

July 21, 2021

ORDINARY MONTHLY MEETING

TO BE HELD

WEDNESDAY, JULY 28, 2021

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 in the Council Chambers on **Wednesday, July 28, 2021** commencing at 5:00pm to consider the following business:

- 1) Opening Meeting
  - 1a) Requests from Councillors to attend via audio-visual link
- 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

JAY NANKIVELL  
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 meeting held Wednesday, June 30, 2021.

Minutes of the Extraordinary Meeting of the Council meeting held Wednesday, July 07, 2021.

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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Meeting commenced at 6:30p.m.

**REQUESTS FROM COUNCILLORS TO ATTEND VIA AUDIO-VISUAL LINK**

Due to the current Public Health Order the Mayor advised that she exercised her powers under Section 226 of the *Local Government Act 1993* to suspend the Code of Meeting Practice procedures (adopted by Council at the April 2021 Council Meeting) while the restrictions under the Public Health Order are in force to allow all Councillors to participate in this meeting by audio-visual link without the need to submit a request 5 days prior to the Council Meeting and without prior approval of the Council. Section 226 confers on Mayors the power to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council.

Notwithstanding the above. A motion was called to allow Councillor Nolan to attend the meeting via audio-visual link.

**RESOLUTION**

Minute No. 46554

Councillor M. Browne moved  
Councillor M. Clark seconded

**Resolved**

) That Councillor Nolan's request to attend the  
) Council Meeting via audio-visual link be  
accepted.

CARRIED UNANIMOUSLY

**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 (audio-visual link) and R. Page.

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

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

**APOLOGIES:**

Nil.

**PRAYER**

Councillor Adams delivered the prayer.

**ACKNOWLEDGEMENT OF COUNTRY**

Councillor Gallagher delivered the Acknowledgment of Country.

**MINUTES FOR CONFIRMATION**

**RESOLUTION**

Minute No. 46555

Councillor C. Adams moved  
Councillor M. Clark seconded

**Resolved**

) That the Minutes of the Ordinary Meeting of the  
) Council of the City of Broken Hill held May 26,  
2021 be confirmed.

CARRIED UNANIMOUSLY

**DISCLOSURE OF INTEREST**

Nil.

**MAYORAL MINUTES**

Nil.

**NOTICES OF MOTION**

Nil.

**RESCISSION MOTIONS**

Nil.

**REPORTS FROM DELEGATES**

**ITEM 1 - REPORTS FROM DELEGATES NO. 2/21 - DATED JUNE 16, 2021 - ATTENDANCE AT THE 77TH MURRAY DARLING ASSOCIATION CONFERENCE HELD 16-20 MAY 2021** 11/501

**RESOLUTION**

**Resolved**

Minute No. 46556

Councillor M. Browne moved )  
Councillor T. Kennedy seconded )

1. That Reports from Delegates No. 2/21 dated June 16, 2021, be received.
2. That Councillor Browne and Councillor Kennedy's Delegates Report regarding attendance by Councillors Browne, Kennedy, Algate and Page and the 77<sup>th</sup> Murray Darling Association Conference held in Wentworth 16-20 May 2021, be received and noted.

CARRIED UNANIMOUSLY

**REPORTS**

**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 88/21 - DATED JUNE 18, 2021 - CORRESPONDENCE REPORT - WATER RESTRICTIONS, THE FEDERAL BUDGET, GOVERNMENT GRANT OPPORTUNITIES AND APPRENTICESHIP WAGE SUBSIDIES AVAILABLE FOR LOCAL GOVERNMENT** 11/501, 11/161

Motion

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

1. That Broken Hill City Council Report No. 88/21 dated June 18, 2021, be received.
2. That correspondence dated 3 June 2021 from the Hon Mark Coulton MP, Minister for Regional Health, Regional Communications and Local Government and Federal Member for Parks in reply to the Mayor's correspondence dated 9 March 2021 regarding water restrictions in Broken Hill, be received and noted.



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3. That Council sends correspondence to Federal Member for Parks Mr Mark Coulton thanking him for advocating for Broken Hill and the Far West NSW region during his term as Minister for Local Government.

Amendment

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

1. That Broken Hill City Council Report No. 88/21 dated June 18, 2021, be received.
2. That correspondence dated 3 June 2021 from the Hon Mark Coulton MP, Minister for Regional Health, Regional Communications and Local Government and Federal Member for Parks in reply to the Mayor's correspondence dated 9 March 2021 regarding water restrictions in Broken Hill, be received and noted.
3. That Council sends correspondence to Federal Member for Parks, Mr Mark Coulton, thanking him for advocating for Broken Hill and the Far West NSW region during his term as Minister for Local Government.
4. That Council sends correspondence to the Federal Member and current Water Minister asking again to advise why Broken Hill was on water restrictions when Broken Hill is connected to a secure water supply from the Murray River.

CARRIED

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

The amendment becomes the motion.

**RESOLUTION**

Minute No. 46557

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

**Resolved**

1. That Broken Hill City Council Report No. 88/21 dated June 18, 2021, be received.
2. That correspondence dated 3 June 2021 from the Hon Mark Coulton MP, Minister for Regional Health, Regional Communications and Local Government and Federal Member for Parks in reply to the Mayor's correspondence dated 9 March 2021 regarding water restrictions in Broken Hill, be received and noted.
3. That Council sends correspondence to Federal Member for Parks, Mr Mark Coulton, thanking him for advocating for Broken Hill and the Far West NSW region during his term as Minister for Local Government.

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4. That Council sends correspondence to the Federal Member and current Water Minister asking again to advise why Broken Hill was on water restrictions when Broken Hill is connected to a secure water supply from the Murray River?

CARRIED UNANIMOUSLY

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 89/21 - DATED JUNE 09, 2021 - OFFICE OF LOCAL GOVERNMENT CONSULTATION ON THE DRAFT MODEL SOCIAL MEDIA POLICY AND DRAFT MODEL COUNCILLOR AND STAFF INTERACTION POLICY AND ON THE DEVELOPMENT OF A DRAFT MODEL MEDIA POLICY** 12/14

Motion

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

1. That Broken Hill City Council Report No. 89/21 dated June 9, 2021, be received.
2. That Council notes the Office of Local Government Circular to Councils No. 21-08 regarding consultation on a draft Model Social Media Policy and draft Model Councillor and Staff Interaction Policy and on the development of a draft Model Media Policy.
3. That a Councillor Workshop be held in July to consider the Office of Local Government draft Social Media Policy and draft Model Councillor and Staff Interaction Policy and to formulate a submission with the submission to be circulated to all Councillors prior to being sent to the Office of Local Government by 23 July 2021.
4. That Council's current Media Relations Policy be forwarded to the Office of Local Government.

Amendment

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

1. That Broken Hill City Council Report No. 89/21 dated June 9, 2021, be received.
2. That the report be deferred and presented to the newly elected Council in September 2021.

LOST

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

The original motion was put.

**RESOLUTION**

Minute No. 46558

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

1. That Broken Hill City Council Report No. 89/21 dated June 9, 2021, be received.

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2. That Council notes the Office of Local Government Circular to Councils No. 21-08 regarding consultation on a draft Model Social Media Policy and draft Model Councillor and Staff Interaction Policy and on the development of a draft Model Media Policy.
3. That a Councillor Workshop be held in July to consider the Office of Local Government draft Social Media Policy and draft Model Councillor and Staff Interaction Policy and to formulate a submission with the submission to be circulated to all Councillors prior to being sent to the Office of Local Government by 23 July 2021.
4. That Council's current Media Relations Policy be forwarded to the Office of Local Government.

CARRIED

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

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 90/21 - DATED JUNE 17, 2021 -  
APPOINTMENT OF NEW MEMBERS TO THE WESTERN JOINT REGIONAL PLANNING PANEL**

11/529

**RESOLUTION**

Minute No. 46559

Councillor D. Gallagher moved )

Councillor B. Licul seconded )

1. That Broken Hill City Council Report No. 90/21 dated June 17, 2021, be received.
2. That based on the required selection criteria Council resolves to nominate two (2) members being Jay Nankivell (General Manager), Darriea Turley AM (Mayor) and one (1) alternate member, Razija Nu'man (Director Corporate) as independent members on the Western Region Joint Regional Planning Panel, to determine development applications of regional significance in the Broken Hill City Council Local Government Area.
3. That the NSW Government Planning Panels Secretariat be advised of Council's members on the Western Region Joint Regional Planning Panel.

CARRIED UNANIMOUSLY

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**ITEM 5 – BROKEN HILL CITY COUNCIL REPORT NO. 91/21 – DATED JUNE 23, 2021 –  
REALIGNMENT OF COUNCIL'S ORGANISATION STRUCTURE AND APPOINTMENT OF  
SENIOR STAFF POSITIONS**

12/155

Motion

- Councillor J. Nolan )  
Councillor C. Adams )
1. That Broken Hill City Council Report No. 91/21 dated June 23, 2021, be received.
  2. That Council as per s332 of the *Local Government Act 1993*, adopts an Executive Leadership Team Structure as detailed in the report which comprises of three Senior Staff Positions.
  3. That the Senior Staff Positions be designated senior staff positions as per the *Local Government Act 1993* and are engaged on performance-based contracts.
  4. That the current incumbent of the Chief Corporate and Community Officer remains an award position until such a time that the position becomes vacant, at which time it will transfer to a senior staff position as per s332 of the *Local Government Act 1993*.

Amendment

- Councillor T. Kennedy )  
Councillor B. Algate )
1. That Broken Hill City Council Report No. 91/21 dated June 23, 2021, be received.
  2. That the report be deferred to the newly elected Council in September 2021.

LOST

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

The original motion was put.

**RESOLUTION**

Minute No. 46560

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

**Resolved**

1. That Broken Hill City Council Report No. 91/21 dated June 23, 2021, be received.
2. That Council as per s332 of the *Local Government Act 1993*, adopts an Executive Leadership Team Structure as detailed in the report which comprises of three Senior Staff Positions.
3. That the Senior Staff Positions be designated senior staff positions as per the *Local Government Act 1993* and are engaged on performance-based contracts.
4. That the current incumbent of the Chief Corporate and Community Officer remains an award position until such a time that the position becomes vacant, at which time it will transfer to a senior staff position as per s332 of the *Local Government Act 1993*.

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CARRIED

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

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 92/21 - DATED JUNE 16, 2021 - MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 20 MAY 2021** 13/19

**RESOLUTION**

**Resolved**

Minute No. 46561

- Councillor D. Gallagher moved )  
Councillor M. Clark seconded )
1. That Broken Hill City Council Report No. 92/21 dated June 16, 2021, be received.
  2. That minutes of the Audit, Risk and Improvement Committee meeting held 20 May 2021 be received.

CARRIED UNANIMOUSLY

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 93/21 - DATED JUNE 11, 2021 - MUNDI MUNDI FRINGE FOOTPATH DINING EXEMPTION** 21/68

**RESOLUTION**

**Resolved**

Minute No. 46562

- Councillor B. Licul moved )  
Councillor C. Adams seconded )
1. That Broken Hill City Council Report No. 93/21 dated June 11, 2021, be received.
  2. That on application to Council businesses with current footway dining permits are permitted to increase the number of settings within their business boundary from Sunday August 15 to Saturday 28 August, 2021 inclusive and be exempt from the \$106.70 application fee.
  3. That on application to Council businesses without current footway dining permits are permitted to place footway dining settings within their business boundary from Sunday August 15 to Saturday 28 August, 2021 inclusive and be exempt from the \$106.70 application fee.

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 94/21 - DATED JUNE 17, 2021 - DRAFT BROKEN HILL CULTURAL PLAN 2021-2040 FOR PUBLIC EXHIBITION** 21/58

Motion

- Councillor C. Adams moved )  
Councillor M. Clark seconded )
1. That Broken Hill City Council Report No. 94/21 dated June 17, 2021, be received.
  2. That Council endorses the draft Broken Hill Cultural Plan 2021-2040 for the purpose of public exhibition with the following amendments to the Broken Hill Cultural Plan-Background Report:
    - a) to include the Broken Hill Heritage Festival

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in the table of "Meeting events, festivals and online events" on page 45; and  
b) to clarify "n/a" in the column titled "Vonunteer run?" which appears in the table on pages 53-57 of appendix 1.

3. That Council publicly exhibits the draft Broken Hill Cultural Plan 2021-2040 and accepts submissions from the public for a period of 28 days.
4. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the Broken Hill Cultural Plan 2021-2040.

Amendment

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

1. That Broken Hill City Council Report No. 94/21 dated June 17, 2021, be received.
2. That Council endorses the draft Broken Hill Cultural Plan 2021-2040 for the purpose of public exhibition with the following amendments to the Broken Hill Cultural Plan-Background Report:
  - a) to include the Broken Hill Heritage Festival in the table of "Meeting events, festivals and online events" on page 45; and
  - b) to clarify "n/a" in the column titled "Vonunteer run?" which appears in the table on pages 53-57 of appendix 1.
3. That Council publicly exhibits the draft Broken Hill Cultural Plan 2021-2040 and accepts submissions from the public for a period of 28 days.
4. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the Broken Hill Cultural Plan 2021-2040.
5. That Council be provided with a report regarding the potential of obtaining recordings of oral Broken Hill stories by elderly members of the community for inclusion in the Broken Hill Cultural Plan.

ACCEPTED  
BY THE MOVER OF THE MOTION

The motion was put.

**RESOLUTION**

Minute No. 46563

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

**Resolved**

11. That Broken Hill City Council Report No. 94/21 dated June 17, 2021, be received.

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2. That Council endorses the draft Broken Hill Cultural Plan 2021-2040 for the purpose of public exhibition with the following amendments to the Broken Hill Cultural Plan-Background Report:
  - a) to include the Broken Hill Heritage Festival in the table of "Meeting events, festivals and online events" on page 45; and
  - b) to clarify "n/a" in the column titled "Volunteer run?" which appears in the table on pages 53-57 of appendix 1.
3. That Council publicly exhibits the draft Broken Hill Cultural Plan 2021-2040 and accepts submissions from the public for a period of 28 days.
4. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the Broken Hill Cultural Plan 2021-2040.
5. That Council be provided with a report regarding the potential of obtaining recordings of oral Broken Hill stories by elderly members of the community for inclusion in the Broken Hill Cultural Plan.

CARRIED UNANIMOUSLY

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 95/21 - DATED JUNE 18, 2021 - DRAFT  
CYBER SECURITY FRAMEWORK FOR PUBLIC EXHIBITION**

12/14

**RESOLUTION**

Minute No. 46564

Councillor D. Gallagher moved )

Councillor M. Clark seconded )

**Resolved**

1. That Broken Hill City Council Report No. 95/21 dated June 18, 2021, be received.
2. That Council notes that the draft Cyber Security Framework was endorsed by Council's Audit, Risk and Improvement Committee on 20 May 2021.
3. That Council endorses the draft Cyber Security Framework for the purpose of public exhibition.
4. That Council publicly exhibits the draft Cyber Security Framework and accepts submissions from the public for a period of 28 days.
5. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes

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arising, with a view to adopting the draft  
Cyber Security Framework.

CARRIED UNANIMOUSLY

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 96/21 - DATED JUNE 18, 2021 - DRAFT  
CONTRACT MANAGEMENT POLICY FOR PUBLIC EXHIBITION** 12/14

**RESOLUTION**

Minute No. 46565

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

**Resolved**

1. That Broken Hill City Council Report No. 96/21 dated June 18, 2021, be received.
2. That Council notes that the draft Contract Management Policy was endorsed by Council's Audit, Risk and Improvement Committee on 20 May 2021.
3. That Council endorses the draft Contract Management Policy for the purpose of public exhibition.
4. That Council publicly exhibits the draft Contract Management Policy and accepts submissions from the public for a period of 28 days.
5. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the draft Contract Management Policy.

CARRIED UNANIMOUSLY

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 97/21 - DATED JUNE 08, 2021 - DRAFT  
CROWN LAND PLANS OF MANAGEMENT - PARKS; SPORTSGROUNDS; GENERAL  
COMMUNITY USE; NATURAL AREAS** 20/151

**RESOLUTION**

Minute No. 46566

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

**Resolved**

1. That Broken Hill City Council Report No. 97/21 dated June 8, 2021, be received.
2. That Council refer the Draft Crown Land Plan of Management – Parks to the Minister administering the *Crown Land Management Act 2016*.
3. That That Council refer the Draft Crown Land Plan of Management – Sportsgrounds to the Minister administering the *Crown Land Management Act 2016*.
4. That That Council refer the Draft Crown Land Plan of Management – General Community Use to the Minister administering the *Crown Land Management Act 2016*.



5. That Council refer the Draft Crown Land Plan of Management – Natural Areas to the Minister administering the *Crown Land Management Act 2016*.
6. That following consent from the Minister, Council publicly exhibit each Draft Crown Land Plan of Management for a period of no less than 28 days, in accordance with the *Local Government Act 1993*.
7. That the General Manager be authorised to sign any documents required to notify the Minister.

CARRIED UNANIMOUSLY

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 98/21 - DATED MAY 07, 2021 - ADOPTION OF THE DRAFT DELIVERY PROGRAM 2021/2022 INCORPORATING OPERATIONAL PLAN 2021/2022, INCLUSIVE OF THE STATEMENT OF REVENUE POLICY AND DRAFT SCHEDULE OF FEES AND CHARGES 2021/2022** 16/165

Motion

- |                              |   |   |
|------------------------------|---|---|
| Councillor J. Nolan moved    | ) | 1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received. |
| Councillor M. Clark seconded | ) |   |
2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.
  3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
    - i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
    - ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
    - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate

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- of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
- iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
  - vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
  - viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;
  - ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
  - x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
  - xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),

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xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.

xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.

4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

Amendment

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

1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.

2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.

3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:

i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;

ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;

iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a)

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- and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
- iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and the rate in the dollar on land value be adjusted to the rate pegging only of X.XXXXXX cents; to put it back to 2020 rates.
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and the rate in the dollar on land value be adjusted to the 2016 rate plus rate pegging of X.XXXXXX cents; to be put back to 2020 rates.
  - vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
  - viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and the rate in the dollar on land value be adjusted to make up the shortfall in the reduction of the general business rate and the business industrial rate being a sub-category of the general business rate as per items iv and v above of X.XXXXXX cents;
  - ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).

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- x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
  - xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),
  - xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
  - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.
4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

LOST

FOR: Crs Algate, Kennedy and Page

AGAINST: Crs Adams, Browne, Clark, Gallagher, Licul, Nolan and Turley

The original motion was put

Motion

Councillor J. Nolan moved )

Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.
3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
  - i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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- \$543.00 and a rate in the dollar on land value of 3.271420 cents;
- ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
  - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
  - iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
  - vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
  - viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;
  - ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of

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- \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
- x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
  - xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),
  - xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
  - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.
4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

Amendment

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

- 1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
- 2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.
- 3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
  - i. A general residential rate under Sections 535 and 537 on all land

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- categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
- ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
  - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
  - iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
  - vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
  - viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;



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- ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 increase only by rate pegging to \$XXX.XX per annum payable quarterly (one mobile garbage container only).
  - x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
  - xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),
  - xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
  - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.
4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

LOST

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

The original motion was put.

Motion

- Councillor J. Nolan moved )  
Councillor M. Clark seconded )
- 1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
  - 2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft

Schedule of Fees and Charges 2021/2022 as strategic documents of Council.

3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
  - i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
  - ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
  - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
  - iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
  - vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and

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- a rate in the dollar on land value of 2.194851 cents;
- viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;
- ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
- x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
- xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),
- xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
- xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.
4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

Amendment

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

1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
2. That Council adopts the Draft Delivery Program 2021/2022 incorporating

Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.

3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
  - i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
  - ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
  - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
  - iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
  - vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed

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- development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
- viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;
- ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
- x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
- xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),
- xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
- xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.
- xiv. That Council increases the pensioner rebate on rates and charges to match the State Government contribution.
4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

LOST

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

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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The original motion was put.

Motion

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

1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.
3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
  - i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
  - ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
  - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
  - iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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- vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
  - viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;
  - ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
  - x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
  - xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),
  - xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
  - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.
4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

Amendment

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

1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.
3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
  - i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
  - ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
  - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
  - iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the



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- dollar on land value of 6.226369 cents;
- vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
  - viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;
  - ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
  - x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
  - xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),
  - xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
  - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.
  - xiv. That Council accepts cash and cheques as forms of payment made at Council's Administrative Centre.

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4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

LOST

On the casting vote of the Mayor

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

The original motion was put.

Motion

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

1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.
3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
  - i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
  - ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
  - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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- iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
- v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
- vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
- vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
- viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;
- ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
- x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
- xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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- xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
- xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.

- 4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

Amendment

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

- 1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
- 2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.
- 3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
  - i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
  - ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
  - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a)

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- and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
- iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
  - vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
  - viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;
  - ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
  - x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
  - xi. A commercial waste user charge under Section 502 of \$397.00 per

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- annum payable quarterly (1x600l bin only),
- xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
  - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.
  - xiv. That Broken Hill citizens not be charged a fee to use the Waste Management Facility.
4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

LOST

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

The original motion was put.

Motion

- Councillor J. Nolan moved )  
Councillor M. Clark seconded )
- 1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
  - 2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.
  - 3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
    - i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of

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- \$543.00 and a rate in the dollar on land value of 3.271420 cents;
- ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
  - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
  - iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
  - vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
  - viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;
  - ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of

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- \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
- x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
  - xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),
  - xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
  - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.
4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

Amendment

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

- 1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
- 2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.
- 3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
  - i. A general residential rate under Sections 535 and 537 on all land



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- categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
- ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
  - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
  - iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
  - vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
  - viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;

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- ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
  - x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
  - xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),
  - xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
  - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a rate of interest of CPI only charge payable on overdue rates, and charges for the period 1 July 2021 to 30 June 2022.
4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

LOST

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

The original motion was put.

Motion

- Councillor J. Nolan moved )  
Councillor M. Clark seconded )
- 1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
  - 2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the

Statement of Revenue Policy and Draft  
Schedule of Fees and Charges 2021/2022 as  
strategic documents of Council.

3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
- i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
  - ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
  - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
  - iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
  - vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting

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- of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
- viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;
  - ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
  - x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
  - xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),
  - xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
  - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.
4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

Amendment

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

1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.

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2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.
3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
  - i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
  - ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
  - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
  - iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
  - vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;

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- vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
  - viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;
  - ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
  - x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
  - xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),
  - xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
  - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.
  - xiv. That Council investigates options for reintroduction of a vermiculture program at the Waste Management Facility and seeks expressions of interest from appropriate businesses.
4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/

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underperforming assets and provides for a financially sustainable return to surplus in 2023.

CARRIED

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

The amendment becomes the motion.

Motion

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

1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.
3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
  - i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
  - ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
  - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
  - iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;

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- v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
- vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
- vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
- viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;
- ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
- x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
- xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),
- xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
- xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue



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rates and charges for the period 1 July 2021 to 30 June 2022.

- xiv. That Council investigates options for reintroduction of a vermiculture program at the Waste Management Facility and seeks expressions of interest from appropriate businesses.

4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

Amendment

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

1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.
3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:
- i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
- ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
- iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate

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- of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
- iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
  - vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
  - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
  - viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;
  - ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
  - x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
  - xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),

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- xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
  - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.
  - xiv. That Council investigates options for reintroduction of a vermiculture program at the Waste Management Facility and seeks expressions of interest from appropriate businesses.
  - xv. That landing fees at the Broken Hill Airport be waived for landings made by members of Recreational Aviation Australia Limited and that Council writes to the hierarchy membership to advise of Council's waiver of fees.
4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/ underperforming assets and provides for a financially sustainable return to surplus in 2023.

LOST

FOR: Crs Algate and Kennedy

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

The original motion was put.

**RESOLUTION**

Minute No. 46567

Councillor J. Nolan moved )

Councillor M. Clark seconded )

**Resolved**

1. That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.
2. That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.
3. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year:

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- i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;
- ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;
- iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;
- iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
- v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;
- vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;
- vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;
- viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base

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- rate and a rate in the dollar on land value of 9.735812 cents;
- ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).
  - x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),
  - xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),
  - xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.
  - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.
  - xiv. That Council investigates options for reintroduction of a vermiculture program at the Waste Management Facility and seeks expressions of interest from appropriate businesses.
4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/underperforming assets and provides for a financially sustainable return to surplus in 2023.

CARRIED

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

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**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 99/21 - DATED JUNE 08, 2021 -  
ADOPTION OF THE DRAFT LONG TERM FINANCIAL PLAN 2022-2031**

16/165

**RESOLUTION**

**Resolved**

Minute No. 46568

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

1. That Broken Hill City Council Report No. 99/21 dated June 8, 2021, be received.
2. That Council adopts the Draft Long Term Financial Plan 2022-2031 as a Strategic Plan of Council.

CARRIED

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

*During debate of Item 14, as the time had reached 9:00pm, the Mayor requested a motion from Councillors should they wish the meeting to continue to its completion or be adjourned to a set date and time (clause 18.2 of Council's Code of Meeting Practice Policy refers).*

**RESOLUTION**

**Resolved**

Minute No. 46569

Councillor D. Gallagher moved )  
Councillor M. Clark seconded )

That standing orders be suspended and the meeting continue until its completion.

CARRIED UNANIMOUSLY

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 100/21 - DATED JUNE 09, 2021 -  
ADOPTION OF THE DRAFT CBD MASTERPLAN**

20/128

**RESOLUTION**

**Resolved**

Minute No. 46570

Councillor B. Licul moved )  
Councillor J. Nolan seconded )

1. That Broken Hill City Council Report No. 100/21 dated June 9, 2021, be received.
2. That Council adopts the draft Broken Hill CBD Masterplan as a Plan of Council.

CARRIED

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

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 101/21 - DATED JUNE 07, 2021 -  
ADOPTION OF THE DRAFT TREE MANAGEMENT PLAN**

13/163

Motion

Councillor B. Licul moved )  
Councillor C. Adams seconded )

1. That Broken Hill City Council Report No. 101/21 dated June 7, 2021, be received.
2. That Council adopts the Draft Tree Management Plan as a Plan of Council.

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
JUNE 30, 2021

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Amendment

- Councillor T. Kennedy moved )  
Councillor B. Algate seconded )
1. That Broken Hill City Council Report No. 101/21 dated June 7, 2021, be received.
  2. That Council adopts the Draft Tree Management Plan as a Plan of Council.
  3. That any tree identified or requested to be assessed and found to be hazardous to health or property, be reported to Council for determination of action.

LOST

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

The original motion was put.

**RESOLUTION**

Minute No. 46571

- Councillor B. Licul moved )  
Councillor C. Adams seconded )
- Resolved**
1. That Broken Hill City Council Report No. 101/21 dated June 7, 2021, be received.
  2. That Council adopts the Draft Tree Management Plan as a Plan of Council.

CARRIED

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

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 102/21 - DATED JUNE 10, 2021 - INVESTMENT REPORT FOR MAY 2021**

17/82

**RESOLUTION**

Minute No. 46572

- Councillor C. Adams moved )  
Councillor J. Nolan seconded )
- Resolved**
1. That Broken Hill City Council Report No. 102/21 dated June 10, 2021, be received.

CARRIED UNANIMOUSLY

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 103/21 - DATED JUNE 17, 2021 - BROKEN HILL LEAD REFERENCE GROUP MINUTES AND REPORTS 18 MARCH 2021**

12/77

**RESOLUTION**

Minute No. 46573

- Councillor M. Browne moved )  
Councillor M. Clark seconded )
- Resolved**
1. That Broken Hill City Council Report No. 103/21 dated June 17, 2021, be received.

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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2. That the minutes of the Broken Hill Lead Reference Group for Meeting held 18 March 2021, be received.

CARRIED UNANIMOUSLY

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 104/21 - DATED JUNE 17, 2021 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 414 HELD TUESDAY, 8 JUNE 2021** 11/397

*During debate of Item 18 Cr Adams raised concerns regarding the 40km/hr school zone signs being removed from around the Happy Day Preschool. Councillor Browne (delegate on the Traffic Committee) suggested Councillor Adams puts in a submission to the Traffic Committee.*

Motion

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

1. That Broken Hill City Council Report No. 104/21 dated June 17, 2021, be received.
2. That the minutes from the Local Traffic Committee Meeting No. 414 held Tuesday, 8 June 2021 be received.
3. That Item Number 408.6.1 – That two 15-minute timed 'Loading Zone' areas be installed in Crystal Lane at the rear of the Musicians Club.
4. That Item Number 408.6.2 – That a 15-minute timed 'Loading Zone' be installed in Crystal Lane at the rear of the Salvation Army Shop.
5. That Item Number 408.6.4 – That a 15-minute timed 'Loading Zone' be installed on the north side of Argent Lane for the Broken Hill Pub (BHP).
6. That Item Number 408.6.5 – That a 15-minute timed 'Loading Zone' be installed on the south side of Argent Lane adjacent the Workingman's Club.
7. That Item Number 413.6.1 – That the temporary road closure of Argent Street for the Broken Heel Festival's Annual Street Parade be approved with the condition that the traffic control signs be placed at the end of the double lines at each intersection to prevent motorist from crossing double lines if they are required to perform a U-turn.
8. That Item Number 414.6.1 – That the temporary road closure of Sulphide Street, between Argent Street and Crystal Street for the Broken Heel Festival be approved with the following conditions:



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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
JUNE 30, 2021

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- a. That 'Bus Stop' signs adjacent the Palace Hotel in Argent Street be covered during the event; and
- b. That the temporary fencing on the west side of Sulphide Street, between Crystal Lane and Crystal Street be relocated to the Kerb and gutter to allow pedestrian access to Far West Auto.

9. That the parking bay on the right side of the driveway, while entering the Daydream Motel be removed.

Amendment

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

1. That Broken Hill City Council Report No. 104/21 dated June 17, 2021, be received.
2. That the minutes from the Local Traffic Committee Meeting No. 414 held Tuesday, 8 June 2021 be received.
3. That Item Number 408.6.1 – That two 15-minute timed 'Loading Zone' areas be installed in Crystal Lane at the rear of the Musicians Club.
4. That Item Number 408.6.2 – That a 15-minute timed 'Loading Zone' be installed in Crystal Lane at the rear of the Salvation Army Shop.
5. That Item Number 408.6.4 – That a 15-minute timed 'Loading Zone' be installed on the north side of Argent Lane for the Broken Hill Pub (BHP).
6. That Item Number 408.6.5 – That a 15-minute timed 'Loading Zone' be installed on the south side of Argent Lane adjacent the Workingman's Club.
7. That Item Number 413.6.1 – That the temporary road closure of Argent Street for the Broken Heel Festival's Annual Street Parade be approved with the condition that the traffic control signs be placed at the end of the double lines at each intersection to prevent motorist from crossing double lines if they are required to perform a U-turn.
8. That Item Number 414.6.1 – That the temporary road closure of Sulphide Street, between Argent Street and Crystal Street for the Broken Heel Festival be approved with the following conditions:

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
JUNE 30, 2021

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- a. That 'Bus Stop' signs adjacent the Palace Hotel in Argent Street be covered during the event; and
  - b. That the temporary fencing on the west side of Sulphide Street, between Crystal Lane and Crystal Street be relocated to the Kerb and gutter to allow pedestrian access to Far West Auto.
9. That the parking bay on the right side of the driveway, while entering the Daydream Motel be removed.
  10. That Council send correspondence to Transport NSW advising that Council wishes to immediately install traffic blisters in Kaolin Street adjacent to the Happy Day Preschool.

CARRIED UNANIMOUSLY

The amendment becomes the motion.

**RESOLUTION**

Minute No. 46574

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

**Resolved**

1. That Broken Hill City Council Report No. 104/21 dated June 17, 2021, be received.
2. That the minutes from the Local Traffic Committee Meeting No. 414 held Tuesday, 8 June 2021 be received.
3. That Item Number 408.6.1 – That two 15-minute timed 'Loading Zone' areas be installed in Crystal Lane at the rear of the Musicians Club.
4. That Item Number 408.6.2 – That a 15-minute timed 'Loading Zone' be installed in Crystal Lane at the rear of the Salvation Army Shop.
5. That Item Number 408.6.4 – That a 15-minute timed 'Loading Zone' be installed on the north side of Argent Lane for the Broken Hill Pub (BHP).
6. That Item Number 408.6.5 – That a 15-minute timed 'Loading Zone' be installed on the south side of Argent Lane adjacent the Workingman's Club.
7. That Item Number 413.6.1 – That the temporary road closure of Argent Street for the Broken Heel Festival's Annual Street Parade be approved with the condition that the traffic control signs be placed at the end of the double lines at each intersection to

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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prevent motorist from crossing double lines if they are required to perform a U-turn.

8. That Item Number 414.6.1 – That the temporary road closure of Sulphide Street, between Argent Street and Crystal Street for the Broken Heel Festival be approved with the following conditions:
  - a. That 'Bus Stop' signs adjacent the Palace Hotel in Argent Street be covered during the event; and
  - b. That the temporary fencing on the west side of Sulphide Street, between Crystal Lane and Crystal Street be relocated to the Kerb and gutter to allow pedestrian access to Far West Auto.
9. That the parking bay on the right side of the driveway, while entering the Daydream Motel be removed.
10. That Council send correspondence to Transport NSW advising that Council wishes to immediately install traffic blisters in Kaolin Street adjacent to the Happy Day Preschool.

CARRIED UNANIMOUSLY

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 105/21 - DATED JUNE 18, 2021 - ACTION LIST REPORT** 11/21

**RESOLUTION**

Minute No. 46575

Councillor D. Gallagher moved )  
Councillor R. Page seconded )

**Resolved**

1. That Broken Hill City Council Report No. 105/21 dated June 18, 2021, be received.

CARRIED UNANIMOUSLY

## COMMITTEE REPORTS

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 106/21 - DATED JUNE 16, 2021 - AMENDMENT TO CONSTITUTION OF THE BROKEN HILL HERITAGE COMMITTEE** 15/87

**RESOLUTION**

Minute No. 46576

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

**Resolved**

1. That Broken Hill City Council Report No. 106/21 dated June 16, 2021, be received.
2. That Council endorse amendment (relating primarily to the role and objectives of the committee) to the Constitution of the Broken Hill Heritage Committee.
3. That a correction be made to the Constitution of the Broken Hill Heritage Committee to

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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clarify that the Heritage Adviser is an ex-officio (non-voting) member of the Committee.

CARRIED UNANIMOUSLY

**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 107/21 - DATED JUNE 11, 2021 - MINUTES OF THE BROKEN HILL HERITAGE COMMITTEE MEETING HELD 27 MAY 2021** 15/87

Recommendation

1. That Broken Hill City Council Report No. 107/21 dated June 11, 2021, be received.
2. That minutes of the Broken Hill Heritage Committee Meeting held 27 May 2021 be received and noted.

**ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 108/21 - DATED JUNE 01, 2021 - MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD MAY 2021** 12/52

Recommendation

1. That Broken Hill City Council Report No. 108/21 dated June 1, 2021, be received.
2. That minutes of the Memorial Oval Community Committee Meeting held May 2021 be received.

**ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 109/21 - DATED JUNE 17, 2021 - MINUTES OF THE BROKEN HILL REGIONAL ART GALLERY ADVISORY COMMITTEE MEETING HELD 9 JUNE 2021** 12/46

Recommendation

1. That Broken Hill City Council Report No. 109/21 dated June 17, 2021, be received.
2. That minutes of the Broken Hill Regional Art Gallery Advisory Committee Meeting held 9 June 2021 be received.
3. That Council accepts the resignations of Robyn Taylor and Justin Files and thank them for their time on the Committee.

**ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 110/21 - DATED JUNE 17, 2021 - MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE - 20 APRIL 2021** 12/51

Recommendation

1. That Broken Hill City Council Report No. 110/21 dated June 17, 2021, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held Tuesday, 20 April 2021 be received.

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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**ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 111/21 - DATED JUNE 17, 2021 -  
MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES  
COMMUNITY COMMITTEE - 18 MAY 2021**

12/51

Recommendation

1. That Broken Hill City Council Report No. 111/21 dated June 17, 2021, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held Tuesday, 18 May 2021 be received.

Minute No. 46577

Councillor C. Adams moved ) That the recommendations of items 21 to 25 be  
Councillor M. Clark seconded ) adopted.

CARRIED UNANIMOUSLY

### QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

**ITEM 26 - QUESTIONS ON NOTICE NO. 5/21 - DATED JUNE 09, 2021 - COUNCILLOR  
QUESTIONS TAKEN ON NOTICE AT THE MAY 2021 ORDINARY COUNCIL MEETING**

14/178,  
17/82, 20/112

**RESOLUTION**

**Resolved**

Minute No. 46578

Councillor M. Clark moved ) 1. That Questions On Notice No. 5/21 dated  
Councillor C. Adams seconded ) June 9, 2021, be received.

CARRIED UNANIMOUSLY

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

From item 5 - Realignment of Council's Organisation Structure and Appointment of Senior Staff  
Positions

12/155

*Councillor Kennedy requested that prior to publishing the organisation structure graphic, that it be amended to remove any confusion regarding the Executive Support Team.*

The General Manager advised that the organisation structure will be corrected to clearly show that the Executive Support Team is not the Mayor and Councillors but is the team which provides support to the Mayor, Councillors, General Manager and Executive Leadership Team.

