Framework. Following approval by the General Manager, the Policy will be made available on Council's intranet.

5.3 Associated Documents

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

- Statement of Ethical Principles
- Code of Conduct Policy
- Protected Disclosures Policy
- Disciplinary Policy and Procedures

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 (3) months prior to the expiry of this policy.

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

7. LEGISLATIVE AND LEGAL FRAMEWORK

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

- *Local Government Act 1993*
- *Local Government General Regulation 2005*

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

8. DEFINITIONS

"Council" shall mean Broken Hill City Council

"ELT" shall mean Executive Leadership Team

"ICAC" shall mean Independent Commission Against Corruption



GIFTS AND BENEFITS DECLARATION

This form is to be completed immediately after a gift or benefit is received or offered to a Councillor, Council employee, contractor or volunteer as per Council's Gift and Benefits Policy, and the gift surrendered pending the General Manager's decision (other than flowers and perishable food (eg, home baked goods)).

1. General Manager/ELT Manager
2. Public Officer (Director Corporate)

Date gift or benefit received/offered: _____

Offered to: _____ Position: _____

(if offered to a group of individuals, record all name on the reverse side of this form)

Offered by: _____

Name: _____ Position: _____

Agency: _____ Phone: _____

Reason for gift/benefit:

Description of gift/benefit:

Estimated value (\$): _____

Signature of recipient: _____ Date: _____

General Manager's signature: _____ Date: _____

Type of gift/benefit: (tick which one applies)

Token gift/benefit

Gift/benefit of value

General Manager's decision regarding gift/benefit:

Public Officer's signature: _____

Date entered into register:

ORDINARY MEETING OF THE COUNCIL

August 20, 2019

BROKEN HILL CITY COUNCIL REPORT NO. 149/19

SUBJECT: ADOPTION OF THE REPORTING OF PUBLIC INTEREST DISCLOSURES POLICY 12/14

Recommendation

1. That Broken Hill City Council Report No. 149/19 dated August 20, 2019, be received.
2. That the Draft Reporting of Public Interest Disclosures Policy be adopted as a policy of Council.

Executive Summary:

Council at its Ordinary Meeting held 31 July 2019 considered the Draft Reporting of Public Interest Disclosures Policy and resolved (Minute Number (46031) to place the draft policy on public exhibition for a period of 28 days.

At the conclusion of the public exhibition period on 31 August 2019, Council received nil submissions from the public.

Report:

In accordance with section 6D of the *Public Interest Disclosures Act 1994* (PID Act), public authorities are required to have policy and procedures for receiving, assessing and dealing with public interest disclosures and must be publicly available on Council's website.

The Draft Reporting of Public Interest Disclosures Policy is an update of the policy adopted by Council at the Ordinary Meeting held 25 November 2015, minute no. 45126. The current policy was developed in accordance with the NSW Ombudsman's, Model Internal Reporting Policy, June 2014 and has now been reviewed to ensure consistency with Council's newly adopted Code of Conduct and its current structure and reporting lines.

The adoption of this policy will supersede the policy adopted by Council in 2015. The policy will be reviewed again following the next Local Government Elections, unless there are legislative changes that occur before this time.

The purpose of the 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 reports can be made, what can be reported, outlines how reporters will be protected and supported and how reports of wrongdoing will be dealt with.

The policy is designed to complement normal communication channels between supervisors and staff.

The Act states the objectives as follows:

(1) The object of the PID Act is to encourage and facilitate the disclosure, in the public interest, of corrupt conduct, maladministration, serious and substantial waste, government information contravention and local government pecuniary interest contravention in the public sector by:

- (a) enhancing and augmenting established procedures for making disclosures concerning such matters, and
- (b) protecting persons from reprisals that might otherwise be inflicted on them because of those disclosures, and
- (c) providing for those disclosures to be properly investigated and dealt with.

As per Council's resolution (Minute Number 46031) the Draft Reporting of Public Interest Disclosures Policy was placed on public exhibition for a period of 28 days closing on 31 August 2019. Council received nil submissions from the public during the public exhibition period. This draft policy is now presented to Council for the purpose of formal adoption.

Strategic Direction:

Key Direction:	4	Our Leadership
Objective:	4.1	Openness and transparency in decision making
Strategy:	4.1.1	Support the organisation to operate its legal framework

Relevant Legislation:

Public Interest Disclosures Act 1994

Local Government Act 1993

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

Financial Implications:

There are no financial implications in implementing this policy.

Attachments

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

RAZIJA NU'MAN
DIRECTOR CORPORATE

JAMES RONCON
GENERAL MANAGER

REPORTING OF PUBLIC INTEREST DISCLOSURES POLICY

QUALITY CONTROL		
TRIM REFERENCES	D12/11938 - 12/14	
RESPONSIBLE POSITION	Director Corporate	
APPROVED BY	Council	
REVIEW DATE	July 2021	REVISION NUMBER 8
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 2019	Public Display	46031
	Adopted	

1. INTRODUCTION

In accordance with 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 (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 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 PID Act.

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

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

This policy is one of several related Council policies including its Code of Conduct, Statement of Business Ethics, 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 suspected serious wrongdoing you see within 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 *Government Information (Public Access) Act 2009* (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.

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.

4.1.3 Serious and substantial waste of public money

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.

4.1.4 Breach of the GIPA Act

A government information contravention is a failure to properly fulfil functions under the 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.

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 Development Application for a property in which they or their family have an interest.

For more information about what should be reported, see the NSW Ombudsman's Guideline B2 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 Council's policies and procedures on:

- Code of Conduct
- Statement of Business Ethics
- Conflicts of Interest
- Equal Employment Opportunity
- Fraud Control
- Gifts and Benefits
- Complaints Management

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 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 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
 - 1..1..1. a position nominated in this policy – see section 4.5 of this policy
 - 1..1..2. one of the investigating authorities nominated in the PID Act – see section 4.12 of this policy

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 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 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 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 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 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 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 (ICAC).

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 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 Director Corporate.

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 Council

Staff and Councillors are encouraged to report wrongdoing within the 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 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 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 (OLG) — 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 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 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 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 Council Code of Conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside the 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 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.

If you make a report which meets the requirements of the PID Act but the report was made under a statutory or legal obligation or incidental to the performance of your day to day functions, you will not receive an acknowledgement letter or a copy of this policy.

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 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 Council becomes aware of or suspects that reprisal is being or has been taken against a person who has made a disclosure, 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 OLG, 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 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 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 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: jpcinfo@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 (OLG)
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
- Disclosures Coordinator
- Disclosures 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 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 Business Ethics
- Gifts and Benefits Policy
- Conflicts of Interest Policy
- Fraud Control Policy
- Equal Employment Opportunity Policy
- Complaints Management 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

"**Council**" shall mean Broken Hill City Council

"**ICAC**" shall mean the Independent Commission Against Corruption

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

ORDINARY MEETING OF THE COUNCIL

August 20, 2019

ITEM 7

BROKEN HILL CITY COUNCIL REPORT NO. 150/19

SUBJECT: ADOPTION OF THE DRAFT VOLUNTARY PLANNING AGREEMENT POLICY

11/192

Recommendation

1. That Broken Hill City Council Report No. 150/19 dated August 20, 2019, be received.
2. That the draft Voluntary Planning Agreement Policy be adopted as a policy of Council.

Executive Summary:

Council at its Ordinary Meeting held 31 July 2019 considered the Draft Voluntary Planning Agreement Policy and resolved (Minute Number 46032) to place the draft policy on public exhibition for a period of 28 days.

At the conclusion of the public exhibition period on 31 August 2019, Council received nil submissions from the public.

Report:

This report presents to Council a draft Voluntary Planning Agreement (VPA) Policy, for Council's consideration and adoption.

Planning agreements are a new area for Council and has only recently been used and implemented. The purpose of the policy is to give clear direction to Council, Council staff and developers for the development of a planning agreement and general requirements for the use of a VPA as a contribution method.

Planning Agreements are voluntary agreements that allow Development Contributions such as the dedication of land at no cost to Council, monetary contributions, any other material public benefit or any combination of these for a public purpose

Planning Agreements form one part of Council's developer contribution system. The developer contribution system includes Council's Section 7.12 Developer Contributions Plan (formerly known as 94A contribution) that have been adopted in accordance with the relevant provisions of the Act.

This policy establishes a framework to guide the preparation of Planning Agreements (VPAs) under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

The policy objectives are to:

- Establish a fair, transparent and accountable framework governing the use of Planning Agreements by the Council of Broken Hill (Council);
- Give stakeholders in development greater involvement in the type, standard and location of public facilities and other public benefits; and

- Adopt innovative and flexible approaches to the provision of infrastructure and other public benefits in a manner that is consistent with Council's strategic and infrastructure plans.

This policy is not legally binding, however it is intended that the Council and all persons dealing with Council in relation to Planning Agreements will follow this Policy to the fullest extent possible. The acceptance of an offer to enter into a Planning Agreement is at the absolute discretion of Council.

Policy Scope - Any offer to enter into a Planning Agreement with Council is to be initialised in writing to Council by the Developer. The written offer is to contain adequate information for Council to properly consider whether or not to accept the offer. In this regard, the offer should include as much information as possible including but not limited to the following matters:

- (a) The Land to which the Planning Agreement relates, including its legal description;
- (b) The Development Application or Planning Proposal that relates to the Planning Agreement;
- (c) The Developer's details;
- (d) If the Developer is not the owner of the subject land, then the land owner's details and whether the land owner intends to enter into the Planning Agreement as well (if so, a written offer will also be required from the relevant land owner(s));
- (e) The Public Benefits being offered under the terms of the Planning Agreement; and
- (f) The nature of the security to be provided for the Public Benefits; Planning Agreements are separate from, but complement Council's Section 7.12 contribution plans.

Planning Agreements provide an efficient means of increasing and broadening the range of community infrastructure in conjunction with redevelopment.

Planning Agreements may arise through either a Development Application or a request for an Instrument Change.

Council will not accept any component of a public benefit under the terms of a Planning Agreement if that component is already required to be provided by virtue of a condition of a development consent with the exception where the Planning Agreement proposes any off sets to contributions under Section 7.12 formerly Section 94A of the Act.

In determining whether to accept an offer to enter into a Planning Agreement, the Council is required to take into consideration a number of matters including the nature and value of the public benefit being offered in proportion to the nature and value of the exceedance of the planning controls sought by the Applicant in the case of a Development Application or any Instrument Change.

Acceptability test to be applied to all Planning Agreements - Council will consider the following questions in order to assess the desirability of a proposed Planning Agreement:

- (a) Is the proposed Planning Agreement directed towards a proper and legitimate planning purpose having regard to the statutory planning controls and other adopted planning policies and infrastructure strategies and the circumstances of the case?
- (b) Does the proposed Planning Agreement provide for a reasonable means of achieving the relevant planning purpose and securing the relevant public benefit?
- (c) Will the proposed Planning Agreement produce outcomes that protect the public interest?
- (d) Are there any relevant circumstances that may operate to preclude Council from entering into the proposed Planning Agreement?
- (e) Will the proposed Planning Agreement provide benefits that bear a relationship to the delivery of services and infrastructures within the LGA?

(f) Is the quantum of the Public Benefit commensurate with the value of the Development Contribution?

Relationship with Council's section 7.12 contributions plan - Normally public benefits in Planning Agreements are additional to required contributions. By exception, a Planning Agreement may partly or fully exclude the application of section 7.12 contributions in relation to developments, the subject of a Planning Agreement.

The ability in a Planning Agreement to partly or wholly exclude the application of section 7.12 contributions gives Council a degree of flexibility to redistribute the financial, social and environmental costs and benefits of a development. This flexibility provides the opportunity to address issues that may not have been anticipated or may not be able to be appropriately addressed with the more rigid requirements of section 7.12 contributions.

Where a Planning Agreement partly or fully excludes the application of section 7.12 contributions, the Act prevents Council from imposing a condition of development consent requiring the payment of those contributions except to the extent that it requires the payment of the balance of those contributions where the Planning Agreement only partly excludes them.

A Planning Agreement may also exclude the benefits provided under such agreement being considered in the assessment of section 7.12 contributions. In such cases, the Act precludes the application of section 7.11(6) which would otherwise require the consideration of any land, money or material public benefit contributed to the consent authority when assessing section 7.12 contributions.

In addition to the above, a VPA policy sets out matters Council may consider in any negotiations for a planning agreement which may incorporate the following:

- (a) the demands created by the development for new public infrastructure, amenities or services are addressed;
- (b) the facilities and/or services to be provided meet the planning and strategic objectives of Council;
- (c) mitigation of the impact of development is addressed;
- (d) recurrent funding of public facilities is required;
- (e) past deficiencies in infrastructure provision that would otherwise prevent a development from occurring are addressed;
- (f) monitoring the planning impacts of development is required;
- (g) planning benefits for the wider community accrue from the Planning Agreement; and
- (h) any initial or ongoing costs are designated as Council's responsibility.

The VPA policy proposes the establishment of a negotiations team who will be responsible for the negotiation of the terms of a planning agreement. Council's negotiations team will be made up by the General Manager, Chief Operations Officer, Manager Planning, Development and Compliance, and the Mayor or mayor's appointed representative. All Council staff participating in negotiations must have the appropriate delegations pursuant to section 7.4 of the *EP&A Act 1979*.

A key component of the VPA policy is to set standards for contributions, recurrent contributions and pooling of Development Contributions. Wherever possible, Council will seek to standardise Development Contributions sought under Planning Agreements in order to streamline negotiations and provide fairness, predictability and certainty for developers. However, this does not prevent public benefits being negotiated on a case by case basis particularly where planning benefits are also involved.

For proposed development and planning proposals, Council's primary position is that satisfactory arrangements for the provision of community infrastructure will be taken to have

been made when the value of the planning agreement contributions is equivalent to 50% of the land value uplift.

The Council may request developers to make Development Contributions towards recurrent costs of public facilities through a Planning Agreement. Generally, the Planning Agreement will only require the Developer to make contributions towards the recurrent costs of the facility until a public revenue stream is established to support the on-going costs of the facility, or for a time agreed between the parties.

Where a proposed Planning Agreement provides for a monetary contribution by the Developer, Council may seek to include provisions permitting money paid under the agreement to be pooled with money paid under other Planning Agreements. These monetary contributions will allow public benefits to be provided in a fair and equitable way, particularly for essential infrastructure anywhere in the Broken Hill LGA.

As per Council’s resolution (Minute Number 46032) the Draft Voluntary Planning Agreement Policy was placed on public exhibition for a period of 28 days closing 31 August 2019. Council received nil submissions from the public during the public exhibition period. This draft policy is now presented to Council for the purpose of formal adoption.

Strategic Direction:

Key Direction:	3	Our Environment
Objective:	3.3	Proactive, innovative and responsible planning supports the community, the environment and beautification of the City
Strategy:	nil	

Relevant Legislation:

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment Regulation 2000

Financial Implications:

No negative implications – the VPA Policy will support proposals for planning agreements which will generate developer contributions that will benefit the Broken Hill community as a whole.

Attachments

1. [↓](#) DRAFT PLANNING AGREEMENTS POLICY

ANTHONY MISAGH
CHIEF OPERATIONS OFFICER

JAMES RONCON
GENERAL MANAGER



DRAFT PLANNING AGREEMENTS POLICY

QUALITY CONTROL		
TRIM REFERENCES	11/192	
RESPONSIBLE POSITION	Manager Planning, Development and Compliance	
APPROVED BY		
REVIEW DATE	Every three years	REVISION NUMBER
EFFECTIVE DATE	ACTION	MINUTE NUMBER
Only include the last revision (PLEASE DELETE THIS ROW)		

1. INTRODUCTION

This Policy applies to the use of Planning Agreements to which the Council is a party. The public benefits negotiated through the Planning Agreement process will be administered by Council in the context of delivering the key outcome areas of the City of Broken Hill:

- Key Direction 1: Our Community
- Key Direction 2: Our Economy
- Key Direction 3: Our Environment
- Key Direction 4: Our Leadership

2. POLICY OBJECTIVE

This policy establishes a framework to guide the preparation of Planning Agreements under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

The policy objectives are to:

- Establish a fair, transparent and accountable framework governing the use of Planning Agreements by the Council of Broken Hill (Council);
- Give stakeholders in development greater involvement in the type, standard and location of public facilities and other public benefits; and
- Adopt innovative and flexible approaches to the provision of infrastructure and other public benefits in a manner that is consistent with Council's strategic and infrastructure plans.

This policy is not legally binding, however it is intended that the Council and all persons dealing with Council in relation to Planning Agreements will follow this Policy to the fullest extent possible.

The acceptance of an offer to enter into a Planning Agreement is at the absolute discretion of Council.

3. POLICY SCOPE

Planning Agreements are voluntary agreements that allow Development Contributions such as the dedication of land at no cost to Council, monetary contributions, any other material public benefit or any combination of these for a public purpose.

Planning Agreements form one part of Council's developer contribution system. This developer contribution system includes Council's Section 7.12 Developer Contributions Plan (formerly known as 94A contribution) that have been adopted in accordance with the relevant provisions of the Act.

Any offer to enter into a Planning Agreement with Council is to be initialised in writing to the Council by the Developer. The written offer is to contain adequate information for Council to properly consider whether or not to accept the offer. In this regard, the offer should include as much information as possible including but not limited to the following matters:

- (a) The Land to which the Planning Agreement relates, including its legal description;
- (b) The Development Application or Planning Proposal that relates to the Planning Agreement;
- (c) The Developer's details;
- (d) If the Developer is not the owner of the subject land, then the land owner's details and whether the land owner intends to enter into the Planning Agreement as well (if so, a written offer will also be required from the relevant land owner(s));
- (e) The Public Benefits being offered under the terms of the Planning Agreement; and
- (f) The nature of the security to be provided for the Public Benefits; Planning Agreements are separate from, but complement Council's Section 7.12 contribution plans. Planning Agreements provide an efficient means of increasing and broadening the range of community infrastructure in conjunction with redevelopment. Planning Agreements may arise through either a Development Application or a request for an Instrument Change.

The acceptance of an offer to enter into a Planning Agreement is at the absolute discretion of Council.

Council will not accept any component of a public benefit under the terms of a Planning Agreement if that component is already required to be provided by virtue of a condition of a development consent with the exception where the Planning Agreement proposes any off sets to contributions under Section 7.12 formerly Section 94A of the Act.

In determining whether to accept an offer to enter into a Planning Agreement, the Council is required to take into consideration a number of matters including the nature and value of the public benefit being offered in proportion to the nature and value of the exceedance of the planning controls sought by the Applicant in the case of a Development Application or any Instrument Change.

4. POLICY ON THE USE OF PLANNING AGREEMENTS

4.1 Principles governing the use of Planning Agreements

Planning Agreements will be governed by the following principles:

- Council will assess the public benefit of the Development Contribution when deciding whether to proceed with the Planning Agreement;
- Council will not allow Planning Agreements to improperly restrict the exercise of its functions under the Act, Regulation or any other act of law;
- Council will not use Planning Agreements for any purpose other than a proper planning purpose;
- Development that is unacceptable on planning grounds will not be supported because of planning benefits offered by developers that do not mitigate the impacts of development;
- When considering a Development Application or planning proposal, Council will not give undue weight to a Planning Agreement;
- Council will not allow the interests of individuals or interest groups to outweigh the public interest when considering a Planning Agreement;
- Council will not improperly rely on its statutory position, or otherwise act improperly, in order to extract unreasonable public benefits from developers under Planning Agreements, and will ensure that all parties involved in the Planning Agreement process are dealt with fairly; and
- If Council is subject to a financial interest from a development, being the subject of a Planning Agreement, it will take appropriate steps to ensure that it manages any conflict of interest it has between its role as planning authority and its interest in the development.

4.2 Circumstances where Council may enter into a Planning Agreement

Council may negotiate a Planning Agreement offered by a developer in connection with any Development Application or proposal for an Instrument Change relating to any land in the Council's local government area.

4.3 Acceptability test to be applied to all Planning Agreements

Council will consider the following questions in order to assess the desirability of a proposed Planning Agreement:

- (a) Is the proposed Planning Agreement directed towards a proper and legitimate planning purpose having regard to the statutory planning controls and other adopted planning policies and infrastructure strategies and the circumstances of the case?
- (b) Does the proposed Planning Agreement provide for a reasonable means of achieving the relevant planning purpose and securing the relevant public benefit?
- (c) Will the proposed Planning Agreement produce outcomes that protect the public interest?
- (d) Are there any relevant circumstances that may operate to preclude Council from entering into the proposed Planning Agreement?
- (e) Will the proposed Planning Agreement provide benefits that bear a relationship to the delivery of services and infrastructures within the LGA?
- (f) Is the quantum of the Public Benefit commensurate with the value of the Development Contribution?

4.4 Consideration of Planning Agreements in relation to planning proposals and Development Applications

When exercising its functions under the Act in relation to a Development Application or a proposal for an Instrument Change to which Planning Agreement relates, Council will consider:

(a) whether the proposed Planning Agreement is relevant to the Development Application or Instrument Change and whether it may be subsequently considered in connection with the Development Application or Instrument Change; and

(b) if so, the proper planning weight to be given to the proposed Planning Agreement.

4.5 Types and forms of contributions

To ensure that Development Contributions provided under Planning Agreements are directed towards appropriate and legitimate planning purposes, Council will consider whether the proposed Development Contributions:

(a) mitigate or compensate for the impact of the relevant development;

(b) meet Council's planning policy objectives including those set out in section 7.12 (former section 94A) contributions plans;

(c) meet the requirements of Council's public infrastructure works program; and

(d) meet the objectives of other relevant draft or adopted Council policies, strategies or plans

The form of a Development Contribution to be made under a proposed Planning Agreement will be determined by the particulars of the Development Application or planning proposal to which the Planning Agreement relates.

4.6 Relationship to Section 7.12 contributions plan

Normally public benefits in Planning Agreements are additional to required contributions. By exception, a Planning Agreement may partly or fully exclude the application of section 7.12 contributions in relation to developments, the subject of a Planning Agreement.

The ability in a Planning Agreement to partly or wholly exclude the application of section 7.12 contributions gives Council a degree of flexibility to redistribute the financial, social and environmental costs and benefits of a development. This flexibility provides the opportunity to address issues that may not have been anticipated or may not be able to be appropriately addressed with the more rigid requirements of section 7.12 contributions.

Where a Planning Agreement partly or fully excludes the application of section 7.12 contributions, the Act prevents Council from imposing a condition of development consent requiring the payment of those contributions except to the extent that it requires the payment of the balance of those contributions where the Planning Agreement only partly excludes them.

A Planning Agreement may also exclude the benefits provided under such agreement being considered in the assessment of section 7.12 contributions. In such cases, the Act precludes the application of section 7.11(6) which would otherwise require the consideration of any land, money or material public benefit contributed to the consent authority when assessing section 7.12 contributions.

4.7 Public notification of Planning Agreements

A Planning Agreement cannot be entered into, amended or revoked unless public notice is given and the Planning Agreement is first made publicly available for inspection for a minimum period of 28 days.

If the Planning Agreement is in connection with a Development Application, the public notice shall be given, if practicable, as part of and contemporaneously with, and in the same manner as, any notice of the Development Application.

If the Planning Agreement is in connection with a proposal for an Instrument Change, the public notice shall be given, if practicable, as part of and contemporaneously with, and in the same manner as, any public notice of the relevant planning proposal that is required under the Act.

Where it is not practicable to give public notice at such times, the Regulation requires that it be given as soon as possible after as determined by Council.

Amendments may be required as a result of public submissions or for other reasons. Where amendments are required to a draft Planning Agreement, the amended draft Planning Agreement and explanatory note may be re-exhibited. Where Council has entered into a Planning Agreement and the agreement is in force, it must include certain particulars relating to the Planning Agreement in its annual report for that year.

4.8 Amendment to Planning Agreement

Where Council has entered into a Planning Agreement and the parties to the agreement have agreed to vary the Planning Agreement, then a new letter of offer and a deed of variation will be required to be entered into to formally record the changes to the terms of the Planning Agreement.

The deed of variation will need to be publicly notified for 28 days prior to the parties executing the document. The deed may also be required to be registered on the title of the subject land.

4.9 Independent third parties

Independent third parties may, at the sole discretion of Council, be used wherever it is deemed appropriate by Council for various reasons including but not limited to, circumstances where it is considering whether the Planning Agreement delivers a net public benefit. The cost associated with the use of independent third parties will be borne by the developer.

4.10 Assessing proposed provisions under a Planning Agreement

The matters that Council may consider in any negotiations for a Planning Agreement include whether,

- (a) the demands created by the development for new public infrastructure, amenities or services are addressed;
- (b) the facilities and/or services to be provided meet the planning and strategic objectives of Council;
- (c) mitigation of the impact of development is addressed;
- (d) recurrent funding of public facilities is required;
- (e) past deficiencies in infrastructure provision that would otherwise prevent a development from occurring are addressed;
- (f) monitoring the planning impacts of development is required;
- (g) planning benefits for the wider community accrue from the Planning Agreement; and
- (h) any initial or ongoing costs are designated as Council's responsibility.

4.11 Negotiations team

The terms of a planning agreement will be negotiated by Council's VPA negotiations team. Council's negotiations team will be made up by the General Manager, Chief Operations Officer, Manager Planning, Development and Compliance, and the Mayor or mayor's appointed representative. All Council staff participating in negotiations must have the appropriate delegations pursuant to section 7.4 of the *EP&A Act 1979*.

4.12 Standard Contributions and value of planning agreement

Wherever possible, Council will seek to standardise Development Contributions sought under Planning Agreements in order to streamline negotiations and provide fairness, predictability and certainty for developers. However, this does not prevent public benefits being negotiated on a case by case basis particularly where planning benefits are also involved.

For proposed development and planning proposals, Council's primary position is that satisfactory arrangements for the provision of community infrastructure will be taken to have been made when the value of the planning agreement contributions is equivalent to 50% of the land value uplift.

4.13 Recurrent Contributions

The Council may request developers to make Development Contributions towards recurrent costs of public facilities through a Planning Agreement. Generally, the Planning Agreement will only require the Developer to make contributions towards the recurrent costs of the facility until a public revenue stream is established to support the on-going costs of the facility, or for a time agreed between the parties.

4.14 Pooling of Development Contributions

Where a proposed Planning Agreement provides for a monetary contribution by the Developer, Council may seek to include provisions permitting money paid under the agreement to be pooled with money paid under other Planning Agreements. These monetary contributions will allow public benefits to be provided in a fair and equitable way, particularly for essential infrastructure anywhere in the Broken Hill LGA.

4.15 Valuing public benefits under a Planning Agreement

The value of a benefit proposed under a Planning Agreement will be determined prior to the agreement being publicly notified.

If a Development Contribution under a Planning Agreement is the carrying out of works for a public purpose, Council may value that Development Contribution on the basis of a cost estimate for the works. This may be prepared by a suitably qualified quantity surveyor or valuer (as the case may be) appointed by Council and paid by the Developer.

Where the Development Contribution under a Planning Agreement includes the dedication of land and the value of that land is to be taken into account, Council may seek the services of an appropriately qualified land valuer as appointed by Council and at the cost of the Developer in order to value the land being dedicated.

In the event that a Planning Agreement proposes works and services that would normally be provided as a condition of development consent, then those works and services will be deemed to have no value under the Planning Agreement.

4.16 Costs of entering into Planning Agreements

The costs of preparing, negotiating, executing, varying and monitoring compliance with the Planning Agreement, including any external or internal costs to Council together with the cost of employing

independent consultants and/or independent third parties are all costs associated with entering into a Planning Agreement. Generally, Council will require that all reasonable costs are met by the Developer.

4.17 Credits and Off-sets

In the event that the costs of any works-in-kind that are to be provided by a Developer exceed the costs of those works as agreed with Council in a Planning Agreement:

(a) Council will not agree to a Planning Agreement providing for those additional costs to be:

- refunded to the developer; or
- off-set against any Development Contributions required to be made by the developer; and

(b) The developer will not be able to make any further claim against Council for those additional costs.

4.18 Implementation agreements

In appropriate cases, Council may require a Planning Agreement to provide that before the commencement of development and subject to the agreement all relevant parties, the parties are to enter into an implementation or side agreement in addition to the VPA for matters such as:

- Issues of commercial sensitivity;
- The terms on which the developer will provide Council with early access to the land;
- The manner in which completed work is to be handed over to Council;
- The manner in which work to be completed by Council and the Developer separately are to interface.

These agreements may be publicly notified at the sole discretion of Council, having regard to their commercial sensitivity.

4.19 Provision of security under a Planning Agreement

Council will require a Planning Agreement to make provision for security to cover the Developer's obligations under the agreement.

At the discretion of Council, the form of security will be an unconditional performance bond or bank guarantee provided by an institution regulated by the Australian Prudential Regulation Authority (APRA).

The security must be in favour of the Council to the full value of the Developer's obligations under the Planning Agreement and on terms otherwise acceptable to Council.

4.20 Notations on certificates under section 10.7 (formerly Section 149(5) of the Act)

Council will require a Planning Agreement to contain an acknowledgement by the Developer that Council will make a notation about a Planning Agreement on any certificate issued under section 10.7 of the Act relating to the land the subject of the agreement.

4.21 Registration of Planning Agreements and caveat

Pursuant to Section 7.6 formerly Section 93H of the *EP&A Act*, Council will generally require a Planning Agreement to contain a provision requiring the Developer to agree to registration of the agreement on the title to the land to which the agreement applies.

On execution of the Planning Agreement and until it is registered on title, the developer will be required to consent to Council lodging a caveat on the title of the relevant land.

Council will require the relevant registered land owner to consent to and procure the consent of any other prior registered interests to the registration of the Planning Agreement and the caveat.

The costs of registering the Planning Agreement and the caveat on the title of the land are to be borne by the Developer. The Developer is to provide Council with all the necessary documents required to facilitate the registration of the Planning Agreement and caveat on the title to the land, including the written consent of any parties with interests in the land.

The Council is to lodge the Planning Agreement and the caveat for registration on the title of the land.

4.22 Monitoring and review of a Planning Agreement

Council will monitor the performance of the Developer's obligations under the Planning Agreement.

5. IMPLEMENTATION

5.1 Roles and Responsibilities

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

General Manager

Chief Operations Officer

Manager Planning Development and Compliance

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.

- Broken Hill Section 7.12 Developer Contributions Plan
- NSW Planning and Environment - Draft Practice Note – Planning Agreements issued November 2016

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 (3) months prior to the expiry of this policy.

The Chief Operations 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:

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- Practice Note on Planning Agreements – Department of Infrastructure Planning and Natural Resources, July 2005

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

8. DEFINITIONS

Term	Meaning
Act	<i>Environmental Planning and Assessment Act 1979 (EP&A Act)</i>
Council	Broken Hill City Council
Developer	A person who has sought a change to an environmental planning instrument that includes the making, amendment or repeal of an instrument, or who has made or proposes to make a Development Application, or who has entered into an agreement with or is otherwise associated with such a person
Development Application	Has the same meaning as in the Act
Development Contribution	Contribution provided by the Developer under a Planning Agreement being a monetary contribution, the dedication of land free of cost to Council, any other material public benefit or any combination of them.

Explanatory Note	A written statement that provides details of the objectives, nature, effect and merits of a Planning Agreement, or an amendment to or revocation of a Planning Agreement as required under the Regulation
Voluntary	Done, given, or acting of one's own free will.
Instrument Change	A change to an environmental planning instrument whether it be for the making, amendment or repeal of that instrument
Planning Agreement	A voluntary agreement between one or more planning authorities and a Developer: (a) who seeks to change an environmental planning instrument (which may be for rezoning or other purpose); or (b) who has made, or proposes to make a Development Application
Planning Benefit	A Development Contribution that confers a net public benefit, that is, a benefit that exceeds the benefit derived from measures that would address the impacts of particular development on surrounding land or the wider community
Planning Obligation	An obligation imposed by a Planning Agreement on a developer requiring the developer to make a Development Contribution
Public	The community as a whole or, where context requires, a section of the community
Public Benefit	The benefit enjoyed by the public as a consequence of a Development Contribution
Public Facilities	Public infrastructure, facilities, amenities and services
Public Purpose	Includes (without limitation) any of the following: (a) The provision of (or the recoupment of the cost of providing) public amenities or public services; (b) The provision of (or the recoupment of the cost of providing) affordable housing; (c) The provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land; (d) The funding of recurrent expenditure relating to the provision of public amenities or public

	<p>services, affordable housing or other infrastructure;</p> <p>(e) The monitoring of the planning impacts of a development;</p> <p>(f) The conservation and enhancement of the natural environment</p>
Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>

Note: This Policy adopts the terms used in the Practice Note on Planning Agreements published by the former Department of Planning and Natural Resources (July 2005) and the definitions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*.

ORDINARY MEETING OF THE COUNCIL

September 13, 2019

ITEM 8BROKEN HILL CITY COUNCIL REPORT NO. 151/19

SUBJECT: REVIEW OF COMMUNICATION AND ENGAGEMENT STRATEGY
AND SOCIAL MEDIA STRATEGY 12/14

Recommendation

1. That Broken Hill City Council Report No. 151/19 dated September 13, 2019, be received.
2. That Council endorse the draft Communication and Engagement Strategy for the purpose of public exhibition.
3. That the Draft Communication and Engagement Strategy be exhibited for public comment for a 28-day period.
4. That Council adopts the reviewed Social Media Strategy.

Executive Summary:

The existing Communication and Engagement Strategy (CES) and Social Media Strategy (SMS) have both been reviewed.

The primary change to the CES is the integration of a Community Participation Plan (CPP) in relation to Planning. The CPP has been created to outline how and when council's Planning department engages with the community across their planning functions. This section of the CES has been prepared to satisfy the Community Participation Plan requirements as per the Environmental Planning & Assessment Act 1979 (EP&A Act)

The CPP provides a single location that the community can access that sets out all of Council's community participation requirements under planning legislation, including all minimum mandatory exhibition timeframes.

The CPP is required to be open for public submissions for 28 days, as such it is recommended that the entire CES again be placed on public display for this period. Other changes to the CES consist of minor operational updates to Strategic Directions, and aesthetic adjustments.

The SMS received a number of minor changes as part of the review process. This included changes such as aesthetic adjustments, updated platform guidelines, and variations in content moderation procedures.

As the changes are minor and operational in nature, it is not recommended that the SMS again be placed on public display.

Report:

The existing Communication and Engagement Strategy (CES) and Social Media Strategy (SMS) have both been reviewed.

The draft Communication and Engagement Strategy 2019-2020(CES) was compiled as a forward facing document to outline to the community when, how, and why Council engages and communicates, and the methodology behind its approach.

The draft strategy has a strong digital focus to align with Federal Government expectations of a continued rise in demand for digital communications and service delivery, and also aligns with a number of Council's own strategies, such as the Digital Strategy, Smart Cities Framework, and Disability Inclusion Action Plan.

With the Federal Government predicting that four out of five Australian citizens will choose to engage with all levels of government through the internet or other type of online digital service by 2020, Council has placed digital communications at the centre of its approach to communications and engagement.

Australians are more mobile, more connected and more reliant on technology than ever before, and Broken Hill is no different, with around 70% of all households now regularly accessing the internet.

This number will only increase, so Council must be proactive in positioning the organisation to meet the current and future needs of the community as the reliance on digital communication inevitably increases.

Along with this digital focus, the strategy also focuses on building community trust, maintaining media relationships, providing internal opportunities for staff to learn and upskill in engagement and communication, and ensuring engagement is a fundamental part of any future project or initiative.

The latest addition to the CES is a Community Participation Plan in relation to planning and how Council involves the public in planning operations. This addition has been prepared to satisfy new engagement requirements as per the Environmental Planning & Assessment Act 1979 (EP&A Act)

Other key areas of the CES include disability and inclusion, and ensuring Council's communication tools and methods meet requirements outlined in the Disability Inclusion Act, and Council's own Disability Inclusion Action Plan.

The draft CES is complemented by the draft Social Media Strategy, which outlines how Council utilises its various social media platforms across the organisation.

This draft Social Media Strategy ensures that all content on BHCC social media platforms is high quality, relevant, user-based and appropriately branded to support the BHCC message and objectives.

Strategic Direction:

Key Direction:	4	Our Leadership
Objective:	4.1	Openness and transparency in decision making
Strategy:	4.1.1	Support the organization to operate its legal framework

Relevant Legislation:

Disability Inclusion Act 2014
Local Government Act 1993

Financial Implications:

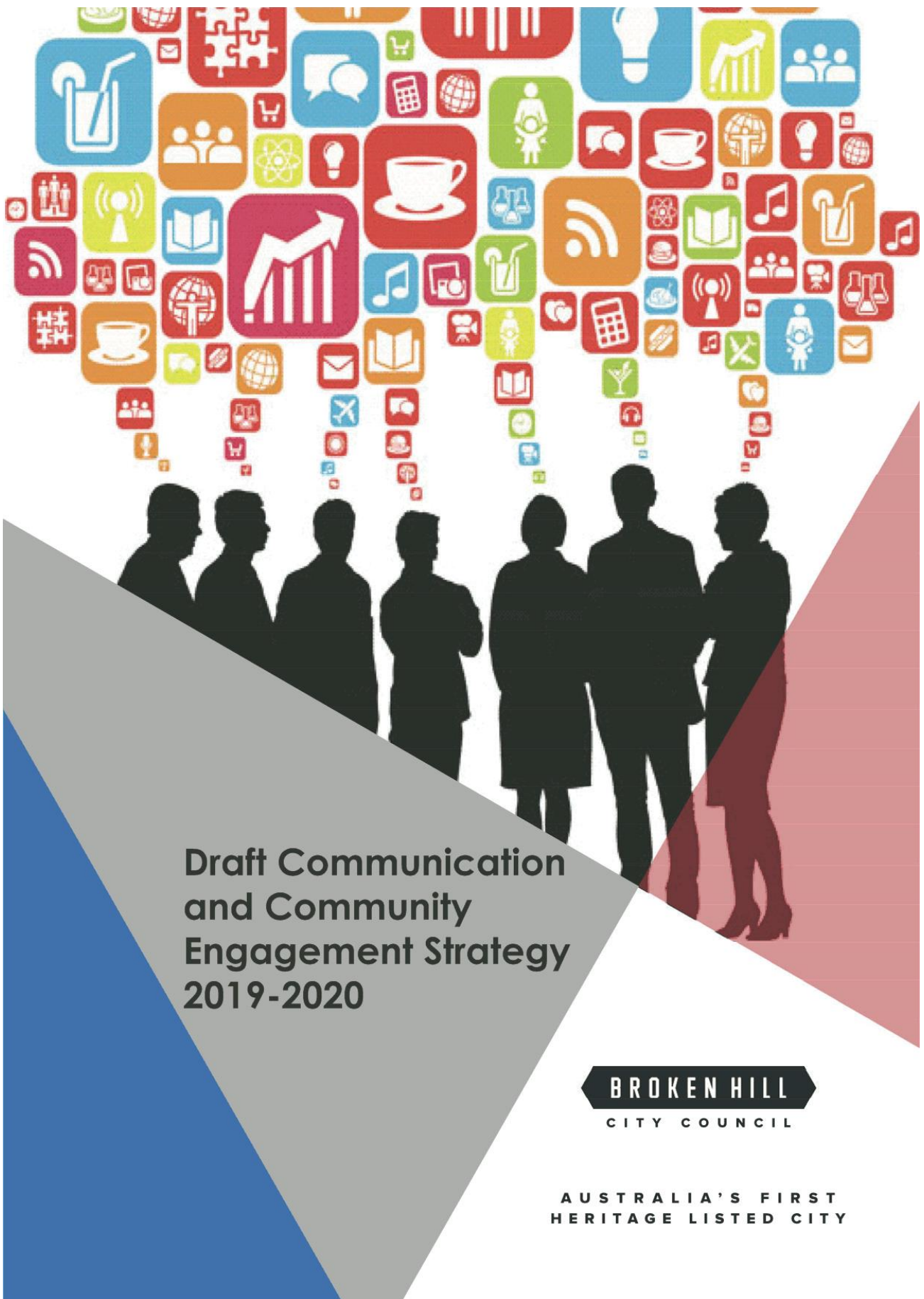
Nil

Attachments

1. [↓](#) draft Communication and Engagement Strategy
2. [↓](#) draft Social Media Strategy

DARRIN MANUEL
MANAGER COMMUNICATIONS

JAMES RONCON
GENERAL MANAGER



**Draft Communication
and Community
Engagement Strategy
2019-2020**

BROKEN HILL
CITY COUNCIL

**AUSTRALIA'S FIRST
HERITAGE LISTED CITY**



QUALITY CONTROL		
TRIM REFERENCES		
KEY DIRECTION	4. Our Leadership	
OBJECTIVE	4.4 Our community is engaged and informed	
FUNCTION	Communication	
STRATEGY	4.1.1 Communication and engagement with the community increases confidence in decision-making 4.4.2 Engage the community through information and activities aimed at increasing participation 4.4.3 Increase knowledge and awareness of challenges and opportunities facing the city	
RESPONSIBLE OFFICER	Manager Communications	
REVIEW DATE	October 2020	
COMPANY	Broken Hill City Council	
PHONE NUMBER	08 8080 3300	
EMAIL ADDRESS FOR ENQUIRIES ONLY	council@brokenhill.nsw.gov.au	
DATE	ACTION	MINUTE NO.
June 2018	Adopted	45842
August 2019	Strategic Land Use Planner engaged with Manager Communications and NSW Planning Western Region Offices.	
September 2019		
November 2019		
ASSOCIATED DOCUMENTS	Community Strategic Plan, Smarter Communities Framework, Digital Strategy, Disability Inclusion Action Plan, Customer Service Framework, draft Social Media Strategy, Media Relations Policy, Disability Inclusion Act 2014, Local Government Act 1993	

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GLOSSARY OF TERMS

BHCC - Broken Hill City Council

Focus Group - A form of engagement in which a group of people are asked about their perceptions, opinions, beliefs and attitudes towards a product, service, concept, advertisement, or idea.

