



BUSINESS PAPER

Ordinary Meeting of Council

Council Chambers
12 January 2022

6.30pm

BROKEN HILL
CITY COUNCIL

**AUSTRALIA'S FIRST
HERITAGE LISTED CITY**

Notice is hereby given, in accordance with the provisions of the *Local Government Act 1993*, that the December 2021 Ordinary Meeting of the Broken Hill City Council has been postponed due to the timing of the official declaration of the NSW Local Government Election and will be held in the Council Chambers on **Wednesday, 12 January 2022** commencing at **6:30pm** to consider the following business:

AGENDA	
1	Opening the 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
15	Confidential Matters
16	Conclusion of the Meeting

LIVESTREAMING AND RECORDING OF COUNCIL MEETINGS

Please note: This Council Meeting will be livestreamed via YouTube and recorded and published online via Council's website. To those present at 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.

JAY NANKIVELL
GENERAL MANAGER

MINUTES FOR CONFIRMATION

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MINUTES OF THE ORDINARY MEETING OF THE COUNCIL
HELD WEDNESDAY 24 NOVEMBER 2021

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
NOVEMBER 24, 2021

Meeting commenced at 6:30p.m.

REQUESTS FROM COUNCILLORS TO ATTEND VIA AUDIO-VISUAL LINK

Due to the current Public Health Order for the State of NSW, 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 while the restrictions under the Public Health Order are in force to allow Councillors to participate in this meeting by audio-visual link if required. 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.

PRESENT:

Councillor D. Turley (Mayor) Councillor C. Adams (Deputy Mayor)
Councillors B. Algate, M. Browne, M. Clark (audio-visual link), D. Gallagher,
B. Licul, J. Nolan (audio-visual link) and R. Page.

General Manager, Chief Financial Officer, Chief Corporate and Community
Officer, Chief Assets and Projects Officer, Executive Manager Growth and
Investment and Governance Officer.

Media (2), Members of the Public (1).

APOLOGIES:

Councillor T. Kennedy.

RESOLUTION

Minute No. 46666

Councillor R Algate moved)
Councillor M Browne seconded)

Resolved

That the apology submitted on behalf of
Councillor Kennedy 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.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 46667

Councillor B Licul moved)
Deputy Mayor C Adams seconded)

Resolved

That the Minutes of the Ordinary Meeting of the
Council of the City of Broken Hill held October
27, 2021 be confirmed.

That the Minutes of the Extraordinary Meeting of
the Council of the City of Broken Hill held
November 04, 2021 be confirmed.

That the Minutes of the Extraordinary Meeting of

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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the Council of the City of Broken Hill held
November 11, 2021 be confirmed.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Cr R Algate

DISCLOSURE OF INTEREST

Nil.

MAYORAL MINUTES

Nil.

NOTICES OF MOTION

Nil.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

ITEM 1 - REPORTS FROM DELEGATES NO. 4/21 - DATED NOVEMBER 15, 2021 - ASSOCIATION OF MINING AND ENERGY RELATED COUNCILS NSW REPORT NOVEMBER 2021 D21/49342

RESOLUTION

Resolved

Minute No. 46668

Councillor M Clark moved)
Deputy Mayor C Adams seconded)

1. That Reports from Delegates No. 4/21 dated November 15, 2021, be received.
2. That Councillor Nolan's Delegates Report be received and noted.
3. That Council formally thanks Councillor Nolan for his representation and advocacy for Broken Hill whilst a member of the Association of Mining and Energy Related Councils NSW.

CARRIED UNANIMOUSLY

REPORTS

ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 180/21 - DATED NOVEMBER 01, 2021 - END OF TERM REPORT 2016 - 2021 D21/47999

RESOLUTION

Resolved

Minute No. 46669

Councillor B Licul moved)
Deputy Mayor C Adams seconded)

1. That Broken Hill City Council Report No. 180/21 dated November 1, 2021, be received.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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2. That the End of Term Report 2016-2021 be received by Council.
3. That Council publish the End of Term Report 2016-2021 on its website.
4. That the infographics summary of the End of Term Report 2016-2021 be printed and distributed to all residents as a matter of urgency.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Cr R Algate

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 181/21 - DATED NOVEMBER 01, 2021 -
DRAFT ANNUAL REPORT 2020/2021** D21/48004

RESOLUTION

Minute No. 46670

Councillor J Nolan moved)

Councillor M Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 181/21 dated November 1, 2021, be received.
2. That the Draft Annual Report 2020/2021, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements, audited Annual Financial Statements for the reporting period 1 July 2020 to 30 June 2021, End of Term Report 2016-2021 and State of Environment Report 2016-2021, be adopted.
3. That the Annual Report 2020/2021, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements, audited Annual Financial Statements for the reporting period 1 July 2020 to 30 June 2021, End of Term Report 2016-2021 and State of Environment Report 2016-2021, be posted on Council's website.
4. That Council's web link for the Annual Report 2020/2021, inclusive of Delivery Program Achievements, Disability Inclusion Action Achievements, audited Annual Financial Statements for the reporting period 1 July 2020 to 30 June 2021, End of Term Report 2016-2021 and State of Environment Report 2016-2021, be provided to the Minister via the Office of Local Government and Minister for Disability Services, by 30 November 2021.

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 182/21 - DATED OCTOBER 21, 2021 -
CODE OF CONDUCT COMPLAINTS STATISTICS ANNUAL REPORT - 2020/2021** D21/47997

RESOLUTION

Minute No. 46671

Councillor R Algate moved)
Deputy Mayor C Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 182/21 dated October 21, 2021, be received.
2. That the Code of Conduct Complaints Statistics Annual Report for the Broken Hill City Council for the period of 1 September 2020 – 31 August 2021 be forwarded to the Office of Local Government.

CARRIED UNANIMOUSLY

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 183/21 - DATED NOVEMBER 12, 2021 -
DRAFT AGENCY INFORMATION GUIDE** D21/49281

RESOLUTION

Minute No. 46672

Councillor M Browne moved)
Deputy Mayor C Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 183/21 dated November 12, 2021, be received.
2. That Council endorse the reviewed and Draft Agency Information Guide for release to the Information Commissioner for its review and comment.

CARRIED UNANIMOUSLY

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 184/21 - DATED SEPTEMBER 30, 2021 -
ADOPTION OF THE DRAFT BUSINESS SUPPORT POLICY** D21/47944

RESOLUTION

Minute No. 46673

Deputy Mayor C Adams moved)
Councillor B Licul seconded)

Resolved

1. That Broken Hill City Council Report No. 184/21 dated September 30, 2021, be received.
2. That Council notes that no submissions were received from the public during the second round of the public exhibition period of the draft Business Support Policy.
3. That Council adopted the draft Business Support Policy as a Policy of Council.
4. That adoption of the draft Business Support Policy will render the Business Development Policy obsolete.

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 185/21 - DATED NOVEMBER 05, 2021 -
INVESTMENT REPORT FOR OCTOBER 2021** D21/48123

RESOLUTION

Minute No. 46674

Councillor J Nolan moved)
Deputy Mayor C Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 185/21 dated November 5, 2021, be received.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Cr R Algate

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 186/21 - DATED NOVEMBER 16, 2021 -
COMMUNITY ASSISTANCE GRANTS AWARDED FOR ROUND 2 OF 2021/2022** D21/49964

At this point in the meeting proceedings, the Mayor declared a conflict of interest in Item 8 (son employed by LiveBetter Services who are a recipient of a Community Assistance Grant) and left the Council Chambers at 7:05p.m.

The Deputy Mayor assumed the Chair for the duration of item 8.

RESOLUTION

Minute No. 46675

Councillor D Gallagher moved)
Councillor M Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 186/21 dated November 16, 2021, be received.
2. That Council notes the Community Assistance Grants awarded for Round Two of 2021/2022 which were recommended by the Panel on 16 November 2021 and approved by the General Manager.
3. That Council notes that surplus funds from Round Two of the Community Assistance Grants budget will be utilised to provide the Christmas Lights Subsidy Scheme for local businesses and to purchase additional Christmas Light Displays for the Town Square for the 2021 festive season.
4. That Council formally thanks the members of the Community Assistance Grants Panel - Councillor Delegates (Councillor Gallagher APM (Chairperson), Councillor Clark and Councillor Kennedy) and the community representatives (Mr Ken Martin, Ms Pam Tucker and Ms Sandra Haring) for their assistance in the assessment of grant applications and the awarding of grants during the current term of Council.

CARRIED UNANIMOUSLY

The Mayor returned to the Council Chambers at 7:09p.m. and resumed the Chair.

The Deputy Mayor advised the Mayor that Council had adopted the report recommendation of Item 8.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 187/21 - DATED NOVEMBER 11, 2021 -
MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 419 HELD ON THURSDAY, 28
OCTOBER 2021** D21/49138

RESOLUTION

Minute No. 46676

Councillor M Browne moved)
Councillor B Licul seconded)

Resolved

1. That Broken Hill City Council Report No. 187/21 dated November 11, 2021, be received.
2. That the minutes from the Local Traffic Committee – Meeting 419 held on Thursday, 28 October 2021
3. Item No. 416.6.1 - That the parking signs in Union Street be covered for a trial period of three months to identify what impacts are caused without the timed parking spaces adjacent the Morgan Street Primary School in Union Street.

That the triad period be for three months and the covers removed after this time at the end of the first school term.

Further consultation will be arranged with the Principal of the Morgan Street Primary School and the residents in the area before a determination can be decided.

Based on satisfaction results from the trial period the zone will be reinstated permanently – streamline from trial to permit.

4. Item No. 417.6.1 – That a 15-minute timed parking space be installed at the front of Live better, located at 475 Argent Street to allow for the parking of the transport bus.

Council to arrange further consultation with Live Better and arrange for the placement of the parking sign.

5. Item No. 419.6.1 - That the Local Traffic Committee have no objection for the proposed road closures for the Council Christmas Pageant.

CARRIED UNANIMOUSLY

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 188/21 - DATED SEPTEMBER 09, 2021 -
ACTION LIST REPORT** D21/48003

RESOLUTION

Minute No. 46677

Deputy Mayor C Adams moved)

Councillor M Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 188/21 dated September 9, 2021, be received.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Nil.

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

**ITEM 11 - QUESTIONS ON NOTICE NO. 8/21 - DATED NOVEMBER 04, 2021 - COUNCILLOR
QUESTIONS TAKEN ON NOTICE AT THE OCTOBER 2021 ORDINARY COUNCIL MEETING** D21/48005

RESOLUTION

Minute No. 46678

Councillor B Licul moved)

Councillor J Nolan seconded)

Resolved

1. That Questions On Notice No. 8/21 dated November 4, 2021, be received.

CARRIED UNANIMOUSLY

SUPPLEMENTARY REPORTS

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 190/21 - DATED NOVEMBER 18, 2021 -
ADOPTION OF DRAFT WORKPLACE COVID-19 VACCINATION POLICY** D21/50400

Motion

Deputy Mayor C Adams moved)

Councillor B Licul seconded)

1. That Broken Hill City Council Report No. 190/21 dated November 18, 2021, be received.
2. That Council adopts the draft Workplace COVID-19 Vaccination Policy as an Operational Employee Policy of Council.

Amendment

Councillor R Algate moved)

1. That the report be referred to the incoming Council for consideration.

LAPSED
(for want of a Secunder)

The motion was put.

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RESOLUTION

Minute No. 46679

Deputy Mayor C Adams moved)
Councillor B Licul seconded)

Resolved

1. That Broken Hill City Council Report No. 190/21 dated November 18, 2021, be received.
2. That Council adopts the draft Workplace COVID-19 Vaccination Policy as an Operational Employee Policy of Council.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Cr R Algate

ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 191/21 - DATED NOVEMBER 09, 2021 - OFFICE OF LOCAL GOVERNMENT CONSULTATION DRAFT GUIDELINES FOR NEW RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK FOR COUNCILS AND JOINT ORGANISATIONS

D21/48645

RESOLUTION

Minute No. 46680

Councillor J Nolan moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 191/21 dated November 9, 2021, be received.
2. That Council endorses the draft submission to the Office of Local Government regarding the draft guidelines for new Risk Management and Internal Audit Framework for Councils and Joint Organisations.
3. That Council's submission be forwarded to the Office of Local Government by 26 November 2021.

CARRIED UNANIMOUSLY

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 192/21 - DATED NOVEMBER 16, 2021 - MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETINGS HELD 19 AUGUST 2021 AND 20 OCTOBER 2021

D21/49876

RESOLUTION

Minute No. 46681

Councillor D Gallagher moved)
Councillor J Nolan seconded)

Resolved

1. That Broken Hill City Council Report No. 192/21 dated November 16, 2021, be received.
2. That minutes of the Audit, Risk and Improvement Committee meetings held 19 August 2021 and 20 October 2021 be received.
3. That Council formally thanks the Council Delegates (Mayor Turley AM, Councillor Gallagher APM and Councillor Nolan) and the independent members Mr Jim Mitchell (Chairperson) and Mr Damian Pulgies) for

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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their work on the Audit, Risk and Improvement Committee over the current term of Council.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

Nil.

RESOLUTION

Minute No. 46682

Deputy Mayor C Adams moved)
Councillor M Browne seconded)

Resolved

That the meeting close to the public in accordance with Section 10A(2) of the Local Government Act, 1993 whilst the confidential matter is considered.

CARRIED UNANIMOUSLY

Members of the media left the Council Chambers at 7:20p.m. (The member of the public had previously left the Council Chambers).

CONFIDENTIAL MATTERS

ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 189/21 - DATED NOVEMBER 16, 2021 - CONFIDENTIAL MINUTES FOR CONFIRMATION OF THE EXTRAORDINARY COUNCIL MEETINGS HELD 4 NOVEMBER 2021 AND 11 NOVEMBER 2021 - CONFIDENTIAL D21/49863
(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).

RESOLUTION

Minute No. 46683

Deputy Mayor C Adams moved)
Councillor M Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 189/21 dated November 16, 2021, be received.
2. That the confidential minutes of the Extraordinary Council Meetings held 4 November 2021 and 11 November 2021 be confirmed.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Cr R Algate

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RESOLUTION

Minute No. 46684

Councillor B Licul moved)

Councillor M Browne seconded)

Resolved

That the meeting resume in open session.

CARRIED UNANIMOUSLY

The meeting resumed in open session at 7:21p.m.

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

The Mayor noted that Councillors Nolan, Clarke and Adams were not standing for election in the 2021 Local Government Elections, and as this is the last Council Meeting of the current Council, the Mayor thanked them for their work and dedication to the City of Broken Hill during their term/s on Council. The Mayor wished all candidates well in the 2021 Local Government Elections.

On behalf of Council, the Mayor thanked the previous General Manager Mr James Roncon, the current General Manager Mr Jay Nankivell, Council's Executive Leadership Team, the Governance Officer and Executive Support Officer for their support to Councillors. The Mayor thanked all staff at Council for their outstanding work in implementing the many decisions of Council and for their dedication to the City of Broken Hill.

The Mayor and Councillors present stood and applauded Council's staff.

There being no further business the Mayor closed the meeting at 7:24p.m.

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

CHAIRPERSON

REPORTS

1	BROKEN HILL CITY COUNCIL REPORT NO. 1/22 - DATED DECEMBER 07, 2021 - ELECTION OF DEPUTY MAYOR (D21/53744)	16
2	BROKEN HILL CITY COUNCIL REPORT NO. 2/22 - DATED DECEMBER 07, 2021 - CASUAL VACANCIES IN THE OFFICE OF COUNCILLOR WITHIN 18 MONTHS OF THE 4 DECEMBER 2021 LOCAL GOVERNMENT ELECTION (D21/53761)	20
3	BROKEN HILL CITY COUNCIL REPORT NO. 3/22 - DATED DECEMBER 21, 2021 - ELECTORAL FUNDING OBLIGATIONS OF NEWLY ELECTED COUNCILLORS AND MAYORS (D21/56098)	24
4	BROKEN HILL CITY COUNCIL REPORT NO. 4/22 - DATED SEPTEMBER 09, 2021 - DELEGATION OF FUNCTIONS (D21/53934)	32
5	BROKEN HILL CITY COUNCIL REPORT NO. 5/22 - DATED DECEMBER 09, 2021 - ANNUAL FEES - MAYOR AND COUNCILLORS (D21/53756)	169
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9	BROKEN HILL CITY COUNCIL REPORT NO. 9/22 - DATED DECEMBER 07, 2021 - COUNCILLOR ATTENDANCE AND MOTIONS TO THE LOCAL GOVERNMENT NSW SPEICAL CONFERENCE HELD IN SYDNEY 28 FEBRUARY - 2 MARCH 2022 (D21/53778)	234
10	BROKEN HILL CITY COUNCIL REPORT NO. 10/22 - DATED DECEMBER 21, 2021 - CITIES POWER PARTNERSHIP - LOCAL LEADERS PROGRAM (D21/56162)	271
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12	BROKEN HILL CITY COUNCIL REPORT NO. 12/22 - DATED DECEMBER 10, 2021 - SECTION 355 COMMITTEE TERM REPORT 2016-2021 (D21/54737)	288
13	Broken Hill City Council Report No. 13/22 - DATED December 22, 2021 - MINTUES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO. 420, HELD TUESDAY 7 DECEMBER 2021 (D21/56657)	295
14	Broken Hill City Council Report No. 14/22 - DATED December 16, 2021 - ACTION LIST REPORT (D21/55682)	307

ORDINARY MEETING OF THE COUNCIL

December 7, 2021

ITEM 1**BROKEN HILL CITY COUNCIL REPORT NO. 1/22****SUBJECT:** **ELECTION OF DEPUTY MAYOR** **D21/53744****Recommendation**

1. That Broken Hill City Council Report No. 1/22 dated December 7, 2021, be received.
2. That Council elect the Deputy Mayor at this meeting.
3. That the Deputy Mayor be elected for the period from this Council Meeting until the September 2022 Council Meeting.
4. That voting for the Deputy Mayor be open voting, i.e. "show of hands".
5. That the result of the election of Deputy Mayor be forwarded to the Office of Local Government and to Local Government NSW.

Executive Summary:

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

Council has historically elected a Deputy Mayor for a twelve-month period from September to September each year, this period would also align with the Local Government Elections every four years in September which were scheduled to be held in September 2020, these elections were postponed 12 months to 4 September 2021 due to the COVID-19 pandemic.

At the 30 September 2020 Council Meeting, the incumbent Deputy Mayor, Councillor Adams, was re-elected for the twelve-month period until the Local Government Elections on 4 September 2021.

Due to the outbreak of the Delta variant of the Coronavirus, the NSW Local Government Elections were further postponed until 4 December 2021. At the September 2021 Council Meeting, Council had the option to resolve to elect a Deputy Mayor for a three-month period until the Local Government Election on 4 December 2021; or to let the position of Deputy Mayor lapse for the three-month period. Council resolved to elect a Deputy-Mayor until the December 2021 Local Government Election and the election was held resulting in Councillor Adams being re-elected as Deputy Mayor.

It is proposed that the first term as Deputy Mayor be re-aligned to conclude at the September 2022 Council Meeting in order to get back to the historical September to September annual term and as well as coincide with the NSW Local Government Elections due to be held in September 2024.

Report:

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

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

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

As this is the first meeting of the new term of Council the Deputy Mayor election must be held to appoint a Deputy Mayor for the period until the September 2022 Council Meeting to realign the Deputy Mayor term to the historical September to September annual term.

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

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

Councillors also have the option of submitting a nomination without notice prior to the election of Deputy Mayor.

Depending on the Public Health Order restrictions in force at the time of this month's Council Meeting will determine whether the Council Meeting will be held via videoconference, face-to-face or a hybrid style, this will also determine the way in which Councillors can submit a nomination without notice just prior to the election of Deputy Mayor at the meeting.

Councillors attending in person who wish to submit a nomination without notice, can hand their nomination form to the Returning Office prior to the election of Deputy Mayor, providing the formalities concerning signatures and consent are observed.

For Councillors attending via videoconference who wish to submit a nomination without notice, the following process will suffice in order to comply with the *Local Government Regulations 2005 Schedule 7, Part 1*, which reads:

"2 Nomination

- (1) *A Councillor may be nominated without notice for election as mayor or deputy mayor.*
- (2) *The nomination is to be made in writing by 2 or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing."*

- (3) *The nomination is to be delivered or sent to the returning officer.*
- (4) *The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.”*

Emailing the nomination will suffice as *“the nomination is to be delivered or sent to the Returning Officer”*.

Councillors can send an email to the Returning Officer prior to the election (at that point in the Council meeting). The email can either:

a) contain a scan of the Nomination Form signed by the Councillor making the nomination and the Councillor being nominated;

OR

b) be in the form of an email trail from the Councillor who is making the nomination and the Councillor being nominated, to confirm that they consent to the nomination.

The nomination form for Deputy Mayor is attached to this report (Attachment 1).

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, Section 231

Local Government (General) Regulations 2005, Schedule 7

Financial Implications:

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

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

Attachments

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

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER



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

NOMINATION FOR DEPUTY MAYOR

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

Councillor _____

Nominated by:

Councillor	Signature

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

Councillor	Signature

DATE: ____ / ____ / 2021

ORDINARY MEETING OF THE COUNCIL

December 7, 2021

ITEM 2**BROKEN HILL CITY COUNCIL REPORT NO. 2/22**

SUBJECT: **CASUAL VACANCIES IN THE OFFICE OF COUNCILLOR WITHIN 18 MONTHS OF THE 4 DECEMBER 2021 LOCAL GOVERNMENT ELECTION** **D21/53761**

Recommendation

1. That Broken Hill City Council Report No. 2/22 dated December 7, 2021, be received.
2. That should there become a casual vacancy in the office of Councillor for Broken Hill City Council within 18 months of the 4 December 2021 Broken Hill City Council Local Government election, then the vacancy be filled by using a countback of votes cast at the 4 December 2021 Broken Hill City Council Local Government election.
3. That the General Manager advises the Returning Officer of the Broken Hill City Council Local Government election held 4 December 2021 within seven (7) days of Council's resolution.

Executive Summary:

At the first meeting of the newly elected Council, Council must resolve if they wish any casual vacancies occurring in the office of a Councillor within 18 months of the date of the last election (held 4 December 2021) are to be filled by a countback of votes cast at the 4 December 2021 Broken Hill City Council Local Government election. Councils that do not resolve to fill vacancies using a countback at their first meeting after the election will be required to fill vacancies by the conduct of a By-election.

Report:

From time-to-time councils may be required to fill casual vacancies in civic office that occur for various reasons. *Section 234 of the Local Government Act 1993* outlines the various circumstances that constitute a vacancy in civic office:

234 When does a vacancy occur in civic office?

- 1) *A civic office becomes vacant if the holder –*
 - a) *Dies, or*
 - b) *Resigns the office by writing addressed to the General Manager, or*
 - c) *Is disqualified from holding civic office, or*
 - d) *Is absent from 3 consecutive ordinary meetings of the Council (unless the holder is absent because he or she has been suspended from office under this Act or because the council has been suspended under this Act or as a consequence of a compliance order under section 438HA) without –*

-
- (i) Prior leave of the council, or*
 - (ii) Leave granted by the council at any of the meetings concerned, or*
 - e) Becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or*
 - f) Becomes a mentally incapacitated person, or*
 - g) Is dismissed from civic office, or*
 - g1) In the case of the office of a councillor, is elected as mayor by the electors, or
Ceases to hold the office for any other reason.
Note: see section 275 for the circumstances in which a person is disqualified from holding civic office.*
 - 2) For the purposes of subsection (1)(d), a councillor applying for a leave of absence from a meeting of a council does not need to make the application in person and the council may grant such leave in the absence of that councillor.*
 - 3) If the holder of a civic office attends a council meeting (whether or not an ordinary meeting) despite having been granted leave of absence, the leave of absence is taken to have been rescinded as regards any future council meeting.*
 - 4) Subsection (3) does not prevent the council from granting further leave of absence in respect of any future council meeting.*
 - 5) The office of a mayor elected by councillors becomes vacant if the mayor ceases to hold office as a councillor.*

Casual vacancies in civic office can be filled by either holding a By-election or by the process of a countback of votes cast at the last election for that office.

Section 291A of the *Local Government Act 1993* outlines the process for holding a countback of votes instead of a By-election, section 291A states:

291A Countback to be held instead of by-election in certain circumstances

- 1) This section applies to a casual vacancy in the office of a councillor if -*
 - a) The casual vacancy occurs within 18 months after the date of the last ordinary election of the councillors for the area, and*
 - b) The council has at its first meeting following that ordinary election of councillors, by resolution, declared that any such casual vacancy is to be filled by a countback of votes cast at the last election for that office.*

-
- 2) *This section does not apply to a casual vacancy in the office of a councillor if the councillor who vacated office was elected –*
 - a) *In an election using the optional preferential voting system (including the election of a mayor elected by the electors of an area), or
Note – see section 285 (Voting system for elections)*
 - b) *In an election without a poll being required to be held.
Note – see section 311 (uncontested elections)*
 - 3) *A casual vacancy to which this section applies is to be filled by a countback election conducted in accordance with the Regulations.*
 - 4) *A countback election to fill a casual vacancy to which this section applies must be conducted –*
 - a) *If the election at which the person whose departure created the casual vacancy was elected was administered by the Electoral Commissioner – by a returning officer appointed by the Electoral Commissioner, or*
 - b) *If the election at which the person whose departure created the casual vacancy was elected was administered by a returning officer appointed by an electoral services provider engaged by the council - by a returning officer appointed by the electoral services provider.*
 - c) *(Repealed)*
 - 5) *If a countback election fails or the returning officer is otherwise unable to fill the casual vacancy by a countback election –*
 - a) *The returning officer must notify the general manager of the council concerned, and*
 - b) *A by-election in accordance with this Part must be held to fill the casual vacancy.*
 - 5A) *If an electoral services provider engaged by the council is unable to appoint a returning officer for the purposes of subsection (4)(b), a by-election in accordance with this Part must be held to fill the casual vacancy.*
 - 6) *This section does not apply to a casual vacancy in the office of a councillor if the vacancy occurs before the day prescribed for the purposes of this section by the regulations.*

A person elected to fill a casual vacancy in the office of Councillor will hold the office for the balance of the predecessor's term (Section 233(3) of the *Local Government Act 1993* refers).

To avoid the considerable financial and resourcing costs associated with the conduct of a By-election, it would be prudent of Council to resolve that should a casual vacancy occur within 18 months of the 4 December 2021 local government elections, the process of a countback of votes cast at the 4 December 2021 local government elections be undertaken to fill the vacancy. This resolution must be made at this meeting being the first Council Meeting held of the newly elected Council.

Should Council resolve this way, Council must advise the Election Manager of the ordinary election within seven (7) days of Council's resolution as per *Section 393C of the Local Government (General) Regulation 2021* which states:

393C Countback elections

- 1) *A countback election referred to in section 291A of the Act is to be carried out in accordance with Schedule 9A.*
- 2) *For the purpose of section 291A of the Act, the prescribed day is 12 September 2020.*
- 3) *If a Council resolves, at its first meeting following an ordinary election of councillors for the area, that a countback election is to be held to fill any casual vacancy that occurs within 18 months after the date of that ordinary election, the general manager is to notify the election manager of the ordinary election within 7 days of the resolution.*

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 within its legal framework

Relevant Legislation:

Chapter 10, Part 5 of the Local Government Act 1993

Division 11, Section 393C, Schedule 9A of the Local Government (General) Regulation 2021

Financial Implications:

The cost of the 2021 Broken Hill Local Government election was \$183,000 excluding GST.

A similar cost would be expected for any by-elections to occur due to the number of venues, staff and logistics to be organised whether it be for one candidate or multiple candidates.

Attachments

There are no attachments for this report.

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

December 21, 2021

ITEM 3**BROKEN HILL CITY COUNCIL REPORT NO. 3/22**

SUBJECT: **ELECTORAL FUNDING OBLIGATIONS OF NEWLY ELECTED COUNCILLORS AND MAYORS** **D21/56098**

Recommendation

1. That Broken Hill City Council Report No. 3/22 dated December 21, 2021, be received.
2. That the Mayor and Councillors note their disclosure obligations as newly elected members of Council and comply with the NSW Electoral Commission's reporting requirements of political donations and electoral expenditure.

Executive Summary:

Councillors and mayors elected at the local government elections on 4 December 2021 must submit political donation and electoral expenditure disclosures to the NSW Electoral Commission periodically for their term in office.

The first disclosures are required to be submitted by 25 February 2022.

Report:**Disclosures of political donations and electoral expenditure**

Elected members must submit political donation and electoral expenditure disclosures to the NSW Electoral Commission during their term.

There are 3 types of disclosures to submit each year as an elected member: two half-yearly disclosures of political donations made and received and an annual disclosure of electoral expenditure incurred.

In relation to the 2021/22 financial year, an elected member must also submit disclosures in their capacity as a candidate. These being two half-yearly disclosures of political donations made and received and an annual disclosure of electoral expenditure incurred.

The relevant periods each disclosure covers and the lodgment periods for disclosures for 2021/2022 are:

Disclosure type	Disclosure period	Disclosure lodgment period	Disclosure due
1 st half-yearly political donations disclosure	1 July 2021 to 31 December 2021	1 January 2022 to 25 February 2022	25 February 2022
2 nd half-yearly political donations disclosure	1 January 2022 to 30 June 2022	1 July 2022 to 28 July 2022	28 July 2022

Annual electoral expenditure disclosure	1 July 2021 to 30 June 2022	1 July 2022 to 22 September 2022	22 September 2022
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Newly elected members of Council must submit the above disclosures not only as a candidate and elected member, but also on behalf of the group.

If no political donations are made or received or no electoral expenditure is incurred, a 'Nil' disclosure forms must still be submitted.

Disclosures can be made through the Funding and Disclosure online portal for electoral participants on the NSW Electoral Commission's website.

Elected member contact details

Elected members who have not provided the NSW Electoral Commission with up-to-date contact details are requested to do so as soon as possible by emailing **fdc@elections.nsw.gov.au**.

A current email address and mobile number for each elected member is required so that the NSW Electoral Commission can send notifications about when and how to disclose political donations and electoral expenditure.

The NSW Electoral Commission have advised that elected members who do not comply with disclosure requirements could face a fine or prosecution.

More information about electoral funding obligations of elected members can be found on the NSW Electoral Commission website <https://elections.nsw.gov.au/Funding-and-disclosure>.

The *Electoral Funding Act 2018* can be accessed on the NSW Legislation website <https://legislation.nsw.gov.au/view/html/inforce/current/act-2018-020>.

Elected members can the NSW Electoral Commission on 1300 135 736 if they have any questions.

The NSW Electoral Commission is closed over the Christmas and New Year period from midday, 24 December and will reopen on Monday, 10 January 2022.

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:

Electoral Funding Act 2018

Financial Implications:

Nil

Attachments

1. [↓](#) NSW Electoral Commission Disclosing Political Donations - Fact Sheet

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER



Fact sheet

Disclosing political donations

(Half-yearly period 1 July to 31 December 2021)

The following information applies to political parties, elected members, candidates, groups, third-party campaigners, associated entities, party agents and official agents. Information in this fact sheet is based on the provisions of the *Electoral Funding Act 2018*. Refer to the legislation for the full requirements and/or be guided by independent legal advice.

What is a half-yearly political donations disclosure?

Political parties and other electoral participants in New South Wales must disclose political donations every six months. A half-yearly political donation disclosure form includes political donations made and received.

When must a half-yearly political donations disclosure be lodged?

The due date for submitting a disclosure of political donations made and received in the half-yearly period 1 July 2021 to 31 December 2021 is **Friday, 25 February 2022**.

Who must lodge a half-yearly political donations disclosure?

All political parties and electoral participants are required to lodge a half-yearly political donations disclosure form:

- All candidates, as well as the lead candidates of groups, must disclose all political donations made and received in the half-yearly period, or lodge a “nil” disclosure form if no political donations were made or received.
- All elected members, political parties and associated entities must disclose all political donations made and received in the half-yearly period, or lodge a “nil” disclosure form if no political donations were made or received.
- Third-party campaigners must disclose all reportable political donations received during the half-yearly period that were or are intended to be used to incur electoral expenditure in the capped expenditure period for an election, or lodge a “nil” disclosure form if no reportable political donations were received.

What are political donations?

Political donations are defined on the NSW Electoral Commission’s [website](#).

Political donations include:

- monetary and non-monetary gifts
- free or discounted goods or services
- an amount paid by a person to attend or participate in a fundraising venture or function
- an annual or other subscription paid to a party by a party member or affiliate
- a disposition of property from the federal branch (or a State or Territory branch) of a party to the NSW branch of the party or a disposition of property from one NSW party to another NSW party

- uncharged or insufficient interest charged on a loan
- a contribution made by a candidate to the group of which they are a member.

What must be disclosed?

Political donations must be disclosed as follows:

- small political donations made and received (does not apply to third-party campaigners)
- reportable political donations made* and received
- details of fundraising ventures and functions including the net or gross proceeds
- reportable loans received
- the total amount of annual or other subscriptions paid to a party, each subscription rate and the number of party members that paid at each rate (applies to parties only)
- political donations made to a Legislative Assembly election candidate before the candidate was selected or endorsed by a party (applies to parties only)
- payments other than political donations paid into the campaign account (applies to campaign accounts of candidates, groups and elected members only).

* If a third-party campaigner has made reportable political donations in the half-yearly period the political donations can be disclosed in a half-yearly disclosure form, otherwise they must be disclosed in an annual major political donor disclosure form following 30 June 2022.

Who is responsible for making the disclosure?

Half-yearly political donation disclosure forms must be completed, signed and submitted by the person responsible for the disclosure as set out in the table below, unless otherwise notified in writing by the NSW Electoral Commission:

Disclosure form type	Person responsible
Political Party	the party agent
Councillor or mayor	the councillor or mayor
Local government election candidate	the candidate (includes a candidate who is a member of a group)
Local government election group of candidates	the lead candidate of the local government group
Third-party campaigner or associated entity	the official agent of the third-party campaigner or associated entity
Member of Parliament (MP)	the party agent, if the MP is a member of a party that is registered for State elections or the MP, in all other cases
State election candidate	the party agent, if the candidate is a member of a party that is registered for State elections or the candidate, in all other cases
State election group of candidates	the party agent of the group's lead candidate, if group members are members of one or more parties registered for State elections or the lead candidate, in all other cases

How to submit a political donation disclosure form

Disclosure forms can be submitted online using [Funding and Disclosure Online](#):

1. [Log in](#) to Funding and Disclosure Online using your username and password, or [Request access](#) (if you don't already have access)
2. Your dashboard shows the disclosure(s) you need to submit for the half-yearly period
3. Follow these [instructions](#) to create and submit the disclosure, or these [instructions](#) to submit a 'Nil' disclosure.

When submitting a disclosure using Funding and Disclosure Online, supporting documents (e.g. copies of receipts issued to donors) can be uploaded before the disclosure is submitted electronically.

For those unable to use Funding and Disclosure Online, disclosure forms are available for download on the NSW Electoral Commission's [website](#). A disclosure form or "nil" disclosure form (if no donations were made or received) must be validly lodged with the NSW Electoral Commission by **Friday, 25 February 2022**.

A disclosure form is validly lodged if it is lodged by the due date and:

- the correct form has been used (there are separate forms for political parties and each type of electoral participant),
- it contains all pages (even if some or all pages contain no disclosures), and
- it is completed, signed and dated by the person who is responsible for making the disclosure. Note that digital signatures are no longer accepted on disclosure forms downloaded from the website. If you would like to sign with a digital signature, please use Funding and Disclosure Online to submit your disclosure.
- The disclosure form must be lodged with copies of the receipts issued to donors who made a reportable political donation.

If you are submitting a disclosure form downloaded from the website, the form and supporting documents can be lodged in paper or electronic form by email or fax but not through your own file hosting service (e.g. Dropbox). If submitting files that are too large to send by email (over 20MB), contact us at fdc@elections.nsw.gov.au to request a unique link for large file upload. These requests need to be made before 18 February 2022 and will only be attended to in business hours.

Were you a member of a group of candidates in the half-yearly period?

Disclosure forms to submit if you were a member of a group

- The person responsible for the group, usually the lead candidate, must submit **two** disclosures: the group disclosure form **and** their own individual candidate disclosure form.
- Each group member **must** submit their own individual candidate disclosure form.

Candidate disclosure forms: must include any political donations made to or for the benefit of the candidate and any political donations made by the candidate including political donations made by a candidate to the group of which they are a member, membership fees, levies, or other payments made to the political party of which the candidate is a member.

Group disclosure forms: must include any political donations made to or for the benefit of the group and any political donations made by the group. Political donations received by the group include donations made by the group's members to the group.

If a group member donates to their group, the candidate who donated to their group must disclose making the donation to the group. The lead candidate of the group must disclose, in the group's disclosure form, receiving the donation from the candidate.

Were you a councillor or mayor in the half-yearly period?

Any person who was a councillor or mayor between 1 July 2021 and 31 December 2021 must submit an elected member disclosure form. This includes:

- those who were declared “elected” at the 2021 local government elections,
- elected members who contested the 2021 local government election but were not re-elected, and
- elected members who did not recontest the 2021 local government elections.

Disclosure forms to submit if you were a councillor or mayor

- If you were elected at the 2021 local government elections, you **must** submit:
 - an elected member disclosure form,
 - a candidate disclosure form, and
 - a group disclosure form (if you were the lead candidate of a group)
- If you were an elected member prior to the 2021 local government elections and you were a candidate but were not re-elected, you **must** submit:
 - an elected member disclosure form,
 - a candidate disclosure form, and
 - a group disclosure form (if you were the lead candidate of a group)
- If you were an elected member prior to the 2021 local government elections and you were not a candidate, you **must** submit:
 - an elected member disclosure form

An elected member disclosure form is to include political donations made to or for the benefit of the person as an elected member and political donations made by the elected member during the half yearly period. Political donations made by an elected member include membership fees, levies and other payments made by the elected member to the political party of which they are a member.

Political donations disclosed by a person in their elected member disclosure form do not also need to be disclosed in the person’s candidate disclosure form, and vice versa.

Were you a candidate for a councillor election and a mayoral election?

If you were a candidate for both a councillor election and a mayoral election in the same local government area the person responsible for the candidate can submit a single candidate disclosure form.

Can a disclosure form be amended?

Yes, a disclosure form previously submitted to the NSW Electoral Commission can be amended by the person responsible for the original disclosure or their successor. “Amended disclosure” forms can be submitted using [Funding and Disclosure Online](#), or are available on request.

What happens after a disclosure is made?

Disclosure forms are kept by the NSW Electoral Commission for at least six years and are published on the NSW Electoral Commission’s [website](#).

Disclosure forms may be subject to a compliance audit by the NSW Electoral Commission. You are required to retain complete and accurate records in relation to a disclosure for at least three years.

What happens if a disclosure form is not lodged, is lodged late or is incorrect or incomplete?

Breaching the legislative requirements for disclosures may constitute a criminal offence. The NSW Electoral Commission may issue warnings, penalties or prosecute offences including:

- failure to validly lodge a disclosure form by the due date
- lodging an incomplete disclosure without a reasonable excuse
- providing or withholding information knowing it will result in a false or misleading declaration by the person responsible for the disclosure
- making a false statement in a declaration on a disclosure form.

A disclosure form is taken to be invalidly lodged if:

- the incorrect form is used or pages are missing from the form
- the form has not been signed by the person who is responsible for signing the form
- the declaration section of the form has not been properly completed including the date the declaration was signed.

More information

The *Electoral Funding Act 2018* is available in full at legislation.nsw.gov.au.

For further information, contact us on 1300 022 011 or at fdc@elections.nsw.gov.au.

ORDINARY MEETING OF THE COUNCIL

September 9, 2021

BROKEN HILL CITY COUNCIL REPORT NO. 4/22SUBJECT: DELEGATION OF FUNCTIONS D21/53934**Recommendation**

1. That Broken Hill City Council Report No. 4/22 dated September 9, 2021, be received.
2. That Council notes the Schedule of Delegable Functions for the Broken Hill City Council attached to this report at Attachment 1.
3. That Broken Hill City Council delegate to the Mayor of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachment 2.
4. That Broken Hill City Council delegate to the Deputy Mayor of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachment 3.
5. That Broken Hill City Council delegate to the General Manager of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachment 4.
6. That the Mayor in consultation with the General Manager be authorised to determine the appropriate Council Officer who will act in the position of General Manager if the General Manager is sick or otherwise absent from work on leave, such appointment to cease upon the return to work of the General Manager; and that such person acting as General Manager pursuant to this resolution has all the functions, delegations, and sub-delegations given to the General Manager by the Council.

Executive Summary:

Due to the Broken Hill City Council Local Government Election held 4 December 2021 and this being the first meeting of the newly elected Council, it is necessary for Council to adopt the delegations of functions for the Mayor, Deputy Mayor, General Manager.

A Schedule of all delegable functions is attached to the report. These delegations will be sub-delegated to various staff by the General Manager as per his powers of sub-delegation under the *Local Government Act 1993, Section 378*.

Report:

Councils have certain functions and duties which they must perform, and certain powers which they may exercise, pursuant to *the Local Government Act 1993* as well as a range of other Acts. In most cases the relevant Acts grant those obligations and powers directly on the Council as a body. It is not practical or efficient for the Council as a body of elected members to perform the many functions or undertake the many duties and activities that are required in the day-to-day administration of the Council's roles and functions.

Delegations are the way in which the Council enables its Officers to undertake these duties on its behalf. Therefore, it is necessary for the Council to take formal steps to delegate the authority to make decisions, perform functions or undertake duties and activities on behalf of Council to the General Manager (this is pursuant to section 377 of the *Local Government Act 1993*).

There are a number of functions under the *Local Government Act 1993 Section 377* that Council cannot delegate. These are matters that Council must determine by resolution.

Sections 377 and 378 read as follows:

377 General power of the council to delegate

- (1) *A Council may, by resolution, delegate to the general manager or any other person to body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following:*
- a) The appointment of a General Manager,*
 - b) The making of a rate,*
 - c) A determination under section 549 as to the levying of a rate,*
 - d) The making of a charge,*
 - e) The fixing of a fee,*
 - f) The borrowing of money,*
 - g) The voting of money for expenditure on its works, services or operations,*
 - h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
 - i) The acceptance of tenders to provide services currently provided by members of staff of the council,*
 - j) The adoption of an operational plan under section 405,*
 - k) The adoption of a financial statement included in an annual financial report,*
 - l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
 - m) The fixing of an amount or rate for the carrying out by the Council of work on private land,*
 - n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the Council for the carrying out of any such work,*
 - o) The review of a determination made by the Council, and not by a delegate of the Council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
 - p) The power of the Council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
 - q) A decision under section 356 to contribute money of otherwise grant financial assistance to persons,*
 - r) A decision under section 234 to grant leave of absence to the holder of a civic office,*
 - s) The making of an application, or the giving of a notice, to the Governor or Minister,*
 - t) This power of delegation,*
 - u) Any function under this or any other Act that is expressly required to be exercised by resolution of the Council.*

- (1A) *Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if:*
 - (a) *The financial assistance is part of a specified program, and*
 - (b) *The program is included in the council’s draft operational plan for the year in which the financial assistance is proposed to be given, and*
 - (c) *The program’s proposed budget for that year does not exceed 5 per cent of the council’s proposed income from the ordinary rates levied for that year, and*
 - (d) *The program applies uniformly to all persons within the council’s area or to a significant proportion of all the persons within the council’s area.*

- (2) *A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.*

- (3) *A council may delegate functions to a joint organisation only with the approval, by resolution, of the board of the joint organisation.*

378 Delegations by the general manager

- (1) *The general manager may delegate any of the functions of the general manager, other than this power of delegation.*

- (2) *The general manager may sub-delegate a function delegated to the general manager by the council to any person or body (including another employee of the council).*

- (3) *Subsection (2) extends to a function sub-delegated to the general manager by the council under section 377(2).*

Under section 377 and 378 of the *Local Government Act 1993*, Council cannot delegate functions directly to an employee of Council. Rather, this must be done by first delegating to the General Manager who in turn sub-delegates to an employee. The General Manager therefore must be delegated the necessary functions to be able to sub-delegate those functions to an employee.

Attached to the report is a schedule of all delegable functions along with draft delegations recommended for the Mayor, Deputy Mayor and the General Manager. The draft delegations provide a standardised approach to the issuing of delegations which refer to a Schedule of Delegable Functions. This Schedule is updated by Local Government Legal and reflects changes to Acts and Regulations that affect Local Government.

Compliance with Council’s policies are also included in Council’s Instruments of Delegations as well as delegations from third party authorities.

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, Sections 377-381.

Financial Implications:

Annual subscription to Local Government Legal's Delegations Database is \$6,050.00. This expenditure is included in the 2021/2022 Budget.