From Item 12 – Adoption of the Draft Delivery Program 2021/2022 incorporating the Operational Plan  
2021/2022 inclusive of Fees and Charges

16/165

*Councillor Algate requested information regarding the amount of carryovers in relation to capital grant funding.*

From Item 15 – Draft Tree Management Plan

13/163

*Councillor Kennedy requested a report on the feasibility of establishing a program to replant the regeneration reserve with different native trees and shrubs, and for this project to become a native botanical gardens, with walking paths and botanical information signs etc.*

New MRI Machines at GP Super Clinic and Thrive Medical

11/161

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
JUNE 30, 2021

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*Councillor Kennedy requested that investigations be carried out on ways that Council can advocate for the registering of the 2 MRI machines for Medicare rebate eligibility.*

**RESOLUTION**

Minute No. 46579

Councillor M. Clark moved )

Councillor M. Browne seconded )

**Resolved**

That the meeting move into closed session in accordance with Section 10A(2) of the *Local Government Act 1993* whilst the confidential matters are considered.

CARRIED UNANIMOUSLY

*Media and members of the public left the Council Chambers at 9:34p.m.*

**CONFIDENTIAL MATTERS**

**ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 112/21 - DATED JUNE 16, 2021 - ESTABLISHMENT OF A REGIONAL CODE OF CONDUCT REVIEW PANEL - CONFIDENTIAL**

13/100

**(General Manager's Note:** This report considers Expression of Interest costings and is deemed confidential under Section 10A(2) (d) of the Local Government Act, 1993 which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

**RESOLUTION**

Minute No. 46580

Councillor M. Clark moved )

Councillor M. Browne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 112/21 dated June 16, 2021, be received.
2. That Council resolves to establish a Regional Panel of Conduct Reviewers and appoint reviewers as selected by the Far West Joint Organisation (FWJO) through an Expression of Interest (EOI) process.

CARRIED

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

**ITEM 28 - BROKEN HILL CITY COUNCIL REPORT NO. 113/21 - DATED JUNE 18, 2021 - LEASE OF THE PRISCILLA QUEEN OF THE DESERT BUS THEATRICAL PROP AND ASSOCIATED PROPS - CONFIDENTIAL**

11/65

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

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
JUNE 30, 2021

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**RESOLUTION**

Minute No. 46581

Councillor T. Kennedy moved )

Councillor B. Algate seconded )

1. That Broken Hill City Council Report No. 113/21 dated June 18, 2021, be received.
2. That Council notes the terms of the lease agreement of the Priscilla Queen of the Desert Bus Theatrical Prop and associated props to The Palace Hotel Broken Hill.
3. That Council contacts the owners of The Palace Hotel to discuss ways that Council may be able to assist the hotel to permanently display the Priscilla Queen of the Desert Bus Theatrical Prop and associated props.

CARRIED

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

AGAINST: Crs Adams and Clark

**ITEM 29 - BROKEN HILL CITY COUNCIL REPORT NO. 114/21 - DATED JUNE 02, 2021 - T21/8**  
**REQUEST FOR TENDER FOR SUPPLY OF WATER TRUCK WITH FIREFIGHTING CAPABILITIES**  
**- CONFIDENTIAL** T21/8

**(General Manager's Note:** This report considers Tender T21/8 and is deemed confidential under Section 10A(2) (c) (d) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

Motion

Councillor B. Algate moved )

Councillor T. Kennedy seconded )

1. That Broken Hill City Council Report No. 114/21 dated June 2, 2021, be received.
2. That Council award tender T21/8 for the supply of a Water Truck with Firefighting Capabilities for the Waste Management Facility to the Broken Hill Truck Centre for the tendered model, Isuzu FYH 300-350 Auto 8x4 for the amount of \$277,359.00 (excluding GST).

LOST

FOR: Crs Algate, Gallagher and Page

AGAINST: Crs Adams, Browne, Clark, Kennedy, Licul, Nolan, and Turley  
(Councillor Kennedy refused to vote and therefore is recorded as voting against)

**ITEM 30 - BROKEN HILL CITY COUNCIL REPORT NO. 115/21 - DATED JUNE 02, 2021 - T21/11**  
**REQUEST FOR TENDER FOR SUPPLY OF ONE (1) LOADER FOR WASTE MANAGEMENT**  
**FACILITY - CONFIDENTIAL** T21/11

**(General Manager's Note:** This report considers Tender T21/11 and is deemed confidential under Section 10A(2) (c) (d) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
JUNE 30, 2021

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**RESOLUTION**

Minute No. 46582

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

**Resolved**

1. That Broken Hill City Council Report No. 115/21 dated June 2, 2021, be received.
2. That Council award tender T21/11 for the supply of one (1) Loader for the Waste Management Facility to Cavpower Broken Hill for the tendered CAT 950M model, for the amount of \$415,650.03 (excluding GST)

CARRIED

FOR: Crs Adams, Algate, Browne, Clark, Gallagher, Licul, Nolan, Page and Turley  
AGAINST: Cr Kennedy  
(Councillor Kennedy refused to vote and therefore is recorded as voting against)

*Members of the public and media returned to the Council Chambers at 10:05p.m.*

At the Mayor's invitation, the General Manager read the resolutions of the items considered in closed session.

*Prior to the meeting closing, Deputy Mayor Adams advised of a recent Breast Cancer diagnosis and treatment and thanked the Doctors and Nurses of the Broken Hill Health Services, Breast Screen NSW and the McGrath Breast Nurse Foundation for their care and support; and stated that Broken Hill is very fortunate to have such wonderful and caring medical staff.*

There being no further business the Mayor closed the meeting at 10:08p.m.

THE FOREGOING MINUTES WERE READ )  
AND CONFIRMED AT THE ORDINARY )  
MEETING OF THE BROKEN HILL CITY )  
COUNCIL HELD ON 28 JULY 2021. )

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CHAIRPERSON



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MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
JULY 07, 2021

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Meeting commenced at 5:30p.m.

**REQUESTS FROM COUNCILLORS TO ATTEND VIA AUDIO-VISUAL LINK**

Due to the current Public Health Order the Mayor advised that she exercised her powers under Section 226(d) of the *Local Government Act 1993* to suspend the Code of Meeting Practice annexed procedures (adopted by Council at the April 2021 Council Meeting) while the restrictions under the Public Health Order are in force to allow all Councillors to participate in this meeting by audio-visual link without the need to submit a request 5 days prior to the Council Meeting and without prior approval of the Council. Section 226(d) confers on Mayors the power to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council.

**PRESENT:** Councillor D. Turley (Mayor) Councillor C. Adams (Deputy Mayor),  
Councillors B. Algate, M. Browne, M. Clark (audio-visual link), D. Gallagher,  
T. Kennedy, B. Licul and J. Nolan (audio-visual link).

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

Media - nil, Members of the Public - nil.

Councillor T. Kennedy moved ) That the requests from Councillors Nolan and  
Councillor B. Algate seconded ) Clark to attend the Extraordinary Council  
Meeting via audio-visual link be declined.

LOST

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

**APOLOGIES:** Councillor R. Page.

**RESOLUTION**

Minute No. 46584

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

**Resolved**

That the apology submitted on behalf of  
Councillor Page be accepted and leave of  
absence granted.

CARRIED UNANIMOUSLY

**PRAYER**

Councillor Adams delivered the prayer.

**ACKNOWLEDGEMENT OF COUNTRY**

Councillor Gallagher delivered the Acknowledgment of Country.

## PURPOSE OF THE MEETING

To consider the following matter:

1. Report No. 116/21 – T21/8 Request for Tender for Supply of Water Truck with Firefighting Capabilities – Resubmitted - **Confidential**

## DISCLOSURE OF INTEREST

Nil.

### RESOLUTION

Minute No. 46585

Councillor D. Gallagher moved )  
Councillor B. Licul seconded )

### Resolved

That the meeting move into closed session 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 5:36p.m.*

## CONFIDENTIAL MATTERS

### ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 116/21 - DATED JULY 06, 2021 - T21/8 REQUEST FOR TENDER FOR SUPPLY OF WATER TRUCK WITH FIREFIGHTING CAPABILITIES - RESUBMITTED - CONFIDENTIAL

T21/8

**(General Manager's Note:** This report considers Tender T21/8 and is deemed confidential under Section 10A(2) (c) (d) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

### RESOLUTION

Minute No. 46586

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

### Resolved

1. That Broken Hill City Council Report No. 116/21 dated July 6, 2021, be received.
2. That Council award tender T21/8 for the supply of a Water Truck with Firefighting Capabilities for the Waste Management Facility to Tracserv Pty Ltd for the tendered model, Isuzu FXY 240-350 Auto MWB 6x4 for the amount of \$286,592.27 (excluding GST).

CARRIED

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

*The meeting resumed in open session at 5:49p.m.*

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MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
JULY 07, 2021

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

There being no further business the Mayor closed the meeting at 5:50p.m.

THE FOREGOING MINUTES WERE READ )  
AND CONFIRMED AT THE ORDINARY )  
MEETING OF THE BROKEN HILL CITY )  
COUNCIL HELD ON 28 JULY 2021. )

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CHAIRPERSON

**MAYORAL MINUTES**

1. MAYORAL MINUTE NO. 5/21 - DATED JULY 21, 2021 - PROPOSAL TO ESTABLISH A SISTER CITY RELATIONSHIP WITH BLACKTOWN CITY COUNCIL (11/401).....65

## ORDINARY MEETING OF THE COUNCIL

July 21, 2021

**ITEM 1**MAYORAL MINUTE NO. 5/21

SUBJECT: PROPOSAL TO ESTABLISH A SISTER CITY RELATIONSHIP  
WITH BLACKTOWN CITY COUNCIL 11/401

**Summary**

Broken Hill City Council and Bankstown City Council enjoyed many years of a Sister City relationship of which successful sporting exchanges and cultural exchanges were held. This Sister City relationship is no longer in place. Following the local government amalgamation of the Canterbury Bankstown City Council, the Mayors of each Council along with interested Councillors and staff discussed the future of the Sister City concept. Staffing exchanges, information exchanges and DA assessments still remain a feature of the Canterbury Bankstown City Council and Broken Hill City Council relationship, but traditional Sister City exchanges, as they once were, had little appeal moving forward.

Blacktown City Council has maintained a connection with Broken Hill through the arts since 2002, but this connection has been infrequent and sporadic. Blacktown representatives attended the Local Government NSW Annual Conference held in Broken Hill in 2002; and the Minchin Gallery hosted an arts exhibition from the Blacktown Art Reference Group to coincide with the conference. This exhibition was successful with numerous items sold.

I have spoken with the Mayor of Blacktown over numerous years and in more recent discussions the Mayor has advised that Blacktown City Council is very interested in pursuing a Sister City cultural friendship with Broken Hill between the two art galleries to engage in conversations to exchange ideas; participate in art exchanges; to share cultural collections; to facilitate touring local works to provide greater access and diversity of creative experiences to audiences in Blacktown and Broken Hill.

Peer to peer exchanges between artists of western Sydney and Broken Hill will support the capacity and professional development of local creative industries and networks.

Blacktown Arts and the Broken Hill Regional Art Gallery are already in museum and galleries networks and this opportunity will consolidate the relationship and lead to a range of positive cultural outcomes for both communities.

At Blacktown's June Ordinary Council meeting, Blacktown City Council resolved the following: (*copy of report and resolution attached*)

1. *Council continues to liaise with Broken Hill City Council to discuss the formation of an arts-based Sister Cities friendship Agreement.*
2. *Council to receive a further report regarding the outcomes of these discussions.*
3. *The Sister City program fund the initial year of programming.*

Should Council adopt this Mayoral Minute, discussions will continue with Blacktown and a further report will be provided to Council outlining the Sister City friendship agreement and its benefits to the City along with the associated budget requirements.

### **Recommendation**

1. That Mayoral Minute No. 5/21 dated July 21, 2021, be received.
2. That Council liaises with Blacktown City Council to discuss the possibility of forming an arts-based Sister City friendship agreement.
3. That Council receives a further report regarding the outcome of these discussions, and the report to include the amount of funding required to participate in Sister City cultural exchange program and the benefits to Broken Hill.
4. That correspondence be sent to Canterbury-Bankstown City Council thanking them for their long-standing Sister City Relationship with Broken Hill City Council.

### **Attachments**

1. [↓](#) Blacktown City Council report and resolution

D TURLEY AM  
MAYOR

**FR3.7. CS410119 - Potential Sister Cities friendship agreement with Broken Hill City Council**

**Director:**

Wayne Rogers, Director Corporate Services

**Responsible Manager:** Peter Filmer, Manager Events and Sister Cities

**File:** F 13/697

Division is not required.

**Previous item** Nil.

**Topic** Formation of an arts-based Sister Cities friendship agreement with Broken Hill Shire Council.

**Analysis** Blacktown City and Broken Hill City both have vibrant and dynamic arts programs which are promoted through the Leo Kelly Blacktown Arts Centre and the Broken Hill Regional Gallery respectively.

The formalising an agreement between Blacktown City and Broken Hill City in the form of an arts-based friendship agreement has merit and is worthy of further consideration.

**Attachment/s** Nil

**Report Recommendation**

1. Council continues to liaise with Broken Hill City Council to discuss the formation of an arts-based Sister Cities friendship Agreement.
2. Council to receive a further report regarding the outcomes of these discussions.
3. The Sister City program fund the initial year of programming.

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**Committee Recommendation**

1. Council continues to liaise with Broken Hill City Council to discuss the formation of an arts-based Sister Cities friendship Agreement.
2. Council to receive a further report regarding the outcomes of these discussions.
3. The Sister City program fund the initial year of programming.

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**Council Resolution**

1. Council continues to liaise with Broken Hill City Council to discuss the formation of an arts-based Sister Cities friendship Agreement.
2. Council to receive a further report regarding the outcomes of these discussions.
3. The Sister City program fund the initial year of programming.

## Key reasons

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### 1. Blacktown City and Broken Hill City both have a dedicated commitment to art

- a. A Sister City program of exchange will enable the artists, audiences and communities from Blacktown Arts and Broken Hill regional gallery to engage in a conversation of ideas, exchange and participation.
- b. Sharing cultural collections and touring local works will provide greater access and diversity of creative experiences to audiences in Blacktown City and Broken Hill.
- c. Peer to peer exchange between artists of western Sydney and Broken Hill / remote NSW will support the capacity and professional development of local creative industries and networks.
- d. Blacktown Arts and Broken Hill are already in a museums and galleries network. This opportunity will consolidate the relationship and lead to a range positive cultural outcomes for our communities.
- e. Depending on the nature of the activity the cost per program would range from \$8,000 to \$16,000. The costs include freight, transport, accommodation and marketing. Given the recent state and federal budget cuts to the art sector we cannot accommodate this within existing budgets. It is anticipated that the Sister City program will fund the initial year of programming. If the program continues additional funding would be required.

### 2. Blacktown has taken an art exhibition to Broken Hill previously

- a. In 2001, well known Broken Hill artist Roxanne Minchin was our Australia Day Ambassador. Following this visit to Blacktown we continued to discuss with Roxanne the possibility of an art connection between Broken Hill and Blacktown.
- b. In 2002 Broken Hill City Council hosted the LGNSW annual conference. During that conference, the Blacktown Arts Reference Group sent an exhibition to the Minchin Gallery and hosted an afternoon tea where several items were sold.

## Supporting analysis

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### 1. Our International Links and Sister cities (ILSC) Strategic Plan

- a. Council adopted the current ILSC Strategic Plan in 2019. Section 3.1 of this plan provides that Council continues to implement fewer all-embracing links and partnerships.
- b. The purpose of section 3.1 to provide Council with flexibility to form partnerships based on a mutual commonality of purpose.
- c. Our plan provides us with the opportunity to explore a potential art-based friendship agreement.

## Context

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### 1. Broken Hill were formerly partnered with Bankstown City Council

- a. Since 2002, Blacktown has maintained a connection with Broken Hill through the arts, but it has been infrequent and sporadic.
  - b. We have been advised that Canterbury Bankstown Council has terminated its agreement with Broken Hill City.
-



\_\_\_\_\_ End of report \_\_\_\_\_

## **REPORTS FROM DELEGATES**

1. REPORTS FROM DELEGATES NO. 3/21 - DATED JUNE 22, 2021 - ATTENDANCE AT THE ASSOCIATION OF MINING AND ENERGY RELATED COUNCIL MEETING HELD 21 MAY 2021 IN GUNNEDAH (11/195).....71

## ORDINARY MEETING OF THE COUNCIL

June 22, 2021

**ITEM 1**REPORTS FROM DELEGATES NO. 3/21

SUBJECT: ATTENDANCE AT THE ASSOCIATION OF MINING AND ENERGY  
RELATED COUNCIL MEETING HELD 21 MAY 2021 IN  
GUNNEDAH 11/195

**Summary**

Council has received a Delegates Report from Council Nolan regarding his attendance at the Association of Mining and Energy Related Councils Meeting held in Gunnedah on 21 May 2021.

Included with the Delegates Report are draft minutes from the Association's Meeting of 21 May 2021; a copy of a presentation made to the meeting by Geni Energy and a copy of the made by the Association of Mining and Energy Related Councils to the NSW Department of Planning, Industry and Environment regarding Operational Mine Rehabilitation Regulatory Reforms.

Councillor Nolan's Delegates Report is attached.

**Recommendation**

1. That Reports from Delegates No. 3/21 dated June 22, 2021, be received.

**Attachments**

1. Councillor Nolan's Delegates Report  
[↓](#)
2. Draft minutes of the AMERC Meeting held 21 May 2021  
[↓](#)
3. Geni Energy Presentation  
[↓](#)
4. AMERC submission to the NSW Department of Planning, Industry and Environment  
[↓](#)

J. NOLAN  
COUNCILLOR

## **Association of Mining and Energy Related Councils NSW (MERC) Report May 2021**

Councillor Jim Nolan is delegate to MERC and previous Executive member.

The MERC is now meeting face to face again with some members choosing to attend via Zoom. As Executive Meetings comprise a smaller group than those will continue to be held entirely via Zoom, thus saving travel time and costs.

Jim attended all MERC May Gunnedah events in person including Ordinary General meeting on 26 February. Member Councils including Broken Hill continue 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 19 member Councils which gives us lobbying strength for member Councils at State and Federal 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, Industry 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 member Councils who have either Metalliferous (hard rock) mining, Coal/Coal seam gas mining and/or Energy production including Solar and Wind generation.

15 delegates attended the 27 November 2020 AGM and Ordinary meeting, 14 delegates in person and one via Zoom. Our Executive Officer and 5 visiting speakers plus local Media were also in attendance.

**Welcome address** by Deputy Mayor, Gunnedah Shire Council, Cr Rob Hooke.

Cr Hooke welcomed delegates to Gunnedah Shire hoping that they would stay a while longer to enjoy the many attractions in the area at their leisure. He thanked Cr Hasler for organising the tour of the Whitehaven Maule's Creek Coal Mine, Kurrumbede House and the Gunnedah 151MW Solar Farm the day before which was very informative. Cr Hooke also pointed out the amount of investment and development that is taking place in the Gunnedah Shire and the

potential the Hunter Gas Line, Koala Park, Solar Farm and Mine expansions will have on future jobs and the local economy.

Cr Hooke spoke of the \$61M in Grant Funding spent on the new highway bridge and the Silo Artwork tribute to Dorothea Mackellar (author of the poem 'I love a sunburnt country'). Cr Hooke also referred to Gunnedah Council's \$47M planned Infrastructure spend for 2021/22. Not bad for a Sire Council with a population of just 9,700.

### **Meeting Summary**

#### **We heard from five guest speakers:**

**Hon Adam Marshall**, MP Northern Tablelands, Minister for Agriculture & Minister for Western NSW spoke for at least 40 minutes on:

- Land Use & Extractive Industries conflicts were a hot topic 2 years ago, now its Renewable Energy which is the hot topic as Solar Farms increasingly occupy large tracts of land previously used for cultivation, but still allow some grazing.
- Right to Farm Bill – Darryl Quinlivan is Agriculture Commissioner where its successful implementation is to be his primary focus.
- Narrabri Gas field – Santos received approval 11 years ago. There was a 10 year window to commence. Santos approached the NSW Government to get an extension which was approved, including its general corridor. Now Santos has to determine the final pipeline corridor, prioritising existing road and rail reserves.
- Biodiversity Offsets requirements were queried by delegates and a general discussion held about productive agricultural land being tied up. This is 8 – 10 times the mine lease area. Much of this is held in perpetuity such as when a pit is left open although some finishes when a mine is rehabilitated and revegetated.
- Delegates asked the Minister for his response to the questions prepared to address Shenhua Coal mine not going ahead. Shenhua will relinquish the land which it acquired to mine as well as the large tracts of land acquired for environmental biodiversity offset.

- Delegates requested the Minister have the Central West Renewable Energy Zone renamed Orana REZ as it is actually in Orana [Dubbo Area] and the Minister agreed to follow up.
- The difficulty MERC is having getting Ministers and Senior bureaucrats to address MERC delegates on relevant issues. The Minister agreed to follow up.

**Rohan Boehm** – Joint Managing Director, Geni Energy on the establishment of the Virtual Power Plant, Northwest Renewable Energy Precinct & the Community Renewable Energy Project for Walgett Aboriginal Medical Services spoke about how Local Government can get involved and lead Social Enterprise to build Industry Skills and Resilience.

**Pathway to 2050** and what you can achieve – nothing needs to be invented

-Solar, Wind, Biomass

-Hydro, Chemical batteries, Thermal Storage

-Building policies for Energy Efficiency

-Co invest for infrastructure

Note that Battery cost has come down from \$1000/MWh to \$500/MWh in just the last 18 months.

The next decade will be the most important in adapting away from Fossil Fuels.

**Beyond 2030** will be an era of innovation and technology.

**By 2050** Complete transformation

**In 2021** – the easy steps

-Revisit and Update Energy Policies & Procedures.

-Bring Energy inputs/outputs into a management accounting system to track real costs of energy at your Council.

-Partner with Smart Energy Systems and use Smart Australian technology and local content. An example is in Narrabri, with the Old Town Hall Solar Carpark.

The fixed shade for the carpark is covered in 221Kw of Solar panels and there is an Electric Vehicle Charging Station.

-Waste gasification to drive Peaking Generators. This is where waste timber, even cow poo can fuel a gasifier to run a small Peak Generation plant at the local landfill site which fires up at the peak times of the day and eliminates peak electricity charges. Under a Private/Public partnership (lease) this can be cheaper than pit burial of waste timber, creating electricity for approximately 10c/Kwh.

**The Geni Power Point presentation** is attached with this report.

**Emma Stilts** - President, Manilla Community Renewable Energy Inc. spoke on the Manilla Solar Project, funded by Minister for Energy & Environment for \$3.5m. This is a Wind Farm and Hydrogen Battery in the Tamworth Shire Council Area.

**Llewellyn Owens** from Lavo-Helios, Chief Technical Officer, Providence Asset Group spoke on the Hydrogen & Battery Storage system. The system is capable of charging batteries that run on water, or creating liquid hydrogen fuel for long term storage and transportation. Called 'Green Hydrogen' as it comes from water, it can be used to replace fossil fuels such as LPG and Diesel.

There is a large-scale future for Containerised Green Hydrogen with huge potential export markets in Asia and other densely populated countries relying on current energy imports of LPG and CNG. The Manilla Project is the flagship and there are 26 other projects planned throughout NSW.

**Rebecca Scrivener**, Head Regional Operational Unit, Regulatory Operations Regional, NSW Environment Protection Authority gave an overview of the role, structure, and functions of the EPA.

-Organisational Structure

-Regulatory framework

Risk based licensing framework

Compliance

### Other news

– **Resources for Regions Fund Round 8 (\$75M)** opened in May. There are just 24 Councils, including Broken Hill and Cobar eligible to apply for a base allocation of \$1M each and a share of the remaining \$51M on offer for infrastructure and economic stimulus projects. It is worth noting that Cobar received \$7.7 of the \$50M on offer in round 7. Not bad for Shire Council with a population of less than 4,700 people. I hope we in Broken Hill can receive greater funding in Round 8. R4R Applications close on 12 July.

MERC has put in a submission on draft guidelines to support **Operational Mine Rehabilitation Regulatory Reforms**. A copy is attached with this report.

**General Meeting discussion and resolutions:** see attached draft minutes

**Next Meeting** will be held on 30 July 2021, in Orange.



**MINUTES OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCILS  
(NSW) ORDINARY MEETING HELD ON 21<sup>ST</sup> MAY 2021 AT SMITHURST THEATRE,  
CONADILLY ST, GUNNEDAH, NSW.**

**Present**

Cr Peter Shinton	Warrumbungle Shire Council (Chair)
Cr Owen Hasler	Gunnedah Shire Council (Deputy Chair)
Cr Michael Banasik	Wollondilly Shire Council (Deputy Chair)
Cr Katheryn Smith	Mid Coast Council (Ex Committee)
Cr Noel Lowry	Wollondilly Shire Council
Cr Robert Khan	Wollondilly Shire Council
Cr Mark Hall	Lachlan Shire Council
Cr Dom Figliomeni	Wollongong City Council
Cr Jim Nolan	Broken Hill City Council
Cr Rob Hooke	Gunnedah Shire Council
Cr Jarrod Marsden	Cobar Shire Council
Cr Alan Ward	Parkes Shire Council
Heather Nicholls	Cabonne Shire Council
Steve Loane	Forbes Shire Council

**In attendance**

Greg Lamont, Executive Officer. (Minute Taker)

**Speakers**

Hon Adam Marshall, Minister for Agriculture & Western NSW  
Rohan Boehm, Joint Managing Director, Geni Energy  
Emma Stilts, President, Manilla Community Renewable Energy Inc.  
Llewellyn Owens, Chief Technical Officer, Providence Asset Group  
Rebecca Scrivener, Head Regional Operational Unit, Regulatory Operations  
Regional, NSW Environment Protection Authority

**1. Meeting Opened by the Chair at 9.10am**

**2. Acknowledgment of Country by Chair**

"I acknowledge the traditional custodians of the land that we meet on today and pay our respects to the Elders past, present & emerging".

**3. Welcome address by Deputy Mayor, Gunnedah Shire Council, Cr Rob Hooke**

Cr Hooke welcomed delegates to Gunnedah Shire on behalf of Mayor Cr Jamie Chaffey who attended dinner with delegates the evening before and hoping that they would stay a while longer to enjoy the many attractions in the area at their leisure. He thanked Cr Hasler for organising the tour of the Whitehaven Maule's Creek Coal mine, Kurrumbede House and the Gunnedah Solar Farm the day before which was very informative and much appreciated by delegates.

Cr Hooke also pointed out the amount of investment and development that is taking place in the Gunnedah Shire and the potential the Hunter Gas Line, Koala Park, Solar Farm, Mine expansions and current Agribusiness activity will have on future jobs and the local economy.

**SUSPENSION OF STANDING ORDERS TO RECEIVE SPEAKERS**

**OM 13/2021** Resolved (Cr Hasler/Cr Figliomeni) that standing orders be suspended at 9.15am to allow speakers to address delegates and for morning tea if required.

**MINUTES OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCILS  
(NSW) ORDINARY MEETING HELD ON 21<sup>ST</sup> MAY 2021 AT SMITHURST THEATRE,  
CONADILLY ST, GUNNEDAH, NSW.**

**RESUMPTION OF STANDING ORDERS**

**OM 14/2021** Resolved (Cr Lowry/Cr Hall) that standing orders be resumed at 12.05pm to continue the meeting.

**4. Apologies.**

**OM 15/2021** Resolved (Cr Hasler/Heather Nicholls) that the apologies of the following delegates be received and noted:- Cr Scott Ferguson & Rebecca Ryan, Blayney Shire Council; Cr Liz McGlynn, Bland Shire Council; Cr Ian Davison, Cabonne Shire Council; Greg Tory, Lachlan Shire Council; David Henry, Wollondilly Shire Council; Andrew Johns, Gunnedah Shire Council; Cr's Joanne McRae, Reg Kidd & Kevin Duffy, Orange City Council; Dean Frost & Cr Ben Shields, Dubbo Regional Council; Cr Sue Moore, Singleton Council; Cr's Kaylene Irving & Heather Druce plus Gary Woodman, Warren Shire Council; Cr Ian Woodcock OAM & Michael Urquhart, Walgett Shire Council; Cr Jay Suvaal & Cr Bob Pynsent, Cessnock City Council; Peter Vlatko, Cobar Shire Council; Cr Des Kennedy & Brad Cam, Mid Western Regional Council; Cr's Phyllis Miller OAM & Chris Roylance, Forbes Shire Council; Ron Zwicker & Cr Cath Blakey, Wollongong City Council and Adrian Panuccio, Mid Coast Council.

**5. Disclosures of Interest.**

Nil.

**6. Adoption of Minutes of Ordinary Meeting – 27<sup>th</sup> November 2020**

**OM 16/2021** Resolved (Cr Lowry/Cr Figliomeni) that the minutes of the Ordinary meeting held on 27<sup>th</sup> November 2020 be received and noted.

**7. Business Arising – Nil**

**8. Adoption of Minutes of Special General Meeting – 27<sup>th</sup> November 2020**

**OM 17/2021** Resolved (Cr Hasler/Cr Nolan) that the minutes of the Special General meeting held on 27<sup>th</sup> November 2020 be received and noted.

**9. Business Arising – Nil**

**10. Adoption of Minutes of Ordinary Meeting – 26<sup>th</sup> February 2021**

**OM 18/2021** Resolved (Cr Nolan/Cr Hasler) that the minutes of the Ordinary meeting held on 26<sup>th</sup> February 2021 be received and noted.

**11. Business Arising – Nil**

**MINUTES OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCILS  
(NSW) ORDINARY MEETING HELD ON 21<sup>st</sup> MAY 2021 AT SMITHURST THEATRE,  
CONADILLY ST, GUNNEDAH, NSW.**

**12. Adoption of the Minutes of the Executive Committee Meeting – 17<sup>th</sup> May 2021**

**OM 19/2021** Resolved (Cr Nolan/Cr Hasler) that consideration of the minutes of the Executive Committee meeting held on 17<sup>th</sup> May 2021 be deferred until after the Executive Officer provides a background verbal report on the items and recommendations.

The Executive Officer went through the items in his report plus the decisions and recommendations from the Executive Committee meeting.

**OM 20/2021** Resolved (Cr Hasler/Cr Figliomeni) that the minutes of the Executive Committee meeting held on 17<sup>th</sup> May 2021 be received and noted with the item on the "next meeting" being further considered in General Business at this meeting.

**13. Business Arising – Nil**

**14. Delegates Reports – Nil.**

**15. Speakers**

- (a) Hon Adam Marshall, MP Northern Tablelands, Minister for Agriculture & Minister for Western NSW spoke for at least 45 minutes on:-
- Land Use & Extractive Industries conflicts which were a hot topic years ago, now its Renewable Energy as the hot topic.
  - Right to Farm Bill – Darryl Quinlivan is the new Agriculture Commissioner where the successful implementation of the Bill is to be his primary focus.
  - Biodiversity Offsets requirements were queried by delegates and a general discussion held.
  - Delegates asked the Minister for his response to the questions prepared for his address on Shenhua, Central West Orana REZ name to be Orana REZ (Minister agreed to follow up), the difficulty MERC is having getting Ministers and Senior bureaucrats to address MERC delegates on relevant issues (Minister agreed to follow up if not happening for MERC)
- (b) Rohan Boehm – Joint Managing Director, Geni Energy on the establishment of the Virtual Power Plant, Northwest Renewable Energy Precinct & the Community Renewable Energy Project for Walgett Aboriginal Medical Services and how Local Government can get involved and lead by:-
- Revisiting and Updating Energy Policies & Procedures.
  - Bring Energy inputs/outputs into a management accounting system to track real costs of energy at your Council.
  - Partner with Smart Energy Systems (no cheap solar or using 'cowboys in the game') and use Smart Australian technology (local content).
- (c) Emma Stilts - President, Manilla Community Renewable Energy Inc. on the Manilla Solar Project with Llewellyn Owens, Chief Technical Officer, Providence Asset Group on the Hydrogen & Battery Storage system developed for the Manilla Solar Project, funded by Minister for Energy & Environment for \$3.5m.

**MINUTES OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCILS  
(NSW) ORDINARY MEETING HELD ON 21<sup>ST</sup> MAY 2021 AT SMITHURST THEATRE,  
CONADILLY ST, GUNNEDAH, NSW.**

- (d) Rebecca Scrivener, Head Regional Operational Unit, Regulatory Operations Regional, NSW Environment Protection Authority outlining the role of the unit, enforcement processes and penalties approach to ensure compliance.

(Slides used by speakers will be forwarded to delegates in due course)

**16. General Business**

- (a) **Next Meeting – Cr Owen Hasler.** It was agreed that a “face to face” regional meeting be held on 30<sup>th</sup> July 2021 with Executive Officer to approach Orange City Council to host as they had offered in 2020 and possibly Parkes Shire Council may be another option. If not the Executive Officer to seek expressions of interest from members.
- (b) **Resources for Regions Round 8 – Cr Katheryn Smith.** The Executive Officer to seek clarification from Resources NSW, why a mining affected Council like Mid Coast Council are still not included in the list of 24, when Gloucester Shire Council (before amalgamation) was a mining affected LGA, however now it is amalgamated with non-mining Councils, the new Council doesn’t meet the criteria on a whole of Mid Coast Council basis. Can this be addressed in future rounds?
- (c) **Newsletters – Cr Katheryn Smith.** Executive Officer to consider the option of having bi-monthly newsletters.
- (d) **Minister for Planning & Public Places – Cr Michael Banasik.** The Executive Officer respond to the recent reply from the Minister that he was unable to attend the Gunnedah meeting but he is interested in attending a future meeting. The Executive Officer invite the Minister to attend a future meeting of MERC with assistance of Minister Marshall.

**OM 21/2021** Resolved (Cr Smith/Cr Hall) that the afore mentioned actions outlined in General Business be undertaken by the Executive Officer as soon as practicable.

**17. Next Meeting – See above in General Business (a).**

**Close** – the meeting closed at 1.08pm

The minutes (pages 1-4) were confirmed at a meeting of the Ordinary General Meeting held on the 30<sup>th</sup> July 2021 and are a concise and accurate record of proceedings of the Ordinary General meeting held on 21<sup>st</sup> May 2021.

..... Cr Peter Shinton, Chairperson



We're a social enterprise driving abundant and low cost energy that drives new industry, skills and resilience in Northwest NSW.



- Pathway to 2050
- What you can achieve



# 1895

New York







# 1915

just 20  
years  
later

a alamy stock photo

CWFE7X  
www.alamy.com





- Pathway to 2030
  - Nothing needs to be invented
    - Solar, wind, bio,
    - Hydro, chemical batteries, thermal storage
    - Building policies,
    - Coinvest for infrastructure

- Beyond 2030
  - Era of innovation and technology
  - Electrification of everything
  - Rapid switch away from all fossil fuels driven by price, not policy
  - Surge in new industry, jobs, skills

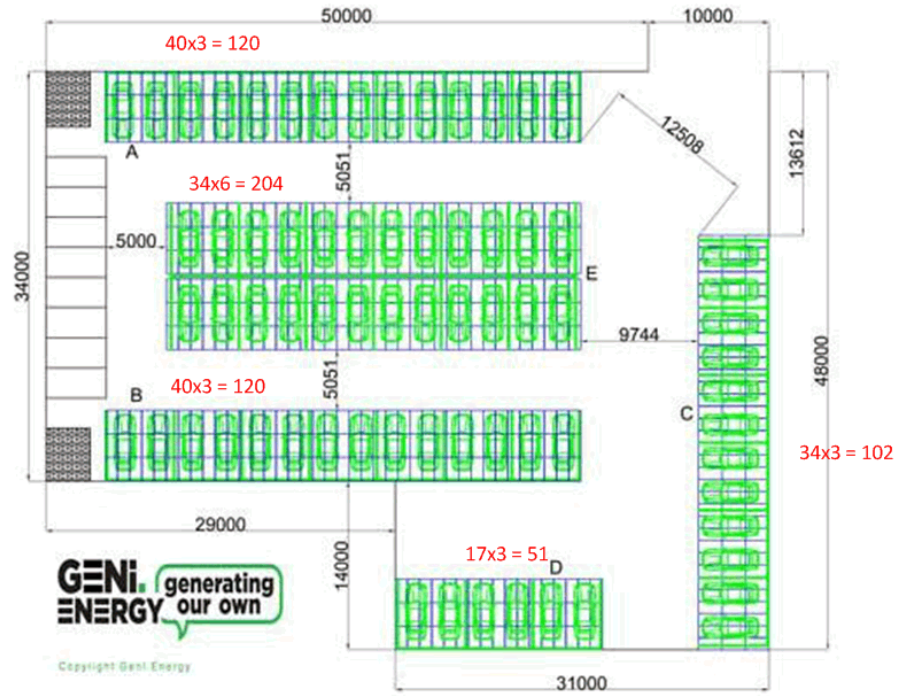
- **2050 Complete transformation**
  - **Nothing short of the complete transformation of the global energy system**
  - **Everywhere, including your local government**

- 2021 – the easy steps
  1. Revisit & update policies
  2. Bring energy inputs / outputs into a management accounting system – track the \$
  3. Partner with
    1. Smart energy systems
    2. Smart Australian technology

- 2021 – 3 easy steps

- Re-think the options
- Get outside the BOX
- Make it SMART

The Old Townhall Solar Carpark Narrabri



$120+204+120+51+102 = 579$  panels  
 $579 \times 400W = 231$  kW





**This is energy  
... not compost, not waste**

# GENI. ENERGY



## Ask us how







PO Box 871, Tamworth, NSW, 2340; email [info@miningrelatedcouncils.asn.au](mailto:info@miningrelatedcouncils.asn.au)

Operational Rehabilitation Reforms  
NSW Resources Regulator – Regulatory Programs

30 April 2021

[rr.feedback@planning.nsw.gov.au](mailto:rr.feedback@planning.nsw.gov.au)

Dear Sir/Madam,

**Re: Association of Mining & Energy Related Councils - Submission on draft guidelines to support operational mine rehabilitation regulatory reforms.**

#### 1. Message Summary

The NSW Association of Mining & Energy Related Councils ('MERC') welcomes the opportunity to comment on the draft guidelines to support the new rehabilitation standard conditions and associated requirements prepared by the NSW Resources Regulator ('RR'). MERC's comments relate primarily to State Significant Developments (SSD's) in rural and regional areas, which include both large and small mines within our local government areas.