IAP2 - International Association of Public Participation

Platform - Specific type of social media (eg Facebook, twitter, etc)

Stakeholder - Any person, group, business or government body with which Council will interact or affect as part of a project or initiative.

Steering Group - A mixed group consisting of staff, Councillors and stakeholders who meet to monitor a project or initiative, provide advice, and troubleshoot where necessary.

WCAG - Web Content Accessibility Guidelines

INTRODUCTION

Thank you for your interest in Broken Hill City Council's Communications and Community Engagement Strategy.

Council makes decisions that impact our community in a variety of ways. If you live, work, learn, invest, or play in the Silver City, we want to hear your thoughts and feedback on Council projects and initiatives.

We are continually looking to further our engagement with the community to capture the knowledge, experience, and aspirations of residents and other stakeholders as we make decisions about the city's future.

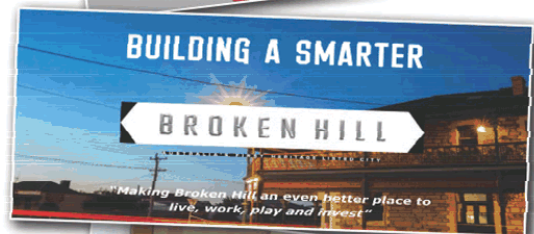
Community input is crucial to the direction of Broken Hill as a whole, and Council is committed to ensuring that everyone has access to fair and informed decision making opportunities.

We want to maintain an environment where community members from all backgrounds are heard, and feel they can make a meaningful and valued contribution to matters that affect our everyday lives.

In compiling this document, we have considered the results of an independent communications audit and survey conducted in 2017, along with the results of other community engagement initiatives undertaken in the last 18 months.

This strategy has also been developed with regard to our Community Strategic Plan, Smart Communities Framework, Digital Strategy, Disability Inclusion Action Plan, Customer Service Framework, draft Social Media Strategy and Media Relations Policy, along with relevant Local Government Acts and legislation.

We hope this document helps explain the strategy that will guide the way Council communicates and engages, now and into the future.





WHAT IS COMMUNITY ENGAGEMENT?

Community engagement is about involving the community and other stakeholders in Council's decision making process.

Council employs a variety of tools and techniques to engage, and the feedback from the community and stakeholders helps us to understand varied points of view, gather information, and identify common ground.

It also provides access to a greater range of solutions; The collective wisdom and experience of the people of Broken Hill and other stakeholders can help Council to achieve the visions and aspirations of the community.

Through effective, proactive, and responsive community engagement we develop relationships, build capacity, inform decision making, and take informed action.

Community engagement provides the opportunity for Council to learn about diverse views, insights, and issues in our region.

**In essence, community engagement allows Council
to work with others to make our city better.**

HOW DOES COUNCIL ENGAGE?

Communication and engagement principles from the International Association of Public Participation (IAP2) are used to shape Council's community engagement, as it is considered a world-leader in the field.

The IAP2 Community Engagement Model below shows that engagement between Council and the community can occur in a variety of ways.

You will notice that some instances of engagement are initiated by Council, some are initiated by the community, and some are shared equally between both parties.

IAP2 AUSTRALASIA COMMUNITY ENGAGEMENT MODEL



HOW THE MODEL WORKS

The IAP2 Community Engagement model shows the five key types of community engagement that may occur. Each sphere of community engagement is explained below:

HOW THE MODEL WORKS (CONT)

Council leads and acts

In this sphere, community engagement is about enabling community members to stay informed of, and actively contribute to, the key decisions that are being made by Council on matters that interest or impact upon them.

Council initiates engagement because we recognise the invaluable contribution of community feedback and the role this plays in ensuring that Council facilities, services and priorities consistently meet the needs of our diverse and evolving community.

When working in this way, Council leads the engagement process, considers feedback, makes the final decision and implements the outcome. For example, the development of the Council budget and the associated strategies, plans, policies and projects all fit in this scope. Most of the community engagement activities at Broken Hill City Council fit in this sphere.

Council leads, community acts

In this sphere, community engagement involves Council leading the conversation with communities and stakeholders taking responsibility for action.

This occurs when Council cannot achieve the outcome alone and advocates for others to act. For example, Council may encourage the community to reduce smoking, eat healthy, or increase exercise.

Community leads, Council acts

In this sphere, the community identifies a problem or opportunity and proposes the required action. The community cannot achieve the outcome alone and advocates for Council to act.

For example, a community group identifies an environmental issue that is affecting the city, and wants Council to lobby the Federal Government to take action. The community group rallies support, and approaches Council with a request for support. Council agrees to take on an advocacy role and present the community's concerns to the Government.

Community leads, community acts

In this sphere, the community leads the conversation and has responsibility for taking action. Leaders engage community members to build understanding, gather support and deliver the project or initiative.

Council does not have a role in decision making or implementing action, but may provide support such as an advocacy role, resources, or funding where appropriate.

Shared leadership and action

In this sphere, Council and communities or stakeholders share roles in leadership, decision making, responsibility and action.

This can be seen when Council partners with another agency, government body, organisation or community group to jointly provide services for our community.



METHODS OF ENGAGEMENT AND COMMUNICATION

There is no 'one size fits all' approach when it comes to communication and community engagement. Council realises that a number of communication mediums must be utilised to reach as many stakeholders as possible on a given issue.

To this end, Council will employ multiple communication techniques on each project/initiative to ensure a broad cross-section of the community can have their say.

Some of the methods Council will use include, but are not limited to:

- Council's webpage
- Live streaming
- Social media
- E-mail
- Telephone
- Teleconferencing
- TV (editorial/advertising)
- Newspaper (editorial/advertising)
- Radio (editorial/advertising)
- Focus groups
- Steering groups
- Public forums
- Letterbox drop
- Letters
- Flyers/Posters
- Receipt of petitions
- Surveys and polls
- Site visits
- Personal briefings
- Word of mouth



WHEN DOES COUNCIL ENGAGE?

Not every decision made by Council requires community engagement. However, when planning community engagement activities, Council's Communications staff will work to determine the most appropriate level of participation required.

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.

The following diagram provides an overview of the IAP2 Public Participation Spectrum, which Council uses as a guide in the development of community engagement plans:

IAP2'S PUBLIC PARTICIPATION SPECTRUM

INCREASING IMPACT ON THE DECISION

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will work together with you to formulate solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

© IAP2 International Federation 2014. All rights reserved.

Council staff will endeavour to plan their community engagement activities in a timely, effective, and innovative manner, ensuring that they assess their target audience and develop the most suitable tools and methods of communication to encourage a high level of participation that is appropriate to the project.



HOW WAS OUR STRATEGY INFORMED?

From early 2017 Council underwent an independent communications audit and conducted focus groups with staff to provide an internal assessment of its communication and engagement capacity.

The audit outlined that Council's communication and engagement was affected by budget constraints, poor brand reputation, a lack of community trust, and a challenging media landscape.

A community survey to gain feedback on how Council was performing in terms of communication and community engagement was also conducted.

The survey, which was held in late July 2017, produced mixed results.

An encouraging 66 per cent of respondents said they knew where to find information about Council, and around half stated that there are effective channels in place to provide feedback to Council.

However only 45 per cent said they felt well-informed about what is happening at Council, 32 per cent felt Council listened to feedback, and just 22 per cent felt Council was transparent in its decision making.

Locals were also asked to provide general comments on Council and its communications and engagement. Responses ranged from complimentary to scathing, however all feedback was considered when compiling this strategy.

Finally a draft copy of this strategy was sent to senior staff for feedback.



OUR STRATEGY

KEY STRATEGIC DIRECTIONS

- Continue building trust
- Digital focus
- Website upgrade
- Maintaining media relationships
- Inclusive engagement
- Early engagement
- Shared communication
- Continual review
- Draft Community Participation Plan

CONTINUE BUILDING TRUST

It is imperative that Council continue to build community trust in its communication and engagement processes.

A 2017 survey of residents and businesses showed that 32 per cent of locals felt Council actually listened to feedback, and just 22 per cent felt Council was transparent in its decision making.

There is also the perception in the community, right or wrong, that Council has previously proceeded with projects and initiatives without adequate community consultation.

It is important for staff to remember that public perception of Council will not change immediately, and an increase in the community's trust in Council and its communications can only be effected by continuing improvement in the organisation's transparency and engagement methods where possible.

Council can achieve its aim of building trust by:

- Live streaming Council meetings, engagement sessions, and presentations
- Providing succinct summaries of Council meeting outcomes
- Maintaining a high output of media releases explaining Council decisions
- Making information available to all stakeholders at the same time via the internet
- Maintaining focus on planned and thorough community engagement initiatives
- Acting on feedback received where appropriate
- Using simple language to ensure communication is accessible

DIGITAL FOCUS

The Federal Government has predicted that four out of five Australian citizens will choose to engage with all levels of government through the internet or other type of online digital service by 2020. Australians are more mobile, more connected and more reliant on technology than ever before.

A digital transformation is taking place in almost all industries as people increasingly look to get and receive their information online. Broken Hill is no different, with around 70% of all households now regularly accessing the internet. This number will only increase, and it is critical that Council takes steps now to ensure it is well positioned to meet the needs of the community as the reliance on digital communication inevitably increases.

Council is already looking to implement digital solutions across the organisation in line with its Smarter Communities Framework and Digital Strategy, and it is important that communication and engagement methods align with this approach.

Council can maintain a digital focus when approaching communications and engagement by continuing to:

- Embrace digital solutions to communication and engagement challenges
- Monitor the latest advancements in the digital space
- Maintain and upgrade existing digital communication methods
- Upskill staff to use digital mediums to engage with the community
- Ensure communication and engagement methods align with relevant strategies
- Make Council staff, services and information accessible by digital media platforms

WEBSITE UPGRADE

In May 2019 Council launched its new website utilising the industry-leading OpenCities platform. The new website is easy to use, mobile-device friendly, and offers improved forms and online services to the community.

It also satisfies requirements in our Disability Inclusion Action Plan which places an impetus on providing digital content that meets the W3C Web Content Accessibility Guidelines 2.0 AA Standards, ensuring people of all abilities can interact with Council.

During the first four months of operation the website has attracted 28,582 visitors and allowed us to publicise approximately 80 public events and 60 news items.

The next step is to implement a community engagement portal within the website to provide a new dedicated avenue through which residents can easily provide input on Council projects and initiatives.

The community engagement portal is expected to be implemented in the current financial year.

MAINTAINING MEDIA RELATIONSHIPS

While Council will make every effort to ensure Council's communication and engagement methods keep pace with the growing demand for digital interaction, it is important that Council maintains its relationship with local media.

Respondents to a 2017 communication survey were asked to list their preferred methods of receiving information from Council, with Council's digital platforms (Website, video, social media, e-newsletter) accounting for around 40% of responses.

When combined, local TV, radio and newspaper accounted for 45.5% of responses, with the remaining 14.5% preferring face-to-face information or some other method.

These results show that there is still strong demand for traditional media. However it is important to remember that Council's ability to reach residents who wish to exclusively receive their content via TV, radio and newspaper can be constrained by the media outlets themselves. Council can only control the amount of information given to media outlets - it cannot control the amount of information those outlets pass on to the public, nor how that information is presented.

Council can maintain its existing media relationships by:

- Following the guidelines set out in Council's Media Relations Policy

INCLUSIVE ENGAGEMENT

It is important that all future communication and engagement activities include a focus on targeting traditionally "hard to reach" members of our community. In Broken Hill these "hard to reach" groups are typically children and youth, aged and disabled residents, indigenous residents, and other minority populations.

If Council is to conduct truly inclusive engagement, it is essential that any communication or engagement methods or activities include targeted processes to ensure these groups can have input into any outcomes or decisions.

To achieve this goal, Council will look to:

- Work with local aged and disability service providers when engaging
- Work with local schools, pre-schools and community youth bodies when engaging
- Work with indigenous health and service providers and community groups including (but not limited to) Maari Ma, Aboriginal Affairs, 123 Community Hub, the Reconciliation Action Plan Working Group, and the Aboriginal Community Working Party when engaging
- Undertake staff training to ensure Council is comfortable and skilled in dealing with people with a disability
- Upgrade Council's website to meet WCAG 2.0 AA standard, including language translation for minority groups

EARLY ENGAGEMENT

Community engagement should form part of the foundation of any significant project or initiative. The views and needs of stakeholders should be considered at the earliest stages to help provide direction and ensure an outcome that is, where practicable, agreeable for all parties. Council will pursue its aim of ensuring engagement is undertaken at the start of projects and initiatives by:

- Encouraging staff to consider community engagement in the first instance
- Encouraging staff to consult with the Communications team at the earliest convenience regarding the appropriate type and method of engagement required for an upcoming project or initiative
- Providing staff with a basic communication planner allowing them to consider milestones, key dates, stakeholders, communication budget, and other related facets of community engagement before undertaking works
- Providing a Community Engagement Toolkit to provide guidance in the event that Communication staff are unavailable at the outset of a project

SHARED COMMUNICATION

Council can provide improved quality of communication by allowing subject matter experts to communicate directly with their target audience. By training individual Council departments in the use of their assigned social media platforms and web spaces, Council can increase its communication flexibility, and in some instances improve the depth and accuracy of information being passed on to the public.

This increase in communication quality can, on occasion, also be achieved by allowing staff to have greater input in media opportunities and engagement initiatives.

Council can achieve its goal of communication and engagement opportunities being shared amongst staff by:

- Encouraging staff to participate in or facilitate community engagement
- Encouraging staff to address media on a topic with which they are the subject matter expert (when suitable and authorised by the General Manager)
- Continuing Council's collaborative approach to social media management as outlined in the draft Social Media Strategy
- Allowing staff to undertake internal and external training on community engagement and social media

CONTINUAL REVIEW

Continual review is a fundamental part of any Council service, including communication and community engagement. Council can achieve its goal of continually reviewing and assessing its communication and engagement methods and their effectiveness by:

- Continuing to analyse data from engagement initiatives and social media platforms
- Conducting an annual survey to measure Council's progress in improving its communication and engagement
- Reviewing and updating any policies relevant to Council's communication and engagement within their allotted timeframe

PLANNING – DRAFT COMMUNITY PARTICIPATION PLAN

The following Community Participation Plan (CPP) has been created to outline how and when council's Planning department engages with the community across their planning functions. This section of the Communication and Engagement Strategy (CES) has been prepared to satisfy the Community Participation Plan requirements as per the *Environmental Planning & Assessment Act 1979* (EP&A Act)

The CPP provides a single location that the community can access that sets out all of Council's community participation requirements under planning legislation, including all minimum mandatory exhibition timeframes.

This draft CPP will be placed on public display for community feedback for 28 days, and once adopted will be integrated into the CES as a Key Strategic Direction.

CURRENT ENGAGEMENT

The community has a right to be informed about planning matters that affect it, and Council encourages effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.

Council utilises the engagement principles, methods, and mediums previously outlined in this strategy when engaging with the community, and encourages participation in planning matters through:

- The utilisation and promotion of the NSW Government's 'Easy To Do Business' program to connect prospective hospitality businesses with a Business Concierge to help them navigate the planning, licencing, and permit processes associated with opening or expanding a business.
- The facilitation and promotion of pre-lodgement Development Application meetings with Planning staff to explain and streamline the DA process for applicants. This is complemented by ongoing support throughout the DA process as required.
- Utilisation of the DA Tracker platform to allow fast, convenient access to DA status, information and public documents 24 hours a day, 7 days a week, along with information on Complying Development Certificates (CDC) that have been issued for a property.

- A prominent section of Council's OpenCities website dedicated solely to planning and development. This section of the site is populated and maintained by Council's planning staff to ensure residents receive accurate and up to date information and assistance from subject matter experts. The site also allows for the display of DAs, and quick submissions on any document that is on public display through OpenForms, which is integrated into the website. It should also be noted that OpenCities and OpenForms comply with all W3C Web Content Accessibility Guidelines 2.0 AA Standards, ensuring people of all abilities can provide input on planning matters.
- Council also encourages engagement and input into planning matters through more traditional means, such as newspaper advertisements, physical display of DAs in the foyer of the Administrative Centre, and open public forums prior to monthly Council Meetings.

ENGAGEMENT TIMEFRAMES

It is important the residents understand how much time is available for them to have input into various plans and proposals once they are on public display. The table below outlines the engagement window for each:

Schedule 1 to the EP&A Act	Minimum community participation requirement
Draft community participation plans	28 days
Draft local strategic planning statements	28 days
Planning proposals for local environmental plans subject to a gateway determination	28 days or: (a) if a different period of public exhibition is specified in the gateway determination for the proposal—the period so specified, or (b) if the gateway determination specifies that no public exhibition is required because of the minor nature of the proposal—no public exhibition.
Draft development control plans	28 days
Draft contribution plans	28 days
Application for development consent (other than for complying development certificate, for designated development or for State significant development)	Refer to below table under 'Advertising and Notification'
Application for development consent for designated development	28 days
Application for modification of development consent that is required to be publicly exhibited by the regulations	Refer to below table under 'Advertising and Notification'
Environmental impact statement obtained under Division 5.1	28 days

ADVERTISING AND NOTIFICATION

Different development applications require different levels of advertisement and/or direct notification of stakeholders. Council's approach to these processes is explained below.

Notification policy

For certain development proposals Broken Hill City Council notifies the owners of land that is adjoining and adjacent to the site where an application for development has been received. Council gives notice of development applications where the proposed development has the potential to adversely affect surrounding properties, the amenity of the neighbourhood, or the natural environment.

Council determines the circumstances where notification takes place having regard to the relevant land use zone, the proposed development and consistency with the zone objectives. Examples of such development are:

- Keeping of animals other than companion animals
- Professional consulting rooms in a residential area
- Development of an industrial or commercial nature within an area which, in the opinion of Council, has the potential for detrimental impacts upon the surrounding neighbourhood
- A building that is two or more storeys in height above natural ground level in a residential zone
- Non-residential use within a residential zone that is likely to interfere with the amenity of the neighbourhood
- Residential dwellings and class 10 structures within 500 mm of a side or rear boundary
- Integrated development that requires the approval and/or licencing from other agencies
- A public monument or memorial located in a public space.

Notification procedures

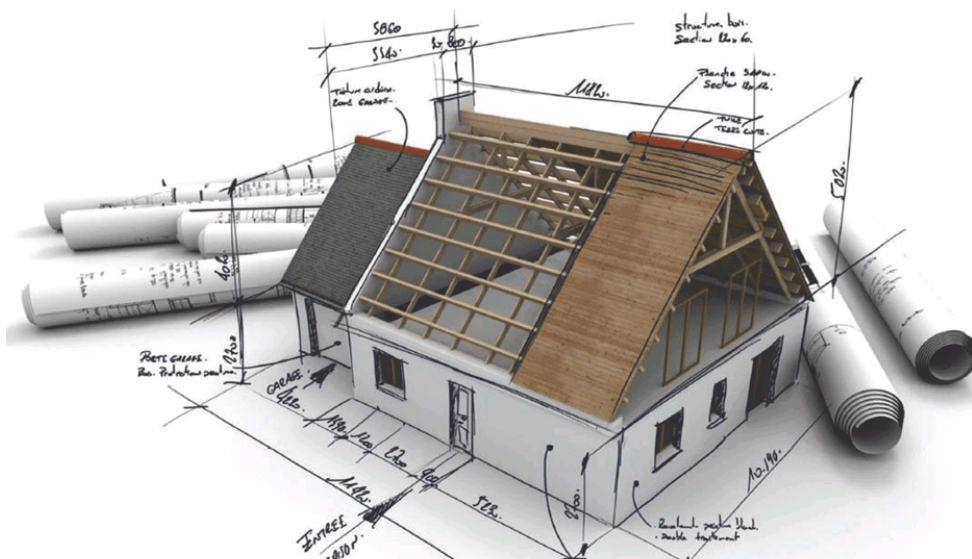
Certain development types are classified as 'advertised development' or 'designated development' in the Environmental Planning and Assessment Regulation 2000. The procedures for the notification of a development application for these types of development are specified in the Regulation.

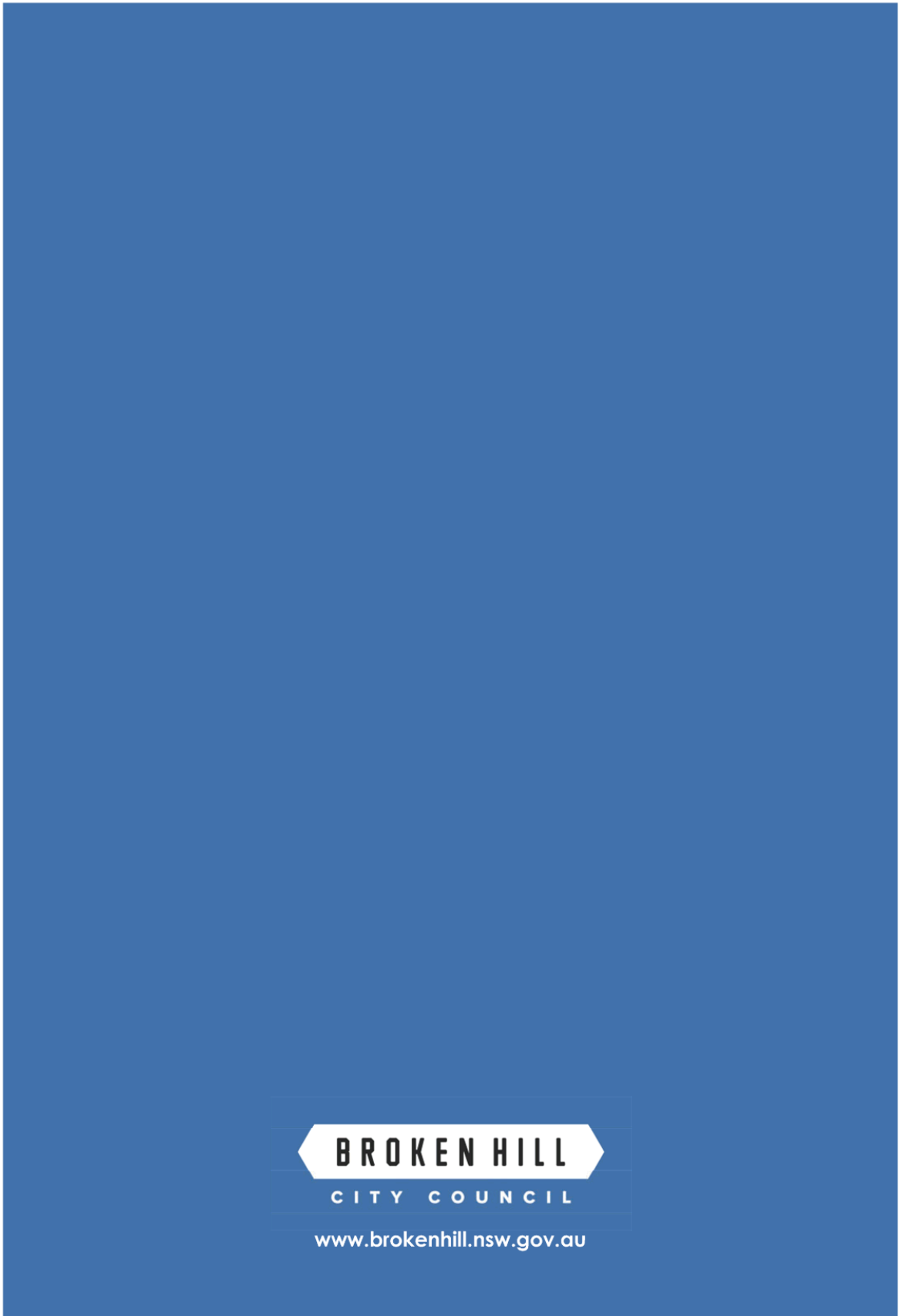
Applications for all other types of developments will be available for viewing at Council's offices for a minimum period of between 14 and 28 days as advised by letter or notice published in newspaper or a notice placed on-site (depending on the relevant form of notification undertaken by Council).

Submissions will be received during the exhibition period, and up until the submission closing date as advised by letter or notice published in newspaper or a notice placed on-site (depending on the relevant form of notification undertaken by Council). Council maintains discretion to extend the notification period if considered necessary. Council will also place an advertisement in local newspapers if the development is of a scale that may warrant broader community input due to the potential effects of that development.

The extent and form of notification is carried out in accordance with the table below:

Type of Development	Notification
Where, in Council's opinion, it is believed the development will not have any adverse impact on the surrounding neighbourhood.	No notification required
Where, in Council's opinion, it is believed the likelihood of nuisance from the proposed development to the surrounding neighbourhood is low	Council will notify by letter, the owners of properties within a 25-50 metre radius
Where there is a greater risk of nuisance from the proposed development to the surrounding neighbours	Council will notify by letter, the owners of properties within a 100 metre radius
Residential 1(a) & Class 10(a) buildings. Buildings within 500mm of side or rear boundaries	Council will notify by letter, the owners of the adjoining property. Neighbours separated by laneways and streets will not be notified
Keeping of animals other than companion animals	Council will notify by letter, the owners of properties within a 200 metre radius
<p>Public Monuments and Memorials located on a public space</p> <p>Any development where, in the opinion of Council, a development because of its size, scale or location, is believed that it is in the public interest to do so</p>	<ul style="list-style-type: none"> A notice will be placed on-site (In the event that the notice is accidentally removed or displaced prior to the expiry of the exhibition period, the notice is taken to have been erected in accordance with this Plan), Notice published in a local newspaper (The notification period commences from the day after which the notice is first published in the newspaper), and Letters will be sent to the owners of adjoining properties and other owners of land the enjoyment of which (in Council's opinion) may be detrimentally affected if the development is carried out.
Complying development	Not required







**DRAFT SOCIAL
MEDIA STRATEGY
2019**



**AUSTRALIA'S FIRST
HERITAGE LISTED CITY**



QUALITY CONTROL		
TRIM REFERENCES	D18/18753	
KEY DIRECTION	4. Our Leadership	
OBJECTIVE	4.4 Our community is engaged and informed	
FUNCTION	Communication	
STRATEGY	4.1.1 Communication and engagement with the community increases confidence in decision-making 4.4.2 Engage the community through information and activities aimed at increasing participation 4.4.3 Increase knowledge and awareness of challenges and opportunities facing the city	
RESPONSIBLE OFFICER	Manager Communications	
REVIEW DATE	October 2020	
COMPANY	Broken Hill City Council	
PHONE NUMBER	08 8080 3300	
EMAIL ADDRESS FOR ENQUIRIES ONLY	council@brokenhill.nsw.gov.au	
DATE	ACTION	MINUTE NO.
March 2018	ELT/Management Consultation	
April 2018	Staff Consultation	
June 2018	Adopted	45842
August 2019	Review & Staff Consultation	
NOTES	Images sourced from Council's Image Library © Copyright Broken Hill City Council 2018	
ASSOCIATED DOCUMENTS	Social Media Policy Social Media Guidelines	



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1. DEFINITION OF TERMS

Accounts:	Individual social media sub brand pages (eg: Broken Hill Regional Art Gallery Instagram page).
Authorised User:	A staff member authorised by the General Manager or the Manager Communications to manage, maintain, publish to, and operate a BHCC social media channel.
BHCC:	The acronym for Broken Hill City Council.
Content:	Any information, opinion, text, video, audio, image, link, or document published to social media.
Followers:	Individuals and business pages that like or follow BHCC social media accounts.
Hashtag:	A word or phrase preceded by a hash sign (#), used on social media sites such as Twitter to identify messages on a specific topic.
Minor:	A person under the age of 18 years.
Moderate:	The process of assessing content (normally user generated) against predetermined standards and removing content which does not meet those standards.
Platform:	A specific social media network, website, application or service (eg: Facebook, Twitter, Instagram, etc).
Public Event:	An event or activity run by BHCC or a Sub-Brand that is open to the public, either free or at a cost, and is a once off, or held less frequently than weekly.
Repost	To post someone else's content from your account.
Rich Media:	High quality video, photographs, illustrations, images and live content.
SEO:	Search Engine Optimisation.

2. PURPOSE

The purpose of the BHCC Social Media Strategy is to provide detailed reasoning and instructions on the overall administration of brand and sub brand social media accounts in order to create and maintain consistent branding, messaging and voice.

This document acts as a "how to" guide for authorised users, while also providing a strategic direction for the operation of current and future BHCC owned social media assets.

3. SCOPE

This Strategy applies to the social media accounts owned and administered by BHCC and its business units.

The scope of this document includes editorial guidelines for content, guidelines for interacting with followers, and the collection and analysis of performance data.

This Strategy applies to all BHCC employees, contractors and volunteers when creating content, monitoring, and posting on social media accounts on behalf of BHCC.

4. INTRODUCTION AND BACKGROUND

4.1 Background

Account	Platform	Followers	Launched
Broken Hill City Council	Facebook	4,751	2011
Broken Hill City Council	Twitter	1,088	2010
Broken Hill City Council	LinkedIn	790	2015
Broken Hill City Council Δ	Reddit	N/A	2017
Broken Hill City Council Δ	YouTube	N/A	2018
Broken Hill	Youtube	104	2013
Broken Hill Visitor Information Centre	Facebook	22,796	2013
Broken Hill VIC	Instagram	851	2015
Broken Hill Regional Art Gallery	Facebook	3,079	2010
Broken Hill Regional Art Gallery	Instagram	1,656	2015
Broken Hill Regional Art Gallery Δ	YouTube	N/A	2018
Broken Hill City Library	Facebook	1,380	2013
Broken Hill City Library	Twitter	306	2013
Albert Kersten Mining & Minerals Museum	Facebook	462	2014
Test Δ	Facebook	N/A	2016

Δ Operated as a test account or content repository

4.2 Introduction

This strategy is BHCC's formal approach to social media. It provides guidance to staff on best practice and facilitates a collaborative approach to the operation of BHCC social media accounts.

There is an expectation that due to future arising business needs, there is likelihood that further platforms and accounts may be added to this list.

As part of this Strategy the BHCC Communications team will act as facilitators for the collaborative management and ongoing oversight of these accounts and any future accounts. They will guide social media staff on best practice, evolving trends, and interpreting and understanding BHCC's social media document framework. Accounts will be reviewed on an as-needed basis for ongoing suitability and performance.

5. AIM

The aim of all BHCC social media accounts is to:

- create awareness of account operator and their work;
- inform and strengthen the community; and,
- Encourage the use of services and facilities.

Successful operation of social media accounts will result in increased website traffic referral, increased followers across all platforms and accounts, and higher quality engagement with new and existing followers.

The purpose of this Strategy is to ensure that all content on BHCC social media platforms is high quality, relevant, user-based and appropriately reflects the organisation's branding, values, and objectives to create engagement and loyalty from the organisation's audience.

It is essential that messaging is consistent, accurate and responsive for BHCC to gain and maintain audience trust and support, and to become the single source of truth for BHCC related topics.

In support of these aims to create a united and consistent voice for BHCC, its departments and services, the following tools are provided:

- editorial and administrative guidelines;
- content planning tools; and,
- guide to actioning Social Media Guidelines.

6. ROLES, RESOPONSIBILITIES AND RESOURCING

Communications team: The communications team will manage the social media activity at a strategic level. They will be responsible for training new authorised users, adjusting the strategy and supporting documents as required, mentoring other authorised users, and collecting statistical data to track performance. They are considered the authorised users for Broken Hill City Council named accounts.

Authorised users: Authorised users will research, create and drive the approval (where required) and publishing (where approved) process for ongoing content, as guided by this Strategy. These roles will be responsible for researching and creating content (including rich media content), scheduling content, ongoing monitoring of accounts, and responding to user activity.

BHCC Staff: All BHCC staff who engage with the BHCC social media accounts in an official, unofficial or private capacity must comply with Social Media Policies and Social Media Guidelines.

Role	Frequency	Responsibilities
Authorised users	Daily	Daily tasks include: <ul style="list-style-type: none"> • Check accounts for interaction • Engage with relevant posts • Respond to direct messages • Respond to post (questions, comments, concerns) • Respond to account mentions
Authorised users	Weekly	<ul style="list-style-type: none"> • Draft, schedule and where required submit future content • Liaise with internal and external stakeholders with regards to potential content • Review performance of previous content (ad-hoc)
Communications team	Weekly	<ul style="list-style-type: none"> • Monitor wider social media trends and industry changes • Liaise with internal stakeholders with regards to project updates and potential content • Liaise with external stakeholders with regards to potential content • Review submitted content
Communications team	Monthly	<ul style="list-style-type: none"> • Review analytics for the past month • Meet with other teams in the organisation for ideas/content/information • Coordinate rich media or owned assets
Communications team	Quarterly	<ul style="list-style-type: none"> • Review upcoming campaigns • Review completed campaigns • Prepare advice for Executive Leadership Team on any relevant emerging risks or opportunities relating to social media.

Social media staff are to:

- Use first person plural when posting/commenting publicly ("we, us, our");
- Use first person singular when responding to private/direct messages ("I, me, my");
- Respond to all comments, questions and direct messages as per the Customer Service Framework;
- Create content in line with editorial guidelines;
- Check accounts at least twice per day.

Social media staff should have access in their workplace to the following essential tools in order to carry out their tasks.

- Access to organisation wide social media management software (see section 11 – External Resources);
- DSLR camera or equivalent;
- Adobe Photoshop.

Where a business unit has identified the production of video/livestream content as a requirement, staff will require the following additional resources.

- Mobile phone;
- External lighting;
- Adobe Premier pro;
- Tripod and mobile device mount.

Where a business unit wishes to establish a new account, they will need to satisfy the following criteria.

- Designate a social media staff member;
- Budget for and demonstrate the ability to provide the required resources (listed above);
- Collaborate with the communications team to prepare three months of content that meets the editorial and content guidelines;
- Demonstrate their ability to operate in accordance with this strategy;
- Receive approval from the Manager Communications.

7. EDITORIAL GUIDELINES

The voice and tone of social media, as well as other digital platforms such as Council's website, are to be guided by editorial guidelines specific to the organisation to ensure consistency of tone and message.

Specifically to this strategy, social media was not created for organisations, and therefore 'Government or business speak' is not conducive to positive social media sentiment and interaction. Tone should be conversational while maintaining authority. For example, use "Get in touch" rather than "Contact us".

As a general guide, tone and voice should be:

- Friendly and responsive;
- Use inclusive language such as "us, we, you";
- Not generic or apathetic;
- Expressive when appropriate; and,
- Personable (eg: use the follower's name when posting responses).

Account activity (posting, interacting with users, updating information, moderating content) should be kept to business hours, or reasonable timeframes around after-hours activities/public events. Whilst social media is a 24 hour a day environment, it is important to establish and maintain our users' expectations that our staff are not available 24 hours a day to interact with them via our social media accounts.

Further editorial guidelines are covered in section 9 of this strategy – responses and appropriate use.

8. CONTENT GUIDELINES

8.1 Operational and Conversational Content

Content should be based on audience needs and wants, while also considering information that BHCC wants and needs to share.

Due to platform algorithms that control content visibility, the consistent posting of high quality and engaging content enhances an account's ability to grow its potential audience.

Conversely, regularly posting low quality content, or content that doesn't engage users will harm an account's ability to reach more users in the future.

Posts must be consistent with the minimum post frequency for each platform. Posting consistently will increase brand trust, by ensuring that the audience knows there is constant activity on the platform and will also take advantage of social media platform algorithms. Consistent and accurate content will also result in Search Engine Optimisation (SEO), positioning BHCC as the single source of truth for all things Council related

Understanding and listening to audience feedback will assist in building and retaining brand trust.

BHCC operational content examples:

- Upcoming public events;
- Updated visitor information; and,
- Promotion of services.

BHCC conversational content examples:

- Product and service information;
- Blogs and articles on recent events;
- Historical information (Throwback Thursday);
- Showcase experience of staff;
- Asking audience questions;
- Profile staff members to give the organisation a personal face.

8.2 Accessibility

Authorised users must ensure that the content they create is accessible to as diverse an audience as possible. To achieve this the following points need to be observed:

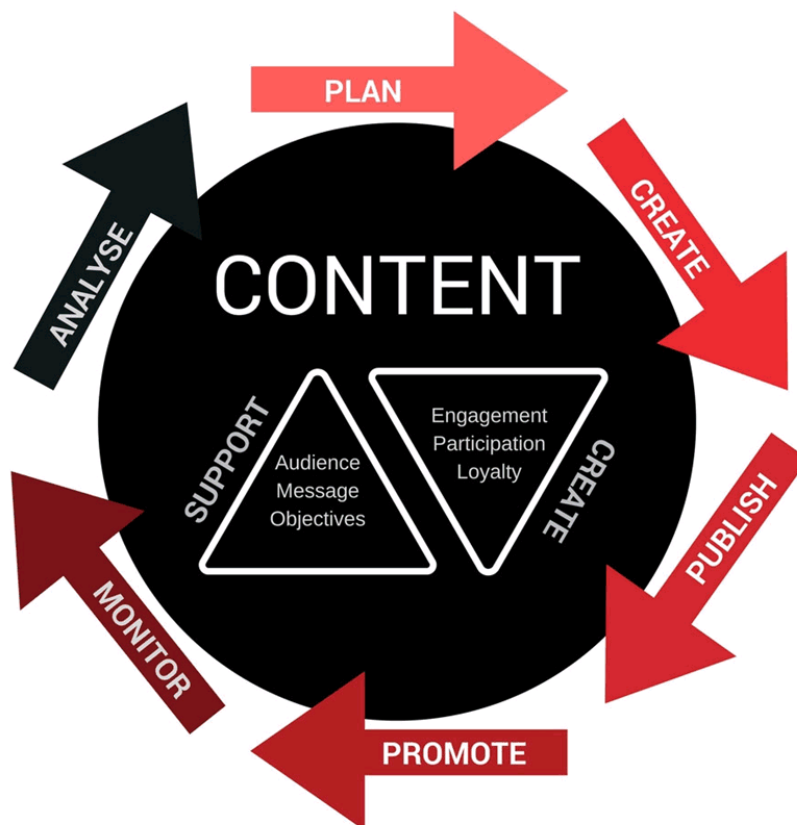
- Video content with spoken word must be subtitled;
- Video or image content with written information (other than subtitles) must convey the same information in the post content or alt tag;
- The colour contrast ratio between text and backgrounds must be 4.5:1 or higher for normal text and 3:1 or higher for large text.
- Hashtags consisting of multiple words must use an uppercase character for the start of each word;

8.3 Social media kits

Social media kits can be created to support public events that hold significant public interest or are run in partnership with other organisations. They should take the format of a brief email containing platform specific images and suggested post content. These kits should be distributed to partner organisations, and any third parties who may be relevant to the subject matter or whose audience could be expected to be interested. An example is included in Appendix B.

