

October 21, 2020

ORDINARY MONTHLY MEETING

TO BE HELD

WEDNESDAY, OCTOBER 28, 2020

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

ABN 84 873 116 132

Dear Sir/Madam,

Your attendance is requested at the Ordinary Meeting of the Council of the City of Broken Hill to be held **via Videoconference** on **Wednesday, October 28, 2020** commencing at 6:30pm to consider the following business:

- 1) Opening Meeting
- 2) Apologies and Leave of Absence
- 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

LIVESTREAMING AND RECORDING OF COUNCIL MEETINGS

PLEASE NOTE: This Council meeting is being livestreamed via YouTube and recorded and published online via Facebook.

To those present in the meeting today, by 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 the livestream if comments or debate are considered defamatory or otherwise inappropriate for publishing.

Participants 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, September 30, 2020.

Minutes of the Extraordinary Meeting of the Council of the City of Broken Hill held Tuesday, October 06, 2020.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

Due to the COVID-19 pandemic and the government's protocol for social distancing and indoor gatherings, the meeting was closed to the public. The meeting was held via videoconference.

Meeting commenced at 6:30pm

PRESENT: Councillor D. Turley (Mayor) Councillors B. Algate, M. Browne, M. Clark,
D. Gallagher, T. Kennedy, B. Licul and R. Page (part of the meeting).

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

APOLOGIES: Councillor C. Adams (Deputy Mayor) and Councillor J. Nolan.

RESOLUTION

Resolved

Minute No. 46340

Councillor B. Licul moved	)	That the apologies submitted by Deputy Mayor
Councillor M. Browne seconded	)	Adams and Councillor Nolan be accepted and
		leave of absence granted.

CARRIED UNANIMOUSLY

PRAYER

The Mayor delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

MINUTES FOR CONFIRMATION

RESOLUTION

Resolved

Minute No. 46341

Councillor D. Gallagher moved	)	That the Minutes of the Ordinary Meeting of the
Councillor B. Licul seconded	)	Council of the City of Broken Hill held August
		26, 2020 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Mayor Turley declared:

- a non-pecuniary conflict of interest in Report No. 130/20 as her husband is a member of the subject organisation and advised that she will leave the meeting whilst the item is considered.

Councillor Browne declared:

- a non-pecuniary conflict of interest in Confidential Report No. 133/20 as she is a board member of the subject organisation and advised that she will leave the meeting whilst the item is considered.

MAYORAL MINUTES

Nil.

NOTICES OF MOTION

ITEM 1 – MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 13/20 – DATED SEPTEMBER 18, 2020 – INTERNAL REVIEW PROCESS FOR THE ISSUING OF FINES 11/140

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Motion

- | | | |
|-------------------------------|---|---|
| Councillor T. Kennedy moved |) | 1. That Motions of Which Notice has been |
| Councillor B. Algate seconded |) | Given No. 13/20 dated September 18, 2020, |
| | | be received. |
| | | 2. That Broken Hill City Council take note of the |
| | | Fines Act 1996 Section 24A, review of fines |
| | | by the issuing agency. |
| | | 3. That Broken Hill City Council develop and |
| | | introduce an internal review process for fines |
| | | issued by the Broken Hill City Council. |
| | | 4. That Broken Hill City Council considers the |
| | | arguments provided within the Notice of |
| | | Motion. |

LOST

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

ITEM 2 – MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 14/20 – DATED SEPTEMBER 18, 2020 – BROKEN HILL LAND RATES 17/90

Councillor Page arrived in the meeting during debate of item 2 (6:52pm).

Motion

- | | | |
|-------------------------------|---|--|
| Councillor T. Kennedy moved |) | 1. That Motions of Which Notice has been |
| Councillor B. Algate seconded |) | Given No. 14/20 dated September 18, 2020, |
| | | be received. |
| | | 2. That Broken Hill City Council acknowledge |
| | | the significant impact that recent land values |
| | | have had on the rates paid by businesses in |
| | | Kandandah Road area. The average rates |
| | | rise has been approximately 60%. |
| | | 3. That Broken Hill City Council investigate and |
| | | prepare a report for the introduction of a |
| | | subcategory as per the Local Government |
| | | Act 1993, Section 529, that includes |
| | | businesses that are located in and around the |
| | | Kanandah Road area. |
| | | 4. That Broken Hill City Council investigate and |
| | | prepare a report about back dating this |
| | | subcategory to the 2019-20 rates charges as |

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

a starting point for rates for the Kanandah Road precinct.

5. That Broken Hill City Council investigate and prepare a report on a rate holiday that could be granted to the portion of rates in the industrial area above rate pegging as per the actions Councillors can use from Council's Business Development Policy.
6. That Broken Hill City Council considers the arguments provided within the Notice of Motion.

Amendment

Councillor M. Browne moved)

Councillor M. Clark seconded)

1. That Motions of Which Notice has been Given No. 14/20 dated September 18, 2020, be received.
2. That Broken Hill City Council acknowledge the significant impact that recent land values have had on the rates paid by businesses in Kandandah Road area. The average rates rise has been approximately 60%.
3. That the Mayor seek an urgent meeting with the Valuer General to discuss the impact of the recent disproportionate increase in land values in the Kanandah Road / Pinnacles Place industrial area.
4. That the Our Economy Key Direction Working Group prepare a report to outline the impact on other business ratepayers and on residential ratepayers if a differential rate for the Kanandah Road/Pinnacles Place industrial area were to be introduced.

CARRIED

FOR: Crs Browne, Clark, Gallagher, Licul, Page and Turley

AGAINST: Crs Algate and Kennedy

The amendment becomes the motion.

RESOLUTION

Minute No. 46342

Councillor M. Browne moved)

Councillor M. Clark seconded)

Resolved

1. That Motions of Which Notice has been Given No. 14/20 dated September 18, 2020, be received.
2. That Broken Hill City Council acknowledge the significant impact that recent land values

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

have had on the rates paid by businesses in Kandandah Road area. The average rates rise has been approximately 60%.

3. That the Mayor seek an urgent meeting with the Valuer General to discuss the impact of the recent disproportionate increase in land values in the Kanandah Road / Pinnacles Place industrial area.
4. That the Our Economy Key Direction Working Group prepare a report to outline the impact on other business ratepayers and on residential ratepayers if a differential rate for the Kanandah Road/Pinnacles Place industrial area were to be introduced.

CARRIED

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

ITEM 3 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 15/20 - DATED SEPTEMBER 18, 2020 - OPENING HOURS OF THE VISITORS' INFORMATION CENTRE AND COUNCIL'S TOURIST FACILITIES 11/212

Motion

- | | | |
|-------------------------------|---|--|
| Councillor T. Kennedy moved |) | 1. That Motions of Which Notice has been |
| Councillor B. Algate seconded |) | Given No. 15/20 dated September 18, 2020, |
| | | be received. |
| | | 2. That Broken Hill City Council immediately |
| | | reinstate pre-COVID-19 opening hours of the |
| | | Visitors' Information Centre and all other |
| | | Council owned tourist attractions. |
| | | 3. That Broken Hill City Council immediately |
| | | prepares a report for the potential for the |
| | | Visitors' Information Centre to be staffed by |
| | | volunteers and in co-ordination with Council |
| | | paid employees. |
| | | 4. That Broken Hill City Council immediately |
| | | prepare a report about savings in employee |
| | | hours from using volunteers and that any |
| | | hours saved be used by council to have |
| | | Council tourism employee resource to market |
| | | and promote the City. |
| | | 5. That Broken Hill City Council consult and ask |
| | | for input on the best ways to use Council |
| | | tourism expertise. |
| | | 6. That Broken Hill City Council considers the |
| | | arguments provided within the Notice of |
| | | Motion. |

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

Amendment

- Councillor M. Clark moved) 1. That Motions of Which Notice has been
Councillor M. Browne seconded) Given No. 15/20 dated September 18, 2020,
be received.
2. That the General Manager be asked to investigate ways of increasing public access to Council facilities to pre-COVID levels, using volunteer assistance where possible, after consultation with appropriate stakeholders and within current agreed budget constraints.
3. That the General Manager prepares a report for Councillors prior to the October Council Meeting.

CARRIED

FOR: Crs Browne, Clark, Gallagher, Licul and Turley

AGAINST: Crs Algate, Kennedy and Page

The amendment becomes the motion.

RESOLUTION

Resolved

Minute No. 46343

- Councillor M. Clark moved) 1. That Motions of Which Notice has been
Councillor M. Browne seconded) Given No. 15/20 dated September 18, 2020,
be received.
2. That the General Manager be asked to investigate ways of increasing public access to Council facilities to pre-COVID levels, using volunteer assistance where possible, after consultation with appropriate stakeholders and within current agreed budget constraints.
3. That the General Manager prepares a report for Councillors prior to the October Council Meeting.

CARRIED

FOR: Crs Browne, Clark, Gallagher, Licul and Turley

AGAINST: Crs Algate, Kennedy and Page

ITEM 4 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 16/20 - DATED SEPTEMBER 18, 2020 - GYPSUM STREET ROAD WORKS 17/128

Motion

- Councillor T. Kennedy moved) 1. That Motions of Which Notice has been
Councillor B. Algate seconded) Given No. 16/20 dated September 18, 2020,
be received.
2. That Broken Hill City Council acknowledge the significant impact road works in Gypsum Street have had on a number of businesses, causing one of those businesses to relocate.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

3. That Broken Hill City Council develop and introduce a policy that requires a plan approved by a resolution of Council for road works that cuts off access to a business or is likely to significantly affect that business.
4. That Broken Hill City Council consider the arguments provided within the Notice of Motion.

Amendment

Councillor T. Kennedy moved)

Councillor B. Algate seconded)

1. That Motions of Which Notice has been Given No. 16/20 dated September 18, 2020, be received.
2. That Broken Hill City Council acknowledge the significant impact road works in Gypsum Street have had on a number of businesses, causing one of those businesses to relocate.
3. That Broken Hill City Council develop and introduce a policy that requires a plan approved by a resolution of Council for road works that cuts off access to a business or is likely to significantly affect that business.
4. That Broken Hill City Council consider the arguments provided within the Notice of Motion.
5. That the General Manager prepare a report to the October Council Meeting regarding his comments about door knocking and all documentation regarding public consultation in the Gypsum Street area be provided.

CARRIED
on the casting vote of the Mayor

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

The amendment becomes the motion.

Motion

Councillor T. Kennedy moved)

Councillor B. Algate seconded)

1. That Motions of Which Notice has been Given No. 16/20 dated September 18, 2020, be received.
2. That Broken Hill City Council acknowledge the significant impact road works in Gypsum Street have had on a number of businesses, causing one of those businesses to relocate.
3. That Broken Hill City Council develop and introduce a policy that requires a plan approved by a resolution of Council for road

works that cuts off access to a business or is likely to significantly affect that business.

4. That Broken Hill City Council consider the arguments provided within the Notice of Motion.
5. That the General Manager prepare a report to the October Council Meeting regarding his comments about door knocking and all documentation regarding public consultation in the Gypsum Street area be provided.

LOST

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

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Nil.

REPORTS

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 118/20 - DATED AUGUST 11, 2020 -
ELECTION OF DEPUTY MAYOR**

11/18

Motion

- | | | |
|------------------------------|---|--|
| Councillor M. Browne moved |) | 1. That Broken Hill City Council Report No. 118/20 dated August 11, 2020, be received. |
| Councillor M. Clark seconded |) | |
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 2021 Local Government Election.
 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 LGNSW.

Amendment

- | | | |
|-------------------------------|---|--|
| Councillor T. Kennedy moved |) | 1. That Broken Hill City Council Report No. 118/20 dated August 11, 2020, be received. |
| Councillor B. Algate seconded |) | |

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

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 2021 Local Government Election.
4. That voting for the Deputy Mayor Election be by secret ballot.
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 LGNSW

LOST

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

The original motion was put.

RESOLUTION

Resolved

Minute No. 46344

Councillor M. Browne moved)
Councillor M. Clark seconded)

1. That Broken Hill City Council Report No. 118/20 dated August 11, 2020, 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 2021 Local Government Election.
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 LGNSW.

CARRIED

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

ELECTION OF DEPUTY MAYOR

The Mayor appointed the General Manager as Returning Officer for the Election of Deputy Mayor.

The Returning Officer advised that two (2) nominations had been received for the position of Deputy Mayor, these being:

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

1. Councillor Adams
(nominated by Councillor Gallagher and Councillor Licul) nomination received
29 September 2020 at 1:09pm.
2. Councillor Kennedy
(nominated by Councillor Algate and Councillor Kennedy) nomination received
30 September 2020 at 1:28pm.

The Returning Officer called for any further nominations prior to the ballot being conducted. No further nominations were received.

The Returning Officer advised that voting would be by open voting (using the videoconference show of hands function) for votes for Deputy Mayor for the twelve month period from September 2020 and concluding on the September 2021 Local Government Election.

Votes for Councillor Adams – 6
Votes for Councillor Kennedy – 2

The Returning Officer declared Councillor Adams as Deputy Mayor for the ensuing 12 month period until the September 2021 Local Government Election.

The Returning Officer and Mayor congratulated Councillor Adams on her reappointment as Deputy Mayor.

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 119/20 - DATED AUGUST 12, 2020 -
APPOINTMENT OF DELEGATES TO COMMITTEES - SEPTEMBER 2020 TO SEPTEMBER 2021**

11/9

RESOLUTION

Resolved

Minute No. 46345

- | | | |
|-------------------------------|---|--|
| Councillor B. Licul moved |) | 1. That Broken Hill City Council Report No. 119/20 dated August 12, 2020, be received. |
| Councillor M. Browne seconded |) | 2. That the current Councillor membership on Section 355 Committees and various other Committees be retained for the period September 2020 until the September 2021 Local Government Election with the exception of Councillor Gallagher's appointment to the Norm Fox Sportsground Community Committee. |
| | | 3. That the Mayor replaces Councillor Gallagher on the Norm Fox Sportsground Community Committee. |

CARRIED UNANIMOUSLY

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 120/20 - DATED SEPTEMBER 10, 2020 -
DISCLOSURE OF INTEREST RETURNS**

11/265, 11/646

RESOLUTION

Resolved

Minute No. 46346

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

- Councillor B. Licul moved)
Councillor M. Clark seconded)
1. That Broken Hill City Council Report No. 120/20 dated September 10, 2020, be received.
 2. That Council note the submission of the required returns by Councillors and Designated Persons of Council.
 3. That access to Council's Register of Returns of Disclosures by Councillors and Designated Persons be in accordance with the provisions of the *Local Government Act 1993* and other relevant legislation.

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 121/20 - DATED SEPTEMBER 15, 2020 -
COUNCILLOR PROFESSIONAL DEVELOPMENT** 11/468

RESOLUTION

Resolved

Minute No. 46347

- Councillor M. Browne moved)
Councillor M. Clark seconded)
1. That Broken Hill City Council Report No. 121/20 dated September 15, 2020, be received.
 2. That Council endorse the 'Councillor Development Program' as part of the transformational change management program currently underway across the organisation, underpinning the importance of values based leadership, leading by example and establishing a strong culture within the organisation that everyone aligns with.
 3. That Council engage Dattner Group to provide the program to ensure alignment across the elected and staffing groups.

CARRIED

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

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 122/20 - DATED SEPTEMBER 02, 2020 -
MOTIONS TO THE LOCAL GOVERNMENT NSW ANNUAL VIRTUAL CONFERENCE, 23
NOVEMBER 2020** 11/364

RESOLUTION

Resolved

Minute No. 46348

- Councillor M. Browne moved)
Councillor M. Clark seconded)
1. That Broken Hill City Council Report No. 122/20 dated September 2, 2020, be received.
 2. That Council endorses the following motions, at this Council Meeting, to the NSW Local Government Annual Conference in line with the criteria.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

- a) *That Local Government NSW strongly oppose the introduction of universal postal voting for future NSW local government elections.*
 - b) *That Local Government NSW lobby the NSW State Government, in the strongest possible terms, to ensure that Recommendation 34 of the 2016 IPART Review of the NSW Local Government Rating System does not become legislation because of the severe and adverse financial impact this will have on all mining affected communities in NSW.*
3. That motions along with the accompanying Council Resolution be submitted prior to the closing date for late motions being 25 October 2020.
4. That Council's voting delegates to the Conference be the Mayor and Deputy Mayor.

CARRIED UNANIMOUSLY

ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 123/20 - DATED SEPTEMBER 18, 2020 -
2019/2020 DRAFT ANNUAL FINANCIAL STATEMENTS 19/74

RESOLUTION

Resolved

Minute No. 46349

Councillor M. Browne moved)

Councillor B. Licul seconded)

- 1. That Broken Hill City Council Report No. 123/20 dated September 18, 2020, be received.
- 2. That the 2019/2020 Draft Primary Financial Statements as attached be received.
- 3. That the 2019/2020 Draft Primary Financial Statements as attached be referred to audit.
- 4. That Council adopt the attached Statements of Opinion on the 2019/20 General Purpose and Special Purpose Financial Statements and the Mayor, the Deputy Mayor, the General Manager and the Responsible Accounting Officer sign the Statements in accordance with Section 413(2)(c) of the *Local Government Act 1993*.
- 5. That Council delegate to the General Manager the authority to finalise the date at

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

which the auditor's report and financial statements are to be presented to the public.

6. That Council delegate the General Manager the authority to authorise the 2019/20 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.

CARRIED

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

ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 124/20 - DATED AUGUST 25, 2020 - MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 20 AUGUST 2020 13/19

RESOLUTION

Resolved

Minute No. 46350

- | | | |
|----------------------------------|---|---|
| Councillor M. Clark moved |) | 1. That Broken Hill City Council Report No. 124/20 dated August 25, 2020, be received. |
| Councillor D. Gallagher seconded |) | 2. That minutes of the Audit, Risk and Improvement Committee meeting held 20 August 2020 be received. |
| | | 3. That Council endorses the recommendations of the Audit, Risk and Improvement Committee. |

CARRIED UNANIMOUSLY

ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 125/20 - DATED JULY 31, 2020 - ADOPTION OF DRAFT SMOKE FREE PLAYGROUNDS AND SPORTING RESERVES POLICY 12/14

RESOLUTION

Resolved

Minute No. 46351

- | | | |
|-------------------------------|---|---|
| Councillor M. Clark moved |) | 1. That Broken Hill City Council Report No. 125/20 dated July 31, 2020, be received. |
| Councillor M. Browne seconded |) | 2. That Council adopts the draft Smoke Free Playgrounds and Sporting Reserves Policy as a Policy of Council. |
| | | 3. That adoption of the draft Smoke Free Playgrounds and Sporting Reserves Policy will render the previous Policy adopted in 2008 obsolete. |

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 126/20 - DATED JULY 31, 2020 -
ADOPTION OF PUBLIC ART POLICY**

12/14

RESOLUTION

Resolved

Minute No. 46352

- | | | |
|-------------------------------|---|--|
| Councillor M. Clark moved |) | 1. That Broken Hill City Council Report No. 126/20 dated July 31, 2020, be received. |
| Councillor M. Browne seconded |) | 2. That Council adopts the draft Public Art Policy, as a policy of Council. |
| | | 3. That adoption of the draft Public Art Policy will render the previous policy adopted in 2010, obsolete. |

CARRIED

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

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 127/20 - DATED SEPTEMBER 15, 2020 -
INVESTMENT POLICY REVIEW**

12/114

RESOLUTION

Resolved

Minute No. 46353

- | | | |
|------------------------------|---|---|
| Councillor M. Browne moved |) | 1. That Broken Hill City Council Report No. 127/20 dated September 15, 2020, be received. |
| Councillor B. Licul seconded |) | 2. That Council endorse the Draft Investment Policy for public exhibition. |
| | | 3. That the Draft Investment Policy be placed on public display for 28 days in accordance with legislation. |

CARRIED

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

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 128/20 - DATED SEPTEMBER 09, 2020 -
INVESTMENT REPORT FOR AUGUST 2020**

17/82

RESOLUTION

Resolved

Minute No. 46354

- | | | |
|------------------------------|---|--|
| Councillor M. Browne moved |) | 1. That Broken Hill City Council Report No. |
| Councillor M. Clark seconded |) | 128/20 dated September 9, 2020, be received. |

CARRIED UNANIMOUSLY

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 129/20 - DATED SEPTEMBER 17, 2020 -
CHRISTMAS AND NEW YEAR'S EVE EVENTS**

11/87

RESOLUTION

Resolved

Minute No. 46355

- | | | |
|------------------------------|---|--|
| Councillor M. Browne moved |) | 1. That Broken Hill City Council Report No. |
| Councillor B. Licul seconded |) | 129/20 dated September 17, 2020, be received. |
| | | 2. That Council note the below report. |
| | | 3. That Council promote a dollar for dollar grant capped at \$250.00 (Council contribution) to CBD Businesses to decorate their shop windows and/or awnings for Christmas. |
| | | 4. That Council develops more ideas to celebrate Christmas and New Year's Eve at various locations across the City. |

CARRIED UNANIMOUSLY

**ITEM 17 – BROKEN HILL CITY COUNCIL REPORT NO. 130/20 – DATED SEPTEMBER 02, 2020 –
REQUEST FOR GRANT FUNDING – GOLF BROKEN HILL INC**

11/117

Mayor Turley declared an interest in Item 17 and before leaving the meeting called for a Councillor to Chair the meeting due to the absence of the Deputy Mayor. Councillor Gallagher nominated Councillor Browne to Chair the meeting. Councillor Browne accepted.

The Mayor left the meeting at 8:29pm.

Councillor Browne assumed the Chair for the duration of Item 17.

Motion

- | | | |
|----------------------------------|---|--|
| Councillor M. Clark moved |) | 1. That Broken Hill City Council Report No. |
| Councillor D. Gallagher seconded |) | 130/20 dated September 2, 2020, be received. |
| | | 2. That Council votes to increase the annual Community Assistance Grants fund by \$6,000.00 (from \$98,000.00 to \$104,000.00) |

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

per year commencing in the current financial year for Round 2 of the grants program.

3. That the \$6,000.00 be set aside as a community grant for Golf Broken Hill Inc each year should they apply and meet all eligibility and assessment criteria, otherwise the funds will be included in the available Community Assistance Grants budget for all applications for Round 2 each year.
4. That Golf Broken Hill Inc be encouraged to apply to the Community Assistance Grants Program annually to assist with the operation of the Broken Hill Golf Course.
5. That Golf Broken Hill Inc provides Council with a report in 12 months' time outlining their financial position.

Amendment

Councillor T. Kennedy moved)

Councillor B. Algate seconded)

1. That Broken Hill City Council Report No. 130/20 dated September 2, 2020, be received.
2. That Council votes to increase the annual Community Assistance Grants fund by \$6,000.00 (from \$98,000.00 to \$104,000.00) per year commencing in the current financial year for Round 2 of the grants program.
3. That the \$6,000.00 be set aside as a community grant for Golf Broken Hill Inc each year should they apply and meet all eligibility and assessment criteria, otherwise the funds will be included in the available Community Assistance Grants budget for all applications for Round 2 each year.
4. That Golf Broken Hill Inc be encouraged to apply to the Community Assistance Grants Program annually to assist with the operation of the Broken Hill Golf Course.

WITHDRAWN

Councillor Kennedy withdrew his amendment, due to the mover and seconder of the original motion (Councillor Clarke and Councillor Gallagher) agreeing to amend their motion to clarify that the Golf Club's financial report would be provided to the Community Assistance Grants Panel (not to a Council Meeting) as part of the Community Assistance Grants application process.

The original motion with the addendum was put.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

RESOLUTION

Minute No. 46356

Councillor M. Clark moved)

Councillor D. Gallagher seconded)

1. That Broken Hill City Council Report No. 130/20 dated September 2, 2020, be received.
2. That Council votes to increase the annual Community Assistance Grants fund by \$6,000.00 (from \$98,000.00 to \$104,000.00) per year commencing in the current financial year for Round 2 of the grants program.
3. That the \$6,000.00 be set aside as a community grant for Golf Broken Hill Inc each year should they apply and meet all eligibility and assessment criteria, otherwise the funds will be included in the available Community Assistance Grants budget for all applications for Round 2 each year.
4. That Golf Broken Hill Inc be encouraged to apply to the Community Assistance Grants Program annually to assist with the operation of the Broken Hill Golf Course.
5. That Golf Broken Hill Inc provides the Community Assistance Grants Panel with a report in 12 months' time (as part of the application process) outlining their financial position.

CARRIED UNANIMOUSLY

The Mayor returned to the meeting at 8:44pm and resumed the Chair.

The General Manager advised the Mayor of Council's resolution relating to Item 17.

ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 131/20 - DATED SEPTEMBER 11, 2020 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 406 HELD TUESDAY, 1 SEPTEMBER 2020

11/397

RESOLUTION

Resolved

Minute No. 46357

Councillor M. Browne moved)

Councillor T. Kennedy seconded)

1. That Broken Hill City Council Report No. 131/20 dated September 11, 2020, be received.
2. That That the minutes for the Local Traffic Committee Meeting No.405 held Tuesday, 1 September 2020 be received.

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 132/20 - DATED SEPTEMBER 17, 2020 - ACTION LIST REPORT 11/21

RESOLUTION

Resolved

Minute No. 46358

Councillor T. Kennedy moved	)	1. That Broken Hill City Council Report No.
Councillor B. Licul seconded	)	132/20 dated September 17, 2020, be received.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Nil.

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 20 - QUESTIONS ON NOTICE NO. 10/20 - DATED AUGUST 28, 2020 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE AUGUST 2020 ORDINARY COUNCIL MEETING 11/397, 16/82, 11/417, 19/75

RESOLUTION

Resolved

Minute No. 46359

Councillor T. Kennedy moved	)	1. That Questions On Notice No. 10/20 dated
Councillor B. Licul seconded	)	August 28, 2020, be received.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

From Item 2 – Notice of Motion - Broken Hill Land Rates

17/90

The Mayor took on board a request from Councillors for a media release to be issued to the community regarding the outcome of the Mayor's meeting with the Valuer General's Department regarding the increase in the valuation/land rates at Kanandah Road / Pinnacles Place industrial area and explaining the valuation/rating system and the options available should ratepayers wish to object.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

RESOLUTION

Resolved

Minute No. 46360

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

1. That the meeting be closed to the public in accordance with Section 10A(2) of the Local Government Act 1993.

CARRIED UNANIMOUSLY

The Livestream of the Council Meeting ceased at 8:49pm and the meeting moved into closed session.

CONFIDENTIAL MATTERS

ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 133/20 - DATED SEPTEMBER 18, 2020 - REQUEST FOR LEASE OF THE ALMA MECHANICS INSTITUTE, PATTON STREET -

CONFIDENTIAL

11/568

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

RESOLUTION

Resolved

Minute No. 46361

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

1. That Broken Hill City Council Report No. 133/20 dated September 18, 2020, be received.
2. That Council, in its capacity as Trust Managers, enters a lease agreement with West Darling Arts for the exclusive use of the Alma Mechanics Institute in Patton Street for an initial five year period with an option to extend for a further five years; and that approval also be sought from the Minister for Crown Lands.
3. That the lease be granted conditional to the West Darling Arts success in securing government grant funding to carry out necessary building works (to the flooring, kitchen, toilet, air-conditioning and electrical work) to the Alma Institute to make good the building for leasing purposes; and that the lease will commence at the conclusion of the building works to be carried out by the West Darling Arts using grant funding.
4. That rental be set at the Crown Lands minimum base rental (currently \$496 per annum and subject to annual CPI changes); and West Darling Arts be responsible for minor maintenance items (to be negotiated).

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 30, 2020

5. That all standard Crown Lands lease terms apply.
6. That the West Darling Arts pays all legal fees for the set-up of the lease agreement.
7. That the Mayor and General Manager be authorised to sign the lease agreement under the Common Seal of Council.

CARRIED UNANIMOUSLY

The meeting resumed in open session at 8:52pm and the Livestream recommenced.

At the Mayor's request the General Manager read the resolution of the item considered in closed session.

Before closing the meeting the Mayor acknowledged Journalist, Patrick Reincke and his contribution to journalism in the City. The Mayor wished him well in his career endeavours.

There being no further business the Mayor closed the meeting at 8:54 pm.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 28 OCTOBER 2020.)

CHAIRPERSON

MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
OCTOBER 06, 2020

Due to the COVID-19 pandemic and the government's protocol for social distancing and indoor gatherings, the meeting was closed to the public. The meeting was held via videoconference.

Meeting commenced at 6:30pm

PRESENT:

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

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

Media and Members of the Public - nil

APOLOGIES:

Councillor M. Browne.

RESOLUTION

Resolved

Minute No. 46363

Councillor C. Adams moved

)

That the apology submitted by Councillor
Browne be accepted and leave of absence
granted.

Councillor B. Licul seconded

)

CARRIED UNANIMOUSLY

Councillor Page left the meeting at 6:32pm due to technical issues.

PRAYER

Councillor Adams delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

Councillor Page returned to the meeting at 6:34pm

PURPOSE OF THE MEETING

To consider the following report:

ITEM 1 - Broken Hill City Council Report No. 134/20 - dated October 06, 2020 - Civic Centre
Rectification Litigation - **CONFIDENTIAL**

17/114

DISCLOSURE OF INTEREST

Nil.

MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
OCTOBER 06, 2020

RESOLUTION

Resolved

Minute No. 46364

Councillor B. Licul moved	)	That the meeting be closed to the public in
Councillor M. Clark seconded	)	accordance with Section 10A(2) of the Local
		Government Act 1993 to consider the
		confidential matter.

CARRIED

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

The Livestream of the Council Meeting ceased at 6:36pm and the meeting moved into closed session.

CONFIDENTIAL MATTERS

ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 134/20 - DATED OCTOBER 06, 2020 - CIVIC CENTRE RECTIFICATION LITIGATION - CONFIDENTIAL 17/114

(General Manager's Note: This report considers Civic Centre Litigation 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).

RESOLUTION

Resolved

Minute No. 46365

Councillor C. Adams moved	)	1. That Broken Hill City Council Report No. 134/20 dated October 6, 2020, be received.
Councillor M. Clark seconded	)	2. That Council authorise Redenbach Legal to negotiate within the defined settlement range as per Senior Counsel advice, during mediation scheduled for Thursday 8 October 2020.
		3. That Council authorise the Mayor and General Manager to sign and execute all necessary paperwork, agreements, and court documents to finalise the matter, if agreement is made within the defined settlement range.

CARRIED

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

The meeting resumed in open session and the Livestream recommenced at 7:12pm

The Acting General Manager read the resolution of the confidential item.

There being no further business the Mayor closed the meeting at 7:13pm.

MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
OCTOBER 06, 2020

THE FOREGOING MINUTES WERE READ
AND CONFIRMED AT THE ORDINARY
MEETING OF THE BROKEN HILL CITY
COUNCIL HELD ON 28 OCTOBER 2020

)
)
)
)

CHAIRPERSON

NOTICES OF MOTION

1. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 17/20 - DATED
OCTOBER 16, 2020 - TELLUS HOLDINGS LTD - PROPOSED BLUE
BUSH PROJECT (11/467)26
2. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 18/20 - DATED
OCTOBER 16, 2020 - INSTALLATION OF LOADING ZONES (11/392) ...29

ORDINARY MEETING OF THE COUNCIL

October 16, 2020

ITEM 1

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 17/20

SUBJECT: TELLUS HOLDINGS LTD - PROPOSED BLUE BUSH PROJECT
11/467

Notice of Motion

1. That Motions of Which Notice has been Given No. 17/20 dated October 16, 2020, be received.
2. That Broken Hill City Council reports to the November 2020 Ordinary Meeting of Council on ways the Council can engage with the community to understand the support or lack of support for the proposed toxic waste dump close to Broken Hill.
3. That Broken Hill City Council reports on potential effects the proposed toxic waste dump will have on tourism and population growth.
4. That Broken Hill City Council approach the State Government so that any royalties generated from the toxic waste dump if it proceeds is granted to Broken Hill.
5. That Broken Hill City Council approach the Federal Government to grant Broken Hill City Council an additional \$5m per annum to keep ovals, parks and footpaths grassed and maintained to offset any negative effect if the toxic waste dump proceeds.
6. That Broken Hill City Council approach the proposed toxic waste dump owners to contribute \$3m per annum to offset the negative impacts on population and tourism if the toxic waste dump proceeds.
7. That Councillors consider the arguments contained within the Notice of Motion.

Summary

Council has received a Notice of Motion submitted by Councillor Kennedy on 16 October 2020 regarding the Tellus Holding Ltd proposed Blue Bush Project.

Councillor Kennedy's Notice of Motion reads:

- "1. That Broken Hill City Council reports to the November 2020 Ordinary Meeting of Council on ways the Council can engage with the community to understand the support or lack of support for the proposed toxic waste dump close to Broken Hill.*
- 2. That Broken Hill City Council reports on potential effects the proposed toxic waste dump will have on tourism and population growth.*
- 3. That Broken Hill City Council approach the State Government so that any royalties generated from the toxic waste dump if it proceeds is granted to Broken Hill.*

4. *That Broken Hill City Council approach the Federal Government to grant Broken Hill City Council an additional \$5m per annum to keep ovals, parks and footpaths grassed and maintained to offset any negative effects if the toxic waste dump proceeds.*
5. *That Broken Hill City Council approach the proposed toxic waste dump owners to contribute \$3m per annum to offset the negative impacts on population and tourism if the toxic waste dump proceeds.*

Reasons and Argument:

6. *That Councillors consider the following arguments; without a doubt toxic waste dumps have a negative perception and are not wanted by the vast majority in the vast majority of areas, many believing they are unsafe and definitely pose some risk. The Federal and State Governments are looking for areas to dispose of toxic waste and must compensate any area that is forced to deal with the toxic waste from the nation. Council should not rely on the owner of the toxic waste company to gauge public opinion and Council should represent the collective view of the community by surveys, meetings, etc. Tellus Holdings will make significant profit from their operation and the Broken Hill community should be part of that profit if the project proceeds.*

Council must lead the way or we will end up having a toxic waste dump in or nearby the City and all but a few will be worse off. If the community does end up having to be forced to endure a toxic waste dump then the City needs to be compensated by Tellus Holdings, the Federal and State Governments so that we all benefit in some way through community enhancement."

General Manager's Comment

In my opinion, to in any way be seen to describe the Blue Bush Project as a 'Toxic Waste Dump' is a sensationalist misrepresentation of the facts and should be roundly rebuked. This Notice of Motion disrespects the process and the proponents of the development.

Councillors received a briefing from the Company Tellus Holdings Ltd on 17 September 2020 and it was made very clear as part of that presentation the project was in its early stages of development, would be the subject of three or more years of consultation with all and sundry before any approvals were granted, and that as it was a state significant development, NSW Planning would oversee the approvals.

This process will include significant stakeholder engagement and the need to satisfy State and Federal agencies on the bona fides of the development for it to get approval. Council and the broader community will have the opportunity to put forward their submissions in the form of evidence-based responses, as part of the stakeholder engagement process/es. The type of agitation proposed as part of this notice of motion is not befitting the Broken Hill City Council.

The opportunity to seek to discuss, and enter, a Voluntary Planning Agreement (VPA) with the developers will present as an opportunity to address infrastructure requirements that may be impacted by the development; that time will come as part of the engagement and approvals process. Equally, arbitrary attempts at a 'money grab' direct from government, that have a zero underlying evidence base, is irresponsible.

Attachments

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

T. KENNEDY
COUNCILLOR

Notice of motion

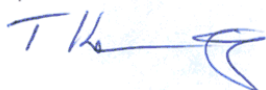
Ordinary meeting of the Broken Hill City Council

To be held on October 2020

From Councillor Tom Kennedy

1. That BHCC report to the November 2020 ordinary meeting of council on ways the council can engage with the community to understand the support or lack of support for the proposed toxic waste dump close to Broken Hill.
2. That BHCC report on potential effects the proposed toxic waste dump will have on tourism and population growth.
3. That BHCC approach the State government so that any royalties generated from the toxic waste dump if it proceeds is granted Broken Hill.
4. That BHCC approach the federal Government to grant BHCC an additional \$5m pa to keep ovals, parks and footpaths grassed and maintained to offset any negative effects if the toxic waste dump proceeds.
5. That BHCC approach the proposed toxic waste dump owners to contribute \$3m pa to offset the negative impacts on population and tourism if the toxic waste dump proceeds.
6. That councillors consider the following arguments; without a doubt toxic waste dumps have a negative perception and are not wanted by the vast majority in the vast majority of areas, many believing they are unsafe and definitely pose some risk. The Federal and State government are looking for areas to dispose of toxic waste and must compensate any area that is forced to deal with the toxic from the Nation. Council should not rely on the owner of the toxic waste company to gauge public opinion and council should represent the collective view of the community by surveys, meetings etc. Tellus Holdings will make significant profit from their operation and the Broken Hill community should be part of that profit if the project proceeds. Council must lead the way or we will end up having a toxic waste dump in or nearby the city and all but a few will be worse off. If the community does end up having to be forced to endure a toxic waste dump then the city needs to be compensated by Tellus holdings, the Federal and State governments so that we all benefit in some way through community enhancement.