In summary, our salient messages are:

- A. The application of a risk-focussed framework, including development of a set of "critical controls" for prioritising regulatory attention is strongly supported.
- B. Whilst the guidance provides a comprehensive and sensible regulatory framework, MERC considers an even greater issue is how DPIE will enforce the standards and hold proponents accountable - that is, the **process and governance** aspects.

In particular, we remain concerned that much of the decision-making being performed by RR will not be transparent. Whilst there are admirable requirements to post regular spatial updates on progressive rehabilitation efforts, there would be very limited opportunity for third-parties to understand or assess the design and progress of these rehabilitation efforts if the current proposals are adopted.

MERC recommends that:

1. All risk assessments be performed by an accredited specialist and be reviewed by RR for robustness and adequacy.
2. All rehabilitation objectives and benchmarked performance targets should be published with the spatial data, in a manner that makes it possible for interested third parties, such as local government, to understand the context of the spatial data published on RR's website.
3. All monitoring data used to track and validate the progress of the rehabilitation works should be provided by the mining companies in a suitable format to be ingested into the RR rehabilitation portal and/or the SEED Data Portal.



## **2. About MERC and its Members**

MERC was founded in 1978 when several rural and regional councils recognised that Local Government Areas associated with coal developments would benefit from a coordinated approach when liaising with proponents and the NSW State Government.

In 1993 the scope broadened to include metalliferous mines. In 1999 it expanded further to represent Local Government on all extractive industries, including unconventional gas and in 2017 added renewable energy projects to its remit. Currently there are more than 20 rural and regional member councils of MERC.

A feature of the MERC membership is that it has extensive first-hand experience in the operational realities of the assessment and determination of State Significant Developments – including many mining projects, wind and solar farms. To that end, it has liaised closely with DPIE, RR and other NSW Government instrumentalities making contributions to public policy, including on matters such as:

- Reform of the Planning Agreement process (in collaboration with the NSW Minerals Council);
- Improving the infrastructure contributions system (NSW Productivity Commission, July 2020);
- Improving the environmental impact assessment and determination process (DPIE);
- Improving how the mining sector could better support businesses in regional economies (DPIE);
- Improving the standard of mine rehabilitation (DPIE);
- Planning for large scale solar projects (DPIE);
- Reform of the Resources for Regions policy criteria; and
- Being an active participant in DPIE's Resources Advisory Forum (now defunct).

## **3. Specific Draft Guideline Comments**

### **a) Guideline 1: Rehabilitation Risk Assessment**

MERC supports the risk-based approach spelt out by the draft guidance to comply with lease conditions.

However, the guidance currently suggests that this risk assessment need only be taken by "appropriately skilled people representing a cross section of the workforce." Further, the mine should satisfy itself that "the level of detail in the rehabilitation risk assessment is proportionate to the type and scale of activities likely to cause disturbance, as well as the sensitivities of the surrounding environment" and that the "rehabilitation risk assessment remains current and relevant to the mining operations".

Risk assessment can vary dramatically in quality, ranging from a rapid tick-box assessment of listed issues to quantified and detailed analysis. As the proposed risk assessments and associated documents are not to be routinely provided to RR for their assessment (only if requested), this clearly leaves potential for inappropriate minimisation of assessed risks and consequent controls and security deposits.

MERC considers the proposed "light-touch" approach is unlikely to result in substantially improved, or even adequate, rehabilitation outcomes. We recommend that a means be found for some professional accreditation to be required for at least the risk assessment leader/signatory. Alternatively, a proactive auditing of all rehabilitation risk assessments and reporting against relevant standards should be completed by RR or a suitable external body. Potentially relevant Australian Standards that the risk assessments could be audited on include:

AS/NZS IEC 31010:2020	Risk management - Risk assessment techniques
AS/NZS 5911- 2013	General guidelines on the verification, validation and assurance of environmental and sustainability reports
AS/NZS ISO 14015-2003	Environmental management - Environmental assessment of sites and organizations (EASO)

AS/NZS ISO/IEC 17021.2-2013 Conformity assessment - Requirements for bodies providing audit and certification of management systems -- Part 2: Competence requirements for auditing and certification of environmental management systems

MERC recommends that:

1. At least one person in the risk assessment process should hold an appropriate professional accreditation in formal risk assessment, and that this person should sign off all risk assessments and derivative management plans.
2. Penalties for ignoring or inappropriately assessing risks should be advertised and rigorously applied as a disincentive to minimising assessed risks leading to unacceptable rehabilitation outcomes.
3. All risk assessments and derivative management plans should be reviewed and approved by RR before they become operational.

**b) Guideline 2: Rehabilitation Records**

The records which are required and/or recommended to be kept by this guidance appear fairly comprehensive, and are broadly supported by MERC.

However, the mine owners are not required to publish their rehabilitation monitoring records, nor to routinely furnish them to RR for review. It remains possible, and in some cases likely, that the quality of these monitoring records will be poor as there is no requirement that they be externally scrutinised unless they become subject to a Targeted Assessment Programs (TAP) or if a problem with the rehabilitation performance is somehow identified by the regulator.

A particular issue which is only addressed indirectly in the guidance documents (see Draft Guideline 6) is the size of the financial bond which is held by the government awaiting confirmation of regulatory sign-off of the rehabilitation works. Assessment of the appropriate monetary value, and eventual refund of, these security deposits provide a very strong incentive for risk assessments to be robust and performance monitoring and analysis to be much more thorough.

MERC recommends that:

1. All current and proposed rehabilitation targets, benchmarks and analogue site characteristics should be provided by company and posted on RR's rehabilitation portal, preferably in a visual format that helps RR and stakeholders compare the targets to the reported progress performance reports.
2. The licences, approvals and management plans that in which these targets and other relevant data are explained should also be linked and available on RR's rehabilitation portal.

**c) Guideline 3: Rehabilitation Controls**

Again, the overall risk-based approach is supported as a means of prioritising company and regulatory effort to where it is most needed. Again however, the guidance is not adequately specific about what is really needed to demonstrate that a designed control is capable of mitigating a particular effect.

The design and collection of adequate baseline data, for example, is a very difficult and complicated endeavour. It takes a very good understanding of what criteria will be accepted as evidence of successful rehabilitation at the end of the process, and then it requires sufficient resources to collect the necessary data to meet that criteria. Risk analysis will help prioritise resources but there also needs to be significant commitment of resources integrated across a range of mine roles to ensure rehabilitation performance measures are met.

In this regard, the control check boxes provided for each of the proposed appear simplistic – if some unnamed or unaccountable person within the company is allowed to tick these boxes it is difficult to imagine that there will be consistently satisfactory outcomes. There are more robust alternatives, such as board members signing off on risk assessments or their being subjected to external scrutiny by RR or using accredited auditors (like the certification process for land contamination auditors in NSW). Australian Standards which provide some relevant guidance are listed above in Section 3a.

One issue likely to worsen as time goes by is diffuse pollution from tailings and buried reject material stockpiles (even if capped) discharging into streams or internal voids. Modelling of groundwater

recovery should be coupled with monitoring and water quality modelling to design and inform the long-term management of dormant water quality impacts. This issue is theoretically covered by Contaminated Land Management Act 1997, and partly addressed in controls, but bears close and qualified scrutiny nonetheless.

MERC recommends that:

1. All risk assessments should be led by a suitably accredited and qualified risk assessor, who should be named on the relevant management plans.
2. Penalties should be applied rigorously for those who are found to have deliberately misled or are unable to subsequently justify their risk assessment conclusions.

**d) Guideline 4: Mine Rehabilitation Portal**

MERC concurs with RR that spatial rehabilitation monitoring data is likely the single most important data type to collect, and the intention to collect this data through your mine rehabilitation portal is in principle supported. The spatial data collection system available at RR's web portal provides a relatively resource-efficient way of tracking the progress of a mine's programmed rehabilitation activities.

However, spatial data is only one of several datasets that would ideally be reported for examination. Other datasets which would be extremely helpful to capture in the same process include relevant licence and approval requirements relating to surface water, groundwater, ecological and other environmental attributes (preferably as quantitative performance measures) and the monitoring data used to support reporting statement assessments.

In our view, the decision to exclude these documents and data from the RR's, community's other stakeholders' access renders this approach a much less powerful compliance position.

The reasons for excluding key rehabilitation performance information, such as environmental monitoring results, from the reporting framework is not discussed in the draft documentation. MERC anticipates that the two principal reasons would be to minimise reporting burdens on the mines and to limit the volume and types of data that RR has to ingest onto its reporting platform. If so, both of these issues can be technically overcome if there is sufficient government appetite to do so.

An "all of environment" data portal was identified as an essential requirement for the efficient long-term management and protection of the state's natural resources by the NSW Chief Scientist in 2014 (Measuring the cumulative impacts of all activities which impact ground and surface water in the Sydney Water Catchment). In particular, the Chief Scientist called for the NSW government to rapidly improve its overall monitoring capability by requiring industry-collected environmental monitoring data to be ingested into what has since become the SEED Portal.

Despite expectations and promises that industry monitoring data would be captured and available for scrutiny, mining companies and other permit-holders are not required to (or even encouraged to) publish their regular environmental monitoring data into the Seed Portal, and it remains an agency-only data portal. It is deeply frustrating to local government stakeholders that the NSW government is once again refusing to grasp the productivity-enhancing nettle of capturing industry-collected environmental monitoring data. Instead this valuable data will remain locked in company databases, apparently forever despite the recommendations of our Chief Scientist, outside the government data ingestion process and thus unavailable for environmental compliance monitoring and wider resource assessment.

MERC recommends that:

1. All management plans and interpretation reports relevant to the assessment of rehabilitation objectives, controls and performance targets should be linked to the spatial data provided to RR in its rehabilitation data ingestion process.
2. Collated monitoring data used to justify these reports and assessments should also be provided to RR and ingested into government databases, preferably in SEED, and made available through the RR's rehabilitation portal for external examination.

**e) Guideline 5: Rehabilitation Objectives and Rehabilitation Completion Criteria**

The effort that has been applied by RR to developing this guideline is applauded by MERC. We also appreciate the requirement to develop rehabilitation objectives and completion criteria through some level of stakeholder engagement is strongly supported.

But again, MERC's concern about robust and transparent threshold development remains that most of the guidance to develop remains qualitative and elastically worded, including the requirements for stakeholder consultation.

A key consideration in the setting of rehabilitation objectives is what the land was zoned and what landuses will be permissible following completion of rehabilitation. Close consultation with Councils is clearly essential in clarifying this step.

The guidance notes that in most cases there will be some consideration and intentions made at the EIS stage, and some of these will likely be converted into planning approval conditions. It is our experience however that final land uses identified in an EIS are often vague, lack planning, are not linked to any defined land use, and are almost never supported by feasibility studies. In reality, they are often deferred to much later in the mine life, and are often finalised only when a closure request is imminent. It is often not known whether the proposed landform design will meet any current or future proposed land uses that, at the time of approval, may be possible on the site. This inevitable complexity leads to a high level of uncertainty and the ability to track through multiple design changes is essential both for RR and local government.

Unless there are quantified, or at least detailed and unambiguous, definitions of what the rehabilitation targets and benchmarks should be and how completion will be measured and assessed, there remains a high risk of unsatisfactory rehabilitation outcomes. The rehabilitation plans need to unambiguously spell out locations for proposed actions, triggers for mitigations if required, clarification of which monitoring points which will be used in the assessment, and timeframes, e.g. what period will rehabilitation be continued and responses measured? Will this always include the time taken for water tables to return and stabilise?

It is important that current rehabilitation plans are consistent with planning requirements, and that modifications to proposed changes are agreed with relevant stakeholders and that modification versions can be readily tracked. It is also important that completion criteria are adequately and quantitatively (where possible) defined to demonstrate successful remediation, e.g. degree to which post-mining streamflows, groundwater levels and water quality will return to pre-mining (baseline) levels.

To achieve this level of detail and agreement there needs to be a high level of transparency and stakeholder consultation buy-in, which means the stakeholder engagement process needs to be thorough and all proposals and proposed amendments are externally available for appropriate consideration relative to the agreed rehabilitation objectives.

MERC recommends that:

1. Zoning approval is sought for all rehabilitation outcome proposals.
2. The rehabilitation portal should make proposed and current zoning requirements for all proposed zoning available for community and mine-owner information.
3. That appropriate levels of formal and informal consultation be required for each proposed rehabilitation plan modification after planning approval, and that these consultations be reported on the RR's rehabilitation portal for future scrutiny.

**f) Guideline 6: Achieving Rehabilitation Completion (Sign-Off)**

The guidance provides the mine owner with useful and important information about the steps they need to take to achieve departmental sign-off on their rehabilitation duties.

It does not however provide much information on how RR will assess the success of the rehabilitation. In some cases, such as landform contouring, analysing the point at which rehabilitation can be

considered successful is a simple matter of quantity surveying. In other cases however, such as deciding what proportion of pre-mining streamflows need to be replicated by post-mining flows to consider a stream's hydraulic functionality (not to mention its ecological and riparian functions) successfully rehabilitated, is a difficult undertaking and generally requires significant consultation with stakeholders.

Insufficient attention seems to be paid to these aspects, and a commitment to at least conduct the success assessment by the company and RR transparently is very important to RR's regulatory credibility. There is no commitment in the guidelines to discuss the sign-off with relevant stakeholders, or even with other agencies. Greater clarity on RR's assessment process, and a commitment to provide community transparency in this process, would be valued by MERC and other stakeholders.

MERC recommends that:

1. RR should commit within the final guidelines to requiring all, or at least large, mines to undertake an appropriate level of stakeholder consultation to both design and ultimately to assess rehabilitation completion. It is very important that local government is included in all stages of the rehabilitation design and completion verification.

#### **4. Conclusions and Recommendations**

MERC appreciates the opportunity to provide feedback on the abovementioned matters.

We support RR's proposed reforms to mine rehabilitation and closure processes. However, greater scrutiny of the risk assessments is essential as these underly all rehabilitation actions. We further feel that there is insufficient proposed access by RR and external stakeholders to the instruments, monitoring data and decision-making processes discussed in these guidelines.

In particular, we recommend the following additional measures be incorporated into the reform documents and rehabilitation assessment processes:

1. At least one person in the risk assessment process should hold an appropriate professional accreditation in formal risk assessment, and that this person should sign off all risk assessments and derivative management plans.
2. Penalties for ignoring or inappropriately assessing risks should be advertised and rigorously applied as a disincentive to minimising assessed risks leading to unacceptable rehabilitation outcomes.
3. All risk assessments and derivative management plans should be reviewed and approved by RR before they become operational.
4. All current and proposed rehabilitation targets, benchmarks and analogue site characteristics should be provided by company and posted on RR's rehabilitation portal, preferably in a visual format that helps RR and stakeholders compare the targets to the reported progress performance reports.
5. The licences, approvals and management plans that in which these targets and other relevant data are explained should also be linked and available on RR's rehabilitation portal.
6. Penalties should be applied rigorously for those who are found to have deliberately misled or are unable to subsequently justify their rehabilitation risk assessment conclusions.
7. All management plans and interpretation reports relevant to the assessment of rehabilitation objectives, controls and performance targets should be linked to the spatial data provided to RR in its rehabilitation data ingestion process.
8. Collated monitoring data used to justify these reports and assessments should also be provided to RR and ingested into government databases, preferably in SEED, and made available through the RR's rehabilitation portal for external examination.
9. Zoning compatibility and approval should be sought for all rehabilitation outcome proposals.
10. The rehabilitation portal should make proposed and current zoning requirements for all proposed zoning available for community and mine-owner information.

11. Appropriate levels of formal and informal consultation be required for each proposed rehabilitation plan modification after planning approval, and that these consultations be reported on the RR's rehabilitation portal for future scrutiny.
12. RR should commit within the final guidelines to requiring all, or at least large, mines to undertake an appropriate level of stakeholder consultation to both design and ultimately to assess rehabilitation completion. It is very important that local government is included in all stages of the rehabilitation design and completion verification.

Our organisation has extensive operational experience across all facets of mining and energy developments in rural and regional areas and would welcome the opportunity to discuss the matters raised herein in more detail. We extend an invitation to the Department to convene a Zoom or Microsoft Teams virtual meeting to discuss the topic.

If you have any queries please don't hesitate to contact the Executive Officer of MERC Mr Greg Lamont on phone 0407 937 636 or email [info@miningrelatedcouncils.asn.au](mailto:info@miningrelatedcouncils.asn.au).

Yours sincerely,

Peter Shinton  
Chairman  
Association of Mining Related Councils

## REPORTS

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## ORDINARY MEETING OF THE COUNCIL

July 9, 2021

**ITEM 1****BROKEN HILL CITY COUNCIL REPORT NO. 117/21**

**SUBJECT:** **CORRESPONDENCE REPORT - TRIAL COACH SERVICES,  
BROKEN HILL TO MILDURA AND ADELAIDE** **11/161**

**PREVIOUS ITEMS:** BHCC1/21 - CORRESPONDENCE REPORT - NSW TRAINLINK COACH SERVICES BETWEEN BROKEN HILL AND ADELAIDE AND BETWEEN BROKEN HILL AND MILDURA - Ordinary Council - 24 Feb 2021 6:30p.m.  
MM13/20 - BROKEN HILL TO ADELAIDE AND MILDURA COACH SERVICE - Ordinary Council - 09 Dec 2020 6:30pm

**Recommendation**

1. That Broken Hill City Council Report No. 117/21 dated July 9, 2021, be received.
2. That correspondence from Transport NSW dated 9 July 2021 advising of a twelve-month extension to the trial coach services between Broken Hill and Mildura, and between Broken Hill and Adelaide to 30 June 2022, be received and noted.
3. That Council sends further correspondence, prior to June 2022, to the Minister for Regional Transport and Roads and to Transport NSW advocating for both Trainlink coach services between Broken Hill and Mildura and between Broken Hill and Adelaide to continue in operation permanently.

**Executive Summary:**

Council, at its Ordinary Meeting held 24 February 2021 considered correspondence from the Minister for Regional Transport advising that the trial coach services would remain operational until 30 June 2021. Council resolved at the February 2021 Council Meeting:

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 1/21 - DATED FEBRUARY 16, 2021 -  
CORRESPONDENCE REPORT - NSW TRAINLINK COACH SERVICES BETWEEN BROKEN  
HILL AND ADELAIDE AND BETWEEN BROKEN HILL AND MILDURA** **11/161**

**RESOLUTION**

Minute No. 46433

Councillor C. Adams moved

Councillor D. Gallagher seconded

**Resolved**

- ) 1. That Broken Hill City Council Report No. 1/21 dated February 16, 2021, be received.
- ) 2. That Council note correspondence from the Minister for Regional Transport and Roads dated 9 February 2021 in reply to the Mayor's correspondence of 14 December 2020.
3. That Council makes further representations to the Minister for Regional Transport and Roads and Transport for NSW prior to 30 June 2021, advocating for both Trainlink



coach services to remain operational permanently.

CARRIED UNANIMOUSLY

Council forwarded correspondence as per the above resolution on 3 June 2021.

Council has now received reply correspondence from Transport NSW advising that the trial coach services between Broken Hill and Mildura, and between Broken Hill and Adelaide have been extended for a further twelve-month period until 30 June 2022.

The correspondence is attached.

**Attachments**

1. [↓](#) Correspondence from Transport NSW dated 9 July 2021

JAY NANKIVELL  
GENERAL MANAGER



Our Ref: 01277805

Councillor Darriea Turley AM  
Mayor  
Broken Hill City Council  
leisa.bartlett@brokenhill.nsw.gov.au

Dear Mayor

Thank you for your correspondence to the Minister for Regional Transport and Roads about the NSW TrainLink Trial Coach Services between Broken Hill and Mildura and Broken Hill and Adelaide. I have been asked to respond to you.

I note your comments and appreciate the strength of feeling within the community for the retention of these services.

As you will appreciate, when determining the viability of a new coach service, NSW TrainLink considers a range of operational and commercial factors, including patronage and the broader economic benefit to communities, as well as the social benefit of connecting regional communities with education, medical and other facilities.

I am pleased to advise that on 28 April 2021 the Minister announced the Broken Hill to Adelaide and the Broken Hill to Mildura coach services would be extended for another year - until 30 June 2022.

This information is available on the website at <https://transportnsw.info/news/2021/broken-hill-coach-trials-extended>

I trust this information is of assistance.

Yours sincerely

09/07/2021

**Terry McSweeney**  
**Principal Manager**  
**Ministerial Correspondence**

## ORDINARY MEETING OF THE COUNCIL

July 8, 2021

**ITEM 2**BROKEN HILL CITY COUNCIL REPORT NO. 118/21

SUBJECT: LOCAL GOVERNMENT ELECTIONS 2021 - CARETAKER PERIOD  
15/23

**Recommendation**

1. That Broken Hill City Council Report No. 118/21 dated July 8, 2021, be received.
2. That Circular to Councils No. 21-17 ref A755930 issued by the NSW Office of Local Government on 8 July 2021 and advising of the Local Government Elections - caretaker period requirements from 6 August 2021 to 4 September 2021, be received and noted.

**Executive Summary:**

Council has received Circular No. 21-17 dated 8 July 2021 Reference A755930 issued by the NSW Office of Local Government regarding Council decision-making prior to the September 2021 Local Government Elections (see Attachment 1).

**Report:**

Clause 393B of the *Local Government (General) Regulation 2005* limits councils' ability to exercise some of their functions in the four weeks preceding the date of an ordinary local government election (the caretaker period).

The NSW Office of Local Government have issued a circular to all NSW councils regarding the caretaker period requirements.

The Regulations require that Councils, the General Managers or any other delegate of Councils (other than a Joint Regional Planning Panel, a Local Planning Panel or the Central Sydney Planning Committee) must not exercise the following functions during the caretaker period:

- Entering into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger);
- Determining a "controversial development application", except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period;
- Appointing or reappointing the council's general manager (except for temporary appointments).

In certain circumstances, the abovementioned functions may be exercised with the approval of the Minister.

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The caretaker period for the September 2021 ordinary local government elections commences on Friday 6 August 2021 and ends on Saturday 4 September 2021.

The relevant section of the *Local Government (General) Regulations 2005* has been provided as an attachment to this report (Attachment 2).

**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*

*Local Government (General) Regulation 2005*

**Financial Implications:**

Nil.

**Attachments**

1. [↓](#) OLG Circular to Councils 21-17
2. [↓](#) Section 393B of the Local Government (General) Regulation 2005

JAY NANKIVELL  
GENERAL MANAGER

<b>Circular Details</b>	21-17 / 8 July 2021 / A755930
<b>Previous Circular</b>	21-12 "Electoral matter" and use of council resources prior to local government elections
<b>Who should read this</b>	Councillors / General Managers / All council staff
<b>Contact</b>	Council Governance Team / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Information / Council to Implement

### Council decision-making prior to the September 2021 local government elections

#### What's new or changing

- Councils are expected to assume a "caretaker" role during election periods to ensure that major decisions are not made which would limit the actions of an incoming council.
- Councils, general managers and other delegates of councils (other than a joint regional planning panel, a local planning panel or the Central Sydney Planning Committee) must not exercise the following functions during the caretaker period:
  - entering into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger)
  - determining a "controversial development application", except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period
  - appointing or reappointing the council's general manager (except for temporary appointments).
- In certain circumstances, these functions may be exercised with the approval of the Minister.

#### Key points

- "Controversial development application" means a development application for designated development under section 4.10 of the *Environmental Planning and Assessment Act 1979* for which at least 25 persons have made submissions during community consultation.
- The caretaker period for the September 2021 local government elections commences on Friday 6 August 2021 and ends on Saturday 4 September 2021.

#### Where to go for further information

- For further information, contact the OLG's Council Governance Team on 4428 4100.

**Kiersten Fishburn**  
Coordinator General, Planning Delivery and Local Government

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

EXTRACT OF LOCAL GOVERNMENT (GENERAL) REGULATION 2005:

393B Exercise of council functions during caretaker period

- (1) The following functions of a council must not be exercised by the council, or the general manager or any other delegate of the council (other than a Joint Regional Planning Panel or the Central Sydney Planning Committee), during a caretaker period—
  - (a) entering a contract or undertaking involving the expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger),
  - (b) determining a controversial development application, except where—
    - (i) a failure to make such a determination would give rise to a deemed refusal under section 82 of the *Environmental Planning and Assessment Act 1979*, or
    - (ii) such a deemed refusal arose before the commencement of the caretaker period,
  - (c) the appointment or reappointment of a person as the council's general manager (or the removal of a person from that position), other than—
    - (i) an appointment of a person to act as general manager under section 336(1) of the Act, or
    - (ii) a temporary appointment of a person as general manager under section 351(1) of the Act.
- (2) Despite subclause (1), such a function may be exercised in a particular case with the consent of the Minister.
- (3) In this clause—

*caretaker period* means the period of 4 weeks preceding the date of an ordinary election.

*controversial development application* means a development application under the *Environmental Planning and Assessment Act 1979* for which at least 25 persons have made submissions under section 79(5) of that Act by way of objection.

**Note—**

See also Division 9A (Provisions relating to activities during regulated periods) of this Part for controls on certain activities during the regulated period before elections.

## ORDINARY MEETING OF THE COUNCIL

July 16, 2021

**ITEM 3**BROKEN HILL CITY COUNCIL REPORT NO. 119/21SUBJECT:                    DRAFT LIBRARY POLICIES FOR PUBLIC EXHIBITION                    12/14**Recommendation**

1. That Broken Hill City Council Report No. 119/21 dated July 16, 2021, be received.
2. That Council endorses the draft Library Computer and Internet Access Policy, draft Library Membership Policy and draft Library Policy for the purpose of public exhibition.
3. That Council publicly exhibits the draft Library Computer and Internet Access Policy, draft Library Membership Policy and draft Library Policy and accepts submissions from the public for a period of 28 days.
4. That Council notes that following the 28 day consultation process and final resolution of Council, that Library Policy (2009) will be rescinded and superseded by the Computer and Internet Access Policy, Library Membership Policy and Library Policy.
5. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the draft Library Computer and Internet Access Policy, draft Library Membership Policy and draft Library Policy.

**Executive Summary:**

The current Library Policy is outdated. The draft Computer and Internet Access Policy, draft Library Membership Policy and draft Library Policy will supersede the current Library Policy (2009). The new draft policies have been separated into individual policies to address the different service deliveries of the Library.

These draft policies have been developed as planning tools to give direction and focus that is consistent with the Library's overall direction, goals and objectives. The principles behind these Policies are guided by professional industry standards and guidelines.

**Report:**

Broken Hill Library was the first free public Library in New South Wales and opened in 1906. The current building that houses the Broken Hill City Library was opened in 1964 and was named the Charles Rasp Memorial Library.

The Broken Hill City Library Service, herein referred to as 'the Library', seeks to provide free accessible and high-quality service to our community through providing the vehicle for ideas, information, resources, facilities, programs and services; and vibrant, valued spaces to help our community discover, connect, learn and grow.

The Library operates a single service point within the City of Broken Hill. The Library is responsible for delivery of the Library service to the community of Broken Hill, through the Broken Hill City Library, Broken Hill Outback Archive, Home Library service and the Outback Letterbox Library service.

- The Outback Letterbox Library service, funded by the Library Council, NSW State Library New South Wales, services the outlying areas of the Far West and Unincorporated areas of NSW.
- The Broken Hill Outback Archives, herein referred to as 'the Archives' seeks to serve the community through the acquisition, cataloguing, classification, preservation and provision of access to a well organised and balanced collection reflecting Broken Hill and surrounding regions' heritage.
- The Home Library service is a free delivery service to residents in Broken Hill who may not be able to visit the Library. This may be due to infirmity, illness, disability, and age.

The Library provides a range of services:

- Prompt, courteous and efficient service by approachable and non-judgmental staff.
- A welcoming and safe environment.
- Free and equal access to resources and services to all individuals and groups within the community, in accordance with *the NSW Library Act 1939*.
- A range of Library resources and services tailored to the needs of each community.
- Library information resources which are relevant and up to date.
- Access to a range of information technologies, including public computers, internet access, Wi-Fi and electronic resources.
- Access to staff with professional expertise and knowledge.
- Provision of assistance to people who need adaptive technology and different media to enable them to use the full range of Library services and facilities.
- Confidentiality in accordance with the NSW privacy legislation.
- Have suggestions and comments about the Library service welcomed.

### **1. Draft Library and Internet Access Policy**

The Broken Hill City Library Computer and Internet Access Policy details the framework for Broken Hill Council's (Council) provision of Library services to the community and residents of the Broken Hill Local Government Area (LGA).

The draft policy applies to the use of the internet from public access computers at Broken Hill City Library.

The objective of the draft policy is to:

- Ensure fair and equitable access to the Internet as an information resource.
- Establish guidelines for acceptable use of the Internet within the Broken Hill City Library.
- Ensure the safety and integrity of Broken Hill City Council's information technology network.

Use of wireless Internet access on personal mobile devices within in the Library is subject to the same principles of appropriate use.

### **2. Draft Library Membership Policy**

This draft policy applies to all individuals and organisations wishing to be members of the Broken Hill City Library.



Council recognises the essential service that the Library provides, and that the community are entitled to free and equal access to resources and services to all individuals and groups within the community, in accordance with *the NSW Library Act 1939*.

The objective of the draft Library Membership Policy is to outline the various requirements of membership, categories of memberships and the conditions for each of the memberships.

This draft policy includes new membership categories:

- Independent Young Adult membership (for people under 18). People aged 14-18 years who are living independently of a parent/guardian are eligible for the Independent Young Adult membership. A Centrelink issued health benefit card should/can be used as evidence of independent living and may also be used as further evidence of a person's address.
- Unattached membership for people who are unable to provide proof of address such as our homeless customers, who can provide ID of some kind but not a fixed address. Cards are valid for six months with a loan limit of two items and full access to public computers etc.

This draft policy also alters the conditions of **visitor membership** from payment fee to a no fee with limited membership privileges.

### 3. Draft Library Policy

The draft Library Policy is one of the key strategic documents which underpins the management of the Broken Hill City Library. The draft Library Policy will supersede the Library Policy 2009.

The draft Library Policy details the framework for Broken Hill Council's (Council) provision of Library services to the community and residents of the Broken Hill Local Government Area (LGA).

The purpose of this draft policy is:

- To inform Library staff and the public of the operations policy of the Broken Hill City Library.
- To detail access and conditions that apply to the Library and its collections.
- To outline the service delivery standards and requirements of the Library.

This draft policy applies to users of the Library services.

#### **Community Engagement:**

The draft Computer and Internet Access Policy, draft Library Membership Policy and draft Library Policy will be placed on public exhibition for a 28-day period during which time Council will accept submissions from the public.

#### **Strategic Direction:**

Key Direction:	1	Our Community
Objective:	1.3	Our history, culture and diversity is embraced and celebrated
Strategy:	1.3.4	To facilitate lifelong learning via access to books, learning resources and other information

#### **Relevant Legislation:**

- *Local Government Act 1993*

- *Library Act 1939*
- Library Regulation 2018
- *Copyright Act 1969 (Commonwealth)*
- *Children and Young Persons (Care and Protection) Act 1998*
- *NSW Privacy and Personal Information Protection Act 1998*

**Financial Implications:**

Nil there are no financial implications to develop these policies.

**Attachments**

1. [↓](#) Draft Library Computer and Internet Access Policy
2. [↓](#) Draft Library Membership Policy
3. [↓](#) Draft Library Policy

RAZIJA NU'MAN  
DIRECTOR CORPORATE

JAY NANKIVELL  
GENERAL MANAGER



## LIBRARY COMPUTER AND INTERNET ACCESS POLICY – DRAFT

QUALITY CONTROL		
EDRMS REFERENCES	18/141 – D21/11993	
RESPONSIBLE POSITION	Library Coordinator	
APPROVED BY	Director Corporate	
REVIEW DATE		REVISION NUMBER
EFFECTIVE DATE	ACTION	MINUTE NUMBER

### 1. INTRODUCTION

The Broken Hill City Library Computer and Internet Access Policy details the framework for Broken Hill Council's (Council) provision of Library services to the community and residents of the Broken Hill Local Government Area (LGA).

The objective of the policy is to:

- Ensure fair and equitable access to the Internet as an information resource.
- Establish guidelines for acceptable use of the Internet within the Broken Hill City Library.
- Ensure the safety and integrity of Broken Hill City Council's information technology network.

Council is committed to providing the community with free access to information that addresses the educational, cultural and recreational needs in a safe and welcoming environment.

The Broken Hill City Library, herein referred to as 'the Library', seeks to provide free, accessible and high-quality service to our community through providing the vehicle for ideas, information, resources, facilities, programs, services and vibrant, valued spaces to help our community discover, connect, learn and grow.

### 2. POLICY OBJECTIVE

This Policy has been developed as a planning tool to give direction and focus that is consistent with the Library's overall direction, goals and objectives. The principles behind this Policy are guided by professional industry standards and guidelines.

### 3. POLICY SCOPE

This Policy applies to the use of the internet from public access computers at Broken Hill City Library.

Use of wireless Internet access on personal mobile devices within in the Library is subject to the same principles of appropriate use.

#### 4. POLICY STATEMENT

##### 4.1 Principles

Broken Hill City Library is committed to serving the information and recreation needs of the community.

The Library provides a welcoming environment, including free public access to the internet to support lawful:

- Access to information and services;
- Access to recreational material;
- Avenues for community engagement and participation.

##### 4.2 Access

###### 4.2.1. General

Access to the Internet is free of charge to those visiting the Broken Hill City Library.

The Library does not have control over information available on the Internet and does not accept responsibility for accuracy of information or for any consequences that arise from use of that information.

The Broken Hill City Library does not practice censorship control over the information available on and through the internet and therefore cannot be held responsible for its content and use. Censorship issues are the domain of Federal and State Governments.

The Library supports the safe, smart and responsible use of technology.

As some Internet sources may cause offence to some people, users are asked to be sensitive to the values and beliefs of others when displaying information or images on computer screens that are located in public areas.

The Library does not guarantee availability of the Internet or Internet sites at any time, nor is the Library responsible for technical difficulties or loss of data resulting from delays or service interruptions.

All public access computers have filtering software in accordance with Council policy, which limits access to inappropriate or offensive materials.

However, the Library cannot guarantee that the filtering software will block all offensive material to which users may gain access, or can the Library guarantee that the filtering software will not restrict access to sites that may have legitimate research or other value. Library staff, in collaboration with Council's IT staff will endeavour to provide access to legitimate sites that are blocked.

Library staff will assist with basic instruction in the use of Library computers and technology; however, it is not the role of Library staff to offer detailed assistance or tuition.

Visitors to the Library may obtain a guest ticket from staff and can book a computer for up to 60 minutes per day.

Library members who have overdue items, outstanding fees or other Library infringements on their membership record will not be allowed access by their membership card to the public access computers until the infringement is cleared.

The internet will be available during Library open hours. Time restrictions of one hour per session may apply to provide equitable access.

Library clients can book up to a set number of hours, according to availability and demand. Time restrictions of one hour per session may apply to provide equitable access.

Priority computers are for users who have a disability and users may be moved at short notice for these users.

Bookings will be automatically cancelled and allocated to the next customer in the queue if the customer does not login within 10 minutes of the scheduled time.

All computers will be shut down 10 minutes prior to the Library's advertised closing time.

Headphones must be used when accessing sites with sound features.

Printing is available via only on paper supplied by the Library. Printing is also available via personal devices the Library remote printing app. There are charged for printing.

#### **4.2.2. Children**

The Library promotes and supports young people's access to information including electronic information through its internet facilities.

Parents and guardians are responsible for their children's access to Library resources, including electronic information.

It is the responsibility of parents, guardians and carers to determine and monitor their children's internet and computer use. Children under the age of 18 years must have the consent of their parent or guardian before using Library computers to access the Internet unless they have independent membership status.

Parents and guardians are encouraged to work with their children in using the Internet. Library staff are available to assist with children's information and access needs; however, the Library does not accept responsibility for monitoring their Internet access.

To help create a child friendly Junior area at the Broken Hill City Library there are Public computers reserved for children and/or carers.

#### **4.3 Inappropriate Use**

Users may not access the Library's Internet facilities to transmit materials and/or statements that are:

- Illegal, fraudulent, criminal or anti-social (intimidation, harassment, bullying) or part of any unlawful activity.
- Slanderous, libellous or defamatory.
- Offensive, obscene, pornographic or in bad taste.
- Abusive or threatening of violence.
- Incitement to break the law.
- Harassment based on age, sex, race, disability or other protected status.
- Anonymous or repeated messages designed to threaten, annoy or torment.
- Modification of library software, settings including running, removing or copying software on Library computers is forbidden.

- Modification of library hardware including interfering with or altering the physical electronic equipment.
- Damage to equipment, software or data belonging to other customers.
- Unauthorised copying of copyright-protected material or infringement of licence agreements.
- The violation or attempted violation of any computer networks system security.
- Damage to or theft of library resources.
- Refusal to vacate an internet Personal Computer (PC) when a booking has expired, and access is required by another user.

Council may be under obligation to provide internet logs to law enforcement to investigate internet usage where there may be a reasonable suspicion of illegal use.

The responsibility for online content rests primarily with the content provider and the Internet user.

#### **4.4 Copyright**

Users are responsible for complying with international and federal laws protecting copyrighted material and software licencing requirements when accessing, printing or downloading material.

The Library has no liability or responsibility resulting from copyright infringement by users.