8.4 Content workflows – creation and scheduling

Wherever possible, Social media content should be created and scheduled in advance, following the Content cycle below. This planning allows for cross-organisation generated content, and flexibility for spontaneous content while still maintaining consistency in timing and tone.



Plan

Communicate with other sections on similar work. Consider if a social media kit is suitable. Is this content that other BHCC accounts can amplify?

Allow lead time:

- Ensure you have allowed enough time to allow other BHCC accounts to support the content where appropriate;

- Let others know when you are planning to publish to allow lead time for social media and traditional promotional activities;
- Lead time is particularly important for time sensitive communications; and,
- Plan and schedule posts ahead of time to avoid last minute post creation.

Create

Direct information to the audience:

- Use a call to action;
- consider if the problem > agitate > solve template can be applied;
- Ensure content is interesting and shareable;
- Try to make content relevant to today's audiences; and,
- Ensure work is edited and fact checked or taken from the website which has already gone through a quality control process.

Publish

Concentrate on timing and scheduling:

- Consider the quantity of content when scheduling; content generally has a 48 hour lifecycle. Try to ensure posts are published at least every two days (with the exception of weekends).
- Are you posting consistently with good space in between posts? Take advantage of scheduling tools to plan and schedule your posts ahead of time to save last minute post creation.
- Avoid publishing within two hours of previous posts.

Promote

Connect and engage within BHCC:

- Follow up other areas of BHCC that have agreed to engage or repost the content; and,
- Ensure that you are engaging with or reposting relevant and interesting posts in return.

Does this require paid promotion?

- Is the content suitable for advertising to a specific audience?
- Is there a potential ROI on the expense?
- Is the content being used for paid traditional advertising/marketing?
- Do you have the funds available?

Monitor

Keep track of overall post performance for future use:

- Observe: Reach, clicks, and shares
- Moderate: Comments in a timely fashion as appropriate.

Analyse

Use information from the monitor phase to assess the success of the content and inform creation of future content. As social media content is unlikely to be edited or deleted at the end of the content lifecycle this information is applied to ongoing content on the same themes.

8.5 Look and feel

In order to create a strong and recognisable brand, each account's profile picture should be consistent across platforms and remain unchanged for as long as practical as they are the visual cue to our audience as to who the content in their news feed is from.

BHCC named accounts should use the white on blue corporate logo, whilst sub-brand accounts may use their business unit logo; or a photo of the building, location, or other appropriate image in consultation with the communications team.

Cover photos can be changed more frequently, and may be used to promote public events, causes, and themed days or weeks. Cover photo design needs to work at both mobile and desktop aspect ratios.

8.6 Cross promotion and third-party content

In order to maintain an integrated brand, BHCC accounts should engage with or repost relevant content from other Council accounts as appropriate. Content should be relevant to, or likely to spark interest from, the interacting account's audience.

In order to maintain professional networks and potential partnerships on social media, accounts should engage with content relevant to their audience from third parties. This may be in the form of reacting, commenting, retweeting, reposting (with consent and acknowledgement), sharing, or posting content received via email or social media kits. Third party content should be limited to once per week. When reposting (as opposed to sharing), approval must be sought from the original publisher and appropriate credit given in the post text or comment thread.

8.7 Rich media content

Where possible, the BHCC should create and use rich media such as video, livestreams, high quality photographs and other owned assets created by the organisation. Creation of original media supports the BHCC's mission, allows practice of tone of voice, and encompasses standard organisational copyright. When the creation of original media is not possible, practical or is likely to result in sub-standard content, other media may be sourced from relevant or open sources. Media that does not belong to BHCC must always be used in accordance with copyright/licence obligations, with a preference for content acquired under a CC0 licence.

8.8 Platform specific guidelines

The following guidelines should be met whenever possible to ensure consistent publishing of high-quality content and favourable treatment from platform algorithms.

Facebook

Primary focus: Build online community, provide information and facilitate conversation in a controlled environment

Minimum post frequency: 3 times per week

Maximum post frequency: Twice per day

Hashtags: Only when part of a broader campaign

Character limit (including spaces): 350 no emojis

Recorded video: 15 – 60 seconds

Pictures: Post one to four pictures

Events: Create 3 weeks prior to public event or earlier

Twitter

Primary focus: Deliver information and key messages to media personnel, industry leaders and residents
Minimum post frequency: once per week
Maximum post frequency: N/A
Hashtags: 1-2
Character limit (including spaces): 280
Recorded video: 15 – 120 seconds

Instagram

Primary focus: Build online community around visual media
Minimum post frequency: Once per week
Maximum post frequency: Once per day
Hashtags: 7-10
Character limit: N/A Restrained and appropriate use of emojis
Recorded video: 15 – 60 seconds

LinkedIn

Primary focus: Develop our employer brand through content relevant to an audience of professionals across multiple industries while building a passive talent pool for future recruitment efforts
Minimum post frequency: Once per week
Maximum post frequency: Once per day
Hashtags: Only when part of a broader campaign
Character limit (including spaces): 220
Recorded video: 30 – 120 seconds

YouTube

Primary focus: Storing video content for embedding into websites.
Post frequency: N/A – As required.

Reddit

Primary focus: Being active in an existing online community and contributing to a single source of truth through automated content
Post frequency: N/A - Automated distribution of media releases

9. RESPONSES AND APPROPRIATE USE

When a customer chooses to engage with BHCC via social media we must make every effort to keep the conversation/engagement on that channel. Customers should not be advised to call, email or contact Council via another method unless it is explicitly required by legislation, or is likely to result in a significantly improved customer experience.

When responding to comments and questions, it is important to use the user's name in a response, and to ensure that answers are not generic or apathetic in tone. Voice should be conversational in keeping with the tone of content. When replying publicly speak as the account and do not individually identify yourself, when replying to private messages speak as a staff member and sign off with your name, position title, and (if different from the account) department.

Guidelines setting out expected online behaviour of our users and the actions BHCC may take if these guidelines are breached are documented in BHCC's Social Media Guidelines and published on Council's website. These guidelines help to ensure a safe online environment for BHCC staff and the general public, while mitigating corporate risk.

When comments or posts contravene the Social Media Guidelines:

- Record the content in trim container 16/73
- Remove the content from the platform
- Notify the communications team who will assess the content for any further action.

When the comment is negative or a complaint (but does not contravene the Social Media Guidelines), take note of the comment as part of normal feedback pathways. If the complaint cannot be resolved on the social media platform, the complaint is to be escalated through relevant sections of BHCC.

Obvious spam should be deleted and blocked immediately.

10. MONITOR AND ANALYSE

10.1 Data collection

Statistics should be collected in order to effectively monitor and analyse social media performance.

Statistics such as organic impressions, daily reach, reach per post, and engagement rate give an indication of account performance and relevance. While tools like Google Analytics can show how effective social media has been in driving traffic to the BHCC website and related information.

10.2 Key Performance Indicators (KPIs)

Ongoing collection of statistics will form Key Performance Indicator (KPI) data sets for each account. These indicators will be benchmarked against historic account performance to indicate the overall performance of accounts and can be found in document D18/39617.

11. EXTERNAL RESOURCES

Social media management software

<https://engage.meltwater.com/login/custom/meltwater>

Image size guide

<https://sproutsocial.com/insights/social-media-image-sizes-guide/>

Note: for cross compatibility with mobile and desktop devices Facebook cover images should be 1500x843 pixels with critical information in one horizontal half of the image.

CC0 images

<https://www.pexels.com/>

Image collage creator

<http://www.picture2life.com/welcome/Default.aspx?auth=NotLoggedIn>

Text editor with quality control

<http://www.hemingwayapp.com/>

Accessible colour scheme designer

<http://coloursafe.co/>

Colour contrast checker

<https://webaim.org/resources/contrastchecker/>

Appendix B – Social Media Kit Example

Hi All,

Exciting News!

We've just opened our call for entries for the Far West Aboriginal and Torres Strait Islander Art Prize (FWATSIAP) 2018. We would love to get the word out to as many people in the region about the fantastic opportunity this prize gives up and coming artists of all ages!

If you've got room in your social media calendar between now and the 2nd April to give this a plug, we'd really appreciate it.

Because we know how busy everyone is, please find below suggested text and appropriate tags to use as well as the attached in-line images for Social Media!

Facebook

FWATSIAP 2018 Entries are OPEN - enter for your chance to share in the \$5,000 prize pool!

Entry forms available online or from @BrokenHillRegionalArtGallery, @westdarlingarts and @AmanyaMithalIndigenousArts

Need a canvas? Visit our friends at @westdarlingarts!

Entries close 2 April, 2018

Proudly supported by @BrokenHillCityCouncil @MaariMaHealth @westdarlingarts @CreateNSWOfficial

<http://bit.ly/FWATSIAP>

Twitter

Far West Aboriginal & Torres Strait Islander Art Prize (FWATSIAP) 2018 Entries are OPEN - enter for your chance to share in the \$5,000 prize pool! Awards for Open 2D, Open 3D, Young Artist & Encouragement. More info and forms available at <http://bit.ly/FWATSIAP> #FWATSIAP #deadly

Instagram

Far West Aboriginal & Torres Strait Islander Art Prize (FWATSIAP) 2018 Entries are OPEN - enter for your chance to share in the \$5,000 prize pool! Awards for Open 2D, Open 3D, Young Artist & Encouragement. <http://bit.ly/FWATSIAP> #FWATSIAP #deadly #aboriginal #art #BHRAG #FarWest



CITY COUNCIL

www.brokenhill.nsw.gov.au

ORDINARY MEETING OF THE COUNCIL

September 12, 2019

ITEM 9BROKEN HILL CITY COUNCIL REPORT NO. 152/19SUBJECT: INVESTMENT REPORT FOR AUGUST 2019 17/82**Recommendation**

1. That Broken Hill City Council Report No. 152/19 dated September 12, 2019, 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 31 August 2019, Council's Investment Portfolio had a current market valuation of \$24,388,090 or principal value (face value) of \$24,291,793 and was compliant with all legislative and policy requirements.

Report:

Council's investments as at 31 August 2019 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**

Global markets continue to be whipsawed by speculation surrounding the progress of the US/China trade negotiations. With the US economy beginning to show signs of weakness due to the tariffs and China's retaliatory actions, it is believed by many that a solution will be sought as soon as possible to avoid an impact on the US's 2020 elections. Signs of weakness in the German economy has economists speculating that the European Central Bank will enact a series of monetary policy actions in September, including cutting rates and injections of cash into the banking system via quantitative easing, to help stave off a European recession.

Domestic issues

In Australia, as in Europe, the central bank is considering a number of actions to help reverse the slowly deteriorating economy. Along with further cuts to the official cash rate, the RBA is expected to eventually introduce quantitative easing and other “non-conventional” actions to help counter the effects of the global slowdown. Economic data released in August continued to show signs of overall weakness as business investment, building approvals and construction activity all fell and credit growth and new home sales were weak.

Interest rates

The RBA kept the official cash rate unchanged at 1.00% after its August meeting following 25bp cuts in both June & July. The market continues to price in another two rate cuts of 25bps each over the next 6 month. Term deposit rates dropped another 10-20 basis points across most maturities in August. The average highest rates on offer for 3-month TDs at month end was 1.69%, down from 1.87% in July and 2.12% in June. Likewise, the average of the highest 12 month rates was 1.68%, down from at 1.85% last month and 2.07% in June. The best rates among the lower rated banks were largely in the 1.65%-1.80% area across 3-12 months range. The 6 month area continues to offer the highest rates in the short term, but with the danger of lower rates upon their maturities.

Investment Portfolio Commentary

Council’s investment portfolio posted a return of 1.32%pa for the month of August versus the bank bill index benchmark return of 0.99%pa.

During August, Council’s investment portfolio had \$1m in 2 and 3 month term deposits mature with a weighted average rate of approximately 2.22%pa. Council invested \$2.5m across a series of 6-12 month terms at an average rate of 1.88%, reflective of the drop in rates across the market.

The TCorpIM MT Growth fund was up 0.29% while the LT Growth Fund was down 0.25% during August. The ongoing US/China trade saga saw the US S&P 500 (-1.6%), Chinese S&P 300 (-1.0%), European S&P 350 (-1.4%), and Japanese S&P 500 (-3.3%) all down for the month. Australian shares were not spared, down 2.2%, with Materials (7.3%) and Energy (-5.6%) the worst performing sectors as commodity prices retreated due to global growth concerns. Healthcare (+3.4%) was the best performing sector as its index heavyweights CSL and Cochlear produced one of the few profit results that beat expectations.

Council’s Portfolio by Source of Funds – August 2019

As at 31 August 2019, Council's Investment Portfolio had a current market valuation of \$24,338,090 or principal value (face value) of \$24,291,763 and was compliant with all legislative and policy requirements.

	Source of Funds	Principal Amount
GENERAL Fund	Operating Capital & Internal Restrictions	\$16,901,793
	Royalties Reserve	\$630,000
	Domestic Waste Management Reserve	\$4,830,000
	Grants	\$1,470,000
	Developer Contributions	\$460,000
	TOTAL PORTFOLIO	\$24,291,793

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 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 August 2019

JAY NANKIVELL
CHIEF FINANCIAL OFFICER

JAMES RONCON
GENERAL MANAGER



Investment Summary Report
August 2019



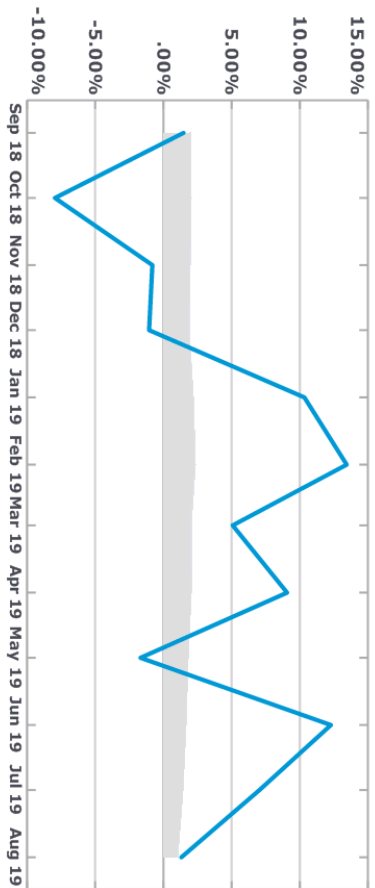
Broken Hill City Council
Executive Summary



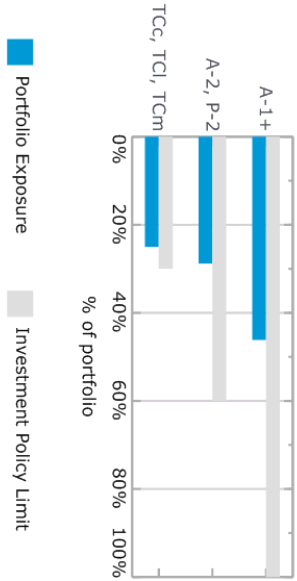
Investment Holdings

	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	7,712,240.13	7,712,240.13	1.57
Managed Funds	6,079,552.63	6,079,552.63	-0.82
Term Deposit	10,500,000.00	10,596,296.98	2.37
	24,291,792.76	24,388,089.74	1.32

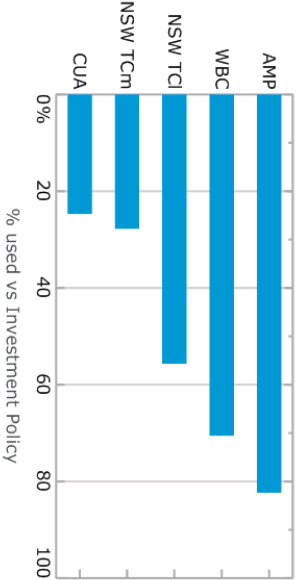
Investment Performance



Total Credit Exposure



Investment Policy Compliance



Term to Maturities

Maturity Profile	Face Value (\$)	Policy Max
Between 0 and 1 Year	24,291,793	100%
	24,291,793	100%



Broken Hill City Council
Investment Holdings Report



Cash Accounts						
Face Value (\$)	Current Yield	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
2,418,337.87	0.5600%	Westpac Group	A-1+	2,418,337.87	473409	Cheque
5,293,902.26	2.0322%	Westpac Group	A-1+	5,293,902.26	535442	90d Notice
7,712,240.13	1.5706%			7,712,240.13		

Managed Funds						
Face Value (\$)	Current Yield	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.
7.89	0.0000%	NSW T-Corp (Cash)	TCC	Cash Fund	7.89	535329
4,056,714.78	-2.9341%	NSW T-Corp (LT)	TCL	Long Term Growth Fund	4,056,714.78	536442
2,022,829.96	3.4050%	NSW T-Corp (MT)	Tcm	Medium Term Growth Fund	2,022,829.96	536441
6,079,552.63	-0.8249				6,079,552.63	

Term Deposits										
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency Reference
4-Sep-19	500,000.00	1.9500%	Bankwest	A-1+	500,000.00	19-Jun-19	501,976.71	538058	1,976.71	At Maturity
12-Sep-19	500,000.00	2.3000%	AMP Bank	A-2	500,000.00	6-Jun-19	502,741.10	538031	2,741.10	At Maturity
18-Sep-19	500,000.00	1.6600%	Bankwest	A-1+	500,000.00	31-Jul-19	500,727.67	538344	727.67	At Maturity
25-Sep-19	500,000.00	2.7500%	IMB Ltd	P-2	500,000.00	23-Jan-19	508,325.34	537480	8,325.34	At Maturity
3-Oct-19	500,000.00	2.3000%	AMP Bank	A-2	500,000.00	6-Jun-19	502,741.10	538032	2,741.10	At Maturity
9-Oct-19	500,000.00	2.8500%	Credit Union Australia	A-2	500,000.00	7-Dec-18	510,463.01	537401	10,463.01	At Maturity
9-Oct-19	500,000.00	2.7500%	National Australia Bank	A-1+	500,000.00	9-Jan-19	508,852.74	537462	8,852.74	At Maturity
16-Oct-19	500,000.00	2.8000%	AMP Bank	A-2	500,000.00	13-Mar-19	506,597.26	537640	6,597.26	At Maturity
23-Oct-19	500,000.00	2.4000%	AMP Bank	A-2	500,000.00	22-May-19	503,353.42	537968	3,353.42	At Maturity
30-Oct-19	500,000.00	2.3000%	AMP Bank	A-2	500,000.00	29-May-19	502,993.15	537989	2,993.15	At Maturity
6-Nov-19	500,000.00	2.9000%	Credit Union Australia	A-2	500,000.00	7-Dec-18	510,646.58	537402	10,646.58	At Maturity
13-Nov-19	500,000.00	2.7600%	National Australia Bank	A-1+	500,000.00	16-Jan-19	508,620.27	537473	8,620.27	At Maturity



Broken Hill City Council
Investment Holdings Report



Term Deposits												
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference	
20-Nov-19	500,000.00	2.80000%	AMP Bank	A-2	500,000.00	11-Mar-19	506,673.97	537632	6,673.97	At Maturity		
27-Nov-19	500,000.00	2.50000%	AMP Bank	A-2	500,000.00	8-May-19	503,972.60	537936	3,972.60	At Maturity		
4-Dec-19	500,000.00	2.50000%	AMP Bank	A-2	500,000.00	8-May-19	503,972.60	537937	3,972.60	At Maturity		
11-Dec-19	500,000.00	2.90000%	Credit Union Australia	A-2	500,000.00	7-Dec-18	510,646.58	537403	10,646.58	Annually		
5-Feb-20	500,000.00	2.10000%	AMP Bank	A-2	500,000.00	7-Aug-19	500,719.18	538374	719.18	At Maturity		
12-Feb-20	500,000.00	1.75000%	National Australia Bank	A-1+	500,000.00	14-Aug-19	500,431.51	538390	431.51	At Maturity		
11-Mar-20	500,000.00	1.77000%	National Australia Bank	A-1+	500,000.00	8-Aug-19	500,581.92	538376	581.92	At Maturity		
8-Apr-20	500,000.00	1.75000%	National Australia Bank	A-1+	500,000.00	8-Aug-19	500,575.34	538377	575.34	At Maturity		
5-Aug-20	500,000.00	2.00000%	AMP Bank	A-2	500,000.00	7-Aug-19	500,684.93	538375	684.93	At Maturity		
	10,500,000.00	2.37109%			10,500,000.00		10,596,296.98		96,296.98			



Broken Hill City Council
Accrued Interest Report - August 2019



Accrued Interest Report:										
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage	Return
Cash										
Westpac Group	473409	Cheque	2,418,337.87			836.38	31	836.38	.56%	
Westpac Group	535442	90D Notice	5,293,902.26			8,827.80	31	8,827.80	2.03%	
Cash Total						9,664.18		9,664.18	1.66%	
Managed Funds										
Medium Term Growth Fund	536441		2,022,829.96	12-Feb-18			31	5,744.30	3.40%	
Long Term Growth Fund	536442		4,056,714.78	09-Feb-18			31	-10,273.59	-2.93%	
Managed Funds Total								-4,529.29	-1.87%	
Term Deposits										
Bankwest	538056		500,000.00	19-Jun-19	07-Aug-19	1,282.05	6	156.98	1.91%	
National Australia Bank	537945		500,000.00	16-May-19	14-Aug-19	2,909.59	13	420.27	2.36%	
Bankwest	538058		500,000.00	19-Jun-19	04-Sep-19		31	828.08	1.95%	
AMP Bank	538031		500,000.00	06-Jun-19	12-Sep-19		31	976.72	2.30%	
Bankwest	538344		500,000.00	31-Jul-19	18-Sep-19		31	704.93	1.66%	
IMB Ltd	537480		500,000.00	23-Jan-19	25-Sep-19		31	1,167.81	2.75%	
AMP Bank	538032		500,000.00	06-Jun-19	03-Oct-19		31	976.72	2.30%	
Credit Union Australia	537401		500,000.00	07-Dec-18	09-Oct-19		31	1,210.27	2.85%	
National Australia Bank	537462		500,000.00	09-Jan-19	09-Oct-19		31	1,167.81	2.75%	
AMP Bank	537640		500,000.00	13-Mar-19	16-Oct-19		31	1,189.04	2.80%	
AMP Bank	537968		500,000.00	22-May-19	23-Oct-19		31	1,019.17	2.40%	
AMP Bank	537989		500,000.00	29-May-19	30-Oct-19		31	976.71	2.30%	
Credit Union Australia	537402		500,000.00	07-Dec-18	06-Nov-19		31	1,231.51	2.90%	
National Australia Bank	537473		500,000.00	16-Jan-19	13-Nov-19		31	1,172.05	2.76%	

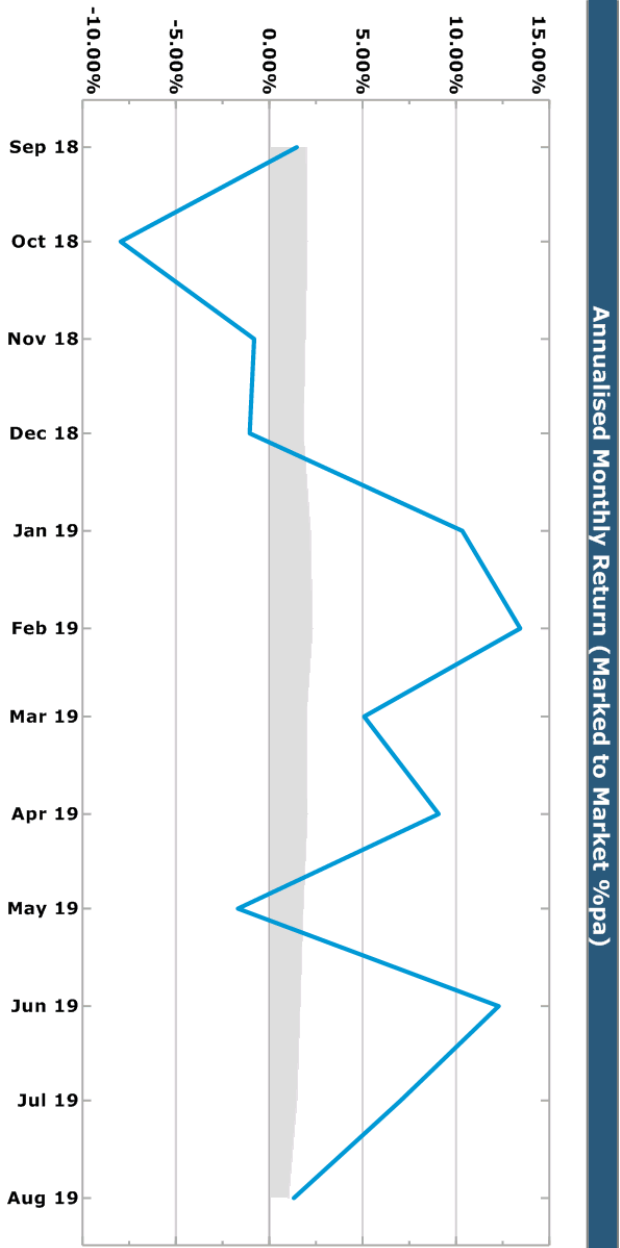


Broken Hill City Council
Accrued Interest Report - August 2019



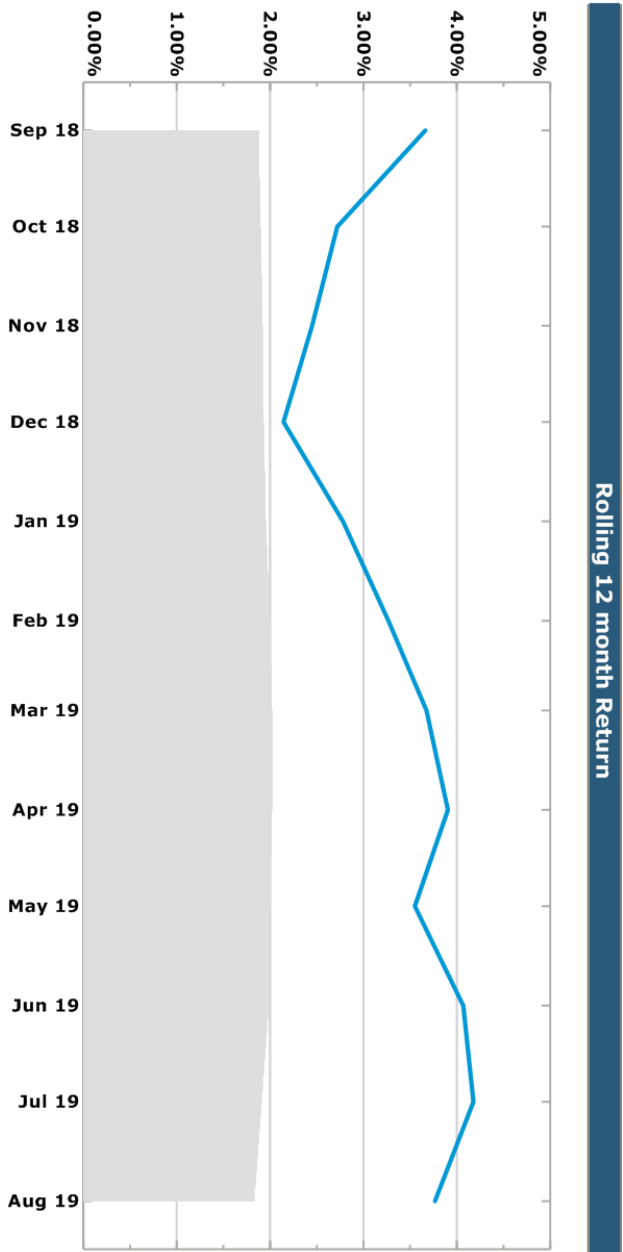
Accrued Interest Report:									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
AMP Bank	537632		500,000.00	11-Mar-19	20-Nov-19		31	1,189.04	2.80%
AMP Bank	537936		500,000.00	08-May-19	27-Nov-19		31	1,061.64	2.50%
AMP Bank	537937		500,000.00	08-May-19	04-Dec-19		31	1,061.64	2.50%
Credit Union Australia	537403		500,000.00	07-Dec-18	11-Dec-19		31	1,231.51	2.90%
AMP Bank	538374		500,000.00	07-Aug-19	05-Feb-20		25	719.18	2.10%
National Australia Bank	538390		500,000.00	14-Aug-19	12-Feb-20		18	431.51	1.75%
National Australia Bank	538376		500,000.00	08-Aug-19	11-Mar-20		24	581.92	1.77%
National Australia Bank	538377		500,000.00	08-Aug-19	08-Apr-20		24	575.34	1.75%
AMP Bank	538375		500,000.00	07-Aug-19	05-Aug-20		25	684.93	2.00%
Term Deposits Total						4,191.64		20,734.78	2.40%
						13,855.82		25,869.67	1.32%





Historical Performance Summary			
	Portfolio	AusBond BB Index	Outperformance
Aug 2019	1.32%	0.99%	0.33%
Last 3 Months	6.73%	1.34%	5.39%
Last 6 Months	5.36%	1.63%	3.73%
Financial Year to Date	4.14%	1.20%	2.94%
Last 12 months	3.77%	1.82%	1.95%





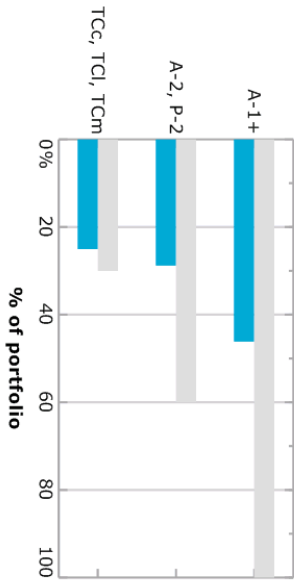
Historical Performance Summary (actual)			
	Portfolio	AusBond BB Index	Outperformance
Aug 2019	0.11%	0.08%	0.03%
Last 3 Months	1.65%	0.34%	1.31%
Last 6 Months	2.67%	0.82%	1.85%
Financial Year to Date	0.69%	0.20%	0.49%
Last 12 months	3.77%	1.82%	1.95%



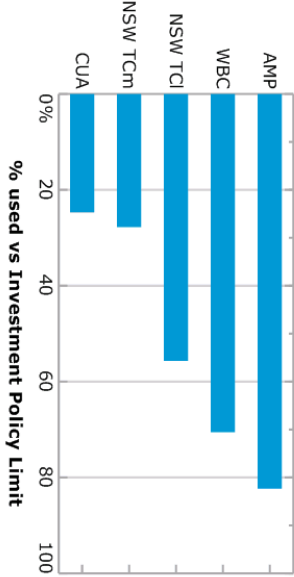
Broken Hill City Council
Investment Policy Compliance Report



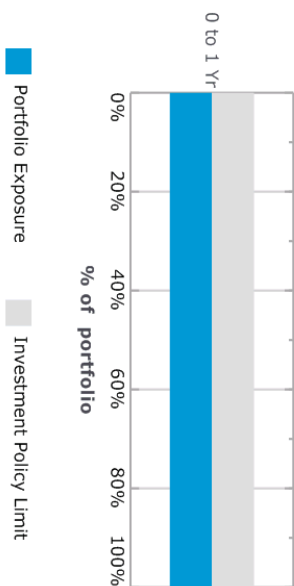
Total Credit Exposure



Individual Institutional Exposures



Term to Maturities



Credit Rating	Face Value (\$)	Policy Max
Short Term A-1+	11,212,240	100%
Short Term A-2	6,500,000	60%
Short Term P-2	500,000	29%
Short Term TCC	8	8%
Short Term TCI	4,056,715	25%
Short Term TCM	2,022,830	30%
Total	24,291,793	100%

Entity	% used vs Investment Policy Limit
AMP Bank (A-2, BBB+)	82%
Westpac Group (A-1+, AA-)	71%
NSW T-Corp (LT) (TCI)	56%
NSW T-Corp (MT) (TCM)	28%
Credit Union Australia (A-2, BBB)	25%
National Australia Bank (A-1+, AA-)	23%
Commonwealth Bank of Australia (A-1+, AA-)	9%
IMB Ltd (P-2, Baa1)	8%
NSW T-Corp (Cash) (TCC)	0%

Term	Face Value (\$)	Policy Max
Between 0 and 1 Year	24,291,793	100%
Total	24,291,793	100%

Category	Face Value (\$)	Policy Max
00. Cash + Managed Funds	13,791,793	57%
01. Less Than 30 Days	2,000,000	8%
02. Between 30 Days and 60 Days	3,000,000	12%
03. Between 60 Days and 90 Days	2,000,000	8%
04. Between 90 Days and 180 Days	2,000,000	8%
05. Between 180 Days and 365 Days	1,500,000	6%
Total	24,291,793	100%

✓ = compliant
X = non-compliant



Broken Hill City Council
Cash Flows Report



Current Month Cashflows

Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Received
7-Aug-19	538056	Bankwest	Term Deposits	Maturity Face Value - Received	500,000.00
		Bankwest	Term Deposits	Interest - Received	1,282.05
				<u>Deal Total</u>	501,282.05
				<u>Day Total</u>	501,282.05
8-Aug-19	538374	AMP Bank	Term Deposits	Settlement Face Value - Paid	-500,000.00
				<u>Deal Total</u>	-500,000.00
				<u>Day Total</u>	-500,000.00
				Day Total	-498,717.95
8-Aug-19	538376	National Australia Bank	Term Deposits	Settlement Face Value - Paid	-500,000.00
				<u>Deal Total</u>	-500,000.00
				<u>Day Total</u>	-500,000.00
				Day Total	-1,000,000.00
14-Aug-19	537945	National Australia Bank	Term Deposits	Maturity Face Value - Received	500,000.00
		National Australia Bank	Term Deposits	Interest - Received	2,909.59
				<u>Deal Total</u>	502,909.59
				<u>Day Total</u>	502,909.59
538390		National Australia Bank	Term Deposits	Settlement Face Value - Paid	-500,000.00
				<u>Deal Total</u>	-500,000.00
				<u>Day Total</u>	-500,000.00
				Day Total	2,909.59
Net Cash Movement for Period					-1,495,808.36

Next Month Cashflows

Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Due
4-Sep-19	538058	Bankwest	Term Deposit	Interest - Received	2,056.85
		Bankwest	Term Deposit	Maturity Face Value - Received	500,000.00
				<u>Deal Total</u>	502,056.85
				<u>Day Total</u>	502,056.85
12-Sep-19	538031	AMP Bank	Term Deposit	Interest - Received	3,087.67
				<u>Day Total</u>	3,087.67



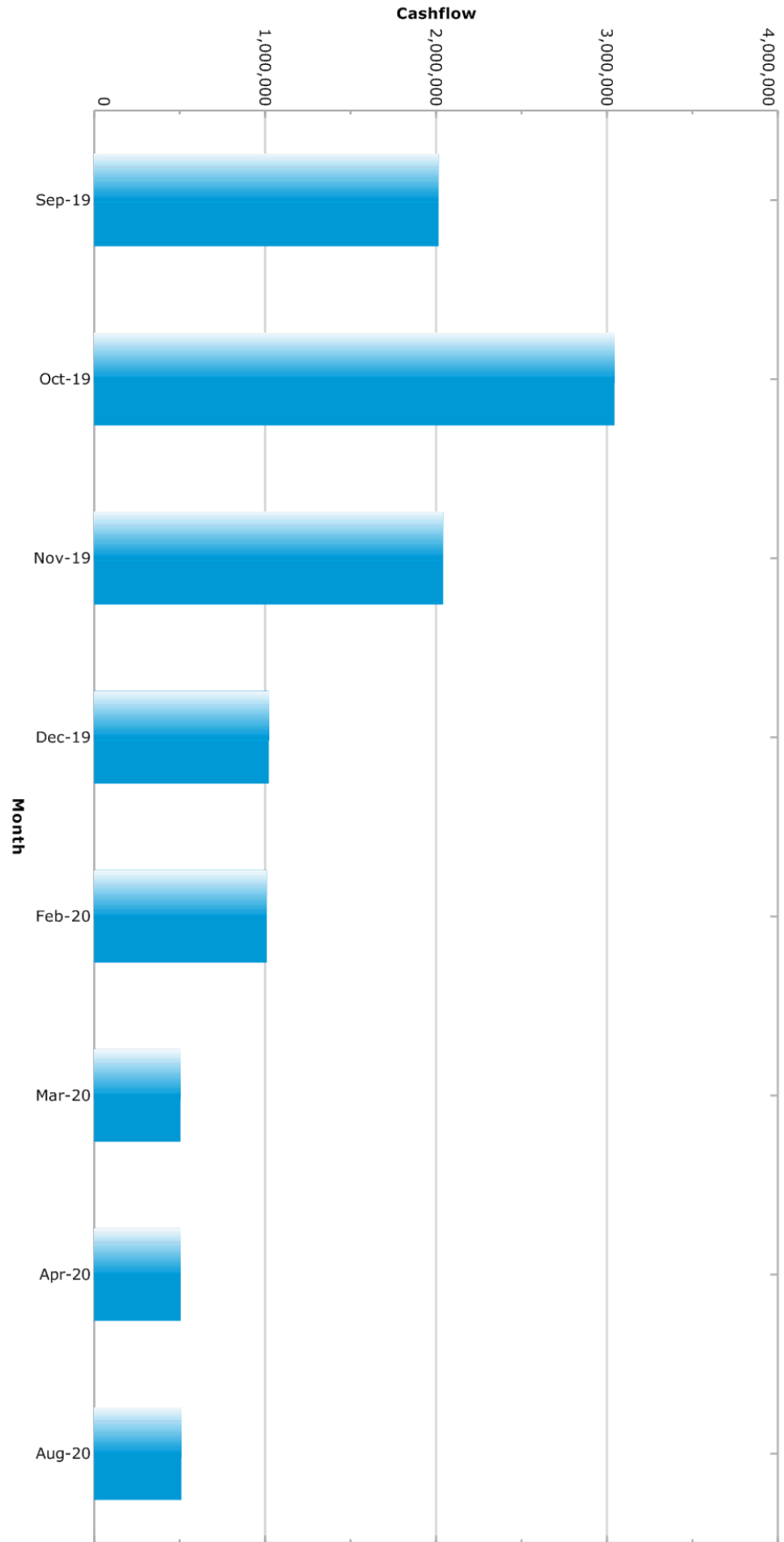
Broken Hill City Council
Cash Flows Report



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>
		AMP Bank	Term Deposit	Maturity Face Value - Received	500,000.00
				Deal Total	503,087.67
18-Sep-19	538344	Bankwest	Term Deposit	Interest - Received	1,114.25
		Bankwest	Term Deposit	Maturity Face Value - Received	500,000.00
				Deal Total	501,114.25
				Day Total	501,114.25
25-Sep-19	537480	IMB Ltd	Term Deposit	Interest - Received	9,229.45
		IMB Ltd	Term Deposit	Maturity Face Value - Received	500,000.00
				Deal Total	509,229.45
				Day Total	509,229.45
				Net Cash Movement for Period	2,015,488.22



Broken Hill City Council
Cash Flows Report



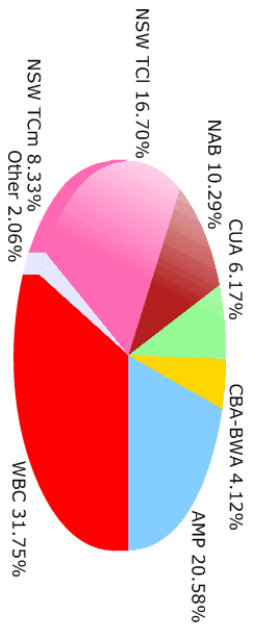
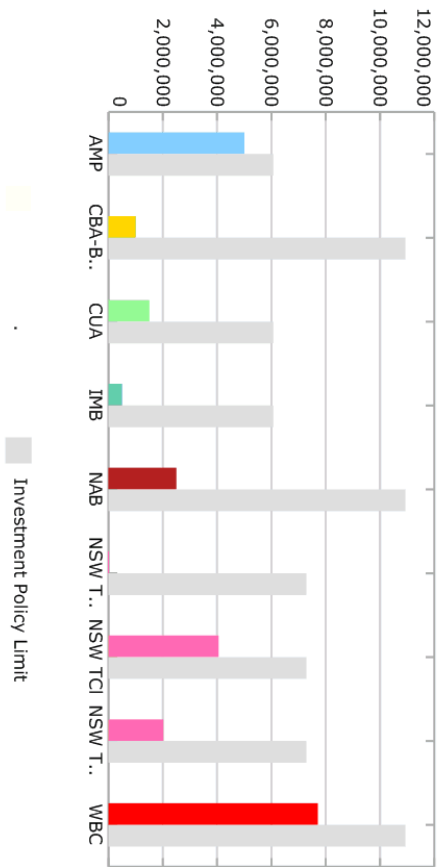
Broken Hill City Council
Individual Institutional Exposures Report



Individual Institutional Exposures

Parent Group	Credit Rating	Portfolio Exposure (\$)	Investment Policy Limit (\$)
AMP Bank	A-2, BBB+	5,000,000	6,072,948
Commonwealth Bank of Australia	A-1+, AA-	1,000,000	10,931,307
Credit Union Australia	A-2, BBB	1,500,000	6,072,948
IMB Ltd	P-2, Baa1	500,000	6,072,948
National Australia Bank	A-1+, AA-	2,500,000	10,931,307
NSW T-Corp (Cash)	TCC	8	7,287,538
NSW T-Corp (LT)	TCl	4,056,715	7,287,538
NSW T-Corp (MT)	TCm	2,022,830	7,287,538
Westpac Group	A-1+, AA-	7,712,240	10,931,307
			24,291,793

Individual Institutional Exposure Charts



ORDINARY MEETING OF THE COUNCIL

August 20, 2019

BROKEN HILL CITY COUNCIL REPORT NO. 153/19

SUBJECT: TEMPORARY SUSPENSION OF ALCOHOL-FREE ZONE -
PERFECT LIGHT FILM FESTIVAL - 2 NOVEMBER 2019 11/307

Recommendation

1. That Broken Hill City Council Report No. 153/19 dated August 20, 2019, be received.
2. That Council provide in principle support to begin the planning process for the temporary suspension of the prohibition of the consumption of alcohol in part of Sturt Park, under Section 632A, of the *Local Government Act 1993* on Saturday, 2 November 2019 from 6pm to 11pm for the Perfect Light Film Festival.
3. That the temporary suspension on the prohibition of the consumption of alcohol in part of Sturt Park be advised to the public by way of media release and advertisement in the Barrier Daily Truth. That the advertisement also confirms that the suspension only applies to the VIP Marquee area; and that the consumption of alcohol will remain prohibited for all other areas of the Sturt Park; and that all existing alcohol-free zones in Broken Hill will remain in force.
4. That the General Manager be authorised to implement the suspension and advertising processes on final advice of Barrier Local Area Command.
5. That the Barrier Local Area Command be advised of Council's decision.