Councillor Tom Kennedy



ORDINARY MEETING OF THE COUNCIL

October 16, 2020

ITEM 2MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 18/20

SUBJECT: INSTALLATION OF LOADING ZONES 11/392

Notice of Motion

1. That Motions of Which Notice has been Given No. 18/20 dated October 16, 2020, be received.
2. That Broken Hill City Council investigates and reports to the November 2020 Ordinary Meeting of Council for the installation of loading zones in and around commercial precincts where parking is a problem.
3. That Broken Hill City Council consider the arguments contained within the Notice of Motion.

Summary

Council has received a Notice of Motion submitted by Councillor Kennedy on 16 October 2020 regarding the installation of loading zones in commercial precincts.

Councillor Kennedy's Notice of Motion reads:

- "1. That Broken Hill City Council investigates and reports to the November 2020 Ordinary Meeting of Council for the installation of loading zones in and around commercial precincts where parking is a problem.*

Reasons and Argument:

- 2. That Broken Hill City Council considers the following arguments; there has been a significant increase in complaints from businesses that delivery suppliers are unable to park close to businesses to deliver products. That they are being fined for double parking, stopping no stopping areas and it is important that Council does all it can to foster and encourage business. The COVID-19 has had a devastating effect on many businesses and at this perilous time we must do all we can to ensure businesses survive."*

General Manager's Comment

The process of a broader review commenced a few weeks ago and the General Manager recently went on a tour of the city's loading zones with a local supplier (in his truck). That tour established that (for the most part) there are sufficient loading zones around the city, so that is not the major problem.

Among the matters to be addressed are faded signage and laneway unloading particularly, for instance, where a loading zone is located on the left hand side of the lane and the truck configuration has its doors opening on the same side. There may also be an opportunity to provide a solution for deliveries to the three cafes on the eastern side of Argent street, opposite the post office, in conjunction with the existing bus stop.

Staff will seek to work with the industry to remedy that and any changes required will be reported back through the Local Traffic Committee which has been established for such purpose.

The main issue however and the greatest source of frustration for the local industry surrounds private motor vehicles parking in loading zones and impeding the ability for the transport operators to safely park and unload their goods; as it was explained to the General Manager, trucks then have to double park which may have been the reason for some recent fines that were issued.

An example of where this is a regular problem is the loading zone at Royal Exchange coffee window and rangers and police will be asked to pay specific attention to motor vehicles illegally parking in loading zones, therefore impeding access by the transport operators.

Attachments

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

T. KENNEDY
COUNCILLOR

Notice of motion

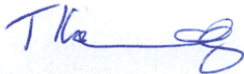
Ordinary meeting of the Broken Hill City Council

To be held on October 2020

From Councillor Tom Kennedy

1. That BHCC investigate and report to the November 2020 ordinary meeting of council for the installation of loading zones in and around commercial precincts where parking is a problem.
2. That BHCC consider the following arguments; there has been a significant increase in complaints from businesses that delivery supplies that they are unable to park close to businesses to deliver products. That they are being fined for double parking, stopping in no stopping areas, it is important that council does all it can to foster and encourage business. The COVID 19 has had a devastating effect on many businesses and at this perilous time we must do all we can to ensure businesses survive.

Councillor Tom Kennedy



RECEIVED
16 OCT 2020
BY: jo 10.46

REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 135/20 - DATED OCTOBER 13, 2020 - CORRESPONDENCE REPORT - NSW GOVERNMENT SMALL BUSINESS SUPPORT GRANTS (11/175)34
2. BROKEN HILL CITY COUNCIL REPORT NO. 136/20 - DATED SEPTEMBER 30, 2020 - CORRESPONDENCE REPORT - SEALING OF THE SILVER CITY HIGHWAY BETWEEN BROKEN HILL AND TIBOOBURRA (11/161)36
3. BROKEN HILL CITY COUNCIL REPORT NO. 137/20 - DATED SEPTEMBER 30, 2020 - CORRESPONDENCE REPORT - MENINDEE LAKES SUSTAINABLE DIVERSION LIMIT ADJUSTMENT MECHANISM PROJECT (11/151)41
4. BROKEN HILL CITY COUNCIL REPORT NO. 138/20 - DATED SEPTEMBER 25, 2020 - PUBLIC INTEREST DISCLOSURES ANNUAL REPORT 2019/2020 (12/67)45
5. BROKEN HILL CITY COUNCIL REPORT NO. 139/20 - DATED OCTOBER 08, 2020 - CULTURAL FACILITIES OPENING HOURS (11/212)61
6. BROKEN HILL CITY COUNCIL REPORT NO. 140/20 - DATED OCTOBER 16, 2020 - RECONCILIATION ACTION PLAN 2020-2022 (14/59)71
7. BROKEN HILL CITY COUNCIL REPORT NO. 141/20 - DATED AUGUST 28, 2020 - ADOPTION OF DRAFT MOBILE FOOD VEHICLES, TEMPORARY FOOD STALLS AND HAWKING POLICY (12/14).....104
8. BROKEN HILL CITY COUNCIL REPORT NO. 142/20 - DATED OCTOBER 19, 2020 - INDUSTRIAL RATES (17/90)116
9. BROKEN HILL CITY COUNCIL REPORT NO. 143/20 - DATED OCTOBER 16, 2020 - BUDGET CARRYOVER'S 2020/21 (14/175)123
10. BROKEN HILL CITY COUNCIL REPORT NO. 144/20 - DATED OCTOBER 20, 2020 - QUARTERLY BUDGET REVIEW STATEMENT FOR PERIOD ENDED SEPTEMBER 2020 (12/160).....128

11. BROKEN HILL CITY COUNCIL REPORT NO. 145/20 - DATED OCTOBER 09, 2020 - INVESTMENT REPORT FOR SEPTEMBER 2020 (17/82)152
12. BROKEN HILL CITY COUNCIL REPORT NO. 146/20 - DATED OCTOBER 16, 2020 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 407 HELD TUESDAY, 6 OCTOBER 2020 (11/397)165
13. BROKEN HILL CITY COUNCIL REPORT NO. 147/20 - DATED OCTOBER 15, 2020 - ACTION LIST REPORT (11/21)179

ORDINARY MEETING OF THE COUNCIL

October 13, 2020

ITEM 1

BROKEN HILL CITY COUNCIL REPORT NO. 135/20

SUBJECT: CORRESPONDENCE REPORT - NSW GOVERNMENT SMALL BUSINESS SUPPORT GRANTS 11/175

Recommendation

1. That Broken Hill City Council Report No. 135/20 dated October 13, 2020, be received.
2. That correspondence dated 6 October 2020 from The Premier of NSW, The Hon Gladys Berejiklian MP regarding the NSW Small Business Support Grant and Small Business Recovery Grant and advising that the correspondence has been forwarded to The Treasurer, The Hon Dominic Perrottet MP, be received and noted.

Executive Summary:

Council has received correspondence from The Premier of NSW, The Hon Gladys Berejiklian MP, in reply to the Mayor's correspondence sent regarding the NSW Government announcement of the Southern Border Small Business Support Grants. The announcement included grants to 13 Local Government areas located along the NSW/Victorian border but did not include the Local Government area of Broken Hill.

The Premier advises that more than \$593m in grants have been delivered via the state-wide Small Business Support Grants and the Small Business Recovery Grants and that the additional targeted relief to border communities is designed to help meet the unique challenges faced by those communities.

The Premier also advises that the Mayor's correspondence has been forwarded to The Treasurer, The Hon Dominic Perrottet MP who has primary responsibility for the matter.

Attachments

1. [!\[\]\(09885fa7dbc7efea01a3982f2e00fbcd_img.jpg\)](#) Letter from The Premier of NSW

JAMES RONCON
GENERAL MANAGER



Gladys Berejiklian MP
Premier of New South Wales

- 6 OCT 2020

Ref: A3790017

Councillor Darriea Turley AM
Mayor
Broken Hill City Council
C/ The General Manager
PO Box 448
BROKEN HILL NSW 2880

30 SEP 2020

Dear Mayor,

Thank you for your correspondence of 28 August 2020 regarding support for small business.

The NSW Government recognises that businesses across NSW are doing it tough.

The NSW Government has been listening to small businesses and, to date, more than \$593 million in grants have been delivered via the state-wide Small Business Support Grant and the Small Business Recovery Grant. The additional targeted relief to border communities is designed to help meet the unique challenges faced by those communities.

Businesses can also access support from a specialised Business Connect adviser, free of charge, to help navigate the challenges of COVID-19.

As the Treasurer, The Hon Dominic Perrottet MP has primary responsibility for this matter, I have forwarded your correspondence for his consideration.

Thank you for taking the time to bring this matter to the Government's attention.

Yours faithfully,

Gladys Berejiklian MP
Premier

CC: The Hon Dominic Perrottet MP, Treasurer

ORDINARY MEETING OF THE COUNCIL

September 30, 2020

ITEM 2

BROKEN HILL CITY COUNCIL REPORT NO. 136/20

SUBJECT: CORRESPONDENCE REPORT - SEALING OF THE SILVER CITY HIGHWAY BETWEEN BROKEN HILL AND TIBOOBURRA 11/161

Recommendation

1. That Broken Hill City Council Report No. 136/20 dated September 30, 2020, be received.
2. That the following correspondence be received and noted:
 - a) Correspondence dated 28 September 2020 from the Principal Manager of Transport for NSW acknowledging the contributions of Mr Peter Beven, Mr Peter Black, Mr John Elliott and Mr John Williams in advocating for the sealing of the Silver City Highway between Broken Hill and Tibooburra.
 - b) Correspondence dated 29 September 2020 from Mr Peter Beven regarding the sealing of the Silver City Highway between Broken Hill and Tibooburra and enclosing a report on the official opening event held in Tibooburra on 1 July 2020.

Executive Summary:

Council has received correspondence from the Principal Manager of Transport for NSW and correspondence from Mr Peter Beven, both in reply to correspondence sent regarding the sealing of the Silver City Highway between Broken Hill and Tibooburra.

The Mayor sent correspondence following Council's resolution at the August 2020 Council Meeting which reads (Minute No. 46326):

- "1. That Motions of Which Notice has been Given No. 11/20 dated August 14, 2020, be received.*
- 2. That Broken Hill City Council write to the Local Member Roy Butler and appropriate Minister asking that former Mayor and Local Member Peter Black, Mr Peter Beven, Mr John Elliott and Mr John Williams be acknowledged for the role they played in ensuring the Broken Hill to Tibooburra Road was sealed.*
- 3. That the Mayor write to Mr Black, Mr Beven, Mr Elliott and Mr Williams to acknowledge their contribution towards the sealing of the Tibooburra Road."*

The Mayor has now received reply correspondence from Transport for NSW and Mr Peter Beven (see attached).

Attachments

1. [↓](#) Correspondence from Transport for NSW
2. [↓](#) Correspondence from Mr Peter Beven

JAMES RONCON
GENERAL MANAGER



Our Ref: 01110402
Your Ref: L20/2073 - 11/501, DT:LMS

Councillor Darriea Turley AM
Mayor
Broken Hill City Council
darriea.turley@brokenhill.nsw.gov.au

Dear Cr Turley

Thank you for your correspondence to the Minister for Regional Transport and Roads about the sealing of the Silver City Highway between Broken Hill and Tibooburra. I have been asked to respond to you.

Transport for NSW acknowledges the contributions of Mr Peter Beven, Mr Peter Black, Mr John Elliott, Mr John Williams and other local stakeholders in advocating for this important upgrade. The improvements to the highway are delivering safety and efficiency benefits for residents, farmers, freight operators and tourists.

Thank you for taking the time to write to the Minister.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Terry McSweeney', with a long horizontal flourish extending to the right.

28/09/2020

**Terry McSweeney
Principal Manager
Ministerial Correspondence**

Please note: Personal information has been redacted from this correspondence as per the Privacy and Personal Information Protection Act 1998.

[REDACTED]
BROKEN HILL. NSW. 2880.

29th September, 2020

Ms. Darriea Turley, AM,
Mayor of the City of Broken Hill,
Dear Darriea,

I was absolutely delighted to receive your letter regarding the sealing of the road to Tibooburra. When Mary and I bought 'Sturt's Meadows Station' in 1971 I started to pester the politicians of the day, and many days from then on, to seal the road. Eventually that highway and the Cobb Highway came to be the only unsealed highways in the state, and maybe in Australia, to not be sealed. When the Beef Road Scheme ended, aimed at bringing produce in to market, it seemed a good time to put the funding to use getting people to the outback, and home again. So the Outback Access Road Scheme came to mind. To be also a Federal Scheme, given to our member Noel Hicks, who passed it on to Hon. Ralph Hunt. No progress, maybe it was before its time. When we had no tar, we got no tar, but when some got started, there was a chance it would keep moving forward, sometimes much too slowly. My remark was "hurry up and finish it, so I can come up to the opening in my solar powered wheel chair." The BIG opening may well be when it reaches Warri Gate, our City should be very involved. The creek crossings have been sealed for a while, and I hear that our team have finished some already at the Warri Gate end. Will not be long.

There are many people in Broken Hill and the West Darling who have not been to White Cliffs and Tibooburra. Now both are a day trip in a car, much better to stay longer, of course, a lot of magic things to see. There were a lot of people involved in getting our road done, more than I know of, or have recognised, you would know a lot, and they know the effort they put in.

The Strzelecki Track is the top of the list of unsealed roads to be progressed in SA, some bad sections are done, and, I have been told a start has been made at Lyndhurst, heading for Innaminka. It is sealed from Brisbane to the SA border near Innaminka.

Early this year WA lost the links to the eastern states. Not only was the road blocked by bushfires this side of Kalgoorlie, the rail was closed at time by the smoke from said fires. At the same time, rains from a cyclone closed the highway across the top end. The Great Central Road from Laverton to Uluru may become a quite preferred road to be sealed.

The problem we have now is to get the Queensland link done, we will have to use any influence we may have, then the gain in our state will be fully realised. I have noticed another advantage our link will bring, a very direct run from Adelaide to Cairns!

Thank you for your kind and very well received letter. It was great to have some appreciation for a very lengthy process. I enclose a report on the opening day. Best wishes,

Yours faithfully, Peter R. Beven.

[REDACTED]

SEALING OF THE SILVER CITY HIGHWAY.

A report to the Pastoralist's Association of West Darling.

On the first day of July, 2020, the sealed highway from Broken Hill was opened in Tibooburra by the Hon. Paul Toole, Minister for Transport and Roads, assisted by Allister Lunn of RMS Western, and Paul's Chief of Staff.

I was asked to represent the Association, and its President, Mat Jackson, and was very, very pleased to do so.

We were welcomed by the Local Land Council. No other representatives were recognised, or asked to speak. I had asked to give a short speech about the road, and would have liked to say: " When we came to Sturts Meadows 69 years ago, the road was graded twice a year, and it was very rough, rock ridges, bogs, bulldust holes, corrugations, with the lights on the old Leyland mail trucks flapping up and down. I would like to have spoken of some of the people who actually got this job done. The PAWD, over many years, always very ready to push to get roads fixed and the running surfaces bettered. Peter Black MP who kept the tar steadily moving forward. Engineer Austin Morgan who laid Geotextile cloth over the compacted formation of local dirt, tarred, with small rock chip on top, and got a lot of road for the money, it is still sound, after all these years. Roads Minister, the Hon. Duncan Gay, who wanted to get it finished, and poured in money, to include Packsaddle Bridge and an emergency airstrip to its north. John Elliott, who took every opportunity in Sydney and the bush to promote the sealing of both highways, the Silver City and the Cobb, and will be rewarded quite soon, with both done.

Road trains have now started to cart road base to Warri Gate on the Queensland Border, where Neville Monaghan and his team are ready to seal the last 54.4kms. down to Tibooburra. Two teams sealed 65kms. in the past one year, and to a terrific standard, these people are to be congratulated.

The job now is to get the Queensland link sealed, about 154kms. from Warri Gate to join up with tar from just south of the Nocundra Hotel. Then Melbourne will link to Darwin, and Perth to Brisbane, both by way of Broken Hill. It should be progressing quickly right now, but it is not. We have work to do still to get Australia to that momentous day."

Peter Beven.



ORDINARY MEETING OF THE COUNCIL

September 30, 2020

ITEM 3BROKEN HILL CITY COUNCIL REPORT NO. 137/20

SUBJECT: CORRESPONDENCE REPORT - MENINDEE LAKES
SUSTAINABLE DIVERSION LIMIT ADJUSTMENT MECHANISM
PROJECT 11/151

Recommendation

1. That Broken Hill City Council Report No. 137/20 dated September 30, 2020, be received.
2. That correspondence dated 22 September 2020 from The Hon Melinda Pavey MP, Minister for Water, Property and Housing regarding the Menindee Lakes Sustainable Diversion Limit Adjustment Mechanism Project be received and noted.

Executive Summary:

Council has received correspondence from The Hon Melinda Pavey MP, Minister for Water, Property and Housing in reply to the Mayor's correspondence sent regarding the Menindee Lakes Water Saving Proposals.

The Mayor sent correspondence following Council's resolution at the August 2020 Council Meeting which reads (Minute No. 46327):

1. *That Motions of Which Notice has been Given No. 12/20 dated August 14, 2020, be received.*
2. *That Broken Hill City Council supports those that were in attendance at a public meeting held in Menindee on 18 July 2020 and attended by 85 people. At that public meeting it was unanimously voted to oppose the 12 Menindee Lake water saving proposals that have been pushed by NSW bureaucracy to save/return 106GL to the environment.*
3. *That Broken Hill City Council oppose all of the 12 proposals within the Menindee Lakes Water Saving Project that are part of the agenda that is being pushed on key stakeholders by NSW Water and other bureaucratic departments.*
4.
 - (i) *That Broken Hill City Council write to the Local Member Roy Butler and the Minister for NSW Water Melinda Pavey explaining that the 12 proposals that have been highlighted and pushed at all Menindee Lake Stakeholder Advisory Group (SAG) Meetings are not supported within the community, the Broken Hill City Council or by a majority of members of organisation represented by stakeholders.*
 - (ii) *That Broken Hill City Council does not believe that the SAG process has been at all transparent and the vast majority of the community and the Broken Hill City Council have not been part of the development of a plan. Input from stakeholders has been limited to proposals already chosen from Water NSW.*
 - (iii) *The proposed 106GL of savings from the Menindee Lakes for the environment relies on reducing water kept in the Menindee Lakes to an unsustainable level (as low as 80GL)*

and if implemented will have significant effects on the Menindee Lakes environment and also the communities that rely on it.

- (iv) It is unacceptable to destroy the Menindee Lakes environment, effectively reducing a storage and ecosystem that can hold up to 200GL under the guise of environmental savings to be used to improve the environment.*
- 5.
 - (i) That Broken Hill City Council asks that the Minister indefinitely delay the October date for reconfiguration of the Menindee Lakes System and that key stakeholders be given the opportunity to have input into a Menindee Lakes reconfiguration that benefits all.*
 - (ii) The proposed 106GL savings target needs to be withdrawn and replaced with a water savings figure that is identified by key stakeholders after accurate data is provided and community input engaged. The group needs to be supplied with up-to-date data that reflects current situations so any plan and savings identified are based on fact not political spin.*
 - (iii) This is an opportunity for you as the NSW Minister for Water to lead and create a truly community based approach to water saving within the Menindee Lakes that has the support of the community and protects the interests of NSW and an important environmental asset.*
 - (iv) Ensure the critical supply of water for the environment, cultural and human needs along the Darling at Menindee and within the Lower Darling/Anabranch system in dry or low flow years.*
 - (v) Provide for the critical human needs for towns cultural stock and domestic users and the needs of riparian land owners to be met before access to irrigation is allowed in the Barwon Darling and Northern tributaries.*
 - (vi) Determine critical flow triggers in the Barwon Darling and Lower Darling and storage volumes in the Menindee Lakes (minimum 2 years) that will ensure that the protection of the health of the river is made a priority before access to water for irrigation is allowed.*

The Mayor has now received reply correspondence from The Hon Melinda Pavey MP, Minister for Water, Property and Housing (see attached).

Attachments

1. [↓](#) Correspondence from Minister for Water, Property and Housing

JAMES RONCON
GENERAL MANAGER



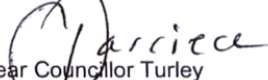
The Hon. Melinda Pavey MP
Minister for Water, Property and Housing

22 SEP 2020

IM20/28905

Your Ref: L20/2073-11/501

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


Dear Councillor Turley

Thank you for your letter of 28 August 2020, on behalf of Broken Hill City Council and the broader community, in relation to the motions passed at your Ordinary Meeting held on 26 August 2020. I understand the motions passed are primarily in relation to the Menindee Lakes Sustainable Diversion Limit Adjustment Mechanism Project (Menindee Lakes Project) and water management arrangements in the Darling Barka River.

As you are aware, the Menindee Lakes Project aims to enhance the significant socio-economic, ecological and cultural heritage values of the Menindee Lakes, Lower Darling and Great Darling Anabranch, while delivering the NSW Government's commitments under the Murray-Darling Basin Plan. In response to recommendations out of the Vertessy Report, the project focus has shifted, placing a greater emphasis on improving environmental outcomes in the Menindee Lakes, Lower Darling and Great Darling Anabranch.

While I understand your concerns around water management in the Darling Barka River system, some of the concerns you raise are out of scope of the SDLAM Program and the Menindee Lakes Project specifically. While we are seeking to progress solutions to the community's concerns that balance the needs of all in the Murray-Darling Basin, some of these issues cannot be resolved in the short to medium term.

I understand the Department of Planning, Industry and Environment (DPIE) is working through these non-Project issues with members of the Menindee Lakes Lower Darling Stakeholder Advisory Group (SAG). These discussions will allow these concerns to be understood and linked into other initiatives such as the Regional Water Strategies, Safe and Secure Water Program, Western Weirs project and the Accelerated Fishways project.

In relation to the Menindee Lakes Project, I can assure you the NSW Government has acted, and will continue to act, in good faith in seeking to address community concerns, involve a broad range of local people in the development and assessment of options, and provide information on these issues and outcomes that matter to the local community. The Government remains committed to meeting stakeholder engagement requirements.

I sincerely hope your group will continue to contribute its considerable local knowledge and expertise to shape a project maximising the social, cultural, economic and environmental benefits of a project. As I have told Menindee SAG representatives, projects need to have local support. Should the community believe there are no on-site projects, which could deliver a balanced result under social, cultural economic and environmental measures, please let me know.

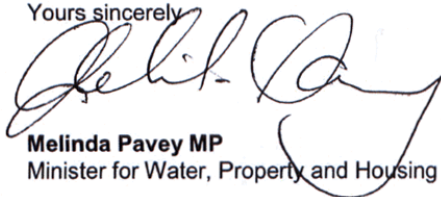
The Menindee Lakes Project team will continue to provide quarterly updates to Council and welcomes input of local knowledge and expertise to shape this project to deliver on our SDLAM commitments.

-2-

Thank you for bringing this important matter to my attention. If you require additional information or wish to discuss this matter further, I have arranged for Mr Brad Hollis, Principal Project Officer, Darling, in DPIE, to be available on 0438 935 991.

I also understand that Mr Hollis and Ms Erin O'Brien from the Department met with representatives of Broken Hill City Council on 9 September 2020. I hope this was of value to Council.

Yours sincerely



Melinda Pavey MP
Minister for Water, Property and Housing

15 SEP 2020

ORDINARY MEETING OF THE COUNCIL

September 25, 2020

ITEM 4BROKEN HILL CITY COUNCIL REPORT NO. 138/20

SUBJECT: PUBLIC INTEREST DISCLOSURES ANNUAL REPORT 2019/2020
12/67

Recommendation

1. That Broken Hill City Council Report No. 138/20 dated September 25, 2020, be received.
2. That the Broken Hill City Council Public Interest Disclosures Annual Report 2019/2020 be forwarded to the Minister for Local Government and the NSW Ombudsman by 30 October 2020.

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 reviewed Reporting of Public Interest Disclosures Policy on 25 September 2019. 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 2019 through to 30 June 2020.

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.	<ul style="list-style-type: none"> • Council's reviewed Reporting of Public Interest Disclosures Policy was adopted by Council 25 September 2019 and is available on Council's website and intranet site. • Information on Policies and Procedures is also included in Council's Corporate Induction Program. • NSW Ombudsman PID Awareness eLearning module provided to staff.

Community Engagement:

Reporting of Public Interest Disclosures Policy was placed on 28-day public exhibition for comment.

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 Disclosures Act 1994

Public Interest Disclosures Regulation 2011

Local Government Act 1993

Financial Implications:

Nil

Attachments

1. [!\[\]\(2a133ebb0337313d16cc068f19494aa2_img.jpg\)](#) 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 2023	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
25 September 2019	Adopted	46081

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: ipcinfo@ipc.nsw.gov.au
Web: www.ipc.nsw.gov.au
Address: Level 11, 1 Castlereagh Street,
Sydney NSW 2000

For disclosures about maladministration:

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

**For disclosures about local government
agencies:**

Office of Local Government (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

October 8, 2020

ITEM 5BROKEN HILL CITY COUNCIL REPORT NO. 139/20SUBJECT: CULTURAL FACILITIES OPENING HOURS 11/212**Recommendation**

1. That Broken Hill City Council Report No. 139/20 dated October 8, 2020, be received.
2. That Council note the below report and subsequent budget adjustment presented in the September Quarterly Budget Review.
3. That Council note that a review of the Visitors Information Centre operational model will form part of the 2021/22 Operational Plan.

Executive Summary:

COVID-19 has impacted the way councils conduct business and how residents and customers interact with Council. To ensure compliance with Work Health & Safety, the protection of the Community in general and the State Government's Public Health Orders, a majority of Council's customer facing services were closed or had their hours reduced.

Due to compliance with social distancing and population density limits, increased resource requirements, combined with a reduced revenue base to Council from operating these facilities; operating hours were only progressively able to be resumed as restrictions eased.

All facilities and sites have volunteers within aspects of their service delivery to different degrees. Council should note that volunteer management from recruitment, through to retention and regulation is staff intensive. All volunteer based activities are currently suspended due to COVID restrictions however, are being progressively reviewed. Volunteers tend to fall into 'vulnerable' categories of age and health requiring particular responsibility of attention to task allocation.

Report:

At the 30 September Ordinary Meeting of Council, Council resolved:

"That the General Manager be asked to investigate ways of increasing public access to Council facilities to pre-COVID levels, using volunteer assistance where possible, after consultation with appropriate stakeholders and within current agreed budget constraints.

That the General Manager prepares a report for Councillors prior to the October Council Meeting."

At the Extraordinary Meeting held 30 June 2020, Council adopted a "Future Proof" Scenario budget. This budget was built around several key aspects, which are listed below, however, they primarily relate to the financial impacts of the COVID-19 virus and consequential restrictions that were placed on all businesses, including Council. For the period March 2020 – June 2020, Council experienced an overall reduction in expected operating revenue of about \$1.7M and is forecasting a revenue reduction of about \$2.3m in the 2020/21 Financial

year when compared to previous years. To ensure a financially sustainable Council moving forward, very simply, any reduction in operating revenue requires an adjustment to operating expenditure.

Key Aspects of Adopted Budget

- Return to surplus in 2023.
- Maintain Council's current permanent workforce.
- Ensure a healthy cash reserve to weather any unforeseen financial shocks (such as COVID-19).
- Ensure an appropriate rate of asset renewals is maintained so the City's infrastructure backlog is continually reduced.
- Fast track key community infrastructure through the use of economic stimulus low cost borrowings to aid in restimulating the economy and employment.
- Meet all key financial & OLG benchmarks apart from the Operational Ratio for 2021 and 2022.

To achieve the above objectives, a 'tightening of the purse strings', was required to limit operational expenditure and ensure Council works within its means, whilst reviewing progress quarterly to ensure Council is being proactive and responsible in adding back resources to increase service delivery where required. One measure that was adopted by Council was a reduction in the use of casual labour for Council's cultural facilities, and to rely predominantly on Council's permanent workforce to allow continuity of services albeit on a reduced operating model, as the Council and the Community navigate through COVID-19.

The shutdown due to COVID-19 has also presented an opportunity to take a step back from the normal operations and ensure that Council is operating the most effective and efficient model moving forward. The review of the current staffing model is being undertaken to better align with the expected tourism business model, which includes the incorporation of volunteers and a more proactive approach to tourism operations. This will be finalised and presented to Council as part of the 2021/22 Operating Budget.

If Councillors were of a mind to increase service hours to a model based on visitor demand, whilst still ensuring all COVID-19 principles remain in place, an additional \$123,000 would be required annually or \$92,000 for the remainder of the year at the Visitors Information Centre. This model is based upon recruiting two additional permanent part time staff for 26 hours per fortnight working on a seven-day spread, in addition to Council's current permanent workforce also transitioning back to a seven-day spread. This would potentially allow the Centre to be open across weekends in peak tourism times but would also ensure that the centre is only open based on visitor data informing the most efficient operational model possible.

Council's historical model was for permanent staff to work Monday – Friday with an RDO, and having a casual workforce working on weekends and periods of leave. This model is inefficient and effectively has casual staff employed at the most expensive and busy periods. Reverting permanent staff back to a seven-day spread as well as recruiting additional permanent part time staff, will see annual savings of around \$30,000 - \$50,000 when compared to Council historic operating model.

Reopening based on visitor and service demand was always a part of the adopted budget, however, it was proposed to be gradually phased in accordance and in conjunction with an increase in Council's revenue. However, based on industry demand due to the

unprecedented tourist season through the success of the "It's Out There" Tourist Campaign and COVID-19 forcing domestic travel, it is recommended that Council endorse an additional \$92,000 for the remainder of the financial year to trial a permanent-part time Staff operating model to reopen the Visitors Information Centre across the weekend, ensuring staff RDO's and leave is covered as well as ensuring all back of office work including refreshing digital content is still achieved.

The proposed trial will allow sufficient time and data to be collected to formulate the best staffing and tourism business model inclusive of volunteers to be costed and aligned to industry best practice. This will allow an informed decision-making process to occur during the preparation of Council's 2021/22 Delivery program and Operational Plan.

COVID-19 and total bans on international travel will certainly spike local travel across Australia. If the October school holidays traveller numbers in Broken Hill are indicative of such an ongoing spike then there will be increased pressure on Council services, staffing, available budget and local businesses on ability to respond.

For example, VIC staff advised that all available accommodation in Broken Hill appeared to have been booked out given the number of visitors seeking VIC assistance with identifying accommodation as they were not able to self-source or were turned away due to double bookings.

COVID-19 Impact on Council Service delivery

On 13th March 2020 Council enacted its Business Continuity Plan in response to the growing risk the COVID-19 pandemic presented to its operations and the community of Broken Hill. Effective from 23rd March 2020 the NSW Government issued Public Health Orders which either enforced or heavily regulated the operations of business, community facilities and public spaces across the whole of NSW. This forced Council to close access to the full range of community and public facilities including, parks/ovals, Library, Galleries and Museums, Visitor Information Centre and Living Desert. In addition, heavy restrictions were placed on the operations of essential services such as general waste collection and waste facilities. Council s355 Committees and all other volunteer services were also suspended.

Council services have been gradually reopened in line with easing of government restrictions which commenced from 1st June 2020, however, this required Council to procure and install significant COVID 19 safety equipment and products, including screens, signage, multiple hand sanitiser stations, bollards /crowd control equipment. This was undertaken in conjunction with having to research, produce and implement compliant COVID-19 safety plans for all its facilities which took 4-6 weeks and the resources of at least three fulltime staff to coordinate.

Gradual reopening of facilities commenced in June along with workshopping with s355 Committees in Safety Plan development and management of hirers and users of Council ovals. Incremental changes were made to operations within staffing abilities to accommodate larger visitor types such as tour operators seeking access for up to 30 persons in a tour group.

The Geo Centre reopened on the 7th July with ticketed entry

The Living Desert reopened on the 5th June (no camping or coach tours).

The Star View Campsite re-opened on the 30th July.

The Gallery reopened on the 30th June with ticketed entry

The VIC reopened on the 17th June with limited hours (Mon-Fri 9am-12pm), extending opening times on the 21 September (Mon-Fri 9am-12pm & 2pm-4pm)

The Library reopened on 16th June 2020.

Current easing of restrictions in the current NSW Public Health Order and improvement in the NSW and Australian outlook since the Victorian second wave spike in July 2020, have

now allowed planning to be completed to allow the following expansion of services commencing in late October 2020,

- Access to full library book collection to public for self-selection/service, restart of group activities such as children reading groups
- Access to retail/souvenir areas at VIC, Gallery and GEO Centre for public self-service
- Removal of online ticketing system at Gallery and GEO Centre replaced with staff management of numbers at the door.

The above changes will allow the operations of various Council community/culture services to return to a reasonable level of pre COVID-19 operations, however, with continuing strict controls and protocols around cleaning, sanitising, distancing and crowd control in place to ensure health and safety of both staff and the general public as the virus continues to circulate in NSW, Australia and internationally for what appears to be beyond a year.

Volunteers in Council cultural facilities and tourist operations

Council will note in the attachment, the pre-COVID hours of operation and current COVID term of hours of operation of facilities and sites. The listing indicates that the only operation that is operating at pre-COVID hours with all services of the site functioning, is the Living Desert. The service is supplemented currently by additional cleaning supplied by Council's cleaning staff as deep cleaning is a requirement at caravan sites, however, with a reduction in the spraying regime in order to permit the recent transfer of cleaning time to the additional opening of public toilets around the city.

As an outdoor venue, heavily sign posted with reminders of sanitisation practice and distancing, sanitising stations provided, there is an advantage in the site allowing a natural spread of visitors which then allows the Rangers within their daily duties to be able to check visitors are obeying distancing rules.

The remaining facilities, Gallery, GEO Centre, Library and Visitor Information Centre have all been impacted by Public Health Orders, as are all businesses in Broken Hill, with the management of the number of people in their premises at any one time, contact tracing details collection in place and routine sanitisation processes needing to occur.

All facilities and sites have volunteers within aspects of their service delivery to different degrees. Council should note that all volunteer based activities are currently suspended due to COVID restrictions however, are being progressively reviewed. Volunteers tend to fall into 'vulnerable' categories of age and health requiring particular responsibility of attention to task allocation.

Volunteer management from recruitment, through to retention and regulation is staff intensive involving both service staff as well as HR, as there are interview processes, orientation to Council procedures and induction to Council Code of Conduct, various regulatory checks such as police checks, prior to being permitted to act as volunteers, ongoing product training, as well as ongoing supervision and ensuring the provision of meaningful tasks is provided on an ongoing basis.

Volunteers have full lives with a range of availability times which do not necessarily match the programmes, available tasks and staff availability to oversight. A probation period is customary for both parties to assess suitability.

Good retention practice also involves recognition and celebration. For instance volunteers participate in an end of year Christmas party and members nominated for volunteer awards.

Overall, volunteers do not replace permanent staff but augment and assist in various programmes.

Ordinarily Councils with greater resource capacity than Broken Hill provide additional staff such as Volunteer Coordinators or a time component specifically for this purpose in a

position description to oversight a full programme of volunteer management, creation of volunteer ambassador programmes or short term projects such as involving youth or TAFE students as part of course work.

In Broken Hill, permanent service staff are placed in the position of accomodating all recruitment and retention requirements within their daily programming workloads where expectations are also very high.

Facility/Site	Number of Volunteers	Pre-COVID Tasks	Service first re-opening dates
Living Desert	26	Friends of the Flora and Fauna Barrier Ranges Community Committee Open and close each third weekend plus work in flora and other sections of Living Desert on working bee days	5 June 2020 No camping or coach tours
StarView Campsite			30 July 2020
Library	30	Home library service delivery once per week. Archives-assist with administrative/clerical taskssuch as indexing, scanning, preservation of historical documents Adult literacy-one on one learning Bi-lingual story teller Events and activity support to staff in library events	16 June 2020
Gallery	9	Customer service, retail sales, helping with mail outs, basic administration (Tuesday-Friday), gallery installation (1 only), catering at Gallery openings (4 persons)	30 June 2020 Ticketed entry
GEO Centre	1 (now retired)	Tour leader at Miner's Cottage for 20 years. No other volunteers.	7 July 2020 Ticketed entry
VIC	7	Walking tour group started in April 2017 with 2 tours following the Heritage Walking Trail,	17 June 2020

		<p>growing to 5 tours per week Monday to Friday in 2019. Tours are paused between December to mid March due to weather and fewer visitors. Donations are taken by the group and placed with Council for use by the group.</p> <p>No other volunteer types within the current operating model.</p>	
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Visitor Information Centre

It has been noted for development within the current Business Planning process of the VIC that there is opportunity for inclusion of volunteers within a variety of aspects of VIC operations. A process is already underway which began with a survey to Visitor Services in NSW via The Tourism Group (TTG) to ascertain the number of volunteers engaged in services, the roles and responsibilities volunteers held and management arrangements of Volunteer Programs in Visitor Services. Staff are currently collating a listing of a range of tasks and opportunities that might interest and attract volunteers.

