



BUSINESS PAPER

Policy and General
Committee Meeting

Council Chambers
15 June 2022

5.30pm

BROKEN HILL
CITY COUNCIL

**AUSTRALIA'S FIRST
HERITAGE LISTED CITY**

MEMBERS OF THE POLICY & GENERAL COMMITTEE:

Mayor Kennedy, Deputy Mayor Hickey, Councillor Algate (Chairperson), Councillor Boland, Councillor Browne and Councillor Jewitt

Notice is hereby given, in accordance with the provisions of the *Local Government Act 1993*, that the Policy and General Standing Committee of the Broken Hill City Council will be held in the Council Chambers on **Wednesday, June 15, 2022** 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 Policy And General Committee of the City of Broken Hill held Wednesday, May 18, 2022.

**MINUTES OF THE POLICY AND GENERAL COMMITTEE MEETING HELD
WEDNESDAY, MAY 18, 2022 (5:30PM)**

APPOINTMENT OF CHAIRPERSON

The Mayor opened the meeting and advised that due to the Committee's Chairperson (Councillor Algate) being absent, a motion is required to appoint a Chairperson for this meeting and invited a motion from the floor.

Motion

Moved Councillor Michael Boland, Seconded Mayor Tom Kennedy

That Deputy Mayor Hickey be appointed as Chairperson for the conduct of this meeting.

CARRIED UNANIMOUSLY

PRESENT:

Councillor T Kennedy (Mayor) Councillor J Hickey (Deputy Mayor),
Councillors M Boland and M Browne.

Councillors A Chandler and D Gallagher.

General Manager, Chief Assets and Projects Officer, Chief Corporate and
Community Officer, Chief Financial Officer, Executive Manager People and
Culture and Executive Officer.

Media (nil), Members of the Public (nil)

APOLOGIES:

Councillor H Jewitt.

Motion

Moved Councillor Michael Boland, Seconded Mayor Tom Kennedy

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

CARRIED UNANIMOUSLY

LEAVE OF ABSENCE APPLICATIONS: Councillor B Algate submitted a Leave of Absence Application for this meeting and provided the reason: *"Holiday dating 2 May to 23 May 2022 inclusive"*.

Motion

Moved Mayor Tom Kennedy, Seconded Councillor Michael Boland

That Councillor Algate be granted a leave of absence for this meeting.

CARRIED UNANIMOUSLY

PRAYER

Councillor Boland delivered the Prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Cr Gallagher delivered the Acknowledgement of Country.

MINUTES FOR CONFIRMATION

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Michael Boland

That the Minutes of the Policy And General Committee meeting held Wednesday April 20, 2022 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Nil

REPORTS

1. COUNCILLORS REPORT NO. 1/22 - DATED MAY 06, 2022 - DELEGATE'S REPORT - ATTENDANCE AT THE WESTERN DIVISION COUNCILS OF NSW 2022 MID-TERM CONFERENCE D22/22410

Councillor Gallagher spoke to the report providing an overview of the Conference deliberations and the Conference resolutions.

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Marion Browne

1. That Councillors Report No. 1/22 dated May 6, 2022, be received.
2. That Councillor Gallagher provides a verbal Delegate's Report regarding attendance at the Western Division Councils of NSW 2022 Mid-Term Conference held in Cobar 1-3 May 2022; and that the verbal report be received.
3. That Council thanks the President of the Western Division Councils of NSW (Councillor Gallagher) for hosting the Mid-Term Conference.

CARRIED UNANIMOUSLY

Councillor Gallagher left the meeting at 5:40pm.

2. BROKEN HILL CITY COUNCIL REPORT NO. 112/22 - DATED MAY 05, 2022 -
CORRESPONDENCE REPORT - MOBILE COMMUNICATIONS UPGRADE
REQUIRED FOR THE BROKEN HILL RACECOURSE D22/22175

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Michael Boland

1. That Broken Hill City Council Report No. 112/22 dated May 5, 2022, be received.
2. That correspondence dated 20 April 2022 from Mr Roy Butler MP, Member for Barwon and correspondence dated 21 April 2022 from The Hon Mark Coulton MP, Federal Member for Parkes in reply to the Mayor's correspondence regarding the need for an upgrade to mobile communications at the Broken Hill Racecourse, be received and noted.
3. That Council notes that, as per Council's Resolution – 27 April 2022 (Minute No. 46830), a temporary solution is being arranged for the conduct of Agfair Broken Hill to be held 27-28 May 2022 and Council will contribute \$37,000 from unspent funds in the 2021/2022 Community Assistance Grants budget as a co-contribution (with Agfair Broken Hill, Foundation Broken Hill, NSW State Government and Telstra) towards a "Temporary Cell on Wheels" for the duration of Agfair.
4. That Council notes correspondence dated 10 May 2022 received from The Hon Scott Barrett MLC regarding the temporary solution for a "Temporary Cell on Wheels" to be operational for the duration of Agfair.