Executive Summary:

Council has received a request from Film Festivals Australia dated 21 August 2019 (attachment 1), to temporarily suspend the prohibition on the consumption of alcohol in part of Sturt Park to permit the service and consumption of alcohol on Saturday 2 November 2019 between the hours of 6pm – 11pm. This will allow for the serving of wine and beer at a VIP Marquee for invited guests attending the Perfect Light Film Festival.

The Perfect Light Film Festival is a free outdoor film festival whereby the public are encouraged to bring a rug and watch a selection of short films on the big screen. Shortlisted films compete for monetary prizes and are judged live by a celebrity judging panel.

Report:

Film Festivals Australia will be hosting its third Perfect Light Film Festival in Broken Hill on Saturday, 2 November 2019.

In order to obtain maximum benefit from the event, event organisers from Film Festivals Australia have requested to temporarily suspend the prohibition on the consumption of alcohol in part of Sturt Park to permit the service and consumption of alcohol on Saturday, November 2019 between the hours of 6pm – 11pm. This will allow for the serving and consumption of wine and beer in a clearly defined VIP Marquee for invited guests, including a celebrity judging panel attending the Perfect Light Film Festival and sponsors of the event. This event was successfully held in 2017 and 2018 without incident.

The area will be fenced and used by festival VIP guests and subject to strict RSA and licensing requirements, security and venue management plans. A site map of the area is included for Council's information (attachment 2). Note the area for the proposed suspension is outlined in red.

The final decision on the suspension or prohibition on the consumption of alcohol in part of Sturt Park involves coordinated efforts among Barrier Local Area Command (LAC) and Council on the application components organised by the applicant.

Ministerial Guidelines on Alcohol-Free Zones

In accordance with Ministerial Guidelines on Alcohol-Free Zones;

- specifically that Council must pass a valid resolution to suspend a particular alcohol-free zone
- that liaison with the local police, before and after the council resolution is essential to ensure that both groups are informed and action is coordinated and
- that Council may undertake any other consultation that it considers necessary

Barrier LAC were advised on 16 August 2019 of the approach by the organisers of the festival, for a temporary suspension of the prohibition on the consumption of alcohol in part of Sturt Park, to allow for the service of wine and beer in one area for VIP guests.

Similarly, a letterbox drop will be conducted around Sturt Park to immediate businesses and neighbours who might be impacted by the abovementioned suspension.

Past history indicates that Barrier LAC will place all their conditions on the liquor licence. From the Command point of view, it is these conditions under the *Licensing Act* which will be effectively policed.

Strategic Direction:

Key Direction:	4.	Our Leadership
Objective:	4.1	Openness and transparency in decision making
Strategy:	4.1.1	Support the organisation to operate its legal framework

Relevant Legislation:

Suspension of the Alcohol-Free Zones must be in accordance with the *Local Government Act 1993* and Ministerial Guidelines 2009 on Alcohol-Free Zones.

Financial Implications:

There are no financial implications to Council associated with the temporary suspension on the prohibition on the consumption of alcohol in part of Sturt Park.

Signs located in the immediate area will require removal and/or cover up for the duration of the suspension.

Attachments

1. Request for temporary Suspension of part of Alcohol-Free Zone in Sturt Park -
[↓](#) Perfect Light Film Festival 02.11.2019
2. Site map - Perfect Light Film Festival 02.11.2019
[↓](#)

RAZIJA NU'MAN
DIRECTOR CORPORATE

JAMES RONCON
GENERAL MANAGER



21 August 2019

Re: PERFECT LIGHT FILM FESTIVAL – SATURDAY NOV 2, 2019

I am writing to request an alcohol free zone is lifted in Sturt Park, Broken Hill to allow serving of wine and beer within the VIP marquees as per previous years for the Perfect Light Film Festival on Saturday November 2, 2019 from 6p-11pm.

The bar will be run and managed by Broken Hill City Council in accordance with liquor licensing regulations.

The Perfect Light Film Festival is a free, outdoor film festival whereby the public are encouraged to bring a rug and watch a selection of short films on the big screen. Shortlisted films compete for monetary prizes and are judged live by a panel of celebrity judges.

The VIP marquee is open only via invite with the guests including celebrity judging panel, sponsors and filmmakers. Alcohol is served free in the VIP marquee.

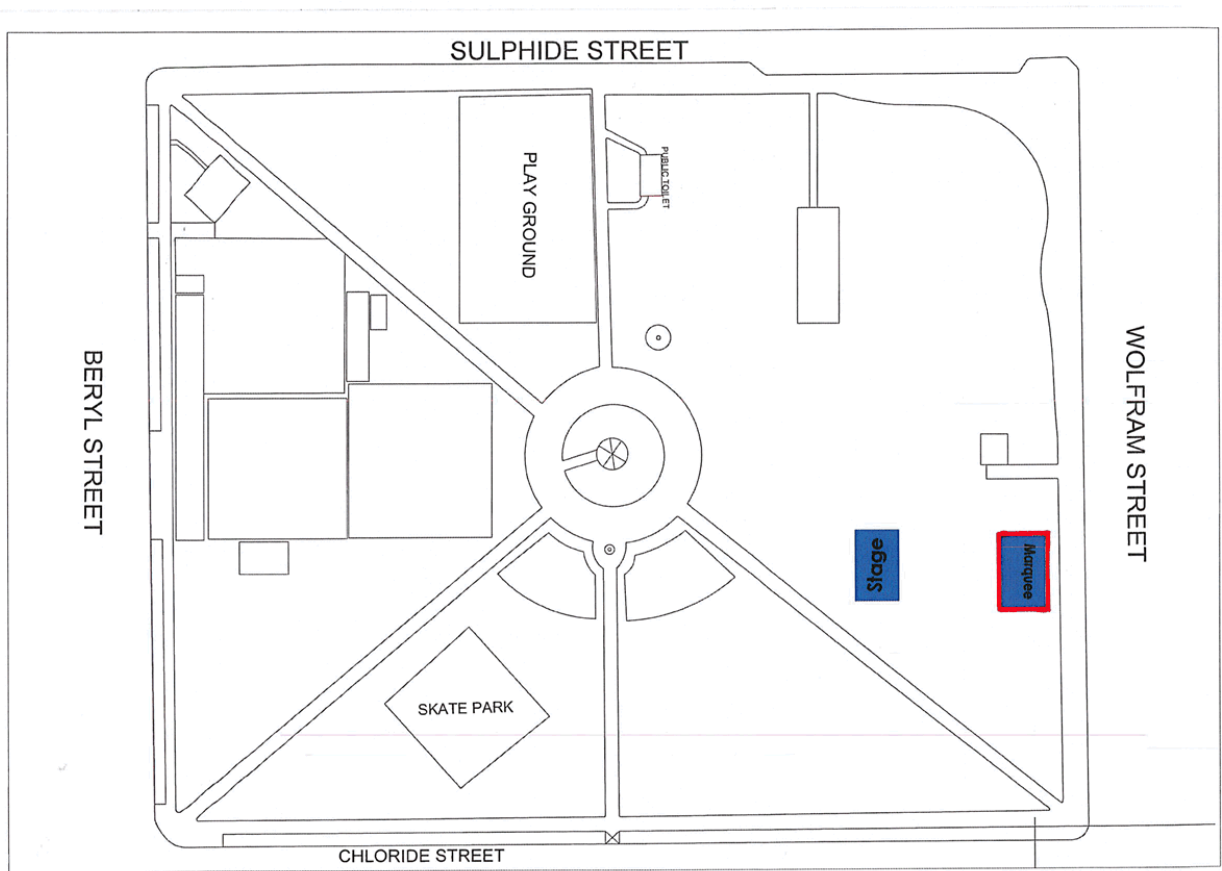
Thank you in advance,

Megan Pascoe

Perfect Light Film Festival

M: 0423 619 832

E: megan@filmfestivalsaustralia.com.au



ORDINARY MEETING OF THE COUNCIL

August 28, 2019

ITEM 11BROKEN HILL CITY COUNCIL REPORT NO. 154/19

SUBJECT: FORMAL AGREEMENT BETWEEN BROKEN HILL CITY COUNCIL
AND BROKEN HILL RIFLE CLUB 11/214

Recommendation

1. That Broken Hill City Council Report No. 154/19 dated August 28, 2019, be received.
2. That Broken Hill City Council enters into an agreement with the Broken Hill Rifle Club (BHRC) to formalise the future use of the rifle range in South Broken Hill.
3. That the General Manager be authorised to execute the formal agreement on behalf of Broken Hill City Council.

Executive Summary:

This report recommends that Council, in its capacity as the airport authority, enter into a written agreement with the Broken Hill Rifle Club (BHRC) to formalise the future use of the rifle range in South Broken Hill.

The formal agreement is required because the range danger area (RDA) intersects with the flight path of aircraft using runway 05/23. The existing airport is in use since 1939 and this phenomenon, where aircraft fly through the RDA, has been in existence for 80 years without incident.

Report:

The rifle range in South Broken Hill has been in use since 1889 and is now 130 years old. The club has a very rich history from the days when the NSW Premier, Sir Henry Parkes, gave permission for the formation of a military company of reservists until today. At its peak, during 1947 – 1963, the club had about 170 members. Shooting was held in shifts on a shoot day to give everyone time on the range. Over the years members have served in the Boer War, World War 1, World War 2, Borneo and Vietnam.

The first club captain was Zebina Lane, who was a Councillor with the first Broken Hill Council in 1888 and who later became Mayor.

The NSW Police – Firearms Registry, has the responsibility to carry out compliance inspections at all civilian rifle ranges to ensure that the facilities comply with design criteria and requirements. During an inspection in 2014, it was noted that the range danger area intersects with the flight path of aircraft using runway 05/23. The BHRC was instructed to seek a formal agreement with Council to minimize the risk and to put procedures in place for the monitoring of aircraft.

The BHRC are the sole users of the range. BHRC has been in discussions with Council since late 2018 re the development of a formal agreement in order to comply with the requirements of the Range Inspector.

The Formal Agreement requires the BHRC to establish an Air Sentry during centrefire shooting events. The air sentry will monitor radio calls from aircraft approaching Broken Hill Airport or departing. Whenever aircraft is detected, the range officer will call a “cease fire” and shooting activities will be suspended until aircraft is clear of Broken Hill airspace or has landed. This is an effective measure to ensure the safety of aircraft in the vicinity of the rifle range and to further minimise the risk. Council is employing similar procedures when animals are shot airside (runway side of the airport) when animals are detected during runway inspections.

BHRC recently acquired a complying CTAF radio to monitor aircraft movement. Council’s Senior Airport Reporting Officer inspected the new radio setup at the rifle range and confirmed that the radio is working satisfactory. BHRC has also updated their standing orders to incorporate the monitoring of aircraft utilizing the CTAF radio.

Attached to this report is a copy of the proposed Formal Agreement, letter from NSW Police to BHRC, CASA determination and updated BHRC standing orders.

Below is an aerial image depicting the location of the rifle range in relation to Broken Hill Airport. The distance from the stop butt to the flight path of aircraft is 1338 metres. The range danger area extends from the stop butt out to 1830 metres, hence approximately 500 metres beyond the flight path, and the Air Danger Height is limited at 315 metres above ground level.



Council contacted CASA, (Mr. John Hodder – Airspace Specialist) for advice on this matter and the use of an Air Sentry as a method to mitigate risks associated with this anomaly.

The CASA determination is that licensed (small arms) firearms ranges do not pose a hazard to aviation. This is on the proviso that the firearm’s range design and operation, including management by qualified range safety staff, conforms to State legislation and regulations.

CASA considers that at these rifle ranges ricochets may occur, however these will be minimised due to range design and operation.

In many cases the projectiles will either fall away, break up or deflect and disperse within a small area. The chance of a ricochet with a dangerous trajectory and range is always considered present, but as a rare occurrence i.e.: 1.00E-04 to 1.00E-05 (from 1 in 10,000 to 1 in 100,000). The chance that a dangerous ricochet will occur and reach the exact height and position to coincide precisely with the chance position of an aircraft in proximity to the

range, is considered as very, very rare i.e.: <1.00E-05 (less than 1 in 100, 000). This situation is considered to exist beyond 5NM from the aerodrome. Based on above advice, it is clear that the rifle range in South Broken Hill pose a very small risk to aircraft, if combined with an air sentry, the risk is even further reduced.

In summary the current situation is as follows:

1. The rifle range is in use since 1889.
2. Broken Hill Airport is in active use at its current location since 1939. Aircraft have been flying through the Range Danger Area for the past 80 years.
3. The flightpath of aircraft is 1338 metres behind the stop butt at the rifle range.
4. No incidents or near misses have occurred, between aircraft using Broken Hill Airport and stray or ricocheting bullets from BHRC, over the last 80 years.

Outcome – Council have basically two options, either (i) enter into a formal agreement with the BHRC and ensure ongoing use of the South Broken Hill Rifle Range subject to compliance with the terms of the agreement or (ii) do not enter into a formal agreement with the BHRC, which means that the Firearms Registry will shut down the BHRC and their activities at the South Broken Hill Rifle Range.

Recommendation - Considering the very low probability of accidents and the long-standing use of the South Broken Hill Rifle range without any incidents and/or near misses, it is recommended to enter into a formal agreement with the BHRC.

Strategic Direction:

Key Direction:	4.	Our Leadership
Objective:	4.1	Openness and Transparency in Decision Making
Strategy:	4.1.1	Support the organization to operate its legal framework

Relevant Legislation:

Environmental Planning and Assessment Act 1979
Firearms Regulation 2017

Financial Implications:

Nil

Attachments

1. [↓](#) Inspection report from Firearms registry
2. [↓](#) CASA determination re Rifle ranges near airports
3. [↓](#) Formal Agreement with BHRC
4. [↓](#) BHRC Standing orders

ANTHONY MISAGH
CHIEF OPERATIONS OFFICER

JAMES RONCON
GENERAL MANAGER



NSW Police Force

Broken Hill Rifle Club
82 Wills Lane
Broken Hill NSW 2880

Reference No: 104096078/RAN: RWO

25 May 2018

RE: RANGE INSPECTION CONDUCTED 10/05/2018

On 10 May 2018 Max Doogood and I attended your range for the purpose of completing a range inspection in accordance with our cyclic inspection program. I take this opportunity to thank Mick Walden, John Simons and Bill Cullen for your attendance and assistance during the inspection.

The previous inspection of your range on 6 September 2014 noted the location of your range and the flight path for aircraft entering and leaving Broken Hill Airport. That flight path crosses your Range Danger Area (RDA) well inside the air danger height of that RDA. This is a significant risk.

Accordingly, you were informed at that time of the requirement for your range to seek a formal agreement with the Airport Authority or organisation authorised to make such an agreement to formally notify CASA of times and dates you are shooting on the range. A Notice To Airman (NOTAM) will be required prior to those times of use. Further it may be a requirement that a VHF Radio is required to monitor aircraft movement when the range is in use.

As stated during the inspection this requirement has not been actioned since the mentioned inspection in 2014. Please be aware that should that agreement not be reached prior to 25 July 2018 shooting on your range may be interrupted until such an agreement is made.

In the interim, your Range Officer is to call a check fire at all times an aircraft is taking off or landing at the airport. The check fire is to commence prior to that aircraft entering your RDA and remain until any aircraft is completely clear of the RDA.

The range inspection revealed some maintenance matters as listed below requiring attention:

- There are a number of seats located in front of the firing positions. Those seats have steel post supports. Those steel supports are to be protected in the direction of fire. Soft sacrificial timber such as treated pine can be used to protect the mentioned posts or remove all seats and posts.
- There is exposed steel on the left of the 600-yard firing mound. That steel is to be protected or removed.
- Centre line marking of your firing mounds is required. To assist you in this I have enclosed a diagram with this report.

FIREARMS REGISTRY

Locked Bag No. 1 Murwillumbah NSW 2484

T 1300 362 562 EN 64577 F 02 6670 8558 EN 64558 W www.police.nsw.gov.au

TTY 02 9211 3776 for the hearing and speech impaired ABN 43 408 613 180

TRIPLE ZERO (000)

Emergency only

POLICE ASSISTANCE LINE (131 444)

For non emergencies

CRIME STOPPERS (1800 333 000)

Report crime anonymously

- The RDA to the left and right of the firing lines contains disused rubble and hard surfaces. Your range is what is referred to as a Classification Fullbore Range. Such a range is to be free of hard surfaces that may induce a ricochet. Whilst it has been common practice on ranges to leave or store disused items they must be protected against projectile strike. It is far easier, with the exception of the club house to remove any hard item from the range. A general clean-up will resolve most of these issues.
- Exposed star pickets were noticed at the 100-metre firing area. They are to be removed or protected.
- The gallery on the right side is in a state of disrepair and presents a danger. This area should not be used to house markers until re-furnished.

Please attend to these matters in a timely manner reporting matters as they are completed to the Range Unit via email to franges@police.nsw.gov.au.

Yours sincerely



Range Inspector
Firearms Registry

ANNEX A TO
DCAF/OUT/2018/
DATED 24 SEP 12

Version 3:

CASA Determination in relation to Civilian Firearms ranges

1. Civilian firearms ranges exist in every Australian state and territory where 'small arms' are utilised. 'Small arms' for the purpose of this determination are typically pistols up and including to 12.7MM (.50 calibre), rifles up to and including 7.83mm (.308 calibre) and shotguns up to 16 gauge.
2. Australian shooters and their firearms are licensed and firearms ranges are State or Territory licensed and regulated in terms of design and operation. Safety templates for firearms ranges are published and typically advise ricochet Air Danger Heights of 1250 feet or more above ground level for rifles.
3. The CASA determination is that licensed (small arms) firearms ranges do not pose a hazard to aviation. This is on the proviso that the firearms range design and operation, including management by qualified range safety staff, conforms to State legislation and regulations. CASA considers that at these ranges ricochets may occur, however these will be minimised due to range design and operation. In many cases the projectiles will break up or deflect and disperse within a small area. The chance of a ricochet with a dangerous trajectory and range is always considered present, but as a rare occurrence, i.e.: 1.00E-04 to 1.00E-05 (from 1 in 10,000 to 1 in 100,000). The chance that a dangerous ricochet will occur at the exact time, trajectory and range to coincide precisely with the chance position of a low flying aircraft in proximity to the particular firearms range, is considered very rare i.e. much <1.00E-05 (much less than 1 in 100,000). This situation is considered to exist beyond 5NM from the aerodrome.
4. The aircraft circuit, landing and take-off areas are within 5NM of the aerodrome. The combination of range height, location and geography in this region plus more likelihood of low flying can increase the risk of damage to aircraft from ricochets and therefore requires mitigation. The mitigation should already be in place as for any civilian licensed range and include adequate range design features such as splashback and ricochet minimising impact zones, barriers, covers or Air Sentries. When Air Sentries are used with adequate range communication and visibility of the airspace, the Air Danger Height can be considered generally as 500 feet above ground level for 7.62 ball ammunition and as zero Air Danger Height once the Air Sentry has established a 'check fire'. CASA considers that licensed civilian firearms ranges comply with State requirements and are properly operated and so do not pose a hazard to aircraft within 5NM of an aerodrome.
5. Accordingly, the CASA policy is not to provide protective airspace for licensed civilian (small arms) firearms ranges conforming to State legislation and regulations.

Determination provided by:

JDHodder
John Hodder
Airspace Specialist
Airspace and Aerodrome Regulation Group
Civil Aviation Safety Authority
Ph: (02) 6217 1076
Fax: (02) 6217 1747
Mob: 0427 582 659
Email: john.hodder@casa.gov.au
safe skies for all

16 March 2012

BROKEN HILL
CITY COUNCIL

AGREEMENT FOR THE REGULATION OF SHOOTING EVENTS CONDUCTED BY BROKEN HILL RIFLE CLUB INC

THIS AGREEMENT IS MADE ON

2019

PARTIES:

BETWEEN: **BROKEN HILL CITY COUNCIL (ABN 84 873 116 132)** of 240 Blende Street, Broken Hill NSW 2880 ("**BHCC**");

AND: **BROKEN HILL RIFLE CLUB INC (No. Y1428038)** of 4 Range Road, Broken Hill NSW 2880 ("**BHRC**").

RECITALS

- A. BHRC conducts shooting events from the property known as 4 Range Road, Broken Hill ("the Range Facility").
- B. The parties acknowledge that the rifle range danger area for shooting events conducted from the Range Facility intersects the flight path of aircraft using runway 05/23 at Broken Hill Airport.
- C. At the request of NSW Police – Firearms Registry, the parties have agreed to manage and control the risks associated with the use of the Range Facility in the case of approaching or departing aircraft at Broken Hill Airport on the terms set out in this agreement.

OPERATIVE PART

1. ROLES AND RESPONSIBILITIES OF BHRC

- (a) Annexed and marked "**A**" is a copy of the BHRC's Standing Orders ("**the Standing Orders**").
- (b) BHRC shall ensure that all members and visitors of BHRC adhere to the Standing Orders at all times.
- (c) In order to ensure the effectiveness of the Standing Orders, BHRC must comply and implement the following procedures:
 - (i) install a CTAF radio which shall be monitored by the BHRC Range Safety Officers ("**the Radio**"). The Radio must be maintained as a passive radio listening post and checked to ensure that it is operational prior to every centre fire shooting event.

- (ii) carry out ongoing maintenance and repair to the Radio to ensure that it is operating effectively.
- (iii) fix the Radio to the CTAF (R) frequency used by pilots at Broken Hill Airport.
- (iv) ensure that the BHRC Range Safety Officer issues a "cease fire" upon broadcast over the Radio of:
 - (1) an aircraft's intention to land at Broken Hill Airport; and
 - (2) an aircraft's intention to taxi for departure from the apron area of Broken Hill Airport.

Orders to recommence firing may be issued, for arriving aircraft, on broadcast of the aircraft being clear of runway, and for departing aircraft, on broadcast of the aircraft having cleared the take-off area of Broken Hill Airport.

- (v) maintain an aircraft monitoring log book ("**the Log Book**") of all shooting events. The Log Book must record:
 - (1) the time the Radio is checked;
 - (2) the time the shooting event starts;
 - (3) the time the shooting event finishes;
 - (4) the name of the BHRC Range Safety Officer on duty; and
 - (5) details of every "cease fire" as a result of incoming or departing aircraft at Broken Hill Airport.
- (vi) produce the Log Book for inspection by BHCC within the first seven (7) days of each calendar month, or otherwise upon the request of NSW Police.
- (vii) provide BHCC with a shooting calendar for all planned shooting events for each year.
- (viii) invite representatives of BHCC to the Range Facility on an annual basis to test the functionality and satisfactory operation of the Radio.
- (ix) maintain public liability insurance for a sum not less than \$20 million in respect of each single event with BHCC identified as an interested party on the policy.

2. CONTACT DETAILS

In the event there is a change in the management of the Broken Hill Airport or the BHRC, the parties agree to provide each other with updated contact details including name, address, telephone number and email address. For the avoidance of doubt, BHCC must provide BHRC with updated contact details when a new airport manager is appointed and BHRC must provide BHCC with updated contact details when a new range officer is appointed.

3. MEETINGS

Meetings shall be held between BHCC and BHRC as requested by BHCC and shall take place at BHCC's Administration Building at 240 Blende Street or at the Broken Hill Rifle Range.

EXECUTED as an AGREEMENT

EXECUTED for and on behalf of **BROKEN HILL CITY COUNCIL (ABN 84 873 116 132)** by its authorised delegate pursuant to section 378 of the *Local Government Act 1993* in my presence.)

Signature of Witness

Name of Witness

Address of Witness

James Roncon
General Manager
Signing on behalf of Broken Hill City Council

The seal of **BROKEN HILL RIFLE CLUB INC (Y1428038)** was hereunto affixed pursuant to section 22(2) of the Associations Incorporation Act 2009 in the presence of its authorised officers.)

Seal:

Signature of authorised officer

Full name of authorised officer

Office held

Signature of authorised officer

Full name of authorised officer

Office held

BROKEN HILL RIFLE CLUB INC

STANDING ORDERS

A) GENERAL

These Standing Orders focus on SAFETY in conducting shooting events and operating the range.

The Broken Hill Rifle Club Inc operates under the NSW Police Force and "Firearms Act 1996 and Firearms Regulations 2017" and holds Range Approval Number 407780977 (see "Shooting Range Approval" document, date of expiry, 17/5/2021), on the noticeboard.

B) AUTHORISED EVENTS

The Broken Hill Rifle Club Inc is authorised to conduct:

- 1) Rimfire Rifle (up to .22 calibre) matches (50 metre and 100 yards);
- 2) Centrefire Rifle (calibre up to 8 mm) matches (300, 400, 500, 600, 700, 800 and 900 yards).

Broken Hill Rifle Club Inc has 5 target frames and shooting mounds of significant length to cater for 5 shooters if the need arises ie. 5 shooting lanes per mound.

C) LOCATION

Broken Hill Rifle Club Inc is located at the end of Knox Street, Broken Hill.

D) OPERATION OF RANGE FACILITY

- 1) The Range Officer has complete authority to conduct authorised shooting practices and matches.
- 2) The Range Officer must hold a current Firearms Licence.
- 3) The Range Officer is to be clearly identified to all shooters and visitors on the range and the firing point.
- 4) All matches will be conducted as per Standard Shooting Rules as set out by The National Rifle Association of Australia.
- 5) Each member in attendance at a competition/practice must sign the Range Register (Firearms Act 1996).
- 6) All visitors must sign the Range Register and indicate "Visitor" where appropriate.

- 7) Visitors (adults and children) must remain with the member they attend the range with and are at all times, under the authority of the Range Officer.

E) RANGE SET UP AND OPERATING PROCEDURES

- 1) A **Red Flag** will be hoisted at the range entrance when shooting is to take place.
- 2) A sign is displayed on the fence "**Red Flag** Shooting In Progress".
- 3) A **Red Flag** will be hoisted on top of the stop butt every time shooting is in progress.
- 4) A **Red Flag** will displayed above the mantlet until the Range Officer and Butts staff communicate as to the start of the shoot, then the Red Flag is taken down.

If, at any time during the shoot, the **Red Flag** is displayed (and targets pulled) the Range Officer will order "Cease Fire", scorers will verify that the shooter(s) have heard the order, unload, remove bolts, remove themselves and rifles from the mound. Scorer(s) will visually inspect presented rifles to verify that they are unloaded.

The Range Officer will communicate with the Butts staff to ascertain the reason for the stoppage and take the appropriate action(s).

- 5) On the mound, a **Red Flag** is displayed; no equipment will be placed on the mound until the Range Officer calls "First Shooter(s) to the mound". When the **Red Flag** on the mantlet is taken down by the Butts staff and communication confirms commencement of the shoot, the Range Officer will remove the **Red Flag** from the mound and order "Commence firing" (NOTE: preparation time rules apply as per SSR's).

- 6) When **centrefire practice** or **competition shooting** is to being **conducted**, the Range Officer and those members present who are not shooting, scoring or preparing to shoot **will act** as "**Air Sentries**", given the proximity of the Broken Hill Airport and air traffic movements which may involve aircraft flying over the range and/or the Range Danger Area. Members **will maintain** a **visual** and **listening watch** for aircraft approaching/departing from the Airport and **alert** the Range Officer **who will call an immediate cease fire**. **NOTE, as of February 2019, an aeronautical band radio will be set up at the mound to monitor aircraft communications on the Common Area Traffic Frequency for Broken Hill Airport**. Aircraft communications on approach to or departure from Broken Hill Airport **will be monitored and a cease fire called** by the Range Officer. **Scorers will ensure that a competitor has unloaded, removed the bolt from the rifle and verify that the rifle is safe**. The Range Officer will place the **Red Flag**



on the mound and monitor the aircraft movement. The Range Officer will call for shooting to recommence when the aircraft has moved on. A competitor whose stage is interrupted by a cease fire called due to aircraft movements will be entitled to an optional sighter. A record will be kept of date(s) and time(s) that a cease fire is called due to aircraft movements over that range and/or Range Danger Area.

- 7) Wind flags will be hoisted as appropriate for the distance for competition/practice on the day.
- 8) Targets - only approved targets can be used ie. Target Rifle and F Class centrefire rifle disciplines will conduct matches on ICFRA target as per SSR's.

Field Class/rimfire on targets suitable for 50 metre and 100 yard shoots.

The only other target approved for use (centrefire and rimfire is a Zero Target) utilizing the appropriate target set up.

- 9) Competitors
 - must carry/produce a current Firearms Licence or visitors, a current shooters licence issued in their state of residence.
 - must carry/produce a National Rifle Association of Australia membership card.
 - P650 forms will be completed prior to any unlicensed individual participating in shooting on the range.
- 10) Ammunition
 - Centrefire (Target Rifle, FClass disciplines must comply with the National Rifle Association of Australia's approved components).
 - Rimfire - up to .22 calibre, commercial ammunition suitable for target shooting.
 - muzzle energy of ammunition (centrefire) is to comply with SSR's.

F) RANGE TEMPLATE/RANGE DANGER AREA

The template employed is "NATO CLASSIFICATION".

Broken Hill Rifle Club Inc holds "Permissive Shooting Rights" granted by Broken Hill City Council.

The entire Range Danger Area is the responsibility of all members while shooting/using the range.

The Range Officer and Butts staff will physically check to ensure that no-one is on the range other than at the Butts or the mound.

Checking will be made regularly to ensure that fences are intact and warning signs are in

place around the perimeter of the range.

When shooting at 700, 800 and 900 yards, witches hats will be placed across the road to the clubhouse, signage will direct traffic to the access road to 700, 800 and 900 yard mounds.

G) SAFETY ON THE RANGE

- 1) Bolts will only be inserted in rifles on the mound when the Range Officer orders the commencement of the shoot.
- 2) Scorers, as per SSR's will ensure that rifles pass the vigorous cycle test prior to commencing shooting.
- 3) Scorers will watch the shooter while firing and perform their scoring duties as per SSR's. If a scorer thinks that there is a safety issue with a competitor's ammunition and/or rifle, they are to call the Range Officer and order the shooter "not to fire" until the issue is discussed and appropriate action taken.

Scorers must act in the event of:

- signs of extraction problems;
- difficulty in chambering a loaded round;
- gas blow back from the action and/or blown primers and/or misfires.

- 4) Rifles will not be left on the mound on completion of a stage. SSR's must be followed by shooters and scorers at all times.

Rifles will be placed in your vehicle and the vehicle locked.

- 5) Hearing and eye protection, as appropriate, will be worn.
- 6) Alcohol and drugs are prohibited. If it is suspected that a person is under the influence, the Range Officer will not allow that person to compete and request that they remove themselves from the range.
- 7) First Aid Kit is available in the Club House.
- 8) ACCIDENT(S)

If there is a firearm related accident, all shooting will cease, all other firearms will be made safe and removed from the range. The firearm involved must remain on site until Police arrive and investigate.

First Aid will be administered in the event of an accident and Emergency Services called depending on the circumstances.

NSW Firearms Registry will be notified of the incident.

9) EMERGENCY CONTACTS

- Emergency, Phone 000
- Broken Hill Police, 08 80 87 2099 or 000
- NSW Firearms Registry, 1300 362 562

Standing Order Revised, February 2019, copy to all members.



Mick Waldon, (Captain)



Date

ORDINARY MEETING OF THE COUNCIL

August 28, 2019

ITEM 12**BROKEN HILL CITY COUNCIL REPORT NO. 155/19**

SUBJECT: **MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 19 AUGUST 2019** **13/19**

Recommendation

1. That Broken Hill City Council Report No. 155/19 dated August 28, 2019, be received.
2. That minutes of the Audit, Risk and Improvement Committee Meeting held 19 August 2019 be received.

Executive Summary:

The Charter of the Broken Hill Audit Committee, as endorsed by Council at its meeting on 29 March 2017, requires the Audit, Risk and Improvement Committee to refer the minutes and recommendations of the Audit, Risk and Improvement Committee to the next scheduled Ordinary Council Meeting.

The Broken Hill City Council Audit, Risk and Improvement Committee met on Monday, 19 August 2019 and the minutes of this meeting are provided as an attachment to this report.

Report:

The Audit, Risk and Improvement Committee considered the following items at their meeting held 19 August 2019:

1. External Audit Progress Report
2. Internal Audit Progress Report
3. Enterprise Risk Management Policy and Framework Review Project Report
4. Adoption of the Draft Delivery Program 2019-2021 Incorporating Operational Plan 2018/2019 Inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2019/2020
5. Adoption of the Draft Long-Term Financial Plan 2020-2029
6. Annual Investment Review for the period ending 30 June 2019
7. Audit, Risk and Improvement Committee Action List Report

Meeting dates for the remainder of the year are:

- Friday 4 October 2019 (via teleconference)
- Thursday 14 November 2019.

Minutes of the meeting held 19 August 2019 are attached for Council's endorsement.

Strategic Direction:

Key Direction:	4	Our Leadership
Objective:	4.1	Openness and transparency in decision making
Strategy:	4.1.1	Support the organisation to operate its legal framework

Attachments

1. Minutes of the Audit, Risk and Improvement Committee Meeting held 19 August
[↓](#) 2019

JAY NANKIVELL
CHIEF FINANCIAL OFFICER

JAMES RONCON
GENERAL MANAGER

AUDIT, RISK AND IMPROVEMENT COMMITTEE

19 AUGUST 2019

**MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING
HELD MONDAY, AUGUST 19, 2019 (10AM)**

PRESENT:

Mr Jim Mitchell (Chairperson), Mayor Darriea Turley AM (part of meeting) and Councillor Dave Gallagher.

Via teleconference – Mr Damian Pulgies, Councillor Jim Nolan, Mr David Nolan (NSW Audit Office), Mr Brett Hanger ((Nexia) contractor to the NSW Audit Office), Mr Andrew Marsden (O'Connor Marsden) and Ms Judy Malpas (O'Connor Marsden).

General Manager - James Roncon, Chief Financial Officer - Jay Nankivell, Chief Operations Officer - Anthony Misagh, Director Corporate - Razija Nu'man, and Corporate Risk Officer - Scott Howe.

APOLOGIES:

Mayor Darriea Turley AM (part of meeting).

ACKNOWLEDGEMENT OF COUNTRY

The Chairperson delivered the Acknowledgement of Country.

DISCLOSURE OF INTEREST

Nil.

MINUTES FOR CONFIRMATION

That the Minutes of the Audit, Risk and Improvement Committee meeting held Thursday May 09, 2019 be confirmed.

CARRIED

REPORTS

The General Manager gave the Committee an overview of the progress of Council's Change Management Program.

Mr Brett Hanger of Nexia, contractor to the NSW Audit Office, gave an overview of the Audit Management Letter and advised that it was overall a pleasing result. Mr Hanger advised that the Auditors will visit again on 16 September 2019 and the Committee will meet on 4 October 2019 to discuss the annual financial statements.

Mr David Nolan advised that he will forward Committee Members a link to the NSW Audit Office Work Program on their website, for Council's reference.

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 18/19 - DATED AUGUST 15, 2019 -
EXTERNAL AUDIT PROGRESS REPORT**

11/26

Recommendation

1. That Broken Hill City Council Report No. 18/19 dated August 15, 2019, be received.

CARRIED

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AUDIT, RISK AND IMPROVEMENT COMMITTEE

19 AUGUST 2019

**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 19/19 - DATED AUGUST 15, 2019 -
INTERNAL AUDIT PROGRESS REPORT**

18/142

Ms Judy Malpas spoke to the Internal Audit Progress Report and explained aspects of the audit findings.

Following a question from the Chairperson, Ms Malpas advised that the Terms of Reference for the next two internal audits (asset management and cyber security) is with Council for approval and if approved the audit for asset management will be conducted in September and the cyber security audit will be conducted in December.

Recommendation

1. That Broken Hill City Council Report No. 19/19 dated August 15, 2019, be received.
2. That the Audit, Risk & Improvement Committee note the report on the Rates Internal Audit.
3. That the Audit, Risk & Improvement Committee note the report the Procurement Internal Audit.
4. That the Audit, Risk & Improvement Committee note the report on the Swimming Pool Compliance Internal Audit.
5. That the Audit Risk & Improvement Committee note that updates on implementing suggested recommendations of each of the internal audits performed for 2018/19 will be provided to the Committee at the Next Audit, Risk & Improvement Committee.

