

December 02, 2020

ORDINARY MONTHLY MEETING

TO BE HELD

**WEDNESDAY, DECEMBER 09, 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, December 09, 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, November 25, 2020.

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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*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. Browne, M. Clark, D. Gallagher, T. Kennedy,  
B. Licul, J. Nolan and R. Page.

General Manager, Chief Financial Officer, Director Corporate, Manager  
Communications, Governance Officer, Executive Support Officer and Digital  
Officer (part of meeting).

Media – 1 (part of meeting).

**APOLOGIES:**

Nil.

**PRAYER**

Councillor Adams delivered the prayer.

**ACKNOWLEDGEMENT OF COUNTRY**

Councillor Gallagher delivered the Acknowledgment of Country.

**MINUTES FOR CONFIRMATION**

**RESOLUTION**

Minute No. 46386

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

**Resolved**

That the Minutes of the Ordinary Meeting of the  
Council of the City of Broken Hill held October  
28, 2020 be confirmed with an amendment to  
page 15, item 4 of the Amendment to change  
the word "not" to "note".

That the Minutes of the Extraordinary Meeting  
of the Council of the City of Broken Hill held  
November 09, 2020 be confirmed.

CARRIED UNANIMOUSLY

**DISCLOSURE OF INTEREST**

Mayor Turley declared:

- a pecuniary conflict of interest in Item 2 of Confidential Matters (Mayoral Minute No. 12/20) as she is a Board Member of one of the applicants and advised that she will leave the meeting whilst the item is considered.

Councillor Page declared:

- a pecuniary conflict of interest in Item 9 of Reports (Report No. 159/20) as he works for a solar panel company and advised that he will leave the meeting whilst the item is considered.

## MAYORAL MINUTES

*Mayoral Minute No. 12/20 will be considered in the Confidential Section of this meeting.*

## NOTICES OF MOTION

Nil.

## RESCISSION MOTIONS

Nil.

## REPORTS FROM DELEGATES

Nil.

## REPORTS

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 151/20 - DATED NOVEMBER 16, 2020 -  
PUBLIC PRESENTATION OF 2019/2020 FINANCIAL STATEMENTS** 19/74

**RESOLUTION**

**Resolved**

Minute No. 46387

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

1. That Broken Hill City Council Report No. 151/20 dated November 16, 2020, be received.
2. That Council adopt the financial statements and present the Annual Financial Statements inclusive of the Auditor's Reports for 2019/20 to the public.

CARRIED

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

**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 152/20 - DATED OCTOBER 13, 2020 -  
DRAFT 2019/2020 ANNUAL REPORT** 20/106

Motion

Councillor C. Adams moved )  
Councillor J. Nolan seconded )

1. That Broken Hill City Council Report No. 152/20 dated October 13, 2020, be received.
2. That the Draft 2019/2020 Annual Report, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements and audited Annual Financial Statements, for the reporting period 1 July 2019 to 30 June 2020, be adopted
3. That the 2019/2020 Annual Report, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements and audited Annual Financial Statements for the



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reporting period 1 July 2019 to 30 June 2020, be posted on Council's website.

4. That Council's web link for the 2019/2020 Annual Report, inclusive of Delivery Program Achievements, Disability Inclusion Action Achievements and audited Annual Financial Statements for the reporting period 1 July 2019 to 30 June 2020, be provided to the Minister via the Office of Local Government and Minister for Disability Services, by 31 December 2020.

Amendment

Councillor T. Kennedy moved  
Councillor B. Algate seconded

)  
)

1. That Broken Hill City Council Report No. 152/20 dated October 13, 2020, be received.
2. That the Draft 2019/2020 Annual Report, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements and audited Annual Financial Statements, for the reporting period 1 July 2019 to 30 June 2020, be adopted
3. That the 2019/2020 Annual Report, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements and audited Annual Financial Statements for the reporting period 1 July 2019 to 30 June 2020, be posted on Council's website.
4. That Council's web link for the 2019/2020 Annual Report, inclusive of Delivery Program Achievements, Disability Inclusion Action Achievements and audited Annual Financial Statements for the reporting period 1 July 2019 to 30 June 2020, be provided to the Minister via the Office of Local Government and Minister for Disability Services, by 31 December 2020.
5. That page 48 of the Annual Report 2019/2020 be amended re legal proceedings statutory requirements, to include each of the legal proceedings that Council has dealt with over the 12 months period and whether they have been finalised, as per *of the Local Government Regulations, Section 217(a)(3)* regarding the summary of amounts incurred due to legal proceedings.

LOST

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

The original motion was put.

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**RESOLUTION**

Minute No. 46388

Councillor C. Adams moved )  
Councillor J. Nolan seconded )

**Resolved**

1. That Broken Hill City Council Report No. 152/20 dated October 13, 2020, be received.
2. That the Draft 2019/2020 Annual Report, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements and audited Annual Financial Statements, for the reporting period 1 July 2019 to 30 June 2020, be adopted
3. That the 2019/2020 Annual Report, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements and audited Annual Financial Statements for the reporting period 1 July 2019 to 30 June 2020, be posted on Council's website.
4. That Council's web link for the 2019/2020 Annual Report, inclusive of Delivery Program Achievements, Disability Inclusion Action Achievements and audited Annual Financial Statements for the reporting period 1 July 2019 to 30 June 2020, be provided to the Minister via the Office of Local Government and Minister for Disability Services, by 31 December 2020.

CARRIED

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

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 153/20 - DATED OCTOBER 14, 2020 -**  
**CODE OF CONDUCT COMPLAINTS STATISTICS ANNUAL REPORT - 2019/2020** 11/171

**RESOLUTION**

Minute No. 46389

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

**Resolved**

1. That Broken Hill City Council Report No. 153/20 dated October 14, 2020, be received.
2. That the Code of Conduct Complaints Statistics Annual Report for the Broken Hill City Council for the period of 1 September 2019 – 31 August 2020 be forwarded to the Office of Local Government.

CARRIED UNANIMOUSLY

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**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 154/20 - DATED NOVEMBER 11, 2020 -  
INVESTMENT REPORT FOR OCTOBER 2020**

17/82

**RESOLUTION**

**Resolved**

Minute No. 46390

Councillor D. Gallagher moved )

Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 154/20 dated November 11, 2020, be received.

CARRIED UNANIMOUSLY

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 155/20 - DATED OCTOBER 13, 2020 -  
ADOPTION OF DRAFT INVESTMENT POLICY**

12/114

**RESOLUTION**

**Resolved**

Minute No. 46391

Councillor J. Nolan moved )

Councillor M. Browne seconded )

1. That Broken Hill City Council Report No. 155/20 dated October 13, 2020, be received.
2. That Council adopts the Draft Investment Policy as a Policy of Council.
3. That adoption of the Draft Investment Policy will render the Investment Policy, adopted in 2017, obsolete.

CARRIED

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

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 156/20 - DATED NOVEMBER 05, 2020 -  
DRAFT CODE OF PRACTICE CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM PROGRAMME  
POLICY FOR PUBLIC EXHIBITION**

12/14

**RESOLUTION**

**Resolved**

Minute No. 46392

Councillor C. Adams moved )

Councillor B. Licul seconded )

1. That Broken Hill City Council Report No. 156/20 dated November 5, 2020, be received.
2. That Council notes CCTV cameras have been installed at the Broken Hill Pound.
3. That the Code of Practice Closed Circuit Television (CCTV) Programme Policy be amended to include the new CCTV cameras installed at the Broken Hill Pound.
4. That Council publicly exhibits Code of Practice Closed Circuit Television (CCTV) Programme Policy and accepts submissions from the public for a period of 28 days.
5. That Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the draft Code

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of Practice Closed Circuit Television (CCTV)  
Programme Policy.

CARRIED UNANIMOUSLY

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 157/20 - DATED NOVEMBER 13, 2020 -  
DRAFT CEMETERY MANAGEMENT POLICY**

13/163

**RESOLUTION**

Minute No. 46393

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

**Resolved**

1. That Broken Hill City Council Report No. 157/20 dated November 13, 2020, be received.
2. That Council adopt the amended Cemetery Management Policy with no requirement for exhibition in accordance with Section 161 of the *Local Government Act 1993*.

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 158/20 - DATED NOVEMBER 11, 2020 -  
DRAFT HERITAGE STRATEGY 2020-2023**

11/469

**RESOLUTION**

Minute No. 46394

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

**Resolved**

1. That Broken Hill City Council Report No. 158/20 dated November 11, 2020, be received.
2. That the draft Heritage Strategy 2020 – 2023 be placed on public exhibition for 28 days to allow for public comment.
3. That Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the draft Heritage Strategy for 2020 -2023.
4. That a Working Group be re-established to investigate and progress, in conjunction with the Office of Environment and Heritage and the mining companies, the retention of critical mining infrastructure as an essential part of Broken Hill's history and future tourism opportunities.

CARRIED UNANIMOUSLY

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**ITEM 9 – BROKEN HILL CITY COUNCIL REPORT NO. 159/20 – DATED NOVEMBER 12, 2020 –  
DRAFT RENEWABLE ENERGY ACTION PLAN FOR PUBLIC EXHIBITION** 18/186

*Councillor Page declared an interest in Item 9 and left the meeting at 7:19pm.*

**RESOLUTION**

Minute No. 46395

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

**Resolved**

1. That Broken Hill City Council Report No. 159/20 dated November 12, 2020, be received.
2. That the draft Renewable Energy Action Plan incorporates option 4.2 Smart metering and load control and option 4.3.1 Medium Scale Solar Arrays as Council's preferred direction for the Plan.
3. That Council publicly exhibits the draft Renewable Energy Action Plan and accepts submissions from the public for a period of 28 days.
4. That Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the draft Renewable Energy Action Plan as a Plan of Council.

CARRIED

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

ABSENT: Cr Page (declaration of interest in Item 9)

*Councillor Page returned to the meeting at 7:23pm and the Mayor advised Councillor Page that Council had adopted the report recommendation of Item 9.*

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 160/20 - DATED NOVEMBER 02, 2020 -  
NOTIFICATION OF APPOINTMENT OF NATIVE TITLE MANAGER UNDER THE CROWN LAND  
MANAGEMENT ACT 2016** 18/144

**RESOLUTION**

Minute No. 46396

Councillor C. Adams moved )  
Councillor J. Nolan seconded )

**Resolved**

1. That Broken Hill City Council Report No. 160/20 dated November 2, 2020, be received.
2. That Council nominate Georgina Falkner (Strategic Land Use Planner) as Council's Native Title Manager under the *Crown Land Management Act 2016*.
3. That Council give notice to the Minister for Lands and Forestry of the name and contact details of Council's appointed Native Title Manager, as required under Section 8.8 of the *Crown Lands Management Act 2016*.

CARRIED UNANIMOUSLY

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**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 161/20 - DATED NOVEMBER 18, 2020 -  
COMMUNITY ASSISTANCE GRANTS AWARDED FOR ROUND 2 OF 2020/2021** 20/44

**RESOLUTION**

Minute No. 46397

Councillor D. Gallagher moved )

Councillor M. Clark seconded )

**Resolved**

1. That Broken Hill City Council Report No. 161/20 dated November 18, 2020, be received.
2. That Council notes the Community Assistance Grants awarded for Round Two of 2020/2021 which were recommended by the Panel on 18 November 2020 and approved by the General Manager.
3. That the unspent grant money of \$24,993.90 from Round Two of 2020/2021 be used as follows:
  - That \$18,627.00 be used to increase the budget for Christmas lights and Christmas decorations in the shopping precincts in Broken Hill as per Council's resolution of 30 September 2020 Minute No. 46355 (this budget was created using the funds allocation for the Christmas Pageant and the New Year's Eve events which were cancelled due to COVID-19).
  - That Council considers the following report to provide a waiver of fees to the Broken Hill Harness Racing Club and the Central Football Club for hire of the Memorial Oval facilities to a total amount of \$6,366.50. *Note:* A separate report to Council regarding the request from the Memorial Oval Community Committee for a waiver of fees is included as the next report in the November 2020 Business Paper for Council's consideration.

CARRIED UNANIMOUSLY

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 162/20 - DATED NOVEMBER 18, 2020 -  
REQUEST FOR REDUCTION IN MEMORIAL OVAL HIRE FEES DUE TO COVID-19 PANDEMIC  
PUBLIC ORDER RESTRICTIONS ON GATHERINGS AND EVENTS** 11/117, 12/52

**RESOLUTION**

Minute No. 46398

Councillor J. Nolan moved )

Councillor D. Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 162/20 dated November 18, 2020, be received.
2. That correspondence from the Memorial Oval Community Committee requesting a reduction/waiver of hire fees of the Memorial Oval facilities for the Central Football Club

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and the Broken Hill Harness Racing Club due to a reduction in usage as a result of the COVID-19 pandemic Public Order restrictions on gatherings and events, and also the reduction in patrons at these events, be received.

3. That Council waiver 50% of the annual hire fee for the Central Football Club at the Memorial Oval (being \$1,296.50), due to the cancelled AFL season in Broken Hill.
4. That Council waiver 50% of the annual canteen/bar hire fee of the Memorial Oval facilities (being \$2,016.00) to the Broken Hill Harness Racing Club to reflect a reduction in usage over the 2020/21 racing season.
5. That Council reduces the current oval hire fee of \$1,018.00 for the Broken Hill Harness Racing Club by 30% (new fee \$712.60) for the upcoming 10-week racing season commencing January 2021.
6. That the total amount of \$6,366.50 in waiver of fees be covered by the surplus funds from Round 2 of the Community Assistance Grant program for 2020/2021.

CARRIED UNANIMOUSLY

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 164/20 - DATED NOVEMBER 12, 2020 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 408 HELD TUESDAY, 10 NOVEMBER 2020**

11/397

**RESOLUTION**

Minute No. 46399

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

**Resolved**

1. That Broken Hill City Council Report No. 164/20 dated November 12, 2020, be received.
2. That the minutes of the Local Traffic Committee Meeting No. 408 held Tuesday, 10 November 2020 be received.
3. That Item Number 408.6.6 – Gypsum Street – Request for Angle Parking; that 5 angle parks (60 degree) be installed directly in front of Pets Tucker, Gypsum Street. No time limits to apply.
4. That Item Number 403.6.6 – Brown Street – Speeding Motorists; that in the new bituminised section of Brown Street, at the inlet and outlet of the drainage, armco rails or w-beam rails are installed and at the two speed cushion locations hard plastic bollards are installed.

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5. That Item Number 406.6.6 – Blende Street – Library Parking; that the three 2-hour time restricted car parks at the side of the Library, be changed to 1-hour, and that a disabled car parking space and Broken Hill City Council staff only car parking space, be installed in the carpark at the 'Roundhouse Toilets'.
6. That the matter of loading zones in the City be referred to Council for comprehensive review and further recommendations.

CARRIED UNANIMOUSLY

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 165/20 - DATED NOVEMBER 10, 2020 - ACTION LIST REPORT** 11/21

**RESOLUTION**

Minute No. 46400

Councillor B. Licul moved )

Councillor J. Nolan seconded )

**Resolved**

1. That Broken Hill City Council Report No. 165/20 dated November 10, 2020, be received.

CARRIED UNANIMOUSLY

**COMMITTEE REPORTS**

Nil.

**QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING**

**ITEM 15 - QUESTIONS ON NOTICE NO. 11/20 - DATED NOVEMBER 05, 2020 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE AUGUST 2020 ORDINARY COUNCIL MEETING** 12/160

**RESOLUTION**

Minute No. 46401

Councillor M. Browne moved )

Councillor C. Adams seconded )

**Resolved**

1. That Questions On Notice No. 11/20 dated November 5, 2020, be received.

CARRIED UNANIMOUSLY

**QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA**

From Item 2 – Annual Report – Waste Management Facility Vouchers

20/106

*Councillor Kennedy asked if Council can consider allowing Waste Management Facility vouchers to be carried over to the next financial year?*



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From Item 2 – Annual Report – Archives Digitisation Project

20/106

*Councillor Nolan referred to the BHP funding for the two year archives digitisation project and asked what was achieved with this project and what do we have to show for it now? Also is the work still being carried out or if not, is there funding available to complete the work?*

From Item 15 – Mildura and Adelaide Bus Service

11/291

*Councillor Browne asked if further clarification could be sought regarding the Mildura and Adelaide Bus Services now that the borders are open, to confirm that they will resume permanently.*

Tellus Holdings Ltd – Proposed Blue Bush Project

11/467

*Councillor Clark advised that tomorrow is the last day for member of the public to be involved in the community engagement phase of the proposed Blue Bush Project and that representatives of Tellus Holdings are available at the Democratic Club (Thyme on Argent Conference Room) between 9:00am to 6:00pm to answer any questions that members of the public may have. The next phase of the project is the submission of the Environmental Impact Statement to the Department of Planning, Industry and Environment. Representative from Tellus Holdings will visit the City again during the public exhibition phase and throughout other phases of the project.*

**RESOLUTION**

Minute No. 46402 - Motion

Councillor C. Adams moved

Councillor J. Nolan seconded

**Resolved**

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

CARRIED UNANIMOUSLY

*The meeting moved into closed session at 7:35pm. The member of the media left the meeting.*

**CONFIDENTIAL MATTERS**

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 166/20 - DATED NOVEMBER 10, 2020 - CONFIDENTIAL MINUTES FOR CONFIRMATION - ORDINARY COUNCIL MEETING HELD 28 OCTOBER 2020 - CONFIDENTIAL**

20/82

**(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).

**RESOLUTION**

Minute No. 46403

Councillor C. Adams moved

Councillor J. Nolan seconded

**Resolved**

- ) 1. That Broken Hill City Council Report No.  
) 166/20 dated November 10, 2020, be received.

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2. That the confidential minutes of the Ordinary Council Meeting held 28 October 2020 be confirmed.

CARRIED UNANIMOUSLY

**ITEM 17 - MAYORAL MINUTE NO. 12/20 - DATED NOVEMBER 16, 2020 - EXPRESSIONS OF INTEREST FOR - RECRUITMENT OF GENERAL MANAGER - CONFIDENTIAL**

13/6

**(General Manager's Note:** This report considers Expression of Interest 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).

*The Mayor declared an interest in Item 17 and left the meeting at 7:36pm.*

*The Deputy Mayor assumed the Chair.*

**RESOLUTION**

Minute No. 46404

Councillor J. Nolan moved )  
Councillor M. Browne seconded )

**Resolved**

1. That Mayoral Minute No. 12/20 dated November 16, 2020, be received.
2. That Council engages Blackadder and Associates to undertake the process for recruiting to the position of General Manager for the Broken Hill City Council.
3. That the Mayor be authorised to execute contract documents under the Seal of Council (if required) to engage the successful Executive Recruitment firm.

CARRIED UNANIMOUSLY

*The Mayor returned to the meeting at 7:40pm. The Deputy Mayor advised the Mayor that Council had resolved to approve the recommendation of Item 17 and to engage Blackadder and Associates to undertake the recruitment process for the position of General Manager.*

*The Mayor resumed the Chair.*

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 167/20 - DATED NOVEMBER 13, 2020 - REQUEST FOR TENDER T20/3 FOR SUPPLY OF BULK MATERIALS 2021 CONTRACT - VP208137 - CONFIDENTIAL**

T20/3

**(General Manager's Note:** This report considers a tender and is deemed confidential under Section 10A(2) (c) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).

**RESOLUTION**

Minute No. 46405

Councillor J. Nolan moved )  
Councillor C. Adams seconded )

**Resolved**

1. That Broken Hill City Council Report No. 167/20 dated November 13, 2020, be received.
2. That E.B Mawson & Sons Pty Ltd be awarded the 12-month contract for supply of

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aggregate, road base, concrete, crusher dust and loam to Broken Hill City Council.

3. That SAMI Bitumen Technologies Pty Ltd be awarded the 12-month contract for supply of emulsion and cutter oil to Broken Hill City Council.
4. SAMI Bitumen Technologies (Vic) Pty Ltd be awarded the 12-month contract for supply of bitumen to Broken Hill City Council.

CARRIED UNANIMOUSLY

**RESOLUTION**

Minute No. 46406

Councillor M. Browne moved )

Councillor D. Gallagher seconded )

**Resolved**

That the meeting resume in open session.

CARRIED UNANIMOUSLY

There being no further business, the Mayor closed the meeting at 7:45pm.

THE FOREGOING MINUTES WERE READ )  
AND CONFIRMED AT THE ORDINARY )  
MEETING OF THE BROKEN HILL CITY )  
COUNCIL HELD ON 9 DECEMBER 2020. )

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CHAIRPERSON

## **REPORTS FROM DELEGATES**

1. REPORTS FROM DELEGATES NO. 1/20 - DATED DECEMBER 01, 2020  
- ATTENDANCE AT THE MINING AND ENERGY RELATED COUNCILS  
ORDINARY AND ANNUAL GENERAL MEETING HELD 27 NOVEMBER  
2020 (11/195).....17

ORDINARY MEETING OF THE COUNCIL

December 1, 2020

**ITEM 1**

REPORTS FROM DELEGATES NO. 1/20

SUBJECT: ATTENDANCE AT THE MINING AND ENERGY RELATED COUNCILS ORDINARY AND ANNUAL GENERAL MEETING HELD 27 NOVEMBER 2020 11/195

**Summary**

Councillor Nolan attended the Mining and Energy Related Councils Ordinary and Annual General Meetings held in Blayney NSW on 27 November 2020.

Councillor Nolan has submitted a Delegates Report regarding his attendance at the meetings and also copies of the meeting papers. (see attachments).

**Recommendation**

1. That Reports from Delegates No. 1/20 dated December 1, 2020, be received.
2. That Councillor Nolan's Delegates Report regarding his attendance at the Mining and Energy Related Councils Ordinary and Annual General Meetings held in Blayney NSW on 27 November 2020, be received and noted.

**Attachments**

1. Councillor Nolan's Delegates Report  
[↓](#)
2. MERC Business Paper - Annual General Meeting  
[↓](#)
3. MERC Business Paper - Ordinary Meeting  
[↓](#)
4. MERC Strategic Plan  
[↓](#)
5. Map of NSW coal regions available and excluded from future coal exploration and mining  
[↓](#)

J. NOLAN  
COUNCILLOR

## **Association of Mining and Energy Related Councils NSW (MERC) Report November 2020**

Councillor Jim Nolan is delegate to the AMERC and a former Executive member.

The MERC has reconvened since the easing of COVID restrictions and Cr Jim Nolan attended its first full meeting since February 2020. Executive meetings still occurred during May and August 2020 and progress around issues such as Voluntary Planning Agreements and successful lobbying for improvements to Resources for Regions continued. Member Councils including Broken Hill continued to receive updates via the MERC monthly newsletter.

The MERC represents the interests of City and Shire Councils which are affected by mining and energy production including solar and wind power. The Association's coverage is currently 21 member Councils which gives us lobbying strength for member Councils at NSW State level. MERC has now been officially chosen by Resources NSW and the Deputy Premier as the peak body representing City and Shire Councils in NSW affected by Mining and Energy production. Both the Department of Planning, Infrastructure and Environment (DPIE) and the NSW Minerals Council recognize MERC as that peak body.

The Association meets four times per year, twice in Sydney coinciding with NSW State Parliamentary sittings and twice in the regions, hosted on a rotating basis by member Councils. The Association currently represents 21 NSW member Councils who have either Metalliferous (hard rock) mining, Coal/Coal seam gas mining and/or Energy production including Solar and Wind generation.

36 delegates attended the 27 November 2020 AGM and Ordinary meeting, 18 delegates in person and 14 delegates via Zoom. It was decided that this hybrid style of meeting would continue into 2021 and that Executive meetings would be one week prior to the quarterly Ordinary meetings to allow Executive minutes to inform the Ordinary meetings. As Executive Meetings comprise a smaller group then these will continue to be held entirely via Zoom, thus saving travel time and costs.

At the close of submission for the November 2020 Council papers, the draft AMERC minutes have not yet been circulated, so here follows a summary of the meetings:

### **Meetings Summary**

At the AGM all Executive positions were filled and declared elected unopposed. The positions were declared as follows: Cr Peter Shinton Chair, Cr Owen Hassler and Cr Michael Banasik Deputy Chairs, Cr Phillis Miller, Cr Sue Moore and Cr Katheryn Smith Executive Members.

At the Ordinary Meeting we heard from two speakers, State Member for Barwon, Roy Butler and Dr Alec King, Executive Director of Mining Geoscience. Phillip Donato MP, State Member for Orange was also going to speak but found he was double booked and gave his apology in the week prior to the meeting.

Dr Alec King spoke on coal exploration zones and the position of coal in the energy marketplace. He made the point that mining steaming coal (coal for power generation) is a sunset industry which would progressively phase out over the next 30 years. However, he emphasized that mining metalliferous coal (the higher grade coal used for steel making and lead and copper smelting operations) would continue for the foreseeable future until a viable replacement is found. There has been some progress in a hydrogen based process for steel making.

Most notably Alec provided a map of approved coal exploration areas in NSW and it was clear to see this represented less than 10% of the coal bearing area of NSW. We note the recent refusal of a new metalliferous coal mine by the DPIE based on CO2 emissions and climate change. This is an issue for many member Councils in coal mining areas.

Member for Barwon, Roy Butler (Shooters and Fishers) was introduced by John Clements, his Senior Policy Officer. Roy spoke about his opposition to Coal Seam Gas which is based on the perceived risk of drilling through aquifers to access the gas zone, and then the need to pump huge amounts of both good water and saline water to surface evaporation ponds in order to then frack the coal seam and extract the gas. This removal of ground water causes the water table to drop causing local irrigation and town water bores to run dry and comes with the risk of water contamination from fracking chemicals and coal seam contaminants.

Roy's position was reminiscent of the position expressed by NSW Labor Adam Searle at the February 2019 meeting where Adam stated that, 'Coal seam gas extraction represented significant risk to land and water and that they couldn't

in all good conscience grow an industry without knowing all the risks, particularly to water and said, '...without water we have nothing'.

We adopted our 2023 Strategic Plan which has a modern focus and includes working with member Councils Senior Planning Officers with the idea that we can all help each other.

We discussed the IPART recommended changes to Mine rates and the potential reduction in rates chargeable to mines. Specifically, IPART recommendation 34, *'Any difference in the rate charged by a council to a mining category compared to its average business rate should primarily reflect differences in the council's costs of providing services to the mining properties'*

The resulting reduction in rates payable by mines varies across Councils depending on the comparison of the difference in the ad valorem between the average business rate and the mine rate. Some Councils charge a higher rate to the mines and would potentially lose if the recommendation is adopted. Figures discussed included Lauchlan Shire Council \$1.2M and Blaney Shire Council \$1.6M. After the meeting I asked Broken Hill City Council's Chief Financial Officer Jay Nankivell about the potential financial impact for Broken Hill and he estimated \$350k per annum.

Clearly each Council has a different level of exposure. For example, Singleton Shire Council's mining rate is lower than their business rate and they would potentially be better off if this change was implemented.

On the Monday following the Merc meeting our Executive Officer Greg Lamont has spoken with the Senior Adviser from the Office of Local Government NSW and was advised that potential changes will be discussed by the Ministerial Advisory Group on Tuesday 1/12/20. There will be a Draft Exposure Bill which will go out for consultation to deal with the IPART Rating Review recommendations

The next MERC meeting will be in February 2021, at date to be confirmed by Executive, where appropriate guest speakers can attend.





# **BUSINESS PAPER**

# **ANNUAL GENERAL MEETING**

**Meeting commences at 9.00am  
27<sup>th</sup> November 2020  
Community Centre, 41 Church St, Blayney,  
NSW**

### IMPORTANT NOTES TO READ BEFORE THE MEETING

*Note 1: Delegates are reminded that the provisions of the NSW Local Government Model Code of Conduct and Model Code of Meeting Practice apply to meetings of the Association of Mining & Energy Related Councils (NSW) Inc.*

*Note 2: The Association's constitution requires the Executive Committee to meet at least four times a year (Clause 7.4) and to have at least one Ordinary General Meeting per year (Clause 11.1), which is at least the Annual General meeting. The practice at MERC has been to have an Ordinary General meeting after each Executive Committee meeting.*

*Note 3: Due to the COVID 19 virus situation at the time, the Executive Committee on 14<sup>th</sup> August 2020 made a decision that an Executive Committee meeting will be held on 20<sup>th</sup> November 2020 as a virtual meeting by zoom with the AGM and Ordinary meeting held on 27<sup>th</sup> November from the Blayney Community Centre. This latter round of meetings as a face to face meeting allowing for delegates to attend by zoom. COVID 19 Virus control measures have been put in place by Blayney Shire Council including social distancing, for the meeting. It meets the requirements of the Department of Fair Trading*

*Note 4: Details for delegates to be part of the meeting via zoom.com Video Conferencing Meeting information-click on the meeting link below:*

**Join Zoom Meeting** <https://us02web.zoom.us/j/5102888580>

Meeting ID: 510 288 8580 No Passcode required  
One tap mobile

+61280156011,,5102888580# Australia

+61370182005,,5102888580# Australia

Dial by your location

+61 2 8015 6011 Australia

+61 3 7018 2005 Australia

+61 7 3185 3730 Australia

+61 8 6119 3900 Australia

+61 8 7150 1149 Australia

Meeting ID: 510 288 8580

Find your local number: <https://us02web.zoom.us/j/5102888580>

**AGENDA**  
**ANNUAL GENERAL MEETING**  
**Association of Mining & Energy Related Councils NSW Inc. (MERC)**

To be held on 27<sup>th</sup> November 2020, commencing at 9.00am, in the Community Centre, 41 Church St, Blayney, NSW.

*(Note: Delegates are reminded that the provisions of the NSW Local Government Model Code of Conduct and Model Code of Meeting Practice apply to meetings of the Association of Mining & Energy Related Councils.)*

1. (a) Welcome by Chair  
(b) Welcome by Mayor, Blayney Shire Council, Cr Scott Ferguson

2. **Apologies.**

Any apologies should now be submitted and recorded by the Executive Officer.

(Apologies received as at 20th November 2020 - Cr Ben Shields & Michael McMahon, Dubbo Regional Council; Cr Bob Pensent, Cessnock City Council;; Cr Des Kennedy and Brad Cam, Mid Western Council; Cr Jim Nolan Broken Hill City Council; Cr Ian Woodcock & Mike Urquhart, Walgett Shire Council; Cr John Stafford & Colleen Worthy).

**Recommendation:**

That the apologies submitted by the delegates be received and noted.

3. **Disclosures of Interest.**

Any disclosures of interest (pecuniary or non-pecuniary) should now be made and recorded by the Executive Officer.

**Recommendation:**

That the disclosures of interest and reasons for them be received and noted.

4. **Adoption of Minutes of Annual General Meeting held on 8<sup>th</sup> November 2019.**

Refer Attachment A. Annual General Meeting minutes held on 8th November 2019.

**Recommendation:**

That the minutes of the Association's Annual General Meeting held on 8<sup>th</sup> November 2019, be received and noted.

5. **Business arising from the Minutes of Annual General Meeting held on 8<sup>th</sup> November 2019.**

**Recommendation:**

That the information be noted.

6. **Chairperson's 2020 Annual Report.**

Refer Attachment B. 2020 Annual Report from the Chair, Councillor Peter Shinton..

**Recommendation:**

That the Chairperson's 2020 Annual Report be received and noted.