Staff also participated in a presentation given by TTG to tourism information providers highlighting the service arrangements of TTG (which manages 300 volunteers) and presentations from several service groups about innovative projects. TTG also offered Broken Hill a service to engage them to provide mentoring and support to local staff over a 12 month period to create a volunteer program as well as analysis of need, assistance with the recruitment process and relevant documentation and guidelines to execute a successful volunteer programme. This approach, of course, is budget dependent.

Review of the staffing model is also currently being undertaken to better align with the tourism business model and more efficient use permanent staff.

Community Engagement:

N/A

Strategic Direction:

Key Direction:	Our Leadership	
Objective:	Continue to look for efficiencies in the organization and ensure financial sustainability	
Strategy:	Reduce the annual operational deficit in line with the long-term financial plan	

Relevant Legislation:

N/A

Financial Implications:

The proposal to reopen the VIC across weekends and ensure enough resources are available to cover staff RDO's, leave and back of office work, will see an additional \$92,000

added to the Visitors Information Centre Employee Costs. This has formed part of the September Quarterly Budget Review.

Attachments

1. [↓](#) Cultural Facilities Opening Hours

RAZIJA NU'MAN
DIRECTOR CORPORATE

JAMES RONCON
GENERAL MANAGER

Pre-COVID-19 Hours of Operation:-**Library**

Monday	10am - 6pm
Tuesday	10am - 6pm
Wednesday	10am - 6pm
Thursday	10am - 6pm
Friday	10am - 5pm
Saturday	10am - 1pm
Sunday	Closed

Total Hours 42**Art Gallery**

Monday	Closed
Tuesday	10am - 4pm
Wednesday	10am - 4pm
Thursday	10am - 4pm
Friday	10am - 4pm
Saturday	10am - 4pm
Sunday	10am - 4pm

Total Hours 36**Geo Centre**

Monday	10am - 4pm
Tuesday	10am - 4pm
Wednesday	10am - 4pm
Thursday	10am - 4pm
Friday	10am - 4pm
Saturday	10am - 4pm
Sunday	Closed

Total Hours 36**Visitor Information Centre****Summer (Closed Christmas Day)**

Monday	8.30am - 3pm
Tuesday	8.30am - 3pm
Wednesday	8.30am - 3pm
Thursday	8.30am - 3pm
Friday	8.30am - 3pm
Saturday	8.30am - 3pm
Sunday	8.30am - 3pm

Total Hours 45.5**Autumn/ Winter/ Spring**

Monday	8.30am - 4pm
Tuesday	8.30am - 4pm
Wednesday	8.30am - 4pm
Thursday	8.30am - 4pm
Friday	8.30am - 4pm
Saturday	8.30am - 4pm
Sunday	8.30am - 4pm

Total Hours 52.5**COVID-19 Hours of Operation:-****Library**

Monday	10am - 12pm	2pm - 4pm
Tuesday	10am - 12pm	2pm - 4pm
Wednesday	10am - 2pm	4pm - 6pm
Thursday	10am - 12pm	2pm - 4pm
Friday	10am - 12pm	2pm - 4pm
Saturday	Closed	
Sunday	Closed	

Total Hours 20**Art Gallery**

Monday	Closed
Tuesday	10am - 3pm
Wednesday	10am - 3pm
Thursday	10am - 3pm
Friday	10am - 3pm
Saturday	10am - 3pm
Sunday	Closed

Total Hours 25**Geo Centre**

Monday	Closed	
Tuesday	10am - 1pm	3pm - 4pm
Wednesday	10am - 1pm	3pm - 4pm
Thursday	10am - 1pm	3pm - 4pm
Friday	10am - 1pm	3pm - 4pm
Saturday	10am - 1pm	
Sunday	Closed	

Total Hours 19**Visitor Information Centre****Summer (Closed Christmas Day)**

Monday	9am - 12pm	2pm - 4pm
Tuesday	9am - 12pm	2pm - 4pm
Wednesday	9am - 12pm	2pm - 4pm
Thursday	9am - 12pm	2pm - 4pm
Friday	9am - 12pm	2pm - 4pm
Saturday	Closed	
Sunday	Closed	

Total Hours 25

Summer School Holidays

Monday	8.30am - 3pm
Tuesday	8.30am - 3pm
Wednesday	8.30am - 3pm
Thursday	8.30am - 3pm
Friday	8.30am - 3pm
Saturday	8.30am - 3pm
Sunday	8.30am - 3pm
Total Hours	45.5

All other School Holidays

Monday	8.30am - 5pm
Tuesday	8.30am - 5pm
Wednesday	8.30am - 5pm
Thursday	8.30am - 5pm
Friday	8.30am - 5pm
Saturday	8.30am - 5pm
Sunday	8.30am - 5pm
Total Hours	59.5

Living Desert**Summer**

Monday	6am - Half an Hour After Sunset
Tuesday	6am - Half an Hour After Sunset
Wednesday	6am - Half an Hour After Sunset
Thursday	6am - Half an Hour After Sunset
Friday	6am - Half an Hour After Sunset
Saturday	6am - Half an Hour After Sunset
Sunday	6am - Half an Hour After Sunset
Total Hours	98

Living Desert**Summer**

Monday	6am - Half an Hour After Sunset
Tuesday	6am - Half an Hour After Sunset
Wednesday	6am - Half an Hour After Sunset
Thursday	6am - Half an Hour After Sunset
Friday	6am - Half an Hour After Sunset
Saturday	6am - Half an Hour After Sunset
Sunday	6am - Half an Hour After Sunset
Total Hours	98

Living Desert**Autumn, Winter, Spring**

Monday	8.30am - Half an Hour After Sunset
Tuesday	8.30am - Half an Hour After Sunset
Wednesday	8.30am - Half an Hour After Sunset
Thursday	8.30am - Half an Hour After Sunset
Friday	8.30am - Half an Hour After Sunset
Saturday	8.30am - Half an Hour After Sunset
Sunday	8.30am - Half an Hour After Sunset
Total Hours	77

Living Desert**Autumn, Winter, Spring**

Monday	8.30am - Half an Hour After Sunset
Tuesday	8.30am - Half an Hour After Sunset
Wednesday	8.30am - Half an Hour After Sunset
Thursday	8.30am - Half an Hour After Sunset
Friday	8.30am - Half an Hour After Sunset
Saturday	8.30am - Half an Hour After Sunset
Sunday	8.30am - Half an Hour After Sunset
Total Hours	77

John Simons Flora and Fauna Sanctuary**Summer**

Monday	6am - 2pm
Tuesday	6am - 2pm
Wednesday	6am - 2pm
Thursday	6am - 2pm
Friday	6am - 2pm
Saturday	6am - 2pm
Sunday	6am - 2pm
Total Hours	56

John Simons Flora and Fauna Sanctuary**Summer**

Monday	6am - 2pm
Tuesday	6am - 2pm
Wednesday	6am - 2pm
Thursday	6am - 2pm
Friday	6am - 2pm
Saturday	6am - 2pm
Sunday	6am - 2pm
Total Hours	56

John Simons Flora and Fauna Sanctuary		John Simons Flora and Fauna Sanctuary	
Autumn, Winter, Spring		Autumn, Winter, Spring	
Monday	9am - 5pm	Monday	9am - 5pm
Tuesday	9am - 5pm	Tuesday	9am - 5pm
Wednesday	9am - 5pm	Wednesday	9am - 5pm
Thursday	9am - 5pm	Thursday	9am - 5pm
Friday	9am - 5pm	Friday	9am - 5pm
Saturday	9am - 5pm	Saturday	9am - 5pm
Sunday	9am - 5pm	Sunday	9am - 5pm
Total Hours	56	Total Hours	56

ORDINARY MEETING OF THE COUNCIL

October 16, 2020

ITEM 6BROKEN HILL CITY COUNCIL REPORT NO. 140/20SUBJECT: RECONCILIATION ACTION PLAN 2020-202214/59**Recommendation**

1. That Broken Hill City Council Report No. 140/20 dated October 16, 2020, be received.
2. That Broken Hill City Council approves the fully endorsed Reconciliation Action Plan October 2020- October 2022.

Executive Summary:

The development of a Reconciliation Action Plan was an action identified in the 2018/19 Operational Plan. Broken Hill City Council is committed to the implementation of a Reconciliation Action Plan (RAP).

Council has received final full endorsement of the Innovate Reconciliation Action Plan (RAP) from Reconciliation Australia. The Innovate RAP outlines actions that work toward achieving Council's unique vision for reconciliation. Commitments within the RAP allow the Council to be aspirational and innovative to gain a deeper understanding of its sphere of influence, and to establish the best approach to advance reconciliation within the inherent boundaries of local government.

The RAP contains achievable goals created in consultation with Council staff and the RAP working group. These goals compliment the goals that are contained within the Innovate RAP template provided by Reconciliation Australia.

There have been four RAP working group meetings in the period since membership expanded to include additional community members. In addition, a number of meetings were held with Aboriginal and Torres Strait Islander community members including Wilyakali traditional owners and on two occasions, Council staff have attended the Aboriginal Community Working Party meetings. (The Aboriginal Community Working Party is a working group of Aboriginal people who are the community's voice on the needs, aspirations and issues for Aboriginal people. Aboriginal Community Working Parties are the foundation stones of the Murdi Paaki Regional Assembly and provide a direct link to the Regional Assembly.)

Since February 2020 usual meetings of the RAP working group were disrupted due to the public health measures in place resulting from COVID-19 and most contact was then undertaken via phone or email.

Following six rounds of feedback, Council's Innovate RAP received full endorsement from Reconciliation Australia. Full endorsement allows Council to officially launch the completed plan as attached. The plan cannot be altered in accordance with Reconciliation Australia endorsement as it meets all requirements outlined throughout the establishment process.

Following Council approval, Council can officially launch and use the RAP in any way it deems appropriate and the plan will be placed on Reconciliation Australia's website.

Report:

Council resolved at its Ordinary Meeting on 28 November 2018:

- “1. That Broken Hill City Council Report No. 192/18 dated November 8, 2018, be received.*
- 2. That Broken Hill City Council establish a Reconciliation Action Plan Working Group*
- 3. That Broken Hill City Council endorse the Terms of Reference for the Broken Hill City Council Reconciliation Action Plan Working Group”*

The first essential element for developing a RAP was to “establish a working group made up of senior leaders, staff including Aboriginal and Torres Strait Islander staff and/or stakeholder and community representation”.

In December 2018, an Expression of Interest to join the RAP working group was placed in the Barrier Daily Truth and a campaign of email and telephone contact was activated to alert people to the opportunity to join. Four expressions were received from community members through that process and these Aboriginal and Torres Strait Islander people were admitted to the working group in February 2019. One further member expressed an interest in June 2019 and a young Indigenous member was approached to join after the July 2019 working group meeting where members advised Council to encourage a younger Wilyakali person to be involved.

The working group now has a total membership of eleven people: Mayor, Cllr Turley and two Councillors, (Cllrs Browne and Clarke, resolved September '20) six members of the local Aboriginal and Torres Strait Islander community and two Council staff members.

The Reconciliation Action Group Working group first met on 27 March 2019. The working group met a further four times during the drafting of the RAP, to endorse and discuss changes to the draft as they were being made. Further engagement has taken place with the Elder and Wilyakali Traditional Owners and the Aboriginal Community Working group. Since the restrictions to gatherings have been in place because of COVID-19, working group members were kept abreast of developments and provided feedback, by email and telephone.

Between working group meetings, draft inclusions in the RAP have been workshopped with Council staff from various departments to ensure that the targets in the document are achievable.

Formal Endorsement by Reconciliation Australia

Reconciliation Australia is an independent non-government, not for profit foundation established in January 2001 to promote a continuing national focus for reconciliation between Indigenous and non-Indigenous Australians. Reconciliation Australia promotes and facilitates respect, trust and positive relationships within the community and is the lead body for reconciliation in the nation. Reconciliation Australia conducts the Reconciliation Action Plan national program.

The formally endorsed Broken Hill City Council Reconciliation Action Plan covers the two year period from October 2020 to October 2022. The terms “Reconciliation Action Plan” and “RAP” are valued trademarks of Reconciliation Australia and shared with organisations willing to engage with Reconciliation Australia to create quality plans that demonstrate commitment to reconciliation.

The process of gaining endorsement of the RAP included six rounds of feedback from Reconciliation Australia. This feedback invited Council to examine the reconciliation journey of the organisation to this point and to be specific in its deliverables.

Endorsement by Reconciliation Australia requires proper use of Reconciliation Australia branding, consideration of the placement of targets and actions within the document and clear language. Creating the document has provided an opportunity to include imagery collated from Council events and to incorporate the work of local Aboriginal and Torres Strait Islander artists from Broken Hill and the region.

No changes can be made to the endorsed Reconciliation Action Plan.

Reconciliation Week

For Councillors information, an event was held at the Civic Centre on 31 May 2019 to recognise Reconciliation Week 2019.

The theme was Truth: Walk Together with Courage. Three guest speakers from the Aboriginal and Torres Strait Islander community generously shared their personal stories of reconciliation with the assembled group from Council and the community. Attendees included Councillors, Council's Executive Leadership Team members, non-government organisation staff, local Aboriginal and Torres Strait Islander people, representatives of the schools and the YMCA Young Leaders.

Music was provided by a Wilyakali community member. A light lunch which incorporated traditional bush foods was supplied by a local catering company.

The Deputy Mayor, Councillor Browne provided a reflection on the importance of reconciliation in the local community and expressed anticipation for the future of the relationship between Council and the local Aboriginal and Torres Strait Islander community.

Reconciliation Week 2020 was held largely online due to the public health restrictions on gathering. Reconciliation Australia provided a guide to activities and Council engaged with schools to promote the free screening of the film, "In My Blood It Runs". Library staff used their social media channels to promote the week and resources available within the Broken Hill Library.

NAIDOC Week has been similarly affected by gathering restrictions, however, the dates have officially been moved to 8-15 November 2020. The theme in 2020 is "Always Was, Always Will Be," usual activities have been disrupted due to the public health measures affecting gatherings.

Implementation

The RAP working group will meet four times per calendar year to discuss the implementation of the plan and to receive progress information.

RAP achievements, challenges and learnings will be reported in Council's annual reports.

Community Engagement:

The process of creating the RAP included regular engagement with the Wilyakali Elder by telephone and face to face meetings

Two meetings of the Aboriginal Community Working Party have been attended to discuss the RAP and its progress.

Individual meetings have been held with members of the Aboriginal and Torres Strait Islander community. Four meetings of the RAP Working group have been held either face to face or more recently over digital means due to restrictions on gatherings.

Regular email contact has been maintained with the RAP working group to advise of updates and seek feedback.

Strategic Direction:

Key Direction:	1	Our Community
Objective:	1.2	Our Community works together
Strategy:	1.2.2	Support the Reconciliation Movement

Relevant Legislation:

The *Local Government Act 1993* (NSW)

The *National Parks and Wildlife Act 1974* (NSW)

The *Constitution Act 1902* (NSW)

Financial Implications:

Short term financial implications include printing and distribution costs and promotion. Provisions for staff training and other direct costs will be incorporated into annual budget reviews.

Attachments

1. [↓](#) Reconciliation Action Plan 2020-2022

RAZIJA NU'MAN
DIRECTOR CORPORATE

JAMES RONCON
GENERAL MANAGER





TABLE OF CONTENTS

ACKNOWLEDGEMENT OF COUNTRY	4
OUR VISION FOR RECONCILIATION	5
MAYOR'S MESSAGE	6
GENERAL MANAGER'S MESSAGE	8
OUR RECONCILIATION ACTION PLAN	12
RELATIONSHIPS	16
RESPECT	20
OPPORTUNITIES	24
GOVERNANCE	27



Art work supplied by Taya Biggs- Contemporary Barkindji Artist, Menindee

ACKNOWLEDGEMENT OF COUNTRY



Reconciliation Week celebrations 2019
Photograph: Broken Hill City Council

Broken Hill City Council acknowledges the Wilyakali people of the Barkindji nation as Traditional Owners of the land and pay our respect to Elders past, present and future.

OUR VISION FOR RECONCILIATION



2019 NAIDOC Week Storytelling Programme
Photograph: Fallon Spangler, Broken Hill City Council

Our reconciliation vision is to create a community that walks together toward a shared future. We do this by using actions and words to acknowledge the histories, cultures, knowledge, and contributions of Aboriginal and Torres Strait Islander community members.

MAYOR'S MESSAGE

It gives me great pleasure to present Broken Hill City Council's Reconciliation Action Plan (RAP) for 2020-2022.

This is Council's second RAP and its review and refinement highlights our commitment to reconciliation with Aboriginal and Torres Strait Islander people.

This RAP outlines the steps we will take to contribute to reconciliation and increase cooperation, understanding, harmony and engagement with our Aboriginal and Torres Strait Islander community.

We encourage other local organisations and businesses to commence their own journey of reconciliation and help create new levels of respect and cooperation across the community.

I look forward to seeing the beneficial outcomes from this RAP and positive change in Broken Hill.

I wish to thank all Aboriginal and Torres Strait Islander people who participated in community engagement to inform this plan and commend staff on their efforts in compiling this important document.

Darriea Turley AM
Broken Hill Mayor





2020 Maari Ma Indigenous Art Awards, Face Painting by BHRAG Programme AACES
Photograph: Mackenna Ridley Photography

GENERAL MANAGER'S MESSAGE

Broken Hill City Council is pleased to join the ranks of Councils who have committed to embracing positive change through the development of Reconciliation Action Plans.

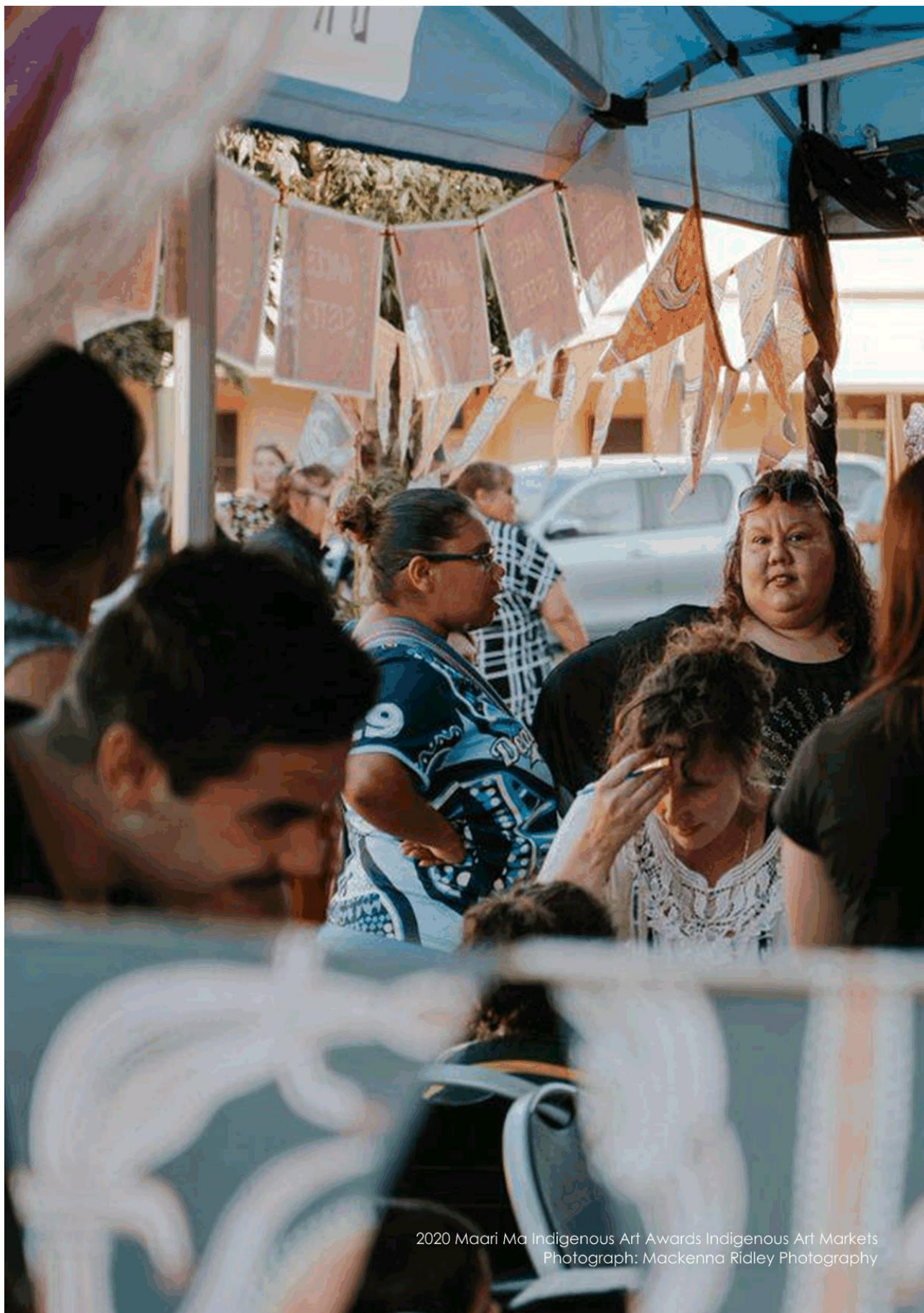
Council's RAP bolsters our existing relationships with Broken Hill's Aboriginal and Torres Strait Islander population and showcases our dedication and commitment to reconciliation.

This is a strategic document involving all departments within Council and we look forward to initiatives within the plan forming part of our organisational practice.

This RAP encourages greater acknowledgment, respect, inclusion and opportunities for Aboriginal and Torres Strait Islander people in Broken Hill and will help ensure that Councillors and Council staff understand and embrace our journey of reconciliation.

James Roncon
General Manager Broken Hill City Council





2020 Maari Ma Indigenous Art Awards Indigenous Art Markets
Photograph: Mackenna Ridley Photography

OUR BUSINESS

The Broken Hill City Council provides high quality services and leadership to enhance community living and facilitate a prosperous economy in our vibrant and culturally rich heritage city.

Broken Hill has a long pioneer history of mining and agriculture and was named Australia's First Heritage City in 2015 due to the city's significant role in the development of Australia as a modern and prosperous country. The listing recognises the significance of over 130 years of continuous mining operations, its contribution to technical developments in the field of mining, its pioneering role in the development of occupational health and safety standards and its early practice of regenerating the environment in and around mining operations.

Broken Hill is the largest town in the Far West region. Broken Hill City Council delivers local government services across the local geographic area, from one administrative centre at 240 Blende Street in Broken Hill.

These services include:

- Local roads and footpaths, parks and gardens
- Waste management and recycling
- Recreation and cultural facilities such as the Broken Hill Regional Aquatic Centre, Broken Hill Civic Centre, Broken Hill City Library, Broken Hill Regional Art Gallery, Albert Kersten Mining and Minerals Museum and Visitors Information Centre
- Strategic planning and development
- Community engagement and partnering
- Development and monitoring of compliance activities
- Organisation and delivery of important community events such as Citizenship Ceremonies and other official proceedings

Council staff also provide arts and library services across the region, outside of Broken Hill City's footprint.

Council employs 179 people over a wide variety of occupations and departments, four of whom are Aboriginal and/or Torres Strait Islander people. These people equate to 166 full time equivalent roles.

Council utilises the opportunity presented by the Elsa Dixon Aboriginal Employment Grant to engage Aboriginal and Torres Strait Islander school-based trainees in various departments across the organisation. The most recent trainees have been engaged in the departments of Information Technology and Mechanical Services.

As the largest community in a wide geographical area, Broken Hill is used as a regional resource centre for health services, retail and community services for smaller communities across the Far West; including the Central Darling Shire towns of Wilcannia, Menindee, White Cliffs and Ivanhoe. Broken Hill is a tourism hub for exploration to the wider region and discovery of heritage, mining and the pastoral outback of Far West NSW.





2019 Maari Ma Indigenous Art Awards
Photograph: Broken Hill Regional Art Gallery

OUR RECONCILIATION ACTION PLAN

The local government area occupied by Broken Hill City is on the traditional lands of the Wilyakali people of the Barkindji nation. Continuous connection to this land has been evident for at least 60,000 years.

It is with pride that the Broken Hill City Council looks to have a greater relationship with Aboriginal and Torres Strait Islander people, enhance our connections and encourage influence within the scope of the Reconciliation Action Plan (RAP).

Aboriginal and Torres Strait Islander cultures are the oldest continuous cultures in the world with 8.5% of the Broken Hill population identifying as people of Aboriginal and Torres Strait Islander heritage (Census 2016).

In 2011/12, Broken Hill City Council completed its first Reconciliation Action Plan. This plan, its outcomes and intentions has influenced successful programmes executed by Council at the Broken Hill Regional Art Gallery and Broken Hill City Library. The initial RAP stated Council's intention to work collaboratively with the Aboriginal and Torres Strait Islander community, within the restrictions inherent in local government and this has enabled a suite of additional programmes and relationships to be formed and grown.

In 2018/19 the Broken Hill Regional Art Gallery programme FRESHbark was launched after funding was secured from Australia Council for the Arts. This programme was a collaborative project between the gallery, partner organisations and young Barkindji artists from Far West NSW. FRESHbark targeted a group of emerging Indigenous artists to create opportunities for them to share their stories through artistic practice and processes. This highly successful and rewarding programme included a series of artmaking and curatorial workshops to encourage the documentation and sharing of the participants' arts practice and excursions to access state and national collections as an opportunity for primary research. The initial FRESHbark programme, now completed, has resulted in ongoing informal mentoring relationships between regional Art Gallery staff and the artists. The search for funding to continue this programme is ongoing, such was its success.

Council has historically utilised the funding available in the Elsa Dixon Aboriginal Employment Grant to employ Aboriginal and Torres Strait Islander school-based trainees. This funding is provided by Training Services NSW to support Aboriginal and Torres Strait Islander people by creating training and employment opportunities and has been the vehicle through which Council has been able to provide local employment.

Council has received great benefit from employing local Aboriginal and Torres Strait Islander trainees and continues this important measure.

In the period from the mid 2000's, Aboriginal and Torres Strait Islander trainees stationed at the Broken Hill Regional Art Gallery have provided input, which has had a long-lasting impact on the development of important programmes. Trainees were influential in the implementation of an Aboriginal art exhibition in 2008 when engaged to liaise with the local Aboriginal Community Working Party to provide feedback and present useful ideas for the inclusion of local Aboriginal artists and Aboriginal cultural practice in the Gallery programme. In 2019, this annual exhibition was renamed the Maari Ma Indigenous Art Award, to reflect the strong partnership that has been evident with Maari Ma Health Aboriginal Corporation since the inception of the prize. This prestigious annual award has encouraged many local and regional artists to participate and enabled the gallery to identify and work with many local artists. The opening night of the Maari Ma Indigenous Art Award is a celebration that brings together a wide variety of people from across the community, to celebrate Indigenous arts.

In 2018/19, school-based trainees were employed in the Council departments of Information Technology and Mechanical services. These traineeships led to further apprenticeship opportunities with other businesses and tertiary study options for these trainees.

Council is committed to ensuring that the level of Aboriginal and Torres Strait Islander employment will consistently improve, through adjustment to recruitment processes and setting targets for employment across a wide variety of services within the organisation. These measures include ensuring that Aboriginal and Torres Strait Islander people in the community have access to the opportunity to apply and experience a positive and culturally aware workplace throughout the application and interview processes and all through their working life.

To ensure that the cultural awareness and acceptance needed to facilitate incremental changes in recruitment, engagement and communication within Council and to the community, the Mayor, General Manager and Director Corporate champion the RAP from the senior leadership of Council. Council's Workplace Consultative Committee members maintain awareness of RAP progression.

Historically, the relationship between Council and the local Aboriginal and Torres Strait Islander community has been challenging due to the lack of an ongoing relationship with the Aboriginal Community Working Party and other Aboriginal and Torres Strait Islander stakeholders. This RAP seeks to address the issues by maintaining relationships within the Aboriginal Community Working Party, the RAP Working Group (which maintains majority Aboriginal and Torres Strait Islander membership) and setting engagement targets through projects.

In preparation for the Innovate RAP, Council endorsed Terms of Reference for the RAP Working Group in October 2018, as a preliminary first step to creating a RAP Working Group, which was created in February 2019. Members of the RAP Working Group include the Mayor and two Councillors, six members from the local Aboriginal and Torres Strait Islander community and two Council staff (including one from the Executive Leadership Team). A public expression of interest process was conducted to alert local Aboriginal and Torres Strait Islander people to join and contribute as a member of the Working Group. Aboriginal and Torres Strait Islander staff were invited to take part and contact was made with the Aboriginal Community Working Party and local Aboriginal organisations, to encourage people to nominate to the RAP Working Group.

The RAP Working Group meets physically and maintains further engagement using digital communications and telephone, to ensure all members are informed and able to contribute to the Reconciliation Action Plan.





Broken Hill Regional Art Gallery FRESHBark programme
Photograph: Blake Griffiths

The internal framework for ensuring the success of the Reconciliation Action Plan has been put in place and extends to the RAP's inclusion in Council's internal reporting processes. These usual reporting paths will be used to track the progress, achievements and outcomes of the Reconciliation Action Plan and to ensure targets for milestones and meetings are met.

The initial Reconciliation Action Plan paved the way for the, Innovate Reconciliation Action Plan, which includes a series of actions and initiatives to be incorporated over the next two year period. It is important to Council and the future strength and prosperity of the whole community, that Council takes a lead in connecting with and strengthening the relationship with the Aboriginal and Torres Strait Islander peoples of our community.

Our Mayor, General Manager and Director Corporate are all champions for this Reconciliation Action Plan to ensure ongoing respectful and positive relationships with Aboriginal and Torres Strait Islander peoples and entities. Our leaders champion this process internally to all staff and stakeholders and externally to the wider community.

The Aboriginal and Torres Strait Islander members of the Reconciliation Action Plan Working Group were recruited through consultation with the Wilyakali Elder and the local Aboriginal and Torres Strait Islander community and promotion in the local newspaper. The Reconciliation Action Plan Working Group also includes Council representatives including the Mayor and two Councillors, and two Council staff.

The Reconciliation Action Plan Working Group consists of the following people:

- Chair Mayor Darriea Turley AM
- Councillor Marion Browne
- Councillor Maureen Clark
- Mr Cory Paulson
- Ms Tegan Hinchey-Gerard
- Ms Denise Hampton
- Mr Justin Files
- Mr Keith Ferguson
- Ms Taunoa Bugmy
- Ms Razija Nu'man
- Ms Dionne Devlin





RELATIONSHIPS

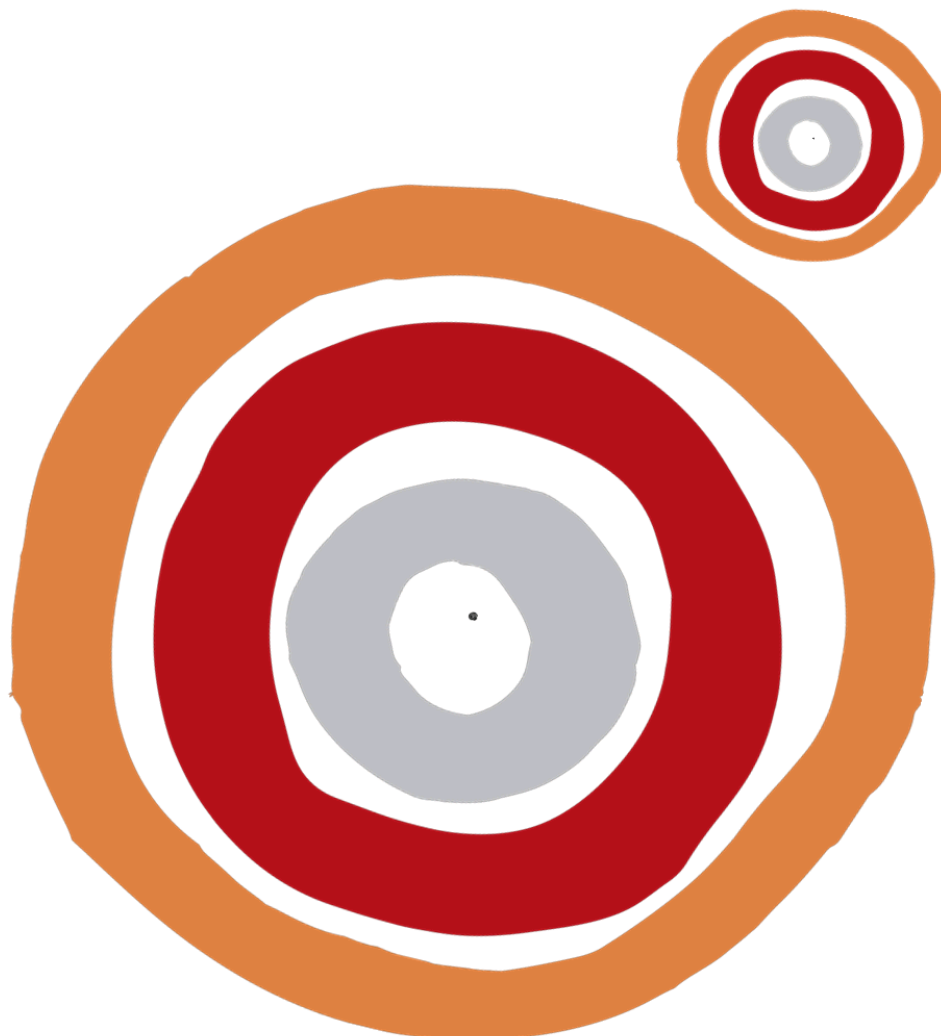
Greater respectful connection between people in our workforce and our community creates more opportunity for productive relationships, strength, growth and opportunity for all. Strengthened relationships provide benefits across the Council and community by ensuring people are culturally and personally aware resulting in additional open positivity toward Aboriginal and Torres Strait Islander Peoples and cultures.