CARRIED

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 20/19 - DATED AUGUST 14, 2019 -
ENTERPRISE RISK MANAGEMENT POLICY AND FRAMEWORK REVIEW PROJECT REPORT**

13/19

Council's Corporate Risk Officer gave a presentation to the Committee of Council's Enterprise Risk Management System.

Mayor Turley entered the meeting at this point (10:52am).

Discussions took place around Council's management of risks that derive from work culture issues, e.g. silo mentality, lack of ownership or staff not following procedures.

Recommendation

That Broken Hill City Council Report No. 20/19 dated August 14, 2019, be received.

CARRIED

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 21/19 - DATED AUGUST 15, 2019 -
ADOPTION OF THE DRAFT DELIVERY PROGRAM 2019-2021 INCORPORATING OPERATIONAL
PLAN 2018/2019 INCLUSIVE OF THE STATEMENT OF REVENUE POLICY AND DRAFT
SCHEDULE OF FEES AND CHARGES 2019/2020**

17/206

Recommendation

1. That Broken Hill City Council Report No. 21/19 dated August 15, 2019, be received.

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AUDIT, RISK AND IMPROVEMENT COMMITTEE

19 AUGUST 2019

2. That the Audit, Risk & Improvement Committee note the Delivery & Operational Plan 2019/2020.

CARRIED

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 22/19 - DATED AUGUST 15, 2019 -
ADOPTION OF DRAFT LONG TERM FINANCIAL PLAN 2020-2029 18/194

Recommendation

1. That Broken Hill City Council Report No. 22/19 dated August 15, 2019, be received.
2. That the Audit, Risk & Improvement Committee note and provide comment on the 2020-2029 Long Term Financial Plan.

CARRIED

ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 23/19 - DATED AUGUST 15, 2019 -
ANNUAL INVESTMENT REVIEW FOR THE PERIOD ENDING 30 JUNE 2019 17/82

Recommendation

1. That Broken Hill City Council Report No. 23/19 dated August 15, 2019, be received.

CARRIED

ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 24/19 - DATED AUGUST 14, 2019 - AUDIT,
RISK AND IMPROVEMENT COMMITTEE ACTION LIST REPORT 13/19

Recommendation

1. That Broken Hill City Council Report No. 24/19 dated August 14, 2019, be received.

CARRIED

GENERAL BUSINESS

Next Meeting

The Chairperson advised that the next meeting of the Audit, Risk and Improvement Committee will be held on 4 October 2019 via teleconference to consider the financial statements.

The next quarterly meeting will be held 14 November 2019.

Meeting closed at 11:38am.

The foregoing minutes were read and confirmed at the Audit, Risk and Improvement Committee meeting held on 4 October 2019.

Chairperson

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ORDINARY MEETING OF THE COUNCIL

September 3, 2019

ITEM 13

BROKEN HILL CITY COUNCIL REPORT NO. 156/19

SUBJECT: MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 395 HELD WEDNESDAY AUGUST 14, 2019 AND NO 396 HELD TUESDAY SEPTEMBER 3, 2019 11/397

Recommendation

1. That Broken Hill City Council Report No. 156/19 dated September 3, 2019, be received.
2. That the minutes for the Local Traffic Committee Meeting No.395 held August 14, 2019 be received.
3. That the minutes for the Local Traffic Committee Meeting No.396 held September 3, 2019 be received.

Executive Summary:

Under Guidelines published in March 2009 by the Roads and Traffic Authority (now known as the Roads and Maritime Services), entitled 'A guide to the delegation to councils for the regulation of traffic states:

“The Local Traffic Committee (LTC) has no decision-making powers and is primarily a technical review committee. It only advises the Council on matters for which the Council has delegated authority, being certain prescribed traffic control devices and traffic control facilities.

The Council must refer all traffic related matters to the LTC prior to exercising its delegated functions. Matters related to State Roads or functions that have not been delegated to the elected Council must be referred directly to Roads and Maritime Services or relevant organisation. Such matters must not be referred to the LTC.

Council is not bound by the advice given by its LTC. However if Council does wish to act contrary to the unanimous advice of the LTC or when the advice is not unanimous, it must notify Roads and Maritime Services and the NSW Police and wait 14 days before proceeding.”

Report:

This report is to provide Council with the minutes and action list of the Local Traffic Committee meeting held August 14, 2019 and September 3, 2019 which details recommendations to Council for consideration and adoption.

Strategic Direction:

Key Direction:	4.	Our Leadership
Objective:	4.1	Openness and transparency in decision making
Strategy:	4.1.1	Support the organisation to operate its legal framework

Relevant Legislation:

- *Road Transport (Safety and Traffic Management) Regulation 1999*, and
- Road Rules 2008
- A guide to the delegation to councils for the regulation of traffic (guidelines)

Financial Implications:

Financial implications for any of the recommendations to Council will be detailed in the LTC minutes, if relevant.

Attachments

1. [↓](#) Minutes - Local Traffic Committee - Meeting No 395, 14 August 2019
2. [↓](#) Minutes - Local Traffic Committee - Meeting No 396, 3 September 2019

ANTHONY MISAGH
CHIEF OPERATIONS OFFICER

JAMES RONCON
GENERAL MANAGER

LOCAL TRAFFIC COMMITTEE MINUTES OF MEETING NO 395

Held 9.38am Wednesday, 14 August 2019
First Floor Meeting Room - Council Administration Building

The Acting Chairperson Councillor Marion Browne opened the meeting at 9:38am and welcomed all representatives present.

395.1 Present

Marion Browne	Councillor/ Acting Chairperson
Peter Beven	Local Member's Representative
David Vant	Roads and Maritime Services (RMS) Representative
Inspector Yvette Smith	NSW Police
Emily Bogucki	Minute Secretary/Administration Officer

395.2 Apologies

Joe Sulicich	Roads and Maritime Services (RMS) Representative
Anthony Misagh	Chief Operations Officer/Chairperson

395.3 Disclosure of interest – nil

395.4 Adoption of previous minutes

Previous minutes of meeting No 395 held 2 July 2019 were confirmed via online voting as follows:

Adopted: RMS and Local Member's Representative

395.5 Council Resolutions

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 117/19 - DATED JULY 05, 2019 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 394 HELD WEDNESDAY JULY 2, 2019	
	11/397
Resolved	
1. That Broken Hill City Council Report No. 117/19 dated July 5, 2019, be received.	
2. That the minutes for the Local Traffic Committee Meeting No.393 held June 4, 2019 be received.	
RESOLUTION	
Minute No. 46038	
Councillor M. Browne moved)
Councillor M. Clark seconded)
	CARRIED UNANIMOUSLY

395.6 Correspondence In

Item No.	EDRMS No.	Details
395.6.1	D19/30412	Member of Parliament nomination for Traffic Committee – Member for Barwon Roy Butler MP
Discussion Notes		Congratulations Peter Bevan
Recommendation		Noted by Committee
Item No.	EDRMS No.	Details
395.6.2	D19/33690	Proposed Broken Heel Festival Road Closure - Local Traffic Committee - Anthony Misagh
Discussion Notes		<p>David Vant, RMS queried approved TCP for the Festival.</p> <p>Looking at Sulphide Street, is that a laneway or a major intersection (road that runs parallel)? Confirmation of the street referenced being Argent Street. It was noted that there is no left turn into Crystal Lane, as it is a one-way laneway. However slight confusion as traffic from the east are allowed to make right hand turns into laneway, but access has been blocked for left turns. Questioned as to why right-hand turns have not been blocked?</p> <p>Noted that the pub goes to the back of the laneway, so they want access as well.</p> <p>Confusion around what street is being discussed, clarification that the Laneway is actually Crystal Lane and the street is Bromide Street.</p> <p>Example given that a motorist is traveling in Crystal Street and approaching the Street that runs parallel being Bromide Street. Travelling east on Bromide Street, you cannot turn left when travelling west but you can turn right. Why allow a right turn and not a left turn?</p> <p>Crystal Lane is one way and that's why right-hand turns are blocked due to direction of traffic – the traffic goes from Sulphide Street towards Bromide Street. The no left hand turn sign is not relevant to TCP, it is an existing sign.</p> <p>The no left turn sign is correct however there should be a no right turn sign as well.</p> <p>Another issue raised was that the businesses normally have rear lane access therefore they will have to exit the same way they enter. If the lane is not changed to two way, then the business owners will be committing a traffic offence.</p> <p>Suggestion not to ban any turns and change the laneway to two ways. Even though it is normally a one way.</p> <p>NSW Police, Councillor and Local Member's Representative noted this TCP is the same as last year and it worked extremely well.</p>

	David Vant, RMS suggested making it a two-way laneway for the duration of the closure/event allowing sufficient access.
Recommendation	Clarification to be provided from Council's Chief Operations Officer, Anthony Misagh prior to next Traffic Committee Meeting. Anthony to phone David and discuss and then provide an update to Committee via email.

395.7 Correspondence Out

Item No.	EDRMS No.	Details
395.7.1		

395.8 General Business

Item No.	EDRMS No.	Details
395.8.1		Picton Street – Footpath
Discussion Notes		<p>Picton Street runs parallel to Bonanza Street which goes to the Airport and terminates at Patton Street. On the other side of the street towards the mine lease there is a footpath that continues.</p> <p>The above footpath is always covered in big gravel rocks which can be dangerous to pedestrians. It goes across Patton Street from that dirt block, there is a footpath with gravel.</p> <p>Noted no action required by Committee however Council to enter a request.</p>
Recommendation		Request to be entered in the system as a CRM and request number to be provided to Peter Bevan.
Item No.	EDRMS No.	Details
395.8.2		Famous 'Z' Bend
Discussion Notes		<p>Argent across to Crystal Street is nearly set in concrete. They are removing the power poles and cutting the footpath, so Trucks can make a better turn.</p> <p>The highway is gazetted where the 'z' bend and it would take years to get that changed through courts, if even possible to get changed.</p> <p>Discussion around use of Menindee Road however that is not the designated Heavy Vehicle Bypass.</p> <p>Nothing that can be done by the Committee.</p>
Recommendation		No further action required

391.9 Action Item List

Item No.	380.6.1
EDRMS No.	D18/13851, D18/13854
CRM No.	N/A
Responsible Officer	Council's Infrastructure Works Engineer, Daniel Morris
Current Status	Pending – October 2018
Date	Item Details
April 2018	Wright and Warnock Streets Intersection - traffic safety concerns.
Date	Committee Recommendation/s
April 2018	N/A
July 2018	The Committee recommend that Council order and install temporary speed humps at Wright and Warnock Streets Intersection for a trial period. Recommendation Moved: Council (David Zhao) Recommendation Seconded: RMS, NSW Police and Local Member's Representative noted 'all for'. Against: Nil
Action Date	Running Actions
April 2018	Council's Asset Planner Transport, James Druitt discussed safety concerns and the correspondence received about a recent motor vehicle incident that occurred at the Wright and Warnock Streets intersection. Council has previously placed infrastructure at the intersection to reduce vehicle speed as a result from consultation via survey with the residents of the affected area. Previous traffic/speed counts conducted by Council indicated that 95% of traffic in the area drive within the designated speed limit. Council's Infrastructure Projects Engineer, David Zhao suggested that bollards could possibly be installed as an option to increase protection for the property primarily at the corner of Wright and Warnock Streets intersection. The Committee agree that this may be a suitable option. Council's Asset Planner Transport, James Druitt advised that the residents of the area previously requested the investigation of the intersection being closed. The Committee noted that a road closure is

	<p>not feasible and there is not enough evidence in traffic/speed counts and incident history to justify a road closure.</p> <p>A Council Officer will to contact the proponent to discuss other possibly safety infrastructure such as bollards.</p>
May 2018	<p>A Council Officer will to contact the proponent to discuss other possibly safety infrastructure such as bollards.</p> <p>Council's Asset Planner Transport, James Druitt advised the Committee that he has undertaken several conversations with the proponent to try and find possible feasible solutions to resolve this matter.</p> <p>The Committee discussed that incident history in this areas is rare and current infrastructure in place is considered adequate. Council's Infrastructure Projects Engineer, David Zhao suggested highway barrier/chevron crash barrier as a final possible option to resolve this matter. Council's Asset Planner Transport, James Druitt to look into cost associated.</p>
June 2018	<p>Councillor Browne queried Council's Infrastructure Projects Engineer, David Zhao if there was any consideration given to works relating to removal of the S- Bend section on Warnock Street. David Zhao advised no, not at this stage.</p>
July 2018	<p>The Committee discussed the crash history in this area with minimal incidents noted. Councillor Browne queried the option of speed humps, Council's Infrastructure Projects Engineer, David Zhao will now investigate the options and costing of speed humps.</p> <p>The Committee discuss this request and its discussion history.</p> <p>The Committee recommend that Council order and install temporary speed humps at Wright and Warnock Streets Intersection for a trial period.</p>
August 2018	<p>Pending as per July 2018.</p>
September 2018	<p>Council have received the July 2018 recommendation with no objections noted. Council's Works Engineer, Daniel Morris will arrange for a plan to be drafted in relation to the location for the temporary installation. The draft plan will be provided to the Committee for comment.</p>
October 2018	<p>Pending - Council's Works Engineer, Daniel Morris to provide draft plans.</p>
November 2018	<p>Council's Works Engineer, Daniel Morris provided plans for speed humps. The Committee commented, they would like the plan amended to move the speed humps from in front of the Central Football Club to the S bend closer to the Warnock Street Depot.</p> <p>Daniel Morris to provide amended plan for further review.</p>
December 2018	<p>Pending</p>
February 2019	<p>Two speed humps to be installed towards the first bend of Warnock Street and another just after.</p>

March 2019 The proposed speed humps are going to affect a lot of 'working crews' using heavy machinery and trucks.

Discussion held that there has only been one formal complaint lodged to Council. Suggestion that bollards be installed as a second option.

Committee have decided to change solution to guard rails instead of speed humps. Chairperson, David Zhao to look into the budget.

April 2019 Chairperson, Michael Cain to follow up with Council's new Infrastructure Projects Engineer and report back to LTC.

May 2019

June 2019

July 2019 Still waiting for an Engineer to be employed – action to remain ongoing.

August 2019



Item No.	387.6.1
EDRMS No.	D18/48798
CRM No.	
Responsible Officer	Council's Infrastructure Projects Engineer, David Zhao
Current Status	
Date	Item Details

November 2018	Street lighting concerns in Creedon Street – additional lighting requested to improve safety for vehicles
Date	Committee Recommendation/s

June 2019	Report to be prepared and submitted to Council.
Action Date	Running Actions

November 2018 NSW Police, Inspector Yvette Smith has advised that Creedon Street is a heavy vehicle route and additional street lighting would increase safety in the area.

The Committee identified that Creedon Street is an RMS road.

Council's Infrastructure Projects Engineer, David Zhao advised installation of street light poles are approximately \$20,000 per pole.

The Committee discussed other relevant parties that may be able to assist in community awareness for safety and possibly be involved in a

	<p>community consultation process such as, Compass Housing, Essential Energy, Maari Ma. Councillor Browne also suggested the Aboriginal Working Party may be an appropriate contact.</p> <p>Inspector Smith offered to arrange Police staff who are trained in the Safer by Design Program to contact Council to discuss conducting a safety audit of the Creedon Street area. This audit will be the first step in identifying possible issues and resolutions.</p>
December 2018	<p>Officer Ben Kelly to do the audit - still pending. NSW Police to contact David Zhao regarding night time inspection.</p>
February 2019	<p>Safety Audit was completed. Report is still pending. Senior Constable Matt Whitelum will follow up with Officer Ben Kelly and get him to make contact with David Zhao.</p>
March 2019	<p>Pending – Ben Kelly to provide update.</p>
April 2019	<p>Pending – Inspector Yvette Smith to provide design once reviewed. Emily to forward to Committee.</p>
May 2019	<p>Inspector Yvette Smith to provide design at next Traffic Meeting.</p> <p>Conversation around a possible solution of using solar powered street lights. If the cost is better this might be a possibility. Similar to design in Patton Park. They are very sensitive to damage. It is about meeting the criteria of that road with RMS as it is a heavy vehicle by-pass.</p>
June 2019	<p>Emily to email a copy of Report to RMS, David Vant.</p> <p>Conversation around the overall report which is looking at pedestrian safety.</p> <p>Discussion around using solar powered lights. There are some trees that will need to be removed. Looking at removing two peppercorn trees which are sort of right next to where the CCTV is, however a full report is yet to be completed.</p> <p>Recommendations include reducing speed by putting symbols on the road/street signs</p> <p>It is a heavy bypass route, RMS advised no speed reductions applicable as it does not meet the guidelines for a 40km high pedestrian area.</p> <p>Councillor Marion Browne raised an idea about sourcing other funds as this is going to be an expensive project. Has this matter been referred to the Aboriginal Working Party? There might be some funding for Safer Communities which they might be aware of. This Committee is only really concerned about the location of the lighting.</p> <p>RMS David Vant, suggested the Aboriginal Working Party should be taking the taking the lead on the project.</p> <p>Chairperson, Michael Cain advised that another recommendation was moving the bus shelter. Removal of a bus shelters/sites need to go through the National Transport Authority for approval. If we want to do that we can but we have to speak to the bus company.</p> <p>Discussion around this maybe going to the HUB and if it is still managed by Compass Housing.</p>

The bus location is purely an application, we can talk to the bus company and see if they would be willing to move the stop. Discussion around when the buses run.

Senior Constable Matt Whitelum clarified that the concerns are that people are congregating in the bus shelter at night and then spilling out onto the road regardless of when the buses run.

Removing the shelter isn't an option however moving it back from the road and back towards the HUB is a possibility. Problem identified that directly in front of the HUB, a new sharps bin and garbage bin has been installed.

Local Members Representative, Peter Bevan suggested possibility putting up railing or some sort of wall to prevent access from the shelter to the footpath.

Councillor Marion Browne suggested a report to Council might help us to engage the Aboriginal Working Party and identify possible funding solutions.

Issue to be referred to the next Council meeting. Chairperson, Michael Cain to arrange report and include assessment of Creedon Street provided by NSW Police.

Chairperson, Michael Cain to provide an update at next LTC on the lighting program.

July 2019

Ongoing – Street lighting program to be reviewed, no action can be taken until review of lighting completed.

August 2019

Item No.	392.6.4
EDRMS No.	D19/18743
CRM No.	
Responsible Officer	Council's Project Delivery Manager, Michael Cain
Current Status	Pending
Date	Item Details
May 2019	Broken Hill Aquatic Centre Disabled Parking
Date	Committee Recommendation/s
Action Date	Running Actions

May 2019

Chairperson, Michael Cain advised that previously the Committee has not found this request to be justified however is unsure of a simpler solution. The walkway utilised to access the Aquatic Centre is down further where the disabled parking is currently located. If we move the parks to the corner, people will still have a distance to walk. We would have to take out 3 standard parks to put in the disabled park and there would still be no ramps or walkways.

RMS, David Vant sought clarification if any changes had been made?

Michael Cain advised that no changes had previously been made and the concerns raised are in regard to how far the walk is from the disabled parks to the Aquatic Centre.

Councillor Marion Browne, suspects this issue will be raised at Council. To make changes to the current parking, the bus zone would have to be moved, I am not sure how many people use the bus service?

Discussions held around the Bus Zone and who utilises this parking space. It was identified as the drop off/pick up zone for and the local bus service.

Councillor Marion Browne, if we could explore the option of moving the bus stop to across the road. Most of the people June is talking about would be coming by car not the town bus. It is probably easier for kids to cross the road as they are in a controlled group environment.

David Vant clarified the location of the bus stop, which is on McCulloch Street.

Questions raised in relation to the kerbs and if the bus zone was moved then kerbed ramps would have to be created for the disabled parks. The requests submitted to LTC is for 3 disabled parking spaces, is this achievable?

Councillor Marion Browne, advised that it is the users of the hydro pool that they are concerned about. They are using the pool to increase mobility and therefore do have difficulties accessing the Centre.

Committee agreed this matter must be handled carefully and investigations into solutions need to be conducted.

Chairperson, Michael Cain to contact Bus Link regarding the possibility of changing their bus route and conducted investigations regarding spacing etc and report back at the next LTC.

June 2019

Chairperson, Michael Cain spoke with the bus company and they were not supportive of moving the bus stop as there is a lot of work involved for this to happen. The company have asked that in fact the bus zone be extended to the end of the street, as it is at times hard for the bus to get out, as cars park directly in front of the stop.

Michael also had a conversation with Danielle, Assist Manager of the Aquatic Centre and they were not happy to reduce the unloading zone as it is used by parents dropping kids. They had concerns about children having to cross the road. A lot of disabled people use the Taxi service which utilises the drop off zone. YMCA point of view is that they didn't want changes directly out front but are happy to make changes in the car park.

There are disabled parks located further down however one is located directly in front of the ambulance gate. This will need to be removed

	<p>and made a 'no parking zone', to allow ambulance access. Currently if an ambulance is called and someone is parked there, the YMCA have to locate the owner of the vehicle to have it moved.</p> <p>On the other side of the carpark there are two oversized parks which can easily be changed into disabled parks by putting symbols on the road. They would have to utilise the nearby crossings to cross the carpark.</p> <p>Map of proposed changes to be forwarded to the Committee for their review.</p> <p>Chairperson, Michael Cain to contact June Page and Councillor Page to discuss proposed changes and gain their feedback. An update to be provided at the next meeting.</p>
July 2019	<p>Chairperson, Michael Cain provided the Committee with a draft plan of proposed changes to the carparking area at the Aquatic Centre.</p> <p>No changes to be made to the drop off point as it is used frequently. The taxi zone will also remain the same due to high usage including disabled people.</p> <p>Green area marked on plan is a disabled carpark which needs to be removed as it is currently blocking access to the Emergency Entrance for Emergency Vehicles.</p> <p>Proposal of two new disabled carparks (highlighted in yellow) and the possibility of one at the very other end of the carpark which is a larger park which could easily be changed to a disabled park.</p> <p>In total 1 disabled carpark will be removed but the option to create 6 new disabled parks.</p> <p>Bus stop to be extended as vehicles park in front of the bus zone which restricts access for the bus to be able to get in and out. Enforcement of parking changes will need to occur for the first couple of months.</p> <p>Chairperson, Michael Cain to show/discuss with YMCA proposed plan as well as June Page and gain their feedback.</p> <p>This issue was raised at the Disability Inclusion Action Plan meeting held last week and nobody had any objections. Council are also looking at putting a walkway in near the park.</p> <p>Committee to be prepared for some criticism as the disabled parks are across the carpark however this still reduces walking distance as alternative is to have them down the other end.</p> <p>Committee happy with proposed changes, Michael Cain to get Manager approval and the submit report to Council.</p>
August 2019	<p>Report to be provided by Council's Chief Operations Officer, Anthony Misagh.</p>

Next Meeting Date – Tuesday, 3 September 2019

395.11 Meeting Closed – 10.13am

LOCAL TRAFFIC COMMITTEE MINUTES OF MEETING NO 396

Held 9.35 am Tuesday, 3 September 2019
First Floor Meeting Room - Council Administration Building

The Acting Chairperson Alan Lawrance opened the meeting at 9:35am and welcomed all representatives present.

396.1 Present

Marion Browne	Councillor
David Vant	Roads and Maritime Services (RMS) Representative
Alan Lawrance	Temporary Project Delivery Manager/Acting Chairperson
Emily Bogucki	Minute Secretary/Administration Officer

396.2 Apologies

Joe Sulicich	Roads and Maritime Services (RMS) Representative
Anthony Misagh	Chief Operations Officer/Chairperson
Inspector Yvette Smith	NSW Police
Peter Beven	Local Member's Representative

396.3 Disclosure of interest – nil

396.4 Adoption of previous minutes

Previous minutes of meeting No 395 held 14 August 2019 were confirmed via online voting as follows:

Adopted: Move: David Vant Second: Marion Browne

396.5 Council Resolutions

Council resolutions on the August 2019 Traffic Committee Minutes were not available at the time of issuing this agenda. The outcome will be provided to the committee at the October 2019 meeting.

396.6 Correspondence In

Item No.	EDRMS No.	Details
396.6.1	CRM 35282/2019	Corner of Garnet and Blende Street - Lorenzo Benedetti Phone: 0444 506 057
Discussion Notes		Request entered into Council's System: <i>Corner of Garnet and Blende Street - Customer is requesting the giveaway sign to be changed to a stop sign due to pedestrians crossing in large numbers at this intersection. He has almost been hit twice in the last 12 months as people are not completely stopping and looking at the surroundings.</i> RMS, David Vant advised that if there are no site distance issues, then the implementation of a stop sign is unlikely especially if there have not been any previous crashes in the area.

	<p>A school zone is normally determined when you look at the boundary of a school and the access points i.e. if there is a gate that remains open a school zone may need to be enforced. There is a presumption that at high school children have the skills to cross the school therefore not necessarily needing a child crossing.</p> <p>To formalise the request, the Principal will need to write to the Traffic Committee regarding the possibility of a school crossing. Observations would then need to be conducted, there is a formula that needs to be implemented over certain periods to determine traffic flow. After this a determination can be made, based on the numbers.</p> <p>RMS, David Vant advised that he didn't think that this area would be eligible for a crossing but would possibly like to see pedestrian facilities instead like pedestrian refuges or kerb blisters.</p> <p>Councillor Marion Brown advised that discussions around a crossing in this area had been discussed at Traffic beforehand however nothing was ever finalised.</p> <p>Discussion around bus zones/drop off and pick up area. Clarification provided that the bus service should be dropping/picking up students the same side as the school/access points.</p> <p>Possibility of organising a meeting with the school to discuss the issue further and identify their needs.</p>
<p>Recommendation</p>	<p>Council to contact the school regarding the above and identify the school's issues in relation to the matter, allowing a resolution to be made which is beneficial to all involved.</p> <p>Emily to phone Lorenzo Benedetti on behalf of the LTC and advise that his concerns were discussed at the meeting and after an investigation, he will be provided with a formal response.</p> <p>Further information – Emily discussion with Lorenzo Benedetti 03/09/19 at 10.22am</p> <ul style="list-style-type: none"> - Lorenzo lives in Blende Street (towards the radio station) and his concerns are that when he is travelling in his vehicle down Garnet Street, turning left onto Blende Street (heading towards Coles), cars at that intersection speed and do not check for traffic accordingly. - He confirmed traffic is higher during school pick up/drop off, however this is a busy intersection in general. - Lorenzo also has kids that play in the area and he has concerns that if they happen to go out onto the road to collect a ball or something that as the vehicles do not have to come to a complete stop, they could easily be cleaned up.

396.7 Correspondence Out

Item No.	EDRMS No.	Details
396.7.1		

396.8 General Business

Item No.	EDRMS No.	Details
396.8.1		
Discussion Notes		
Recommendation		

391.9 Action Item List

Item No.	380.6.1
EDRMS No.	D18/13851, D18/13854
CRM No.	N/A
Responsible Officer	Council's Infrastructure Works Engineer, Daniel Morris
Current Status	Pending – October 2018
Date	Item Details
April 2018	Wright and Warnock Streets Intersection - traffic safety concerns.
Date	Committee Recommendation/s
April 2018	N/A
July 2018	The Committee recommend that Council order and install temporary speed humps at Wright and Warnock Streets Intersection for a trial period. Recommendation Moved: Council (David Zhao) Recommendation Seconded: RMS, NSW Police and Local Member's Representative noted 'all for'. Against: Nil

Action Date	Running Actions
April 2018	<p>Council's Asset Planner Transport, James Druitt discussed safety concerns and the correspondence received about a recent motor vehicle incident that occurred at the Wright and Warnock Streets intersection.</p> <p>Council has previously placed infrastructure at the intersection to reduce vehicle speed as a result from consultation via survey with the residents of the affected area. Previous traffic/speed counts conducted by Council indicated that 95% of traffic in the area drive within the designated speed limit.</p> <p>Council's Infrastructure Projects Engineer, David Zhao suggested that bollards could possibly be installed as an option to increase protection for the property primarily at the corner of Wright and Warnock Streets intersection. The Committee agree that this may be a suitable option.</p> <p>Council's Asset Planner Transport, James Druitt advised that the residents of the area previously requested the investigation of the intersection being closed. The Committee noted that a road closure is not feasible and there is not enough evidence in traffic/speed counts and incident history to justify a road closure.</p> <p>A Council Officer will to contact the proponent to discuss other possibly safety infrastructure such as bollards.</p>
May 2018	<p>A Council Officer will to contact the proponent to discuss other possibly safety infrastructure such as bollards.</p> <p>Council's Asset Planner Transport, James Druitt advised the Committee that he has undertaken several conversations with the proponent to try and find possible feasible solutions to resolve this matter.</p> <p>The Committee discussed that incident history in this areas is rare and current infrastructure in place is considered adequate. Council's Infrastructure Projects Engineer, David Zhao suggested highway barrier/chevron crash barrier as a final possible option to resolve this matter. Council's Asset Planner Transport, James Druitt to look into cost associated.</p>
June 2018	<p>Councillor Browne queried Council's Infrastructure Projects Engineer, David Zhao if there was any consideration given to works relating to removal of the S- Bend section on Warnock Street. David Zhao advised no, not at this stage.</p>
July 2018	<p>The Committee discussed the crash history in this area with minimal incidents noted. Councillor Browne queried the option of speed humps, Council's Infrastructure Projects Engineer, David Zhao will now investigate the options and costing of speed humps.</p> <p>The Committee discuss this request and its discussion history.</p> <p>The Committee recommend that Council order and install temporary speed humps at Wright and Warnock Streets Intersection for a trial period.</p>
August 2018	<p>Pending as per July 2018.</p>

September 2018	Council have received the July 2018 recommendation with no objections noted. Council's Works Engineer, Daniel Morris will arrange for a plan to be drafted in relation to the location for the temporary installation. The draft plan will be provided to the Committee for comment.
October 2018	Pending - Council's Works Engineer, Daniel Morris to provide draft plans.
November 2018	Council's Works Engineer, Daniel Morris provided plans for speed humps. The Committee commented, they would like the plan amended to move the speed humps from in front of the Central Football Club to the S bend closer to the Warnock Street Depot. Daniel Morris to provide amended plan for further review.
December 2018	Pending
February 2019	Two speed humps to be installed towards the first bend of Warnock Street and another just after.
March 2019	The proposed speed humps are going to affect a lot of 'working crews' using heavy machinery and trucks. Discussion held that there has only been one formal complaint lodged to Council. Suggestion that bollards be installed as a second option. Committee have decided to change solution to guard rails instead of speed humps. Chairperson, David Zhao to look into the budget.
April 2019	Chairperson, Michael Cain to follow up with Council's new Infrastructure Projects Engineer and report back to LTC.
May 2019	
June 2019	
July 2019	Still waiting for an Engineer to be employed – action to remain ongoing.
August 2019	
September 2019	

Item No.	387.6.1
EDRMS No.	D18/48798
CRM No.	
Responsible Officer	Council's Infrastructure Projects Engineer, David Zhao
Current Status	

Date	Item Details
November 2018	Street lighting concerns in Creedon Street – additional lighting requested to improve safety for vehicles
Date	Committee Recommendation/s
June 2019	Report to be prepared and submitted to Council.
Action Date	Running Actions
November 2018	<p>NSW Police, Inspector Yvette Smith has advised that Creedon Street is a heavy vehicle route and additional street lighting would increase safety in the area.</p> <p>The Committee identified that Creedon Street is an RMS road.</p> <p>Council's Infrastructure Projects Engineer, David Zhao advised installation of street light poles are approximately \$20,000 per pole.</p> <p>The Committee discussed other relevant parties that may be able to assist in community awareness for safety and possibly be involved in a community consultation process such as, Compass Housing, Essential Energy, Maari Ma. Councillor Browne also suggested the Aboriginal Working Party may be an appropriate contact.</p> <p>Inspector Smith offered to arrange Police staff who are trained in the Safer by Design Program to contact Council to discuss conducting a safety audit of the Creedon Street area. This audit will be the first step in identifying possible issues and resolutions.</p>
December 2018	Officer Ben Kelly to do the audit - still pending. NSW Police to contact David Zhao regarding night time inspection.
February 2019	Safety Audit was completed. Report is still pending. Senior Constable Matt Whitelum will follow up with Officer Ben Kelly and get him to make contact with David Zhao.
March 2019	Pending – Ben Kelly to provide update.
April 2019	Pending – Inspector Yvette Smith to provide design once reviewed. Emily to forward to Committee.
May 2019	<p>Inspector Yvette Smith to provide design at next Traffic Meeting.</p> <p>Conversation around a possible solution of using solar powered street lights. If the cost is better this might be a possibility. Similar to design in Patton Park. They are very sensitive to damage. It is about meeting the criteria of that road with RMS as it is a heavy vehicle by-pass.</p>
June 2019	<p>Emily to email a copy of Report to RMS, David Vant.</p> <p>Conversation around the overall report which is looking at pedestrian safety.</p>

Discussion around using solar powered lights. There are some trees that will need to be removed. Looking at removing two peppercorn trees which are sort of right next to where the CCTV is, however a full report is yet to be completed.

Recommendations include reducing speed by putting symbols on the road/street signs

It is a heavy bypass route, RMS advised no speed reductions applicable as it does not meet the guidelines for a 40km high pedestrian area.

Councillor Marion Browne raised an idea about sourcing other funds as this is going to be an expensive project. Has this matter been referred to the Aboriginal Working Party? There might be some funding for Safer Communities which they might be aware of. This Committee is only really concerned about the location of the lighting.

RMS David Vant, suggested the Aboriginal Working Party should be taking the taking the lead on the project.

Chairperson, Michael Cain advised that another recommendation was moving the bus shelter. Removal of a bus shelters/sites need to go through the National Transport Authority for approval. If we want to do that we can but we have to speak to the bus company.

Discussion around this maybe going to the HUB and if it is still managed by Compass Housing.

The bus location is purely an application, we can talk to the bus company and see if they would be willing to move the stop. Discussion around when the buses run.

Senior Constable Matt Whitelum clarified that the concerns are that people are congregating in the bus shelter at night and then spilling out onto the road regardless of when the buses run.

Removing the shelter isn't an option however moving it back from the road and back towards the HUB is a possibility. Problem identified that directly in front of the HUB, a new sharps bin and garbage bin has been installed.

Local Members Representative, Peter Bevan suggested possibility putting up railing or some sort of wall to prevent access from the shelter to the footpath.

Councillor Marion Browne suggested a report to Council might help us to engage the Aboriginal Working Party and identify possible funding solutions.

Issue to be referred to the next Council meeting. Chairperson, Michael Cain to arrange report and include assessment of Creedon Street provided by NSW Police.

Chairperson, Michael Cain to provide an update at next LTC on the lighting program.

July 2019

Ongoing – Street lighting program to be reviewed, no action can be taken until review of lighting completed.

August 2019

September 2019

RMS, David Vant advised that he had received a couple of calls from the ABC regarding Creedon Street and wanted to discuss the matter.

David advised that the matter was before the traffic committee and he was unable to comment further.

Councillor Marion Browne has also been contacted by the ABC to make comment on the matter.

Temporary Project Delivery Manager, Alan Lawrence to follow up with Chairperson/Chief Operations Officer, Anthony Misagh to keep things progressing.

Item No.	392.6.4
EDRMS No.	D19/18743
CRM No.	
Responsible Officer	Council's Project Delivery Manager, Michael Cain
Current Status	Pending
Date	Item Details

May 2019 Broken Hill Aquatic Centre Disabled Parking

Date	Committee Recommendation/s
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Action Date	Running Actions
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May 2019 Chairperson, Michael Cain advised that previously the Committee has not found this request to be justified however is unsure of a simpler solution. The walkway utilised to access the Aquatic Centre is down further where the disabled parking is currently located. If we move the parks to the corner, people will still have a distance to walk. We would have to take out 3 standard parks to put in the disabled park and there would still be no ramps or walkways.

RMS, David Vant sought clarification if any changes had been made?

Michael Cain advised that no changes had previously been made and the concerns raised are in regard to how far the walk is from the disabled parks to the Aquatic Centre.

Councillor Marion Browne, suspects this issue will be raised at Council. To make changes to the current parking, the bus zone would have to be moved, I am not sure how many people use the bus service?

Discussions held around the Bus Zone and who utilises this parking space. It was identified as the drop off/pick up zone for and the local bus service.

Councillor Marion Browne, if we could explore the option of moving the bus stop to across the road. Most of the people June is talking about would be coming by car not the town bus. It is probably easier for kids to cross the road as they are in a controlled group environment.

David Vant clarified the location of the bus stop, which is on McCulloch Street.

Questions raised in relation to the kerbs and if the bus zone was moved then kerbed ramps would have to be created for the disabled parks. The requests submitted to LTC is for 3 disabled parking spaces, is this achievable?

Councillor Marion Browne, advised that it is the users of the hydro pool that they are concerned about. They are using the pool to increase mobility and therefore do have difficulties accessing the Centre.

Committee agreed this matter must be handled carefully and investigations into solutions need to be conducted.

Chairperson, Michael Cain to contact Bus Link regarding the possibility of changing their bus route and conducted investigations regarding spacing etc and report back at the next LTC.

June 2019

Chairperson, Michael Cain spoke with the bus company and they were not supportive of moving the bus stop as there is a lot of work involved for this to happen. The company have asked that in fact the bus zone be extended to the end of the street, as it is at times hard for the bus to get out, as cars park directly in front of the stop.

Michael also had a conversation with Danielle, Assist Manager of the Aquatic Centre and they were not happy to reduce the unloading zone as it is used by parents dropping kids. They had concerns about children having to cross the road. A lot of disabled people use the Taxi service which utilises the drop off zone. YMCA point of view is that they didn't want changes directly out front but are happy to make changes in the car park.

There are disabled parks located further down however one is located directly in front of the ambulance gate. This will need to be removed and made a 'no parking zone', to allow ambulance access. Currently if an ambulance is called and someone is parked there, the YMCA have to locate the owner of the vehicle to have it moved.

On the other side of the carpark there are two oversized parks which can easily be changed into disabled parks by putting symbols on the road. They would have to utilise the nearby crossings to cross the carpark.

Map of proposed changes to be forwarded to the Committee for their review.

Chairperson, Michael Cain to contact June Page and Councillor Page to discuss proposed changes and gain their feedback. An update to be provided at the next meeting.

July 2019

Chairperson, Michael Cain provided the Committee with a draft plan of proposed changes to the carparking area at the Aquatic Centre.

No changes to be made to the drop off point as it is used frequently. The taxi zone will also remain the same due to high usage including disabled people.

Green area marked on plan is a disabled carpark which needs to be removed as it is currently blocking access to the Emergency Entrance for Emergency Vehicles.

Proposal of two new disabled carparks (highlighted in yellow) and the possibility of one at the very other end of the carpark which is a larger park which could easily be changed to a disabled park.

In total 1 disabled carpark will be removed but the option to create 6 new disabled parks.

Bus stop to be extended as vehicles park in front of the bus zone which restricts access for the bus to be able to get in and out. Enforcement of parking changes will need to occur for the first couple of months.

Chairperson, Michael Cain to show/discuss with YMCA proposed plan as well as June Page and gain their feedback.

This issue was raised at the Disability Inclusion Action Plan meeting held last week and nobody had any objections. Council are also looking at putting a walkway in near the park.

Committee to be prepared for some criticism as the disabled parks are across the carpark however this still reduces walking distance as alternative is to have them down the other end.

Committee happy with proposed changes, Michael Cain to get Manager approval and the submit report to Council.

August 2019

September 2019

Report to be provided by Council's Chief Operations Officer, Anthony Misagh.

Next Meeting Date – Tuesday, 1 October 2019

396.11 Meeting Closed – 9.55am

ORDINARY MEETING OF THE COUNCIL

September 9, 2019

ITEM 14**BROKEN HILL CITY COUNCIL REPORT NO. 157/19****SUBJECT:** **ACTION LIST REPORT** **11/21****Recommendation**

1. That Broken Hill City Council Report No. 157/19 dated September 9, 2019, be received.

Executive Summary:

The purpose of this 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. 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 (Green – completed, Yellow – in progress and Red – not yet commenced).