7. **Executive Officer's 2020 Annual Report.**

Refer Attachment C. 2020 Annual Report from the Executive Officer.

**Recommendation:**

That the Executive Officer's 2020 Annual Report be received and noted.

**8. Election of Chair, 2 x Deputy Chair's and 3 x Executive Committee for 2020.**

Nominations closed at 4.30pm on 19<sup>th</sup> November 2020. Details on nominations and their resumes (where provided) will have been distributed under separate cover prior to this meeting being held on 27<sup>th</sup> November 2020. All positions were filled.

**Recommendation:**

That the meeting be suspended to allow the Returning Officer to declare that nominations were received from Cr Peter Shinton as Chair, Cr Owen Hasler and Cr Michael Banasik as Deputy Chairs and Crs Phyllis Miller OAM, Cr Sue Moore and Cr Katheryn Smith Executive that met the required vacancies for the Executive Committee and are elected.

**9. Financial Statements – 2019 to 2020**

The Executive Committee, at its meeting on 20<sup>th</sup> November 2020, has recommended approval and adoption of the Financial Report for the 2019-2020 year and submission of them to the NSW Department of Fair Trading, in accordance with the NSW Association Incorporations Act 2009. Refer Attachment D.

**Recommendation:**

That the Financial Report for 2019-2020 financial year (having been approved by the Executive Committee on 20<sup>th</sup> November 2020) be referred to the NSW Department of Fair Trading, in accordance with the Association Incorporations Act 2009 requirements.

**10. 2020-2021 Budget**

The Budget is outlined in Attachment E for the adoption of the Budget for the 2020-2021 period.

**Recommendation:**

That the 2020-2021 budget as presented be adopted

**11. Fees & Charges**

Clause 16.3 of the constitution requires the Association to determine membership fees for the ensuing financial year and Clause 16.4 allows increases to be in accordance with the permissible rate increase each year imposed on councils. The following resolution was passed at the Annual General Meeting on 8<sup>th</sup> November 2019 as follows:

**AGM 9/2019** Resolved (Cr Thompson/Cr Miller) that the Association membership fees for 2020 – 2021 be increased by the rate peg, set by the State Government the previous year, plus GST and this be applied annually.

Accordingly, the fees for 2020-2021 increased by the previous year's rate peg and 2021-2022 would increase as per this resolution in the same manner.

**Recommendation:**

That the annual membership fees be approved as per minute number AGM 9/2019.

**12. 2021 Meeting Dates & Venues**

Currently it is Association Policy to meet in February, May, August and November (Includes the Annual General Meeting) with quarterly Executive Committee meetings being held the day before.

It has also been policy that two of these meetings (February & August) are held in Sydney. Other meetings are to be held in Regional Areas in May and November, usually on the

second Thursday and Friday and the venues are yet to be set. The pattern has been to hold the meetings early in the month a week after the Country Mayor's meetings which suits the member Council meeting regimes.

The impact of the Covid19 pandemic has altered the way meetings have been conducted by MERC in 2020 and may still have an impact on the setting of meetings in 2021 in the normal cycle and pattern. Accordingly, until the pandemic is under stronger control it is suggested that two or three or four meetings be held regionally or only one Sydney meeting for 2021 and they be earlier meetings in 2021.

**Recommendation:**

That the Association determine the 2021 meeting venues schedule.

**13. General Business**

**(a) Nominations for Delegates 2020/21**

There are no requirements for MERC to nominate any delegates at this stage.

**Recommendation:**

That the information be noted.

**14. Next Meeting – to be determined for November 2021.**

**15. Close.**

**Greg Lamont  
Executive Officer  
20<sup>th</sup> November 2020**

**Attachments**

- (A) Draft Minutes of Annual General Meeting 8<sup>th</sup> November 2019;**
- (B) Chairpersons Annual Report for 2019 – 2020;**
- (C) Executive Officers Annual Report for 2019 – 2020;**
- (D) Financials 1<sup>st</sup> July 2019 - 30<sup>th</sup> June 2020;**
- (E) Budget 1<sup>st</sup> July 2020 – 30<sup>th</sup> June 2021**

**ATTACHMENT A**

**MINUTES OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCILS  
(NSW) INCORPORATED, ANNUAL GENERAL MEETING HELD ON 8<sup>TH</sup>  
NOVEMBER 2019, AT GLOUCESTER SOLDIERS CLUB, 32 DENISON ST,  
GLOUCESTER.**

**Present**

Cr Peter Shinton	Warrumbungle Shire Council (Chair)
Cr Owen Hasler	Gunnedah Shire Council (Ex Comm)
Andrew Johns	Gunnedah Shire Council
Cr Sue Moore	Singleton Council (Deputy Chair)
Cr Dan Thompson	Singleton Council
Cr Melanie Dagg	Cessnock City Council (Ex Comm)
Cr Bob Pynsent	Cessnock City Council
Cr Michael Banasik	Wollondilly Shire Council
Cr Noel Lowry	Wollondilly Shire Council
Cr Jim Nolan	Broken Hill (Ex Comm)
Cr Mark Hall	Lachlan Shire Council
Ron Zwicker	Wollongong City Council
Cr Phyllis Miller	Forbes Shire Council
Cr Kevin Duffy	Orange City Council
Cr Jarrod Marsden	Cobar Shire Council
Cr Karlene Irving	Warren Shire Council
Cr Katheryn Smith	Mid Coast Council
Adrian Panuccio	Mid Coast Council
Cr David West	Mid Coast Council
Chris Connor	Life Member

**In attendance**

Greg Lamont, Executive Officer (Minute Taker) and Carolyn Connor.

**16. Welcome by Chair.**

The Chair, Councillor Peter Shinton welcomed members to the meeting and declared the meeting open at 9.10 am

Welcome address to delegates by the Mayor of Mid Coast Council, Cr David West.

Presentation of Life Membership to Chris Connor, former Deputy Chair of the Association, by Chair Cr Peter Shinton, assisted by Deputy Chair, Cr Sue Moore. Chris responded indicating he was humbled by the honour and would be prepared to be part of MERC if the opportunity arises particularly in relation to the review of the current Strategic Plan, in his life membership capacity. His wife Carolyn was in attendance to witness the event.

**17. Apologies.**

**AGM 1/2019** Resolved (Cr Miller/Cr Thompson) that the apologies of the following delegates be received and noted:- Greg Tory, Lachlan Shire Council; Councillor Robert Khan & David Henry, Wollondilly Shire Council; Councillor Robert Hooke, Gunnedah Shire Council; Councillors Reg Kidd and Joanne McRae, Orange City Council; Councillors Dom Figliomeni and Cath Blakey, Wollongong City Council; Michael McMahon, Cr Ben Shields, Dubbo Regional Council; Jason Linnane, Singleton Council; Cr Heather Druce & Glenn Wilcox, Warren Shire Council; Cr

Manuel Martinez, Walgett Shire Council; Cr Jay Suvaal, Cessnock City Council; Cr Lilliane Brady OAM, Cobar Shire Council; Cr Des Kennedy & Brad Cam, Mid Western Regional Council; Cr Alan Ward, Parkes Shire Council; Cr Scott Ferguson & Rebecca Ryan, Blayney Shire Council & Steve Loane, Forbes Shire Council; Liz McGlynn, Bland Shire.

**18. Disclosures of Interest.**

- (a) Mr Ron Zwicker declared his interest as a shareholder in AGL Gas Investments;
- (b) Cr Melanie Dagg, Cessnock City Council declared her interest as her husband works at Rix's Creek Mine in the Hunter Valley;
- (c) Cr Bob Pynsent declared his interest as a shareholder in Yancoal.

**AGM 2/2019** Resolved (Cr Miller/Cr Moore) that the disclosures of interest and reasons for them be received and noted.

**19. Adoption of Minutes of Annual General Meeting held on 9<sup>th</sup> November 2018.**

**AGM 3/2019** Resolved (Cr Thompson/Cr Dagg) that the minutes of the Association's Annual General Meeting held on 9<sup>th</sup> November 2018, be received and noted as a true and accurate record of proceedings.

**20. Business arising from the Minutes of Annual General Meeting held on 9<sup>th</sup> November 2018.**

Nil

**21. Chairperson's 2019 Annual Report.**

**AGM 4/2019** Resolved (Cr Shinton/Cr Miller) that the Chairperson's 2019 Annual Report be received and noted.

**22. Executive Officer's 2019 Annual Report.**

**AGM 5/2019** Resolved (Cr Moore/Cr Dagg) that the Executive Officer's 2019 Annual Report be received and noted.

**23. Election of Chairperson, Deputy Chairpersons and Executive Committee.**

The Chair Cr Peter Shinton vacated the seat at 9.20 am.

The Executive Officer reported that the following nominations for the Executive had been received by the 31<sup>st</sup> October 2019 and were duly completed in accordance with MERC's Voting Policy. Therefore, as a result there won't be an election for Deputy Chair or Chair positions, however there will be an election for the Executive Committee using the preferential voting system, as outlined in the Association's constitution.

The Returning Officer, Mr Adrian Panuccio, General Manager, Mid Coast Council, conducted the election of Chairperson, Deputy Chairpersons and Executive Committee as follows:

- (a) Chairperson – only one nomination was received from Cr Peter Shinton for one position;
- (b) Deputy Chair – only two nominations were received from Cr Sue Moore & Cr Owen Hasler (Cr Lilliane Brady, OAM did not stand) for two positions;
- (c) Executive Committee - six nominations were received from Cr James Nolan, Cr Michael Banasik, Cr Phyllis Miller, Cr Kevin Duffy, Cr Melanie Dagg & Cr Dan Thompson (withdrew prior to the election) for three positions.

The Returning Officer reported that the election results for 2019/2020, were as follows:

**Chairperson (1)**

The Returning Officer declared Cr Peter Shinton elected as Chairperson unopposed.

**Deputy Chairpersons (2)**

The Returning Officer declared Cr Owen Hasler & Cr Sue Moore elected as Deputy Chairpersons, unopposed.

**Executive Committee (3)**

The Returning Officer declared Councillors Mel Dagg, Phyllis Miller and Michael Banasik, in no particular order, as duly elected to the Executive Committee.

The Chair resumed the seat at 9.40am and thanked the Returning Officer, Adrian Panuccio and his independent assistant Chris Connor, for the conduct of the elections for 2019/2020 and congratulated the new and continuing Councillors on being elected to the Executive Committee for 2019/2020, in their respective roles.

**AGM 6/2019** Resolved (Cr Hall/Cr Duffy) that the election results be noted and the ballot papers destroyed.

**24. Financial Statements**

**AGM 7/2019** Resolved (Cr Pynsent/Cr Moore) that the Financial Report for 2018-2019 financial year (having been approved by the Executive Committee on 7<sup>th</sup> November 2019) be referred to the NSW Department of Fair Trading, in accordance with the Association Incorporations Act 2009.

**25. 2019-2020 Budget**

**AGM 8/2019** Resolved (Cr Pynsent/Cr Hall) that the 2019-2020 budget as presented be adopted by the Association.

**26. Fees & Charges**

**AGM 9/2019** Resolved (Cr Thompson/Cr Miller) that the Association membership fees for 2020 – 2021 be increased by the rate peg, set by the State Government the previous year, plus GST and this be applied annually;

**27. 2020 Meeting Dates & Venues**

**AGM 10/2019** Resolved (Cr Pynsent/Cr Thompson) that the following meeting cycle be adopted for 2020 for the next two meetings:

- (a) Sydney – 5<sup>th</sup> March 2020 commencing Ordinary meeting at 9.00am;
- (b) Blayney Shire Council to host the May meeting;

**AGM 12/2019** Resolved (Cr Smith/Cr Duffy) that the following meeting cycle be adopted for 2020 for the next two meetings for 2020:

- (a) Orange City Council to host the August meeting;
- (b) Sydney - AGM to be held in Sydney (not a regional area) in November 2020,

(Note: The dates/venues for the meetings to be confirmed by the Executive Committee taking into account the current meeting cycle (a week after Country Mayor's Association meetings).



Cr Hasler entered the meeting at 10.21am

**28. General Business - Items (a) – (d)**

**AGM 11/2019** Resolved (Cr Pynsent/Cr Moore) that the information in items (a) – (d) be noted.

**29. Next Meeting of Annual General Meeting.**

Refer decisions in Item 12

**30. Close.** The meeting closed at 10.27am

**ATTACHMENT B - CHAIRPERSONS ANNUAL REPORT 2020**

It is with pleasure that I present my sixth annual report after being elected as Chairperson of the Association of Mining & Energy Related Councils in NSW, at the 2014 Annual General meeting in Cessnock.

The COVID19 pandemic has had an impact on the way we have had to conduct our meetings this year. Whilst we had a normal meeting cycle in March in Sydney, thereafter it was by zoom as Executive Committee only with delegates as observers and now in Blayney we are having a face to face meeting with zoom so as many as possible can participate in the Annual General and Ordinary meetings. Our Executive Committee is being held on 20<sup>th</sup> November 2020 by zoom only. This revamped meeting cycle may well be the way we need to go into the future.

As delegates to the Association, whether it is coal or metalliferous mining, solar or wind farming or other forms of renewable energy developments, our Councils have seen a period of considerable change in Local Government in recent times under the current government regime, no doubt with more to come, as the lobbyists from the mining & energy sectors endeavour to reduce the amount of contributions and rates they pay to LGA's and the level of royalties to the government.

Most of our members would be devastated financially if the state government allowed the developers to reduce the level of contributions and rates, retain rate pegging and continue with cost shifting when they have had to already manage relentless drought conditions, vast bush fires, floods, reduced grants and to top it off the COVID pandemic.

I know personally it is getting tougher to be a Councillor with the amount of work, the governance, the increased responsibilities, the impositions on Council by the government, the higher expectations of our communities and dealing with the remorseful impact of social media, that is having an impact on us and making our roles as Councillors less enjoyable.

I get a lot of motivation and satisfaction from MERC meetings especially reflecting on what we have achieved and how well we work together as a body. I have thoroughly enjoyed the role and thank you all for your support.

Our significance as an entity is demonstrated by the recent involvement of delegates on working parties set up by the government to review the Resources for Regions Program, the establishment of Guidelines for Voluntary Planning Agreements, having a delegates on the Regional Advisory Forum and the Regional Independent Assessment Panel to look after the interests of members.

MERC was chosen in this term by Resources NSW senior staff and the Deputy Premier as the peak body and voice of mining & energy related Councils in NSW in view of our strategic direction, apolitical non-partisan approach and experience as

Council administrators in mining & energy affected areas that they consulted on changes to the Resources for Regions program.

I have been Chair of the Association during a time of considerable change where Local Government has had to deal with changes in implementing the "Fit for the Future" reforms and forced amalgamations; consideration of the path of planning reforms such as a review of the Environment & Assessment Act 1979, changes to government policies on Land Acquisitions, Mining Rehabilitation, Planning Agreements, review of the Independent Planning Commission, review of the Contributions Levels for Developers.; guidelines developed for dealing with renewable energy projects – wind and solar; the implementation of "Joint Organisations of Councils" (JO's); changes to the Resources for Regions grant funding criteria and infrastructure grants programs.

As an Association, we will continue to provide support by preparing our own submissions or engaging consultants with the expertise to assist in preparing relevant submissions to address the issues in the respective documents that the Department of Planning place on exhibition. The submissions will be funded from reserves put aside by the Association over the years (if needed) and approved by the Executive Committee on your behalf.

Our quarterly meetings have been very informative with politicians and key speakers on relevant topics where our messages are relayed to the government agencies in attendance particularly for the DPIE, DPC, RNSW and regulatory agencies.

We have improved our web site and the Executive Officer keeps delegates informed with our activities between meetings and up to date with various issues and events of interest in the monthly newsletters and by arranging for interesting speakers to address delegates at our meetings.

In particular, the emergence of "renewable energy" as a policy issue for Federal and State governments is something which the Association has also embraced to be another voice for, on behalf of our local communities. This new direction has already also assisted the Association to attract new members with renewable energy developments as well as mining.

The Executive Committee continues to fulfil its role as the advisory body for the overall Association. With new members, new issues and very few policies in our armoury provides a good platform for delegates to get more involved in renewable energy policy development to complement the actions in the Strategic Plan and to make the Association a stronger force and voice at the table in the future. A recent review of our Coal Seam Gas Policy is an example of this.

Under the Association's current policy, one ordinary meetings has been held in Sydney and three in regional areas (May & August by zoom) and in November 2020, host is Blayney Shire Council - Blayney). I would like to acknowledge the support

received by these regional councils and their delegates in assisting the Executive Officer and Executive Committee with the organisation of the agenda, speakers, meetings and events. Without this support, the meetings would not be the success they are.

One of the main issues considered by the Association over the last few years is that of Voluntary Planning Agreements (VPA's) or planning agreements, as they will be known in the future. A Joint Working Party was initially established between the NSW Minerals Council and the Associations representatives to develop Guidelines on the development of Voluntary Planning Agreements with timelines, options for compensation on the roads, social and economic impacts of mining and related developments in council areas to assist councils in their negotiations.

Progress has been slow however final agreement was reached and the DPIE has allowed the VPA Framework Guidelines to be displayed on their web site as a reference resource.

Membership growth has steadied since COVID19 when MERC was to establish a stand at the LGNSW Conference and address the Country Mayor's Association, however this will occur when the pandemic is under control. It is anticipated that the adoption of a new 3 year Strategic Plan 2020 – 2023 with specific, realistic and achievable targets and the opportunity to attend the Renewable Energy Zone (REZ) Reference Group meetings in non-member areas such as Northern and Southern NSW regions should assist in attracting new members.

In conclusion, I wish to express my appreciation to my two deputy Chairs, Councillors Sue Moore and Councillor Owen Hasler and the three other members of the Executive Committee, Councillor Phyllis Miller OAM, Councillor Michael Banasik and Councillor Melanie Dagg, for their support in my role as Chairperson.

As well, I would like to thank our delegate - Councillor Owen Hasler, Gunnedah Shire Council, for his representation on the Department of Planning and Environments' Regional Advisory Forum and his comprehensive updates to the delegates, unfortunately it looks like this forum seems to be abandoned which is a huge loss of access to government information.

Finally, I would like to thank the Executive Officer, Greg Lamont for his efforts in the day to day management of the Association's activities and for organising meetings and speakers, submissions, preparation of business papers and taking minutes, the organisation of the annual elections and presenting the monthly newsletters which we look forward to at the end of the each month.

It has been a year of achievements as a result of your input and I look forward to that continuing in the next twelve months. Thank you.

Councillor Peter Shinton, Chairperson

**ATTACHMENT C - EXECUTIVE OFFICERS ANNUAL REPORT 2020**

This is the fourth Executive Officer's Annual Report that I present to delegates to the Annual General Meeting.

It has been an interesting four years since my appointment in November 2016, as the Association has had to address the many challenges of a reform oriented government introducing new planning legislation and policies on mining and energy related activities; plus work out ways to reduce the impacts these issues will have on the rural and regional communities of NSW and State/Federal governments dealing with mining & energy policy, its' options and risks.

The Association has demonstrated by its actions and leadership that it is prepared to embrace the opportunities these changes and challenges provide so that the Association becomes a bigger part of the non-renewable energy debate, as a stronger advocate for its members.

2020 has been a memorable year of activities for the Association with the implementation of almost all of the actions in the Strategic Plan for 2018 – 2020 (PhD project still to be commenced) and the development of the Strategic Plan for 2020 - 2023; the finalisation of the Voluntary Planning Agreement Framework Guidelines and displayed on the Department of Planning, Industry & Environment (DPIE); the engagement of Oz Environmental to prepare several important submissions to DPIE to assist member councils to get their comments across to the Minister and the senior staff on issues faced from mining & energy related activities in Local Government Areas; further changes to the constitution on our own strategic direction and life memberships; changes to the web page; our involvement in the reformation of the Resources for Regions program; meeting with the Productivity Commissioner on Planning Agreements, Rating and Contributions by developers and the disappointment of the PhD Research Project which is still a work in progress.

The IPART Rating Review Report completed in 2015 and considered and supported by the government this year, has caused delegates some concerns, particularly Recommendation 34 that mining rates be no greater than the average business rates within mining affected LGA's. This will cause some financial grief unless rate pegging and cost shifting cease. Copies of the reports and the government position was distributed to members in August 2020 and motions have been taken to the LGNSW Conference in November 2020.

Under the current "meeting cycle" policy of the Association, there have been four quarterly meetings, one in Sydney (held in the centrally located Club York premises) and two by zoom with the final one in Blayney as a face to face meeting with zoom opportunity to attend and vote, held in a regional NSW location. We have had delegates attending the Regional Advisory Forum, Regional Independent Assessment Panel and VPA Steering Committee to advocate to government our

position on behalf of members and report back to delegates at these meetings quarterly. However, with changes at government level these opportunities have ceased which is a barrier to MERC being at the table.

The NSW Minister for Energy has established Renewable Energy Zones (REZ) and has invited MERC members in the Central West to be part of the reference group. The Executive Officer has been asked to part of the three reference groups to represent MERC and to feed information to delegates on this space.

Delegates continue to express the view that the Association currently has the right "balance" with meeting locations, however the matter is always open for discussion if sentiment changes, particularly now we have had COVID19 and meetings by zoom. There have always been issues with the tyranny of distance and the need for a central location for all meetings as another option, be it Sydney at Parliament House or regionally, and perhaps the arrangements for the Executive Committee meeting on 20<sup>th</sup> November 2020 being held by zoom and the AGM and Ordinary meeting in a regional area such as Blayney on 27<sup>th</sup> November 2020 may well be the future meeting cycle approach until COVID19 is under control.

Where possible, visiting places of interest in member council areas and a having a networking dinner have been features of the Thursday prior to the regional meetings and again, delegates have appreciated the extra time to catch up with each other and address their own mining & energy related issues.

The venue for Sydney meetings in 2021 will continue to be held at Club York, now we are in the pattern, with its low cost and not too far from the members of parliament or senior staff to attend and address us.

The Association meetings in Sydney have generally been held a week after the Country Mayors' meeting on the second Thursday & Friday held either early or late in the months of February or August which clashes with other entities such as Country Mayor's Association who have their meetings at Parliament House. In the meantime, unless "free venues" are booked, the costs are significant when meetings are held in Sydney so every endeavour will be made to keep these costs down where possible, Club York is cost effective and practical as a venue.

Member Councils have reduced in numbers from twenty four (24) in 2015 to eighteen (18) in 2017, then to twenty one (21) where its sits now, which is a concern given the current state of the mining industry, the political environment, the emergence of renewable energy and the ever increasing fiscal challenges facing NSW local government councils.

In 2020, the Association has endeavoured to increase its profile across the mining and renewable industries and related NSW government departments. This has resulted in this organisation being invited to numerous forums and briefing sessions as the preferred local government organisation to provide current information and

opinions as to regional and local areas affected by mining and energy related activities such as the REZ.

As part of its marketing approach, MERC was to attend and have a stand at the LGNSW Conference and address the Country Mayor's Association but COVID 19 interfered with that.

The emergence of the Country Mayor's Association as a strong lobbyist for critical broader community and state-based issues and the formation of the 13 Joint Organisations in Regional NSW to ensure the timely implementation of the Regional State Plans leaves the Association as the only entity that focuses specifically on mining & energy related matters for affected Local Government areas. This provides a solid platform to build our membership base on without overlapping these other entities.

Financially, the Association continues to be in a very strong position with reserve funds available for any project which may be developed for the benefit of member councils as reflected in the Financials presented to delegates quarterly and annually. The Executive have used the reserve funds when needed to engage consultants to prepare submissions and if funds permit, they are moved in and out of the reserves to replenish the reserve.

Fees have not been increased for several years as reflected in the financial reports which was considered at the Annual General Meeting in 2019 and members voted to increase the membership fee by the last year's rate peg % and this be applied annually to stay on top of cost increases and lower interest rates.

I would like to acknowledge the work undertaken by M/s Julie Goodwin, who has been engaged by my company to provide the day to day accounting functions for the Association, allowing continuity and the retention of the ongoing knowledge of the Association's financial position and transactions. Julie continues to provide expert help and advice with the day to day financial operations of the organisation which are run on MYOB and by using CommBiz. This allows the Executive Officer to concentrate on administration, governance, improving the way the Association functions, meetings, speakers and the implementation of the Strategic Plan for the past and future years.

The introduction of the monthly Newsletter has been received well by delegates and every effort is made to keep delegates informed on Association matters and abreast of evolving mining & energy related articles of interest on a monthly basis. To capture the vast amount of change occurring in the renewable energy world, the newsletter contains a lot of information from the Renew Economy, Career Spot and Clean Energy Council websites.

The web site has been revamped and is kept up to date regularly and has the information on meetings, minutes, newsletters, media releases, submissions,

constitution, Strategic Plan, etc for the information and use by delegates and a separate “log in “ area for MERC delegates only. A membership page is being developed with visual verbal testimonials to be inserted still evolving.

Attendance at our meetings by Ministers, Shadow Ministers, expert speakers and senior departmental staff are a continuing feature of the Association’s management policies. This ensures member councils’ communities are aware of issues being addressed by the Association. During 2020 I have received enquiries from regional media organisation’s seeking further comment on mining related matters and these are referred to the Chairperson for comment where necessary

The Association has reviewed the Strategic Plan 2018 – 2020 and agreed on the Strategic Plan for the next three years 2020 – 2023, to be adopted at the AGM. Councillors Michael Banasik and Jo McRae with life member Glenn Wilcox have helped the Executive Officer to develop the draft Strategic Plan 2020 – 2023 for MERC input, I thank them for their work on that.

In conclusion, I wish to thank the Chairperson of the Association, Councillor Peter Shinton for his support and advice during the year and that of the Deputy Chairs in Councillors Sue Moore and Owen Hasler in their roles on the Executive Committee. I also appreciate the support given to me by members of the Executive Committee in Councillors Michael Banasik, Melanie Dagg and Phyllis Miller OAM, who collectively ensure the Association’s business moves at an efficient and manageable pace for recommendations to delegates at the ordinary meetings.

I also wish to express my appreciation to the member councils, executive assistants and their delegates for the continued contact and support with the management of a well-recognised and respected organisation within government and the mining sector and related industries.

In particular, the assistance of the various General Managers and Planning staff that have assisted the Executive Officer, Executive Committee and members with their guidance and advice.

Thank you all. Your cooperation and participation are what makes MERC a positive entity that provides a strong voice for members in its advocacy role and is respected by the government and its senior staff.

It has been an enjoyable and successful year. I look forward to the next few years with the same enthusiasm as I have now and the challenges the momentum of MERC will bring us all.

Greg Lamont

Executive Officer



**ATTACHMENT D – FININCIAL REPORT 1/7/19 – 30/6/20**

<u>Operating Expenditure</u>	<u>Estimate</u>	<u>Expenditure to Date 30/6/20</u>	<u>Expenditure Remaining</u>
Audit Fees	0.00	0.00	0.00
Legal Expenses	0.00	0.00	0.00
Equipment purchases and repairs	1,000.00	0.00	1,000.00
General Meetings	6,000.00	1,950.40	4,049.60
Insurances	3,000.00	2,063.64	936.36
Travel & Accom - Chairman	4,000.00	16.30	3,983.70
Travel & Accom - Other	2,000.00	1,516.48	483.52
Web Page & Computer	7,000.00	1,119.09	5,880.91
Executive Officer Contract	128,000.00	106,843.89	21,156.11
Executive Officer Expenses	11,000.00	6,885.61	4,114.39
Conference Expenses	0.00	4,400.00	-4,400.00
Consultants - Other	0.00	9,699.27	-9,699.27
Bank Fees	60.00	34.80	25.20
	<b>162,060.00</b>	<b>134,529.48</b>	<b>27,530.52</b>
GST Liabilities	5,000.00	1,081.00	3,919.00
Total Operating Expenditure	167,060.00	135,610.48	31,449.52
<u>Operating Revenues</u>	<u>Estimate</u>	<u>Revenue to Date</u>	<u>Revenue Remaining</u>
Membership fees	160,230.00	138,727.20	21,502.80
General Meetings	2,000.00	1,418.18	581.82
ATO Refund	0.00	5,161.00	-5,161.00
Sundries	100.00	0.00	100.00
Transfer from Reserves	20,000.00	0.00	20,000.00
Interest on Investments	2,000.00	438.70	1,561.30
	<b>184,330.00</b>	<b>145,745.08</b>	<b>38,584.92</b>
<b>Operating result - Surplus/(-Deficit)</b>	<b>17,270.00</b>	<b>10,134.60</b>	<b>7,135.40</b>

**ATTACHMENT E – BUDGET 1/7/20-30/6/20**

<b>Operating Expenditure</b>	<b>Estimate</b>	<b>Expenditure to Date</b>	<b>Expenditure Remaining</b>
Audit Fees	0.00	0.00	0.00
Legal Expenses	0.00	0.00	0.00
Equipment purchases and repairs	1,000.00	0.00	1,000.00
General Meetings	2,500.00	0.00	2,500.00
Insurances	2,600.00	0.00	2,600.00
Travel & Accom - Chairman	2,000.00	0.00	2,000.00
Travel & Accom - Other	2,000.00	0.00	2,000.00
Web Page & Computer	2,000.00	0.00	2,000.00
Executive Officer Contract	130,000.00	0.00	130,000.00
Executive Officer Expenses	11,000.00	0.00	11,000.00
Conference Expenses	4,500.00	0.00	4,500.00
Consultants - Other	10,000.00	0.00	10,000.00
Bank Fees	40.00	0.00	40.00
	<b>167,640.00</b>	<b>0.00</b>	<b>167,640.00</b>
GST Liabilities	5,000.00	0.00	5,000.00
Total Operating Expenditure	172,640.00	0.00	172,640.00
<b>Operating Revenues</b>	<b>Estimate</b>	<b>Revenue to Date</b>	<b>Revenue Remaining</b>
Membership fees	164,395.98	0.00	164,395.98
General Meetings	2,500.00	0.00	2,500.00
Sundries	100.00	0.00	100.00
Transfer from Reserves	20,000.00	0.00	20,000.00
Interest on Investments	400.00	0.00	400.00
	<b>187,395.98</b>	<b>0.00</b>	<b>187,395.98</b>
<b>Operating result - Surplus/(-Deficit)</b>	<b>14,755.98</b>	<b>0.00</b>	<b>14,755.98</b>



# **BUSINESS PAPER**

## **ORDINARY MEETING**

**Association of Mining & Energy  
Related Councils (NSW) Inc.**

**Meeting commences after the AGM  
commencing at 9am on  
27<sup>th</sup> November 2020 at  
Community Centre, 41 Church St Blayney  
NSW.**

### IMPORTANT NOTES TO READ BEFORE THE MEETING

*Note 1: Delegates are reminded that the provisions of the NSW Local Government Model Code of Conduct and Model Code of Meeting Practice apply to meetings of the Association of Mining & Energy Related Councils (NSW) Inc.*

*Note 2: The Association's constitution requires the Executive Committee to meet at least four times a year (Clause 7.4) and to have at least one Ordinary General Meeting per year (Clause 11.1), which is at least the Annual General meeting. The practice at MERC has been to have an Ordinary General meeting after each Executive Committee meeting.*

*Note 3: Due to the COVID 19 virus situation at the time, the Executive Committee on 14<sup>th</sup> August 2020 made a decision that an Executive Committee meeting will be held on 20<sup>th</sup> November 2020 as a virtual meeting by zoom with the AGM and Ordinary meeting held on 27<sup>th</sup> November from the Blayney Community Centre. This latter round of meetings as a face to face meeting allowing for delegates to attend by zoom. COVID 19 Virus control measures have been put in place by Blayney Shire Council including social distancing, for the meeting. It meets the requirements of the Department of Fair Trading*

*Note 4: Details for delegates to be part of the meeting via zoom.com Video Conferencing Meeting information-click on the meeting link below:*

**Join Zoom Meeting** <https://us02web.zoom.us/j/5102888580>

Meeting ID: 510 288 8580 No Passcode required  
One tap mobile

+61280156011,,5102888580# Australia

+61370182005,,5102888580# Australia

Dial by your location

+61 2 8015 6011 Australia

+61 3 7018 2005 Australia

+61 7 3185 3730 Australia

+61 8 6119 3900 Australia

+61 8 7150 1149 Australia

Meeting ID: 510 288 8580

Find your local number: <https://us02web.zoom.us/j/5102888580>

## AGENDA

### ORDINARY GENERAL MEETING Association of Mining & Energy Related Councils (NSW)

To be held on the 27<sup>th</sup> November 2020, commencing after the AGM at 9am,  
Community Centre, 41 Church St, Blayney, NSW

*(Note: Delegates are reminded that the provisions of the NSW Local Government Model Code of Conduct and Model Code of Meeting Practice apply to meetings of the Association.)*

**1. Welcome by Chair**

**2. Apologies.**

Any apologies should now be submitted and recorded by the Executive Officer.  
(Apologies received as at 20<sup>th</sup> November 2020 - Cr Ben Shields & Michael McMahon, Dubbo Regional Council; Cr Bob Pensent, Cessnock City Council; Cr Des Kennedy and Brad Cam, Mid Western Council; Cr Jim Nolan Broken Hill City Council; Cr Ian Woodcock & Mike Urquhart, Walgett Shire Council; Cr John Stafford & Colleen Worthy).