CARRIED UNANIMOUSLY

3. BROKEN HILL CITY COUNCIL REPORT NO. 113/22 - DATED MAY 05, 2022 -
CORRESPONDENCE REPORT - WEATHER RADAR FOR FAR WEST
NSW D22/22274

Recommendation

Moved Councillor Michael Boland, Seconded Councillor Marion Browne

1. That Broken Hill City Council Report No. 113/22 dated May 5, 2022, be received.
2. That the copy of correspondence dated 28 March 2022 from the Hon Susan Ley, Minister for the Environment addressed to The Hon Mark Coulton MP, Federal Member for Parkes (forwarded to Council by the Federal Member for Parkes) in response to recent representations made on behalf of the Pastoralists' Association of West Darling seeking improvements to the weather radar coverage for the Far West NSW region, be received and noted.

CARRIED UNANIMOUSLY

4. BROKEN HILL CITY COUNCIL REPORT NO. 114/22 - DATED APRIL 01, 2022 - DRAFT DELIVERY PROGRAM 2022-2026 INCORPORATING DRAFT OPERATIONAL PLAN 2022/2023, INCLUSIVE OF THE STATEMENT OF REVENUE POLICY AND DRAFT SCHEDULE OF FEES AND CHARGES 2022/2023

D22/15215

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Michael Boland

1. That Broken Hill City Council Report No. 114/22 dated April 1, 2022, be received.
2. That Council endorse the Draft Delivery Program 2022-2026 incorporating the Draft Operational Plan 2022/2023, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2022/2023 for the purpose of public exhibition for community comment for a 28-day period.
3. That Council receives a further report at the conclusion of the exhibition period, outlining submissions received and any recommendation for changes arising, with a view to adopting the Draft Delivery Program 2022-2026 incorporating the Draft Operational Plan 2022/2023, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2022/2023 for implementation on 1 July 2022.
4. That Council endorses Rating Option 2 as provided in this report with overall rate revenue increasing by 2.3% as per the additional special variation application (ASV). Mines rates contribution increases to 16%, while Business industrial reduce to their 2019/20 level of 4.31%. Business rate contribution decreases by 0.82% from 17.58% to 16.76%.
5. That Council endorses Residential Waste Fees (Weighbridge) Option 1 as provided in this report to continue with the current model of waste charges but with an increased number of vouchers provided to ratepayers for mixed waste disposal. An increase from 5 vouchers to 8 vouchers would allow ratepayers 3 extra visits to the Waste Management Facility free of charge with recyclables, e-waste, steel and iron and green waste up to 1 tonne continuing to be accepted free of charge without the use of a voucher. Additional vouchers can be supplied upon request for eligible residential customers.

CARRIED UNANIMOUSLY

5. BROKEN HILL CITY COUNCIL REPORT NO. 120/22 - DATED MAY 09, 2022 - DRAFT LONG TERM FINANCIAL PLAN 2023-2032

D22/22600

Recommendation

Moved Councillor Michael Boland, Seconded Councillor Marion Browne

1. That Broken Hill City Council Report No. 120/22 dated May 9, 2022, be received.
2. That Council endorse the Draft Long Term Financial Plan 2023-2032 for public exhibition.

3. That that Draft Long Term Financial Plan 2023-2032 be placed on public display for 28 days in accordance with legislation.

CARRIED UNANIMOUSLY

6. BROKEN HILL CITY COUNCIL REPORT NO. 115/22 - DATED APRIL 08, 2022 - DRAFT WORKFORCE MANAGEMENT STRATEGY 2022-2026 FOR PUBLIC EXHIBITION D22/17873

Recommendation

Moved Councillor Michael Boland, Seconded Mayor Tom Kennedy

1. That Broken Hill City Council Report No. 115/22 dated April 8, 2022, be received.
2. That Council endorse the Draft Workforce Management Strategy 2022-2026 for consultation and public exhibition for a period of 28 days.
3. That Council receive a further report at the conclusion of the exhibition period, detailing submissions received and any recommended changes arising with a view to adopting the Draft Workforce Management Strategy 2022-2026.