ACTION	DELIVERABLE	TIMELINE	RESPONSIBILITY
1. Establish and maintain mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations.	<ul style="list-style-type: none"> Meet with local Aboriginal and Torres Strait Islander stakeholders and organisations to develop guiding principles for future engagement. 	October 2021	Director Corporate
	<ul style="list-style-type: none"> Maintain relationships with the local Aboriginal and Torres Strait Islander community by: <ul style="list-style-type: none"> Engaging with Aboriginal and Torres Strait Islander staff members bi-annually Attending Aboriginal Community Working Party meetings when invited Holding information sessions for local Aboriginal and Torres Strait Islander stakeholders and organisations concerning Council developments and other business as needed 	August 2022	Director Corporate/ Human Resources
	<ul style="list-style-type: none"> Ensure representatives of the Wilyakali Traditional Custodians and local Aboriginal and Torres Strait Islander people are consulted via the Aboriginal Community Working Party as projects arise. 	March 2021	General Manager
	<ul style="list-style-type: none"> Partner with the Aboriginal Community Working Party to develop an engagement matrix for Aboriginal and Torres Strait Islander organisations in Broken Hill. This resource will be shared across the local community to facilitate better collaboration and communication with Aboriginal and Torres Strait Islander people and organisations. 	March 2021	Community Project Officer

2. Build relationships through celebrating National Reconciliation Week (NRW).	<ul style="list-style-type: none"> • Circulate Reconciliation Australia's National Reconciliation Week (NRW) resources and reconciliation materials to our staff. • RAP Working Group members to participate in an external NRW event. • Encourage and support Councillors, Council staff and senior leaders to participate in at least one external event to recognise and celebrate NRW every year. • Council organises at least one NRW event each year. • Council staff will register all known National Reconciliation Week events on the National Reconciliation Week website annually. • Highlight National Reconciliation Week through Council's social media and other communication material 	<p>May 2021 2022</p> <p>27 May-3 June 2021 2022</p> <p>May 2021 2022</p> <p>27 May-3 June 2021 2022</p> <p>May 2021 2022</p> <p>May 2021 2022</p>	<p>Manager Communications</p> <p>Community Project Officer</p> <p>General Manager</p> <p>Events Coordinator</p> <p>Community Development Officer</p> <p>Manager Communication</p>
3. Promote reconciliation through our sphere of influence.	<ul style="list-style-type: none"> • Implement strategies to engage our staff in reconciliation including providing copies of the RAP to staff. • The Mayor and General Manager communicate Council's commitment to reconciliation publicly. • Councillors, Council's Workplace Consultative Committee and Executive Leadership Team act as staff champions to promote reconciliation materials to fellow staff members. • The Broken Hill Cultural Precinct - Library and Archive development discussions will include the opportunity for dual language signage. • Explore opportunities to positively influence our external stakeholders to drive reconciliation outcomes. 	<p>April 2021</p> <p>November 2020</p> <p>February 2021</p> <p>October 2021</p> <p>November 2021</p>	<p>General Manager</p> <p>General Manager</p> <p>General Manager</p> <p>Director Corporate</p> <p>General Manager</p>

	<ul style="list-style-type: none"> Collaborate with RAP and other like-minded organisations to develop ways to advance reconciliation. Communicate positive stories of Aboriginal and Torres Strait Islander employees and local events throughout Council's social media channels, through internal mail and report to Council annually. 	November 2021	Director Corporate
		April 2021 2022	Manager Communications
4. Develop and promote Library and Archival programmes.	<ul style="list-style-type: none"> Continue with existing Library programmes that engage with our Aboriginal and Torres Strait Islander community. 	February 2021	Library Coordinator
	<ul style="list-style-type: none"> Annually deliver programmes as part of National Aborigines and Islanders Day Observance Committee (NAIDOC) week celebrations. In organising these programmes, liaise with Aboriginal and Torres Strait Islander contacts in the community and investigate new partnerships. 	March 2021 2022	Library Coordinator
	<ul style="list-style-type: none"> Undertake archival programmes and pursue opportunities to record the vast history of Aboriginal people of the area. The history of the area is vitally important to the ongoing expansion and celebration of the City's status as the First Heritage Listed City. 	August 2022	Library Coordinator
	<ul style="list-style-type: none"> Identify and promote Aboriginal and Torres Strait Islander content within the Broken Hill City Library Archives. 	July 2021	Library Coordinator
5. Promote positive race relations through anti-discrimination strategies.	<ul style="list-style-type: none"> Conduct a review of HR policies and procedures to identify existing anti-discrimination provisions and future needs. 	February 2021	HR Coordinator
	<ul style="list-style-type: none"> Engage with Aboriginal and Torres Strait Islander staff and/or Aboriginal and Torres Strait Islander advisors on anti-discrimination policy. 	March 2021	HR Coordinator
	<ul style="list-style-type: none"> Embed the Fair Work Ombudsman's 'Guide to hiring new Aboriginal and Torres Strait Islander employees' in Council's hiring practices. 	November 2020	HR Coordinator
	<ul style="list-style-type: none"> Ensure that Council's HR processes allow for the cultural practices of 	November 2020	HR Coordinator

	Aboriginal and Torres Strait Islander people. <ul style="list-style-type: none">• Review Council's EEO policy and ensure it is informed by best practice. Implement and communicate the policy to all Council staff.• Educate senior leaders on the effects of racism by completing cultural training with local Aboriginal providers	August 2022 March 2022	HR Coordinator General Manager
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RESPECT

As Australia's First Heritage Listed City, Cultural Heritage is important to the City of Broken Hill and its people. Respecting the history, culture, land, environment and all people that make up our community will lead to greater empowerment, equity, participation, encouragement, confidence, trust and awareness and augment our ability as a community, to best deliver the story of our history and that of the land and people.

ACTION	DELIVERABLE	TIMELINE	RESPONSIBILITY
6. Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning.	<ul style="list-style-type: none"> Conduct a review of cultural learning needs within our organisation. 	November 2020	HR Coordinator
	<ul style="list-style-type: none"> Engage with the Aboriginal Community Working Party and RAP Working Group members to identify local opportunities for cultural training, both formal and local cultural immersion. 	December 2020	Director Corporate
	<ul style="list-style-type: none"> Embed cultural training into Council's general staff training programme via the general induction process which is completed for all new employees and every two years for all employees. 	January 2021	HR Coordinator
	<ul style="list-style-type: none"> Ensure that Cultural training is delivered to Councillors, Executive Leadership Team, senior managers, RAP Working Group members, frontline staff, staff from the service wings and Council's Workplace Consultative Committee Members by local Aboriginal and Torres Strait Islander people. 	February 2021	HR Coordinator
	<ul style="list-style-type: none"> Provide opportunities for RAP Working Group members, HR managers and other key leadership staff to participate in formal and structured cultural learning. 	September 2021	HR Coordinator
	<ul style="list-style-type: none"> Develop, implement, and communicate a cultural learning strategy for our staff. 	September 2021	HR Coordinator

	<ul style="list-style-type: none"> Incorporate archival material from the AIATSIS (Australian Institute of Aboriginal and Torres Strait Islander Studies) information kept for this area into the City's archives, so that all local people will be able to research their cultural heritage. Consult local Traditional Owners and/or Aboriginal and Torres Strait Islander advisors, on the development and implementation of a cultural learning strategy. 	<p>July 2021</p> <p>December 2020</p>	<p>Library Coordinator</p> <p>HR Coordinator</p>
7. Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols.	<ul style="list-style-type: none"> Increase Council staff understanding of the purpose and significance behind cultural protocols, including Acknowledgement of Country and Welcome to Country protocols. Develop, implement and communicate a cultural protocol document, including protocols for Welcome to Country and Acknowledgement of Country. Ensure merchandise offered in all Council retail environments meets new recognition of Indigenous cultural and intellectual property protocols. Ensure that a prominent Acknowledgement of Country in the email signature of Council staff identifies the Aboriginal land upon which Council buildings are situated and programmes take place. A Welcome to Country will be performed at the flag raising ceremony during NAIDOC week, Australia Day, at conferences and when new ground is broken at commencement of any new civic building projects and will be included on all Council event run sheets. The Welcome will be provided by the Wilyakali Traditional Custodian. 	<p>December 2021</p> <p>November 2021</p> <p>December 2020</p> <p>July 2021</p> <p>September 2021</p>	<p>General Manager</p> <p>Director Corporate</p> <p>Director Corporate</p> <p>Library Coordinator</p> <p>General Manager</p>

	<ul style="list-style-type: none"> Councillors, Council's General Manager and/or Senior Leadership Team member/s will deliver an Acknowledgement of Country at Council meetings. Investigate the inclusion of a culturally appropriate Acknowledgement in the foyer of the administration building (this may be an artwork, translations of signs) 	December 2020	General Manager
		December 2021	Director Corporate
8. Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC week.	<ul style="list-style-type: none"> RAP Working Group to participate in an external NAIDOC Week event. 	July 2021 2022	Director Corporate
	<ul style="list-style-type: none"> Ensure Councillors, Council staff and the RAP Working Group take part in annual internal and external NAIDOC celebrations in the local community. 	July 2021 2022	General Manager
	<ul style="list-style-type: none"> Review HR policies and procedures to remove barriers to staff participating in NAIDOC Week. 	June 2021 2022	HR Coordinator
	<ul style="list-style-type: none"> Promote and encourage participation in external NAIDOC events to Councillors, all staff and the wider community. 	June 2021 2022	Manager Communication
9. Promote and develop the Arts in the community.	<ul style="list-style-type: none"> Investigate opportunities to continue the FRESHBark programme (or similar) at the Broken Hill Regional Art Gallery (BHRAG). 	December 2021	Manager Gallery and Museums
	<ul style="list-style-type: none"> Invite a wide range of organisations to exhibitions staged by Aboriginal and Torres Strait Islander artists and the Maari Ma annual art prize. 	March 2021	Manager Gallery and Museums
	<ul style="list-style-type: none"> Investigate Indigenous Art Code Accreditation at the Broken Hill Regional Art Gallery. 	June 2021	Manager Gallery and Museums
	<ul style="list-style-type: none"> Continue to have culturally appropriate activities for and with the Aboriginal and Torres Strait Islander people of Broken Hill and 	September 2021	Manager Gallery and Museums

	<p>the region at the Broken Hill Regional Art Gallery.</p> <ul style="list-style-type: none"> In consultation with the Aboriginal Community Working Party, identify opportunities to include Aboriginal and Torres Strait Islander imagery in new developments 	August 2022	General Manager
10.Promote the use and visibility of local languages	<ul style="list-style-type: none"> Consult with the Aboriginal Community Working Party regarding dual language signage and a Keeper Space in the design of the Broken Hill Cultural Precinct- Library and Archive. 	October 2021	Library Coordinator





OPPORTUNITIES

We value Aboriginal and Torres Strait Islander peoples in our community and their unique experiences and knowledge. Increased workplace opportunities for Aboriginal and Torres Strait Islander people will enhance the offering of Broken Hill City Council to the community and create more value for both the organisation and the people of Broken Hill.

ACTION	DELIVERABLE	TIMELINE	RESPONSIBILITY
11. Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention, and professional development.	<ul style="list-style-type: none"> Build understanding of current Aboriginal and Torres Strait Islander staffing to inform future employment and professional development opportunities. 	August 2022	HR Coordinator
	<ul style="list-style-type: none"> Work toward a 3% Aboriginal and Torres Strait Islander workforce target. 	August 2022	HR Coordinator
	<ul style="list-style-type: none"> Extend the Elsa Dixon school-based training opportunity and investigate further opportunities to employ Aboriginal and Torres Strait Islander people. 	February 2021	HR Coordinator
	<ul style="list-style-type: none"> Encourage Aboriginal and Torres Strait Islander adolescents to choose high school work experience options at the Council. 	May 2021	HR Coordinator
	<ul style="list-style-type: none"> Through communications with the Aboriginal Community Working Party, encourage Aboriginal and Torres Strait Islander people to apply for entry level positions, with a view to accessing further training and opportunities as Council staff members. 	October 2021	HR Coordinator
	<ul style="list-style-type: none"> Review the transition of Aboriginal and Torres Strait Islander people from traineeships into further work. 	September 2021	HR Coordinator
	<ul style="list-style-type: none"> Ensure Council's HR processes address any cultural barriers Aboriginal and Torres Strait Islander people may experience in employment with the organisation. 	March 2021	HR Coordinator
	<ul style="list-style-type: none"> Partner with the Aboriginal Community Working Party or RAP Working Group members who are Aboriginal and Torres Strait Islander people, to identify a local Aboriginal and Torres Strait Islander person for 	February 2021	HR Coordinator

	<p>inclusion on interview panels for recruitment for identified positions.</p> <ul style="list-style-type: none"> • Ensure Council's Human Resources department and Executive Leadership Team have available resources to encourage Aboriginal and Torres Strait Islander employment. • Engage with Aboriginal and Torres Strait Islander staff to consult on our recruitment, retention and professional development workforce strategy. • Integrate Cultural protocols that may affect retention and professional development into the workforce strategy. • Develop and implement an Aboriginal and Torres Strait Islander recruitment, retention and professional development strategy. • Advertise job vacancies to effectively reach Aboriginal and Torres Strait Islander stakeholders. • Review HR and recruitment procedures and policies to remove barriers to Aboriginal and Torres Strait Islander participation in our workplace. • Increase the percentage of Aboriginal and Torres Strait Islander staff employed in our workforce. • Seek out funding for paid positions and traineeships for people with Aboriginal and Torres Strait Islander heritage (Elsa Dixon). Investigate broadening the existing programme to include other forms of employment. 	<p>April 2021</p> <p>May 2021</p> <p>August 2022</p> <p>March 2021</p> <p>April 2021</p> <p>March 2021</p> <p>February 2022</p> <p>February 2021</p>	<p>Manager Finance</p> <p>HR Coordinator</p> <p>HR Coordinator</p> <p>HR Coordinator</p> <p>HR Coordinator</p> <p>HR Coordinator</p> <p>HR Coordinator</p>
12. Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.	<ul style="list-style-type: none"> • Develop and implement an Aboriginal and Torres Strait Islander procurement strategy. • Investigate local and national opportunities for procurement from Aboriginal and Torres Strait Islander businesses. 	<p>September 2021</p> <p>July 2021</p>	<p>Manager Finance</p> <p>Manager Finance</p>

	<ul style="list-style-type: none"> Develop commercial relationships with Aboriginal and/or Torres Strait Islander businesses. 	August 2021	Manager Finance
	<ul style="list-style-type: none"> Investigate Supply Nation membership and the potential to increase supplier diversity. 	October 2021	Manager Finance
	<ul style="list-style-type: none"> Develop and communicate opportunities for procurement of goods and services from Aboriginal and Torres Strait Islander businesses to staff. 	September 2021	General Manager
	<ul style="list-style-type: none"> Review and update procurement practices to remove barriers to procuring goods and services from Aboriginal and Torres Strait Islander businesses. 	September 2021	Manager Finance



GOVERNANCE

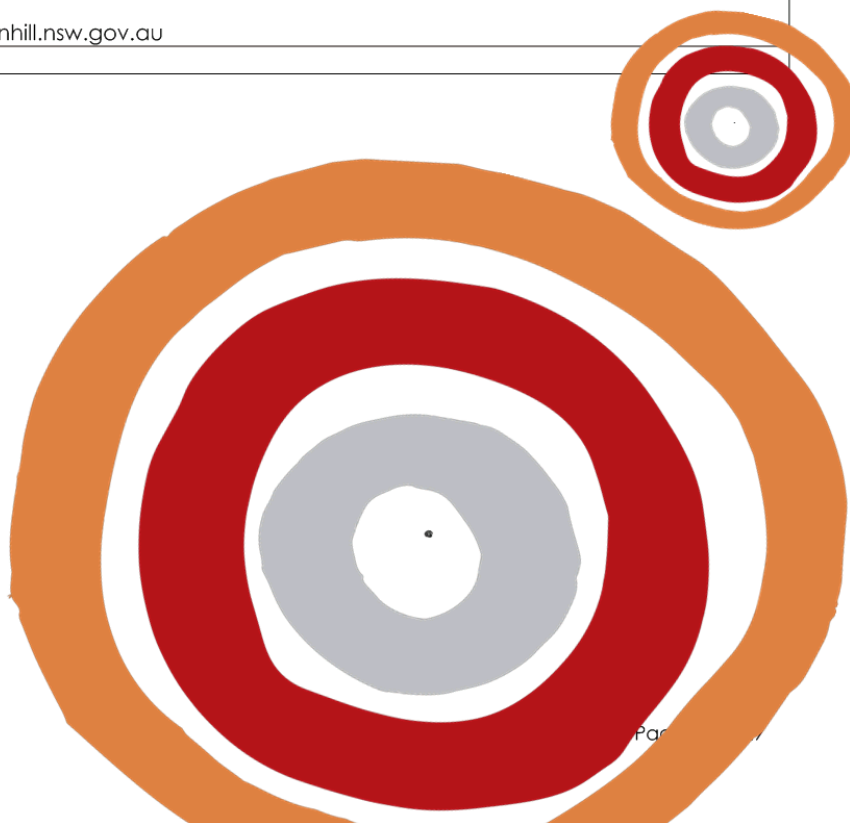
Tracking progress and reporting

ACTION	DELIVERABLE	TIMELINE	RESPONSIBILITY
13. Establish and maintain an effective RAP Working Group (RWG) to drive governance of the RAP.	<ul style="list-style-type: none"> Maintain Aboriginal and Torres Strait Islander representation on the RWG. Actively recruit new and existing Aboriginal and Torres Strait Islander staff to participate on the RAP Working Group Establish and apply a Terms of Reference for the RWG. Meet at least four times per year to drive and monitor RAP implementation. 	September 2021 September 2021 November 2020 02/2021 04/2021 07/2021 10/2021 02/2022 04/2022 07/2022 10/2022	Director Corporate Director Corporate Community Project Officer Director Corporate
14. Provide appropriate support for effective implementation of RAP commitments.	<ul style="list-style-type: none"> The resources are defined for RAP implementation including adequate staffing, event staff and budget. Engage and task Senior leaders and staff to ensure delivery of RAP commitments. Define and maintain appropriate systems to track, measure and report on RAP commitments. Maintain an internal RAP Champion from Senior Management. 	November 2020 November 2020 November 2020 August 2022	General Manager General Manager Director Corporate General Manager
15. Build accountability and transparency through reporting RAP achievements, challenges and learnings both	<ul style="list-style-type: none"> Complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia. 	30 September 2021, 2022	Director Corporate

internally and externally.	<ul style="list-style-type: none"> Report RAP progress to all staff and senior leaders quarterly. 	02/2021 04/2021 07/2021 10/2021 02/2022 04/2022 07/2022 10/2022	General Manager
	<ul style="list-style-type: none"> RAP achievements, challenges and learnings to be reported in Council's annual reports. 	November 2020 2021	Director Corporate
	<ul style="list-style-type: none"> Investigate participating in Reconciliation Australia's biennial Workplace RAP Barometer. 	May 2022	Director Corporate
16. Continue our reconciliation journey by developing our next RAP.	Register via Reconciliation Australia's website to begin developing our next RAP.	February 2022	General Manager

Contact details

Name: Dionne Devlin
 Position: Community Project Officer
 Phone: 08 80803348
 Email: dionne.devlin@brokenhill.nsw.gov.au





RECONCILIATION
ACTION PLAN

INNOVATE

BROKEN HILL

CITY COUNCIL

www.brokenhill.nsw.gov.au

ORDINARY MEETING OF THE COUNCIL

August 28, 2020

ITEM 7BROKEN HILL CITY COUNCIL REPORT NO. 141/20

SUBJECT: ADOPTION OF DRAFT MOBILE FOOD VEHICLES, TEMPORARY
FOOD STALLS AND HAWKING POLICY 12/14

Recommendation

1. That Broken Hill City Council Report No. 141/20 dated August 28, 2020, be received.
2. That Council adopts the draft Mobile Food Vehicles, Temporary Food Stalls and Hawking Policy as a Policy of Council.
3. That adoption of the draft Mobile Food Vehicles, Temporary Food Stalls and Hawking Policy will render the Food Hawker and Vendor Regulations Policy obsolete.

Executive Summary:

The draft Mobile Food Vehicles, Temporary Food Stalls and Hawking Policy was presented to the Ordinary Council Meeting held 29 July 2020.

Councillors raised concerns regarding the application of the policy to local community not-for-profit organisations undertaking fundraising activities through cake stalls/sausage sizzles.

A Councillor Workshop was held 13 August 2020, with a suggestion to amend the draft policy to clarify that the policy does not relate to fundraising activities of community not-for-profit organisations; but relates wholly to food hawker and food vendor businesses.

The amended draft Mobile Food Vehicles, Temporary Food Stalls and Hawking Policy was re-presented to the August Council meeting and Council endorsed the draft Policy for the purpose of public exhibition.

The draft Policy was placed on public exhibition for a period of 28 days concluding on 25 September 2020, at which time Council received one emailed submission from a member of the public who raised concerns that, cake stalls/food stalls at community events such as the Christmas Pageant After Party, Community Markets and the Film Festival will be affected by this policy. Council staff have replied and explained the intent of the draft policy and that the community events mentioned will not be affected; all processes carried out by the event organisers and stall holders will remain the same with regards to Public Liability Insurance and food handling requirements.

Report:

The purpose of this draft Policy is to provide criteria for the management of mobile food vehicles and temporary food stalls regarding food vending at markets and community events; from specific sites; on public and private land; and from public streets (hawking).

Council aims to ensure that the activities of food hawkers and vendors are controlled in such a manner that protects the public interest by the preservation of public health and safety.

Essentially food hawkers and vendors are classified as persons undertaking a business activity of a commercial nature (see definitions section of the draft policy).

The policy does not relate to fundraising activities of community not-for-profit organisations, although these activities still need to be advised to Council and if conducted on community land, and public liability insurance needs to be provided along with proof of food handling knowledge.

The Policy aims to:

- a. Establish a governance process that Council will apply to trade or business of an itinerant and short-term nature.
- b. To provide a framework for Council staff to assess applications from customers who wish to sell food on an itinerant basis in the Broken Hill City Council area.
- c. To help facilitate the compliance of itinerant food vendors with relevant state legislation i.e. NSW Food Act 2003.

Once adopted, the draft policy will replace the Food Hawker and Vendor Regulations Policy, 2008.

The draft Policy was placed on public exhibition for a period of 28 days concluding on 25 September 2020, at which time Council received one submission from the public as outlined above. The draft Policy has not been amended due to the receipt of this submission, and is now presented to Council for consideration of adoption as a Policy of Council.

Community Engagement:

The draft Mobile Food Vehicles, Temporary Food Stalls and Hawking Policy was placed on public exhibition for a 28-day period concluding 25 September 2020.

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 68 of the *Local Government Act 1993* requires Council approval to be given prior to engaging in a trade or business on community land.

A food business is required to sell safe and suitable food in accordance with the provisions of the *NSW Food Act 2003* and *NSW Food Regulations 2015*.

Certain activities require development consent under the *Environmental Planning and Assessment Act 1979* (EP&A Act). A long term, site specific, operation of a mobile food vehicle is an example of such an activity requiring consent under the EP&A Act.

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

- a) *Food Act 2003*
- b) *Food Regulations 2015*
- c) *Local Government Act 1993* – particularly Chapter 7, Section 68
- d) NSW Food Authority - Guidelines for Food Businesses at Temporary Events
- e) NSW Food Authority - Guidelines for Mobile Food Vending Vehicles
- f) Application to Sell Food and/or Drink at Temporary Events
- g) Local Approvals Policy

Financial Implications:

Nil

Attachments

1. [!\[\]\(9bf097d682561b2ffd12d57a40ca73b1_img.jpg\)](#) Draft Mobile Food Vehicles, Temporary Food Stalls and Hawking Policy
2. [!\[\]\(51d3868eac81c232f6ef399d2bd16077_img.jpg\)](#) Submission received
3. [!\[\]\(a2c132b99b4fcf21fd2bcbbdcf2be642_img.jpg\)](#) Council reply to submission

JAMES RONCON
GENERAL MANAGER

DRAFT MOBILE FOOD VEHICLES, TEMPORARY FOOD STALLS AND HAWKING POLICY

MARKING POLICY

QUALITY CONTROL			
EDRMS REFERENCES		12/14 – D20/2706	
RESPONSIBLE POSITION		Environmental Health Officers	
APPROVED BY		Council Resolution	
REVIEW DATE		August 2024	
EFFECTIVE DATE		ACTION	
		MINUTE NUMBER	
26 August 2020		Public Exhibition	
		46334	

1. INTRODUCTION

The purpose of this Policy is to provide criteria for the management of mobile food vehicles and temporary food stalls regarding food vending at markets and community events; from specific sites; on public and private land; and from public streets (hawking). Council aims to ensure that the activities of Food Hawkers and Vendors are controlled in such a manner that protects the public interest by the preservation of public health and safety.

2. POLICY OBJECTIVE

The Policy aims to:

- Establish a governance process that Council will apply to trade or business of an itinerant and short-term nature.
- To provide a framework for Council staff to assess applications from customers who wish to sell food on an itinerant basis in the Broken Hill City Council area.
- To help facilitate the compliance of itinerant food vendors with relevant state legislation i.e. NSW Food Act 2003.

3. POLICY SCOPE

The Policy applies to all mobile food vehicles, food vendors and temporary food stallholders in the Broken Hill City Council area.

This Policy does not apply to temporary food stalls selling food for fundraising or not-for-profit stalls. In this case, Council should still be notified if a not-for-profit organisation wishes to sell food on community land and Public Liability Insurance cover will be required as well as basic food safety knowledge.

4. POLICY STATEMENT

Section 68 of the Local Government Act 1993 requires Council approval to be given prior to engaging in a trade or business on community land.

A food business is required to sell safe and suitable food in accordance with the provisions of the NSW Food Act 2003 and NSW Food Regulations 2015.

Certain activities require development consent under the Environmental Planning and Assessment Act 1979 (EP&A Act). A long term, site specific, operation of a mobile food vehicle is an example of such an activity requiring consent under the EP&A Act.

What are other relevant documents?

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

- a) Food Act 2003
- b) Food Regulations 2015
- c) Local Government Act 1993 – particularly Chapter 7, Section 68
- d) NSW Food Authority - Guidelines for Food Businesses at Temporary Events
- e) NSW Food Authority - Guidelines for Mobile Food Vending Vehicles
- f) Application to Sell Food and/or Drink at Temporary Events
- g) Local Approvals Policy

Approval to Operate as an Itinerant Food Vendor

Approvals & Inspections

- 1. Itinerant food vendors must be approved by Council before operating. Refer to Council's website to find an Application Form to Sell Food and/or Drink at Temporary Events.
- 2. Separate approval must be obtained for each mobile food vehicle, temporary food stall, cart or other device.
- 3. Types of approval:
 - a) Annual approval valid from 1 July to 30 June the following year.
 - b) An event approval which can be obtained for special local events.
- 4. Itinerant food vendors operating an approved mobile food vehicle shall be permitted to operate at, and for the duration of, any fete, fair, festival, carnival, community market, sporting event or similar event, with permission of the event organiser.
- 5. The application must be accompanied by a copy of current Public Liability Insurance cover to the value of \$20,000,000 which indemnifies Council and the applicant from claims for injuries to persons and damage to property.
- 6. Mobile food vehicles must be inspected by Council's Environmental Health Officer prior to approval.
- 7. Temporary food stalls or mobile food vehicles may be subject to inspection by Council's Environmental Health Officer at any event or any time.
- 8. If the mobile food vehicle is sold, the new operator must contact Council to arrange for a transfer of the approval and submit to Council a copy of current Public Liability Insurance cover as stated above.
- 9. Any vendor may be required to cease trading should an authorized officer of Council consider the vendor is not complying with Council policy or relevant food legislation.
- 10. It is a requirement that all food businesses are registered with the NSW Food Authority. This registration can be completed online, free of charge at www.foodauthority.nsw.gov.au.
- 11. Council reserves the right to refuse an application for approval.
- 12. Food vending shall be undertaken in compliance with the NSW Food Authority's Guidelines for Food Businesses at Temporary Events.

Construction Requirements

- a) Temporary Food Stalls must be constructed in accordance with the requirements set out in the NSW Food Authority's Guidelines for Food Businesses at Temporary Events.
- b) Mobile Food Vehicles must be constructed in accordance with the requirements set out in the NSW Food Authority's Guidelines for Mobile Food Vending Vehicles.
- c) Carts and other devices shall be assessed on their own merits at the time of application.

Hawkers Approval

- 1. Vendors wishing to hawk foods or drinks from public streets and lands must obtain approval from Council.
- 2. Hawker approvals will only be issued to itinerant vendors that can demonstrate their ability to:
 - i) Safely and legally park the vehicle at the point of sale;
 - ii) Operate immediately with little or no set up
 - iii) Prepare and serve with a quick turn-around and move on.
- 3. Vendors are not permitted to operate within 100 metres of a permanent retail outlet selling a similar product if that outlet is open.
- 4. Vendors shall comply with the provisions of any Crown Lands regulations. This may restrict access to some sites.
- 5. Vendors shall not occupy any one position on public land including a public road or carpark, except for such period of time as the vendor may be engaged in the actual serving of customers. After serving the customer, the vendor must move on and shall not return soliciting customers or selling over the same ground within one hour.
- 6. As per Roads and Maritime Services, street vending vehicles, such as ice cream vans or other food vending vehicles must display a flashing amber light while stopped for the purpose of serving customers. Indicators must be fitted which will inform the driver, by visible and audible means, that the light is flashing. The light must begin to flash within one second of being switched on and continue to flash at a rate of not less than 60 times per minute (Vehicles Standards Information, RMS, 2009).
- 7. Vendors shall not park any vehicle on any footway or road so as to restrict the public use or, obstruct such footway or road, or interfere with public convenience.
- 8. No food hawker or vendor shall set up a stall or any stand or trade in established shopping areas including:
 - Argent Street – Full length
 - Bagot Street – Full length
 - Beryl Street – Bromide Street to Bagot Street
 - Blende Street – Gossan Street to Bromide Street
 - Bonanza Street – Full length
 - Bromide Street – Crystal Street to Thomas Street
 - Brookfield Avenue – Full length
 - Chloride Street – Crystal Street to Beryl Street
 - Crystal Street – Full length
 - Garnet Street – Crystal Street to Beryl Street
 - Gypsum Street – Full length
 - Iodide Street – Crystal Street to Williams Street
 - Kaolin Street – Crystal Street to Wolfram Street

Lane Street – Bagot Street to Buck Street
Menindee Rd – Argent Street to Holten Drive
Oxide Street – Crystal Street to Thomas Street
Patton Street – Queen Street to Central Street
Rakow Street – Full length
Sulphide Street – Crystal Street to Beryl Street
Thomas Street – Bromide Street to Oxide Street
Wentworth Road – Queen Street to Kanandah Road
Williams Street – Full length
Wills Street – Gypsum Street to Gossan Street

9. No food hawker or vendor shall set up a stall or any stand or trade in any street, road or lane fronting or within 100 metres of any of the following properties or locations:

Any Primary, Secondary or Private School
Broken Hill Regional Aquatic Centre
Busy Kids Child Care Centre
Duff Street Shopping Centre
Gymnastics & Kindergym Club
Happy Day Preschool & Long Day Care
Jubilee Oval
McCulloch Street Shopping Centre
Playtime Preschool
Rainbow Preschool
Sanderson Basketball Stadium
Village Shopping Centre
Westside Plaza Shopping Centre
YMCA Broken Hill Integrated Wellness Centre

10. No food hawker or vendor shall sell food on any park, reserve, recreation area or land owned or controlled by Broken Hill City Council.

5. IMPLEMENTATION

5.1 Roles and Responsibilities

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

- General Manager
- Manager City Development & Planning
- Environmental Health Officer
- Compliance Officer

5.2 Communication

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

5.3 Associated Documents

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

- Compliance and Enforcement Policy
- Local Approvals Policy
- Local Orders Policy

6. REVIEW

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

The standard review period will be every two years from the effective date, or when amendments have been made to relevant legislation. The responsible Council officer will be notified of the review requirements three months prior to the expiry of this policy.

The Manager City Development & Planning is responsible for the review of this policy.

7. LEGISLATIVE AND LEGAL FRAMEWORK

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

- Food Act 2003
- Food Regulations 2015
- Local Government Act 1993
- Environment Planning & Assessment Act 1979

Council employees shall refrain from personal activities that would conflict with proper execution and management of Council's Mobile Food Vehicles, Temporary Food Stalls and Hawking Policy. Council's Code of Conduct provides guidance for recognising and disclosing any conflicts of interest.

8. DEFINITIONS

Mobile Food Vehicle refers to a motor vehicle, caravan, trailer or other mobile units that are registered as per the requirements of the Motor Traffic Act and have been constructed in accordance with the NSW Food Authority's Guide for Mobile Food Vending Vehicles.

Temporary Food Stall refers to an enclosure that is usually made from strong light weight material housing cooking and other facilities, designed to serve food for one day.

Carts and other devices refer to an apparatus or small vehicle with or without wheels, usually not road registered, that can be but not limited to being, carried, pushed, or pulled along. Carts and other devices do not usually meet the criteria of a mobile food vehicle or temporary food stall.

Itinerant Food Vendor means a person who has a mobile food vehicle, temporary food stall or cart used for the sale of food and travels from place to place.

Food Hawker means a person selling food from public streets and lands, making brief and intermittent stops to serve customers.

Approval refers to an approval by Council of an application under Section 68 of the Local Government Act 1993.

Council refers to Broken Hill City Council.

Authorised Officer means a person appointed by Broken Hill City Council under relevant legislation such as the Food Act 2003.

Potentially Hazardous Food is defined by Food Standard 3.2.2 defined as "food that has to be kept at certain temperatures to minimise the growth of any pathogenic microorganism that might be present in the food or to prevent the formation of toxins in the food". Clause 8 of that Standard requires that a food business, when displaying potentially hazardous food, display it under temperature control.

Development Consent means the consent of Broken Hill City Council under Part 4 of the Environmental Planning and Assessment Act 1979 for an applicant to carry out development and includes, unless expressly excluded, a complying development certificate.

Please note: Personal information has been redacted from this submission as per the Privacy and Personal Information Protection Act 1998.

From: [REDACTED]
Sent: Sunday, 6 September 2020 11:34 AM
To: Broken Hill City Council <council@brokenhill.nsw.gov.au>
Cc: [REDACTED]
[REDACTED]
[REDACTED]

Subject: Draft mobile food vehicle, temporary food stalls and hawking policy

Attention: General Manager and Mayor

Dear Council

I have read your draft policy - mobile food vehicle, temporary food stalls and hawking policy - with alarm.

I am a stallholder, [REDACTED] at the Broken Hill Community Markets run by BH Community Inc at the Centre for Community in Beryl St.

If this policy goes ahead it will kill the

- Community Markets
- Christmas Parade after party
- Film Festival in the Park

All these events are serviced by temporary food stalls and one mobile food vehicle provided by members of Broken Hill Community Inc at the Centre for Community in Beryl St.

- Community Markets and Christmas Parade after party – stallholders like myself who sell cupcakes that melt in hot weather cannot sell from the grounds of the Centre for Community as it is too hot in there. I need a Park site so that I can sell my cupcakes in the hotter weather. We hire a corner of the Park for stallholders who want a park site.
- If I cannot sell my cupcakes at the markets then I will not organise them for the Centre for Community. No point in doing all that work for no reward. Nobody else is likely to step up to do the job.
- The Film Festival people specifically asked us last year for food stalls to be provided to get a crowd at the film festival screening. If you stop the food stalls in Sturt Park the film festival will not be held there again. When last year's festival was threatened with rain, it was moved to the Civic Centre, but there were too many restrictions there. The organisers moved it back to the Park even with light rain falling or threatening.

Please reconsider this short-sighted policy with its unintended consequences and victims.

[REDACTED]
Regards
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sent from [Mail](#) for Windows 10



Virus-free. www.avg.com

Please note: Personal information has been redacted from this email reply
as per the Privacy & Personal Information Protection Act 1998.

Leisa Bartlett

From: lerace, Jessica
Sent: Monday, 7 September 2020 3:56 PM
To: [REDACTED]
Subject: RE: Draft mobile food vehicle, temporary food stalls and hawking policy

[REDACTED]

My name is Jessica and I am the Environmental Health Officer at Council.

Firstly, I would like to thank you for your submission regarding the **DRAFT Mobile Food Vehicle, Temporary Food Stalls and Hawking Policy**. The purpose of this e-mail is to provide you with feedback regarding your submission.

This policy will not affect the events you have listed. Things will remain as they are:

- As the event organiser you need to notify Council if Council space(s) are being used and make the appropriate bookings
- Every stall holder that is selling food/drinks will need to fill out an **Application to Sell Food and/or Drink at Temporary Events** which will be assessed by me and they will need to have Public Liability Insurance

All food stalls need to comply with requirements set out in the *Food Act 2003*, *Food Regulations 2015* and the NSW Food Authority - Guidelines for Food Businesses at Temporary Events/NSW Food Authority - Guidelines for Mobile Food Vending Vehicles. The guidelines are more so for those stalls that are actually preparing food on site. The requirements to sell pre-prepared foods such as your cakes are far less.

I hope this information helps you.

If you need further clarification, please do not hesitate to contact me via email or phone.

Kind regards,

Jessica lerace
Team Leader for Ranger and Compliance Services
240 Blende St
PO Box 448
Broken Hill NSW 2880
Phone 08 8080 3332
Mobile 0419 159 766
Jessica.lerace@brokenhill.nsw.gov.au
www.brokenhill.nsw.gov.au



We acknowledge the traditional owners of the land on which we live and work, and pay our respects to their elders past, present, and emerging..

DISCLAIMER

ORDINARY MEETING OF THE COUNCIL

October 19, 2020

ITEM 8BROKEN HILL CITY COUNCIL REPORT NO. 142/20SUBJECT: INDUSTRIAL RATES 17/90**Recommendation**

1. That Broken Hill City Council Report No. 142/20 dated October 19, 2020, be received.
2. That Council note the information provided by the Valuer General.
3. That Council review the city's entire rating structure as part of preparing the 2021/22 Operational Plan to ensure a fair and equitable outcome for all rating categories across the city.

Executive Summary:

At the September 2020 Ordinary Council meeting, Council resolved that the Our Economy Key Direction Working Group prepare a report to outline the impact on other business ratepayers and on residential ratepayers if a differential rate for the Kanandah Road/Pinnacles Place Industrial area were to be introduced.

Council met with the Valuer General's Office on Tuesday 13 October 2020, to discuss the disproportionate increase in land value throughout the industrial precinct when compared to the remainder of Broken Hill. The Valuer General confirmed that the major factor for such an increase was due to the limited supply and high demand for industrial land in Broken Hill, however this was seen across the entire state, with industrial land outperforming other categories of land. A request for a two-month extension to allow landowners time to lodge an objection is currently being considered by the Valuer General.

