

BUSINESS PAPER

Health and Building
Committee Meeting

Council Chambers
14 February 2023

5.30pm

BROKEN HILL

CITY COUNCIL

**AUSTRALIA'S FIRST
HERITAGE LISTED CITY**

MEMBERS OF THE HEALTH & BUILDING COMMITTEE:

Mayor Kennedy, Deputy Mayor Hickey (Chairperson), Councillor Chandler, Councillor Jewitt, Councillor Gallagher and Councillor Turley

Notice is hereby given, in accordance with the provisions of the *Local Government Act 1993*, that the Health and Building Standing Committee of the Broken Hill City Council will be held in the Council Chambers on **Tuesday, 14 February 2023** commencing at 5:30pm to consider the following business:

AGENDA	
1	Opening the Meeting
2	Apologies
3	Leave of Absence Applications
4	Prayer
5	Acknowledgement of Country
6	Acknowledgement of Broken Hill's Mining History
7	Minutes for Confirmation
8	Disclosure of Interest
9	Reports
10	Confidential Matters
11	Conclusion of the Meeting

STATEMENT OF ETHICAL OBLIGATIONS

All Councillors undertook an Oath or Affirmation at the beginning of their term of office and declared to undertake the duties of the office of Councillor in the best interests of the people of the Broken Hill Local Government Area and the City of Broken Hill; and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act to the best of their ability and judgment.

LIVE STREAMING OF COUNCIL MEETINGS

This Council meeting is being streamed live, recorded, and broadcast online via Facebook. To those present in the gallery today, by attending or participating in this public meeting you are consenting to your image, voice and comments being recorded and published. The Mayor and/or General Manager have the authority to pause or terminate the stream if comments or debate are considered defamatory or otherwise inappropriate for publishing. Attendees are advised that they may be subject to legal action if they engage in unlawful behaviour or commentary.

JAY NANKIVELL
GENERAL MANAGER

MINUTES FOR CONFIRMATION

Minutes of the Health and Building Committee of the City of Broken Hill held Tuesday, December 13, 2022.

**MINUTES OF THE HEALTH AND BUILDING COMMITTEE MEETING HELD
TUESDAY, DECEMBER 13, 2022 (5:30PM)**

PRESENT:

Councillor T Kennedy (Mayor) Councillor J Hickey (Deputy Mayor),
Councillors A Chandler, H Jewitt, and D Turley.

General Manager, Chief Financial Officer, Manager Communications and
Marketing, Executive Manager Planning and Community Safety, and
Executive Assistant.

Media -nil, Members of the Public nil

APOLOGIES:

Councillor D, Gallagher

Motion

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

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

CARRIED UNANIMOUSLY

LEAVE OF ABSENCE APPLICATIONS: Nil

PRAYER

Mayor Kennedy delivered the Prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Turley delivered the Acknowledgement of Country.

ACKNOWLEDGEMENT OF BROKEN HILL'S MINING HISTORY

Councillor Jewitt delivered the Acknowledgement of Broken Hill's Mining History.

MINUTES FOR CONFIRMATION

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

That the Minutes of the Health and Building Committee meeting held Tuesday October 18,
2022 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Nil

- 1. BROKEN HILL CITY COUNCIL REPORT NO. 275/22 - DATED DECEMBER 05, 2022 - GAARA ARTS INC - MEMORANDUM OF UNDERSTANDING D22/64643

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

- 1.. **That Broken Hill City Council Report No. 275/22 dated December 5, 2022, be received.**
- 2. **That the General Manager in consultation with the Art Gallery Advisory Committee, drafts a Memorandum of Understanding (MOU) for discussion with Gaara Arts Inc., and provides a report back to Council for feedback on entering an MOU.**
- 3. **That the general terms and conditions of the MOU will include current general arrangements which are; that the gallery staff resource and install the artworks in appropriate gallery space; promote the exhibition through standard channels; that the Artist Gallery Agreement is signed and that the term of the MOU conclude December 2027 for further negotiation (permitting exhibitions in 2024 and 2026).**

CARRIED UNANIMOUSLY

- 2. BROKEN HILL CITY COUNCIL REPORT NO. 276/22 - DATED DECEMBER 06, 2022 - BROKEN HILL FAMILY HISTORY GROUP COLLECTION D22/65008

The General Manager withdrew the item of business.