When printing or downloading material from the Internet, users should refer to and comply with any copying directives given by the author of the material.

#### **4.5 Privacy**

The Library respects users' rights to privacy and does not monitor information or sites accessed by clients. However, the Library may be required to provide Internet logs to officers legally empowered to investigate use of the Internet where there are reasonable grounds for that officer to suspect illegal use.

#### **4.6 Security**

Security in the online environment cannot be guaranteed and Internet users are warned that all Internet transactions and communications are vulnerable to unauthorised use. The Library does not recommend using public access computers for purchasing, banking or other financial transactions. Users are advised to log out of services and refrain from entering sensitive information, such as tax file numbers and banking details, while using Library facilities.

The Library does not take any responsibility for any loss of work undertaken on supplied public access computers and saved to removable storage devices such as thumb drives or mobile devices.

#### **4.7 Downloading**

Downloading files and copying them to an external storage device is permitted, providing executable software is not opened on the hard drive of public access computers. Note that files are not retained on public access computers.

The Library does not take any responsibility for any loss of work or corruption of client's data undertaken on supplied public access computers while they are using the computers or for any inconvenience or loss arising from technical problems.

#### 4.8 Electronic Communication and Interactive Networking

Users are permitted to access email, web-based games, chat and social networking services, but must observe the Library's policy on inappropriate use of public access computers.

#### 4.9 Wireless Access

Wireless Internet access is available from the Library for use by anyone with an Internet-enabled mobile device. The Library is not responsible for the security of communication over the wireless network.

Where Library customers or visitors are using their own internet-enabled device, appropriate use of the device is governed by the principles of this policy.

#### 4.10 Fees and Charges

The Library provides free access to the Internet, including electronic communication services, as part of its mission in meeting the information needs of the community. This complies with *Section 10 of the NSW Library Act 1939*, which states that:

'Any person (whether or not a member of the Library) is entitled free of charge access to any book of the Library and to any information forming part of the information service of the Library for use on Library premises'.

There will be a charge for any printing done at the standard rate levied for copying from computers.

#### 4.11 Infringement of Conditions of Use

Users who do not comply with the Library's conditions of use may be asked to leave the Library or may be banned by the General Manager under Section 17 of Library Regulation 2018.

Council may be under obligation to provide internet logs to law enforcement to investigate internet usage where there may be a reasonable suspicion of illegal use.

### 5. IMPLEMENTATION

#### 5.1 Roles and Responsibilities

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

- Library Coordinator
- Library Staff
- General Manager
- Council

#### 5.2 Communication

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

## 6. ASSOCIATED DOCUMENTS

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

- Broken Hill City Council Privacy Management Plan.
- Broken Hill City Council Privacy Policy.

## 7. REVIEW

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

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

The Library Coordinator is responsible for the review of this policy.

## 8. LEGISLATIVE AND LEGAL FRAMEWORK

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

- *Local Government Act 1993*
- *Library Act 1939*
- *Library Regulation 2018*
- *Copyright Act 1969 (Commonwealth)*
- *Children and Young Persons (Care and Protection) Act 1998*
- *NSW Privacy and Personal Information Protection Act 1998*

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



## LIBRARY MEMBERSHIP POLICY – DRAFT

QUALITY CONTROL		
EDRMS REFERENCES	18/141 – D21/11730	
RESPONSIBLE POSITION	Library Coordinator	
APPROVED BY	Director Corporate	
REVIEW DATE		REVISION NUMBER
EFFECTIVE DATE	ACTION	MINUTE NUMBER

### 1. INTRODUCTION

The Library Policy details the framework for Broken Hill Council's (Council) provision of Library services to the community and residents of the Broken Hill Local Government Area (LGA).

Council is committed to providing the community with free access to information that addresses the educational, cultural and recreational needs in a safe and welcoming environment.

Broken Hill Library was the first free public Library in New South Wales and opened in 1906. The current building that houses the Broken Hill City Library was opened in 1964 and was named the Charles Rasp Memorial Library.

The Broken Hill City Library Service, herein referred to as 'the Library', seeks to provide free accessible and high-quality service to our community through providing the vehicle for ideas, information, resources, facilities, programs and services and vibrant, valued spaces to help our community discover, connect, learn and grown.

This Policy has been developed as a planning tool to give direction and focus that is consistent with the Library's overall direction, goals and objectives. The principles behind this Policy are guided by professional industry standards and guidelines.

### 2. POLICY OBJECTIVE

The objective of the Library Membership Policy is to outline the various categories of memberships and the conditions for each of the memberships.

### 3. POLICY SCOPE

This Policy applies to all individuals and organisations wishing to be members of the Broken Hill City Library.

#### 4. POLICY STATEMENT

Library membership is free, available to residents who work, live or study in Broken Hill and surrounding region and entitles the member to borrow items and access all Library services and facilities at the Library upon presentation of adequate proof of identity and residential address. Library members must provide their Library card to borrow.

Broken Hill City Library operates under the *NSW Library Act, 1939* and associated regulations.

A person wishing to become a member of the Library must:

- Provide suitable proof of identification that displays the applicants name and current address.
- If persons are under 18 years of age, the signature of a parent or guardian is also required, unless persons have official independent status.
- Agree to accept responsibility for materials borrowed and to abide by the Library code of conduct.
- Sign the membership card as proof of that agreement.
- Undertake to comply with the provisions of this policy and any other policy adopted by Council and/or the Library.
- Agree to the terms and conditions for membership.

Personal information required on the membership application is subject to the *Privacy and Personal Information Protection Act 1998*. Further information on Library membership is available on Council's website or at the Broken Hill City Library.

##### 4.1 Categories for Membership

###### 4.1.1. Adult Membership

Adult members 18 years or older, are eligible for full membership of the Library if they live work or attend school in Broken Hill or surrounding regions.

Individuals may join the Library online as an online member and access online resources but must show proof of identity with name and current address before being issued with a card and borrowing Library materials.

Adult memberships expire after three years from last date of issue.

Interstate visitors who are in the City of Broken Hill for more than six [6] weeks and anyone who visits or works in the area on a regular basis may join the Library as a member. Identification with current Broken Hill address is required to obtain Library membership.

###### 4.1.2. Online Membership

Online members are entitled to access e-Library resources, including eBooks and eAudio books, online resources, and downloadable resources.

Online members must show proof of identity with name and current address before being issued with a Library card and borrowing physical Library materials.

Once users turn 18, they revert to an Adult membership.

**4.1.3. Junior Membership**

People under 14 years must be registered by an adult guarantor who is responsible for their borrowed items and any fees. A child may have two cards (with different addresses) if either parent desires e.g. in cases of separation or divorce.

There are two junior memberships available, which are marked and signed by the guarantor/parent, the first

- to restrict Internet and computer access.

and the second,

- to allow Internet and computer access at the Library.

In addition to the consent form the parent/guardian will be required to show proof of identity with name and current address.

If a young person is joining without their parent or guardian present, they will need to provide a signed permission letter together with copies of the parent/guardian proof of identity of name, current address and signature.

A young person who can demonstrate they are living independently will need to apply for an Independent Youth Membership. Adult terms and conditions apply.

**4.1.4. Young Adult Membership**

People between 14-18 years must be registered by an adult guarantor who is responsible for their borrowed items and any fees. A child may have two cards (with different addresses) if either parent desires e.g. in cases of separation or divorce.

There are two youth memberships available, which are marked and signed by the guarantor/parent, the first to:

- Restrict Internet and computer access; and
- The second to allow Internet and computer access at the Library.

In addition to the consent form, the parent/guardian will be required to show proof of identity with name and current address. If a young person is joining without their parent or guardian present, they will need to provide a signed permission letter together with copies of the parent/guardian proof of identity of name, current address and signature.

A young person who can demonstrate they are living independently will need to apply for an Independent Youth Membership. Adult terms and conditions apply.

**4.1.5. Independent Young Adult Membership (for people under 18)**

People aged 14-18 years who are living independently of a parent/guardian are eligible for the Independent Young Adult membership. A Centrelink issued health benefit card should/can be used as evidence of independent living and may also be used as further evidence of a person's address. Adult membership terms and conditions apply.

**4.1.6. Institutional Membership**

Institutions / community groups (examples include community organisations, such as nursing homes, playgroups, pre-schools, primary and high schools) based in the City of Broken Hill and surrounding regions are eligible for an institutional membership.

Membership cards are issued on a January to December, calendar year basis. Membership may be renewed. Schools may hold multiple memberships, but there must be a contact person for each membership held.

Membership forms must be signed by the Manager or Principal of the organisation or school. The Manager or Principal accepts responsibility on behalf of the organisation or school for the material borrowed on one or more cards held by the organisation or school. In the case where multiple memberships are held, the Principal or Manager signs off on each membership.

It is the responsibility of the organisation to keep track of borrowed material and to ensure that it is returned to the Library on time.

The Library reserves the right to suspend borrowing rights or membership at any time during the year if material is not returned on time.

All material must be returned by the end of December in any given year before membership can be renewed. Confirmation of contact person must be provided and confirmed before membership is renewed or issued.

A list of all outstanding items can be provided in advance on request.

**4.1.7. Visitors Membership**

Applies to international, interstate, and other NSW residents.

Any person who is a member of another New South Wales public Library signatory to the Reciprocal Borrowing Agreement, are entitled to borrow two books free of charge at one time, upon production of a valid Library membership card and be registered as a Visitor member in the Library management system using their current Library card. No charges apply.

For interstate visitors and other NSW residents not signatory to the Reciprocal Borrowing Agreement are entitled to register as a member provided a membership fee and refundable deposit pursuant to the current Schedule of Fees and Charges has been paid.

The usual proof of name and permanent address applied as per the general membership. People applying for Visitor membership can show the following types of identification:

- Passport;
- Australian/International driver's licence;
- Hotel bill or lease/rental receipt; or
- Letter from the person/s with whom they are residing.

These members may borrow online resource, as well as a maximum of two physical items at any time. They can also make internet bookings with their card. Membership is valid for six months only.

#### **4.1.8. Unattached Membership**

Membership for adults who reside in Broken Hill but do not have a permanent address (i.e. homeless) or are unable to provide proof of address. These members can provide ID of some kind such as Centrelink card but not a fixed address. Cards are valid for 12 months with a loan limit of 2 items, they may borrow online resources, as well use Library services such as online resources, public computers.

Membership is valid for 12 months.

#### **4.1.9. Home Library Service Membership**

Membership provides free delivery of Library materials to people living in the City of Broken Hill who cannot physically visit the Library themselves due to illness, frailty or disability and have no-one in their household to visit the Library for them.

Individuals are also eligible if they are temporarily housebound. This service is also available to full time carers.

A person requesting this service must have a genuine need for the service. An individual may be referred by a Health Care professional. All requesters will be interviewed by a Library staff member.

A medical certificate may be required for this service.

#### **4.1.10. Outback Letterbox Library Membership**

Membership is open to residents of the Far West and Unincorporated area of NSW and who live more than 100 kms from Broken Hill. Identification with current address is required to obtain Library membership.

Library membership in the appropriate categories apply ie Adult, Youth, Junior, etc.

### **4.2 Terms of Memberships**

All memberships except the visitor and Institutional memberships are valid for 36 months.

All Applicants must agree to comply with Library policies and conditions. Users also agree to comply with the Library's conditions of use under section 17 of Library Regulation 2018. Failure to comply may result in the suspension of membership rights and privileges.

### **4.3 Registration Requirements**

Intending Library members can register online or at the Library at the front desk or by using any of the public PC's.

To register as a member, current proof of name and home address is required. The only exception is Online membership.

#### 4.4 Acceptable Forms of Identification for Proof of Residence

Applicants are required to provide one form of identification, which must show the name and current address of the applicant.

Acceptable forms of identification must be current and may include:

- Driver's Licence.
- Council rates notice.
- Official rent receipt/lease agreement.
- Telephone, gas, electricity or utility account Financial institution statement.
- Concession card [Government Issue].
- Motor Vehicle Registration.
- Electoral Roll Notification form.

#### 4.5 Updating Membership Details

Customers must notify the Library of any changes to membership information, including name, address, email, or telephone numbers. Library members can do this in person, or by email. Proof of changes in name or address must be given.

Membership details will be updated, and membership renewed every three years, the only exceptions being:

- visitor (6 months) and institutional membership (calendar year)
- unattached membership (12 months).

#### 4.6 Cancellation/Suspension of Membership

All Applicants must agree to comply with Library policies and conditions as well as Library conditions of use under Section 17 of Library Regulation 2018. Failure to comply may result in the suspension of membership rights and privileges.

Library items that are overdue, damaged, lost or stolen will be subject to fees as outlined in Council's Schedule of Fees and Charges. Membership privileges will be suspended until the matter is resolved to the satisfaction of the Library Coordinator or fees are paid in full.

In the event of a Library customer refusing to pay any of the fees and charges authorised under the *Local Government Act 1993, (Section 608)* and regulations made thereunder, or any other relevant legislation, his or her membership may be withdrawn. Library customers not abiding by any Library policy or the NSW Library Regulation 2018 may have their membership withdrawn or may be debarred from borrowing.

People whose membership has been cancelled can still enter the Library and use materials but not borrow.

A member of Library may request cancellation of their membership or that of individuals who they act as parent/guardian. In these cases, membership will be cancelled provided that any outstanding items on loan have been returned and fees/charges owing have been settled.

#### 4.7 Exclusion from the Library

Library customers failing to comply with any Library policy or relevant legislation have membership privileges suspended and may be banned from the Library for a period determined by the General Manager of the Broken Hill City Council in accordance with the *Library Act* and the NSW Library Regulation 2018, Section 17.

Council is aware of its privacy obligations and seeks to maintain high standards of protection of member information.

### 5. IMPLEMENTATION

#### 5.1 Roles and Responsibilities

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

- Library Coordinator
- Library Staff
- General Manager
- Council

#### 5.2 Communication

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

### 6. ASSOCIATED DOCUMENTS

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

- Schedule of Fees and Charges;
- Council Privacy Management Plan.

### 7. REVIEW

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

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

The Library Coordinator is responsible for the review of this policy.

## 8. LEGISLATIVE AND LEGAL FRAMEWORK

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

- *Local Government Act 1993*
- *Library Act 1938*
- *Children and Young Persons (Care and Protection) Act 1998*
- *NSW Privacy and Personal Information Protection Act 1998*
- *Library Regulation 2018*

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

## 9. DEFINITIONS

**Guardian** Means, the legal guardian of the child or the person who has custody or control of the child but does not include a person providing children's services.

**Member** Means any user who has fulfilled the requirements for membership of the Library and has a current membership card.





## LIBRARY POLICY -DRAFT

QUALITY CONTROL		
EDRMS REFERENCES	18/141 – D21/11729	
RESPONSIBLE POSITION	Library Coordinator	
APPROVED BY	Director Corporate	
REVIEW DATE		REVISION NUMBER 1
EFFECTIVE DATE	ACTION	MINUTE NUMBER

### 1. INTRODUCTION

The Broken Hill City Library Policy is one of the key strategic documents which underpins the management of the Broken Hill City Library.

Broken Hill Library was the first free public Library in New South Wales and opened in 1906. The current building that houses the Broken Hill City Library was opened in 1964 and was named the Charles Rasp Memorial Library.

The Broken Hill City Library Service, herein referred to as 'the Library', seeks to provide free accessible and high-quality service to our community through providing the vehicle for ideas, information, resources, facilities, programs and services; and vibrant, valued spaces to help our community discover, connect, learn and grown.

The Library operates a single service point within the City of Broken Hill. The Library is responsible for delivery of the Library service to the community of Broken Hill, through the Broken Hill City Library, Broken Hill Outback Archive, Home Library service and the Outback Letterbox Library service.

- The Outback Letterbox Library service, funded by the Library Council, NSW State Library New South Wales, services the outlying areas of the Far West and Unincorporated areas of NSW.
- The Broken Hill Outback Archives, herein referred to as 'the Archives' seeks to serve the community through the acquisition, cataloguing, classification, preservation and provision of access to a well organised and balanced collection reflecting Broken Hill and surrounding regions heritage.
- The Home Library service is a free delivery service to residents in Broken Hill who may not be able to visit the Library. This may be due to infirmity, illness, disability and age.

### 2. POLICY OBJECTIVE

This Policy has been developed as a planning tool to give direction and focus that is consistent with the Library's overall direction, goals and objectives. The principles behind this Policy is guided by professional industry standards and guidelines.

### 3. POLICY SCOPE

The purpose of this policy is:

- To inform Library staff and the public of the operations policy of the Broken Hill City Library.
- To detail access and conditions that apply to the Library and its collections.
- To outline the service delivery standards and requirements of the Library.

This Policy applies to users of the Library services.

### 4. POLICY STATEMENT

The Broken Hill City Library service is underpinned by the following professional values.

- The Australian Library and Information Association's (ALIA) Statement on 'Free Access to Information (2015)' states:

'That freedom can be protected in a democratic society only if its citizens have unrestricted access to information and ideas.'

The ALIA

'believes that Library and information services have particular responsibilities in supporting and sustaining the free flow of information and ideas, resisting attempts by individuals or groups within their communities to restrict access to information and ideas'.

- Collection material should not be rejected on the grounds that its content is controversial or likely to offend some sections of the Library's community.
- A publication that has not been subjected to legal restriction or prohibition will not be excluded from the collection on moral, political, racial or religious grounds alone whatever the pressure that may be brought to bear by individuals or groups.
- The ALIA Statement on Professional Conduct (2007) states:  
'People engaged in Library and information services are members of a profession committed to intellectual freedom and the free flow of ideas and information'.
- The Library Council of NSW guideline, 'Access to Information' in New South Wales Public Libraries (2008) states:  
'Public libraries have a role as an unbiased source of information and ideas, including online content. It must accept responsibility for providing free access to materials and information presenting, as far as possible, all points of view on current and historical issues, including controversial issues.'
- Public Libraries acknowledge the democratic rights of individuals to freely pursue their own information interests. This view is articulated in the UNESCO Public Library Manifesto (1994) which states:  
'Constructive participation and the development of democracy depend on satisfactory education as well as on free and unlimited access to knowledge, thought, culture and information'.
- The user's right to privacy with respect of the use of the Library or its materials is fully recognised and guarded within the provisions of the *Library Act of New South Wales 1939* and amendments.
- The Library supports the United Nations Sustainable Development Goals.

#### 4.1 Library Services

Council recognises the essential service that the Library provides and that the community are entitled to:

- Prompt, courteous and efficient service by approachable and non-judgemental staff.
- A welcoming and safe environment.
- Free and equal access to resources and services to all individuals and groups within the community, in accordance with *the NSW Library Act 1939*.
- A range of Library resources and services tailored to the needs of each community.
- Library information resources which are relevant and up to date.
- Access to a range of information technologies, including public computers, internet access, Wi-Fi and electronic resources.
- Access to staff with professional expertise and knowledge.
- Provision of assistance to people who need adaptive technology and different media to enable them to use the full range of Library services and facilities.
- Confidentiality in accordance with the NSW privacy legislation.
- Have suggestions and comments about the Library service welcomed.

#### 4.2 Code of Conduct

All users of the Library service are required to observe the Library Code of Conduct rules and abide by the *Library Act 1939 and Library Regulation 2018*.

#### 4.3 Library Objectives

- To provide the community with a Library service that is free, equitable, accessible, safe, cost effective and efficient.
- To provide access to a current and relevant collection which meets community needs.
- To provide physical facilities that are attractive, designed for efficiency and sustainability, flexible and functional and which will serve the identified needs of the community.
- To provide a Library service to those people who cannot reach the physical Library facility.
- To provide the community with a range of programs and activities to enhance community engagement.
- To strive for excellence in customer service and to ascertain Library customer satisfaction or dissatisfaction with Library services.
- Membership is free, available to residents and entitles the member to borrow items and access all Library services and facilities at the Library.
- Applications for membership can be made online or in person, upon presentation of suitable proof of identification that displays the applicant's name and current address.
- Personal information required on the membership application is subject to the *Privacy and Personal Information Protection Act 1998*. Further information on Library membership is available on Council's website or at the Library.

#### 4.4 Collection Development

The criteria for the selection of Library materials follows professional standards as defined by the ALIA.

#### 4.5 Access to Resources

The role of Library staff is to guide and assist customers in finding and accessing resources appropriate to particular interest and needs.

The catalogue of the Library Service is available online allowing users to access the collections of the Library.

The Library's general collection may contain publications that have been classified 'Unrestricted' and films classified 'G' (General), 'PG' (Parental Guidance), 'M' or 'MA' (Mature) or 'R' (Restricted) in accordance with the *Classification Publications, Films and Computer Games Act 1995 (Commonwealth)*. DVDs classified 'MA' and 'R' cannot be borrowed by Junior Library members. All other resources are available to all persons without restriction. It is the responsibility of parents or guardians, not Library staff, to make a final decision as to what is suitable for their child.

Member services are also available through the online Library catalogue.

The Library promotes and supports Library users' access to information, including electronic information through its internet facilities. Accessing illegal or offensive sites is prohibited.

#### 4.6 Information and Readers Advisory Services

The Library will offer reference and readers' advisory services to Library users. This includes:

- Access to up to date reference materials and online databases.
- Education programs to support information and digital literacy, and effective use of Library resources and facilities.
- Reader's Advisory tools such as online databases.

#### 4.7 Inter Library Loans

The Library will facilitate access to resources held in other Australian Library and information services collections within library set guidelines. This includes public, special, educational, State and National Libraries. Fees may apply.

#### 4.8 Archive Collection

The Library will preserve, maintain and provide access to a collection of local heritage information, that covers the social, economic and industrial development of the Broken Hill City and surrounding region.

#### 4.9 Community Noticeboards and Display Cabinet

- Display space can be booked and are available for use by community groups.
- All material for display must be approved by Library Coordinator or Library staff.
- The Community Noticeboards are not to be used for advertising for private business, personal 'For Sale' notices and/or commercial endeavours.

#### 4.10 Services to Targeted Customer Groups

The Library will provide services and materials which meet the needs of certain customer groups and provide the community with a range of activities/programs and events related to Library services and collections that enrich the lives of the community.

Sections of the community that the Library programs are aimed at are:

- **Children and Youth**
- **Literacy** – to actively promote and support programs for members of the community with identified literacy needs.
- **CALD** – to meet the Library needs of culturally and linguistically diverse communities.
- **Aboriginal and Torres Strait Islanders** – to actively consult and negotiate with indigenous Australians to promote Library and information literacy.
- **People with a disability** – to provide barrier-free access to Library services and resources for people with a disability.
- **Aged** – to ensure that older members of the community can access and use Library collections, services, and programs. The Home Library Service provides access to Library information and resources for those community members who are unable to physically access the Library due to disability or age.
- **Remote and isolated communities** – those that are unable to access a Library due to living in an area that is more than 1-hour drive from a Library service. This service is provided via the Outback letterbox Library service.
- **Digital** – Digital membership that provides 24-hour access to resources and information.

#### 4.11 Library Membership

Membership to the Library is free for NSW residents, in accordance with the requirements of the *Library Act 1939* and the Library Membership Policy.

The Act sets out the core Library services that must be offered free of charge; determines the regulations governing the use of the Library; defines the relationship between Local Government and the State Government with regard to public Library services; and articulates the State Government funding process.

#### 4.12 Overdue, Damaged, Lost or Stolen Items

Library items that are overdue, damaged, lost or stolen will be subject to fees as outlined in Council's Schedule of Fees and Charges. Membership privileges may be suspended until items are returned or fees are paid in full.

#### 4.13 Access to the Library

Council is committed to providing the community with a welcoming, comfortable, accessible and safe environment in which to learn, read and engage with the Library's collection. Spaces for exhibitions and meetings must be booked prior to use. Library and Council activities have first preference over the use of the meeting rooms and priority will then be given to local community groups whose activities are compatible with and complementary to the Library's roles and objectives.

Access to facilities is only available during normal Library open hours and will be subject to terms and conditions and in certain circumstances, applicable fees and charges as outlined in Council's Schedule of Fees and Charges.

**4.14 Hiring of Council Library Facilities**

Hiring of Council Library facilities are subject to terms and conditions and applicable fees and charges as outlined in Council's Schedule of Fees and Charges.

**4.15 Information Systems and Equipment**

The Library is equipped with wireless internet (Wi-Fi) access, public use computers, printing, and photocopying services, as well as Microsoft Office products. Use of Library computers is free of charge but is subject to bookings and terms and conditions of use as outlined in the Library Computer and Internet Access Policy.

Printing and photocopying services are subject to copyright conditions under the *Copyright Act 1968 (Commonwealth)* and applicable charges as outlined in Council's Schedule of Fees and Charges.

**4.16 Acceptable Use of Information Systems and Equipment**

It is the responsibility of patrons to use Library information systems and equipment in a respectful and appropriate manner in accordance with the Library Code of Conduct. Any unacceptable or unlawful conduct will be treated as a breach of this Policy. Users who do not comply with the Library's conditions of use may be asked to leave the library or may be banned by the General Manager under section 17 of Library Regulation 2018.

The Library takes a strong position on patrons who use Library computers to access offensive, pornographic or unlawful material. Patrons whose conduct or manner is likely to give offence to any person in the Library, including accessing website(s) that could reasonably be considered offensive, may be directed to leave in accordance with the Library Regulation 2018.

**4.17 Use of Library Computers by Patrons Under the Age of 18 Years**

Library patrons under the age of 18 must have a parent(s) and/or guardian(s) present whilst using the Library computers.

Library patrons under the age of 18 with signed parental/guardian permission can access Library computers and internet independently.

Children under 18 years of age who are not members, or do not have Internet membership permission category, must be accompanied by an adult while using Library computers.

**4.18 Security using the Library's Internet, Wi-Fi and Computer Network**

Library patrons and staff must be aware that the security of data and networks cannot be guaranteed. Wi-Fi hotspots are not secure environments.

Patrons should also be aware that network and systems administrators, during the performance of their duties, need to observe the contents of certain data on storage devices and in transit to ensure the proper functioning of the Library's internet facilities and computer networks.

Council may also be under obligation to provide internet logs to law enforcement to investigate internet usage where there may be a reasonable suspicion of illegal use. Council does not assume responsibility for any loss of data, funds or identity theft that may result from use of the internet in the Library.

**4.19 Restricted Use of Library Computers**

Library members who have overdue items, outstanding fees or other Library infringements on their membership record will not be allowed access to the public access computers until the infringement is cleared.

**4.20 Children and Young People**

Council seeks to provide children aged under 14 years and young people (to age of 18) who frequent the Library with a safe and child friendly environment in which to learn, develop and engage with the Library's collection and resources.

Parents and guardians are always reminded of their responsibility in supervising their child(ren) and to be mindful of access to restricted materials.

Library collections are available to all patrons except for MA15+ resources.

Library staff do not monitor, or control content accessed through the internet. It is the responsibility of the parent(s) and/or guardian(s) to monitor their child(ren)'s use of the internet. The role of Library staff is to guide and assist children and young people in using and locating resources and not to supervise children.

Library patrons, including children and young people, who disturb other Library patrons may be removed from the Library under the *Library Act 1939*.

**4.21 Unattended Children**

Parent(s) and/or guardian(s) who leave a child(ren) under the age of 12 years unattended, or habitually unattended in a public Library, are exposing their child(ren) to potential risk and/or harm. Subsequently, parent(s) and/or guardian(s) may themselves be committing an offence under the *Children and Young Persons (Care and Protection) Act 1998* and may be reported to the Department of Family and Community Services and/or the local Police.

**4.22 Aged and Disability Services**

Council endeavours to make its Library service and materials accessible for aged and disabled persons, by providing a range of alternative formats in the Library's core collection. This includes large print books, audio books, assistive technology equipment and modified facilities to allow easier access and mobility at the Library.

Library members who reside within the Local Government Act (LGA) and are unable to access their local Library due to illness, ability impairment or have a genuine difficulty, may be eligible for use of the Home Library Service. Information for the Home Library Service is available on Council's website.

**4.23 Multicultural Services**

Council is committed to reflecting and supporting the cultural diversity of its community.

**4.24 Non-Compliance and Customer Exclusion**

Patrons who do not comply with the Library Code of Conduct or breach the terms and conditions of use of facilities and equipment, will have borrowing privileges or access to Library computers suspended until all overdue items are returned and any associated late fees are paid.

Under the *Library Act 1939*, Library staff reserve the right to remove persons who are displaying inappropriate or offensive behaviour. Such behaviour includes actions or language that is threatening, intimidating, aggressive and disruptive to other Library patrons; viewing and/or downloading inappropriate material from the internet or misuse of the public computers; excessively loud behaviour; inappropriate interactions with minors; stealing, vandalising or destruction of Library materials or property; and not taking parent and/or guardian responsibility for children in the Library.

## 5. IMPLEMENTATION

### 5.1 Roles and Responsibilities

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

- Library Coordinator
- Library Staff
- General Manager
- Council

### 5.2 Communication

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

### 5.3 Associated Documents

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

- **Library** – Computer and Internet Access Policy;
- **Library** – Membership Policy

The Broken Hill City Library is underpinned by the following professional values:

- The ALIA statement on Free Access to Information (2015) states:  
'That freedom can be protected in a democratic society only if its citizens have restricted access to information and ideas'.
- The ALIA believes  
'Library and Information Services have particular responsibilities in supporting and sustaining the free flow of information and ideas, resisting attempts by individuals or groups within their communities to restrict access to information and ideas'.  
'Collection material should not be rejected on the grounds that its content is controversial or likely to offend some sections of the Library's community'.  
'A publication that has not been subjected to legal restriction or prohibition will not be excluded from the collection on moral, political, racist or religious grounds alone whatever the pressure that may be brought to bear by individuals or groups'.
- The ALIA Statement on Professional Conduct (2007) states:  
'People engaged in Library and information services are members of a profession committed to intellectual freedom and the flow of ideas and information'.



- The Library Council of NSW guideline Access to Information in New South Wales Public Libraries (2008) states:  
‘Public libraries have a role as an unbiased source of information and ideas, including online content. It must accept responsibility for providing free access to materials and information presenting, as far as possible, all points of view on current and historical issues, including controversial issues.’
- United Nations Sustainable Development Goals

## 6. REVIEW

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

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

The Library Coordinator is responsible for the review of this policy.

## 7. LEGISLATIVE AND LEGAL FRAMEWORK

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

- *Local Government Act 1993*
- *Library Act 1938*
- *Children and Young Persons (Care and Protection) Act 1998*
- *Copyright Act 1968 (Commonwealth)*
- *Privacy and Personal Information Protection Act 1998*
- *Library Regulation 2018*

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

## ORDINARY MEETING OF THE COUNCIL

July 16, 2021

**ITEM 4****BROKEN HILL CITY COUNCIL REPORT NO. 120/21****SUBJECT:**                    **INVESTMENT REPORT FOR JUNE 2021**                    **17/82****Recommendation**

1. That Broken Hill City Council Report No. 120/21 dated July 16, 2021, be received.

**Executive Summary:**

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

As at 30 June 2021, Council's Investment Portfolio had a current market valuation of \$28,735,494 or principal value (face value) of \$28,732,397 and was compliant with policy and legislative requirements as per the below table.

**Report:**

Council's investments as at 30 June 2021 are detailed in Attachment 1.

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

**Market Review****Global issues**

In the US, another sharp rise in consumer price inflation, for the second month in a row, gave the financial markets another fright. But a deeper dive into the numbers revealed the rise was mainly driven by a small group of industries impacted by bottlenecks and the reopening of the US economy: new and used cars, airfares and rental cars. Economists widely expect the inflationary environment in the US will be temporary as production ramps up, stimulus measures are pared back and consumer spending on goods declines. Consequently, it is expected that the US Federal Reserve will not be raising interest rates until 2023. Global business conditions surveys are showing strong readings from the US, UK and particularly Europe which is benefiting from re-openings across the continent.

**Domestic issues**

Latest Gross Domestic Product (GDP) data surprised the market on the upside with economic growth in the March quarter up 1.80% resulting in year over year growth of 1.10% versus estimates of + 0.70%. The strong March quarter result has taken Australian GDP above its pre-pandemic levels, one of only a handful of countries to achieve this. However, the widescale virus related lockdowns at the end of June have many economists adjusting their June quarter estimates lower. The Covid related stimulus measure which has been providing very cheap funding to Australian Authorised Deposit Taking Institutes, the Term Funding Facility, came to an end in June. While other measures are in place to help keep market rates low, it is anticipated that yields on long term bank investment products will start to increase modestly.

**Interest rates**

Providing the economy recovers quickly from the current round of lockdowns, it is widely expected that the RBA will shorten its timeframe for a rate rise from 2024 to sometime in 2023. Many economists, and the market, are projecting a rise in the official cash rate to 0.25% in late 2022.

**Investment Portfolio Commentary**

Council's investment portfolio posted a return of 2.89%pa for the month of June versus the bank bill index benchmark return of 0.03%pa. For the past 12 months, the investment portfolio returned 1.92%pa, exceeding the bank bill index benchmark's 0.06%pa by 1.86%pa.

The TCorpIM MT Growth Fund gained 1.40% in June. The Australian share market rose 2.6% for the month with the IT sector rebounding from a down month in May to be the best performing sector in June (+6.8%). After strong results in May, the financial sector gave back some of its gains to be worst performer in June (-1.2%). Overseas markets were mostly stronger with the US S&P 500 (+2.3%), European S&P350 (+1.7%), and Japanese S&P 500 (+1.1%) all recording advances while the Chinese S&P 300 slipped backward slightly (-0.9%).

During June, Council's investment portfolio had a \$500k 6 month TD with NAB mature with a yield of 0.47%pa. Proceeds of the maturity were rolled into a 12 month ME Bank TD at a rate of 0.50%pa, the first average yield increase for a long time, albeit for a longer term.

***Council's Portfolio by Source of Funds – June 2021***

As at 30 June 2021, Council's Investment Portfolio had a current market valuation of \$28,735,494 or principal value (face value) of \$28,732,397 and was compliant with policy and legislative requirements as per the table above.

	Source of Funds	Principal Amount
<b>GENERAL Fund</b>	Operating Capital & Internal Restrictions	\$20,552,397
	Royalties Reserve	\$740,000
	Domestic Waste Management Reserve	\$2,400,000
	Grants	\$5,040,000
	<b>TOTAL PORTFOLIO</b>	<b>\$28,732,397</b>

**Certificate by Responsible Accounting Officer**

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

**Community Engagement:**

Nil

**Strategic Direction:**

Key Direction 4: Our Leadership  
Objective 4.1: Openness and Transparency in Decision Making  
Action 4.1.1 Maintain good governance and best practice methods and ensure compliance with various guidelines and legislation.

**Relevant Legislation:**

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

**Financial Implications:**

The recommendation has no financial impact.