CARRIED UNANIMOUSLY

7. BROKEN HILL CITY COUNCIL REPORT NO. 116/22 - DATED MAY 05, 2022 - QUARTERLY BUDGET REVIEW STATEMENT FOR PERIOD ENDED MARCH 2022 D22/22330

Recommendation

Moved Councillor Michael Boland, Seconded Councillor Marion Browne

1. That Broken Hill City Council Report No. 116/22 dated May 5, 2022, be received.
2. That the 3rd Quarterly Budget Review Statement and recommendations be adopted.
3. That Council note the projected 2021/22 operating deficit (before capital) of \$2,723,000.
4. That Council note the 2021/22 projected net capital budget expenditure of \$21,179,000.

CARRIED UNANIMOUSLY

8. BROKEN HILL CITY COUNCIL REPORT NO. 117/22 - DATED MAY 10, 2022 - INVESTMENT REPORT FOR APRIL 2022 D22/22876

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Michael Boland

1. That Broken Hill City Council Report No. 117/22 dated May 10, 2022, be received.

CARRIED UNANIMOUSLY

9. BROKEN HILL CITY COUNCIL REPORT NO. 118/22 - DATED APRIL 29, 2022 - ADOPTION OF THE DRAFT REVISED CODE OF CONDUCT POLICY D22/20674

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Michael Boland

1. That Broken Hill City Council Report No. 118/22 dated April 29, 2022, be received.
2. That Council notes that nil submissions were received from the public during the public exhibition period.
3. That Council adopts the draft revised Code of Conduct Policy as a Policy of Council.
4. That Council adopts the Office of Local Government's Procedures for the Administration of the Model Code of Conduct for NSW Councils, for the administration of Council's Code of Conduct Policy.
5. That Council notes that adoption of the draft revised Code of Conduct Policy the render Council's 2020 Code of Conduct Policy obsolete.

CARRIED UNANIMOUSLY

10. BROKEN HILL CITY COUNCIL REPORT NO. 121/22 - DATED MAY 02, 2022 - ADOPTION OF THE DRAFT REVISED SOCIAL MEDIA POLICY AND THE DRAFT REVISED MEDIA RELATIONS POLICY D22/20681

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Michael Boland

1. That Broken Hill City Council Report No. 121/22 dated May 2, 2022, be received.
2. That Council notes that nil submissions were received from the public during the public exhibition period.
3. That the draft revised Social Media Policy and the draft revised Media Relations Policy be adopted as Policies of Council.

4. That Council notes that the adoption of the draft revised Social Media Policy and the draft revised Media Relations Policy will render Council's 2018 Social Media Policy and 2017 Media Relations Policy obsolete.

CARRIED UNANIMOUSLY

11. BROKEN HILL CITY COUNCIL REPORT NO. 122/22 - DATED MAY 03, 2022 - AMENDMENT TO COUNCIL'S CODE OF MEETING PRACTICE POLICY TO INCLUDE AN ACKNOWLEDGEMENT TO BROKEN HILL'S MINING HISTORY

D22/21803

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Michael Boland

1. That Broken Hill City Council Report No. 122/22 dated May 3, 2022, be received.
2. That Council's Code of Meeting Practice Policy be amended at clauses 8.1 and 20.5b to include an Acknowledgement of Broken Hill's Mining History in the Order of Business at Standing Committee Meetings and Ordinary and Extraordinary Council Meetings as follows:
 - a) To include an Acknowledgement of Broken Hill's Mining History to follow the Acknowledgement of Country in the Order of Business for Standing Committees and Ordinary and Extraordinary Council Meetings.
 - b) To include the wording of the Acknowledgement of Broken Hill's Mining History in a note to clause 8.1 and 20.5b as follows:

"We take time to reflect, remember and honour the over 800 miners that lost their lives and those that were crippled or maimed on the Line of Lode. We thank the brave miners and their wives who were part of the 1919-1920 strike that lasted over 500 days and delivered a 35 hour working week. Mining is our past and future."
3. That Council's Code of Meeting Practice Policy also be amended at clauses 8.1 and 20.5b to include in a note, the wording the Prayer and Acknowledgement of Country as follows:
 - a) Prayer:

"Almighty God, we ask you to invoke your blessing upon this Council. Direct and prosper our deliberations to the advancement and true welfare of the people of the Council are, our State and Australia. AMEN"
 - b) Acknowledgement of Country:

"We acknowledge the traditional owners of the land upon which we meet today and pay our respects to their elders; past, present and emerging."