The Family History Group withdrew its application for support.

There being no further business to consider, the meeting was declared closed at 5:36pm.

The foregoing minutes were read and confirmed at the Health and Building Committee meeting held on 14 February 2023

Chairperson

REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 23/23 - DATED FEBRUARY 03, 2023 - CORRESPONDENCE REPORT - MANDATORY CASHLESS GAMING CARDS (D23/5577) 7

2. BROKEN HILL CITY COUNCIL REPORT NO. 24/23 - DATED FEBRUARY 02, 2023 - CORRESPONDENCE REPORT - CLASSIFICATION OF BROKEN HILL (D23/5409).....11

3. BROKEN HILL CITY COUNCIL REPORT NO. 25/23 - DATED DECEMBER 22, 2022 - BROKEN HILL LEAD REFERENCE GROUP MINUTES OF MEETING HELD 24 NOVEMBER 2022 (D22/68070) 17

RESOLUTIONMinute No. 47069Mayor T Kennedy moved)
Deputy Mayor J Hickey seconded)**Resolved**

1. That Mayoral Minute No. 17/22 dated December 20, 2022, be received.
2. That it be noted the support that the local Registered Clubs provide to the community of Broken Hill by way of grants, employment and services and congratulate them for that support.
3. That BHCC sends correspondence to the New South Wales State Premier, the New South Wales Leader of the National Party, the New South Wales Opposition Leader, our local MP Roy Butler and Minister Dugald Saunders stating that the BHCC does not support a mandatory cashless gaming card using the summary as reasons.

CARRIED

Council sent correspondence dated 22 December 2022 to the Premier, the Deputy Premier, the Leader of the Opposition, the Minister for Western NSW and Local MP, Roy Butler.

Council has received reply correspondence from Local MP, Mr Roy Butler which is attached to this report.

The Office of the Leader of the Opposition has acknowledged Council correspondence and advised that it has been forwarded to the Shadow Minister for a response.

Responses from the Premier, the Deputy Premier, the Leader of the Opposition and the Minister for Western NSW have not yet been received.

Attachments

1. [↓](#) Inwards correspondence - Mandatory Cashless Gaming Cards - Mr Roy Butler MP

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER



ROY BUTLER MP

INDEPENDENT MEMBER FOR BARWON

Our Ref: RB4608
Your Ref: L22/2944 – 11/161

20 January 2023

Mr Tom Kennedy
Mayor
Broken Hill City Council
240 Blende Street
BROKEN HILL 2880

Dear Mr Kennedy

Re: Mandatory Cashless Gaming Cards

Thank you for your correspondence on behalf of the Broken Hill community stating that the Broken Hill City Council does not support a mandatory cashless gaming card.

I am aware that the reasons cited are;

- Broken Hill's registered clubs are widely supported by the community as a source of recreation and entertainment
- Provide employment opportunity in Hospitality and Gaming
- Contribute significant funds to community members and groups
- Increasing operational costs for Registered Clubs
- Recreational or casual gamblers will be inconvenienced, and problem gamblers will find ways to gamble online and in unregulated forums
- Gaming taxes should be used to resource organisations assisting with gambling addictions and resources directed to the Police to address money laundering

As a former Drug and Alcohol Counsellor, I have seen the social damage that any addiction, including gambling can have on the person, their family and the community. Governments need to adequately resource organisations, so they have availability to assist problem gamblers, when they are contemplating help.