Attachments

1. [↓](#) Schedule of Delegable Functions
2. [↓](#) Draft Delegations of Functions - Mayor
3. [↓](#) Draft Delegations of Functions - Deputy Mayor
4. [↓](#) Draft Delegations of Functions - General Manager

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

Schedule of Delegable Functions

Code	Function
Aged Care Act 1977	
AC Act 000	<p>Aged Care Approved Provider:</p> <p>Authority to act on behalf of the Council as a local government authority Approved Provider for the purposes of the Aged Care Act 1997 (Cth) and associated legislation.</p> <p>Pursuant to</p> <p>Aged Care Act 1977 (Cth)</p>
Australia's Foreign Relations (State and Territory Arrangements) Act 2020 (Cth)	
AFR Act 000	<p>All functions:</p> <p>Authority to act on behalf of the Council as a State/Territory entity for the purposes of the Australia's Foreign Relations (State and Territory Arrangements) Act 2020 (Cth) and associated legislation.</p> <p>Pursuant to</p> <p>Australia's Foreign Relation (State and Territory Arrangements) Act 2020</p>
Aviation Transport Security Act 2004 (Cth)	
ATS Act 001	<p>Transport Security Program:</p> <p>Authority on behalf of the Council as an aviation industry participant to undertake all functions in relation to a transport security program in accordance with Part 2 of the Aviation Transport Security Act 2004 (Cth).</p> <p>Pursuant to</p> <p>Part 2 and in particular ss18 and 22 and 23A and 26A</p>
ATS Act 000	<p>All functions:</p> <p>Authority to exercise and or perform on behalf of the Council the Council's delegable functions as an airport operator and/or an aviation industry participant under this Act and the Regulations in force as amended from time to time.</p>

	<p>Pursuant to</p> <p>Aviation Transport Security Act 2004 and Aviation Transport Security Regulation 2005.</p>
Biodiversity Conservation Act 2016	
BC Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Biodiversity Conservation Act 2016</p>
BC Act 001	<p>Agreements:</p> <p>Authority on behalf of the council, being a public authority that owns or has the control and management of Crown land or lands of the Crown, to enter into a biodiversity stewardship agreement, conservation agreement or wildlife refuge agreement, or a joint management agreement.</p> <p>Pursuant to</p> <p>ss5.9(2), 5.21(2) and 5.28(2) and clause 2.25 of the Biodiversity Conservation Regulation 2017.</p>
BC Act 002	<p>Biodiversity Offsets:</p> <p>Authority to participate as the owner of land in the Biodiversity Offsets Scheme, including to apply for registration of a transfer of, or to retire, a biodiversity credit and appeal as the holder of a biodiversity credit to the Land and Environment Court.</p> <p>Pursuant to</p> <p>Part 6</p>
BC Act 003	<p>Biodiversity certification:</p> <p>Authority to apply for biodiversity certification, request that the application be declared a strategic application and enter into an agreement in connection with an application for biodiversity certification.</p> <p>Pursuant to</p> <p>ss8.5(1)(a), (2)(c) and (6)</p>

BC Act 004	<p>Biodiversity certification agreement:</p> <p>Authority to enter into a biodiversity certification agreement and apply to modify such an agreement.</p> <p>Pursuant to</p> <p>ss 8.16(3) and 8.22(2)(a)</p>
BC Act 005	<p>Disputes:</p> <p>Authority as a party to a biodiversity certification or biodiversity certification agreement, to refer a dispute to the Premier.</p> <p>Pursuant to</p> <p>s8.25</p>
BC Act 006	<p>Civil proceedings:</p> <p>Authority to bring proceedings in the Land and Environment Court to remedy or restrain a breach of the Act or regulations or Part 5A of the Local Land Services Act 2013, or breach of a biodiversity stewardship, private land conservation or biodiversity certification agreement.</p> <p>Pursuant to</p> <p>Part 13, Division 2</p>
BC Act 007	<p>Opinion as to significant affect:</p> <p>Authority on behalf of the council as consent authority to determine whether development or an activity is likely to significantly affect threatened species and hold an opinion as to whether a proposed development is likely to have serious and irreversible impacts on biodiversity values and be satisfied that an application for modification of development consent will not increase the impact on biodiversity values, in accordance with Part 7</p> <p>Pursuant to</p> <p>Part 7</p>
Biodiversity Conservation Regulation 2017	
BC Reg 001	<p>Biodiversity Values Map:</p> <p>Authority to hold the opinion on behalf of the Council that land contains vegetation connectivity features or threatened species habitat for the purposes of inclusion in the Biodiversity Values Map.</p>

	Pursuant to clause 7.3(3)(j)
Biosecurity Act 2015	
Bio Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of the Council as the Local Control Authority, the Council's delegable functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Pursuant to the Biosecurity Act 2015</p>
Bio Act 001	<p>Appointment of Authorised Officers:</p> <p>Authority to appoint authorised officers in relation to weeds in accordance with Part 22 Division 2 of the Biosecurity Act 2015.</p> <p>Pursuant to</p> <p>Pursuant to section 372 of the Biosecurity Act 2015.</p>
Bio Act 002	<p>Recovery of Fees:</p> <p>Authority to charge and recover fees charged, or costs and expenses incurred by the Council acting as local control authority in connection with the exercise of functions by an authorised officer appointed by the Council, in accordance with Part 20 of the Biosecurity Act 2015.</p> <p>Pursuant to</p> <p>Pursuant to s373(1) of the Biosecurity Act</p>
Bio Act 005	<p>Biosecurity Directions and Undertakings:</p> <p>Authority to exercise the powers of the Secretary with respect to any biosecurity direction given by, or any biosecurity undertaking executed by an authorised officer appointed by the local control authority.</p> <p>Pursuant to</p> <p>Pursuant to s372(4) of the Biosecurity Act</p>
Bio Act 003	Arrangements for joint exercise of functions:

	<p>Authority to enter into an arrangement for the joint exercise of functions on behalf of the Council as a local control authority.</p> <p>Pursuant to</p> <p>Pursuant to s374 Biosecurity Act</p>
Bio Act 004	<p>Order requiring compliance with biosecurity undertaking:</p> <p>Authority to apply to the Land and Environment Court for an order if a person contravenes a biosecurity undertaking.</p> <p>Pursuant to</p> <p>Pursuant to s148(1)</p>
Bio Act 007	<p>Revocation of Biosecurity Direction:</p> <p>Authority to revoke or vary a biosecurity direction given by an authorised officer appointed by the Council.</p> <p>Pursuant to</p> <p>Pursuant to s125(3)</p>
Bio Act 006	<p>Exemption for watercourses:</p> <p>Authority to exempt the whole or part of a watercourse, river or inland water from the duty to control aquatic weeds.</p> <p>Pursuant to</p> <p>Pursuant to clause 4(5) of Schedule 1</p>
Bio Act 008	<p>Certificate as to Weed Control Notices:</p> <p>Authority to issue a Certificate as to weed control notices, expenses and charges on land.</p> <p>Pursuant to</p> <p>Schedule 7, clause 28</p>
Boarding Houses Act 2012	
BH Act 001	<p>Power of entry:</p>

	<p>Authority to authorise a person to enter a premises of a registered boarding house for the purpose of conducting an initial compliance investigation and issue an authority to enter premises under section 25. Authority to recover an approved fee in association with an initial compliance investigation in accordance with section 23.</p> <p>Pursuant to sections 17, 23 and 25</p>
BH Act 002	<p>Notice of Entry:</p> <p>Authority to give the proprietor or manager of the premises of a registered boarding house written notice of the intention to enter the premises in accordance with section 19 and to give a notification or use of force or urgent entry in accordance with section 21.</p> <p>Pursuant to sections 19 and 21 of the Boarding Houses Act 2012.</p>
BH Act 003	<p>Reasonable use of force:</p> <p>Authority to authorise the reasonable use of force in gaining entry to a premises to conduct an initial compliance investigation.</p> <p>Pursuant to section 20 of the Boarding Houses Act 2012.</p>
BH Act 004	<p>Exchange of information:</p> <p>Authority to enter into an information sharing arrangement with an administrator of the Boarding Houses Act 2012.</p> <p>Pursuant to section 94</p>
BH Act 005	<p>Court Proceedings:</p> <p>Authority to commence proceedings for an offence against a provision of Part 2 (Registration of Boarding Houses) of the Boarding Houses Act 2012.</p> <p>Pursuant to section 99 of the Boarding Houses Act 2012.</p>

BH Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Boarding Houses Act 2012</p>
Building and Development Certifiers Act 2018	
BPC Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Building and Development Certifiers Act 2018 and Building and Development Certifiers Regulation 2020</p>
BDC Act 001	<p>Contracts for certification work:</p> <p>Authority to execute a written contract for certification work to be done in the name of or on behalf of the council.</p> <p>Pursuant to</p> <p>section 31</p>
BDC Act 002	<p>Exchange of Information:</p> <p>Authority to enter into an arrangement with the Secretary for the purpose of sharing or exchanging information in accordance with s108 of the <i>Building and Development Certifiers Act 2018</i>.</p> <p>Pursuant to</p> <p>section 108</p>
BDC Act 003	<p>Carrying out certification work:</p> <p>Authority to carrying out certification work of a class prescribed by the regulations that is done in the name of or on behalf of the council.</p> <p>Pursuant to</p>

	section 112
Building and Development Certifiers Regulation 2020	
BDC Reg 001	<p>Appropriate person:</p> <p>Authority on behalf of the Council as a building owner to give a written opinion that a person is competent to exercise the function of an accredited practitioner (fire safety) under Divisions 4 and 5 of Part 9 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>Pursuant to</p> <p>Clause 65(1)(b)</p>
Building Products (Safety) Act 2017	
BP(S) Act 000	<p>All Functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Building Products (Safety) Act 2017</p>
BP(S) Act 001	<p>Building Product Rectification Order:</p> <p>Authority on behalf of the Council as a relevant enforcement agency to make a building product rectification order, including to be satisfied on reasonable grounds that the building is an affected building.</p> <p>Pursuant to</p> <p>section 20 of the Building Products (Safety) Act 2017</p>
BP(S) Act 002	<p>Exchange of information:</p> <p>Authority to enter into an information sharing arrangement with the Commissioner for Fair Trading, Department of Finance, Services and Innovation.</p> <p>Pursuant to</p> <p>section 86 Building Products (Safety) Act 2017</p>

Cemeteries and Crematoria Act 2013	
C&C Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Cemeteries and Crematoria Act 2013</p>
C&C Act 001	<p>Cemeteries Register:</p> <p>Authority to notify the Cemeteries Agency in relation to the Cemeteries and Crematoria Register.</p> <p>Pursuant to</p> <p>s27 Cemeteries and Crematoria Act 2013</p>
C&C Act 002	<p>Notice appeal:</p> <p>Authority to appeal against an improvement notice issued by the Cemeteries Agency.</p> <p>Pursuant to</p> <p>s33(5) Cemeteries and Crematoria Act 2013</p>
C&C Act 003	<p>Comply with Notice / Order:</p> <p>Authority to take any actions to comply with an improvement notice in accordance with section 33 or short term order in accordance with section 36 issued by the Cemetery Agency. Authority to give, withdraw or vary an enforceable undertaking in accordance with section 39 and report to the Cemeteries Agency as required by a notice in accordance with section 41.</p> <p>Pursuant to</p> <p>ss33, 36, 39 and 41 of the Cemeteries and Crematoria Act 2013</p>
C&C Act 004	<p>Interment right:</p> <p>Authority to grant or renew, transfer to another person or transfer to the cemetery operator, an interment right.</p> <p>Pursuant to</p>

	s47, s58 and s59 of the Cemeteries and Crematoria Act 2013
C&C Act 005	<p>Cemetery Operators Register:</p> <p>Authority to keep and amend the cemetery operator's register in accordance with section 63 and make a copy of an entry in the register available in accordance with 63(10).</p> <p>Pursuant to</p> <p>s63 Cemeteries and Crematoria Act 2013</p>
C&C Act 006	<p>Heritage Advisory Committee:</p> <p>Authority to establish a heritage advisory committee, and appoint a chairperson of the committee, in accordance with section 69.</p> <p>Pursuant to</p> <p>s69 Cemeteries and Crematoria Act 2013</p>
C&C Act 007	<p>Advice of committee:</p> <p>Authority to seek advice of the heritage advisory committee in accordance with section 69(2).</p> <p>Pursuant to</p> <p>s69 Cemeteries and Crematoria Act 2013</p>
C&C Act 008	<p>Conversion of Cemeteries:</p> <p>Authority to exercise the council's functions under Schedule 4 (Conversion of Cemeteries) including considering and determining objections and making an application to the Minister that the whole or any part of the land referred to in a resolution of council under clause 3 be declared as a public park and authority to determine to preserve, or remove and preserve or dispose of a monument in accordance with the relevant provisions.</p> <p>Pursuant to</p> <p>Schedule 4 (Conversion of Cemeteries) of the Cemeteries and Crematorium Act 2013.</p>
Children (Protection and Parental Responsibility) Act 1997	
CPPR Act 001	Operational Area:

	<p>Authority to request the Attorney General to declare (or revoke a declaration) that an area is an operational area for the purposes of Division 2 of Part 3.</p> <p>Pursuant to sections 14 and 16</p>
CPPR Act 002	<p>Prepare draft Crime Prevention Plan:</p> <p>Authority to prepare a draft local crime prevention plan for the council's area</p> <p>Pursuant to Section 31(1)</p>
CPPR Act 003	<p>Prepare draft Crime Prevention Plan:</p> <p>Authority to request assistance from the Attorney-General in preparing draft plan</p> <p>Pursuant to Section 31(2)</p>
CPPR Act 004	<p>Prepare draft Crime Prevention Plan:</p> <p>Authority to publicise the intention to prepare a draft plan and seek and consider submissions on intention to prepare draft plan</p> <p>Pursuant to Section 31(3)</p>
CPPR Act 005	<p>Prepare draft Crime Prevention Plan:</p> <p>Authority to place draft plan on public exhibition</p> <p>Pursuant to Section 34</p>
CPPR Act 006	<p>Prepare draft Crime Prevention Plan:</p>

	<p>Authority to seek and consider submissions on draft plan</p> <p>Pursuant to</p> <p>Sections 34 and 35</p>
CPPR Act 007	<p>Prepare draft Crime Prevention Plan:</p> <p>Authority to adopt draft plan with or without amendments</p> <p>Pursuant to</p> <p>Section 35</p>
CPPR Act 008	<p>Prepare draft Crime Prevention Plan:</p> <p>Authority to amend or revoke plan</p> <p>Pursuant to</p> <p>Section 37</p>
CPPR Act 009	<p>Prepare draft Crime Prevention Plan:</p> <p>Authority to request the Attorney-General to approve a draft Local Crime Prevention Plan or adopted Local Crime Prevention Plan as a safer community compact</p> <p>Pursuant to</p> <p>Section 39</p>
CPPR Act 010	<p>Apply for financial assistance:</p> <p>Where there is or is proposed to be a safer community compact for a council's area, authority to apply to the Attorney General for financial assistance in accordance with section 40.</p> <p>Pursuant to</p> <p>Section 40</p>
CPPR Act 000	<p>All functions:</p>

	<p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Children (Protection and Parental Responsibility) Act 1997</p>
Children's Guardian Act 2019	
CG Act 000	<p>All functions under Part 4:</p> <p>Authority to exercise and/or perform on behalf of the Council, all delegable Functions of the General Manager (being the "head" of the relevant entity) under Part 4 of the Act, other than the power of delegation.</p> <p>Pursuant to</p> <p>Part 4 and Section 65</p>
Civil Aviation Act 1988 (Cth)	
CivA Act 001	<p>Civil Aviation Authorisation:</p> <p>Authority on behalf Council as the operator of an aerodrome to undertake all functions in relation to any necessary civil aviation authorisation as amended from time to time.</p> <p>Pursuant to</p> <p>Civil Aviation Act 1998 and Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998</p>
CA Act 000	<p>All functions:</p> <p>Authority to exercise and perform on behalf of the Council the Council's delegable functions under the Civil Aviation Act 1988, Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998, as amended from time to time.</p> <p>Pursuant to</p> <p>Civil Aviation Act 1988, Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998</p>
Commons Management Act 1989	
CM Act 001	<p>Manage affairs of trust:</p> <p>Authority to decide whether to accept appointment to manage affairs of trust</p>

	<p>Pursuant to</p> <p>Section 7(2)</p>
CM Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Commons Management Act 1989</p>
Community Land Development Act 1989	
CLD Act 001	<p>Compliance Certificate - Community Development and Precinct Land:</p> <p>Authority to grant a certificate in relation to the subdivision of a community development lot by a community plan of subdivision or subdivision of a precinct development lot by a precinct plan of subdivision in accordance with sections 8(4)(a) and 12(4)(a) respectively.</p> <p>Authority to issue a certificate signifying consent to the conversion of a community development lot to community property or neighbourhood lot to neighbourhood property under Schedule 6(1)(c) and Schedule 7(1)(c) respectively, or a certificate signifying consent to severing a community development lot from a community scheme, or a precinct development lot from a precinct scheme under Schedule 8(1)(b).</p> <p>Pursuant to</p> <p>Section 8(4)(a), 12(4)(a), Schedules 6(1)(c), 7(1)(c) and 8(1)(b).</p>
CLD Act 002	<p>Development Contracts:</p> <p>Authority to certify a development contract in accordance with section 26(5) and approve the registration of an amendment of a development contract in accordance with section 27(2)(b)</p> <p>Pursuant to</p> <p>sections 26(5) and 27(2)(b)</p>
CLD Act 003	<p>By-laws:</p> <p>Authority to request that a community management statement or neighbourhood management statement includes specified by-laws.</p> <p>Pursuant to</p>

	Schedule 3(4), Schedule 4(4)
CLD Act 004	<p>Variation or termination of schemes:</p> <p>Authority to represent the council as a party to Supreme Court proceedings to vary or terminate a scheme under sections 70 and 71, and authority to consent to the termination of a neighbourhood scheme under section 72.</p> <p>Pursuant to</p> <p>Section 71(3)</p>
CLD Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Community Land Development Act 1989</p>
Community Land Management Act 1989	
CLM Act 001	<p>Amendment of Development Contract:</p> <p>Authority to approve the amendment of a development contract and grant a development consent compliance certificate.</p> <p>Pursuant to</p> <p>section 16</p>
CLM Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Community Land Management Act 1989</p>
Companion Animals Act 1998	
CA Act 001	<p>Notice Requiring registration:</p>

	<p>Authority to issue a notice requiring a companion animal to be registered.</p> <p>Pursuant to section 10B of the Companion Animals Act 1998</p>
CA Act 002	<p>Companion Animals killed by Traffic:</p> <p>Authority to act in relation to companion animals killed by traffic.</p> <p>Pursuant to section 11A</p>
CA Act 003	<p>Appointment of authorised officers:</p> <p>Authority to authorise an employee of the council as an authorised officer and provide the person with an identification card under section 69F of the Companion Animals Act 1998</p> <p>Pursuant to section 5 (definitions)</p>
CA Act 004	<p>Off-leash Area:</p> <p>Authority to declare a public place to be an off-leash area in accordance with section 13(6).</p> <p>Pursuant to section 13(6)</p>
CA Act 005	<p>Prohibition in public places:</p> <p>Authority to make orders prohibiting dogs from recreation areas, public bathing areas, shopping areas and wildlife protection areas and to prohibit cats from wildlife protection areas</p> <p>Pursuant to sections 14 and 30</p>
CA Act 006	<p>Revoke declaration:</p>

	<p>Authority to revoke a dangerous dog declaration in accordance with section 39 and revoke a declaration by an authorised officer that a dog is a restricted dog in accordance with section 58D, and give notice of revocation or of non revocation.</p> <p>Pursuant to sections 39, 40 and 58D, 58DA</p>
CA Act 007	<p>Act in Court proceedings:</p> <p>Authority to act in any local court appeal proceedings in relation to companion animals, including appeal proceedings against the making of a dangerous dog declaration or refusal to revoke a dangerous dog declaration and an appeal to the District Court against disqualification from owning a dog or cat.</p> <p>Pursuant to section 41, 44, 46, 24</p>
CA Act 008	<p>Commence Court Proceedings:</p> <p>Authority, subject to the General Manager's consent, to institute and carry on proceedings in the Local Court for an offence against the Companion Animals Act 1998</p> <p>Pursuant to section 93</p>
CA Act 009	<p>Unclaimed seized or surrendered animals:</p> <p>Authority to sell or destroy unclaimed seized or surrendered animals, and recover fees, charges and expenses from an owner</p> <p>Pursuant to section 64 and 64A and 66 and 67(a)</p>
CA Act 010	<p>Arrangement with Departmental Chief-Executive:</p> <p>Authority to enter into an agreement or arrangement with the Departmental Chief Executive in accordance with section 83J.</p> <p>Pursuant to section 83J</p>
CA Act 012	<p>Fees:</p>

	<p>Authorise any fee or charge payable under this Act:</p> <p>(a) to be paid by instalments, and</p> <p>(b) to be reduced or waived in respect of persons in receipt of a pension, benefit or allowance under the <i>Social Security Act 1991</i> of the Commonwealth.</p> <p>Pursuant to</p> <p>section 95</p>
CA Act 013	<p>Notify nuisance dog or cat order:</p> <p>Authority to notify Director General of issuing of nuisance dog or cat order</p> <p>Pursuant to</p> <p>section 32A(6)</p> <p>section 31(6)</p>
CA Act 014	<p>Destroy animal:</p> <p>Authority to destroy dog seized in transition period</p> <p>Pursuant to</p> <p>section 57(5)</p>
CA Act 015	<p>Detain animal:</p> <p>Authority to detain animal which is being investigated or is the subject of proceedings</p> <p>Pursuant to</p> <p>section 64(3A)</p>
CA Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p>

	Companion Animals Act 1998
CA Act 016	<p>Notice for permit for companion animal:</p> <p>Authority to give the owner of a companion animal a notice requiring the owner to apply for a Permit under Part 2A.</p> <p>Pursuant to section 11E</p>
Companion Animals Regulation 2018	
CA Regulation 001	<p>Registration Agent:</p> <p>Authority to act on behalf of Council as a registration agent for the purposes of companion animals registration including serving a notice requiring an animal to be registered under clause 24 of the Regulation.</p> <p>Pursuant to Clause 13 and 24 of the Companion Animals Regulation 2018</p>
Contaminated Land Management Act 1997	
CLMM Act 001	<p>Management Orders:</p> <p>Authority, where the Council is the subject of a management order or approved voluntary management proposal made under Part 3 of the CLM Act, to carry out, or cause to be carried out, any requirement of such an order or proposal.</p> <p>Pursuant to sections 30 and 31</p>
CLMM Act 002	<p>Voluntary management proposals:</p> <p>Authority to prepare and submit a voluntary management proposal to the EPA for contaminated land owned by Council</p> <p>Pursuant to section 17</p>
CLMM Act 003	Costs:

	<p>Authority to issue a notice requiring payment of any reasonable costs incurred by Council in carrying out the requirements of an investigation or remediation order, including the entry into an arrangement for the payment of those costs, and apply to Registrar General to register a costs notice and to remove such notice</p> <p>Pursuant to</p> <p>Sections 35, 39, 41</p>
CLMM Act 004	<p>Disputes between EPA and public authorities:</p> <p>Authority to refer a dispute between the EPA and Council to the Premier for settlement in accordance with this section 102</p> <p>Pursuant to</p> <p>Section 102</p>
CLMM Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Contaminated Land Management Act 1997</p>
Conveyancing Act 1919	
C Act 001	<p>Restrictions on use of land and public positive covenants (land held by prescribed authority):</p> <p>Authority to, by order, impose restrictions on the use of or impose public positive covenants on any prescribed land vested in the council, and vary any such restriction or covenant and rescind or revoke any such order, in accordance with section 88D.</p> <p>Pursuant to</p> <p>Section 88D</p>
C Act 002	<p>Restrictions on use of land and public positive covenants (land NOT held by prescribed authority):</p> <p>Authority to impose restrictions on the use of land or impose a public positive covenant on any land not vested in the council in accordance with section 88E.</p> <p>Pursuant to</p>

	Section 88E
C Act 003	<p>Effect of certain positive covenants:</p> <p>Authority to, on behalf of the council as the prescribed authority with the benefit of a public positive covenant over land, inspect the land, insure a structure, carry out development, recover expenses incurred and apply for registration of a charge over land in accordance with section 88F.</p> <p>Pursuant to</p> <p>Section 88F</p>
C Act 004	<p>Certificate of amount due:</p> <p>Authority to issue a certificate of amount due in accordance with section 88G.</p> <p>Pursuant to</p> <p>Section 88G</p>
C Act 005	<p>Enforcement of Covenants:</p> <p>Authority to apply to the Court on behalf of the council as a prescribed authority, to enforce a covenant imposing a restriction on the use of land or a positive covenant by seeking an injunction in accordance with section 88H, or for an order that the land be conveyed or transferred to the authority in accordance with section 88I or for an order requiring the delivery of any deed, certificate of title or other instrument relating to the title to the land in accordance with section 88J.</p> <p>Pursuant to</p> <p>sections 88H, 88I and 88J</p>
C Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Conveyancing Act 1919</p>
C Act 006	<p>Creation and release of easements, profits ? prendre and restrictions on use of land by plans:</p> <p>Authority to sign a s88B instrument on behalf of the council, except the "surrender of any land" owned by the council.</p>

	<p>Pursuant to</p> <p>Section 88B of the <i>Conveyancing Act 1919</i> and the lodgement rules under the <i>Real Property Act 1900</i>.</p>
Crown Land Management Act 2016	
CL Act 001	<p>Functions of Crown Land Managers:</p> <p>Authority to carry out all the functions of the Council acting as a Crown Land Manager of specified dedicated or reserved Crown Land, which includes the functions of the Council under the <i>Local Government Act 1993</i> in respect of public land, being either operational or community land, including to prepare a draft Plan of Management, to grant an approval and to grant leases and licences.</p> <p>Pursuant to</p> <p>s2.21(4), Divisions 3.3 and 3.4, 3.6 (s3.33(2)) and 3.7</p>
CL Act 002	<p>Notices prohibiting structure or land use:</p> <p>Authority on behalf of Council as a Crown Land Manager to cause a notice to be displayed that prohibits persons from carrying out an activity on Crown land, in accordance with s9.5(2).</p> <p>Pursuant to</p> <p>s9.5(2)</p>
CL Act 003	<p>Directions re vehicles on Crown land:</p> <p>Authority on behalf of Council as a Crown Land Manager to give reasonable directions to persons concerning the entry, use and parking or storage of vehicles on Crown land for the purpose of preventing danger or harm to persons, animals, structures or property.</p> <p>Pursuant to</p> <p>s9.6(4)</p>
CL Act 004	<p>Authorisation of employees:</p> <p>Authority on behalf of Council as a Crown Land Manager to authorise an employee of the Council (an "authorised employee") to exercise functions under s9.12.</p> <p>Pursuant to</p>

	s9.12(1)(b)
CL Act 005	<p>Transitional Reserve Trust:</p> <p>Authority to continue to carry out functions associated with Council acting as a reserve trust manager for the continuation period in accordance with clause 10A of Schedule 7.</p> <p>Pursuant to</p> <p>clause 10A of Schedule 7</p>
CL Act 000	<p>All Functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Crown Land Management Act 2016 and Crown Land Management Regulation 2018</p>
Crown Land Management Regulation 2018	
CL Regulation 001	<p>Functions of Responsible Manager:</p> <p>Authority to carry out the functions of the Council as the responsible manager (the Crown Land Manager) of dedicated or reserved Crown Land. The functions of a responsible manager include to set aside any part of the land (including any building or enclosure in or on the land) for any purpose for which the land may be used (clause 6), to determine conditions of entry and designate entrance and exit points (clause 8) and give a direction or written consent to do things (clause 10).</p> <p>Pursuant to</p> <p>Part 2, Division 1 of the Crown Land Management Regulation 2018</p>
Dams Safety Act 2015	
DS Act 000	<p>All Functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulation in force as amended from time to time.</p> <p>Pursuant to</p> <p>Dams Safety Act 2015</p>

DS 001	<p>Arrangement with Dams Safety NSW:</p> <p>Authority on behalf of Council to enter into an arrangement with Dams Safety NSW.</p> <p>Pursuant to</p> <p>s49 Dams Safety Act 2015</p>
Dangerous Goods (Road and Rail Transport) Act 2008	
DG Act 001	<p>Costs Recovery:</p> <p>Authority to recover costs and expenses incurred or the amount of loss or damage suffered in connection with an incident in accordance with the Dangerous Goods (Road and Rail Transport) Act 2008.</p> <p>Pursuant to</p> <p>sections 56, 57 and 68 of the Dangerous Goods (Road and Rail Transport) Act 2008</p>
DG Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable functions under this Act and the Regulations made under this Act in force and as amended from time to time.</p> <p>Pursuant to</p> <p>The Dangerous Goods (Road and Rail Transport) Act 2008 and Dangerous Goods (Road and Rail Transport) Regulation 2014</p>
Disability Inclusion Act 2014	
DI Act 2014	<p>All Functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable functions under this Act and any Regulation made under this Act in force from time to time.</p> <p>Pursuant to</p> <p>The Disability Inclusion Act 2014</p>
DI Act 001	<p>Agreement:</p> <p>Authority to enter into an agreement about financial assistance.</p>

	<p>Pursuant to section 30 of the Disability Inclusion Act 2014.</p>
Environmental Planning and Assessment Act 1979	
EPA Act 001	<p>LEP Planning Proposals:</p> <p>Authority to carry out the steps associated with the making of a local environmental plan, as the planning proposal authority, including preparing a planning proposal, requiring the owner to carry out studies or provide other information or pay the costs of the authority, carrying out community consultation and forwarding a planning proposal to the Minister (or the Greater Sydney Commission), in accordance with Part 3, Division 3.4 of the EP&A Act.</p> <p>Pursuant to Part 3 Division 3.4 of the EP&A Act</p>
EPA Act 002	<p>Prepare DCP:</p> <p>Authority to prepare, on behalf of the council as the relevant planning authority, a development control plan in accordance with Division 3.6.</p> <p>Pursuant to section 3.43 and generally Division 3.6</p>
EPA Act 004A	<p>Evaluation of DA:</p> <p>Authority to carry out all functions of the council as consent authority associated with the administration and evaluation of an application for development consent associated with the administration and assessment of an application for development consent.</p> <p>Pursuant to Part 4 of the EP&A Act and Part 6 of the EP&A Regulation.</p>
EPA Act 005	<p>Determinations and decisions subject to review:</p> <p>Authority to conduct a review of a determination of an application for development consent, the modification of a development consent and the decision of a council to reject and not determine an application for development consent.</p> <p>Pursuant to</p>

	section 8.2
EPA Act 007	<p>Complying Development:</p> <p>Authority to evaluate and determine an application for complying development in accordance with section 4.28 and modification of a complying development certificate in accordance with section 4.30.</p> <p>Pursuant to</p> <p>section 4.28 and 4.30 and generally Part 4, Division 4.5</p>
EPA Act 009	<p>Extension of lapsing period:</p> <p>Authority to determine an application for a 1-year extension of a consent in accordance with section 4.54.</p> <p>Pursuant to</p> <p>section 4.54</p>
EPA Act 010	<p>Voluntary Planning Agreements:</p> <p>Authority to enter into, or agree to the revocation or amendment of, a voluntary planning agreement in accordance with Division 7.1, Subdivision 2.</p> <p>Authority to execute Voluntary Planning Agreements on behalf of Council where agreement approved by council resolution</p> <p>Pursuant to</p> <p>Section 7.4</p>
EPA Act 011	<p>Developer Contributions:</p> <p>Authority to impose conditions of development consent imposing developer contributions</p> <p>Pursuant to</p> <p>Section 7.11 and 7.12</p>
EPA Act 012	<p>Preparation of contributions plan:</p> <p>Authority to prepare a draft contributions plan in accordance with section 7.18</p> <p>Pursuant to</p>

	Section 7.18
EPA Act 013	<p>Application for Modification:</p> <p>Authority to determine an application for modification of a consent, in accordance with section 4.55 or 4.56 and to form the opinion that a modification is of minimal environmental impact.</p> <p>Pursuant to</p> <p>Sections 4.55 and 4.56 of the EP&A Act and cl.117 of the EP&A Regulation</p>
EPA Act 015	<p>Revocation or modification of consent:</p> <p>Authority to revoke or modify a development consent in accordance with section 4.57.</p> <p>Pursuant to</p> <p>Section 4.57</p>
EPA Act 016	<p>Building and Subdivision Certificates:</p> <p>Authority to issue Part 6 Certificates in accordance with Part 6 of the EP&A Act and all associated and ancillary functions including to require additional information.</p> <p>Pursuant to</p> <p>Sections 6.5 and generally Part 6 of the EP&A Act and Parts 7 and 8 of the EP&A Regulation.</p>
EPA Act 017	<p>Principal Certifier:</p> <p>Authority to act on behalf of the council as the principal certifier appointed in respect of building or subdivision work under Part 6.</p> <p>Pursuant to</p> <p>Section 6.5 and generally Part 6 of the EP&A Act</p>
EPA Act 018	<p>Agreement as to work:</p> <p>Authority to reach agreement on behalf of the consent authority with an applicant for a subdivision certificate in circumstances where the work has not yet been completed, in accordance with section 6.15(2)(c).</p> <p>Pursuant to</p>

	Section 6.15(2)(c)
EPA Act 019	<p>Part 5 consideration:</p> <p>Authority, on behalf of the council as the determining authority in relation to an activity under Part 5, to examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity in accordance with section 5.5 and Part 7 of the Biodiversity Conservation Act 2016.</p> <p>Pursuant to</p> <p>Section 5.5</p>
EPA Act 020	<p>Activities for which EIS required:</p> <p>Authority to determine whether to grant an approval in relation to an activity to which Division 5.1 Subdivision 3 (where an EIS is required) applies.</p> <p>Pursuant to</p> <p>Section 5.7</p>
EPA Act 021	<p>Appointment of Investigation Officers:</p> <p>Authority to appoint a person as a Council Investigation Officer for the purposes of Division 9.2 and to authorise a person to be an Authorised Person for the purposes of section 9.58 (Penalty notices as to certain offences).</p> <p>Pursuant to</p> <p>Section 9.14 of the Environmental Planning & Assessment Act 1979 and clause 284((3)(c) of the Environmental Planning & Assessment Regulation 2000.</p>
EPA Act 022	<p>Investigation Authority powers:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions as an "investigation authority" under Division 9.2, including: Authority to give the owner or occupier of premises written notice of the intention of an investigation officer to enter the premises, in accordance with section 9.17. Authority to authorise in writing (either generally or in a particular case) entry without notice if entry is required urgently in accordance with section 9.17(4)(d). Authority to give notice that an investigation officer used force for the purpose of gaining entry to premises in accordance with section 9.21(2). Authority to require a corporation to nominate a director or officer of the corporation in accordance with section 9.23(2). Authority to give the owner or occupier of premises written notice requiring the owner/occupier to provide reasonable assistance and facilities to an investigation officer in accordance with section 9.27. Authority to recover the reasonable costs of entry and inspection from the owner or occupier of the premises in accordance with section 9.29.</p> <p>Pursuant to</p>

	Division 9.2
EPA Act 026	<p>Settlement of disputes:</p> <p>Authority to submit a dispute to the Premier or the Minister for Planning and Infrastructure for settlement in accordance with section 10.2</p> <p>Pursuant to</p> <p>Section 10.2</p>
EPA Act 027	<p>Development Control Orders:</p> <p>Authority to exercise Council's functions under Division 9.3 and Schedule 5 as the relevant enforcement authority in relation to Development Control Orders.</p> <p>Pursuant to</p> <p>Division 9.3 and Schedule 5</p>
EPA Act 031	<p>Development Control Orders (representations and determinations):</p> <p>Authority to hear and consider representations as a nominated person and determine to give an order in accordance with the proposed order or in accordance with modification or not to give an order.</p> <p>Pursuant to</p> <p>Clause 14 and 15 of Schedule 5</p>
EPA Act 033	<p>Compliance Cost Notices:</p> <p>Authority on behalf of the relevant enforcement authority that gives a Development Control Order to serve on the other person a compliance cost notice and to recover any unpaid amount as a debt in accordance with Schedule 5, clause 37.</p> <p>Pursuant to</p> <p>Clause 37 of Schedule 5</p>
EPA Act 035	<p>Enforcement of orders by cessation of utilities :</p> <p>Authority to make application, or instruct the Council's lawyers, to make an application, to the Local Court or the Land & Environment Court for an order directing that a provider of water, electricity or gas to cease to provide those services</p>

	<p>Pursuant to</p> <p>Schedule 5, clause 35</p>
EPA Act 036	<p>Restraint of breaches:</p> <p>Authority to commence and conduct court proceedings to remedy or restrain a breach of the EP&A Act, in accordance with section 9.45.</p> <p>Pursuant to</p> <p>Section 9.45</p>
EPA Act 037	<p>Proceedings for offences:</p> <p>Authority to commence and conduct proceedings for an offence against the EP&A Act or Regulations in accordance with section 9.57</p> <p>Pursuant to</p> <p>Section 9.57</p>
EPA Act 039	<p>Planning Certificates:</p> <p>Authority to issue a planning certificate in accordance with section 10.7 of the EP&A Act.</p> <p>Pursuant to</p> <p>Section 10.7</p>
EPA Act 040	<p>Building Certificates:</p> <p>Authority to determine an application for building information certificate.</p> <p>Pursuant to</p> <p>Part 6, Division 6.7</p>
EPA Act 041	<p>Imposition of Conditions:</p> <p>Authority to accept payment of security, by way of either a deposit or bank guarantee, authorise the drawing of any monies paid as security and authorise the release of any payment of security by an applicant pursuant to a condition of development consent imposed</p>

	<p>Pursuant to</p> <p>Section 4.17(6)</p>
EPA Act 042	<p>Special Infrastructure Contributions:</p> <p>Authority to seek the consent of the Minister to accept, and to accept, the dedication of land or provision of material public benefit in satisfaction of a special infrastructure contribution condition imposed by the Minister</p> <p>Pursuant to</p> <p>Section 7.24(5)</p>
EPA Act 043	<p>Local infrastructure contributions:</p> <p>Authority to accept the dedication of land or the provision of a material public benefit in part or full satisfaction of a condition imposed under section 7.11(1) or (3) and to determine applications for refunds of, or credit for contributions or levies imposed as conditions of development consent.</p> <p>Pursuant to</p> <p>Section 7.11(5) and generally Division 7.1 Subdivision</p>
EPA Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Environmental Planning and Assessment Act 1979</p>
EPA Act 045	<p>Paper Subdivisions:</p> <p>Authority to carry out all delegable functions of the council as a relevant authority designated by a subdivision order</p> <p>Pursuant to</p> <p>Schedule 7 of the EP&A Act</p>
EPA ACT 046	<p>Enforcement of undertakings:</p> <p>Authority to recommend that the Planning Secretary accept an undertaking that the planning authority has negotiated.</p>

	Pursuant to section 9.5(5)
EPA Act 044	<p>Revocation or regrant of development consents after order of Court:</p> <p>Authority to revoke a development consent to which an order of suspension applies, and to regrant the consent.</p> <p>Pursuant to Section 4.61</p>
EPA Act 047	<p>Variations to development standards:</p> <p>Authority to assume the concurrence of the Secretary of the Department of Planning and Environment under clause 4.6(4)(b) of the Standard Instrument - Principal Local Environmental Plan, in accordance with the Notice issued by the Secretary dated 21 February 2018 which is attached to Planning Circular PS18-003.</p> <p>Pursuant to clause 4.6(4)(b) of the Council's Local Environmental Plan</p>
EPA Act 004B	<p>Determination of DA:</p> <p>Authority to carry out the functions of the council as consent authority associated with the determination of an application for development consent and associated functions.</p> <p>Pursuant to Part 4, specifically section 4.16 of the EP&A Act and Part 6 of the EP&A Regulation</p>
EPA Act 048	<p>Local Strategic Planning Statement:</p> <p>Authority to prepare, on behalf of the council, a Local Strategic Planning Statement in respect of its area.</p> <p>Pursuant to s3.9 of the Environmental Planning & Assessment Act 1979</p>
Environmental Planning and Assessment Regulation 2000	
EPA Reg 001	Costs and expenses of studies:

	<p>Authority to negotiate and sign an agreement on behalf of the council as the relevant planning authority with a person who requests the preparation of a planning proposal for the payment of the costs and expenses incurred by the authority in undertaking studies and other matters required in relation to the planning proposal in accordance with clause 11 of the Regulations.</p> <p>Pursuant to clause 11</p>
EPA Reg 003	<p>Additional Information for DCP:</p> <p>Authority to request the owner of land to provide additional information for the purposes of making a development control plan (where an environmental planning instrument requires or permits such a plan to be prepared and submitted to the relevant planning authority) in accordance with clause 25.</p> <p>Pursuant to Clause 25</p>
EPA Reg 008	<p>Notice of voluntary surrender:</p> <p>Authority to carry out all functions of the Council as consent authority associated with the determination of a notice of voluntary surrender.</p> <p>Pursuant to Clause 97(4) of the <i>Environmental Planning and Assessment Regulation 2000</i></p>
EPA Reg 009	<p>Refund for withdrawal:</p> <p>Authority to refund to the applicant the whole or any part of any application fee paid in connection with an application what has been withdrawn.</p> <p>Pursuant to clause 52(3) of the EP&A Regulation.</p>
EPA Reg 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Regulation in force and as amended from time to time.</p> <p>Pursuant to</p>

	Environmental Planning and Assessment Regulation 2000
EPA Reg 011	<p>Additional information for Modification Application:</p> <p>Authority to request an applicant for modification of a development consent to provide the consent authority with additional information about the development that the consent authority considers necessary to properly consider the application for modification.</p> <p>Pursuant to</p> <p>Clause 121A of the <i>Environmental Planning and Assessment Regulation 2000</i></p>
Finance	
pa	<p>Authority to Approve Purchases:</p> <p>Authority to authorise the purchase of goods and services to the spend limit and purchasing card limit allocated to the position within the area of budget responsibility.</p>
pa	<p>Authority to Approve Payments:</p> <p>Authority to certify electronic funds transfers, sign cheques and sign vouchers on behalf of Council to the limits authorised by the General Manager.</p>
pa	<p>Authority to General Manager to Write Off Debts:</p> <p>Authority to the General Manager to write off debts (including but not limited to rates, charges, interest and sundry debts) to the value of \$5,000 for any individual rate, charge or transaction (Minute No. 44690 Council Meeting 25/06/2014).</p>
Fines Act 1996	
Fines Act 001	<p>Internal Review:</p> <p>Authority to exercise the Council's functions as a reviewing agency under Part 3, Division 2A of the Fines Act 1996 including to decide not to conduct an internal review and take other such action as the delegate sees fit, in accordance with section 24B, conduct a review (provided the delegate was not involved in making the decision that is the subject of the review) in accordance with section 24C and 24E, serve a penalty reminder notice in accordance with section 24F, request additional information from the applicant in accordance with section 24D, give an official caution in accordance with section 24G.</p> <p>Pursuant to</p>

	Sections 24B, 24C, 24D, 24E and 24F
Fines Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Fines Act 1996</p>
Fire and Emergency Services Levy Act 2017	
FESL Act 000	<p>All Functions:</p> <p>Authority to exercise and or perform on behalf of the Council the Council's delegable functions under this Act and Regulations in force and amended from time to time.</p> <p>Pursuant to</p> <p>Fire and Emergency Services Levy Act 2017</p>
FESL Act 001	<p>Classification of land for levy:</p> <p>Authority to act on behalf of the Council to classify and sub-classify parcels of land in the council area, including in response to an application for classification or review and in response to zoning and change in use, to approve the form and manner of a change of circumstances under section 73(4), waive or refund part of the fixed component of the levy charged in respect of a parcel of land situated in more than one area under section 75(3) and to respond to or defend appeals in the Land and Environment Court, in accordance with Part 5 of the Fire and Emergency Services Levy Act 2017.</p> <p>Pursuant to</p> <p>Part 5 of the Fire and Emergency Levy Act 2017</p>
FESL Act 002	<p>Recovery of levy:</p> <p>Authority to act on behalf of Council to recover a levy payable to council under section 89 and to enter into an arrangement with the Chief Commissioner under section 91.</p> <p>Pursuant to</p> <p>Sections 89 and 91</p>

Fluoridation of Public Water Supplies Act 1957	
FPWS Act 001	<p>Fluorine to public water supplies:</p> <p>Authority to carry out the council's functions under the Fluoridation of Public Water Supplies Act 1957 and Fluoridation of Public Water Supplies Regulation 2007 including authority to apply to the Secretary of the Department of Health for approval to add fluorine to any public water supply under Councils control and to add fluorine to such water supply in accordance with such approval or direction, the Act and Regulation</p> <p>Pursuant to</p> <p>Section 6</p>
FPWS Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Fluoridation of Public Water Supplies Act 1957</p>
Food Act 2003	
Food Act 001	<p>Seized items:</p> <p>Authority to deal with items seized by an authorised officer, in accordance with Part 4 Division 2.</p> <p>Pursuant to</p> <p>sections 47, 48, 49, 50, 51, 53</p>
Food Act 002	<p>Prohibition Notice and Certificate of Clearance:</p> <p>Authority to serve a prohibition notice or give a certificate of clearance in accordance with section 60</p> <p>Pursuant to</p> <p>sections 60(1) and (4)</p>
Food Act 003	<p>Compensation:</p>

	<p>Authority to determine an application for compensation in relation to a prohibition order and, if it is determined to grant compensation, to authorise the payment of such compensation in accordance with section 66</p> <p>Pursuant to section 66</p>
Food Act 004	<p>Fees and charges:</p> <p>Authority to exercise the powers of the Council in its capacity as enforcement agency in relation to fees and charges, being to waive the requirement to pay a fee, or extend the time for payment of a fee, in respect of an improvement notice in accordance with section 66AA of the Food Act 2003, to increase the charge or reduce or waive payment of a charge in accordance with clause 14(4), and to issue a notice imposing an annual administration charge, extend the time for payment of the charge or reduce or waive payment of the charge, in accordance with clause 15 of the Food Regulation 2015.</p> <p>Pursuant to Section 66AA(2) of the Food Act 2003 and clauses 14(4) and 15 of the Food Regulation 2015.</p>
Food Act 005	<p>Appointment of Authorised Officer:</p> <p>Authority for an enforcement agency to appoint a person as an authorised officer if the enforcement agency considers the person has appropriate qualifications or experience to exercise the functions of an authorised officer.</p> <p>Pursuant to Section 114</p>
Food Act 006	<p>Food Safety Programs:</p> <p>Priority classification system and frequency of auditing: authority to determine the priority classification of individual food businesses for the purposes of any food safety program, and to determine the frequency of auditing of any food safety programs.</p> <p>Pursuant to Section 93</p>
Food Act 007	<p>Court proceedings:</p> <p>Authority to act in relation to proceedings to review a decision to refuse a certificate of clearance.</p> <p>Pursuant to</p>

	Section 65
Food Act 008	<p>Institute proceedings:</p> <p>Authority to institute and carry on proceedings for an offence against the Food Act 2003 or the regulations.</p> <p>Pursuant to</p> <p>Sections 118, 119</p>
Food Act 009	<p>Authority to Sub-Delegate:</p> <p>Authority to sub-delegate a function of the Food Authority delegated by the Food Authority if authorised in writing to do so by the Food Authority.</p> <p>Pursuant to</p> <p>Section 109E(3)</p>
Food Act 010	<p>Delegated Powers:</p> <p>Authority for an Authorised Officer to carry out any function of the NSW Food Authority delegated and sub-delegated in accordance with section 109E.</p> <p>Pursuant to</p> <p>Section 109E</p>
Food Act 011	<p>Consent to Delegation:</p> <p>Authority to provide consent in writing to the Food Authority to the delegation of a function(s) of the NSW Food Authority.</p> <p>Pursuant to</p> <p>Section 109E(4)</p>
Food Act 012	<p>Appointment of Authorised Officer:</p> <p>Authority to appoint a person as an Authorised Officer for the purposes of the Food Act 2003 and provide each Authorised Officer appointed with a certificate of authority as an Authorised Officer under section 115.</p> <p>Pursuant to</p>

	Sections 114 and 115
Food Act 013	<p>Legal Proceedings:</p> <p>Authority to commence proceedings for an offence under the Food Act or Regulations</p> <p>Pursuant to</p> <p>Section 118</p>
Food Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Food Act 2003</p>
Game and Feral Animal Control Act 2002	
GFAC Act 001	<p>Recommending land be available for hunting:</p> <p>Authority to make recommendations in respect of land under control of council</p> <p>Pursuant to</p> <p>Sections 4, 20</p>
GFAC Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Game and Feral Animal Control Act 2002</p>
Geographical Names Act 1966	
GN Act 001	Make submissions:

	<p>Authority to make submissions to the Board in respect of proposed names or changes to names</p> <p>Pursuant to</p> <p>Section 9</p>
GN Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Geographical Names Act 1966</p>
Government Information (Public Access) Act 2009	
GIPA Act 001	<p>Overriding Public Interest Against Disclosure:</p> <p>Authority to decide whether there is an overriding public interest against disclosure for the purposes of sections 6-9, 32(1)(d), 58(1)(d) and (f)</p> <p>Pursuant to</p>
GIPA Act 002	<p>Authorised Proactive release of information:</p> <p>Authority to make any government information held by the council publicly available unless there is an overriding public interest against disclosure of the information.</p> <p>Pursuant to</p> <p>Section 7</p>
GIPA Act 003	<p>Informal release of information:</p> <p>Authority to release government information held by it to a person in response to an informal request by the person (that is, a request that is not an access application) unless there is an overriding public interest against disclosure of the information.</p> <p>Pursuant to</p> <p>Section 8</p>
GIPA Act 004	<p>Validity of application:</p>

	<p>Authority to decide whether the application is a valid access application and notify the applicant of its decision in accordance with sections 51, 51A and 52</p> <p>Pursuant to</p> <p>Section 51</p>
GIPA Act 005	<p>Consultation:</p> <p>Authority to consult with a person before providing access to information relating to the person and decide whether information about a person consulted under this section is likely to be included in the agency's disclosure for the purposes of giving a written notice to the person, in accordance with section 54</p> <p>Pursuant to</p> <p>Section 54</p>
GIPA Act 006	<p>Personal factors of the application:</p> <p>Authority to require an applicant to provide evidence concerning any personal factors of the application that were relevant to a decision by the agency that there was not an overriding public interest against disclosure of the information.</p> <p>Pursuant to</p> <p>Section 55</p>
GIPA Act 007	<p>Deciding access applications:</p> <p>Authority to decide an access application and give the applicant notice of the decision in accordance with section 9 and Part 4, Division 4 (sections 57 – 63).</p> <p>Pursuant to</p> <p>Sections 9 and Part 4, Division 4 of the Government Information (Public Access) Act 2009</p>
GIPA Act 008	<p>Processing charge:</p> <p>Authority to carry out the functions of the Council as an agency under the Government Information (Public Access) Act 2009 which are provided for in Part 4, Division 5 (sections 64-71) of the Government Information (Public Access) Act 2009 in accordance with those sections, including the following functions:</p> <ul style="list-style-type: none"> • To impose or waive a processing charge, or discounted processing charge, for dealing with an access application, • to require the applicant to make an advance payment of a processing charge

	<ul style="list-style-type: none"> • to refuse to deal further with an access application if the applicant has failed to pay an advance deposit within the time required for payment. <p>Pursuant to</p> <p>Part 4, Division 5 of the Government Information (Public Access) Act 2009</p>
GIPA Act 009	<p>Deferral of access:</p> <p>Authority to defer access to information where the Council has decided to provide access in response to an access application, in accordance with section 78.</p> <p>Pursuant to</p> <p>Section 78</p>
GIPA Act 010	<p>Application for Internal review:</p> <p>Authority to agree to accept an application for internal review out of time.</p> <p>Pursuant to</p> <p>Section 83</p>
GIPA Act 011	<p>Conduct of Internal Review:</p> <p>Authority to determine an application for internal review of a decision of the Council and give the applicant notice of the decision in accordance with Part 5, Division 2.</p> <p>Pursuant to</p> <p>Part 5, Division 2 of the Government Information (Public Access) Act 2009</p>
GIPA Act 012	<p>Review by Information Commissioner:</p> <p>Authority, pursuant to a recommendation by the Information Commissioner, to reconsider a decision and make a new decision in accordance with section 93.</p> <p>Pursuant to</p> <p>Section 93</p>
GIPA Act 013	<p>Waiver, reduction or refund of fees and charges:</p>

	<p>Authority to waive, reduce or refund any fee or charge payable or paid under the Government Information (Public Access) Act 2009 in any case that the delegate thinks appropriate.</p> <p>Pursuant to Section 127</p>
GIPA Act 014	<p>Confidential information in register:</p> <p>Authority to decide whether or not to include information in the register</p> <p>Pursuant to section 32</p>
GIPA Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to Government Information (Public Access) Act 2009</p>
Graffiti Control Act 2008	
GC Act 001	<p>Graffiti Removal Work :</p> <p>Authority to carry out graffiti removal work with consent of owner or occupier of private land or without such consent where graffiti visible from public place.</p> <p>Pursuant to Sections 11 and 12</p>
GC Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to Graffiti Control Act 2008</p>

Growth Centres (Development Corporations) Act 1974	
GCDC Act 001	<p>Agreements:</p> <p>Authority to negotiate an agreement with a development corporation in accordance with section 19 or 30.</p> <p>Pursuant to</p> <p>Sections 19 and 30</p>
GCDC Act 002	<p>Disputes:</p> <p>Authority to submit a dispute between the council and a development corporation to the Minister for Planning & Infrastructure in accordance with section 32.</p> <p>Pursuant to</p> <p>Section 32</p>
GCDC Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Growth Centres (Development Corporations) Act 1974</p>
Heavy Vehicle National Law (NSW) and Heavy Vehicle (Adoption of National Law) Act 2013	
HV Act 000	<p>All Functions:</p> <div style="border: 1px solid black; padding: 5px;"> <p>All functions - Authority to exercise and/or perform on behalf of Council as the "road manager" the Council's delegable Functions under the Act and the Regulations in force and as amended from time to time.</p> </div> <p>Pursuant to</p> <p>Heavy Vehicles National Law (NSW), Heavy Vehicle (Adoption of National Law) Act 2013 and any Regulation made under this legislation.</p>
HV Act 001	<p>Mass or Dimension Exemption Permit:</p> <p>Authority to exercise or perform the functions in Column 2, subject to the limitations in Column 3:</p>