**Recommendation:**

That the apologies submitted by the delegates be received and noted.

**3. Disclosures of Interest.**

Any disclosures of interest (pecuniary or non-pecuniary) should now be made and recorded by the Executive Officer.

**Recommendation:**

That the disclosures of interest and reasons for them be received and noted.

**4. Adoption of Minutes of Executive Committee Meeting held on 20<sup>th</sup> November 2020.**

Refer Executive Committee Meeting Minutes of 20<sup>th</sup> November 2020 distributed under separate cover for background and the precis on the items attached to this Agenda.

**5. Business arising from the Minutes of the Executive Committee Meeting held on 20<sup>th</sup> November 2020**

**6. Executive Officer's Report – Refer Attachments A - D**

**7. Delegates Reports - Nil**

**8. Speakers**

- (a) Dr Alex King, Executive Director, Resources Policy, Planning & Programs to speak on "Strategic Statement on Coal Exploration and Mining in NSW".
- (b) Phil Donato, MP Orange & Roy Butler MP Barwon from Shooters, Fishers & Farmers Party (SFFP) on Santos Coal Seam Gas, Narrabri & Vickery South Coal Mine extension, Boggabri developments approved by the IPC recently and the SFFP policy position on Renewable Energy.

**9. General Business**

- (a) Cr Scott Ferguson, Blayney Shire - IPART recommendation 34 on level of Mining rates being no greater than business rates & Government Rating Review.

**10. Next Meeting – TBA**

**11. Close**

**Greg Lamont  
Executive Officer  
20th November 2020**

**MINUTES OF THE EXECUTIVE COMMITTEE OF THE NSW ASSOCIATION OF MINING & ENERGY RELATED COUNCIL'S (NSW) INCORPORATED, CONDUCTED BY VIDEO CONFERENCE FACILITY (ZOOM) on 20<sup>th</sup> NOVEMBER 2020**

**Present**

Cr Peter Shinton (Chair)	Warrumbungle Shire Council
Cr Sue Moore (Deputy Chair)	Singleton Shire Council
Cr Owen Hasler (Deputy Chair)	Gunnedah Shire Council
Cr Michael Banasik	Wollondilly Shire Council
Cr Melanie Dagg	Cessnock City Council

**In Attendance for video conference:**

Greg Lamont (as the minute taker)	MERC - Executive Officer
Peter Dupen (speaker)	PhD Student UTS

**Apologies**

Cr Phyllis Miller OAM (& Steve Loane)	Forbes Shire Council
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**Welcome**

The Chair, Councillor Peter Shinton welcomed Executive Committee members and opened the meeting 9.15am

**1. Apologies**

**ECM 56/2020** Resolved (Cr Hasler/Cr Moore) that the apologies be received and noted.

**2. Disclosure of Pecuniary Interest**

Cr Melanie Dagg, declared an interest with her husband working at Rix's Creek mine, Singleton.

**ECM 57/2020** Resolved (Cr Hasler/Cr Moore) that the apologies be received and noted.

**SUSPENSION OF STANDING ORDERS**

**ECM 58/2020** Resolved (Cr Moore/Cr Hasler) that the meeting be suspended at 9.20am to receive the presentation from Peter Dupen on the status of the PhD Research Project

**RESUMPTION OF STANDING ORDERS**

**ECM 59/2020** Resolved (Cr Hasler/Cr Dagg) that the meeting be resumed at 9.45am

**3. Executive Officer's Report**

**(a) Correspondence**

**ECM 60/2020** Resolved (Cr Hasler/Cr Dagg) that;

- (1) the correspondence be noted and MERC acknowledge the letter from Wollondilly Shire Council regarding support for Bland Shire Council motion to LGNSW Conference on Local Government rating;
- (2) MERC urgently email all members to encourage their support for the Bland Shire Council motion Item No 36 IPART Review of Local Government Rating on the LGNSW Conference agenda on 23<sup>rd</sup> November 2020;

- (3) MERC urgently email all members of MERC to encourage members to support the Singleton Council motion Item No 79 State Significant Development (SSD) State Significant Issues (SSI) Assessment process on the LGNSW Conference agenda on 23<sup>rd</sup> November 2020.

**(b) Finance Report**

**ECM 61/2020** Resolved (Cr Moorer/Cr Banasik) that the Finance Report for 1<sup>st</sup> July 2020 to 30<sup>th</sup> September 2020 be received and noted.

**(c) Meetings with Ministers & Senior Government Staff**

**ECM 62/2020** Resolved (Cr Hasler/Cr Moore) that the information be noted.

**(d) Membership Campaign Update**

**ECM 63/2020** Resolved (Cr Hasler/Cr Moore) that the information be noted.

**(e) Website Update**

**ECM 64/2020** Resolved (Cr Banasik/Cr Dagg) that the information be noted.

**(f) Submissions to DPIE**

**ECM 65/2020** Resolved (Cr Banasik/Cr Moore) that the information be noted.

**(g) Progress Report on Outstanding Decisions of Association**

**ECM 66/2020** Resolved (Cr Banasik/Cr Moore) that the information be noted.

**(h) Progress Report on Strategic Plan 2018 – 2020 Actions**

**ECM 67/2020** Resolved (Cr Banasik/Cr Moore) that the information be noted.

**(i) VPA Framework Guidelines Update**

**ECM 68/2020** Resolved (Cr Dagg/Cr Banasik) that

- (1) the information be noted; and
- (2) a copy of the VPA Framework Guidelines be referred to Stu Hodgson, Director Programs, Renewable Energy Zones (REZ), for distribution and an explanation by Executive Officer to all stakeholders as part of the 3 REZ Reference Group meetings recommending they would be a useful tool for new renewable energy developments.

**(j) PhD Research Project**

**ECM 69/2020** Resolved (Cr Moore/Cr Dagg) that the information be noted.

**(k) Executive Committee & 2 Year Terms**

**ECM 70/2019** Resolved (Cr Hasler/Cr Banasik) that it be recommended to the Annual General Meeting the following:-

- (1) the two year term issue remain on the table for the next Executive Committee elected after the 2021 Council elections to determine;



- (2) the intention of Clause 7.1 is to maximise as many members represented on the Executive Committee as possible, therefore limiting each member to one representative on the Executive Committee, consequently the wording of Clause 7.1 is read to ensure any ambiguity is removed to reflect this intention. The wording of Clause 7.1 is currently:

"The Executive of the Association shall comprise the Chairperson, two Deputy Chairpersons, if such delegate is willing to accept nomination; and three (3) other delegates as the Association shall from time to time determine necessary. The three other delegates appointed to the Executive must come from three separate member council areas"- change to the following:

*"The Executive of the Association shall comprise the Chairperson, two Deputy Chairpersons, if such delegate is willing to accept nomination; and three (3) other delegates as the Association shall from time to time determine necessary. All delegates appointed to the Executive Committee must come from separate member council areas".*

(l) **Renewable Energy Zones (REZ)**

**ECM 71/2020** Resolved (Cr Moore/Cr Hasler) that

- (1) the information be noted; and
- (2) Executive Officer forward to all MERC members the latest agenda and minutes of the Central West REZ Reference Group meeting, held on 29<sup>th</sup> October 2020 and after every REZ Reference Group meeting.

(m) **Adoption of Strategic Plan 2020-23**

**ECM 72/2020** Resolved (Cr Hasler/Cr Banasik) that

- (1) the information be noted with the change from Impacted to Related in the Vision; and
- (2) Members on the 2020-23 Strategic Plan Review working party (Clrs Jo McRae and Michael Banasik, Life Member Glenn Wilcox and Executive Officer) be thanked for their contribution toward the production of this quality document to guide MERC for the next several years.

(n) **Coal Exploration Zones**

**ECM 73/2020** Resolved (Cr Hasler/Cr Moore) that

- (1) the information be noted; and
- (2) Dr Alex King be asked to outline how the NSW Government is going to address the four key areas in the Strategic Statement on Coal Exploration and Mining in NSW that sets out that over this transition period, the NSW Government will act in four key areas:
  - Improving certainty about where coal mining should not occur.
  - Supporting responsible coal production.
  - Reducing the impact of coal mining.
  - Supporting diversification of coal-reliant regional economies to assist with the phase-out of thermal coal mining.

(o) **Voting Method for AGM Elections**

**ECM 74/2020** Resolved (Cr Hasler/Cr Moore) that;

- (1) the information be noted; and
- (2) MERC adopt the Open Voting method for the Annual General Meeting elections if there are any contested positions as per the advice received from the Department of Fair Trading.

(p) **Executive Officer's Annual Contract Performance Review**

**ECM 75/2020** Resolved (Cr Hasler/Cr Moore) that the Executive Committee acknowledge the efforts of the Executive Officer in meeting the Key Performance Indicators in his contract and looks forward to working with the Executive Officer into the future until his contract expires in November 2022.

**4. General Business**

**Cr Moore** – Singleton Council has submitted a motion to the LGNSW Conference 23<sup>rd</sup> November 2020 on State Significant Development Assessment Process Item 79 and it was agreed that members be requested to support the motion as a matter of urgency. See minutes in Executive Officer's report Item 3 (a);

**Cr Dagg** – Cessnock City Council has resolved to support the importance of coalmining in their LGA however oppose the Coal Exploration Zones that include the Wollombi region on the fringe and want it excluded from the zones in view of its' significance as a historical and tourist area. Refer minute in 3(l) and note Dr Alex King will be present to talk to members on 27<sup>th</sup> November about the Coal Mining Zones.

**ECM 75/2020** Resolved (Cr Hasler/Cr Moore) that MERC write to the Deputy Premier, Hon John Barilaro indicating it's support for Cessnock City Council's request for the exclusion of the Wollombi Region from the Coal Exploration Zones.

**Nominations for Executive Committee** – The Executive Officer advised that the nominations received for the Executive Committee closed cob 19<sup>th</sup> November 2020 and have resulted in all positions being filled as follows: Chair – Cr Peter Shinton; Deputy Chairs - Crs Owen Hasler & Cr Michael Banasik; Executive Committee - Crs Phyllis Miller OAM, Sue Moore & Katheryn Smith.

Cr Mel Dagg has stepped down from the Executive Committee and Cr Moore moved from Deputy Chair to Executive Committee both indicated that due to workload & commitments

**5. Close** – the meeting closed at 11.00am.

The minutes (pages 1-4) were confirmed at an Ordinary General Meeting held on the 27th November 2020 and are a full and accurate record of proceedings of the meeting held on 20<sup>th</sup> November 2020.

.....Cr Peter Shinton, Chairperson

**ATTACHMENT A – EXECUTIVE OFFICER’S PRECIS REPORT**

**Executive Officer’s Report – Precis of Items presented to Executive Committee as information or for consideration and determination where required. Refer Minutes of Executive Committee held on 20<sup>th</sup> November 2020, distributed under separate cover, and included above for decisions made by the Executive Committee or for consideration by the Ordinary Meeting.**

**(a) Correspondence**

The attached list of inwards and outwards correspondence is submitted as information and for decision where required. **Refer Attachment B.**

**(b) Finance Report 1/4/20 – 30/09/20**

The details of the Finance Report consisting of the Balance Sheet, Profit and Loss Statement, as at 30<sup>th</sup> September 2020 **Refer Attachment C.**

MERC has funds under investment of \$115,672.96 for 12 months on fixed interest and only liabilities are the GST net as at 30<sup>th</sup> September 2020 paid in the next period.

Overall MERC is in a sound financial position. The PhD Research project costs will need to be paid from reserves if it proceeds. Most members (4 haven't but reminders have been sent) have paid the 2020/2021 fees already with cash on hand as at 12<sup>th</sup> Nov 2020 of \$96,013.96, due to the early distribution of invoices after 1<sup>st</sup> July 2020 and low level of meeting expenses due to Covid19.

**(c) Meetings with Ministers & Senior Staff of DPE** – Efforts continue to line up meetings with Ministers, other party representatives in Opposition and senior bureaucrats, to have meetings with them when in Sydney or regions. Leader of the Shooters, Fishers & Farmer’s Party, Phil Donato accompanied by Roy Butler, Member for Barwon will be in attendance to speak to delegates on 27<sup>th</sup> November 2020 on the Santos Gas Field development approval at Narrabri and the Vickery South Coal Mine extension at Boggabri plus their policies in relation to Coal Seam Gas, Coal mining and renewable energy.

**(d) Membership of MERC** – The strategies that were put in place for pursuing new members has been delayed with the impact of Covid19 and the cancellation of the LGNSW Conference as a face to face conference. They will be pursued when things are back to normal. Meanwhile the Chair and Executive Officer presented to Mid Coast Council in a workshop 30<sup>th</sup> September 2020 with a positive result.

Singleton Council have asked for background information on MERC, the achievements and benefits for them staying a member which was submitted to them on 6<sup>th</sup> November 2020. The Mayor of Orange City Council has asked their delegates for arguments on why they should retain their membership of MERC - the Executive Officer has forwarded the submissions sent to Mid Coast & Singleton Councils to assist Orange City Council delegates with their discussions with the Mayor.

**(e) Website Enhancements** – Regarding the website membership page package, a membership page has been developed, with benefits outlined, costs, testimonials, etc so when approaching leads they can be referred to the website membership page.

Attempts at getting video testimonials from those that volunteered and to the Executive Committee have been challenging to say the least. The Executive Officer will arrange to get them at the face to face meeting on 27<sup>th</sup> November 2020 using their own words or the script provided with brief testimonials.

**(f) Submissions to DPE – Nil outstanding.**

Submission to the Productivity Commission on its Review of the Infrastructure Contributions System in NSW and their Rating Review (distributed to delegates)

The submission also included comments on the IPART recommendation 34 that mining rating income being reduced to meet the average business rate levy income (which the State Government has supported), if introduced in legislation will be catastrophic for mining councils and needs to be followed up. Bland Shire Council supported by Parkes Shire Council and Wollondilly Shire Councils (MERC members) are taking the matter to the LGNSW Conference. Their motion has been distributed for members consideration and support.

The Productivity Commissioner has spoken further to MERC representatives on our submission particularly mining planning agreements & rating. The meeting was held on 27<sup>th</sup> October at 9.30am by zoom with Chair, Executive Officer, Cr Hasler, Steve Loane and Warwick Giblin as members of the VPA working party. The following points were made:

“Unlike in a major urban area where large developments are mainstream in the landscape, mining and energy projects in rural and regional areas often dominate or impose large upon a district or region, given the size of the land area involved in the project; the often vast scale of the development; and the often substantial change from a rural landscape and society to an industrialised one.

DPIE has made it clear that whilst Planning Agreements (PA's) provide for public benefits that are not wholly unrelated to a development, that is encourages 'a link of some kind', they are not required to bear the same nexus with development as required for section 7.11 local contributions. It has reiterated a VPA can apply to:-

- direct & indirect impacts;
- impacts on the community social fabric (including intangible ones).

Impacts with costs to Local Communities/Councils' (environmental, social & economic) :-

- In-migration (FIFO & DIDO - those not 'wedded' to the area), out-migration (lower income groups, bought out farmers & older residents), shortage of labour to local, non-mining industries (agriculture);
- intangibles eg. loss of sense of place (ie changes in natural & built landscapes that affect resident's sense of identity & place, and the level of satisfaction with their surrounds), loss of social/community cohesion, shared norms of behaviour and values and cultural heritage conflicts; and
- housing affordability, skills shortages & staff retention, shortage of childcare, health, trades, education & training services.

Local Infrastructure Contributions:-

Cost shifting is increasing at an accelerated rate and occurs when state and federal governments oblige councils to assume more and more responsibility for infrastructure, services and regulatory functions, without providing sufficient supporting funding.

In addition, NSW has also experienced the constraint of rate pegging for over 40 years, and local government has strongly opposed the policy since its inception.

MERC strongly opposes the maximum caps on s 7.11 local infrastructure contributions. The current thresholds were introduced in 2010 and no evidence or analysis was provided at the time to support the use of the mandated figures.

Adjusting the rating system to better accommodate industrialisation of the rural landscape:-  
The development landscape has changed significantly across rural and regional NSW over the past 20 years and it is overdue for the rate categorisation to be updated to reflect not only areas of mining but also solar farms, wind farms, coal seam gas and shale gas developments.

MERC contends that all these different land-use types result in at least temporary industrialisation of the rural landscape that should be able to be classified accordingly. It would be prudent to levy rates that reflect their significant capital undertaking and generation of high value economic output.

Just as there is a mining rate, MERC suggests there ought to be, say, an 'energy development' rate. The rating mechanism should however acknowledge the relatively short-term nature of these developments (maybe 50 years duration) and thus not be based on Ordinary Rating such that it limits a Council's ability to increase its overall ordinary rate pool of funding.

Rather, it is suggested that for rating purposes these developments be treated as designated external rate items or as annual levies paid to the council whilst the development is undertaken, but not part of the general rate category. A key objective is to protect the general income base of councils and to reduce fluctuations both positive and negative across the various categories.

In the case of mining, it is suggested the valuation be based on the resource available and the time period through which the resource diminishes as it is extracted. In the case of wind and solar farms, the valuation could be identified by the designated name plate generation capacity across the life of the project. To be clear MERC strongly opposes the allocation of the abovementioned developments within the standard 'Business' category.

Since this meeting Shaun McBride, Chief Economist, LGNSW has spoken to the Executive Officer and canvassed the member Councils that have put motions to the upcoming LGNSW Conference on this matter with a recommendation to the conference that LGNSW present the concerns raised in the motions to the Minister for Local Government to consider the arguments to change the rating system. See General Business item.

MERC is preparing a submission to DPIE due 27<sup>th</sup> November 2020 on "Social Impact Assessment Guidelines for State Significant Developments" for delegates and will be distributed as information and put on the website.

**(g) Progress Report on Outstanding Decisions of Assoc – Refer Attachment D**

Attached is a schedule of outstanding decisions, for the information of delegates. Decisions are being addressed in a timely manner as outlined.

**(h) Progress Report on Actions in Strategic Plan 2018 – 2020 – Refer Attachment E**

Attached is a schedule on the progress of actions from the Strategic Plan, for the information of the delegates. Additional comment on the relevant actions taken to date and progress with incomplete actions, are as outlined in the attachment.

(i) **VPA Framework Guidelines Update** – MERC has been advised by Mike Young, DPIE Executive Director, Planning & Assessments that the signed VPA Guidelines can be released to members and he has put it on the DPIE website.

The link is: <https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines/key-guidance/social>

In addition to this achievement, the Executive Committee considered what course of action it wished to take further to promote and release the Guidelines document and to what extent to promote MERC such as send it to all members as a package with reference to the link on the DPIE website and MERC website, pointing out the benefits, how and when to use it; put it on the MERC website; advise the Country Mayor's Association, OLG, DPIE and LGNSW the availability of the document, etc

(j) **PhD Research Project Update–**

Peter Dupen is presenting to the Executive Committee on progress with this project which has been marred by the inability to get a development to work with him and so his latest update is not very positive. The latest update from Peter Dupen (PhD student) is: as follows

*"the new news is that Aurelia just called me to advise that Aurelia do not wish to proceed with the PM-enhanced engagement. Essentially the business has concluded that they don't wish to provoke unnecessary attention to the proposal by taking part in our trial. I'm disappointed but not despondent.*

*The fact that Aurelia nearly said yes makes me optimistic that we can find another mining project which does see sufficient merit in early stakeholder understanding (rather than rumour-driven) and identification of stakeholder thresholds of concern at the outset of a proposal. One big advantage is that it would provide much greater certainty as to whether they should proceed or amend before too much money is spent.*

*Steve O'Donoghue (DPIE) has been scouting around for alternative projects and says the only mining proposals in the Goldilocks zone are some mineral sands projects out past Broken Hill – nearest landowner 5 kms away. I mentioned windfarms but he says there's none in pre-EIS stage right now that they know of, much more solar. No promising pumped hydro projects.*

*Steve suggested that I should speak to the two planning folk, doing quarries, to see if there's any decent prospects. I will talk to them on Friday next week, in the meantime, I'll get back to the windfarm association and see if they've got any ideas. I've got a few other probes out, but nothing has appeared to date".*

It looks like getting a development project to suit is becoming a real issue for the PhD Research Project for MERC and despite the fact progress has been made with a web – interface platform and the Project Evaluation Plan, the PhD Research project is having difficulty getting off the ground with a mining or energy project which does not augur well for its' future.

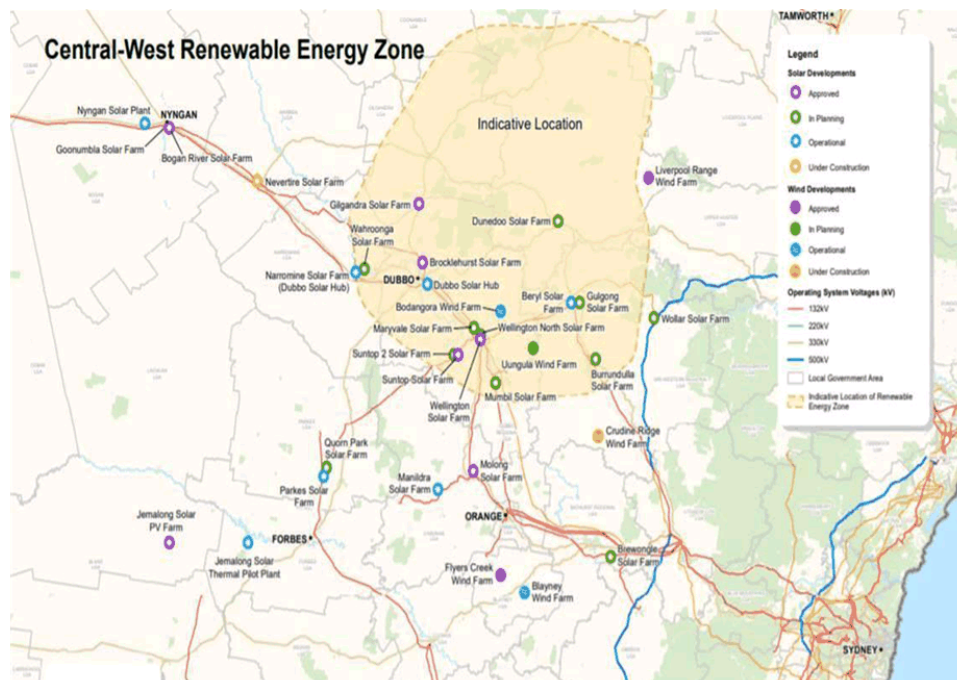
(k) **Executive Committee & 2-year terms** – At the Ordinary meeting on 5<sup>th</sup> May 2020, it was resolved that a Special (or Annual) General meeting be held prior to the 8<sup>th</sup> May 2020 Ordinary meeting to consider the adoption of two year terms and clarifying Clause 7.1 to

eliminate the “ambiguity” with any member Council having one or two delegates from the same Council as part of the Executive Committee. The matter is to be considered by the Executive Committee to provide some direction to the Annual General Meeting to adopt any changes.

Discussion on Clause 7.2 of the constitution on two year terms for the Executive Committee.

**(I) Renewable Energy Zones (REZ) –** The NSW Government implementing three REZ pilots throughout NSW and one of them is the 3,000 megawatt Renewable Energy Zone in the Central-West of NSW as part of their Electricity Strategy, Net Zero Plan and the Commonwealth-NSW Memorandum of Understanding on Energy and Emissions.

At the Executive Committee meeting on 14<sup>th</sup> August 2020, Stu Hodgson, Director Regional Programs, Renewable Energy Zones outlined details on the REZ.



Another meeting was held on 29<sup>th</sup> October 2020 in Dubbo to set up the terms of reference for the Reference Group, now to be called the Central West Orana Renewable Energy Zone Regional Reference Group, chaired by DPIE/EnergyCo NSW to meet quarterly.

The scope of the Reference Group is to provide advice to EnergyCo NSW to protect partners on matters related to the design and development of the Central West REZ; on issues and concerns held by regional stakeholders and how these may be managed; how to best maintain effective ongoing consultation and engagement with the community. The same will be set up for the North West REZ and Southern REZ.



The Executive Officer has been asked to be part of the 3 NSW Reference Groups as MERC is statewide to represent all mining & energy related councils on the issues and to report back to MERC on them. Individual Councils affected by the REZ's will still be part of the reference group and will be invited as required in each of the zones. MERC members such as Dubbo Regional, Warren Shire, Mid Western and Warrumbungle are part of this new reference group in the Central West.

Attendance at the reference groups will assist with having a broader presence for MERC and should assist in the attraction of new members.

For more information about NSW REZs please visit [www.energy.nsw.gov.au/renewable-energy-zones](http://www.energy.nsw.gov.au/renewable-energy-zones), or email the team at [rez@planning.nsw.gov.au](mailto:rez@planning.nsw.gov.au).

**(m) Adoption of Strategic Plan 2020 – 2023.**

The Strategic Plan 2020-2023, devised by the Working Party of Cr Banasik, Cr McRae and Glenn Wilcox and Executive Officer, is attached in a PDF under separate cover which will be presented to the Annual General Meeting on 27th November 2020 for adoption.

**(n) Coal Exploration Zones** - Dr Alex King, DPIE, Executive Director, Resources Policy, Planning and Programs, has approached MERC wanting to update delegates at the Ordinary meeting on 27<sup>th</sup> November 2020 on the State Governments' [Strategic Statement on Coal Exploration and Mining in NSW](#). The Statement acknowledges that the coal mining industry will be directly affected by the global transition to different forms of energy generation, but that this transition will take some time.

Alex will do a presentation to delegates on 27<sup>th</sup> November 2020. Refer to the PDF Attachment for the map.

**(o) Voting Methods for AGM**

The Open Voting (Show of Hands) method will be used for the AGM if an election is required as outlined in the AGM Business paper..

**(p) Executive Officer Annual Contract Performance Review**

The Executive Officer, Greg Lamont, through his management company, was contracted to undertake the Executive Officer function and provide services as an independent contractor for the Association, effective from 14<sup>th</sup> November 2016 until 13<sup>th</sup> November 2022 and subject to annual review by the Executive Committee.