The proposal to use self-exclusion and facial recognition technology appears to be a better starting point than the implementation of a mandatory cashless gaming card. I acknowledge that this technology is in the early phases and the evidence base for its use is developing. For those gamblers that are unable to deny the impulse, perhaps a court order could be used for exclusion to some gambling venues.

I also value choice and freedom to make "our own decisions" and recognise the importance of the Registered Club industry in many of the communities across Barwon. I have spoken with many committees, boards, managers, staff and patrons of clubs in Barwon and appreciate the difference that they can make in communities. I don't support a product that

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 www.roybutler.com.au

BROKEN HILL OFFICE
P 08 8087 3315
1/142 ARGENT STREET
BROKEN HILL NSW 2880

COBAR OFFICE
P 02 6836 3722
11 BARTON STREET
COBAR NSW 2835

NARRABRI OFFICE
P 02 6792 1422
1/60 MAITLAND STREET
NARRABRI NSW 2390



ROY BUTLER MP

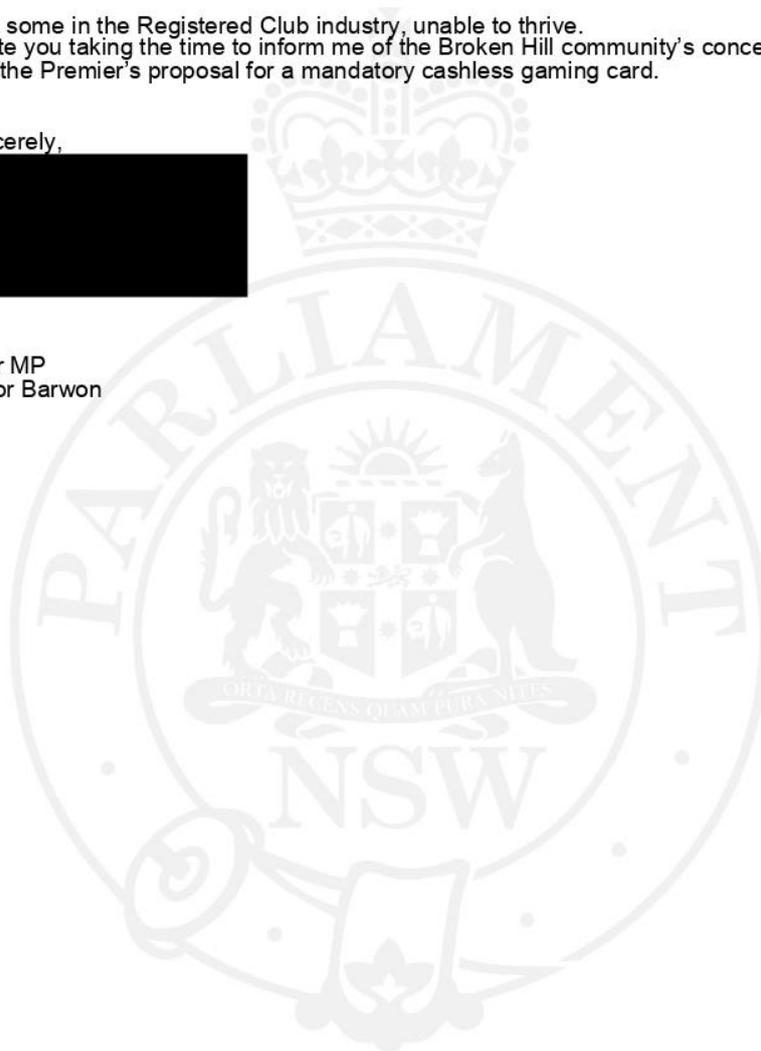
INDEPENDENT MEMBER FOR BARWON

would see some in the Registered Club industry, unable to thrive.
I appreciate you taking the time to inform me of the Broken Hill community's concerns regarding the Premier's proposal for a mandatory cashless gaming card.