The Action Lists attached to this report cover decisions at Ordinary Council Meetings and Extraordinary Council Meetings; are 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:	4.1	Openness and transparency in decision making
Strategy:	4.1.1	Support the organisation to operate its legal framework

Relevant Legislation:

Local Government Act 1993

Financial Implications:

Nil

Attachments

1. [↓](#) Action List - Ordinary Council Meetings
2. [↓](#) Action List - Extraordinary Council Meetings

JAMES RONCON
GENERAL MANAGER

ACTION LIST – ORDINARY COUNCIL MEETINGS

Printed: Friday, 13 September 2019 4:55 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 27 September 2017	False	Confidential Matters
<p>ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 178/17 - DATED SEPTEMBER 11, 2017 - APPLICATION FROM BROKEN HILL SCHOOL OF THE AIR - USE OF PART OF QUEEN ELIZABETH II PARK AS A PLAYGROUND AND OUTDOOR AREA - CONFIDENTIAL 12/180</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>RESOLUTION Minute No. 45655 Councillor C. Adams moved) Councillor J. Nolan seconded)</p>		
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 178/17 dated September 11, 2017, be received. 2. That Council seeks Ministerial approval to enter into a licence agreement with Broken Hill School of the Air for the use of part (approx. 1080 square metres) of Queen Elizabeth II Park Lot 1, DP914746 as an outdoor play and dining area. 3. That the licence agreement be for a period of 20 years. 4. That due to the Broken Hill School of the Air being a non-profit community organisation, the licence fee for the site be set at a peppercorn rental of \$1.00 per year (no CPI increase to apply) with the total fee for the 20 year licence to be paid in advance. 5. That Council be responsible for all legal costs in the set-up of the licence up to the value of \$500.00 and Broken Hill School of the Air be responsible for any additional costs over this amount. 6. That all other standard licence agreement terms apply. 7. That the Broken Hill School of the Air be responsible for the ongoing maintenance of the play and dining area for the duration of the licence agreement. 8. That the Mayor and General Manager be authorised to execute the licence documents under the Common Seal of Council. 9. That any media relating to the matter advises that the land to be occupied by the School as an outdoor play and dining area is the old tennis court area which is an underutilised part of the park. 		
<p>CARRIED</p>		
<p>10 Sep 2019 - 10:18 AM - Georgina Falkner</p> <p>SOTA have advised that documents are being reviewed by the Department of Education.</p> <p>20 Aug 2019 - 3:37 PM - Anthony Misagh</p> <p>Waiting on response from SOTA.</p> <p>04 Jul 2019 - 1:50 PM - Leisa Bartlett</p> <p>Licence documents with SOTA for signature.</p>		

ACTION LIST – ORDINARY COUNCIL MEETINGS

Printed: Friday, 13 September 2019 4:55 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>12 Jun 2019 - 10:54 AM - Georgina Falkner Documents being signed and sealed.</p> <p>15 May 2019 - 10:37 AM - Georgina Falkner Council's solicitors in the process of finalising draft licence for signing.</p> <p>07 Mar 2019 - 1:53 PM - Leisa Bartlett School P&C rep has been in contact with Council. Awaiting formal correspondence.</p> <p>06 Feb 2019 - 1:49 PM - Leisa Bartlett Draft licence prepared, awaiting response from School of the Air to finalise licence.</p> <p>05 Dec 2018 - 2:31 PM - Leisa Bartlett Council has received approval advice from SOTA and Solicitors have been approached to commence drafting the licence agreement.</p> <p>05 Dec 2018 - 1:52 PM - Leisa Bartlett Letter of acceptance received from SOTA. Solicitor has been engaged to draft up the licence agreement.</p> <p>09 Oct 2018 - 5:06 PM - Leisa Bartlett Awaiting advice from SOTA</p> <p>11 Sep 2018 - 12:07 PM - Leisa Bartlett Still no advice received from SOTA. Email reminder notice sent.</p> <p>15 Aug 2018 - 3:29 PM - Leisa Bartlett Still awaiting advice from SOTA</p> <p>16 May 2018 - 1:33 PM - Leisa Bartlett Action reassigned to Francois VanDerBerg by: Leisa Bartlett</p> <p>16 Mar 2018 - 3:40 PM - Leisa Bartlett SOTA advised that they are happy to proceed but are waiting for the Education Dept approval first.</p> <p>15 Feb 2018 - 10:27 AM - Leisa Bartlett Email reminder send to SOTA 15/2/18.</p> <p>02 Nov 2017 - 4:18 PM - Leisa Bartlett Letter sent to the school requesting confirmation that the school wishes to enter a licence agreement with Council as the request came from the School's P&C Committee.</p>		
Ordinary Meeting of the Council 26 April 2018	False	Reports
<p><u>ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 59/18 - DATED APRIL 06, 2018 - COMPULSORY ACQUISITION OF WARNOCK GOSSAN STREET ROAD RESERVE</u> 11/199</p> <p><u>Resolved:</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 59/18 dated April 6, 2018, be received. 2. That Council make an application to the Minister and Governor for approval to acquire the sections of Warnock and Gossan Street traversing Crown Land in Lot 7469 in Deposited Plan 1182254, under Section 177 of the <i>Roads Act 1993</i> and Section 186 of the <i>Local Government Act 1993</i>. 3. That the acquisition be undertaken in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>. 4. That upon acquisition, Council to undertake required actions to open the subject road by registration of a plan in accordance with Section 7 of the <i>Roads Act 1993</i>. 		
<p>RESOLUTION</p> <p>Minute No.45805</p> <p>Councillor C. Adams moved)</p> <p>Councillor D. Gallagher seconded)</p>		<p>CARRIED</p>
<p>20 Aug 2019 - 3:39 PM - Anthony Misagh Acquisition is on hold and most likely will not be going ahead at this point. It holds native title and it is getting somewhat expensive.</p>		

ACTION LIST – ORDINARY COUNCIL MEETINGS

Printed: Friday, 13 September 2019 4:55 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p><i>04 Jul 2019 - 1:51 PM - Leisa Bartlett</i> no change in status</p> <p><i>14 Jun 2019 - 3:27 PM - Leisa Bartlett</i> no change in status</p> <p><i>15 May 2019 - 10:41 AM - Georgina Falkner</i> Crown Lands have advised they have no objection to receiving Proposed Acquisition Notices. Investigating budget and Native Title prior to making application to OLG.</p> <p><i>07 Mar 2019 - 1:55 PM - Leisa Bartlett</i> No change, still awaiting response from Crown Lands.</p> <p><i>06 Feb 2019 - 1:51 PM - Leisa Bartlett</i> In discussions with Crown Lands regarding Native Title.</p> <p><i>13 Nov 2018 - 9:26 AM - Leisa Bartlett</i> Still awaiting OLG advice due to Native Title.</p> <p><i>09 Oct 2018 - 5:08 PM - Leisa Bartlett</i> Awaiting OLG advice</p> <p><i>11 Sep 2018 - 4:40 PM - Leisa Bartlett</i> No change, still awaiting advice from OLG.</p> <p><i>15 Aug 2018 - 3:32 PM - Leisa Bartlett</i> MPDC advised - OLG advised that the land is subject to a Native Title Claim and that compulsory acquisition cannot go ahead at this stage. Council is waiting for further advice from OLG.</p> <p><i>16 May 2018 - 9:45 AM - Leisa Bartlett</i> In progress.</p>		
Ordinary Meeting of the Council 31 October 2018	False	Confidential Matters
<p>ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 184/18 - DATED SEPTEMBER 28, 2018 - SALE OF PROPERTY - LOT 2 IN DEPOSITED PLAN 1067380 - CONFIDENTIAL 11/204</p> <p>(General Manager's Note: This report considers Sale of Property 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>RESOLUTION</p> <p><u>Minute No.45947</u></p> <p>Councillor M. Browne moved)</p> <p>Councillor C. Adams seconded)</p>		
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 184/18 dated September 28, 2018, be received. 2. That Council negotiate a new lease (with CPI increase) with the West Darling Machinery Preservation Society for use of 479 Crystal Street (Lot 2 in Deposited Plan 1067380) 3. That the Mayor and General Manager be authorised to execute lease documents under the Common Seal of Council. 		
CARRIED		
<p><i>13 Sep 2019 - 12:00 PM - Leisa Bartlett</i> Agreed changes made to lease which is with the West Darling Machinery Preservation Society to review.</p> <p><i>20 Aug 2019 - 3:42 PM - Anthony Misagh</i> In progress with Solicitors</p> <p><i>04 Jul 2019 - 1:51 PM - Leisa Bartlett</i> Solicitor finalising draft lease</p> <p><i>14 Jun 2019 - 3:20 PM - Leisa Bartlett</i></p>		

ACTION LIST – ORDINARY COUNCIL MEETINGS

Printed: Friday, 13 September 2019 4:55 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>Solicitor preparing draft lease, meeting being held with West Darling Machinery Preservation Society on 20 June to update them and discuss matter to finalise lease.</p> <p><i>17 May 2019 - 3:31 PM - Leisa Bartlett</i></p> <p>Draft lease being prepared.</p> <p><i>07 Mar 2019 - 2:55 PM - Leisa Bartlett</i></p> <p>in progress</p> <p><i>16 Nov 2018 - 2:13 PM - Leisa Bartlett</i></p> <p>New lease being disucssed with tenant.</p>		
Ordinary Meeting of the Council 28 November 2018	False	Confidential Matters
<p>ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 206/18 - DATED NOVEMBER 09, 2018 - CONSOLIDATED BROKEN HILL HOLDINGS PROPOSED SUBLEASE OF AIRPORT HANGAR 30 - CONFIDENTIAL 11/218</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>Resolved</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 206/18 dated November 9, 2018, be received. 2. That Council consent to the proposed sublease of Airport 'Hangar 30' (also known as Lot 13, or part 12/1232493), consenting to Consolidated Broken Hill Holdings subleasing the hangar to Consolidated Aviation Services Pty Ltd. 3. That the General Manager be authorised to negotiate the terms and conditions of the sublease agreement. 4. That Consolidated Broken Hill Holdings be responsible for any legal fees incurred by Council regarding the proposed sublease agreement. 5. That the Mayor and General Manager be authorised to sign and execute any required documents under the Common Seal of Council. 		
<p>RESOLUTION</p> <p><u>Minute No. 45972</u></p> <p>Councillor B. Algate moved)</p> <p>Councillor J. Nolan seconded)</p>		CARRIED
<p><i>11 Sep 2019 - 4:11 PM - Leisa Bartlett</i></p> <p>lease still with Consolidated Holdings for signature.</p> <p><i>20 Aug 2019 - 3:43 PM - Anthony Misagh</i></p> <p>Waiting on consolidated to sign documents.</p> <p><i>04 Jul 2019 - 1:52 PM - Leisa Bartlett</i></p> <p>Deed still with tenant for signature.</p> <p><i>14 Jun 2019 - 3:28 PM - Leisa Bartlett</i></p> <p>no change in status</p> <p><i>15 May 2019 - 10:38 AM - Georgina Falkner</i></p> <p>Deed with tenant for execution.</p> <p><i>07 Mar 2019 - 2:10 PM - Leisa Bartlett</i></p> <p>matter still with Solicitor</p> <p><i>06 Feb 2019 - 1:53 PM - Leisa Bartlett</i></p> <p>Matter is with Solicitors to prepare sublease.</p> <p><i>05 Dec 2018 - 3:02 PM - Leisa Bartlett</i></p> <p>GM advised: draft advice being prepared.</p>		

ACTION LIST – ORDINARY COUNCIL MEETINGS

Printed: Friday, 13 September 2019 4:55 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 12 December 2018	False	Confidential Matters
<p>ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 214/18 - DATED NOVEMBER 28, 2018 - PROPOSED LICENCE FOR WATER MAIN OVER PART WILLYAMA COMMON - CONFIDENTIAL 11/63</p> <p>(General Manager's Note: This report considers a proposed 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>RESOLUTION</p> <p>Minute No. 45990</p> <p>Councillor J. Nolan moved)</p> <p>Councillor C. Adams seconded)</p>		
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 214/18 dated November 28, 2018, be received. 2. That Council (as Trust Managers for the Willyama Common Trust) consent to Essential Water constructing a water supply main over part of the Willyama Common, being part of Lot 7307 in Deposited Plan 1179131 and part of Lot 7300 in Deposited Plan 1179131, with Council consenting to a license agreement and any future easement that may be required. 3. That the General Manager be authorised to negotiate the terms and conditions of the license agreement, including any financial considerations. 4. That Essential Water be responsible for any legal costs associated with the drafting of the license and any costs associated with any future easements. 5. That the Mayor and General Manager be authorised to sign any required documents under the Common Seal of Council, in the absence of a Trust Seal. 		
CARRIED		
<p><i>10 Sep 2019 - 10:11 AM - Georgina Falkner</i></p> <p>Confirmed that licence will not be required. COMPLETE</p> <p><i>20 Aug 2019 - 3:44 PM - Anthony Misagh</i></p> <p>No progress, waiting on essential energy to send through Review of environmental factors.</p> <p><i>04 Jul 2019 - 1:53 PM - Leisa Bartlett</i></p> <p>Contact to be made with Essential Water to progress matter</p> <p><i>14 Jun 2019 - 3:29 PM - Leisa Bartlett</i></p> <p>no change in status.</p> <p><i>15 May 2019 - 10:40 AM - Georgina Falkner</i></p> <p>Awaiting advice from Essential Water.</p> <p><i>07 Mar 2019 - 2:12 PM - Leisa Bartlett</i></p> <p>no change matter still in progress</p> <p><i>08 Feb 2019 - 10:19 AM - Leisa Bartlett</i></p> <p>in progress</p>		
Ordinary Meeting of the Council 20 February 2019	False	General Business
<p>ITEM 5 - AFTER-SCHOOL HOURS SPORTS PARTICIPATION (GB1/19) 11/161</p>		

ACTION LIST – ORDINARY COUNCIL MEETINGS

Printed: Friday, 13 September 2019 4:55 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
RESOLUTION		
Minute No. 46004		
Councillor T. Kennedy moved)	1. That Broken Hill City Council contacts Kate Hogg, President of Barrier Primary School Sports Association; sporting bodies in Broken Hill and the Broken Hill Health Service, advising that participation of Broken Hill children in all after-school sports activities is around 50%, well below the State participation rate of 68% and that as a Council we are interested in getting the participation rate up to the same participation rate or better than the rest of the State.
Councillor B. Algate seconded)	
CARRIED		
<i>13 Sep 2019 - 11:50 AM - Leisa Bartlett</i>		
DC advised: Contact will be made with the Health Service CEO regarding Council's correspondence.		
<i>18 Jul 2019 - 9:20 AM - Leisa Bartlett</i>		
DC advised: still awaiting response from Health Department.		
<i>14 Jun 2019 - 4:29 PM - Leisa Bartlett</i>		
DC advised: still awaiting response from Health Department.		
<i>16 May 2019 - 8:24 AM - Razija Nu'man</i>		
Response received. Awaiting response from Health where meeting will be called to discuss.		
<i>14 Mar 2019 - 4:45 PM - Leisa Bartlett</i>		
Letter has been sent to Kate Hogg.		
<i>07 Mar 2019 - 2:13 PM - Leisa Bartlett</i>		
letter being drafted to Kate Hogg to notify her of Council's resolution and requesting a further conversation to be held to discuss sporting participation of children in Broken Hill.		
Ordinary Meeting of the Council 29 May 2019	False	Confidential Matters
ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 76/19 - DATED NOVEMBER 27, 2018 - PROPOSED LICENCE OF PART OF THE WILLYAMA COMMON FOR KEEPING OF HORSES - CONFIDENTIAL 11/63		
(General Manager's Note: This report considers a proposed 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).		
<u>Resolved</u>		
1. That Broken Hill City Council Report No. 76/19 dated November 27, 2018, be received.		
2. That Council (as Trust Managers for the Willyama Common Trust) consent to the proposed licence to John and Leanne Ray for the keeping of horses on the Willyama Common, being Lot 1 DP 914814 and part Lot 7388 DP 1200953.		
3. That the licence include the following conditions as provided by the Broken Hill Aboriginal Land Council:		
a) Any improvements being of a temporary nature to be removed if required when the licence is terminated		
b) The licence agreement containing a provision that it may be terminated in the event Aboriginal Land Claims 40396 and/or 43660 are determined as grants by the Crown Lands Minister		
c) The Aboriginal Cultural & heritage protection provisions of the <i>National Parks & Wildlife Act 1974</i> being complied with;		
d) If any section of land is proposed to be cleared by the operation of machinery, then that particular section of land will require further cultural surveys prior to commencement of works; and		
e) No other stock is to be kept on the land other than those listed on the licence application.		
4. That the licence is subject to compliance with the <i>Native Title Act 1993</i> and the Aboriginal Cultural Heritage provisions of the <i>National Parks & Wildlife Act 1974</i> .		

ACTION LIST – ORDINARY COUNCIL MEETINGS

Printed: Friday, 13 September 2019 4:55 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>5. That the initial licence term be for four years, with the annual rental to be an estimated \$5,768.16 (including GST and subject to any CPI adjustments).</p> <p>6. That the licensee be responsible for any legal fees incurred in the drafting of the licence documents.</p> <p>7. That the Mayor and General Manager be authorised to sign and execute the licence documents under the Common Seal of Council, in absence of a Trust Seal.</p>		
<p>RESOLUTION</p> <p>Minute No. 46083</p> <p>Councillor C. Adams moved)</p> <p>Councillor D. Gallagher seconded)</p> <p style="text-align: right;">CARRIED</p>		
<p>11 Sep 2019 - 4:04 PM - Leisa Bartlett</p> <p>Licence still with leasee for signature.</p> <p>20 Aug 2019 - 3:12 PM - Anthony Misagh</p> <p>Waiting on signatures - leasee</p> <p>04 Jul 2019 - 1:59 PM - Leisa Bartlett</p> <p>Solicitor finalising licence documents.</p> <p>12 Jun 2019 - 10:52 AM - Georgina Falkner</p> <p>Documents being drafted by Council's solicitor</p>		
<p>Ordinary Meeting of the Council 29 May 2019</p>	<p>False</p>	<p>Confidential Matters</p>
<p>ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 77/19 - DATED DECEMBER 17, 2018 - FAR WEST HACC TRANSFER OF NORTH MINE HALL LEASE TO LIVEBETTER SERVICES - CONFIDENTIAL 11/121</p> <p>(General Manager's Note: This report considers a transfer of 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>Resolved</u></p>		
<p>1. That Broken Hill City Council Report No. 77/19 dated December 17, 2018, be received.</p> <p>2. That Council consent to the proposed transfer of lease, with the current lease for the North Mine Hall to be transferred from Far West HACC Services to Livebetter Services Limited.</p> <p>3. That the terms and conditions of the current lease agreement remain the same, including the rent of \$1 per year.</p> <p>4. That Livebetter Services Limited are responsible for any legal fees incurred by Council.</p> <p>5. That the Mayor and General Manager be authorised to sign the transfer of lease documents under the Common Seal of Council.</p>		
<p>RESOLUTION</p> <p>Minute No. 46084</p> <p>Councillor B. Licul moved)</p> <p>Councillor B. Algate seconded)</p> <p style="text-align: right;">CARRIED</p>		
<p>10 Sep 2019 - 10:44 AM - Georgina Falkner</p> <p>Still awaiting signed documents from Livebetter, have followed up on progress.</p> <p>20 Aug 2019 - 3:14 PM - Anthony Misagh</p> <p>No update</p> <p>04 Jul 2019 - 1:54 PM - Leisa Bartlett</p> <p>Transfer documents with Livebetter for execution.</p> <p>12 Jun 2019 - 10:52 AM - Georgina Falkner</p>		

ACTION LIST – ORDINARY COUNCIL MEETINGS

Printed: Friday, 13 September 2019 4:55 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Transfer documents being finalised		
Ordinary Meeting of the Council 29 May 2019	False	Confidential Matters
<p>ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 78/19 - DATED APRIL 09, 2019 - PROPOSED ACCESS LICENCE THROUGH PART OF THE WILLYAMA COMMON - CONFIDENTIAL 11/63</p> <p>(General Manager's Note: This report considers a proposed licence 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>Resolved</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 78/19 dated April 9, 2019, be received. 2. That Council (as Trust Managers for the Willyama Common Trust) consent to the issue of an access license to P S & D K Weston across the Willyama Common (Lot 4 in Deposited Plan 1220372), to formalise access to the property located at Lot 5547 in Deposited Plan 757298. 3. That a temporary license agreement be issued for 12 months, for a rental of \$1. 4. That should the Weston's still own the property at the license expiry date and require continued access, that the license be renewed accordingly. 5. That in the absence of a Trust Seal, the Mayor and General Manager be authorised to sign and execute any documents relating to the license under the Common Seal of Council. 		
<p>RESOLUTION</p> <p>Minute No. 46085</p> <p>Councillor B. Algate moved)</p> <p>Councillor C. Adams seconded)</p>		CARRIED
<p><i>10 Sep 2019 - 10:45 AM - Georgina Falkner</i></p> <p>Still awaiting signed documents from licensee, have followed up.</p> <p><i>20 Aug 2019 - 3:14 PM - Anthony Misagh</i></p> <p>No update</p> <p><i>04 Jul 2019 - 1:54 PM - Leisa Bartlett</i></p> <p>Licence with applicant for signature.</p> <p><i>12 Jun 2019 - 10:53 AM - Georgina Falkner</i></p> <p>Draft licence in process of being finalised</p>		
Ordinary Meeting of the Council 29 May 2019	False	Confidential Matters
<p>ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 79/19 - DATED APRIL 24, 2019 - RENEWAL OF LEASE AT THE AIRPORT TO THE AERO CLUB OF BROKEN HILL - CONFIDENTIAL 11/232</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>Resolved</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 79/19 dated April 24, 2019, be received. 2. That Council renew the current lease at the Broken Hill Airport to the Aero Club of Broken Hill, exercising the renewal option for a further five (5) years. 3. That the Aero Club of Broken Hill be responsible for any legal fees associated with the lease renewal. 4. That the Mayor and General Manager be authorised to sign and execute any documents relating to the lease renewal under the Common Seal of Council. 		

ACTION LIST – ORDINARY COUNCIL MEETINGS

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MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>RESOLUTION Minute No. 46086 Councillor C. Adams moved) Councillor J. Nolan seconded)</p> <p style="text-align: right;">CARRIED</p> <p><i>11 Sep 2019 - 4:06 PM - Leisa Bartlett</i> lease still with Aero Club for signature.</p> <p><i>20 Aug 2019 - 3:15 PM - Anthony Misagh</i> Currently with AERO club for signing.</p> <p><i>04 Jul 2019 - 1:55 PM - Leisa Bartlett</i> Lease documents with the Aero Club for signature.</p> <p><i>12 Jun 2019 - 10:53 AM - Georgina Falkner</i> Renewal documents being drafted by Council's solicitors.</p>		
Ordinary Meeting of the Council 29 May 2019	False	Confidential Matters
<p>ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 82/19 - DATED MAY 22, 2019 - VARIATION OF LEASE - 72-74 GYPSUM STREET TO LIVEBETTER SERVICES PTY LTD - CONFIDENTIAL 11/121 (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>Resolved</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 82/19 dated May 22, 2019, be received. 2. That Council consent to the variation in rental for 72-74 Gypsum Street, with the new annual lease amount being \$137,500 for a period of two years. 3. That the Mayor and General Manager be authorised to sign and execute any documents relating to the lease variation under the Common Seal of Council. 		
<p>RESOLUTION Minute No. 46087 Councillor C. Adams moved) Councillor J. Nolan seconded)</p> <p style="text-align: right;">CARRIED</p> <p><i>10 Sep 2019 - 10:24 AM - Georgina Falkner</i> Variation of lease signed by Livebetter and has been sent to Council for signing and execution.</p> <p><i>20 Aug 2019 - 3:16 PM - Anthony Misagh</i> Documents have been drafted and currently with Livebetter Solicitors</p> <p><i>04 Jul 2019 - 1:55 PM - Leisa Bartlett</i> Lease documents still being drafted with Solicitor.</p> <p><i>12 Jun 2019 - 10:53 AM - Georgina Falkner</i> Draft variation documents being prepared by Council's solicitors.</p>		
Ordinary Meeting of the Council 31 July 2019	False	Mayoral Minute
<p>ITEM 1 - MAYORAL MINUTE NO. 3/19 - DATED JULY 24, 2019 - LANDCARE BROKEN HILL PARTNERSHIP PROPOSAL TO BROKEN HILL CITY COUNCIL 12/29</p>		
<p>RESOLUTION Minute No 46024 Councillor D. Turley moved) Councillor M. Browne seconded)</p> <ol style="list-style-type: none"> 1. That Mayoral Minute No. 3/19 dated July 24, 2019, be received. 2. That Broken Hill City Council enters into a partnership with Landcare Broken Hill for the 		

ACTION LIST – ORDINARY COUNCIL MEETINGS

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MEETING	FURTHER REPORT REQUIRED	SUBJECT						
		<p>Greening the Hill Mk.2 community wide initiative.</p> <ol style="list-style-type: none"> 3. That any funding requests be considered on their merits, through the quarterly budget review process. 4. That Council not only enters into a partnership agreement with Landcare, but also implements a number of the assessment items identified in the report. <p style="text-align: right; background-color: #fff9c4; padding: 5px;">CARRIED UNANIMOUSLY</p> <p><i>11 Sep 2019 - 2:57 PM - Leisa Bartlett</i></p> <p>COO advised: A list of projects has been finalised. Need to finalise a detailed program for the delivery of these projects which will include annual KPI's.</p> <p><i>20 Aug 2019 - 3:33 PM - Anthony Misagh</i></p> <p>Finalising a delivery program, next committee meeting (end of August) a point of contact will be identified and achievable timelines will be established.</p>						
Ordinary Meeting of the Council 31 July 2019	False	Notice of Motion						
<p><u>ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 13/19 - DATED JULY 19, 2019 - 2020/2021 BUDGET CONSIDERATION - UPGRADES TO EP O'NEILL PARK SPORTING COMPLEX NETBALL COURTS</u> 19/84</p>								
<p>RESOLUTION</p> <p>Minute No. 46025</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Councillor M. Browne moved</td> <td style="width: 5%; text-align: center;">)</td> <td style="width: 45%;"></td> </tr> <tr> <td>Councillor C. Adams seconded</td> <td style="text-align: center;">)</td> <td></td> </tr> </table> <ol style="list-style-type: none"> 1. That Motions of Which Notice has been Given No. 13/19 dated July 19, 2019, be received. 2. That Broken Hill City Council includes a budget consideration in the 2020/2021 budget \$200,000 for lights upgrade and court resurfacing of netball association grounds. 3. That Council liaise with the netball association about surface required and lighting upgrades. 4. That Council apply for grant funding from State and Federal Governments to match funding. <p style="text-align: right; background-color: #fff9c4; padding: 5px;">CARRIED</p> <p><i>11 Sep 2019 - 2:57 PM - Leisa Bartlett</i></p> <p>COMPLETE</p> <p><i>19 Aug 2019 - 3:38 PM - Lacey Butcher</i></p> <p>To be considered in the 2020 - 2021 budget process.</p>			Councillor M. Browne moved)		Councillor C. Adams seconded)	
Councillor M. Browne moved)							
Councillor C. Adams seconded)							
Ordinary Meeting of the Council 31 July 2019	False	Reports						
<p><u>ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 107/19 - DATED JULY 16, 2019 - BACKGROUND ON BROKEN HILL REGIONAL TOURIST ASSOCIATION AND TOURISM IN BROKEN HILL</u> 11/407</p> <p>Resolved</p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 107/19 dated July 16, 2019, be received. 2. That Council notes that: 								

ACTION LIST – ORDINARY COUNCIL MEETINGS

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MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>a) That the current collaboration between Council, Destination NSW (DNSW) and Destination Country and Outback (DCO) and the relationships between DNSW and DCO with the industry are successfully building a collaborative approach to build brand awareness and increase visitors to the city and region.</p> <p>b) That Council elect not move to form a Regional Tourism Organisation at this time but will monitor the success of the development of Destination Broken Hill and the outcomes of current collaborative activities with a report to be presented to the February 2020 meeting of Council.</p> <p>c) That Council note the Tourism Taskforce of 2014 resulted in unanimous support from tourism operators for the development of an industry driven tourism organisation for the Far West NSW region.</p> <p>d) That Destination Broken Hill, formed in 2018, is the current industry-led tourism body representing Broken Hill and the surrounding region.</p> <p>e) That Council note that the delegations set out in the Constitution of the Broken Hill Regional Tourism Association formed in 2002 did not meet the legislative requirements outlined in the <i>Local Government Act, 1993</i>.</p>		
<p>RESOLUTION</p> <p>Minute No. 46028</p> <p>Councillor B. Algate moved)</p> <p>Councillor M. Browne seconded)</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p><i>11 Sep 2019 - 2:57 PM - Leisa Bartlett</i></p> <p>COMPLETE</p> <p><i>19 Aug 2019 - 3:59 PM - Lacey Butcher</i></p> <p>Report to be presented to February 2020 Council meeting</p>		
Ordinary Meeting of the Council 31 July 2019	False	Reports
<p>ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 108/19 - DATED JUNE 03, 2019 - ADOPTION OF DRAFT SECTION 7.12 DEVELOPER CONTRIBUTIONS PLAN 11/467</p> <p><u>Resolved</u></p> <p>1. That Broken Hill City Council Report No. 108/19 dated June 3, 2019, be received.</p> <p>2. That the draft Section 7.12 Developer Contributions Plan be adopted as a Plan of Council.</p>		
<p>RESOLUTION</p> <p>Minute No 46029</p> <p>Councillor M. Browne moved)</p> <p>Councillor C. Adams seconded)</p> <p style="text-align: right;">CARRIED</p> <p><i>10 Sep 2019 - 10:52 AM - Leisa Bartlett</i></p> <p>Adopted plan placed on Council's website.</p> <p>COMPLETE</p> <p><i>19 Aug 2019 - 3:55 PM - Lacey Butcher</i></p> <p>In progress</p>		
Ordinary Meeting of the Council 31 July 2019	False	Reports
<p>ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 110/19 - DATED JULY 01, 2019 - DRAFT REPORTING OF PUBLIC INTEREST DISCLOSURES POLICY FOR PUBLIC EXHIBITION 12/14</p> <p><u>Resolved</u></p> <p>1. That Broken Hill City Council Report No. 110/19 dated July 1, 2019, be received.</p>		

ACTION LIST – ORDINARY COUNCIL MEETINGS

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MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>2. That Council endorse the Draft Reporting of Public Interest Disclosures Policy for the purposes of public consultation.</p> <p>3. That the Draft Reporting of Public Interest Disclosures Policy be exhibited for public comment for a 28-day period.</p> <p>4. That the Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the Draft Reporting of Public Interest Disclosures Policy.</p>		
<p>RESOLUTION</p> <p>Minute No. 46031</p> <p>Councillor B. Algate moved)</p> <p>Councillor D. Gallagher seconded)</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p><i>10 Sep 2019 - 10:36 AM - Leisa Bartlett</i></p> <p>Public exhibition period finished. Reported to September Council Meeting for consideration of adoption.</p> <p>COMPLETE</p> <p><i>19 Aug 2019 - 3:57 PM - Leisa Bartlett</i></p> <p>Placed on public exhibition until 30 August 2019</p>		
Ordinary Meeting of the Council 31 July 2019	False	Reports
<p>ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 111/19 - DATED JUNE 25, 2019 - DRAFT VOLUNTARY PLANNING AGREEMENT POLICY</p> <p style="text-align: right;">11/192</p> <p><u>Resolved</u></p> <p>1. That Broken Hill City Council Report No. 111/19 dated June 25, 2019, be received.</p> <p>2. That the draft Voluntary Planning Agreement Policy be publicly exhibited for a period of not less than 28 days.</p> <p>3. That a further report be presented to Council following the public exhibition for Council's consideration and adoption.</p>		
<p>RESOLUTION</p> <p>Minute No. 46032</p> <p>Councillor M. Browne moved)</p> <p>Councillor D. Gallagher seconded)</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p><i>10 Sep 2019 - 10:36 AM - Leisa Bartlett</i></p> <p>Public exhibition period finished. Reported to September Council Meeting for consideration of adoption.</p> <p>COMPLETE</p> <p><i>19 Aug 2019 - 3:57 PM - Leisa Bartlett</i></p> <p>Placed on public exhibition until 30 August 2019</p>		
Ordinary Meeting of the Council 31 July 2019	False	Reports
<p>ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 112/19 - DATED JULY 17, 2019 - DRAFT GIFTS AND BENEFITS POLICY</p> <p style="text-align: right;">12/14</p> <p><u>Resolved</u></p> <p>1. That Broken Hill City Council Report No. 112/19 dated July 17, 2019, be received.</p> <p>2. That Council endorses the draft Gifts and Benefits Policy for the purpose of public exhibition.</p> <p>3. That Council publicly exhibits the draft Gifts and Benefits Policy and accepts submissions from the public for a period of 28 days.</p>		

ACTION LIST – ORDINARY COUNCIL MEETINGS

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MEETING	FURTHER REPORT REQUIRED	SUBJECT						
<p>4. That Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the draft Gifts and Benefits Policy as a Policy of Council.</p>								
<p>RESOLUTION</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Minute No. 46033</td> <td style="width: 50%;"></td> </tr> <tr> <td>Councillor D. Gallagher moved</td> <td style="text-align: right;">)</td> </tr> <tr> <td>Councillor B. Licul seconded</td> <td style="text-align: right;">)</td> </tr> </table> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p><i>10 Sep 2019 - 10:36 AM - Leisa Bartlett</i></p> <p>Public exhibition period finished. Reported to September Council Meeting for consideration of adoption.</p> <p>COMPLETE</p> <p><i>19 Aug 2019 - 3:57 PM - Leisa Bartlett</i></p> <p>Placed on public exhibition until 30 August 2019</p>			Minute No. 46033		Councillor D. Gallagher moved)	Councillor B. Licul seconded)
Minute No. 46033								
Councillor D. Gallagher moved)							
Councillor B. Licul seconded)							
Ordinary Meeting of the Council 31 July 2019	False	Confidential Matters						
<p>ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 122/19 - DATED JULY 23, 2019 - CODE OF CONDUCT NO BHC20190528 - CONFIDENTIAL CC19/1</p> <p>(General Manager's Note: This report is deemed confidential under Section 10A(2) (i) of the Local Government Act, 1993 which contains information regarding alleged contraventions of any Code of Conduct requirements applicable under section 440).</p>								
<p>RESOLUTION</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Minute No. 46043</td> <td style="width: 50%;"></td> </tr> <tr> <td>Councillor M. Browne moved</td> <td style="text-align: right;">)</td> </tr> <tr> <td>Councillor J. Nolan seconded</td> <td style="text-align: right;">)</td> </tr> </table> <p style="text-align: right;">CARRIED</p> <p><i>11 Sep 2019 - 2:34 PM - Leisa Bartlett</i></p> <p>GM advised: Further information requested by OLG has been provided.</p> <p>COMPLETE</p> <p><i>19 Aug 2019 - 4:03 PM - Lacey Butcher</i></p> <p>Matter referred to OLG awaiting advice</p>			Minute No. 46043		Councillor M. Browne moved)	Councillor J. Nolan seconded)
Minute No. 46043								
Councillor M. Browne moved)							
Councillor J. Nolan seconded)							
Ordinary Meeting of the Council 31 July 2019	False	Confidential Matters						
<p>ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 123/19 - DATED JULY 23, 2019 - CODE OF CONDUCT NO BHC20190628 - CONFIDENTIAL CC19/1</p> <p>(General Manager's Note: This report is deemed confidential under Section 10A(2) (i) of the Local Government Act, 1993 which contains information regarding alleged contraventions of any Code of Conduct requirements applicable under section 440).</p>								
<p>RESOLUTION</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Minute No. 46044</td> <td style="width: 50%;"></td> </tr> <tr> <td>Councillor M. Browne moved</td> <td style="text-align: right;">)</td> </tr> <tr> <td>Councillor B. Licul seconded</td> <td style="text-align: right;">)</td> </tr> </table> <p style="text-align: right;">CARRIED</p> <p><i>11 Sep 2019 - 2:34 PM - Leisa Bartlett</i></p> <p>GM advised: Further information requested by OLG has been provided.</p> <p>COMPLETE</p> <p><i>19 Aug 2019 - 4:03 PM - Lacey Butcher</i></p> <p>Matter referred to OLG awaiting advice</p>			Minute No. 46044		Councillor M. Browne moved)	Councillor B. Licul seconded)
Minute No. 46044								
Councillor M. Browne moved)							
Councillor B. Licul seconded)							

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MEETING	FURTHER REPORT REQUIRED	SUBJECT
CARRIED		
<p><i>11 Sep 2019 - 2:35 PM - Leisa Bartlett</i></p> <p>GM advised: Further information requested by OLG has been provided.</p> <p>COMPLETE</p> <p><i>19 Aug 2019 - 4:04 PM - Lacey Butcher</i></p> <p>Matter referred to OLG, awaiting advice</p>		
Ordinary Meeting of the Council 31 July 2019	False	Confidential Matters
<p>ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 124/19 - DATED JULY 08, 2019 - LICENCE OF PART MEMORIAL OVAL TO BROKEN HILL SOCCER ASSOCIATION - CONFIDENTIAL 12/52</p> <p>(General Manager's Note: This report considers a licence 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>Resolved</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 124/19 dated July 8, 2019, be received. 2. That Council issue a licence to the Broken Hill Soccer Association, for the use of the Adkins Pavilion at the Memorial Oval. 3. That the licence be issued for a term of twelve (12) months with either party having the option to terminate the licence with 30 days' notice, and the licence fee be a peppercorn rental of \$1. 4. That the licence include a condition that the Adkins Pavilion be made available for use by the Silver City Show Committee for the Silver City Show each September. 5. That the Mayor and General Manager be authorised to sign and execute the licence agreement under the Common Seal of Council. 		
<p>RESOLUTION</p> <p>Minute No. 46045</p> <p>Councillor C. Adams moved)</p> <p>Councillor B. Licul seconded)</p>		CARRIED UNANIMOUSLY
<p><i>10 Sep 2019 - 10:19 AM - Georgina Falkner</i></p> <p>Draft licence with Soccer Association.</p> <p><i>20 Aug 2019 - 3:17 PM - Anthony Misagh</i></p> <p>finalising draft, in progress</p> <p><i>19 Aug 2019 - 3:21 PM - Lacey Butcher</i></p> <p>Finalisation of licence progressing</p>		
Ordinary Meeting of the Council 31 July 2019	False	Confidential Matters
<p>ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 125/19 - DATED JULY 22, 2019 - LICENCE OF AIRPORT KIOSK AT THE BROKEN HILL AIRPORT - CONFIDENTIAL 11/229</p> <p>(General Manager's Note: This report considers a licence 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>Resolved</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 125/19 dated July 22, 2019, be received. 2. That Council authorise the General Manger to draw up a licence agreement with the preferred applicant to operate the kiosk at the Broken Hill Airport. 		