The introduction of a sub-category for the business category may be determined according to a centre of activity. A centre of activity is described as a business centre, industrial estate or other concentrated activities. In this scenario any parcel of land currently residing on Kanandah Road, Kanandah Place, Pinnacles Road or Pinnacles Place (Industrial Precinct) could theoretically be placed into a subcategory of business for rating purposes.

However, the introduction of a subcategory must be determined before making the ordinary rate and therefore cannot be done retrospectively. An introduction of a sub-category must form part of the Draft Operational Budget and Revenue Policy that is placed on public display for 28 days before being made final.

As per the advice provided at the 30 September Ordinary Council meeting, if Council seek to introduce a sub-category to flatten the rating impact due to valuation changes in the industrial precinct, it will have two options:

- Place the 'foregone' rates currently paid by these businesses onto the other rate categories (residential, mining, [remaining] business).
- Reduce the overall rates (income) base of the City (accept less money in rates), which will see a commensurate reduction in service delivery to the community; and risk not achieving the long-term financial plan goals as recently adopted on 30 June 2020, which may have the impact of making Council financially unsustainable.

Given that rates cannot be retrospectively changed and that any rating change that is not well thought through, incorporates all options and impacts as well as appropriate community consultation will lead to undesirable effects to other rate payers; it is recommended that Council perform a full rating structure review as part of developing the 2020/21 Operational Budget & Revenue Policy.

Report:

At the September 2020 Ordinary Council Meeting, Council resolved the following:

1. *That Motions of Which Notice has been Given No. 14/20 dated September 18, 2020, be received.*
2. *That Broken Hill City Council acknowledge the significant impact that recent land values have had on the rates paid by businesses in Kandandah Road area. The average rates rise has been approximately 60%.*
3. *That the Mayor seek an urgent meeting with the Valuer General to discuss the impact of the recent disproportionate increase in land values in the Kanandah Road / Pinnacles Place industrial area.*
4. *That the Our Economy Key Direction Working Group prepare a report to outline the impact on other business ratepayers and on residential ratepayers if a differential rate for the Kanandah Road/Pinnacles Place industrial area were to be introduced.*

Valuer General Meeting

The Mayor, Council's Chair of Our Economy Key Direction Working Group (Cr Licul) and staff met with representatives from the Valuer General's Office on Tuesday 13 October 2020 to discuss the disproportionate increase in industrial area land rates relative to other areas of Broken Hill as well as the feedback received from landholders, who did not receive their valuation notice therefore missing the objection period.

The following main points for consideration were provided to the Council:

- Land value is based on sales evidence, with all land improvements valued and then subtracted from the sale price to determine an unimproved land value price.
- Related party transactions are not considered, as they are not at arm's length.
- The Valuer General verifies sale data with local real estate agents and conveyances to gather sale specific information and ensure reasonableness in final sale value.
- Sales values have been consistent for vacant land and improved land throughout the industrial area with a variety of different purchasers.
- Recent sales post the valuation date of 1 July 2019, are still consistent with the valuations made as at, 1 July 2019 due to the strong demand for industrial land.
- The unimproved land value of industrial land is valued at about \$30 per square metre.

- Industrial land is outperforming all other land categories across the state, due to high demand and limited supply. It is expected that values are likely to increase into the future for the same reasons.
- There was only one objection from the Industrial area and five objections in total across the City.

The Mayor raised with the Valuer General, that many landowners had concern that they did not receive valuation notices and therefore missed the 60-day objection period. The Valuer General, noted that there was an 'out of date objection policy' which would enable such land values to be reconsidered, however it was requested that the Valuer General provide a two month extension period for all land owners to utilise, with the view being to reduce the burden on ratepayers following through the requirements of additional policy requirements. At the time of writing this report, the Valuer General is still considering this proposal and an outcome is not yet known.

The Valuer General labelled the high demand and limited supply of industrial land within in the current market climate, as the predominant reason for the substantial increase. Council has been working with Crown Lands and the Department of Premier & Cabinet for the past two years to effectively expand Council's boundaries and open further industrial land for subdivision. The land in question is currently under a land claim, hence delaying the process. However once further land is opened up and supply increases, the value of industrial land may consequentially decrease, which may result in a decrease in rates as long as the rating structure remained unchanged.

Valuations & Rates

Council at the Extra-Ordinary Meeting held 30 June 2020, adopted the Revenue Model inclusive of the rating structure.

Description	Land Value (Base Date 2019) as at 11/03/2020	Total Count as at 14/06/2018	2020/21 Financial Year				
			Base Rate	Base Rate Income	Ad-Valorem	Ad-Valorem Income	Total Income
Business	\$39,426,750	628	\$897	\$563,316	0.08091979	\$3,190,404	\$3,753,720
Residential	\$162,782,100	9423	\$530	\$4,994,190	0.03197997	\$5,205,767	\$10,199,957
Residential 1(a)	\$414,350	11	\$362	\$3,982	0.01002414	\$4,154	\$8,136
Residential Rural	\$1,234,800	11	\$507	\$5,577	0.00470740	\$5,813	\$11,390
Farmland	\$0	0	\$0	\$0	0.00000000	\$0	\$0
Mining	\$24,000,000	2	\$0	\$0	0.09491418	\$2,277,940	\$2,277,940
MD Business	\$102,659	6	\$897	\$5,382	0.08091979	\$8,307	\$13,689
MD Residual	\$94,741	6	\$515	\$3,090	0.03251355	\$3,080	\$6,170
Totals	\$228,055,400	10,087		\$5,575,537		\$10,695,465	\$16,271,002

As per the above model, Council raises about \$16.2m in rates annually, increased annually by the prescribed IPART Rate Peg.

It is important for Council to recognise that the rate peg applies to Council's overall Rate Income, although individual categories and/or individual properties may see an increase or decrease in their rates beyond the rate peg due to their individual land values.

Land value is used to apportion rates across the City. In simple terms, the total rates raised is divided by land value to give the ad-valorem (rate in the dollar) for each category, this is then multiplied against individual land valuations to identify how much each parcel of land will contribute in rates.

Introduction of Business Subcategory (Industrial)

Council's Key Direction Working Group 'Our Economy' met on Wednesday 14 October 2020, to discuss the options and the impacts of introducing a sub-category to the Kanandah Road precinct.

The introduction of a sub-category for the business category may be determined according to a centre of activity. A centre of activity is described as a business centre, industrial estate

or other concentrated activities. In this scenario any parcel of land currently residing on Kanandah Road, Kanandah Place, Pinnacles Road or Pinnacles Place (Industrial Precinct) could theoretically be placed into a subcategory of business for rating purposes.

However, the introduction of a subcategory must be determined before making the ordinary rate and therefore cannot be done retrospectively. An introduction of a sub-category must form part of the Draft Operational Budget and Revenue Policy that is placed on public display for 28 days before being made final.

Furthermore, once rates are 'made' there can be no changes unless an irregularity or invalidity has occurred and has the Minister authorise such changes. There has been no irregularity or invalidity in making or levying the rates for the 2020/21 financial year and therefore an introduction of a subcategory would need to occur from the 2021/22 financial year onwards after the appropriate community consultation and development of the annual operational plan.

However, for the purpose of investigating impacts and options for the following year; introducing a business sub-category for the industrial precinct would affect 70 businesses and indirectly affect the remaining 555 businesses. Please see table below which is based on adopted values with industrial precinct properties separated for comparison purposes.

Rate Category	Property Count	Land Value 19/20	Land Value 20/21	Change (%)	Rate Income 19/20	Rate Income 20/21	Change (%)
Business (Excluding Industrial)	555	\$32,222,550	\$26,727,450	-17%	\$2,974,682	\$2,660,615	-11%
Industrial (sub-category)	70	\$8,195,900	\$12,599,200	54%	\$694,278	\$1,082,315	56%
Total	625	\$40,418,450	\$39,326,650	-2.6%	\$3,668,960	\$3,742,930	2%

As per the advice provided at the 30 September Ordinary Council meeting, if Council seek to introduce a sub-category to flatten the rating impact due to valuation changes in the industrial precinct, it will have two options:

- Place the 'foregone' rates currently paid by these businesses onto the other rate categories (residential, mining, [remaining] business).
- Reduce the overall rates (income) base of the City (accept less money in rates), which will see a commensurate reduction in service delivery to the community; and risk not achieving the long-term financial plan goals as recently adopted on 30 June 2020, which may have the impact of making Council financially unsustainable.

In this scenario, if Council were to keep the industrial rate rise within the proposed rate peg amount of 2.6%, as opposed to an increase in accordance with their land valuation, there would be a shortfall of rates from the industrial precinct of \$370,000.

The below model has been focused on shifting the \$370,000 onto the remainder of the business category to ensure that the fundamental rating structure of businesses contributing

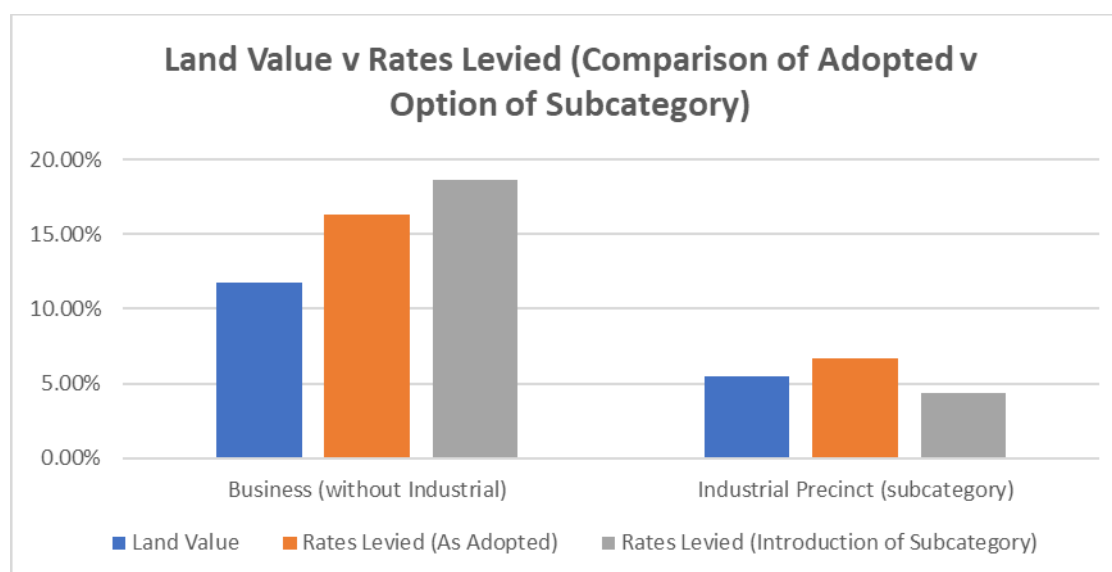
23% of Council total income does not change as well as the fact that Council adopted to cease the 1% transfer of mining rates onto residential properties in 2019/20.

In addition, many residential properties in the Brown Street, Brookfield Avenue also saw an increase in rates due to land value increases as at 1 July 2019, and any further transfer of rates to the residential category would adversely affect these residents the most.

If the shortfall of \$370,000 was attributed the remainder of the business category, Council would observe the following impacts:

1. An increase in the average rate for business owners of the 2020/21 rate of \$667 or 14%
2. An increase in the median rate for business owners of the 2020/21 rate of \$386 or 12%
3. A decrease in the average rate for industrial precinct landowners of the 2020/21 rate of \$5,289 or 34%
4. A decrease in the median rate for industrial precinct landowners of the 2020/21 rate of \$3,827 or 32%

As you can see from the above, making a change to the rating structure can have both desirable and undesirable effects. In this instance, you can achieve some rating relief for 70 rate payers who have seen an significant increase in the value of their land at sale, whilst at the same time putting a further burden onto 555 business owners who have already seen a decrease in the market value of their land. Essentially the non-industrial precinct business owners will be subsidising the industrial precinct landowners.



You can see from the above graph, that by introducing a subcategory, rates received from the isolated business categories is no longer proportionate to the land value for the same category, which has been the underlying principle of Council's current rating structure.

Furthermore, Council has adopted multiple strategies with the purpose of reinvigorating and reactivating the CBD. Most recently, the adoption of the 2020/21 Capital budget out \$5m towards master planning and construction to reinvigorate the CBD and Patton Street. Further burdening property rates in these precincts which are already experiencing excess supply along with low demand, would appear to be counterintuitive in reactivating and revitalising these as unique and cosmopolitan urban areas. An example of this, is the transformation that is beginning to occur in Argent Street between Oxide Street and Delamore Street.

Given that rates cannot be retrospectively changed and that any rating change that is not well thought through, incorporates all options and impacts as well as appropriate community consultation will lead to undesirable effects to other rate payers; it is recommended that

Council perform a full rating structure review as part of developing the 2020/21 Operational Budget & Revenue Policy.

The benefits of a full rating review as part of the 2020/21 Operational Budget and Revenue Statement may provide the following:

- A comprehensive review of rating categories to achieve a desired outcome for all ratepayers as opposed to looking at categories in isolation.
- Incorporate IPART recommendations (if legislated).
- Acknowledging the fact that not all stakeholders will be happy with the rating structure adopted, however Council can be confident it undertook appropriate consultation and due diligence in setting a new rating structure.
- Introduction of a Minimum rate as an alternate rating option. (everyone pays a minimum rate regardless of land value, before incrementally increasing based on land value).

In addition to the above information, IPART undertook a review of the NSW Government's rating system.

The purpose of the review was to develop recommendations to improve the equity and efficiency of the rating system, to enhance councils' ability to implement sustainable fiscal policies over the long term. The review considered:

- The valuation method used to calculate rates
- Rating categories
- The way in which councils' total income increases as population increases
- The distribution of rates across different ratepayers, and
- The eligibility and design of exemptions and concessions.

IPART's recommendations are not designed to increase the average rates paid by current ratepayers, but to allow councils to collect revenue more equitably and efficiently from ratepayers.

The final report was made in June 2019 and is currently subject to being legislated by NSW Government. If legislated, Council will have more flexibility and options in how it makes and administers rates, allowing for a fairer and more transparent rating system.

Community Engagement:

28-day Exhibition period for public to provide submissions on Draft Delivery Program 2020/2022 incorporating Operational Plan 2020/2021, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2020/2021.

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 in its legal framework

Relevant Legislation:

Local Government Act 1993

Local Government (General) Regulation 2005

Financial Implications:

Nil

Attachments

There are no attachments for this report.

JAY NANKIVELL

CHIEF FINANCIAL OFFICER

JAMES RONCON

GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

October 16, 2020

ITEM 9BROKEN HILL CITY COUNCIL REPORT NO. 143/20SUBJECT: BUDGET CARRYOVER'S 2020/21 14/175**Recommendation**

1. That Broken Hill City Council Report No. 143/20 dated October 16, 2020, be received.
2. That Council revoke the budget items as listed below in *Table 1* for the amount of \$37,500
3. That Council note the carryover budget items as listed below in *Table 2* for the amount of \$4,837,930

Executive Summary:

At the conclusion of each financial year some works remain either not commenced or not completed. Under *Local Government (General) Regulation (2005)* Division 5, Section 211 (Authorisation of Expenditure) it is necessary for Council each year to revoke funds for those works that are not commenced in order that the works can be carried out during the following financial year. It is not a requirement for Council to revoke funds for works that have commenced or are/have been contracted to be carried out.

As at 30 June 2020, two projects as listed below in *Table 1* for \$37,500 require Council's revoke and 11 projects as listed below in *Table 2* for \$4,837,930 have been included for Council's notation.

Report:

A reconciliation of all budgeted capital items for the 2019/20 financial year has been completed. As a result of this reconciliation, two projects have been identified that have yet to be commenced. For these works to be carried out in the 2020/21 financial year Council are required to revoke these funds.

In addition, there are 11 projects that have been started in the 2020/21 financial year but are incomplete. These are included in this report for Council notation.

Below is a summary of the capital works that are required to be carried forward into the 2020/21 financial year.

For Council's re-vote:

The capital projects that have yet to be started with their matching unspent funds and Council contribution are listed below and require Council to formally re-vote them as part of the 2019/20 budget:

Table 1

No.	Project Name	Budgeted Expenditure
1	Visitor Counting Equipment Various Sites	\$25,000
2	Re-establish Data Recovery Site	\$12,500
	Total required for re-vote:	\$37,500

1. Visitor Counting Equipment Various sites

- This project is to install electronic visitor counting equipment at cultural facilities to replace manual recording system that used to monitor utilisation of the facilities. The project was deferred in 2019-20 due to COVID-19 restrictions on travel. This is scheduled for completion in the first half of 2020/21.

2. Re-establish Data Recovery Site

- The data recovery site was temporarily relocated during the Civic Centre renovations and re-establishment of the equipment was delayed in 2019-20 due to the Civic Centre being utilised as Council's Business Continuity Centre during the COVID-19 pandemic. This is scheduled for completion in the first half of 2020/21.

For Council's notation:

The following list is of commenced but incomplete projects for the 2020/21 financial year and is for Council's notation. All unspent funds on these projects were placed in reserves at the year end and will be brought forward to cover the cost of these projects. These works with their matching reserves and/or unspent grant funds will be added to this year's budget.

Table 2

No.	Project Name	Budgeted Expenditure
1	Airport Terminal - Kiosk Upgrade	\$30,836
2	Sturt Park Upgrade to Children's Playground	\$252,826
3	BHP Project - BHP Chimney Development	\$23,553
4	BHP Project - Sculpture Symposium Construction	\$125,122
5	CBD Lighting and Projection Project	\$158,600
6	Replace airport perimeter fence	\$1,161,767
7	Replace airport lighting	\$1,787,803

8	Purchase of two plant items	\$940,150
9	Footpaths Active Transport Plan	\$116,559
10	Brown Street Seal	\$108,180
11	Reconstruction of the intersection of Comstock and Hebbard Street	\$132,534
	Total carry forward that does not require a re-vote:	\$4,837,930

1. Airport Terminal – Kiosk Upgrade

- Kiosk is being upgraded to commercial standards prior to being leased out. The project was completed on Friday 16 October 2020, receiving it's occupation certificate.

2. Sturt Park Upgrade to Children's Playground

- This project is funded by Stronger Communities grant. Construction commenced in September 2020 and is expected to be completed by December 2020.

3. BHP Project - BHP Chimney Development

- This project involved construction of a protective cover over the BHP chimney and installation of signage and improved access to the site. Construction is complete and is waiting for the final installation of signage, expected to occur by the end of October 2020.

4. BHP Project - Sculpture Symposium Construction

- Installation of sculpture at Riddiford Arboretum. The sculpture components of the project have been installed and finalised, with the seating and water fountain to be installed and completed by the end of this calendar year.

5. CBD Lighting & Projection Project

- This project is partly funded by a grant from the Restart NSW Fund. Contracts have been awarded and work commenced throughout the first half of the year, however completion was delayed due to COVID-19 travel restrictions. It is due for completion by the end of October 2020.

6. Replace Airport Perimeter Fence

- This project was delayed due to COVID-19 restrictions, however recommenced in August 2020 is now substantially complete with only minor work still to be completed. This is expected to occur by the end of November 2020.

7. Replace Airport Lighting

- Project managers have been appointed and design specifications have been completed. The project was put out to tender in the first week of October and is expected to be completed by 30 June 2021.

8. Purchase of Two Plant Items

- Purchase of the waste compactor and Mason's truck were in progress at year end with delivery due in the first half of 2020/21. The Waste Compactor has arrived and is operational with the Mason Truck expected to arrive by the end of December 2020.

9. Footpaths – Active Transport Plan

- This project was previously called the Pedestrian Access and Mobility Plan (PAMP). In June 2019 Council approved the integration of this project with the Broken Hill Active Transport Plan to guide future upgrades to cycleways and footpaths, the plans have been created and construction has commenced. The remaining budget will be spent on carrying out priorities within that plan in addition to the funding provided in the 2020/21 budget.

10. Brown Street Sealing

- The majority of construction work was completed in 2019-20 with only some traffic control structures and line marking still to be installed. This is expected to be complete by the end of December 2020.

11. Reconstruction of the intersection of Comstock and Hebbard Street

- Technical design is complete and the project is awaiting tender.

In summary, \$37,500 requires a Council re-vote and \$4,837,930 will be carried forward into the 2020/21 financial year which does not require a Council re-vote.

The total carry forward budget for 2020/21 is \$4,875,430.

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

Local Government (General) Regulation (2005) Division 5, Section 211

Financial Implications:

The recommendation will have an impact on the representation of the cash flow in the 2020/21 year as the carry forward of \$4,875,430 was not forecast to be expended in this year. However, it will not influence Council's budgeted cash position or budgeted income statement as these were forecasted for 2020/21 based on these capital projects being completed in 2019/20 financial year.

An updated capital budget inclusive of the approved carryovers will form part of the September 2020 Budget Quarterly Review report.

Attachments

There are no attachments for this report

JAY NANKIVELL
CHIEF FINANCIAL OFFICER

JAMES RONCON
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

October 20, 2020

ITEM 10BROKEN HILL CITY COUNCIL REPORT NO. 144/20

SUBJECT: QUARTERLY BUDGET REVIEW STATEMENT FOR PERIOD
ENDED SEPTEMBER 2020 12/160

Recommendation

1. That Broken Hill City Council Report No. 144/20 dated October 20, 2020, be received.
2. That the 1st Quarterly Budget Review Statement and recommendations be adopted.
3. That Council note the projected 2020/21 operating deficit (before capital) of \$2,580,000.
4. That Council note the 2020/21 projected capital budget expenditure of \$46,326,000.
5. That Council note the revised Long-Term Financial Plan 2021-2030

Executive Summary:

The Quarterly Budget Review Statement (QBRs) presents a summary of Council's financial position at the end of the first quarter for the financial year ended 30 June 2021.

The quarterly budget review process is the mechanism through which Council and the community are informed of Council's progress against the Operational Plan (annual budget), together with recommendations for changes and reasons for budget variations.

In accordance with the adopted 2020/21 Operational Budget, Council is reviewing each quarter in fine detail to ensure the financial impacts of the COVID-19 pandemic are being managed in a financially sustainable way. This includes continuing to make opportunities for refined operating models for continuous efficiency and improvement but also increase service delivery and resources where required.

The September Quarterly Budget Review shows an increase in the projected 2019/20 operating deficit (before capital items) of \$465,000 to an overall projected operating deficit at 30 June 2021 of \$2,580,000.

Budgeted capital expenditure will increase by \$1,155,000 and capital revenue by \$500,000 increasing expected net capital expenditure from \$15,160,000 to \$15,815,000.

Report:***Budget Review:***

In accordance with s203 of the *Local Government (General) Regulations 2005*:

- (1) Not later than 2 months after the end of each quarter, the responsible accounting officer of a Council must prepare and submit to the Council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the Council's Revenue Policy included in the Operational Plan for the relevant year, a revised estimate of the income and expenditure for that year.

- (2) A budget review statement must include or be accompanied by:
- (a) A report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure; and
 - (b) If that position is unsatisfactory, recommendation for remedial action.

In accordance with s211 (*Authorisation of expenditure*) of the *Local Government (General) Regulations 2005*:

- (1) A council, or a person purporting to act on behalf of a council, must not incur a liability for the expenditure of money unless the council at the annual meeting held in accordance with subclause (2) or at a later ordinary meeting:
- (a) has approved the expenditure, and
 - (b) has voted the money necessary to meet the expenditure.

The QBRs appear as Attachment 1 and have been produced in accordance with the guidelines and standards issued by the Office of Local Government.

Operational Budget Result:

The September Quarterly Budget Review shows an increase in the projected 2020/21 operating deficit (before capital items) of \$465,000 to an overall projected operating deficit at 30 June 2021 of \$2,580,000.

This result reflects the following movements:

- Additional \$75,000 of expenditure to complete 2 heritage studies that commenced last financial year. This project is partly grant funded (\$26,250) and will require the budgeted funds to be carried into this financial year.
- Additional \$200,000 which is expected to be required to compensate YMCA for additional costs and reduced revenue at the Regional Aquatic Centre as a result of Covid-19 restrictions and Council's contract obligations.
- Additional \$14,000 to employ the Community Development Officer for an additional day per week (3 days per week in total) to assist in developing a volunteer management framework for use across the city as well as internally for Council.
- Additional \$148,000 for staff costs to increase opening hours and activities at the Visitor Information Centre and Art Gallery. \$92,000 for VIC as per the Cultural Facilities Report also tabled at this Council meeting, and \$56,000 for the Art Gallery to allow additional casual labour for the return of art exhibitions when COVID-19 restrictions are further eased.
- Additional \$39,000 for staff costs to complete the Heritage Digitisation project at the Art Gallery. This project was grant funded by BHP Foundation and NSW Government and was expected to be completed by 31 December 2020, however due to cost savings in materials and contracts, additional hours can be utilised for staff labour extending the work past 31 December 2020. This additional funding needs to be rolled into the 20/21 financial year.
- Additional \$15,000 expenditure to complete the Community Strategic Plan during the 2020/21 financial year in preparation for the new Council in 2021/22.

- Additional \$35,000 expenditure for the Streets as Shared Spaces Project. This is offset by grant revenue of \$35,000.

Capital Budget Result:

Budgeted capital expenditure will increase by \$1,155,000 and capital revenue by \$500,000 increasing expected net capital expenditure from \$15,160,000 to \$15,815,000.

This result reflects the following movements:

- \$6,460 for construction of a bus shelter at the Patton/Comstock Street intersection.
- \$587,000 increase in the budget for reconstruction of Iodide Street - Morgan to Union Street. This project is partly funded by a Roads to Recovery grant of \$310,000.
- Reduction of \$500,000 due to the removal of the Gypsum Street roundabout reconstruction project, after further investigations revealed the need to undertake major drainage works prior to reconstructing the roundabout.
- Additional \$500,000 to construct a roundabout on the Galena, Talc and Mercury Street intersection. This project is funded by the NSW Safer Roads Program.
- \$30,000 for replacement of the Administration Building security access system, due to the current system being at end of life and no longer serviceable.
- \$40,000 for installation of a boom gate and security access system at Warnock Street depot to ensure the work health and safety of Council employees, contractors and visitors.
- \$5,547 for replacement of the Administration Building server room air-conditioning system that failed.
- \$67,000 to renew plumbing infrastructure at the HACC Centre due to constant blockages. This work is urgent and has begun due to Council's lease obligations.
- \$29,500 for installation of a backup water pump for the Living Desert to ensure continuity of water supply in the event of a breakdown and failure of the current aging pump.
- \$9,500 to replace gas BBQs at the Living Desert picnic area that are beyond their operational life and to meet the recent increases in demand at the site.
- \$237,000 to upgrade airport fire equipment and pumps to comply with regulations. The current fire equipment is failing under pressure and would not be satisfactory in case of an emergency.
- \$10,000 to upgrade CCTV systems at the airport terminal in accordance with security requirements as well as ensuring the CCTV systems are consistent across all Council properties.
- \$18,500 for installation of a CCTV System at the Waste Transfer Station. This system will be consistent with all other Council CCTV systems.
- \$26,000 to replace the weighbridge software system and computer equipment at the Waste Management Facility. This will allow for ease of data capturing for EPA requirements and invoicing and as well as improving accuracy and reducing the double handling of end of month reporting through integration with Council's Enterprise Resource System.
- \$47,500 to implement ePlanning software to digitise Development Application and related building approval processes. This is a legislated requirement for all Council's to have this capability by 1 January 2021.

- \$41,000 to purchase a replacement truck hoist for the mechanics workshop, as the current hoist no longer meets appropriate safety standards, nor does using the existing pits.

Community Engagement:

Nil

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:

Local Government Act 1993

Clause 203(1) of the Local Government (General) Regulations 2005.

Clause 211 of the Local Government (General) Regulations 2005.

Financial Implications:

The projected operating deficit for 30 June 2021 (before capital items) has increased to \$2,580,000, however this is mainly due to the continued impact of COVID-19 public health restrictions on Councils operations.

COVID-19 has impacted Council's current and ongoing financial position significantly. These ongoing effects have been incorporated into the 2020/21 Budget and Long-Term Financial Plan, which has also been presented to this meeting for Council consideration.

Full details of the financial implications of this quarter's Quarterly Budget Review Statement are contained within the attached report.

Attachments

1. [↓](#) September 2020 Quarterly Review Report
2. [↓](#) Long Term Financial Plan 2021-2030 - Q1 Review

JAY NANKIVELL
CHIEF FINANCIAL OFFICER

JAMES RONCON
GENERAL MANAGER

Broken Hill City Council

Quarterly Budget Review Statement
for the period 01/07/20 to 30/09/20

Table of Contents	page
1. Responsible Accounting Officer's Statement	1
2. Income & Expenses Budget Review Statement's	
- Income & Expense by Type	2
- Income & Expense by Key Directions	3
- Income & Expense Variation Detail	4
3. Capital Budget Review Statement	
- Capital Budget	5
- Capital Budget Variation Detail	6
4. Cash & Investments Budget Review Statement	
- Cash & Investments Position	8
- Cash & Investments Variation Detail	9
5. Key Performance Indicator (KPI) Budget Review Statement	
KPI's	10
6. Contracts & Other Expenses Budget Review Statement	
- Contracts & Other Expenses Variation Detail	14
- Consultancy & Legal Costs	15
7. Additional Statements	

Broken Hill City Council

Quarterly Budget Review Statement
for the period 01/07/20 to 30/09/20

Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

30 September 2020

It is my opinion that the Quarterly Budget Review Statement for Broken Hill City Council for the quarter ended 30/09/20 indicates that Council's projected financial position at 30/06/21 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:



date:

21/10/20

Jay Nankivell
Responsible Accounting Officer

Broken Hill City Council

Quarterly Budget Review Statement
for the period 01/07/20 to 30/09/20

Income & Expenses Budget Review Statement

Budget review for the quarter ended 30 September 2020

Income & Expenses - Council Consolidated

(\$000's)	Original Budget 2020/21	Approved Changes					Revised Budget 2020/21	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRS	Sep QBRS	Dec QBRS	Mar QBRS					
Income											
Rates and Annual Charges	18,639						18,639	-		18,639	18,738
User Charges and Fees	3,011						3,011	-		3,011	927
Interest and Investment Revenues	286						286	-		286	83
Other Revenues	305						305	61	1,7	366	116
Grants & Contributions - Operating	6,740						6,740	-		6,740	882
Grants & Contributions - Capital	30,011						30,011	500		30,511	845
Net gain from disposal of assets	-						-	-		-	-
Total Income from Continuing Operations	58,992	-	-	-	-	-	58,992	561		59,553	21,593
Expenses											
Employee Costs	12,707						12,707	201	3,4,5	12,908	3,046
Borrowing Costs	727						727	-		727	140
Materials & Contracts	4,957						4,957	325	1,2,6,7	5,282	798
Depreciation	7,064						7,064	-		7,064	1,765
Legal Costs	344		460				804	-		804	308
Consultants	69						69	-		69	25
Other Expenses	4,762		6				4,768	-		4,768	1,276
Interest & Investment Losses							-	-		-	-
Net Loss from disposal of assets							-	-		-	-
Total Expenses from Continuing Operations	30,630	-	466	-	-	-	31,096	526		31,622	7,358
Net Operating Result from Continuing Operation	28,362	-	(466)	-	-	-	27,896	35		27,931	14,236
Discontinued Operations - Surplus/(Deficit)							-	-		-	-
Net Operating Result from All Operations	28,362	-	(466)	-	-	-	27,896	35		27,931	14,236
Net Operating Result before Capital Items	(1,649)	-	(466)	-	-	-	(2,115)	(465)		(2,580)	13,391

Broken Hill City Council

Quarterly Budget Review Statement
for the period 01/07/20 to 30/09/20

Income & Expenses Budget Review Statement

Budget review for the quarter ended 30 September 2020

Income & Expenses - Council Consolidated

(\$000's)	Original Budget 2020/21	Approved Changes					Revised Budget 2020/21	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRs	Sep QBRs	Dec QBRs	Mar QBRs					
Income											
Our Leadership	21,983						21,983	-		21,983	17076
Our Community	28,249			-	-		28,249	561	1.7	28,810	633
Our Economy	4,440						4,440	-		4,440	353
Our Environment	4,319						4,319	-		4,319	3531
Total Income from Continuing Operations	58,991	-	-	-	-	-	58,991	561		59,552	21,593
Expenses											
Our Leadership	17,308		460	-			17,768	15	6	17,783	3,880
Our Community	8,624		6	-	-		8,630	511	1-5, 7	9,141	2,532
Our Economy	2,307						2,307	-		2,307	492
Our Environment	2,392						2,392	-		2,392	454
Total Expenses from Continuing Operations	30,631	-	466	-	-	-	31,097	526		31,623	7,358
Net Operating Result from Continuing Operations	28,360	-	(466)	-	-	-	27,894	35		27,929	14,236
Discontinued Operations - Surplus/(Deficit)							-			-	
Net Operating Result from All Operations	28,360	-	(466)	-	-	-	27,894	35		27,929	14,236
Net Operating Result before Capital Items	(1,651)	-	(466)	-	-	-	(2,115)	(465)		(2,580)	13,391

Broken Hill City Council

Quarterly Budget Review Statement
for the period 01/07/20 to 30/09/20

Income & Expenses Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	Additional \$75,000 of expenditure to complete 2 heritage studies that commenced last financial year. This project is partly grant funded (\$26,250) and will require the budgeted funds to be carried into this financial year.
2	Additional \$200,000 which is expected to be required to compensate YMCA for additional costs and reduced revenue at the Regional Aquatic Centre as a result of Covid-19 restrictions and Council's contract obligations.
3	Additional \$14,000 to employ the Community Development Officer for an additional day per week (3 days per week) to assist in developing a volunteer management framework for use across the city as well as internally for Council.
4	Additional \$148,000 for staff costs to increase opening hours and activities at the Visitor Information Centre and Art Gallery. \$92,000 for VIC as per the Cultural Facilities Report also tabled at this Council meeting, and \$56,000 for the Art Gallery to allow additional casual labour for the return of art exhibitions when COVID-19 restrictions are further eased.
5	Additional \$39,000 for staff costs to complete the Heritage Digitisation project at the Art Gallery. This project was grant funded by BHP Foundation and NSW Government and was expected to be completed by 31 December 2020, however due to cost savings in materials and contracts, additional hours can be utilised for staff labour extending the work past 31 December 2020. This additional funding needs to be rolled into the 20/21 financial year.
6	Additional \$15,000 expenditure to complete the Community Strategic Plan during the 2020/21 financial year in preparation for the new Council in 2021/22.
7	Additional \$35,000 expenditure for the Streets as Shared Spaces Project. This is offset by grant revenue of \$35,000.

Broken Hill City Council

Quarterly Budget Review Statement
for the period 01/07/20 to 30/09/20

Capital Budget Review Statement

Budget review for the quarter ended 30 September 2020

Capital Budget - Council Consolidated

(\$000's)	Original Budget 2020/21	Approved Changes				Revised Budget 2020/21	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Sep QBRs	Dec QBRs	Mar QBRs					
Capital Expenditure										
New Assets										
- Plant & Equipment	-					-	-		-	-
- Land & Buildings	500					500	88	6,9,13	588	-
- Roads, Bridges, Footpaths	-					-	-		-	-
- Other	195	125				320	-		320	13
Renewal Assets (Replacement)										
- Plant & Equipment	1,180	977				2,157	371	11,12,14,15	2,528	774
- Land & Buildings	22,135	31				22,166	103	5,7,8	22,269	164
- Roads, Bridges, Footpaths	5,261	356				5,617	593	1-5	6,210	605
- Other	11,025	3,386				14,411	-		14,411	369
Total Capital Expenditure	40,296	4,875	-	-	-	45,171	1,155		46,326	1,925
Capital Funding										
Capital Grants & Contributions	30,011	-				30,011	500	4	30,511	845
Total Capital Funding	30,011	-	-	-	-	30,011	500		30,511	845
Net Capital Funding - Surplus/(Deficit)	(10,285)	(4,875)	-	-	-	(15,160)	(655)		(15,815)	(1,080)

Broken Hill City Council

Quarterly Budget Review Statement
for the period 01/07/20 to 30/09/20

Capital Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	\$6,460 for the construction of a bus shelter at the Patton Street/Comstock Street Intersection
2	\$587,000 increase in the budget for the reconstruction of Iodide Street - Morgan to Union Street. This project is partly funded by a Roads to Recovery grant of \$310,000.
3	Reduction of \$500,000 due to the removal of the Gypsum Street roundabout reconstruction project, after further investigations revealed the need to undertake major drainage works prior to reconstructing the roundabout.
4	Additional \$500,000 to construct a roundabout on the Galena, Talc, Mercury Street intersection. This project is funded by the NSW Safer Roads Program.
5	\$30,000 for replacement of the Administration Building security access system, due to the current system being at end of life and no longer serviceable.
6	\$40,000 for installation of a boom gate and security access system at Warnock Street depot to ensure the work health and safety of Council employees, contractors and visitors.
7	\$5,547 for replacement of the Administration Building server room air-conditioning system that failed.
8	\$67,000 to renew plumbing infrastructure at the HACC Centre due to constant blockages. This work is urgent and has begun due to Council's lease obligations.
9	\$29,500 for installation of a backup water pump for the Living Desert to ensure continuity of water supply in the event of a breakdown and failure of the current aging pump.
10	\$9,500 to replace gas BBQs at the Living Desert picnic area that are beyond their operational life and to meet the recent increases in demand at the site.
11	\$237,000 to upgrade airport fire equipment and pumps to comply with regulations. The current fire equipment is failing under pressure and would not be satisfactory in case of an emergency.