Greg Lamont,  
Executive Officer,  
20<sup>th</sup> November 2020



**ATTACHMENT B – QUARTERLY CORRESPONDENCE**

<b>Month</b>	<b>From/to</b>	<b>Subject</b>	<b>Action</b>	<b>Status</b>
Sept/Oct/ Nov	Delegates	IPART Rating Review and Govt Response	Distribute reports and respond to GM comments	For information
Sept/Oct/ Nov	Stu Hodgson, Central West REZ	Attend a future meeting to discuss energy and planning matters in NSW.	Meeting held 29 <sup>th</sup> Oct 2020	For information
Sept/Oct/ Nov	Peter Dupen, PhD Research student as liaison for Juan & Alexie at UTS.	Emails/discussions on PhD Research project with UTS, the MOU, sponsorship, etc.	Work in progress to address Ex Committee 20 <sup>th</sup> Nov 2020	Progress report will be provided to meeting.
Sept	Mike Young, DPIE	Display VPA Framework DPIE site	Now on DPIE website	Information
Sept/Oct/ Nov	CIBIS	Changes Membership page	Membership page Not finalised	Information
Sept/Oct	LGNSW	LGNSW Conference	Refund received	Information
Sept/Oct/ Nov	Lauren Ferson, Blayney Shire Council	Arrangements for Blayney MERC mtg 27 <sup>th</sup> Nov 2020	Blayney Community Centre set up for meeting 27 <sup>th</sup> Nov, tour and dinner set up for 26 <sup>th</sup> networking	For information
Sept	Jonathon Wheaton, Resources NSW	Explanation an Resources for Regions criteria	Explanation received and delegates advised	For information
Sept/Oct/ Nov	EO to/from delegates.	Newsletters, emails, information, meeting attendances, etc	Seeking responses or providing information	For information
Sept/Oct/ Nov	Warwick Giblin	Various updates on MERC matters	Acknowledged email & submissions received	For information
Sept/Oct/ Nov	Minister for Better Regulation, Kevin Anderson	COVID 19 guidelines and updates	Acknowledged email & updates received	For information
Aug/Sept/ Oct/Nov	Productivity Commissioner, (Achterstraat)	Submissions lodged and meeting held on	Acknowledged email & held workshop meeting 27 <sup>th</sup> Oct	For information
Sept/Oct/ Nov	CRC TIME Guy Boggs	MERC as an Applicant Participation in Grant Program kept informed	Acknowledged email & delegates updated	For information
Sept	Mid Coast Council	MERC Membership	Chair/EO attended 30 <sup>th</sup> Sept workshop	For information
Oct	Singleton Council	MERC Membership request for detail on history, achievements and benefits	Information provided in report to Singleton Council	For Information
Nov	Shaun McBride	LGNSW Conference Motions Mining Rates	LGNSW to do submission to Minister	For Information
Nov	Wollondilly SC Mayor Cr Robert Khan	Review of Local Govt Rating System potential revenue adverse impact	In principle support for Bland Shire Council to LGNSW Conference	

**ATTACHMENT C - FINANCIAL REPORT 30<sup>th</sup> September 2020**

**BALANCE SHEET – 30/09/20**

<b>Assets</b>				
<b>Current Assets</b>				
<b>Bank Accounts</b>				
Business Bank Account -CBA	\$108,654.95			
Credit Card	\$1,986.26			
Term Deposit	\$115,716.70			
<b>Total Bank Accounts</b>		\$226,357.91		
<b>Other Current Assets</b>				
Trade Debtors	\$260.00			
<b>Total Other Current Assets</b>		\$260.00		
<b>Total Current Assets</b>			\$226,617.91	
<b>Non-Current Assets</b>				
<b>Office Equipment</b>				
Office Equipment At Cost	\$976.00			
Accum. Depr. Office Equipment	\$0.00			
<b>Total Office Equipment</b>		\$976.00		
<b>Total Non-Current Assets</b>			\$976.00	
<b>Total Assets</b>				\$227,593.91
<b>Liabilities</b>				
<b>Current Liabilities</b>				
<b>GST Liabilities</b>				
GST Collected	\$12,122.06			
GST Paid	(\$3,805.11)			
GST Adj	(\$0.95)			
	\$8,316.00			
<b>Total GST Liabilities</b>		\$8,316.00		
<b>Total Current Liabilities</b>				
Trade Creditors	\$0.00			
		\$0.00		
<b>Total Liabilities</b>				\$8,316.00
<b>Net Assets</b>				<b>\$219,277.91</b>

P

**PROFIT AND LOSS 30/09/20**

<b>Income</b>				
Membership Fees			\$133,082.46	
Australian Taxation Office Refund			\$0.00	
General Meetings			\$260.00	
<b>Total Income</b>				\$133,342.46
<b>Gross Profit</b>				\$133,342.46
<b>Expenses</b>				
General Expenses				
Executive Officer Contract		\$40,091.12		
Expenses paid on Credit Card:				
Meeting Expenses	\$10.97			
Computer Expenses	\$329.89			
Travel Expenses	\$234.47	\$575.33		
Ex Officer - Exp Reimburse't				
Meeting Expenses	\$0.00			
Telephone	\$154.00			
Printing & Stationary	\$0.00			
Travel Expenses	\$118.50	\$272.50		
Consultant Expenses-Other		\$4,950.00		
Computer Expenses		\$235.26		
Local Govt Annual Conference		(\$4,400.00)		
Bank Fees		\$3.85		
Travel - Other		\$0.00		
Insurance		\$0.00		
Web Page Expenses		\$132.00		
<b>Total Expenses</b>			\$41,860.06	
<b>Total Expenses</b>				\$41,860.06
<b>Operating Profit</b>				\$91,482.40
Interest Income			\$45.42	
<b>Total Other Income</b>				\$45.42
<b>Total Other Expenses</b>				\$0.00
<b>Net Profit/(Loss)</b>				\$91,527.82

**ATTACHMENT D**  
**REPORT ON OUTSTANDING DECISIONS – 31/09/20**

(Commencement from Annual General Meeting 17<sup>th</sup> November 2017 – Nil outstanding prior)

Meeting	Min No	Subject	Decision	Status
<u>Ex Com Mtg 8.11.18 &amp; Ordinary Mtg 9.11.18</u>	OM 36/2018	Notice of Motion – Development of Renewable Energy Policies	That the Executive Committee of the Association of Mining & Energy Related Councils (NSW) Incorporated, urgently commence to develop policies regarding energy sources such as fossil fuel, wind, solar, coal seam gas, etc. The policies are to be created in consultation with the NSW State Government and the Associations' Local Government members.	Ongoing Coal Seam Gas Policy reviewed and adopted 8 <sup>th</sup> November 2019.
<u>Ordinary Meeting 6.3.20</u>	OM 5/20	Various DPIE Matters	That MERC write to DPIE on various outstanding matters plus continue RAF,	Mike Young has responded RAF still being discussed
<u>Ex Com Mtg 14.8.20</u>	ECM 46/20	Video Testimonials for Website Membership.	That videos of testimonials for the website membership page form the nominated delegates be implemented	Requested videos with scripts. Work in progress
<u>Ex Com Mtg 14.8.20</u>	ECM 52/20	2 Year Terms & Clarify Clause 7..1 Ex Committee	Listed for a future meeting 27 <sup>th</sup> Nov 2020	On agenda for AGM 27th Nov

**ATTACHMENT E - QUARTERLY REVIEW OF 2018 – 2020 STRATEGIC PLAN**

**STRATEGIC DIRECTION 1 – ADVOCACY**

1. To ensure member Councils are heard.
2. Generating a dynamic and respected voice, effectively representing member Councils.

<b>Deliverables</b>	<b>Actions</b>	<b>Outcomes</b>	<b>Performance Measure</b>	<b>Milestone – 2018/20</b>	<b>Key Performance Indicators</b>	<b>Status</b>
Foster positive government relationships.	Invitations issued to Ministers/Shadow Ministers and relevant senior staff to attend meetings, & to meet with MERC delegations.	An ongoing dialogue built on mutual trust and bi – partisanship	Number of Ministers, Shadow Ministers & Senior government officials attending MERC quarterly meetings & level/ number of delegations	1. Two Quarterly Meetings held in Sydney per year. 2. Number of delegations per year.	At least one high level Government or Industry presenter to address priority issues of MERC at each Quarterly meeting	Speakers at every meeting.
Develop positive industry relationships.	Regular meetings with industry peak bodies for mining & renewable energy sectors.	An amicable relationship with industry bodies based on respect and community enhancement.	Number of meetings held with industry groups representing Mining & Renewable Energy sector peak bodies.	Meetings are held during the year. EO submitted verbal reports to Ex Committee on progress.	Evidence of contact made with Mining and renewable Energy sector peak bodies & dialogue established with MERC – emails, meetings & correspondence.	Delegates informed on Meetings in contacts with industry groups represented..
Representation on government committee's and taskforces.	Memberships have been on:- Resources for Regions – Regional Independent Assessment Panel; Regional Advisory Forum; Western Mining Development Taskforce; Subsidence Advisory NSW.	Ongoing positive relationships with working groups to ensure member Councils receive strong representation and a fair hearing for their projects and concerns.	Reports by delegates on government working parties to MERC Quarterly meetings.	Four Meetings held per year.	Reports from Association delegates circulated to members in a timely and accurate manner – business paper and minutes.	Where we have delegates their reports are provided to delegates each meeting
Comments: All targets met. Ongoing						

**STRATEGIC DIRECTION 2 - RESOURCING**

1. Resourcing to support member Councils.
2. Strengthening local capacity of member Councils through the sharing of expert knowledge and skills.

<b>Deliverables</b>	<b>Actions</b>	<b>Outcomes</b>	<b>Performance Measure</b>	<b>Milestone – 2018/20</b>	<b>Key Performance Indicators</b>	<b>Status</b>
Consultant Review	Undertake a review of the existing consultants to ascertain best value for member Councils.	A recommended list of companies specialising in mining and energy related environmental assessment and planning circulated to member Councils.	A panel of members is formed to review (with Council staff), the existing consultants on the panel.	Final Report on the panel to delegates at the General Meeting in November 2018.	A final list of recommended consultants is prepared with associated costs circulated to member Councils by November 2018.	Panel developed
Shared Expertise	Sponsor a culture of resource sharing across the Association members.	A shared data base of staff expertise, policies and processes across a range of planning and assessment portfolios available to member Councils.	A comprehensive survey is undertaken through the offices of General Manager of member Councils to provide a list of staff expertise relevant to the operations and priorities of MERC.	Final Report on the survey results to delegates at the General Meeting in November 2018.	Facilitate and coordinate the development of expert staff lists (through the General Manager networks) and give regular updates on progress.	Skills Matrix completed in 2018.
Marketing Policy	The Executive Committee to develop a Marketing Policy for the ongoing growth of the Association.	A revised and revitalised Marketing Policy will drive Council enquiries and increased membership.	The Executive Committee to develop the Marketing Policy.	Progress reports submitted to Quarterly meetings.	Facilitate with Council delegates the development of a Marketing Policy by November 2018.	Policy adopted 10/5/18
<u>Comments:</u> All targets met.						

**STRATEGIC DIRECTION 3 - POLICY**

1. Develop policy to empower member Councils.
2. Empowering member Councils with the tools to design, plan and negotiate for the benefit of their communities.

Deliverables	Actions	Outcomes	Performance Measure	Milestone – 2018/20	Key Performance Indicators	Status
Renewable Energy	Review MERC policy on CSG in light of the NSW Gas Plan and commence renewable energy dialogue.	MERC will have clearly defined positions on CSG, coal and renewable energy production.	1. CSG position paper revised by August 2018. 2. Surveys undertaken from member and possible member Councils on their positions in respect to renewable energy production.	1. CSG paper revised by August 2018. 2. Surveys undertaken by November 2018.	1. CGC policy review completed and posted on website by August 2018. 2. Feedback from Councils on renewable energy production in LGA's circulated to members by November 2018.	Policy adopted 2019.
VPA Project	VPA Working Party will seek to complete negotiations with industry and DPIE.	Member Councils will have a planning and assessment template for the negotiation of VPA's with mining, energy producers and for major infrastructure projects.	Final Report by VPA's Working Party presented to MERC for ratification.	Final Report by VPA Working Party presented to August 2018 General Meeting.	Final Report from VPA Working Party presented to MERC by August 2018.	VPA Framework Guidelines completed on DPIE website 2020
Research Sponsorship	Research fellowships will be offered to inform MERC on post mining rehabilitation, land use/social impact plans and renewable energy communities.	Member Councils will have the benefit of an expert advice and MOU'S with major universities.	Research proposals presented to at least one Association meeting each year for consideration.	Proposals presented for consideration to MERC by November 2018.	PhD research students invited to present to at least one MERC meeting each year.	Ongoing see report in Business paper
<b>Comments:</b> Targets almost all met, 99% completed: --1. Decision made 10 <sup>th</sup> May 2019 on PhD project. Peter Dupen appointed met delegates 9 <sup>th</sup> August 2019, sponsorship with NSWMC \$10,000 and DPIE \$20,000 in place agreement to be set up for it. Project with Aurelia Cobar mine now cancelled looking for other options..						



# Strategic Plan 2020-2023

## MINING AND ENERGY RELATED COUNCILS NSW





**MINING &  
ENERGY**  
RELATED COUNCILS NSW

## Vision

As the peak body in NSW, empowering, resourcing  
and advocating on behalf of local councils impacted  
by mining and energy production

7/8/20



## History

The nucleus of the Association was formed in 1978 at a conference in Wollongong, where it was clearly recognised that coal related local government areas needed to present a comprehensive, co-ordinated and co-operative approach to State and Federal Government. An alliance formed at a conference convened by Wollongong City Council in 1982 saw the birth of the Association of Coal Related Councils.

In 1993, the Association was approached to represent a metalliferous council and it became apparent that the Association could equally represent both interests and subsequently became the Association of Mine Related Councils.

In 1999, the Association expanded its base once again to represent Local Government in all aspects of mining, including extractive industries, gas exploration, quarries and minerals.

In 2013 a new Strategic framework was developed to guide the growth and direction of the Association. During 2014 in response to State Government policy related to Coal Seam Gas the Association developed a comprehensive position paper which outlined the merits and concerns around this industry.

In 2017 the Association adopted a new direction embracing the necessity and opportunities surrounding the growing renewable energy sector. Renaming the Association to reflect this new direction, Mining and Energy Related Councils NSW. This was updated in 2020.





## Consultation

The Association through its network of member councils has developed a broad socio-political base. Member councils represent the large regional through to small country shires all with the same interest of addressing the challenges and opportunities mining brings to their local communities.

The Association consults widely through a variety of channels within and across local government associations, Joint Organisation networks, council senior staff associations and local councillors.

The Association has over time developed productive consultative relationships with peak mining & energy production groups and NSW Government departments. The Association has also canvassed the opinion and support from Ministers, Shadow Ministers, other political parties, environment groups, unions and various academic researchers.

The Association is the voice of the community in mining & energy related local government areas. It is apolitical and neutral.

## Strategic Directions

### Advocacy

Advocacy to ensure member councils are heard

Generating a dynamic and respected voice, effectively representing member councils & their communities affected by mining & energy production.

### Resourcing

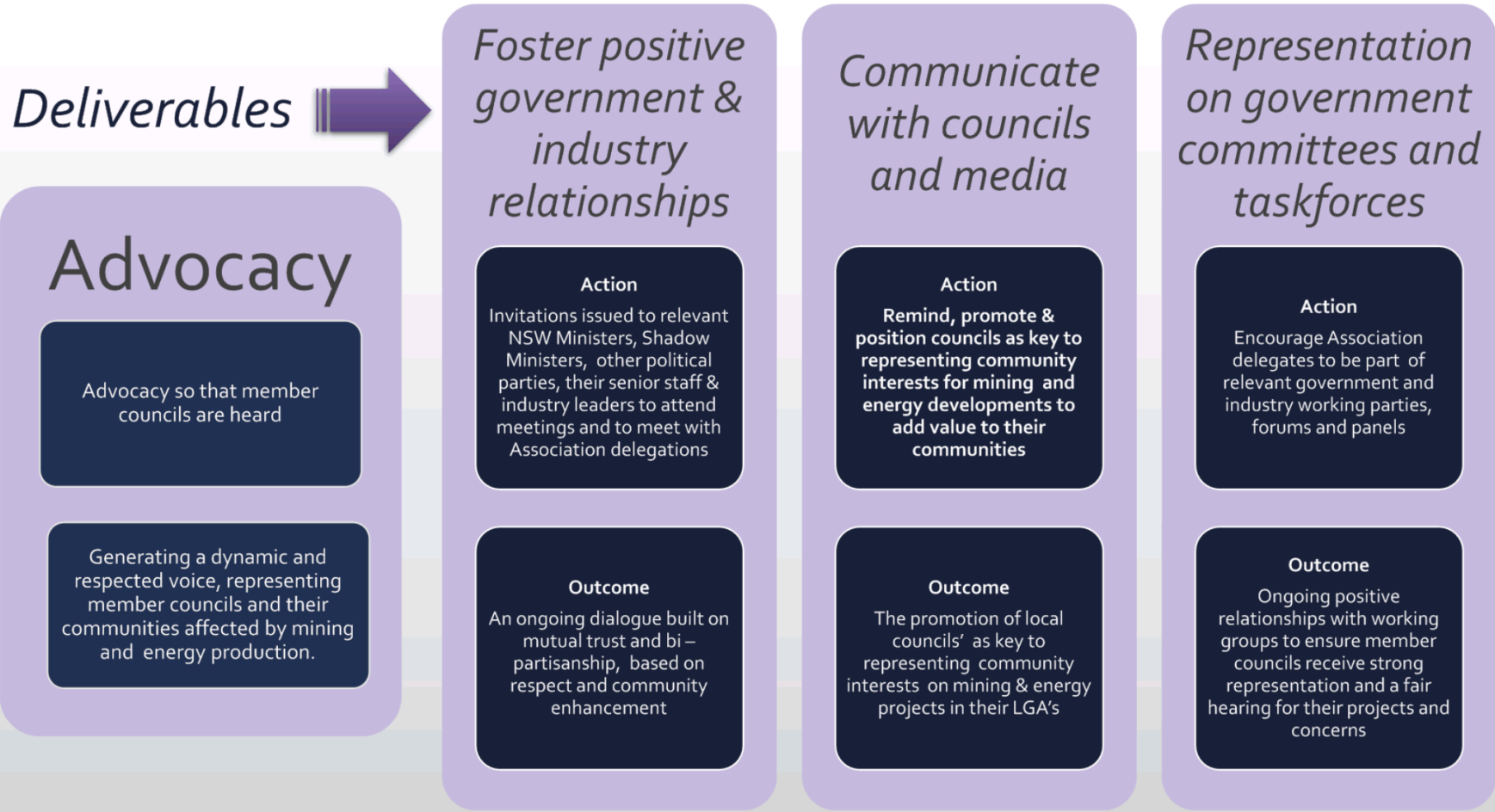
Resourcing to support member councils

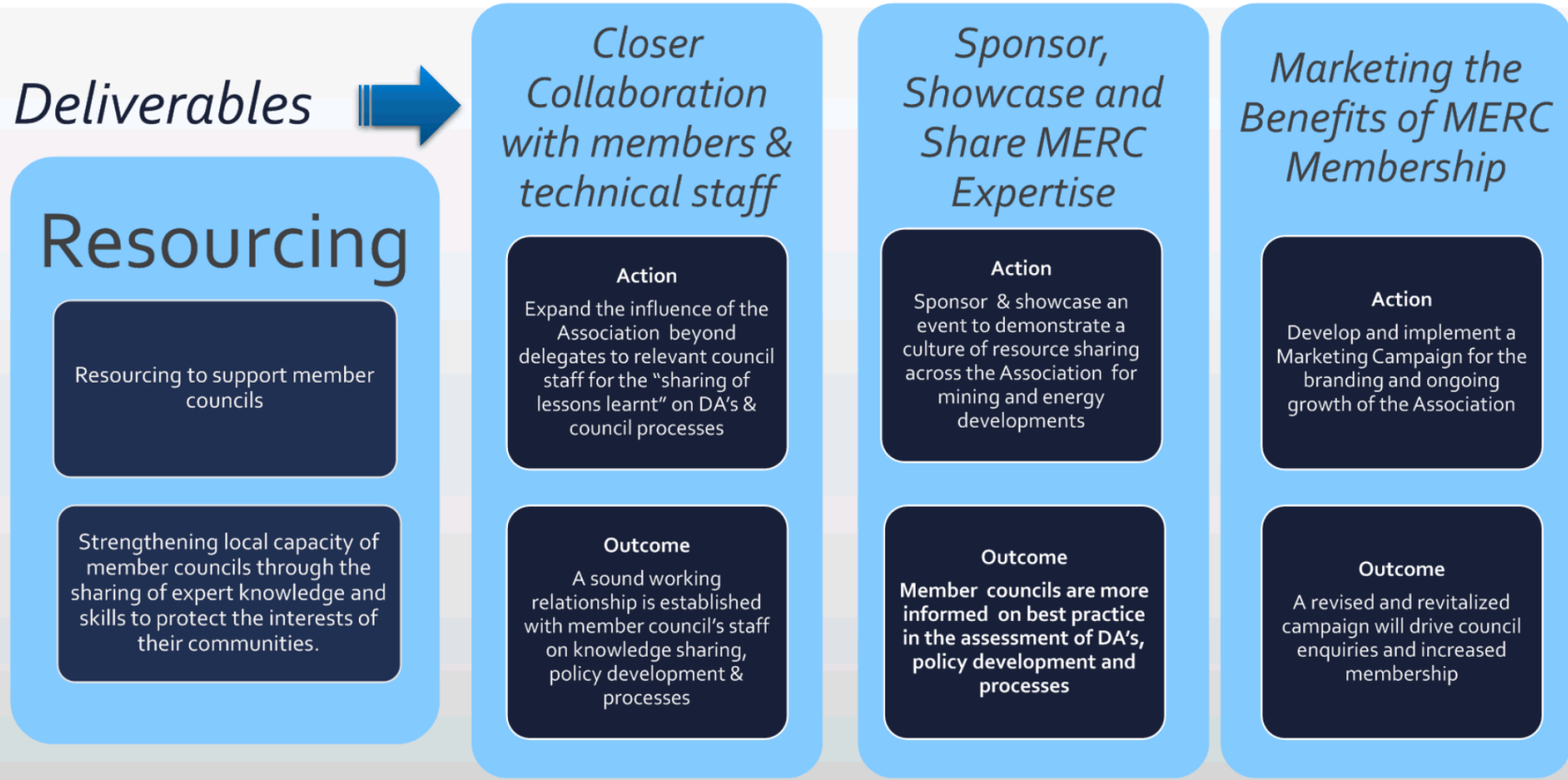
Strengthening the local capacity of member councils through the sharing of expert knowledge and skills to protect the interests of their communities.

### Empowering

Develop position statements to empower member councils

Empowering member councils with the tools to design, plan and negotiate effectively for the benefit of their communities.







## Deliverables



### Empowering

Position Statements to empower member councils

Empowering member councils with the tools to design, plan and negotiate effectively for the benefit of their communities.

## Renewable Energy

### Action

Review NSW Government policies and plans on Renewable Energy to inform members of the issues for their determination and actions

### Outcome

Association will have provided members with relevant information on Renewable Energy for their individual policy consideration

## Emerging Issues

### Action

Provide members with information on relevant mining & energy production emerging issues

### Outcome

Member councils will have up to date information on emerging issues as they evolve for informed decision making

## Research Sponsorship

### Action

Research fellowships will be offered to inform Association on relevant areas of concern – socio economic impacts, consultation, rehabilitation, etc.

### Outcome

Member councils will have the benefit of expert advice and MOUs with major universities

## Performance measures

### Advocacy

- ☐ Number of State Ministers, Shadow Ministers, Political Parties, Senior Departmental staff, Industry groups attending Association meetings
- ☐ Number of meetings held by Association per year to review advocacy levels
- ☐ Regular reports by delegates on government working parties to Association meetings

### Resourcing

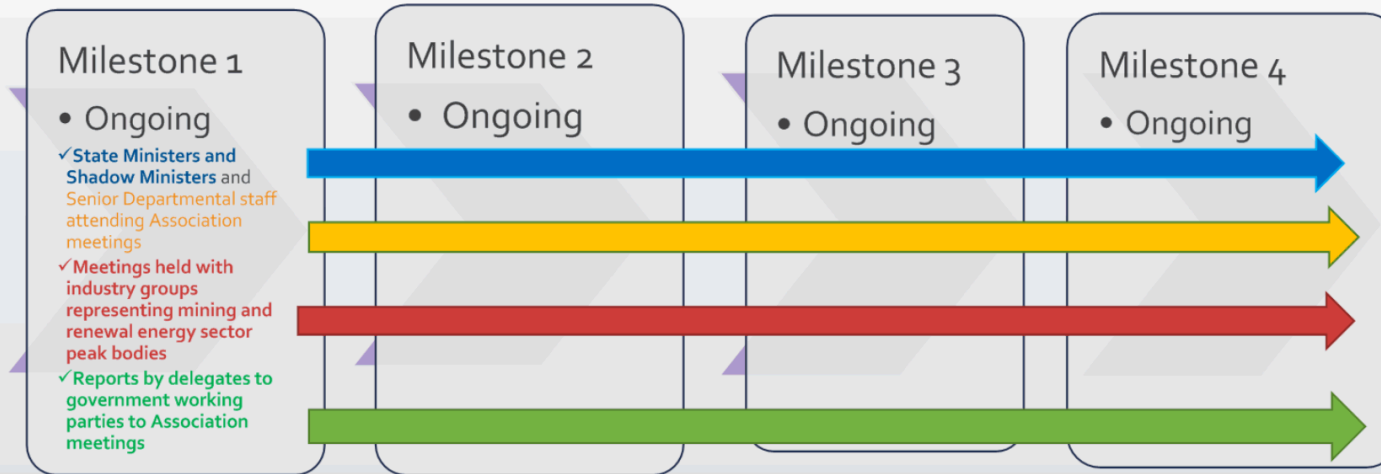
- ☐ Number of events/workshops held to showcase best practice on DA assessments, council policies and processes
- ☐ Establish a "sharing of lessons learnt" culture with staff of the Association
- ☐ A Marketing Campaign is developed and implemented in a timely manner

### Empowering

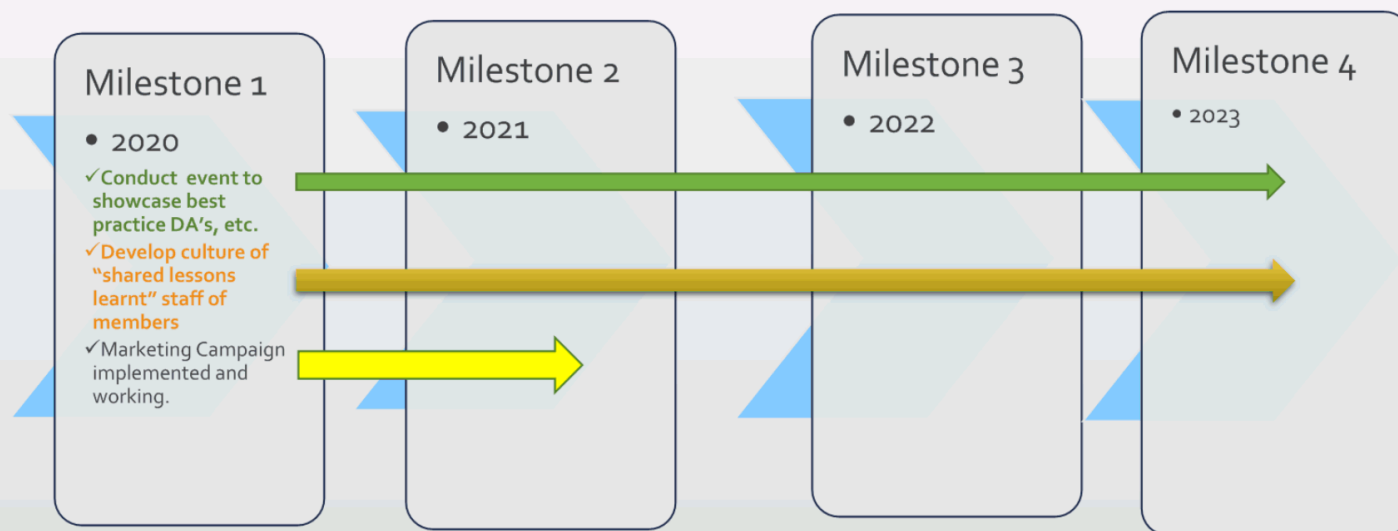
- ☐ MOU with Universities in place for research on relevant topics for mining & energy production issues
- ☐ Reports by PhD students are regularly submitted to delegates as part of the sponsorship arrangement with Association
- ☐ Research proposals presented to at least one Association meeting each year for consideration



## Strategic Direction – **Advocacy** – *Milestones*



## Strategic Direction – **Resourcing** – *Milestones*



7/8/20

## Strategic Direction – **Empowering**– *Milestones*



## Strategic Plan KPIs

### Advocacy

- At least one senior level Government or Industry presenter at each Association meeting to discuss priority issues raised by member councils
- Evidence of contact made with renewable energy sector peak bodies and dialogue established with the Association
- Reports from Association delegates circulated to Association members in a timely and accurate manner

### Resourcing

- Number of events conducted on best practice for DA assessments, policy development and processes
- Number of expert staff in member councils involved to “share lessons learnt”
- Assessment of the Marketing Campaign is done annually

### Empowering

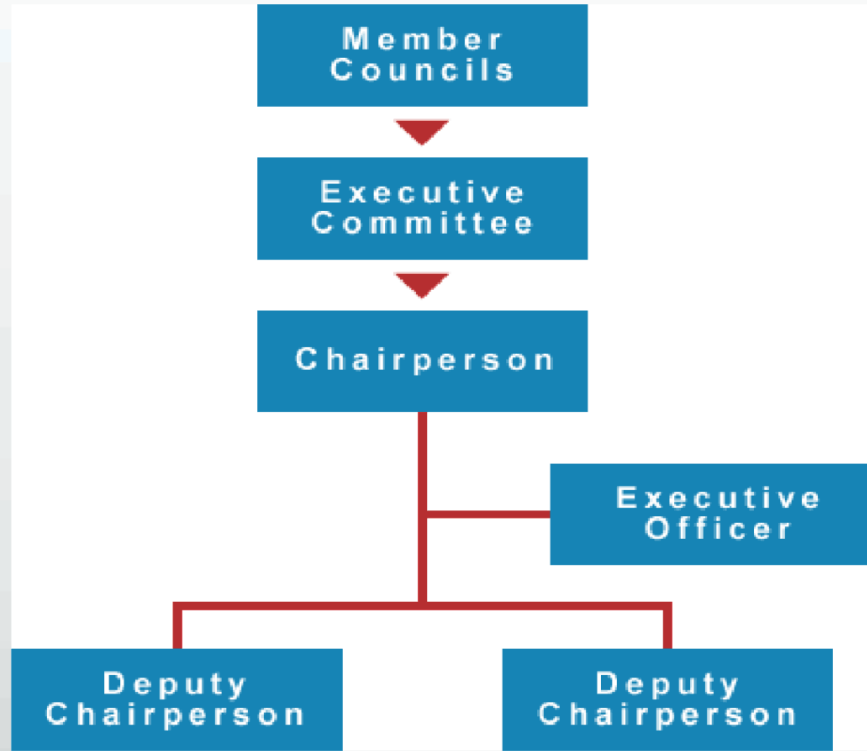
- Position papers developed and submitted on Government renewable energy policies and plans and copies distributed to members
- MOU's signed with universities to research specific issues
- PhD Research students present to at least one Association meeting each year

## Quarterly and Annual Reviews

- The Association will receive quarterly reviews from the Executive and Executive Officer on the progress of Milestones against Performance Measures
- An Annual Report will be provided by the EO, endorsed by the Executive Committee describing the Associations progress towards its Strategic Directions
- At the Association's November meeting Milestones and KPIs will be endorsed for the following year.

7/8/20

### *Organisational Structure*



## Mining and Energy Related Councils (MERC) represents 21 local government councils in NSW...with more intending to join.

Bland Shire Council, Blayney Shire Council, Broken Hill City Council, Cabonne Shire Council, Cessnock City Council, Cobar Shire Council, Dubbo Regional Council, Forbes Shire Council, Gunnedah Shire Council, Lachlan Shire Council, MidCoast Council, Mid-Western Regional Council, Orange City Council, Parkes Shire Council, Singleton Council, Upper Lachlan Shire Council, Warrumbungle Shire Council, Walgett Shire Council, Warren Shire Council, Wollondilly Shire Council and Wollongong City Council.