	Column 1 - Reference	Column 2 - Function	Column 3 - Limitation
	Part 4.5 Division 3 - Exemptions by permit	All functions of the Regulator in respect of the issue of or refusal to issue a mass or dimensional exemption (permit) under this Division.	The delegate may only exercise functions in respect of a road for which the delegate is the Road Manager.
	Part 4.7 Division 4 - Amendment, cancellation or suspension of mass or dimension authority granted by permit.	All functions of the Regulator in respect of the amendment, cancellation or suspension of a mass or dimension exemption (permit) under this Division.	The delegate may only exercise functions in respect of a road for which the delegate is the Road Manager.
	Part 4.7 Division 5 - Provisions about permits for mass or dimension authorities	All functions of the Regulator in respect of the return or replacement of a mass or dimension exemption (permit) under this Division.	The delegate may only exercise functions in respect of a road for which the delegate is the Road Manager.
<p>The Instrument of Delegation specifies that the Delegate may subdelegate these functions to suitably qualified persons for the purpose of giving effect to the National Law in NSW.</p> <p>Pursuant to</p> <p>The "Instrument of Delegation - Permits" dated 20 February 2017 made by the National Heavy Vehicle Regulator under section 661 of the Heavy Vehicle National Law.</p>			
Heritage Act 1977			
Heritage Act 001	<p>Interim heritage orders:</p> <p>Authority (where authorised by the Minister for Heritage in accordance with section 25) to make an interim heritage order for a place, building, etc in the council's area that the delegate considers may, on further inquiry or investigation, be found to be of local heritage significance, and that the delegate considers is being or is likely to be harmed, in accordance with Part 3 of the Heritage Act 1977. Authority to revoke an interim heritage order in accordance with section 29(4)</p> <p>Pursuant to</p> <p>sections 25, 28 and 29</p>		
Heritage Act 002	<p>Exemption from approval:</p> <p>Authority to grant an exemption from section 57(1) by causing an order to be published in the government gazette</p> <p>Pursuant to</p>		

	section 57(3)
Heritage Act 003	<p>Applications for approval:</p> <p>Authority to give public notice of, and determine, an application for approval in relation to an item of environmental heritage in accordance with Part 4, Division 3, and to modify an approval in accordance with section 65A</p> <p>Pursuant to</p> <p>Sections 61, 62, 63, 63A, 63B, 64 and 65A</p>
Heritage Act 004	<p>Request Heritage Council:</p> <p>Authority to recommend to Minister listing of item on State Register</p> <p>Pursuant to</p> <p>Section 32</p>
Heritage Act 005	<p>Make submissions to Heritage Council:</p> <p>Authority to make submissions to Heritage Council on proposed recommendation for listing of item on State Register</p> <p>Pursuant to</p> <p>Section 33</p>
Heritage Act 006	<p>Request Heritage Council:</p> <p>Authority to recommend to Minister removal of listing of item on State Register and make submissions to Heritage Council in respect of a proposed recommendation to remove listing of item</p> <p>Pursuant to</p> <p>Section 38</p>
Heritage Act 007	<p>Make submissions to Heritage Council:</p> <p>Authority to make submissions to Heritage Council regarding item of environmental heritage worthy of conservation</p> <p>Pursuant to</p>

	Section 166
Heritage Act 008	<p>Refer a submission:</p> <p>Authority to refer a submission objecting to identification of item as of heritage significance in local environmental plan to a panel</p> <p>Pursuant to</p> <p>Section 170B</p>
Heritage Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Heritage Act 1977</p>
Heritage Regulation 2012	
Heritage Reg 001	<p>Request additional information:</p> <p>Authority to request the applicant of an application for approval in respect of an interim heritage order made by the Council to provide additional information necessary to properly consider the application.</p> <p>Pursuant to</p> <p>Clause 8B of the <i>Heritage Regulation 2012</i></p>
Holiday Parks (Long-term Casual Occupation) Act 2002	
HPLTCO Act 001	<p>All functions:</p> <p>Authority to exercise and/or perform all functions of the council as park owner</p> <p>Pursuant to</p> <p><i>Holiday Parks (Long-term Casual Occupation) Act 2002</i> and the <i>Holiday Parks (Long-term Casual Occupation) Regulation 2017</i></p>
HPLTCO Act 000	<p>All functions:</p>

	<p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Holiday Parks (Long-term Casual Occupation) Act 2002 and the Holiday Parks (Long-term Casual Occupation) Regulation 2017</p>
Housing Act 2001	
Housing Act 001	<p>Enter into arrangements etc:</p> <p>Authority to enter into arrangements or agreements with corporation</p> <p>Pursuant to</p> <p>Section 13</p>
Housing Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Housing Act 2001</p>
Impounding Act 1993	
Imp Act 001	<p>Appointment of Impounding Officer:</p> <p>Authority to appoint a person as an impounding officer within the meaning of the Impounding Act 1993</p> <p>Pursuant to</p> <p>Section 4</p>
Imp Act 002	<p>Functions of an Impounding Authority:</p> <p>Authority to carry out the functions of the Council as an impounding authority in relation to how impounded items are to be dealt with</p> <p>Pursuant to</p>

	Part 3 of the Impounding Act 1993
Imp Act 003	<p>Court proceedings:</p> <p>Authority to represent the Council in relation to appeals against proceedings for offences, applications for review to the Administrative Decisions Tribunal.</p> <p>Pursuant to</p> <p>Sections 37 and 38</p>
Imp Act 004	<p>Authorisation of Authorised Person:</p> <p>Authority to authorise a person with special powers to destroy animals.</p> <p>Pursuant to</p> <p>Section 41</p>
Imp Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Impounding Act 1993</p>
Inclosed Lands Protection Act 1901	
ILP Act 001	<p>Request:</p> <p>Authority to request person to leave inclosed land owned or occupied by Council</p> <p>Pursuant to</p> <p>Sections 4 and 5</p>
ILP Act 002	<p>Destroy animal:</p> <p>Authority to destroy goat trespassing on inclosed land owned or occupied by Council</p> <p>Pursuant to</p>

	Section 7
ILP Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Inclosed Lands Protection Act 1901</p>
ILP Act 003	<p>Unlawful re-entry on inclosed lands:</p> <p>Authority to give a re-entry prohibition as the responsible authority for an organised event in accordance with section 4AA of the <i>Inclosed Lands Protection Act 1901</i>.</p> <p>Pursuant to</p> <p>Section 4AA</p>
Independent Pricing and Regulatory Tribunal Act 1992	
IPART Act 001	<p>Arrangements with other entities:</p> <p>Authority to enter into arrangement with Tribunal for provision of assistance to or by the Tribunal</p> <p>Pursuant to</p> <p>Section 9</p>
IPART Act 002	<p>Provide information:</p> <p>Authority to provide information or make submissions to the Tribunal in connection with an investigation or report, or in connection with monitoring by the Tribunal</p> <p>Pursuant to</p> <p>Independent Pricing and Regulatory Tribunal Act 1992</p>
IPART Act 000	All functions:

	<p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Independent Pricing and Regulatory Tribunal Act 1992</p>
Land Acquisition (Just Terms Compensation) Act 1991	
LAJTC Act 001	<p>Land Acquisition:</p> <p>Authority to carry out the functions of the council as an authority of the State under the Land Acquisition (Just Terms Compensation) Act 1991, subject to a council resolution to compulsorily acquire land including an interest in land.</p> <p>Pursuant to</p> <p>Land Acquisition (Just Terms Compensation) Act 1991</p>
LAJTC Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Land Acquisition (Just Terms Compensation) Act 1991</p>
Land and Environment Court Act 1979	
LEC Act 001	<p>Conciliation Conferences:</p> <p>Authority to reach agreement on behalf of the Council in a conciliation conference in Class 1, 2 or 3 proceedings in the Land and Environment Court.</p> <p>Pursuant to</p> <p>Section 34(3)</p>
LEC Act 002	<p>Conciliation Conferences:</p> <p>Authority to give consent, on behalf of the Council, to a Commissioner disposing of Class 1, 2 or 3 proceedings in the Land & Environment Court after terminating a conciliation conference.</p>

	Pursuant to Section 34(4)(b)
LEC Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Land and Environment Court Act 1979
Library Act 1939	
Library Act 001	Library Committee: Authority to provide, or arrange for the provision of services in relation to the provision, control and management of libraries, library services and information services Pursuant to Section 11
Library Act 002	Enter into agreements and arrangements: Authority to enter into agreements or arrangements with other local authorities Pursuant to Sections 12, 12A
Library Act 003	Subsidy: Authority to apply to the Library Council of NSW for a subsidy in accordance with section 13 Pursuant to Section 13
Library Act 000	All functions:

	<p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Library Act 1939</p>
Library Regulation 2018	
Library Reg 001	<p>Registration, Rules and determining value:</p> <p>Authority to:</p> <p>a) determine the procedure for registration of library borrowers in accordance with clause 5(2) of the Regulation;</p> <p>b) to refuse an application and cancel a person's registration as a borrower in accordance with clause 5(3) of the Regulation;</p> <p>c) to make rules to regulate the use of a council's local libraries in accordance with clause 6 of the Regulation;</p> <p>d) to determine the value of library material or series in accordance with clause 7 of the Regulation.</p> <p>Pursuant to</p> <p>Clauses 5, 6 and 7</p>
Library Reg 002	<p>Library users may be directed to leave:</p> <p>Authority to determine the maximum period for which a person may be excluded from the library in accordance with clause 17(3) of the Regulation</p> <p>Pursuant to</p> <p>Clause 17(3)</p>
Liquor Act 2007 and Liquor Regulation 2008	
Liq Act 001	<p>Authorise Complainant:</p> <p>Authority to authorise a person as a complainant in relation to a licensed premises for the purposes of section 79.</p> <p>Pursuant to</p> <p>Section 79(3)(c)</p>
Liq Act 002	<p>Submission re Late Hour Entry Declaration:</p>

	<p>Authority to make a submission to the Director-General in relation to a proposed late hour entry declaration or variation or revocation of a late hour entry declaration.</p> <p>Pursuant to</p> <p>Sections 89(2) and 90(3)</p>
Liq Act 003	<p>Making a complaint:</p> <p>Authority to make a complaint on behalf of the council as the local consent authority for a licenced premises in relation to a licensee, manager or close associate of a licensee to the Authority in accordance with section 139.</p> <p>Pursuant to</p> <p>Section 139 and clause 73 of the Liquor Regulation 2008</p>
Liq Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Liquor Act 2007</p>
Liq Act 004	<p>Written notice to the Secretary re complaints:</p> <p>Authority to give written notice to the Secretary that Council, as the local consent authority for the licensed premises, will be dealing with complaints of a type prescribed by the regulations.</p> <p>Pursuant to</p> <p>Section 79(6)(b)(ii) of the <i>Liquor Act 2007</i></p>
Local Government (General) Regulation 2005	
LG Reg 001	<p>Act as appropriate person:</p> <p>Authority to act as an appropriate person, within the meaning of clause 164 of the Local Government (General) Regulation 2005, to receive or deal with tenders submitted to Council.</p> <p>Pursuant to</p>

	Clause 164
LG Reg 002	<p>Decide method of tendering:</p> <p>Authority to decide, pursuant to clause 166 of the Local Government (General) Regulation 2005, the method of tendering to be used where Council is required to invite tenders in accordance with section 55 of the Local Government Act 1993.</p> <p>Pursuant to</p> <p>Clause 166</p>
LG Reg 003	<p>Expressions of Interest and Selective tendering:</p> <p>Authority to carry out all of a council's functions under, and in accordance with, clauses 168 (expressions of interest) and 169 (selective tendering method by which recognised contractors listed by council are invited to tender for particular kinds of proposed contracts) of the <i>Local Government (General) Regulation 2005</i>.</p> <p>Pursuant to</p> <p>clauses 168 and 169 of the Local Government (General) Regulation 2005</p>
LG Reg 004	<p>Tenders:</p> <p>Authority to extend a deadline in a tender advertisement in accordance with cl.172 and to request or consent to a variation of a tender being made in accordance with cl.176(2).</p> <p>Pursuant to</p> <p>Pursuant to cl.172 and cl.176</p>
LG Reg 005	<p>Water supply may be restricted:</p> <p>Authority to form an opinion that the available stored water or capacity of a water supply system is insufficient and publish a notice in accordance with s.137</p> <p>Pursuant to</p> <p>Pursuant to cl. 137</p>
LG Reg 006	<p>Erection of notices to indicate catchment districts:</p> <p>Authority to erect notices for indicating the boundaries of districts and directing attention to any prohibitions or restrictions.</p>

	<p>Pursuant to</p> <p>Pursuant to cl. 139</p>
LG Reg 007	<p>Works constructed to serve 2 or more councils:</p> <p>Authority to agree the convenient point to supply water to another council.</p> <p>Pursuant to</p> <p>Pursuant to cl.141(1)</p>
LG Reg 008	<p>Fire hydrants:</p> <p>Authority to exercise and/or perform the Council's functions in relation to fire hydrants.</p> <p>Pursuant to</p> <p>clause 142</p>
LG Reg 009	<p>Inspection of pipes:</p> <p>Authority to inspect pipes and drains and measurement of water and sewage in accordance with cl. 143.</p> <p>Pursuant to</p> <p>Pursuant to cl. 143</p>
LG Reg 010	<p>Cutting off or restricting water supply:</p> <p>Authority to cut off or restrict the supply of water to premises and refuse to supply water to premises in accordance with cl.144(1) and (3)</p> <p>Pursuant to</p> <p>Pursuant to cl. 144.</p>
LG Reg 011	<p>New sewer or stormwater drain to be constructed if less costly:</p> <p>Authority to hold the belief in relation to the cost of existing sewers or stormwater drains and construct a new sewer or stormwater drain, and serve an order on the owners or occupiers of premises concerned, in accordance with cl.145.</p> <p>Pursuant to</p>

	Pursuant to cl. 145.
LG Reg 012	<p>Connections to council's sewerage system:</p> <p>Authority to carry out works and provide connections and impose a charge sufficient to meet the cost of the work or materials, in accordance with cl.146.</p> <p>Pursuant to</p> <p>Pursuant cl.146.</p>
LG Reg 013	<p>Premises to be connected to water supply:</p> <p>Authority to exercise and/or perform the Council's functions in relation to the connection of premises to water supply by an independent house service pipe.</p> <p>Pursuant to</p> <p>Pursuant to cl.152.</p>
LG Reg 014	<p>Laying of house service pipes:</p> <p>Authority to authorise the laying of a house service pipe at a lesser depth in accordance with cl.153(2).</p> <p>Pursuant to</p> <p>Pursuant to cl. 153(2).</p>
LG Reg 015	<p>Security of water meters:</p> <p>Authority to require the owner of premises to protect a meter, approve a lock and key and require the key to be deposited with the Council.</p> <p>Pursuant to</p> <p>Pursuant to cl. 155</p>
LG Reg 016	<p>Water meter for one premises:</p> <p>Authority to authorises a meter to measure water supplied to a premises and another premises.</p> <p>Pursuant to</p>

	Pursuant to cl. 156(2)(b)
LG Reg 017	<p>Hire of meters:</p> <p>Authority to enter into an agreement for the hire of a water meter from the Council.</p> <p>Pursuant to</p> <p>Pursuant to clause 157</p>
LG Reg 018	<p>Testing of meters:</p> <p>Authority to arrange for a water meter to be examined and tested, require an owner to rectify or replace a meter found to be defective and enter into a special contract to regulate the supply of water while a meter is being rectified or replaced.</p> <p>Pursuant to</p> <p>Pursuant to cl. 158</p>
LG Reg 019	<p>Unmetered premises:</p> <p>Authority enter into a special contract or give permission for an occupier of unmetered premises to use water other than for domestic purposes.</p> <p>Pursuant to</p> <p>Pursuant to cl. 161</p>
LG Reg 020	<p>Acceptance of Tenders:</p> <p>Authority to accept a tender in accordance with clause 178 of the <i>Local Government (General) Regulation 2005</i> but not in respect of tenders to provide services currently provided by members of staff of the Council (s.377(1)(i) <i>Local Government Act 1993</i>).</p> <p>Pursuant to</p> <p>clause 178</p>
LG Reg 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Regulation in force and as amended from time to time.</p>

	<p>Pursuant to</p> <p>Local Government (General) Regulation 2005</p>
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	
LG (M) Reg 001	<p>Certificates of completion:</p> <p>Authority to issue a certificate of completion or a written notice that states why such a certificate is not being issued, in accordance with clause 69 of the Regulation</p> <p>Pursuant to</p> <p>Clause 69</p>
Local Government Act 1993	
LG Act 001	<p>Certificate as to classification of land:</p> <p>Authority to issue a certificate stating the classification of public land</p> <p>Pursuant to</p> <p>section 54</p>
LG Act 002	<p>Leases etc in respect of community land:</p> <p>Authority to grant a lease, licence or other estate in respect of community land in accordance with Chapter 6, Part 2, Division 2 of the Local Government Act 1993 and Part 4, Division 3 of the Local Government (General) Regulation 2005</p> <p>Pursuant to</p> <p>Section 45 and Chapter 6, Part 2, Division 2 of the Local Government Act 1993 and Part 4 Division 3 of the Local Government (General) Regulation 2005</p>
LG Act 003	<p>Approvals:</p> <p>Authority to reject a unclear or illegible application for approval for an activity specified in the table to section 68, or to determine such an application, or an application to amend, extend, renew, revoke or modify such an approval and in determining such an application, to give directions in response to an objection.</p>

	<p>Pursuant to</p> <p>Section 68, 82, 85, 86, 94, 106, 107, 108 and Chapter 6, Part 1 of the Local Government Act 1993 generally</p>
LG Act 004	<p>Mayor Functions:</p> <p>Authority to exercise and/or perform the role of the mayor.</p> <p>Pursuant to</p> <p>section 226</p>
LG Act 005	<p>Preparation of draft plans of management for community land:</p> <p>Authority to prepare a draft plan of management for community land in accordance with Chapter 6, Part 2, Division 2 of the Local Government Act 1993 and Part 4 of the Local Government (General) Regulation 2005</p> <p>Pursuant to</p> <p>Section 36</p>
LG Act 006	<p>Environmental upgrade agreement:</p> <p>Authority to enter into, and amend, an environmental upgrade agreement on behalf of the council with a building owner and a finance provider in relation to a building in accordance with Part 2A of Chapter 6.</p> <p>Pursuant to</p> <p>Section 54D</p>
LG Act 007	<p>Power to levy environmental upgrade charge:</p> <p>Authority to levy an environmental upgrade charge in accordance with an environmental upgrade agreement.</p> <p>Pursuant to</p> <p>Section 54I</p>
LG Act 009	<p>Private works:</p> <p>Authority to enter into an agreement with the owner or occupier of private land for the council to carry out works.</p> <p>Pursuant to</p>

	Section 67
LG Act 010	<p>Fees:</p> <p>Authority to require payment of a further approved fee if an application is amended.</p> <p>Pursuant to</p> <p>Section 80</p>
LG Act 011	<p>Withdrawal of Applications:</p> <p>Authority to authorise a refund in respect of fees paid by an applicant in respect of an application for a Section 68 Activity approval which is withdrawn</p> <p>Pursuant to</p> <p>Section 88(3)</p>
LG Act 012	<p>Review of determination of approvals:</p> <p>Authority to review the determination of an application for an approval for an activity in accordance with section 100</p> <p>Pursuant to</p> <p>Section 100</p>
LG Act 013	<p>Approvals for Filming:</p> <p>Authority to exercise the functions of the council in relation to applications for filming proposals including to determine an application under section 115, determine any security deposit, bond, fee or charge in accordance with section 116 and the reject an application under section 117, in accordance with Chapter 7, Part 1, Division 4.</p> <p>Pursuant to</p> <p>Section 115 and Chapter 7, Part 1, Division 4 of the Local Government Act 1993</p>
LG Act 014	<p>Orders:</p> <p>Authority to exercise Council's functions under Chapter 7, Part 2 of the Local Government Act 1993 in relation to the making of orders including:</p> <p>a) the giving of an Order under section 124;</p> <p>a) issue a notice of intention to give an order in accordance with section 132,</p> <p>b) hear and consider representations made in relation to a notice of intention to give an order, in accordance with section 133</p>

	<p>c) determine to give, or not give, an order in accordance with section 135; d) accept or reject particulars of work in accordance with section 141; e) prepare or authorise the preparation of particulars of work and order the owner to carry out that work under section 141(3); f) recover from the owner expenses incurred in preparing particulars of work in accordance with section 141; g) modify an order in accordance with section 152; h) revoke an order in accordance with section 153</p> <p>Pursuant to</p> <p>Section 124, Chapter 7, Part 2 of the Local Government Act 1993 and Part 3 of the Local Government (General) Regulation 2005</p>
LG Act 015	<p>Abatement of Public Nuisances:</p> <p>Authority to take action to abate a public nuisance or order a person responsible for a public nuisance to abate it.</p> <p>Pursuant to</p> <p>Section 125</p>
LG Act 016	<p>Local Policies:</p> <p>Authority to prepare a draft local policy for approvals and orders under sections 158 and 159.</p> <p>Pursuant to</p> <p>Sections 158 and 159</p>
LG Act 017	<p>Authorisation of Power of entry:</p> <p>Authority to authorise a council employee or other person to enter land in accordance with section 191, 191A and generally Chapter 8, Part 2 of the Local Government Act 1993.</p> <p>Pursuant to</p> <p>Sections 191 and 191A</p>
LG Act 018	<p>Written Authority:</p> <p>Authority to issue a written authority to a person authorised, to enter premises</p> <p>Pursuant to</p>

	Section 199
LG Act 019	<p>Notice of entry:</p> <p>Authority to give written notice to the owner or occupier of the premises of the intention to enter the premises and authority to give notification of the use of force or urgent entry to such persons or authorities as appear to the delegate to be appropriate in the circumstances.</p> <p>Pursuant to</p> <p>Sections 193 and 195</p>
LG Act 020	<p>Recovery of costs of entry and inspection:</p> <p>Authority to recover the reasonable costs of the entry and inspection from the owner or occupier of the premises in accordance with section 197.</p> <p>Pursuant to</p> <p>Section 197</p>
LG Act 021	<p>Appointment of Authorised Person:</p> <p>Authority to authorise an employee of a council as an authorised person, generally or specifically</p> <p>Pursuant to</p> <p>Section 3, Definition of "authorised person"</p>
LG Act 022	<p>Temporary appointments:</p> <p>Authority to appoint a person to a position temporarily</p> <p>Pursuant to</p> <p>Section 351</p>
LG Act 023	<p>Insurance:</p> <p>Authority to make arrangements for the council's adequate insurance against public liability and professional liability in accordance with the regulations.</p> <p>Pursuant to</p>

	Section 382
LG Act 024	<p>Categorisation of land for purposes of ordinary rates:</p> <p>Authority to determine and declare the categorisation of rateable land within the Council's area and to review a declaration.</p> <p>Pursuant to</p> <p>Section 514 and 523</p>
LG Act 025	<p>Application for change of category:</p> <p>Authority to determine applications to change the category of rateable land</p> <p>Pursuant to</p> <p>Section 525</p>
LG Act 026	<p>Adjustment of rates following change in category:</p> <p>Authority to make an appropriate adjustment of rates paid or payable following a change in the category of rateable land</p> <p>Pursuant to</p> <p>Section 527</p>
LG Act 027	<p>Agreement as to periodical payment of rates and charges:</p> <p>Authority to write off or reduce interest accrued on rates or charges where a person complies with an agreement for the payment of rates or charges, pursuant to section 564 of the Local Government Act 1993 (NSW).</p> <p>Pursuant to</p> <p>Section 564</p>
LG Act 028	<p>Write off rates, charges and accrued interest:</p> <p>Authority to write off rates, charges and accrued interest on rates and charges in accordance with section 567 of the <i>Local Government Act 1993</i> and clause 130 of the <i>Local Government (General) Regulation 2005</i></p> <p>Pursuant to</p>

	Section 567 and 607 of the <i>Local Government Act 1993</i> and clause 130 of the <i>Local Government (General) Regulation 2005</i>
LG Act 029	<p>Notice to occupier re unpaid rates:</p> <p>Authority to serve a notice on the occupier of land in relation to unpaid rates or charges in accordance with section 569 of the <i>Local Government Act 1993</i></p> <p>Pursuant to</p> <p>Section 569</p>
LG Act 030	<p>Liability of eligible pensioners:</p> <p>Authority to reduce a rate or charge in respect of land on which a dwelling is situated for an eligible pensioner in accordance with section 575 of the <i>Local Government Act 1993</i></p> <p>Pursuant to</p> <p>Section 575</p>
LG Act 031	<p>Extension of concession to avoid hardship:</p> <p>Authority to order that a person is taken to be an eligible pensioner in accordance with section 577(1) and to order that a person is taken to be solely liable in respect of the land on which the dwelling is situated in accordance with section 577(2)</p> <p>Pursuant to</p> <p>Section 577</p>
LG Act 032	<p>Abandonment of pensioner rates and charges:</p> <p>Authority to waive or reduce rates, charges and interest due by any person prescribed by the regulations who is in receipt of a pension, benefit or allowance under the <i>Social Security Act 1991</i> of the Commonwealth</p> <p>Pursuant to</p> <p>Section 582</p>
LG Act 033	<p>Aggregation of parcels subject to a rate or charge:</p> <p>Authority to form the opinion to treat parcels as being a single parcel and levy a charge accordingly and to form the opinion to aggregate the land values of parcels and levy the rate on the aggregated land values.</p>

	<p>Pursuant to</p> <p>Sections 531B and 548A</p>
LG Act 034	<p>Redetermination on partial change of circumstances:</p> <p>Authority to make a due adjustment to the rates payable, or apply the provisions postponing rates, as the delegate considers equitable in the circumstances, in accordance with section 598</p> <p>Pursuant to</p> <p>Section 598</p>
LG Act 035	<p>Reduction of subsequent rate:</p> <p>Authority to verify the eligibility of the rateable person for a reduction in a subsequent rate as prescribed by the regulations and reduce the subsequent rate in accordance with section 599</p> <p>Pursuant to</p> <p>Section 599</p>
LG Act 036	<p>Objection in respect of certain land vested in public bodies:</p> <p>Authority to object to the inclusion of a parcel of land in the list in accordance with section 600(6) of the Local Government Act 1993</p> <p>Pursuant to</p> <p>Section 600(6)</p>
LG Act 037	<p>Discretion to waive, reduce or defer payment of a rate:</p> <p>Authority to waive, reduce or defer the payment of the whole or any part of the increase in the amount of the rate payable by the ratepayer in such circumstances, for such period and subject to such conditions as the delegate thinks fit.</p> <p>Pursuant to</p> <p>Section 601(2)</p>
LG Act 038	<p>Certificate as to rates and charges:</p>

	<p>Authority to issue a certificate as to the amount (if any) due or payable to the council, by way of rates, charges or otherwise, in respect of a parcel of land in accordance with section 603.</p> <p>Pursuant to Section 603</p>
LG Act 39	<p>Estimates of coastal protection charges:</p> <p>Authority to provide, on request, a person who would be liable to pay an annual charge for coastal protection services in relation to proposed coastal protection works with an estimate of the person's liability for that annual charge (if the council were to make such a charge) for each of the following 5 years, in accordance with section 606A.</p> <p>Pursuant to Section 606A</p>
LG Act 040	<p>Operational Land:</p> <p>Authority to grant (and renew, vary, terminate and otherwise deal with) a lease or licence in relation to operational land.</p> <p>Pursuant to Pursuant to s22 <i>Local Government Act 1993</i></p>
LG Act 041	<p>Waive or reduce fees:</p> <p>Authority to waive payment of, or reduce, a fee (whether expressed as an actual or a maximum amount) in a particular case if the council is satisfied that the case falls within a category of hardship or any other category in respect of which the council has determined payment should be so waived or reduced.</p> <p>Pursuant to Section 610E</p>
LG Act 042	<p>Investment of money :</p> <p>Authority to invest money that is not, for the time being, required by the Council for another purpose in accordance with section 625 and the current Ministerial Investment Order published in the Government Gazette.</p> <p>Pursuant to Section 625</p>

LG Act 043	<p>Notices in Public Places:</p> <p>Authority to erect a notice in a public place in accordance with section 632 and in relation to bathing and other water-based recreational activities, in accordance with section 633.</p> <p>Pursuant to</p> <p>Sections 632 and 633</p>
LG Act 044	<p>Alcohol Prohibited Place:</p> <p>Authority to declare a public place as an alcohol prohibited place under section 632A(4).</p> <p>Pursuant to</p> <p>Section 632A(4)</p>
LG Act 045	<p>Alcohol Free Zone:</p> <p>Authority to prepare a proposal for the establishment of an alcohol-free zone under section 644</p> <p>Pursuant to</p> <p>Section 644</p>
LG Act 046	<p>Agreement re free parking area:</p> <p>Authority to execute an agreement on behalf of the Council with the owner of private land under which the land, or any part of the land, is set aside for use as a free parking area.</p> <p>Pursuant to</p> <p>Section 650(6)</p>
LG Act 047	<p>Request for name and address:</p> <p>Authority to request an occupier or manager of any premises or an agent of the owner of the premises to disclose the name and address of the owner of the premises or of the person receiving or authorised to receive the rents of the premises and of the manager or occupier of the premises.</p> <p>Pursuant to</p> <p>Sections 662 and 663</p>

LG Act 048	<p>Remedy or restraint of breaches of LG Act:</p> <p>Authority to bring and conduct proceedings for the purpose of an order to remedy or restrain a breach of the Local Government Act 1993 in accordance with section 673.</p> <p>Pursuant to</p> <p>Section 673</p>
LG Act 049	<p>Failure to comply with order - carrying out of work by the council:</p> <p>Authority to do or arrange to be done through the Council's employees, contractors or agents, all such things as are necessary or convenient to give effect to the terms of an order issued by the Council including the carrying out of any work required by the order and recover expenses incurred in accordance with section 678 of the LG Act and otherwise give effect to the functions provided for in section 678</p> <p>Pursuant to</p> <p>Section 678</p>
LG Act 050	<p>Laying of information:</p> <p>Authority to lay information in respect of any proceedings for an offence</p> <p>Pursuant to</p> <p>Section 684</p>
LG Act 051	<p>Appearance in local court:</p> <p>Authority for an employee of the council appointed in writing by the general manager to represent the council in all respects in proceedings in the local court and to institute and carry on any proceedings in the local court which the council is authorised to institute and carry on under the Local Government Act 1993.</p> <p>Pursuant to</p> <p>Section 687</p>
LG Act 052	<p>Bankruptcy:</p> <p>Authority to represent Council and act on its behalf in any bankruptcy or winding up proceedings</p> <p>Pursuant to</p>

	Section 688
LG Act 053	<p>Other remedies:</p> <p>Authority to recover from the person:</p> <p>(a) any sum for damage sustained by it through the person's act or default, and</p> <p>(b) the costs and expenses incurred by it in remedying that damage, and</p> <p>(c) the value of anything wasted, misused or unlawfully consumed, diverted or taken by the person.</p> <p>Pursuant to</p> <p>Section 690</p>
LG Act 054	<p>Suing for debts:</p> <p>Authority to recover a rate, charge, fee or other money due to the council under this Act or the regulations as a debt.</p> <p>Pursuant to</p> <p>Section 695</p>
LG Act 055	<p>Agreement as to compensation:</p> <p>Authority to agree with a claim for compensation under section 12(5) of the Graffiti Control Act 2008 or section 128 or 198 of this Act, in case of dispute, may by agreement between the council and the person claiming the compensation be referred to arbitration under the Commercial Arbitration Act 2010.</p> <p>Pursuant to</p> <p>Section 730(1)</p>
LG Act 056	<p>Certificate as to notices:</p> <p>Authority to issue a certificate to an applicant as to whether there are any outstanding notices issued by the council under this Act in respect of any land within the council's area.</p> <p>Pursuant to</p> <p>Section 735A</p>
LG Act 057	<p>Protection of privacy :</p> <p>Authority to determine a request made by a person that any material that is available (or is to be made available) for public inspection by or under that Act be prepared or amended so as to omit or remove any matter that would disclose or discloses</p>

	<p>the person's place of living if the person considers that the disclosure would place or places the personal safety of the person or the person's family at risk.</p> <p>Pursuant to</p> <p>Section 739</p>
LG Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Local Government Act 1993</p>
LG Act 059	<p>General Manager's functions:</p> <p>Authority to perform the functions of the General Manager, other than the power of delegation.</p> <p>Pursuant to</p> <p>Sections 335 and 378(1) of the Local Government Act 1993.</p>
LG Act 060	<p>Water Supply etc Construction of works:</p> <p>Authority to apply to the Minister of Primary Industries for the Minister to construct works of water supply, sewerage or stormwater drainage under the Public Works Act 1912</p> <p>Pursuant to</p> <p>Pursuant to: s57(1) LG Act</p>
LG Act 061	<p>Ownership of water supply, sewerage and stormwater drainage works:</p> <p>Authority to operate, repair, replace, maintain, remove, extend, expand, connect, disconnect, improve or do any other things that are necessary or appropriate to any of its works to ensure that, in the opinion of the person delegated this authority, the works are used in an efficient manner for the purposes for which the works were installed.</p> <p>Pursuant to</p> <p>Pursuant to: s59A(2) LG Act</p>

LG Act 062	<p>Council works approval from Minister:</p> <p>Authority to apply to the Minister for Primary Industries to do works specified in s.60 of the Local Government Act 1993 and cl.138 of the Local Government (General) Regulation.</p> <p>Pursuant to</p> <p>Pursuant to s.60 LG Act and cl.138 LG (Gen) Regulation</p>
LG Act 063	<p>Developer contributions for water management works:</p> <p>Authority to serve a notice on an applicant requiring the applicant to pay a contribution towards the cost of water management works and/or construct water management works in accordance with s306 <i>Water Management Act 2000</i>. Authority to be satisfied that a requirement has been complied with and to grant or refuse a certificate of compliance for development in accordance with 307 <i>Water Management Act 2000</i>.</p> <p>Pursuant to</p> <p>s64 LG Act and s306 <i>Water Management Act 2000</i></p>
LG Act 065	<p>Parking Area Agreement:</p> <p>Authority to enter into an agreement with the owners corporation of a strata scheme or the association of a community, precinct or neighbourhood scheme in relation to a strata parking area or community scheme parking area.</p> <p>Pursuant to</p> <p>s.650A</p>
LG Act 020A	<p>Compensation for inspection damage:</p> <p>Authority to pay compensation for any damage caused by a person authorised to enter premises.</p> <p>Pursuant to</p> <p>section 198</p>
LG Act 066	<p>Special entertainment precincts:</p> <p>If Council establishes a special entertainment precinct by amending its local environmental plan, authority to prepare a plan for regulating noise from amplified music from premises in the special entertainment precinct, publish it on Council's website, and notify the required persons.</p> <p>Pursuant to</p>

	Section 202 of the <i>Local Government Act 1993</i>
LG Act 067	<p>Exempt land or bodies from water supply and sewerage special rates:</p> <p>Authority to exempt land or bodies from water supply special rates and sewerage special rates.</p> <p>Pursuant to</p> <p>Section 558</p>
LG Act 068	<p>Concessions:</p> <p>Authority to carry out the council's functions in relation to concessions for pensions and other concessions from rates and charges.</p> <p>Pursuant to</p> <p>Part 8 of Chapter 15</p>
LG Act 069	<p>Expenses of tracing persons:</p> <p>Authority to add to the amount of a rate or charge, any reasonable out-of-pocket expenses incurred in tracing the person liable to pay the rate or charge.</p> <p>Pursuant to</p> <p>Section 605</p>
Local Government and Other Authorities (Superannuation) Act 1927	
LG (Super) Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Local Government and Other Authorities (Superannuation) Act 1927</p>
Local Land Services Act 2013	
LLS Act 001	Concurrence for a stock permit:

	<p>Authority to provide the concurrence regarding the issuing of a stock permit in the case of a public road that is not a Crown road vested in the council.</p> <p>Pursuant to section 78(3)</p>
LLS 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to Local Land Services Act 2013</p>
Major Events Act 2009	
ME Act 001	<p>Functions:</p> <p>Authority to exercise and/or perform Council's functions as a government agency</p> <p>Pursuant to Part 4 Division 2</p>
ME Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to Major Events Act 2009</p>
Marine Estate Management Act 2014	
MEM Act 001	<p>Consent to declaration of aquatic reserve:</p> <p>Authority to consent to declaration of aquatic reserve in the case of public water land vested in council</p> <p>Pursuant to</p>

	Section 35
Minister for Crown Lands	
tp	Authority to Council's General Manager to sub-delegate to the relevant Council Officers to deal with the day to day management and operational matters relating to the Willyama Common; such matters to be dealt with in accordance with the requirements of the Willyama Common Management Plan.: sub-delegate Willyama Common matters
tp	Authority to deal with the day to day management and operational matters relating to the Willyama Common; such matters to be dealt with in accordance with the requirements of the Willyama Common Management Plan.: GM to deal with Willyama Common matters
Minister for Planning and Infrastructure	
tp	Delegated authority from the Minister for Planning and Infrastructure to carry out functions under Section 59 of the Environmental Planning and Assessment Act 1979 for the making of Local Environmental Plans (LEP's). : Making of Local Environmental Plans (LEP's)
Notification	
Ombudsman Act 1974	
Ombudsmans Act 001	Complaints: Authority to complain to the Ombudsman about the conduct of a public authority in accordance with section 12 Pursuant to Section 12
Ombudsmans Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to

	Ombudsman Act 1974
Passenger Transport (General) Regulation 2017	
PT Reg 001	<p>Appointment of bus stops:</p> <p>Authority to approve, on behalf of the Council as a roads authority for the road concerned, the appointment of bus stops in accordance with clause 104 of the <i>Passenger Transport (General) Regulation 2017</i>.</p> <p>Pursuant to</p> <p>clause 104</p>
Pesticides Act 1999	
Pesticides Act 001	<p>Clean up action:</p> <p>Authority, where the council is advised by the EPA, or where the delegate reasonably suspects that any pesticide pollution is occurring or has occurred, to take or authorise such clean-up action as the delegate considers necessary in accordance with section 20, issue a compliance cost notice in relation to such action in accordance with section 28, recover any unpaid amounts specified in a compliance costs notice as a debt in accordance with section 29 and apply for a compliance cost notice to be registered as a charge on the land to which it relates in accordance with section 30.</p> <p>Pursuant to</p> <p>Sections 20, 28, 29 and 30</p>
Pesticides Act 002	<p>Power of Entry:</p> <p>Authority to authorise a person to enter premises for the purpose of exercising the council's functions under Part 3 of the <i>Pesticides Act 1999</i> in accordance with section 35 of the <i>Pesticides Act 1999</i> and Chapter 7 of the <i>Protection of the Environment Operations Act 1997</i>.</p> <p>Pursuant to</p> <p>Section 35 of the Pesticides Act 1999</p>
Pesticides Act 003	<p>Recovery of costs etc:</p> <p>Authority to seek an order for costs, expenses and compensation in accordance with section 95 and to recover from the offender the costs and expenses incurred or the amount of the loss or damage incurred by the council in the Land and Environment Court in accordance with section 96.</p>

	Pursuant to Sections 95, 96
Pesticides Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Pesticides Act 1999
Pesticides Act 004	Pesticide use notification plans: Authority to carry out all the functions associated with the requirement to prepare, finalise, notify the EPA and give public notice of, a pesticide use notification plan in accordance with Part 5 Division 2 of the Pesticides Regulation 2009. Pursuant to Part 5, Division 2 of the Pesticides Regulation 2009.
Pipelines Act 1967	
Pipelines Act 001	Object to compulsory acquisition of land or easement: Authority to make a written objection to the Minister in respect of a proposed compulsory acquisition Pursuant to Section 21
Pipelines Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Pipelines Act 1967
Privacy and Personal Information Protection Act 1998	

PPIP Act 001	<p>The powers to comply with Act:</p> <p>Authority to exercise and/or perform all powers and functions necessary or desirable to enable the Council to comply with its obligations under the Privacy and Personal Information Protection Act 1998.</p> <p>Pursuant to</p> <p>Privacy and Personal Information Protection Act 1998</p>
PPIP Act 002	<p>Conduct internal review:</p> <p>Authority to conduct internal review requested by an aggrieved person</p> <p>Pursuant to</p> <p>Sections 53 and 54</p>
PPIP Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Privacy and Personal Information Protection Act 1998</p>
Protection of the Environment Operations (Clean Air) Regulation 2010	
PoEO (Clean Air) Reg 001	<p>Approval for certain fires:</p> <p>Authority to grant an approval in respect of the burning of dead and dry vegetation on the premises on which the vegetation grew, in accordance with Part 3 (section 13) of the Protection of the Environment Operations (Clean Air) Regulation 2010.</p> <p>Pursuant to</p> <p>Section 13</p>
Protection of the Environment Operations (Waste) Regulation 2014	
PoEO (Waste) Reg 001	<p>Occupier of scheduled waste facility:</p> <p>Authority to carry out all of Council's functions as the occupier of a scheduled waste facility.</p>

	<p>Pursuant to</p> <p>Protection of the Environment Operations (Waste) Regulation 2014</p>
PoEO (Waste) Reg 002	<p>Application for exemption:</p> <p>Authority on behalf of Council to apply to the EPA for an exemption.</p> <p>Pursuant to</p> <p>clause 91</p>
PoEO (Waste) Reg 000	<p>All Functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Protection of the Environment Operations (Waste) Regulation 2014</p>
Protection of the Environment Operations Act 1997	
PoEO Act 001	<p>Clean-up notices:</p> <p>Authority to issue, vary or revoke a clean-up notice. A notice can be issued in writing, or orally in accordance with section 93.</p> <p>Pursuant to</p> <p>Sections 91 and 93</p>
PoEO Act 002	<p>Fees:</p> <p>Authority to waive payment of the whole or any part of the fee, or extend the time for payment of a fee, in respect of a clean-up notice or prevention notice.</p> <p>Pursuant to</p> <p>Sections 94, 100</p>
PoEO Act 003	<p>Prevention notices:</p> <p>Authority to issue, vary or revoke a prevention notice.</p>

	<p>Pursuant to</p> <p>Sections 96 and 110</p>
PoEO Act 004	<p>Action in event of failure to comply:</p> <p>Authority to take action to cause a prevention notice to be complied with if a person does not comply with a prevention notice given to the person.</p> <p>Pursuant to</p> <p>Section 98</p>
PoEO Act 005	<p>Voluntary clean-up action:</p> <p>Authority to take such clean-up action as the delegate considers necessary if the delegate reasonably suspects that a pollution incident has occurred or is occurring.</p> <p>Pursuant to</p> <p>Section 92(2)</p>
PoEO Act 006	<p>Compliance cost notices:</p> <p>Authority to:</p> <p>a) issue a compliance cost notice;</p> <p>b) recover any unpaid amounts as a debt;</p> <p>c) apply to register a compliance cost notice in relation to land; and</p> <p>d) where a compliance cost notice has been lodged or registered, issue a notice requiring the person to pay the reasonable costs and expenses incurred by the authority in respect of the lodgement or registration and recover any unpaid amounts as a debt.</p> <p>e) revoke or vary a notice.</p> <p>Pursuant to</p> <p>Sections 104, 105, 106, 107(8), 110</p>
PoEO Act 007	<p>Appointment of Authorised Officers and authorisation of Enforcement Officers:</p> <p>Authority to appoint an officer or employee of the Council as an Authorised Officer and to authorise a member of staff of the Council to exercise the functions of an Enforcement Officer under Division 3 of Part 8.2 of the Act (in respect of penalty notice offences).</p>

	<p>Pursuant to</p> <p>Section 187 and 226 of the Protection of the Environment Operations Act and clause 81 of the Protection of the Environment Operations (General) Regulation 2009</p>
PoEO Act 008	<p>Requirement to provide information and records:</p> <p>Authority to give, revoke or vary a notice to a person to require the person to furnish information or records (or both).</p> <p>Pursuant to</p> <p>Section 192</p>
PoEO Act 009	<p>Court proceeding (agent or appointee):</p> <p>Authority to act as an agent or appointee of the Council to commence proceedings for an offence against the Act or Regulations.</p> <p>Pursuant to</p> <p>Section 218A</p>
PoEO Act 010	<p>Assistance to be given to authorised officers:</p> <p>Authority to issue a notice requiring the owner or occupier of a premises to provide such reasonable assistance and facilities to an authorised officer</p> <p>Pursuant to</p> <p>Section 200</p>
PoEO Act 011	<p>Court proceedings (officers and employees):</p> <p>Authority to institute proceedings for an offence against the Act or the Regulations (other than excluded offences) with the written consent of the council or a person authorised by the council, in accordance with sections 218 and 220.</p> <p>Pursuant to</p> <p>Sections 218 and 220</p>
PoEO Act 012	<p>Court proceedings (authority to provide consent):</p> <p>Authority to provide consent for an officer or employee to institute proceedings under section 220.</p>

	Pursuant to Section 220
PoEO Act 013	Noise control notices: Authority to give or issue, revoke or vary a noise control notice. Pursuant to Sections 264 and 266
PoEO Act 015	Extend time: Authority to extend time for payment of, or waive, a fee Pursuant to section 267A(3)
PoEO Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Protection of the Environment Operations Act 1997
Public Health Act 2010	
PH Act 001	Failure to comply with notice relating to regulated system: Authority to take action if the occupier of premises at which there is a regulated system fails to comply with an improvement notice. Pursuant to Section 44
PH Act 002	Prohibition Order:

	<p>Authority to serve a prohibition order, and give a certificate of clearance, in accordance with section 45, and to determine a claim for compensation in accordance with section 49.</p> <p>Pursuant to</p> <p>Sections 45 and 49</p>
PH Act 003	<p>Agreement with Director General:</p> <p>Authority to enter into an agreement or arrangement with Director General</p> <p>Pursuant to</p> <p>Section 98</p>
PH Act 004	<p>Commence proceedings:</p> <p>Authority to commence proceedings against a breach of the Act or Regulations.</p> <p>Pursuant to</p> <p>Section 117</p>
PH Act 005	<p>Authority to appoint authorised officer:</p> <p>Power to appoint a member of the staff of the Council or a member of the staff of another government authority to be an authorised officer, where in the opinion of the Council, the person has appropriate qualifications or experience for such an appointment.</p> <p>Pursuant to</p> <p>Section 126</p>
PH Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Public Health Act 2010</p>
Public Health Regulation 2012	

PH Reg 001	<p>Fees:</p> <p>Authority to extend the time for payment of a fee or waive a fee in full or part in respect of an improvement notice or prohibition order.</p> <p>Pursuant to</p> <p>Clause 97</p>
Public Interest Disclosures Act 1994	
PID Act 002	<p>Provide report:</p> <p>Authority to provide report to Ombudsman and to Minister</p> <p>Pursuant to</p> <p>Section 6CA, section 31</p>
PID Act 003	<p>Refer evidence of an offence:</p> <p>Authority to refer evidence of an offence to Commissioner of Police or Commissioner</p> <p>Pursuant to</p> <p>Section 20</p>
PID Act 004	<p>Determine to disclose:</p> <p>Authority to determine to disclose and disclose identifying information</p> <p>Pursuant to</p> <p>section 22(1)(c)</p>
PID Act 005	<p>Provide investigating authority:</p> <p>Authority to provide investigating authority with view of Council as to proposed transfer of investigation, enter arrangements with investigating authority</p> <p>Pursuant to</p> <p>Section 25</p>

PID Act 006	<p>Notify person:</p> <p>Authority to notify person of action or proposed action in respect of a disclosure</p> <p>Pursuant to</p> <p>Section 27</p>
PID Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Public Interest Disclosures Act 1994</p>
Public Works and Procurement Act 1912	
PW Act 001	<p>Appointment of Council as Agent:</p> <p>Authority to exercise the Council's functions as an agent of the Minister for Finance and Services if the Council has been so appointed.</p> <p>Pursuant to</p> <p>Section 157</p>
PW Act 002	<p>Handing over of work:</p> <p>Authority to agree to handing over of work to Council by Minister</p> <p>Pursuant to</p> <p>Section 153</p>
PW Act 003	<p>Handing over of work:</p> <p>Authority to agree to handing over of work to Council by RMS</p> <p>Pursuant to</p> <p>Section 154</p>

PW Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Public Works Act 1912</p>
Real Property Act 1900	
RP Act 001	<p>Position of boundary under Real Property Act 1900:</p> <p>Authority to apply for a determination as to the position of a common boundary of adjoining lands and, if dissatisfied, appeal to the Land and Environment Court for a such a determination by the Court in accordance with sections 135B and 135J.</p> <p>Pursuant to</p> <p>Sections 135B and 135J</p>
RP Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Real Property Act 1900</p>
Residential (Land Lease) Communities Act 2013	
RLLC Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform all functions of the council as park owner.</p> <p>Pursuant to</p> <p>The <i>Residential (Land Lease) Communities Act 2013</i> and <i>Residential (Land Lease) Communities Regulation 2015</i>.</p>
Restricted Premises Act 1943	
Restricted Premises Act 001	<p>Make application:</p>

	<p>Authority to make application or instruct Council's lawyers to make application to the Land & Environment Court for a brothel closure order</p> <p>Pursuant to</p> <p>Section 17</p>
Restricted Premises Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Restricted Premises Act 1943</p>
Road Transport (General) Regulation 2013	
RT General Reg 001	<p>Metered parking schemes:</p> <p>Authority to establish and operate metered parking schemes, not including setting of fees for parking in metred spaces</p> <p>Pursuant to</p> <p>Clause 60</p>
RT General Reg 002	<p>Metered parking areas:</p> <p>Authority to set aside a road or part of a road as a metered parking area</p> <p>Pursuant to</p> <p>Clause 61</p>
RT General Reg 003	<p>Close a metered parking space:</p> <p>Authority to close a metered parking space with a sign</p> <p>Pursuant to</p> <p>Clause 65</p>
RT General Reg 004	<p>Ticket parking scheme:</p>

	Authority to establish and operate ticket parking schemes, not including setting of fees for parking in ticket parking area Pursuant to Clause 66
RT General Reg 005	Close a ticket parking area or space: Authority to close a ticket parking area or space with a sign Pursuant to Clause 72
RT General Reg 006	Coupon parking scheme: Authority to establish and operate coupon parking schemes, not including setting of fees for parking in a coupon parking area Pursuant to Clause 73
RT General Reg 007	Close a coupon area or space: Authority to close a coupon area or space with a sign Pursuant to Clause 77
RT General Reg 008	Phone parking scheme: Authority to establish and operate phone parking schemes, not including setting of fees for parking in a phone parking area Pursuant to Clause 78
RT General Reg 009	Close a phone parking area or space: Authority to close a phone parking area or space with a sign Pursuant to