**Attachments**

1. [↓](#) June 2021 Investment Report

SIMON BROWN  
ACTING CHIEF FINANCIAL OFFICER

JAY NANKIVELL  
GENERAL MANAGER



**Investment Summary Report  
June 2021**



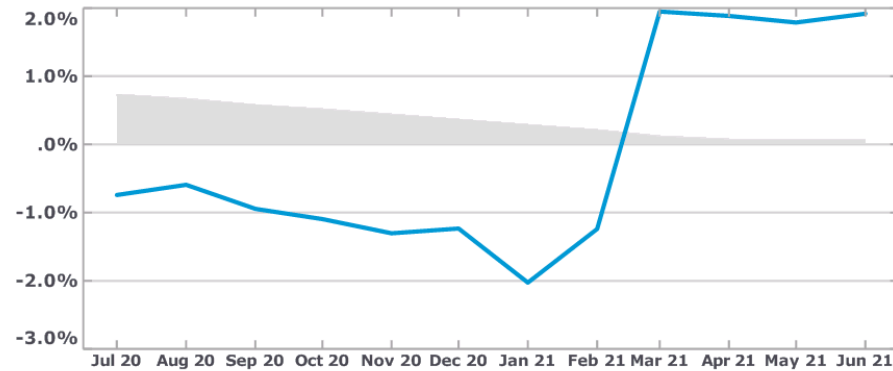
**Broken Hill City Council**  
Executive Summary - June 2021



**Investment Holdings**

By Product	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	19,256,428.61	19,256,428.61	0.3010
Managed Funds	6,475,968.09	6,475,968.09	12.3112
Term Deposit	3,000,000.00	3,003,097.12	0.4000
	<b>28,732,396.70</b>	<b>28,735,493.82</b>	<b>3.0183</b>

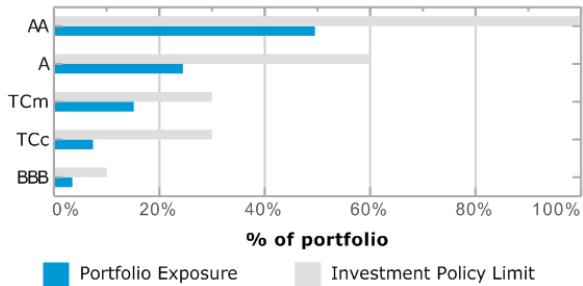
**Investment Performance**



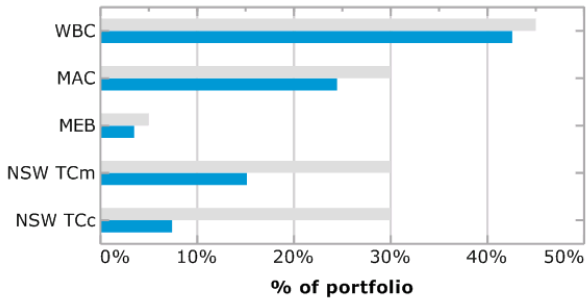
AusBond BB Index Rolling 12 month Return Portfolio Rolling 12 month Return

**Investment Policy Compliance**

**Total Credit Exposure**



**Highest Individual Exposures**



**Term to Maturities**

Maturity Profile	Face Value (\$)	Policy Max
Less than 1yr	28,732,397	100%
	<b>28,732,397</b>	



## Broken Hill City Council

### Investment Holdings Report



Cash Accounts							
Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference	
5,426,080.00	0.5500%	Westpac Group	AA-	5,426,080.00	535442	90d Notice	
6,801,878.75	0.0000%	Westpac Group	AA-	6,801,878.75	473409	Cheque	
7,028,469.86	0.4000%	Macquarie Bank	A+	7,028,469.86	540354	Accelerator	
<b>19,256,428.61</b>	<b>0.3010%</b>			<b>19,256,428.61</b>			

Managed Funds							
Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.	Reference
2,126,483.49	-0.0076%	NSW T-Corp (Cash)	TCc	Cash Fund	2,126,483.49	535329	
4,349,484.60	1.3962%	NSW T-Corp (MT)	TCm	Medium Term Growth Fund	4,349,484.60	536441	
<b>6,475,968.09</b>					<b>6,475,968.09</b>		

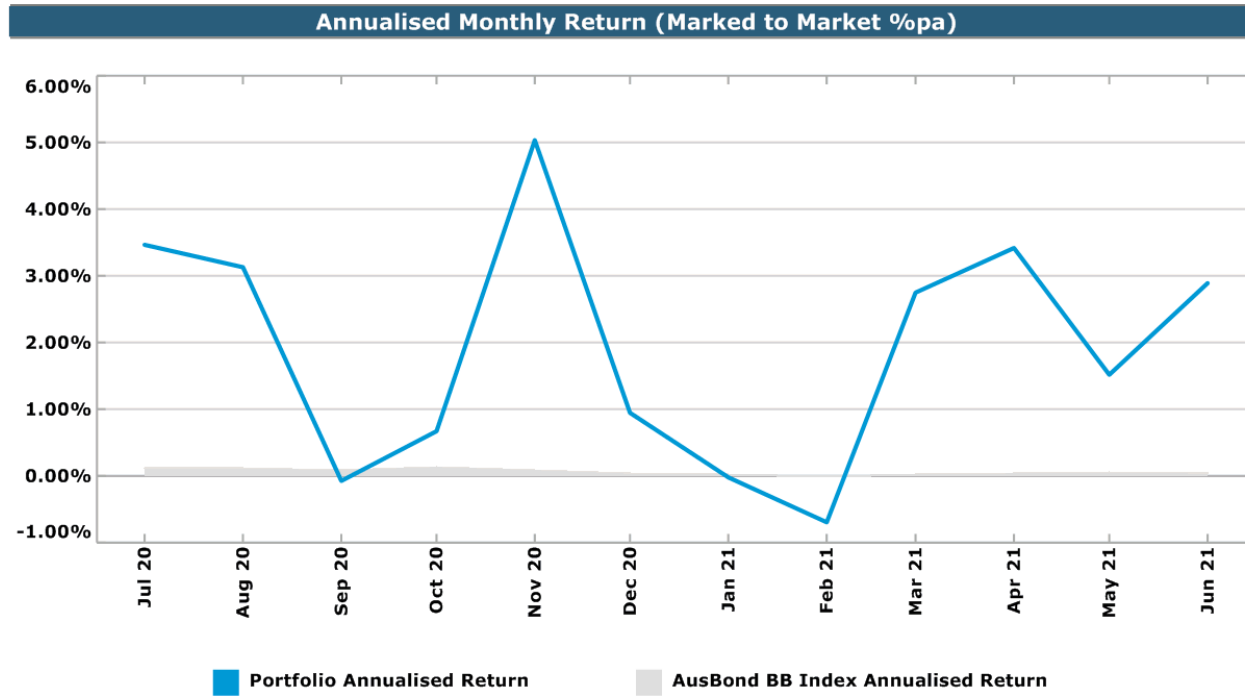
Term Deposits											
Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
18-Aug-21	500,000.00	0.3200%	National Australia Bank	AA-	500,000.00	17-Mar-21	500,464.66	541209	464.66	At Maturity	
29-Sep-21	500,000.00	0.3200%	National Australia Bank	AA-	500,000.00	31-Mar-21	500,403.29	541233	403.29	At Maturity	
6-Oct-21	500,000.00	0.5000%	National Australia Bank	AA-	500,000.00	2-Dec-20	501,445.21	540637	1,445.21	At Maturity	
13-Oct-21	500,000.00	0.3100%	National Australia Bank	AA-	500,000.00	14-Apr-21	500,331.23	541264	331.23	At Maturity	
17-Nov-21	500,000.00	0.4500%	ME Bank	BBB	500,000.00	13-May-21	500,302.05	541332	302.05	At Maturity	
8-Jun-22	500,000.00	0.5000%	ME Bank	BBB	500,000.00	9-Jun-21	500,150.68	541512	150.68	At Maturity	
	<b>3,000,000.00</b>	<b>0.4000%</b>			<b>3,000,000.00</b>		<b>3,003,097.12</b>		<b>3,097.12</b>		

**Broken Hill City Council**  
Accrued Interest Report - June 2021



<b>Accrued Interest Report</b>										
<b>Investment</b>	<b>Deal No.</b>	<b>Ref</b>	<b>Face Value (\$)</b>	<b>Settlement Date</b>	<b>Maturity Date</b>	<b>Interest Received (\$)</b>	<b>Days</b>	<b>Interest Accrued (\$)</b>	<b>Percentage Return</b>	
<b><u>Cash</u></b>										
Westpac Group	473409	Cheque	6,801,878.75			0.00	30	0.00	.00%	
Westpac Group	535442	90d Notice	5,426,080.00			2,451.77	30	2,451.77	.55%	
Macquarie Bank	540354	Accelerator	7,028,469.86			2,310.00	30	2,310.00	.40%	
<b>Cash Total</b>						<b>4,761.78</b>		<b>4,761.78</b>	<b>.30%</b>	
<b><u>Managed Funds</u></b>										
Cash Fund	535329		2,126,483.49	29-May-17		0.00	30	-103.85	-.09%	
Medium Term Growth Fund	536441		4,349,484.60	12-Feb-18		0.00	30	59,890.11	18.38%	
<b>Managed Funds Total</b>						<b>0.00</b>		<b>59,786.26</b>	<b>13.66%</b>	
<b><u>Term Deposit</u></b>										
National Australia Bank	540687		500,000.00	09-Dec-20	09-Jun-21	1,171.78	8	51.51	.47%	
National Australia Bank	541209		500,000.00	17-Mar-21	18-Aug-21	0.00	30	131.51	.32%	
National Australia Bank	541233		500,000.00	31-Mar-21	29-Sep-21	0.00	30	131.51	.32%	
National Australia Bank	540637		500,000.00	02-Dec-20	06-Oct-21	0.00	30	205.48	.50%	
National Australia Bank	541264		500,000.00	14-Apr-21	13-Oct-21	0.00	30	127.39	.31%	
ME Bank	541332		500,000.00	13-May-21	17-Nov-21	0.00	30	184.93	.45%	
ME Bank	541512		500,000.00	09-Jun-21	08-Jun-22	0.00	22	150.68	.50%	
<b>Term Deposit Total</b>						<b>1,171.78</b>		<b>983.01</b>	<b>.40%</b>	
						<b>5,933.56</b>		<b>65,531.05</b>	<b>2.89%</b>	

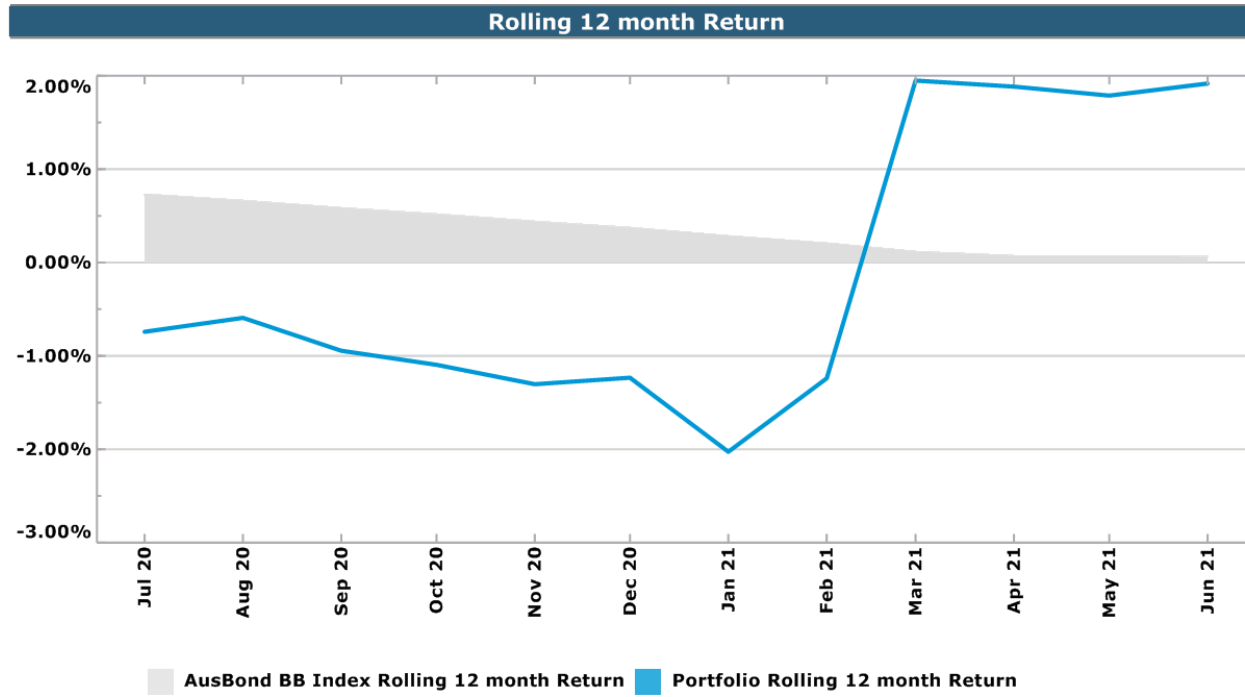




**Historical Performance Summary**

	Portfolio	AusBond BB Index	Outperformance
Jun 2021	2.89%	0.03%	2.86%
Last 3 Months	2.59%	0.04%	2.55%
Last 6 Months	1.65%	0.02%	1.63%
Financial Year to Date	1.92%	0.06%	1.86%
Last 12 months	1.92%	0.06%	1.86%

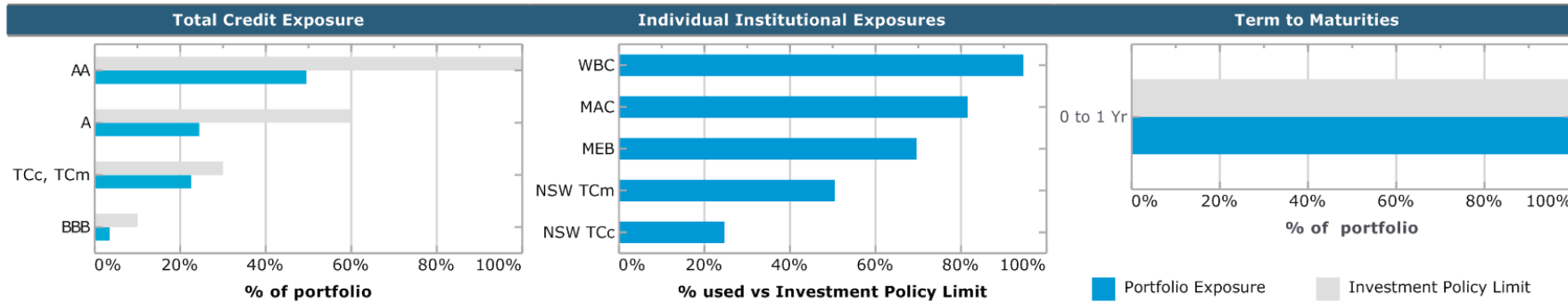
**Broken Hill City Council**  
Investment Performance Report



<b>Historical Performance Summary (actual)</b>			
	<b>Portfolio</b>	<b>AusBond BB Index</b>	<b>Outperformance</b>
Jun 2021	0.23%	0.00%	0.23%
Last 3 Months	0.64%	0.01%	0.63%
Last 6 Months	0.82%	0.01%	0.81%
Financial Year to Date	1.92%	0.06%	1.86%
Last 12 months	1.92%	0.06%	1.86%



**Broken Hill City Council**  
Investment Policy Compliance Report



Credit Rating	Face Value (\$)	% used vs Investment Policy Limit	Policy Max	Compliance
AA	14,227,959	50%	100%	<b>a</b>
<b>A</b>	<b>7,028,470</b>	<b>24%</b>	<b>60%</b>	<b>a</b>
TCc	2,126,483			
TCm	4,349,485			
	<b>6,475,968</b>	<b>23%</b>	<b>30%</b>	<b>a</b>
BBB	1,000,000			
	<b>1,000,000</b>	<b>3%</b>	<b>10%</b>	<b>a</b>
	<b>28,732,397</b>	<b>100%</b>		

Institution	% used vs Investment Policy Limit	Compliance
Westpac Group (LT) (AA-)	95%	<b>a</b>
Macquarie Bank (LT) (A+)	82%	<b>a</b>
Members Equity Bank (LT) (BBB)	70%	<b>a</b>
NSW T-Corp (MT) (TCm)	50%	<b>a</b>
NSW T-Corp (Cash) (TCc)	25%	<b>a</b>
National Australia Bank (LT) (AA-)	15%	<b>a</b>

Term	Face Value (\$)	% used vs Investment Policy Limit	Policy Max	Compliance
Between 0 and 1 Year	28,732,397	100%	100%	<b>a</b>
	<b>28,732,397</b>			

Detailed Maturity Profile	Face Value (\$)	% used vs Investment Policy Limit
00. Cash + Managed Funds	25,732,397	90%
02. Between 30 Days and 60 Days	500,000	2%
04. Between 90 Days and 180 Days	2,000,000	7%
05. Between 180 Days and 365 Days	500,000	2%
	<b>28,732,397</b>	

**a** = compliant  
**r** = non-compliant

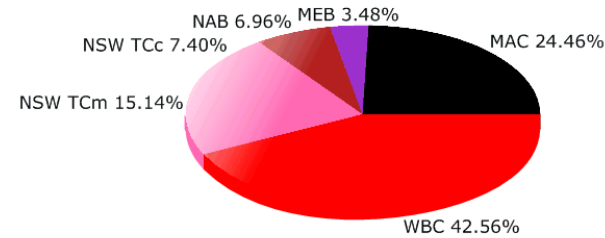
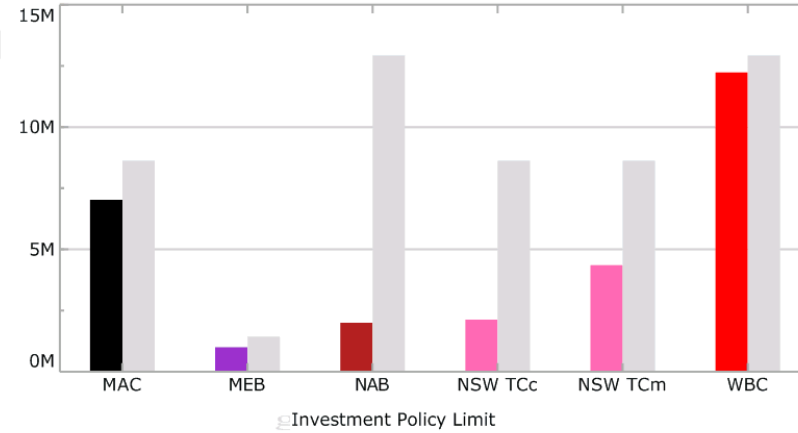


**Broken Hill City Council**  
Individual Institutional Exposures Report



**Individual Institutional Exposures** **Individual Institutional Exposure Charts**

	Current Exposures	Policy Limit	Capacity
Macquarie Bank (A+)	7,028,470 24%	8,619,719 30%	1,591,249
Members Equity Bank (BBB)	1,000,000 3%	1,436,620 5%	436,620
National Australia Bank (AA-)	2,000,000 7%	12,929,579 45%	10,929,579
NSW T-Corp (TCc)	2,126,483 7%	8,619,719 30%	6,493,236
NSW T-Corp (TCm)	4,349,485 15%	8,619,719 30%	4,270,234
Westpac Group (AA-)	12,227,959 43%	12,929,579 45%	701,620
	<b>28,732,397</b>		



**Broken Hill City Council**  
Cash Flows Report



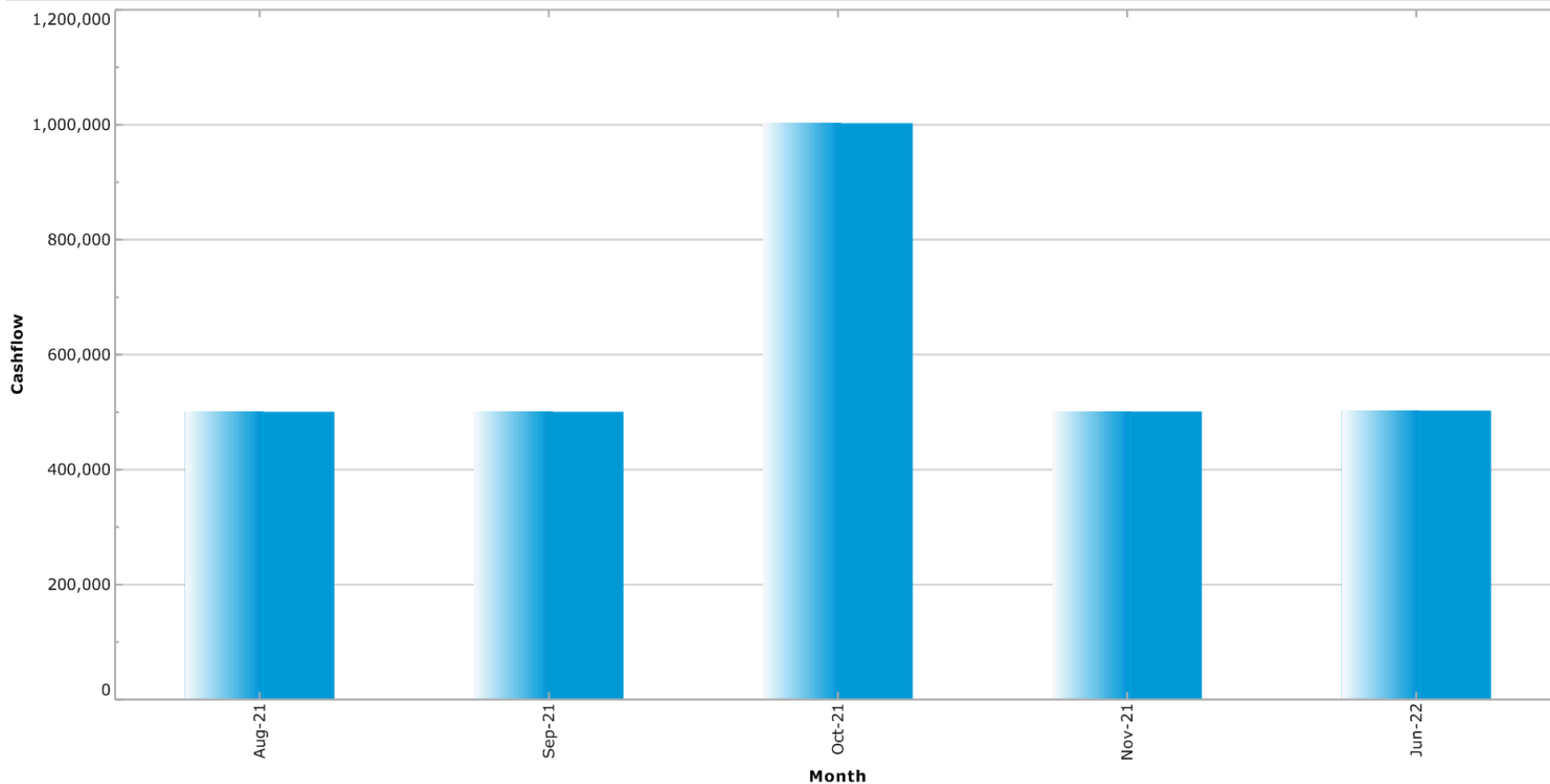
**Current Month Cashflows**

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>
9-Jun-21	540687	National Australia Bank	Term Deposits	Maturity Face Value - Received	500,000.00
		National Australia Bank	Term Deposits	Interest - Received	1,171.78
				<u>Deal Total</u>	<u>501,171.78</u>
	541512	ME Bank	Term Deposits	Settlement Face Value - Paid	-500,000.00
				<u>Deal Total</u>	<u>-500,000.00</u>
				<b>Day Total</b>	<b>1,171.78</b>
				<b>Net Cash Movement for Period</b>	<b>1,171.78</b>

**Next Month Cashflows**

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Due</u>
				<b>Net Cash Movement for Period</b>	

### Broken Hill City Council Cash Flows Report



## ORDINARY MEETING OF THE COUNCIL

July 14, 2021

**ITEM 5****BROKEN HILL CITY COUNCIL REPORT NO. 121/21**

**SUBJECT:** **MUNDI MUNDI FRINGE FOOTPATH DINING EXEMPTION -**  
**AMDENDMENT** **21/68**

**Recommendation**

1. That Broken Hill City Council Report No. 121/21 dated July 14, 2021, be received.
2. That Council approves the change of date for the footpath dining fee exemption from Sunday August 15 to Saturday 28 August to Sunday September 19, 2021 to Saturday 02 October, 2021 inclusive, to coincide with change in dates for the Broken Hill Mundi Mundi Bash.
3. That Council endorses the General Manager to amend the dates of the exemption if the dates for the Broken Hill Mundi Mundi Bash are changed in future, due to the changing circumstances around COVID-19 restrictions.

**Executive Summary:**

At the June 2021 meeting, Council endorsed a fee exemption for businesses to allow increased opportunity for footway dining in Broken Hill in the week prior to and following the Broken Hill Mundi Mundi Bash. On July 14, 2021, with the evolving COVID issues facing Sydney and tightening border restrictions, Broken Hill Mundi Mundi Bash organisers announced that the event would be postponed until September 23-25, September, 2021.

**Report:**

In August 2021, Broken Hill was expected to host several thousand visitors who were attending the Broken Hill Mundi Mundi Bash (Bash) at Silverton. With 10,000 tickets sold, accommodation bookings demonstrating that many of the visitors would stay in Broken Hill either side of the official event and the Council-hosted Fringe Festival being organised to encourage visitors to spend time in the Central Business District, restauranters and café owners requested that Council consider allowing them to increase their capacity for footpath dining during this time to cater for the anticipated number of diners.

Footpath dining in Broken Hill is governed by the Footway Restaurant Settings Policy. Its purpose is to:

1. Encourage street activity and corresponding social contact that will improve the City's image.
2. Encourage tourism as a contributor to the economy of the City.
3. Encourage and promote the expansion of activities which will contribute to economic well-being and expanded employment opportunities within the City.

All applications for footway restaurants are dealt with by approval under Section 125 of the *Roads Act 1993*. There are a number of rules that govern footway dining but Section 11.2 of the policy states that:

*“Council may delete, amend or add further conditions to any approval to suit changing circumstances at its discretion.”*

All footway restaurants require approval from the Broken Hill City Council prior to any setting is placed on the footpath or road reserve. Applications for approval are to be made on the required form and accompanied by the appropriate fee and details of the public risk insurance policy which covers the footway restaurant setting. Application for renewal or alterations to details of an existing approval will be dealt with as for a new approval on payment of the appropriate fee.

The current fee is \$106.70 per year for each setting. It is requested that the endorsed dates are changed to allow premises to increase the number of settings for the period of Sunday September 19, 2021 to Saturday 02 October, 2021 inclusive, without having to apply for a new permit and attract a fee. In addition, for those premises without a permit it is requested that they apply for a permit for these dates only and the fee be waived. For longer term footpath dining, the full application fee as normal will apply.

All other laws that govern the placement of furniture on the footpath remain in place.

**Community Engagement:**

The request was raised at a Council coordinated meeting of business owners to discuss the opportunities that the Mundi Mundi Bash creates for the businesses of Broken Hill held at the Civic Centre on May 24, 2021.

**Strategic Direction:**

Key Direction:	2	Our Economy
Objective:	2.1	Our economy is strong and diversified and attracts people to work, live and invest
Strategy:	2.1.4	Increase economic opportunities by activating public spaces

**Relevant Legislation:**

Roads Act 1993  
 Environmental Planning and Assessment Act 1979  
 Local Government Act 1993.

**Financial Implications:**

The cost implications are determined as minimal.

**Attachments**

There are no attachments for this report.

JAY NANKIVELL  
GENERAL MANAGER



## ORDINARY MEETING OF THE COUNCIL

July 16, 2021

**ITEM 6**BROKEN HILL CITY COUNCIL REPORT NO. 122/21

SUBJECT: MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 415 HELD TUESDAY, 6 JULY 2021 11/397

**Recommendation**

1. That Broken Hill City Council Report No. 122/21 dated July 16, 2021, be received.
2. That the minutes from the Local Traffic Committee Meeting No. 415 held, Tuesday, 6 July 2021 by received.
3. That Item Number 406.6.1 – That a ‘Loading Zone’ be installed in Crystal Lane on the side of the Astra to service all businesses.
4. That Item Number 414.6.5 - That an additional disability parking space be installed adjacent to the Broken Hill Regional Aquatic Centre, in the same location as current disability parking spaces as this is the best location for ramp access.
5. That Item Number 415.6.4 – That traffic counters be installed in Kaolin Street adjacent the Happy Day Preschool to determine the volume and speed of traffic.

**Executive Summary:**

Under Guidelines published in March 2009 by the Roads and Traffic Authority (now known as Transport for NSW), entitled ‘A guide to the delegation to councils for the regulation of traffic states’:

“The Local Traffic Committee (LTC) has no decision-making powers and is primarily a technical review committee. It only advises the Council on matters for which the Council has delegated authority, being certain prescribed traffic control devices and traffic control facilities.

The Council must refer all traffic related matters to the LTC prior to exercising its delegated functions. Matters related to State Roads or functions that have not been delegated to the elected Council must be referred directly to Transport for NSW or relevant organisation. Such matters must not be referred to the LTC.

Council is not bound by the advice given by its LTC. However, if Council does wish to act contrary to the unanimous advice of the LTC or when the advice is not unanimous, it must notify Roads and Maritime Services and the NSW Police and wait 14 days before proceeding.”

**Report:**

This report is to provide Council with the minutes and action list of the Local Traffic Committee meeting held on Tuesday, 6 July 2021 which details recommendations to Council for consideration and adoption.

**Strategic Direction:**

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

**Relevant Legislation:**

- *Road Transport (Safety and Traffic Management) Regulation 1999*, and
- Road Rules 2008
- A guide to the delegation to councils for the regulation of traffic (guidelines)

**Financial Implications:**

Financial implications for any of the recommendations to Council will be detailed in the LTC minutes, if relevant.

**Attachments**

1. [↓](#) Minutes of the Local Traffic Committee Meeting No.415 - 6 July 2021

JAY NANKIVELL  
GENERAL MANAGER

## LOCAL TRAFFIC COMMITTEE MINUTES OF MEETING NO. 415

Held 2pm Tuesday, 6 July 2021

First Floor Meeting Room, Administrative Centre and via Teams for external members.

**Minutes taken by:** Council's Administration Officer, Samantha Stuart.

Chairperson Bibek Bhattarai, Infrastructure Projects Engineer opened the meeting at 2pm and welcomed all representatives present.

### 415.1 Present

Bibek Bhattarai	Chairperson/Infrastructure Projects Engineer
Marion Browne	Councillor
David Vant	Transport for NSW Representative
Matthew McCarthy	NSW Police Representative
Paul Bezzina	Asset Officer
Peter Bevan	Local Member's Representative

### 415.2 Apologies

Codie Howard	Group Manager Infrastructure and Projects
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### 415.3 Disclosure of interest – NIL

### 415.4 Adoption of previous minutes

Previous minutes of meeting No. 414 held 8 June 2021 were confirmed via online voting as follows:

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

### 415.5 Council Resolutions

The following Committee Recommendations over the page were adopted by Council at its meeting held on Wednesday, 30 June 2021.

ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 104/21 - DATED JUNE 17, 2021 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 414 HELD TUESDAY, 8 JUNE 2021  
11/397

#### RESOLUTION

Minute No. 46574

Councillor T. Kennedy moved  
Councillor B. Algate seconded

#### Resolved

- ) 1. That Broken Hill City Council Report No. 104/21 dated June 17, 2021, be received.  
)  
2. That the minutes from the Local Traffic Committee Meeting No. 414 held Tuesday, 8 June 2021 be received.

3. That Item Number 408.6.1 – That two 15-minute timed 'Loading Zone' areas be installed in Crystal Lane at the rear of the Musicians Club.
4. That Item Number 408.6.2 – That a 15-minute timed 'Loading Zone' be installed in Crystal Lane at the rear of the Salvation Army Shop.
5. That Item Number 408.6.4 – That a 15-minute timed 'Loading Zone' be installed on the north side of Argent Lane for the Broken Hill Pub (BHP).
6. That Item Number 408.6.5 – That a 15-minute timed 'Loading Zone' be installed on the south side of Argent Lane adjacent the Workingman's Club.
7. That Item Number 413.6.1 – That the temporary road closure of Argent Street for the Broken Heel Festival's Annual Street Parade be approved with the condition that the traffic control signs be placed at the end of the double lines at each intersection to prevent motorist from crossing double lines if they are required to perform a U-turn.
8. That Item Number 414.6.1 – That the temporary road closure of Sulphide Street, between Argent Street and Crystal Street for the Broken Heel Festival be approved with the following conditions:
  - a. That 'Bus Stop' signs adjacent the Palace Hotel in Argent Street be covered during the event; and
  - b. That the temporary fencing on the west side of Sulphide Street, between Crystal Lane and Crystal Street be relocated to the Kerb and gutter to allow pedestrian access to Far West Auto.
9. That the parking bay on the right side of the driveway, while entering the Daydream Motel be removed.
10. That Council send correspondence to Transport NSW advising that Council wishes to immediately install traffic blisters in Kaolin Street adjacent to the Happy Day Preschool.

CARRIED UNANIMOUSLY

415.6 Correspondence In

Item No.	EDRMS No.	Details
415.6.1	D21/29055	Request for additional longer-term parking at Country Universities Centre Far West at 318-324 Crystal Street – Michael Williams.
415.6.2	D21/29339	Concerns regarding Street and Pathway Closures for the Broken Heel Festival – Kolinac's Paint Store.
415.6.3	D21/29384	Illegal Dumping Road Signs.
415.6.4	D21/30070	Happy Day submission to Traffic Committee - 40kmh signs.

415.7 Correspondence Out

Item No.	EDRMS No.	Item No.	Details
415.7.1	D21/28500	407.6.1	Response Council Resolution – Request for Line Marking adjacent Burke Ward Public School – Kate Hogg, Principal.
415.7.2	D21/29565	408.6.1	Response Council Resolution – That two 15-minute timed 'Loading Zone' areas be installed in Crystal Lane at the rear of the Musician Club.
415.7.3	D21/29597	408.6.2	Response Council Resolution – That two 15-minute timed 'Loading Zone' be installed in Crystal Lane at the rear of the Salvation Army Shop.
415.7.4	D21/42024	408.6.4	Response Council Resolution – That a 15-minute timed 'Loading Zone' be installed on the north side of Argent Lane for the Broken Hill Pub (BHP).
415.7.5	D21/29610	408.6.5	Response Council Resolution – That a 15-minute timed 'Loading Zone' be installed on the south side of Argent Lane adjacent the Workingman's Club.
415.7.6	D21/21221	413.6.1	Response Council Resolution – That the temporary road closure of Argent Street for the Broken Heel Festival's Annual Street Parade be approved with the condition that the traffic control signs be placed at the end of the double lines at each intersection to prevent motorist from crossing double lines if they are required to perform a U-turn.
415.7.7	D21/21221	414.6.1	Response Council Resolutions – That the temporary road closure of Sulphide Street, between Argent Street and Crystal Street for the Broken Heel Festival be approved with the following conditions: <ul style="list-style-type: none"> <li>a. That 'Bus Stop' signs adjacent the Palace Hotel in Argent Street be covered during the event; and</li> <li>b. That the temporary fencing on the west side of Sulphide Street, between Crystal Lane and Crystal Street be</li> </ul>

			relocated to the Kerb and gutter to allow pedestrian access to Far West Auto.
415.7.8	D21/29646	414.6.3	Response Council Resolution – That the parking bay on the right side of the driveway, while entering the Daydream Motel be removed.
415.7.9	D21/29676	414.8.5	Response General Business - Concerns has been raised regarding the watering of trees along Silverton Road where Transport for NSW and Council are widening the road. There is no channeling along the side of the road for the trees to be watered as the trees are dying along the Silverton Road.

**415.8 General Business**

Item No.	EDRMS No.	Details
415.8.1		Timed Parking in Oxide Street, between Crystal and Beryl Streets.
<b>Discussion Notes</b>		It has been brought to Council's attention that the timed parking in Oxide Street, between Crystal and Beryl Streets have increased from 2-hour timed parking to 4-hour timed parking.
		Council unaware of a change to signage. Council's Asset Officer, Paul Bezzina to follow up and a report will be provided to the committee at the next scheduled committee meeting on Tuesday, 3 August 2021.
415.8.2		Mundi Mundi Bash Traffic Management
<b>Discussion Notes</b>		Transport for NSW, David Vant will contact organisers of the Mundi Mundi Bash in relation to the Traffic Management Plan. The company who was originally contracted to create the Traffic Management have been let go and organisers are seeking replacement. NSW Police, Matthew McCarthy will follow up with Inspector Kingsley Chapman in relation to the event. Local Emergency Management Officer (LEMO), Codie Howard is to be included in on the discussion with all parties involved.

415.9 Action Item List

415.9 Action Item List	
Date	Item Details
September 2020	Review No Stopping Signs – TNT Broken Hill
Item No.	<b>406.6.1</b>
EDRMS No.	D20/35512 and D20/40169
CRM No.	N/A
Responsible Officer	Council's Infrastructure Engineer, Bibek Bhattarai
Current Status	Pending
Date	Committee Recommendation/s
September 2020	All in favour of a letter being sent advising that there will be/is a loading zone in Oxide Street near the Astra which can be utilised.
July 2021	That a 'Loading Zone' be installed in Crystal Lane on the side of the Astra to service all businesses.
Action Date	Running Actions
September 2020	Discussion around Crystal Lane and that there are no loading zones. Although the laneway is narrow there should still be a loading zoning. Committee determined at last meeting to install a loading zone in Oxide Street near the Astra. This zone can be utilised for Repco.
October 2020	Discussion around Development Application (DA) conditions for deliveries for Repco. TNT have mentioned the use of a forklift for deliveries, was this taken into consideration in original DA and what were the conditions for unloading/loading of supplies with delivery vehicles. A Traffic Management Plan for the safety of pedestrians would have been submitted. Committee discussed the following: <ul style="list-style-type: none"> <li>• Laneway is 5.6m wide, delivery truck is close to 2.5m in size which would only leave available width of 3.1m for passing vehicles.</li> <li>• Delivery truck would need to be parked right against the building to allow for clearance. Reduce lane width to 3m maximum.</li> <li>• Presumption that the vehicle is unloaded from the rear or the side.</li> <li>• Available space near the 'No Stopping' sign is 9.6m. Operations would basically close that Lane, there is no way a delivery truck would be able to unload as well as have passing traffic.</li> </ul>

	<ul style="list-style-type: none"> <li>Cannot see anything that has been changed in relation to deliveries. Council's Rangers have been issuing more fines and been more observant of things happening around the place.</li> </ul> <p>Transport for NSW do not support the proposed loading zone and stick with the original recommendation of utilising the loading zone located in Oxide Street near the Astra.</p> <p>Council to investigate the original Development Application lodged and report back to the Committee.</p>
November 2020	<p><b>Advice:</b> Council's Planning, Development and Compliance Department have conducted a search through Council's records on Development Applications (DA) for Oxide Street, Repco.</p> <p>There is no DA showing up for the premises in Oxide Street, being Repco. It is likely that, at the time, a DA was not required for the business to commence.</p> <p>Please note that in some cases, in commercial zones, shops can change over to other shops within existing buildings, without needing to gain DA consent. (this is called exempt development). So, there will be occasions where a tenant may change, but there will not necessarily be a requirement for a DA.</p> <p>Historically, in the CBD area within town, consideration was given to how businesses could operate within existing buildings, and still be able to load/unload goods. In many cases the only option would be from the rear lanes of properties. This was not necessarily dealt with through the DA process, but rather through Traffic committee consideration as a separate matter.</p> <p>Where businesses are building a new premise, on vacant land, then consideration can be given to enforce they provide an on-site loading area, however this is not the case with existing businesses such as in Argent Street, of course.</p> <p>To be sent a letter advising a city-wide audit will be conducted. Council to complete audit and report back to the Committee.</p>
December 2020	City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.
February 2021	City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.
March 2021	City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.
April 2021	<p>In 2017 Council went to consultants to create a parking strategy with input from local business recommending turning certain 'parking zones' into 'loading zone only'. The plan went through ELT and Council however was not put through due to the creation of the CBD Master Plan.</p> <p>Council's proposal is to turn Crystal Lane, Argent Lane and Gawler Place 'parking zones' into 'loading zone only'. Council to correspond with businesses and residents in relation to the proposal. A plan will then be forwarded by Council to the Local Traffic Committee for review and approval.</p>



May 2021	<p>In 2017 Council went to consultants to create a parking strategy with input from local business recommending turning certain 'parking zones' into 'loading zone only'. The plan went through ELT and Council however was not put through due to the creation of the CBD Master Plan.</p> <p>Council's proposal is to turn Crystal Lane, Argent Lane and Gawler Place 'parking zones' into 'loading zone only'. Council to correspond with businesses and residents in relation to the proposal. A plan will then be forwarded by Council to the Local Traffic Committee for review and approval.</p> <p>Council's Infrastructure Engineer, Bibek Bhattarai and Ground Manager Infrastructure and Projects, Codie Howard are liaising Council's Ranger and have requested that he inspect and assess the areas for all 'Loading Zones' and parking areas.</p> <p>The committee will be provided an update at the next committee meeting.</p>
June 2021	<p>The Local Traffic Committee Members inspected the site on Wednesday, 16 June 2021 to determine the location of the proposed loading zone.</p> <p>Among the two sides of Crystal Lane, it would be beneficial to place the loading zone adjacent the Astra fence as there is a gas filling station in this area.</p> <p>The committee will discuss this matter further at the July Committee meeting to then provide a recommendation to council for implementation.</p>
July 2021	<p>During the last site visit, Council's Asset Officer, Paul Bezzina communicated with TNT and Repco. It was determined that a loading zone will be installed on the side of the Astra, this will service all businesses.</p> <p>There were no objections from the Local Traffic Committee and the matter will be referred to the July Council meeting.</p>
<b>Date</b>	<b>Item Details</b>
October 2020	No Stopping Zone – Musicians Club
<b>Item No.</b>	<b>408.6.1</b>
<b>EDRMS No.</b>	D20/43197
<b>CRM No.</b>	N/A
<b>Responsible Officer</b>	Council's Infrastructure Engineer, Bibek Bhattarai
<b>Current Status</b>	Completed
<b>Date</b>	<b>Committee Recommendation/s</b>
June 2021	That two 15-minute timed 'Loading Zone' areas be installed in Crystal Lane at the rear of the Musicians Club.