7/8/2020

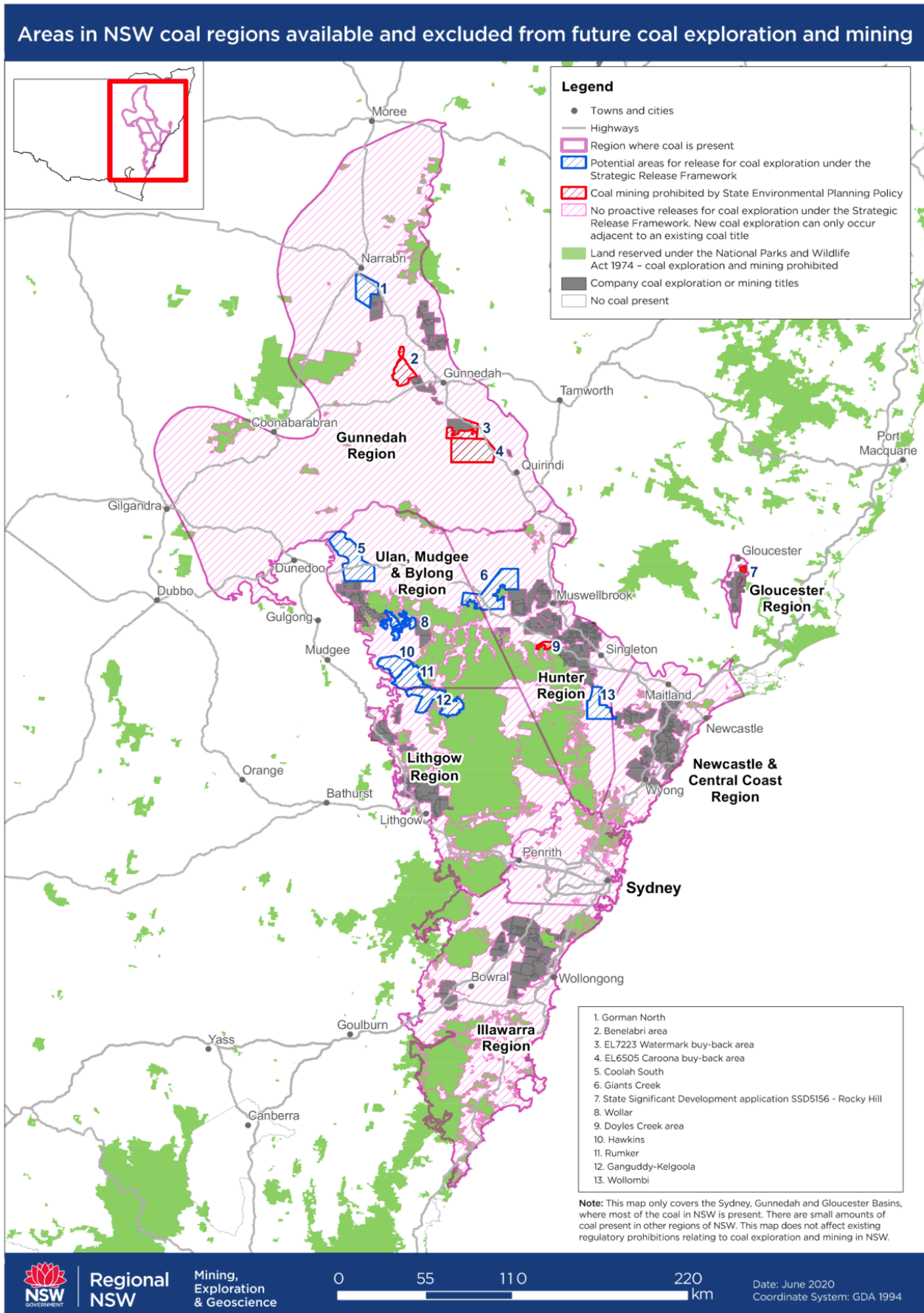


The Association of *Mining and Energy Related Councils* NSW INC

## 2020 - 2023 Strategic Plan







## **REPORTS**

1. BROKEN HILL CITY COUNCIL REPORT NO. 171/20 - DATED  
NOVEMBER 25, 2020 - CORRESPONDENCE REPORT - 2021 LOCAL  
GOVERNMENT ELECTIONS (19/7) .....79
2. BROKEN HILL CITY COUNCIL REPORT NO. 169/20 - DATED  
NOVEMBER 24, 2020 - CONSIDERATION OF THE RETURN OF  
COUNCIL MEETINGS HELD IN THE COUNCIL CHAMBERS (11/21).....81
3. BROKEN HILL CITY COUNCIL REPORT NO. 170/20 - DATED  
NOVEMBER 16, 2020 - COUNCILLOR ATTENDANCE AT THE  
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ORDINARY MEETING OF THE COUNCIL

November 25, 2020

**ITEM 1**

BROKEN HILL CITY COUNCIL REPORT NO. 171/20

SUBJECT: CORRESPONDENCE REPORT - 2021 LOCAL GOVERNMENT  
ELECTIONS 19/7

**Recommendation**

1. That Broken Hill City Council Report No. 171/20 dated November 25, 2020, be received.
2. That correspondence from the Minister for Local Government, The Hon Shelley Hancock MP on 17 November 2020 regarding the conduct of the September 2021 Local Government Elections be received and noted.

**Executive Summary:**

Council received correspondence from the Minister for Local Government, The Hon Shelley Hancock MP, which was emailed to all NSW Councils on 17 November 2020, regarding the conduct of the September 2021 Local Government Elections.

The correspondence advises that, following feedback from NSW Councils, the Minister has instructed the NSW Electoral Commissioner to prepare for full attendance voting at the September 2021 Local Government Elections.

Should the COVID-19 pandemic still be impacting communities next year, the additional costs for electoral staff and polling booths to comply with the Public Health Order will be covered by a \$56.8 million funding package, which has been secured as part of the NSW Government's 2020/21 Budget to hold COVID-safe elections if required.

A copy of the correspondence is attached.

**Attachments**

1.  Correspondence from the Minister for Local Government

JAMES RONCON  
GENERAL MANAGER

Leisa Bartlett

---

**Subject:** FW: Letter from the Minister for Local Government - Local Government Elections  
2021



The Hon. Shelley Hancock MP  
Minister for Local Government

ref: A749446

Dear General Managers and Mayors

The COVID-19 pandemic has presented significant challenges for our local communities. The NSW Government has worked tirelessly to ensure the health and safety of our citizens throughout the pandemic including investing significant funds to support our health workforce as well as to kick start our economy.

The Government's response also involved some difficult decisions, including the postponement of the September 2020 Local Government elections. The additional time between the elections gave me the opportunity to discuss with you how best we can deliver elections for our local communities, including the consideration of a proposal from the NSW Electoral Commissioner for mandatory universal postal voting.

I have considered your feedback on this important matter and I recognise there are many views on the best way to conduct Local Government elections. In direct response to calls from the Local Government sector, **I have instructed the NSW Electoral Commissioner to prepare for full attendance voting at the September 2021 Local Government elections.**

If COVID-19 is still impacting our communities next year, the cost of holding elections in a full attendance model will increase to meet a substantial rise in the electoral staff and polling booths needed to comply with physical distancing and sanitising requirements.

I recognise this decision may result in significant financial challenges to councils, which is why **I have also secured a \$56.8 million funding package** as part of the NSW Government's 2020/21 Budget.

The Government will provide the NSW Electoral Commission with this additional funding to hold COVID-Safe elections **if required**, so councils will only be billed for the cost of holding elections in a normal environment.

As the Minister for Local Government my job is to listen to the sector and deliver for councils so they can deliver for their communities. I will always strive to listen and deliver for you.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Shelley Hancock'.

The Hon. Shelley Hancock MP  
Minister for Local Government

## ORDINARY MEETING OF THE COUNCIL

November 24, 2020

**ITEM 2**BROKEN HILL CITY COUNCIL REPORT NO. 169/20

SUBJECT: CONSIDERATION OF THE RETURN OF COUNCIL MEETINGS  
HELD IN THE COUNCIL CHAMBERS 11/21

**Recommendation**

1. That Broken Hill City Council Report No. 169/20 dated November 24, 2020, be received.
2. That the Public Forum Session and Council Meetings return to the Council Chambers commencing at the Ordinary Council Meeting held 24 February 2021 and that a COVID-19 Safety Plan ensuring compliance with all NSW Public Health Order requirements for social distancing, hand sanitisation and contact tracing etc. be implemented.
3. That the option of attendance at Council meetings either in person or via videoconference be noted.
4. That the temporary COVID-19 amendments to the Council's Code of Meeting Practice Policy which stated that Council Meetings be held solely via videoconference, be replaced with an interim amendment to allow for hybrid style meetings whereby Councillors and staff, (and members of the public who may be presenting during Public Forum) to have the option to attend either in person or via videoconference.

**Executive Summary:**

To address the NSW Public Health Order imposed due to the COVID-19 pandemic, Council previously resolved on two occasions - April 2020 Ordinary Council Meeting (Minute Number 46238) and July 2020 Ordinary Council Meeting (Minute Number 46307 ) to hold Council Meetings via videoconference.

Council also resolved at the July 2020 Council Meeting to re-assess the situation at the December 2020 Ordinary Council Meeting, as to whether a return to meetings in the Council Chambers was warranted.

This report is presented to Council to consider a return to the Council Chambers for the conduct of the Public Forum Session and Ordinary and Extraordinary Council Meetings with an option for Councillors, Staff or Public Forum Presenters to be present via videoconference as well as in person.

**Report:**

At the Ordinary Council Meeting held 29 April 2020, Council considered a report regarding the impact of the COVID-19 pandemic and the need for temporary amendments to the Code of Meeting Practice Policy to allow for Council to adhere to the NSW Government Public Health Order imposed pursuant to the *Biosecurity Act 2015*, the *COVID-19 Legislation Amendment (Emergency Measures) Bill 2020* which amends various legislation including the *Local Government Act 1993*.

Council resolved to amend its Code of Meeting Practice Policy at the Ordinary Council Meeting held 29 April 2020 (Minute Number 46238) to comply with the *COVID-19 Legislation Amendment (Emergency Measures) Bill 2020* which was assented to on 24 March 2020.

Schedule 2 of the Bill makes the following amendments to the *Local Government Act 1993* to enable the conduct of Council and Committee Meetings being held remotely via audio visual link, below is a summary of the amendments as stated in the Bill:

**Local Government Act 1993 No 30**

**Schedule 2.12[1] and [2]** enable the Minister for Local Government to postpone the requirements relating to the holding of ordinary council elections and by-elections if the Minister believes that it is reasonable to do so. The provisions are repealed after 12 months.

**Schedule 2.12[3]** removes the need for persons to attend council meetings. The meetings may be held remotely by audio visual link or in any other manner approved by the Minister for Local Government. Members of the public are to be given access to the meeting by webcast or in any other manner approved by the Minister. The provision applies for a minimum period of 6 months and may apply for a total of 12 months if the regulations prescribe a longer period. **Schedule 2.12[3]** also contains a power for regulations under the *Local Government Act 1993* to modify the application of that Act for the purposes of responding to the public health emergency caused by the COVID-19 pandemic.

The following temporary amendments were made to Council's Code of Meeting Practice Policy:

- That the Council Meetings will be held via videoconference and will be closed to the public.
- That in order for Councillors to be classed as attending a meeting, Councillors must have both a video and audio connection to the meeting.
- That hard copies of the Business Papers will not be available for public inspection or for taking away. The Business Paper is available on Council's website for viewing by the public.
- That Council does not hold face to face Public Forum Sessions prior to each Ordinary and Extraordinary Council Meeting for the purpose of hearing submissions from members of the public on items of business to be considered. There will still be the opportunity for members of the public to email submissions to Council up until 4:00pm the day before the Council Meeting. The submissions will then be circulated to Councillors and the Mayor will read the submissions during the Public Forum Session.
- That the videoconference is recorded and uploaded to Council's website/facebook as soon as practicable after the meeting.
- That should a Chairperson need to be elected due to the absence of the Mayor and Deputy Mayor, the election is carried out by electronic means.

These temporary amendments will need to be replaced as follows:

- That the Council Meetings will be held in the Council Chambers with the option for Councillors/staff/Public Forum presenters to attend via videoconference.
- That all NSW Public Health Order requirements be met and a COVID-19 Safety Plan be put in place for Councillors/Staff/members of the public to attend in person.
- That in order for Councillors (attending via videoconference) to be classed as attending a meeting, Councillors must have both a video and audio connection to the meeting.
- That single-use hard copies of the Business Papers will be available for the public to use at Council Meetings and to take away. The Business Paper is also available on Council's website for viewing by the public.
- That Council holds the Public Forum Session in the Council Chambers prior to each Ordinary and Extraordinary Council Meeting for the purpose of hearing submissions



from members of the public on items of business to be considered. That presenters be given the option to attend either in person or via videoconference and those wishing not to attend in person can email submissions to Council up until 4:00pm the day before the Council Meeting. The submissions will then be circulated to Councillors, and the Mayor will read the submissions during the Public Forum Session.

- That the Council Meeting be livestreamed.
- That the visual and audio recording of the Council Meeting is uploaded to Council's website/facebook as soon as practicable after the meeting.
- That should a Chairperson need to be elected due to the absence of the Mayor and Deputy Mayor, the election is carried out via the hybrid model (electronic means and voting in person).

Council's current adopted budget includes a \$75K allocation for an upgrade of the audit-visual equipment to the Council Chambers and it is anticipated that the tender process will commence in December 2020 and the upgrade will take place early in the New Year.

The upgrade to the equipment, which was already slated, will also enhance the functionality of videoconferencing and will allow for Council to offer the option of a hybrid model to operate. It is expected that this upgrade will be in place for the February 2021 Ordinary Council Meeting and allow an option for Councillors, staff and members of the public presenting during the Public Forum to join the meeting via videoconference rather than in person if they wish.

To return to Council Meetings held in the Council Chambers, Council staff will be required to prepare a COVID-19 Safety Plan for the conduct of Council Meetings.

The COVID-19 Safety Plan will ensure that all measures are in place to comply with the NSW Public Health Order and that Council is doing everything possible to protect the health and safety of Councillors, Council staff and community members attending meetings. These measures will include:

- Limiting the number of persons in the Council Chambers to 20 (to ensure the 4m<sup>2</sup>/person and given the set-out of the fixed furniture in the Chambers)
- Distancing the seating of all persons present to 1.5m apart.
- Querying all persons as they enter the Chamber in relation to whether they are experiencing cold/flu like symptoms, or whether they have recently travelled to any hotspots.
- Recording contact details of all persons.
- Temperature testing all persons and providing hand sanitiser for use.
- Ensuring the Council Chamber has had a thorough deep clean prior to Council Meetings. Cleaning staff resources are currently at full capacity.
- Council will need to appoint a COVID-19 Marshal to conduct and monitor points three to five. This will include ensuring people are maintaining physical distancing.

The Office of Local Government issued a Circular to Councils No. 20-37 on 22 September 2020 which advises of changes to special COVID-19 measures for the conduct of Council Meetings is attached.

The changes allow for Councillors and Council staff to attend Council and Committee Meetings in person. However, councils must continue to allow Councillors and staff to attend and participate in meetings by audio visual links where it is reasonably practicable to do so.

A hybrid approach to the conduct of Council Meetings will not only be of benefit during the current COVID-19 pandemic, but will also be of benefit in the future for Councillors to be able to participate in meetings remotely from any location and for any reason whatsoever such as travel or family commitments. This of course will be dependent on the Office of Local Government making this a permanent amendment to the *Local Government Act 1993*.

**Community Engagement:**

Should Council resolve to return to Council Meeting being held in the Council Chambers, all advertising regarding the Council Meetings and the Council Meeting section on Council's website will be updated. Social media will also be undertaken.

**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:**

*Biosecurity Act 2015*

*COVID-19 Legislation Amendment (Emergency Measures) Bill 2020*

*Local Government Act 1993*

**Financial Implications:**

Annual Zoom Professional videoconference licence      \$840.00

**Attachments**

1. [↓](#) OLG Circular to Councils 20-37

JAMES RONCON  
GENERAL MANAGER





Office of  
Local Government

## Circular to Councils

<b>Circular Details</b>	20-37 / 22 September 2020 / A723972
<b>Previous Circulars</b>	20-09 <i>Compliance with social distancing requirements to limit the spread of the COVID-19 virus at council and committee meetings</i> 20-12 <i>Modification of statutory requirements in response to the COVID-19 pandemic</i> 20-28 <i>Rules on attendance at council and committee meetings during the COVID-19 pandemic as of 1 July 2020</i>
<b>Who should read this</b>	Councillors / General Managers / All council staff
<b>Contact</b>	Council Governance / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Information / Response to OLG / Council to Implement

### Status of special COVID-19 measures

#### What's new or changing

- Amendments have been made to the *Local Government (General) Regulation 2005* (the Regulation) to:
  - extend the period during which the special COVID-19 pandemic provisions of the *Local Government Act 1993* (the Act) apply, and
  - postpone the repeal of the COVID-19 pandemic regulation-making power in the Act.
- The regulations made under the COVID-19 pandemic regulation-making power on 17 April 2020 prescribing the measures notified in [circular 20-12](#) expire on 18 October 2020.

#### What this will mean for your council

- The Regulation extends the "prescribed period" for the purposes of sections 747A and 747AB of the Act to the end of **25 March 2021**.
- Section 747A provides that during the prescribed period, a requirement for councillors or others to attend a meeting is satisfied if the meeting is held in whole or in part remotely using audio visual links.
- Section 747AB limits the ability of councils to commence proceedings to recover unpaid rates and charges during the prescribed period unless certain steps have been taken to identify and address financial hardship.
- The measures prescribed on 17 April 2020 under section 747B of the Act in response to the COVID-19 pandemic notified in circular 20-12, automatically expire on 18 October 2020.
- The amendments made to the Regulation on 17 April 2020 removing requirements for newspaper advertising also notified in [circular 20-12](#) are ongoing and will continue to apply after the COVID-19 pandemic passes.

#### Key points

- Councillors and council staff may attend council and committee meetings in person. However, councils must continue to allow councillors and staff to attend and participate in meetings by audio visual links where it is reasonably practicable to do so.

Office of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 20 770 707 468

- Members of the public are permitted to attend meetings. However, councils must not allow persons to attend a meeting if the size of the meeting venue is insufficient to ensure there is 4 square metres of space for each person attending the meeting.
- Councillors and council staff are not to be counted when calculating the space available for each person at the meeting venue and the number of persons who are attending a meeting.
- Where councils exclude members of the public from meetings, they must livestream their meetings using audio-visual links to satisfy the requirement under section 10 of the Act for members of the public to be permitted to “attend” meetings.

**Where to go for further information**

- For further information please contact the Council Governance Team on 02 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).



**Tim Hurst  
Deputy Secretary  
Local Government, Planning and Policy**

Office of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
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ORDINARY MEETING OF THE COUNCIL

November 16, 2020

**ITEM 3**

BROKEN HILL CITY COUNCIL REPORT NO. 170/20

SUBJECT: COUNCILLOR ATTENDANCE AT THE AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION CONFERENCE (NSW BRANCH) 2021 11/174

**Recommendation**

1. That Broken Hill City Council Report No. 170/20 dated November 16, 2020, be received.
2. That Council considers Councillor representation to the 2021 NSW Branch Annual Conference of the Australian Local Government Women's Association to be held in Shellharbour, 18-20 March 2021.
3. That interested Councillors provide completed travel forms to the Executive Support Officer by the close of business Friday, 29 January 2021.

**Executive Summary:**

The 2021 Australian Local Government Women's Association (NSW) Annual Conference will be held in Shellharbour on 18-20 March 2021. The Conference theme for 2021 is "Women in the Know - Grow".

**Report:**

Conference attendance will promote Council's strong support of Women in Local Government, by way of networking with other NSW Council elected members, General Managers and staff; and participating in the Conference workshops and keynote speakers program. Online attendance at the Conference is also being offered.

The Australian Local Government Women's Association NSW is the state's peak representative body supporting women who are in any way involved in local government. The group aims to promote gender equality within councils for both elected representatives and staff, and encourages women to embrace challenges and be the best version of themselves.

The theme for the 2021 Conference Women in the Know - Grow "" and the event will encourage and inspire women in Local Government to empower themselves and each other in all aspects of their lives.

The three day Conference will include a line-up of guest speakers, and provides an opportunity for delegates to exchange ideas, network, debate and engage in cross-council collaboration on issues affecting women in Local Government.

Guest speakers at the Conference include:

- Jean Kittson – Australian actor and comedian who has a keen interest in local government and firmly believes that local government can provide the answers to many of today's urgent social needs.
- Kemi Nekvapil – is an executive and personal coach, speaker and author who has worked in the wellness industry for more than 20 years. As a corporate speaker and facilitator, Kemi is passionate about working with organisations that are willing to invest in their female leaders.
- Dr Neryl East – is a communication and credibility expert who shows current and future leaders how to be heard, stand out and command influence. She has a long track record in local government including senior communication roles at Woolongong and Shellharbour City Councils as well as careers in television and radio. She has also authored five books including an Amazon best-seller on media and reputation.
- Nichole Sullivan – is a psychologist with expertise in Human Performance, Culture, Well-being and Operational Excellence. She applies psychology and neuroscience to performance, influencing how individuals, teams and organisations think, feel and work.
- Michelle Heyman – is a football player and commentator, who currently plays for Adelaide United in the W-League in Australia. She has represented Australia as a Matilda since 2010 and retired in May last year. Michelle is currently building a training program for young girls who dream of competing at a high sporting level.

Attached to this report is the draft conference program.

Attendance at the Conference is also being offered as an online option (see pricing below).

### Strategic Direction:

Key Direction:	4. Our Leadership
Objective:	4.2 Our leaders make smart decisions
Function:	Leadership & Governance
DP Action:	4.2.1.13 Accept opportunities to attend training and events that provide value through information, ideas and solutions that add value to our community

### Relevant Legislation:

Not applicable.

### Financial Implications:

The following costs are provided:

Online Conference Registration per person	\$480.00
Full Conference Registration per person	\$1,080.00
Return Airfares BH-Sydney per person (price dependent on availability)	\$950.00
Return public transport to Shellharbour (train/bus) approx. per person	\$80.00
Limit for accommodation per person per night	\$300.00/night

Councillors will also be reimbursed for any out-of-pocket travel expenses as per Council's adopted Councillor Support Policy.

**Attachments**

1. [↓](#) NSW ALGWA Conference Program

JAMES RONCON  
GENERAL MANAGER

11/17/2020

NSW ALGWA Conference 2021 | Shellharbour Council



Home (<https://www.shellharbour.nsw.gov.au/>) / Council (<https://www.shellharbour.nsw.gov.au/council/>) /  
NSW ALGWA Conference 2021

## NSW ALGWA Conference 2021



Shellharbour City Council is proud to be the host city for the 2021 NSW Branch Annual Conference. ALGWA supports  
<https://www.shellharbour.nsw.gov.au/council/nsw-algwa-conference-2021>

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11/17/2020

NSW ALGWA Conference 2021 | Shellharbour Council

and promotes women in local government through advocacy, advice and action. The Annual Conference is an opportunity to come together and engage in learning and networking that will assist in personal and professional development.

We have put together an inspiring program featuring well known and respected speakers who will share their insights to encourage women in local government to empower themselves and each other.

**Early Bird Rates Available Now.** For more information please contact Joanne Frasca via email or on 02 4221 6122.

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LAWYERS**



**BRONZE SPONSOR**



**REGISTER NOW (<https://www.trybooking.com/events/landing?eid=677770&>)!**

## Speakers



### JEAN KITTSON

Jean Kittson is one of Australia's most popular speakers, celebrated for stellar performances in film, television and theatre.

She takes a keen interest in local government, as a professional rate-payer, and firmly believes that local government can provide the answer to many of today's most urgent social needs, including literacy, pet care, outdoor cafes where you can get a decent coffee, tree maintenance, climate change and nuclear disarmament.

Jean believes that local government is the cornerstone of our democracy, and she knows where her local councillor lives.

### KEMI NEKVAPIL

Kemi Nekvapil is an executive and personal coach, speaker and author who has worked in the wellness industry for more than 20 years.

Having studied leadership and purpose at The Gross National Happiness Centre in Bhutan, trained as a yoga teacher in India with a 23-year yoga and meditation practice, Kemi understands there is a process for meaningful, connection to ourselves, our work, our families and communities.

<https://www.shellharbour.nsw.gov.au/council/nsw-algwa-conference-2021>



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11/17/2020

NSW ALGWA Conference 2021 | Shellharbour Council

As a corporate speaker and facilitator Kemi is passionate about working with organisations that are willing to invest in their female leaders. Earlier this year Kemi trained with Dr Brene Brown as a certified Dare To Lead facilitator and is passionate about supporting daring leaders and courageous cultures.



---

### ***DR NERYL EAST***

Dr Neryl East is a communication and credibility expert who shows current and future leaders how to be heard, stand out and command influence.



Neryl has been a professional communicator for more than three decades, including a career in television and radio. Her long track record in local government includes senior communication roles at Wollongong and Shellharbour City Councils and training and consultancy work with councils around Australia.

Neryl is a Certified Speaking Professional and has a PhD in Journalism. She is the author of five books including an Amazon best-selling author on media and reputation.

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### ***NICHOLE SULLIVAN***

Nichole Sullivan is a psychologist with expertise in Human Performance, Culture, Wellbeing and Operational Excellence.

She applies psychology and neuroscience to performance, influencing how individuals, teams, and organisations think, feel and work.

Nichole has extensive experience in workshop facilitation, change management, coaching and large scale wellbeing, safety and leadership programs, with the aim of helping people achieve their pinnacle.



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### ***MICHELLE HEYMAN***



Michelle Heyman is a football player and commentator, who currently plays for Adelaide United in the W-League in Australia. She has represented Australia as a Matilda since 2010, playing at the 2014 AFC Women's Asian Cup, the 2015 FIFA Women's World Cup and the 2016 Summer Olympics, before retiring in May last year

Michelle is currently building training program for young girls who dream of competing at a high level, and she hopes to create a safe environment where girls can have fun while developing build leadership and football skills.



11/17/2020

NSW ALGWA Conference 2021 | Shellharbour Council

## *Draft Program*

Please note the program below is subject to change. The final program will be confirmed in early 2021. You can register online (<https://www.trybooking.com/events/landing?eid=677770&>) now.

<b>Thursday 18 March 2021</b>	
4.00-6.00pm	Registration
6.00-8.00pm	Networking Cocktail Function

**REGISTER NOW (<https://www.trybooking.com/BGYAE>)!**

<b>Day 1 - Friday 19 March, 2021</b>	
7.00-8.00am	Yoga
9.00-9.20am	<i>Welcome</i> , Marianne Saliba (Shellharbour Mayor / ALGWA NSW President)
9.20-9.30am	<i>Welcome</i> , Carey McIntyre (Chief Executive Officer, Shellharbour City Council)
9.30 -10.40am	Keynote: <i>Kemi Nekvapil</i> , 'The Gift of Asking'
10.40-11.10am	<i>Shannon Platt</i> , 'Intellectual Property'
11.10-11.30am	Morning tea
11.30am-12.15pm	<i>Jean Kittson</i>
12.15-1.00pm	<i>Ruth McGowan</i> , 'How to boost your political savvy as an influential networker'
1.00-2.00pm	Lunch
2.00-3.00pm	Concurrent workshops <ul style="list-style-type: none"> <li>• <i>Nichole Sullivan</i>, 'The psychology of critical conversations'</li> <li>• <i>Neryl East</i>, 'Communicating boldly in a noisy world'</li> </ul>
3.00-3.15pm	Coffee break
3.15-4.15pm	Discussion panel
4.15-4.30pm	<i>Sandie Morthen</i> , 'USU helping women grow'
4.30pm	Close

**REGISTER NOW (<https://www.trybooking.com/events/landing?eid=677770&>)!**

<b>Day 2 - Saturday 20 March, 2021</b>	
7.00-8.00am	Breakfast

<https://www.shellharbour.nsw.gov.au/council/nsw-algwa-conference-2021>

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11/17/2020

NSW ALGWA Conference 2021 | Shellharbour Council

7.00-8.00am	Beach walk
<b>Day 2 – Saturday 20 March, 2021</b>	
9.00-9.05am	Welcome
9.05-10.00am	<i>Michelle Heyman, 'Playing in a male-dominated field'</i>
10.00-11.30am	Voting
10.00-11.00am	<i>TBA</i>
11.00-11.30am	Morning tea
11.30am-12.00pm	<i>Macinley Brown</i>
12.00-12.30pm	Conference bids and voting

12.30-1.30pm	ALGWA Hotspots & Wrap Up
1.30-2.00pm	Lunch
2.00-3.00pm	AGLWA NSW General Meeting
3.00pm	Close / Executive Meeting
7.00-11.00pm	Gala Dinner

**REGISTER NOW (<https://www.trybooking.com/events/landing?eid=677770&>)!**

## Transport Information

### CAR

Just over one hour from Sydney via the M1 Princes Highway, or enjoy the amazing scenery on the Grand Pacific Drive. From Canberra, take the 2.5 hour drive via the M31 Hume Highway to Moss Vale, then the Illawarra Highway.

### TRAIN

Trains to the South Coast depart Sydney Central Station approximately every hour (30 minutes during peak hour) and takes two hours. The best station to disembark for the Shellharbour Civic Centre is Oak Flats, with buses and taxis available from Oak Flats to the Civic Centre.

For further information and timetables please contact the Transport Information Line on 131 500 or visit [transportnsw.info.](https://transportnsw.info/) (<https://transportnsw.info/>).

### COACH

Coaches travel through the area connecting with Sydney, Melbourne and Canberra on a daily basis.

### Canberra

- Murrays on 13 22 59 or visit [www.murrays.com.au](http://www.murrays.com.au/) (<http://www.murrays.com.au/>)  
<https://www.shellharbour.nsw.gov.au/council/nsw-algwa-conference-2021>

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11/17/2020

NSW ALGWA Conference 2021 | Shellharbour Council

### **Sydney, Brisbane and Melbourne**

- Premier Motor Services on 13 34 10 or visit [www.premierms.com.au](http://www.premierms.com.au) (<http://www.premierms.com.au>).
- Greyhound/Pioneer visit [www.greyhound.com.au](http://www.greyhound.com.au) (<http://www.greyhound.com.au/>).
- Southern Highlands - Regional Trains and Coaches 13 22 32 or visit [transportnsw.info/regional](https://transportnsw.info/regional) (<https://transportnsw.info/regional>).

### **AIR**

Sydney Domestic/International Airport is just over an hour's drive from the City of Shellharbour. Door to door airport connections are available.

Shellharbour Airport is located in Albion Park Rail in the City of Shellharbour and offers commercial passenger flights by Fly Corporate to Brisbane and Melbourne (Essendon) return. Book your flight at [www.flycorporate.com.au](http://www.flycorporate.com.au) (<http://www.flycorporate.com.au>).

### **ACCOMMODATION**

Information about places to stay in and around Shellharbour can be found on our [Visit Shellharbour website](http://www.visitshellharbour.com.au/accommodation) (<http://www.visitshellharbour.com.au/accommodation>).

## **Pricing**

\$110 - 1080

76 Cygnet  
Avenue  
Shellharbour City  
Centre NSW  
2529

*Last updated : Wed 11 Nov 2020*

Was this page helpful?

About us (<https://www.shellharbour.nsw.gov.au/council/about-us>)

Access to information (<https://www.shellharbour.nsw.gov.au/council/access-to-information>)

<https://www.shellharbour.nsw.gov.au/council/nsw-algwa-conference-2021>

6/8

## ORDINARY MEETING OF THE COUNCIL

November 27, 2020

**ITEM 4**BROKEN HILL CITY COUNCIL REPORT NO. 168/20SUBJECT: DRAFT AGENCY INFORMATION GUIDE11/118**Recommendation**

1. That Broken Hill City Council Report No. 168/20 dated November 27, 2020, be received.
2. That Council endorse the reviewed and Draft Agency Information Guide for release to the Information Commissioner for its review and comment.

**Executive Summary:**

Council must have in place an Agency Information Guide in accordance with Section 20 of the *Government Information (Public Access) Act 2009* (the Act). The Act states:

- (1) *An agency (other than a Minister) must have a guide (its agency information guide) that:*
  - (a) *describes the structure and functions of the agency, and*
  - (b) *describes the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public, and*
  - (c) *specifies any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the exercise of the agency's functions, and*
  - (d) *identifies the various kinds of government information held by the agency, and*
  - (e) *identifies the kinds of government information held by the agency that the agency makes (or will make) publicly available, and*
  - (f) *specifies the manner in which the agency makes (or will make) government information publicly available, and*
  - (g) *identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.*
- (2) *An agency must make government information publicly available as provided by its agency information guide.*
- (3) *The Director-General of the Department of Local Government may, in consultation with the Information Commissioner, adopt mandatory provisions for inclusion in the agency information guide of local authorities. The agency information guide of a local authority must include any such mandatory provision unless the Director-General otherwise approves in a particular case.*

**Report:**

Council's current Agency Information Guide was last reviewed and adopted by Council at its ordinary Council Meeting held on 26 February 2020.

In accordance with Section 22 of the Act Council is required, prior to adopting a new or amending a current Agency Information Guide, to notify the Information Commissioner.