Yours sincerely,



Roy Butler MP
Member for Barwon



 barwon@parliament.nsw.gov.au
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townships and properties categorised as remote;

- a request for the government's urgent action to address the issue of a lack of affordable social housing for residents requiring NDIS services in Broken Hill who are living in unacceptable conditions.

CARRIED UNANIMOUSLY

Council sent correspondence to the Premier, the Deputy Premier, the Minister for Health and Aged Care, the Minister for National Disability Services the Minister for Local Government, the Federal Member, the Hon Mark Coultou and the Local Member, Mr Roy Butler

Council has received reply correspondence from The Premier, the Federal Member for Parkes and the Department of Health and Aged Care. This correspondence has been attached to this report.

The Office of Roy Butler has acknowledged Council's correspondence and advised that Mr Butler has made representations to the Federal Minister for Local Government and will forward a reply once it has been received.

Responses from The Deputy Premier, the Minister for National Disability Services and the Minister for Local Government have not yet been received.

Attachments

1. Inwards correspondence - Classification of Broken Hill - Premier of NSW
[↓](#)
2. Inwards correspondence - Classification of Broken Hill - Department of Health and Aged Care
[↓](#)
3. Inwards correspondence - Classification of Broken Hill - Federal Member for Parkes
[↓](#)

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER



Dominic Perrottet MP
Premier of New South Wales

Ref: 00013554

Councillor Tom Kennedy
executive.support@brokenhill.nsw.gov.au

Dear Councillor Kennedy,

Thank you for your correspondence regarding the classification of Broken Hill. I appreciate you expressing your views on this matter.

As the matter raised falls under the primary responsibility of the Minister for Local Government, it is appropriate that the Minister considers your correspondence and I have forwarded it accordingly.

Should you have any further enquiries about this matter, please contact the Office of The Hon Wendy Tuckerman.

Thank you again for taking the time to contact me, and best wishes.

Yours sincerely,



Dominic Perrottet MP
Premier

CC: The Hon Wendy Tuckerman, Minister for Local Government



Australian Government
Department of Health and Aged Care

Ref No: MC22-024283

Tom Kennedy
Mayor
Broken Hill City Council
Council@brokenhill.nsw.gov.au

Dear Mr Kennedy

Thank you for your correspondence of 16 December 2022 to the Hon Amanda Rishworth MP, Minister for Social Services regarding your concern about Broken Hill's classification by the National Disability Insurance Scheme (NDIS) and how it negatively affects your ability to apply for a variety of government funding. I also note you wrote to the Hon Bill Shorten MP, Minister for the National Disability Scheme. The maintenance of the Monash Modified Model classification system is within the portfolio of Health and the matter has been referred to the Hon Mark Butler MP, Minister for Health and Aged Care. The Minister has asked me to reply.

In your correspondence, you highlight the need for Broken Hill to be re-classified from urban/regional to remote because it provides services to outlying townships categorised as rural or remote. You discuss the need for all levels of government to change grant funding frameworks to better align with actual service delivery occurring on the ground.

The Department of Health and Aged Care (the Department) provides funding to large numbers of programs, with each program having their own eligibility criteria that may or may not use a classification system. Government agencies choose to use any type of system relevant to their programs and there is no obligation to use a particular classification system.

In relation to health workforce issues, the Department implements a wide range of initiatives to distribute health services to where they are most needed – usually in rural and remote areas. The Department uses mechanisms such as the Modified Monash Model (MMM), the Distribution Priority Area (DPA) and the District of Workforce Shortage (DWS).

According to these mechanisms, Broken Hill is in the Broken Hill-Tibooburra GP Catchment which is classified as DPA and DWS for all specialties. This means that Broken Hill and the surrounding area has access to a larger pool of doctors who are restricted in where they can work. These doctors include International Medical Graduates (IMGs) and Australian-trained bonded doctors with return of service obligations.