ACTION LIST – ORDINARY COUNCIL MEETINGS

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MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>3. That the licence be for twelve (12) months with the option for a further twelve (12) month renewal.</p> <p>4. That the licence fee be the advertised fee of \$8,580 per annum, including GST.</p> <p>5. That the General Manager be authorised to negotiate further terms and conditions in-conjunction with Council's Property Manager.</p> <p>6. That the Mayor and General Manager be authorised to sign and execute any licence documents under the Common Seal of Council.</p>		
<p>RESOLUTION</p> <p>Minute No. 46046</p> <p>Councillor M. Browne moved)</p> <p>Councillor B. Licul seconded)</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>		
<p>13 Sep 2019 - 12:01 PM - Leisa Bartlett</p> <p>Licence Agreement is with applicant for signature.</p> <p>20 Aug 2019 - 3:18 PM - Anthony Misagh</p> <p>Draft documents are with licensee solicitors</p> <p>19 Aug 2019 - 3:20 PM - Lacey Butcher</p> <p>In the process of negotiations</p>		
Ordinary Meeting of the Council 31 July 2019	False	Confidential Matters
<p>ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 126/19 - DATED JULY 19, 2019 - SALE OF PART LOT 5893 DEPOSITED PLAN 241855 OTHERWISE KNOWN AS PART 51 BROMIDE STREET. - CONFIDENTIAL</p> <p>(General Manager's Note: This report considers Sale of Land and is deemed confidential under Section 10A(2) (c) (d) 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; AND 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><u>Resolved</u></p> <p>1. That Broken Hill City Council Report No. 126/19 dated July 19, 2019, be received.</p> <p>2. That Broken Hill City Council subdivide the land at 51 Bromide Street (Lot 5893 DP 241855) and prepare sale of land contracts.</p> <p>3. That Broken Hill City Council authorise the General Manager to negotiate a final sale price with the preferred party, setting the reserve at the market value as detailed within the report.</p> <p>4. That the Mayor and General Manager be authorised to sign the sale of land contracts and transfers under the Common Seal of Council.</p>		
<p>RESOLUTION</p> <p>Minute No. 46047</p> <p>Councillor R. Page moved)</p> <p>Councillor M. Browne seconded)</p> <p style="text-align: right;">CARRIED</p>		
<p>11 Sep 2019 - 3:24 PM - Leisa Bartlett</p> <p>CFO advised: A Memorandum of Understanding with the Police is being drawn up for signature by both parties.</p> <p>19 Aug 2019 - 4:08 PM - Lacey Butcher</p> <p>Police currently doing due diligence. Contracts to be prepared following advice from the Police.</p>		
Ordinary Meeting of the Council 28 August 2019	False	Reports
<p>ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 128/19 - DATED AUGUST 07, 2019 - REVIEW AND</p>		

ACTION LIST – ORDINARY COUNCIL MEETINGS

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MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 28 August 2019	False	Reports
<p>DEVELOPMENT OF THE COMMUNITY STRATEGIC PLAN 2040 "2040 OUR BROKEN HILL", INCLUSIVE OF THE DRAFT COMMUNITY ENGAGEMENT STRATEGY 2020 FOR THE COMMUNITY STRATEGIC PLAN REVIEW 19/124</p> <p><u>Resolved</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 128/19 dated August 7, 2019, be received. 2. That Council support the approach being taken to review and develop the Broken Hill Community Strategic Plan 2040. 3. That Council endorse the draft Community Engagement Strategy 2020 for phase one review and information gathering for the Community Strategic Plan. 		
<p>RESOLUTION</p> <p>Minute No. 46051</p> <p>Councillor M. Browne moved)</p> <p>Councillor C. Adams seconded) CARRIED</p> <p><i>11 Sep 2019 - 3:28 PM - Leisa Bartlett</i></p> <p>DC advised: Community Engagement Strategy will be implemented. COMPLETE</p>		
Ordinary Meeting of the Council 28 August 2019	False	Reports
<p>ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 129/19 - DATED JUNE 28, 2019 - ADOPTION OF THE DRAFT CODE OF PRACTICE CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM PROGRAMME POLICY 12/14</p> <p><u>Resolved</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 129/19 dated June 28, 2019, be received. 2. That Council adopts the draft Code of Practice Closed Circuit Television (CCTV) Programme Policy as a Policy of Council. 3. That the General Manager be authorised to sign and undertake any further negotiations with the NSW Police Force (Barrier Police District) in relation to the Close Circuit Television (CCTV) Programme. 		
<p>RESOLUTION</p> <p>Minute No. 46052</p> <p>Councillor J. Nolan moved)</p> <p>Councillor D. Gallagher seconded) CARRIED</p> <p><i>10 Sep 2019 - 10:46 AM - Leisa Bartlett</i></p> <p>Policy uploaded to Council's website and all other action taken to adopt policy. COMPLETE</p>		
Ordinary Meeting of the Council 28 August 2019	False	Reports
<p>ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 130/19 - DATED AUGUST 12, 2019 - BUDGET CARRYOVER'S 2019/20 14/175</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 130/19 dated August 12, 2019, be received. 2. That Council revoke the budget items as listed below in <i>Table 1</i> for the amount of \$547,384 3. That Council note the carryover budget items as listed below in <i>Table 2</i> for the amount of \$4,390,623 		
<p>RESOLUTION</p>		

ACTION LIST – ORDINARY COUNCIL MEETINGS

Printed: Friday, 13 September 2019 4:55 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Minute No. 46053 Councillor M. Browne moved) Councillor B. Algate seconded)		<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 130/19 dated August 12, 2019, be received. 2. That Council revoke the budget items as listed below in <i>Table 1</i> for the amount of \$547,384 3. That Council note the carryover budget items as listed below in <i>Table 2</i> for the amount of \$4,390,623 <p style="text-align: right;">CARRIED</p> <p><i>11 Sep 2019 - 3:25 PM - Leisa Bartlett</i> Work complete to carryover items. COMPLETE</p>
Ordinary Meeting of the Council 28 August 2019	False	Reports
<p><u>ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 131/19 - DATED AUGUST 13, 2019 - REQUEST TO WAIVE DEAD ANIMAL FEES</u> 11/199</p> <p><u>Resolved</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 131/19 dated August 13, 2019, be received. 2. That Broken Hill City Council waive dead animal fees for the RSPCA and RRANA at the Broken Hill Waste Management Facility. <p>RESOLUTION</p> Minute No. 46054 Councillor M. Browne moved) Councillor C. Adams seconded)		
CARRIED UNANIMOUSLY		
<p><i>11 Sep 2019 - 2:49 PM - Leisa Bartlett</i> COO advised: Advice of approval of waiver has been sent to RRANA and the RSPCA. Staff at the Waste Service Facility have also been advised. COMPLETE</p>		
Ordinary Meeting of the Council 28 August 2019	False	Reports
<p><u>ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 134/19 - DATED AUGUST 02, 2019 - ALCOHOL-FREE ZONES</u> 11/307</p> <p>RESOLUTION</p> Minute No. 46057 Councillor M. Browne moved) Councillor C. Adams seconded)		
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 134/19 dated August 2, 2019, be received. 2. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone known as Creedon Street, including public roads and laneways, public car parks and footpath area of Creedon Street bounded by Rakow and Wills Streets. 3. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone known as Shell Memorial including all public roads and laneways, public car parks and footpaths in an area bounded by Iodide, Thomas, Bromide and Mica Streets including Oxide Street from Thomas Street through to Morgan Street. 		

ACTION LIST – ORDINARY COUNCIL MEETINGS

Printed: Friday, 13 September 2019 4:55 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
		<p>4. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone surrounding the E.T. Lamb Memorial Oval, including public roads and laneways, public car parks and footpath area surrounding the oval bounded by South, Boughtman, Comstock and Jamieson Streets.</p> <p>5. That Council endorse the draft proposal (as attached) to re-establish the Alcohol-Free Zone known as South Broken Hill including all public roads and laneways, public car parks and footpaths in an area bounded by Bonanza, Patton, Central and Hebbard Streets including South Street from Piper Street through to Wilson Street; with expansion from Bonanza Street to Morish Street and off Bonanza Street from Wilson Street to Picton Street. This is to incorporate other establishments supplying alcohol within the proposed Zone expansion.</p> <p>6. That Council refer the Draft Proposals for comment in accordance with the provisions of the <i>Local Government Act 1993</i> and Ministerial Guidelines (2009) to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area and all affected licensed premises and registered clubs that border on, adjoin or are adjacent to the proposed alcohol free zone, for response within thirty days of public notice.</p> <p>7. That Council invite public comment on the proposal through an advertisement in local newspaper with time for response within thirty days.</p> <p>8. That a further report be submitted to Council upon completion of the consultative process.</p> <p style="text-align: right;">CARRIED</p>
<p><i>13 Sep 2019 - 12:03 PM - Leisa Bartlett</i></p> <p>Re-establishment of Alcohol Free Zones on public exhibition closing 25/09/2019. A further report will be provided following this process. COMPLETE</p>		
<p>Ordinary Meeting of the Council 28 August 2019</p>	<p>False</p>	<p>Committee Reports</p>
<p>ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 136/19 - DATED AUGUST 07, 2019 - NOMINATIONS FOR COMMUNITY MEMBERSHIP OF COUNCIL S355 COMMITTEES 12/52</p> <p><u>Resolved</u></p>		
<p>1. That Broken Hill City Council Report No. 136/19 dated August 7, 2019, be received.</p> <p>2. That Mr Ron Butcher be appointed as community representatives on the Alma Oval Community Committee.</p>		
<p><i>10 Sep 2019 - 10:49 AM - Leisa Bartlett</i></p> <p>New member advised of appointment and Secretary of the Committee notified. COMPLETE</p>		

ACTION LIST – ORDINARY COUNCIL MEETINGS

Printed: Friday, 13 September 2019 4:55 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 28 August 2019	False	Question On Notice
<p>ITEM 14 - QUESTIONS ON NOTICE NO. 8/19 - DATED AUGUST 07, 2019 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE JULY 2019 COUNCIL MEETING 16/89</p> <p><u>Recommendation</u></p> <p>1. That Questions On Notice No. 8/19 dated August 7, 2019, be received.</p> <p>RESOLUTION</p> <p>Minute No. 46060</p> <p>Councillor T. Kennedy moved)</p> <p>Councillor B. Algate seconded)</p> <p style="text-align: right;">1. That Questions On Notice No. 8/19 dated August 7, 2019, be received.</p> <p style="text-align: right;">2. That the Mayor and Councillors be given training in meeting procedures and regulations.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p><i>13 Sep 2019 - 11:52 AM - Leisa Bartlett</i></p> <p>Quotes are being sourced for training sessions to be held in Broken Hill.</p>		
Ordinary Meeting of the Council 28 August 2019	False	Reports
<p>ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 142/19 - DATED AUGUST 26, 2019 - 2018/2019 DRAFT ANNUAL FINANCIAL STATEMENTS 19/74</p> <p><u>Resolved</u></p> <p>1. That Broken Hill City Council Report No. 142/19 dated August 26, 2019 be considered at this meeting.</p> <p>2. That Broken Hill City Council Report No. 142/19 dated August 26, 2019, be received.</p> <p>3. That the 2018/2019 Draft Primary Financial Statements as attached be received.</p> <p>4. That the 2018/2019 Draft Primary Financial Statements as attached be referred to audit.</p> <p>5. That Council adopt the attached Statements of Opinion on the 2018/19 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 <i>Local Government Act 1993</i>.</p> <p>6. 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.</p> <p>7. That Council delegate the General Manager the authority to authorise the 2018/19 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.</p> <p>RESOLUTION</p> <p>Minute No. 46061</p> <p>Councillor C. Adams moved)</p> <p>Councillor D. Gallagher seconded)</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p><i>11 Sep 2019 - 3:25 PM - Leisa Bartlett</i></p> <p>CFO advised: Financial Statements referred to Audit.</p> <p>COMPLETE</p>		

ACTION LIST – ORDINARY COUNCIL MEETINGS

Printed: Friday, 13 September 2019 4:55 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 28 August 2019	False	Confidential Matters
<p>ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 140/19 - DATED AUGUST 19, 2019 - REQUEST FOR TENDER T19/11 FOR DESIGN OF AIR-CONDITIONING SYSTEMS UPGRADE FOR SIX BUILDINGS - CONFIDENTIAL Q19/11</p> <p>(General Manager's Note: This report 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>Resolved</p> <ol style="list-style-type: none"> That Broken Hill City Council Report No. 140/19 dated August 19, 2019, be received. That Council award the tender to System Solutions Engineers for the tender amount of \$175,000 incl. GST to deliver design and project management services for air-conditioning systems control upgrade for six buildings. 		
<p>RESOLUTION</p> <p>Minute No. 46063</p> <p>Councillor D. Gallagher moved)</p> <p>Councillor C. Adams seconded)</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p>11 Sep 2019 - 3:00 PM - Leisa Bartlett</p> <p>COO advised: Tender awarded. COMPLETE</p>		
Ordinary Meeting of the Council 28 August 2019	False	Confidential Matters
<p>ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 141/19 - DATED AUGUST 19, 2019 - REQUEST FOR TENDER T18/9 FOR REPAIRS TO HAILSTORM DAMAGED STRUCTURES FOR BROKEN HILL CITY COUNCIL - CONFIDENTIAL T18/9</p> <p>(General Manager's Note: This report 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>Resolved</p> <ol style="list-style-type: none"> That Broken Hill City Council Report No. 141/19 dated August 19, 2019, be received. That Council approves NSW Government Public Works Advisory to Project Manage the reinstatement of Council's assets as a result of the hailstorm which occurred on 11th November 2016. 		
<p>RESOLUTION</p> <p>Minute No. 46064</p> <p>Councillor C. Adams moved)</p> <p>Councillor B. Licul seconded)</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p>11 Sep 2019 - 2:55 PM - Leisa Bartlett</p> <p>COO advised: Tender awarded. COMPLETE</p>		

ACTION LIST - EXTRAORDINARY COUNCIL MEETINGS

Printed: Friday, 13 September 2019 4:42:21 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Extraordinary Meeting of the Council 4 September 2019	False	Confidential Matters
<p>ITEM 2 - MATTER OF URGENCY - MATTERS PERTAINING TO THE CIVIC CENTRE REDEVELOPMENT 17/185</p> <p><u>Minute No. 1</u></p> <p>Moved Councillor M. Browne) 1. That the matter of urgency be dealt with Seconded Councillor M. Clark) at this meeting.</p> <p>2. That Council authorise the Mayor to make a submission relating to matters pertaining to the Civic Centre Redevelopment on behalf of Council in conjunction with Council's Solicitors, selected from its pre-approved Legal Panel.</p> <p>3. That Councillors be invited to submit to the Mayor in writing, their contribution to the said submission by no later than 9 September 2019 to ensure the submission deadline of 13 September 2019 is met.</p> <p>4. That each individual Councillor response is attached in full as an annexure to the said submission.</p> <p style="text-align: right;">CARRIED</p> <p><i>13 September 2019 – 4:40 PM - Leisa Bartlett</i> CFO advised that the submission has been sent. COMPLETE</p>		

COMMITTEE REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 158/19 - DATED
SEPTEMBER 06, 2019 - MEMBERSHIP OF SECTION 355 COMMITTEES
(11/9).....238

2. BROKEN HILL CITY COUNCIL REPORT NO. 159/19 - DATED AUGUST
29, 2019 - S355 ANNUAL AND FINANCIAL REPORTS 2018/2019 (16/94)
.....243

3. BROKEN HILL CITY COUNCIL REPORT NO. 160/19 - DATED AUGUST
27, 2019 - MINUTES OF THE FLORA AND FAUNA OF THE BARRIER
RANGES COMMUNITY COMMITTEE MEETINGS HELD AUGUST 20,
2019 (12/51).....281

4. BROKEN HILL CITY COUNCIL REPORT NO. 161/19 - DATED
SEPTEMBER 06, 2019 - MINUTES OF THE MEMORIAL OVAL
COMMUNITY COMMITTEE MEETING HELD 6 AUGUST 2019 (12/52) .285

5. BROKEN HILL CITY COUNCIL REPORT NO. 162/19 - DATED
SEPTEMBER 06, 2019 - MINUTES OF THE BIU BAND HALL
COMMUNITY COMMITTEE MEETING HELD 23 JULY 2019 (16/8)289

ORDINARY MEETING OF THE COUNCIL

September 6, 2019

ITEM 1**BROKEN HILL CITY COUNCIL REPORT NO. 158/19****SUBJECT:** **MEMBERSHIP OF SECTION 355 COMMITTEES** **11/9****Recommendation**

1. That Broken Hill City Council Report No. 158/19 dated September 6, 2019, be received.
2. That Council accepts the resignation from Mr Stephen Pascoe as a community representative on the Alma Oval Community Committee, and thanks Mr Pascoe for his service on the Committee.
3. That Council accepts the nomination from Ms Karen Gosling as a community representative on the Picton Oval Community Committee.
4. That Council advertises for all vacancies on its Section 355 Committees.

Executive Summary:

In accordance with the *Local Government Act 1993, Section 355* Council previously established Committees to assist Council with the operation and management of its parks, ovals and reserves, these are called Section 355 Asset Committees. Council has also previously established Section 355 Advisory Committees to provide advice to the General Manager on specific operations of Council.

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

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

Council adopted Asset and Advisory Committee Frameworks and Constitutions as the governance structure by which a Committee operates. Membership on each committee forms part of the constitution and includes the number of community representatives,

stakeholder representatives (if any) and Councillor representatives required for each Committee to function effectively.

Report:

As per Council’s adopted Asset and Advisory Committee Framework which states that:

- Committees are to be appointed every four (4) years, three (3) months after the Local Government General Election. The term of office for all Committees will be aligned to the term of office of the current Council (four years).
- All positions will be declared to be vacant two (2) months after the Local Government Election.

Council advertised for nominations for community representatives on its Section 355 Committees for the current term of Council (September 2016 to September 2020), during November 2016 and then again during January 2017. All applications received during these periods have previously been presented to Council with all nominations supported. Council accepts ongoing nominations throughout the current term of this Council for any vacancies remaining or arising on Section 355 Committees.

Council has received a nomination from Ms Karen Gosling for membership on the Picton Oval Community Committee

Name of Committee	Number of current community members	Number of vacancies in community member positions	Number of further nominations received	Name of Nominee
Picton Oval Community Committee	6	3	1	Karen Gosling

It is recommended that Council accepts the application for membership from Ms Karen Gosling and that the Picton Oval Community Committee be so advised.

Council has also received a resignation from Mr Stephen Pascoe as a community representative on the Alma Oval Community Committee. As a consequence of Mr Pascoe’s resignation, the Committee now has three vacancies in community representatives.

Community Representative Membership levels on all other Council S355 Asset and Advisory Committees are as follows:

Name of Committee	Number of current community members	Number of vacancies in community member positions
Alma Oval Community Committee	5	3
BIU Band Hall Community Committee	5	3
ET Lamb Memorial Oval Community Committee	3	9
Friends of the Flora and Fauna of the Barrier Ranges Community Committee	21	1
Memorial Oval Community Committee	12	0

Name of Committee	Number of current community members	Number of vacancies in community member positions
Norm Fox Sporting Complex Community Committee	7	2
Picton Sportsground Community Committee	6	3
Riddiford Arboretum Community Committee	8	4
Broken Hill Regional Art Gallery Advisory Group	10	0
Broken Hill Heritage Committee	5	1
Community Strategic Plan Round Table Committee	3	1

As there are a number of other Committees with vacancies in community representatives it is recommended that Council advertises for all vacancies on its Section 355 Committees in an attempt to seek full membership.

Strategic Direction:

Key Direction:	4	Our Leadership
Objective:	4.1	Openness and transparency in decision making
Strategy:	4.1.1	Support the organisation to operate its legal framework

Relevant Legislation:

Section 355 of the *Local Government Act 1993*
Council's adopted S355 Asset Committee Framework

Financial Implications:

There are no financial implications.

Attachments

1. [↓](#) Nomination Form - Ms Karen Gosling
2. [↓](#) Resignation Letter - Mr Stephen Pascoe

RAZIJA NU'MAN
DIRECTOR CORPORATE

JAMES RONCON
GENERAL MANAGER

S355 Committee Nomination Form



Submission date: 3 September 2019, 1:21PM

Receipt number: S355CNF-1

Related form version: 2

Question	Response
Name of Committee:	KAREN GOSLING
Personal Details	
First Name	KAREN
Last Name	GOSLING
Contact Number	
Email Address	
Applicant Street Number	
Applicant Street Name	
Applicant Suburb/City	Broken Hill
Applicant State	NSW
Applicant Postcode	2880
Committee Details	
Please outline why you would like to be a member of this committee:	I have an interest in promoting sport in Broken Hill. I have a keen interest in keeping sporting facilities viable for the people of Broken Hill and the Picton Oval is a valuable asset for the town to have.
Please outline details of any relevant experience for this committee:	I have extensive experience in administration, so I could assist with the bookings, record keeping or any other administration tasks required. I am a keen gardener with an interest in keeping Broken Hill green. I have a background in Sports Management, Marketing and Social Media.
What is your previous experience with any committee? Please list name/s of Committee/s and periods of service:	I am the current Chairperson of the Broken Hill Health Council (part of Far West Health Service) - 10 years service South Library Committee - 3 years service I am the current Secretary of West Broken Hill Football Club - 5 years service
Please detail any other relevant information:	
Privacy	
Signature	
	Name of signatory: KAREN GOSLING Link to signature

GENERAL MANAGER
BHCC

RE 355 Comm. Anna Orah Comm.

I STEPHEN PASCOE CAN NO LONGER BE ON
THIS COMM.

REWARDS *DDP*

4.9.19.

RECEIVED
05 SEP 2019

BY: *jo* 11:40

ORDINARY MEETING OF THE COUNCIL

August 29, 2019

ITEM 2BROKEN HILL CITY COUNCIL REPORT NO. 159/19SUBJECT: S355 ANNUAL AND FINANCIAL REPORTS 2018/2019 16/94**Recommendation**

1. That Broken Hill City Council Report No. 159/19 dated August 29, 2019, be received.
2. That the 2018/2019 Norm Fox Sporting Complex Annual Report be received and noted.
3. That the 2018/2019 Friends of the Flora and Fauna of the Barrier Rangers Community Committee Annual Report be received and noted.
4. That the 2018/2019 BIU Band Hall Annual Report and Financial Statements be received and noted
5. That the 2018/2019 Alma Oval Community Committee Annual and Financial Reports be received and noted.
6. That the 2018/2019 Community Strategic Round Table Annual Report be received and noted.
7. That the 2018/2019 Broken Hill Heritage Committee Annual Report be received and noted.
8. That the 2018/2019 Riddiford Arboretum Community Committee Annual Report be received and noted.
9. That the 2018/2019 Broken Hill Regional Art Gallery Advisory Committee Annual Report be received and noted.

Executive Summary:

In accordance with Section 355 of the *Local Government Act 1993* (the Act), Council has the ability to delegate some of its functions to a Committee of Council by way of appointment of community members to manage or advise on particular Council assets or functions. The committees are commonly known and referred to as Section 355 Committees.

There are currently 11 Section 355 Committees, made up of eight Asset Committees and three Advisory Committees.

Asset Committees:

- Alma Oval Community Committee
- BIU Band Hall Community Committee
- ET Lamb Memorial Oval Community Committee
- Friends of the Flora and Fauna of the Barrier Ranges Committee

- Memorial Oval Community Committee
- Norm Fox Sporting Complex Community Committee
- Picton Sportsground Community Committee
- Riddiford Arboretum Community Committee

Advisory Committees:

- Broken Hill Heritage Committee
- Broken Hill Regional Art Gallery Advisory Committee
- Community Strategic Plan Round Table

Report:

Council's Section 355 Advisory and Asset Committee Manuals state that all committees are in place for the term of the current Council (four years) and that committees are required to submit an Annual Report for period 2018/19; and Financial Report for period 2018/19, where relevant.

Reports specifically required include:

- Asset Committees: Annual Report 2018/19 and Financial Report 2018/19
- Advisory Committees: Annual Report 2018/19

Reports have been received from the following committees:

- Norm Fox Sporting Complex Community Committee
- Friends of the Flora and Fauna of the Barrier Ranges Community Committee
- BIU Band Hall Community Committee
- Alma Oval Community Committee
- Community Strategic Plan Round Table Committee
- Broken Hill Heritage Committee
- Riddiford Arboretum Community Committee
- Broken Hill Regional Art Gallery Advisory Committee

Reports remain outstanding for the following committees and will be presented to Council once available:

- Memorial Oval Community Committee
- Picton Sportsground Community Committee

It is recommended that as the E.T. Lamb Memorial Oval Community Committee has not established nor operated as a viable committee for the 2018/19 period (due to inability to achieve required level of committee membership) there is no requirement to submit an Annual Report. Further review of the viability of this committee will be undertaken.

Strategic Direction:

- Key Direction: 4. Our Leadership
 Objective: 4.3 We Unite to Succeed in Australia's First Heritage Listed City
 Function: Corporate Support
 DP Action: 4.3.1.02 Support Council's Section 355 Committees in undertaking their duties with Council

Relevant Legislation:

Local Government Act 1993 - Section 355 'How a council may exercise functions' and Section 377 'General power of the council to delegate'.

The Broken Hill Regional Art Gallery Advisory Committee operates under Council's S355 Advisory Committee Framework which includes the Section 355 Advisory Committee Manual

(adopted 29 March 2017) and the Broken Hill Regional Art Gallery Advisory Committee Constitution (amended and adopted 27 June 2017).

Financial Implications:

There are no financial implications arising from the recommendations of this report. Where relevant, a Financial Report for period 2017/18 has been included.

Attachments

1. 2018-2019 Norm Fox Sporting Complex Annual Report
[↓](#)
2. 2018-2019 Friends of the Flora and Fauna of the Barrier Ranges Community
Committee Annual Report
[↓](#)
3. 2018-2019 BIU Band Hall Annual Report
[↓](#)
4. 2018-2019 BIU Band Hall Annual Financial Statements
[↓](#)
5. 2018-2019 Alma Oval Community Committee Annual and Financial Reports
[↓](#)
6. 2018-2019 Community Strategic Round Table Annual Report
[↓](#)
7. 2018-2019 Broken Hill Heritage Committee Annual Report
[↓](#)
8. 2018-2019 Riddiford Arboretum Community Committee Annual Report
[↓](#)
9. 2018-2019 Broken Hill Regional Art Gallery Advisory Committee Annual Report
[↓](#)

RAZIJA NU'MAN
DIRECTOR CORPORATE

JAMES RONCON
GENERAL MANAGER



355 COMMITTEE ANNUAL REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 1 – SECTION 355 COMMITTEE

Name of Committee: NORM FOX SPORTING COMPLEX

Annual Report period: 2018 - 2019

SECTION 2 – ANNUAL REPORT

1. Number of meetings conducted and dates of meetings

Date of Meeting	Meeting conducted	No quorum, meeting not held
NO MEETING WERE HELD DURING PERIOD		

2. Attendance by Members

Member name	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date
HO MEETINGS		HELD											

**3. Activities/Projects/
Achievements**

GENERAL MAINTANANCE

4. Ongoing Issues

LACK OF USE OF FACILITY

**5. Completed
Maintenance**

6. Financial Report

HAS BEEN PROVIDED

Please detail any other
relevant information:

SECTION 3 – PRIVACY STATEMENT

Council is collecting your personal information in accordance with the *Privacy and Personal Information Protection Act 1998*.

The purpose for collecting your personal information is to obtain and record details of S355 Committees. The intended recipients of the personal information collected includes Council officers, S355 Committee members or other agents contracted by Council. If necessary for reporting purposes, your name and contact details may be made publicly available via Council's Business Papers and on Council's website. The supply of your personal information is voluntary. If you cannot provide or do not wish to provide the information sought, Council may not be able to process your application.

You may make an application for access or amendment to information held by Council. Council will consider any such application in accordance with the Act. Enquiries concerning this matter can be directed to the Public Officer by email council@brokenhill.nsw.gov.au or addressed to Broken Hill City Council, 240 Blende Street, Broken Hill NSW 2880.

Your information will be collected and stored by Broken Hill City Council, 240 Blende Street, Broken Hill NSW 2880.

SECTION 4 - DECLARATION

Signature: _____ *F.Billing* _____ Date: 20.8.19

Printed Name: _____ FRED BILLING _____

Position: _____ TREASURER _____



BROKEN HILL
CITY COUNCIL

355 COMMITTEE ANNUAL REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au
If insufficient room please supply additional attachments.

SECTION 355 COMMITTEE

Name of Committee: The Flora and Fauna of The Barrier Ranges

Annual Report
Period: 2018 - 2019

ANNUAL REPORT

	Date of Meeting	Meeting conducted	No quorum, meeting not held
1. Number of meetings conducted and dates of meetings	17 July 2018	Yes	
	21 August 2018	Yes	
	18 September 2018	Yes	
	16 October 2018	Yes	
	20 November 2018	Yes	
	18 February 2019	Yes	
	19 March 2019	Yes	
	16 April 2019	Yes	
	20 May 2019	No	
	17 June 2019	Yes	

2. Attendance by Members See attached

WORKING BEES

- 21 July 2018 (cancelled)
- 6 October 2018
- 3 November 2018
- 30 March 2019
- 27 April 2019
- 29 June 2019

3. Activities / Projects / Achievements

PROJECTS

- Electric gate installed at campsite
- Coca Cola Salvation Function for the less fortunate hosted at the Sculptures
- Built brick garden at campsite
- Built tree bays in picnic area for during the drought
- Assisted where necessary Buckleys Film and Ballet Film crews

AUSTRALIA'S FIRST HERITAGE LISTED CITY

- | | |
|---------------------------------|--|
| | <ul style="list-style-type: none"> • Built walking track in south regeneration |
| 4. Ongoing Issues | <ul style="list-style-type: none"> • Nil |
| 5. Completed Maintenance | <ul style="list-style-type: none"> • Prunning Flora and Fauna site • Installation of BBQ in campsite (tent area) |
| 6. Financial Report | <ul style="list-style-type: none"> • Not applicable |

Please provide further relevant information:

PRIVACY STATEMENT

Council is collecting your personal information in accordance with the Privacy and Personal Information Protection Act 1998. The purpose for collecting your personal information is to obtain and record contact details and to assess your suitability for appointment to a S355 Committee.

The intended recipients of the personal information collected includes Council officers, S355 Committee members, and contractors or other agents contracted by Council. If appointed to a committee, your name and contact details will not be made public on Council's website and will be removed from all applications and reports in Council's Business Papers. The supply of the information is voluntary. If you cannot provide or do not wish to provide the information sought, Council may not be able to process your application.

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Signature		Date:	16/08/2019
Printed Name	On behalf of Darrell Ford		
Position	Living Desert Ranger		



Attendance
by
Members

Member Name	17 Jul 2018	21 Aug 2018	18 Sep 2018	16 Oct 2018	20 Nov 2018	18 Feb 2019	19 Mar 2019	16 Apr 2019	20 May 2019	17 Jun 2019
Councillor Marion Browne	Y	A	A	A	Y	A	Y	Y		A
David Spielvogel	Y	Y	Y	Y	Y	Y	A	Y		Y
Dean Fletcher	Y	A	Y	A	A	Y	A	A		A
Geoffrey Hoare	A	A	Y	Y	Y	A	Y	A		Y
Jeff Crase	Y	Y	Y	A	Y	A	Y	Y		Y
Ray Allen	Y	Y	A	A	Y	Y	Y	A		Y
Ronald Tumes	Y	A	Y	Y	Y	A	A	A		A
Jill Spielvogel	Y	Y	Y	Y	Y	Y	A	Y		Y
Lynette Campigli	Y	N	A	Y	A	Y	A	A		A
Susan Spangler	Y	Y	Y	Y	Y	A	Y	A		Y
Nevada Ford	A	A	A	A	A	A	A	A		A
Alison Gander	A	N	A	A	A	A	A	A		A
Sandra Havran	A	A	A	A	Y	A	A	Resigned from Committee		
Paul Reed	Y	Y	Y	A	Y	Y	A	A		Y
John Rogers	Y	Y	A	Y	Y	Y	Y	Y		Y
Michael Ford	A	A	A	A	A	A	A	A		A
Gaylene Ford	A	Y	Y	Y	Y	Y	A	Y		Y
Eve-Lyn Kennedy	N	N	N	N	N	N	N	Removed from Committee		
Rosalind Molesworth	Y	Y	Y	A	A	A	A	Y		Y
Ann Evers	N	A	Y	A	Y	Y	Y	A		Y
Kellie Scott	A	Y	Y	Y	Y	Y	A	Y		Y
Jamie Scott	A	A	A	A	A	A	A	A		
Darrell Ford (BHCC)	A	A	Y	Y	Y	Y	Y	Y		Y
Marren Coombe										A



355 COMMITTEE ANNUAL REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 1 – SECTION 355 COMMITTEE

Name of Committee: BIU Band Hall S355 Community Committee

Annual Report period: 2018-2019

SECTION 2 – ANNUAL REPORT

1. Number of meetings conducted and dates of meetings	Date of Meeting	Meeting conducted	No quorum, meeting not held
	11-9-2018	yes	
	9-10-2018	yes	
	27-11-2018	yes	
	19-2-2019	yes	
	2-4-2019	yes	
	28-5-2019	yes	

2. Attendance by Members

Member name	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date
Mark Curtis	11-9-18	9-10-18	27-11-18	19-2-19	2-4-19	28-5-19												
Robynne Sanderson	11-9-18	9-10-18	27-11-18	19-2-19	2-4-19	28-5-19												
Kyla Vine	11-9-18	9-10-18	27-11-18	19-2-19														
Lisa McAllister	11-9-18	9-10-18	27-11-18	19-2-19	2-4-19													
Branko Licul	11-9-18	9-10-18		19-2-19		28-5-19												
Loene Crowley			27-11-18	19-2-19	2-4-19													
Rebecca McLaughlin	-	-	-	19-2-19		28-5-19												

**3. Activities/Projects/
Achievements**

The formation of our committee on 18 April 2017 marked a major change in the way the finances, upkeep and hire of the BIU Band Hall are administered. After dealing with transitional issues (electricity bills, hall cleaning, hall hire procedure) in 2017-2018, this year has been a time of consolidating the committee's role and procedures. Some specific activities, projects and achievements:

- * review and update hall hire procedure and forms
- * as well as regular weekly usage, additional usage for orchestra workshops and two concerts
- * first aid kit upgrade * new LED interior lighting

4. Ongoing Issues

Works requested but not yet done:

- * hazard inspection needs to be followed up - some items need addressing
- * hall heating

We need more committee members. Council has advertised vacancies. During 2018-2019 our secretary resigned due to family commitments in Melbourne and our treasurer resigned due to work commitments. The committee has bounced back, with a new secretary and treasurer appointed and settling into their roles. However we still need at least 1 more committee member.

**5. Completed
Maintenance**

- * new interior LED lights
- * hot water system fixed
- * evaporative air cooler fixed

6. Financial Report

Complete spreadsheet attached to email as a separate document.

Financial SUMMARY, based on data supplied by treasurer:

Opening balance 1 July 2018:	\$3,579.93
Total Income:	\$2,190.00
Total Expenses:	- \$3,054.99
Closing balance 30 June 2019:	\$2,714.94

Please detail any other relevant information:

The committee has a new email address:

biu.bandhall@hotmail.com

This will allow for continuity of contact details if there is a change of personnel on the committee.

SECTION 3 – PRIVACY STATEMENT

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SECTION 4 - DECLARATION

Signature: _____ Date: 3 Sep 2019
Printed Name: Robynne Sanderson (submitted via email)
Position: Secretary

Payment & Receipt Register - July-September 2018-19

Transaction Number	Transaction Type	Date	Description of Transaction	Reconciled	Debit (GST Inc)	Credit (GST Inc)	Balance	GST (Yes/No)	GST Amount
			Opening Balance				\$3,579.93		
1	Cheque	13/08/2018	Origin Energy (Electricity - Hall)	✓	\$656.22		-\$656.22		
							Total		\$2,923.71
									\$0.00

Payment & Receipt Register - October-December 2018-19

Transaction Number	Transaction Type	Date	Description of Transaction	Consolidated	Debit (GST Inc)	Credit (GST Inc)	Balance	GST (Yes/No)	GST Amount
			Balance brought forward				\$2,923.71		\$0.00
1	Bank Deposit	10/09/2018	Cheque for Hall Hire (6 months) - Broken Hill Civic Orchestra	✓		\$770.00	\$3,693.71		
2	Cheque	21/11/2018	Origin Energy (Electricity - Hall)	✓	\$430.52		\$3,263.19		
3	Bank Deposit	27/11/2018	Cheque for Hall Hire (6 months) - Broken Hill Civic Orchestra	✓		\$770.00	\$4,033.19		
4	Cheque	27/11/2018	BIU Band INC (refund Electricity costs)	✓	\$486.34		\$3,546.85		
5	Cheque	27/11/2018	Cleaner - Hayden Crowley (Cleaning Products)	✓	\$39.95		\$3,506.90		
6	Cheque	27/11/2018	Cleaner - Hayden Crowley	✓	\$700.00		\$2,806.90		
Total							\$2,806.90		\$0.00

Payment & Receipt Register - January-March 2018-19

Transaction Number	Transaction Type	Date	Description of Transaction	Consolidated	Debit (GST Inc)	Credit (GST Inc)	Balance	GST (Yes/No)	GST Amount
			Balance brought forward				\$2,806.90		\$0.00
1	Cheque	2/07/2019	Origin Energy (Electricity - Hall)	✓	\$282.42		\$2,524.48		
2	Bank Deposit	18/02/2019	BIU Band INC (Adopted Fee Charge for 2018)	✓		\$650.00	\$3,174.48		
Total							\$3,174.48		\$0.00

Payment & Receipt Register - April-June 2018-19

Transaction Number	Transaction Type	Date	Description of Transaction	Consolidated	Debit (GST Inc)	Credit (GST Inc)	Balance	GST (Yes/No)	GST Amount
			Balance brought forward				\$3,174.48		\$0.00
1	Cheque	4/02/2019	Cleaner - Hayden Crowley	<input checked="" type="checkbox"/>	\$150.00		\$3,024.48		
2	Cheque	20/5/2019	Origin Energy (Electricity - Hall)	<input checked="" type="checkbox"/>	\$309.54		\$2,714.94		
Total							\$2,714.94		\$0.00



355 committee annual report

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au
If insufficient room please supply additional attachments.

SECTION 355 COMMITTEE

Name of Committee: Alma Oval Management Committee

Annual Report Period: September 3rd.

ANNUAL REPORT

	Date of Meeting	Meeting conducted	No quorum, meeting not held
1. Number of meetings conducted and dates of meetings	24/07/19	yes	

	Member Name	Date	Date	Date	Date
2. Attendance by Members	Allan Elliott	24/07/19			
	Ron Butcher	24/07/19			
	Pam O'Dwyer	24/07/19			
	Peter O'Dwyer	24/07/19			
	Rebecca McLaughlin	24/07/19			

3. Activities / Projects / Achievements

1 - Up to present date removed all old and dangerous wood seats and replaced with steel seating around perimeter of Oval (20 or more seats still need to fill vacant seat spaces) Council welded 10 seat tops Alma School side as . 2 - Seating inside and outside of Change Rooms replaced with steel seating. 3 - Installed seating on the Mound (Phil Neal Hill). 4 - Vandal proofed Change Room windows with mesh frames. 5 - Made removable mesh frames at Canteen serving windows. 6 - Made security Canteen door. 7 - Made security door South Change Room side Entrance, (next to canteen), made and installed by Committee. 8 - Made massage table in both change rooms (bolted to floor). 9 - Made security door for old access stairs to Timekeepers room to house cleaning products. Hand rails fitted in Grand stand. Changed Rainbird pop ups with Hunter I41 pop ups approximately 60, purchased by Committee.

Keeping the grounds weed and prickly proof and clean and tidy, keeping the grass under control around the perimeter fence, keep the Change Rooms and Toilets clean and tidy

4. Ongoing Issues

1 - Footpaths trip hazards 2 - Bituman Gravel loose on Mound, gravel stops on footpath and at end and during Football and cricket games is slippry and elderly are at risk(needs resurfacing).3 - Car parking area needs to be leveled and rain water needs be channeled into Wilson St.

4 - Needs Shade protection for the people. 5 - Badly in need of lighting towards Boughtman St. For training (at present the only light pole on the Alma School side has blown down) and two poles need to be spaced out to have improved lighting at that area. For Night Football and possibly Cricket The Oval lights need to be bought up to todays Standards. 6 - The outside Mens and Ladies outside Toilets needs to be upgraded to 2018 Standards, there is no Wheel chair access at the oval. 7 - The change rooms needs to accommodate facilities for the Female Football Team players. 8 - Change Urinals need to be automated to cater for the small yong players that can not yet reach the chain and do the right thing and flush it(Adults are to blame as well).