Role of Information Commissioner

- (1) *An agency must notify the Information Commissioner before adopting or amending an agency information guide and must, if requested to do so by the Information Commissioner, consult with the Information Commissioner on the proposed agency information guide or amendment.*
- (2) *The Information Commissioner can issue guidelines and model agency information guides for the assistance of agencies in connection with agency information guides.*

The Agency Information Guide has been reviewed and the following changes have been made to the Draft Agency Information Guide:

Section	Changes made
Section 2. - About the City	Information updated - sourced from profile.id.com.au Update is the inclusion of 2019 estimated resident population
Section 3. - About Council	Narrative wording replaced to become consistent with other Council plans and documents.
Section 4. - Council Organisation Structure	Updated image to latest public release Organisation Structure.
Section 5. – Functions of Council	Key Direction 4 – Our Leadership updated to remove Business Excellence and replace with Organisation Culture
Section 8. – Information Held at Council	Section 8. – Information Held at Council and Section 9. – How to Access Information Held at Council combined into the new Section 8. – Information Held at Council and How to Access  Sections combined to include new tables which clearer define and define the documents/record types and corresponding access methods
Section 10. – How Do I Contact Council	Update to Opening Hours

**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:**

*Government Information (Public Access) Act 2009*

**Financial Implications:**

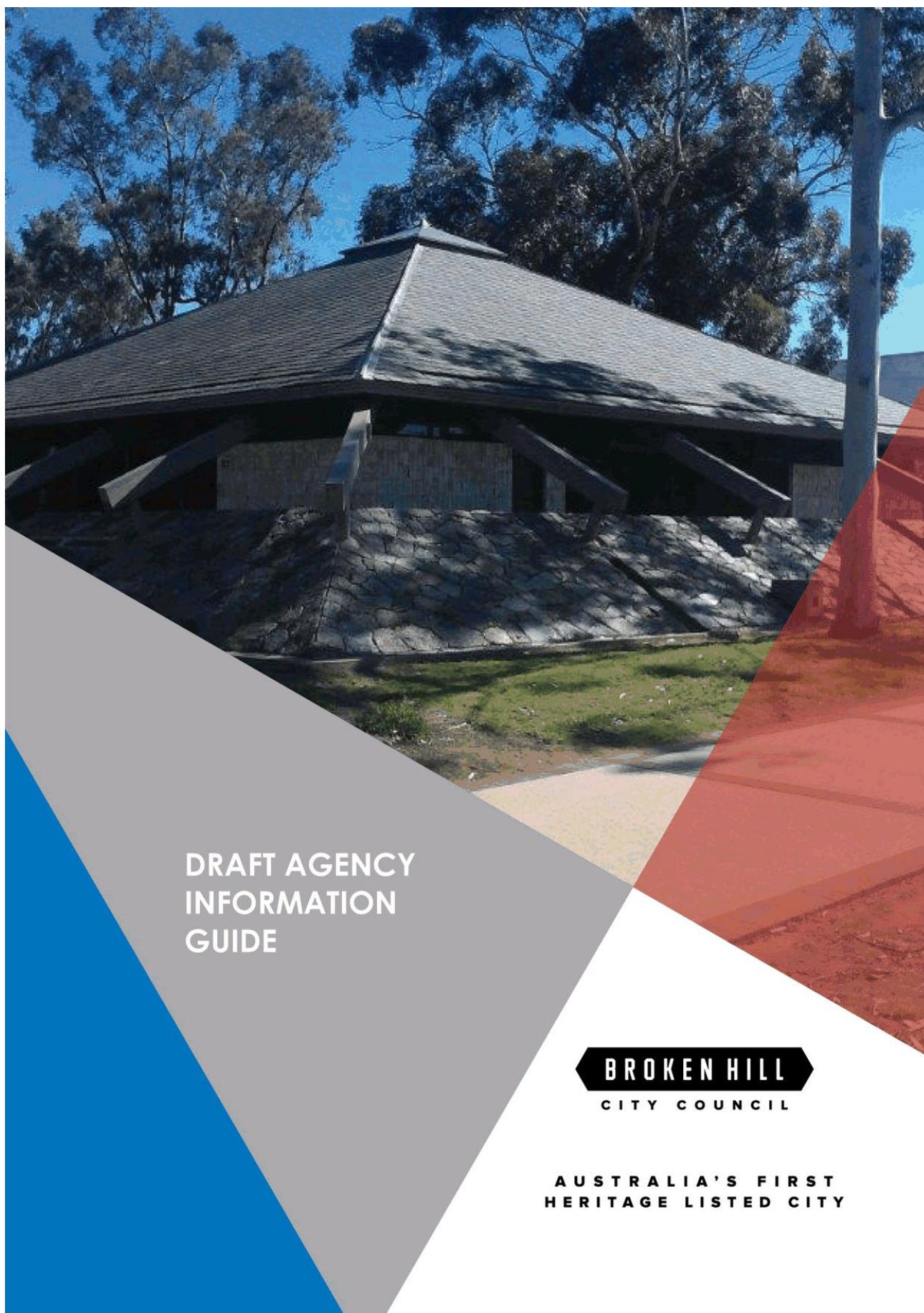
Operational costs only, no additional expenditure required.

**Attachments**

1. [↓](#) Draft Agency Information Guide

RAZIJA NU'MAN  
DIRECTOR CORPORATE

JAMES RONCON  
GENERAL MANAGER



# DRAFT AGENCY INFORMATION GUIDE

**BROKEN HILL**  
CITY COUNCIL

**AUSTRALIA'S FIRST  
HERITAGE LISTED CITY**

QUALITY CONTROL			
KEY DIRECTION	4 Our Leadership		
OBJECTIVE	4.1 Openness and Transparency in Decision Making		
FUNCTION	Corporate Support		
STRATEGY	4.1.1 Support the organisation to operate its legal framework		
FILE REFERENCE No	11/118	EDRMS No	D16/1194
RESPONSIBLE OFFICER	Public Officer		
REVIEW DATE	November 2020		
DATE	ACTION		MINUTE No
27 July 2011	Adopted by Council		42940
March 2017	Document reviewed and amended		N/A
29 March 2017	Endorsed for release to Information Commissioner		45501
26 April 2017	Adopted		45523
16 June 2017	Information and Privacy Commission (IPC) assessment		N/A
March 2018	Document reviewed and amended		N/A
26 April 2018	Endorsed for release to Information Commissioner		45799
July 2018	Document amended		N/A
26 September 2018	Adopted		45915
October 2019	Document reviewed and amended		N/A
27 November 2019	Endorsed for release to Information Commissioner		46130
26 February 2020	Adopted		46181
November 2020	Document reviewed and amended		N/A
NOTES	Front cover image: Council Chamber		
ASSOCIATED DOCUMENTS	Broken Hill 2033 Community Strategic Plan Long Term Financial Plan 2018-2027 Delivery Program 2019-2021 incorporating Operational Plan 2019/2020 Schedule of Fees and Charges 2019/2020 Privacy Management Plan Records Management Policy		

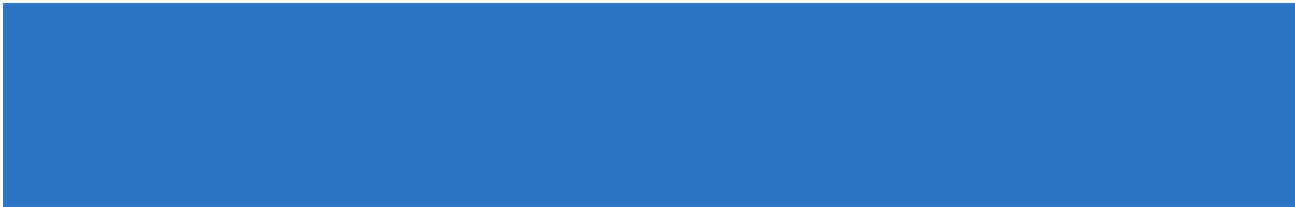


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## 1. INTRODUCTION

### 1.1 What is an Agency Information Guide?

An Agency Information Guide is a guide developed in accordance with Section 20 of the *Government Information (Public Access) Act 2009* (GIPA Act).

The section of the Act clearly outlines what information must be included in an Agency Information Guide.

### 1.2 Why does Council need to have an Agency Information Guide?

In accordance with Section 20 of the Act, Council must have an Agency Information Guide.

Council has a strong commitment to assisting those who wish to view or obtain information under GIPA Act and encourages people who request information to contact the Public Officer.

### 1.3 What does the Agency Information Guide include?

In accordance with Section 20 of the Act, Council (referred to as the agency in the Act) must have an Agency Information Guide that:

- a) describes the structure and functions of the agency; and
- b) describes the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public; and
- c) specifies any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the exercise of the agency's functions; and
- d) identifies the various kinds of government information held by the agency; and
- e) identifies the kinds of government information held by the agency that the agency makes (or will make) publicly available; and
- f) specifies the manner in which the agency makes (or will make) government information publicly available; and
- g) identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

## 2. ABOUT THE CITY

*"When you think of regional Australia, when you think of mining, when you think of the ethos of Australia, you think of Broken Hill"*

The City of Broken Hill is the largest regional centre in the western half of New South Wales. It lies in the centre of the sparsely settled New South Wales Outback, close to the South Australian border and midway between the Queensland and Victorian borders.

POPULATION	
2019	*17,479
2018	**17,734
2017	***17,873
2011	18,517
2006	19,363

\* ABS Estimated Resident Population 2019

\*\*ABS Estimated Resident Population 2018

\*\*\*ABS Estimated Resident Population 2017

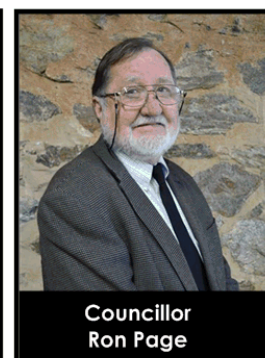
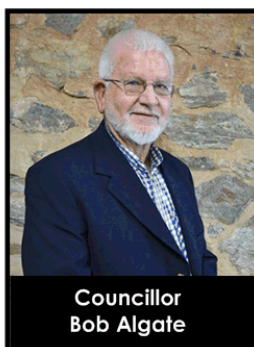
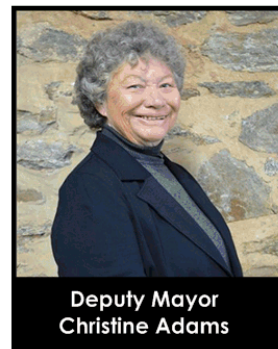
Source: [profile.id.com.au](http://profile.id.com.au)

TOTAL WORKFORCE	
Census Population <b>2016</b>	7,568
Female population	51.3%
Male population	48.7%

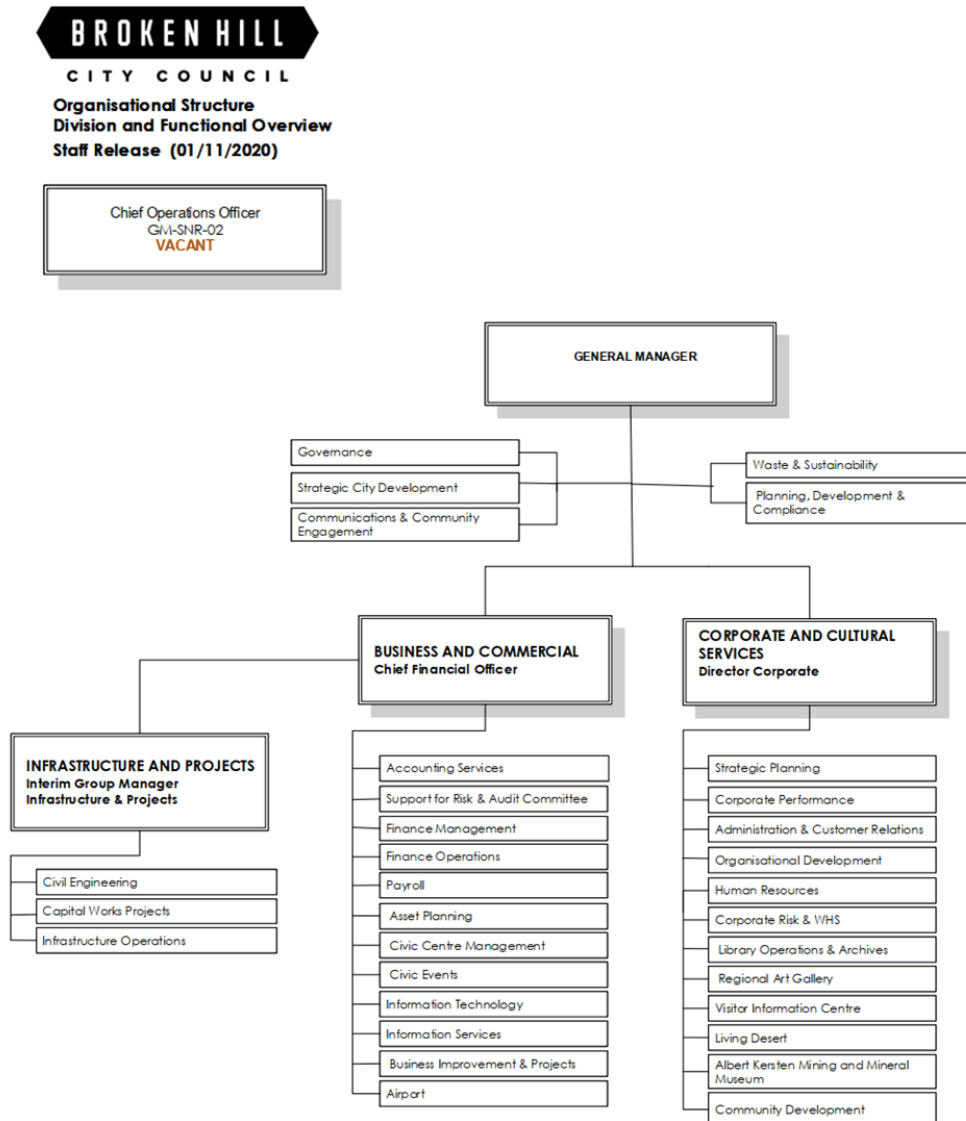
INDUSTRY	\$(M)	JOBS
Mining, Construction, Manufacturing	\$254.7	1,247
Household Services*	\$208.8	2,462
Tourism	\$48.1	548
Retail Trades	\$61.5	735
Public Administration and Safety	\$55.9	431
*Household Services' refers to Accommodation and Food Services, Education and Training, Health Care and Social Assistance, Arts and Recreation Services and Other Services		

### 3. ABOUT COUNCIL

The Mayor and Councillors of Broken Hill have many responsibilities to the Council and the community. All Councillors, in accordance with the *Local Government Act 1993*, must "represent the collective interests of residents, ratepayers and the local community"; "facilitate communication between the local community and the governing body"; and "is accountable to the local community for the performance of the council".



## 4. COUNCIL ORGANISATION STRUCTURE



#### 4.1 Roles and Responsibilities of Council in Decision Making

Council is made up of a body of ten Councillors whose role is to ensure Council's vision is articulated and fulfilled, to govern the Broken Hill local government area and to:

- Set the direction of the affairs of the Council in accordance with the *Local Government Act 1993*
- Play a key role in the creation and review of Council's policies, objectives and plans relating to the exercise of Council's regulatory functions
- Participate in the optimum allocation of Council's resources for the benefit of the City
- Represent the interest of the residents and ratepayers and facilitate communication between the community and the Council
- Review organisational performance.

The General Manager's role is to:

- Ensure the effective and efficient operation of the Council's organisation
- Ensure the implementation without undue delay, of decisions of the Council
- Provide the day to day management of the Council
- Appoint staff in an organisational structure and resources approved by the Council
- Implement the Council's Equal Opportunity Management Plan
- Carry out other functions as may be conferred or imposed by the *Local Government Act 1993*.

## 5. FUNCTIONS OF COUNCIL

KEY DIRECTION 1 – OUR COMMUNITY	KEY DIRECTION 3 – OUR ENVIRONMENT
<b>Arts &amp; Culture</b> Charles Rasp Memorial Library Broken Hill Regional Art Gallery Albert Kersten Mining & Minerals Museum Broken Hill Archives <b>Community Development</b> Community Assistance <b>Community Facilities</b> Cemetery Broken Hill Regional Aquatic Centre Halls and Community Centres Public Amenities <b>Local Transport</b> Bus Shelters Footpaths and Bike Tracks Road Furniture Local Roads Car Parks Traffic Control <b>Open Spaces</b> Parks and Reserves Sportsgrounds <b>Public Health</b> Health Administration and Inspections <b>Public Order</b> Sustainability and Environmental Management Parking and Other Ranger Services Animal Control <b>Public Safety</b> Street Lighting Emergency Services	<b>Waste Management</b> Waste Management Operations Garbage Collection Street Cleaning <b>Sustainability After Mining</b> Willyama Common Regeneration Area <b>Natural Environment</b> Noxious Weeds Living Desert <b>Environmental Footprint</b> Water Energy <b>Built Environment</b> Historic Buildings Preservation Town Planning <b>Stormwater Management</b> Stormwater Drainage Kerb and Gutter
KEY DIRECTION 2 – OUR ECONOMY	KEY DIRECTION 4 – OUR LEADERSHIP
<b>Economic Development</b> Economic Development Civic Centre Area Promotion and Events <b>Property Development</b> Land Development and Sales <b>Strategic Transport</b> Regional Roads State Roads Airport <b>Tourism Development</b> Tourism <b>Film</b> Film Promotion Film Activities	<b>Leadership &amp; Governance</b> Elected Members General Manager <b>Financial Management</b> Corporate Services Management Financial Control Revenue Payroll Procurement and Payables <b>Corporate Support</b> Risk Management and Insurance Information Technology Services Records Management Human Resources Governance Organisation Culture <b>Customer Relations</b> Media and Communications Customer Relations <b>Asset Management</b> Infrastructure Engineering Management Infrastructure Administration Asset Management and Technical Services <b>Operations Management</b> Mechanics Workshop Plant and Vehicle Maintenance Warnock Street Works Depot Private Works Billable Works <b>Buildings &amp; Property</b> Buildings - Structures Maintenance and Operations Buildings - Property Commercial

## 6. HOW COUNCIL FUNCTIONS AFFECT MEMBERS OF THE PUBLIC

All Council's functions effect the community, whether directly or indirectly. Council is conscious of accountability to the public for its actions and strives for open communication and community consultation to ensure maximum customer satisfaction.

Council's functions, as depicted on the previous pages, affect the public as follows:

### 6.1 Service Functions

The provision and maintenance of library services, community health, waste removal and disposal, recreational facilities, environmental protection, industry and tourism and development assistance.

### 6.2 Regulatory Functions

Approval of all building and development in the City and ensuring that all approvals and certificates are issued in accordance with the relevant Acts. Developments are made in the best interest of the public and are made in accordance with all Council's ecologically sustainable development codes and policies.

### 6.3 Ancillary Functions

These functions affect only a minority of Council's residents and involve matters such as the resumption of land, powers of entry and inspection over land, all of which is dealt with in the best interest of Council's residents.

### 6.4 Revenue Functions

Revenue functions affect the community directly as it is a function which affects the financing of services and facilities provided to residents. Revenue is obtained from rates, charges, fees, borrowings and investments.

### 6.5 Administrative Functions

The administrative functions of the Council do not directly affect residents. However, functions such as employment of staff and compliance with Council's statutory obligations including management plans, financial reporting and annual reporting all have an impact on the community.

### 6.6 Enforcement Functions

Under the *Local Government Act 1993* and other related legislation Council has a statutory responsibility to enforce local by-laws such as alcohol-free zones and regulations delegated by other levels of government, eg food safety inspections. These are applied in the best interest of the community.

## 7. PUBLIC PARTICIPATION

Council wants to understand and consider community concerns about the impact of services and decisions.

In a changing local government environment, councils must ensure that services are in keeping with future opportunities and the existing needs and expectations of its community.

To achieve this aim, to increase accountability and transparency of operations, Council is committed to keeping the community informed and engaged through ongoing and quality communication.

### 7.1 Participation at Council Meetings

Council welcomes the public to attend Council meetings which are held on the last Wednesday of each month, commencing at 6.30pm. At this meeting, Reports of the General Manager, Mayoral Minutes, Planning Matters, Public Access and Matters Referred from Previous Council Meetings, Notices of Motions and Matters for Information are presented. Council may also consider confidential matters in Closed Session with the resolutions from these meetings announced in public prior to the close of the meeting.

Members of the public attending Council meetings have an opportunity to address Council at the meeting. For information on how to register to speak, contact Council or refer to current procedures on Council's website.

### 7.2 Written Submissions to Council and Councillors

Residents and ratepayers are encouraged to make written submissions, or personal representations through their elected local representative.

Written submissions to Council or to individual local Councillors may be made in writing and addressed to:

Broken Hill City Council  
PO Box 448  
Broken Hill NSW 2880

### 7.3 Council Business Papers

Council agendas are made publicly available and are usually uploaded on to Council's website the Friday prior to the Ordinary Monthly Council meeting.

Agendas can also be viewed at the Charles Rasp Memorial Library or at Council's Administrative Centre.

Minutes from previous Council meetings are also made publicly available on Council's website as soon as possible after they have been endorsed.

### 7.4 Community Consultation – Having Your Say

Council invites the community to have their say on the formation of Council's policy and service delivery. Council communicates with the community and encourages communication and feedback through various channels such as Council's website, Council's official Social Media channels, surveys, advertising in the local newspaper, radio stations and media releases.



### 7.5 Documents on Public Display

All significant plans, strategies and policies of Council are placed on exhibition in draft form so that interested members of the public may view them and make comments should they wish to.

Exhibition documents are available on Council's website, at the Charles Rasp Memorial Library or at Council's Administrative Centre and submissions should be addressed to the General Manager.

### 7.6 Section 355 Committees

Council also co-ordinates a range of Section 355 Asset and Advisory Committees.

A Section 355 Committee is a committee established under Section 355 of the *Local Government Act 1993*, to assist Council with the operation and maintenance of various Council facilities and services.

Managing community assets is an essential part of Council activities and the community of Broken Hill has strong representation on a number of Council committees to help manage the City's interests and public assets.

There are eight Asset Committees and three Advisory Committees. They include:

#### Asset Committees

1. Alma Oval Community Committee
2. BIU Band Hall Community Committee
3. ET Lamb Memorial Oval Community Committee
4. Friends of the Flora and Fauna of the Barrier Ranges Community Committee
5. Memorial Oval Community Committee
6. Norm Fox Sporting Complex Community Committee
7. Picton Sportsground Community Committee
8. Riddiford Arboretum Community Committee

#### Advisory Committees

1. Broken Hill Heritage Committee
2. Broken Hill Regional Art Gallery Advisory Group
3. Community Strategic Plan Round Table Committee

Members of the public are encouraged to nominate for a position on Section 355 Committees.

## 8. INFORMATION HELD AT COUNCIL AND HOW TO ACCESS

Council holds information in various formats in respect of the wide range of functions undertaken by it as well as information which is pertinent to different issues relating to the Broken Hill City Council Local Government Area.

There are 4 main ways in which Council provides access to information:

1. **Mandatory Proactive Release**
2. **Authorised Proactive Release**
3. **Informal Release**
4. **Formal Access Applications**

Under the *Government Information (Public Access) Act 2009*, (*GIPA Act*), there is a right of access to certain information held by Council, unless there is an overriding public interest against its disclosure. Any applications made under the *GIPA Act* will be processed in accordance with the requirements of the *GIPA Act*.

### 8.1 Mandatory Proactive Release - Open Access Information

Under Schedule 1 of the *Government Information (Public Access) Regulation 2018*, Council must make the following information, classified as 'open access information', publicly available unless there is an overriding public interest against disclosure.

Where possible, open access information will be made available on Council's website ([www.brokenhill.nsw.gov.au](http://www.brokenhill.nsw.gov.au)). Where open access information is not made available on Council's website, it will be made available for viewing at Council's Administrative Building during normal business hours.

**Fees:** A fee may apply for the release of information. Fees are detailed in Council's Schedule of Fees and Charges, updated each financial year and available on Council's website. An example of when a fee may be applied includes staff searches of building/development records, copy of building plans, a bound copy of the Local Environmental Plan, or Local Environmental Plan maps.

8.1.1 Information about Council		
Document/Record Type	Description	How to Access
Agency Information Guide	This document sets out the functions of Broken Hill City Council and the type of information held by Council and how it can be accessed.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
Council Policies	Documents used to exercise Council functions.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
Register of Government Contracts.	A register of contracts awarded by Broken Hill City Council valued at \$150,000 or more.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> – under Access to Information

8.1.1 Information about Council		
Document/Record Type	Description	How to Access
Disclosure Log of Formal (Access) Applications for Information	The <i>GIPA Act</i> requires Council to publish a Disclosure Log that records details of formal requests for information (access applications) where Council considers that the information requested may be of interest to other members of the public.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> – Access to Information
The Model Code of Conduct prescribed under Section 440(1) of the <i>Local Government Act 1993</i>	Outlines the conduct obligations of Council officials.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
Code of Meeting Practice	Summarises the procedures for all Council and Council Committee Meetings.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
Annual Report inclusive of Annual Financial Statements	Outlines Council's performance and achievements against its key strategies and objectives.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
Auditor's Reports	Outlines the financial position of Council and is included in the Annual Financial Statements.	Auditor's Reports – see Financial Statements
Equal Employment Opportunity Management Plan	Policy that outlines the equal employment opportunities within Council.	Informal request for information Council's Intranet – Employee policies
Policy concerning the Payment of Expenses incurred by and the Provision of Facilities to Councillors	A policy to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> – Councillor Support Policy
Annual Reports of bodies Exercising Functions Delegated by Council	S355 Community Committees provide Annual Reports and are reported to Council and the community.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> – Council Meeting Business Papers
Any Codes referred to in the <i>Local Government Act 1993</i>	The codes are referenced in Council's Code of Conduct Policy and Code of Meeting Practice Policy	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> – Policies

8.1.1 Information about Council		
Document/Record Type	Description	How to Access
Returns of Interests of Councillors, Designated Persons and Delegates	Returns of interest are reported to Council each September.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> – Access to Information Council Meeting Business Papers
Agendas and Business papers from any meeting of Council or any Committee of Council	Monthly reports to Council Ordinary Meeting including Extraordinary Meetings.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> – Meetings
Minutes of any meeting of Council or any Committee of Council	Minutes recording the records of any meeting of Council or any Committee of Council, inclusive of adopted recommendations by Council.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> – Meetings
Land Register	A register of all lands vested in Council, or under its control.	Informal request for information
Register of Investments	A written report setting out details of all monies that have been invested under Section 625 (2) of the <i>Local Government Act 1993</i> , and reported to Council monthly.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> Council - "Meetings", "Minutes and Agendas".
Register of Delegations	A register of the functions delegated to the Mayor, General Manager, and to Council staff, which is adopted each term of Council.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> Access to Information
Register of Graffiti Removal Works	A register containing records of graffiti removal works that are maintained in a database.	Informal request for information
Register of current Declarations of Disclosures of Political Donations	A register containing information regarding disclosures of political donations.	Informal request for information
Register of Voting on Planning Matters	Documents containing information of voting on planning matters which is available for viewing by members of the public – Council Business Paper (Resolution of Council) or NSW Regional Planning Panel.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> Or NSW planning portal <a href="http://www.planningportal.nsw.gov.au">www.planningportal.nsw.gov.au</a>

8.1.2 Plans and Policies		
Document/Record Type	Description	How to Access
Local Policies adopted by Council concerning approvals and orders	Provide guidance for those participating in the local approvals process and specify criteria which Council will take into consideration in determining applications for approval under the <i>Local Government Act 1993</i> .  Criteria to be considered before issuing certain order under section 124 of the <i>Local Government Act</i> .	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>  Policies - Local Approvals Policy and Local Orders Policy
Plans of Management for Community Land	Outlines the plans in the management of Broken Hill City Council.	Informal request for information
Environmental Planning Instruments, Development Control Plans and Contribution Plans	The principal legal documents for controlling all development within Broken Hill City Council.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>

8.1.3 Information about Development Applications		
Document/Record Type	Description	How to Access
Register of Development Applications Lodged and Determined	A register listing the full details of Development Applications lodged and determined.	Informal request for information – Development Applications after 1 July 2010  Formal request for information – Development Applications prior to 1 July 2010  Or  Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> - DA Tracker
Environmental Planning Instruments, Development Control Plans and Contribution Plans	The legal documents and frameworks for controlling all development within Broken Hill City Council municipality.	Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>

8.1.3 Information about Development Applications		
Document/Record Type	Description	How to Access
Development Applications and associated documents including, but not limited to: Application Form, Determination and Conditions, Officer's Delegated Authority report, Statement of Environmental Effects, Plans (excluding floor plans), Construction and Occupation Certificates, Home Warranty Insurance documents, Acoustic Consultants' reports, Structural Certification documents, Heritage Consultants' reports, Land Contamination reports, Tree Inspection Consultants' reports	Development and Construction application files and associated documents.	<p>Informal request for information – Development Applications after 1 July 2010</p> <p>Formal request for information – Development Applications prior to 1 July 2010</p> <p>Or</p> <p>Council's website: DA Tracker</p>
Submissions received on Development Applications	Responses by individuals providing their comments in relation to the Development Application.	<p>Informal request for information – Development Applications after 1 July 2010</p> <p>Formal request for information – Development Applications prior to 1 July 2010</p> <p>Or</p> <p>Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> - DA Tracker</p> <p>Note: Council considers the balance test for public interest in protecting the personal information of submitters.</p>
Records of decisions on Development Applications including decisions on appeals	A record of all development applications received and determined by Council.	<p>Informal request for information – Development Applications after 1 July 2010</p> <p>Formal request for information – Development Applications prior to 1 July 2010</p> <p>Or</p> <p>Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> - DA Tracker</p>

8.1.4 Approvals, Orders and Other Documents		
Document/Record Type	Description	How to Access
Applications for approvals under section 68 of the LG Act	Applications and associated documents received for approval under Section 68 of the <i>Local Government Act</i> .	Informal request for information
Applications for approvals under any other Act and any associated document	Application regarding approval other than Development Application.	Informal request for information
Records of approvals granted or refused, any variation from Council Policies reasons for the variation and decisions made on appeals concerning approvals	A record of approvals granted or refused for specific approvals other than development applications.	Informal request for information
Orders given under Part 2 of Chapter 7 of the <i>Local Government Act 1993</i> and any reasons given under Section 136 of the <i>Local Government Act 1993</i>	Order issued and complied with under section 124 of the <i>Local Government Act</i> .	Informal request for information
Orders given under the Authority of any other Act	Order issued and complied with under the authority of other Acts.	Informal request for information
Records of Building Information Certificates (Building Certificates) under the <i>Environmental Planning and Assessment Act 1979</i>	Record of Building Information Certificates (Building Certificates) issued under the <i>Environmental Planning &amp; Assessment Act 1979</i> .	Informal request for information Copies of Building Certificates are subject to a fee as per Council's Schedule of Fees and Charges
Plans of land proposed to be compulsorily acquired by Council	A plan on authority that is exercised by Council in Compulsory acquiring land.	Informal request for information
Compulsory Acquisition Notices	A notice relating to a specific site which is to be compulsorily acquired.	Informal request for information
Leases and Licenses for use of Public Land classified as Community Land.	Leases and Licenses for use of Public Land classified as Community Land.	Informal request for information

**8.2 Authorised Proactive Release Information**

The *GIPA Act* encourages Council to go beyond the minimum mandatory disclosure requirement, unless there is an overriding public interest against disclosure. This is a discretionary power to release information in any manner considered appropriate, free of charge or at the lowest reasonable cost.