	Clause 79
RT General Reg 010	<p>Agree common payment parking schemes:</p> <p>Authority to agree with other councils on the operation of parking schemes on a common payment basis, not including setting of fees</p> <p>Pursuant to</p> <p>Clause 82</p>
RT General Reg 011	<p>Agree with owners of land not owned by Council:</p> <p>Authority to agree with owners of land not owned by Council as to the exercise by Council of powers under Part 5 Division 1 in respect of that land</p> <p>Pursuant to</p> <p>Clause 84</p>
RT General Reg 012	<p>Issue a permit:</p> <p>Authorising the parking of a vehicle without charge or time restrictions, being a business parking permit, a commuter parking permit, a resident parking permit, a resident's visitor permit, a special event parking permit and a declared organisation parking permit</p> <p>Pursuant to</p> <p>Clause 95</p>
RT General Reg 013	<p>Pre-issue parking coupons:</p> <p>Authority to issue pre-paid parking coupons</p> <p>Pursuant to</p> <p>Clause 74</p>
Road Transport Act 2013	
RT Act 001	Removal of dangers and obstructions to traffic:

	<p>Authority to authorise an employee of the council as the appropriate roads authority as an appropriate officer for the purposes of section 142 of the Road Transport Act 2013. Section 142 provides that an appropriate officer may remove the vehicle, thing or container and take such other steps as may be necessary to protect the public and facilitate the free flow of traffic</p> <p>Pursuant to</p> <p>Section 142</p>
RT Act 002	<p>Commence proceedings:</p> <p>Authority to recover as a debt expenses incurred under s.142</p> <p>Pursuant to</p> <p>Section 142(2)</p>
RT Act 003	<p>Certificates:</p> <p>Authority to provide certificates specifying an amount of costs incurred</p> <p>Pursuant to</p> <p>Section 142(3)</p>
RT Act 005	<p>Certificates:</p> <p>Authority to provide certificates as to maintenance of road, estimating monetary value of road infrastructure or of damage to it, estimating cost of remedying damage, estimating extent of offender's contribution to damage</p> <p>Pursuant to</p> <p>Section 230</p>
RT Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Road Transport Act 2013</p>
Roads Act 1993	

Roads Act 001	<p>Appointment of authorised officers:</p> <p>Authority to authorise an employee of Council to exercise functions of an authorised officer</p> <p>Pursuant to</p> <p>Section 4 definition of "authorised officer", section 251</p>
Roads Act 002	<p>Dedicate land:</p> <p>Authority to dedicate land left in subdivision effected prior to 1907 as public road by publishing notice in gazette</p> <p>Pursuant to</p> <p>Section 16</p>
Roads Act 003	<p>Serve notice:</p> <p>Authority to serve notice of intention to dedicate land as public road on owner</p> <p>Pursuant to</p> <p>Section 17</p>
Roads Act 004	<p>Identification of road boundaries:</p> <p>Authority to:</p> <p>a) cause surveys to be carried out to identify the boundaries of a public road in accordance with section 18;</p> <p>b) consider any submissions that have been duly made with respect to the proposed boundaries and approve the survey plan, either with or without alteration in accordance with section 21</p> <p>Pursuant to</p> <p>Sections 18 and 21</p>
Roads Act 005	<p>Publish notice:</p> <p>Authority to publish notice of proposed boundaries in newspaper and serve notice on owner of affected land</p> <p>Pursuant to</p> <p>Section 19</p>

Roads Act 006	<p>Road widening:</p> <p>Authority to:</p> <p>a) submit to the Minister for Roads and Ports a proposed plan for the widening of a public road in accordance with section 22</p> <p>b) make a road widening order in accordance with section 25</p> <p>c) revoke or vary a road widening order in accordance with section 27</p> <p>d) grant consent for the carrying out minor repairs or improvements to a building in accordance with section 26</p> <p>e) direct an owner of land (where a person constructs, replaces or repairs a building or work on land affected by a road widening order in contravention of section 26) to carry out such work as is necessary to restore the land to the state it was in before the contravention occurred in accordance with section 26(4).</p> <p>Pursuant to</p> <p>Sections 22, 25, 26, 26(4) and 27</p>
Roads Act 007	<p>Road Levels:</p> <p>Authority to:</p> <p>a) Prepare a prepare a proposal to fix the levels of a public road, or to vary the existing levels of a public road in accordance with section 29</p> <p>b) consider any submissions that have been duly made concerning the proposal and decide to proceed with the proposal, either with or without alteration (by making an order), or to abandon the proposal in accordance with section 31.</p> <p>Pursuant to</p> <p>Sections 29 and 31</p>
Roads Act 008	<p>Closing of public roads:</p> <p>Authority to carry out the functions of the Council as the roads authority to close a council public road, including to cause notice of a proposed closure of a public road to be notified in accordance with s38B, appeal against a formal objection made by a notifiable authority under s38C(3), consider any submission made and publish a notice in the Gazette to close the public road (s38D) and to close a temporary public road under s39 if the road does not give access to an isolated road.</p> <p>Pursuant to</p> <p>Part 4, Divisions 3 and 4 of the Roads Act 1993</p>
Roads Act 009	<p>Cause a temporary public road to be closed :</p>

	<p>Authority to cause a temporary public road to be closed by publishing a notice in the Gazette</p> <p>Pursuant to Section 39</p>
Roads Act 010	<p>Consultation with roads authorities :</p> <p>Authority to make submissions to RMS regarding proposed action</p> <p>Pursuant to Section 58</p>
Roads Act 011	<p>Roads Authorities may appeal to Minister:</p> <p>Authority to determine whether aggrieved by RMS action and if so appeal to Minister</p> <p>Pursuant to Section 60</p>
Roads Act 012	<p>Roads agreements between RMS and roads authorities:</p> <p>Authority to enter agreement with RMS transferring council's responsibilities for classified road</p> <p>Pursuant to Section 62</p>
Roads Act 013	<p>Power of roads authorities in respect to roadwork:</p> <p>Authority to carry out road work on public road or other land controlled by council</p> <p>Pursuant to Section 71</p>
Roads Act 014	<p>Notify RMS:</p> <p>Authority to notify RMS of work on classified road involving deviation or alteration of road or construction of bridge, tunnel or level crossing</p>

	Pursuant to Section 75
Roads Act 015	Notify RMS: Authority to notify RMS of major road work Pursuant to Section 76
Roads Act 016	Construct bridges and tunnels across navigable waters: Authority to construct bridges and tunnels across navigable waters, give public notice of proposal, consider submissions, make decision, and give notice of decision Pursuant to Sections 78, 79, 80 and 81
Roads Act 017	Location of conduits: Authority to consult with persons as to location of conduits for utilities across public roads Pursuant to Section 85
Roads Act 018	Functions of Council in respect of private roads: Authority to direct the owner of a private road (other than a classified road) to carry out such work as is necessary to prevent the road from becoming unsafe or unsightly Pursuant to Section 86(1)
Roads Act 019	Traffic Control Facilities: Authority to seek consent of RMS, and with such consent, carry out traffic control work on classified road Pursuant to

	Section 87(2)
Roads Act 020	Traffic Control Facilities: Authority to carry out traffic control work on unclassified road or transitway or road or road related area Pursuant to Section 87(3)
Roads Act 021	Tree felling: Authority to form the opinion that it is necessary to remove or lop a tree or other vegetation on or overhanging a public road for the purpose of a road work or to remove a traffic hazard, and to effect such removal or lopping Pursuant to Section 88
Roads Act 022	Alter landform: Authority to alter landform of land adjoining public road to ensure stability of road Pursuant to Section 92
Roads Act 023	Carry out drainage work : Authority to carry out drainage work on land in vicinity of public road for purpose of draining or protecting public road Pursuant to Section 94
Roads Act 024	Give a direction: Authority to give a direction under Part 7 Pursuant to Sections 91 to 107 inclusive

Roads Act 025	<p>Regulate traffic:</p> <p>Authority to regulate traffic on a public road by means of barriers or notices for any of the purposes set out in section 115(2) of the Roads Act 1993 (NSW) in so far as they apply to the Council as a roads authority.</p> <p>Pursuant to</p> <p>Section 115(2)</p>
Roads Act 026A	<p>Applications for consent:</p> <p>Authority to apply to RMS for consent to erect a barrier or notice or carry out work or take any action to regulate traffic on a public road for other purposes; to remove any notice or barrier, to demolish any work or cease any action for which the RMS has given consent, and give public notice of such application</p> <p>Pursuant to</p> <p>Section 116</p>
Roads Act 026	<p>Request review:</p> <p>Authority to request Minister to review decision of RMS</p> <p>Pursuant to</p> <p>Section 119</p>
Roads Act 027	<p>Temporary regulation of traffic:</p> <p>Authority to serve (and revoke) an Order prohibiting a person from causing any vehicle under the person's control to pass along a specified local road</p> <p>Pursuant to</p> <p>Section 122</p>
Roads Act 028	<p>Authority to erect structures:</p> <p>Authority to authorise the holder of a footway dining approval to erect and maintain structures in, or over any part, of the footway</p> <p>Pursuant to</p>

	Section 126
Roads Act 029	<p>Public Gates:</p> <p>Authority to grant and/or revoke a permit for the erection of a public gate or the construction of a by-pass around a public gate.</p> <p>Pursuant to</p> <p>Sections 128, 130, 133 and 136</p>
Roads Act 030	<p>Approval to use footway for restaurant :</p> <p>Authority to determine an application for a footway dining approval</p> <p>Pursuant to</p> <p>Section 125</p>
Roads Act 031	<p>Determine an application for consent:</p> <p>Authority to determine an application for consent to: (a) erect a structure, or carry out work in, on or over a public road; (b) dig up or disturb the surface of a public road; (c) remove or interfere with a structure, work or tree on a public road; (d) pump water into a public road from any land adjoining a public road; (e) connect a road (whether public or private) to a classified road, and impose conditions on a consent.</p> <p>Pursuant to</p> <p>Sections 138, 139 & 139A</p>
Roads Act 032	<p>Revocation of street vending consent:</p> <p>Authority to revoke a street vending consent and give notice of revocation</p> <p>Pursuant to</p> <p>Section 139C</p>
Roads Act 033	<p>Extend term:</p> <p>Authority to extend term of a street vending consent and impose conditions</p> <p>Pursuant to</p>

	Sections 139D(1) and (5)
Roads Act 034	Transfer of street vending or other consent: Authority to transfer a street vending or other consent and impose conditions Pursuant to Sections 139D(3)(5) and (6)
Roads Act 035	Fresh consents: Authority to grant a fresh consent where previous consent revoked, expired or lapsed Pursuant to Section 139E
Roads Act 036	Revocation of Consent: Authority to revoke a consent by notice of revocation served on holder Pursuant to Section 140
Roads Act 037	Permits for road events: Authority to grant a permit to any person to conduct a road event (as defined) on a public road Pursuant to Section 144
Roads Act 038	Leasing of land above or below public road: Authority to grant a lease of air space above or land below public road with approval of Director of Planning Pursuant to Section 149

Roads Act 039	<p>Transfer of public road to other roads authority:</p> <p>Authority to consent to the transfer of a public road by the Minister for Roads and Ports from or to the Council</p> <p>Pursuant to</p> <p>Section 150</p>
Roads Act 040	<p>Short-term leases of unused public roads:</p> <p>Authority to grant short term lease of unused public road to adjoining owner or lessee, give public notice of proposed lease, consider submissions, make decision</p> <p>Pursuant to</p> <p>Sections 153, 154, 155 & 156</p>
Roads Act 041	<p>Naming of public roads:</p> <p>Authority to approve names and numbering for all roads for which the Council is the roads authority</p> <p>Pursuant to</p> <p>Section 162</p>
Roads Act 042	<p>Inspections and Investigations:</p> <p>Authority to inspect the land, for the purposes of an inspection, dig up any ground and take such measures as are necessary to ascertain the character and condition of the land and of any building, structure or work that is situated in, on or over the land, make surveys and take levels and, for those purposes, may dig trenches, break up the soil and set up any posts, stakes or marks, and may take samples or photographs in connection with any inspection.</p> <p>Pursuant to</p> <p>Section 165</p>
Roads Act 044	<p>Roads authority may take possession of land when constructing etc public road:</p> <p>Authority to use and occupy land along or near a road for the purpose of carrying out road work or providing a temporary road, and give notice of intention to do so</p> <p>Pursuant to</p>

	Section 175
Roads Act 045	<p>Access roads across land owned by public authority:</p> <p>Authority to enter into agreement with public authority regarding construction and maintenance of road</p> <p>Pursuant to</p> <p>Section 176</p>
Roads Act 046	<p>Financial or other assistance:</p> <p>Authority to enter into agreement with RMS for financial or other assistance</p> <p>Pursuant to</p> <p>Section 207</p>
Roads Act 047	<p>Apportionment of cost:</p> <p>Authority to agree to apportionment of cost of road work on a classified road forming boundary, make submissions to RMS regarding apportionment</p> <p>Pursuant to</p> <p>Section 209</p>
Roads Act 048	<p>Financial or other assistance:</p> <p>Authority to agree with another Council financial assistance from RMS for a classified road forming boundary</p> <p>Pursuant to</p> <p>Section 210</p>
Roads Act 049	<p>Roads authorities may levy tolls on road-ferries:</p> <p>Authority to lease the running of a road ferry, lease the collection of tolls and charges on a road ferry</p> <p>Pursuant to</p> <p>Section 216</p>

Roads Act 050	Recovery of: Authority to determine the amount of contribution to which an owner of land adjoining a public road is required to contribute to the cost incurred by the Council in constructing or paving any adjacent kerb, gutter or footway Pursuant to Section 217
Roads Act 051	Roads authority to supply RMS with plans and specifications : Authority to make submissions to RMS regarding proposed works Pursuant to Section 221
Roads Act 052	Roads authority may carry out work instead of paying compensation: Authority to enter an agreement to do work instead of pay compensation Pursuant to Section 227
Roads Act 053	Authorised officer may require production of information: Authority to require the owner of the vehicle or the person in charge of the vehicle to produce certain information immediately. Pursuant to Section 229
Roads Act 054	Roads authority may give effect to direction and recover costs: Authority to take action necessary to give effect to a direction and recover costs from person to whom direction given Pursuant to Section 238
Roads Act 055	Refer matters:

	<p>Authority to refer matters to local land board</p> <p>Pursuant to</p> <p>Section 260</p>
Roads Act 056	<p>Footway restaurants:</p> <p>Authority to grant an approval pursuant to Part 9 Division 1 of the Roads Act 1993 (NSW) to use part of a footway for the purposes of a restaurant and to authorise a holder of an approval to erect and maintain structures in, on or over any part of the footway the subject of the approval.</p> <p>Pursuant to</p> <p>Part 9 Division 1</p>
Roads Act 057	<p>Street vending consent :</p> <p>Authority to grant, revoke, transfer or extend the term of a street vending consent</p> <p>Pursuant to</p> <p>Part 9 Division 3</p>
Roads Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Roads Act 1993</p>
Roads Act 058	<p>Notice of Entry:</p> <p>Authority to give written notice to the owner or occupier of the premises of the intention to enter the premises and authority to give notification of the use of force or urgent entry to such persons or authorities as appear to the delegate to be appropriate in the circumstances.</p> <p>Pursuant to</p> <p>section 166 and 168</p>

Rural Fires Act 1997	
RF Act 001	<p>Formation of Rural Fire Brigades:</p> <p>Authority to form (or form jointly with another council) one or more rural fire brigades for any rural fire district constituted for a council's area or part of its area in accordance with section 15</p> <p>Pursuant to</p> <p>Section 15</p>
RF Act 002	<p>Responsible local authorities:</p> <p>Authority to enter into agreement with another local authority to combine responsibility for fire districts</p> <p>Pursuant to</p> <p>Section 7(2)</p>
RF Act 003	<p>Responsible local authorities:</p> <p>Authority to enter into agreement with another local authority to nominate the authority as having responsibility for some or all of fire district</p> <p>Pursuant to</p> <p>Section 7(3)</p>
RF Act 004	<p>Disbandment :</p> <p>Authority to disband a rural fire brigade</p> <p>Pursuant to</p> <p>section 17(1)</p>
RF Act 005	<p>Area of operations:</p> <p>Authority to determine the territory of a rural fire brigade and appoint officers for the brigade</p> <p>Pursuant to</p> <p>Section 18</p>

RF Act 006	<p>Responsibilities and functions:</p> <p>Authority to provide facilities and accommodation for fire control officer and consult with Commissioner</p> <p>Pursuant to</p> <p>Sections 37 and 38</p>
RF Act 008	<p>Local bush fire danger period declaration:</p> <p>Authority to consult with and make recommendations in relation to the making of a local bush fire danger period declaration in accordance with section 83.</p> <p>Pursuant to</p> <p>Section 83</p>
RF Act 009	<p>Bush Fire Hazard Reduction Certificates:</p> <p>Authority to:</p> <p>a) determine an application for a bush fire hazard reduction certificate that authorises the carrying out of bush fire hazard reduction work on private land within the council's area by a person other than the Commissioner or a local authority in accordance with Part 4, Division 8</p> <p>b) Authority to certify a bush fire hazard reduction certificate in relation to bush fire hazard reduction work on land by the council in accordance with Part 4, Division 8</p> <p>Pursuant to</p> <p>Sections 100F(5) & 100G</p>
RF Act 010	<p>Proceedings for breach:</p> <p>Authority to bring proceedings on behalf of the Council in the Land and Environment Court for an order to remedy or restrain a breach of section 100F or 100G of the Act (in relation to bush fire hazard reduction certificates) in accordance with section 100H.</p> <p>Pursuant to</p> <p>Section 100H</p>
RF Act 011	<p>Rural Fire Brigade Contributions:</p> <p>Authority to arrange for the payment of rural fire brigade contributions in accordance with Part 5, Division 4</p>

	Pursuant to Section 107
RF Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Rural Fires Act 1997
RF Act 012	Fire Trails: Authority to exercise and/or perform the Council's functions under Part 3B as the owner or occupier of land, including to make a fire trail complaint, object to, or appeal against, a fire trail rectification notice, apply for the termination of the registration of a fire trail and to object to, or appeal against, a refusal to terminate registration of a fire trail. Pursuant to sections 62Q, 62Z(1), 62ZA(1), 62ZK(1), 62ZL(1), 62ZM(1) and Part 3B generally.
Rural Fires Regulation 2013	
RF Reg 001	Rural Fire Brigades: Authority to register or refuse to register a person as a member of a rural fire brigade and remove a person's name from the register of members. Pursuant to clauses 5, 6 and 7
Service NSW (One-stop Access to Government Services) Act 2013	
S NSW Act 001	Delegation of: Authority to delegate customer service functions of council to CEO with the approval of a resolution of council Pursuant to Section 7

S NSW Act 002	<p>Enter into:</p> <p>Authority to enter into agreement with CEO with the approval of a resolution of council</p> <p>Pursuant to</p> <p>Sections 8 and 16</p>
S NSW Act 003	<p>Agreements authorising:</p> <p>Authority to enter into agreement with CEO to act as agent of CEO</p> <p>Pursuant to</p> <p>Section 12</p>
S NSW Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Service NSW (One-stop Access to Government Services) Act 2013</p>
State Emergency and Rescue Management Act 1989	
SERM Act 001	<p>Combination of local government areas:</p> <p>Authority to agree to combine emergency management arrangements with other councils</p> <p>Pursuant to</p> <p>Section 27</p>
SERM Act 003	<p>Representative on Local Emergency Management Committee:</p> <p>Authority to determine the representative of an organisation on the Local Emergency Management Committee in accordance with section 28(2)(c).</p> <p>Pursuant to</p> <p>Section 28(2)(c)</p>

SERM Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>State Emergency and Rescue Management Act 1989</p>
State Emergency Service Act 1989	
SES Act 001	<p>Recommending appointment of local controller:</p> <p>Authority to recommend to the Commissioner a person to be appointed as the local controller of SES units in the Council's area.</p> <p>Pursuant to</p> <p>Section 17</p>
SES Act 002	<p>Local controllers:</p> <p>Authority to provide facilities and accommodation for local controller</p> <p>Pursuant to</p> <p>Section 17(5)</p>
SES Act 003	<p>Disposal by local councils of equipment purchased from Fund:</p> <p>Authority to sell or dispose, with the consent of the commissioner, of equipment</p> <p>Pursuant to</p> <p>Section 24X</p>
SES Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p>

	State Emergency Service Act 1989
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	
SEPP (Veg) 001	<p>Permit for clearing of vegetation:</p> <p>Authority to issue a permit on behalf of the Council to clear vegetation in a non-rural area which is declared by a development control plan made by the Council.</p> <p>Pursuant to clause 10</p>
State Records Act 1998	
SR Act 001	<p>Exercise functions:</p> <p>Authority to exercise the Council's functions, including the disposal of Council records and making of open and closed access directions in accordance with that Act and the State Records Regulation 2005</p> <p>Pursuant to State Records Act 1998</p>
SR Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to State Records Act 1998</p>
Strata Schemes Development Act 2015	
SSD Act 001	<p>Strata Certificates:</p> <p>Authority to issue a strata certificate in accordance with section 54 (strata plans and subdivision of development lots), s55(subdivision not involving development lot) and s56 (notices of conversion) in accordance with Part 4 Division 2 of the <i>Strata Schemes Development Act 2015</i> and Part 4 of the <i>Strata Schemes Development Regulation 2016</i>.</p> <p>Pursuant to</p>

	<p>sections 54, 55 and 56 <i>Strata Schemes Development Act 2015</i></p> <p>clause 17 <i>Strata Schemes Development Regulation 2016</i></p>
SSD Act 002	<p>Obligations of planning authority:</p> <p>Authority on behalf of the council as a planning authority when granting a planning approval, to certify in accordance with s75(2).</p> <p>Pursuant to</p> <p>Pursuant to: s.75(2)</p>
SSD Act 003	<p>Strata development contract amendment:</p> <p>Authority to approve the amendment of a strata development contract for a strata scheme in accordance with s84.</p> <p>Pursuant to</p> <p>s.84</p>
SSD Act 004	<p>Termination of a strata scheme:</p> <p>Authority to sign an application for termination of a strata scheme in accordance with s142.</p> <p>Pursuant to</p> <p>s.143</p>
SSD Act 000	<p>All Functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>the Strata Schemes Development Act 2015</p>
Strata Schemes Management Act 2015	
SSM Act 001	(Orders) Enforcing restrictions on uses of utility lots:

	<p>Authority to apply to the Tribunal for an order enforcing restrictions on uses of utility lots and for reallocation of unit entitlements.</p> <p>Pursuant to</p> <p>s.235(2) and s.136</p>
SSM Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>the Strata Schemes Management Act 2015</p>
Surveillance Devices Act 2007	
SD Act 001	<p>Optical surveillance devices:</p> <p>Authority on behalf of Council as the owner or occupier of premises or vehicles or any other object to consent to the installation, use and maintenance of an optical surveillance device on the premises or vehicle or object.</p> <p>Pursuant to</p> <p>section 8 of the <i>Surveillance Devices Act 2007</i></p>
Surveying and Spatial Information Act 2002	
SSI Act 001	<p>Maintenance and repair of permanent survey marks :</p> <p>Authority to apply to the Minister for a direction that it is the duty of the Surveyor-General may to keep any or all of the permanent survey marks the subject of a notice to the council, in good condition and repair, in accordance with section 9.</p> <p>Pursuant to</p> <p>Section 9</p>
SSI Act 002	<p>Authority to:</p> <p>Authority to carry out surveys</p>

	Pursuant to Section 5
SSI Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Surveying and Spatial Information Act 2002
Swimming Pools Act 1992	
SP Act 001	Exemption from compliance: Authority to grant an exemption from all or any of the requirements of the access to swimming pools provisions, unconditionally or subject to conditions. Pursuant to Section 22
SP Act 002	Direction to comply: Authority to serve a direction requiring compliance with the access to swimming pools provisions. Pursuant to Section 23
SP Act 003	Authority to carry out inspection: Authority to carry out inspection of swimming pool, including on request of owner and charge a fee Pursuant to Sections 22B, 22C, 22F
SP Act 004	Authority to issue a certificate of compliance: Authority to issue a certificate of compliance and charge a fee

	<p>Pursuant to</p> <p>Sections 22D, 22F</p>
SP Act 005	<p>Notice of intention:</p> <p>Authority to serve on the occupier of the premises a notice of intention to carry out the requirements of a direction given under section 23 (requiring compliance with the access to swimming pools provisions).</p> <p>Pursuant to</p> <p>Section 23A</p>
SP Act 006	<p>Directing a person to act:</p> <p>Authority to direct a person to act as "a person acting under the direction of a local authority" for the purposes of section 23A.</p> <p>Pursuant to</p> <p>Section 23A</p>
SP Act 007	<p>Appeals:</p> <p>Authority to represent the Council in relation to an appeal against a decision of the Council.</p> <p>Pursuant to</p> <p>Section 26</p>
SP Act 008	<p>Appointment of Authorised officer:</p> <p>Authority to appoint an employee of the Council or other person as an authorized officer for the purposes of the Act and Regulations.</p> <p>Pursuant to</p> <p>Section 27</p>
SP Act 010	<p>Investigation of complaint:</p> <p>Authority to investigate a complaint of non-compliance with the Act or Regulations.</p> <p>Pursuant to</p>

	Section 29A
SP Act 011	<p>Proceedings to remedy or restrain a breach:</p> <p>Authority to bring proceedings in the Land and Environment Court for an order to remedy or restrain a breach of the Act or Regulations.</p> <p>Pursuant to</p> <p>Section 30</p>
SP Act 012	<p>Proceedings to breach:</p> <p>Authority to bring proceedings in the Local Court for an offence against the Act or Regulations.</p> <p>Pursuant to</p> <p>Section 36</p>
SP Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Swimming Pools Act 1992</p>
Swimming Pools Regulation 2018	
SP Reg 001	<p>Application for exemption :</p> <p>Authority to determine the form of an application for exemption</p> <p>Pursuant to</p> <p>Clause 12</p>
SP Reg 002	<p>Give notice:</p> <p>Authority to give notice of decisions</p> <p>Pursuant to</p>

	Clauses 15, 20.
SP Reg 003	<p>Issue a certificate of Non-Compliance:</p> <p>Authority to be satisfied/ not satisfied on behalf of the local authority that the requirements for the issue of a certificate of compliance have been met, and issue a notice and/or certificate of non-compliance under clauses 20 and 21 respectively.</p> <p>Pursuant to</p> <p>Pursuant to clauses 20 and 21.</p>
Tattoo Parlours Act 2012	
TP Act 001	<p>Exchange of information:</p> <p>Authority to enter into information sharing arrangement with the Director General</p> <p>Pursuant to</p> <p>Section 36</p>
TP Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Tattoo Parlours Act 2012</p>
Transport Administration Act 1988	
TA Act 001	<p>Referral of disputes:</p> <p>Authority to refer a dispute between the council and a transport authority to the Minister in accordance with section 111.</p> <p>Pursuant to</p> <p>Section 111</p>
TA Act 002	Grants to Council:

	<p>Authority to apply for grants in connection with use of roads by buses</p> <p>Pursuant to</p> <p>Section 106</p>
TA Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Transport Administration Act 1988</p>
Trees (Disputes Between Neighbours) Act 2006	
T(DBN) Act 001	<p>Appearance before Court:</p> <p>Authority to appear before the Court in any proceedings under this Part in relation to a tree in accordance with section 13 or 14G.</p> <p>Pursuant to</p> <p>Sections 13 and 14G</p>
T(DBN) Act 002	<p>Authorised person :</p> <p>Authority to authorise a person as an authorised person for the purposes of section 17 of the Act.</p> <p>Pursuant to</p> <p>Section 17</p>
T(DBN) Act 003	<p>Act as an authorised person :</p> <p>Authority to act as an authorised person for the purposes of section 17 of the Act</p> <p>Pursuant to</p> <p>Section 17</p>
T(DBN) Act 004	<p>Notice of intention:</p>

	<p>Authority to serve on the owner of land a notice of intention to enter land under section 17.</p> <p>Pursuant to</p> <p>Section 17</p>
T(DBN) Act 005	<p>Charge on Land:</p> <p>Authority (after obtaining an order of a court in proceedings against an owner of land for the recovery of costs in accordance with section 17 (8)) to apply to the Registrar-General for registration of the order in relation to that land, and certify that the amount has been paid or otherwise agree to a cancellation of the charge in accordance with section 17A.</p> <p>Pursuant to</p> <p>Section 17A</p>
T(DBN) Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Trees (Disputes Between Neighbours) Act 2006</p>
Valuation of Land Act 1916	
VL Act 001	<p>Application for Valuation:</p> <p>Authority to apply to the Valuer-General for a valuation of land held by or on behalf of the Council in accordance with section 14A(2)(a) or within the council (as the rating or taxing authority)'s local government area in accordance with section 14A(2)(c). Authority to apply for an apportionment factor in accordance with section 14X or 14BBA and for an assessed annual value of land which became rateable on or after 1 July 1977 in accordance with section 19B.</p> <p>Pursuant to</p> <p>Sections 14A(2)(a), 14A(2)(c), 14X, 14BBA, 19B.</p>
VL Act 002	<p>Objection to Valuation and Appeal:</p> <p>Authority to make an objection to a valuation of the Valuer General in accordance with section 31 and if dissatisfied with the determination of the objection, to appeal in accordance with section 37.</p>

	Pursuant to Sections 31 and 37
VL Act 003	Valuation Lists: Authority to forward to the Valuer-General particulars of any desired alterations to any valuation list under section 50(1), to request a new valuation list under section 51 and request that the Valuer-General make a new valuation of any land in accordance with section 60A. Pursuant to Sections 50(1) and 51 and 60A.
VL Act 004	Copies of entries to be supplied: Authority to agree with Valuer General regarding supply of information as to valuations Pursuant to Section 76
VL Act 005	Valuer-General not required to determine certain valuations: Authority to request Valuer General to determine assessed annual value of land Pursuant to Section 7D
VL Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Valuation of Land Act 1916
Waste Avoidance and Resource Recovery Act 2001 and Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017	
WARR 000	All functions:

	<p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Waste Avoidance and Resource Recovery Act 2001 and Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017</p>
WARR 001	<p>Agreements with material recovery facility operators:</p> <p>Authority to enter into processing agreements and refund sharing agreements with a material recovery facility operator on behalf of council.</p> <p>Pursuant to</p> <p>Clause 18 of the Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017</p>
Water Management (General) Regulation 2018	
WM Reg 000	<p>All Functions:</p> <p>Authority to exercise and/or perform on behalf of Council as a water supply authority the Council's delegable Functions under this Regulation in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Water Management (General) Regulation 2018</p>
Water Management Act 2000	
WM Act 001	<p>Authority to seek Minister's approval:</p> <p>Authority to seek Minister's approval for construction of public protective works</p> <p>Pursuant to</p> <p>Section 269</p>
WM Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p>

	<p>Pursuant to</p> <p>Water Management Act 2000</p>
WM Act 002	<p>Water Supply Authority:</p> <p>Authority to exercise and/or perform on behalf of the Council as a water supply authority the Council's delegable functions under this Act and any Regulation made under the Act in force from time to time.</p> <p>Pursuant to</p> <p>Sections 291 - 293 generally, Part 2, Division 3</p>
WM Act 003	<p>Commercial Operations:</p> <p>Authority to seek the approval of the Governor and enter into commercial arrangements on behalf of the Council as a water supply authority.</p> <p>Pursuant to</p> <p>Section 294</p>
WM Act 004	<p>Entry on land:</p> <p>Authority to authorise a person to enter land and do the things referred to in sections 296 and 297 in accordance with those sections.</p> <p>Pursuant to</p> <p>Sections 296 and 297 of the Water Management Act 2000</p>
WM Act 005	<p>Break up roads:</p> <p>Authority to give notice to persons and open and break a public road etc in accordance with section 298.</p> <p>Pursuant to</p> <p>Section 298</p>
WM Act 006	<p>Altering position of conduits:</p> <p>Authority to serve a notice requiring the alteration of a conduit in accordance with section 299, and make the alteration in accordance with section 299(3).</p>

	Pursuant to Section 299
WM Act 007	Obstruction of works: Authority to apply for and obtain an injunction in accordance with section 300. Pursuant to Section 300
WM Act 008	Finding source of pollution of water supply: Authority to give notice to a person, and try to find the source of pollution, and recover expenses, in accordance with section 301. Pursuant to Section 301
WM Act 009	Crown land in special areas: Authority to give approval in writing for the purposes of section 303 of the WM Act. Pursuant to Section 303
WM Act 010	Exercise of certain function in special areas: Authority to make representations for the purposes of section 304 of the WM Act. Pursuant to Section 304
WM Act 011	Certificates of compliance: Authority to impose certain requirements before granting a certificate of compliance in accordance with section 306 and grant, or refuse to grant, a certificate of compliance under section 307. Pursuant to

	Sections 306 and 307
WM Act 012	<p>Connections:</p> <p>Authority to publish a notice of the availability of a water main or sewer main, make a connection at the expense of a landowner and recover any amount due for the connection in accordance with section 309 of the WM Act.</p> <p>Pursuant to</p> <p>Section 309</p>
WM Act 013	<p>Service charges, fees and other charges:</p> <p>Authority to exercise any function under Chapter 6, Part 2, Division 6, except for imposing fees under s310(2).</p> <p>Pursuant to</p> <p>Section 310(1)</p>
WM Act 014	<p>Recovery of rates, charges etc by charging authority:</p> <p>Authority to exercise and/or perform all of the council's delegable functions as a charging authority under the <i>Water Management Act 2000</i> and the <i>Water Management (General) Regulation 2011</i>.</p> <p>Pursuant to</p> <p>Chapter 7, Part 4, Division 1</p>
WM Act 015	<p>Compensation for interference:</p> <p>Authority to seek compensation for interference or damage to property in accordance with section 319.</p> <p>Pursuant to</p> <p>Section 319</p>
WM Act 016	<p>Access licence:</p> <p>Authority to apply to the Minister to increase the entitlement in accordance with section 66.</p> <p>Pursuant to</p>

	Sections 61 and 66(4)
Wilderness Act 1987	
Wilderness Act 001	<p>Wilderness Protection Agreement:</p> <p>Authority to enter into a wilderness protection agreement with Minister</p> <p>Pursuant to</p> <p>Section 10</p>
Wilderness Act 002	<p>Proposals by statutory authorities affecting certain wilderness areas:</p> <p>Authority to give notice of proposed development in wilderness area</p> <p>Pursuant to</p> <p>Section 15</p>
Wilderness Act 003	<p>Resolution of certain disputes:</p> <p>Authority to refer a dispute to the Premier</p> <p>Pursuant to</p> <p>Section 21</p>
Wilderness Act 000	<p>All functions:</p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time.</p> <p>Pursuant to</p> <p>Wilderness Act 1987</p>
Work Health and Safety Act 2011	
WHS Act 001	<p>Authority to apply to the regulator :</p> <p>Authority to apply to the regulator for internal review of a reviewable decision and to the IRC for external review</p>

	Pursuant to Part 12
WHS Act 000	All functions: Authority to exercise and/or perform on behalf of Council the Council's delegable Functions under this Act and the Regulations in force and as amended from time to time. Pursuant to Work Health and Safety Act 2011

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BROKEN HILL
CITY COUNCIL

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

BROKEN HILL CITY COUNCIL

INSTRUMENT OF DELEGATION TO MAYOR

On (XX/XX/XXX) the Broken Hill City Council (“**Council**”) resolved that:

1. All previous delegations of Functions the subject of this Instrument be revoked.
2. Pursuant to section 377 of the LG Act to delegate to the Mayor XXXX authority to exercise and/or perform on behalf of the Council the Council’s Functions identified in **Schedule 1** subject to any condition or limitation specified.
3. That Mayor XXXXX be conferred authority to carry out the Policy Authorities listed in **Schedule 2** and undertake any administrative actions necessary to carry out those Policy Authorities.
4. These delegations and authorities are subject to, and are to be exercised in accordance with:
 - a. the requirements of the relevant Legislation;
 - b. any conditions or limitations set out in **Schedule 1**, **Schedule 2** and **Schedule 3**; and
 - c. any resolution or policy, procedure or budget adopted from time to time by the Council.
5. These delegations and authorities are effective from the date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.

AUSTRALIA'S FIRST HERITAGE LISTED CITY

6. In this delegation:

- o **'Functions'** means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.
- o **'Legislation'** means legislation enacted by the parliament of New South Wales and the parliament of the Commonwealth of Australia, including an Act, regulation made under an Act, by-law, rule or ordinance.
- o **'LG Act'** means the *Local Government Act 1993* as amended.

Schedule 1: Delegated Functions

Local Government Act 1993

Function Code	Function	Condition/ Limitation (if any)
LG Act 004	<p>Mayor Functions –</p> <p>Authority to exercise and/or perform the role of the mayor.</p> <p>Pursuant To –</p> <p>section 226</p>	

Schedule 2: Policy Authorities

Code	Policy Authority	Conditions / Limitations (if any)
N/A	N/A	N/A

Schedule 3: General Limitations

Limitation (if any)
N/A

Pursuant to a Resolution of the Council at its meeting of (XX/XX/XXXX),

Council Meeting held XX/XX/XXXX
Minute Number XXXX

XXXXXXXX
Mayor

Date: (XX/XX/XXXX)

Review date:

Delegate Acknowledgement of Delegation

I _____ do hereby acknowledge that I have read and understood this Instrument of Delegation and that I will perform these delegations and authorities in accordance with this Instrument of Delegation and my position description.

Mayor XXXXX of Broken Hill City Council

Date: (XX/XX/XXXX)



BROKEN HILL
CITY COUNCIL

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BROKEN HILL CITY COUNCIL

ABN 84 873 116 132

INSTRUMENT OF DELEGATION TO DEPUTY MAYOR COUNCILLOR XXXXXX

On (XX/XX/XXXX) the Broken Hill City Council (“**Council**”) resolved that:

1. All previous delegations of Functions the subject of this Instrument be revoked.
2. Pursuant to section 377 of the LG Act to delegate to the Deputy Mayor Councillor XXXXX authority to exercise and/or perform on behalf of the Council the Council's Functions identified in **Schedule 1** subject to any condition or limitation specified.
3. That Deputy Mayor XXXXX be conferred authority to carry out the Policy Authorities listed in **Schedule 2** and undertake any administrative actions necessary to carry out those Policy Authorities.
4. These delegations and authorities are subject to, and are to be exercised in accordance with:
 - a. the requirements of the relevant Legislation;
 - b. any conditions or limitations set out in **Schedule 1** and **Schedule 3**; and
 - c. any resolution or policy, procedure or budget adopted from time to time by the Council.
5. These delegations and authorities are effective from the date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.
6. In this delegation:
 - o ‘**Functions**’ means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.

AUSTRALIA'S FIRST HERITAGE LISTED CITY

- o 'Legislation' includes an Act of the parliament of New South Wales or of the Commonwealth of Australia and a Regulation under an Act.
- o 'LG Act' means the *Local Government Act 1993* as amended.

Schedule 1: Delegated Functions

Local Government Act 1993

Function Code	Function	Condition/ Limitation (if any)
LG Act 004	<p>Mayor Functions – Authority to exercise and/or perform the role of the Mayor.</p> <p>Pursuant To – section 226</p>	<p>The Deputy Mayor may only exercise these functions:</p> <p>a) at the request of the Mayor; or b) if the Mayor is prevented by illness, absence or otherwise from exercising these functions; or c) if there is a casual vacancy in the office of Mayor.</p>

Schedule 2: Policy Authorities

Code	Policy Authority
N/A	N/A

Schedule 3: General Limitations

Limitation (if any)
N/A

Pursuant to a Resolution of the Council at its meeting of XX/XX/XXXX,

Council Meeting held XX/XX/XXXX
Minute Number XXXXX

XXXXXXXX
Mayor

Date: XX/XX/XXXX

Review date:

Delegate Acknowledgement of Delegation

I Deputy Mayor Councillor XXXXX do hereby acknowledge that I have read and understood this Instrument of Delegation and that I will perform these delegations and authorities in accordance with this Instrument of Delegation and my position description.

Deputy Mayor Councillor XXXXX
Broken Hill City Council

Date: XX/XX/XXXX



BROKEN HILL
CITY COUNCIL

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BROKEN HILL CITY COUNCIL

ABN 84 873 116 132

INSTRUMENT OF DELEGATION TO GENERAL MANAGER

On XXXXXXXXXX the Broken Hill City Council (“**Council**”) resolved that:

1. All previous delegations of Functions the subject of this Instrument be revoked.
2. The person who from time to time holds the position of General Manager of Council (“**General Manager**”), being at the date of this instrument Jay Nankivell, be delegated authority under section 377 of the LG Act, to exercise and/or perform on behalf of Council the Council’s Functions under all Legislation in force and as amended from time to time:
 - 2.a **Subject to** any condition or limitation on a Function specified in Schedule 1; and
 - 2.b **Excluding** those Functions:
 - i. that are expressly prohibited from delegation as listed under Section 377 of the LG Act;
 - ii. which are expressly required by legislation to be exercised by a resolution of the Council.
3. The General Manager be sub-delegated authority to exercise and/or perform on behalf of Council the Functions delegated to the Council under, and in accordance with, the instrument of delegation to the Council set out in **Schedule 2, excluding** those Functions which pursuant to the terms of the delegation to the Council may not be sub-delegated.
4. The General Manager be conferred authority to carry out the Policy Authorities listed in **Schedule 3** and undertake any administrative actions necessary to carry out those Policy Authorities.
5. The General Manager be delegated any Function which is taken to be conferred or imposed on the Council pursuant to section 381(1) of the LG Act.

AUSTRALIA'S FIRST HERITAGE LISTED CITY

- 6. In the absence of the General Manager that a person appointed by resolution to act as General Manager assume all Functions, delegations, and sub-delegations of the General Manager for the period only of the absence of the General Manager unless otherwise resolved by the Council.

- 7. These delegations and authorities are subject to, and are to be exercised in accordance with:
 - a.a the requirements of the relevant Legislation;

 - a.b any conditions or limitations set out in **Schedule 1** and **Schedule 3**; and

 - a.c any resolution or policy, procedure or budget adopted from time to time by the Council.

- 8. These delegations and authorities are effective from the date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.

- 9. In this delegation:
 - o **“Functions”** means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.

 - o **“Legislation”** means legislation enacted by the parliament of New South Wales and the parliament of the Commonwealth of Australia, including an Act, regulation made under an Act, by-law, rule or ordinance.

 - o **“LG Act”** means the *Local Government Act 1993* as amended.

Schedule 1: Limitations

Part A – Limitations applicable to specific statutory Function (if any)	
Legislation	Limitation (if any)
N/A	N/A
Part B – General Limitations	
N/A	

Schedule 2: Instruments of Delegation to Council

Delegator	Instrument Name	Date Of Instrument
Minister for Planning and Infrastructure	Making of Local Environmental Plans (LEP's)	Wednesday, 26 February 2014

Schedule 3: Policy Authorities

Code	Policy Authority	Conditions / Limitations (if any)
Authority to Approve Payments	Authority to certify electronic funds transfers, sign cheques and sign vouchers on behalf of Council to the limits authorised by the General Manager.	N/A
Authority to Approve Purchases	Authority to authorise the purchase of goods and services to the spend limit and purchasing card limit allocated to the position within the area of budget responsibility.	N/A
Authority to General Manager to Write Off Debts	Authority to the General Manager to write off debts (including but not limited to rates, charges, interest and sundry debts) to the value of \$5,000 for any individual rate, charge or transaction (Minute No. 44690 Council Meeting 25/06/2014).	N/A
Authority to Approve Community Assistance Grants	Authority to give final approval of recommendations of the Community Assistance Grant Panel, through two rounds of grant funding annually and within the adopted annual budget of the grants program, as per the Community Assistance Grants	N/A

	Policy –Minute No. 45524 and S356 of the Local Government Act 1993.	
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Pursuant to a Resolution of the Council at its meeting of XXXXXXXXXX.

Council Resolution to appoint Mr Jay Nankivell as General Manager was made at the Ordinary Council Meeting held 31 March 2021 - Minute Number 46469.

XXXXXXXXXX
Mayor

Date: XXXXXXXXXX

GENERAL MANAGER'S ACKNOWLEDGEMENT OF DELEGATIONS OF AUTHORITY

I, Jay Nankivell, currently employed by the Council in the position of General Manager, do hereby acknowledge that I have read and understood this Instrument of Delegation and that I will perform these delegations and authorities in accordance with this Instrument of Delegation and my position description.

Jay Nankivell
General Manager
Broken Hill City Council

Date: _____

ORDINARY MEETING OF THE COUNCIL

December 9, 2021

ITEM 5

BROKEN HILL CITY COUNCIL REPORT NO. 5/22

SUBJECT: ANNUAL FEES - MAYOR AND COUNCILLORS D21/53756

Recommendation

1. That Broken Hill City Council Report No. 5/22 dated December 9, 2021, be received.
2. That Council notes that the Local Government Remuneration Tribunal determined that there be a two percent increase to the minimum and maximum fees applicable to Councillors and Mayor in each existing category for the financial year commencing 1 July 2021.
3. That Council also notes that the current annual fees paid to Broken Hill City Council’s Mayor and Councillors is below the maximum fees determined for the category of “Regional Rural”.
4. That Council determines whether an increase be applied to the current fees for the newly elected Mayor and Councillors for the remainder of the 2021/2022 financial year.
5. That allocation of a fee for the newly elected Deputy Mayor when acting in the role as Mayor, being the daily fee based on the annual additional Mayoral fee; with the fee so payable deducted from the Mayor’s fee, be reaffirmed.

Executive Summary:

Council considered the determination of the Local Government Remuneration Tribunal (announced in May) regarding an increase to the Councillor and Mayoral fees for the 2021/2022 financial year, at its meeting held 26 May 2021 and resolved:

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 70/21 - DATED APRIL 09, 2021 - ANNUAL FEES - MAYOR AND COUNCILLORS

11/20

RESOLUTION

Minute No. 46531

Councillor B. Algate moved

Councillor T. Kennedy seconded

Resolved

1. That Broken Hill City Council Report No. 70/21 dated April 9, 2021, be received.
2. That Council notes that the current annual fees paid to Broken Hill City Council’s Mayor and Councillors is below the maximum fees determined for the category of “Regional Rural”.
3. That no increase be made to the current fees for the Mayor and Councillors for the 2021/2022 financial year; and the matter be referred to the new Council for consideration.

4. That allocation of a fee for the Deputy Mayor when acting in the role as Mayor, being the daily fee based on the annual additional Mayoral fee; with the fee so payable deducted from the Mayor's fee, be reaffirmed

CARRIED

The Councillor and Mayoral fees have remained unchanged and are currently being paid at the 2020/2021 rates of \$17,982.60 Councillor Fee, and the Mayoral Fee is \$39,234.60.

This report is now re-presented to the first Council Meeting of the new Council to determine whether an increase be applied to the Councillor and Mayoral fees for the remainder of the 2021/2022 financial year.

Report:

The Local Government Remuneration Tribunal has made determinations under Sections 239 and 241 of the *Local Government Act 1993* in respect of the annual fees paid to the Mayor and Councillors effective from 1 July 2021 (see attachment).

The Local Government Remuneration Tribunal has determined that a two percent increase be applied to the minimum and maximum fees applicable to each existing category for the 2021/2022 financial year.

The Tribunal found the allocation of Councils into the current categories appropriate and these categories have not changed further to the Tribunal's extensive review of categories undertaken as part of the 2020 review.

The *Local Government Act 1993* ("the Act") provides for the establishment of a Local Government Remuneration Tribunal to determine categories for Councils, together with annual fees payable to Mayors and Councillors. The Tribunal, in accordance with Sections 239 and 241 of the Act, must determine no later than 1 May each year the minimum / maximum fees payable for Councillors and Mayors for each category.

The Local Government Remuneration Tribunal has determined that Broken Hill City Council falls into the "Regional Rural" category although its population is under 20,000 it aligns more closely with the other eligibility criteria of this category rather than the "Rural" category for areas with a population less than 20,000 due to Broken Hill being:

- a major town of the Far West of NSW;
- provides services to its surrounding townships;
- provides a full range of higher-order services including business, office and retail uses with arts, culture, recreation and entertainment centre;
- has a principal referring hospital, tertiary education services and a major regional airport;
- and Broken Hill also attracts large visitor numbers to established tourism ventures

Council is required under the Act to determine the fees to be paid to the Mayor and Councillors and Section 248 of the *Local Government Act 1993* stipulates that a Council must pay each Councillor an annual fee in accordance with the Tribunal's determinations, the annual fee is to be the same for each Councillor and Council is able to pay that fee having regard to the category established by the Tribunal.

In setting the fee Council may fix a fee that is equal to or greater than the minimum but not greater than the maximum for the appropriate category. When Council declines to fix a fee, it must pay the appropriate minimum fees as determined by the Tribunal.

The Local Government Remuneration Tribunal has determined that a two percent increase be applied to the minimum and maximum fees applicable to each existing category for the 2021/2022 financial year.

Pursuant to Section 241 of the *Local Government Act 1993*, the annual fees to be paid in each of the categories to Councillors, Mayors of councils, and Members and Chairpersons of county councils effective on and from 1 July 2021 are determined as follows (**Note: Broken Hill City Council falls into the “Regional Rural” category**):

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee (\$) effective 1 July 2021		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2021	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	28,190	41,340	172,480	226,960
	Major CBD	18,800	34,820	39,940	112,520
	Metropolitan Large	18,800	31,020	39,940	90,370
	Metropolitan Medium	14,100	26,310	29,950	69,900
	Metropolitan Small	9,370	20,690	19,970	45,110
General Purpose Councils - Non-Metropolitan	Major Regional City	18,800	32,680	39,940	101,800
	Major Strategic Area	18,800	32,680	39,940	101,800
	Regional Strategic Area	18,800	31,020	39,940	90,370
	Regional Centre	14,100	24,810	29,330	61,280
	Regional Rural	9,370	20,690	19,970	45,140
	Rural	9,370	12,400	9,980	27,060
County Councils	Water	1,860	10,340	4,000	16,990
	Other	1,860	6,180	4,000	11,280

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (*Section 249(2) Local Government Act 1993*).