9 - A modern updated Electronic Score Board would be good.

10 -Time keepers roomneeds asbestos sheeting removed, isulated and gyprocked and a reverse cycle airconditioner installed. 11 - The filtration system needs to be upgraded as this costs a lot of time and money now as pop up sprays needs constant removal to clean the blocked filters in the sprays.

5. Completed Maintenance

The Oval lawn and Cricket Pitch has been refurbished by Council, and now has complete grass coverage on the Oval.

6. Financial Report

Please provide further relevant information:



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Signature *P O'Dwyer.* Date: *4.9.19*
Printed Name *PETER O'DWYER.*
Position *SECRETARY / TREASURER.*

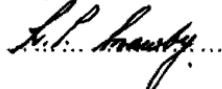


ALMA OVAL MANAGEMENT COMMITTEEBank Reconciliation StatementAs at 31 March 2019

		\$.	C.
Cash Book	1/4/18	12481.59	
<u>Plus</u> Income		<u>18386.01</u>	
		30867.60	
<u>Less</u> Expenditure		<u>18001.01</u>	
Cash Book	31/3/19	<u>12866.59</u>	
<u>Bank Statement</u>	31/3/19	13277.39	
<u>Less</u> Unpresented chqs (872)	\$114.45		
	(883)	48.95	
	(887)	47.40	
	(888)	<u>200.00</u>	
		<u>410.80</u>	
		<u>12866.59</u>	

Auditor's Report

I have examined the books and vouchers of the ALMA OVAL MANAGEMENT COMMITTEE for the year ending 31 March 2019. In my opinion the above Statements of Financial Performance and Bank Reconciliation present a true and fair view of the transactions for the period according to the records and information supplied.



R.P. Mawby FIPA FFA

Audited 1/7/19

ALMA OVAL MANAGEMENT COMMITTEEStatement of Financial PerformanceFor year ended 31 March 2019

<u>Income</u>	<u>\$.</u>	<u>C.</u>
South Football Club	1369.09	
Electricity	1334.26	
Contribution / Hire	800.00	
AFL / BH Football League	5070.29	
BH City Council Mtce. Grant	8080.00	
Advertising	181.81	
Broken Hill Cricket League	613.63	
GST	<u>936.93</u>	
	<u>18386.01</u>	
<u>Expenditure</u>		
Electricity	4007.51	
Ground Maintenance	3250.55	
Caretaker	4926.72	
Honorarium	400.00	
Telstra / Telephone	675.48	
Auditor	90.90	
Aust. Post / Stationery	172.72	
Cleaning Supplies	244.07	
Equipment	2390.00	
BHCC / GST Return	634.93	
GST	1195.63	
Bank Charges	<u>12.50</u>	
	<u>18001.01</u>	
<u>Operating Surplus</u>		<u>385.00</u>



355 COMMITTEE ANNUAL REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 1 – SECTION 355 COMMITTEE

Name of Committee: Broken Hill Community Strategic Plan Round Table

Annual Report period: 1 July 2018 to 30 June 2019

SECTION 2 – ANNUAL REPORT

1. Number of meetings conducted and dates of meetings	Date of Meeting	Meeting conducted	No quorum, meeting not held
	22 August 2018	Yes	
	14 November 2018	Yes	
	20 March 2019	Yes	
	15 May 2019	Yes	

2. Attendance by Members

Member name	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date
Mayor Darreac Turley	22/8/2018		20/3/2019				Aboriginal							
Our Leadership	22/8/2018		20/3/2018	15/5/2019			Broken Hill							
Our Economy							Primary He	22/8/2018		20/3/2019	15/5/2019			
Our Community							Local Abo		14/11/2018					
Our Environment	22/8/2018	14/11/2018	20/3/2019	15/5/2019										
Police	22/8/2018	14/11/2018		15/5/2019										
Health	22/8/2018	14/11/2018	20/3/2019	15/5/2019										
Education				15/5/2019										
Regional Developme			20/3/2019	15/5/2019										
Foundation Broken H	22/8/2018	14/11/2018		15/5/2019										
Community Represer	22/8/2018	14/11/2018	20/3/2019	15/5/2019										
Aboriginal Communi		14/11/2018												

3. **Activities/Projects/
Achievements**

4. **Ongoing Issues**

5. **Completed
Maintenance**

6. **Financial Report**

Please detail any other
relevant information:

SECTION 3 – PRIVACY STATEMENT

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SECTION 4 - DECLARATION

Signature:  Date: 2 September 2019

Printed Name: Darriea Turley AM

Position: Mayor



355 COMMITTEE ANNUAL REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 1 – SECTION 355 COMMITTEE

Name of Committee: Broken Hill Heritage Committee

Annual Report period: 1 July 2018 - 30 June 2019

SECTION 2 – ANNUAL REPORT

1. Number of meetings conducted and dates of meetings

Date of Meeting	Meeting conducted	No quorum, meeting not held
5 July 2018	yes	
6 September 2018	yes	
October 2018	yes	
1 November 2018	yes	
January 2019	yes	
21 February 2019	yes	
21 March 2019	yes	

2. Attendance by Members

Member name	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date
Darieda Turley	5 July	6 Sept	1 Novemb	24 Januar	21 Februari	21 March												
Christine Adams	5 July	6 Septemt	25 Octobe	1 Novemb	24 january	21 Februari	21 March											
Marion Brwne	5 July	6 Septemt	25 Octobe	1 NOVemt	24 Januar	21 Februari	21 March											
Maureen Clark	5 July	6 Septemt	25 Octobe	1 Novemb	24 Januar	21 Februari	21 March											
Ron Page	25 Octobe	1 Novemt																
Simon Molesworth	21 March	Simon join	for most	meetings	by phone	link												
Eric McCormick	5 July	6 Septemt	25 Octobe	1 Novemb	24 Januar	21 March												
Susanne Olsen	6 Septemt	24 Januar	21 March															
Paula Williams	Paula join	for some	meetings	by phone	link													
Andrew Gosling	5 July	25 Octobe	19 Januar															

3. Activities/Projects/Achievements Broken Hill Heritage Committee concentrated on the 2019 Heritage Festival: Mining Our Own Business. This was a great success; There was an increase in numbers attending from the previous year which encourages the members to push forward for the 2020 Festival. It was pleasing to see community groups and individuals contribute to the festival by participation or financial sponsorship. All assisted in making this festival a successful event.

4. Ongoing Issues Funding for such events will always be a challenge but the future looks promising.

5. Completed Maintenance n/a

6. Financial Report n/a

Please detail any other relevant information:

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SECTION 4 - DECLARATION

Signature: _____ Date: 6/9/16

Printed Name: Christine Adams

Position: Secretary



BROKEN HILL
CITY COUNCIL

355 COMMITTEE ANNUAL REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 1 – SECTION 355 COMMITTEE

Name of Committee: RIDDIFORD ARBORETUM SECT 355 MANAGEMENT COMMITTEE

Annual Report period: JULY 2018-JUNE 2019

SECTION 2 – ANNUAL REPORT

1. Number of meetings conducted and dates of meetings	Date of Meeting	Meeting conducted	No quorum, meeting not held
		July 7, 2018	Yes
	August 4, 2018	Yes	
	September 1, 2018	Yes	
	October 6, 2018	Yes	
	November 3, 2018	Yes	
	December 1, 2018	Yes	
	February 2, 2019	Yes	
	March 2, 2019	Yes	
	April 6, 2019	Yes	
	May 4, 2019	Yes	
	June 1, 2019	Yes	

2. Attendance by Members

Member name	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date
Wayne Lovis	7/7/18			6/10/18	3/11/18	1/12/18	2/2/19	2/3/19	6/4/19	4/5/19	1/6/19		
Marion Browne	7/7/18	4/8/18	1/9/18	6/10/18	3/11/18	1/12/18	2/2/19	2/3/19	6/4/19	4/5/19	1/6/19		
Lindy Molesworth	7/7/18	4/8/18	1/9/18		3/11/18	1/12/18	2/2/19	2/3/19	6/4/19	4/5/19	1/6/19		
Fay Whitfield	7/7/18	4/8/18	1/9/18	6/10/18	3/11/18	1/12/18	2/2/19	2/3/19	6/4/19	4/5/19	1/6/19		
Bob Pascoe	7/7/18	4/8/18	1/9/18	6/10/18	3/11/18	1/12/18	2/2/19	2/3/19	6/4/19	4/5/19			
Andrew Smith	7/7/18	4/8/18			3/11/18	1/12/18	2/2/19	2/3/19	6/4/19	4/5/19	1/6/19		
Alison Sutton	7/7/18	4/8/18	1/9/18	6/10/18	3/11/18	1/12/18	2/2/19	2/3/19	6/4/19	4/5/19	1/6/19		
Hans Noorman	7/7/18	4/8/18	1/9/18										

3. Activities/Projects/Achievements The committee has continued to undertake regular sweeping, rubbish-clearing, tree trimming, saltbush removal etc. One of our members has done this on an almost daily basis, especially during the heat of summer. Members have also been closely involved in the consultations around the development of the sculpture project in the arboretum and look forward to the completion of this.

4. Ongoing Issues Difficulty in developing a satisfactory budget. Occasional delays in delivery of mulch and collection of tree trimmings etc by council.

5. Completed Maintenance Ongoing as described above. Work continues after each meeting and at working bees held midway between monthly meetings

6. Financial Report N/A

Please detail any other relevant information:

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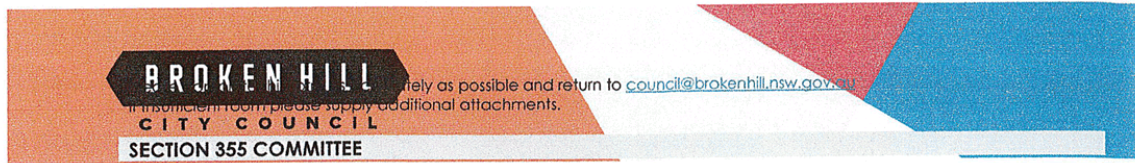
Your information will be collected and stored by Broken Hill City Council, 240 Blende Street, Broken Hill NSW 2880.

SECTION 4 - DECLARATION

Signature: Marion Browne  Digitally signed by Marion Browne
Date: 2019.09.05 21:27:45 +09'30' Date: 5/9/2019

Printed Name: Marion Browne

Position: Secretary, Riddiford Arboretum Sect 355 Management Committee



355 committee annual report

Name of Committee: Broken Hill Regional Art Gallery Advisory Committee

Annual Report
Period: July 2018 - June 2019

ANNUAL REPORT

1. Number of meetings conducted and dates of meetings	Date of Meeting	Meeting conducted	No quorum, meeting not held
(See Attachment)			

2. Attendance by Members	Member Name	Date	Date	Date	Date
(See Attachment)					

3. Activities / Projects / Achievements

Collection Project Manager, Eileen Wright, and a Collection Project Assistant hired from Regional Cultural Fund grant (\$433,000)

Concern by members about large numbers of artworks in storage. Suggestions re displays in shopfronts to be investigated. Suggestions for Civic Centre investigated – lighting and hanging issues found.

Motion to investigate the May Harding Gallery which had been at the Civic Centre before its refurbishment and was now missing . Not resolved .

Letter and evidence written by Chair Maureen Clark to support community application to rename Airport Road Pro Hart Way. This application passed successfully by Asset Naming Committee and gazetted by NSW Government Geographical Names Board

Heritage Advisor, Paul Davies, advised on a long term project to devise an exterior colour scheme for the RAG and interior works

Donations from Robin Sellick and Luke Sciberras accepted

Andrew Overton (Overton Creative Consulting) rewriting Gallery Strategic Business Plan and policies eg Public Art Policy. Examples from other Council shown to Committee.

Outback Art Prize entries close with 360 entries. Nici Compston , curator of ATSI art at Art Gallery of SA to be the judge

Fundraiser dinner planned for July to celebrate 115 years of RAG

4. Ongoing Issues

Committee decision to enforce the constitution re removing any member who misses



3 or more consecutive meetings without a written apology to the Chair due to potential difficulty in achieving a quorum. Cr R Page removed. (See attachment)

Justin Files added to committee to replace Mr John Sloane who had previously resigned due to work commitments out of town. Ms Iris Dobbin resigned as she was moving from Broken Hill

Concern re safety at exhibitions with patrons holding glasses near upstairs balcony railing.

Concern that committee members may be moving into operational matters with suggestions including their involvement in public art events

Front Windows of Gallery – put off until the 2019-2020 Budget

Humidifier to be upgraded

**5. Completed
Maintenance**

PRIVACY STATEMENT

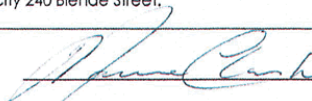
Council is collecting your personal information in accordance with the Privacy and Personal Information Protection Act 1998. The purpose for collecting your personal information is to obtain and record contact details and to assess your suitability for appointment to a S355 Committee.

The intended recipients of the personal information collected includes Council officers, S355 Committee members, and contractors or other agents contracted by Council. If appointed to a committee, your name and contact details will not be made public on Council's website and will be removed from all applications and reports in Council's Business Papers.

The supply of the information is voluntary. If you cannot provide or do not wish to provide the information sought, Council may not be able to process your application.

You may make application for access or amendment to information held by Council. Council will consider any such application in accordance with the Act. Enquiries concerning this matter can be directed to the Public Officer council@brokenhill.nsw.gov.au or addressed to Broken Hill City 240 Blende Street.

Signature



Date: 12.9.19

Printed Name

Maureen Clark

Position

Chair, Regional Art Gallery Advisory
Committee

355 Regional Art Gallery Advisory Committee Annual Report 2019 Meeting and Attendance - Attachment						
Member Name	15.8.18	3.10.18	27.11.18	13.2.19	22.5.19	
Cr Maureen Clark	X	X	X	X	X	X
Cr Branko Licul	X	X	Apology	X	X	X
Cr Ron Page	REMOVED					
Mr Rick Ball		Apology		X	X	X
Mr Clark Barrett	Apology	X	X	X	X	X
Mrs Jenny Cattonar	X	X	X	X	X	X
Ms Tracy Fraser	Apology	Apology	Apology	Apology	X	X
Ms Iris Dobbin	X	RESIGNED				
Mr Andrew Gosling	Apology	X	X	Apology	Apology	Apology
Ms Eve-lyn Kennedy		X		X	Apology	Apology
Justice Simon Molesworth	Apology	Apology	X	Apology	X	X
Ms Susanne Olsen	X	Apology	Apology	X	X	X
Mrs Robyn Taylor	X	X	X	Apology	Apology	Apology
Mr Justin Files	Apology				X First meeting	X
Ms Tara Callaghan	X	X	X	X	X	X
	Left					
	Absent; no apology					

ORDINARY MEETING OF THE COUNCIL

August 27, 2019

ITEM 3

BROKEN HILL CITY COUNCIL REPORT NO. 160/19

SUBJECT: MINUTES OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETINGS HELD AUGUST 20, 2019 12/51

Recommendation

1. That Broken Hill City Council Report No. 160/19 dated August 27, 2019, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held August 20, 2019 be received.

Executive Summary:

Council has received minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held August 20, 2019 for endorsement by Council.

Report:

As per Council's Section 355 Asset Committee Framework Manual and the Constitution of the Friends of the Flora and Fauna of the Barrier Ranges Community 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 Friends of the Flora and Fauna of the Barrier Ranges Community Committee has submitted minutes from its meeting held August 20, 2019 for Council's endorsement.

Strategic Direction:

Key Direction:	1	Our Community
Objective:	1.4	Our built environment supports our quality of life
Strategy:	1.4.2	Maintain the serviceability of Council's assets at an appropriate condition level

Relevant Legislation:

The Friends of the Flora and Fauna of the Barrier Ranges Community Committee operates under Council's Section 355 Asset Committee Constitution and the *Local Government Act 1993* (Section 355).

Attachments

1. MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER
[↓](#) RANGES COMMUNITY COMMITTEE - AUGUST 2019

ANTHONY MISAGH
CHIEF OPERATIONS OFFICER

JAMES RONCON
GENERAL MANAGER

MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE S355 MEETING HELD 28 AUGUST 2019 AT 4PM – COUNCIL CHAMBER, 240 BLENDE STREET, BROKEN HILL

12/51

- 1. Present:** Jeff Crase, Paul Reed, Ray Allen, David Spielvogel, Merran Coombe, Gaylene Ford, Anne Evers, Geoffrey Hoare, John Rogers (Chairperson), Ray Allen, Sue Spangler (BHCC) and Darrell Ford (BHCC).
- 2. Apologies:** Councillor Marion Browne, Jill Spielvogel, Ronald Tumes, Jamie Scott, Michael Ford, Nevada Ford, Alison Gander, Dean Fletcher, Lyn Campigli, Kellie Scott (Vice Chairperson) and Rosalind Molesworth.

Non-Attendance:

3. Confirmation of Minutes of Previous Meeting:

Previous minutes: 16 July 2019

Moved: Jeff Crase

Seconded: Paul Reed

4. Business arising from Previous Minutes: Nil

5. Correspondence: Nil

6. Update on Action List Items:

- 6.1 Working Bee – Saturday, 14 September 2019 at 9am
- 6.2 Identification Cards – As required
- 6.3 Cold Set – Bitumen pouring over crushed paths – Pending

7. Reports:

- 7.1 Starview Primitive Campsite
Middle of September people will be able to book campsite online.
- 7.2 Tourist Numbers
Tourist numbers are fairly consistent, around average visitations.
- 7.3 Work update
Material for paths has arrived. Hay is getting hard to purchase.

8. Rosters: up to date

August

- 31/08 – 01/09 Jeff Crase and Merran Coombe

September

- 06/09 – 07/09 BHCC
- 13/09 – 17/09 BHCC
- 21/09 – 22/09 Kellie Scott and John Rogers
- 28/09 – 29/09 Sue Spangler (BHCC)

October

- 05/10 – 06/10 Darrell Ford (BHCC)
- 12/10 – 13/10 Sue Spangler (BHCC)
- 19/10 – 20/10 David and Jill Spielvogel
- 26/10 – 27/10 Darrell Ford (BHCC)

November

- 02/11 – 03/11 Sue Spangler (BHCC)
- 09/11 – 10/11 Anne Evers
- 16/11 – 17/11 Darrell Ford (BHCC)

9. General Business:

9.1 Working Bee

Saturday, 14 September 2019 at 9am – meet at office. Working bee will be spent spreading gravel on paths.

Action List:

ACTION	WHO
1 Working Bee –	Committee
2 Identification Cards - <i>As required</i>	Customer Relations
3 Cold Set – bitumen pouring over crushed paths - <i>pending</i>	D Ford - Ranger

Next Meeting: Tuesday, 17 September 2019 – Council Chamber – 4pm (ACDT)

10. Meeting Closed: 4.25 pm

ORDINARY MEETING OF THE COUNCIL

September 6, 2019

ITEM 4

BROKEN HILL CITY COUNCIL REPORT NO. 161/19

SUBJECT: MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD 6 AUGUST 2019 12/52

Recommendation

1. That Broken Hill City Council Report No. 161/19 dated September 6, 2019, be received.
2. That minutes of the Memorial Oval Community Committee Meeting held 6 August 2019 be received.

Executive Summary:

Council has received minutes from the Memorial Oval Community Committee Meeting held 6 August 2019 for endorsement by Council.

Report:

As per Council’s Section 355 Asset Committee Framework Manual and the Constitution of the Memorial Oval Community 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 Memorial Oval Community Committee has submitted minutes from its Committee Meeting held 6 August 2019 for Council’s endorsement.

Strategic Direction:

Key Direction:	1	Our Community
Objective:	1.4	Our built environment supports our quality of life
Strategy:	1.4.2	Maintain the serviceability of Council’s assets at an appropriate condition level

Relevant Legislation:

The Memorial Oval Community Committee operates under Council’s S355 Asset Committee Framework Manual and Standard Constitution and the *Local Government Act, 1993 (Section 355)*.

Financial Implications:

Nil.

Attachments

1. [↓](#) Minutes of the Memorial Oval Community Committee Meeting held 6 August 2019

ANTHONY MISAGH
CHIEF OPERATIONS OFFICER

JAMES RONCON
GENERAL MANAGER



ORDINARY MEETING MINUTES TEMPLATE

MEMORIAL OVAL COMMUNITY COMMITTEE MINUTES.

Date	06/08/2019	Opened: 6.30pm	Closed: 7.00pm
Location:	Show Office, Memorial Oval		
Present:	Ray Steer, Bruce McIntosh, Dave Gallager, Tania Martyn, Chris May, Tony Camilleri, Alan Titcombe, John Ralph.		

AGENDA	MOVED BY	SECONDED
<p>Welcome: The Secretary John Ralph welcomed all attending Members to the Meeting.</p> <p>Apologies: Dennis Cetinich, Jody Whitehair, Rebecca McLaughlin.</p>	Alan Titcombe.	Tania Martyn.
<p>Confirmation of Minutes from previous meeting held: 02/07/2019</p>	Tony Camilleri.	Chris May.
<p>Inward Correspondence: BH.City Council: Advising that paint for Ticket Boxes and Gates is ok. Informing that the old Scoreboard will be decommissioned from the 5/8/19.</p> <p>Tony Camilleri: Has tendered his resignation, BHHRC will now require another a new delegate.</p>	Tania Martyn.	Chris May.



AGENDA	MOVED BY	SECONDED
<p><u>Financial Report:</u> Bank Balance: July 2019 \$23,947.40 Debtors: CBHFC \$1,750.00. Dept of Defence \$620.00 BH. High: \$200.00.</p>	<p>Dennis Cetinich.</p>	<p>Alan Titcombe.</p>
<p><u>BH. Harness Racing Club:</u> Requires a new delegate, forward a MOCC M/S form to Tracey for Council 355 Committee.</p>	<p>Tony Camilleri.</p>	<p>Tania Martyn.</p>
<p><u>General Business:</u> Tony Camilleri: Committee thanked Tony for his long time service to the MOCC. Dog Clubs: Plans are now in process for 2020. After a very successful 2019. Rebecca McLaughlin: Remind her to meet with Darren Hurley re the coaches boxes. Office Phone: Request Dennis to have this phone installed. Old Scoreboard: Committee suggests to take it down. Pam Kelly: Requires more training to operate new Scoreboard. Silver City Show: Has donated a office desk to the MOCC for their new Office. Canteen: Needs Cleaning. Old Line Marker: Have it Repaired. CBHFC: Old Timers Day, require more Oval Bins.</p>		
<p><u>Work Requests:</u> Remove the sign in the Oval, place it on the ticket box in Warnock Street, add dogs must be on leashes and droppings must be picked up.</p>		
<p><u>Next Meeting:</u> 3rd September 2019 @ 6.30pm.</p>		

ORDINARY MEETING OF THE COUNCIL

September 6, 2019

ITEM 5

BROKEN HILL CITY COUNCIL REPORT NO. 162/19

SUBJECT: MINUTES OF THE BIU BAND HALL COMMUNITY COMMITTEE MEETING HELD 23 JULY 2019 16/8

Recommendation

1. That Broken Hill City Council Report No. 162/19 dated September 6, 2019, be received.
2. That minutes of the BIU Band Hall Community Committee Annual General Meeting held 23 July 2019 be received.

Executive Summary:

Council has received minutes from the BIU Band Hall Community Committee Annual General Meeting held 23 July 2019 for endorsement by Council.

Report:

As per Council’s Section 355 Asset Committee Framework Manual and the Constitution of the BIU Band Hall Community 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 BIU Band Hall Community Committee has submitted minutes from its Committee Annual General Meeting held 23 July 2019 for Council’s endorsement.

Strategic Direction:

Key Direction:	1	Our Community
Objective:	1.4	Our built environment supports our quality of life
Strategy:	1.4.2	Maintain the serviceability of Council’s assets at an appropriate condition level

Relevant Legislation:

The BIU Band Hall Community Committee operates under Council’s S355 Asset Committee Framework Manual and Standard Constitution and the *Local Government Act, 1993* (Section 355).

Financial Implications:



Nil.

Attachments

1. [↓](#) Minutes of BIU Band Hall Community Committee Annual General Meeting.

ANTHONY MISAGH
CHIEF OPERATIONS OFFICER

JAMES RONCON
GENERAL MANAGER

 **BIU BAND HALL S355 COMMUNITY COMMITTEE** 
MINUTES Annual General Meeting held on Tue 23 July 2019

COMMENCED: 6:50pm

BHCC = Broken Hill City Council

APOLOGIES: none

PRESENT: Mark Curtis, Robynne Sanderson, Branko Licul, Loene Crowley, Lisa McAllister, Rebecca McLaughlin

MINUTES OF PREVIOUS MEETING held on Tue 28 May 2019. M. Branko S. Mark. Accepted.

BUSINESS ARISING:

1. *Hazard inspection:* Report submitted to Scott Howe to review. *Bec* will follow up with Scott to check progress.
2. *Electrical test and tag:* *Mark* has spoken to *Peter Harvey* again. *Bec* advised that BHCC will pay for all testing & tagging, with invoice to be submitted by committee to BHCC for payment. An audit of tag currency should be part of regular inspections by committee, with testing & tagging to be done by a licenced person every 2 years or at BHCC's discretion.
3. *2019 hire fee structure:* Kyla emailed our suggestion of a small group hire fee to BHCC on 21 Feb 2019, with the aim of fostering music and providing an affordable performance/practice venue. BHCC proposed a fee of \$77 for this new category, notified by *Bec* to Robynne on 29-5-2019. We didn't respond prior to BHCC finalising the 2019/20 Schedule on 26-6-2019, so our new fee wasn't included in the Schedule. We will resubmit for the 2020/21 schedule.
MOTION: That the committee accept Council's proposed new fee of \$77 for small music group functions of less than 35 people, for a maximum of 3 hours. To be submitted for 2020/21 schedule. M. Lisa S. Loene Carried.
4. *New signatory needed for bank account:* Hold over pending possible new committee members. Also, *Bec* will check if Branko (BHCC Councillor) is allowed to be a signatory. Signatories should be any 2 of 3 to sign.
5. *New committee member needed:* Advertised in BDT; only closed last Friday. *Bec* will check if any responses.
6. *Hall heating:* *Mark* has organised 2 quotes: Matt Barrett Electrical; Len Condon Electrical. Both will send us their quotes by end of week. Len Condon advised that a full reverse-cycle air-con would cost approximately \$20,000-\$26,000. Committee to investigate grant opportunities. *Bec* will talk to *Raji* (Assett Review) and *Ann* who organises Council grant applications. Branko suggested we also recommend having roof insulated when hall is checked for hail repair.
7. *Hall hire for Mrs Hamilton wedding on 21-3-2020:* Mark left forms in her letterbox after hall hire was approved at our last committee meeting. We haven't heard back from her yet.
8. *Committee generic email address:* BHCC IT section still reviewing options for Band Hall email address under Council umbrella. Meanwhile, *Robynne* will set up biu.bandhall@hotmail.com and add this email address to our letterhead and Hall Hire form.
9. *Hall Hire request from Katrina* (for 5 June 2019) Left message. She didn't get back to us, so it appears that she found a different venue rather than hiring our hall.

CORRESPONDENCE IN: * *Kyla Vine fwd BHCC email* – Supplier requirements (notify BHCC of our current email)

* *Email from Rebecca (BHCC rep)* – follow up items from previous meeting:

Information about tag & test


BHCC IT team to check whether we can set up a committee email address

Fee submission – is our committee happy with hire fee of \$77 for small groups?

Constitution states 9 members for committee – review after ad for new members

CORRESPONDENCE OUT: none

Signed: Chairperson 

Secretary 

Date 9-8-19

TREASURER'S REPORT:

Annual Finance Report was due to be submitted to BHCC on 5 June. *Lisa* will follow up.

Treasurer submitted detailed reports for 3 April-30 June (*delayed from previous meeting due to illness*) plus 1 July to 23 July (*for current meeting*). Both reports are attached to these minutes. Summary for current period:

Income from hall hire: \$1020.00

Bills for payment, presented at this meeting:

Mark Curtis \$106.89 Reimburse for First Aid Kit

Approved by committee that Mark and Lisa can sign this cheque, as there is no other signatory at present

Cleaning \$250.00 Two bills: one for \$100, one for \$150

Electricity \$331.77

Current bank balance: \$3,734.94

The Treasurer moved that the report be accepted and the bills be paid. M. Lisa S. Brank Carried

GENERAL BUSINESS:

Annual Report: Needs to be done, using BHCC supplied template.

Appointment of Executive

Chairperson: Mark Curtis Moved: Robynne Sanderson; Seconded: Branko Licul; Carried.

Deputy Chairperson: *vacant – held over until after appointment of new committee member*

Secretary: Robynne Sanderson Moved: Mark Curtis; Seconded: Lisa McAllister; Carried.

Treasurer: Lisa McAllister Moved: Branko Licul; Seconded: Loene Crowley; Carried.

NEXT MEETING: Tue 20 Aug 2019 at 6:45pm

MEETING ENDED: 7:33pm

Signed: Chairperson  Secretary  Date 7-8-19

 **BIU BAND HALL S355 COMMUNITY COMMITTEE** 

Financial Report: 03/04/2019 – 30/06/2019

Closing Balance:		<u>\$3174.48</u>
Balance brought forward:		<u>\$3174.48</u>
Incoming:		\$
Outgoing:		
05/04/2019	Hayden Crowley	\$150.00
	Cleaning Service Invoice 000014	
Cheque #	000011	
20/05/2019	Origin Energy (Electricity – Hall)	\$309.54
Cheque #	000012	
Closing Balance:		<u>\$2714.94</u>

Lisa McAllister
BIU Band Hall S355
Treasurer

 **BIU BAND HALL S355 COMMUNITY COMMITTEE** 

Financial Report: 01/07/2019 – 23/07/2019

Closing Balance:		\$2714.94
Balance brought forward:		\$2714.94
Incoming:		
25/06/2019	Cheque Deposit Hall Hire BHCO (Workshop) receipt#13	\$250.00
25/06/2019	Cheque Deposit Hall Hire BHCO Jan-June receipt#14	\$770.00
Outgoing:		
		\$
Cheque #	00000	
Closing Balance:		\$3734.94

Lisa McAllister
BIU Band Hall S355
Treasurer

CORRESPONDENCE IN

From: McLaughlin, Rebecca <Rebecca.McLaughlin@brokenhill.nsw.gov.au>
Sent: Wednesday, 29 May 2019 4:45 PM
To: 'Robynne Sanderson' <robynne.sanderson@hotmail.com>
Subject: Follow up from meeting 28/05/2019

Hi Robynne,

A quick update on items discussed:

1. Testing and tagging of electrical cords:

Responsibilities per the BIU Band Hall Community Committee Constitution are:

- Committee – Regular visual inspections. Remove damaged items from service. Arrange testing and tagging of electrical cords by an Licensed Electrician (or competent person) every two years or at Council's direction.
- Council - Pay for all testing and tagging. Audit of currency of tags as part of regular inspections.

Once you have arranged for that service, the invoice can be submitted to Council for payment.

2. Email set up:

I have had an initial discussion with the IT Team and have sent through a formal request for them to investigate how we could set up a committee email, if it is possible.

3. Fee submission for 19/20 fn yr:

I've confirmed with Finance that they did receive the BIU Band Hall submission. Finance have asked that I check if the Committee is happy with the hire fee of \$77 inc GST for small groups? Can you please confirm to me ASAP?

4. Committee Membership Structure:

I've checked the Constitution and it is 9 members, which includes at least 1 Councillor Rep.

So based on the current membership of yourself, Mark, Lisa, Loene and Cr Licul, you are currently at 5 members.

I would suggest we advertise as discussed, and following the advertisement period and any new appointments from this, we then consider having Council review the required member number.

I'll arrange for Corporate Services to advertise ASAP.

8. STRUCTURE AND MEMBERSHIP

8.1. The Committee shall consist of nine (9) members to be appointed by resolution of the Council, such members to be nominated in the following manner:

- At least one (1) Councillor representative
- Allowance for one (1) representative per user group
- Reasonable number of community representatives reflecting the size and operations of the facility (to be agreed upon by executive).

8.2. Relevant Council staff can be invited by the Committee to provide information and technical advice on any upcoming Agenda items.

8.3. Council reserves the right to amend the number of Committee members and category of representation.

Thanks,
Bec

From: McLaughlin, Rebecca <Rebecca.McLaughlin@brokenhill.nsw.gov.au>
Sent: Tuesday, 23 July 2019 1:00 PM
To: 'Robynne Sanderson' <robynne.sanderson@hotmail.com>
Subject: RE: Follow up from meeting 28/05/2019

Hi Robynne,

Council adopted the 2019/20 Schedule of Fees and Charges on 26 June 2019, minute number 46096.

The fees relating to the BIU Band Hall that have been included are:

Item No	Particulars	Pricing Policy ID	Units	2017/20 Fees (ex GST)	GST Applicable	2017/20 Fees (inc GST)
4	BIU Band Hall/Soccer Complex					
4 - 50	Broken Hill Soccer Association Inc	Third party	Year	\$ 620.91	Yes \$ 62.09	\$ 683.00
4 - 51	BIU Band Inc	Third party	Year	\$ 604.55	Yes \$ 60.45	\$ 665.00
4 - 52	Broken Hill Civic Orchestra	Third party	Height	\$ 31.82	Yes \$ 3.18	\$ 35.00

As you will see, the hire fee has been omitted and I would say this is because it had not been confirmed prior to adoption.

At this stage, I would encourage the Committee to resubmit for inclusion in the 20/21 Schedule of Fees and Charges, as I don't believe this missing fee warrants the document being returned to Council for alteration, re-advertising, and adoption. You can have a chat with Brad though as you finance contact if you like.

Thanks,
Bec

From: Robynne Sanderson <robynne.sanderson@hotmail.com>
Sent: Tuesday, 23 July 2019 10:55 AM
To: McLaughlin, Rebecca <Rebecca.McLaughlin@brokenhill.nsw.gov.au>
Subject: Re: Follow up from meeting 28/05/2019

Hi Bec,

Thank you for following up these items. Sorry I didn't get back to you about the \$77 hire fee for small groups. We can confirm this tonight.

Cheers, Robynne

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETINGS

1. QUESTIONS ON NOTICE NO. 9/19 - DATED AUGUST 30, 2019 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE AUGUST 2019 COUNCIL MEETING (T18/9)298

ORDINARY MEETING OF THE COUNCIL

August 30, 2019

ITEM 1

QUESTIONS ON NOTICE NO. 9/19

SUBJECT: COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE AUGUST 2019 COUNCIL MEETING T18/9

Summary

The report provides a response to a question raised by a Councillor during the August 2019 Council Meeting, which was taken on notice.

Recommendation

1. That Questions On Notice No. 9/19 dated August 30, 2019, be received.

Background

Following is the response to a question raised by a Councillor which the Mayor and/or General Manager took on notice at the August 2019 Council Meeting.

<p>Question:</p>	<p><u>From Item 17 – Confidential Report – Request for Tender T18/9 Repairs to Hailstorm Structure for the Broken Hill City Council</u></p> <p><i>The Mayor took a question on notice from Councillor Kennedy regarding the accounting/auditing process required to deal with the payment received from Council's insurance company for the repair of Council's assets due to hailstorm damage.</i></p>
<p>Response:</p>	<p>Once a lump sum tender is approved by Council the insurance company will pay Council the entire lump sum upfront. It will then be Council's responsibility to manage the contract as well as contractor payments. The insurance company will still assess and approve required variations that occur throughout the project and pay Council accordingly.</p> <p>The Accounting process will be as follows. We will use an example of a \$5 million insurance payout and five equal progress payments at 20% completion over two financial years for demonstrative purposes.</p>

Accounting For Insurance Roof Works				
Description	Income (\$)	Expenditure (\$)	Liability Reserve (\$)	Payment to Contractor
Receipt of Insurance Funds			5,000,000.00	
			<i>(\$5,000,000 placed in liability reserve for works to be paid)</i>	
20% progress completion certificated submitted and verified	1,000,000.00	-	1,000,000.00	
			<i>(Income recognised upon expenditure and transferred from the liability reserve to capital income.)</i>	
20% progress certificate paid to contractor		- 1,000,000.00		1,000,000.00
			<i>(Recognition of expenditure and payment to contractor for progress certificate)</i>	
40% progress completion certificated submitted and verified	1,000,000.00	-	1,000,000.00	
			<i>(Income recognised upon expenditure and transferred from the liability reserve to capital income.)</i>	
40% progress certificate paid to contractor		- 1,000,000.00		1,000,000.00
			<i>(Recognition of expenditure and payment to contractor for progress certificate)</i>	
60% progress completion certificated submitted and verified	1,000,000.00	-	1,000,000.00	
			<i>(Income recognised upon expenditure and transferred from the liability reserve to capital income.)</i>	
60% progress certificate paid to contractor		- 1,000,000.00		1,000,000.00
			<i>(Recognition of expenditure and payment to contractor for progress certificate)</i>	
80% progress completion certificated submitted and verified	1,000,000.00	-	1,000,000.00	
			<i>(Income recognised upon expenditure and transferred from the liability reserve to capital income.)</i>	
80% progress certificate paid to contractor		- 1,000,000.00		1,000,000.00
			<i>(Recognition of expenditure and payment to contractor for progress certificate)</i>	
100% progress completion certificated submitted and verified	1,000,000.00	-	1,000,000.00	
			<i>(Income recognised upon expenditure and transferred from the liability reserve to capital income.)</i>	
100% progress certificate paid to contractor		- 1,000,000.00		1,000,000.00
			<i>(Recognition of expenditure and payment to contractor for progress certificate)</i>	
Total	5,000,000.00	- 5,000,000.00	-	5,000,000.00

Attachments

There are no attachments for this report

JAMES RONCON
General Manager

CLOSED

Council Meeting to be held Wednesday, September 25, 2019

1. BROKEN HILL CITY COUNCIL REPORT NO. 163/19 - DATED SEPTEMBER 05, 2019 - CONFIDENTIAL MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD 4 SEPTEMBER 2019 - CONFIDENTIAL

(General Manager's Note: This report considers confidential minutes of the Extraordinary Council Meeting held 4 September 2019 which relates to matters pertaining to the Civic Centre Redevelopment and is deemed confidential under Section 10A(2) (e) (g) of the Local Government Act, 1993 which provides for information that would, if disclosed, prejudice the maintenance of law; AND which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).

2. BROKEN HILL CITY COUNCIL REPORT NO. 164/19 - DATED AUGUST 30, 2019 - APPOINTMENT OF A HERITAGE CONSULTANT TO CARRY OUT HERITAGE STUDIES SUBJECT TO GRANT FUNDING - CONFIDENTIAL

(General Manager's Note: This report is deemed confidential under Section 10A(2) (c) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).

3. BROKEN HILL CITY COUNCIL REPORT NO. 165/19 - DATED AUGUST 23, 2019 - BROKEN HILL CITY COUNCIL TO WATER NSW DEED OF AGREEMENT FOR WATER PIPELINE EASEMENT - CONFIDENTIAL

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

4. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 18/19 - DATED SEPTEMBER 12, 2019 - MATTERS PERTAINING TO THE CIVIC CENTRE REDEVELOPMENT - CONFIDENTIAL

(General Manager's Note: This report is deemed confidential under Section 10A(2) (e) (g) of the Local Government Act, 1993 which provides for information that would, if disclosed, prejudice the maintenance of law; AND which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).

5. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 19/19 - DATED SEPTEMBER 12, 2019 - QUESTION ON NOTICE - COUNCILLOR BRIEFING - CONFIDENTIAL

(General Manager's Note: This report is deemed confidential under Section 10A(2) (b) of the Local Government Act, 1993 which contains matters that will involve the discussion of the personal hardship of any resident or rate payer).