Action Date	Running Actions
November 2020	<p>Discussion around location of delivery door which was identified as being in the laneway therefore the carpark cannot be utilised as a delivery option.</p> <p>Concerns raised that the fundamental issue is that Council's Development Application process should be identifying service deliveries as part of the application. However, Committee discussed that this is difficult given the age of the town and how long businesses have been operating.</p> <p>The issue is there are no stopping signs however these were obviously installed for a reason but is there any chance these can be changed to loading zones?</p> <p>This should sit with Council to come up with a solution and provide a recommendation to the Local Traffic Committee (LTC). The LTC is for road safety and management only.</p> <p>Seems to be a city-wide issue particularly relating to the CBD. Instead of responding to each request one by one, there needs to be a city-wide audit and survey of loading zones to identify where they are needed to service several businesses not install one for each business.</p> <p>Council have conducted a number of surveys of parking within in the CBD however it is more in relation to the timed parking and keeping the flow of traffic moving within Argent Street.</p> <p>Laneways are narrow and cannot be made wider therefore might have issues creating loading zone.</p> <p>Generic letter to be sent to all businesses requesting a loading zone advising a city-wide audit will be conducted.</p> <p>Council to conduct an audit and refer back to the committee.</p>
December 2020	City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.
February 2021	City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.
March 2021	City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.
April 2021	<p>In 2017 Council went to consultants to create a parking strategy with input from local business recommending turning certain 'parking zones' into 'loading zone only'. The plan went through ELT and Council however was not put through due to the creation of the CBD Master Plan.</p> <p>Council's proposal is to turn Crystal Lane, Argent Lane and Gawler Place 'parking zones' into 'loading zone only'. Council to correspond with businesses and residents in relation to the proposal. A plan will then be forwarded by Council to the Local Traffic Committee for review and approval.</p>
May 2021	Council's Infrastructure Engineer, Bibek Bhattarai and Ground Manager Infrastructure and Projects, Codie Howard are liaising Council's Ranger and have requested that he inspect and assess the areas for all 'Loading Zones' and parking areas.

	The committee will be provided an update at the next committee meeting.
June 2021	The Local Traffic Committee Members inspected the site on Wednesday, 16 June 2021 to determine the location of the proposed loading zone.  This recommendation was made by committee members present for the site inspection held today to review the loading zone issues.  The recommendation will be forwarded to the committee members that were not present for the site inspection for their endorsement to then be referred to the June Council meeting.
July 2021	Matter resolved at Council Meeting held 17 June 2021. Council to install two 15-minute timed 'Loading Zone' areas in Crystal Lane at the rear of the Musician Club.
<b>Date</b>	<b>Item Details</b>
October 2020	Loading zone – Salvation Army
<b>Item No.</b>	<b>408.6.2</b>
<b>EDRMS No.</b>	D20/40838 and D20/42158
<b>CRM No.</b>	N/A
<b>Responsible Officer</b>	Council's Infrastructure Engineer, Bibek Bhattarai
<b>Current Status</b>	Completed
<b>Date</b>	<b>Committee Recommendation/s</b>
June 2021	That a 15-minute timed 'Loading Zone' be installed in Crystal Lane at the rear of the Salvation Army Shop.
<b>Action Date</b>	<b>Running Actions</b>
November 2020	Generic letter to be sent to all businesses requesting a loading zone advising a city-wide audit will be conducted.  Council to conduct an audit and refer back to the committee.
December 2020	City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.
February 2021	City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.
March 2021	City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.

April 2021	<p>In 2017 Council went to consultants to create a parking strategy with input from local business recommending turning certain 'parking zones' into 'loading zone only'. The plan went through ELT and Council however was not put through due to the creation of the CBD Master Plan.</p> <p>Council's proposal is to turn Crystal Lane, Argent Lane and Gawler Place 'parking zones' into 'loading zone only'. Council to correspond with businesses and residents in relation to the proposal. A plan will then be forwarded by Council to the Local Traffic Committee for review and approval.</p>
May 2021	<p>Council's Infrastructure Engineer, Bibek Bhattarai and Ground Manager Infrastructure and Projects, Codie Howard are liaising Council's Ranger and have requested that he inspect and assess the areas for all 'Loading Zones' and parking areas.</p> <p>The committee will be provided an update at the next committee meeting.</p>
June 2021	<p>The Local Traffic Committee Members inspected the site on Wednesday, 16 June 2021 to determine the location of the proposed loading zone in Crystal Lane at the rear of the Salvation Army Shop.</p> <p>This recommendation was made by committee members present for the site inspection held today to review the loading zone issues.</p> <p>The recommendation will be forwarded to the committee members that were not present for the site inspection for their endorsement to then be referred to the June Council meeting.</p>
July 2021	<p>Matter resolved at Council Meeting held 17 June 2021. Council to install a 15-minute timed 'Loading Zone' in Crystal Lane at the rear of the Salvation Army Shop.</p>
<b>Date</b>	<b>Item Details</b>
October 2020	Loading Zone – Argent Lane – Broken Hill Pub
<b>Item No.</b>	<b>408.6.4</b>
<b>EDRMS No.</b>	D20/42024
<b>CRM No.</b>	N/A
<b>Responsible Officer</b>	Council's Infrastructure Engineer, Bibek Bhattarai
<b>Current Status</b>	Completed
<b>Date</b>	<b>Committee Recommendation/s</b>
June 2021	That a 15-minute timed 'Loading Zone' be installed on the north side of Argent Lane for the Broken Hill Pub (BHP).

Action Date	Running Actions
November 2020	<p>Generic letter to be sent to all businesses requesting a loading zone advising a city-wide audit will be conducted.</p> <p>Council to conduct an audit and refer back to the committee.</p>
December 2020	<p>City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.</p>
February 2021	<p>City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.</p>
March 2021	<p>City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.</p>
April 2021	<p>In 2017 Council went to consultants to create a parking strategy with input from local business recommending turning certain 'parking zones' into 'loading zone only'. The plan went through ELT and Council however was not put through due to the creation of the CBD Master Plan.</p> <p>Council's proposal is to turn Crystal Lane, Argent Lane and Gawler Place 'parking zones' into 'loading zone only'. Council to correspond with businesses and residents in relation to the proposal. A plan will then be forwarded by Council to the Local Traffic Committee for review and approval.</p>
May 2021	<p>Council's Infrastructure Engineer, Bibek Bhattarai and Group Manager Infrastructure and Projects, Codie Howard are liaising Council's Ranger and have requested that he inspect and assess the areas for all 'Loading Zones' and parking areas.</p> <p>The committee will be provided an update at the next committee meeting.</p>
June 2021	<p>The Local Traffic Committee Members inspected the site on Wednesday, 16 June 2021 to determine the location of the proposed loading zone in Argent Lane at the rear of the Broken Hill Pub.</p> <p>This recommendation was made by committee members present for the site inspection held today to review the loading zone issues.</p> <p>The recommendation will be forwarded to the committee members that were not present for the site inspection for their endorsement to then be referred to the June Council meeting.</p>
July 2021	<p>Matter resolved at Council Meeting held 17 June 2021. Council to install a 15-minute timed 'Loading Zone' on the north side of Argent Lane for the Broken Hill Pub (BHP).</p>

Date	Item Details
October 2020	Loading Zone – Argent Lane – The Workies
<b>Item No.</b>	<b>408.6.5</b>
<b>EDRMS No.</b>	D20/42023
<b>CRM No.</b>	N/A
<b>Responsible Officer</b>	Council's Infrastructure Engineer, Bibek Bhattarai
<b>Current Status</b>	Completed
Date	Committee Recommendation/s
June 2021	That a 15-minute timed 'Loading Zone' be installed on the south side of Argent Lane adjacent the Workingman's Club.
Action Date	Running Actions
November 2020	Generic letter to be sent to all businesses requesting a loading zone advising a city-wide audit will be conducted. Council to conduct an audit and refer back to the committee.
December 2020	City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.
February 2021	City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.
March 2021	City wide audit of Loading Zones and No Stopping Zones to be completed by March 2021.
April 2021	In 2017 Council went to consultants to create a parking strategy with input from local business recommending turning certain 'parking zones' into 'loading zone only'. The plan went through ELT and Council however was not put through due to the creation of the CBD Master Plan.  Council's proposal is to turn Crystal Lane, Argent Lane and Gawler Place 'parking zones' into 'loading zone only'. Council to correspond with businesses and residents in relation to the proposal. A plan will then be forwarded by Council to the Local Traffic Committee for review and approval.
May 2021	Council's Infrastructure Engineer, Bibek Bhattarai and Ground Manager Infrastructure and Projects, Codie Howard are liaising Council's Ranger and have requested that he inspect and assess the areas for all 'Loading Zones' and parking areas.  The committee will be provided an update at the next committee meeting.

June 2021	<p>The Local Traffic Committee Members inspected the site on Wednesday, 16 June 2021 to determine the location of the proposed loading zone in Crystal Lane at the rear of the Salvation Army Op Shop.</p> <p>This recommendation was made by committee members present for the site inspection held today to review the loading zone issues.</p> <p>The recommendation will be forwarded to the committee members that were not present for the site inspection for their endorsement to then be referred to the June Council meeting.</p>
July 2021	<p>Matter resolved at Council Meeting held 17 June 2021. Council to install a 15-minute timed 'Loading Zone' be installed on the south side of Argent Lane adjacent the Workingman's Club.</p>
<b>Date</b>	<b>Item Details</b>
May 2021	Proposed roundabout to be installed at the Mercury and Galena Streets intersection.
<b>Item No.</b>	<b>413.8.3</b>
<b>EDRMS No.</b>	
<b>CRM No.</b>	N/A
<b>Responsible Officer</b>	Council's Infrastructure Engineer, Bibek Bhattarai
<b>Current Status</b>	Completed
<b>Date</b>	<b>Committee Recommendation/s</b>
<b>Action Date</b>	<b>Running Actions</b>
May 2021	<p>Council's Infrastructure Engineer, Bibek Bhattarai informed the committee that Council has plans to install a roundabout at the Mercury and Galena Streets intersection. Bibek is currently liaising with Essential Energy to make the necessary arrangement for the power poles to be relocated.</p> <p>Surveyor, Graham Howe was been engaged to survey the subdivision of the Arboretum area.</p> <p>An update on the process will be provided to the committee at the next meeting. Council anticipates, that by constructing the roundabout in this are it will eliminate speeding and reduce risk for motorist.</p> <p>The plan is for the roundabout to be installed by April 2022.</p>
June 2021	<p>Council's Infrastructure Engineer, Bibek Bhattarai informed the committee that Council has plans for a roundabout to be construction at the Galena Street, Talc Street and Mercury Street Intersection.</p>

	<p>A design of the roundabout has been provided to Transport for NSW, David Vant for comments.</p> <p>David stated that this design has been developed to the specification for the sweeps area for an AB Triple, which would require a section of the existing footpath a section of the Arboretum to be used for the construction. David advised that the design can be altered for the sweep specifications for a 2B, as this route is not allocated on the approved Heavy Vehicles Bypass Route through the City.</p> <p>Council had a site consultation meeting with the Arboretum meeting on the revised boundary fence and the committee did not have objections.</p>
July 2021	<p>Council's Infrastructure Engineer, Bibek Bhattarai advised the Request for Tender for the relocation of the electrical poles was uploaded to Vendor Panel on 17 June 2021 and will close 7 July 2021. The Tender for the road works – stage 2, is yet to be advertised on Vendor Panel. Additional proposal has been made to the Arboretum Committee to acquire only land required for the road works adjacent to boundary line. The Arboretum Committee reviewed the plan and welcomes the proposal.</p>
<b>Date</b>	<b>Item Details</b>
June 2021	Request for installation of additional disabled parking spaces at the Broken Hill Aquatic Centre.
<b>Item No.</b>	<b>414.6.5</b>
<b>EDRMS No.</b>	D21/15668
<b>CRM No.</b>	N/A
<b>Responsible Officer</b>	Council's Infrastructure Engineer, Bibek Bhattarai
<b>Current Status</b>	Pending
<b>Date</b>	<b>Committee Recommendation/s</b>
July 2021	That an additional disability parking space be install adjacent to the Broken Hill Regional Aquatic Centre, in the same location as current disabled parking spaces as this is the best location for ramp access. For Council to jet patch and line mark the parking space.
<b>Action Date</b>	<b>Running Actions</b>
June 2021	<p>Request for installation of additional disabled parking spaces at the Broken Hill Aquatic Centre.</p> <p>Council's Infrastructure Engineer, Bibek Bhattarai will inspect the area and provide the committee an update at the next committee meeting.</p>



July 2021	Council's Asset Officer, Paul Bezzina completed a site visit and determined that an additional disability parking space will be install adjacent the Aquatic Centre, in the same location as current disabled parking as this location has the best ramp access. Jet patching and line marking will be completed by Council.  No objections from the Local Traffic Committee and the matter will be referred to the July Council meeting.
<b>Date</b>	<b>Item Details</b>
May 2021	Request for 'No Parking' sign to be installed between 458 and 460 Lane Lane to all for residents' access to their property.
<b>Item No.</b>	<b>414.6.6</b>
<b>EDRMS No.</b>	D21/42468
<b>CRM No.</b>	N/A
<b>Responsible Officer</b>	Council's Infrastructure Engineer, Bibek Bhattarai
<b>Current Status</b>	Pending
<b>Date</b>	<b>Committee Recommendation/s</b>
<b>Action Date</b>	<b>Running Actions</b>
June 2021	An inspection of area will be undertaken by Council and an update will be provided to the committee at the next scheduled committee meeting on Tuesday, 6 July 2021.
July 2021	An inspection of area will be undertaken by Council's Asset Officer, Paul Bezzina and an update will be provided to the committee at the next scheduled committee meeting on Tuesday, 3 August 2021.
<b>Date</b>	<b>Item Details</b>
June 2021	Concerns were raised regarding motorist accessing Bromide Street when exiting onto Bromide Street as there is a lot of traffic and it is hard to turn onto Bromide Street.
<b>Item No.</b>	<b>414.8.2</b>
<b>EDRMS No.</b>	General Business
<b>CRM No.</b>	N/A

<b>Responsible Officer</b>	Council's Infrastructure Engineer, Bibek Bhattarai
<b>Current Status</b>	Completed
<b>Date</b>	<b>Committee Recommendation/s</b>
<b>Action Date</b>	<b>Running Actions</b>
June 2021	Request for a blister to be installed in Bromide Street at the intersection of Marks Street as parents that pick up their children from the back of the Broken Hill Public School, being that Mica Lane is only one way are required to travel back down Marks Street to enter back onto Bromide Street. At times it is difficult for motorist to turn back onto Bromide Street due to the flow of traffic.  Council's Infrastructure Engineer, Bibek Bhattarai will investigate and provide the committee an update at the next committee meeting.
July 2021	Council's Infrastructure Engineer, Bibek Bhattarai advised that after investigation, it was determined that if a refuge island was installed, it would still not solve the issue. No action to be taken. Correspondence to be forwarded to Peter Beven to pass onto the respondent.
<b>Date</b>	<b>Item Details</b>
June 2021	Request for addition parking spaces to installed adjacent the Hearing Centre in Sulphide Street.
<b>Item No.</b>	<b>414.8.6</b>
<b>EDRMS No.</b>	General Business
<b>CRM No.</b>	N/A
<b>Responsible Officer</b>	Council's Infrastructure Engineer, Bibek Bhattarai
<b>Current Status</b>	Pending
<b>Date</b>	<b>Committee Recommendation/s</b>
<b>Action Date</b>	<b>Running Actions</b>
June 2021	Currently there is only two parking spaced adjacent the Hearing Centre in Sulphide Street and the question has been raised if additional parking spaces can be installed in the area.  An inspection of the area will be completed by Council staff and the results reported back to the committee at the next meeting in July 2021.
July 2021	Council's Asset Officer, Paul Bezzina advised after discussion with the business, it was determined that the existing dish crossing is no longer used. The Hearing Centre advised they are happy for the dish crossing to be it to be removed and

	<p>have kerb and guttering installed. Parking signs will be relocated and an additional three parking spaces marked.</p> <p>Designs of the proposed parking spaces will be provided to the committee for review and approval before prior to work commencing.</p>
<b>Date</b>	<b>Item Details</b>
July 2021	Request for additional longer-term parking at Country Universities Centre Far West, 318-324 Crystal Street – Michael Williams.
<b>Item No.</b>	<b>415.6.1</b>
<b>EDRMS No.</b>	D21/29055
<b>CRM No.</b>	N/A
<b>Responsible Officer</b>	Council's Infrastructure Engineer, Bibek Bhattarai
<b>Current Status</b>	Pending
<b>Date</b>	<b>Committee Recommendation/s</b>
<b>Action Date</b>	<b>Running Actions</b>
July 2021	<p>Council's Asset Officer, Paul Bezzina carried out an inspection. It was found that it is currently sign posted as '4h Hour' parking from 8.30am-6pm. Council will gather more information from Country Universities Centre regarding the number of students, number of classes and peak periods of use.</p> <p>An update will be provided to the committee at the next scheduled committee meeting on Tuesday, 3 August 2021.</p>
<b>Date</b>	<b>Item Details</b>
July 2021	Concerns around Street and Pathway Closures for the Broken Heel Festival – Kolinac's Paint Store
<b>Item No.</b>	<b>415.6.2</b>
<b>EDRMS No.</b>	D21/29339
<b>CRM No.</b>	N/A
<b>Responsible Officer</b>	Council's Infrastructure Engineer, Bibek Bhattarai
<b>Current Status</b>	Completed

Date	Committee Recommendation/s
July 2021	Council's Asset Officer, Paul Bezzina consulted with Kolinac's Paint Store prior to the meeting and determined that deliveries will be made to the Palace Hotel. This matter was resolved between businesses and there is no further action required by the Local Traffic Committee.
Date	Item Details
July 2021	Illegal Dumping Road Signs
<b>Item No.</b>	<b>415.6.3</b>
<b>EDRMS No.</b>	D21/29384
<b>CRM No.</b>	N/A
<b>Responsible Officer</b>	Council's Infrastructure Engineer, Bibek Bhattarai
<b>Current Status</b>	Completed
Date	Committee Recommendation/s
July 2021	Council's Manager Sustainability, Waste and Works, Kathy Graham proposes to install seven illegal dumping signs across the City. A grant has been secured for this project.  Transport for NSW, David Vant suggested that it is not a Local Traffic Committee issue; however, agrees with the proposal as long as it does not interfere with pedestrian, traffic or line sight for vehicles.
Date	Item Details
July 2021	Happy Day submission to Traffic Committee - 40kmh signs
<b>Item No.</b>	<b>415.6.4</b>
<b>EDRMS No.</b>	D21/30070
<b>CRM No.</b>	N/A
<b>Responsible Officer</b>	Council's Infrastructure Engineer, Bibek Bhattarai

<b>Current Status</b>	Pending
<b>Date</b>	<b>Committee Recommendation/s</b>
July 2021	That traffic counters be installed in Kaolin Street adjacent the Happy Day Preschool to determine the volume and speed of traffic.
<b>Action Date</b>	<b>Running Actions</b>
July 2021	<p>Transport for NSW, David Vant met with the Director from Happy Day Preschool to discuss their concerns. It was determined that Happy Day Preschool being a private business, these signs were not justified as the zoning around the preschool does not fall under the same legislation as school zones and children must be accompanied by an adult in order to enter and leave the premises.</p> <p>A request was issued for the signs to be removed by Council. TfNSW agreed to install warning signs in each approaching direction as well as blisters at a cost of around five to seven thousand dollars.</p> <p>It has been suggested that the installation of traffic classifiers/counters would be of benefit in order to determine if the area around the preschool is a traffic hot spot with data to be provided to NSW Police to enable them to monitor the area for speeding.</p> <p>Council's Infrastructure Engineer, Bibek Bhattarai advised the committee that Council will install traffic classifiers/counters as a matter of urgency.</p>

**415.10 Next Meeting Date** – Tuesday, 3 August 2021

**415.11 Meeting Closed** – 3.08pm

## ORDINARY MEETING OF THE COUNCIL

July 14, 2021

**ITEM 7**BROKEN HILL CITY COUNCIL REPORT NO. 123/21

SUBJECT: MINUTES AND REPORTS BROKEN HILL LEAD REFERENCE  
GROUP 20 MAY 2021 D21/24152

**Recommendation**

1. That Broken Hill City Council Report No. 123/21 dated July 14, 2021, be received.
2. That the minutes and reports of the Broken Hill Lead Reference Group for meeting held 20 May 2021 be received

**Executive Summary:**

The minutes of the Broken Hill Lead Reference Group for Meeting held 20 May 2021 are presented to Council for endorsement.

**Report:**

The Broken Hill Lead Reference Group (BHLRG), chaired by the Broken Hill City Council, is a collaborative of the many companies, organisations and community representatives that work with, have an interest in and contribute to the lead management in the local community.

The BHLRG has developed the Broken Hill Lead Reference Group Integrated Strategy to provide a forum for information exchange and to guide activity relating to lead issues for Broken Hill.

**Community Engagement:**

Community engagement through community representation on the Committee.

**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:**

Nil

**Financial Implications:**

Nil

**Attachments**

1. [↓](#) Minutes and Reports Broken Hill Lead Reference group 20 May 2021

JAY NANKIVELL  
GENERAL MANAGER

## BROKEN HILL LEAD REFERENCE GROUP

### Minutes

Meeting held Thursday, 20 May 2021, Council Chamber, Council Administrative Building

Meeting commenced at 10:07am

Kathryn Graham, Manager Sustainability, Waste and Works, Broken Hill City Council, chaired the meeting.

Kathy Acknowledged the Traditional Owners of the land on which we meet and payed respects to Elders past, present and future with recognition of landowners.

Abe Lau from SafeWork will be joining the meeting at 10.30am.

#### 1. Present and Apologies

**Attendees:** Kathy Graham BHCC; Margaret Lesjak FW LHD/PHU; Peter Olden BHELP; Vilmae Appleton C&HC; Leanne Hastwell FWLHD/CFH; Frances Borland BHELP; Councillor Marion Browne BHCC; Charisse Jones CMC; Sam Stuart BHCC; Nyrie Waite BHCC;

Attendees via video conference; Abe Lau SafeWork NSW; Tim Brokenshire WLHD; Lou-Anne Lind BHELP;

Due to technical issues, several people were unable to join the meeting via teams – Joel Sulicich CBH; Priscilla Stanley WLHD; Cathy Dyer Maari Ma;

**Apologies:** Ross Berry EE; Michelle Pitt WNSWPHN; Melissa Welsh FWLHD; Adam Forster Perilya

#### Adoption of Previous Minutes

That the minutes from the previous meeting held Thursday 18 March 2021 be adopted.  
Kathy read attendees and summary of minutes.

**Moved:** Councillor Marion Browne

**Seconded:** Peter Oldsen

#### 2. Matters Arising from the Previous Minutes

Invite SafeWork NSW, local Earth moving companies and Pinnacles to the next meeting.

Abe Lau from SafeWork and Charisse Jones from CMC in attendance. No other Earth moving companies responded.

Protocols for Adults – for follow up with Leanne was not discussed.

Margaret Lesjak provided questions for Abe which were addressed.

No other matters arising

#### 3. Correspondence In - nil

#### 4. Correspondence Out – nil



**Special Presentation by Abe Lau, Principal Inspector, Hygiene and Toxicology Team from SafeWork NSW.  
Contact details Office- 02 8867 2754, Mobile - 0408 162 635 email [abe.lau@safework.nsw.gov.au](mailto:abe.lau@safework.nsw.gov.au)**

The actual PowerPoint presentation has been included with these minutes. The presentation was around the changes in Legislation. Abe is a Chemical Engineer and works in the CESA Directorate – essentially the chemicals team. Abe has worked with SafeWork for 10-11 years in the Major Hazard Team and Hygiene and Toxicology Team.

Abe acknowledged that the group would already have a very good awareness of lead and Health effects of lead.

Broken Hill is in a fringe area between Mines and WHS. If a Business is not covered by the Mines Act then it will be covered by the WHS Act 2011.

There are many chemicals but only 2 are mentioned in the Regulation – specifically Asbestos and Lead. Part 7.2 of the WHS Regulation 2017.

Part 7.2 – there are 2 main terms “Lead Process” (Cl 392-395) which is any activity that you do in your work life that brings you into exposure to Lead. Within the lead process is “Lead Risk Work” – which is a subset of Lead Process which is basically a category of high-risk work associated with lead exposure – and there are specific blood levels listed. There are approximately 15 tasks which are described as Lead Process. Legislation does give some guidance on how to assess (CL 402), if the work is lead risk work or not. It is an assessment process with no hard and fast answers. In the assessment process, if the workers are not using PPE and are going to be exposed to lead then that is Lead Risk Work. WorkSafe can offer some assistance with the assessment. If you determine that the work is Lead Risk Work - The PCBU (Person Conducting a Business or Undertaking as per WHS Legislation) has to notify SafeWork (notification form on their website) within 7 days, (no fee), and complete the form on WorkSafe website. An acknowledgement letter will be sent.

PCBU also has duty to provide Health Monitoring. The expectation is that the PCBU pays for health monitoring and provide the information to the worker and SafeWork. If worker's blood level is above the mandatory removal from work limit, they must be removed and SafeWork notified (form on website). Retain records for 30 yrs. Worker cannot return until blood levels drop below a lower threshold.

Changes to Blood levels via Legislation becomes effective from 1 July 2021. The levels are now in line with World standards. See attachment for Changes to Blood Levels, frequency of testing and removal or return to work. The tolerability of lead in blood has come down in line with the World trend. Legislation in general terms has not changed for Lead Risk Controls – hierarchy of controls still applies from elimination to PPE. Legislation does address how to control risks of lead – the cornerstone of the Legislation is about consultation.

PCBU does have duty to give information about health risks of lead process to workers or others. Legislation gives general guidance on how to control the risk see Division 2 cl 396-401. Some information is provided within the power point presentation attached. Suggest a M class or H class HEPA filter.

Where to get help – SafeWork NSW Hygiene and Toxicology Team – 13 10 50/ website [Safework.nsw.gov.au](http://Safework.nsw.gov.au). SafeWork Australia website, EPA Website.

Questions provided for Abe to answer –

1)Media releases eg BDT but also for General practitioners/ medical professionals (maybe through PHNs?) so they know where a person with high lead should not work (other places than mines etc)  
Answer – The management of lead risk and exposure as far as the Legislation is concerned is more related to the duties of the PCBU and the Managers of that Entity (PCBU). Workers are advised as per Legislation. SafeWork are not in a position, to publish workplaces with a high lead exposure.

2)What constitutes lead work under new legislation (also something in plain English). For example contractors on mine etc go back to their usual employer/ place of employment which may have potentially high residual because cleaning lead ore trucks – so would that be considered lead work so this employer would have to comply with the new legislation? What are the obligations of an employer if it is now considered a lead workplace?

Answer – The Legal duties of the employer has been addressed in the presentation. There is a demarcation between Mines and Other workplaces in NSW. If a company/PCBU provides services to a mine but then go back to a workshop not located on a mine site, then they are subject to WHS Legislation. Unless their workers comp is covered by Comp Care which is covered by Workers Comp System NSW which is subject to WHS Reg.

3) If a place now is considered a place where lead work is done does this mean there should also be routine screening for blood lead? And if screening how often as a minimum?

Answer - This has been answered in the previous slides. It's not just workplaces, SafeWork deals with contactors that deal with lead from place to place ie lead paint removers, It's not a single workplace that they attach lead risk to – it might be just a particular project or particular job.

4) If a worker anywhere has a high lead level does Safe Work get notified? Does SafeWork follow up notifications, at what blood lead level? Do SafeWork visit lead workplaces routinely? Or, if not, is there any plans to at least visit workplaces that will be (newly) considered lead workplaces from 1 July? What are the employer's obligations?

Answer – Mainly answered in the presentation. SafeWork does get notified – Pathology labs have a responsibility to report lead levels over the 5 micrograms to the Ministry of Health. Ministry of Health does have some agreement to notify SafeWork, if a worker has high blood lead levels or if there is a cluster. SafeWork do visit workplaces, although they don't get the opportunity to travel to Broken Hill, unfortunately, it is more around the Sydney area with a high population density, where there is a high concentration of work that WorkSafe get notified. WorkSafe do visit from time to time.

5) If the PHU is notified of employees with high lead levels should the PHU refer to SafeWork? If so, at what blood lead level?

Answer – There are several different Lead Reference Groups beyond Broken Hill – Abe is on a Lead Reference group with members from EPA and Ministry of Health. The member for Health is (Cam L)? from the Environmental and Epidemiology Unit, who is the reference point for SafeWork. There are possibly some reference documents to give you some guidance if you are part of a PHU.

6) Will a copy of the presentation or and/or link to the relevant SafeWork page about lead workplaces be added to the <https://leadsmart.nsw.gov.au> website?

Answer – the Presentation is attached. As for sharing on the website – there is similar information for the public on the SafeWork website. Abe happy to help with getting links to the SafeWork and other relevant lead website put on the Leadsmart.nsw.gov.au website. Please contact him.

Forum opened to other questions –

Margaret – commented it was a, really good presentation.

Question from Margaret– Does SafeWork visit to help with the assessment as in how do SafeWork know that the business that should actually do notify them from 1<sup>st</sup> July?

This looks at the point where there is Legislative Laws or guidance around work where people aren't aware or choose not to be aware - SafeWork can't be everywhere and encourage people if they become aware of PCBU/Business not doing the right thing to advise SafeWork via the hotline or an anonymous complaint. Contractors, who have spent money to comply and see other competitors not complying to the Laws, are requested to advise Safe Work, as SafeWork are unaware unless someone tells them. Once SafeWork are notified they send an Officer to the workplace.

For the assessment of whether a workplace is lead risk, SafeWork discuss the processes and many other considerations with the PCBU to make a determination.

Question From Kathy - Are the requirements for assessment and monitoring in the WHS Legislation mirrored in the Mines Legislation.

Answer - Abe is not aware. He thinks a lot of the content is similar, and the drop to exposure limit levels are the same because that was a recommendation of the SafeWork NSW. Kathy noted the 2 main Mine Reps are not present today, but it would be good to follow that up.

Kathy thanked Abe and we really appreciate his time and giving the presentation to us. Everyone now has Abe's contact details and can contact him with any questions. Abe is happy to come back to the group to discuss anything further he is happy to help. Abe Left the meeting at 11.07am.

Kathy address the meeting that the presentation was a little more generic than we hoped but hopefully everyone got something to take away. If there are further question don't hesitate to contact Abe direct.

## 5. Quarterly Reports

### 7.1 **BROKEN HILL ENVIRONMENTAL LEAD PROGRAM (BHELP) – Report Submitted**

Peter – read through the report elaborating on a few key points - Aboriginal Lead Reference Group is a separate group and there is a new member sitting on this committee. Annual report endorsed. Extension of home remediation program to include Blood levels 10-14ug/dl. Report on national and International Remediation Standards – Peter happy to share that report with anyone interested. The HEPA filter study - this is a filter that plugs into a power point and is like a vacuum cleaner – that cleans the air. This study is to see if it does change lead levels in the home environment. The study is not about what is in the filter, but has it improved the home environment. Although what is in the filter could be interesting as well. 2 additional standard high-volume samplers will be installed to determine community exposure. No questions.

**Lou Anne** – acknowledged original owners of the land.

Further to Peters report. As all are aware the Treasury funding for BHELP programme ended about a year and half ago and EPA has met all costs for the programme this year. Lou Anne is looking to seek another 12 months of funding from EPA Executive. This is not easy as the fiscal environment is not great with the NSW Government as everyone can imagine, just an update not to alarm anyone. The last meeting of the BHELP steering committee will be June or July as members of the EPA Executive will visit Broken Hill to thank committee members, particularly Chair Marion who has done a fabulous job. They will be moving into a bit of a transition if the funding is secured and look at the recommendations of the BHELP review, looking at the resources that they have. They will be looking at the accountability arrangements of those EPA fund, including the Governance and seeking out some other Government partners for funding. Lou Anne extended an invitation to members of the BHLRG to attend the last Steering Committee meeting, invitations will be issued. It will also be a time to talk about the next steps are and what the next financial year will look like and then the long-term future of the programme. One of the things they are looking at/thinking about is a State-wide lead and containment strategy. EPA have been invited to Captains Flat and Leadville - 2 priority communities, that have been deemed high risk. Materials that have been develop from BHELP will be used to support in keeping those communities safe. Lead Ted may start to have a more cross State profile. EPA are looking to work with Health Dept for blood lead testing, at present, the response has been no, but members of the community can go to their GP for blood lead tests. EPA will continue to work with Health on that.

### 7.2 **MAARI MA – Report Submitted**

No one to present.

### 7.3 **WESTERN LHD – Report submitted.**

Margaret talked to the report submitted and there is a draft annual report being processed.

First 3 months many children being tested, with readings staying down.

Reinforcing with parents the importance of hygiene and washing hands is helping.

2 reports from dust monitors, but only a small amount of dust which limited the analysis, possibly due to increase in rain. The increase in hygiene due to COVID seems to be helping, hopefully it keeps going.

### 7.4 **CBH – report submitted**

### 7.5 **PERILYA – not supplied**

### 7.6 **ESSENTIAL WATER – Ross advised no update to the reports submitted in March.**

**8. General Business**

no general business.

Kathy asked if everyone is happy to receive reports via email - everyone agreed. If you require copies please email request to [coporateservices@brokenhill.nsw.gov.au](mailto:coporateservices@brokenhill.nsw.gov.au)

No paper copies will be printed.

**9. Matters for Next Meeting**

**10. Action Item List**

Action	Who
Are the requirements for assessment and monitoring in the WHS Legislation mirrored in the Mines Legislation?	Adam Forster, Devon Roberts

**11. Next Meeting:** Thursday, 19 August 2021 – 10am – Council Chamber, Council Administrative Centre. 19<sup>th</sup> August - Mundi Mundi Bash starts – just to be aware.

**12. Meeting Closed:** 11.18 am



BHELP REPORT TO LEAD REFERENCE GROUP  
February to May 2020

**1. BHELP Steering Committee decisions**

- Appointment of a new member to the Aboriginal Lead Reference Group
- Independent Health Check Review of the program included 21 recommendations about the future of the program
- BHELP Annual Report 2019 2020 was endorsed
- Extension of Home Remediation Program to include Blood Lead Levels of 10 to 14 ug/dL on a priority basis
- Report on National & International remediation standards
- Blood lead isotope study was deferred
- BHELs year 3 report presented

**2. Remediation/Abatement Program**

Home Remediation/Abatement Program - Round 6 Tender complete, works to be completed during May & June

Public Land Abatement Program – additional works at Block 10 to be completed prior to 30 June.

**3. Community Engagement and Communications Activities**

Schools Incursion Program to be recommenced in term 3 subject to staff availability and COVID requirements.

**4. Other Activities**

Aboriginal Engagement activities over the period included monthly activities with the Aboriginal Womens Group and partnership organisations at various locations including the 123 Hub and the Warra Warra Legal Services

**5. Other Projects**

- HEPA filter study in accordance with Macquarie University. A pilot study to examine to evaluate the utility of using HEPA filters in Broken Hill homes to reduce Pb-contaminated dust exposures and blood Pb. The study will involve 20 homes in Broken Hill — 10 with HEPA filters and 10 without over a 6-month trial period. Each house would be subject to the following environmental assessments for Pb concentrations: monthly vacuum dust samples; dust fall deposition (petri dishes); dust floor wipes and blood Pb testing. Air filters will be checked and replaced every two months during the trial.
- Installation of 2 additional NEPM standard Hi volume samplers to determine community exposure will be installed in June – Sites include Memorial Oval & Old Alma Pool site



# MEMO



**To:** BHCC Lead Reference Group

**From:** Cathy Dyer, Executive Manager Corporate Services, Maari Ma

**Date:** 14 May 2021

**Re:** 3 month report – Maari Ma Pb activities February, March, April 2021

## 1 Implementation of BHELP-funded Aboriginal strategy

We are currently recruiting a new cohort of Aboriginal Health Worker Trainees. All of the trainees will rotate through the Healthy Start (Ngama'linya yapa'na) program and all will be trained to oversee lead testing. Opportunistic lead testing is important so that we make the most of every family's visit to the PHCS. One of our existing lead health workers will be going on maternity leave mid-year.