Council considered the Local Government Remuneration Tribunal's determination at its Ordinary Meeting held 26 May 2021 and resolved that the Councillor and Mayoral fees remain at the current levels and that the Remuneration Tribunal's determination be presented to Council again at the first meeting following the election of the new Council in December 2021 for the new Council to determine whether an increase be applied to the Councillor and Mayoral fees for the remainder of the 2021/2022 financial year.

Strategic Direction:

- Key Direction: 4 Our Leadership
- Objective: Our Leaders make smart decisions
- Function: Leadership and Governance
- DP Action: 4.2.1.1 – Decisions are made in a timely manner to ensure effective delivery.

Relevant Legislation:

The Local Government Act 1993 section 249 and the annual determination of the Local Government Remuneration Tribunal for 2021/2022.

Financial Implications:

The current fees paid to Councillors and the Mayor in 2020/2021 financial year are below the maximum fee allowable at \$17,982.60 Councillor Fee, and the Mayoral Fee is \$39,234.60.

Allowance has been made in the 2021/2022 Budget for Mayoral and Councillor fees for an increase of two percent.

The new fee if resolved would be:

Councillors Fee - \$18,342.25

Mayoral Fee - \$40,019.30

Attachments

1. [↓](#) Local Government Remuneration Tribunal - Annual Determination 2021/2022

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

Local Government Remuneration Tribunal

Annual Report and
Determination

*Annual report and determination under sections
239 and 241 of the Local Government Act 1993*

**23 April
2021**

[NSW Remuneration Tribunals website](#)

Local Government Remuneration Tribunal

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Local Government Remuneration Tribunal

Executive Summary

The *Local Government Act 1993* (the LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

Categories

The Tribunal found the allocation of councils into the current categories appropriate. Criteria for each category is published in Appendix 1. These categories have not changed further to the extensive review undertaken as part of the 2020 review.

Fees

The Tribunal determined a 2 per cent increase in the minimum and maximum fees applicable to each category.

Local Government Remuneration Tribunal

Section 1 Introduction

1. Section 239 of the LG Act provides that the Tribunal determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A (1) of the LG Act, requires the Tribunal to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission.
4. However, the Tribunal can determine that a council be placed in another existing or a new category with a higher range of fees without breaching the Government's wage policy as per section 242A (3) of the LG Act.
5. The Tribunal's determinations take effect from 1 July in each year.

Section 2 2020 Determination

6. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years.
7. The Tribunal undertook an extensive review of the categories and allocation of councils into each of those categories as part of the 2020 review.
8. Like the review undertaken in 2017, the Tribunal examined a range of statistical and demographic data and considered the submissions of councils, Local Government NSW (LGNSW) and Regional Cities NSW.
9. The Tribunal determined to retain a categorisation model which differentiates councils primarily based on their geographic location and the other factors including population, the sphere of the council's economic influence and the degree of regional servicing.
10. The categories of general purpose councils were determined as follows:

Metropolitan	Non-Metropolitan
<ul style="list-style-type: none"> • Principal CBD • Major CBD • Metropolitan Large • Metropolitan Medium • Metropolitan Small 	<ul style="list-style-type: none"> • Major Regional City • Major Strategic Area • Regional Strategic Area • Regional Centre • Regional Rural • Rural

11. Given the impact of the bushfires and the COVID-19 pandemic on the state and federal economies and wellbeing of communities, the Tribunal determined no increase in the minimum and maximum fees applicable to each existing category.
12. The Determination was made on 10 June 2020 in accordance with the Local Government (General) Amendment (COVID-19) Regulation 2020 which extended the

Local Government Remuneration Tribunal

time for making of the determination to no later than 1 July 2020.

13. On 10 August 2020 the Tribunal received a direction from the Minister for Local Government, the Hon Shelley Hancock MP, to review the categorisation of Bayside Council. The Tribunal found that Bayside met the criteria to be classified as Metropolitan Large – having both a resident and non-resident working population (minimum 50,000) exceeding 200,000.
14. The Tribunal's 2020 determination was amended by the special determination on 17 August 2020 for Bayside Council be re-categorised as Metropolitan Large for remuneration purposes with effect from 1 July 2020.

Section 3 2021 Review

2021 Process

15. The Tribunal wrote to all mayors or general managers and LGNSW in February 2021 to advise of the commencement of the 2021 review and invite submissions. This correspondence advised that the Tribunal completed an extensive review of categories in 2020 and as this is only required every three years, consideration would be next be given in 2023. Submissions received requesting to be moved into a different category as part of the 2021 review would only be considered were there was a strong, evidence-based case.
16. Eighteen submissions were received – seventeen from individual councils and a submission from LGNSW. It was not possible from some submissions to ascertain if they had been council endorsed. The Tribunal also met with the President and Chief Executive of LGNSW.
17. The Tribunal discussed the submissions at length with the assessors.
18. The Tribunal acknowledged difficulties imposed by COVID19 and, on some councils the bushfires and floods.
19. Submissions from councils in regional and remote locations that raised the unique challenges experienced by mayors and councillors which included difficulties with connectivity and the travel required in sometimes very difficult circumstances were also acknowledged.
20. A summary of the matters raised in the received submissions and the Tribunal's consideration of those matters is outlined below.

Categorisation

21. Nine council submissions requested recategorisation. Four of these requests sought the creation new categories.
22. The Tribunal found that the current categories and allocation of councils to these categories remained appropriate. The Tribunal's finding had regard to the 2020 review, the current category model and criteria and the evidence put forward in the received submissions.
23. A summary of the individual council submissions that sought recategorisation is below.

Metropolitan Large Councils

24. Blacktown City Council requested the creation of a new category of Metropolitan Large – Growth Area.
25. Penrith City Council requested the creation of a new category Metropolitan Large –

Local Government Remuneration Tribunal

Growth Centre.

26. Liverpool City Council requested recategorisation to Major CBD.

27. The Tribunal noted that an extensive review of the current category model was completed in 2020 and would be next considered in 2023. The Tribunal noted that the criteria required for recategorisation was not yet met and that current council allocations remained appropriate.

Metropolitan Small Councils

28. The City of Canada Bay sought recategorisation to Metropolitan Medium. The Tribunal noted that the criteria required for recategorisation was not yet met.

Major Regional City Councils

29. The City of Newcastle requested review and creation of a new category of "Gateway City" with comparable characteristics to the Major CBD category and a similar fee structure. The Tribunal noted that an extensive review of the current category model was completed in 2020 and would be next considered in 2023.

Regional Centre

30. Tweed Shire Council requested recategorisation to Regional Strategic Area. The Tribunal noted that the criteria required for recategorisation was not yet met.

Rural Councils

31. Federation Council requested recategorisation into a new category of Regional.

32. Narromine Shire Council sought recategorisation but did not specify a category for consideration.

33. Yass Valley Council sought recategorisation to Regional Rural.

34. The Tribunal noted that an extensive review of the current category model was completed in 2020 and would be next considered in 2023. The Tribunal noted that the criteria required for recategorisation was not yet met and that current council allocations remained appropriate.

Fees

35. The Tribunal determined a 2.0 per centage increase in the minimum and maximum fees applicable to each category. A summary of the matters the Tribunal considered when making this determination is outlined below.

36. Submissions that addressed fees sought an increase of 2.5 per cent or greater. These submissions raised similar issues to warrant an increase which included the significant workload, responsibilities, capabilities, duties and expanding nature of mayor and councillor roles. Some submissions also suggested that an increase in remuneration may assist in improving the diversity of potential candidates.

37. The 2021-22 rate peg for NSW Councils was set at 2.0 per cent by the Independent Pricing and Regulatory Tribunal (IPART). The rate peg is the maximum percentage amount by which a council may increase its general income for the year.

38. Employees under the *Local Government (State) Award 2020* will receive a 2.0 per cent increase in rates of pay from the first full pay period to commence on or after 1 July 2021.

39. Section 242A of the LG Act provides that when determining the fees payable in each of the categories, the Tribunal is required to give effect to the same policies on increases in remuneration as the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or

Local Government Remuneration Tribunal

varying awards or orders relating to the conditions of employment of public sector employees.

40. The current government policy on wages pursuant to section 146C(1)(a) of the IR Act is articulated in *the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* (IR Regulation 2014). The IR Regulation provides that public sector wages cannot increase by more than 2.5 per cent. As such, the Tribunal has discretion to determine an increase of up to 2.5 per cent.
41. On 31 March 2021, Premier's Memorandum M2021-09 issued the *NSW Public Sector Wages Policy 2021* reflecting the Government's decision to provide annual wage increases of up to 1.5 per cent. The IR Regulation has not been amended to reflect this position.

Conclusion

42. The Tribunal's determinations have been made with the assistance of Assessors Ms Kylie Yates and Mr Tim Hurst.
43. It is the expectation of the Tribunal that in the future all submissions have council endorsement.
44. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.
45. Determination 2 outlines the maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils as per section 241 of the LG Act.



Viv May PSM

Local Government Remuneration Tribunal

Dated: 23 April 2021

Local Government Remuneration Tribunal

Section 4 2021 Determinations

Determination No. 1 - Allocation of councils into each of the categories as per section 239 of the LG Act effective from 1 July 2021

Table 1: General Purpose Councils - Metropolitan

Principal CBD (1)	Major CBD (1)
Sydney	Parramatta
Metropolitan Large (12)	Metropolitan Medium (8)
Bayside	Campbelltown
Blacktown	Camden
Canterbury-Bankstown	Georges River
Cumberland	Hornsby
Fairfield	Ku-ring-gai
Inner West	North Sydney
Liverpool	Randwick
Northern Beaches	Willoughby
Penrith	
Ryde	
Sutherland	
The Hills	
Metropolitan Small (8)	
Burwood	
Canada Bay	
Hunters Hill	
Lane Cove	
Mosman	
Strathfield	
Waverley	
Woollahra	

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Table 2: General Purpose Councils - Non-Metropolitan

Major Regional City (2)		Major Strategic Area (1)		Regional Strategic Area (1)	
Newcastle		Central Coast		Lake Macquarie	
Wollongong					

Regional Centre (24)		Regional Rural (13)	
Albury	Mid-Coast	Bega	
Armidale	Orange	Broken Hill	
Ballina	Port Macquarie-Hastings	Byron	
Bathurst	Port Stephens	Eurobodalla	
Blue Mountains	Queanbeyan-Palerang	Goulburn Mulwaree	
Cessnock	Shellharbour	Griffith	
Clarence Valley	Shoalhaven	Kempsey	
Coffs Harbour	Tamworth	Kiama	
Dubbo	Tweed	Lithgow	
Hawkesbury	Wagga Wagga	Mid-Western	
Lismore	Wingecarribee	Richmond Valley Council	
Maitland	Wollondilly	Singleton	
		Snowy Monaro	

Rural (57)			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen Innes Severn	Murray River	Uralla
Cabonne	Greater Hume	Murrumbidgee	Walcha
Carrathool	Gunnedah	Muswellbrook	Walgett
Central Darling	Gwydir	Nambucca	Warren
Cobar	Hay	Narrabri	Warrumbungle
Coolamon	Hilltops	Narrandera	Weddin
Coonamble	Inverell	Narromine	Wentworth

Local Government Remuneration Tribunal

Rural (57)	
	Yass

Table 3: County Councils

Water (4)	Other (6)
Central Tablelands	Castlereagh-Macquarie
Goldenfields Water	Central Murray
Riverina Water	Hawkesbury River
Rous	New England Tablelands
	Upper Hunter
	Upper Macquarie



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Local Government Remuneration Tribunal

Dated: 23 April 2021

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Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2021

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2021 as per section 241 of the *Local Government Act 1993* are determined as follows:

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee (\$) effective 1 July 2021		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2021	
		Minimum	Maximum	Minimum	Maximum
		General Purpose Councils - Metropolitan	Principal CBD	28,190	41,340
Major CBD	18,800		34,820	39,940	112,520
Metropolitan Large	18,800		31,020	39,940	90,370
Metropolitan Medium	14,100		26,310	29,950	69,900
Metropolitan Small	9,370		20,690	19,970	45,110
General Purpose Councils - Non-Metropolitan	Major Regional City	18,800	32,680	39,940	101,800
	Major Strategic Area	18,800	32,680	39,940	101,800
	Regional Strategic Area	18,800	31,020	39,940	90,370
	Regional Centre	14,100	24,810	29,330	61,280
	Regional Rural	9,370	20,690	19,970	45,140
	Rural	9,370	12,400	9,980	27,060
County Councils	Water	1,860	10,340	4,000	16,990
	Other	1,860	6,180	4,000	11,280

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).



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Local Government Remuneration Tribunal

Dated: 23 April 2021

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Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

Local Government Remuneration Tribunal**Metropolitan Large**

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

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Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 300,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a

Local Government Remuneration Tribunal

significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 200,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

Local Government Remuneration Tribunal

Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural

Councils categorised as Rural will typically have a residential population less than 20,000.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Biosecurity Act 2015*.

ORDINARY MEETING OF THE COUNCIL

December 9, 2021

ITEM 6

BROKEN HILL CITY COUNCIL REPORT NO. 6/22

SUBJECT: LOCAL GOVERNMENT REMUNERATION TRIBUNAL -ANNUAL
REVIEW FOR 2022 D21/54502

Recommendation

1. That Broken Hill City Council Report No. 6/22 dated December 9, 2021, be received.
2. That Council notes that the Broken Hill City Council is categorised as a “Regional Rural” Council for the purpose of determining the Mayoral and Councillor Fees; and that Council determines whether to make a submission to the NSW Local Government Remuneration Tribunal regarding the categorisation.

Executive Summary:

Council has received correspondence from the NSW Local Government Remuneration Tribunal advising that the Tribunal has commenced its review for the 2022 annual determination and inviting Councils to make submissions into the review of the categorisation of Councils in respect to the remuneration of Mayors and Councillors.

Report:

The *Local Government Act 1993* (“the Act”) provides for the establishment of a Local Government Remuneration Tribunal to determine categories for Councils, together with annual fees payable to Mayors and Councillors.

Pursuant to Section 241 of the *Local Government Act 1993*, the NSW Local Government Remuneration Tribunal makes an annual determination on the fees payable to Councillors and Mayor which takes effect annually on 1 July each year. The Tribunal is required to make its determination by no later than 1 May 2022 for the fees to be paid for the 2022/2023 financial year.

There are 128 Councils in NSW and each Council is allocated into one of the following eleven categories:

Metropolitan

- Principal CBD
- Major CBD
- Metropolitan Large
- Metropolitan Medium
- Metropolitan Small

Non-metropolitan

- Major Regional City
- Major Strategic Area

- Regional Strategic Area
- Regional Centre
- Regional Rural
- Rural

The Local Government Remuneration Tribunal has determined that Broken Hill City Council falls into the “Regional Rural” category, even though Broken Hill’s population is under 20,000 it aligns more closely with the other eligibility criteria of this category rather than the “Rural” category for areas with a population less than 20,000 due to Broken Hill being:

- a major town of the Far West of NSW;
- provides services to its surrounding townships;
- provides a full range of higher-order services including business, office and retail uses with arts, culture, recreation and entertainment centre;
- has a principal referring hospital, tertiary education services and a major regional airport;
- and Broken Hill also attracts large visitor numbers to established tourism ventures

Every three years, the Tribunal is required to review the categories and the allocation of Councils into each of those categories and this will take place in 2023. As part of the 2022 review, the Tribunal will consider requests to review the categorisation of individual Councils if there is a strong case to do so.

Requests for a review should be accompanied by a Council Resolution and be supported by evidence to indicate that a Council is more appropriately allocated to another category based on the criteria.

The criteria for the various categories can be found in the appendices of the Local Government Remuneration Tribunal Annual Report and Determination for 2021 which is attached to this report.

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 within its legal framework

Relevant Legislation:

Local Government Act 1993, Section 241

Financial Implications:

An allocation for Mayoral and Councillor fees is included in Council’s annual budget.

Attachments

1. Local Government Remuneration Tribunal - Annual Review and Determination 2021



LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

Local Government Remuneration Tribunal

Annual Report and
Determination

*Annual report and determination under sections
239 and 241 of the Local Government Act 1993*

**23 April
2021**

[NSW Remuneration Tribunals website](#)

Local Government Remuneration Tribunal

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Local Government Remuneration Tribunal

Executive Summary

The *Local Government Act 1993* (the LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

Categories

The Tribunal found the allocation of councils into the current categories appropriate. Criteria for each category is published in Appendix 1. These categories have not changed further to the extensive review undertaken as part of the 2020 review.

Fees

The Tribunal determined a 2 per cent increase in the minimum and maximum fees applicable to each category.

Local Government Remuneration Tribunal

Section 1 Introduction

1. Section 239 of the LG Act provides that the Tribunal determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A (1) of the LG Act, requires the Tribunal to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission.
4. However, the Tribunal can determine that a council be placed in another existing or a new category with a higher range of fees without breaching the Government's wage policy as per section 242A (3) of the LG Act.
5. The Tribunal's determinations take effect from 1 July in each year.

Section 2 2020 Determination

6. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years.
7. The Tribunal undertook an extensive review of the categories and allocation of councils into each of those categories as part of the 2020 review.
8. Like the review undertaken in 2017, the Tribunal examined a range of statistical and demographic data and considered the submissions of councils, Local Government NSW (LGNSW) and Regional Cities NSW.
9. The Tribunal determined to retain a categorisation model which differentiates councils primarily based on their geographic location and the other factors including population, the sphere of the council's economic influence and the degree of regional servicing.
10. The categories of general purpose councils were determined as follows:

Metropolitan	Non-Metropolitan
<ul style="list-style-type: none">• Principal CBD• Major CBD• Metropolitan Large• Metropolitan Medium• Metropolitan Small	<ul style="list-style-type: none">• Major Regional City• Major Strategic Area• Regional Strategic Area• Regional Centre• Regional Rural• Rural

11. Given the impact of the bushfires and the COVID-19 pandemic on the state and federal economies and wellbeing of communities, the Tribunal determined no increase in the minimum and maximum fees applicable to each existing category.
12. The Determination was made on 10 June 2020 in accordance with the Local Government (General) Amendment (COVID-19) Regulation 2020 which extended the

Local Government Remuneration Tribunal

time for making of the determination to no later than 1 July 2020.

13. On 10 August 2020 the Tribunal received a direction from the Minister for Local Government, the Hon Shelley Hancock MP, to review the categorisation of Bayside Council. The Tribunal found that Bayside met the criteria to be classified as Metropolitan Large – having both a resident and non-resident working population (minimum 50,000) exceeding 200,000.
14. The Tribunal's 2020 determination was amended by the special determination on 17 August 2020 for Bayside Council be re-categorised as Metropolitan Large for remuneration purposes with effect from 1 July 2020.

Section 3 2021 Review

2021 Process

15. The Tribunal wrote to all mayors or general managers and LGNSW in February 2021 to advise of the commencement of the 2021 review and invite submissions. This correspondence advised that the Tribunal completed an extensive review of categories in 2020 and as this is only required every three years, consideration would be next be given in 2023. Submissions received requesting to be moved into a different category as part of the 2021 review would only be considered were there was a strong, evidence-based case.
16. Eighteen submissions were received – seventeen from individual councils and a submission from LGNSW. It was not possible from some submissions to ascertain if they had been council endorsed. The Tribunal also met with the President and Chief Executive of LGNSW.
17. The Tribunal discussed the submissions at length with the assessors.
18. The Tribunal acknowledged difficulties imposed by COVID19 and, on some councils the bushfires and floods.
19. Submissions from councils in regional and remote locations that raised the unique challenges experienced by mayors and councillors which included difficulties with connectivity and the travel required in sometimes very difficult circumstances were also acknowledged.
20. A summary of the matters raised in the received submissions and the Tribunal's consideration of those matters is outlined below.

Categorisation

21. Nine council submissions requested recategorisation. Four of these requests sought the creation new categories.
22. The Tribunal found that the current categories and allocation of councils to these categories remained appropriate. The Tribunal's finding had regard to the 2020 review, the current category model and criteria and the evidence put forward in the received submissions.
23. A summary of the individual council submissions that sought recategorisation is below.

Metropolitan Large Councils

24. Blacktown City Council requested the creation of a new category of Metropolitan Large – Growth Area.
25. Penrith City Council requested the creation of a new category Metropolitan Large –

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Growth Centre.

26. Liverpool City Council requested recategorisation to Major CBD.

27. The Tribunal noted that an extensive review of the current category model was completed in 2020 and would be next considered in 2023. The Tribunal noted that the criteria required for recategorisation was not yet met and that current council allocations remained appropriate.

Metropolitan Small Councils

28. The City of Canada Bay sought recategorisation to Metropolitan Medium. The Tribunal noted that the criteria required for recategorisation was not yet met.

Major Regional City Councils

29. The City of Newcastle requested review and creation of a new category of "Gateway City" with comparable characteristics to the Major CBD category and a similar fee structure. The Tribunal noted that an extensive review of the current category model was completed in 2020 and would be next considered in 2023.

Regional Centre

30. Tweed Shire Council requested recategorisation to Regional Strategic Area. The Tribunal noted that the criteria required for recategorisation was not yet met.

Rural Councils

31. Federation Council requested recategorisation into a new category of Regional.

32. Narromine Shire Council sought recategorisation but did not specify a category for consideration.

33. Yass Valley Council sought recategorisation to Regional Rural.

34. The Tribunal noted that an extensive review of the current category model was completed in 2020 and would be next considered in 2023. The Tribunal noted that the criteria required for recategorisation was not yet met and that current council allocations remained appropriate.

Fees

35. The Tribunal determined a 2.0 per centage increase in the minimum and maximum fees applicable to each category. A summary of the matters the Tribunal considered when making this determination is outlined below.

36. Submissions that addressed fees sought an increase of 2.5 per cent or greater. These submissions raised similar issues to warrant an increase which included the significant workload, responsibilities, capabilities, duties and expanding nature of mayor and councillor roles. Some submissions also suggested that an increase in remuneration may assist in improving the diversity of potential candidates.

37. The 2021-22 rate peg for NSW Councils was set at 2.0 per cent by the Independent Pricing and Regulatory Tribunal (IPART). The rate peg is the maximum percentage amount by which a council may increase its general income for the year.

38. Employees under the *Local Government (State) Award 2020* will receive a 2.0 per cent increase in rates of pay from the first full pay period to commence on or after 1 July 2021.

39. Section 242A of the LG Act provides that when determining the fees payable in each of the categories, the Tribunal is required to give effect to the same policies on increases in remuneration as the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or

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varying awards or orders relating to the conditions of employment of public sector employees.

40. The current government policy on wages pursuant to section 146C(1)(a) of the IR Act is articulated in *the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* (IR Regulation 2014). The IR Regulation provides that public sector wages cannot increase by more than 2.5 per cent. As such, the Tribunal has discretion to determine an increase of up to 2.5 per cent.
41. On 31 March 2021, Premiers Memorandum M2021-09 issued the *NSW Public Sector Wages Policy 2021* reflecting the Government's decision to provide annual wage increases of up to 1.5 per cent. The IR Regulation has not been amended to reflect this position.

Conclusion

42. The Tribunal's determinations have been made with the assistance of Assessors Ms Kylie Yates and Mr Tim Hurst.
43. It is the expectation of the Tribunal that in the future all submissions have council endorsement.
44. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.
45. Determination 2 outlines the maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils as per section 241 of the LG Act.



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Dated: 23 April 2021

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Section 4 2021 Determinations

Determination No. 1 - Allocation of councils into each of the categories as per section 239 of the LG Act effective from 1 July 2021

Table 1: General Purpose Councils - Metropolitan

Principal CBD (1)	Major CBD (1)
Sydney	Parramatta
Metropolitan Large (12)	Metropolitan Medium (8)
Bayside	Campbelltown
Blacktown	Camden
Canterbury-Bankstown	Georges River
Cumberland	Hornsby
Fairfield	Ku-ring-gai
Inner West	North Sydney
Liverpool	Randwick
Northern Beaches	Willoughby
Penrith	
Ryde	
Sutherland	
The Hills	
Metropolitan Small (8)	
Burwood	
Canada Bay	
Hunters Hill	
Lane Cove	
Mosman	
Strathfield	
Waverley	
Woollahra	

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Table 2: General Purpose Councils - Non-Metropolitan

Major Regional City (2)		Major Strategic Area (1)		Regional Strategic Area (1)	
Newcastle		Central Coast		Lake Macquarie	
Wollongong					

Regional Centre (24)		Regional Rural (13)	
Albury	Mid-Coast	Bega	
Armidale	Orange	Broken Hill	
Ballina	Port Macquarie-Hastings	Byron	
Bathurst	Port Stephens	Eurobodalla	
Blue Mountains	Queanbeyan-Palerang	Goulburn Mulwaree	
Cessnock	Shellharbour	Griffith	
Clarence Valley	Shoalhaven	Kempsey	
Coffs Harbour	Tamworth	Kiama	
Dubbo	Tweed	Lithgow	
Hawkesbury	Wagga Wagga	Mid-Western	
Lismore	Wingecarribee	Richmond Valley Council	
Maitland	Wollondilly	Singleton	
		Snowy Monaro	

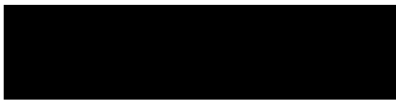
Rural (57)			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen Innes Severn	Murray River	Uralla
Cabonne	Greater Hume	Murrumbidgee	Walcha
Carrathool	Gunnedah	Muswellbrook	Walgett
Central Darling	Gwydir	Nambucca	Warren
Cobar	Hay	Narrabri	Warrumbungle
Coolamon	Hilltops	Narrandera	Weddin
Coonamble	Inverell	Narromine	Wentworth

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Rural (57)	
	Yass

Table 3: County Councils

Water (4)	Other (6)
Central Tablelands	Castlereagh-Macquarie
Goldenfields Water	Central Murray
Riverina Water	Hawkesbury River
Rous	New England Tablelands
	Upper Hunter
	Upper Macquarie



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Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2021

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2021 as per section 241 of the *Local Government Act 1993* are determined as follows:

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee (\$) effective 1 July 2021		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2021	
		Minimum	Maximum	Minimum	Maximum
		General Purpose Councils - Metropolitan	Principal CBD	28,190	41,340
Major CBD	18,800		34,820	39,940	112,520
Metropolitan Large	18,800		31,020	39,940	90,370
Metropolitan Medium	14,100		26,310	29,950	69,900
Metropolitan Small	9,370		20,690	19,970	45,110
General Purpose Councils - Non-Metropolitan	Major Regional City	18,800	32,680	39,940	101,800
	Major Strategic Area	18,800	32,680	39,940	101,800
	Regional Strategic Area	18,800	31,020	39,940	90,370
	Regional Centre	14,100	24,810	29,330	61,280
	Regional Rural	9,370	20,690	19,970	45,140
	Rural	9,370	12,400	9,980	27,060
County Councils	Water	1,860	10,340	4,000	16,990
	Other	1,860	6,180	4,000	11,280

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).



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Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

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Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

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Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 300,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a

Local Government Remuneration Tribunal

significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 200,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

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Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural

Councils categorised as Rural will typically have a residential population less than 20,000.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Biosecurity Act 2015*.

ORDINARY MEETING OF THE COUNCIL

December 9, 2021

ITEM 7BROKEN HILL CITY COUNCIL REPORT NO. 7/22

SUBJECT: APPOINTMENT OF DELEGATES TO COMMITTEES - DECEMBER
2021 TO SEPTEMBER 2022 D21/54039

Recommendation

1. That Broken Hill City Council Report No. 7/22 dated December 9, 2021, be received.
2. That Council appoints its Councillor representatives on Section 355 Committees and various other Committees and Working Groups for the period December 2021 until the September 2022 Ordinary Council Meeting.
3. That Council notes that the City Improvement Working Group (work being undertaken by the Key Direction Working Groups) and the Essential Water Customer Council will be removed from the list as they are no longer active.

Executive Summary:

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

Due to the postponement of the Local Government Election to 4 December 2021 and the appointment of new Councillors, it will be a fairer and more transparent process to go through the list one by one at the first Council Meeting following the election to ensure that full membership is achieved for the effective operation of each Committee and Working Group. The first period of membership will be for the ensuing nine months until the Ordinary Council Meeting in September 2022. From September 2022 the membership will revert back to the historical twelve monthly period in alignment with the Deputy Mayor and four yearly Local Government Elections.

Report:

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

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

(e) by a delegate of the council.

Council currently has 10 Section 355 committees, as follows:

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

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

Attachment 1 to this report shows the list of S355 Committees and other Committees and internal/external Working Groups of which have Councillor Delegate representation. The list also includes the number of Councillor delegates required for each Committee and Working Group.

Time will be taken at the Council Meeting to go through the list one by one to appoint Councillor delegates, in order to obtain full representation on all Committees and Working Groups which will ensure that they can operate effectively and efficiently.

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 (Section 355)

Financial Implications:

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

Attachments

1. [↓](#) Schedule of Council Delegates to Section 355 Committees and other Committees

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

COUNCIL DELEGATES TO SECTION 355 COMMITTEES AND OTHER COMMITTEES

DECEMBER 2021 TO SEPTEMBER 2022

COUNCIL S355 COMMITTEES	
Committee Name	Delegates
<p>Community Strategic Plan Round Table Mayor 3x Key Direction Portfolio Councillors and Alternates</p> <p><u>Our Leadership</u> 1x Councillor 1x Alternate</p> <p><u>Our Community</u> 1x Councillor 1x Alternate</p> <p><u>Our Economy</u> 1x Councillor 1x Alternate</p> <p><u>Our Environment</u> 1x Councillor 1x Alternate</p>	<p><u>Our Leadership</u> (Jay Nankivell) Mayor Kennedy (Chairperson) Councillor (Alternate)</p> <p><u>Our Community</u> (Razija Nu'man) Councillor (Chairperson) Councillor (Alternate)</p> <p><u>Our Economy</u> (Anne Andrews) Councillor (Chairperson) Councillor (Alternate)</p> <p><u>Our Environment</u> (Codie Howard) Councillor (Chairperson) Councillor (Alternate)</p>
<p>Alma Oval Community Committee At least 1 x Councillor</p>	Councillor
<p>Broken Hill Heritage Committee 5 x Councillors</p>	Councillor Councillor Councillor Councillor Councillor
<p>Broken Hill Regional Art Gallery Advisory Committee 2 x Councillors</p>	Councillor Councillor
<p>BIU Band Hall Community Committee At least 1 x Councillor</p>	Councillor
<p>Friends of the Flora and Fauna of the Barrier Ranges Community Committee At least 1 x Councillor</p>	Councillor
<p>Memorial Oval Community Committee At least 1 x Councillor</p>	Councillor

Norm Fox Sportsground Community Committee At least 1 x Councillor	Councillor
Picton Sportsground Community Committee At least 1 x Councillor	Councillor
Riddiford Arboretum Community Committee At least 1 x Councillor	Councillor
OTHER COMMITTEES	
Committee Name	Delegates Required
Association of Mining Related Councils 1 x Councillor	Councillor
Australia Day Advisory Group 4 x Councillors	Councillor Councillor Councillor Councillor
Australian Floodplains Association Mayor + alternate	Mayor Kennedy Councillor (alternate)
Australian Mining Cities and Centres Alliance Mayor + Deputy Mayor(alternate)	Mayor Kennedy Deputy Mayor (alternate)
Audit, Risk & Improvement Committee 3 x Councillors	Councillor Councillor Councillor
Asset Naming Committee 5 x Councillors	Councillor Councillor Councillor Councillor Councillor
Broken Hill Lead Reference Group 1 x Councillor	Councillor
Broken Hill Liquor Accord 1 x Councillor	Councillor
Broken Hill Traffic Committee 1 x Councillor (observer only)	Councillor (observer)
Broken Hill ClubGRANTS Committee 2 x Councillors	Councillor Councillor
City Improvement Working Group Mayor + 2-3 Councillors Remove from list - No longer active – work being undertaken by the Key Direction Working Groups	

<p>Community Assistance Grants Panel Mayor, 1 x Councillor and Our Community Portfolio Councillor</p>	<p>Mayor Councillor Councillor (Our Community KDWG)</p>
<p>Companion Animals Management Working Group 3 x Councillors</p>	<p>Councillor Councillor Councillor</p>
<p>Disability Inclusion Action Plan Working Group 2 x Councillors</p>	<p>Councillor Councillor</p>
<p>EP O'Neill Memorial Precinct Project Steering Group Mayor, Deputy Mayor plus 1 x Councillor</p>	<p>Mayor Kennedy Deputy Mayor Councillor</p>
<p>Essential Water Customer Council 1 x Councillor</p> <p><i>Remove from list - No longer active</i></p>	
<p>Far West Joint Organisation Mayor and Deputy Mayor</p>	<p>Mayor Kennedy Deputy Mayor</p>
<p>General Manager's Performance Review Committee Mayor, Deputy Mayor and 3x Councillors</p>	<p>Mayor Kennedy Deputy Mayor Councillor Councillor Councillor</p>
<p>Library and Cultural Precinct Project Steering Group Mayor and Deputy Mayor</p>	<p>Mayor Kennedy Deputy Mayor</p>
<p>Menindee Lakes Stakeholder Group 1 x Councillor</p>	<p>Councillor</p>
<p>Murray Darling Association 2 x Councillors</p>	<p>Councillor Councillor</p>
<p>Reconciliation Action Plan (RAP) Working Group 3 x Councillors</p>	<p>Councillor Councillor Councillor</p>
<p>Tidy Towns Working Group 2 x Councillors</p>	<p>Councillor Councillor</p>
<p>Western Division Councils 2 x Councillors</p>	<p>Councillor Councillor</p>
<p>Western NSW Mining and Resource Development Taskforce Mayor</p>	<p>Mayor Kennedy</p>
<p>Volunteer Working Group 4 x Councillors</p>	<p>Councillor Councillor Councillor Councillor</p>

QUALITY CONTROL TABLE		
Minute No.	Date	Resolution

ORDINARY MEETING OF THE COUNCIL

September 17, 2021

ITEM 8**BROKEN HILL CITY COUNCIL REPORT NO. 8/22****SUBJECT:** **ADOPTION OF COUNCILLOR SUPPORT POLICY** **D21/48651****Recommendation**

1. That Broken Hill City Council Report No. 8/22 dated September 17, 2021, be received.
2. That Council adopts the current Councillor Support Policy as a Policy of Council.

Executive Summary:

The purpose of the Councillor Support Policy is to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties. The policy ensures that these expenses and facilities are provided in an accountable and transparent manner and does so by ensuring:

- The provisions of the policy allow all members of the community to seek election to Council without being financially or otherwise disadvantaged by undertaking the civic duties of a Councillor;
- Clear identification of the expenses that may be claimed, and facilities that will be provided to Councillors of Broken Hill City Council in carrying out their civic duties;
- Compliance with the requirements of Section 252, 253 and 254 of the *Local Government Act 1993*, and clause 403 of the *Local Government (General) Regulation 2021*.

Report:

Councils are required to review their Councillor Support Policy within the first 12 months of the newly elected Council. Public notice is not required to be given prior to adoption if the Council is of the view that amendments to the policy are not substantial. As Council's current Councillor Support Policy is compliant with current legislation and since the last review of the Policy there have been no circumstances occurring that would give rise to an indication that the Policy was not adequate, the Policy is presented to Council to endorse in its currently adopted state.

Council's Councillor Support Policy complies with the following sections of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*.

Local Government Act 1993**252 *Payment of expenses and provision of facilities***

- (1) *Within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.*
- (2) *The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.*
- (3) *A council must not pay any expenses incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.*
- (4) *A council may from time to time amend a policy under this section.*
- (5) *A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.*

253 Requirements before policy concerning expenses and facilities can be adopted or amended

- (1) *A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*
- (2) *Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.*
- (3) *Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.*
- (4) *(Repealed)*
- (5) *A council must comply with this section when proposing to adopt a policy in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.*

254 Decision to be made in open meeting

The council or a council committee all the members of which are councillors must not close to the public that part of its meeting at which a policy for the payment of expenses or provision of facilities is adopted or amended, or at which any proposal concerning those matters is discussed or considered.

Local Government (General) Regulation 2021

403 Payment of expenses and provision of facilities

- (1) *A policy under section 252 of the Act must not include any provision enabling a council -*
 - (a) *to pay any councillor an allowance in the nature of a general expense allowance, or*
 - (b) *to make a motor vehicle owned or leased by the council available for the exclusive or primary use or disposition of a particular councillor other than the mayor.*
- (2) *A policy under the Act, section 252 must provide for the making of payment of expenses associated with carer responsibilities that are adequate or reasonable.*

Community Engagement:

Not required as per *Section 235(3) of the Local Government Act 1993:*

(3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.

This is due to the policy being compliant with the requirements of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005* with regards to the provision of facilities and the payment of expenses to Councillors for the conduct of their civic duties with Council.

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 within its legal framework

Financial Implications:

All expenses detailed within the Councillor Support Policy are provided for within the adopted 2021/2022 Operational Plan.

Attachments

1. [↓](#) Councillor Support Policy

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

COUNCILLOR SUPPORT POLICY

QUALITY CONTROL			
TRIM REFERENCES	D12/13302 – 12/114		
RESPONSIBLE POSITION	General Manager		
APPROVED BY			
REVIEW DATE	September 2020	REVISION NUMBER	16
EFFECTIVE DATE	ACTION	MINUTE NUMBER	
24/09/2014	Adopted	44759	
30/09/2015	Public Exhibition	45075	
25/11/2015	Adopted	45128	
28/09/2016	Public Exhibition	45337	
30/11/2016	Adopted	45374	

1. INTRODUCTION

This policy has been developed to ensure good governance and best practice standards are adhered to.

The policy is made in accordance with sections 252, 253 and 254 of the *Local Government Act 1993* (NSW).

2. POLICY OBJECTIVE

The purpose of the policy is to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties. The policy ensures that these are provided in an accountable and transparent manner and does so by ensuring:

- The provisions of the policy allow all members of the community to seek election to Council without being financially or otherwise disadvantaged by undertaking the civic duties of a Councillor;
- Clear identification of the expenses that may be claimed, and facilities that will be provided to Councillors of Broken Hill City Council in carrying out their civic duties;
- Compliance with the requirements of Section 252, 253 and 254 of the *Local Government Act 1993*, and clause 403 of the *Local Government (General) Regulation 2005*.

This policy excludes annual fees paid to the Mayor and Councillors in accordance with Sections 248-251 of the *Local Government Act 1993*. These fees are determined annually and are based on the determinations made by the Local Government Remuneration Tribunal.

Should Council be in a period of Administration, the adopted Councillor Support Policy applies to the Administrator of the Council.

3. POLICY SCOPE

This policy is relevant to all Councillors.

4. POLICY STATEMENT

GENERAL PAYMENT OF EXPENSES

4.1. Payment of Expenses

Councillors will be reimbursed for expenses reasonably incurred in the performance of their role as a Councillor. General allowances unrelated to actual expenses will not be paid.

A general allowance is a sum of money paid by a Council to a Councillor to expend on an item or a service that is not required to be receipted and / or otherwise reconciled according to a set procedure and within a specific timeframe. (A Statutory Declaration is included at Annexure 1 for this purpose).

It is not appropriate or lawful for Council to pay general allowances unrelated to actual expenses incurred and which are designed to supplement Councillors' annual fees.

4.2. Reimbursement and Reconciliation of Expenses

Councillors must provide a certified claim in the form provided by the General Manager for all travel, incidental and out of pocket expenses incurred. Payment will only be made for:

- a) expenses covered under this Policy; and
- b) items accompanied by appropriate tax invoice receipts or as provided in clause 7.2(c);
- c) Incidental expenses may not require specific receipts provided it can be demonstrated that expenditure was incurred and is not general in nature. Where receipts are not required it would be appropriate for Councillors to certify that the expenditure was for the purpose intended.

Where no receipts or tax invoices are submitted; a Councillor shall be required to sign a Statutory Declaration to confirm that the expense was incurred (Appendix 1).

If a Statutory Declaration is provided in lieu of receipts and tax invoices, Councillors are required to personally retain any supporting documentation for audit purposes and shall be required to produce this documentation to Council upon request.

The level of supporting documentation should be commensurate with the nature of expenditure. For example expenditure on parking, tolls, refreshments and the like may only require a signed statement listing the payments.

Other than provided in Clause 7.1.3, all claims must be submitted within thirty (30) days of being incurred unless reasonable cause can be shown for the delay.

Failure to meet this timeframe will result in a decline of the reimbursement.

4.3. Payment in Advance

Councillors will be provided with an advance payment for expenses to be incurred under this Policy upon request to the General Manager.

Councillors must reconcile advance payments within seven (7) days of the provision of the service or completion of the travel.

All items to be reconciled must be accompanied by appropriate tax invoice receipts.

Funds not acquitted will be advised to the Councillor and deducted from the next scheduled Councillor payment.

4.4. Establishment of Monetary Limits and Standards

The following are monetary limits for reasonable out-of-pocket expenses:

Expense	Refund Basis	Daily Limit \$	Comment
Registration Costs	Actual	None	Includes costs relating to official luncheons, dinners, tours/inspections which are relevant to the interests of the Council.
Accommodation	Actual up to daily limit	Zone 1: \$300 per day Zone 2: \$250 per day Zone 3: \$200 per day	Limits are dependent on the location of accommodation, providing for regional differences in costs. Zone 1: Capital Cities Zone 2: Regional Cities Zone 3: Country Where evidence is provided that accommodation within the above cost range cannot be provided or is not available then the General Manager has the discretion to approve the increase in costs.
Out of pocket expenses	Actual up to daily limit	Reviewed annually – based on the ATO Reasonable Allowance	Expenses in this category may include: Reasonable refreshments Reasonable telephone or internet usage; Meals not included in registration fees etc. The following expenses will not generally be reimbursed and are the responsibility of the councillor: Alcohol (see note*) Mini-bar items
Enrolment fees	Actual	None	In most cases, Council will arrange and fund attendance of Councillors at training courses.
Air Travel	Actual	None	In most cases, Council will arrange and fund Councillors air travel when required.
Rail Travel	Actual	None	In most cases, Council will only arrange and fund Councillors air travel when requested.
Taxi	Actual	None	Travel for official Council business or

			training only.
Bus	Actual	None	Travel for official Council business or training only.
Parking/Tolls	Actual	None	Travel for official Council business or training only.
Expense	Refund Basis	Daily Limit \$	Comment
Telephone	Actual	\$50 per month	Council related calls only.
Use of private motor vehicle	Actual	Per km allowance as defined in the BHCC Award	The use of a Council pool car should be considered for car travel prior to use of own vehicle.
Personal care or child care expenses: up to four (4) hours	Actual up to daily limit	\$80 per day	Council will reimburse a Councillor's costs to a maximum of \$80 to cover a four (4) hour engagement of a babysitter/caregiver where required to allow the Councillor to attend any Council, Committee meetings, working party or workshop. The four (4) hour period shall include 30 minutes prior to and after the conclusion of the meeting or workshop.
Personal care or child care expenses: more than four (4) hours	Actual up to hourly limit	\$15 per hour	An additional hourly rate of up to \$15 per hour will be paid for meetings and workshops etc. that go beyond the four (4) hours engagement period referred to above.

* Council will not reimburse expenses relating to alcoholic beverages unless the expenses have been incurred as part of legitimate Council business and the Councillor can identify the strategic benefit to the Broken Hill City Council and community.

Examples include:

- Civic Functions
- Entertaining members of the public in order to promote a Local Government initiative or project
- Evening meals associated with a seminar or other function at a particular venue during which significant official business is engaged in during a meal.

4.5. Incidental Expenses

Council will cover incidental travel expenses-provided that it can be demonstrated that the expenses were actually incurred - and that established reconciliation procedures are followed, for example, the completion of a claim form. A claim form must include an itemised account of expenditure and should not be general in nature.

Council will not reimburse personal travel expenses.

4.6. Expenses – Accompanying Person

When a service is shared between a Councillor and accompanying person, the expense associated with the service will be reimbursed as long as the expense did not increase due to the attendance of the accompanying person.

Where costs increase due to the attendance of the accompanying person, Council will only reimburse the amount that relates to the Councillor. In the case of accommodation paid by Council, the Councillor must pay the difference between the single person rate and the rate charged for additional persons.

However, Council will meet the reasonable direct costs of an accompanying person for attendance at official Council functions that are of a formal and ceremonial nature within the City of Broken Hill. For example, civic receptions; award ceremonies; conferences held in Broken Hill at which Council is the host or is represented and charitable functions for charities supported by the Council.

Council will not pay for costs associated with accompanying persons who accompany a Councillor at any event or function outside the Council area, including interstate and overseas.

SPECIFIC EXPENSES FOR MAYOR AND COUNCILLORS

4.7. Attendance at Seminars and Conferences

Councillor Attendance at seminars and conferences must be approved by Council on a case by case basis.

Council will cover registrations fees for conferences, seminars and the like that are attended by the Councillor as a representative of the Council.

Council will also cover travel and accommodation costs as set out in Clause 8.4 below.

4.8. Attendance at External Committee Meetings

Councillors may travel to and attend meetings directly relating to their appointment on external committees and other groups on behalf of Council, without prior approval of Council.

Council will cover travel and accommodation costs as set out in Clause 8.4 below.

4.9. Training and Educational Expenses

Council supports the professional development of all Councillors. In order to facilitate this, an annual training plan shall be maintained and a budget provided to meet the needs identified in the training plan.

In general, training will be provided on a group basis for all Councillors. Council will organise and fully fund the training. All training and educational expenses must be directly related to the Councillor's civic functions and responsibilities.

Training for individual Councillors must be approved by the Mayor upon receipt of a request in writing. The Mayor will consult with the General Manager as approval is subject to availability of funds and relevance of training in accordance with the Division of Local Government Councillor Induction and Professional Development – A Guide for Councils.

Council will continue to develop, fund and implement a Councillor training and development program with particular reference to the Division's Councillor Induction and Professional Development Guide.

4.10. Travel Arrangements and Expenses

All travel associated with Council business must be properly authorised prior to travel being undertaken. Councillors must not approve their own travel. Authorisation must be obtained in the following ways:

4.11. Authorisation

- a) All Councillors' travel must be authorised by resolution of Council, except in cases of urgency or where it relates to attendance at external committee meetings to which the Councillor has been appointed by Council. In situations of urgency, the Mayor may authorise travel which must then be endorsed at the next Council meeting;
- b) Councillors' Authority to Travel forms may be obtained from the Executive Support Team. They must be signed by the Mayor;
- c) In cases of exceptional circumstances, Councillor's travel may be authorised by the General Manager;
- d) In the case of the Mayor, Authority to Travel forms may be authorised by the General Manager or the Acting General Manager in the absence of the General Manager;
- e) Authority to Travel forms must be signed by the Councillor who undertook the travel as soon possible after travel has been completed to confirm that the travel was undertaken and payment for any approved outstanding expenses may be made. These forms must be returned to the Executive Support Team, within 30 days of the travel being completed, unless reasonable cause can be shown for the delay.

4.12. Travel Arrangements

- a) All travel arrangements must be made through the Executive Support Team. Travel arrangements must not be made by individuals unless prior approval has been obtained in writing from the General Manager;
- b) Travel must be for the purpose approved. Changes must not be made to travel arrangements unless prior approval has been obtained from the General Manager;
- c) Should the General Manager approve Councillors to make their own travel arrangements, the Councillor is not permitted to accumulate Frequent Flyer points for Council-funded travel;
- d) Travel may be by air (economy class), rail (first class), coach or motor vehicle, depending upon which is the most cost effective mode;
- e) Councillors intending to travel by motor vehicle must abide by the provisions of Council's Motor Vehicle Usage Policy;
- f) Councillors requiring air travel should advise the Executive Support Team as soon as travel has been authorised so that any discount fares may be utilised;
- g) Should Councillors wish to be accompanied by another person, prior approval must be obtained from the Mayor. All travel costs associated with the travel of the other person must be paid by the other person unless otherwise resolved by Council;
- h) All travel by Councillors must be undertaken using the most direct route and the most practicable and economical mode of transport, subject to any personal medical considerations;
- i) Councillors are personally responsible for all traffic or parking fines incurred whilst they are driving private or Council vehicles on Council business.

4.13. Accommodation

- a) The Executive Support Team will arrange suitable room accommodation, based upon cost and convenience. A Councillor may choose accommodation at a different location but it must be at the same cost or less;
- b) Council will pay accommodation costs and hotel/motel parking fees where they are not included in accommodation costs;
- c) Council will not pay for separate or upgraded accommodation for spouse, partner or accompanying persons. The Councillor will be invoiced for any additional associated costs;
- d) Council orders for accommodation will not include meals, drinks, laundry, telephone and other costs incurred at a hotel/motel; such costs will be paid by the Councillor on check-out;
- e) Should accommodation not be able to be booked in advance because of uncertain travel arrangements, accommodation charges must be paid by the traveller and a reimbursement claimed upon return to Broken Hill. Reimbursement of reasonable accommodation costs will only be made if a tax invoice is produced.

4.14. Incidental Expenses

Council will reimburse the reasonable out-of-pocket expenses involved in travel as detailed in this Policy.

4.15. Overseas Travel

Prior to any action in respect of overseas travel, a report shall be prepared for Council's consideration in advance of the proposed travel, detailing the purpose of the travel, meetings, costs, conferences and seminars together with the expected tangible benefits that may be derived for the Broken Hill community.

If the overseas travel is approved all the provisions within this Councillor Support Policy will apply in respect of travel arrangements and costs to be met by Council.