Council will make the following information of public interest available on the website where possible, as part of authorised proactive release.

<b>8.2.1 Administration and Governance</b>		
<b>Document/Record Type</b>	<b>Description</b>	<b>How to Access</b>
Community Strategic Plan (CSP)	Plan outlines the community's aspirations and main priorities for the future.	Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
Delivery Program inclusive of Operational Plan	Details the principal activities to be undertaken by Council to implement the strategies in the Community Strategic Plan.	Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
Progress reports on Delivery Program	Reports on progress of the activities and actions detailed in the Delivery Program.	Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
Long Term Financial Plan	Inclusion in Resourcing Strategy for the provision of resources required to implement the CSP.	Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
Workforce Management Plan	Inclusion in Resourcing Strategy for the provision of resources required to implement the CSP.	Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
Approved Council strategies and plans	Plans/documents used in connection with the functions.	Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
Disability Inclusion Action Plan (DIAP)	Outlines Council's commitment to improving opportunities for people with a disability of all ages to access the full range of services and activities available in the community.	Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
Progress report on Disability Inclusion Action Plan	Reports on progress of the activities and actions detailed in the Disability Inclusion Action Plan.	Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>



8.2.1 Administration and Governance		
Document/Record Type	Description	How to Access
Reconciliation Action Plan (RAP)	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 RAP.	Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
State of the Environment Reports (SOE)	Report on environmental activities and indicators undertaken to enhance and protect the local environment.	Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
End of Term Report	Report on Council's achievements in implementing the CSP over the term of the Council (4 years).	Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
Community Management Committees	Delegated authority to manage some of Council facilities and functions.	Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a> – Section 355 Community Committees
Schedule of Fees and Charges	Pricing policy – fees and charges for the current financial year.	Council's website: <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>

### 8.3 Informal Release

Access to information that is not available as mandatory or authorised proactive release may be provided through discretionary release.

Council is authorised to release information unless there is an overriding public interest against disclosure. Informal release can enable the release of as much information as possible, however Council is also authorised to redact content from information released, if its inclusion would otherwise result in an overriding public interest against disclosure.

Applications can be made to Council by submitting an Informal Request for Information. The *GIPA Act* does not set a limit for the processing of informal requests for information, therefore these requests are balanced against the other duties for which the Governance team is responsible, and can take up to 20 working days to finalise.

#### 8.4 Formal Access Applications

A formal access application is required to be submitted if the information being sought:

- Is not available via proactive or informal release;
- Is of a sensitive nature that requires careful weighing of the considerations in favour of, and against, disclosure;
- Contains personal or confidential information about a third party that may require consultation; or
- Would involve an unreasonable amount of time and resources to produce.

Applications must be made to Council by:

- Submitting the Formal Request for Information Form, together with the application fee (\$30). Additional processing charges may be applicable at a rate of \$30 per hour;
- Specify clearly that it is made under the *GIPA Act*;
- Provide sufficient detail to enable Council to identify the information requested; and
- Include an Australian postal address

Note: An application will be invalid if it seeks access to excluded information of Council or does not meet the formal requirements for an access application.

Council will advise the applicant within 20 working days of receipt of the request of its decision to provide information and in cases where the applicant is aggrieved by Council's determination, an appeal may be lodged. Information on how this may be done will be included with Council's determination notice.

## 9. OTHER GOVERNMENT OPEN DATA

In Australia, there are many other open data initiatives. Open data are large datasets available to anyone with an internet connection.

The **federal government** open data portal can be accessed via [data.gov.au](http://data.gov.au)

**Data.gov.au** is a centralised source of Australian open government data. In addition to government data, publicly funded research data and datasets from private institutions that are of public interest can also be found here.

The **NSW government** portal can be accessed via [data.nsw.gov.au](http://data.nsw.gov.au)

**Data. NSW** aims to increase the safe use of data across NSW government, to support better customer service, policy development, responsiveness and innovation.

## 18. HOW DO I CONTACT COUNCIL

HOW?	CONTACT DETAILS
IN PERSON	Council Administrative Centre 240 Blende Street Broken Hill NSW 2880
POST	Broken Hill City Council PO Box 448 Broken Hill NSW 2880
PHONE	08 8080 3300
FAX	08 8088 3424
EMAIL	council@brokenhill.nsw.gov.au
OPENING HOURS	9.00 am to 4pm Monday to Friday

### 10.1 Contact

For specific information or enquiries regarding access to information at Broken Hill City Council, please contact:

The Public Officer  
PO Box 448  
Broken Hill NSW 2880  
Phone: 08 8080 3300  
Email: council@brokenhill.nsw.gov.au

If you wish to learn more about your right to information, please contact the Information and Privacy Commission at [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)



[www.brokenhill.nsw.gov.au](http://www.brokenhill.nsw.gov.au)

ORDINARY MEETING OF THE COUNCIL

December 1, 2020

**ITEM 5**

BROKEN HILL CITY COUNCIL REPORT NO. 173/20

SUBJECT: MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETINGS HELD 12 NOVEMBER 2020 AND 19 NOVEMBER 2020 13/19

**Recommendation**

1. That Broken Hill City Council Report No. 173/20 dated December 1, 2020, be received.
2. That minutes of the Audit, Risk and Improvement Committee meetings held 12 November 2020 and 19 November 2020 be received.
3. That Council endorses the recommendations of the Audit, Risk and Improvement Committee Meetings held 12 November 2020 and 19 November 2020.

**Executive Summary:**

The Charter of the Broken Hill Audit Committee, as endorsed by Council at its meeting on 29 March 2017, requires the Audit, Risk and Improvement Committee to refer the minutes and recommendations of the Committee to the next scheduled Ordinary Council Meeting.

The Broken Hill City Council Audit, Risk and Improvement Committee met on Thursday, 12 November 2020 and Thursday, 19 November 2020 and the minutes of these meetings are provided as attachments to this report.

**Report:**

The Audit, Risk and Improvement Committee met on 12 November 2020 to consider the following items of business:

1. General Manager's Briefing
2. 2019/2020 Annual Financial Statements

The Audit, Risk and Improvement Committee met on 19 November 2020 to consider the following items of business:

1. General Manager's Briefing
2. Internal Audit Progress Report
3. Enterprise Risk Management Policy and Framework Review Project Report
4. Annual Leave and Long Service Leave Early Warning Reports
5. Action List – Audit, Risk and Improvement Committee
6. Civic Centre Litigation – Confidential Report

Minutes of the meetings held 12 November 2020 and 19 November 2020 are attached to this report for Council's endorsement.

The next meeting of the Audit, Risk and Improvement Committee will be held on 18 February 2021.

**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, Chapter 13, Part 3, Division 2*

**Financial Implications:**

Nil.

**Attachments**

1. [↓](#) Minutes of the Audit, Risk & Improvement Committee Meeting - 12/11/2020
2. [↓](#) Minutes of the Audit, Risk & Improvement Committee Meeting - 19/11/2020

JAY NANKIVELL  
CHIEF FINANCIAL OFFICER

JAMES RONCON  
GENERAL MANAGER

AUDIT, RISK AND IMPROVEMENT COMMITTEE

12 NOVEMBER 2020

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**MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING  
HELD THURSDAY, NOVEMBER 12, 2020 (10:30AM CST)**

**PRESENT:**

Mr. J. Mitchell (Chairperson), Mr. D. Pulgies, Mayor D. Turley, Councillors D. Gallagher and J. Nolan.

Mr B. Hangar (Nexia) and Mr M. Moncada (NSW Audit Office).

General Manager, Chief Financial Officer, Finance Manager and Governance Officer.

**APOLOGIES:**

Mr. D. Nolan (NSW Audit Office).

Motion

Moved Mr. J. Mitchell, Seconded Mayor D. Turley

That the apology submitted on behalf of Mr. D. Nolan be accepted.

CARRIED

**MINUTES FOR CONFIRMATION**

Recommendation

Moved Mr. J. Mitchell, Seconded Mayor D. Turley

That the Minutes of the Audit, Risk and Improvement Committee meeting held Thursday August 20, 2020 be confirmed.

CARRIED

**ACKNOWLEDGEMENT OF COUNTRY**

The Chairperson delivered the acknowledge of Country.

**CONFLICTS OF INTEREST**

Nil.

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AUDIT, RISK AND IMPROVEMENT COMMITTEE

12 NOVEMBER 2020

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**GENERAL MANAGER'S BRIEFING**

*The General Manager advised of his resignation and that he will leaving Council at the end of the year as he has accepted the position of General Manager of Armidale Regional Council in the New England region of New South Wales, commencing on 11 January 2021.*

*The General Manager advised that he has thoroughly enjoyed his time at Broken Hill City Council and reflected on Council's achievements made during his tenure, in particular the improvements made by the Audit, Risk and Improvement Committee since Mr Mitchell and Mr Pulgies came onboard; stating that Broken Hill City Council's Audit, Risk and Improvement Committee is used as a benchmark by the Office of Local Government for other Councils in New South Wales.*

*The General Manager advised that he will give a full report at the Audit, Risk and Improvement Committee Meeting to be held next week.*

**REPORTS**

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 24/20 - DATED NOVEMBER 06, 2020 - 2019/2020 ANNUAL FINANCIAL STATEMENTS** 13/19

*The Chief Financial Officer spoke to the report and gave an overview of the audit process, advising that an issue with software meant that Council missed the start of the audit and hence the delay with receiving the financial statements from the NSW Audit Office. He congratulated the Finance Manager for his efforts and advised that the quality of the papers were much improved from last year; and thanked Brett Hanger and his team for their patience in the early stage of the audit.*

*The Chairperson thanked Council staff and the NSW Audit Office and accepted the Chief Financial Officer's explanation for the delay in the start of the audit process.*

*The Committee worked through the General Purpose Financial Statements and the Special Purpose Financial Statements and the Draft Audit Engagement Closing Report and the following comments were made/matters were discussed:*

- The Chief Financial Officer will provide a more detailed update to the next Audit, Risk and Improvement Committee Meeting in relation to Note 20 – Contingencies – in relation to the Civic Centre litigation.*
- Discussed the reduction in revenue (user fees, increase in unpaid rates, reduction in airport landing fees, waste facility fees, Civic Centre hire fees etc.) due to COVID-19, which is a common theme across all the Local Government sector.*
- Council's action to reduce staff leave balances (for staff with excess leave and in positions affected by a reduction in services due to COVID-19 that could not be re-deployed across the organisation) to ensure employees with low leave balances or who had recently commenced with Council could remain employed and all staff would receive a pay cheque. This action by Council was introduced prior to the Government announcing its JobKeeper or JobSeeker stimulus packages.*
- Council revalued its entire infrastructure property plant and equipment assets portfolio which was a very thorough process. Staff are confident that the valuation amounts are in-line with the fair value review and useful life of the asset review.*
- Statement of performance measures and debt service cover ratio are below benchmarks due to COVID-19 and Civic Centre litigation, but this is expected to turn around by 2023.*

*The Chairperson invited the Auditors Mr Brett Hanger (Nexia) and Mr Manuel Moncada (NSW Audit Office) to address the Committee on the Draft Audit Engagement Closing Report.*

*Mr Moncada introduced himself advising that he had taken over the responsibility of Council's audit*



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AUDIT, RISK AND IMPROVEMENT COMMITTEE

12 NOVEMBER 2020

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from Mr David Nolan who is on extended leave. He spoke of the impact of COVID-19 on all Councils and the introduction of the new accounting standards, and advised that the Draft Audit Engagement Closing Report had been circulated early this week and the finalised report should be available by the end of the week. Only two items require clarification and following this the NSW Audit Office will be able to offer an opinion.

Mr Moncada advised of various resources available on the NSW Audit Office website that look at how government respond to natural disaster and crisis with disaster recovery response and business continuity, which may be beneficial to Council.

Mr Moncada thanked Council management for working through the audit process with Nexia and the challenges of carrying out this work remotely due to COVID-19.

At the conclusion of Mr Moncada's presentation, Mr Pulgies asked whether there was any disagreement between the Audit Office and Council regarding any material matters which needed to be worked through during the audit process. Mr Hanger confirmed that there were no disagreement.

Mr Hanger advised that the Management Letter will be issued later this month, and that there are no high risk items and was satisfied with Council work regarding revenue recognition of capital grants and the revaluation of infrastructure, property, plant and equipment.

Mr Hanger spoke about the quality and timeliness of the audit reporting, stating that it was a bit behind the agreed schedule at the start of the audit process, but was happy with the overall reconciliations and that the audit process was a significant improvement from last year. He spoke about the issue of IT risk from IT controls and that this is a common risk across all Councils, and that some suggested improvements would be included in the Management Letter along with a statement about the impact of the COVID-19 pandemic.

Mr Hanger thanked Council's Chief Financial Officer, Finance Manager and Finance staff for their work during the audit process.

The Chairperson concluded stating that Council has a great management team and a great General Manager to steer them through the audit process, and agrees with the words "unqualified" on the Audit Report. The Chairperson acknowledged the reasons for the delay at the start of the audit process which was due to a software issue and that this hurdle won't be in the way next year.

Recommendation

Moved Mr. J. Mitchell, Seconded Councillor J. Nolan

1. That Broken Hill City Council Report No. 24/20 dated November 6, 2020, be received.
2. That the 2019/2020 Annual Financial Statements be received.
3. That the draft Audit Engagement Closing Report on the Audit for the year ended 30 June 2020 be received.
4. That the 2019/2020 Annual Financial Statements and Report on the Conduct of the Audit be referred to Council for adoption for public exhibition.

CARRIED

**AUDIT, RISK AND IMPROVEMENT COMMITTEE**

**12 NOVEMBER 2020**

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**NEXT MEETING**

The next meeting of the Audit, Risk and Improvement Committee will be held on Thursday 19 November 2020 at 10:00am ACDT.

Meeting closed at 11:45a.m.

The foregoing minutes were read and confirmed at the Audit, Risk and Improvement Committee meeting held on 19 November 2020.

\_\_\_\_\_  
Chairperson

AUDIT, RISK AND IMPROVEMENT COMMITTEE

19 NOVEMBER 2020

**MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING  
HELD THURSDAY, NOVEMBER 19, 2020 (10:00AM ACDT)**

**PRESENT:**

Mr J Mitchell (Chairperson), Mr D Pulgies, Mayor D Turley AM,  
Councillor J Nolan.

Councillor M Clark (part of the meeting)

Mr B Hanger (Nexia), Ms J Malpas (O'Connor Marsden) and Mr A Marsden  
(O'Connor Marsden).

General Manager, Chief Financial Officer, Director Corporate,  
Finance Manager, Corporate Risk Coordinator and Governance Officer.

**APOLOGIES:**

Councillor D Gallagher.

Moved Mr J Mitchell, Seconded Councillor D Turley AM

That the apology submitted on behalf of Councillor Gallagher be accepted.

CARRIED

**ACKNOWLEDGEMENT OF COUNTRY**

The Chairperson delivered the Acknowledgement of Country.

**MINUTES FOR CONFIRMATION**

Recommendation

Moved Mayor D Turley AM, Seconded Mr J Mitchell

That the Minutes of the Audit, Risk and Improvement Committee meeting held Thursday November  
12, 2020 be confirmed.

CARRIED

**CONFLICTS OF INTEREST**

The Mayor declared a conflict of interest in the review of Councillor expenses and advised that she will  
leave the meeting whilst this item is considered.

**GENERAL MANAGER'S BRIEFING**

*The General Manager addressed the Committee about the following items:*

- *The recent COVID-19 outbreak in the northern suburbs of Adelaide was a major concern to Council. Adelaide has gone into a major lockdown for 6 days from midnight last night then a further 8 days of eased restrictions before the restrictions are reassessed. The General Manager advised that a Sitrep was sent to all staff and Councillors this morning advising of*

AUDIT, RISK AND IMPROVEMENT COMMITTEE

19 NOVEMBER 2020

*new procedures in place should staff have travelled to South Australia in the past 10 days. Also that if staff elects to travel to South Australia for non-essential reasons, the requirement to isolate away from the workplace for up to 14 days using their available leave, and return a negative COVID-19 test result before returning to work.*

- *Restrictions effective immediately, for any external contractors or visitors being a resident of Adelaide or have travelled to Adelaide or South Australia in the past 10 days must return a negative COVID-19 test result before entering a Council site.*

*The General Manager also advised that Council assisted the Far West Local Health District to set up screening stations at the Airport and at the Tourist and Travellers Centre to screen travellers arriving by air or by bus from Adelaide. This was a seamless process and showed Council's agility and ability to act quickly when urgent matters arise, and also the change in the organisational culture and attitudes was evident.*

*The Chairperson asked if screening is in place for travellers arriving by train. The General Manager advised that the Indian Pacific is not currently operating and the only passenger train servicing Broken Hill is the XPT which has passengers from NSW not from SA.*

*Following a question from the Mayor, the General Manager confirmed that the Local Emergency Management Committee had met twice this week to discuss the possible impact to Broken Hill of the COVID-19 outbreak in Adelaide and the large influx of people from South Australia who have arrived in the City to avoid the lock-down in South Australia. The General Manager confirmed that the Local Emergency Management Committee made it clear that the Far West Local Health District is the lead agency to provide communications to the local community and local shop owners to be vigilant with their COVID plans (hand sanitising/social distancing etc); and also confirmed that the Police and Far West Local Health District would manage travellers arriving via road from South Australia.*

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 25/20 - DATED NOVEMBER 11, 2020 -  
INTERNAL AUDIT PROGRESS REPORT**

18/142

*The Chairperson advised that Councillors were not required to leave the meeting with regards to the conflict of interest declaration regarding the Councillor Expenses Audit. The Mayor and Councillor Nolan remained in the meeting.*

*Ms Malpas spoke to the report and gave an overview of the three internal audits conducted:*

- *The Councillor Expenses audit went well, with all expenses paid in-line with the Local Government Act, with only one moderate and one minor risk found. It was noted that Council has already taken steps to address these items, and that a comparison was made with two other Council's of which O'Connor Marsden were also conducting the same audit, and this revealed that Broken Hill Councillor expenses were very low.*

*It was agreed that as the Councillor Expenses audit was relatively clean, future audits would be carried out on a rotational basis.*

- *Audit of Airport Security revealed one minor and one moderate risk and some recommendations made about additional CCTV cameras being placed at the Airport Terminal.*
- *Building and Development Application Process revealed three major and three moderate risks, and that some major work is required in this area. It was noted that the audit report is in draft format as the subject industry expert involved in the audit was on leave and has not reviewed the audit report. The final report will be presented to the next Audit, Risk and Improvement Committee Meeting. The final report will include responsibilities for actions recommended.*

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AUDIT, RISK AND IMPROVEMENT COMMITTEE

19 NOVEMBER 2020

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*The Chair sought questions or comments from the Committee regarding the internal audits.*

*The Mayor stated that the Councillor expenses were low probably because most Councillors don't use the resources that they are entitled to and wondered if this was a barrier to Councillors involvement in various matters?*

*Ms Malpas clarified that, with regards to the Airport Security audit, an industry expert was engaged and they travelled to Broken Hill to conduct an onsite inspection of the Airport which informed the audit.*

*Mr Pulgies asked whether there was a regulatory requirement for the frequency of the Airport Safety Program Review, the Chief Financial Officer confirmed that there is a regulatory requirement for this review to be carried out annually and that Council had conducted this review as an internal review and that this audit process had revealed that the annual review needs to be conducted as an independent review. Mr Pulgies stated that this audit needs to be placed on the audit program annually.*

*Ms Malpas advised that future Airport Security audits conducted on an annual basis would be more like a "health check" audit and would include the review of the implementation of previous recommendations. Mr Marsden added that this audit could be undertaken at a time that the auditors were visiting Broken Hill to conduct another audit process.*

*Following questions from the Mayor regarding the Building and Development Application audit, the General Manager advised that Council has advertised twice for the position of Manager Building Development and Compliance and will advertise again in the new year.*

*The Committee discussed the finding of the Building and Development Application audit and the processes suggested for engagement with the team and the implementation of the recommendations in the audit report.*

*The Chairperson thanked the General Manager for bringing the Airport Security audit and the Building and Development Application audit onto the audit program and thanked O'Connor Marsden for conducting the audits and presenting the audit recommendations to the Committee; and looks forward to receiving a timeline from Council for the implementation of the recommendations.*

Recommendation

Moved Mr J Mitchell, Seconded Mr D Pulgies

1. That Broken Hill City Council Report No. 25/20 dated November 11, 2020, be received.
2. That the Audit, Risk & Improvement Committee note the internal audit report on Councillor Expenses.
3. That the Audit, Risk & Improvement Committee note the internal audit report on Airport Security.
4. That the Audit, Risk & Improvement Committee note the draft internal audit report on Building and Development Applications.
5. That the Audit, Risk & Improvement Committee note the progress made on previous internal audit action items.

CARRIED

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AUDIT, RISK AND IMPROVEMENT COMMITTEE

19 NOVEMBER 2020

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Audited Financial Statements for year end 30 June 2020

*The Chairperson advised that the Audit Certificates were circulated to Committee members earlier in the week and that Council had received the Management Report, and that as the representative from the NSW Audit Office was an apology for this meeting, asked Mr Hanger of Nexia if there were any concerns with the audit.*

*Mr Hanger advised that there were no items of high risk, and that the items raised were mostly of a routine nature, and confirmed that the Audit Office was happy with the responses provided by management.*

ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 27/20 - DATED NOVEMBER 10, 2020 -  
ENTERPRISE RISK MANAGEMENT POLICY AND FRAMEWORK REVIEW PROJECT REPORT

13/19

*The Corporate Risk Coordinator spoke to the report advising that in February Council approved the Enterprise Risk Management Policy and that this is the framework to assist staff to manage risk in the organisation. An internal maturity test of the framework will be undertaken annually and reported to this Committee.*

*The Chairperson acknowledged the General Manager and Executive Leadership Team (ELT) who have implemented the policy and framework to manage the risk of the COVID-19 pandemic as a system to ensure the safety and well-being of staff and the broader community. This process has shown that the policy and framework and working well.*

*The Mayor agreed that Council had been more proactive than most Councils in this regard, and that Broken Hill City Council could be used as an example for other Councils to follow.*

*Mr Pulgies agreed that Council had made a lot of progress in the last couple of years in the risk management area and enquired about the reporting capabilities of the Vault IQ system. The Corporate Risk Coordinator explained the reporting functions and timeframes, and the efficiencies that have been gained.*

*The Corporate Risk Coordinator also advised that the draft Framework is currently with ELT for feedback then with the General Manager for approval in December.*

*The Committee discussed Broken Hill's experience with the closure of both the Victorian and South Australia borders over recent months and the current risk to Broken Hill (being close to the NSW/SA border) due to the outbreak in Adelaide and the NSW border remaining open.*

Recommendation

Moved Councillor J Nolan, Seconded Mr J Mitchell

That the Enterprise Risk Management Policy and Framework Review Report dated November 10, 2020, be received.

CARRIED

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AUDIT, RISK AND IMPROVEMENT COMMITTEE

19 NOVEMBER 2020

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**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 28/20 - DATED NOVEMBER 12, 2020 -  
ANNUAL LEAVE AND LONG SERVICE LEAVE EARLY WARNING REPORTS** 13/19

*The Chief Financial Officer spoke to the report advising:*

- *that Council had taken action to reduce leave liabilities and that due to both border closures during COVID-19 pandemic, a lot of staff have not taken as much leave. The process undertaken in March-July to schedule leave for staff with large leave balances was a good process which allow the opportunity to keep these conversations going with staff to bring leave liabilities down and ensure staff take appropriate leave for work health and safety reasons.*
- *Referred to the 34 staff who have excess of 13+ weeks long service leave are long serving staff who commenced prior to December 2010 with protected Long Service Leave up to that date that Council can not enforce them to use.*

*Mr Pulgies advised that most organisations monitor leave for cash flow purposes as well as for the well-being of their staff and asked what the benchmark for leave balances is for the Local Government industry? Also for a Council of similar size to Broken Hill City Council?*

*The Chief Financial Officer advised that Broken Hill City Council's leave liability would always be higher as staff receive six weeks annual leave (newly appointed staff receive five weeks annual leave) plus an RDO every fortnight, as opposed to other NSW Council's whose staff receive four weeks annual leave. This is due to Council's Award which recognises Broken Hill's remote location.*

*The Chairperson requested that a leave liability comparison be made with other NSW Councils of similar size.*

Recommendation

1. That Broken Hill City Council Report No. 28/20 dated November 12, 2020, be received.
2. That a leave liability comparison be made with other NSW Councils of similar size (for this time last year plus the year before), and presented to the next Audit, Risk and Improvement Committee Meeting.

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 29/20 - DATED NOVEMBER 13, 2020 -  
ACTION LIST - AUDIT, RISK AND IMPROVEMENT COMMITTEE** 13/19

Recommendation

Moved Mr J Mitchell, Seconded Mayor D Turley AM

1. That Broken Hill City Council Report No. 29/20 dated November 13, 2020, be received.

CARRIED

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AUDIT, RISK AND IMPROVEMENT COMMITTEE

19 NOVEMBER 2020

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Meeting Dates for 2021

*Following a request from the Chairperson, the Chief Financial Officer advised that a calendar of meeting dates will be circulated to members.*

*The Chairperson thanked all present at the meeting for their contribution to the Audit, Risk and Improvement Committee over the past year, and wish everyone a safe and enjoyable Christmas break.*

*The Meeting moved into closed session at 11:20am.*

*The Finance Manager and Corporate Risk Coordinator left the meeting.*

*Those remaining were Mr Mitchell, Mr Pulgies, Mayor Turley AM, Councillor Nolan, Councillor Clark, Mr Hanger, Ms Malpas, Mr Marsden, the General Manager, Chief Financial Officer, Director Corporate and Governance Officer.*

**CONFIDENTIAL MATTERS**

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 30/20 - DATED NOVEMBER 12, 2020 -  
CIVIC CENTRE LITIGATION - CONFIDENTIAL** 17/114

*The Chief Financial Officer and General Manager gave the Committee an update on the progress of the litigation action.*

**(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).

Recommendation

Moved Mr J Mitchell, Seconded Mayor D. Turley AM

1. That Broken Hill City Council Report No. 30/20 dated November 12, 2020, be received.

CARRIED

Meeting closed at 11:30am.

The foregoing minutes were read and confirmed at the Audit Risk and Improvement Committee meeting held on 18 February 2021.

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Chairperson



## ORDINARY MEETING OF THE COUNCIL

November 27, 2020

**ITEM 6**BROKEN HILL CITY COUNCIL REPORT NO. 172/20SUBJECT: ACTION LIST REPORT11/21**Recommendation**

1. That Broken Hill City Council Report No. 172/20 dated November 27, 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 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

JAMES RONCON  
GENERAL MANAGER

Outstanding For Action	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 1/04/2018 <b>Date To:</b> 30/11/2020 <b>Printed:</b> Monday, 30 November 2020 2:40:52 PM
<b>Action Sheets Report</b> <b>Ordinary Council Meetings</b>		

Meeting	Officer/Director	Section	Subject
Ordinary Council 26/04/2018	VanDerBerg, Francois Roncon, James	Reports	COMPULSORY ACQUISITION OF WARNOCK GOSSAN STREET ROAD RESERVE
<b>Resolved:</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 59/18 dated April 6, 2018, be received.</li> <li>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>.</li> <li>That the acquisition be undertaken in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</li> <li>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>.</li> </ol>			
<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, 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 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, 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 in progress.</p> <p>8 Apr 2020 - 11:16 AM - Leisa Bartlett In progress.</p> <p>8 May 2020 - 11:58 AM - Leisa Bartlett Matter 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 in progress.</p> <p>12 Aug 2020 - 9:41 AM - Leisa Bartlett Matter 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> <p>10 Nov 2020 - 4:11 PM - Leisa Bartlett Matter on hold.</p> <p>30 Nov 2020 - 2:06 PM - Leisa Bartlett Matter on hold.</p>			

Outstanding For Action	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 1/04/2018 <b>Date To:</b> 30/11/2020 <b>Printed:</b> Monday, 30 November 2020 2:40:52 PM
<b>Action Sheets Report</b> <b>Ordinary Council Meetings</b>		

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
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 77/19 dated December 17, 2018, be received.</li> <li>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.</li> <li>That the terms and conditions of the current lease agreement remain the same, including the rent of \$1 per year.</li> <li>That Livebetter Services Limited are responsible for any legal fees incurred by Council.</li> <li>That the Mayor and General Manager be authorised to sign the transfer of lease documents under the Common Seal of Council.</li> </ol> <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 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 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 Matter in progress.</p> <p>10 Nov 2020 - 4:13 PM - Leisa Bartlett Matter in progress.</p> <p>30 Nov 2020 - 2:06 PM - Leisa Bartlett Matter in progress.</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 27/11/2019	VanDerBerg, Francois Roncon, James	Reports	ACQUISITION OF FEDERATION WAY
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 194/19 dated October 21, 2019, be received.</li> <li>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).</li> </ol>			

Outstanding For Action	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 1/04/2018 <b>Date To:</b> 30/11/2020 <b>Printed:</b> Monday, 30 November 2020 2:40:52 PM
<b>Action Sheets Report Ordinary Council Meetings</b>		

- 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*.
- 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*.
- 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 - 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 with the OLG.

12 Aug 2020 - 9:42 AM - Leisa Bartlett

Matter with OLG.

17 Sep 2020 - 3:07 PM - Leisa Bartlett

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

16 Oct 2020 - 8:44 AM - Leisa Bartlett

Awaiting approval from OLG.

10 Nov 2020 - 4:14 PM - Leisa Bartlett

Acquisition approved by OLG. Solicitor is preparing acquisition documents.

30 Nov 2020 - 2:07 PM - Leisa Bartlett

Acquisition Notices have been drafted.

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

- 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

12 Aug 2020 - 10:00 AM - Leisa Bartlett

Solicitors are drawing up the lease 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.

10 Nov 2020 - 4:23 PM - Leisa Bartlett

Solicitors have finalised the draft lease and the lease is being sent to Axicom Pty Ltd for signature.

30 Nov 2020 - 2:09 PM - Leisa Bartlett

Solicitors liaising with Axicom re execution of lease.

Meeting	Officer/Director	Section	Subject
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Outstanding For Action	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 1/04/2018 <b>Date To:</b> 30/11/2020 <b>Printed:</b> Monday, 30 November 2020 2:40:52 PM
<b>Action Sheets Report</b> <b>Ordinary Council Meetings</b>		

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
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Broken Hill City Council Report No. 105/20 dated July 1, 2020, be received.</li> <li>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.</li> <li>3. That the lease term be 25 years and the annual rental be the minimum Crown Lands rental.</li> <li>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.</li> </ol>			
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. 10 Nov 2020 - 4:26 PM - Leisa Bartlett Licence is with the Broken Hill Speedway Club for signature. 30 Nov 2020 - 2:11 PM - Leisa Bartlett Licence with Speedway Club for signature.</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Nankivell, Jay Roncon, James	Reports	Christmas and New Year's Eve Events
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Broken Hill City Council Report No. 129/20 dated September 17, 2020, be received.</li> <li>2. That Council note the below report.</li> <li>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.</li> <li>4. That Council develops more ideas to celebrate Christmas and New Year's Eve at various locations across the City.</li> </ol>			
CARRIED UNANIMOUSLY			
<p>15 Oct 2020 - 12:01 PM - Leisa Bartlett Media release issued advising businesses of our intention and governance structure being set up to invite businesses formally. Christmas Tree &amp; Decorations ordered. Further ideas being investigated with input from Councillors requested. 10 Nov 2020 - 4:55 PM - Leisa Bartlett Forms developed and communicated to business owners for use. 30 Nov 2020 - 2:11 PM - Leisa Bartlett COMPLETE</p>			

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
<b>Resolved</b>			

Outstanding For Action	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 1/04/2018 <b>Date To:</b> 30/11/2020 <b>Printed:</b> Monday, 30 November 2020 2:40:52 PM
<b>Action Sheets Report Ordinary Council Meetings</b>		

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.