The MMM is a data-based geographical classification system originally developed to support decisions about GP incentives, though it's application now spans a range of government initiatives. It is a widely accepted tool and is used by many government agencies and other organisations. The MMM classification cannot be modified for a single location.

However, changes to the eligibility criteria for individual programs may be made within the

GPO Box 9848 Canberra ACT 2601

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individual program guidelines or objectives. If you are concerned about a particular program, I encourage you to contact the individual program administrators.

I note you have raised the situation with the Minister for the National Disability Scheme and the Minister for Social Services and trust the information provided above will support your discussions with their departments.

Thank you for writing on this matter.

Yours sincerely



Pat Janek
Assistant Secretary
Workforce Distribution Branch
Health Workforce Division

1 February 2023

From: Coulton, Mark (MP) <Mark.Coulton.MP@aph.gov.au>
Sent: Friday, 20 January 2023 8:50 AM
To: Executive Support
Subject: Attention Mayor Kennedy RE: Classification of Broken Hill

Dear Tom

Thank you for your letter of 16 December, regarding the classification of Broken Hill for grant purposes. I do apologise for the delay in my response.

While I certainly agree that Broken Hill does experience some disadvantage due to its unique position as a city in a remote area, I am of the understanding that there are [multiple classifications](#) within the [Australian Statistical Geography Standard](#) (ASGS) and that the Australian Government does not favour any one classification type for the purposes of grant funding. In my experience, each Department is responsible for determining the assessment criteria and area classifications for each grant program they develop. This is why you may see a grant program use Statistical Area's Levels (as was the case with last year's [Children's Contact Service funding](#)) and another may use a classification like the Modified Monash Model (MMM - which is based on the [ASGS Remoteness Structure](#)).

I was pleased when the National Disability Insurance Agency (NDIA) recognised that the MMM was not a one-size-fits-all solution to classify areas for the purpose of provider pricing; however, without having specific details about other programs in which Broken Hill has been disadvantaged due to geographic classification, it would be difficult for me to make representations to the appropriate Minister or Ministers. Please be assured that if you are able to provide me with specific examples of this issue, I would be happy to make further enquiries and representations on your behalf.

I hope to hear from you soon.

Regards
Mark

THE NATIONALS
for Regional Australia

The Hon.
Mark COULTON MP
The Nationals Federal Member for Parkes
The Nationals Chief Whip

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HEALTH AND BUILDING COMMITTEE

December 22, 2022

ITEM 3BROKEN HILL CITY COUNCIL REPORT NO. 25/23

SUBJECT: BROKEN HILL LEAD REFERENCE GROUP MINUTES OF MEETING HELD 24 NOVEMBER 2022 D22/68070

Recommendation

1. That Broken Hill City Council Report No. 25/23 dated December 22, 2022, be received.

Executive Summary:

The minutes of the Broken Hill Lead Reference Group for Meeting held 24 November 2022 are presented to Council for endorsement.

Report:

The Broken Hill Lead Reference Group (BHLRG), chaired by the Broken Hill City Council, is a collaborative of the many companies, organisations and community representatives that work with, have an interest in and contribute to lead management in the local community.

The BHLRG has developed the Broken Hill Lead Reference Group Integrated Strategy to provide a forum for information exchange and to guide activity relating to lead issues for Broken Hill.

Community Engagement:

Community engagement through community representation on the Committee.

Strategic Direction:

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

Relevant Legislation: Nil

Financial Implications: Nil

Attachments

1. The Broken Hill Lead Reference Group Minutes of Meeting Held 24 November 2022



CODIE HOWARD
CHIEF ASSETS AND PROJECTS OFFICER

JAY NANKIVELL
GENERAL MANAGER

BROKEN HILL LEAD REFERENCE GROUP

Minutes

Meeting held Thursday, 24 November 2022, Ground Floor Meeting Room Council Administration Building and via Teams

Meeting commenced at 10:00 am

1. **Chairperson** – Kathy Graham, Chaired the meeting.