Broken Hill City Council

Quarterly Budget Review Statement
for the period 01/07/20 to 30/09/20

Capital Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
12	\$10,000 to upgrade CCTV systems at the airport terminal in accordance with security requirements as well as ensuring the CCTV systems are consistent across all Council properties.
13	\$18,500 for installation of a CCTV System at the Waste Transfer Station. This system will be consistent with all other Council CCTV systems.
14	\$26,000 to replace the weighbridge software system and computer equipment at the Waste Management Facility. This will allow for ease of data capturing for EPA requirements and invoicing and as well as improving accuracy and reducing the double handling of end of month reporting through integration with Council's Enterprise Resource System.
15	\$47,500 to implement ePlanning software to digitise Development Application and related building approval processes. This is a legislated requirement for all Council's to have this capability by 1 January 2021.
16	\$41,000 to purchase a replacement truck hoist for the mechanics workshop, as the current hoist no longer meets appropriate safety standards, nor does using the existing pits.

Broken Hill City Council

Quarterly Budget Review Statement

for the period 01/07/20 to 30/09/20

Cash & Investments Budget Review Statement

Budget review for the quarter ended 30 September 2020

Cash & Investments - Council Consolidated

(\$000's)	Original Budget 2020/21	Approved Changes			Revised Budget 2020/21	Variations for this Sep Qtr		Notes	Projected Year End Result	Actual YTD figures
		Sep QBRs	Dec QBRs	Mar QBRs						
Externally Restricted ⁽¹⁾										
Developer Contributions - General	-				-				-	-
Domestic Waste Management	2,786				2,786				2,786	1,386
Royalties	682				682				682	701
Specific Purpose Unexpended Grants	1,000				1,000				1,000	1,587
Total Externally Restricted	4,468	-	-	-	4,468				4,468	3,674
(1) Funds that must be spent for a specific purpose										
Internally Restricted ⁽²⁾										
Infrastructure Replacement	2,421				2,421				2,421	2,421
T-CORP Loan	-				-				-	10,000
Cultural Precinct Project	6,000				6,000				6,000	6,000
Employee Leave Entitlements	805				805				805	805
Innovation Reserve	500				500				500	500
Security Bonds, Deposits & Retentions	22				22				22	22
Plant Purchase Reserve	1,000				1,000				1,000	971
Commercial Waste Management	1,054				1,054				1,054	606
Other	-				-				-	-
Total Internally Restricted	11,802	-	-	-	11,802				11,802	21,325
(2) Funds that Council has earmarked for a specific purpose										
Unrestricted (i.e., available after the above Restrictions)	1,776	-	-	-	1,776	-	1,105		671	5,421
Total Cash & Investments	18,046	-			18,046	(1,105)			16,941	30,420

Broken Hill City Council

Quarterly Budget Review Statement
for the period 01/07/20 to 30/09/20

Cash & Investments Budget Review Statement

Comment on Cash & Investments Position

Not Applicable

Investments

Investments have been invested in accordance with Council's Investment Policy.

Cash

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.
The date of completion of this bank reconciliation is 30/09/20

Reconciliation Status

The YTD Cash & Investment figure reconciles to the actual balances held as follows:

\$ 000's

Cash at Bank (as per bank statements)

20,742

Investments on Hand

9,678

less: Unpresented Cheques

(Timing Difference)

add: Undeposited Funds

(Timing Difference)

less: Identified Deposits (not yet accounted in Ledger)

(Require Actioning)

add: Identified Outflows (not yet accounted in Ledger)

(Require Actioning)

less: Unidentified Deposits (not yet actioned)

(Require Investigation)

add: Unidentified Outflows (not yet actioned)

(Require Investigation)

Reconciled Cash at Bank & Investments

30,420

Balance as per Review Statement:

30,420

Broken Hill City Council

Quarterly Budget Review Statement
for the period 01/07/20 to 30/09/20

Key Performance Indicators Budget Review Statement

Budget review for the quarter ended 30 September 2020

(\$000's)	Current Projection		Original Budget 20/21	Actuals Prior Periods	
	Amounts 20/21	Indicator 20/21		19/20	18/19

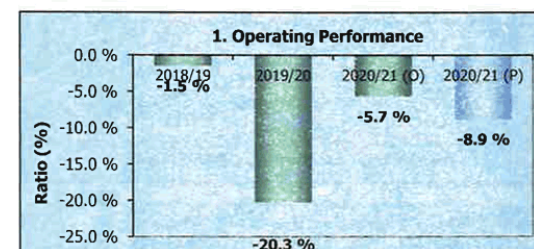
NSW Local Government Industry Key Performance Indicators (OLG):

1. Operating Performance

Operating Revenue (excl. Capital) - Operating Expenses	- 2,580	-8.9 %	-5.7 %	-20.3 %	-1.5 %
Operating Revenue (excl. Capital Grants & Contributions)	29,042				

Benchmark - Greater than 0%

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

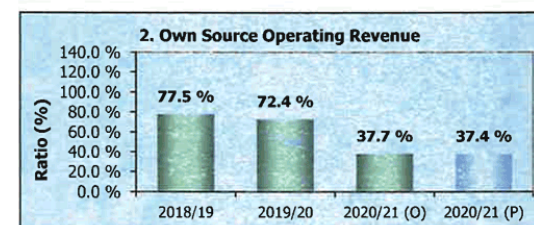


2. Own Source Operating Revenue

Operating Revenue (excl. ALL Grants & Contributions)	22,302	37.4 %	37.7 %	72.4 %	77.5 %
Total Operating Revenue (incl. Capital Grants & Cont)	59,553				

Benchmark - Greater than 60%

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants & contributions.

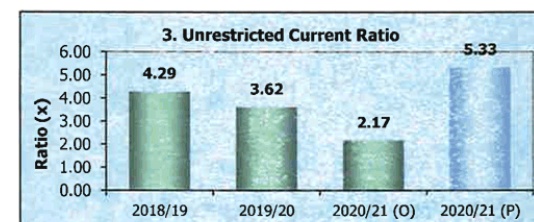


3. Unrestricted Current Ratio

Current Assets less all External Restrictions	23,250	5.33	2.17	3.62	4.29
Current Liabilities less Specific Purpose Liabilities	4,363				

Benchmark - Greater than 1.5

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.



Key Performance Indicators Budget Review Statement

Budget review for the quarter ended 30 September 2020

(\$000's)	Current Projection		Original Budget 20/21	Actuals Prior Periods 19/20 18/19
	Amounts	Indicator		
	20/21	20/21		

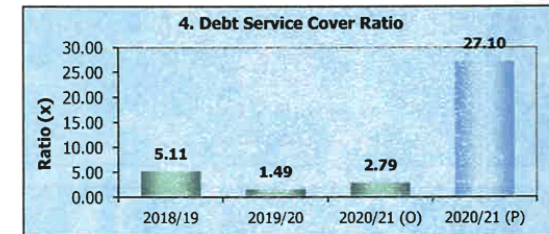
NSW Local Government Industry Key Performance Indicators (OLG):

4. Debt Service Cover Ratio

Operating Result before Interest & Dep. exp (EBITDA)	35,722	27.10	2.79	1.49	5.11
Principal Repayments + Borrowing Interest Costs	1,318				

Benchmark - Greater than 2.0

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.

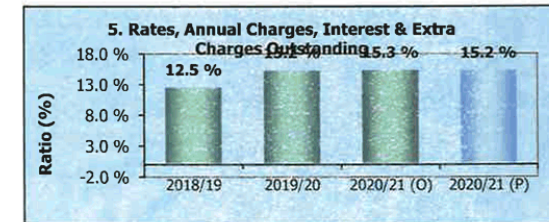


5. Rates, Annual Charges, Interest & Extra Charges Outstanding

Rates, Annual & Extra Charges Outstanding	2,848	15.2 %	15.3 %	15.2 %	12.5 %
Rates, Annual & Extra Charges Collectible	18,738				

Benchmark - Less than 10%

To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.

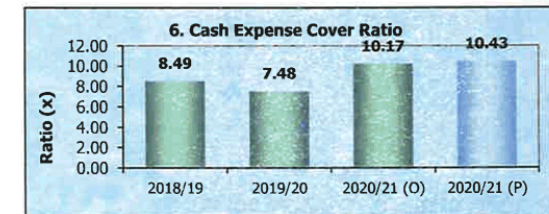


6. Cash Expense Cover Ratio

Current Year's Cash & Cash Equivalents (incl. Term Deposits)	30,420	10.43	10.17	7.48	8.49
Operating & financing activities Cash Flow payments	2,916				

Benchmark - Greater than 3 months

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.



Key Performance Indicators Budget Review Statement

Budget review for the quarter ended 30 September 2020

(\$000's)	Current Projection		Original Budget 20/21	Actuals Prior Periods 19/20 18/19
	Amounts	Indicator		
	20/21	20/21		

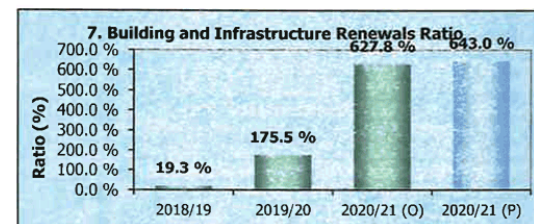
NSW Local Government Infrastructure Asset Performance Indicators (OLG):

7. Building and Infrastructure Renewals Ratio

Asset Renewals (Building, Infrastructure & Other Structures)	45,418	643.0 %	627.8 %	175.5 %	19.3 %
Depreciation, Amortisation & Impairment	7,064				

Benchmark - Greater than 100%

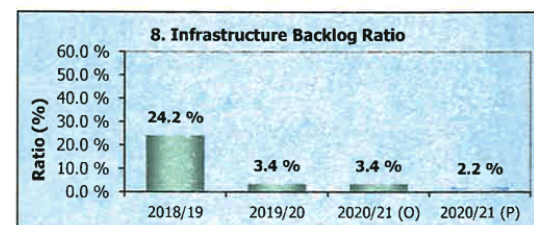
To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating.

**8. Infrastructure Backlog Ratio**

Estimated cost to bring Assets to a satisfactory condition	6,288	2.2 %	3.4 %	3.4 %	24.2 %
Total value of Infrastructure, Building, Other Structures & depreciable Land Improvement Assets	288,019				

Benchmark - Less than 2.0%

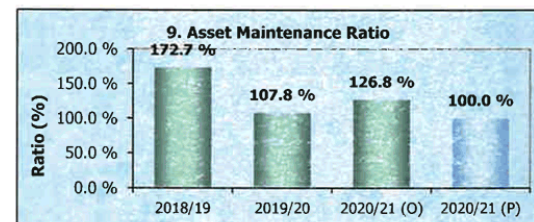
This ratio shows what proportion the backlog is against the total value of a Council's infrastructure.

**9. Asset Maintenance Ratio**

Actual Asset Maintenance	6,288	100.0 %	127%	1.08	1.73
Required Asset Maintenance	6,288				

Benchmark - Greater than 1.0

Compares actual vs. required annual asset maintenance. A ratio above 1.0 indicates Council is investing enough funds to stop the Infrastructure Backlog growing.



Key Performance Indicators Budget Review Statement

Budget review for the quarter ended 30 September 2020

(\$000's)	Current Projection		Original Budget 20/21	Actuals Prior Periods	
	Amounts 20/21	Indicator 20/21		19/20	18/19

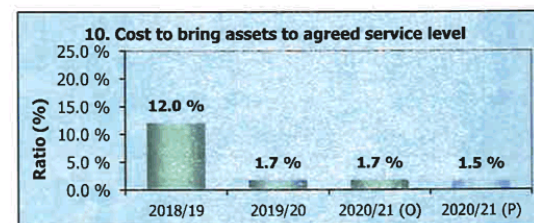
NSW Local Government Infrastructure Asset Performance Indicators (OLG):

10. Cost to bring assets to agreed service level

Estimated cost to bring assets to an agreed service level set by Council

	6,288	1.5 %	1.7 %	1.7 %	12.0 %
Gross replacement cost	420,790				

This ratio provides a snapshot of the proportion of outstanding renewal works compared to the total value of assets under Council's care and stewardship.



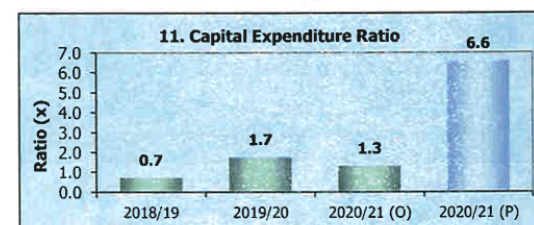
11. Capital Expenditure Ratio

Annual Capital Expenditure

	46,326.00	6.6	1.3	1.7	0.7
Annual Depreciation	7,064.00				

Benchmark - Greater than 1.1

To assess the extent to which a Council is expanding its asset base thru capital expenditure on both new assets and the replacement and renewal of existing assets.



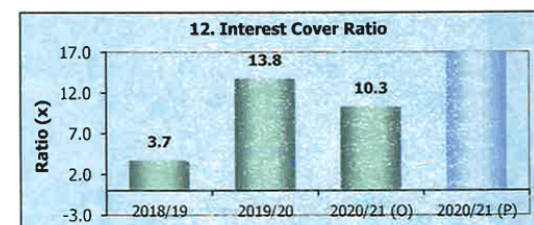
12. Interest Cover Ratio

Operating Results before Interest & Dep. exp (EBITDA)

	35,722	49.1	10.3	13.8	3.7
Borrowing Interest Costs (from the income statement)	727				

Benchmark - Greater than 4.0

This ratio indicates the extent to which a Council can service (through operating cash) its interest bearing debt & take on additional borrowings.



Quarterly Budget Review Statement
for the period 01/07/20 to 30/09/20

Budget review for the quarter ended 30 September 2020
Part A - Contracts Listing - contracts entered into during the quarter

Part A - Contracts Listing - contracts entered into during the quarter

[illegible]

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.

Broken Hill City Council

Quarterly Budget Review Statement
for the period 01/07/20 to 30/09/20

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	24,696	Y
Legal Fees	307,771	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments

Expenditure included in the above YTD figure but not budgeted includes:

Details

LONG TERM FINANCIAL PLAN – FUTURE PROOF SCENARIO													
INCOME STATEMENT													
\$ '000	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
	Actual	Actual	Actual*	Q1 Review	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
Income from Continuing Operations													
Revenue:													
Rates & annual charges	17,068	18,041	18,473	18,639	19,124	19,621	20,131	20,654	21,191	21,742	22,308	22,888	23,483
User charges & fees	3,840	11,125	2,937	3,011	4,104	4,206	4,312	4,419	4,530	4,643	4,759	4,878	5,000
Interest & investment revenue	924	1,548	53	286	548	574	618	672	742	951	1,066	1,199	1,352
Other revenues	518	685	682	366	435	446	457	469	481	493	505	518	530
Grants & contributions for operating purposes	6,283	6,272	6,728	7,441	6,875	7,012	7,152	7,295	7,441	7,590	7,742	7,897	8,055
Grants & contributions for capital purposes	97	2,813	1,684	30,511	13,000	3,260	3,325	3,392	3,460	3,529	3,599	3,671	3,745
Other Income:													
Net gains from disposal of assets	29	-	-	-	-	-	-	-	-	-	-	-	-
Net share of interests in joint ventures	-	1,461	-	-	-	-	-	-	-	-	-	-	-
TOTAL INCOME FROM CONTINUING OPERATIONS	28,759	41,945	30,557	59,552	44,086	35,119	35,995	36,901	37,844	38,948	39,979	41,051	42,165
Expenses from Continuing Operations													
Employee benefits & costs	13,748	14,235	12,463	12,908	13,263	13,628	14,002	14,388	14,783	15,190	15,607	16,037	16,478
Borrowing costs	629	788	737	727	685	645	604	562	518	473	426	377	327
Materials & contracts	8,550	11,575	9,580	6,155	5,511	5,536	5,561	5,586	5,611	5,636	5,662	5,687	5,713
Depreciation & amortisation	7,799	6,941	7,147	7,064	7,249	7,321	7,353	7,385	7,418	7,451	7,483	7,516	7,549
Impairment	-	-	-	-	-	-	-	48	-	-	-	-	-
Other expenses	4,117	4,708	4,833	4,768	4,408	4,428	4,448	4,468	4,488	4,508	4,528	4,548	4,569
Net losses from disposal of assets	-	581	129	-	-	-	-	-	-	-	-	-	-
TOTAL EXPENSES FROM CONTINUING OPERATIONS	34,843	38,828	34,890	31,622	31,116	31,557	31,968	32,340	32,818	33,257	33,707	34,166	34,636
OPERATING RESULT FOR THE YEAR	(6,084)	3,117	(4,332)	27,931	12,970	3,562	4,027	4,561	5,027	5,690	6,272	6,885	7,530
NET OPERATING RESULT FOR THE YEAR BEFORE GRANTS & CONTRIBUTIONS FOR CAPITAL PURPOSES													
	(6,181)	304	(6,016)	(2,580)	(30)	302	702	1,169	1,567	2,161	2,673	3,214	3,785
NET OPERATING RESULT FOR THE YEAR EXCLUDING EXTRAORDINARY ITEMS BEFORE GRANTS & CONTRIBUTIONS FOR CAPITAL PURPOSES													
	(6,181)	304	(6,016)	(2,580)	(30)	302	702	1,169	1,567	2,161	2,673	3,214	3,785
Assumptions													
Rate Peg	1.50%	2.30%	2.70%	2.60%	2.60%	2.60%	2.60%	2.60%	2.60%	2.60%	2.60%	2.60%	2.60%
General Index	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Employee Cost Index	2.50%	2.50%	2.50%	2.75%	2.75%	2.75%	2.75%	2.75%	2.75%	2.75%	2.75%	2.75%	2.75%
Grant Index	1.00%	1.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Investment Interest rate	2.0%	3.00%	3.50%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
Overdue rates interest rate	7.50%	7.50%	8.00%	3.00%	7.00%	7.00%	7.50%	7.50%	8.00%	8.00%	8.00%	8.00%	8.00%
Efficiency gain on Materials & Contracts	-	-2.00%	-2.00%	-2.00%	-2.00%	-2.00%	-2.00%	-2.00%	-2.00%	-2.00%	-2.00%	-2.00%	-2.00%

LONG TERM FINANCIAL PLAN – FUTURE PROOF SCENARIO													
STATEMENT OF FINANCIAL POSITION													
\$ '000	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
	Actual	Actual	Actual*	Q1 Review	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
Assets													
Current Assets:													
Cash & cash equivalents	27,509	15,473	13,527	5,941	6,744	8,084	9,838	12,026	11,670	11,922	12,700	12,031	12,946
Investments	1,000	9,000	6,000	11,000	11,000	11,000	11,000	11,000	14,000	17,000	20,000	25,000	29,000
Receivables	4,766	5,311	3,690	5,116	5,518	5,942	6,227	6,292	7,141	7,313	7,669	8,038	8,449
Inventories	115	122	112	115	118	121	124	127	130	133	136	140	143
Other	155	551	673	690	707	725	743	761	780	800	820	840	861
Non-current assets classified as 'held for sale'	-	-	190	-	-	-	-	-	-	-	-	-	-
TOTAL CURRENT ASSETS	33,545	30,457	24,192	22,861	24,086	25,871	27,932	30,207	33,722	37,168	41,326	46,050	51,400
Non-Current Assets:													
Investments	-	-	-	-	-	-	-	-	-	-	-	-	-
Receivables	75	47	16	16	-	-	-	-	-	-	-	-	-
Inventories	-	-	-	-	-	-	-	-	-	-	-	-	-
Infrastructure, property, plant & equipment	213,974	218,410	248,757	288,019	298,744	299,476	300,212	300,950	301,692	302,437	303,186	303,938	304,693
Investments accounted for using the equity method	-	1,461	-	-	-	-	-	-	-	-	-	-	-
Investment property	-	-	-	-	-	-	-	-	-	-	-	-	-
Intangible assets	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL NON-CURRENT ASSETS	214,049	219,918	248,773	288,035	298,744	299,476	300,212	300,950	301,692	302,437	303,186	303,938	304,693
TOTAL ASSETS	247,594	250,375	272,965	310,896	322,831	325,347	328,144	331,157	335,414	339,606	344,512	349,987	356,093
Liabilities													
Current Liabilities:													
Payables	5,897	3,664	3,456	3,994	2,774	2,939	2,597	2,070	1,981	1,547	1,239	978	606
Income Received in Advance	-	129	-	-	-	-	-	-	-	-	-	-	-
Contract Liabilities	-	-	544	544	544	544	544	544	544	544	544	544	544
Borrowings	628	570	535	1,428	1,469	1,508	1,551	1,595	1,641	1,687	1,736	1,786	733
Provisions	4,269	4,060	3,835	3,401	3,184	2,855	2,529	2,256	1,928	1,629	1,329	1,015	715
TOTAL CURRENT LIABILITIES	10,794	8,423	8,370	9,367	7,971	7,845	7,221	6,464	6,095	5,407	4,847	4,323	2,599
Non-Current Liabilities:													
Payables	-	-	-	-	-	-	-	-	-	-	-	-	-
Borrowings	13,064	12,522	11,957	19,610	18,141	16,633	15,082	13,487	11,846	10,159	8,423	6,637	5,904
Provisions	6,141	8,729	9,264	10,350	11,912	13,156	14,612	15,927	17,336	18,682	20,070	21,430	22,809
TOTAL NON-CURRENT LIABILITIES	19,205	21,251	21,221	29,960	30,053	29,789	29,694	29,414	29,182	28,841	28,493	28,067	28,713
TOTAL LIABILITIES	30,000	29,674	29,591	39,327	38,023	37,634	36,915	35,878	35,276	34,248	33,340	32,390	31,311
NET ASSETS	217,594	220,701	243,374	271,569	284,808	287,713	291,229	295,279	300,138	305,358	311,171	317,598	324,781
Equity													
Retained earnings	108,767	111,884	134,557	162,752	175,991	178,896	182,412	186,462	191,321	196,541	202,354	208,781	215,964
Revaluation reserves	108,817	108,817	108,817	108,817	108,817	108,817	108,817	108,817	108,817	108,817	108,817	108,817	108,817
Council equity interest	217,584	220,701	243,374	271,569	284,808	287,713	291,229	295,279	300,138	305,358	311,171	317,598	324,781
Non-controlling interest	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL EQUITY	217,584	220,701	243,374	271,569	284,808	287,713	291,229	295,279	300,138	305,358	311,171	317,598	324,781
Assumptions													
General Index	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
No impact from revaluation of assets													
No restricted cash													

LONG TERM FINANCIAL PLAN - FUTURE PROOF SCENARIO													
STATEMENT OF CASH FLOWS													
\$ '000	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
	Actual	Actual	Actual*	Q1 Review	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
Cash Flows from Operating Activities													
Receipts:													
Rates & annual charges	17,060	17,858	18,072	18,080	18,550	19,032	19,527	20,035	20,556	21,090	21,639	22,201	22,778
User charges & fees	2,097	14,122	2,792	2,920	3,981	4,080	4,182	4,287	4,394	4,504	4,616	4,732	4,850
Investment & interest revenue received	888	1,478	35	431	549	574	615	669	736	945	1,060	1,193	1,346
Grants & contributions	6,380	7,695	8,476	37,251	19,875	10,272	10,477	10,687	10,901	11,119	11,341	11,568	11,799
Bonds, deposits & retention amounts received	2	-	-	-	-	-	-	-	-	-	-	-	-
Other	3,652	1,309	4,918	355	422	433	444	455	466	478	490	502	515
Payments:													
Employee benefits & costs	(13,568)	(14,490)	(12,562)	(12,521)	(12,865)	(13,219)	(13,582)	(13,956)	(14,340)	(14,734)	(15,139)	(15,556)	(15,983)
Materials & contracts	(10,689)	(13,962)	(10,982)	(5,970)	(5,346)	(5,370)	(5,394)	(5,418)	(5,443)	(5,467)	(5,492)	(5,516)	(5,541)
Borrowing costs	(530)	(602)	(581)	(727)	(685)	(645)	(604)	(562)	(518)	(473)	(426)	(377)	(327)
Bonds, deposits & retention amounts refunded	-	(28)	(27)	-	-	-	-	-	-	-	-	-	-
Other	(3,152)	(4,883)	(6,569)	(4,625)	(4,276)	(4,295)	(4,314)	(4,334)	(4,353)	(4,373)	(4,392)	(4,412)	(4,432)
NET CASH PROVIDED (OR USED IN) OPERATING ACTIVITIES	2,140	8,497	3,572	35,194	20,205	10,862	11,351	11,863	12,399	13,089	13,697	14,335	15,005
Cash Flows from Investing Activities													
Receipts:													
Sale of investment securities	1,004	-	3,000	-	-	-	-	-	-	-	-	-	-
Sale of infrastructure, property, plant & equipment	196	147	2	-	-	-	-	-	-	-	-	-	-
Deferred debtors receipts	47	36	61	-	-	-	-	-	-	-	-	-	-
Other investing activity receipts	-	-	-	-	-	-	-	-	-	-	-	-	-
Payments:													
Purchase of investment securities	-	(8,000)	-	(5,000)	-	-	-	-	(3,000)	(3,000)	(3,000)	(5,000)	(4,000)
Purchase of infrastructure, property, plant & equipment	(5,071)	(12,105)	(7,981)	(46,326)	(17,974)	(8,053)	(8,089)	(8,124)	(8,160)	(8,196)	(8,232)	(8,268)	(8,304)
Deferred debtors & advances made	-	-	-	-	-	-	-	-	-	-	-	-	-
NET CASH PROVIDED (OR USED IN) INVESTING ACTIVITIES	(3,824)	(19,922)	(4,918)	(51,326)	(17,974)	(8,053)	(8,089)	(8,124)	(11,160)	(11,196)	(11,232)	(13,268)	(12,304)
Cash Flows from Financing Activities													
Receipts:													
Proceeds from borrowings & advances	13,400	-	-	10,000	-	-	-	-	-	-	-	-	-
Payments:													
Repayment of borrowings & advances	(4,007)	(611)	(600)	(1,454)	(1,428)	(1,469)	(1,508)	(1,551)	(1,595)	(1,641)	(1,687)	(1,736)	(1,786)
NET CASH PROVIDED (OR USED IN) FINANCING ACTIVITIES	9,393	(611)	(600)	8,546	(1,428)	(1,469)	(1,508)	(1,551)	(1,595)	(1,641)	(1,687)	(1,736)	(1,786)
NET INCREASE/(DECREASE) IN CASH & CASH EQUIVALENTS	7,709	(12,036)	(1,946)	(7,586)	803	1,340	1,755	2,188	(356)	252	778	(669)	915
plus: CASH & CASH EQUIVALENTS - beginning of year	19,800	27,509	15,473	13,527	5,941	6,744	8,084	9,838	12,026	11,670	11,922	12,700	12,031
CASH & CASH EQUIVALENTS - end of year	27,509	15,473	13,527	5,941	6,744	8,084	9,838	12,026	11,670	11,922	12,700	12,031	12,946
Additional Information													
plus: Investments on hand - end of year		9,000	6,000	11,000	11,000	11,000	11,000	11,000	14,000	17,000	20,000	25,000	29,000
TOTAL CASH, CASH EQUIVALENTS & INVESTMENTS - end of year	27,509	24,473	19,527	16,941	17,744	19,084	20,838	23,026	25,670	28,922	32,700	37,031	41,946
Assumptions													
Rates & charges recovery rate	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%
Debtor recovery rate	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%	97.00%
General index	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Investment interest rate	3.00%	3.50%	3.50%	2.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.50%	3.50%	3.50%
Overdue rates interest rate	7.50%	10.00%	7.50%	7.50%	7.50%	7.50%	7.50%	7.50%	7.50%	7.50%	7.50%	7.50%	7.50%
No restricted cash													

LONG TERM FINANCIAL PLAN – FUTURE PROOF SCENARIO													
	FINANCIAL RATIOS												
	2018 Actual	2019 Actual	2020 Forecast	2021 Forecast	2022 Forecast	2023 Forecast	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast	2028 Forecast	2029 Forecast	2030 Forecast
Operating Ratio													
This ratio measures Council's ability to contain operating expenditure within operating revenue	-0.88%	-6.32%	-20.84%	-8.89%	-0.10%	0.95%	2.15%	3.49%	4.56%	6.10%	7.35%	8.60%	9.85%
Benchmark - Greater than 0% (operating revenue excl. capital grants and contributions - operating expenses) / operating revenue excluding capital grants and contributions													
Cash Expense Cover Ratio													
This ratio indicates the number of months Council can continue paying for its immediate expenses without additional cash inflow	9.86	12.26	8.68	6.01	6.60	7.16	7.92	8.87	8.52	8.49	8.70	8.24	8.50
Benchmark - Greater than 3.0 months (current year's cash and cash equivalents / (total expenses - depreciation - interest costs)) * 12													
Current Ratio													
This ratio represents Council's ability to meet debt payments as they fall due. It should be noted that Council's externally restricted assets will not be available as operating funds and as such can significantly impact Council's ability to meet its liabilities.	3.11	3.79	2.89	2.44	3.02	3.30	3.87	4.67	5.53	6.87	8.53	10.65	19.78
Benchmark - Greater than 1.5 current assets / current liabilities													
Unrestricted Current Ratio													
To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.	1.80	3.02	2.29	2.38	2.89	2.96	3.46	4.17	5.04	6.40	8.10	10.33	20.40
Benchmark - Greater than 1.5 current assets (less all external activities/ current liabilities, less specific purpose liabilities)													
Own Source Operating Revenue													
This ratio measures the level of Council's fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions. Council's financial flexibility improves the higher the level of its own source revenue	62.64%	69.19%	72.47%	37.45%	54.92%	70.75%	70.89%	71.04%	71.20%	71.45%	71.63%	71.82%	72.02%
Benchmark - Greater than 60% rates, utilities and charges / total operating revenue (inclusive of capital grants and contributions)													
Debt Service Cover Ratio													
This ratio measures the availability of cash to service debt including interest, principal, and lease payments	3.78	5.11	1.49	2.39	3.74	3.91	4.10	4.31	4.50	4.77	5.01	5.26	5.52
Benchmark - Greater than 2.0 operating result before interest and depreciation (EBITDA) / principal repayments + borrowing interest costs													
Interest Cover Ratio													
This ratio indicates the extent to which Council can service its interest bearing debt and take on additional borrowings. It measures the burden of the current interest expense upon Council's operating cash	1.26	10.80	2.53	7.16	11.54	12.82	14.34	16.22	18.35	21.32	24.84	29.46	35.66
Benchmark - Greater than 4.0 operating result before interest and depreciation (EBITDA) / interest expense													
Capital Expenditure Ratio													
This ratio indicates the extent to which Council is forecasting to expand its asset base with capital expenditure spent on both new assets and replacement and renewal of existing assets	0.65	1.74	1.12	6.56	2.48	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10
Benchmark - Greater than 1.1 annual capital expenditure / annual depreciation													

ORDINARY MEETING OF THE COUNCIL

October 9, 2020

ITEM 11**BROKEN HILL CITY COUNCIL REPORT NO. 145/20****SUBJECT:** **INVESTMENT REPORT FOR SEPTEMBER 2020** **17/82****Recommendation**

1. That Broken Hill City Council Report No. 145/20 dated October 9, 2020, 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 30 September 2020, Council's Investment Portfolio had a current market valuation of \$30,433,354 or principal value (face value) of \$30,420,947 and was compliant with policy and legislative requirements as per the below table.

Report:

Council's investments as at 30 September 2020 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	X	Non-Compliant with policy
Term to Maturity Limits	✓	Compliant with policy

Market Review**Global issues**

In the US, industrial production and retail sales recorded another month of increases. Economists are now predicting GDP to increase by 8% in the September quarter, nearly recouping the 9% fall in the June quarter, despite little sustained reprieve in new virus cases. In Europe, stimulus packages supporting household consumption and wage subsidies are being wound up leading to concerns of large scale joblessness in the coming months just as several countries are experiencing spikes in new cases. In Asia, China's strategy to revive its economy from the pandemic-induced slowdown has been focused on fiscal stimulus to manufacturing industries. While this has been effective for production, the lack of income support to consumers has left the nation's growth in retail spending lagging.

Domestic issues

In Australia, latest employment data surprised the market on the upside with an increase of 111,000 new jobs last month, albeit the majority being part-time roles. Meanwhile, the unemployment rate dropped to 6.8% from 7.5%. Consumer sentiment indicators have risen through the month but are still at levels last seen at the peak of the global financial crisis. The latest monthly survey of economists shows an anticipated contraction of GDP in 2020 of 3.9%, while consensus expectations for growth next year have been trimmed to 2.7%. Income support programs from the Government has helped household incomes to rise during the pandemic. The RBA posits that since a significant component of these incentives were put into savings, Australian households will be in a favourable position to support a recovery when it unfolds. The Australian share market (ASX200) ended the month slightly lower and the AUD/USD closed out September at 0.71c down from 0.74c at August month end.

Interest rates

Following the release of the RBA's September meeting minutes and speeches from RBA officials during the month, many economists are predicting the central bank will cut the official cash rate target from 0.25% to 0.10% before the end of 2020. RBA stimulus measures continue to keep cash rate futures below the official 0.25%pa level and term deposit rates are still reflecting banks' ample liquidity and access to cheap RBA sourced funding.

Investment Portfolio Commentary

Council's investment portfolio posted a return of -0.07%pa for the month of September versus the bank bill index benchmark return of 0.09%pa. For the past 12 months, the investment portfolio returned -0.94%pa, underperforming the bank bill index benchmark's 0.58%pa by 1.52%pa.

During September, Council's investment portfolio had a total of \$3.5m among 1, 3, 4- & 6-month term deposits mature with an average rate of 0.66%pa. Council deposited a total of \$4m split between 1- and 2-month TDs at an average rate of 0.50%pa. Council also made in initial deposit of \$6m in a bank cash account product paying 0.90%, in an example of cash account "specials" offering rates higher than much longer dated investment options.

The TCorpIM MT Growth fund fell 0.3% in September. The Australian share market ended its 5 month streak of gains and fell 3.4%. All sectors of the market fell with Energy (-10.7%) faring the worst while Industrials was the best performing sector (- 0.3%). Overseas markets generally fell with the US S&P 500 (-3.8%), European S&P350 (-1.4%) and Chinese S&P 300 (-4.8%) all falling although the Japanese S&P 500 gained slightly (0.9%).

Investments Outside of Policy

Council's investment portfolio ended September with a Westpac balance outside of Council's investment policy. Council received the \$10,000,000 TCorp loan distribution in Westpac at the end of September, this acquisition of funds caused Westpac's exposure to move outside of policy limits. Council attempted to bring its Westpac balances within policy by investing \$6,000,000 in Macquarie Bank on 30 September, however due to September being the end of a standard rating quarter, the rates income received still pushed the Westpac balance \$1,052,914 above portfolio limits.

The Draft Investment Policy currently on public display, seeks to address this issue moving forward by increasing the institutional limit from 30% to 45% for AAA, AA+, AA & AA - credit ratings. This adjustment makes sense during times of low interest rate, as the transactional cost involved in moving money just for the purpose of remaining within a very conservative policy outweighs any interest gain and potential risk mitigation.

Council's Portfolio by Source of Funds – September 2020

As at 30 September 2020, Council's Investment Portfolio had a current market valuation of \$30,433,354 or principal value (face value) of \$30,420,947 and was compliant with policy and legislative requirements as per the table above.

	Source of Funds	Principal Amount
GENERAL Fund	Operating Capital & Internal Restrictions	\$26,746,624
	Royalties Reserve	\$701,000
	Domestic Waste Management Reserve	\$1,386,323
	Grants	\$1,587,000
	TOTAL PORTFOLIO	\$30,420,947

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.