Upon return a detailed report is to be provided to Council by the Councillor(s) who undertook the travel measuring tangible outcomes against the original expectations.

4.16. Cancellation

Any cancellation of travel arrangements must be advised to the Executive Support Team as soon as practicable.

4.17. Telephone Costs and Telecommunications

Call charges up to the monetary monthly limit shall be reimbursed by Council upon receipt of a Statutory Declaration by a Councillor that the amount relates to Council business and is accompanied by a schedule of itemised calls.

4.18. Care and Other Related Expenses

Council adopts the principle of the payment of child care expenses for children up to and including the age of 16 years, to enable a Councillor to attend to their civic duties.

However, child care will only be available to enable the Councillor's attendance at essential Council activities and will be the subject of a separate application by the affected Councillor in each instance, for determination by the Mayor and General Manager.

In situations where care is required for a partner or other immediate family member to enable the Councillor's attendance at essential Council activities, a separate application will be required from the affected Councillor in each instance, for determination by the Mayor and General Manager.

4.19. Insurance Expenses and Obligations

Section 382 of the Act requires Council to make arrangements for adequate insurance against public liability and professional liability.

Council will affect an appropriate level of insurance for Councillors in the following areas:

- a) Personal Accident/Travel Insurance – coverage of Councillor and spouse, partner or accompanying person, while on Council business;
- b) Public Liability – for matters arising out of Councillors' performance of their civic duties and/or exercise of their Council functions;
- c) Professional Indemnity – for matters arising out of Councillors' performance of their civic duties and/or exercise of their Council functions;
- d) Councillors & Officers Liability – for matters arising out of Councillors' performance of their civic duties and /or exercise of their Council functions.

Council will meet any excess applicable under a policy but the appropriate excess applicable will be reviewed upon the renewal of these insurances. A duty of care is required by all insured persons. Terms and conditions are as per policy wordings.

Councillors are not covered by workers compensation payments or arrangements.

Council may obtain insurance cover against the risk of having to meet the reasonable legal costs of a Councillor or to reimburse those costs, provided that the costs or reimbursements are ones that Council is authorised to meet.

4.20. Attendance at Non-Council Functions

- a) Consideration will be given to meeting the cost of Councillors' attendance at dinners and other non-Council functions that provide briefings from key members of the community, politicians and business where the function is relevant to the Council's interest and is held in Broken Hill, such cost to be the reasonable expenses of a required registration fee and or necessary meal and beverage cost; when clause 7.8 (b) does not apply. Requests should be made prior to the event via the Mayor to the Council's General Manager;
- b) The majority of briefings for Councillors will be organised by the General Manager and take place at a Council venue and budgeted in Council's operating expenditure;
- c) No payment will be made by Council for attendance by a Councillor at any political fundraising event, for any donation to a political party or candidate's electoral fund, or for some other private benefit.

4.21. Legal Expenses and Obligations

- a) Council will indemnify or reimburse the reasonable legal expenses of:
- A Councillor defending an action arising from the performance in good faith of a function under the Act; or
 - A Councillor defending an action in defamation provided that the outcome of the legal proceedings is favourable to the Councillor.
- b) Reasonable legal costs may also be available for an inquiry, investigation or hearing into a Councillor's conduct by an appropriate investigative or review body including the following, provided that the subject of the inquiry, investigation or hearing arises from the performance in good faith of a Councillor's functions under the Act and the matter before the investigative or review body has proceeded past any initial assessment phase to a formal investigation or review:
- Local Government Pecuniary Interest and Disciplinary Tribunal
 - Independent Commission Against Corruption
 - Office of the NSW Ombudsman
 - Division of Local Government
 - Department of Premier and Cabinet
 - NSW Police Force
 - Director of Public Prosecutions
 - Council's Conduct Review Committee / Reviewer
- c) In the case of a conduct complaint made against a Councillor, legal costs may only be made available where a matter has been referred by the General Manager to a conduct reviewer/conduct committee to make formal enquiries into that matter in accordance with the procedures in Council's Code of Conduct;
- d) In the case of a pecuniary interest or misbehaviour matter legal costs may only be made available where a formal investigation has been commenced by the Division of Local Government;
- e) Legal costs will only be provided where the investigative or review body makes a finding that is not substantially unfavourable to a Councillor. This may include circumstances in which a matter does not proceed to a finding. In relation to a councillor's conduct, a finding by an investigative or review body that an inadvertent minor technical breach had occurred may not necessarily be considered a substantially unfavourable outcome;
- f) Council will not meet the legal costs of legal proceedings initiated by a Councillor under any circumstances;
- g) Council will not meet the legal costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation;
- h) Council will not meet legal costs for legal proceedings that do not involve a Councillor performing their role as a Councillor;
- i) Approval must be sought and given in writing from the General Manager prior to legal expenses being incurred.

GENERAL PROVISION OF FACILITIES**4.22. Provision of Facilities generally**

Facilities, equipment and services will be provided that are appropriate to support the Mayor and Councillors in undertaking their role as elected members of the Council.

4.23. Private Use of Equipment and Facilities

Councillors should not obtain private benefit from the provision of equipment and facilities, nor from travel bonuses such as "Frequent Flyer" schemes or any other such loyalty programs while on Council business.

It is acknowledged that incidental use of Council equipment and facilities may occur from time to time and such incidental private use is not subject to a compensatory payment back to Council.

Where more substantive private use occurs, Councillors must advise the General Manager in writing and the Councillor will be charged on a cost recovery basis for that private use. The General Manager will establish a register to record all such applications, reconciliations and reimbursements. Council will invoice Councillors for any such substantive private use on a quarterly basis.

Council facilities, equipment and services are not to be used to produce election material or for any other political purposes.

4.24. Acquisition and Return of Equipment and Facilities

Councillors are required to return all equipment issued to them, excluding clothing, within one (1) month after the completion of their term of office, during extended leave of absence or at the cessation of their civic duties.

Councillors may have the option to purchase Council equipment previously allocated to them at the cessation of their duties. If the item is for sale, it may be purchased at an agreed fair market price or written down value. Councillors may make application in writing to the General Manager for consideration of this option and determination of same.

EQUIPMENT AND FACILITIES PROVIDED FOR COUNCILLORS**4.25. Clothing**

Each Councillor will be provided with the following corporate clothing for use as part of their civic duties i.e. attendance at Council Meetings, civic functions etc.:

- a) Jacket with embroidered Council logo – one jacket during a term of office;
- b) Neck tie/scarf – a sufficient number of neck ties/scarves embroidered with the Council's logo; and
- c) A Councillor name badge.

Additional clothing, within the Council's current uniform range may be purchased by Councillors at the Councillor's own expense.

4.26. Office/Meeting Room Facilities

A Councillor Office/meeting room is available on the Ground Floor at Council's Administrative Centre for use by Councillors in the conduct of their duties of office and for Councillor interviews with constituents.

The office/meeting room will be equipped with a telephone, a computer with internet, email and Windows software and connected to a scanner/printer/copier.

The refurbishment of the Ground Floor of the Administrative Centre to incorporate Council's archives will include the provision of a Councillor office/meeting room.

It will be necessary for Councillors to make bookings for use of the Councillor Office through the General Manager's Office and these bookings will appear on the Councillor's Outlook Calendar as a reference for Councillors of the availability of the office.

4.27. Reference Materials

All Councillors will be issued with either an electronic or hardcopy copy of Bluett's Local Government Handbook (NSW) Latest Edition and Councillor's reference manual compiled by the General Manager.

Other reference materials will be provided as requested by Councillors or as deemed necessary by the General Manager.

4.28. Meals and refreshments

Council will provide appropriate light meals and refreshments at Council Workshops, meetings and meetings of Council and Committees which run over normal meal times.

4.29. Mobile Telephones

Upon request Councillors may be provided with a standard mobile telephone for the purpose of conducting Council business and must be used in a manner consistent with the Council's Mobile Phones Policy.

The Mobile Telephone Agreement must be completed by Councillors who are provided with a mobile phone (Appendix 2).

4.30. Tablet Computers

A tablet computer (iPad) will be provided to all Councillors, in lieu of printed Council Business Papers and other reference materials / information.

Councillors will be required to set-up their own Apple ID and supporting account for the purposes of downloading apps.

A once-off \$15 iTunes voucher may be requested by Councillors to enable them to purchase Council business related apps. Cost incurred in purchasing any other apps necessary for Council business will be reimbursed on supply of a tax invoice and explanation of how the purchase relates to Council business.

Councillors are not to store personal photos/videos/music/games on their iPads as this can cause unnecessary operating problems when downloading large documents and business papers.

Help Desk-support will be provided for Council business purposes.

4.31. Council Motor Vehicles

Access to Council's Motor Vehicle Fleet will be provided to the Mayor and Councillors for the purposes of travelling to and from meetings, conferences and seminars where it is identified to be the most direct and / or cost effective option.

Use of Council's Motor Vehicle Fleet is to be in accordance with the Motor Vehicle Usage Policy.

GIFTS AND BENEFITS**4.32. Given By Councillors**

In circumstances where it is appropriate for Councillors to give a gift or benefit, for example on a Council business related trip or when receiving visitors; these gifts and benefits should be of token value as defined in Council's Code of Conduct and Council's "Gifts and Benefits" Policy.

4.33. Received by Councillors

The provisions of Council's Code of Conduct and Council's "Gifts and Benefits" Policy will apply.

PROVISION OF ADDITIONAL EQUIPMENT & FACILITIES FOR THE MAYOR**4.34. Mobile Telephone**

Council will provide at its cost a mobile phone for use in relation to official duties and functions of the Office of Mayor. Council will meet rental and the cost of official calls. The account for the mobile phone will be in the name of Broken Hill City Council and the Mayor must advise the Council in writing monthly of any personal calls made from the mobile phone as the cost of these personal calls is to be met by the Mayor.

4.35. Office Facilities

Council will provide the following office facilities at the Administrative Centre:

- a) Office space; sufficient quantity of quality office space necessary to fulfil the duties of Mayoral office;
- b) Telephone; a high quality digital telephone with direct in dial and direct line facilities;
- c) Furniture; An appropriate quantity of quality office furniture;
- d) Stationery; including Mayoral letterhead, envelopes and stationery generally.

4.36. Secretarial Support

Secretarial support facilities are available to the Mayor through the Executive Support Team during normal office hours. The General Manager may on request provide access to secretarial support outside office hours for Council business, for example, public meetings and ceremonies.

Council will meet the cost of postage of mail forwarded by the Mayor in the conduct of official duties.

4.37. Purchase Card

Council shall provide the Mayor with a purchase card for business expenditure only and must comply with the general terms and conditions within Council's Purchase Card Procedures or any other relevant policies and procedures.

DISPUTE RESOLUTION REGARDING EXPENSES AND FACILITIES FOR COUNCILLORS**4.38. Process**

Should any dispute arise about the payment of expenses or provision of facilities for Councillors, the Councillor(s) concerned are required to submit a formal written request to the General Manager advising the issue in dispute and the provision or remedy sought.

The General Manager is to give proper consideration to any such request and make a decision as to whether the claim is in keeping with this policy; whether the claim is not appropriate and/or whether the Councillor Support Policy needs to be reviewed.

Should the Councillor, on receipt of the General Manager's reply, consider the matter needs to be reviewed; the Councillor must make a written submission to the Independent Chair of the Audit Committee. The Chair will consider and decide the matter.

5. IMPLEMENTATION**5.1. Roles and Responsibilities**

The General Manager is responsible for ensuring that Council is operating in accordance with the provisions of this policy.

5.2. Communication

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

5.3. Associated Documents

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

- Broken Hill City Council Code of Conduct
- Motor Vehicle Usage Policy
- Mobile Phone Policy
- Purchase Card Procedure
- Annexure 1 – Statutory Declaration
- Annexure 2 – Mobile Telephone Agreement

6. REVIEW

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

This Policy must be reviewed within the first twelve (12) months of each new term of Council with public notice to ensure it meets the requirements of legislation and the needs of Council.

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

7. LEGISLATIVE AND LEGAL FRAMEWORK

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

- Local Government Act 1993 (sections 252-254)
- Local Government (General) Regulation 2005 (section 403)
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW 2009.

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

8. DEFINITIONS

"Accompanying Person" shall mean a person who has a close relationship (partner / spouse) with the Councillor and / or provides carer support to the Councillor).

"ATO" shall mean Australian Taxation Office.

"Incidental Travel Expenses" shall mean business expenses incurred while undertaking approved travel other than airfares and accommodation. Expenses such as reasonable business related hospitality and entertainment, domestic meals, taxi fares, business related communication, business related excess baggage and stationery are examples that fall into this category.

"Personal Travel Expenses" shall mean expenses of a personal nature incurred by the traveller when on approved travel. Expenses such as personal entertainment, including use of the hotel mini-bars and in-house videos, laundry and personal travel are examples that fall into this category.

"Traveller" shall mean The Mayor or Councillor approved to undertake travel on behalf of the Council.



ANNEXURE 1

BROKEN HILL CITY COUNCIL

REIMBURSEMENT OF INCIDENTAL EXPENSES INCURRED BY COUNCILLORS STATUTORY DECLARATION

On _____ (date), I _____ (name),
a Councillor of Broken Hill City Council, of:
_____ (address)

Do solemnly and sincerely declare that:

- On _____ (date) I did incur expenditure in accordance with the Councillor Support Policy, in the sum of:
\$ _____
- I am unable to produce invoices, receipts, dockets and/or related documents which evidence the expenditure referred to in paragraph 1. However, I verify that I incurred the expenses in relation to my duties as Councillor for Broken Hill City Council.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1900.

Signed: _____

Witnessed: _____

Name of Witness: _____

Qualification of the Witness: Justice of the Peace
Solicitor

Registration Number of Justice of the Peace (or stamp): _____

1. Councillor	2. General Manager	3. Executive Support Team
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ANNEXURE 2

BROKEN HILL CITY COUNCIL MOBILE TELEPHONE AGREEMENT

I, _____ (the "approved user")

acknowledge the following:

1. That I have received and read a copy of Council's Mobile Phones Policy;
2. That I have been granted use of a Council mobile telephone in accordance with Council's Mobile Phone Policy;
3. That I will comply with the requirements of this policy;
4. That I accept responsibility for the equipment granted to me;
5. That I will reimburse Council for all private and personal calls made on the Council mobile telephone that has been allocated to me;
6. That the mobile phone and associated equipment must be returned to Council at the end of my term of Council;
7. The mobile telephone number and serial number of the equipment allocated to me are:

a) mobile telephone number: _____

b) mobile telephone serial number: _____

c) sim card serial number: _____

Councillor

Date

ORDINARY MEETING OF THE COUNCIL

December 7, 2021

ITEM 9**BROKEN HILL CITY COUNCIL REPORT NO. 9/22**

SUBJECT: **COUNCILLOR ATTENDANCE AND MOTIONS TO THE LOCAL GOVERNMENT NSW SPECIAL CONFERENCE HELD IN SYDNEY 28 FEBRUARY - 2 MARCH 2022** **D21/53778**

Recommendation

1. That Broken Hill City Council Report No. 9/22 dated December 7, 2021, be received.
2. That Council notes the LGNSW Special Conference, including debate and resolution of motions from member councils setting LGNSW's advocacy agenda for 2022, will be held in-person in Sydney from 28 February to 2 March 2022.
3. That Council determines (at this Council Meeting) its Councillor Delegates in addition to the General Manager to attend the LGNSW Special Conference (in-person) in Sydney from Monday 28 February to Wednesday 2 March 2022.
4. That Council determines its voting delegates (Council is entitled to two (2) voting delegates who must be present) to the LGNSW Special Conference and advises Local Government NSW by 17 February 2022.
5. That Council notes the following motion (from the 28 July 2021 Council Meeting, Minute Number 46598), and determines any further motions to the Conference in-line with the criteria for motions:
 - a) That Local Government NSW lobbies the Minister for Transport and Transport NSW to re-introduce reduced speed zones around all NSW childcare centres and long day-care centres to ensure the safety of families and young children attending the centres.
6. That motions along with the accompanying Council Resolutions be submitted to LGNSW prior to the closing date of 30 January 2022.

Executive Summary:

Local Government NSW (LGNSW) postponed the 2021 Annual Conference due to the COVID-19 pandemic and the Delta variant outbreak in NSW along with the proximity of the NSW Local Government Elections, prior to them being postponed to 4 December 2021.

LGNSW split the 2021 Annual Conference into two parts on the following dates:

1. A free one-hour online Annual Conference to present the LGNSW annual report and financial reports, was conducted virtually on Monday 29 November 2021; and
2. A Special Conference which will include the debate and resolution of motions setting LGNSW's advocacy agenda for 2022. The Special Conference will be held in-person in Sydney from Monday 28 February to Wednesday 2 March 2022.

At the August 2021 Council Meeting, Council resolved that the Mayor be Council's voting delegate to the one hour on-line Conference on 29 November 2021 for the presentation of the LGNSW annual report and financial reports and that a further report be presented to the newly elected Council to determine the delegates and voting delegates along with any further motions to the Special Conference to be held in-person in Sydney from 28 February to 2 March 2022.

Report:

The LGNSW Conference is the annual policy-making event for councils of NSW. The Conference is the pre-eminent event of the local government year where local Councillors come together to share ideas and debate issues that shape the way we are governed.

The split conference format will ensure that LGNSW meet its legal obligations as a registered organisation to present its annual report and financial report to members within six months of the end of the 2020/2021 financial year. These matters were considered during a one-hour Annual Conference on Monday 29 November 2021. The Special Conference will be held between 28 February 2021 to 2 March 2022 in-person and will follow the standard conference program.

The theme for the Special Conference is "Locally Led" and will focus on how councils can drive employment and economic recovery as councils continue to work through the complex challenges posed by the COVID-19 pandemic.

The Special Conference will also include the consideration of motions that are submitted by member Councils. The Special Conference Business Paper will be available on the LGNSW website two weeks prior to the Conference.

Attendance at the Special Conference will ensure that remote areas such as the Far West are not placed at a disadvantage by decisions made. LGNSW have advised that the in-person Conference will follow all government COVID-19 guidelines and will have Safety Plans in place to ensure a safe event for all participants, although there are no guarantees that the format of the Special Conference may need to change if the pandemic situation has not eased closer to the event.

Voting

Voting delegates must be registered to attend the Conference and be registered as a nominated voting delegate.

To vote on motions, delegates must be an elected member of a council, county council, the Lord Howe Island Board (LHIB), Norfolk Island Regional Council (NIRC) or Related Local Government Body (RLGB) or an Administrator appointed in accordance with the *Local Government Act 1993*.

As per the Rules of the Local Government NSW (Rule 23) the formula to determine the number of voting delegates for a Council with the population between 10,001 to 20,000 is 2, therefore Broken Hill City Council is entitled to **2 voting delegates who must be present at the Conference**.

Members are required to advise LGNSW of the names of their nominated voting delegates for the Special Conference by **5:00pm (AEDT) on Thursday, 17 February 2022**

Motions

The Board encourages submission of motions along with the accompanying Council Resolution by the new deadline of **12 midnight (AEDT) on Sunday 30 January 2022** to allow printing and distribution of the Business Paper before the Special Conference.

The Board has resolved that motions will be included in the Business Paper for the conference only where they:

1. are consistent with the objectives of the Association (as per Rule 4 of the Association’s Rules)
2. relate to Local Government in NSW and/or across Australia
3. concern or are likely to concern Local Government as a sector
4. seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association
5. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
6. are clearly worded and unambiguous in nature, and
7. do not express preference for one or several members over one or several other members.

As a Council Resolution must accompany any motions that Council wishes to submit, the last Council Meeting that these motions must be resolved is at the November 2021 Ordinary Council Meeting in order to meet the submission deadline of 30 January 2022.

Council has already determined one motion for the Conference, at its Ordinary Meeting held 28 July 2021, (Minute Number 46598):

“That Local Government NSW lobbies the Minister for Transport and Transport NSW to re-introduce reduced speed zones around all NSW childcare centres and long day-care centres to ensure the safety of families and young children attending the centres.”

Any further motions **must be resolved at this Council Meeting** in order to meet the submission deadline of **30 January 2022**.

Attached to the report is a guide for the submission of motions.

Community Engagement:

Nil.

Strategic Direction:

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

Relevant Legislation:

Local Government Act 1993

Local Government (General) Regulation 2005

Financial Implications:

Following are the costs associated with attending the 2021 Local Government NSW Annual Conference per person:

In-person Special Conference

Early Bird Registration Fee 2021 (paid by 3 December 2021)	\$979.00
OR - Standard Registration Fee 2021 (paid by 14 February 2022)	\$1,094.50
Conference Dinner Ticket 2021	\$176.00
ALGWA event	\$77.00
Workshops	\$55.00
Return Travel costs to Sydney – approximate	
Flights	\$800.00
Accommodation per night (as per Council policy)	\$230.00

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

Attachments

1. [↓](#) LGNSW Official Notice of 2021 Annual Conference
2. [↓](#) Frequently Asked Questions - Postponement of 2021 LGNSW Annual Conference
3. [↓](#) LGNSW Motions Submission Guide
4. [↓](#) LGNSW Special Conference Program

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER



Our ref: Rxx/xxxx Out-
10 August 2021
GMs and Mayors

Dear Member,

OFFICIAL NOTICE

Local Government NSW Annual Conference: 29 Nov (online)

Event: LGNSW Annual Conference 2021

Time & Date: 0930, 29 November, 2021

Venue: Online

As a result of COVID constraints and the further postponement of local government elections, Local Government NSW (LGNSW) will this year truncate the Annual Conference to a one-hour, online event from 0930 on 29 November 2021, followed by a Special Conference from 28 February 2022.

While the Special Conference will incorporate the debate and resolution of motions and a range of keynote speakers, the Annual Conference online event will be limited to the adoption of standing orders, along with reports from the President and Treasurer.

The following letter contains important information to help you to plan ahead and participate fully in the Annual Conference online event.

Registration to attend the Conference

Registrations to the online Annual Conference is free, with attendees asked to register online on [the LGNSW website](#).

Voting Delegates: 2021 Annual Conference and Board election

Separate from Conference registration, members must advise LGNSW of the name(s) of their nominated voting delegates for both or the Annual Conference and LGNSW Board election by **5pm (AEDT) on Tuesday 5 October 2021**.

Details on how to advise LGNSW of the names of their voting delegates for the Special Conference will be emailed directly to members at a later date.

Voting entitlements

The formula for calculating members' voting entitlements is prescribed at rule 23 of the LGNSW rules. A copy of the LGNSW (Federal) rules may be found [here](#).



The **number of voting delegates** that each member is entitled to send to the Annual Conference and for voting in the Board election is listed in **Appendix A**. Column A indicates the number of voters for voting at the Annual Conference and, where applicable, Column B indicates the number of voters for voting in the Board election.

In accordance with the LGNSW rules, only members that were financial on 1 March 2021 (the 'calculation date') have been allocated voting entitlements. To exercise voting rights, members also need to be financial on the date the 'roll of voters' closes (31 August 2021).

Nomination as a voting delegate

Ordinary members need to advise LGNSW of the name(s) of their nominated voting delegate(s) for voting on Standing Orders and the Treasurer's Report, as well as voting in the Board election.

Associate members need to advise LGNSW of the name(s) of their nominated voting delegate(s) for voting at the Annual Conference only.

Nominations received after **5pm (AEDT) on Tuesday 5 October 2021** cannot be accepted. However, a member may, subject to the LGNSW rules, notify LGNSW of a change to the name of an already nominated voting delegate for voting on motions (a substitute delegate - see below).

For further information on voting entitlements and processes, [email Adam Dansie](mailto:adam.dansie@lgnsw.org.au) or call (02) 9242 4140.

Substitution of nominated voting delegates for voting on motions

Subject to the LGNSW rules, Ordinary members and Associate members may notify a change to the name of a nominated voting delegate for voting at the Annual Conference under rule 34(b) of the LGNSW rules (a substitute delegate). This is achieved by giving notice in writing signed by either the Mayor/Chairperson (or Deputy Mayor/Deputy Chairperson with the Mayor/Chairperson's written delegated authority), or General Manager/Chief Executive Officer (or Acting General Manager/Acting Chief Executive Officer with the General Manager/Chief Executive Officer's written delegated authority).

Written notice should be sent to Andrew Olivares (LGNSW) at andrew.olivares@lgnsw.org.au.

Further instructions on how to substitute voting delegates, and a link to a 'Substitute Delegate Form' will be provided in future Conference communications.

Business Papers

The Annual Conference Business Paper is expected to be available on the LGNSW website and forwarded to members (in electronic format) approximately two weeks prior to the Conference.



Previously Booked Accommodation

Conference delegates who have booked accommodation directly through the previously-provided Conference booking link will have their rooms all automatically cancelled without penalty. Accommodation at the Hyatt Regency Sydney for the Special Conference (28 February to 2 March 2022) will need to be re-booked via this special link:

[Rebook Hyatt Regency Sydney for Special Conference](#)

Delegates who had already reserved accommodation for November 28 (with the Hyatt Regency Sydney or other hotels) through other means will need to cancel their original reservations via their original booking platform.

Privacy Statement

LGNSW, which is regulated by the *Privacy Act 1988* (Cth), collects private information about registered attendees to the Conference such as names, addresses, telephone numbers, credit card information and email addresses. We use the private information you give us to process your registration and to send you information in relation to the Conference.

If you choose not to provide some or all of the private information that we have sought, LGNSW may be unable to process your registration, or it may result in you being unable to vote at the Conference. Further information about how LGNSW collects, holds and uses private information is contained in LGNSW's Privacy Policy which is available on the [LGNSW website](#).

Further details

Further details about the Conference can be found on the [LGNSW website](#).

I look forward to seeing you online at the Conference in November.

Yours sincerely

Cr Linda Scott
President



Appendix A

Members' voting entitlements: 2021 Annual Conference and Board election

Member	Column A – Number of voters for voting on motions	Column B – Number of voters for voting in Board election
Albury (R/R)	4	4
Armidale Regional (R/R)	3	3
Ballina (R/R)	3	3
Balranald (R/R)	1	1
Bathurst Regional (R/R)	3	3
Bayside (M/U)	9	9
Bega Valley (R/R)	3	3
Bellingen (R/R)	2	2
Berrigan (R/R)	1	1
Blacktown (M/U)	11	11
Bland (R/R)	1	1
Blayney (R/R)	1	1
Blue Mountains (R/R)	4	4
Bogan (R/R)	1	1
Bourke (R/R)	1	1
Brewarrina (R/R)	1	1



Broken Hill (R/R)	2	2
Burwood (M/U)	3	3
Byron (R/R)	3	3
Cabonne (R/R)	2	2
Camden (M/U)	6	6
Campbelltown (M/U)	9	9
Canada Bay (M/U)	5	5
Canterbury-Bankstown (M/U)	11	11
Carrathool (R/R)	1	1
Castlereagh-Macquarie County (R/R)	1	0
Central Coast (R/R)	7	7
Central Darling (R/R)	1	1
Central Tablelands Water County (R/R)	1	0
Cessnock (R/R)	4	4
Clarence Valley (R/R)	4	4
Cobar (R/R)	1	1
Coffs Harbour (R/R)	4	4
Coolamon (R/R)	1	1
Coonamble (R/R)	1	1
Cootamundra-Gundagai Regional (R/R)	2	2
Cowra (R/R)	2	2
Cumberland (M/U)	9	9
Dubbo Regional (R/R)	4	4
Dungog (R/R)	1	1



Edward River (R/R)	1	1
Fairfield (M/U)	9	9
Far West Joint Organisation	1	0
Federation (R/R)	2	2
Forbes (R/R)	1	1
Georges River (M/U)	9	9
Gilgandra (R/R)	1	1
Glen Innes Severn (R/R)	1	1
Goldenfields Water County (R/R)	1	0
Greater Hume (R/R)	2	2
Griffith (R/R)	3	3
Gunnedah (R/R)	2	2
Gwydir (R/R)	1	1
Hawkesbury City (M/U)	5	5
Hawkesbury River County (M/U)	2	0
Hay (R/R)	1	1
Hilltops (R/R)	2	2
Hornsby (M/U)	9	8
Hunters Hill (M/U)	2	2
Inner West (M/U)	9	9
Inverell (R/R)	2	2
Junee (R/R)	1	1
Kempsey (R/R)	3	3
Kiama (R/R)	3	3



Kimbriki Environmental Enterprises Pty Ltd (M/U)	1	0
Ku-ring-gai (M/U)	6	6
Kyogle (R/R)	1	1
Lachlan (R/R)	1	1
Lake Macquarie (R/R)	7	7
Lane Cove (M/U)	3	3
Leeton (R/R)	2	2
Lismore (R/R)	3	3
Lithgow (R/R)	3	3
Liverpool (M/U)	9	9
Liverpool Plains (R/R)	1	1
Lockhart (R/R)	1	1
Maitland (R/R)	4	4
Mid-Coast (R/R)	4	4
Moree Plains (R/R)	2	2
Mosman (M/U)	3	3
Murray River (R/R)	2	2
Murrumbidgee (R/R)	1	1
Muswellbrook (R/R)	2	2
Nambucca (R/R)	2	2
Narrabri (R/R)	2	2
Narrandera (R/R)	1	1
Narromine (R/R)	1	1
Newcastle (R/R)	7	7



New England County (R/R)	1	0
Norfolk Island Regional Council (R/R)	1	0
North Sydney (M/U)	5	5
Northern Beaches (M/U)	10	10
Northern Sydney Regional Organisation of Councils (M/U)	1	0
Oberon (R/R)	1	1
Orange (R/R)	3	3
Parkes (R/R)	2	2
Parramatta, City of (M/U)	10	9
Penrith (M/U)	9	9
Port Macquarie-Hastings (R/R)	4	4
Port Stephens (R/R)	4	4
Queanbeyan-Palerang Regional (R/R)	4	4
Randwick (M/U)	9	9
Richmond Valley (R/R)	3	3
Riverina Water County (R/R)	1	0
Rous County (R/R)	1	0
Ryde (M/U)	6	6
Shellharbour (R/R)	4	4
Shoalhaven (R/R)	5	5
Singleton (R/R)	3	3
Snowy Monaro Regional (R/R)	3	3
Snowy Valleys (R/R)	2	2
Southern Sydney Regional Organisation of Councils	1	0



(M/U)		
Strathfield (M/U)	3	3
Sutherland Shire (M/U)	9	9
Sydney, City of (M/U)	10	9
Tamworth Regional (R/R)	4	4
Temora (R/R)	1	1
Tenterfield (R/R)	1	1
The Hills Shire (M/U)	9	9
Tweed (R/R)	4	4
Upper Hunter (R/R)	2	2
Upper Lachlan (R/R)	1	1
Upper Macquarie County (R/R)	1	0
Uralla (R/R)	1	1
Wagga Wagga (R/R)	4	4
Walcha (R/R)	1	1
Walgett (R/R)	1	1
Warren (R/R)	1	1
Warrumbungle (R/R)	1	1
Waverley (M/U)	5	5
Weddin (R/R)	1	1
Wentworth (R/R)	1	1
Western Sydney Regional Organisation of Councils (M/U)	1	0
Willoughby (M/U)	5	5
Wingecarribee (R/R)	4	4

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 GPO BOX 7003 SYDNEY NSW 2001
 L8, 28 MARGARET ST SYDNEY NSW 2000
 T 02 9242 4000 F 02 9242 4111
 LGNSW.ORG.AU LGNSW@LGNSW.ORG.AU
 ABN 49 853 913 882



Wollondilly (R/R)	4	4
Wollongong (R/R)	7	7
Woollahra (M/U)	5	5
Yass Valley (R/R)	2	2
LGNSW Board (M/U)	10	10
LGNSW Board (R/R)	8	8
TOTAL:	476	458

2021 LGNSW ANNUAL CONFERENCE – FREQUENTLY ASKED QUESTIONS

[Home](#) » [Calendar](#) » [Annual Conference](#)

CONTACT

LGNSW Events

Phone: 02 9242 4000
events@lgnsw.org.au

PREVIOUS CONFERENCES

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2019
2018

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Conference Structure and Scheduling

Why is the Annual Conference being split into two parts?
As a registered organisation, LGNSW is bound by a number of legal obligations, including the need to report back to members on financial performance within six months of the end of the 2020-21 financial year. For this reason, an Annual Conference must be held within the relevant time period.

LGNSW's Annual Conference has also traditionally provided the opportunity for member councils to bring forward policy motions for debate and resolution, thus helping to set the Association's advocacy agenda for the year to come. Member feedback following 2020's online conference experience indicated a strong preference for an in-person event at which more motions could be debated and resolved.

It would be unreasonable to ask councillors to interrupt their election campaigns for the length of time required for an in-person event in late November. A one-hour online Annual Conference in November, followed by a full Special Conference scheduled for 28 February to 2 March 2022, has been identified as the best and fairest way to fulfil LGNSW's legal obligations as well as its accountability commitment to members.

Why not bring the Annual Conference forward?
The rules governing LGNSW require us to provide a minimum four months' notice for the holding of an Annual Conference. It was not possible to hold a meeting before this date.

Why not just postpone the entire Annual Conference?
As a Registered Organisation, LGNSW is legally required to report back to the membership on its financial results within six months of the end of the financial year. The Annual Conference online event on 29 November is designed to meet this obligation while maintaining LGNSW's commitment to full and transparent accountability.

How can you guarantee that the in-person Special Conference will go-ahead in February?
The COVID-19 pandemic has demonstrated over and over again that there are no guarantees. However, as vaccination programs continue to rollout across NSW, every tier of government is working to help ensure we can return to a more normal way of life for both organisations and individuals.

Will I need to register separately for the Annual Conference online event and the Special Conference?
Yes: separate registrations are required to allow for potential attendance changes brought about by the local government election.

Registrations for the **Annual Conference online event on 29 November** are now open, with all mayors, councillors and general managers notified by direct email. Attendance will be free.

[REGISTER FOR ONLINE CONFERENCE](#)

Registrations for the three-day **Special Conference from 28 February to 2 March 2022** will carry a standard registration charge. Members will be advised of registration opening for this event via direct email.

Will there also be an Annual Conference in 2022?
Yes – LGNSW's Annual Conference 2022 is scheduled to take place in the Hunter Valley in October 2022.

Motions and Voting

What impact does this have on the submission of Conference motions?
Motions will now be debated and resolved at LGNSW's Special Conference (Monday 28 February - Wednesday 2 March 2022).

The deadline for accepting motions for inclusion in the Special Conference business paper has been extended to **midnight on Sunday 30 January 2022**.

This has the additional benefit of providing sufficient time for newly elected councils to finalise their submitted motions, should they so choose.

[Download the Motions Submissions Guide](#)

What is happening with the LGNSW Board election?
To avoid any election irregularities, LGNSW has asked the Australian Electoral Commission (AEC) to conduct and finalise this election so it does not clash with the local government election.

We are awaiting further advice from the AEC and will provide updated information on this issue as soon as possible.

How can the AEC conduct a COVID-safe election for the LGNSW Board?

Discussions with the AEC are continuing, but it is expected COVID-related restrictions will require the election for the LGNSW Board to be undertaken via postal ballot.

How does the new two-part structure impact on the nomination of voting delegates?

Members are now required to advise LGNSW of the names of their nominated voting delegates by the following dates:

- Annual Conference online event (29 Nov) – **by 5pm (AEDT) on Tuesday 5 October 2021**
- Special Conference (28 Feb – 2 March) – **by 5pm (AEDT) on Thursday 17 February 2022**

[MORE INFORMATION](#) →

Forms for advising LGNSW of the names of nominated voting delegates for the 2021 Annual Conference and LGNSW Board election are available via these links:

[ANNUAL CONFERENCE NOMINATED VOTING DELEGATES](#) →

[LGNSW BOARD ELECTION NOMINATED VOTING DELEGATES](#) →

Further information on determining and registering nominated voting delegates for the Special Conference (28 Feb – 2 Mar 2022) will be provided to all members at a later date.

Travel and Accommodation Arrangements

What happens to Conference accommodation pre-booked at the Hyatt Regency Sydney?

Conference delegates who have booked accommodation directly through the previously provided Conference booking link will have their rooms automatically cancelled without penalty.

Accommodation at the Hyatt Regency Sydney for the new conference dates (28 February to 2 March) will need to be re-booked via [this special link](#).

Delegates who have reserved accommodation with the Hyatt Regency Sydney or other hotels through other means will need to cancel these reservations via their original booking platform.

What about pre-booked travel arrangements?

Delegates who have pre-booked travel arrangements will need to amend these bookings via their original booking platform.



LGNSW 2021 Annual Conference Motions Submission Guide

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ABN 49 853 913 882

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LGNSW Annual Conference Motions Submission Guide

1. Introduction

The Local Government NSW (LGNSW – the “Association”) Annual Conference is the pre-eminent policy making event for the local government sector. Resolutions of Conference help determine the policies and priorities for LGNSW and the sector. It is a key event for local government where councillors come together to share ideas and debate issues that shape the way the sector functions and is governed.

LGNSW member councils are invited to submit motions to the Conference to advance the sector wide policy agenda. Motions are strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions.

This guide outlines the process for councils to submit motions for LGNSW's Annual Conference.

2. Deadlines

Members are encouraged to submit motions [online](#) by **12 midnight (AEST) on Monday 27 September 2021** to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in line with the LGNSW Rules, the latest date motions can be accepted for inclusion in the Business Paper is **12 midnight (AEDT) on Sunday 31 October 2021** (28 days prior to Conference).

3. Criteria for motion submission

The LGNSW Board has resolved that motions will be included in the Business Paper for the Annual Conference only where they:

1. are consistent with the objects of the Association (see Rule 4 of the Association's [rules](#)),
2. relate to local government in NSW and/or across Australia,
3. concern or are likely to concern local government as a sector,
4. seek to advance the local government policy agenda of the Association and/or improve governance of the Association,
5. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws),
6. are clearly worded and unambiguous in nature, and
7. do not express preference for one or several members over one or several other members.

Council members are encouraged to review [Action Reports](#) (on the member only pages of the LGNSW website) from previous Conferences and the [LGNSW Policy Platform](#) before submitting motions for this year's Annual Conference to ensure the proposed motion wording reflects any recent developments and does not duplicate existing positions..

4. How to write a motion

Motions adopted at the Annual Conference inform LGNSW's advocacy actions on behalf of the local government sector. LGNSW includes the exact wording of motions when writing to ministers, departments and agencies post-conference and so it is important that the wording of motions clearly outlines your council's policy intent or objective.

The format of motions, as much as possible, should call on a specific body (e.g. LGNSW, state government, federal government, a specific department or minister) and have a specific outcome that the motion is aiming to achieve. The wording should be unambiguous.

Examples of clearly-worded Annual Conference motions:

Minister for Rural and Regional NSW

That LGNSW lobbies the NSW State Government to appoint a Minister for Rural and Regional NSW with suitable resources to undertake meaningful representative activities.

Natural Disaster Funding, Day Labour

That LGNSW requests the Australian and NSW governments reinstate the claimable expense for the use of council staff during their normal working hours to attend to natural disaster relief and recovery funded works and reverse the present policy that effectively requires the mandatory use of contractors for recovery works.

Companion Animal Act matters

That LGNSW advocates that the NSW Government takes the following steps to improve the management of companion animals:

- establish an integrated on-line statewide registration process as an improved service to companion animal owners;
- resolve difficulties with the *Companion Animals Act 1998* definition of an "Authorised Officer", by using the definition contained in the *Impounding Act 1993* as the definition in both Acts, allowing councils choice in the business model for its area; and
- review the dismissal of charges under section 10 of the *Crimes (Sentencing Procedure) Act 1999* in relation to offences under the *Companion Animals Act 1998*.

For more examples see Business Papers from [past Conferences](#) on the LGNSW website.

5. Demonstrating evidence of council support for motion

The member submitting the motion must provide accompanying evidence of support for the motion. Such evidence may include an attachment note or extract from the minutes of the council meeting, at which the member council resolved to submit the motion for consideration by the Conference. In the absence of a council meeting, the evidence should be a letter signed by both the Mayor and General Manager.

LGNSW has developed a template council report for members to use to resolve at their own council meetings to submit motions to LGNSW for Conference at **Attachment B** of this Guide.

6. How to submit a motion

LGNSW members are invited to submit motions through an [online portal](#) from **12 July 2021**.

Each motion submission should include responses to the following fields:

1. **Council name**
2. **Contact details** of relevant officer
3. **Motion category** (e.g. *planning, economic, environment etc. This assists with assigning motions to the relevant policy staff and grouping related motions in the Conference Business Paper.*)
4. **Motion title** (a few words)
5. **Motion** (a sentence or two which includes the call to action)
6. **Background note** (a paragraph or two to explain the context and importance of the issue to the local government sector)
7. **Evidence of council support** for the motion (e.g. *extract of council meeting minutes*)

Once a motion has been submitted it cannot be edited without contacting LGNSW so please review the content carefully before submission.

7. How LGNSW manages incoming motions

The LGNSW Board has established a committee and delegated the function of managing incoming motions for the Annual Conference to this committee. The Chief Executive will refer motions to the committee and the committee will assess whether the motion meets or doesn't meet the criteria or if it is unclear whether it meets the criteria and will make the final decision on inclusion of motions into the Annual Conference Business Paper.

Prior to the committee making a final decision, LGNSW may contact the council that submitted the motion to seek clarity on its intent or wording.

Incoming motions which seek to change any long-held Fundamental [Principles](#), will be highlighted in the Business Paper for members' information at time of voting.

Motions which are consistent with current LGNSW actions or existing LGNSW positions, or that are operational and can be actioned without a Conference resolution, may still be printed in the Business Paper but will not be debated at the Annual Conference.

8. What happens to motions at the LGNSW Annual Conference

Standing orders are outlined at the front of the Business Paper and adopted at the commencement of each Annual Conference. They outline the manner in which the Conference deals with motions. The standing orders adopted at the 2019 Conference can be found in **Attachment A**.

During debate on motions at Conference, the standing orders generally permit councillor delegates to speak in support of or against each motion. Following a vote on a motion, the motion is either carried and then becomes a resolution of the Annual Conference, or the motion is defeated.

9. Post-conference: Updates to the LGNSW Policy Platform

LGNSW's [Policy Platform](#) consolidates the voices of councils across NSW, reflecting the collective positions of local government on issues of importance to the sector. Importantly, the Policy Platform guides LGNSW in its advocacy on behalf of the local government sector.

The Policy Platform consists of two parts: LGNSW's Fundamental Principles, and the more targeted Position Statements.

- **Fundamental Principles** are the enduring and overarching principles that direct LGNSW's response to broad matters of importance to the local government sector. These Fundamental Principles are endorsed (or amended) by LGNSW members at the Annual Conference.
- **Position Statements** contain LGNSW's more detailed positions on specific issues and guide LGNSW's work on, and response to, policy issues of the day. Position Statements are subordinate to LGNSW's Fundamental Principles but are more agile and are targeted at specific policy issues as they arise.

Changing Fundamental Principles

Where a motion conflicts or may conflict with a Fundamental Principle, this will be clearly highlighted for delegates in the Conference Business Paper. If the motion is adopted as a resolution at Conference, then the relevant Fundamental Principle will be changed.

It is expected that changes to the Fundamental Principles will be uncommon, given their broad focus and general acceptance among the local government sector.

Changing Position Statements

Following each Annual Conference, LGNSW will review resolutions of that Conference to determine whether the intent of each resolution is adequately covered by existing Position Statements. Where the Position Statements do not adequately include the intent of a resolution, LGNSW will update an existing Position Statement or draft a new Position Statement, to be endorsed by the LGNSW Board as part of the LGNSW Policy Platform.

LGNSW members will be informed of updates to the LGNSW Policy Platform.

10. Post-conference: Determining LGNSW Advocacy Priorities

Following the LGNSW Annual Conference, LGNSW will review the resolutions and identify key areas of focus to guide LGNSW's advocacy for the coming year. These areas of focus will also be informed by member feedback, the LGNSW strategic plan, position statements, emerging issues, and Board input.

This broad review will result in the development of LGNSW's Advocacy Priorities for the following year, for endorsement by the LGNSW Board and communication to members.

As LGNSW undertakes advocacy actions on each of the Conference resolutions throughout the year, these actions and their outcomes will be published in LGNSW's Action Report ([past Action reports](#) are available on the member only pages of the LGNSW website).

11. Further information

For further information on the motion submission process, please contact Beau Reid, Policy Officer at beau.reid@lgnsw.org.au.

Frequently Asked Questions

- **How do I know if my proposed motion is consistent with existing LGNSW policy positions?**

The subject matter expert within council is best placed to identify this (for example, if the motion relates to a planning matter, this question should be answered by the Planning Manager). Subject matter experts are encouraged to review LGNSW's [Policy Platform](#) to gain an understanding of LGNSW's position on a particular matter to help identify whether your proposed motion is consistent.

- **What is the deadline for submitting motions?**

Members are encouraged to submit motions [online](#) by **12 midnight (AEST) on Monday 27 September 2021** to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in line with the LGNSW Rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is **12 midnight AEST on Sunday 31 October 2021** (28 days prior to Conference).

LGNSW can receive more than 300 motions for an Annual Conference. Submitting motions as early as possible helps LGNSW to manage the large volume of motions received within a short period of time and allows LGNSW to seek clarification on any motions if required.

- **I'm unsure which motion category or sub-category I should select in the online portal**

If you are unsure, just select the category you think best fits. LGNSW can reallocate the motion if necessary.

- **Who should be the council contact for motions?**

We recommend the council contact is someone who is available during the months that motions are open, and able to respond promptly to communications between the subject matter expert, your council and LGNSW. Some councils have identified the General Manager and others have identified the Governance Officer – it is a decision for each council.

- **Will the COVID-19 pandemic affect the motions process?**

The LGNSW Annual Conference motions process is an important policy setting process for the local government sector. The Annual Conference will follow government guidelines on safe events and social distancing. In 2020, the LGNSW conference was held online due to COVID-19 health and safety orders and delegates had the opportunity to debate motions during the conference.

- **How can I amend my council's motion that I've already submitted?**

Once a motion has been submitted it cannot be edited without contacting LGNSW so please review the content carefully before submission. If you need to edit a submitted motion, please contact Beau Reid, Policy Officer at beau.reid@lgnsw.org.au. You may need to provide evidence of support for the change (see section 5).

Attachment A – Excerpt of LGNSW 2019 Annual Conference Standing Orders

The 2020 Annual Conference was held wholly online and as such the standing orders differed substantially from past years. The 2019 standing orders are below as a guide.

Manner of dealing with Conference Business

11. Conference Business will be dealt with in any order at the discretion of the Chairperson.
12. Nothing in these Standing Orders shall prevent the Chairperson from dealing with motions concurrently.

In the case of motions

13. The Chairperson, upon coming to a motion set out in the Business Paper, must ask whether there is any dissent to the proposed resolution the subject of the item and, if no dissent be signified, may at any time, declare the motion carried.
14. Where dissent is signified, the Chairperson shall require the motion to be moved and seconded.
15. If the motion is moved and seconded, the Chairperson may, at any time during debate, make such inquiries as to the nature of the dissent so as to confine any debate to the issues genuinely in dispute or to explore amendments to the proposed resolution which satisfactorily accommodate the moving and dissenting Delegates and Delegates generally.
16. Movers of motions shall be permitted two (2) minutes to introduce their proposed resolution into debate and one and a half (1.5) minutes in reply. All other speakers shall each be permitted to speak once for one and a half (1.5) minutes. The Conference may, on application by a speaker, permit that speaker to have one, but only one, further period of one and a half (1.5) minutes in which to speak.
17. A Delegate seconding a motion shall not be permitted to speak until at least one Delegate has spoken in dissent.
18. The Chairperson may, during the course of debate direct a speaker to confine his or her speech so as to:
 - a. limit repetition of matters addressed by other speakers;
 - b. limit debate about matters or issues not genuinely disputed.
19. Except as otherwise provided herein, it shall not be in order to move that any resolution be immediately put until at least two Delegates, in addition to the mover and the seconder, shall have had an opportunity to speak on the resolution then before the Conference.
20. A Delegate can, without notice, move to dissent from the ruling of the Chairperson on a point of order. If that happens, the Chairperson must suspend the business before the Conference until a decision is made on the motion of dissent;
 - a. If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course; and
 - b. Despite any clause to the contrary, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.
21. A Delegate may not substitute from the floor of the Conference a new motion for one listed in the Business Paper unless the new motion is substantially the same, and dealing with the same subject matter, as the original motion, and the new motion is accompanied by written evidence that it has the support of the member concerned.
22. When an amendment is before the Conference, no further amendment shall be discussed until that amendment has been dealt with.

23. *No more than one amendment upon any motion shall be considered unless notice of such further amendment is given before the amendment then under discussion has been dealt with.*
24. *The mover of an amendment which has been adopted as the motion shall (as in the case of the mover of an original motion) have the right of reply to any further amendments submitted.*

New motions from the floor of Conference

25. *At least 24 hours' notice shall be given before dealing with any new motions introduced during the Conference (Rule 28(d)).*
26. *Where a Member seeks to introduce a new motion during the Conference, they shall submit the motion and evidence that the motion has the support of the member concerned, to the Association's Chief Executive (or the Chief Executive's nominee), in writing.*
27. *The Chief Executive (or the Chief Executive's nominee), upon receiving a new motion submitted during the Conference, shall immediately record the time that they receive the motion and make arrangements for copies of the motion to be provided to Delegates.*

Motions that reflect existing LGNSW policy

28. *Motions submitted for inclusion in the Business Paper to the Conference which reflect existing LGNSW policy (Category 2 motions) shall remain existing LGNSW policy unless superseded or replaced by a subsequent Conference resolution.*

In the case of all other Conference Business

29. *All other Conference Business will be dealt with at the discretion of the Chairperson.*

Manner of voting

30. *Only Members' nominated voting Delegates and members of the Board may debate and vote on motions.*
31. *Except as hereinafter provided voting on any matter shall be on the show of cards.*
32. *The Chairperson may direct that voting on any matter be taken by show of voting cards or by use of electronic voting.*
33. *After a show of voting cards or on conclusion of an electronic vote the Chairperson may either:*
- a. declare the question resolved in the affirmative or negative; or*
 - b. if voting cards have been used, call for a new vote using electronic voting.*
34. *A Division may be called following a vote on the show of cards by no less than 10 Delegates.*
35. *A Division will be taken by use of electronic voting.*

Suspending Standing Orders

36. *Standing Orders may be suspended by a majority of those present, provided the meeting is in quorum. A motion to this effect shall be open to debate.*

Outstanding business

37. *In the event that the Conference, having commenced in quorate, subsequently loses a quorum and is unable to consider any item(s) of business properly put before the Conference, they shall be referred to the Association's Board for consideration.*

Attachment B – Template – Council Meeting Report

Item number	XX	Division	XX
Responsible officer	XX	Confidentiality	XX
Date	XX	Reference	XX
Subject	2021 Local Government NSW Annual Conference		

Purpose of report/summary

To provide Council with the opportunity to nominate motions, voting delegates and attendance for the upcoming Local Government NSW (LGNSW) Annual Conference.