Home assessments have been impacted by staff changes/availability however we have a public health medicine registrar training with us this year who has chosen lead as one of her areas of study. The intention in the next quarter is for BHELP's Frances Boreland and Dr Caitlin Swift to present an education session to our Aboriginal Health Worker trainees along with on-line training in using the portable XRF so they can assist with home assessments during their Ngama'linya Yapa'na rotation.

## 2 Blood lead testing & home assessments

	Feb	Mar	Apr
# of children tested	33	46	25
# of pregnant women tested	2	5	2
# of house assessments undertaken	2	5	2

## 3 Health promotion activities

- Playgroup is back to pre-COVID numbers with in excess of 40 children and adults attending each session. Every Friday during school term.
- The lead education continues daily within the clinic: at each lead test the child is given a bag with recipes, colouring book, lead information pamphlets and a toy.
- We give the "Welcome baby book" to new mums in their nappy bags at birth and the 'Lead in pregnancy pamphlet' to antenatal women at first appointment.
- We haven't been able to go into schools in the past year.

- Hoping to develop a brochure/information pack for the 4mths old babies so that mums are able to have lead safe information and can decide to get houses checked before they turn 6 months.



**Blood lead levels in children aged 5 months to <5 years, Broken Hill, by quarter, 2012-2021**

**Blood lead levels for children aged 1 year to <5 years**

Methodology notes

- Blood lead levels included in the calculation were only from those children whose blood test was their first valid test for the calendar year.
- Where a child had more than one test result for the quarter, the first result was used in the analysis. However, if a venous blood lead result had been recorded, this result was used in the analysis, irrespective of its value.
- Geometric means reported here are not age-sex standardised.
- 2018 data onwards is extracted from CHOC (including Maari Ma data) and children aged 12 months to < 5 years.

Blood lead levels, first quarter (January-March), 2012 - 2021 (All children)

1 <sup>st</sup> quarter	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
GeoMean µg/dL	5.7	5.6	4.9	6.2	5.8	6.4	5.7	5.8	5.6	4.0
Max	48.0	46.0	27.0	30.0	35.0	39.0	56.7	41.8	24.1	30.1
Mode	3.0	3.0	3.0	3.0	3.0	3.0	2.0	2.0	2.0	2.0
Median	5.0	5.0	5.0	6.0	5.0	6.3	6.3	6.0	5.7	3.8
95 percentile	18.0	16.0	18.0	19.1	17.8	18.2	17.0	16.8	16.3	14.3
No. children tested	227	242	257	219	226	311	256	266	305	266

Blood lead levels, second quarter (April-June), 2012 - 2020 (All children)

2 <sup>nd</sup> quarter	2012	2013	2014	2015	2016	2017	2018	2019	2020
GeoMean µg/dL	5.3	6.0	4.8	5.8	5.8	5.2	4.3	5.2	4.4
Max	49.0	31.0	29.0	30.0	50.0	38.1	21.7	23.1	34.7
Mode	3.0	3.0	3.0	3.0	3.0	3.0	2.0	2.0	2.0
Median	4.0	5.5	3.0	5.0	5.0	4.8	4.2	5.2	4.1
95 percentile	16.0	17.7	15.0	15.2	15.8	16.3	14.1	15.5	15.2
No. children tested	182	209	193	198	207	197	136	203	176

Blood lead levels, third quarter (July-September), 2012 - 2020 (All children)

3 <sup>rd</sup> quarter	2012	2013	2014	2015	2016	2017	2018	2019	2020
GeoMean µg/dL	4.8	5.0	4.8	5.1	5.8	4.9	4.0	4.3	4.0
Max	44.0	38.0	28.0	29.0	27.4	30.1	20.5	14.1	20.2
Mode	3.0	3.0	3.0	3.0	3.0	2.0	2.0	2.0	2.0
Median	4.0	4.0	4.0	5.0	5.5	4.6	4.4	4.9	4.5
95 percentile	14.0	19.5	13.0	15.7	17.7	16.9	10.6	11.6	10.2
No. children tested	135	136	141	147	113	131	137	114	122

Blood lead levels, fourth quarter (October-December), 2012 - 2020 (All children)

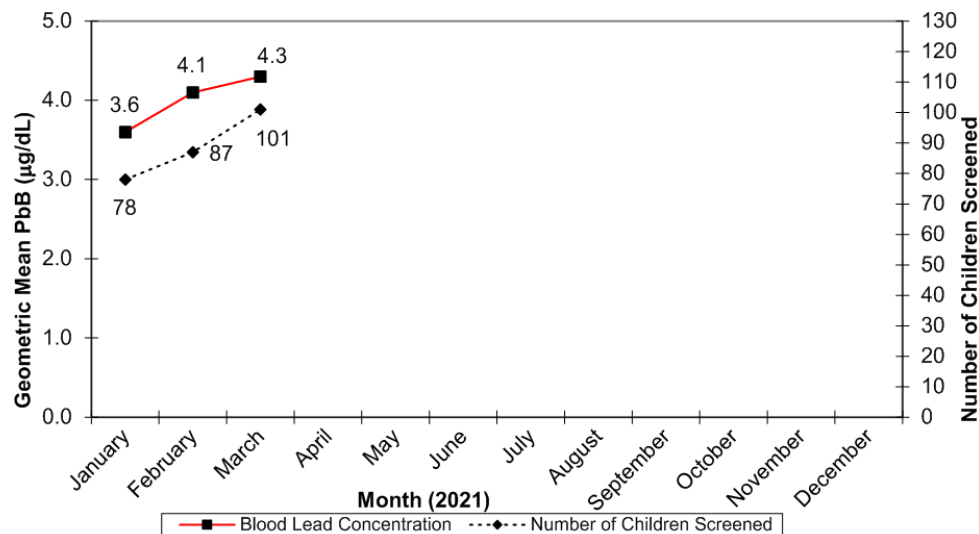
4 <sup>th</sup> quarter	2012	2013	2014	2015	2016	2017	2018	2019	2020
GeoMean µg/dL	4.8	5.0	4.8	5.1	5.4	4.2	3.8	4.0	3.4
Max	44.0	38.0	28.0	29.0	27.0	23.3	19.5	29.0	13.3
Mode	3.0	3.0	3.0	3.0	3.2	2.0	2.0	2.0	2.0
Median	4.0	4.0	4.0	5.0	4.6	4.1	3.9	3.8	3.3
95 percentile	14.0	19.5	13.0	15.7	15.9	16.1	12.4	13.0	8.5
No. children tested	135	136	141	147	141	91	108	98	86

Blood lead levels, full year 2012-2020 comparison (All children)

Full year	2012	2013	2014	2015	2016	2017	2018	2019	2020
GeoMean µg/dL	5.4	5.5	5.1	5.7	5.8	5.5	4.6	5.1	4.7
Max	49.0	46.0	29.0	30.0	50	39	56.7	41.8	34.7
Mode	3.0	3.0	3.0	3.0	3.0	2.0	2.0	2.0	2.0
Median	5.0	5.0	4.0	5.0	5.0	5.4	4.8	5.1	4.7
95 percentile	17.0	16.0	16.0	16.0	17.9	17.7	15.0	14.8	14.7
No. children tested	674	695	719	679	687	730	637	681	689

The following graphs (Fig 1) show the numbers of children aged 1 to <5years, when first tested and monthly geomean in 2021. Good numbers of children have been screened. The monthly geomeans are the lowest for these 3 months since screening began. Parents had mentioned during clinic consultations in 2020 that the recommended preventative measures against COVID-19 like hand hygiene, reinforced the behaviour for children as well as adults. Hand hygiene became a part of all aspects of life over the past 9-12 months and may have contributed to the decrease in blood lead levels. Whether the blood lead levels remain low as restrictions are relaxed remains to be seen.

Figure 1 Monthly geomean Pb level and number of children screened, 2021 ytd



Compared to previous years, 2012-2020, the numbers of children tested for 2021 are not different to the numbers of children tested by month in previous years (Fig 2). The geomeans for 2021 by month are the lowest monthly geomeans for the first quarter since 2012 (Fig 3).

As mentioned above the increased emphasis on hand hygiene, restrictions on gatherings and social distancing, amongst other COVID-19 preventative measures from 2020 and continued into 2021 potentially positively affected children's lead levels.

Figure 2 Children aged 1 < 5 yrs screened by month, 2012-2021 ytd

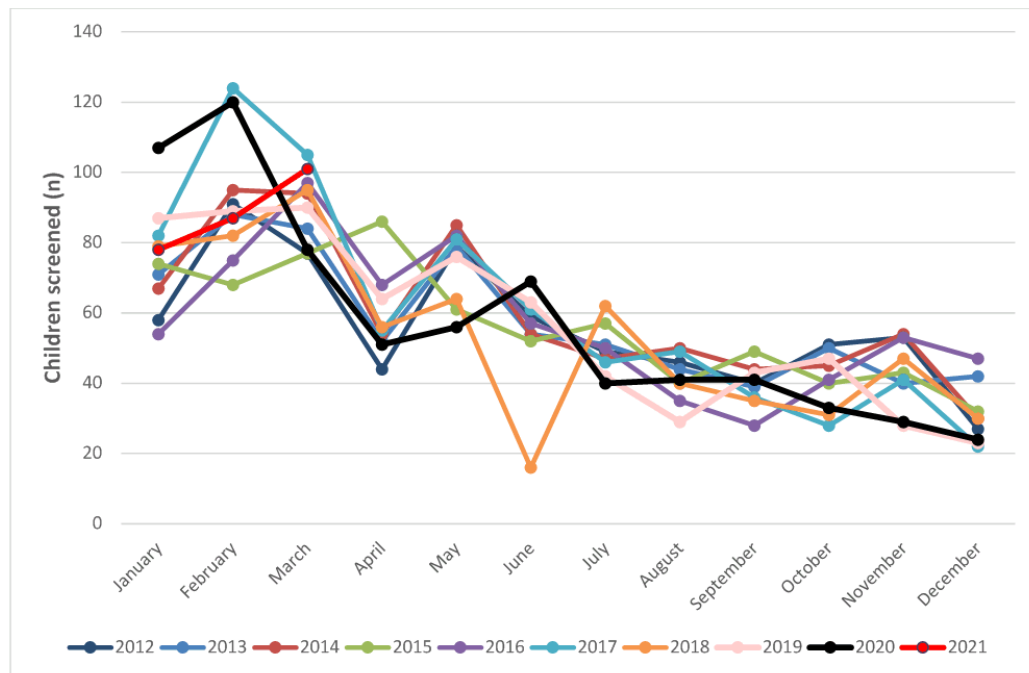
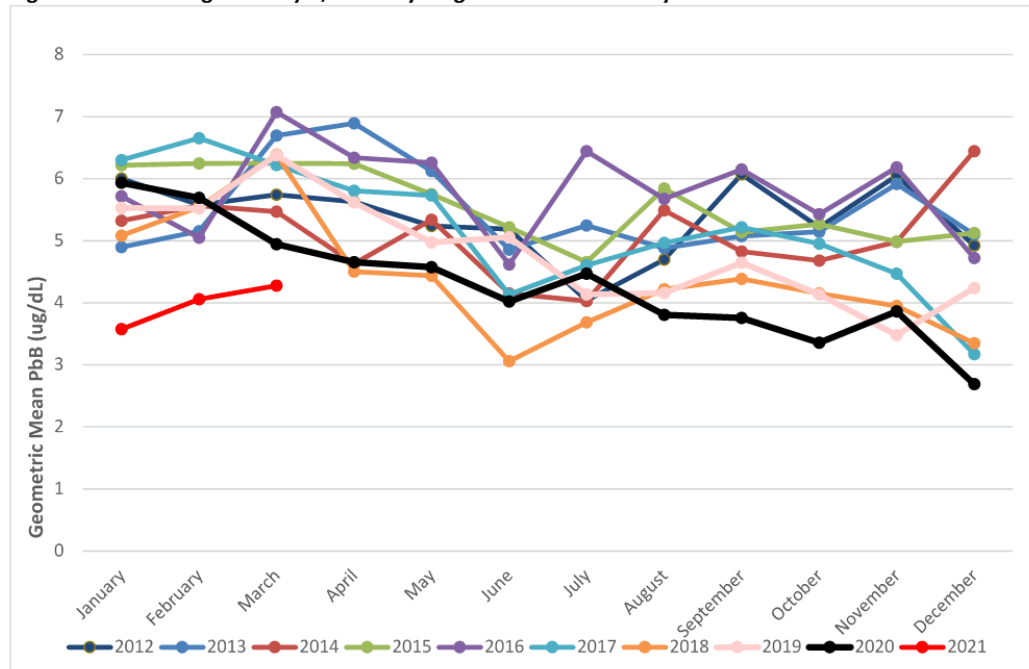


Figure 3. Children aged 1-5 yrs, Monthly Pb geometric mean 2012-2021 ytd



Prepared by M. Lesjak, Public Health Unit, Health Protection; WNSWLHD

Figure 4. Children aged 1-<5 yrs, Monthly 5 year geomeans, 2012-2021ytd with SDs for 2012-2016

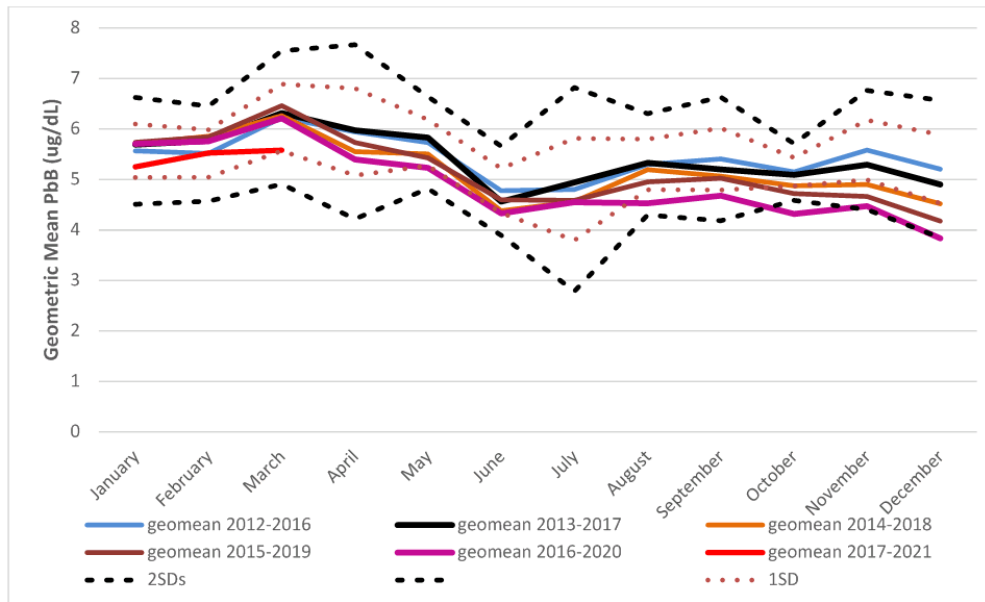


Figure 4 compares monthly 5 year geomeans from 2012-2021 ytd. This year for the first time the 5 year geomean for 2017-2021 shows obvious changes for the first 3 months which is when most children have their (first) test, though the latest 5 year 2017-2021, as with previous January- March monthly 5 year geomeans, remained within 1SDs of 2012-2016 geomean.

Monthly 5 year geomeans would appear to be decreasing over time for months of August-December and some difference between the two earliest compared to the two latest 5 year geomeans is seen April to July, with a noticeable decrease in the 2016-2020 geomean to the others for August to October. These are also the months where fewer children report a first test.

**Blood lead levels for children aged 6 months to <12 months**

2020 data is extracted from CHOC (including Maari Ma data). To fit most closely to previous <12 months testing, as conducted up to 2012, this includes all children tested 5 months to <12 months. The number of children tested in the first quarter has more than doubled since 2018. The geomeans for each quarter are well below the current level of investigation (5 µg/dL).

**Blood lead levels, by quarter, 2018 – 2021 ytd (All children)**

	2018 1 <sup>st</sup> qtr	2019 1 <sup>st</sup> qtr	2020 1 <sup>st</sup> qtr	2021 1 <sup>st</sup> qtr
GeoMean µg/dL	2.6	3.5	4.2	2.4
Max	6.9	13.5	17.3	11.2
Mode	2.0	2.0	2.0	2.0
Median	2.0	3.6	2.0	2.0
95 percentile	6.0	10.5	8.2	5.8
No. children tested	33	54	87	73

	2018 2 <sup>nd</sup> qtr	2019 2 <sup>nd</sup> qtr	2020 2 <sup>nd</sup> qtr
GeoMean µg/dL	2.7	3.1	2.4
Max	13.2	15.9	9.4
Mode	2.0	2.0	2.0
Median	2.0	2.0	2.0
95 percentile	8.9	9.1	4.4
No. children tested	32	52	46

	2018 3 <sup>rd</sup> qtr	2019 3 <sup>rd</sup> qtr	2020 3 <sup>rd</sup> qtr
GeoMean µg/dL	2.7	2.4	2.4
Max	21.2	7.6	6.4
Mode	2.0	2.0	2.0
Median	2.0	2.0	2.0
95 percentile	9.9	5.9	5.1
No. children tested	42	49	44

	2018 4 <sup>th</sup> qtr	2019 4 <sup>th</sup> qtr	2020 4 <sup>th</sup> qtr
GeoMean µg/dL	2.8	2.4	2.7
Max	9.1	8.6	14.0
Mode	2.0	2.0	2.0
Median	2.0	2.0	2.0
95 percentile	7.0	5.1	6.9
No. children tested	50	46	45

Prepared by M. Lesjak, Public Health Unit, Health Protection; WNSWLHD

	2018 full yr	2019 full yr	2020 full yr
GeoMean µg/dL	2.7	2.8	2.7
Max	21.2	15.9	17.3
Mode	2.0	2.0	2.0
Median	2.0	2.0	2.0
95 percentile	7.1	8.1	6.9
No. children tested	157	201	222



## **Broken Hill Operations Pty Ltd Quarterly Activities Report**

### **March 2021 – May 2021**

#### **Occupational Hygiene Monitoring**

Occupational Hygiene monitoring for inhalable lead was carried out in March 2021. Of 23 tests, there was one exceedance for inhalable lead which will be followed up with workplace inspections, monitoring, and a session with the Occupational Hygienist. Check for correlation with blood leads.

#### **Dust Suppressant Application**

Total Ground Control (green mixture) continues to be applied to free areas atop historic waste dumps and is effective for between 12 and 18 months depending on rainfall.

An additional Dust Suppressant called Dustbinder which has been effective in controlling dust lift-off from road and tailings dam surfaces. 16 IBCs of Dustbinder have been delivered to site for application throughout the rest of the year.

#### **Blackwoods Dam Tailings Storage Facility Embankment Lifts**

Stage 1 - Embankment 2, Spillway, and preliminary Embankment 1 works were completed in April 2020.

Stage 2 – Embankment, Embankment 3 and the crushing and screening activities associated with TSF2 embankment construction commenced in July 2020.

Liner installation and final capping of Embankments 1 and 3 are complete.

#### **Development Approval MOD9 Blackwoods Development Application**

Planned for lodgement in June 2021.

BHOP will seek approval to begin work on a development drive towards the Blackwoods deposit underneath Holten Drive.

## ORDINARY MEETING OF THE COUNCIL

July 7, 2021

**ITEM 8**BROKEN HILL CITY COUNCIL REPORT NO. 124/21SUBJECT: ACTION LIST REPORT 11/21**Recommendation**

1. That Broken Hill City Council Report No. 124/21 dated July 7, 2021, 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 - Ordinary Council Meetings
2. [↓](#) Action List - Extraordinary Council Meetings

JAY NANKIVELL  
GENERAL MANAGER

For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
	<b>Committee:</b> Reports	<b>Date To:</b> 20/07/2021
<b>Action Sheets Report - Ordinary Council Meetings</b>	<b>Officer:</b> Including Further Reports	<b>Printed:</b> Tuesday, 20 July 2021 1:48:40 PM

Meeting	Officer/Director	Section	Subject
Ordinary Council 26/04/2018	VanDerBerg, Francois Nankivell, Jay	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>			
<b>16 May 2018 9:45am Bartlett, Leisa</b> In progress.			
<b>15 Aug 2018 3:32pm Bartlett, Leisa</b> 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.			
<b>11 Sep 2018 4:40pm Bartlett, Leisa</b> No change, awaiting advice from OLG.			
<b>09 Oct 2018 5:08pm Bartlett, Leisa</b> Awaiting OLG advice			
<b>13 Nov 2018 9:26am Bartlett, Leisa</b> Awaiting OLG advice due to Native Title.			
<b>06 Feb 2019 1:51pm Bartlett, Leisa</b> In discussions with Crown Lands regarding Native Title.			
<b>07 Mar 2019 1:55pm Bartlett, Leisa</b> No change, awaiting response from Crown Lands.			
<b>15 May 2019 10:41am Falkner, Georgina</b> Crown Lands have advised they have no objection to receiving Proposed Acquisition Notices. Investigating budget and Native Title prior to making application to OLG.			
<b>14 Jun 2019 3:27pm Bartlett, Leisa</b> no change in status			
<b>04 Jul 2019 1:51pm Bartlett, Leisa</b> no change in status			
<b>20 Aug 2019 3:39pm Misagh, Anthony</b> 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.			
<b>17 Oct 2019 9:54am Bartlett, Leisa</b> Discussions being held with month with the Department of Crown Lands.			
<b>14 Nov 2019 4:35pm Bartlett, Leisa</b> Seeking legal advice from Council's Solicitors			
<b>12 Feb 2020 12:12pm Bartlett, Leisa</b> Legal advice received. Matter in progress.			
<b>07 Apr 2020 10:14am Bartlett, Leisa</b> 11/03/2020 - Matter in progress.			
<b>08 Apr 2020 11:16am Bartlett, Leisa</b> In progress.			
<b>08 May 2020 11:58am Bartlett, Leisa</b> Matter in progress.			
<b>10 Jun 2020 2:35pm Bartlett, Leisa</b> Matter in progress.			
<b>15 Jul 2020 1:45pm Bartlett, Leisa</b> Matter in progress.			
<b>12 Aug 2020 9:41am Bartlett, Leisa</b> Matter in progress.			
<b>17 Sep 2020 3:05pm Bartlett, Leisa</b> Matter on hold until the Federation Way Acquisition is complete.			
<b>16 Oct 2020 8:42am Bartlett, Leisa</b> Matter on hold.			
<b>10 Nov 2020 4:11pm Bartlett, Leisa</b>			

For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
	<b>Committee:</b> Ordinary Council	<b>Date To:</b> 20/07/2021
<b>Action Sheets Report - Ordinary Council Meetings</b>	<b>Officer:</b> Including Further Reports	<b>Printed:</b> Tuesday, 20 July 2021 1:48:40 PM

Matter on hold.  
**30 Nov 2020 2:06pm Bartlett, Leisa**  
Matter on hold.  
**12 Feb 2021 10:00am Bartlett, Leisa**  
Matter on hold until Federation Way Acquisition is complete  
**18 Mar 2021 4:38pm Bartlett, Leisa**  
In progress.  
**16 Apr 2021 10:41am Bartlett, Leisa**  
In progress.  
**12 May 2021 12:10pm Bartlett, Leisa**  
On hold until Federation Way acquisition is complete.  
**15 Jul 2021 12:13pm Bartlett, Leisa**  
On hold until Federation Way acquisition is complete.

Meeting	Officer/Director	Section	Subject
Ordinary Council 29/07/2020	Andrews, Anne Nankivell, Jay	Confidential Matters	WILLYAMA COMMON TRUST LEASE OF PART LOT 7421 DP 1183597 TO AXICOM PTY LIMITED
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 104/20 dated June 23, 2020, be received.</li> <li>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.</li> <li>That the annual rent be \$12,000.00 per annum with an annual 2.5% increase.</li> <li>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.</li> </ol>			
<b>CARRIED UNANIMOUSLY</b>			
<b>12 Aug 2020 10:00am Bartlett, Leisa</b> Solicitors are drawing up the lease agreement. <b>17 Sep 2020 3:09pm Bartlett, Leisa</b> Draft lease being finalised. <b>16 Oct 2020 9:20am Bartlett, Leisa</b> Draft lease with Solicitors. <b>10 Nov 2020 4:23pm Bartlett, Leisa</b> Solicitors have finalised the draft lease and the lease is being sent to Axicom Pty Ltd for signature. <b>30 Nov 2020 2:09pm Bartlett, Leisa</b> Solicitors liaising with Axicom re execution of lease. <b>12 Feb 2021 10:03am Bartlett, Leisa</b> Solicitors liaising with Axicom. <b>18 Mar 2021 4:39pm Bartlett, Leisa</b> Draft lease being finalised. <b>16 Apr 2021 10:42am Bartlett, Leisa</b> Lease with Axicom for execution. <b>12 May 2021 12:13pm Bartlett, Leisa</b> Lease with Axicom for execution. <b>17 Jun 2021 4:55pm Bartlett, Leisa</b> Awaiting return of signed lease from Axicom. <b>15 Jul 2021 12:14pm Bartlett, Leisa</b> Axicom P/L have requested minor changes which are in progress.			

Meeting	Officer/Director	Section	Subject
Ordinary Council 29/07/2020	Andrews, Anne Nankivell, Jay	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>That Broken Hill City Council Report No. 105/20 dated July 1, 2020, be received.</li> </ol>			

For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
	<b>Committee:</b> Ordinary Council	<b>Date To:</b> 20/07/2021
<b>Action Sheets Report - Ordinary Council Meetings</b>	<b>Officer:</b> Including Further Reports	<b>Printed:</b> Tuesday, 20 July 2021 1:48:40 PM

2. That Council (as Trust Manager for the Willyama Common Trust) lease Part Lot 7315 in Deposited Plan 1183447 to the Broken Hill Speedway Club for the purpose of a motocross track extension and associated access.
3. That the lease term be 25 years and the annual rental be the minimum Crown Lands rental.
4. That the Mayor and General Manager be authorised to sign and execute any documents under the Common Seal of Council, the absence of a Trust Seal.

CARRIED UNANIMOUSLY

**12 Aug 2020 10:00am Bartlett, Leisa**

Solicitors are drawing up the licence agreement.

**17 Sep 2020 3:09pm Bartlett, Leisa**

Draft lease being finalised.

**16 Oct 2020 9:20am Bartlett, Leisa**

Draft lease with Solicitors.

**10 Nov 2020 4:26pm Bartlett, Leisa**

Licence is with the Broken Hill Speedway Club for signature.

**30 Nov 2020 2:11pm Bartlett, Leisa**

Licence with Speedway Club for signature.

**12 Feb 2021 10:04am Bartlett, Leisa**

Licence signed by all parties and is now with the Minister for approval.

**18 Mar 2021 4:40pm Bartlett, Leisa**

In progress.

**16 Apr 2021 10:42am Bartlett, Leisa**

In progress.

**12 May 2021 12:14pm Bartlett, Leisa**

In progress.

**17 Jun 2021 4:55pm Bartlett, Leisa**

Waiting on response from Local Aboriginal Land Council.

**15 Jul 2021 12:15pm Bartlett, Leisa**

Solicitor is awaiting a response from the Local Aboriginal Land Council.

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/09/2020	Andrews, Anne Nankivell, Jay	Confidential Matters	REQUEST FOR LEASE OF THE ALMA MECHANICS INSTITUTE, PATTON STREET

**Resolved**

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.

<p>For Action</p> <p><b>Action Sheets Report - Ordinary Council Meetings</b></p>	<p><b>Division:</b> Ordinary Council</p> <p><b>Committee:</b> Ordinary Council</p> <p><b>Officer:</b> Including Further Reports</p> <p><b>Further Report Required:</b> Including Further Reports</p>	<p><b>Date From:</b> 1/04/2018</p> <p><b>Date To:</b> 20/07/2021</p> <p><b>Printed:</b> Tuesday, 20 July 2021 1:48:40 PM</p>
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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 5:33pm Bartlett, Leisa**  
Applicant has been advised of Council resolution and an initial meeting is being arranged to discuss lease terms.

**10 Nov 2020 4:27pm Bartlett, Leisa**  
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 2:13pm Bartlett, Leisa**  
Lease discussions commenced.

**12 Feb 2021 10:05am Bartlett, Leisa**  
Lease discussions progressing.

**18 Mar 2021 4:40pm Bartlett, Leisa**  
Draft lease close to finalisation.

**16 Apr 2021 10:43am Bartlett, Leisa**  
Draft lease with Solicitors for review.

**12 May 2021 12:14pm Bartlett, Leisa**  
Lease signed by both parties and has been sent for Minister consent.

**17 Jun 2021 5:24pm Bartlett, Leisa**  
Lease with Minister for approval.

**15 Jul 2021 12:16pm Bartlett, Leisa**  
Awaiting Ministerial approval.

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/11/2020	Nankivell, Jay Nankivell, Jay	Reports	MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 408 HELD TUESDAY, 10 NOVEMBER 2020
<b>Resolved</b>			
<p>1. That Broken Hill City Council Report No. 164/20 dated November 12, 2020, be received.</p> <p>2. That the minutes of the Local Traffic Committee Meeting No. 408 held Tuesday, 10 November 2020 be received.</p> <p>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.</p> <p>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.</p> <p>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’.</p> <p>6. That the matter of loading zones in the City be referred to Council for comprehensive review and further recommendations.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p><b>30 Nov 2020 2:21pm Bartlett, Leisa</b> Item 3 - completed., Item 4 - scheduled for the end of January 2021., Item 5 - scheduled to be complete before Christmas shutdown., Item 6 - in progress.</p> <p><b>12 Feb 2021 1:35pm Bartlett, Leisa</b> Item 4 - Scheduled for completion March 2021 - Work has been delayed due to staff leave and storm clean up being carried out by Council's workforce., Item 5 - COMPLETE., Item 6 - In progress.</p> <p><b>17 Mar 2021 4:51pm Bartlett, Leisa</b> Item 3 - COMPLETE, Item 4 - Scheduled to be complete at the end of April 2021., Item 5 - COMPLETE, Item 6 - An audit of loading zones to be completed by the end of March 2021. The audit will then be presented to the Broken Hill Traffic Committee prior to being presented to Council.</p> <p><b>16 Apr 2021 10:44am Bartlett, Leisa</b></p>			

For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
	<b>Committee:</b> Ordinary Council	<b>Date To:</b> 20/07/2021
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Item 3 - COMPLETE, Item 4 - COMPLETE, Item 5 - COMPLETE, Item 6 - Recommendations presented to the Traffic Committee. The Traffic Committee have referred the matter back to staff to update.

**12 May 2021 12:15pm Bartlett, Leisa**

Item 6 - In progress.

**15 Jul 2021 12:16pm Bartlett, Leisa**

Item 6 - CBD loading zones approved by Traffic Committee Meeting held 8 June 2021 and endorsed by Council at 30 June 2021 Council Meeting., COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 9/12/2020	Andrews, Anne Nankivell, Jay	Confidential Matters	WILLYAMA COMMON TRUST LICENCE TO NEXTGEN NETWORKS PTY LTD
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 175/20 dated November 24, 2020, be received.</li> <li>That the Willyama Common Trust amend the existing licence to Nextgen Networks Pty Ltd in accordance with the attached plan, being part Lot 7302 DP 1181129.</li> <li>That the Willyama Common Trust renew the amended licence for a further period of 10 years (in accordance with the existing renewal option) and rent be set at \$2500 per annum.</li> <li>That the Mayor and General Manager be authorised to sign and execute any relevant documents under the Common Seal of Council, in the absence of a Trust Seal.</li> </ol>			
CARRIED UNANIMOUSLY			
<b>12 Feb 2021 10:12am Bartlett, Leisa</b>			
Processes have commence to issue licence.			
<b>18 Mar 2021 4:41pm Bartlett, Leisa</b>			
Nextgen progressing draft licence.			
<b>16 Apr 2021 10:47am Bartlett, Leisa</b>			
Draft deed is with the Solicitor.			
<b>12 May 2021 12:17pm Bartlett, Leisa</b>			
Draft deed with Solicitors - in progress.			
<b>17 Jun 2021 5:24pm Bartlett, Leisa</b>			
Draft deed with the Solicitors.			
<b>15 Jul 2021 12:19pm Bartlett, Leisa</b>			
In progress.			

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/02/2021	Nankivell, Jay Nankivell, Jay	Confidential Matters	EXPRESSIONS OF INTEREST - SOCIAL AND AFFORDABLE HOUSING PROPOSAL - 331 MURTON STREET
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 25/21 dated February 16, 2021, be received.</li> <li>That Council does not accept the Expression of Interest proposal submitted during the Expression of Interest process.</li> <li>That the General Manager be authorised to negotiate with the prior interested party within the terms outlined in the report.</li> <li>That subject to the outcome of recommendation 3, the Mayor and General Manager be authorised to sign and apply the Common Seal of Council to contract documents to allow the sale to be executed.</li> </ol>			
CARRIED UNANIMOUSLY			
<b>17 Mar 2021 5:04pm Bartlett, Leisa</b>			



For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
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Actioned to Century 21 to complete the sale of land.

**16 Apr 2021 10:49am Bartlett, Leisa**  
Matter ongoing.

**12 May 2021 4:35pm Bartlett, Leisa**  
Awaiting settlement.

**17 Jun 2021 5:25pm Bartlett, Leisa**  
Awaiting settlement.

**20 Jul 2021 1:45pm Bartlett, Leisa**  
Awaiting settlement.

Meeting	Officer/Director	Section	Subject
Ordinary Council 31/03/2021	Howard, Codie Nankivell, Jay	Notice of Motion	COMMUNITY GARDEN FOR FORMER ALMA POOL SITE
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Motions of Which Notice has been Given No. 7/21 dated March 19, 2021, be received.</li> <li>2. That Broken Hill City Council prepares a report about establishing a community operated gardens at the former Alma pool site.</li> </ol>			
CARRIED UNANIMOUSLY			
<b>16 Apr 2021 10:52am Bartlett, Leisa</b> Plan being developed.			
<b>18 Jun 2021 12:12pm Bartlett, Leisa</b> Plan being developed.			
<b>15 Jul 2021 12:20pm Bartlett, Leisa</b> Development of plan ongoing.			

Meeting	Officer/Director	Section	Subject
Ordinary Council 31/03/2021	Howard, Codie Nankivell, Jay	Notice of Motion	STREET LIGHTING
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Motions of Which Notice has been Given No. 8/21 dated March 19, 2021, be received.</li> <li>2. That Broken Hill City Council prepares a report to be tabled at the May 2021 Council Meeting regarding the installation of street lighting on Holten Drive, McGillivray Drive and Federation Way.</li> <li>3. That at the end of the roll-out of the Southern Lights project, an assessment be undertaken of any further need for street lighting including the lighting to the roads mentioned in part 2 (Holten Drive, McGillivray Drive and Federation Way).</li> </ol>			
CARRIED			
<b>16 Apr 2021 10:53am Bartlett, Leisa</b> Report being prepared for the May Council Meeting.			
<b>12 May 2021 4:35pm Bartlett, Leisa</b> Awaiting advice on public lighting code requirements, prior to report being finalised.			
<b>20 Jul 2021 1:45pm Bartlett, Leisa</b> Report still being completed. Meeting with Essential Energy delayed due to COVID-19.			

Meeting	Officer/Director	Section	Subject
Ordinary Council 31/03/2021	Brown, Simon Nankivell, Jay	Confidential Matters	SALE OF LAND FOR UNPAID RATES
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Broken Hill City Council Report No. 44/21 dated March 19, 2021, be received.</li> <li>2. That Broken Hill City Council proceed with the sale of land at 338 Oxide St for unpaid rates</li> </ol>			

For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
	<b>Committee:</b> Ordinary Council	<b>Date To:</b> 20/07/2021
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- That the General Manager be authorised to write off the balance of rates outstanding for 338 Oxide St that are not able to be recovered through the sale process.
- That the Mayor and General Manager be authorised to sign and apply the Common Seal of Council to contract documents to allow the sale to be executed.

CARRIED UNANIMOUSLY

**16 Apr 2021 11:11am Bartlett, Leisa**

Actioned to Century 21 Realestate.

**12 May 2021 4:36pm Bartlett, Leisa**

Awaiting settlement to finalise sale and debt write-off.

**17 Jun 2021 5:26pm Bartlett, Leisa**

Contracts signed and exchanged.

**20 Jul 2021 1:46pm Bartlett, Leisa**

Sale of property complete.

COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 28/04/2021	Bawden, Paul Nankivell, Jay	Confidential Matters	WILLYAMA COMMON TRUST PROPOSED LICENCE AND EASEMENT TO AGL ENERGY LIMITED
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 63/21 dated April 14, 2021, be received.</li> <li>That the Willyama Common Trust licence Part Lot 7302 DP 1181129 to AGL Energy Limited for a period of two years, for the purposes of construction of a transmission line.</li> <li>That the Willyama Common Trust consent to AGL Energy Limited registering an easement across Lot 7302 DP 1181129 for the overhead transmission line, once construction is finalised.</li> <li>That the annual rent for the licence agreement be set at \$1,600 per annum plus GST, and AGL reimburse Council for any legal fees associated with the licence and easement.</li> <li>That Council as the Willyama Common Trust provide landowner's consent for the lodgement of a Development Application for the proposed Battery Energy Storage System, due to part of the project area being on the Willyama Common.</li> <li>That the Mayor and General Manager be authorised to signed and execute any related documents under the Common Seal of Council, in the absence of a Trust Seal.</li> </ol>			
CARRIED UNANIMOUSLY			
<b>12 May 2021 12:24pm Bartlett, Leisa</b>			
Licence drafting is in progress.			
<b>18 Jun 2021 12:15pm Bartlett, Leisa</b>			
Draft licence received and will be reviewed by Council's solicitors.			
<b>15 Jul 2021 12:20pm Bartlett, Leisa</b>			
Licence with Solicitor for minor requested changes. In progress.			