Community Engagement:

Nil

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. [September 2020 Investment Report](#)

JAY NANKIVELL
CHIEF FINANCIAL OFFICER

JAMES RONCON
GENERAL MANAGER



Investment Summary Report September 2020



Broken Hill City Council

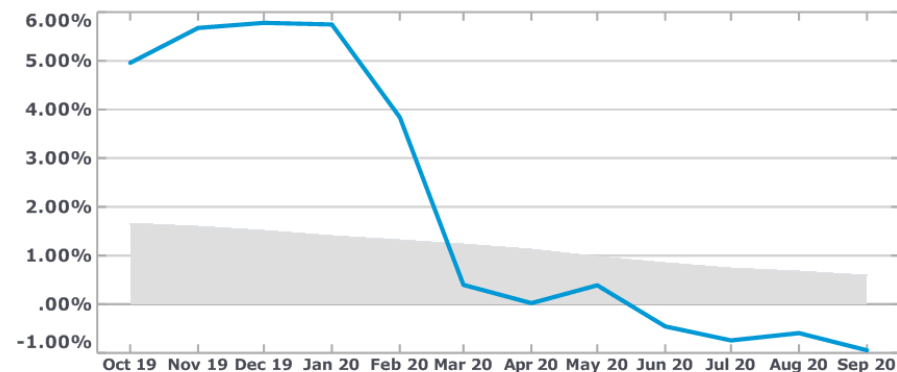
Executive Summary



Investment Holdings

	Face Value (\$)	Current Value (\$)
Cash	20,742,487.11	20,742,487.11
Managed Funds	5,178,459.47	5,178,459.47
Term Deposit	4,500,000.00	4,512,406.99
	30,420,946.58	30,433,353.57

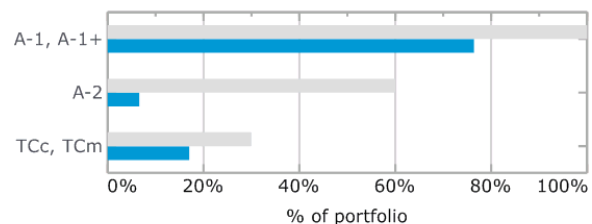
Investment Performance



AusBond BB Index Rolling 12 month Return Portfolio Rolling 12 month return

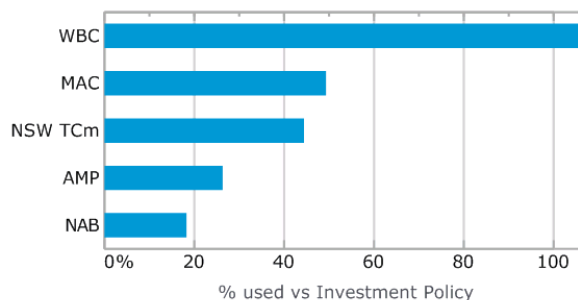
Investment Policy Compliance

Total Credit Exposure



Portfolio Exposure Investment Policy Limit

Highest Individual Exposures



% used vs Investment Policy

Term to Maturities

Maturity Profile	Face Value (\$)	Policy Max
Between 0 and 1 Year	30,420,947	100% 100%
	30,420,947	

Broken Hill City Council
Investment Holdings Report



Cash Accounts							
	Face Value (\$)	Rate (%pa)	Institution	Credit Rating		Current Value (\$)	Deal No. Reference
	6,000,147.54	0.9000%	Macquarie Bank	A-1		6,000,147.54	540354 Accelerator
	9,342,936.52	0.0000%	Westpac Group	A-1+		9,342,936.52	473409 Cheque
	5,399,403.05	0.9166%	Westpac Group	A-1+		5,399,403.05	535442 90d Notice
	20,742,487.11	0.4989%				20,742,487.11	

Managed Funds							
	Face Value (\$)	Monthly Return	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No. Reference
	1,124,837.22	0.0351%	NSW T-Corp (Cash)	TCc	Cash Fund	1,124,837.22	535329
	4,053,622.25	-0.2574%	NSW T-Corp (MT)	TCm	Medium Term Growth Fund	4,053,622.25	536441
	5,178,459.47					5,178,459.47	

Term Deposits										
Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency Reference
28-Oct-20	500,000.00	0.8500%	National Australia Bank	A-1+	500,000.00	29-Jun-20	501,094.52	539970	1,094.52	At Maturity
11-Nov-20	500,000.00	1.4000%	AMP Bank	A-2	500,000.00	10-Jun-20	502,167.12	539917	2,167.12	At Maturity
30-Nov-20	2,000,000.00	0.5400%	National Australia Bank	A-1+	2,000,000.00	30-Sep-20	2,000,029.59	540343	29.59	At Maturity
2-Dec-20	500,000.00	1.7000%	AMP Bank	A-2	500,000.00	4-Mar-20	504,913.70	539526	4,913.70	At Maturity
9-Dec-20	500,000.00	1.5500%	AMP Bank	A-2	500,000.00	10-Jun-20	502,399.32	539914	2,399.32	At Maturity
3-Feb-21	500,000.00	1.4000%	AMP Bank	A-2	500,000.00	29-Jun-20	501,802.74	539971	1,802.74	At Maturity
	4,500,000.00	1.0067%			4,500,000.00		4,512,406.99		12,406.99	

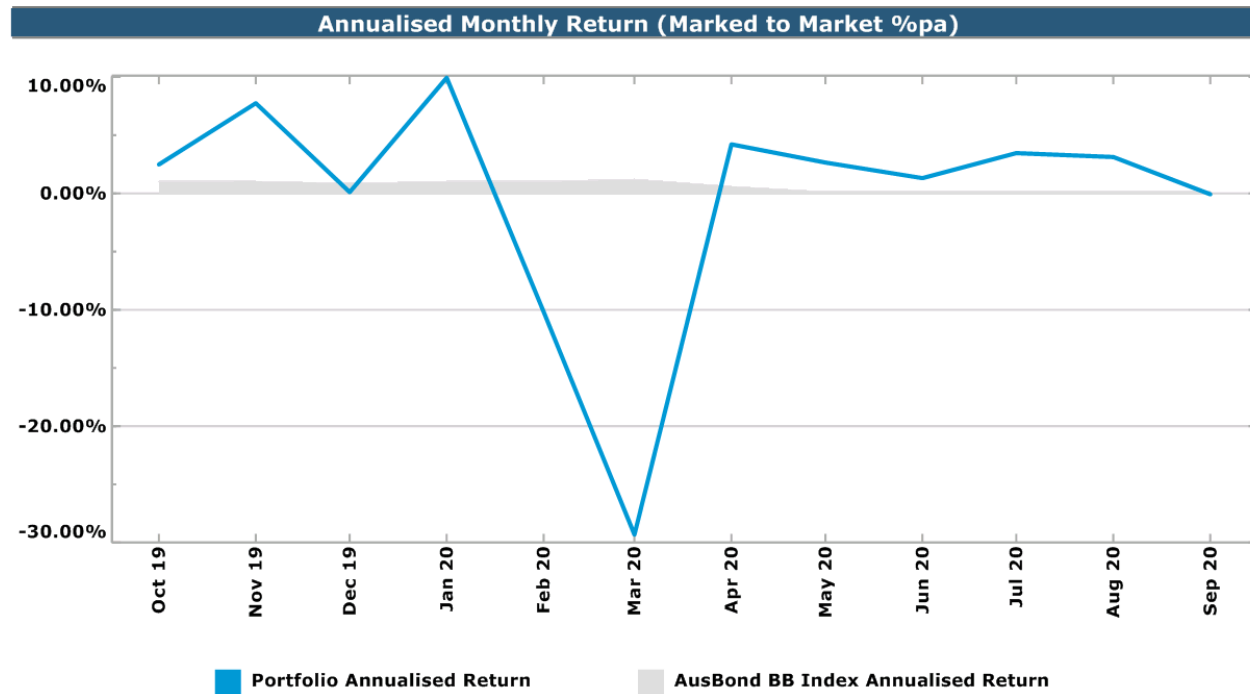
Broken Hill City Council
Accrued Interest Report - September 2020



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	9,342,936.52			0.00	30	0.00	.00%
Westpac Group	535442	90d Notice	5,399,403.05			4,064.50	30	4,064.50	.92%
Macquarie Bank	540354	Accelerator	6,000,147.54			147.54	1	147.54	.90%
Cash Total						4,212.05		4,212.05	.34%
Managed Funds									
Cash Fund	535329		1,124,837.22	29-May-17			30	394.54	.43%
Medium Term Growth Fund	536441		4,053,622.25	12-Feb-18			30	-10,462.22	-3.09%
Managed Funds Total								-10,067.68	-2.34%
Term Deposits									
AMP Bank	539525		500,000.00	04-Mar-20	02-Sep-20	4,612.33	1	25.34	1.85%
National Australia Bank	539975		500,000.00	30-Jun-20	16-Sep-20	801.37	15	154.11	.75%
AMP Bank	539848		500,000.00	27-May-20	30-Sep-20	2,416.44	29	556.17	1.40%
National Australia Bank	540167		2,000,000.00	01-Sep-20	30-Sep-20		29	715.07	.45%
National Australia Bank	539970		500,000.00	29-Jun-20	28-Oct-20		30	349.31	.85%
AMP Bank	539917		500,000.00	10-Jun-20	11-Nov-20		30	575.34	1.40%
National Australia Bank	540343		2,000,000.00	30-Sep-20	30-Nov-20		1	29.59	.54%
AMP Bank	539526		500,000.00	04-Mar-20	02-Dec-20		30	698.63	1.70%
AMP Bank	539914		500,000.00	10-Jun-20	09-Dec-20		30	636.99	1.55%
AMP Bank	539971		500,000.00	29-Jun-20	03-Feb-21		30	575.34	1.40%
Term Deposits Total						7,830.14		4,315.89	1.00%
						12,042.19		-1,539.74	-.07%

Broken Hill City Council

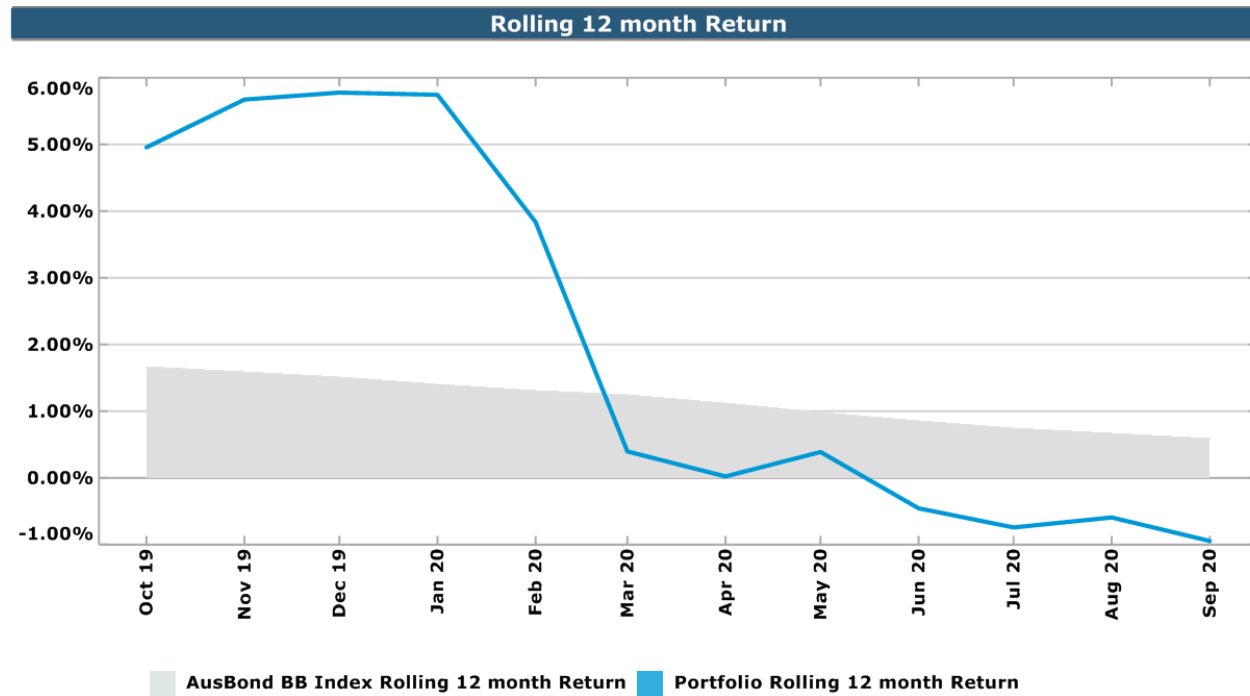
Investment Performance Report



Historical Performance Summary			
	Portfolio	AusBond BB Index	Outperformance
Sep 2020	-0.07%	0.09%	-0.16%
Last 3 Months	2.19%	0.10%	2.09%
Last 6 Months	2.45%	0.18%	2.27%
Financial Year to Date	2.19%	0.10%	2.09%
Last 12 months	-0.94%	0.58%	-1.52%

Broken Hill City Council

Investment Performance Report

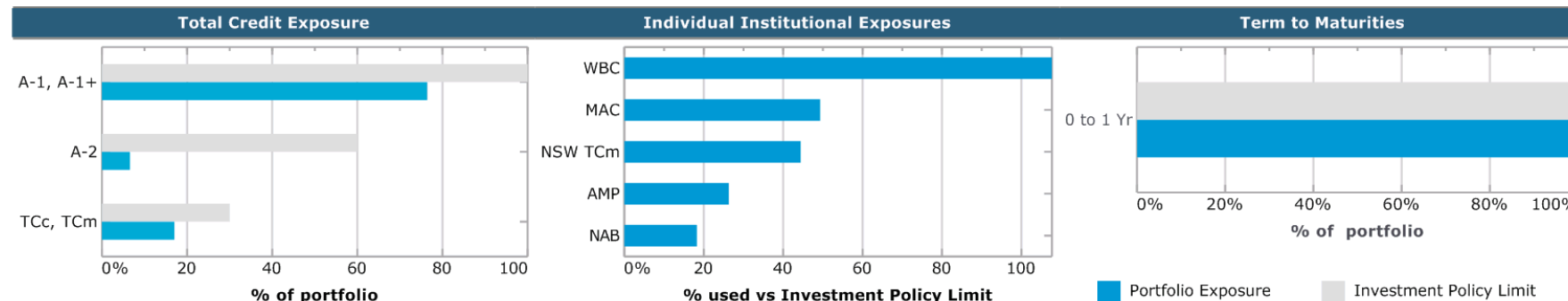


Historical Performance Summary (actual)

	Portfolio	AusBond BB Index	Outperformance
Sep 2020	-0.01%	0.01%	-0.02%
Last 3 Months	0.55%	0.03%	0.52%
Last 6 Months	1.22%	0.09%	1.13%
Financial Year to Date	0.55%	0.03%	0.52%
Last 12 months	-0.94%	0.58%	-1.52%

Broken Hill City Council

Investment Policy Compliance Report



	Credit Rating	Face Value (\$)	Policy Max
Short Term	A-1	6,000,148	
Short Term	A-1+	17,242,340	
		23,242,487	76% 100% ✓
Short Term	A-2	2,000,000	
		2,000,000	7% 60% ✓
Short Term	TCc	1,124,837	
Short Term	TCm	4,053,622	
		5,178,459	17% 30% ✓
		30,420,947	100%

✓ = compliant
✗ = non-compliant

	% used vs Investment Policy Limit
Westpac Group (A-1+, AA-)	108% ✗
Macquarie Bank (A-1, A+)	49% ✓
NSW T-Corp (MT) (TCm)	44% ✓
AMP Bank (A-2, BBB)	26% ✓
National Australia Bank (A-1+, AA-)	18% ✓
NSW T-Corp (Cash) (TCc)	12% ✓

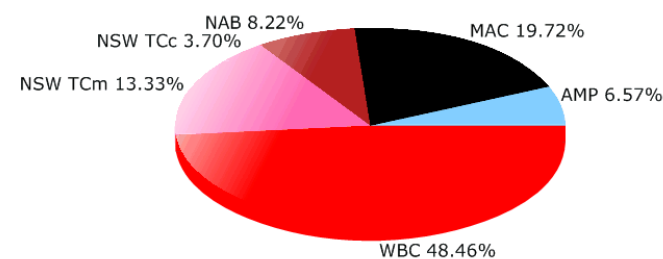
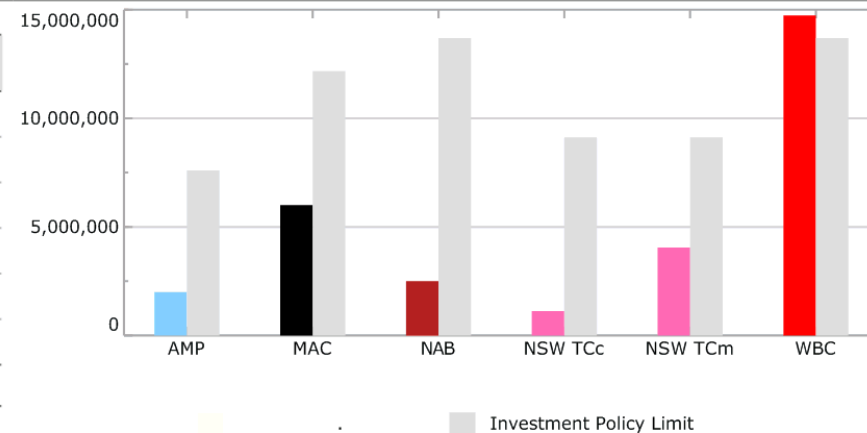
	Face Value (\$)	Policy Max
Between 0 and 1 Year	30,420,947	100% 100% ✓
	30,420,947	
Detailed Maturity Profile	Face Value (\$)	
00. Cash + Managed Funds	25,920,947	85%
01. Less Than 30 Days	500,000	2%
02. Between 30 Days and 60 Days	500,000	2%
03. Between 60 Days and 90 Days	3,000,000	10%
04. Between 90 Days and 180 Days	500,000	2%
	30,420,947	

Broken Hill City Council

Individual Institutional Exposures Report



Individual Institutional Exposures				Individual Institutional Exposure Charts	
Parent Group	Credit Rating	Portfolio Exposure (\$)	Investment Policy Limit (\$)		
AMP Bank	A-2, BBB	2,000,000	7,605,237		
Macquarie Bank	A-1, A+	6,000,148	12,168,379		
National Australia Bank	A-1+, AA-	2,500,000	13,689,426		
NSW T-Corp (Cash)	TCc	1,124,837	9,126,284		
NSW T-Corp (MT)	TCm	4,053,622	9,126,284		
Westpac Group	A-1+, AA-	14,742,340	13,689,426		
		30,420,947			



Broken Hill City Council

Cash Flows Report



Current Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>
1-Sep-20	540167	National Australia Bank	Term Deposits	Settlement Face Value - Paid	-2,000,000.00
<u>Deal Total</u>					<u>-2,000,000.00</u>
Day Total					-2,000,000.00
2-Sep-20	539525	AMP Bank	Term Deposits	Maturity Face Value - Received	500,000.00
		AMP Bank	Term Deposits	Interest - Received	4,612.33
<u>Deal Total</u>					<u>504,612.33</u>
Day Total					504,612.33
16-Sep-20	539975	National Australia Bank	Term Deposits	Maturity Face Value - Received	500,000.00
		National Australia Bank	Term Deposits	Interest - Received	801.37
<u>Deal Total</u>					<u>500,801.37</u>
Day Total					500,801.37
30-Sep-20	539848	AMP Bank	Term Deposits	Maturity Face Value - Received	500,000.00
		AMP Bank	Term Deposits	Interest - Received	2,416.44
<u>Deal Total</u>					<u>502,416.44</u>
	540167	National Australia Bank	Term Deposits	Maturity Face Value - Received	2,000,000.00
		National Australia Bank	Term Deposits	Interest - Received	715.07
<u>Deal Total</u>					<u>2,000,715.07</u>
	540343	National Australia Bank	Term Deposits	Settlement Face Value - Paid	-2,000,000.00
<u>Deal Total</u>					<u>-2,000,000.00</u>
Day Total					503,131.51
Net Cash Movement for Period					-491,454.79

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>
28-Oct-20	539970	National Australia Bank	Term Deposit	Maturity Face Value - Received	500,000.00
		National Australia Bank	Term Deposit	Interest - Received	1,408.90
<u>Deal Total</u>					<u>501,408.90</u>
Day Total					501,408.90

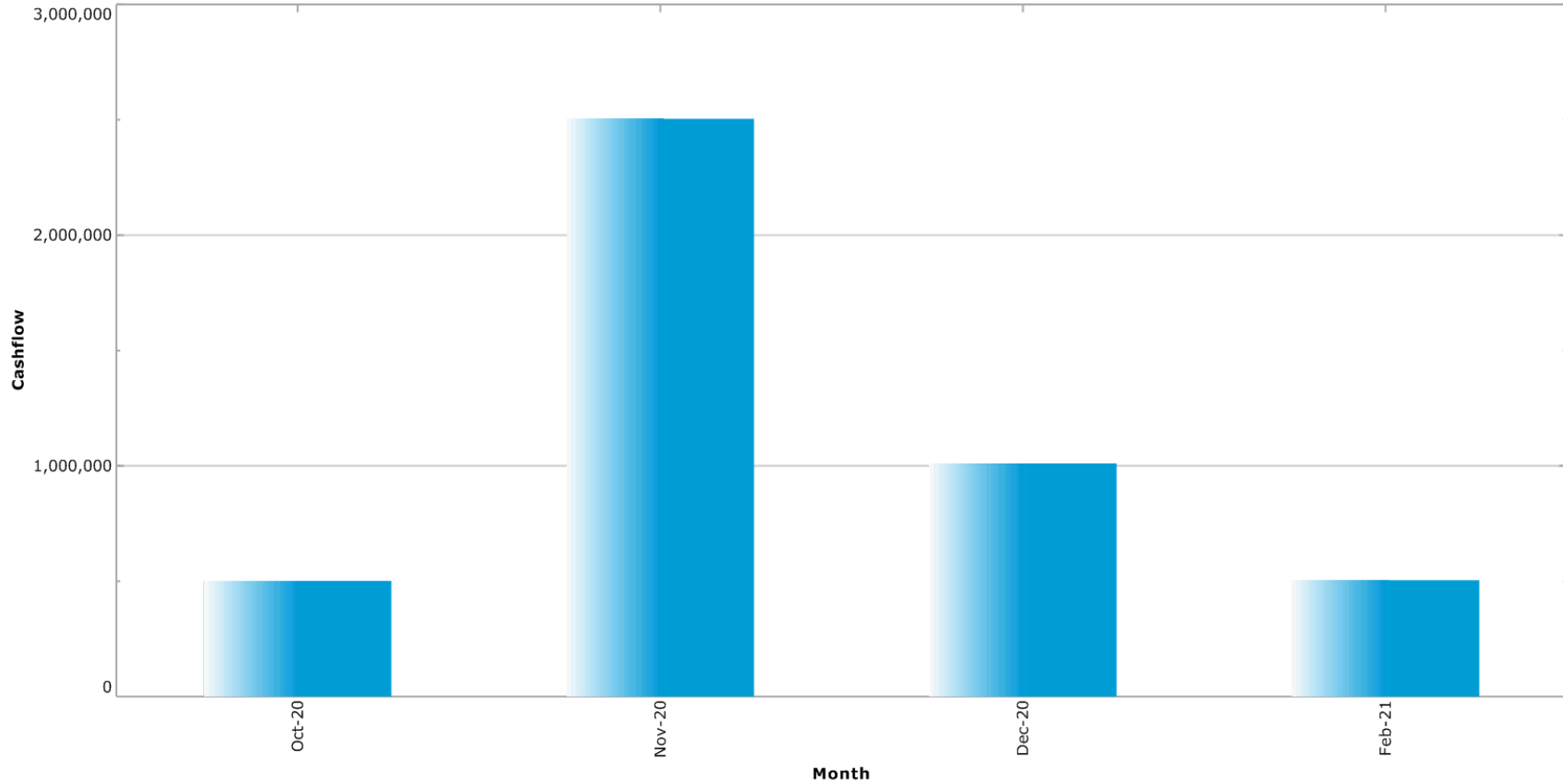
Broken Hill City Council

Cash Flows Report



Next Month Cashflows

Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Due
Net Cash Movement for Period					501,408.90



ORDINARY MEETING OF THE COUNCIL

October 16, 2020

ITEM 12BROKEN HILL CITY COUNCIL REPORT NO. 146/20

SUBJECT: MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO
407 HELD TUESDAY, 6 OCTOBER 2020 11/397

Recommendation

1. That Broken Hill City Council Report No. 146/20 dated October 16, 2020, be received.
2. That the minutes for the Local Traffic Committee Meeting No.405 held Tuesday, 6 October 2020 be received.
3. That the following Item 406.6.6 – Blende Street – Library Parking; be approved to install 2-hour timed parking signs in Blende Street in front of the Library (directly opposite the Civic Centre).

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 Tuesday, 6 October 2020 which details recommendations to Council for consideration and adoption.

Community Engagement:**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 407, 6 October 2020

JAY NANKIVELL
CHIEF FINANCIAL OFFICER

JAMES RONCON
GENERAL MANAGER

LOCAL TRAFFIC COMMITTEE

MINUTES OF MEETING NO 407

Held 2.00pm Tuesday, 6 October 2020
Video conference/teleconference via BlueJeans

Acting Chairperson Bibek Bhattarai, Infrastructure Projects Engineer opened the meeting at 2.00pm and welcomed all representatives present.

407.1 Present

Bibek Bhattarai	Acting Chairperson/Infrastructure Projects Engineer
Codie Howard	Works Manager
Marion Browne	Councillor
David Vant	Roads and Maritime Services (RMS) Representative
Peter Bevan	Local Member's Representative
Samantha Stuart	Minute Secretary/Administration Officer
Matt McCarthy	NSW Police

407.2 Apologies

Emily Guerin	Minute Secretary/Administration Officer
Inspector Yvette Smith	NSW Police
Paul Bezzina	Asset Inspector

407.3 Disclosure of interest – NIL

407.4 Adoption of previous minutes

Previous minutes of meeting No 406 held 1 September 2020 were confirmed via online voting as follows:

All in favour: Moved: Peter Bevan Seconded: David Vant

407.5 Council Resolutions

The following Committee Recommendations were adopted by Council at its meeting held September 2020.

ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 131/20 - DATED SEPTEMBER 11, 2020 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 406 HELD TUESDAY, 1 SEPTEMBER 2020

11/397

RESOLUTION

Resolved

Minute No. 1

- | | | |
|--------------------------------|---|---|
| Councillor M. Browne moved |) | 1. That Broken Hill City Council Report No. 131/20 dated September 11, 2020, be received. |
| Councillor T. Kennedy seconded |) | 2. That That the minutes for the Local Traffic Committee Meeting No.405 held Tuesday, 1 September 2020 be received. |

CARRIED UNANIMOUSLY

407.6 Correspondence In

Item No.	EDRMS No.	Details
407.6.1	D20/39613	Burke Ward Public School – Line Marking Request – Lisa Bell
Discussion Notes		<p>Discussion around existing line marks and the school wanting to reinstate previous markings.</p> <p>Being a school, they are only allowed certain types of signs and line markings. Therefore, what they are asking may not necessarily be allowed as it is outside the standard requirements. An audit needs to be conducted to identify what line markings are already there and what line markings are missing.</p> <p>A site inspection to be arranged to confirm/audit the existing lines and signs.</p> <p>School is currently on holidays; however, Council's Asset Officer will meet with the school once school resumes to discuss the application and clarify exactly what the school is wanting.</p> <p>Gypsum Street is a regional road, which Council are looking to upgrade. Newton Lane is a local road. Rakow Street is a State Highway therefore may ask for assistance with expenditure from RMS. RMS would cover costs of State Road.</p>
Recommendation		Council to meet with the school and clarify request. Council to also conduct an audit of current line marking. Report to be provided at next LTC meeting.

407.7 Correspondence Out

Item No.	EDRMS No.	Details
407.7.1	D20/39626	Response – Review of No Stopping Sign – Rick Stephens (TNT)
407.7.2	D20/39628	Response – School Zone and Crossing – Busy Kids – Jenny French
407.7.3	D20/39668	Response – Dangerous Road – Bromide and Gossan Streets – Robyn Slater
407.7.4	D20/39878	Response – Brown Street – Speeding Motorists – Ann Evers
407.7.5	D20/39880	Response – Request for a crossing in Excelsior area – Renee Zammit

407.8 General Business

Item No.	EDRMS No.	Details
407.8.1		Busy Kids – Request for School Zone
Discussion Notes		<p>Discussion around full page article in the BDT on Wednesday, 30 September 2020 stating that an application for school signs had been rejected and that the LTC were seeking further clarification from the RMS Road Safety and Traffic Management Department.</p> <p>RMS, David Vant has spoken to a representative from Busy Kids and explained the exact situation. Busy Kids have been given a full explanation on why the signs requested are not allowed. A parking issue with Service NSW has been identified which is being followed up internally by RMS.</p> <p>Local Member Representative, Peter Bevan undertook an inspection at Rainbow Preschool which is in between two lanes (Wentworth Road and Bonanza Street) and located on a mining lease, there is one sign which states 'Preschool' only.</p> <p>Inspection also conducted at Happy Day Preschool which has eight signs in total. Four signs are school zone signs without lights and the other four signs are preschool signs.</p> <p>Committee discussed the following options:</p> <ul style="list-style-type: none"> • Possibility of 'Preschool' only signs on either side of the road. • As facility is not a preschool is there any childcare signs. which can be used – not that the committee are aware of. • Possibility of a reduced speed limit in that block. • Traffic classifiers to be installed to obtain speed/driving behaviours. • Additional patrols of the area by Police or Council Rangers. <p>As per previous LTC meeting discussion, the childcare facility identified as having a school zone but not within a school precinct, RMS David Vant has received notification that there is going to be a review of this signage with the possibility of the signs being removed as it is only a private business.</p> <p>Busy Kids have been informed that part of the mandate is that all children must be escorted on and off the premise by a responsible adult. Which is one of the reasons apart from not being a school why they do not qualify for a school zone.</p> <p>Busy kids were worried about parking situation with Service NSW, which RMS are going to try and address internally.</p>
Recommendation		Council to place traffic classifiers and obtain speed/driving behaviours and provide information to LTC at next meeting.

407.9 Action Item List

Item No.	397.6.1
EDRMS No.	D19/43779
CRM No.	
Responsible Officer	Council's Chief Operations Officer, Anthony Misagh
Current Status	Pending
Date	Item Details
October 2019	Angle parking at taxi rank outside the Theatre Royal Hotel – Point to Point Transport Commission
Date	Committee Recommendation/s

Action Date	Running Actions
October 2019	<p>After an assessment by the Point to Point Transport Commission (regulator for taxi's and hire vehicles in NSW) there were concerns regarding the angled parks directly in front of the Theatre Royal Hotel operating as taxi bays during the hours of 9pm and 3am Friday and Saturday nights.</p> <p>Discussion around suggested safety concerns about potential blind spots when taxis are reversing and suggested solution to change the 5 parking spots from angled parking to parallel parking for Friday and Saturday nights.</p> <p>The suggested parallel parking raised questions about how the new parks would fit amongst angled parks and if all the parallel parks were utilised and the angled parks before and after this section, could this be a potential risk for the taxis reducing their turning space and ability to get out.</p> <p>The parallel parking would only create 2 parking spots therefore reducing the available parking. Point to Point suggested the parking spots be marked by cones during hours of operation, this places possible pressure on Council to be responsible on Friday and Saturday nights to mark out the area.</p> <p>Committee did not believe there had been any previous concerns regarding parking in this area or accidents caused due to blind spots. They could not see a difference between a taxi backing out or a normal vehicle.</p> <p>RMS, David Vant advised this style of parking arrangement had happened in two other locations being Dubbo and Orange. He suggested contacting either Dennis Valentine at Dubbo Council or Jason Pheakstone at Orange Council. Both Council's would have had to create a traffic management plan for the installation of parallel parking. David suggested if Broken Hill City</p>

Council wanted to go down this path, instead of reinventing the wheel, speak to either of the above Council's.

Local Member Representative, Peter Bevan discussed current parking behaviours in Argent Street. Normally when someone is travelling along Argent street, even if they do not want the carpark, they normally indicate to the driver backing out that they can come out. He presumed the same thing would happen for taxis.

Discussion around the operation of the parallel parking bay, being that taxis would park in a location nearby and then just drive in, pick up their passenger and drive back out. It would be a rather quick stop.

Discussion that if the parks are still signed as angle parks can it be signed as parallel parking as well? If the proposed parking goes through the LTC process and a traffic management plan is created, then it can be implemented. Signage would need to be installed to reflect the parking arrangements. Contact with either Dubbo or Orange Council's would be handy regarding wording of signs.

Another suggestion was to mark yellow lines at the end of the current angled parks and then sign according to what the parking arrangements are within what times. The traffic management plan with Dubbo and Orange, does include coning as we would be unable to mark with yellow lines.

Moving forward, discussions with the hotel and taxis company would need to happen. Possible discussion with Dubbo and Orange first to get an idea of the process and how it operates and then if this is what Council wants to do.

Changing the angled parks to parallel will reduce parking however will not have as a huge of an impact at night as it would during the day. Ideally it be cleaner to change all 6 parks to parallel. In general, it is not ideal to mix angled and parallel parks.

Discussion around possibility of putting parking bay at the start or the end of the hotel instead, however given the hotels location is in the middle of the block this would not be possible. There is already a taxi bay located further down which has parallel parking. However not having a taxi bay directly in front of the hotel may be an issue for patrons and the hotel as they would need to walk roughly 100ms.

Suggestion to utilise a space near town square for a taxi bay.

LTC discussed the possibility of a night-time inspection to see how busy the area actually is.

Possibility of widening the current parks and have 4 parks instead of 5 making it more visible. It is not visibility for cars but for the pedestrians.

Question raised that if Council were not to go ahead with this recommended change, would this make Council liable if an accident were to occur?

RMS, David Vant advised that if the issue goes through the LTC formal process including investigations and collation of data, Council would be unblameworthy.

Alan Lawrence and Anthony Misagh to have discussions with the taxi companies and the Theatre Royal Hotel and provide a report at the next LTC meeting.

November 2019

Develop a Traffic Management Plan to be provided at the next LTC.

	<p>Report to be provided by Chief Operations Officer, Anthony Misagh regarding consultation with Taxi companies, The Theatre Royal Hotel and the Police.</p>
December 2019	<p>Committee meeting cancelled</p>
February 2020	<p>Point to Point Transport Commissioner, Jenny and Chairperson, Raji have had a discussion regarding the issue at the Theatre Royal Hotel. Raji has also spoken to Orange and Dubbo Council's regarding the proposal as it has already been implemented at these sites.</p> <p>Current proposal is to change the 5 angled parks to 2 parallel parks only during taxi times. Parallel parking signs within the taxi zone sign including times would need to be installed.</p> <p>Raji has had a discussion with the Theatre Royal Hotel and Independent Taxi regarding the concerns raised and the proposal. Both have confirmed they do not have any issues with how the taxi bay currently operates.</p> <p>A discussion between Raji and Yellow Cabs has also occurred. It was identified that Yellow Cabs are the ones who have raised this issue with the Point to Point Transport Commissioner. Yellow cabs are in favour of the parallel parking.</p> <p>Raji raised the issue with Yellow Cabs on where the taxi's waiting to pick up passengers would park if the taxi zone was being utilised. The response provided was the normal carparking spaces further down which is actually illegal. Otherwise they will have to go around two blocks until taxi zone is free.</p> <p>Yellow Cabs also mentioned that the Demo Club have the same issue and parallel parking is required. Demo Club have an exit through the back door into a one-way laneway, this could be an option for taxi's to park/pick up out the back of the Club. Customers would just need to be made aware this is an option. There is no disabled access at the rear of the Club which could be an issue.</p> <p>As Police were not in attendance at the LTC meeting, notification of proposed changes in front of Theatre Royal Hotel to be supplied.</p> <p>Committee were all in favour of an interim trial period of 2 months with parallel parking at theatre Royal Hotel. Consultation with the Demo Club to happen when RMS, David Vant is in Broken Hill Tuesday, 10 March 2020.</p> <p>Council report to be created with the above recommendation.</p>
March 2020	<p>Ongoing – signs to be installed beginning of April 2020.</p>
April 2020	<p>Signs have been installed – item to stay open until next Local Traffic Meeting on Tuesday, 5 May 2020 for review. Council, Raji to follow up with Theatre Royal Hotel and Taxi companies.</p>
May 2020	<p>Chairperson, Raji to follow up and provide an update at June meeting.</p>
June 2020	<p>Council's Asset Officer, Paul Bezzina, spoke with both Taxi companies (Yellow and Independent) on Wednesday, 3 June 2020 who advised they have not been able to trial the new arrangements due to Covid-19.</p> <p>The Theatre Royal Hotel has only just re-opened and the Night Trian will not be reopening until Covid-19 has been cleared.</p> <p>Both Taxi companies have requested that the first cab parking spot be shifted down to be in line with the Night Train front door.</p>

	Committee could not justify moving the cab parking. Trial period extended for another 3 months.
July 2020	Trial period still being undertaken.
August 2020	Trial period to be extended to December due to Covid-19.
September 2020	Trial period to be extended to December due to Covid-19.
October 2020	Trial period to be extended to December due to Covid-19.