2. **Acknowledgement of County** – Kathy Graham

3. **Present and Apologies**

Attendees:

In Person - Jacinta Clark CBH; Judith Lovel EPA; Georgie Seward, NSW Health; Kathy Graham BHCC; Counsellor Marion Browne BHCC; Frances Borland EPA; Devon Roberts BHOP; Nyrie Waite BHCC; Visitors from Macquarie University – Simon Griffith and Max M Gillings

Attendees via Teams: Kelli Morris FW LHD; Pam Tucker, Community; Neil Glastonbury TfNSW; Linda Mason W LHD; Joel Sulicich BHOP; Priscilla Stanley W LHD; Mark Curran Australian Rail Track Corp.

Apologies: Adam Foster Perilya; Aroma Harkin EW; Margret Lesjak FW LHD; Cathy Dyer Maari Ma;

Welcome

Special Presentation – Simon Griffith from Macquarie University – Lead in Sparrows – a very informative presentation.

A copy of the information is attached to the minutes

Adoption of Previous Minutes

That the minutes from the previous meeting held Thursday 25 August 2022 be adopted.

Moved: Kathy Graham

Seconded: Jacinta Clark

Matters Arising from Previous Minutes

Terms of Reference – only change is to add PHN as a Level 1 agency – suggested by Georgy Seward

Night meeting – nothing further has been planned

Specific representative – suggested an representative from the Aboriginal community be invited to the meeting.

4. **Correspondence In** – email from Simon

5. **Correspondence Out** - Nil

6. **Quarterly Reports**

5.1 BROKEN HILL ENVIRONMENTAL LEAD PROGRAM (BHELP) Report attached

Judith talked to the report.

Kathy asked if Professor Abby Kinchy commented on how we manage lead issues compares to other countries? – Frances answered we compare well in some areas, but our response is slow in other areas. Other countries have better funding. Responses to lead contamination is legislated in the US. The professor was particularly interested in BHELP's community engagement.

5.2 MAARI MA – no written report or representative

5.3 WESTERN LHD – Report Attached

Linda Mason spoke to this report while Margaret is on leave.
Concerns with the lower numbers for the third quarter.

5.4 BHOP – (RASP)– report attached

Devon spoke to this report.

5.5 PERILYA – no report or representative

5.6 ESSENTIAL WATER – no report or representative.

6 General Business –

Jill asked Linda if there are any strategies for the low number of Children being tested. Linda feels there needs to be work done around promoting the programme, possible issues could be new families in town who are not aware of the programme. There are no real up to date statistics on new families to the area. Kathy suggested information be added to the package that Council has for new families to Broken Hill, on Council's website. Kathy will liaise with Kelli on new strategies. Kelli added this comment via teams- (Far West LHD) – 'Quick info from Lead Educators (Clinics): Numbers possibly down due to new to town, weather, little to offer until now within the clinic. Grant fundings just come through so we will be implementing new strategies soon. I will update.'

Councillor Browne asked about funding? Jill advised that there is no ongoing funding and the EPA is advocating to the Government for a broader response and not just EPA and Health. There are many Government Departments that own and manage land in Broken Hill and could be involved with funding. Frances noted that there is a discrepancy in the amount of funding going to different areas, like Lake Macquarie as opposed to Broken Hill.

Terms of Reference – Kathy advised the review of the Terms of Reference is between Council and EPA. Kathy suggested that she meet with Jill, and maybe even Jay to determine how this group will look, moving forward. Jill happy to meet with Kathy. Jill will be in Broken Hill the first week of December.

Frances agrees that the PHN should be representative and that it would be helpful to have a representative from the Aboriginal Community.

Kathy thanked everyone for their time and wished everyone a happy Christmas.

7 Next Meeting - 23 February 2023– 10am – ground floor meeting room, Council Administrative Office.

8 Meeting Closed: 11.05am



CITY COUNCIL

www.brokenhill.nsw.gov.au