10 Nov 2020 - 4:27 PM - Leisa Bartlett

In lease discussions with applicant, a meeting is being arranged with representatives of West Darling Arts during the week commencing 16 November 2020.

30 Nov 2020 - 2:13 PM - Leisa Bartlett

Lease discussions commenced.

Meeting	Officer/Director	Section	Subject
Ordinary Council 28/10/2020	Bartlett, Leisa Roncon, James	Notice of Motion	TELLUS HOLDINGS LTD - PROPOSED BLUE BUSH PROJECT
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Motions of Which Notice has been Given No. 17/20 dated October 16, 2020, be received.</li> <li>2. That Council writes to the Coolgardie Shire Council and the Alice Springs Town Council to seek advice on any positive effects or negative effects that the hazardous waste disposal facility has had on their communities and in particular regarding the creation of employment; also any fears that the community had prior to the construction of the facility which may have been allayed once the facility was operational.</li> </ol>			
CARRIED			
5 Nov 2020 - 3:40 PM - Leisa Bartlett			
Letters sent seeking a videoconference meeting with the Mayor of each Council.			
30 Nov 2020 - 2:13 PM - Leisa Bartlett			
Mayor held Zoom meeting with Alice Springs Mayor on 27/11/20 and Coolgardie Shire President on 2/12/20.			
COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 28/10/2020	Bartlett, Leisa Roncon, James	Reports	CORRESPONDENCE REPORT - NSW GOVERNMENT SMALL BUSINESS SUPPORT GRANTS
<b>Resolved</b>			



Outstanding For Action	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 1/04/2018 <b>Date To:</b> 30/11/2020 <b>Printed:</b> Monday, 30 November 2020 2:40:52 PM
<b>Action Sheets Report Ordinary Council Meetings</b>		

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.
3. That Council writes to the Premier of NSW, The Hon Gladys Berejiklian MP and The Treasurer, The Hon Dominic Perrottet MP, requesting that Broken Hill be considered as a border town given its proximity to the South Australian border and its remoteness in order for Broken Hill businesses to be eligible for the NSW Southern Border Small Business Support Grant along with the NSW Small Business Support Grant and Small Business Recovery Grant.
4. That Council develops a policy that engages and helps small businesses that are struggling through difficult times.

CARRIED UNANIMOUSLY

10 Nov 2020 - 2:23 PM - Leisa Bartlett

Letters sent to the NSW Premier and Treasurer 10/11/20.

Item 4 (development of a policy) has been referred to the Our Economy KDWG.

27 Nov 2020 - 3:59 PM - Leisa Bartlett

Our Economy KDWG met in November.

Email sent to all Councillors on 18 November 2020 seeking input into the structure of the policy.

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/11/2020	Nankivell, Jay Roncon, James	Reports	PUBLIC PRESENTATION OF 2019/2020 FINANCIAL STATEMENTS
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Broken Hill City Council Report No. 151/20 dated November 16, 2020, be received.</li> <li>2. That Council adopt the financial statements and present the Annual Financial Statements inclusive of the Auditor's Reports for 2019/20 to the public.</li> </ol>			
CARRIED			
27 Nov 2020 - 4:03 PM - Leisa Bartlett			
2019/2020 Financial Statements placed on Council's website under the Public Notice section.			
COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/11/2020	Nu'man, Razija Roncon, James	Reports	DRAFT 2019/2020 ANNUAL REPORT
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Broken Hill City Council Report No. 152/20 dated October 13, 2020, be received.</li> <li>2. That the Draft 2019/2020 Annual Report, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements and audited Annual Financial Statements, for the reporting period 1 July 2019 to 30 June 2020, be adopted</li> <li>3. That the 2019/2020 Annual Report, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements and audited Annual Financial Statements for the reporting period 1 July 2019 to 30 June 2020, be posted on Council's website.</li> <li>4. That Council's web link for the 2019/2020 Annual Report, inclusive of Delivery Program Achievements, Disability Inclusion Action Achievements and audited Annual Financial Statements for the reporting period 1 July 2019 to 30</li> </ol>			

Outstanding For Action	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 1/04/2018 <b>Date To:</b> 30/11/2020 <b>Printed:</b> Monday, 30 November 2020 2:40:52 PM
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June 2020, be provided to the Minister via the Office of Local Government and Minister for Disability Services, by 31 December 2020.

CARRIED

27 Nov 2020 - 12:18 PM - Jodie Brealey

COMPLETE - Annual report updated with minute number, uploaded to website and website link sent to OLG and Min Disability

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/11/2020	Nu'man, Razija Roncon, James	Reports	CODE OF CONDUCT COMPLAINTS STATISTICS ANNUAL REPORT - 2019/2020
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Broken Hill City Council Report No. 153/20 dated October 14, 2020, be received.</li> <li>2. That the Code of Conduct Complaints Statistics Annual Report for the Broken Hill City Council for the period of 1 September 2019 – 31 August 2020 be forwarded to the Office of Local Government.</li> </ol>			
CARRIED UNANIMOUSLY			
27 Nov 2020 - 12:20 PM - Jodie Brealey			
COMPLETE - Code of Conduct Complaint Statistics Annual Report 01/09/2019-31/08/2020 forwarded to OLG			

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/11/2020	Bartlett, Leisa Roncon, James	Reports	ADOPTION OF DRAFT INVESTMENT POLICY
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Broken Hill City Council Report No. 155/20 dated October 13, 2020, be received.</li> <li>2. That Council adopts the Draft Investment Policy as a Policy of Council.</li> <li>3. That adoption of the Draft Investment Policy will render the Investment Policy, adopted in 2017, obsolete.</li> </ol>			
CARRIED			
27 Nov 2020 - 4:04 PM - Leisa Bartlett			
All processes undertaken to adopt policy.			
COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/11/2020	Bartlett, Leisa Roncon, James	Reports	DRAFT CODE OF PRACTICE CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM PROGRAMME POLICY FOR PUBLIC EXHIBITION
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Broken Hill City Council Report No. 156/20 dated November 5, 2020, be received.</li> <li>2. That Council notes CCTV cameras have been installed at the Broken Hill Pound.</li> <li>3. That the Code of Practice Closed Circuit Television (CCTV) Programme Policy be amended to include the new CCTV cameras installed at the Broken Hill Pound.</li> <li>4. That Council publicly exhibits Code of Practice Closed Circuit Television (CCTV) Programme Policy and accepts submissions from the public for a period of 28 days.</li> </ol>			



Outstanding For Action	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 1/04/2018 <b>Date To:</b> 30/11/2020 <b>Printed:</b> Monday, 30 November 2020 2:40:52 PM
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5. That Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the draft Code of Practice Closed Circuit Television (CCTV) Programme Policy.

CARRIED UNANIMOUSLY

27 Nov 2020 - 4:10 PM - Leisa Bartlett

All processes complete to place draft policy on public exhibition closing 27/12/20.  
COMPLETE.

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/11/2020	Andrews, Anne Roncon, James	Reports	DRAFT HERITAGE STRATEGY 2020-2023
<b>Resolved</b>			
<p>1. That Broken Hill City Council Report No. 158/20 dated November 11, 2020, be received.</p> <p>2. That the draft Heritage Strategy 2020 – 2023 be placed on public exhibition for 28 days to allow for public comment.</p> <p>3. That Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the draft Heritage Strategy for 2020 -2023.</p> <p>4. That a Working Group be re-established to investigate and progress, in conjunction with the Office of Environment and Heritage and the mining companies, the retention of critical mining infrastructure as an essential part of Broken Hill's history and future tourism opportunities.</p>			
CARRIED UNANIMOUSLY			
<p>27 Nov 2020 - 4:11 PM - Leisa Bartlett</p> <p>All processes complete to place the draft Strategy on public exhibition closing 27/12/20. Terms of Reference for the re-establishment of a Working Group are being drafted and will be presented to a future Council Meeting.</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/11/2020	Bartlett, Leisa Roncon, James	Reports	DRAFT RENEWABLE ENERGY ACTION PLAN FOR PUBLIC EXHIBITION
<b>Resolved</b>			
<p>1. That Broken Hill City Council Report No. 159/20 dated November 12, 2020, be received.</p> <p>2. That the draft Renewable Energy Action Plan incorporates option 4.2 Smart metering and load control and option 4.3.1 Medium Scale Solar Arrays as Council's preferred direction for the Plan.</p> <p>3. That Council publicly exhibits the draft Renewable Energy Action Plan and accepts submissions from the public for a period of 28 days.</p> <p>4. That Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the draft Renewable Energy Action Plan as a Plan of Council.</p>			
CARRIED			
<p>27 Nov 2020 - 4:11 PM - Leisa Bartlett</p> <p>All processes complete to place draft Plan on public exhibition closing 27/12/20. COMPLETE.</p>			

Outstanding For Action	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 1/04/2018 <b>Date To:</b> 30/11/2020 <b>Printed:</b> Monday, 30 November 2020 2:40:52 PM
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Meeting	Officer/Director	Section	Subject
Ordinary Council 25/11/2020	Andrews, Anne Roncon, James	Reports	NOTIFICATION OF APPOINTMENT OF NATIVE TITLE MANAGER UNDER THE CROWN LAND MANAGEMENT ACT 2016
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 160/20 dated November 2, 2020, be received.</li> <li>That Council nominate Georgina Falkner (Strategic Land Use Planner) as Council's Native Title Manager under the <i>Crown Land Management Act 2016</i>.</li> <li>That Council give notice to the Minister for Lands and Forestry of the name and contact details of Council's appointed Native Title Manager, as required under Section 8.8 of the <i>Crown Lands Management Act 2016</i>.</li> </ol>			
CARRIED UNANIMOUSLY			
30 Nov 2020 - 2:19 PM - Leisa Bartlett Minister for Crown Lands notified of Council's Native Title Manager. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/11/2020	Nankivell, Jay Roncon, James	Reports	COMMUNITY ASSISTANCE GRANTS AWARDED FOR ROUND 2 OF 2020/2021
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 161/20 dated November 18, 2020, be received.</li> <li>That Council notes the Community Assistance Grants awarded for Round Two of 2020/2021 which were recommended by the Panel on 18 November 2020 and approved by the General Manager.</li> <li>That the unspent grant money of \$24,993.90 from Round Two of 2020/2021 be used as follows:               <ul style="list-style-type: none"> <li>That \$18,627.00 be used to increase the budget for Christmas lights and Christmas decorations in the shopping precincts in Broken Hill as per Council's resolution of 30 September 2020 Minute No. 46355 (this budget was created using the funds allocation for the Christmas Pageant and the New Year's Eve events which were cancelled due to COVID-19).</li> <li>That Council considers the following report to provide a waiver of fees to the Broken Hill Harness Racing Club and the Central Football Club for hire of the Memorial Oval facilities to a total amount of \$6,366.50. <i>Note:</i> A separate report to Council regarding the request from the Memorial Oval Community Committee for a waiver of fees is included as the next report in the November 2020 Business Paper for Council's consideration.</li> </ul> </li> </ol>			
CARRIED UNANIMOUSLY			
27 Nov 2020 - 4:12 PM - Leisa Bartlett Funds transfer being arranged for surplus funds to go into budget for Christmas lights and decorations as per Min 46355 of September 2020 Council Meeting. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/11/2020	Nankivell, Jay Roncon, James	Reports	REQUEST FOR REDUCTION IN MEMORIAL OVAL HIRE FEES DUE TO COVID-19 PANDEMIC PUBLIC ORDER RESTRICTIONS ON GATHERINGS AND EVENTS
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 162/20 dated November 18, 2020, be received.</li> </ol>			

Outstanding For Action	<b>Division:</b> <b>Committee:</b> Ordinary Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 1/04/2018 <b>Date To:</b> 30/11/2020 <b>Printed:</b> Monday, 30 November 2020 2:40:52 PM
<b>Action Sheets Report Ordinary Council Meetings</b>		

2. That correspondence from the Memorial Oval Community Committee requesting a reduction/waiver of hire fees of the Memorial Oval facilities for the Central Football Club and the Broken Hill Harness Racing Club due to a reduction in usage as a result of the COVID-19 pandemic Public Order restrictions on gatherings and events, and also the reduction in patrons at these events, be received.
3. That Council waiver 50% of the annual hire fee for the Central Football Club at the Memorial Oval (being \$1,296.50), due to the cancelled AFL season in Broken Hill.
4. That Council waiver 50% of the annual canteen/bar hire fee of the Memorial Oval facilities (being \$2,016.00) to the Broken Hill Harness Racing Club to reflect a reduction in usage over the 2020/21 racing season.
5. That Council reduces the current oval hire fee of \$1,018.00 for the Broken Hill Harness Racing Club by 30% (new fee \$712.60) for the upcoming 10-week racing season commencing January 2021.
6. That the total amount of \$6,366.50 in waiver of fees be covered by the surplus funds from Round 2 of the Community Assistance Grant program for 2020/2021.

CARRIED UNANIMOUSLY

27 Nov 2020 - 4:13 PM - Leisa Bartlett

The Memorial Oval Community Committee have been notified of Council's resolution and requested to invoice the two sporting organisations the reduced fees for the 2020/2021 financial year. Internal transfer arranged for waiver of fees to be paid from the Community Assistance Grants fund into the Memorial Oval Community Committee fund.

COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/11/2020	Nankivell, Jay Roncon, James	Reports	MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 408 HELD TUESDAY, 10 NOVEMBER 2020

**Resolved**

1. That Broken Hill City Council Report No. 164/20 dated November 12, 2020, be received.
2. That the minutes of the Local Traffic Committee Meeting No. 408 held Tuesday, 10 November 2020 be received.
3. That Item Number 408.6.6 – Gypsum Street – Request for Angle Parking; that 5 angle parks (60 degree) be installed directly in front of Pets Tucker, Gypsum Street. No time limits to apply.
4. That Item Number 403.6.6 – Brown Street – Speeding Motorists; that in the new bituminised section of Brown Street, at the inlet and outlet of the drainage, armco rails or w-beam rails are installed and at the two speed cushion locations hard plastic bollards are installed.
5. That Item Number 406.6.6 – Blende Street – Library Parking; that the three 2-hour time restricted car parks at the side of the Library, be changed to 1-hour, and that a disabled car parking space and Broken Hill City Council staff only car parking space, be installed in the carpark at the 'Roundhouse Toilets'.
6. That the matter of loading zones in the City be referred to Council for comprehensive review and further recommendations.

CARRIED UNANIMOUSLY

30 Nov 2020 - 2:21 PM - Leisa Bartlett

Item 3 - completed.

Item 4 - scheduled for the end of January 2021.

Item 5 - scheduled to be completed before Christmas shutdown.

Item 6 - in progress.

Meeting	Officer/Director	Section	Subject
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Outstanding  
For Action

**Division:**  
**Committee:** Ordinary Council  
**Officer:**  
**Further Report Required:** Including Further Reports

**Date From:** 1/04/2018  
**Date To:** 30/11/2020  
**Printed:** Monday, 30 November 2020 2:40:52 PM

## Action Sheets Report Ordinary Council Meetings

Ordinary Council 25/11/2020	Nu'man, Razija Roncon, James	Confidential Matters	EXPRESSIONS OF INTEREST FOR - RECRUITMENT OF GENERAL MANAGER
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### Resolved

1. That Mayoral Minute No. 12/20 dated November 16, 2020, be received.
2. That Council engages Blackadder and Associates to undertake the process for recruiting to the position of General Manager for the Broken Hill City Council.
3. That the Mayor be authorised to execute contract documents under the Seal of Council (if required) to engage the successful Executive Recruitment firm.

CARRIED UNANIMOUSLY

30 Nov 2020 - 10:50 AM - Leisa Bartlett

Successful and unsuccessful letters sent. Mayor has arranged a Zoom meeting for 30/11/20 with Stephen Blackadder for initial discussions and to confirm timeline for the recruitment process.  
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/11/2020	Nankivell, Jay Roncon, James	Confidential Matters	REQUEST FOR TENDER T20/3 FOR SUPPLY OF BULK MATERIALS 2021 CONTRACT - VP208137

### Resolved

1. That Broken Hill City Council Report No. 167/20 dated November 13, 2020, be received.
2. That E.B Mawson & Sons Pty Ltd be awarded the 12-month contract for supply of aggregate, road base, concrete, crusher dust and loam to Broken Hill City Council.
3. That SAMI Bitumen Technologies Pty Ltd be awarded the 12-month contract for supply of emulsion and cutter oil to Broken Hill City Council.
4. SAMI Bitumen Technologies (Vic) Pty Ltd be awarded the 12-month contract for supply of bitumen to Broken Hill City Council.

CARRIED UNANIMOUSLY

30 Nov 2020 - 2:24 PM - Leisa Bartlett

Tender awarded.  
COMPLETE

## **COMMITTEE REPORTS**

1. BROKEN HILL CITY COUNCIL REPORT NO. 174/20 - DATED  
NOVEMBER 25, 2020 - MINUTES OF THE FRIENDS OF THE FLORA  
AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE  
MEETINGS HELD TUESDAY, 17 NOVEMBER 2020 (12/51) .....146

## ORDINARY MEETING OF THE COUNCIL

November 25, 2020

**ITEM 1**BROKEN HILL CITY COUNCIL REPORT NO. 174/20

SUBJECT: MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE  
BARRIER RANGES COMMUNITY COMMITTEE MEETINGS HELD  
TUESDAY, 17 NOVEMBER 2020 12/51

**Recommendation**

1. That Broken Hill City Council Report No. 174/20 dated November 25, 2020, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held Tuesday, 17 November 2020 be received.
3. That Council accepts the resignation of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Member Ms Lindy Molesworth.
4. That Council forward a letter of appreciation and gratitude to Ms Lindy Molesworth for her contribution to the committee and community.

**Executive Summary:**

Council has received minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Special Committee Meeting held Tuesday, 17 November 2020 for endorsement by Council.

Council also received a resignation email from a member of the Committee for endorsement by Council.

**Report:**

As per Council's Section 355 Asset Committee Framework Manual and the Constitution of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee (both adopted March 2017), the Committee is required to provide Council with a copy of their meeting minutes following each Committee meeting.

The Friends of the Flora and Fauna of the Barrier Ranges Community Committee has submitted minutes from its special meeting held Tuesday, 17 November 2020. The special meeting was held to discuss the return of volunteers to the Living Desert. A training session was also undertaken on the requirements for operating conditions under COVID-19 regulations.

Council received an email of resignation dated Wednesday, 11 November 2020 from Ms Lindy Molesworth and due to the Friends of the Flora and Fauna of the Barrier Ranges Community Committee being inactive due to the COVID-19 restrictions, the email was forwarded to the Committee Secretary who sought acceptance of the resignation from the Chairperson (see attached email).

The resignation letter is presented to Council for endorsement.

**Community Engagement:****Strategic Direction:**

Key Direction:	1	Our Community
Objective:	1.4	Our built environment supports our quality of life
Strategy:	1.4.2	Maintain the serviceability of Council's assets at an appropriate condition level

**Relevant Legislation:**

The Friends of the Flora and Fauna of the Barrier Ranges Community Committee operates under Council's Section 355 Asset Committee Constitution and the *Local Government Act 1993* (Section 355).

**Attachments**

1. MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER  
[↓](#) RANGES COMMUNITY COMMITTEE - NOVEMBER 2020
2. Resignation - Friends of the Flora and Fauna of the Barrier Ranges Community  
[↓](#) Committee S355 - Lindy Molesworth
3. Acceptance of Resignation - Friends of the Flora and Fauna of the Barrier Ranges  
[↓](#) Community Committee S355 - Lindy Molesworth

JAY NANKIVELL  
CHIEF FINANCIAL OFFICER

JAMES RONCON  
GENERAL MANAGER

**MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE  
BARRIER RANGES COMMUNITY COMMITTEE S355 MEETING  
HELD 17 NOVEMBER 2020 AT 4PM – COUNCIL CHAMBER,  
240 BLENDE STREET, BROKEN HILL**

12/51

**Purpose of meeting:** To discuss the return of volunteers to the Living Desert.

1. **Present:** John Rogers (Chairperson), Kellie Scott (Vice Chairperson), Jeff Crase, Paul Reed, Merran Coombe, Gaylene Ford, Evan Scott, Emily Scott, Darrell Ford (BHCC) and Ann Evers.
2. A presentation held by Council's Risk Officer, Scott Howe, including a short training session on requirements for operating conditions under Covid-19 regulations.
3. Meeting notes:
  - 1.5 metres apart and hand sanitising.
  - No interacting with tourists.
  - No cleaning at the toilets or any facilities.
  - Working bees – pruning trees.
  - Clearing walkways and weeding campsite.
  - Watering Flora.
  - Opening and closing every third weekend (unlock and open only).
  - Feed kangaroos when necessary.
  - Only volunteers carry out these duties.



**Emily Guerin**

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**From:** Lindy Molesworth <rmmolesworth@gmail.com>  
**Sent:** Wednesday, 11 November 2020 6:34 PM  
**To:** Corporate Services  
**Subject:** Friends of the Flora and Fauna of the Barrier Ranges Community Committee S355

As there has been no communication regarding the above Committee for over six months now, I write to advise of my resignation as a Member of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee.

Regards  
R. M. (Lindy) Molesworth

**Emily Guerin**

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**From:** Darrell Ford  
**Sent:** Wednesday, 25 November 2020 9:03 AM  
**To:** Emily Guerin  
**Subject:** RE: Resignation -Friends of the Flora and Fauna

Hi Emily yes chairperson an committee accept lindy molworth resonation thanks Darrell

**Darrell Ford**  
Living Desert Ranger  
240 Blende Street  
PO Box 448  
Broken Hill NSW 2880  
**Mobile** 0429416515  
[Darrell.Ford@brokenhill.nsw.gov.au](mailto:Darrell.Ford@brokenhill.nsw.gov.au)  
[www.brokenhill.nsw.gov.au](http://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.*

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## **QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETINGS**

1. QUESTIONS ON NOTICE NO. 12/20 - DATED NOVEMBER 27, 2020 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE NOVEMBER 2020 ORDINARY COUNCIL MEETING (12/160) .....152

## ORDINARY MEETING OF THE COUNCIL

November 27, 2020

**ITEM 1**QUESTIONS ON NOTICE NO. 12/20

SUBJECT: COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE  
NOVEMBER 2020 ORDINARY COUNCIL MEETING 12/160

**Summary**

The report provides responses to questions raised by Councillors during the November 2020 Council Meeting, which were taken on notice.

**Recommendation**

1. That Questions On Notice No. 12/20 dated November 27, 2020, be received.

**Background**

Following are the responses to questions raised by Councillors which the Mayor and/or General Manager did not answer and took on notice at the November 2020 Council Meeting.

Question:	<u>From Item 2 – Annual Report – Waste Management Facility Vouchers</u> 20/106  <i>Councillor Kennedy asked if Council can consider allowing Waste Management Facility vouchers to be carried over to the next financial year?</i>
Response:	Allowing waste vouchers to be carried over to following years wouldn't be recommended due to the following reasons: <ul style="list-style-type: none"><li>• The intent of waste vouchers when they were implemented was to ensure cost shifting of waste fees was not unfairly distributed to residential ratepayers with the implementation of a user pay waste facility. The five vouchers were calculated to be the equivalent portion of rates paid for each residential ratepayer use of the landfill each year.</li><li>• If waste vouchers were allowed to be carried over, Council would be essentially encouraging the transfer of vouchers to high waste generators and or business' undermining the exact premise for introducing a fair waste fee model. That being:<ul style="list-style-type: none"><li>○ To ensure that all business/commercial users all paid the same waste fee to ensure fairness and transparency, as well as ensuring Council is not contributing to an unfair</li></ul></li></ul>

	<p>market place for commercial operators.</p> <ul style="list-style-type: none"> <li>○ Encouraging high volumes of waste to landfill, as opposed to using a fee mechanism after five trips to the landfill to encourage recycling and waste minimisation/reduction.</li> <li>• During the 2019/20 year, there was only 409 out of a total of 9,455 (or 4%) residential properties that exceed their waste vouchers. Based on this number, there does not appear to be an issue with not enough vouchers being supplied, however there would be a significant issue generated if this number of left over vouchers were allowed to be carried over.</li> </ul>
Question:	<p><u>From Item 2 – Annual Report – Archives Digitisation Project</u> 20/106</p> <p><i>Councillor Nolan referred to the BHP funding for the two year archives digitisation project and asked what was achieved with this project and what do we have to show for it now? Also is the work still being carried out or if not, is there funding available to complete the work?</i></p>
Response:	<p>Digitisation Project overview of Gallery and GEO Centre</p> <p>The Digitisation Project was fully funded externally between a State Grant and BHP funding of the Emu Cultural Facilities database (state of the art software used internationally). State funding allowed for the employment of two dedicated full-time staff for two years, as well as specialised equipment and software, all at no cost to Council. Whilst the initial application included the digitisation of Broken Hill Outback Archives, funding was not successful in extending to the Outback Archives.</p> <p>The funded project then focused on the digitisation of the collections of the Broken Hill Regional Art Gallery and the Albert Kersten Mining Museum (Geo Centre).</p> <p>The project was due to finish in October 2020, however, due to the impact of COVID19, and certain budget areas not being expended, the project has been able to extend the completion date to February 2021 – again, all externally funded. The Project Assistant will finish in December 2020, with the Project Manager remaining until February 2021. The remainder of the project will be spent on improving the collection management database, obtaining copyright permissions and training staff in the new system.</p> <p>Outcomes of the Digitisation Project</p> <ul style="list-style-type: none"> <li>• The project has digitised the entire Art Gallery collection of over 2,000 items as well as 883 Geo Centre specimens (this is the entire previously catalogued Geo Centre collection).</li> <li>• All items have been comprehensively catalogued with individual storage locations identified.</li> <li>• Council now has a digital record, including photographs and detailed searchable information on all these items.</li> </ul>

	<ul style="list-style-type: none"> <li>• Asset Management and valuation tasks will be able to be more effectively undertaken, with art and mineral assets now being easy to view digitally, and easy to locate physically.</li> <li>• Staff are now able to look through collection items online to make curatorial selections and conservation management decisions.</li> <li>• New collection management procedures have been documented.</li> <li>• Council staff will be able to take over an up-to-date system with clear procedural guidelines for the future.</li> </ul> <p>The Project Manager will give a presentation on the outcomes of the Digitisation Project to the Executive Leadership Team in the new year.</p> <p>The next stage The next step will be to link the collection management database to an online website, so that artworks and minerals can be viewed by the public. External funding will be sought for this stage.</p> <p>Digitisation Project overview for Broken Hill Outback Archives As stated earlier, the initial digitisation project grant submission was inclusive of Gallery, GEO and Outback Library but grant funding was not successful in extending to the Outback Archives.</p> <p>BHP grant funding was thought to be earmarked for the Archive but did not materialize except for a University of Newcastle report on digitisation options for the Archives and purchase of the Emu Cultural facilities database for shared use by Library, Gallery and GEO. Unfortunately, Outback Library has had minimal realisation of investment into this software. The Art Gallery and Geo Centre will move to online access without the Broken Hill Outback Archive due to lack of funding, specialised staffing and support to achieve this project.</p> <p>Library and Archive grant funding opportunities are very minimal with grant funding largely targeted at galleries and museums, so we have not been successful in the approaches made to funding bodies. If grants become available they are limited in scope, and provide funding for equipment and training but not for staffing at any level much less at the two years of specialised staffing that the Gallery and GEO project was able to achieve.</p> <p>The Archives collection size is 300,000 + items, much larger than the 2000 Gallery in a comparative sense.</p> <p>The Broken Hill Outback Archive is a nationally significant collection and is at high risk (Preservation Needs Assessment report highlights 14 collections identified as high priority). The collection is not able to be accessed digitally. The index is currently only on excel spreadsheets. Some data was migrated to the Emu cultural database however, no further progress has been possible to date due to staffing restraints and expertise.</p>
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Question:	<p><u>From Item 15 – Mildura and Adelaide Bus Service</u> 11/291</p> <p><i>Councillor Browne asked if further clarification could be sought regarding the Mildura and Adelaide Bus Services now that the borders are open, to confirm that they will resume permanently.</i></p>
Response:	<p>The Broken Hill to Adelaide bus service was not affected by the border closure and continues to operate as normal.</p> <p>Below is the email response from NSW Trainlink to an enquiry regarding the reinstatement of the Broken Hill to Mildura bus service:</p> <p><b>Broken Hill to Mildura coach service</b>  NSW TrainLink has made the difficult decision to temporarily suspend this service.</p> <p>NSW TrainLink will assess the needs of the community and available funding when deciding whether to reinstate the service in its existing form, or whether an alternative service offering would be more suitable.</p> <p>The Broken Hill to Mildura service was run by a local operator whose contract was scheduled to end ended on 30 September in line with the end of the trial. NSW TrainLink will offer a new contract to a local provider of an appropriate service when the trial resumes.</p> <p>NSW TrainLink remains committed to working with our Transport for NSW partners to develop the best transport options for the region.</p> <p>NSW TrainLink is committed to keeping our customers informed and we will work closely with community groups and local media to ensure that the community is made aware of the future of the service.</p> <p>When I receive further information I will pass it on.</p> <p>The General Manager is following up on this matter.</p>

### Attachments

There are no attachments for this report

JAMES RONCON  
GENERAL MANAGER

## **CLOSED**

### **Council Meeting to be held** **Wednesday, December 09, 2020**

1. **BROKEN HILL CITY COUNCIL REPORT NO. 175/20 - DATED**  
**NOVEMBER 24, 2020 - WILLYAMA COMMON TRUST LICENCE TO**  
**NEXTGEN NETWORKS PTY LTD - CONFIDENTIAL**

**(General Manager's Note:** This report considers a licence agreement and is deemed confidential under Section 10A(2) (c) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).

2. **BROKEN HILL CITY COUNCIL REPORT NO. 176/20 - DATED**  
**NOVEMBER 26, 2020 - REQUEST FOR TENDER T20/2 FOR ACTIVE**  
**TRANSPORT PLAN - FOOTPATHS - VP213620 - CONFIDENTIAL**

**(General Manager's Note:** This report considers a tender and is deemed confidential under Section 10A(2) (c) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).

3. **BROKEN HILL CITY COUNCIL REPORT NO. 177/20 - DATED**  
**NOVEMBER 26, 2020 - REQUEST FOR TENDER - T20/4 FOR**  
**RECONSTRUCTION OF IODIDE STREET FROM MORGAN TO UNION**  
**STREETS, INCLUDING KERB AND GUTTER - VP 212729 -**  
**CONFIDENTIAL**

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