Item No.	406.6.2
EDRMS No.	D20/34421
CRM No.	
Responsible Officer	Bibek Bhattarai and Paul Bezzina
Current Status	Pending
Date	Item Details
September 2020	Loading Zone request Broken Hill Pub Oxide Street - Attard's Transport
Date	Committee Recommendation/s

Action Date	Running Actions
September 2020	<p>Loading zone takes out a fair amount of parking and this is a busy area in Argent Street. Would be best to have the zone in Oxide Street.</p> <p>How frequently are deliveries? Is it worth changing a parking area to a loading zone for a once a week delivery?</p> <p>Further information required regarding delivery days/times. What do other pubs do in the same area?</p> <p>Only a small delivery truck used. Looking at the angled parking space in Argent Street which does not meet the road rules as it intrudes into the no stopping zone. Remove last parking and possibly get a loading zone in there allowing enough room after the street lights.</p> <p>Angled parking in Argent Street and parallel parking in Oxide Street.</p> <p>Is there a possibility to change a parking zone to a loading zone for a set timeframe?</p> <p>Council to conduct a site inspection and report back to the Committee.</p>

Spaces in Oxide Street – 3 or 4 – what do they service? Last carpark is a disabled carpark.

Priority to look for spot in Argent Street.

Also inspect Argent Lane at the end of the hotel, to see if deliveries can be delivered there.

Council to conduct a site inspection and follow up on delivery truck size. Provide report to Committee at the next meeting.

October 2020

Council has conducted a site inspection and confirmed delivery truck size is 6m. Measuring of the site has identified available space in Oxide Street is 10m from the holding line and Argent Street has available space of 11.5m however there is 45-degree angle parking.

Deliveries are made once or twice a week – referring specifically to the keg deliveries. Discussion around justification of a 'loading zone' for a once a week delivery. Possibility of identifying a specific day/time for delivery and having a no stopping or parking sign.

Clarification sort for location of holding line in Argent Street which is from the inside of the pedestrian walk way.

Discussion around using the carpark at the back of the building as delivery truck is only a light vehicle and would be able to use this space. Pub are not wanting to do this as cellar is located at the front of the building and therefore, they have to walk the deliveries through the dining area.

Possible solution of creating a loading zone in Oxide Street towards the lane and making it a loading zone for specific times.

Council's Asset Officer met last week with a representative from the pub and spoke about the loading zone. They were more interested in a zone located at the front of the building rather than the rear.

Committee not prepared to remove carparks in Argent Street to install a loading zone as this is a popular stretch and parking is already hard to get in this area.

Clearance from the corner in Argent Street needs to be 10m therefore not enough space to have the loading zone in Argent Street straight after the corner.

There is too big of an impact on the road environment and traffic to consider allocating a loading zone in this particular area. An internal management system should be developed. Not a viable solution for the other businesses located in this area or patrons.

Letter to be sent to the pub advising that a solution to deliveries needs to be resolved internally between the pub and delivery company.

Item No.	406.6.6
EDRMS No.	D20/35814

CRM No.	
Responsible Officer	Bibek Bhattarai and Paul Bezzina
Current Status	Pending
Date	Item Details
September 2020	Blende Street – Library Parking
Date	Committee Recommendation/s
Action Date	Running Actions
September 2020	<p>Time limited parking in the that area to cater for people not parking there all day.</p> <p>Timed parking along the side of the library would guarantee some parking for library users.</p> <p>There is timed parking in front of the Civic Centre but there is not timed parking in front of the Library. Most cars parked out front of the Library and are there all day.</p> <p>Parking beside the library as well – there are x3 15-minute parking. In that section there are 3-4 parks (thought they were 2 hours). If these parks were 2 hours, it would make it better for users.</p> <p>Council to follow up and provide feedback at next meeting.</p>
October 2020	<p>Replacement signs to be erected by Council and the times to be determined by Committee.</p> <p>To prevent people parking in this area in the morning and going else where and not attending the Library, a time zone to be implemented.</p> <p>Parking within the rest of Blende Street is 2-hour parking out front he Civic Centre and further down the street has no parking restrictions.</p> <p>To maintain consistency, 2-hour time parking signs to be installed out front the Library.</p> <p>Library also requested changes to the three 15-minute parks alongside the building. Committee were not in favour of changing these parks to 2-hour parking therefore, 15 minutes to remain as it is useful for quick visits to the Library.</p> <p>All in favour.</p>
Item No.	403.6.6

EDRMS No.	D20/21069
CRM No.	
Responsible Officer	Chairperson, Raji Navis
Current Status	Pending
Date	Item Details
June 2020	Brown Street – Speeding Motorists – Ann Evers
Date	Committee Recommendation/s
June 2020	Install traffic classifiers
Action Date	Running Actions
June 2020	<p>Inspection conducted at Brown Street and there were no visible marks on the road of dangerous driving.</p> <p>This is the third email regarding the corner of Brown Street and corner of Silver City Highway. People are coming at a high speed down the street and turning. Part of the issue is that line marking has not yet been completed.</p> <p>A matter of people of driving properly. Speed bumps will not resolve the issue.</p> <p>Discussion around installing classifiers to see what is happening. Most of this issue is driver behaviour and LTC cannot do much about driver behaviour. Can make physical changes but if it is a driver behaviour issue, it comes down to enforcement.</p>
July 2020	<p>Signs and speed bumps as per the Brown Street design will be installed within the next couple weeks.</p> <p>Centre line marking has been completed. The giveaway sign marking is yet to be completed due to covid-19.</p> <p>Hopefully the above will resolve the issue. Follow up at next meeting.</p>
August 2020	Data to be reviewed September Meeting.
September 2020	<p>Brown Street the only concern but is still nothing significant.</p> <p>Some of the increased speeds are very early in the morning.</p> <p>Police, Yvette Smith to provide data to Police to monitor the area.</p> <p>Line marking to be completed, Council are currently engaging a contractor.</p> <p>Speed bumps to be reviewed by the traffic committee. Specification to be provided at the next Traffic Committee Meeting.</p>
October 2020	Letter was sent advising no further action would be taken however speed humps requirement would be finalised in the meeting.

Separate attachment with design.

Discussion around previous speed cushions installed and motorist speeding around the cushions.

In relation to the speed cushions, if you can line them up in the vicinity of a culvert or drain, it then stops motorists being able to speed around the hump.

The proposed locations for the speed cushions are near the approaching secondary road and near the middle culvert (only culvert located towards Silverton Road).

The distance between the first speed cushion is at chainage 172m which is fairly close to a residence which could potentially have noise issues with the vehicles breaking, mounting and unmounting the speed cushion and acceleration. Consultation to be held with property owner. Normally do not go within 200 metres of a residence.

Second speed cushion is located at chainage 393 m and the third at chainage 643 m which is near the culvert.

Specification meets Australia Standard with a height design of 75mm and width of 1800mm.

No public buses use this stretch of road and is not a heavy vehicle route however there are heavy vehicles which travel along it. Earth moving companies at the top of Brown Street and Schlapp Street.

Council to consultant with residence at chainage 172 m and identify if foresee there being any disturbance. Also investigate if there are any heavy vehicles using this stretch of road which is not permissible within that area and advise them that it is not the heavy vehicle route.

Something to consider where the speed cushions are located, is what the treatment outside the pavement of the road will be to prevent motorists driving around the cushion. Guide posts are not going to be strong enough.

Consult resident and report back at the next LTC meeting.

Item No.	406.6.1
EDRMS No.	D20/35512 and D20/40169
CRM No.	
Responsible Officer	
Current Status	Pending
Date	Item Details
September 2020	Review No Stopping Signs – TNT Broken Hill
Date	Committee Recommendation/s

September 2020 All in favour of a letter being sent advising that there will be/is a loading zone in Oxide Street near the Astra which can be utilised.

Action Date	Running Actions
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September 2020 Discussion around Crystal Lane and that there are no loading zones.
Although the laneway is narrow there should still be a loading zoning.
Committee determined at last meeting to install a loading zone in Oxide Street near the Astra. This zone can be utilised for Repco.

October 2020 Discussion around Development Application (DA) conditions for deliveries for Repco. TNT have mentioned the use of a forklift for deliveries, was this taken into consideration in original DA and what were the conditions for unloading/loading of supplies with delivery vehicles. A Traffic Management Plan for the safety of pedestrians would have been submitted.

Committee discussed the following:

- Laneway is 5.6m wide, delivery truck is close to 2.5m in size which would only leave available width of 3.1m for passing vehicles.
- Delivery truck would need to be parked right against the building to allow for clearance. Reduce lane width to 3m maximum.
- Presumption that the vehicle is unloaded from the rear or the side.
- Available space near the 'No Stopping' sign is 9.6m. Operations would basically close that Lane, there is no way a delivery truck would be able to unload as well as have passing traffic.
- Cannot see anything that has been changed in relation to deliveries. Council's Rangers have been issuing more fines and been more observant of things happening around the place.

RMS do not support the proposed loading zone and stick with the original recommendation of utilising the loading zone located in Oxide Street near the Astra.

Council to investigate the original Development Application lodged and report back to the Committee.

Next Meeting Date – Tuesday, 10 November 2020 (2pm to 3.30pm).

407.11 Meeting Closed – 3.27pm

ORDINARY MEETING OF THE COUNCIL

October 15, 2020

ITEM 13BROKEN HILL CITY COUNCIL REPORT NO. 147/20SUBJECT: ACTION LIST REPORT11/21**Recommendation**

1. That Broken Hill City Council Report No. 147/20 dated October 15, 2020, 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 List attached to this report covers decisions at Ordinary and Extraordinary Council Meetings; is for information only and will be provided to Council on a monthly basis.

Discussions have been held with staff regarding the long outstanding items on the Action List, most of which are leasing/licencing matters. Staff will be working to finalise these items as a priority and/or request Council to rescind resolutions where circumstances have changed.

Community Engagement:

Nil.

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 Report - Ordinary Council Meetings
2. [↓](#) Action List Report - Extraordinary Council Meetings

JAMES RONCON
GENERAL MANAGER

Outstanding For Action	Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports	Date From: 1/04/2018 Date To: 16/10/2020 Printed: Friday, 16 October 2020 9:23:19 AM
Action Sheets Report		

Meeting	Officer/Director	Section	Subject
Ordinary Council 26/04/2018	VanDerBerg, Francois Roncon, James	Reports	COMPULSORY ACQUISITION OF WARNOCK GOSSAN STREET ROAD RESERVE
Resolved:			
<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>16 May 2018 - 9:45 AM - Leisa Bartlett In progress.</p> <p>15 Aug 2018 - 3:32 PM - Leisa Bartlett 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>11 Sep 2018 - 4:40 PM - Leisa Bartlett No change, still awaiting advice from OLG.</p> <p>9 Oct 2018 - 5:08 PM - Leisa Bartlett Awaiting OLG advice</p> <p>13 Nov 2018 - 9:26 AM - Leisa Bartlett Still awaiting OLG advice due to Native Title.</p> <p>6 Feb 2019 - 1:51 PM - Leisa Bartlett In discussions with Crown Lands regarding Native Title.</p> <p>7 Mar 2019 - 1:55 PM - Leisa Bartlett No change, still awaiting response from Crown Lands.</p> <p>15 May 2019 - 10:41 AM - Georgina Falkner 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>14 Jun 2019 - 3:27 PM - Leisa Bartlett no change in status</p> <p>4 Jul 2019 - 1:51 PM - Leisa Bartlett no change in status</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> <p>17 Oct 2019 - 9:54 AM - Leisa Bartlett Discussions being held with month with the Department of Crown Lands.</p> <p>14 Nov 2019 - 4:35 PM - Leisa Bartlett Seeking legal advice from Council's Solicitors</p> <p>12 Feb 2020 - 12:12 PM - Leisa Bartlett Legal advice received. Matter in progress.</p> <p>7 Apr 2020 - 10:14 AM - Leisa Bartlett 11/03/2020 - Matter still in progress.</p> <p>8 Apr 2020 - 11:16 AM - Leisa Bartlett In progress.</p> <p>8 May 2020 - 11:58 AM - Leisa Bartlett Still in progress.</p> <p>10 Jun 2020 - 2:35 PM - Leisa Bartlett Matter in progress.</p> <p>15 Jul 2020 - 1:45 PM - Leisa Bartlett Matter still in progress.</p> <p>12 Aug 2020 - 9:41 AM - Leisa Bartlett Matter still in progress.</p> <p>17 Sep 2020 - 3:05 PM - Leisa Bartlett Matter on hold until the Federation Way Acquisition is complete.</p> <p>16 Oct 2020 - 8:42 AM - Leisa Bartlett Matter on hold.</p>			

Outstanding For Action	Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports	Date From: 1/04/2018 Date To: 16/10/2020 Printed: Friday, 16 October 2020 9:23:19 AM
Action Sheets Report		

Meeting	Officer/Director	Section	Subject
Ordinary Council 29/05/2019	Misagh, Anthony Roncon, James	Confidential Matters	FAR WEST HACC TRANSFER OF NORTH MINE HALL LEASE TO LIVEBETTER SERVICES
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 77/19 dated December 17, 2018, be received. 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. That the terms and conditions of the current lease agreement remain the same, including the rent of \$1 per year. That Livebetter Services Limited are responsible for any legal fees incurred by Council. That the Mayor and General Manager be authorised to sign the transfer of lease documents under the Common Seal of Council. <p>12 Jun 2019 - 10:52 AM - Georgina Falkner Transfer documents being finalised</p> <p>4 Jul 2019 - 1:54 PM - Leisa Bartlett Transfer documents with Livebetter for execution.</p> <p>20 Aug 2019 - 3:14 PM - Anthony Misagh No update</p> <p>10 Sep 2019 - 10:44 AM - Georgina Falkner Still awaiting signed documents from Livebetter, have followed up on progress.</p> <p>17 Oct 2019 - 9:57 AM - Leisa Bartlett Contact will be made again with Livebetter seeking the return of signed documents.</p> <p>14 Nov 2019 - 4:00 PM - Leisa Bartlett No change in status</p> <p>12 Feb 2020 - 12:13 PM - Leisa Bartlett Lease still with Livebetter for signature.</p> <p>8 Apr 2020 - 11:18 AM - Leisa Bartlett Have followed up with LiveBetter as Council is still awaiting a signed copy of the lease.</p> <p>8 May 2020 - 12:02 PM - Leisa Bartlett Transfer document still with Livebetter for signature.</p> <p>10 Jun 2020 - 2:36 PM - Leisa Bartlett Another email sent chasing up signed lease.</p> <p>15 Jul 2020 - 1:45 PM - Leisa Bartlett LiveBetter have advised that they have misplaced the transfer lease documents. Due to the time lapse, the original lease to Far West HACC has now expired and a new lease will now be negotiated directly with LiveBetter. A new report to Council will be presented in the coming months to consider approval of a lease offer to LiveBetter, and this item can then be removed.</p> <p>12 Aug 2020 - 9:41 AM - Leisa Bartlett New lease terms being negotiated.</p> <p>17 Sep 2020 - 3:06 PM - Leisa Bartlett In progress.</p> <p>16 Oct 2020 - 8:42 AM - Leisa Bartlett In progress.</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 27/11/2019	VanDerBerg, Francois Roncon, James	Reports	ACQUISITION OF FEDERATION WAY
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 194/19 dated October 21, 2019, be received. That Council make an application to the Minister and Governor to compulsorily acquire Federation Way, otherwise known as part lots 11-14 Section 57 DP 759092, part lots 1-8 Section 58 DP 759092, part lots 7428-7431 DP 1178911 and part lot 7421 DP 1183597 (as identified in the plan of acquisition). 			

Outstanding For Action	Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports	Date From: 1/04/2018 Date To: 16/10/2020 Printed: Friday, 16 October 2020 9:23:19 AM
Action Sheets Report		

3. That the acquisition be undertaken in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*, under Section 186 of the *Local Government Act 1993* and for the purposes of a public road under Section 177 of the *Roads Act 1993*.
4. That upon acquisition, Council undertake the required actions to open the subject road by registration of a plan in accordance with Section 7 of the *Roads Act 1993*.
5. That the Mayor and General Manager be authorised to sign and execute any documents related to the acquisition or road opening under the Common Seal of Council.

12 Feb 2020 - 12:21 PM - Leisa Bartlett

In progress.

7 Apr 2020 - 10:46 AM - Leisa Bartlett

11/03/2020 - Still in progress

8 Apr 2020 - 11:20 AM - Leisa Bartlett

in progress.

8 May 2020 - 12:16 PM - Leisa Bartlett

Application to OLG is being drafted.

10 Jun 2020 - 2:38 PM - Leisa Bartlett

Application sent to Office of Local Government

15 Jul 2020 - 1:54 PM - Leisa Bartlett

Matter still with the OLG.

12 Aug 2020 - 9:42 AM - Leisa Bartlett

Still with OLG.

17 Sep 2020 - 3:07 PM - Leisa Bartlett

Matter still with OLG. Enquiries were made with OLG, but no timeframe was given.

16 Oct 2020 - 8:44 AM - Leisa Bartlett

Awaiting approval from OLG.

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/03/2020	Nu'man, Razija Roncon, James	Committee Reports	SECTION 355 ET LAMB MEMORIAL OVAL COMMUNITY COMMITTEE - PROPOSED DISBANDING
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 1/20 dated March 12, 2020, be received. 2. That Council adopt to disband the Section 355 ET Lamb Memorial Oval Committee and brings its care, maintenance and management under the control of Council operations. 3. That Council write to the Chairperson and request that all relevant records and funds be returned to Council. 4. That major user groups of the ET Lamb Memorial Oval be encouraged to consider an interest in joining the community committee to allow the Section 355 Community Committee to be reestablished in accordance with Section 355 Asset Manual and Section 355 ET Lamb Oval Community Committee Constitution. 5. That the three committee members and Council delegate be notified in writing of Council's decision and acknowledge the important role Section 355 Community Committees play in the Broken Hill community and express Council's appreciation and gratitude for their contribution to the committee and the community. 6. That the recent nominee for membership of the Section 355 ET Lamb Memorial Oval Community Committee, Mr Wayne Turley be advised that his nomination has been placed on hold subject to the determination of future management of the ET Lamb Memorial Oval Community Committee; due to the committee failing to meet the required membership quota and governance requirements. 			
			CARRIED
<p>20 Apr 2020 - 9:24 AM - Leisa Bartlett Follow-up letters/emails advising of Council's resolution sent 20 April. 8 May 2020 - 2:27 PM - Leisa Bartlett Awaiting the return of financial records of the Committee from the Chairperson. 12 Jun 2020 - 1:36 PM - Leisa Bartlett Finance Department still awaiting return of financial records from the Committee Chairperson.</p>			

Outstanding For Action	Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports	Date From: 1/04/2018 Date To: 16/10/2020 Printed: Friday, 16 October 2020 9:23:19 AM
Action Sheets Report		

15 Jul 2020 - 2:27 PM - Leisa Bartlett
Contact has been made again with Committee member who has advised he will gather and return financial records ASAP.
12 Aug 2020 - 11:20 AM - Leisa Bartlett
Finance Department are chasing up the return of the financial records.
21 Sep 2020 - 8:46 AM - Leisa Bartlett
Appointment being made for the return of the financial records.
16 Oct 2020 - 9:19 AM - Leisa Bartlett
Financial records returned.
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/06/2020	Nankivell, Jay Roncon, James	Reports	ADOPTION OF DRAFT QUEEN ELIZABETH PARK PLAN OF MANAGEMENT
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 80/20 dated June 4, 2020, be received. That Council refer the Draft Plan of Management for Queen Elizabeth Park to the Minister administering the <i>Crown Land Management Act 2016</i> That following consent from the Minister, Council publicly exhibit the Draft Plan of Management for a period of no less than 28 days, in accordance with the <i>Local Government Act 1993</i>. That the General Manager be authorised to sign any documents required to notify the Minister. 			
CARRIED UNANIMOUSLY			
<p>15 Jul 2020 - 1:57 PM - Leisa Bartlett Draft Plan of Management has been sent to the Minister for Crown Lands for approval. Once approval is received the Draft Plan can be placed on public exhibition. 12 Aug 2020 - 9:42 AM - Leisa Bartlett Awaiting response from Crown Lands. 17 Sep 2020 - 3:08 PM - Leisa Bartlett Still awaiting response from Crown Lands. 16 Oct 2020 - 9:19 AM - Leisa Bartlett Awaiting response from Crown Lands.</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 29/07/2020	Andrews, Anne Roncon, James	Confidential Matters	WILLYAMA COMMON TRUST LEASE OF PART LOT 7421 DP 1183597 TO AXICOM PTY LIMITED
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 104/20 dated June 23, 2020, be received. That the Willyama Common Trust lease Part Lot 7421 DP 1183597 (being a telecommunications compound on the Line of Lode) to Axicom Pty Limited for a period of 20 years for telecommunications purposes. That the annual rent be \$12,000.00 per annum with an annual 2.5% increase. That the Mayor and General Manager be authorised to sign and execute the lease documents under the Common Seal of Council, in the absence of a Trust Seal. 			
CARRIED UNANIMOUSLY			
<p>12 Aug 2020 - 10:00 AM - Leisa Bartlett Solicitors are drawing up the lease agreement.</p>			

Outstanding For Action	Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports	Date From: 1/04/2018 Date To: 16/10/2020 Printed: Friday, 16 October 2020 9:23:19 AM
Action Sheets Report		

17 Sep 2020 - 3:09 PM - Leisa Bartlett
Draft lease being finalised.
16 Oct 2020 - 9:20 AM - Leisa Bartlett
Draft lease with Solicitors.

Meeting	Officer/Director	Section	Subject
Ordinary Council 29/07/2020	Andrews, Anne Roncon, James	Confidential Matters	WILLYAMA COMMON TRUST LICENCE OF PART LOT 7315 DP 1183447 TO BROKEN HILL SPEEDWAY CLUB
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 105/20 dated July 1, 2020, be received. 2. That Council (as Trust Manager for the Willyama Common Trust) lease Part Lot 7315 in Deposited Plan 1183447 to the Broken Hill Speedway Club for the purpose of a motocross track extension and associated access. 3. That the lease term be 25 years and the annual rental be the minimum Crown Lands rental. 4. That the Mayor and General Manager be authorised to sign and execute any documents under the Common Seal of Council, the absence of a Trust Seal. 			
CARRIED UNANIMOUSLY			
<p>12 Aug 2020 - 10:00 AM - Leisa Bartlett Solicitors are drawing up the licence agreement. 17 Sep 2020 - 3:09 PM - Leisa Bartlett Draft lease being finalised. 16 Oct 2020 - 9:20 AM - Leisa Bartlett Draft lease with Solicitors.</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Schipanski, Louise Roncon, James	Notice of Motion	BROKEN HILL LAND RATES
Resolved			
<ol style="list-style-type: none"> 1. That Motions of Which Notice has been Given No. 14/20 dated September 18, 2020, be received. 2. That Broken Hill City Council acknowledge the significant impact that recent land values have had on the rates paid by businesses in Kandandah Road area. The average rates rise has been approximately 60%. 3. That the Mayor seek an urgent meeting with the Valuer General to discuss the impact of the recent disproportionate increase in land values in the Kanandah Road / Pinnacles Place industrial area. 4. That the Our Economy Key Direction Working Group prepare a report to outline the impact on other business ratepayers and on residential ratepayers if a differential rate for the Kanandah Road/Pinnacles Place industrial area were to be introduced. 			
CARRIED			
<p>14 Oct 2020 - 5:16 PM - Leisa Bartlett Meeting with Valuer General arranged. COMPLETE</p>			

Outstanding For Action	Division: Committee: Ordinary Council	Date From: 1/04/2018 Date To: 16/10/2020
Action Sheets Report	Officer: Further Report Required: Including Further Reports	Printed: Friday, 16 October 2020 9:23:19 AM

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Nu'man, Razija Roncon, James	Notice of Motion	OPENING HOURS OF THE VISITORS' INFORMATION CENTRE AND COUNCIL'S TOURIST FACILITIES
Resolved			
<ol style="list-style-type: none"> 1. That Motions of Which Notice has been Given No. 15/20 dated September 18, 2020, be received. 2. That the General Manager be asked to investigate ways of increasing public access to Council facilities to pre-COVID levels, using volunteer assistance where possible, after consultation with appropriate stakeholders and within current agreed budget constraints. 3. That the General Manager prepares a report for Councillors prior to the October Council Meeting. 			
CARRIED			
14 Oct 2020 - 5:16 PM - Leisa Bartlett Report prepared for October Council Meeting. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Bartlett, Leisa Roncon, James	Reports	ELECTION OF DEPUTY MAYOR
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 118/20 dated August 11, 2020, 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 2021 Local Government Election. 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 LGNSW. 			
CARRIED			
14 Oct 2020 - 5:17 PM - Leisa Bartlett Advice sent to OLG and LGNSW. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Bartlett, Leisa Roncon, James	Reports	APPOINTMENT OF DELEGATES TO COMMITTEES - SEPTEMBER 2020 TO SEPTEMBER 2021
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 119/20 dated August 12, 2020, be received. 2. That the current Councillor membership on Section 355 Committees and various other Committees be retained for the period September 2020 until the September 2021 Local Government Election with the exception of Councillor Gallagher's appointment to the Norm Fox Sportsground Community Committee. 3. That the Mayor replaces Councillor Gallagher on the Norm Fox Sportsground Community Committee. 			

Outstanding For Action	Division: Committee: Ordinary Council	Date From: 1/04/2018 Date To: 16/10/2020
Action Sheets Report	Officer: Further Report Required: Including Further Reports	Printed: Friday, 16 October 2020 9:23:19 AM

CARRIED UNANIMOUSLY

14 Oct 2020 - 5:17 PM - Leisa Bartlett

Schedule of Delegates to Committee updated and replaced on the HUB. Letters send to Committees.
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Schipanski, Louise Roncon, James	Reports	DISCLOSURE OF INTEREST RETURNS
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 120/20 dated September 10, 2020, be received. 2. That Council note the submission of the required returns by Councillors and Designated Persons of Council. 3. That access to Council's Register of Returns of Disclosures by Councillors and Designated Persons be in accordance with the provisions of the <i>Local Government Act 1993</i> and other relevant legislation. 			
CARRIED UNANIMOUSLY			
14 Oct 2020 - 5:19 PM - Leisa Bartlett			
Public access to register of returns arranged as per relevant legislation. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Schipanski, Louise Roncon, James	Reports	COUNCILLOR PROFESSIONAL DEVELOPMENT
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 121/20 dated September 15, 2020, be received. 2. That Council endorse the 'Councillor Development Program' as part of the transformational change management program currently underway across the organisation, underpinning the importance of values based leadership, leading by example and establishing a strong culture within the organisation that everyone aligns with. 3. That Council engage Dattner Group to provide the program to ensure alignment across the elected and staffing groups. 			
CARRIED			
14 Oct 2020 - 5:20 PM - Leisa Bartlett			
Arrangements being made with Dattner Group. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Schipanski, Louise Roncon, James	Reports	MOTIONS TO THE LOCAL GOVERNMENT NSW ANNUAL VIRTUAL CONFERENCE, 23 NOVEMBER 2020
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 122/20 dated September 2, 2020, be received. 			

Outstanding For Action	Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports	Date From: 1/04/2018 Date To: 16/10/2020 Printed: Friday, 16 October 2020 9:23:19 AM
Action Sheets Report		

2. That Council endorses the following motions, at this Council Meeting, to the NSW Local Government Annual Conference in line with the criteria.
 - a) *That Local Government NSW strongly oppose the introduction of universal postal voting for future NSW local government elections.*
 - b) *That Local Government NSW lobby the NSW State Government, in the strongest possible terms, to ensure that Recommendation 34 of the 2016 IPART Review of the NSW Local Government Rating System does not become legislation because of the severe and adverse financial impact this will have on all mining affected communities in NSW.*
3. That motions along with the accompanying Council Resolution be submitted prior to the closing date for late motions being 25 October 2020.
4. That Council's voting delegates to the Conference be the Mayor and Deputy Mayor.

CARRIED UNANIMOUSLY

14 Oct 2020 - 5:22 PM - Leisa Bartlett
Motions submitted prior to closing date.
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Nankivell, Jay Roncon, James	Reports	2019/2020 DRAFT ANNUAL FINANCIAL STATEMENTS
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 123/20 dated September 18, 2020, be received. 2. That the 2019/2020 Draft Primary Financial Statements as attached be received. 3. That the 2019/2020 Draft Primary Financial Statements as attached be referred to audit. 4. That Council adopt the attached Statements of Opinion on the 2019/20 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>. 5. That Council delegate to the General Manager the authority to finalise the date at which the auditor's report and financial statements are to be presented to the public. 6. That Council delegate the General Manager the authority to authorise the 2019/2 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. 			
CARRIED			
<p>14 Oct 2020 - 5:26 PM - Leisa Bartlett All processes complete. COMPLETE</p>			

Outstanding For Action	Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports	Date From: 1/04/2018 Date To: 16/10/2020 Printed: Friday, 16 October 2020 9:23:19 AM
Action Sheets Report		

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Bartlett, Leisa Roncon, James	Reports	ADOPTION OF DRAFT SMOKE FREE PLAYGROUNDS AND SPORTING RESERVES POLICY
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 125/20 dated July 31, 2020, be received. 2. That Council adopts the draft Smoke Free Playgrounds and Sporting Reserves Policy as a Policy of Council. 3. That adoption of the draft Smoke Free Playgrounds and Sporting Reserves Policy will render the previous Policy adopted in 2008 obsolete. 			
CARRIED UNANIMOUSLY			
14 Oct 2020 - 5:27 PM - Leisa Bartlett All processes complete to adopt policy. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Bartlett, Leisa Roncon, James	Reports	ADOPTION OF PUBLIC ART POLICY
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 126/20 dated July 31, 2020, be received. 2. That Council adopts the draft Public Art Policy, as a policy of Council. 3. That adoption of the draft Public Art Policy will render the previous policy adopted in 2010, obsolete. 			
CARRIED			
14 Oct 2020 - 5:27 PM - Leisa Bartlett All processes complete to adopt policy. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Bartlett, Leisa Roncon, James	Reports	Investment Policy Review
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 127/20 dated September 15, 2020, be received. 2. That Council endorse the Draft Investment Policy for public exhibition. 3. That the Draft Investment Policy be placed on public display for 28 days in accordance with legislation. 			
CARRIED			
14 Oct 2020 - 5:27 PM - Leisa Bartlett			

Outstanding For Action	Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports	Date From: 1/04/2018 Date To: 16/10/2020 Printed: Friday, 16 October 2020 9:23:19 AM
Action Sheets Report		

All processes complete to place policy on public exhibition.
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Nankivell, Jay Roncon, James	Reports	Christmas and New Year's Eve Events
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 129/20 dated September 17, 2020, be received. 2. That Council note the below report. 3. That Council promote a dollar for dollar grant capped at \$250.00 (Council contribution) to CBD Businesses to decorate their shop windows and/or awnings for Christmas. 4. That Council develops more ideas to celebrate Christmas and New Year's Eve at various locations across the City. 			
CARRIED UNANIMOUSLY			
15 Oct 2020 - 12:01 PM - Leisa Bartlett Media release issued advising businesses of grant and governance structure being set up to invite businesses formally. Christmas Tree & Decorations ordered. Further ideas being investigated with input from Councillors requested.			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Bartlett, Leisa Roncon, James	Reports	REQUEST FOR GRANT FUNDING - GOLF BROKEN HILL INC
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 130/20 dated September 2, 2020, be received. 2. That Council votes to increase the annual Community Assistance Grants fund by \$6,000.00 (from \$98,000.00 to \$104,000.00) per year commencing in the current financial year for Round 2 of the grants program. 3. That the \$6,000.00 be set aside as a community grant for Golf Broken Hill Inc each year should they apply and meet all eligibility and assessment criteria, otherwise the funds will be included in the available Community Assistance Grants budget for all applications for Round 2 each year. 4. That Golf Broken Hill Inc be encouraged to apply to the Community Assistance Grants Program annually to assist with the operation of the Broken Hill Golf Course. 5. That Golf Broken Hill Inc provides the Community Assistance Grants Panel with a report in 12 months' time (as part of the application process) outlining their financial position. 			
CARRIED UNANIMOUSLY			
14 Oct 2020 - 5:32 PM - Leisa Bartlett Golf Broken Hill Inc advised of Council Resolution and encouraged to apply to current round of Community Assistance Grants Program. Footnote added to the Community Assistance Grants Policy. COMPLETE			

Outstanding For Action	Division: Committee: Ordinary Council	Date From: 1/04/2018 Date To: 16/10/2020
Action Sheets Report	Officer: Further Report Required: Including Further Reports	Printed: Friday, 16 October 2020 9:23:19 AM

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Andrews, Anne Roncon, James	Confidential Matters	REQUEST FOR LEASE OF THE ALMA MECHANICS INSTITUTE, PATTON STREET
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 133/20 dated September 18, 2020, be received. 2. That Council, in its capacity as Trust Managers, enters a lease agreement with West Darling Arts for the exclusive use of the Alma Mechanics Institute in Patton Street for an initial five year period with an option to extend for a further five years; and that approval also be sought from the Minister for Crown Lands. 3. That the lease be granted conditional to the West Darling Arts success in securing government grant funding to carry out necessary building works (to the flooring, kitchen, toilet, air-conditioning and electrical work) to the Alma Institute to make good the building for leasing purposes; and that the lease will commence at the conclusion of the building works to be carried out by the West Darling Arts using grant funding. 4. That rental be set at the Crown Lands minimum base rental (currently \$496 per annum and subject to annual CPI changes); and West Darling Arts be responsible for minor maintenance items (to be negotiated). 5. That all standard Crown Lands lease terms apply. 6. That the West Darling Arts pays all legal fees for the set-up of the lease agreement. 7. That the Mayor and General Manager be authorised to sign the lease agreement under the Common Seal of Council. 			
			CARRIED UNANIMOUSLY
14 Oct 2020 - 5:33 PM - Leisa Bartlett Applicant has been advised of Council resolution and an initial meeting is being arranged to discuss lease terms.			

Outstanding For Action	Division: Committee: Extraordinary Council Officer: Further Report Required: Including Further Reports	Date From: 1/10/2020 Date To: 15/10/2020 Printed: Thursday, 15 October 2020 12:24:39 PM
Action Sheets Report - Extraordinary Council Meetings		

	Officer/Director	Section	Subject
Extraordinary Council 6/10/2020	Nankivell, Jay Roncon, James	Confidential Matters	Civic Centre Rectification Litigation
Resolved			
<ol style="list-style-type: none">1. That Broken Hill City Council Report No. 134/20 dated October 6, 2020, be received.2. That Council authorise Redenbach Legal to negotiate within the defined settlement range as per Senior Counsel advice, during mediation scheduled for Thursday 8 October 2020.3. That Council authorise the Mayor and General Manager to sign and execute all necessary paperwork, agreements, and court documents to finalise the matter, if agreement is made within the defined settlement range.			
CARRIED			
15 Oct 2020 - 12:23 PM - Leisa Bartlett Council resolution advised to Redenbach Legal. COMPLETE			

CLOSED**Council Meeting to be held
Wednesday, October 28, 2020**

1. BROKEN HILL CITY COUNCIL REPORT NO. 148/20 - DATED OCTOBER 15, 2020 - CONFIDENTIAL MINUTES FOR CONFIRMATION - ORDINARY COUNCIL MEETING HELD 30 SEPTEMBER 2020 - **CONFIDENTIAL**

(General Manager's Note: This report considers confidential minutes for confirmation that relate to a lease 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).

2. BROKEN HILL CITY COUNCIL REPORT NO. 149/20 - DATED OCTOBER 15, 2020 - CONFIDENTIAL MINUTES FOR CONFIRMATION - EXTRAORDINARY COUNCIL MEETING HELD 6 OCTOBER 2020 - **CONFIDENTIAL**

(General Manager's Note: This report considers confidential minutes for confirmation that relate to a legal matter 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).

3. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 19/20 - DATED OCTOBER 16, 2020 - NOTICE OF MOTION - CIVIC CENTRE REFURBISHMENT - **CONFIDENTIAL**

(General Manager's Note: This report considers the General Manager's comments to questions on notice relating to a current legal matter 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).

4. BROKEN HILL CITY COUNCIL REPORT NO. 150/20 - DATED OCTOBER 21, 2020 - CIVIC CENTRE LITIGATION - **CONFIDENTIAL**

(General Manager's Note: This report considers litigation proceedings 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).