Meeting	Officer/Director	Section	Subject
Ordinary Council 26/05/2021	Nu'man, Razija Nankivell, Jay	Mayoral Minute	NEED FOR ALCOHOL AND OTHER DRUGS DETOXIFICATION AND REHABILITATION SERVICES
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Mayoral Minute No. 4/21 dated May 19, 2021, be received.</li> </ol>			



For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
	<b>Committee:</b> Ordinary Council	<b>Date To:</b> 20/07/2021
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2. That the Broken Hill City Council support the formation of a community entity as outlined by the Western NSW Primary Health Network.
3. That the Broken Hill City Council work in partnership with the Western NSW Primary Health Network and other entities to advocate for an Alcohol and Other Drugs Detoxification and Rehabilitation Service in Broken Hill.

CARRIED UNANIMOUSLY

**18 Jun 2021 12:15pm Bartlett, Leisa**

Council has nominated for membership on the Steering Committee.

**15 Jul 2021 2:15pm Bartlett, Leisa**

Council's Community Development Officer has been appointed to the Steering Committee. The next meeting of the Committee will be held 20 July 2021.

COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 26/05/2021	Falkner, Georgina Nankivell, Jay	Reports	UPDATE ON PROPOSED ACQUISITION OF FEDERATION WAY
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Broken Hill City Council Report No. 75/21 dated April 27, 2021, be received.</li> <li>2. That Council note the progress update on the proposed acquisition of Federation Way.</li> <li>3. That Council seek to negotiate an Indigenous Land Use Agreement (ILUA) with the Barkandji Corporation, to allow Council to acquire the Crown Land while preserving the Barkandji's Native Title rights and interests.</li> <li>4. That the Mayor and General Manager be authorised to negotiate the terms and conditions of the proposed Indigenous Land Use Agreement (ILUA) with the Barkandji Corporation; and that at the finalisation of negotiations, a report be provided to Council advising the outcome of the negotiations for Council's approval to enter an ILUA with the Barkandji Corporation.</li> </ol>			
CARRIED UNANIMOUSLY			
<b>18 Jun 2021 3:31pm Bartlett, Leisa</b>			
All parties agreed to extension of acquisition timeline. Native Title negotiations to commence in July.			
<b>15 Jul 2021 12:23pm Bartlett, Leisa</b>			
In progress - Solicitors working out date for negotiations.			

Meeting	Officer/Director	Section	Subject
Ordinary Council 26/05/2021	Howard, Codie Nankivell, Jay	Reports	MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 413 HELD TUESDAY, 4 MAY 2021
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Broken Hill City Council Report No. 78/21 dated May 14, 2021, be received.</li> <li>2. That the minutes of the Local Traffic Committee Meeting No. 413 held Tuesday, 4 May 2021 be received.</li> <li>3. That Item Number 408.6.3 – Loading zone – Silvery City Cinema; for a '5 Minute' parking zone be installed adjacent to the Silver City Cinema.</li> </ol>			
CARRIED UNANIMOUSLY			
<b>18 Jun 2021 3:32pm Bartlett, Leisa</b>			
An order has been placed for a custom-made parking sign. Once this is received it will be installed.			
<b>15 Jul 2021 12:23pm Bartlett, Leisa</b>			

For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
	<b>Committee:</b> Ordinary Council	<b>Date To:</b> 20/07/2021
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parking sign has been installed.  
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 26/05/2021	Brown, Simon Nankivell, Jay	Confidential Matters	WRITE OFF BAD DEBT - 564-638 Barrier Highway
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 86/21 dated May 21, 2021, be received.</li> <li>That Council accept \$105,807.05, being all outstanding rates in charges as at 31 May 2021, as a lump sum payment to settle all outstanding debt owing to Council; subject to final legal confirmation and permission from the Court Appointed Liquidator.</li> <li>That if this amount is not paid in full by the 31 May 2021, that Council accept the amount that is outstanding on all rates and charges as at the payment date, as a lump sum payment to settle all outstanding debt owing to Council; subject to final legal confirmation and permission from the Court Appointed Liquidator.</li> <li>That subject to resolution two, Council approve the write off of \$52,612.23 in relation to the land at 564-638 Barrier Highway, in accordance with the below report, attached documents and subject to legal confirmation.</li> <li>That Council retain its rights and authorise the General Manager to write off additional amounts to the value of \$5,000 dependent on final settlement and cost breakdowns in accordance with the debt structure contained in the report.</li> </ol>			
CARRIED UNANIMOUSLY			
18 Jun 2021 3:43pm Bartlett, Leisa Awaiting confirmation from Liquidators.			
20 Jul 2021 1:47pm Bartlett, Leisa Liquidators confirmed Council unable to take this action. Bankruptcy to proceed.			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Schipanski, Louise Nankivell, Jay	Reports	CORRESPONDENCE REPORT - WATER RESTRICTIONS, THE FEDERAL BUDGET, GOVERNMENT GRANT OPPORTUNITIES AND APPRENTICESHIP WAGE SUBSIDIES AVAILABLE FOR LOCAL GOVERNMENT
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 88/21 dated June 18, 2021, be received.</li> <li>That correspondence dated 3 June 2021 from the Hon Mark Coulton MP, Minister for Regional Health, Regional Communications and Local Government and Federal Member for Parks in reply to the Mayor's correspondence dated 9 March 2021 regarding water restrictions in Broken Hill, be received and noted.</li> <li>That Council sends correspondence to Federal Member for Parks, Mr Mark Coulton, thanking him for advocating for Broken Hill and the Far West NSW region during his term as Minister for Local Government.</li> <li>That Council sends correspondence to the Federal Member and current Water Minister asking again to advise why Broken Hill was on water restrictions when Broken Hill is connected to a secure water supply from the Murray River?</li> </ol>			
CARRIED UNANIMOUSLY			
15 Jul 2021 9:40am Bartlett, Leisa			

For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
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Correspondence sent as per resolution.  
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Bartlett, Leisa Nankivell, Jay	Reports	OFFICE OF LOCAL GOVERNMENT CONSULTATION ON THE DRAFT MODEL SOCIAL MEDIA POLICY AND DRAFT MODEL COUNCILLOR AND STAFF INTERACTION POLICY AND ON THE DEVELOPMENT OF A DRAFT MODEL MEDIA POLICY
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 89/21 dated June 9, 2021, be received.</li> <li>That Council notes the Office of Local Government Circular to Councils No. 21-08 regarding consultation on a draft Model Social Media Policy and draft Model Councillor and Staff Interaction Policy and on the development of a draft Model Media Policy.</li> <li>That a Councillor Workshop be held in July to consider the Office of Local Government draft Social Media Policy and draft Model Councillor and Staff Interaction Policy and to formulate a submission with the submission to be circulated to all Councillors prior to being sent to the Office of Local Government by 23 July 2021.</li> <li>That Council's current Media Relations Policy be forwarded to the Office of Local Government.</li> </ol>			
CARRIED			
<b>15 Jul 2021 9:41am Bartlett, Leisa</b> Councillor Workshop to be held 20 July to formulate a submission to OLG. Submission plus copy of Council's Media Relations Policy to be send 23 July. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Schipanski, Louise Nankivell, Jay	Reports	APPOINTMENT OF NEW MEMBERS TO THE WESTERN JOINT REGIONAL PLANNING PANEL
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 90/21 dated June 17, 2021, be received.</li> <li>That based on the required selection criteria Council resolves to nominate two (2) members being Jay Nankivell (General Manager), Darriea Turley AM (Mayor) and one (1) alternate member, Razija Nu'man (Director Corporate) as independent members on the Western Region Joint Regional Planning Panel, to determine development applications of regional significance in the Broken Hill City Council Local Government Area.</li> <li>That the NSW Government Planning Panels Secretariat be advised of Council's members on the Western Region Joint Regional Planning Panel.</li> </ol>			
CARRIED UNANIMOUSLY			
<b>15 Jul 2021 9:42am Bartlett, Leisa</b> Forms completed and sent to add Council's new members. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Nankivell, Jay	Reports	REALIGNMENT OF COUNCIL'S ORGANISATION STRUCTURE AND APPOINTMENT OF SENIOR STAFF POSITIONS
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 91/21 dated June 23, 2021, be received.</li> <li>That Council as per s332 of the <i>Local Government Act 193</i>, adopts an Executive Leadership Team Structure as detailed in the report which comprises of three Senior Staff Positions.</li> </ol>			

For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
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3. That the Senior Staff Positions be designated senior staff positions as per the *Local Government Act 1993* and are engaged on performance-based contracts.
4. That the current incumbent of the Chief Corporate and Community Officer remains an award position until such a time that the position becomes vacant, at which time it will transfer to a senior staff position as per s332 of the *Local Government Act 1993*.

CARRIED UNANIMOUSLY

20 Jul 2021 9:42am Bartlett, Leisa  
Council's new Organisation Structure advised to staff and uploaded to website.  
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Andrews, Anne Nankivell, Jay	Reports	MUNDI MUNDI FRINGE FOOTPATH DINING EXEMPTION
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Broken Hill City Council Report No. 93/21 dated June 11, 2021, be received.</li> <li>2. That on application to Council businesses with current footway dining permits are permitted to increase the number of settings within their business boundary from Sunday August 15 to Saturday 28 August, 2021 inclusive and be exempt from the \$106.70 application fee.</li> <li>3. That on application to Council businesses without current footway dining permits are permitted to place footway dining settings within their business boundary from Sunday August 15 to Saturday 28 August, 2021 inclusive and be exempt from the \$106.70 application fee.</li> </ol>			
CARRIED UNANIMOUSLY			
<p>15 Jul 2021 9:45am Bartlett, Leisa As event has been postponed, a media release will go out closer to the event. Council's Customer Relations staff have been notified.</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Nu'man, Razija Nankivell, Jay	Reports	DRAFT BROKEN HILL CULTURAL PLAN 2021-2040 FOR PUBLIC EXHIBITION
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>11. That Broken Hill City Council Report No. 94/21 dated June 17, 2021, be received.</li> <li>2. That Council endorses the draft Broken Hill Cultural Plan 2021-2040 for the purpose of public exhibition with the following amendments to the Broken Hill Cultural Plan-Background Report: <ol style="list-style-type: none"> <li>a) to include the Broken Hill Heritage Festival in the table of "Meeting events, festivals and online events" on page 45; and</li> <li>b) to clarify "n/a" in the column titled "Vonunteer run?" which appears in the table on pages 53-57 of appendix 1.</li> </ol> </li> <li>3. That Council publicly exhibits the draft Broken Hill Cultural Plan 2021-2040 and accepts submissions from the public for a period of 28 days.</li> <li>4. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the Broken Hill Cultural Plan 2021-2040.</li> <li>5. That Council be provided with a report regarding the potential of obtaining recordings of oral Broken Hill stories by elderly members of the community for inclusion in the Broken Hill Cultural Plan.</li> </ol>			

For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
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CARRIED UNANIMOUSLY

**15 Jul 2021 9:55am Bartlett, Leisa**Has been placed on public exhibition closing 30 July 2021. A further report will be presented to Council for adoption.  
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Bartlett, Leisa Nankivell, Jay	Reports	DRAFT CYBER SECURITY FRAMEWORK FOR PUBLIC EXHIBITION

**Resolved**

1. That Broken Hill City Council Report No. 95/21 dated June 18, 2021, be received.
2. That Council notes that the draft Cyber Security Framework was endorsed by Council's Audit, Risk and Improvement Committee on 20 May 2021.
3. That Council endorses the draft Cyber Security Framework for the purpose of public exhibition.
4. That Council publicly exhibits the draft Cyber Security Framework and accepts submissions from the public for a period of 28 days.
5. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the draft Cyber Security Framework.

CARRIED UNANIMOUSLY

**15 Jul 2021 9:56am Bartlett, Leisa**Has been placed on public exhibition closing 30 July 2021. A further report will be presented to Council for adoption.  
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Bartlett, Leisa Nankivell, Jay	Reports	DRAFT CONTRACT MANAGEMENT POLICY FOR PUBLIC EXHIBITION

**Resolved**

1. That Broken Hill City Council Report No. 96/21 dated June 18, 2021, be received.
2. That Council notes that the draft Contract Management Policy was endorsed by Council's Audit, Risk and Improvement Committee on 20 May 2021.
3. That Council endorses the draft Contract Management Policy for the purpose of public exhibition.
4. That Council publicly exhibits the draft Contract Management Policy and accepts submissions from the public for a period of 28 days.
5. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the draft Contract Management Policy.

CARRIED UNANIMOUSLY

**15 Jul 2021 9:56am Bartlett, Leisa**Has been placed on public exhibition closing 30 July 2021. A further report will be presented to Council for adoption.  
COMPLETE



For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
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Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Falkner, Georgina Nankivell, Jay	Reports	DRAFT CROWN LAND PLANS OF MANAGEMENT - PARKS; SPORTSGROUNDS; GENERAL COMMUNITY USE; NATURAL AREAS
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 97/21 dated June 8, 2021, be received.</li> <li>That Council refer the Draft Crown Land Plan of Management – Parks to the Minister administering the <i>Crown Land Management Act 2016</i>.</li> <li>That That Council refer the Draft Crown Land Plan of Management – Sportsgrounds to the Minister administering the <i>Crown Land Management Act 2016</i>.</li> <li>That That Council refer the Draft Crown Land Plan of Management – General Community Use to the Minister administering the <i>Crown Land Management Act 2016</i>.</li> <li>That Council refer the Draft Crown Land Plan of Management – Natural Areas to the Minister administering the <i>Crown Land Management Act 2016</i>.</li> <li>That following consent from the Minister, Council publicly exhibit each Draft Crown Land Plan of Management for a period of no less than 28 days, in accordance with the <i>Local Government Act 1993</i>.</li> <li>That the General Manager be authorised to sign any documents required to notify the Minister.</li> </ol>			
CARRIED UNANIMOUSLY			
<p><b>15 Jul 2021 9:57am Bartlett, Leisa</b> The draft Plans of Management have been sent to the Minister for approval. Once approval has been received the draft plans will be placed on public exhibition.</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Nu'man, Razija Nankivell, Jay	Reports	ADOPTION OF THE DRAFT DELIVERY PROGRAM 2021/2022 INCORPORATING OPERATIONAL PLAN 2021/2022, INCLUSIVE OF THE STATEMENT OF REVENUE POLICY AND DRAFT SCHEDULE OF FEES AND CHARGES 2021/2022
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 98/21 dated May 7, 2021, be received.</li> <li>That Council adopts the Draft Delivery Program 2021/2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 as strategic documents of Council.</li> <li>That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2021/2022 year: <ol style="list-style-type: none"> <li>A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.00% base rate of \$543.00 and a rate in the dollar on land value of 3.271420 cents;</li> <li>A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$520.00 and a rate in the dollar on land value of 0.482910 cents;</li> </ol> </li> </ol>			

For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
	<b>Committee:</b>	<b>Date To:</b> 20/07/2021
<b>Action Sheets Report - Ordinary Council Meetings</b>	<b>Officer:</b>	<b>Printed:</b> Tuesday, 20 July 2021 1:48:40 PM
	<b>Further Report Required:</b> Including Further Reports	

<p>iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.00% base rate of \$372.00 and a rate in the dollar on land value of 1.026422 cents;</p> <p>iv. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;</p> <p>v. A Business Industrial rate being a sub-category of the general business rate under Sections 535 and 537 on all land categorised as business industrial and consisting of a 15.00% base rate of \$1963 and a rate in the dollar on land value of 6.226369 cents;</p> <p>vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 22.00% base rate of \$805 and a rate in the dollar on land value of 9.372203 cents;</p> <p>vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 45.00% base rate of \$544.00 and a rate in the dollar on land value of 2.194851 cents;</p> <p>viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 9.735812 cents;</p> <p>ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$51.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$291.00 per annum payable quarterly (one mobile garbage container only).</p> <p>x. A commercial waste user charge under Section 502 of \$432.00 per annum payable quarterly (3 x MGB containers),</p> <p>xi. A commercial waste user charge under Section 502 of \$397.00 per annum payable quarterly (1x600l bin only),</p> <p>xii. An additional MGB service user charge under Section 502 of \$154.00 per annum payable quarterly.</p> <p>xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts a 6% rate of interest charge payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022.</p> <p>xiv. That Council investigates options for reintroduction of a vermiculture program at the Waste Management Facility and seeks expressions of interest from appropriate businesses.</p> <p>4. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates any new infrastructure for improved liveability and amenity through the rationalisation of underutilised/underperforming assets and provides for a financially sustainable return to surplus in 2023.</p>	<p>CARRIED</p> <p>15 Jul 2021 9:57am Bartlett, Leisa Adoption process is complete, and the strategic documents have been placed on Council's website. COMPLETE</p>
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Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Brown, Simon Nankivell, Jay	Reports	ADOPTION OF THE DRAFT LONG TERM FINANCIAL PLAN 2022-2031
<b>Resolved</b>			
1. That Broken Hill City Council Report No. 99/21 dated June 8, 2021, be received.			
2. That Council adopts the Draft Long Term Financial Plan 2022-2031 as a Strategic Plan of Council.			

For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
	<b>Committee:</b> Ordinary Council	<b>Date To:</b> 20/07/2021
<b>Action Sheets Report - Ordinary Council Meetings</b>	<b>Officer:</b> Including Further Reports	<b>Printed:</b> Tuesday, 20 July 2021 1:48:40 PM

CARRIED

15 Jul 2021 9:58am Bartlett, Leisa

Adoption process is complete, and the Long-Term Financial Plan has been placed on Council's website.  
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Andrews, Anne Nankivell, Jay	Reports	ADOPTION OF THE DRAFT CBD MASTERPLAN
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 100/21 dated June 9, 2021, be received.</li> <li>That Council adopts the draft Broken Hill CBD Masterplan as a Plan of Council.</li> </ol>			
CARRIED			
15 Jul 2021 9:59am Bartlett, Leisa			
Adoption process is complete, and the CBD Masterplan has been placed on Council's website. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Ford, Chris Nankivell, Jay	Reports	ADOPTION OF THE DRAFT TREE MANAGEMENT PLAN
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 101/21 dated June 7, 2021, be received.</li> <li>That Council adopts the Draft Tree Management Plan as a Plan of Council.</li> </ol>			
CARRIED			
15 Jul 2021 9:59am Bartlett, Leisa			
Adoption process is complete, and the Draft Tree Management Plan has been placed on Council's website. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Howard, Codie Nankivell, Jay	Reports	MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 414 HELD TUESDAY, 8 JUNE 2021
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>That Broken Hill City Council Report No. 104/21 dated June 17, 2021, be received.</li> <li>That the minutes from the Local Traffic Committee Meeting No. 414 held Tuesday, 8 June 2021 be received.</li> <li>That Item Number 408.6.1 – That two 15-minute timed 'Loading Zone' areas be installed in Crystal Lane at the rear of the Musicians Club.</li> <li>That Item Number 408.6.2 – That a 15-minute timed 'Loading Zone' be installed in Crystal Lane at the rear of the Salvation Army Shop.</li> <li>That Item Number 408.6.4 – That a 15-minute timed 'Loading Zone' be installed on the north side of Argent Lane for the Broken Hill Pub (BHP).</li> </ol>			



For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
	<b>Committee:</b> Ordinary Council	<b>Date To:</b> 20/07/2021
<b>Action Sheets Report - Ordinary Council Meetings</b>	<b>Officer:</b> Including Further Reports	<b>Printed:</b> Tuesday, 20 July 2021 1:48:40 PM

6. That Item Number 408.6.5 – That a 15-minute timed 'Loading Zone' be installed on the south side of Argent Lane adjacent the Workingman's Club.
7. That Item Number 413.6.1 – That the temporary road closure of Argent Street for the Broken Heel Festival's Annual Street Parade be approved with the condition that the traffic control signs be placed at the end of the double lines at each intersection to prevent motorist from crossing double lines if they are required to perform a U-turn.
8. That Item Number 414.6.1 – That the temporary road closure of Sulphide Street, between Argent Street and Crystal Street for the Broken Heel Festival be approved with the following conditions:
  - a. That 'Bus Stop' signs adjacent the Palace Hotel in Argent Street be covered during the event; and
  - b. That the temporary fencing on the west side of Sulphide Street, between Crystal Lane and Crystal Street be relocated to the Kerb and gutter to allow pedestrian access to Far West Auto.
9. That the parking bay on the right side of the driveway, while entering the Daydream Motel be removed.
10. That Council send correspondence to Transport NSW advising that Council wishes to immediately install traffic blisters in Kaolin Street adjacent to the Happy Day Preschool.

CARRIED UNANIMOUSLY

**15 Jul 2021 12:25pm Bartlett, Leisa**

Items 3-6 - Loading Zone signs have been ordered and will be installed once received.,  
 Items 7-8b - Traffic items relating to the Broken Heel Festival have been finalised. - COMPLETE  
 Item 9 - Removal of sign has been included in the Infrastructure Works Schedule.  
 Item 10 - Traffic NSW have provided new designs for signage at the Happy Day Preschool and these signs have been ordered. In consultation with Traffic NSW regarding the change to the road design for traffic calming devices to be installed.

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Stephens, Tracy Nankivell, Jay	Committee Reports	AMENDMENT TO CONSTITUTION OF THE BROKEN HILL HERITAGE COMMITTEE
<b>Resolved</b>			
<ol style="list-style-type: none"> <li>1. That Broken Hill City Council Report No. 106/21 dated June 16, 2021, be received.</li> <li>2. That Council endorse amendment (relating primarily to the role and objectives of the committee) to the Constitution of the Broken Hill Heritage Committee.</li> <li>3. That a correction be made to the Constitution of the Broken Hill Heritage Committee to clarify that the Heritage Adviser is an ex-officio (non-voting) member of the Committee.</li> </ol>			
CARRIED UNANIMOUSLY			
<b>15 Jul 2021 10:00am Bartlett, Leisa</b>			
The constitution has been updated, replaced on Council's website and reported to the Broken Hill Heritage Committee. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Nu'man, Razija Nankivell, Jay	Committee Reports	MINUTES OF THE BROKEN HILL REGIONAL ART GALLERY ADVISORY COMMITTEE MEETING HELD 9 JUNE 2021
<b>Recommendation</b>			
<ol style="list-style-type: none"> <li>1. That Broken Hill City Council Report No. 109/21 dated June 17, 2021, be received.</li> <li>2. That minutes of the Broken Hill Regional Art Gallery Advisory Committee Meeting held 9 June 2021 be received.</li> </ol>			

For Action	<b>Division:</b> Ordinary Council	<b>Date From:</b> 1/04/2018
	<b>Committee:</b> Ordinary Council	<b>Date To:</b> 20/07/2021
<b>Action Sheets Report - Ordinary Council Meetings</b>	<b>Officer:</b> Including Further Reports	<b>Printed:</b> Tuesday, 20 July 2021 1:48:40 PM

3. That Council accepts the resignations of Robyn Taylor and Justin Files and thank them for their time on the Committee.

15 Jul 2021 12:31pm Bartlett, Leisa  
Thank you letters sent to the 2 former members.  
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Nu'man, Razija Nankivell, Jay	Confidential Matters	ESTABLISHMENT OF A REGIONAL CODE OF CONDUCT REVIEW PANEL
<b>Resolved</b>			
<p>1. That Broken Hill City Council Report No. 112/21 dated June 16, 2021, be received.</p> <p>2. That Council resolves to establish a Regional Panel of Conduct Reviewers and appoint reviewers as selected by the Far West Joint Organisation (FWJO) through an Expression of Interest (EOI) process.</p>			
CARRIED			
<p>15 Jul 2021 12:31pm Bartlett, Leisa FWJO notified COMPLETE</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Andrews, Anne Nankivell, Jay	Confidential Matters	LEASE OF THE PRISCILLA QUEEN OF THE DESERT BUS THEATRICAL PROP AND ASSOCIATED PROPS
<p>1. That Broken Hill City Council Report No. 113/21 dated June 18, 2021, be received.</p> <p>2. That Council notes the terms of the lease agreement of the Priscilla Queen of the Desert Bus Theatrical Prop and associated props to The Palace Hotel Broken Hill.</p> <p>3. That Council contacts the owners of The Palace Hotel to discuss ways that Council may be able to assist the hotel to permanently display the Priscilla Queen of the Desert Bus Theatrical Prop and associated props.</p>			
CARRIED			
<p>15 Jul 2021 3:44pm Bartlett, Leisa Council staff contacted the Palace Hotel and there are no short term plans to place the bus or props on permanent display. the stiletto remains on permanent display in the foyer of the Palace Hotel. The owners have offered a meeting to Councillors on site to view the bus and props and discuss the issues surrounding a permanent display option. COMPLETE</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/06/2021	Howard, Codie Nankivell, Jay	Confidential Matters	T21/11 REQUEST FOR TENDER FOR SUPPLY OF ONE (1) LOADER FOR WASTE MANAGEMENT FACILITY
<b>Resolved</b>			
<p>1. That Broken Hill City Council Report No. 115/21 dated June 2, 2021, be received.</p> <p>2. That Council award tender T21/11 for the supply of one (1) Loader for the Waste Management Facility to Cavpower Broken Hill for the tendered CAT 950M model, for the amount of \$415,650.03 (excluding GST)</p>			
CARRIED			
<p>15 Jul 2021 1:30pm Bartlett, Leisa Tender awarded. COMPLETE</p>			

For Action  <b>Action Sheets Report – Extraordinary Council Meetings</b>	<b>Division:</b> <b>Committee:</b> Extraordinary Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 1/07/2021 <b>Date To:</b> 20/07/2021  <b>Printed:</b> Tuesday, 20 July 2021 <b>10:38:32 AM</b>
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Meeting	Officer/Director	Section	Subject
Extraordinary Council 7/07/2021	Howard, Codie Nankivell, Jay	Confidential Matters	T21/8 REQUEST FOR TENDER FOR SUPPLY OF WATER TRUCK WITH FIREFIGHTING CAPABILITIES - RESUBMITTED
<b>Resolved</b>			
1. That Broken Hill City Council Report No. 116/21 dated July 6, 2021, be received.  2. That Council award tender T21/8 for the supply of a Water Truck with Firefighting Capabilities for the Waste Management Facility to Tracserv Pty Ltd for the tendered model, Isuzu FXY 240-350 Auto MWB 6x4 for the amount of \$286,592.27 (excluding GST).			
			CARRIED
20 Jul 2021 10:38am Bartlett, Leisa Tender awarded. COMPLETE			

## **COMMITTEE REPORTS**

1. BROKEN HILL CITY COUNCIL REPORT NO. 125/21 - DATED JUNE 22, 2021 - MINUTES OF THE PICTON OVAL COMMUNITY COMMITTEE MEETINGS HELD 21 JUNE 2021 AND 12 JULY 2021 (12/54) .....209

## ORDINARY MEETING OF THE COUNCIL

June 22, 2021

**ITEM 1****BROKEN HILL CITY COUNCIL REPORT NO. 125/21**

**SUBJECT:** MINUTES OF THE PICTON OVAL COMMUNITY COMMITTEE MEETINGS HELD 21 JUNE 2021 AND 12 JULY 2021 12/54

**Recommendation**

1. That Broken Hill City Council Report No. 125/21 dated June 22, 2021, be received.
2. That the minutes of the Picton Oval Community Committee Meetings held 21 June 2021 and 12 July 2021, be received.

**Executive Summary:**

Council has received minutes from the Picton Oval Community Committee Meeting held 22 June 2021 and 12 July 2021, for endorsement by Council.

**Report:**

As per Council's Section 355 Asset Committee Framework Manual and the Constitution of the Picton Oval Community Committee (both adopted March 2017), the Committee is required to provide Council with a copy of their meeting minutes following each Committee meeting.

Accordingly, the Picton Oval Community Committee has submitted minutes from its Committee Meetings held 21 June 2021 and 12 July 2021 for Council's endorsement.

**Community Engagement:**

Nil.

**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 Picton Oval Community Committee operates under Council's S355 Asset Committee Framework Manual and Standard Constitution and the *Local Government Act, 1993* (Section 355).

**Financial Implications:**

Nil.

**Attachments**

1. [↓](#) Minutes of the Picton Oval Community Committee Meeting 21/06/2021
2. [↓](#) Minutes of the Picton Oval Community Committee Meeting 12/07/2021

JAY NANKIVELL  
GENERAL MANAGER

**PICTON OVAL MANAGEMENT COMMITTEE MEETING**  
**MINUTES**

**MONDAY, 21<sup>st</sup> JUNE 2021**

**Present:** N. Hannigan, T. Rynne, B. Licul (Councillor), P. Adams.

**Apologies:** C. Adams (Councillor)

**Meeting Commenced:** 5:00p.m.

**Matters Arising:**

1. Painting put off due to COVID-19. Will follow up with change rooms and grandstand to be painted.
2. Committee have left over material for runway for long jump. Will follow up with installation of soft fall.
3. Wetness and sogginess along Morgan Street side has been fixed.

**Correspondence In:**

1. Various emails regarding use of oval over the past 12 months for 2020/2021
2. Origin Energy – letter with increase prices

**Correspondence Out:**

1. COVID Plans to BHCC from various organisation using oval for 2020
2. Tax Invoices to be sent out to oval hirers for 2021. No fees charged in 2020 due to COVID-19.

**Financial Report:**

Financial statement for 2019/2020 have been approved by Council  
Cheque Account: \$15,648.26  
Term Deposit: \$25,889.11 @ 30<sup>th</sup> June 2020

**General Business:**

1. Hand dryers have been installed in toilets due to COVID-19 hygiene
2. New ride on mower has been purchased to replace old mower in February 2021. At this stage old mower used as a back-up.
3. Cleaning of toilets/canteen still being completed after every hirer has used the oval.
4. Committee has spoken to Council regarding smell of doggy bags being thrown into the bins. Discussion with Council of installing a specific area for dogs e.g. an unleashed dog area.
5. Drain along Morgan Street to be graded and repaired. Water overflowing across into sandpit/runway area.
6. Committee has no response from Hockey regarding payment and storing of equipment. Will follow up.
7. Fire audit was completed.

Meeting closed: 5:30p.m.

Next Meeting: Monday, 12<sup>th</sup> July 2020 @ 5:30p.m. at Sacred Heart Parish School

**PICTON OVAL MANAGEMENT COMMITTEE MEETING**  
**MINUTES**

**MONDAY, 12<sup>th</sup> JULY 2021**

**Present:** N. Hannigan, T. Rynne, C. Adams (Councillor), P. Adams.

**Apologies:** B. Licul (Councillor).

**Meeting Commenced:** 5:00p.m.

**Matters Arising:**

1. Initial contact with Broken Hill Hockey has been made. Need to follow up with contact name given about removal of equipment.
2. Noel to follow up with re-pavement of long jump run up.
3. Follow up with Council regarding doggy bags being thrown into bins

**Correspondence In:**

1. Broken Hill High School re: Use of Oval for Term 3 School Sport
2. Morgan Street Public School re: Use of Oval for Term 3 School Sport

**Correspondence Out:**

1. Accepting Broken Hill High School application for use of oval
2. Accepting Morgan Street Public School application for use of oval

**Financial Report:**

Origin invoice \$211.89 to be paid

**General Business:**

1. Request Council to remove of one of the entrance sign as information is not current.
2. COVID-19 Plan to continue to remain in place.

Meeting closed: 5:45p.m.

Next Meeting: Monday, 9<sup>th</sup> August 2021 @ 5:30p.m. at Sacred Heart Parish School



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

1. QUESTIONS ON NOTICE NO. 6/21 - DATED JULY 07, 2021 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE JUNE 2021 ORDINARY COUNCIL MEETING (16/165, 13/163, 11/161).....214

ORDINARY MEETING OF THE COUNCIL

July 7, 2021

**ITEM 1**

QUESTIONS ON NOTICE NO. 6/21

SUBJECT: COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE JUNE 2021 ORDINARY COUNCIL MEETING 16/165, 13/163, 11/161

**Summary**

The report provides responses to questions raised by Councillors during the June 2021 Council Meeting, which were taken on notice.

**Recommendation**

1. That Questions On Notice No. 6/21 dated July 7, 2021, 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 June 2021 Council Meeting.

<p>Question:</p>	<p><u>From Item 12 – Adoption of the Draft Delivery Program 2021/2022 incorporating the Operational Plan 2021/2022 inclusive of Fees and Charges</u> <span style="float: right;">16/165</span></p> <p><i>Councillor Algate requested information regarding the amount of carryovers in relation to capital grant funding.</i></p>
<p>Response:</p>	<p>A separate report will be provided in the September 2021 Business Paper regarding capital carryovers, once all end of year grant process payments have been received allowing for all reconciliations to occur and finalised.</p>
<p>Question:</p>	<p><u>From Item 15 – Draft Tree Management Plan</u> <span style="float: right;">13/163</span></p> <p><i>Councillor Kennedy requested a report on the feasibility of establishing a program to replant the regeneration reserve with different native trees and shrubs, and for this project to become a native botanical gardens, with walking paths and botanical information signs etc.</i></p>
<p>Response:</p>	<p>The original intent of Albert Morris was the use of re-vegetation, using natural vegetation germination of local flora, see excerpt below.</p> <p>Council intent is to follow that which Albert Morris undertook in the creation of the Regeneration Area.</p> <p>Currently Council’s focus both financially and resourcing over the next 10 years is the replacement of the 84 kilometres of fencing, seen by Albert</p>

	<p>Morris as critical in the regeneration establishment and its ongoing viability; and the control and eradication of noxious weeds within the regeneration area.</p> <p>Multiple Sources (cited) – Albert Morris - Re-vegetation techniques used.</p> <p><i>“Albert Morris was interested in achieving broad acreage arid zone re-vegetation, both for amenity and conservation purposes, and it would have been impossible to achieve this, given the prevailing dry, hot and often drought-stricken environment, by utilising a planting technique. To propagate, manually plant and keep hydrated until they were established, the tens of thousands of trees, shrubs, grasses and forbs, spread over many hundreds of rugged hectares, necessary for such a project would have required enormous resources and funding; it is unlikely that such a project would even be feasible today. It was clearly his intention that the establishment of vegetation in the regeneration reserves was to be primarily left to the factors associated with natural regeneration: germination of existing, naturally deposited and wind dispersed seeds of the local flora, the regrowth of established but degraded in ground rootstocks, and the local rainfall of approximately 250mm per year. Crucially, fencing around the reserves excluded the livestock and rabbits that had previously decimated this indigenous flora. Spreading of seed by hand, and the ploughing of moisture impermeable claypans (aka scalds), were techniques also contemplated by Morris.”</i></p>
<p>Question:</p>	<p><u>New MRI Machines at GP Super Clinic and Thrive Medical</u> 11/161</p> <p><i>Councillor Kennedy requested that investigations be carried out regarding ways that Council can advocate for the registering of the 2 MRI machines for Medicare rebate eligibility.</i></p>
<p>Response:</p>	<p>Letters of support were provided to both the GP Super Clinic and Thrive Medical for inclusion with their applications for Medicare rebate eligibility. Ongoing advocacy with both Local Federal &amp; State Members has also been ongoing for the next round of MRI licenses to be issued.</p>

**Attachments**

There are no attachments for this report

JAY NANKIVELL  
GENERAL MANAGER

## CLOSED

### Council Meeting to be held Wednesday, July 28, 2021

1. BROKEN HILL CITY COUNCIL REPORT NO. 126/21 - DATED JULY 02, 2021 - CONFIDENTIAL MINUTES FOR CONFIRMATION OF THE COUNCIL MEETING HELD 30 JUNE 2021 - CONFIDENTIAL

**(General Manager's Note:** This report considers confidential minutes for confirmation and is deemed confidential under Section 10A(2) (c) (d) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

2. MAYORAL MINUTE NO. 6/21 - DATED JULY 09, 2021 - GENERAL MANAGER'S PERFORMANCE AGREEMENT CRITERIA - CONFIDENTIAL

**(General Manager's Note:** This report considers a staffing matter and is deemed confidential under Section 10A(2) (a) of the Local Government Act, 1993 which contains matters that will involve the discussion of personnel matters concerning a particular individual).

3. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 18/21 - DATED JULY 16, 2021 - EXPENSES RELATING TO LEGAL ACTION - CONFIDENTIAL

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

4. BROKEN HILL CITY COUNCIL REPORT NO. 127/21 - DATED JULY 12, 2021 - T21/14 - CENTRAL BUSINESS DISTRICT WAYFINDING PROJECT - CONFIDENTIAL

**(General Manager's Note:** This report considers a tender and is deemed confidential under Section 10A(2) (c) (d) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

5. BROKEN HILL CITY COUNCIL REPORT NO. 128/21 - DATED JULY 12, 2021 - T21/15 - CENTRAL BUSINESS DISTRICT BANNER POLES - CONFIDENTIAL

**(General Manager's Note:** This report considers a tender and is deemed confidential under Section 10A(2) (c) (d) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

6. BROKEN HILL CITY COUNCIL REPORT NO. 129/21 - DATED JULY 06, 2021 - T21/9 - GALENA MERCURY TALC INTERSECTION UPGRADE- UTILITIES RELOCATION -STAGE-1 , VP249646 - CONFIDENTIAL

**(General Manager's Note:** This report considers a tender and is deemed confidential under Section 10A(2) (c) (d) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).