Overview

The 2021 LGNSW Annual Conference will be held from 28-30 November 2021 at the Hyatt Regency Hotel in Sydney. LGNSW is asking councils to also reserve Monday 20 December 2021 for continuation of the Conference online (if required). This year is a Board election year and if the Australian Electoral Commission (AEC) requires the election to be conducted by postal ballot due to COVID-19 (instead of in-person at the Conference) the reserve date will be used to announce and introduce LGNSW's new Board members.

The LGNSW Annual Conference is the pre-eminent policy making event for the local government sector. Delegates will vote on motions which help determine the policies and priorities for LGNSW and the sector. It is a key event for local government where councillors come together to share ideas and debate issues that shape the way the sector functions and is governed.

For Council to participate fully in the Annual Conference, it is recommended the Council register attendees, nominate voting delegates and submit motions for debate within the timeframes specified in this paper.

Registration to attend the Conference

Conference attendees are invited to register from 27 July 2021.

- Early bird registration rate is \$890 ex GST and applies if you register and pay by 11 October 2021
- Standard registration rate is \$995 ex GST for all registrations made between 12 October and 12 November 2021.

The following optional events are available to attendees at an additional cost:

- Conference Dinner - \$160 ex GST per delegate
- Councillor Training Workshops - \$50 ex GST per delegate
- ALGWA Breakfast - \$70 ex GST per delegate
- Welcome Reception - \$85 ex GST per delegate

Accommodation has been secured at the Hyatt Regency Hotel, with rooms accommodating up to two people incurring a cost from \$330 per night for two nights.

Registration as a voting delegate

Voting delegates must be registered to attend the Conference and also be registered as a voting delegate.

[IF COUNCIL IS AN ORDINARY MEMBER OF LGNSW]

Confirmation has been received from LGNSW that Council is entitled to have XX voting delegates for voting on motions and XX voting delegates for voting in the election for Office Bearers and the Board.¹

It is proposed that Council:

¹ Find your council's voting entitlements via the Annual Conference page of the LGNSW website: lgnsw.org.au.

- (i) register the Mayor and [XX number] Councillors to attend the Conference;
- (ii) nominate [XX number] Councillors as the Council's nominated voting delegate(s) for voting on motions, comprising of:
 - 1) Cr XX (Mayor)
 - 2) Cr XX
 - 3) Cr XX
 - 4) Cr XX
 - 5) (continue until voting entitlement is exhausted)
- (iii) nominate [XX number] Councillors as the Council's nominated voting delegate(s) for voting in the Board election, comprising of:
 - 1) Cr XX (Mayor)
 - 2) Cr XX
 - 3) Cr XX
 - 4) Cr XX
 - 5) (continue until voting entitlement is exhausted)

[IF COUNCIL IS AN ASSOCIATE MEMBER OF LGNSW]

Confirmation has been received from LGNSW that Council is entitled to have XX² voting delegates for voting on motions.

It is proposed that Council:

- (i) register the Mayor and [XX number] Councillors to attend the Conference;
- (ii) nominate [XX number] Councillors as the Council's nominated voting delegate(s) for voting on motions, comprising of:
 - 1) Cr XX (Mayor)
 - 2) Cr XX
 - 3) Cr XX
 - 4) Cr XX
 - 5) (continue until voting entitlement is exhausted)

The deadline to provide LGNSW with the names of voting delegates is **5pm (AEDT) on Tuesday 2 November 2021**. Additional nominations submitted after the closing date cannot be accepted. However, the names of voting delegates submitted for voting on motions prior to the cut-off date may be substituted at any time, in line with Rule 34(b) of the LGNSW Rules.

Voting delegates may not appoint a proxy to attend or vote at formal business sessions on their behalf (absentee/proxy voting is only available for voting in elections for Office Bearers and the Board).

Conference Motions Submission Guide

Council is invited to submit motions for possible debate at the Annual Conference to advance the sector wide policy agenda. Motions are strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions.

Important information on the motions process, including submitting motions, motion criteria and a sample submission form are available in the *LGNSW 2021 Annual Conference Motions Submission Guide* at Attachment XX.

Deadlines

² Find your council's voting entitlements via the Annual Conference page of the LGNSW website: lgnsw.org.au.

Members are encouraged to submit motions online by **12 midnight (AEST) on Monday 27 September 2021** to allow assessment of the motions and distribution of the Business Paper before the Annual Conference. However, in line with the LGNSW rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is **12 midnight (AEDT) on Sunday 31 October 2021**.

Draft motions for consideration for LGNSW Annual Conference

Having regard to the above motion requirements set out by the LGNSW Board, the following draft motions are provided for consideration by Council:

Proposed motion 1

Motion category

Motion title

Motion background note

Proposed motion 2

Motion category

Motion title

Motion background note

{please repeat for the number of proposed motions required}

Recommendations

1. Approve registration of the Mayor and [XX number] other Councillors to attend the 2021 LGNSW Annual Conference
2. Determine the Council's nominated voting delegate(s) for voting on motions at the 2021 LGNSW Annual Conference.
3. Determine the Council's nominated voting delegate(s) for voting in the election for Office Bearers and the Board of LGNSW [IF APPLICABLE]
4. Adopt the proposed motions for submission to the 2021 LGNSW Annual Conference Business Paper
5. Determine any additional motions for submission at this meeting
6. That the Mayor be given delegated authority to submit any further proposed motions after consulting with Councillors prior to the deadline for submitting motions.

Conference Program

28 February

1.00pm - 7.00pm	Registration opens at the Grand Ballroom Foyer
1.30pm - 3.00pm	Option 1: Council involvement in new national agreement on Closing the Gap Panel members include representatives from NSW Aboriginal Land Council and Reconciliation NSW
1.30pm - 3.00pm	Option 2: Rural and Regional Health - issues and solutions Panel members include representatives from Federal Government and a Council representative
1.30pm - 3.00pm	Option 3: Investing in you - planning your own councillor professional development
1.30pm - 3.00pm	Option 4: Domestic Violence - Councils are part of the solution Panel members include a representative of Domestic Violence NSW and representatives from metropolitan and regional councils

<p>3.00pm – 5.00pm</p>	<p>Meet the Politicians Forum with Master of Ceremonies: President LGNSW</p> <p>Addresses from NSW Government, Opposition and cross benchers</p> <p>Presentation of the AR Bluett Awards by the Trustees</p> <p>Welcome Reception Sponsor Address by Statewide Mutual</p> <p>This session is free to members registered to attend the conference. RSVPs are required as part of the conference registration.</p>
<p>5.00pm – 7.30pm</p>	<p>President’s Welcome Reception. Maritime Ballroom. Sponsored by Statewide Mutual.</p> <p>Registration will be available at this event.</p>

Conference Program

1 March

7.30am – 5.00pm	Registration opens Grand Ballroom Foyer
8.00am – 4.00pm	Trade exhibition opens Maritime Ballroom Delegate Lounge opens for networking
8.45am	Doors open for official conference proceedings
9.05am – 9.10am	Conference introduction by Scott Phillips, Chief Executive, LGNSW
9.10am – 9.15am	Welcome to Country on behalf of Metropolitan Local Aboriginal Land Council
9.15am – 11.00am	Address by LGNSW President Opening of the Federal and State conference, including demonstration of voting app, adoption of standing orders, business session and consideration of motions. Chaired by LGNSW President
11.00am – 11.05am	Distinguished Partner topic by nbn
11.05am – 11.35am	Morning tea in trade exhibition, with Distinguished Partner nbn

11.35am – 1.00pm	Consideration of conference business continued, chaired by LGNSW President
1.00pm – 1.05pm	Elite sponsor address by StateCover
1.05pm – 2.15pm	Lunch in trade exhibition, sponsored by StateCover, Maritime Ballroom
1.05pm – 2.15pm	StateCover General Manager’s Lunch – Heritage Atrium (exclusive to GMs)
2.15pm – 3.30pm	Consideration of conference business continued, chaired by LGNSW President
3.30pm – 4.00pm	Afternoon tea in trade exhibition Maritime Ballroom
4.00pm – 5.00pm	Consideration of conference business continued, chaired by LGNSW President
5.00pm	Conference business session closes
5.00pm – 5.30pm	Networking in trade exhibition, Maritime Ballroom
7.00pm -10.30pm	Conference Dinner at Grand Ballroom, The Fullerton Hotel, 1 Martin Place, Sydney. Sponsored by StateCover Includes presentation of Distinguished Service Awards to elected members

Conference Program

2 March

7.30am – 3.00pm	Registration opens Grand Ballroom Foyer
7.30am – 8.45am	<p>Australian Local Government Women's Association (ALGWA NSW) Breakfast, Wharf Room</p> <p>Guest presenter: Rosemary Kariuki, Advocate for migrant and refugee women, LOCAL HERO 2021 Australian of the Year awards.</p> <p>Facilitated by Ellen Fanning</p> <p>* Ellen Fanning and Rosemary Kariuki appear by arrangement with Saxton Speakers Bureau (https://www.saxton.com.au/)</p>
8.00am – 4.00pm	Trade exhibition opens, Maritime Ballroom Delegate Lounge opens for networking
8.45am	Doors open for conference official proceedings
9.00am	Welcome by MC, Ellen Fanning
9.05am – 9.30am	Keynote address – Michael Pascoe * Michael Pascoe appears by arrangement with Claxton Speakers International (https://www.claxtonspeakers.com.au/)
9.30am – 9.35am	Planning sponsor address by Resilience NSW

9.35am – 10.30am	Keynote Panel: Economy and Jobs focus
10.30am – 10.35am	Distinguished sponsor address by Active Super
10.35am – 11.05am	Morning tea in trade exhibition, sponsored by Active Super, Maritime Ballroom
11.05 – 11.20am	Address by President LGNSW, on Association Initiatives including Country Mayors MOU signing
11.20am – 11.25am	Distinguished Sponsor topic Landcom
11.25am – 12.10pm	Presentation: Climate Change Panel
12.10pm – 12.55pm	Presentation: The Housing Crisis in NSW
12.55pm – 2.05pm	Lunch in trade exhibition, with Distinguished Sponsor Landcom, Maritime Ballroom
2.05pm – 3.05pm	Final keynote address – Greig Pickhaver AM * Greig Pickhaver AM appears by arrangement with Claxton Speakers International (https://www.claxtonspeakers.com.au/)
3.05pm – 3.15pm	Final remarks, President LGNSW

Conference Program

Social

05:30pm - 7:30pm	28 February: President's Welcome Reception Maritime Ballroom sponsored by Statewide Mutual Registration will be available at this event.
7.00pm -10.30pm	1 March: Conference Dinner and Entertainment Please note: The Conference Dinner will be held at The Fullerton Hotel, 1 Martin Place Sydney

Conference Program

Special Events

<p>3.00pm – 5.00pm</p>	<p>28 February: Meet the Politicians Forum with Master of Ceremonies: President LGNSW</p> <p>Addresses from NSW Government, Opposition and cross benchers</p> <p>Presentation of the AR Bluett Awards by the Trustees</p> <p>Sponsor Address by Statewide Mutual</p> <p>This session is free to members registered to attend the conference. RSVPs are required as part of the conference registration.</p>
<p>1.05pm – 2.00pm</p>	<p>1 March: StateCover General Managers' Lunch – Heritage Atrium (exclusive to GMs)</p>
<p>7.30am – 8.45am</p>	<p>2 March: Australian Local Government Women's Association (ALGWA NSW) Breakfast, Wharf Room</p> <p>Guest presenter: Rosemary Kariuki, Advocate for migrant and refugee women, LOCAL HERO 2021 Australian of the Year awards.</p> <p>Breakfast facilitated by Ellen Fanning</p>

Conference Program

Workshops

1.30pm – 3.00pm	Option 1 (28 February): Council involvement in new national agreement on Closing the Gap Panel members include representatives from NSW Aboriginal Land Council and Reconciliation NSW
1.30pm – 3.00pm	Option 2 (28 February): Rural and Regional Health – issues and solutions Panel members include representatives from Federal Government and a Council representative
1.30pm – 3.00pm	Option 3 (28 February): Investing in you – planning your own councillor professional development
1.30pm – 3.00pm	Option 4 (28 February): Domestic violence – Councils are part of the solution Panel members include a representative of Domestic Violence NSW and representatives from metropolitan and regional councils

ORDINARY MEETING OF THE COUNCIL

December 21, 2021

ITEM 10BROKEN HILL CITY COUNCIL REPORT NO. 10/22

SUBJECT: CITIES POWER PARTNERSHIP - LOCAL LEADERS PROGRAM
D21/56162

Recommendation

1. That Broken Hill City Council Report No. 10/22 dated December 21, 2021, be received.
2. That Councillors advise the General Manager's Office of their interest to join the Cities Power Partnership, Local Leaders Program as a Council delegate/s.

Executive Summary:

Broken Hill City Council is a partner member of the Cities Power Partnership along with over 145 Councils across Australia.

Council has received an invitation for newly elected members of Council to join the Local Leaders Program aimed to assist local Councils to advocate for opportunities to progress actions towards a zero-carbon economy.

Report:

The Cities Power Partnership lobby state and federal government to address barrier to the take up of renewable energy, energy efficiency and/or sustainable transport; and support local Councils and communities to progress actions to become more sustainable.

Broken Hill City Council adopted its Sustainability Strategy 2018-2023 committing to develop a sustainable and liveable City. The Strategy identified 11 action plans for projects in the areas of energy, water, waste, transport and the built environment. Membership of the Cities Power Partnership assists Council to deliver on the 11 action plans by providing knowledge, advocacy, technical information and networking opportunities with other Councils on the implementation of their sustainability projects.

The Cities Power Partnership Local Leaders Program is a dedicated group of influential local government mayors and councillors from around Australia who advocate for a clean energy future and its benefits like job creation and economic diversity.

The Cities Power Partnership has always worked with members to elevate their voices into Australia's clean economy conversation, through our Local Leaders group.

Participants in the Local Leaders Program will have the opportunity to engage on:

- Proactive Cities Power Partnership and Climate Council media opportunities (interviews, quotes, opinions and editorial pieces), such as a new report, event or video.

- Reactive media opportunities, for example, speaking to journalists on relevant topics concerning topics like clean energy potential and benefits in your local area.
- Joint advocacy statements calling for stronger action towards a zero-carbon economy in relation to a specific and relevant topic, for example economic recovery.

As the global economy shifts to zero-carbon, now is the time to advocate for the support and actions that the community needs to create a prosperous future.

Attached to this report is a brochure which outlines details on the program including how it works and benefits of joining.

Cities Power Partnership will facilitate a media training session for newly elected members of NSW Councils in early 2022.

Community Engagement:

Nil.

Strategic Direction:

Key Direction:	3	Our Environment
Objective:	3.1	Our environmental footprint is minimised
Strategy:	3.1.2	Implement outcomes outlined in Council's Sustainability Strategy

Relevant Legislation:

Nil.

Financial Implications:

Nil fees for Councillors of member Councils to join the Local Leaders Program.

Attachments

1. [↓](#) Cities Power Partnership - Local Leaders Program Information

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER



Local Leaders

A dedicated coalition of local government elected officials from around Australia who advocate for a prosperous, clean energy future.

Local governments have long been leading the way on actions that reduce emissions and set communities up for a thriving future, however local voices are often left out of the media. **Local Leaders aims to catapult your trusted voices and stories of action into the national conversation.**



Image: Lake Macquarie mayor Kay Fraser with Port Stephens mayor Ryan Palmer at the Tesla electric vehicle charging station in Heatherbrae.

Local Leaders

As a Local Leader, the Cities Power Partnership media team will engage you for:

- > Proactive Cities Power Partnership and Climate Council media opportunities (interviews, quotes, op-eds etc), such as voicing your support and perspective on a [new report](#), event or video.
- > Reactive media opportunities, for example, speaking to journalists on relevant topics concerning climate and energy in your local area, or responding to an extreme weather event like a bushfire or flood.
- > Participation in [joint advocacy statements](#) calling for stronger action towards a zero carbon economy or more support in response to extreme weather like bushfires.

Program benefits

- > You'll be part of an **influential group of local government leaders** advocating for a clean energy economy to state and federal governments as well as within your community.
- > You'll receive **professional media and communications training** that is valued at thousands of dollars, but provided completely free of charge.
- > You'll be among the **first to receive special briefings** on the latest and most up-to-date information on energy and climate change issues in Australia.
- > You'll **raise your profile and be seen as a trusted voice** on the issue.
- > You'll advocate for your community and **represent your constituents on a local and national scale.**
- > You'll be supported by **world-class communications and media expertise** of the Climate Council, Australia's leading climate communications organisation.



citiespowerpartnership.org.au

What we offer

Free media support, training and media relations advice that will help raise your profile, establish you as a thought leader and maximise the impact of your advocacy efforts by:

- > Identifying and securing suitable media opportunities.
- > Providing as much notice as possible of media requests to assist with preparation.
- > Providing detailed briefings before media interviews.
- > Always securing approval prior to the distribution of media releases that contain attributed comment.
- > If desired, providing feedback on media work to assist with self-improvement.
- > When required, providing metrics on media campaigns.
- > Formal media training at a suitable time and place.



To join, [sign this letter.](#)

Image: Parkes mayor Ken Keith at Cities Power Partnership launch.

Partners



Climate Council

The Climate Council is Australia's leading climate communications organisation. To date the Climate Council has produced 128 reports on climate impacts and solutions, and reaches a potential audience of 80-90 million people every quarter. This significant impact is a key incentive for cities to join the Cities Power Partnership program.

climatecouncil.org.au



Climate Media Centre

The Climate Media Centre (CMC) is a not-for-profit PR agency and spokesperson bureau for climate change. An initiative of the Climate Council of Australia, CMC specialise in connecting journalists with people who are experiencing climate change impacts first-hand, as well as all the Australians coming up with innovative solutions to tackle the greatest issue of our times.

climatemediacentre.org.au



citiespowerpartnership.org.au

ORDINARY MEETING OF THE COUNCIL

December 7, 2021

ITEM 11BROKEN HILL CITY COUNCIL REPORT NO. 11/22SUBJECT: INVESTMENT REPORT FOR NOVEMBER 2021 D21/53773**Recommendation**

1. That Broken Hill City Council Report No. 11/22 dated December 7, 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 November 2021, Council's Investment Portfolio had a current market valuation of \$25,760,665 or principal value (face value) of \$25,757,621 and was compliant with policy and legislative requirements as per the below table.

Report:

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

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

Market Review**Global issues**

The ongoing strength in global goods demand continues to strain supply chains. The supply of semiconductors, household goods and building materials have struggled to keep pace with the growth in demand, meanwhile disruptions in globally interconnected supply chains and bottlenecks in transportation networks are making matters worse and causing prices to rise. Prices for a range of energy and non-energy commodities are at or around multiyear highs. Producer prices have also picked up strongly in a number of countries in recent months. Iron ore prices remain volatile after a large increase and subsequent decline earlier in the year. Economists consider wages growth to be key to determining whether the upswing in global inflation will persist. Labour markets are tightening, with job vacancies

high and unemployment rates recovering to be generally around pre-pandemic levels. However, employment and participation rates remain well below prepandemic levels in a number of countries. Shares were lower across Australia, the US, Europe, Japan, and China as fears of more lockdowns off the back of rising covid cases and the new omicron variant would stall fledgling global growth.

Domestic issues

Recent data suggests economic activity in Australia contracted sharply in the September quarter as a result of more covid outbreaks and associated lockdowns in New South Wales, Victoria and the Australian Capital Territory. This setback has delayed, but not derailed, the economic recovery that has been under way in the first half of the year. A large pipeline of work is expected to sustain a high level of residential and nonresidential construction activity over the coming year. Recently, building approvals for detached dwellings as well as alterations and additions have declined, but from very high levels. Public capital works, including road and rail infrastructure, is also expected to support investment activity. The RBA's economists believe that the outlook for inflation in Australia differs from that of many other advanced economies. Unlike a few major economies, the labour market participation rate in Australia has bounced back quickly. This flexibility in labour supply implies there would be less upward pressure on wages in Australia. In addition, the effect of global supply disruptions on inflation had been less pronounced in Australia than in other parts of the world, including in energy markets.

Interest rates

Another surge in covid infections through Europe and the discovery of the new omicron variant, which is still to be fully understood, revived concerns about a slowdown in global growth. This sent bond prices higher at the end of November, benefitting bond holders' marked-to-market valuations. The money market is pricing in a 0.25% cash rate by mid-2022 and 1.00% by the first quarter of 2023. The RBA remains firm that it does not expect underlying inflation to settle into the 2-3% target range for at least another two or so years.

Investment Portfolio Commentary

Council's investment portfolio returned 2.88%pa for the month of November versus the bank bill index benchmark return of 0.07%pa. For the past 12 months, the investment portfolio has returned 1.27%pa, exceeding the bank bill index benchmark's 0.02%pa by 1.25%pa.

During November, Council had a \$500k 6mo ME Bank TD mature which had been yielding 0.42%pa. Council reinvested the \$500k in a NAB 12mo TD yielding 0.70%pa.

The NSW TCorpIM MT Fund had a solid return in November, up 1.23% (actual). Although share markets were down during the month, revived concerns about a slowdown in global growth due to another surge in covid cases through Europe and the uncertainty of the newly discovered omicron variant, bond prices rebounded from last month, benefitting bond holders' marked-to-market valuations.

The Australian share market slipped by 0.3% for the month. The energy sector had the biggest fall, down nearly 8%, followed closely by financials, down 7%. On the upside, mining/materials gained 6% after three months of poor performance. Overseas markets were lower as well with the US S&P 500 down 0.7% and the European S&P 350 dropped 2.5%. In Asia, the Japanese S&P 500 fell 3.5% while the Chinese S&P 300 was down over 1%.

Council has a well-diversified portfolio invested among a range of term deposits, fixed and floating rate bonds from highly rated Australian ADIs as well as growth assets via holdings in the NSW TCorp Medium Term Growth Fund. Council remains within its investment policy credit limits and term to maturity limits while generating sound returns above benchmark in the current low interest environment. It is expected that Council can continue to achieve above benchmark returns with prudent investment selection for its short and long term holdings.

Council's Portfolio by Source of Funds – November 2021

As at 30 November 2021, Council's Investment Portfolio had a current market valuation of \$25,760,665 or principal value (face value) of \$25,757,621 and was compliant with policy and legislative requirements as per the table above.

	Source of Funds	Principal Amount
GENERAL Fund	Operating Capital & Internal Restrictions	\$20,149,621
	Royalties Reserve	\$726,000
	Domestic Waste Management Reserve	\$2,642,000
	Grants	\$2,240,000
	TOTAL PORTFOLIO	\$25,757,621

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. [↓](#) November 2021 Investment Report

SIMON BROWN
ACTING CHIEF FINANCIAL OFFICER

JAY NANKIVELL
GENERAL MANAGER



**Investment Summary Report
November 2021**



Broken Hill City Council

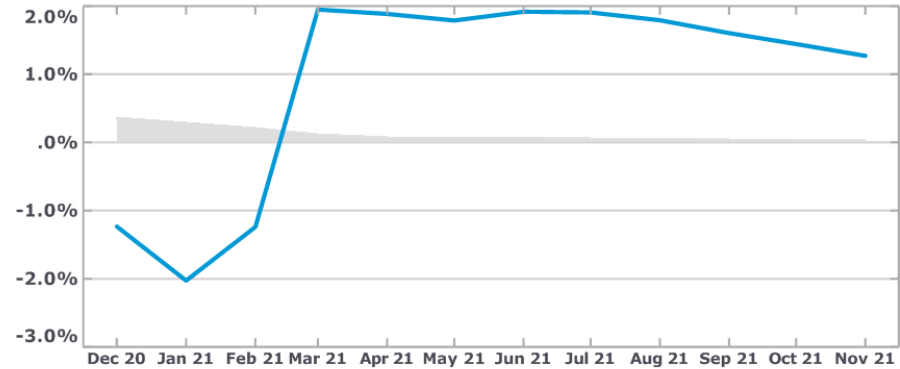
Executive Summary - November 2021



Investment Holdings

By Product	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	16,706,447.53	16,706,447.53	0.3356
Managed Funds	6,551,173.62	6,551,173.62	11.0693
Term Deposit	2,500,000.00	2,503,043.57	0.5720
	25,757,621.15	25,760,664.72	3.0886

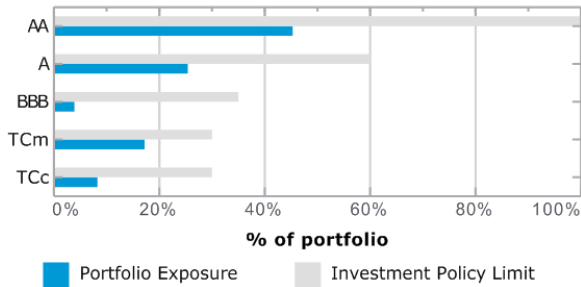
Investment Performance



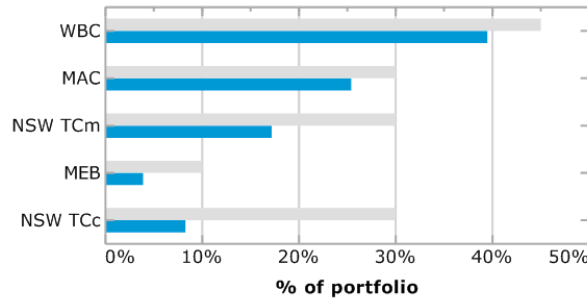
AusBond BB Index Rolling 12 month Return Portfolio Rolling 12 month Return

Investment Policy Compliance

Total Credit Exposure



Highest Individual Exposures



Term to Maturities

Maturity Profile	Face Value (\$)	Policy Max
Less than 1yr	24,757,621	96% 100%
Greater than 1yr	1,000,000	4% 60%
	25,757,621	



Broken Hill City Council

Investment Holdings Report



Cash Accounts							
Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference	
6,540,070.69	0.4000%	Macquarie Bank	A+	6,540,070.69	540354	Accelerator	
5,438,601.23	0.5500%	Westpac Group	AA-	5,438,601.23	535442	90d Notice	
4,727,775.61	0.0000%	Westpac Group	AA-	4,727,775.61	473409	Cheque	
16,706,447.53	0.3356%			16,706,447.53			

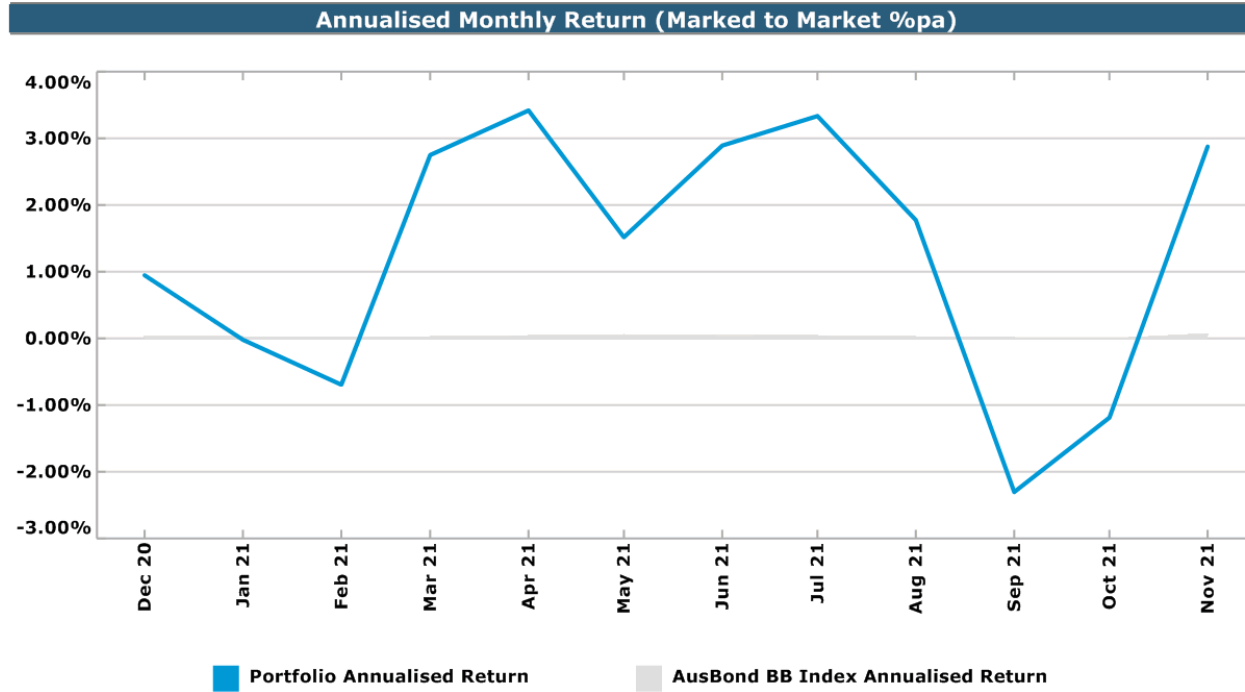
Managed Funds							
Face Value (\$)	Monthly Return	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.	Reference
2,126,040.92	0.0530%	NSW T-Corp (Cash)	Tcc	Cash Fund	2,126,040.92	535329	
4,425,132.70	1.2329%	NSW T-Corp (MT)	TCm	Medium Term Growth Fund	4,425,132.70	536441	
6,551,173.62					6,551,173.62		

Term Deposits											
Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
8-Jun-22	500,000.00	0.5000%	ME Bank	BBB+	500,000.00	9-Jun-21	501,198.63	541512	1,198.63	At Maturity	
12-Oct-22	500,000.00	0.4100%	National Australia Bank	AA-	500,000.00	13-Oct-21	500,275.21	541988	275.21	At Maturity	
16-Nov-22	500,000.00	0.7000%	ME Bank	BBB+	500,000.00	17-Nov-21	500,134.25	542099	134.25	At Maturity	
16-Aug-23	500,000.00	0.6200%	National Australia Bank	AA-	500,000.00	18-Aug-21	500,891.78	541757	891.78	Annually	
27-Sep-23	500,000.00	0.6300%	National Australia Bank	AA-	500,000.00	29-Sep-21	500,543.70	541935	543.70	At Maturity	
	2,500,000.00	0.5720%			2,500,000.00		2,503,043.57		3,043.57		

Broken Hill City Council
Accrued Interest Report - November 2021



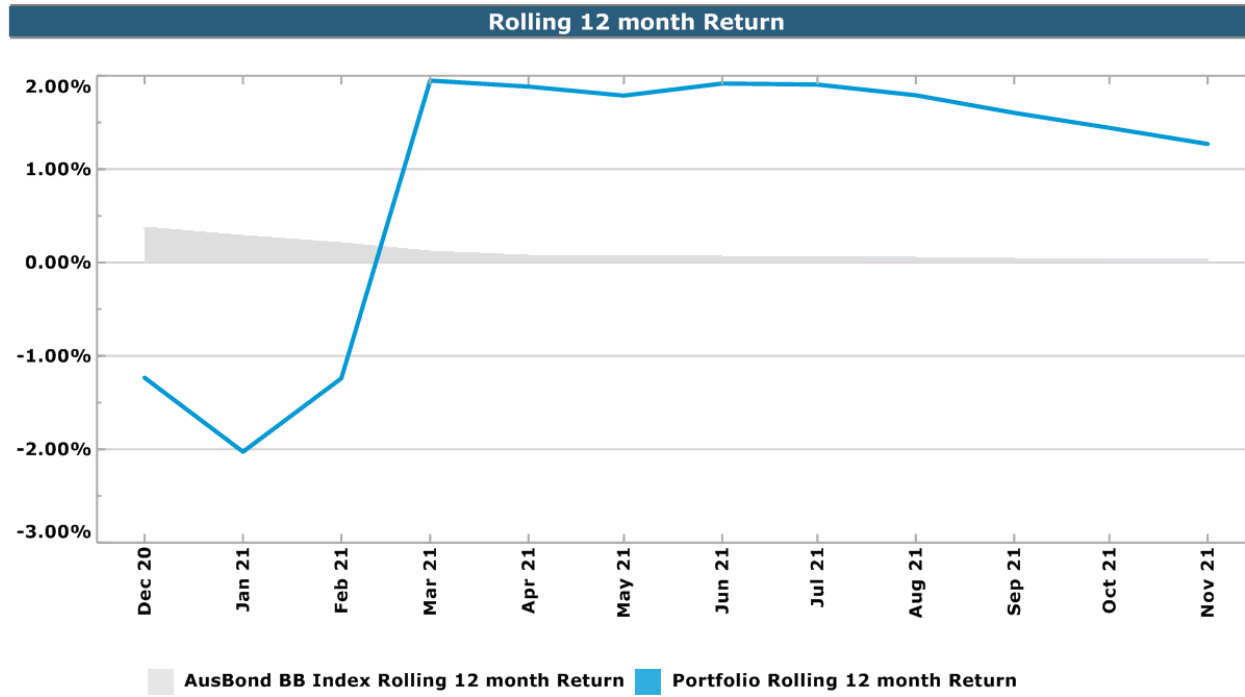
Accrued Interest Report										
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return	
Cash										
Westpac Group	473409	Cheque	4,727,775.61			0.00	30	0.00	.00%	
Westpac Group	535442	90d Notice	5,438,601.23			2,621.18	30	2,621.18	.55%	
Macquarie Bank	540354	Accelerator	6,540,070.69			2,149.50	30	2,149.50	.40%	
Cash Total						4,770.69		4,770.69	.34%	
Managed Funds										
Cash Fund	535329		2,126,040.92	29-May-17		0.00	30	1,125.61	.65%	
Medium Term Growth Fund	536441		4,425,132.70	12-Feb-18		0.00	30	53,892.24	16.08%	
Managed Funds Total						0.00		55,017.85	10.80%	
Term Deposit										
ME Bank	541332		500,000.00	13-May-21	17-Nov-21	1,158.90	16	98.63	.45%	
ME Bank	541512		500,000.00	09-Jun-21	08-Jun-22	0.00	30	205.48	.50%	
National Australia Bank	541988		500,000.00	13-Oct-21	12-Oct-22	0.00	30	168.50	.41%	
ME Bank	542099		500,000.00	17-Nov-21	16-Nov-22	0.00	14	134.25	.70%	
National Australia Bank	541757		500,000.00	18-Aug-21	16-Aug-23	0.00	30	254.79	.62%	
National Australia Bank	541935		500,000.00	29-Sep-21	27-Sep-23	0.00	30	258.91	.63%	
Term Deposit Total						1,158.90		1,120.56	.55%	
						5,929.59		60,909.10	2.88%	



Historical Performance Summary

	Portfolio	AusBond BB Index	Outperformance
Nov 2021	2.88%	0.07%	2.81%
Last 3 Months	-0.24%	0.02%	-0.26%
Last 6 Months	1.21%	0.02%	1.19%
Financial Year to Date	0.88%	0.02%	0.86%
Last 12 months	1.27%	0.02%	1.25%

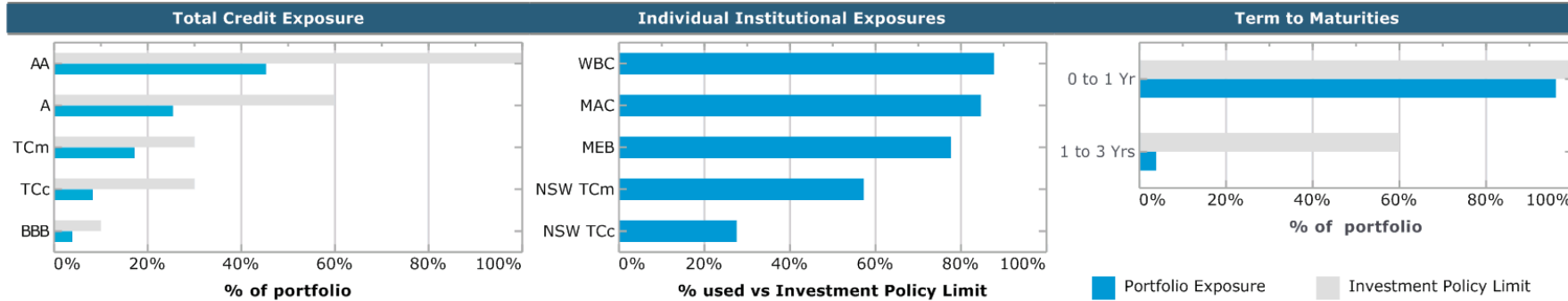
Broken Hill City Council
Investment Performance Report



Historical Performance Summary (actual)			
	Portfolio	AusBond BB Index	Outperformance
Nov 2021	0.23%	0.01%	0.22%
Last 3 Months	-0.06%	0.01%	-0.07%
Last 6 Months	0.60%	0.01%	0.59%
Financial Year to Date	0.37%	0.01%	0.36%
Last 12 months	1.27%	0.02%	1.25%



Broken Hill City Council
Investment Policy Compliance Report



Credit Rating	Face Value (\$)	% used	Policy Max	Compliance
AA	10,666,377			
AA	1,000,000			
	11,666,377	45%	100%	a
A	6,540,071			
	6,540,071	25%	60%	a
TCm	4,425,133			
	4,425,133	17%	30%	a
TCc	2,126,041			
	2,126,041	8%	30%	a
BBB	1,000,000			
	1,000,000	4%	10%	a
	25,757,621	100%		

Institution	% used vs Investment Policy Limit	Compliance
Westpac Group (LT) (AA-)	88%	a
Macquarie Bank (LT) (A+)	85%	a
Members Equity Bank (LT) (BBB+)	78%	a
NSW T-Corp (MT) (TCm)	57%	a
NSW T-Corp (Cash) (TCc)	28%	a
National Australia Bank (LT) (AA-)	13%	a

Term	Face Value (\$)	% used	Policy Max	Compliance
Between 0 and 1 Year	24,757,621	96%	100%	a
Between 1 and 3 Years	1,000,000	4%	60%	a
	25,757,621			

Detailed Maturity Profile	Face Value (\$)	% used
00. Cash + Managed Funds	23,257,621	90%
05. Between 180 Days and 365 Days	1,500,000	6%
06. Between 365 Days and 3 Years	1,000,000	4%
	25,757,621	

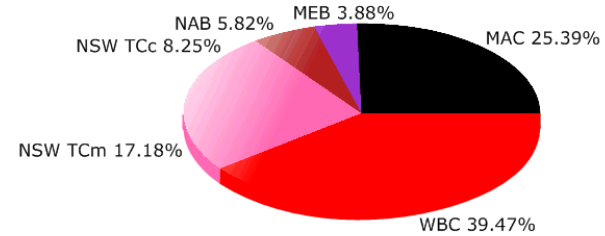
a = compliant
1 = non-compliant

Broken Hill City Council Individual Institutional Exposures Report



Individual Institutional Exposures Individual Institutional Exposure Charts

	Current Exposures	Policy Limit	Capacity
Macquarie Bank (A+)	6,540,071 25%	7,727,286 30%	1,187,215
Members Equity Bank (BBB+)	1,000,000 4%	2,575,762 10%	1,575,762
National Australia Bank (AA-)	1,500,000 6%	11,590,930 45%	10,090,930
NSW T-Corp (TCc)	2,126,041 8%	7,727,286 30%	5,601,245
NSW T-Corp (TCm)	4,425,133 17%	7,727,286 30%	3,302,153
Westpac Group (AA-)	10,166,377 39%	11,590,930 45%	1,424,553
	25,757,621		



Broken Hill City Council
Cash Flows Report



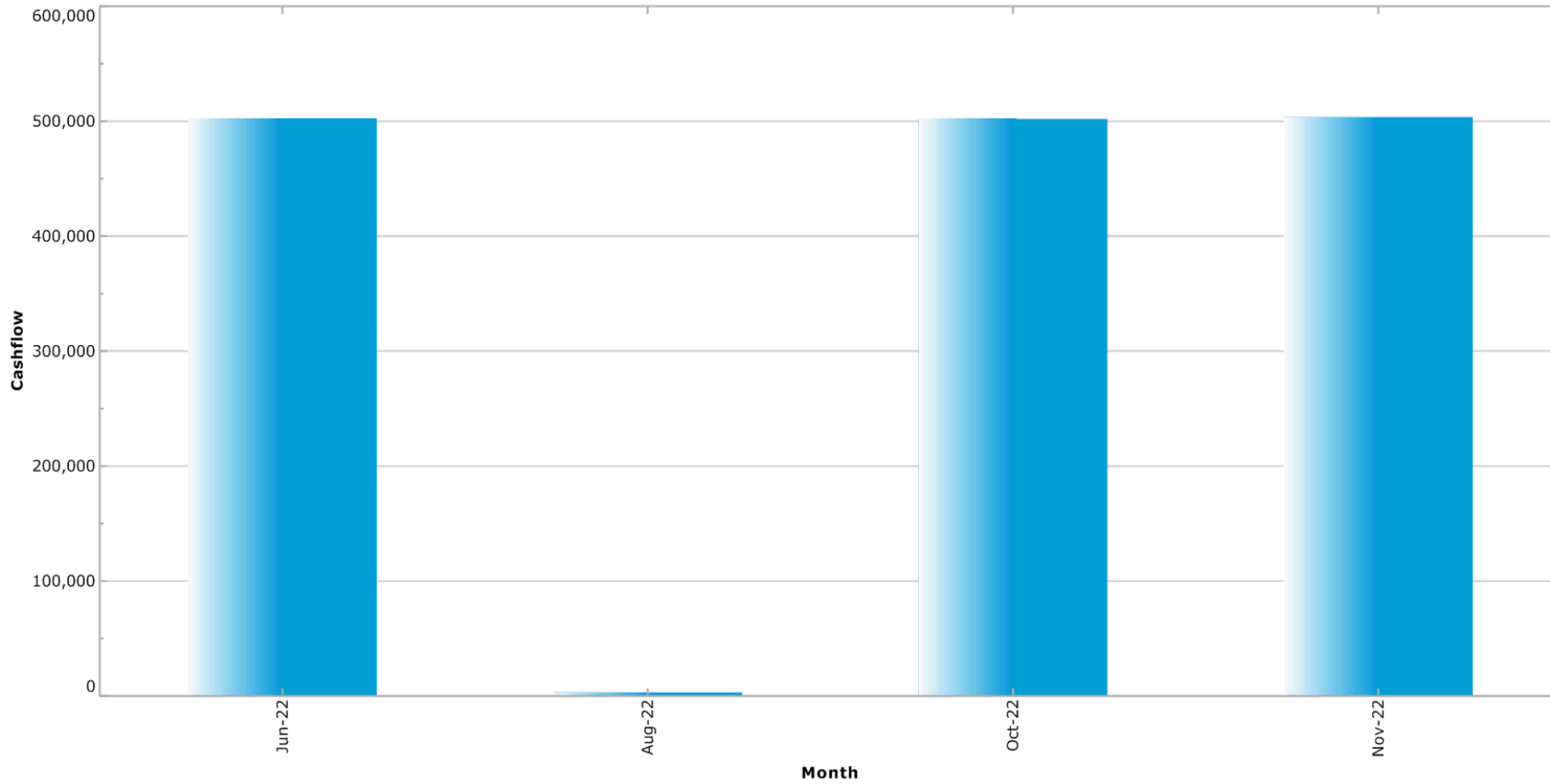
Current Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>
17-Nov-21	541332	ME Bank	Term Deposits	Maturity Face Value - Received	500,000.00
		ME Bank	Term Deposits	Interest - Received	1,158.90
				<u>Deal Total</u>	<u>501,158.90</u>
	542099	ME Bank	Term Deposits	Settlement Face Value - Paid	-500,000.00
				<u>Deal Total</u>	<u>-500,000.00</u>
				Day Total	1,158.90
				Net Cash Movement for Period	1,158.90

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>
				Net Cash Movement for Period	

Broken Hill City Council
Cash Flows Report



ORDINARY MEETING OF THE COUNCIL

December 10, 2021

ITEM 12**BROKEN HILL CITY COUNCIL REPORT NO. 12/22****SUBJECT: SECTION 355 COMMITTEE TERM REPORT 2016-2021 D21/54737****Recommendation**

1. That Broken Hill City Council Report No. 12/22 dated December 10, 2021, be received.
2. That the Term Report 2016-2021 from Section 355 Broken Hill Regional Art Gallery Advisory Committee be received and noted.
3. That the resubmitted Term Report 2016-2021 from Section 355 Friends of the Flora and Fauna of the Barrier Ranges Community Committee be received and noted.

Executive Summary

In accordance with Section 355 of the *Local Government Act 1993* (the Act), Council has the ability to delegate some of its functions to a Committee of Council by way of appointment of community members to manage or advise on particular Council assets or functions. The committees are commonly known and referred to as Section 355 Committees.

Report:

Council's Section 355 Advisory and Asset Committee Frameworks state that all committees are for the term of the current Council.

Section 318B of the *Local Government Act 1993* was amended to allow the Minister for Local Government, to postpone council elections due to the risk posed by the COVID-19 pandemic. Council's S355 Committee term was also extended due to the postponement of the Local Government elections to December 2021.

Both the Section 355 Advisory and Asset Committee Frameworks state that committees are required to submit reports to Council, including Annual Reports, Financial Reports and specifically for the current term of Council, a Term Report for period 2016-2021.

Section 355 Committees submitted their Annual Reports and Financial Reports where relevant for the 2020/2021 period and six Committees submitted their Term Reports up to November 2021.

There are currently 10 Section 355 Committees, made up of seven Asset Committees and three Advisory Committees.

Section 355 Asset Committees:

- Alma Oval Community Committee
- BIU Band Hall Community Committee
- Friends of the Flora and Fauna of the Barrier Ranges Committee
- Memorial Oval Community Committee
- Norm Fox Sporting Complex Community Committee
- Picton Sportsground Community Committee
- Riddiford Arboretum Community Committee

Section 355 Advisory Committees:

- Broken Hill Heritage Committee
- Broken Hill Regional Art Gallery Advisory Committee
- Community Strategic Plan Round Table

To date, Term Reports have been received from the following committees:

- Broken Hill Heritage Committee
- Broken Hill Regional Art Gallery Advisory Committee
- Community Strategic Plan Round Table
- Friends of the Flora and Fauna of the Barrier Ranges Community Committee
- Memorial Oval Community Committee
- Riddiford Arboretum Management Committee

To date, Term Reports remain outstanding for the following committees:

- Alma Oval Community Committee
- BUI Band Hall Community Committee
- Norm Fox Sporting Complex Community Committee
- Picton Sportsground Community Committee

Council further wrote to all Section 355 Committees on 31 August 2021 to advise the following:

- The date of the Local Government Elections being 4 December 2021.
- The caretaker arrangements for S355 Committees.
- Positions being declared vacant and the renomination process for all S355 committees.
- Term Report requirements - Term reports are required to be amended and resubmitted to Council to incorporate the additional three-month term of Council.

To date, the Broken Hill Regional Art Gallery Advisory Committee and the Friends of the Flora and Fauna of the Barrier Ranges Community Committee have submitted their Term Report to include additional three-month term of Council.

COVID-19 restrictions for Section 355 Committees to hold meetings has had an impact on Section 355 Committees in undertaking their usual functions and reporting requirements. This has therefore resulted in a delay in Section 355 Committees submitting the required reports.

Council will continue to follow-up the outstanding Reports with the relevant Section 355 Committees.

Community Engagement:

Liaise with all Section 355 Committees

Strategic Direction:

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

Relevant Legislation:

Local Government Act 1993

- Section 355 'How a council exercise its functions'
- Section 377 'General power of the council to delegate'.
- Section 318B was amended to allow the Minister for Local Government, to postpone council elections due to the risk posed by the COVID 19 pandemic.

Financial Implications:

There are no financial implications arising from the recommendations of this report.

Attachments

1. Section 355 Term Report 2016-2021 - BH Regional Art Gallery Advisory Committee
[↓](#)
2. Section 355 Term Report 2016-2021 - Friends of the Flora and Fauna of the Barrier Ranges Community Committee
[↓](#)

RAZIJA NU'MAN
CHIEF CORPORATE AND COMMUNITY OFFICER

JAY NANKIVELL
GENERAL MANAGER



BROKEN HILL
CITY COUNCIL

355 committee term report

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au
If insufficient room please supply additional attachments.

SECTION 355 COMMITTEE

Name of Committee: Regional Art Gallery Advisory Committee

Term Report Period: December 2016 – November 2021

TERM REPORT

- The Committee –**
provide an overview
of the responsibilities of
the Committee

The Committee undertakes an advisory role in consultation with Gallery Management and can make suggestions and recommendations regarding acquisitions and deaccessioning of works, conservation and maintenance of works and projects, assisting in selection of works for the Prohart Outback Art Prize, fundraising for projects, all within the legal parameters of the Constitution and the policies of the Regional Art Gallery.

- Activities / Projects /
Achievements /
Highlights**

- Annual selection of of works for the PHOAP (selection done online in 2020)
- Successful application for Regional Cultural Funding for the Digitisation and Management of the Collection. Digitisation completed and collection available for viewing worldwide in 2021.
- Development of Collection Management Policy, Exhibition Policy and Public Art Policy
- Acquisitions by Ruby Davies, Clem Millward, Gary Shead, Amanda Penrose Hart, Eric Minchin, John Lindsay Gregory, May Harding, Judy Cassab
- An amendment to the Constitution was made to have 2 Councillors instead of three; and clauses of the Constitution with regard to missed meetings without apology were implemented
- Refurbishment works September 2021 – March 2022 including reroofing, new airconditioning and humidifier, replacing timber floors, replastering walls
- Consulting with Cred-Overton about future Cultural Plan for Broken Hill
- RAGAC Chair Cr Maureen Clark wrote letter on behalf of the Committee supporting the naming of Pro Hart Way (previously Airport Road).
- Indigenous educational grant (FRESHbark) applied for and awarded.

AUSTRALIA'S FIRST HERITAGE LISTED CITY

• Ongoing Issues-

- Need for some members to join meeting by phone or zoom at times
- Refurbishment will be ongoing until after the new Council and new Advisory Committee is formed.
- Rebranding should be in place for the new Council and Committee

Please provide further relevant information:

Having community members on the Committee who are also practicing artists has been a definite advantage when assessing works for accessioning or for exhibition.

PRIVACY STATEMENT

Council is collecting your personal information in accordance with the Privacy and Personal Information Protection Act 1998. The purpose for collecting your personal information is to obtain and record contact details and to assess your suitability for appointment to a S355 Committee.

The intended recipients of the personal information collected includes Council officers, S355 Committee members, and contractors or other agents contracted by Council. If appointed to a committee, your name and contact details will not be made public on Council's website and will be removed from all applications and reports in Council's Business Papers. The supply of the information is voluntary. If you cannot provide or do not wish to provide the information sought, Council may not be able to process your application.

You may make application for access or amendment to information held by Council. Council will consider any such application in accordance with the Act. Enquiries concerning this matter can be directed to the Public Officer council@brokenhill.nsw.gov.au

Signature

[Redacted Signature]

Date:

10/10/21

Printed Name

MAUREEN CLARK


Position

CHAIR, Regional Art Gallery Advisory Committee

355 COMMITTEE TERM REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au
If insufficient room please supply additional attachments.

SECTION 355 COMMITTEE	
Name of Committee:	Friends of the Flora and Fauna of the Barrier Ranges Community Committee
Term Report Period:	2016 - 2021
TERM REPORT	
1. The Committee – provide an overview of the responsibilities of the Committee	<p>The Committee is responsible for working with the Living Desert Ranger to maintain the Living Desert Flora and Fauna Sanctuary, which has been established to protect local flora and fauna and create passive recreation opportunities for visitors.</p>
2. Activities / Projects / Achievements / Highlights	<p>Starview Primitive Campsite – Official Opening - 4 November 2017.</p> <p>Albert Morris Regeneration Tour.</p> <p>Film Night 'War of the Worlds'.</p> <p>Cold set bitumen poured over crushed paths.</p> <p>Electric Gate Installed at Campsite.</p> <p>Coca Cola Salvation Function for the less fortunate hosted at the Sculptures.</p> <p>Installation of BBQ at campsite.</p> <p>Built brick garden at campsite.</p> <p>Built tree bays in picnic area for during drought.</p> <p>Assisted where necessary with Buckleys Film and Ballet Film Crews.</p> <p>Built walking track in south regeneration.</p> <p>Wood chips around paths.</p> <p>Pipe rails around section of the carpark.</p> <p>New path being created at campsite for wheelchair access.</p> <p>New BBQ installed in picnic area for wheelchair access.</p> <p>Full sail and shelters installed around BBQ area.</p> <p>Driplines removed from campsite.</p> <p>New Signage 'No Pets Allowed' has been installed throughout the park.</p> <p>Caravan Park Trees have been trimmed.</p> <p>Adding new campsites.</p> <p>Flora and Fauna doing well after recent rains – 2021.</p>

	<p>Plenty of Film Crews are visiting.</p> <p>School Tour Groups visiting.</p> <p>Visitor and camping numbers high up to June 2021</p> <p>Old wooden rails in Flora site replaced with 50mm pipe.</p> <p>Cable replaced on Sculpture Hill with 50mm pipe.</p> <p>Kangaroo Shelter complete.</p> <p>New path to Starview Primitive Campsite to view sunrise and sunset.</p> <p>Walking path on South Track has been sprayed for weeds/cactus.</p>
3. Ongoing Issues	<p>Committee stopped operating due to Covid-19 from July 2020 to October 2020. Covid is still causing issues regarding meetings.</p> <p>Paths – Wheelchair access – ongoing.</p> <p>Prickly Pear being sprayed.</p> <p>A new insect has been introduced to control the Box Clove Cactus.</p> <p>Further weeding activities.</p> <p>Committee stopped operating due to Covid-19 from July 2021 to October 2021.</p> <p>Visitor Number low due to Covid-19 from July 2021 – ongoing.</p>
Please provide further relevant information:	
PRIVACY STATEMENT	
<p>Council is collecting your personal information in accordance with the Privacy and Personal Information Protection Act 1998. The purpose for collecting your personal information is to obtain and record contact details and to assess your suitability for appointment to a S355 Committee.</p> <p>The intended recipients of the personal information collected includes Council officers, S355 Committee members, and contractors or other agents contracted by Council. If appointed to a committee, your name and contact details will not be made public on Council's website and will be removed from all applications and reports in Council's Business Papers.</p> <p>The supply of the information is voluntary. If you cannot provide or do not wish to provide the information sought, Council may not be able to process your application.</p> <p>You may make application for access or amendment to information held by Council. Council will consider any such application in accordance with the Act. Enquiries concerning this matter can be directed to the Public Officer council@brokenhill.nsw.gov.au or addressed to Broken Hill City 240 Blende Street.</p>	
Signature	
Printed Name	Darrell Ford
Position	Living Desert Ranger
	<p>Date: 20/12/21 10/12/21</p>

ORDINARY MEETING OF THE COUNCIL

December 22, 2021

ITEM 13BROKEN HILL CITY COUNCIL REPORT NO. 13/22

SUBJECT: MINTUES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO. 420, HELD TUESDAY 7 DECEMBER 2021 D21/56657

Recommendation

1. That Broken Hill City Council Report No. 13/22 dated December 22, 2021, be received.
2. That the minutes of the Local Traffic Committee – Meeting No.420, held on Tuesday, 7 December 2021 be received.
3. Item No. 415.6.1 - That Council installs signage and line marking for one (1) disability parking bay adjacent to the ramp on the north side of Crystal Street adjacent to the Country University Centre (CUC) and for three to four 4-hour parking spaces (pending measurement allowance) be installed on the south side of Crystal Street between the two driveways for use by the general community.

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, 7 December 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
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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. 420, held 7 December 2021

JAY NANKIVELL
GENERAL MANAGER

LOCAL TRAFFIC COMMITTEE MINUTES OF MEETING NO. 420

Meeting held on Tuesday, 7 December 2021

Location: First Floor Meeting Room, Administrative Centre via Teams

Minutes taken by: Council's Administration Officers, Tanya Ralph and meeting supported by Sam Stuart.

Chairperson Geoff Harris, Council's Manager Infrastructure Works commenced the meeting at 2pm and welcomed all representatives present and performed an Acknowledgement of Country at the commencement of this meeting.

420.1 Present

Geoff Harris	Manager Infrastructure Works
David Vant	Transport for NSW Representative
Peter Beven	Local Member's Representative

420.2 Apologies

Tom Aylett	NSW Police Representative
Chris Wallace	Acting Inspector (Police)
Marion Browne	Councillor
Paul Bezzina	Asset Officer

420.3 Disclosure of interest – NIL

420.4 Adoption of previous minutes

The following Committee Recommendations over the page were adopted by Council at its meeting held on 2021.

The minutes from this meeting will be confirmed and approved by the Local Traffic Committee at their scheduled meeting on Thursday, 28 October 2021.

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

420.5 Council Resolutions

The following Committee Recommendations over the page were adopted by Council at its meeting held on Wednesday, 11 November 2021.

Local Member's Representative noted that the word 'Trial' in point 3 – Item No. 416.6.1, was incorrectly spelt in the Council Resolution.

These will be corrected in the meeting minutes.

ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 187/21 - DATED NOVEMBER 11, 2021 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 419 HELD ON THURSDAY, 28 OCTOBER 2021		D21/49138
<p>RESOLUTION Minute No. 46676 Councillor M Browne moved) Councillor B Licul seconded)</p>	<p>Resolved</p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 187/21 dated November 11, 2021, be received. 2. That the minutes from the Local Traffic Committee – Meeting 419 held on Thursday, 28 October 2021 3. Item No. 416.6.1 - That the parking signs in Union Street be covered for a trial period of three months to identify what impacts are caused without the timed parking spaces adjacent the Morgan Street Primary School in Union Street. That the triad period be for three months and the covers removed after this time at the end of the first school term. Further consultation will be arranged with the Principal of the Morgan Street Primary School and the residents in the area before a determination can be decided. Based on satisfaction results from the trail period the zone will be reinstated permanently – streamline from trial to permit. 4. Item No. 417.6.1 – That a 15-minute timed parking space be installed at the front of Live better, located at 475 Argent Street to allow for the parking of the transport bus. Council to arrange further consultation with Live Better and arrange for the placement of the parking sign. 5. Item No. 419.6.1 - That the Local Traffic Committee have no objection for the proposed road closures for the Council Christmas Pageant. <p style="text-align: right;">CARRIED UNANIMOUSLY</p>	

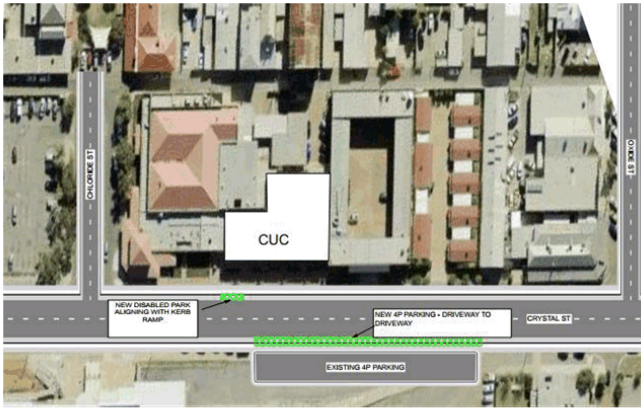
420.6 Correspondence In - NIL

Item No.	EDRMS No.	Details	Page
420.6.1			

420.7 Correspondence Out

Item No.	EDRMS No.	Details
418.6.1	D21/50614	Council Resolution – Request for removal of three parking spaces for the installation of a driveway to allow for off street parking for disabled resident at 245 Thomas Street, Broken Hill – Novita (Georgia Savage).
416.6.1	D21/50713	Council Resolution – Request for the removal of the school zone signage on the resident's side of Union Street - Jane Weekes.
416.6.1	D21/51523	Committee response – Resident Letter Box Drop – Request for the removal of the school zone signage on the resident's side of Union Street - Jane Weekes.
413.6.1	D21/21221	Council Resolution – Proposed Road Closures for the Broken Heel Festival – The Palace Hotel.

420.8 General Business

Item No.	EDRMS No.	Details
415.6.1	D21/29055	Request for installation of a disabled parking space on the side of the Country University Centre (CUC) on Crystal Street and for the parallel parking on the opposite side of Crystal Street be changed to 4-hour parking between the driveways.
		<p>Request for longer term parking was presented to the traffic committee in July 2021 and closed at the September 2021 Traffic Committee meeting.</p> <p>The outcome was that the parking arrangements would remain unchanged, and that Council would continue to work with the CUC on a mutually beneficial outcome. Through consultation with Michael Williams (CUC), Council's General Manager, Jay Nankivell, and Council's Chief Assets and Projects Officer, Codie Howard, have reached an agreed proposal that will suit all parties and now request the Local Traffic Committee to review the request again.</p>
Discussion Notes		

		<p>The only comment regarding this proposal was raised by Transport for NSW, David Vant, being that the disabled parking bay be installed in accordance with Australian Standards and that the CUC understand that the parking will be for the community and not for exclusive use of the Centre.</p> <p>Recommendation</p> <p><i>That Council installs signage and line marking for 1x disability parking bay adjacent to the ramp on the north side of Crystal Street adjacent the Country University Centre (CUC) and for three to four 4-hour parking spaces (pending measurement allowance) to be installed on the south side of Crystal Street between the two driveways for use by the general community.</i></p> <p>Moved: David Vant Second: Peter Beven</p> <p>All in favor</p>
Item No.	EDRMS No.	Details
420.8.1	N/A	Road works at the Crystal Street and Iodide Street Intersection
Discussion Notes		<p>Local Member's Representative, Peter Beven, was pleased to see that the z-bend opposite the ABC Radio Station started progress again and there is a curve at the end of the road at the Crystal Street end.</p> <p>This work has been completed by Transport for NSW.</p>
Item No.	EDRMS No.	Details
420.8.2	N/A	Sealing of Warri Gate Road through to Queensland
		<p>Local Member's Representative, Peter Beven, reminded the committee that he had written a letter to the Deputy Prime Minister, Barnaby Joyce, requesting funding assistance to seal the Warri Gate Road that connects south-west Queensland to New South Wales. Peter has mentioned that the Deputy Prime Minister has three portfolios and the Minister for Agriculture, Drought and Emergency Management Australia, David Littleproud, has one, which is the Minister for Northern Australia. Between them there are four portfolios that could help fund the section of road north from the Warri Gate hook into the Queensland system, being approximately 130km of road to be sealed.</p> <p>Peter informed the committee that Barnaby Joyce provided a response advising that the Shires are provided with Government funding each year to benefit their areas and that some of this funding could be used to seal the section of road. The Shire for this section is the Bulloo Shire Council.</p> <p>Transport for NSW, David Vant advised the committee that this work may be completed by next year.</p>

Item No.	EDRMS No.	Details
420.8.1	N/A	Shoulder of Silverton Road
Discussion Notes		<p>Some concerns were raised regarding the recent works completed by Transport for NSW on the Silverton Road. The road shoulders at the dips need to be widened as there will be an increase in the number of vehicles accessing the road for the Mundi Mundi Bash event planned in 2022.</p> <p>Transport for NSW, David Vant, informed the committee that additional works are planned for culverts along the Silverton Road.</p> <p>Concerns were raised regarding when the works would be undertaken and if they would be completed by the time of the Big Bash, being that there are two events scheduled in 2022? There is also a Mad Max Reunion. Transport for NSW, David Vant, will seek more information and provide the committee an update at their next scheduled committee meeting.</p> <p>David informed the committee that he is currently liaising with the organisers of the Mundi Mundi Bash and the Silverton Village Committee to get a Traffic Management Plan arranged for the events. It looks like the Mundi Mundi Lookout will be closed during the events. There are two aspects to the works - when will the work be done and what type of works will be done by Transport NSW.</p>
Item No.	EDRMS No.	Details
420.8.4		Road Safety Officer
		<p>At the previous meeting, following a presentation presented by Transport for NSW, Council's Chief Assets and Projects officer, Codie Howard, had expressed interest for the appointment of a Road Safety Officer that will be jointly funded by Transport for NSW.</p> <p>Transport for NSW, David Vant, would like to know if this matter has progressed with Council further. Council's Manager Infrastructure Works and the new Chairperson for the Local Traffic Committee, Geoff Harris, advised that he would consult with Codie Howard for a response and inform David Vant.</p>

420.9 Action Item List

Date	Item Details
August 2021	Union Street parking on resident side of Union Street
Item No.	416.6.1
EDRMS No.	General Business

CRM No.	N/A
Responsible Officer	Council's Chief Assets & Projects Officer, Codie Howard
Current Status	Pending
Date	Committee Recommendation/s
October 28, 2021	<p>That the parking signs in Union street be covered for a trial period of three months to identify what impacts are caused without the timed parking spaced adjacent the Morgan Street Primary School in Union Street.</p> <p>That the triad period be for three months and the covers removed after this time at the end of the first school term.</p> <p>Further consultation will be arranged with the Principal of the Morgan Street Primary School and the residents in the area before a determination can be decided.</p> <p>Based on satisfaction results from the trail period the zone will be reinstated permanently – streamline from trial to permit.</p>
Action Date	Running Actions
August 2021	<p>This issue has been reviewed by the Local Traffic Committee several years ago when the 'Timed Parking' zone was first introduced, along with restricted parking Union Street behind the Morgan Street Public School.</p> <p>Council's Asset Officer, Paul Bezzina will conduct further investigation of the current signs in Union Street at the rear of the Morgan Street Public School and will report back to the committee at the next scheduled committee meeting in September 2021.</p>
September 2021	<p>Council's Asset Officer, Paul Bezzina inspected the area and advised the committee that the parking in the street is generally timed parking 8- 4 parking for school drop off on both sides of Union Street. 'No stopping' on the school from 8.30 to 9pm – 2.30-3.15 school days and opposite side of school there is 830pm to 9.15, 2.30 3.15pm</p> <p>Quarter hour parks on the school 8am to 4pm school holidays and public holidays.</p> <p>The request is for the resident side to be lifted.</p> <p>Recommendation</p> <p>That Principal of the school is to be contacted to see if the school still requires the timed parking in Union Street before a decision can be made by the committee at the October meeting.</p> <p>The parking signs in Union Street were inspected by Council's Asset Officer, Paul Bezzina and he has advised the committee that the signed parking on the resident side of Union Street is marked as a school zone 'No Parking' from 8am to 4pm. On the school side of Union Street is marked as school zone between the times of 8.30am to 9.15am then from 2.30pm to 3.15pm.</p> <p>The committee have requested that the Principal from the Morgan Street school be contacted to see if the parking arrangements are still needed by the school</p>

	<p>and this will determine the decision of the committee at the next committee meeting.</p> <p>Paul Bezzina will liaise with the Principal of the school as has been suggested by the committee and will provide an update at the next committee meeting.</p>
October 2021	<p>The committee were advised that an update was not available at this time, being that Paul Bezzina is not present at this meeting.</p> <p>An update will be made available at the next committee meeting.</p>
October 28, 2021	<p>The committee had planned to conduct a site inspection of the area today, but due to weather conditions were able to meet at the site.</p> <p>Paul Bezzina advised the committee that he had meet the Principal of the Morgan Street Primary School and they have expressed that they will be happy for the signs to be covered for a trail period of three months to see what impact is caused.</p> <p>Committee to review a gain at the end of term in 2022.</p> <p>Residents in Union Street will be advised of the trail period and informed that the parking signs in this street adjacent the school will be covered for short period of time. This will intern allow them to park in this area. Further consultation will be arranged after the trial period with both the Principal and residents before a permanent decision is made.</p> <p>Recommendation</p> <p><i>That the parking signs in Union street be covered for a trial period of three months to identify what impacts are caused without the timed parking spaced adjacent the Morgan Street Primary School in Union Street.</i></p> <p><i>That the trial period be for three months and the covers removed after this time at the end of the first school term.</i></p> <p><i>Further consultation will be arranged with the Principal of the Morgan Street Primary School and the residents in the area before a determination can be decided.</i></p> <p><i>Based on satisfaction results from the trial period the zone will be reinstated permanently – streamline from trial to permit.</i></p> <p>Moved: Dave Vant Second: Peter Bevan</p>
December 2021	<p>Geoff Harris informed the committee that no work has been completed to date and that he will follow up and provide the committee an update at the next scheduled committee meeting.</p> <p>As was recommended and adopted by Council at the November 2021 Council Meeting, Geoff will ensure that the signs along the resident's side of Union Street will be covered.</p> <p>Geoff will consult with Codie for the agreed period of the trial.</p> <p>The committee will revisit this matter following the trial period of the signs being covered and will then determine a recommendation.</p>

Date	Item Details
August 2021	Request for parking signage at Live Better's Community Transport Office adjacent 475 Argent Street – Julie Paull, Live Better
Item No.	417.6.1
EDRMS No.	D21/39063
CRM No.	N/A
Responsible Officer	Council's Chief Assets & Projects Officer, Codie Howard
Current Status	Pending
Date	Committee Recommendation/s
September 2021	<ul style="list-style-type: none"> • A search to be conducted to find the original request relating to the bus zone signs adjacent the facility at 475 Argent Street and the recommendation passed by the Local Traffic Committee at that time. • Council to inspect and take some photos of the area. For this matter to be discussed at the October 2021 meeting. • Correspondence sent to the Live better to advise of the committee decision.
October 28, 2021	<p>That a 5-minute timed parking space be installed at the front of Live better, located at 475 Argent Street to allow for the parking of the transport bus.</p> <p>Council to arrange further consultation with Live Better and arrange for the placement of the parking sign.</p>
Action Date	Running Actions
September 2021	<p>Transport for NSW, David Vant informed the committee that he could have been the RMS representative that has been referenced in the request. David advised that he has been dealing with an Amanda from Live Better regarding their concerns.</p> <p>Councillor, Marion Brown commented that this matter had been addressed by the Local Traffic Committee approximately three to four years ago when the facility was the HACC Centre. This matter has been an issue for a while. Marion went on to say that she was involved with the Local Traffic Committee when the committee at that time recommended for the signage for the buses was to be updated.</p> <p>Codie advised that a search of Local Traffic Committee minutes will be conducted to find the original recommendations passed by the committee in relation the bus signs, followed by the signs being updated in line with the decision. The signs have never been put up.</p> <p>Disability parking signs were suggested, but these would not work, being that their clients that visit the facility to make a payment would be able to park as they do not necessarily have a disability parking permit. The new signs could</p>

	<p>be a bus zone from 9am to 3pm for parking – 'Community Transport Vehicles Excepted' sign (bus zone).</p> <p>Install signs for designated for the business and make that only their vehicles can park in the spot. David stated that the vehicle utilizing the space would have to be determine a bus under the road rules. If the bus is not classified as a bus, then they will not be able to park there.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • A search to be conducted to find the original request relating to the bus zone signs adjacent the facility at 475 Argent Street and the recommendation passed by the Local Traffic Committee at that time. • Council to inspect and take some photos of the area. For this matter to be discussed at the October 2021 committee meeting. • Correspondence sent to the Live better to advise of the committee decision. <p>Moved by the committee.</p>
<p>October 2021</p>	<p>The committee were advised that an update was not available at this time, being that Paul Bezzina is not present at this meeting.</p> <p>The committee decided to inspect this site at the planned site inspection that will be scheduled prior to the amended meeting date on Thursday, 28 October 2021.</p> <p>Council's Chief Assets & Projects Officer, Codie Howard informed the committee that a search will be undertaken to find the previous recommendation that were approved by the committee at the time the matter was first raised.</p>
<p>October 28, 2021</p>	<p>The committee had planned to conduct a site inspection of the area today, but due to weather conditions were able to meet at the site.</p> <p>There is line marking already in plan and the concern was around the what the sign could say as they are getting a lot of caravanners parking in their space.</p> <p>Previous corresponded in April 2020 meeting. The recommendation at this time was to change the parking signs for bus only and they matter was then withdrawn by Julie Paull as they wanted to allow their customers to park in the area.</p> <p>TfNSW, David Vant will liaise with TfNSW sign designer, to provide some examples of the required signs. If the sign states permitted parking for a bus, then they are limited for buses to park in this space only and if the word transport was included then this leaves it open for all vehicles types. There is no limited time for parking.</p> <p>Another option would be for the Rangers to be able to identify the vehicles that permitted to park in the space. The issue with this is that not all customers have a disability parking permit.</p> <p>Recommendation</p> <p><i>That a 5-minute timed parking space be installed at the front of Live better, located at 475 Argent Street to allow for the parking of the transport bus.</i></p> <p><i>Council to arrange further consultation with Live Better and arrange for the placement of the parking sign.</i></p> <p>Agreed by all committee members present.</p>

December 2021	Being that the recommendation has been endorsed by Council, Geoff will follow up the work to be completed. Codie liaised with David Vant to arrange a sign design that will be provided by the TfNSW early next year that will then be provided to Council to order the sign.
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420.10 Next Meeting Date – Tuesday, 1 February 2022

The committee will not be meeting in January 2022.

420.11 Meeting Closed – 2.32pm

ORDINARY MEETING OF THE COUNCIL

December 16, 2021

ITEM 14BROKEN HILL CITY COUNCIL REPORT NO. 14/22SUBJECT: ACTION LIST REPORT D21/55682**Recommendation**

1. That Broken Hill City Council Report No. 14/22 dated December 16, 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

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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Meeting	Officer/Director	Section	Subject
Ordinary Council 26/04/2018	VanDerBerg, Francois Nankivell, Jay	Reports	COMPULSORY ACQUISITION OF WARNOCK GOSSAN STREET ROAD RESERVE
<u>Resolved:</u>			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 59/18 dated April 6, 2018, be received. 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>. That the acquisition be undertaken in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>. 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>. 			
16 May 2018 9:45am Bartlett, Leisa In progress.			
15 Aug 2018 3:32pm Bartlett, Leisa 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.			
11 Sep 2018 4:40pm Bartlett, Leisa No change, awaiting advice from OLG.			
09 Oct 2018 5:08pm Bartlett, Leisa Awaiting OLG advice			
13 Nov 2018 9:26am Bartlett, Leisa Awaiting OLG advice due to Native Title.			
06 Feb 2019 1:51pm Bartlett, Leisa In discussions with Crown Lands regarding Native Title.			
07 Mar 2019 1:55pm Bartlett, Leisa No change, awaiting response from Crown Lands.			
15 May 2019 10:41am Falkner, Georgina Crown Lands have advised they have no objection to receiving Proposed Acquisition Notices. Investigating budget and Native Title prior to making application to OLG.			
14 Jun 2019 3:27pm Bartlett, Leisa no change in status			
04 Jul 2019 1:51pm Bartlett, Leisa no change in status			
20 Aug 2019 3:39pm Misagh, Anthony 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.			
17 Oct 2019 9:54am Bartlett, Leisa Discussions being held with month with the Department of Crown Lands.			
14 Nov 2019 4:35pm Bartlett, Leisa Seeking legal advice from Council's Solicitors			

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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<p>12 Feb 2020 12:12pm Bartlett, Leisa Legal advice received. Matter in progress.</p> <p>07 Apr 2020 10:14am Bartlett, Leisa 11/03/2020 - Matter in progress.</p> <p>08 Apr 2020 11:16am Bartlett, Leisa In progress.</p> <p>08 May 2020 11:58am Bartlett, Leisa Matter in progress.</p> <p>10 Jun 2020 2:35pm Bartlett, Leisa Matter in progress.</p> <p>15 Jul 2020 1:45pm Bartlett, Leisa Matter in progress.</p> <p>12 Aug 2020 9:41am Bartlett, Leisa Matter in progress.</p> <p>17 Sep 2020 3:05pm Bartlett, Leisa Matter on hold until the Federation Way Acquisition is complete.</p> <p>16 Oct 2020 8:42am Bartlett, Leisa Matter on hold.</p> <p>10 Nov 2020 4:11pm Bartlett, Leisa Matter on hold.</p> <p>30 Nov 2020 2:06pm Bartlett, Leisa Matter on hold.</p> <p>12 Feb 2021 10:00am Bartlett, Leisa Matter on hold until Federation Way Acquisition is complete</p> <p>18 Mar 2021 4:38pm Bartlett, Leisa In progress.</p> <p>16 Apr 2021 10:41am Bartlett, Leisa In progress.</p> <p>12 May 2021 12:10pm Bartlett, Leisa On hold until Federation Way acquisition is complete.</p> <p>15 Jul 2021 12:13pm Bartlett, Leisa On hold until Federation Way acquisition is complete.</p> <p>12 Aug 2021 3:03pm Bartlett, Leisa On hold.</p> <p>16 Dec 2021 11:49am Bartlett, Leisa On hold.</p>
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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
Resolved			

For Action

Action Sheets Report

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

Date From: 1/04/2018
Date To: 17/12/2021

**Printed: Friday, 17 December 2021
11:04:59 AM**

1. That Broken Hill City Council Report No. 104/20 dated June 23, 2020, be received.
2. 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.
3. That the annual rent be \$12,000.00 per annum with an annual 2.5% increase.
4. That the Mayor and General Manager be authorised to sign and execute the lease documents under the Common Seal of Council, in the absence of a Trust Seal.

CARRIED UNANIMOUSLY

12 Aug 2020 10:00am Bartlett, Leisa

Solicitors are drawing up the lease 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 4:23pm Bartlett, Leisa

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

30 Nov 2020 2:09pm Bartlett, Leisa

Solicitors liaising with Axicom re execution of lease.

12 Feb 2021 10:03am Bartlett, Leisa

Solicitors liaising with Axicom.

18 Mar 2021 4:39pm Bartlett, Leisa

Draft lease being finalised.

16 Apr 2021 10:42am Bartlett, Leisa

Lease with Axicom for execution.

12 May 2021 12:13pm Bartlett, Leisa

Lease with Axicom for execution.

17 Jun 2021 4:55pm Bartlett, Leisa

Awaiting return of signed lease from Axicom.

15 Jul 2021 12:14pm Bartlett, Leisa

Axicom P/L have requested minor changes which are in progress.

12 Aug 2021 3:03pm Bartlett, Leisa

Signing of lease in progress.

15 Sep 2021 9:05am Bartlett, Leisa

In progress, delayed due to lockdown.

14 Oct 2021 4:11pm Bartlett, Leisa

Lease signed by Council and now in the process of gaining Ministerial consent.

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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11 Nov 2021 9:01am Bartlett, Leisa
Lease with Crown Lands for Ministerial consent.

16 Dec 2021 11:50am Bartlett, Leisa
Lease with Crown Lands for Ministerial consent.

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
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 105/20 dated July 1, 2020, be received. 2. That Council (as Trust Manager for the Willyama Common Trust) lease Part Lot 7315 in Deposited Plan 1183447 to the Broken Hill Speedway Club for the purpose of a motocross track extension and associated access. 3. That the lease term be 25 years and the annual rental be the minimum Crown Lands rental. 4. That the Mayor and General Manager be authorised to sign and execute any documents under the Common Seal of Council, the absence of a Trust Seal. 			
CARRIED UNANIMOUSLY			
<p>12 Aug 2020 10:00am Bartlett, Leisa Solicitors are drawing up the licence agreement.</p> <p>17 Sep 2020 3:09pm Bartlett, Leisa Draft lease being finalised.</p> <p>16 Oct 2020 9:20am Bartlett, Leisa Draft lease with Solicitors.</p> <p>10 Nov 2020 4:26pm Bartlett, Leisa Licence is with the Broken Hill Speedway Club for signature.</p> <p>30 Nov 2020 2:11pm Bartlett, Leisa Licence with Speedway Club for signature.</p> <p>12 Feb 2021 10:04am Bartlett, Leisa Licence signed by all parties and is now with the Minister for approval.</p> <p>18 Mar 2021 4:40pm Bartlett, Leisa In progress.</p> <p>16 Apr 2021 10:42am Bartlett, Leisa In progress.</p> <p>12 May 2021 12:14pm Bartlett, Leisa</p>			

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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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.

12 Aug 2021 3:04pm Bartlett, Leisa
Council's Solicitor is awaiting a response from the Local Aboriginal Land Council.

15 Sep 2021 9:06am Bartlett, Leisa
Council staff following up with Local Aboriginal Land Council.

14 Oct 2021 4:12pm Bartlett, Leisa
Awaiting response from Local Aboriginal Land Council.

11 Nov 2021 9:02am Bartlett, Leisa
Awaiting response from the Local Aboriginal Land Council.

16 Dec 2021 11:51am Bartlett, Leisa
Awaiting response from Local Aboriginal Land Council.

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
<u>Resolved</u>			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 175/20 dated November 24, 2020, be received. 2. 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. 3. 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. 4. 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. 			
CARRIED UNANIMOUSLY			
<p>12 Feb 2021 10:12am Bartlett, Leisa Processes have commence to issue licence.</p> <p>18 Mar 2021 4:41pm Bartlett, Leisa Nextgen progressing draft licence.</p> <p>16 Apr 2021 10:47am Bartlett, Leisa Draft deed is with the Solicitor.</p> <p>12 May 2021 12:17pm Bartlett, Leisa</p>			

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Ordinary Council</p> <p>Committee: Ordinary Council</p> <p>Officer:</p> <p>Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018</p> <p>Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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Draft deed with Solicitors - in progress.

17 Jun 2021 5:24pm Bartlett, Leisa
Draft deed with the Solicitors.

15 Jul 2021 12:19pm Bartlett, Leisa
In progress.

12 Aug 2021 3:06pm Bartlett, Leisa
In progress.

15 Sep 2021 9:09am Bartlett, Leisa
In progress.

14 Oct 2021 4:15pm Bartlett, Leisa
Awaiting information from applicant to be able to progress further.

11 Nov 2021 9:02am Bartlett, Leisa
Potential amendments being discussed.

16 Dec 2021 11:51am Bartlett, Leisa
Amendments being discussed.

Meeting	Officer/Director	Section	Subject
Ordinary Council 31/03/2021	Howard, Codie Nankivell, Jay	Notice of Motion	COMMUNITY GARDEN FOR FORMER ALMA POOL SITE
Resolved			
1. That Motions of Which Notice has been Given No. 7/21 dated March 19, 2021, be received.			
2. That Broken Hill City Council prepares a report about establishing a community operated gardens at the former Alma pool site.			
			CARRIED UNANIMOUSLY
16 Apr 2021 10:52am Bartlett, Leisa Plan being developed.			
18 Jun 2021 12:12pm Bartlett, Leisa Plan being developed.			
15 Jul 2021 12:20pm Bartlett, Leisa Development of plan ongoing.			
12 Aug 2021 3:07pm Bartlett, Leisa Development of plan ongoing.			
08 Sep 2021 12:56pm Bartlett, Leisa Development of plan ongoing.			
12 Oct 2021 11:08am Bartlett, Leisa Development of plan ongoing.			
11 Nov 2021 9:03am Bartlett, Leisa Ongoing.			

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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16 Dec 2021 11:52am Bartlett, Leisa
Development of the plan is ongoing.

Meeting	Officer/Director	Section	Subject
Ordinary Council 31/03/2021	Howard, Codie Nankivell, Jay	Notice of Motion	STREET LIGHTING
Resolved			
<ol style="list-style-type: none"> That Motions of Which Notice has been Given No. 8/21 dated March 19, 2021, be received. 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. 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). 			
			CARRIED
<p>16 Apr 2021 10:53am Bartlett, Leisa Report being prepared for the May Council Meeting.</p> <p>12 May 2021 4:35pm Bartlett, Leisa Awaiting advice on public lighting code requirements, prior to report being finalised.</p> <p>20 Jul 2021 1:45pm Bartlett, Leisa Report still being completed. Meeting with Essential Energy delayed due to COVID-19.</p> <p>12 Aug 2021 3:07pm Bartlett, Leisa Meeting with Essential Energy delayed due to COVID-19.</p> <p>14 Sep 2021 4:36pm Bartlett, Leisa Meeting with Essential Energy delayed due to COVID-19.</p> <p>12 Oct 2021 11:09am Bartlett, Leisa Meeting with Essential Energy delayed due to COVID-19.</p> <p>11 Nov 2021 9:03am Bartlett, Leisa Discussions being held with Southern Lights Group around long term ownership of street lights and installation of new poles.</p> <p>16 Dec 2021 11:52am Bartlett, Leisa Discussions ongoing.</p>			

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
Resolved			

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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1. That Broken Hill City Council Report No. 63/21 dated April 14, 2021, be received.
 2. 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.
 3. 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.
 4. 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.
 5. 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.
 6. 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.
- CARRIED UNANIMOUSLY
- 12 May 2021 12:24pm Bartlett, Leisa**
Licence drafting is in progress.
- 18 Jun 2021 12:15pm Bartlett, Leisa**
Draft licence received and will be reviewed by Council's solicitors.
- 15 Jul 2021 12:20pm Bartlett, Leisa**
Licence with Solicitor for minor requested changes. In progress.
- 12 Aug 2021 3:08pm Bartlett, Leisa**
Draft Licence back with Council's Solicitor for review of minor changes.
- 15 Sep 2021 9:09am Bartlett, Leisa**
Amendments being discussed with AGL.
- 14 Oct 2021 4:16pm Bartlett, Leisa**
Matter in progress, minor changes being made to licence agreement.
- 11 Nov 2021 9:04am Bartlett, Leisa**
Licence documents finalised, execution arranged.
- 16 Dec 2021 11:56am Bartlett, Leisa**
Licence is with AGL for execution.

Meeting	Officer/Director	Section	Subject
Ordinary Council 26/05/2021	Falkner, Georgina Nankivell, Jay	Reports	UPDATE ON PROPOSED ACQUISITION OF FEDERATION WAY

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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Resolved

- That Broken Hill City Council Report No. 75/21 dated April 27, 2021, be received.
- That Council note the progress update on the proposed acquisition of Federation Way.
- 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.
- 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.

CARRIED UNANIMOUSLY

18 Jun 2021 3:31pm Bartlett, Leisa
All parties agreed to extension of acquisition timeline. Native Title negotiations to commence in July.

15 Jul 2021 12:23pm Bartlett, Leisa
In progress - Solicitors working out date for negotiations.

12 Aug 2021 3:09pm Bartlett, Leisa
Meeting re negotiations delayed due to COVID-19.

26 Aug 2021 3:27pm Falkner, Georgina - Completion
Action completed by Bartlett, Leisa

15 Sep 2021 9:10am Bartlett, Leisa
Meeting likely to be organised remotely due to COVID-19. Solicitors are currently trying to organise potential dates.

14 Oct 2021 4:16pm Bartlett, Leisa
Meeting proposed for early November 2021.

11 Nov 2021 9:05am Bartlett, Leisa
Initial meeting held, further negotiations to continue.

16 Dec 2021 11:57am Bartlett, Leisa
Further negotiations continuing.

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/08/2021	Nankivell, Jay Nankivell, Jay	Reports	AGREEMENT WITH SERVICE NSW FOR BUSINESS

Resolved

- That Broken Hill City Council Report No. 143/21 dated August 11, 2021, be received.

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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2. That Council delegates authority to the General Manager to enter into an agreement with Service NSW.

3. That the Mayor and General Manager be authorised to execute any necessary documents under the Common Seal of Council.

CARRIED UNANIMOUSLY

12 Oct 2021 11:11am Bartlett, Leisa
Copy of Agreement provided by Service NSW is with the Mayor and General Manager for execution.

11 Nov 2021 9:05am Bartlett, Leisa
Agreement in the process of being executed.

16 Dec 2021 11:58am Bartlett, Leisa
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/08/2021	Howard, Codie Nankivell, Jay	Reports	MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 416 HELD TUESDAY, 3 AUGUST 2021
Resolved			
<p>1. That Broken Hill City Council Report No. 145/21 dated August 12, 2021, be received.</p> <p>2. That the minutes from the Local Traffic Committee - Meeting No. 416 held, Tuesday, 3 August 2021 be received.</p> <p>3. That Item No. 406.6.1 – That a ‘Loading Zone’ be installed in Crystal Lane on the Astra side of the lane.</p> <p style="padding-left: 40px;">The loading zone will be 8 meters long and 2.4 meters wide and positioned 6.7 meters from ‘Give Way’ sign at the intersection of the lane and an offset of 2.5 meter from the gate way to the Astra carpark.</p> <p>4. That Item No. 414.8.6 – That three additional parking spaces to be line marked where the unused driveway is located adjacent to the Hearing Centre in Sulphide Street.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>			
<p>08 Sep 2021 12:57pm Bartlett, Leisa Resolutions have been workflowed to operational team for completion.</p>			

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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12 Oct 2021 11:14am Bartlett, Leisa
Resolutions with operational team to complete.

11 Nov 2021 3:27pm Bartlett, Leisa
With operational team for completion.

17 Dec 2021 11:02am Bartlett, Leisa
Item 3 - Loading Zone in Crystal Lane - complete., Item 4 - Line-marking with operational team for completion.

Meeting	Officer/Director	Section	Subject
Ordinary Council 29/09/2021	Howard, Codie Nankivell, Jay	Reports	MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 417 HELD TUESDAY, 7 SEPTEMBER 2021
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 163/21 dated September 17, 2021, be received. That the minutes from the Local Traffic Committee – Meeting No. 417 held, Tuesday, 7 September 2021 be received. That the bus zone sign in Garnet Street (front of Broken Hill High School) be moved in a southerly direction to allow for an extra two 5-minute timed parking spaces to be installed between the existing drop-off parking space and the bus zone to allow for children to be dropped off at the front of the Broken Hill High School. 			
CARRIED UNANIMOUSLY			
<p>12 Oct 2021 11:18am Bartlett, Leisa Resolution has been workflowed to operational team for completion.</p> <p>11 Nov 2021 3:28pm Bartlett, Leisa With operational team for completion.</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 27/10/2021	Andrews, Anne Nankivell, Jay	Reports	MORE THAN MINING CAMPAIGN
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 169/21 dated October 12, 2021, be received. That Council contributes \$20,000 to Stage 2 of the More Than Mining Campaign. 			
CARRIED UNANIMOUSLY			

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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16 Nov 2021 2:51pm Bartlett, Leisa
Payment being arranged. Broken Hill promotional activities being discussed.
16 Dec 2021 12:00pm Bartlett, Leisa
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/11/2021	Bartlett, Leisa Nankivell, Jay	Reports from Delegates	ASSOCIATION OF MINING AND ENERGY RELATED COUNCILS NSW REPORT NOVEMBER 2021
Resolved			
<ol style="list-style-type: none"> That Reports from Delegates No. 4/21 dated November 15, 2021, be received. That Councillor Nolan's Delegates Report be received and noted. That Council formally thanks Councillor Nolan for his representation and advocacy for Broken Hill whilst a member of the Association of Mining and Energy Related Councils NSW. 			
CARRIED UNANIMOUSLY			
15 Dec 2021 4:52pm Bartlett, Leisa Letter sent., COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/11/2021	Nu'man, Razija Nankivell, Jay	Reports	END OF TERM REPORT 2016 - 2021
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 180/21 dated November 1, 2021, be received. That the End of Term Report 2016-2021 be received by Council. That Council publish the End of Term Report 2016-2021 on its website. That the infographics summary of the End of Term Report 2016-2021 be printed and distributed to all residents as a matter of urgency. 			

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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CARRIED

15 Dec 2021 4:52pm Bartlett, Leisa
The End of Term report has been published on Council's website. The infographics summary has been printed and is ready to distribute with the next round of rate notices., COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/11/2021	Nu'man, Razija Nankivell, Jay	Reports	DRAFT ANNUAL REPORT 2020/2021
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 181/21 dated November 1, 2021, be received. That the Draft Annual Report 2020/2021, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements, audited Annual Financial Statements for the reporting period 1 July 2020 to 30 June 2021, End of Term Report 2016-2021 and State of Environment Report 2016-2021, be adopted. That the Annual Report 2020/2021, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements, audited Annual Financial Statements for the reporting period 1 July 2020 to 30 June 2021, End of Term Report 2016-2021 and State of Environment Report 2016-2021, be posted on Council's website. That Council's web link for the Annual Report 2020/2021, inclusive of Delivery Program Achievements, Disability Inclusion Action Achievements, audited Annual Financial Statements for the reporting period 1 July 2020 to 30 June 2021, End of Term Report 2016-2021 and State of Environment Report 2016-2021, be provided to the Minister via the Office of Local Government and Minister for Disability Services, by 30 November 2021. 			
CARRIED UNANIMOUSLY			
<p>15 Dec 2021 4:54pm Bartlett, Leisa The reports have been uploaded to Council's website and links sent to the relevant Ministers COMPLETE</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/11/2021	Nu'man, Razija Nankivell, Jay	Reports	CODE OF CONDUCT COMPLAINTS STATISTICS ANNUAL REPORT - 2020/2021
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 182/21 dated October 21, 2021, be received. 			

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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2. That the Code of Conduct Complaints Statistics Annual Report for the Broken Hill City Council for the period of 1 September 2020 – 31 August 2021 be forwarded to the Office of Local Government.

CARRIED UNANIMOUSLY

15 Dec 2021 4:54pm Bartlett, Leisa
The report has been forwarded to the Office of Local Government.
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/11/2021	Nu'man, Razija Nankivell, Jay	Reports	DRAFT AGENCY INFORMATION GUIDE
Resolved			
<p>1. That Broken Hill City Council Report No. 183/21 dated November 12, 2021, be received.</p> <p>2. That Council endorse the reviewed and Draft Agency Information Guide for release to the Information Commissioner for its review and comment.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>			
<p>15 Dec 2021 4:55pm Bartlett, Leisa Guide has been sent to the Information Commissioner. COMPLETE</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/11/2021	Bartlett, Leisa Nankivell, Jay	Reports	ADOPTION OF THE DRAFT BUSINESS SUPPORT POLICY
Resolved			
<p>1. That Broken Hill City Council Report No. 184/21 dated September 30, 2021, be received.</p> <p>2. That Council notes that no submissions were received from the public during the second round of the public exhibition period of the draft Business Support Policy.</p> <p>3. That Council adopted the draft Business Support Policy as a Policy of Council.</p> <p>4. That adoption of the draft Business Support Policy will render the Business Development Policy obsolete.</p>			

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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CARRIED UNANIMOUSLY

15 Dec 2021 8:55am Bartlett, Leisa
All action taken to adopt Policy.
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/11/2021	Bartlett, Leisa Nankivell, Jay	Reports	COMMUNITY ASSISTANCE GRANTS AWARDED FOR ROUND 2 OF 2021/2022
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 186/21 dated November 16, 2021, be received. That Council notes the Community Assistance Grants awarded for Round Two of 2021/2022 which were recommended by the Panel on 16 November 2021 and approved by the General Manager. That Council notes that surplus funds from Round Two of the Community Assistance Grants budget will be utilised to provide the Christmas Lights Subsidy Scheme for local businesses and to purchase additional Christmas Light Displays for the Town Square for the 2021 festive season. That Council formally thanks the members of the Community Assistance Grants Panel - Councillor Delegates (Councillor Gallagher APM (Chairperson), Councillor Clark and Councillor Kennedy) and the community representatives (Mr Ken Martin, Ms Pam Tucker and Ms Sandra Haring) for their assistance in the assessment of grant applications and the awarding of grants during the current term of Council. 			
CARRIED UNANIMOUSLY			
15 Dec 2021 8:55am Bartlett, Leisa Letters sent. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/11/2021	Howard, Codie Nankivell, Jay	Reports	MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 419 HELD ON THURSDAY, 28 OCTOBER 2021
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 187/21 dated November 11, 2021, be received. 			

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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2. That the minutes from the Local Traffic Committee – Meeting 419 held on Thursday, 28 October 2021
 3. Item No. 416.6.1 - That the parking signs in Union Street be covered for a trial period of three months to identify what impacts are caused without the timed parking spaces adjacent the Morgan Street Primary School in Union Street.

That the triad period be for three months and the covers removed after this time at the end of the first school term.

Further consultation will be arranged with the Principal of the Morgan Street Primary School and the residents in the area before a determination can be decided.

Based on satisfaction results from the trail period the zone will be reinstated permanently – streamline from trial to permit.
 4. Item No. 417.6.1 – That a 15-minute timed parking space be installed at the front of Live better, located at 475 Argent Street to allow for the parking of the transport bus.

Council to arrange further consultation with Live Better and arrange for the placement of the parking sign.
 5. Item No. 419.6.1 - That the Local Traffic Committee have no objection for the proposed road closures for the Council Christmas Pageant.
- CARRIED UNANIMOUSLY
- 15 Dec 2021 4:57pm Bartlett, Leisa**
Resolution with operational team for completion.

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/11/2021	Bartlett, Leisa Nankivell, Jay	Reports	ADOPTION OF DRAFT WORKPLACE COVID-19 VACCINATION POLICY

Resolved

1. That Broken Hill City Council Report No. 190/21 dated November 18, 2021, be received.
2. That Council adopts the draft Workplace COVID-19 Vaccination Policy as an Operational Employee Policy of Council.

CARRIED

<p>For Action</p> <p>Action Sheets Report</p>	<p>Division: Committee: Ordinary Council Officer: Further Report Required: Including Further Reports</p>	<p>Date From: 1/04/2018 Date To: 17/12/2021</p> <p>Printed: Friday, 17 December 2021 11:04:59 AM</p>
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15 Dec 2021 8:57am Bartlett, Leisa
All action taken to adopt Policy.
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/11/2021	Bartlett, Leisa Nankivell, Jay	Reports	OFFICE OF LOCAL GOVERNMENT CONSULTATION DRAFT GUIDELINES FOR NEW RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK FOR COUNCILS AND JOINT ORGANISATIONS
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 191/21 dated November 9, 2021, be received. That Council endorses the draft submission to the Office of Local Government regarding the draft guidelines for new Risk Management and Internal Audit Framework for Councils and Joint Organisations. That Council's submission be forwarded to the Office of Local Government by 26 November 2021. 			
CARRIED UNANIMOUSLY			
<p>15 Dec 2021 8:58am Bartlett, Leisa Council's submission was forwarded to OLG prior to the closing date. COMPLETE</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/11/2021	Bartlett, Leisa Nankivell, Jay	Reports	MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETINGS HELD 19 AUGUST 2021 AND 20 OCTOBER 2021
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 192/21 dated November 16, 2021, be received. That minutes of the Audit, Risk and Improvement Committee meetings held 19 August 2021 and 20 October 2021 be received. That Council formally thanks the Council Delegates (Mayor Turley AM, Councillor Gallagher APM and Councillor Nolan) and the independent members Mr Jim Mitchell (Chairperson) and Mr Damian Pulgies for their work on the Audit, Risk and Improvement Committee over the current term of Council. 			

For Action

Action Sheets Report

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

Date From: 1/04/2018
Date To: 17/12/2021

**Printed: Friday, 17 December 2021
11:04:59 AM**

15 Dec 2021 8:58am Bartlett, Leisa
Letters sent., COMPLETE

CARRIED UNANIMOUSLY

BROKEN HILL

CITY COUNCIL

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