CARRIED UNANIMOUSLY

12. BROKEN HILL CITY COUNCIL REPORT NO. 126/22 - DATED MAY 03, 2022 - ART GALLERY RE-BRANDING PROCUREMENT - AUDITOR RESPONDED22/21347

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Michael Boland

1. That Broken Hill City Council Report No. 126/22 dated May 3, 2022, be received.
2. That Council note the amended report from O'Connor Marsden.
3. That Council note a retrospective variation has been noted in the March 2022 Quarterly Budget Review.

CARRIED UNANIMOUSLY

13. BROKEN HILL CITY COUNCIL REPORT NO. 127/22 - DATED MAY 06, 2022 - COUNCIL NEWSLETTER - CONTENT AND FORMAT D22/22379

Recommendation

Moved Councillor Michael Boland, Seconded Councillor Marion Browne

1. That Broken Hill City Council Report No. 127/22 dated May 6, 2022, be received.
2. That Council proceed with the publication and delivery of a bi-monthly newsletter in accordance with parameters listed below, and include any other features requested by Councillors at the May 2022 Policy and General Committee meeting.

CARRIED UNANIMOUSLY

14. BROKEN HILL CITY COUNCIL REPORT NO. 128/22 - DATED MARCH 04, 2022 - GRANT ASSISTANCE - FEE INTRODUCTION D22/11012

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Michael Boland

1. That Broken Hill City Council Report No. 128/22 dated March 4, 2022, be received.
2. That the Policy & General Committee considers the four options for a grant writing fee for service.
3. That Council approve option (TBC) to form part of the Draft 2022/2023 Fees & Charges.
4. That Council's promotion of the grant assistance service explains that it is an additional service that Council will provide to the community to facilitate and increase grants to the community; and that it is not a revenue generating exercise for Council - the fee charged is to cover the cost of providing this additional service.

CARRIED UNANIMOUSLY

15. BROKEN HILL CITY COUNCIL REPORT NO. 129/22 - DATED MAY 06, 2022 -
NOMINATIONS FOR THE APPOINTMENT OF COMMUNITY
REPRESENTATIVES TO SECTION 355 COMMUNITY COMMITTEES D22/22325

Recommendation

Moved Councillor Michael Boland, Seconded Councillor Marion Browne

- 1. That Broken Hill City Council Report No. 129/22 dated May 6, 2022, be received.**
- 2. That Council appoints Mr Ron Butcher, Ms Katrina Webb, Ms Pamela O'Dwyer and Mr Peter O'Dwyer as community representatives on the Alma Oval Community Committee.**
- 3. That Council appoints Mr Wayne Orr and Mr Mark Curtis as community representatives on the BIU Band Hall Community Committee.**
- 4. That Council appoints Ms Maureen Clark, Ms Krystle Evans, Ms Julie Horsburgh, Ms Catherine Farry, Professor Simon Molesworth AO QC and Ms Jo Crase as community representatives on the Broken Hill City Art Gallery Advisory Group and notes that this Committee has reached full membership.**
- 5. That Council appoints Ms Christine Adams, Ms Jeanette Thompson, Mr Simon Molesworth AO QC and Ms Jo Crase as community representatives on the Broken Hill Heritage Advisory Committee.**
- 6. That Council appoints Ms Kellie Scott, Mr Jamie Scott, Mr Evan Scott, Miss Emily Scott as community representatives on the Friends of the Flora and Fauna of the Barrier Ranges Community Committee and notes that this Committee has reached full membership.**
- 7. That Council appoints Ms Jodie Whitehair as a community representative on the Memorial Oval Community Committee.**
- 8. That Council appoints Ms Christine Adams, Mr Paul Adams and Mr Trevor Rynne as community representatives on the Picton Oval Community Committee.**
- 9. That Council appoints Mr Wayne Lovis, Ms Alison Sutton, Mr Carey Guihot, Ms Barbara Webster and Mr Greg Curran as community representatives on the Riddiford Arboretum Community Committee.**
- 10. That the community representatives be advised of their appointment and advice also be sent to the corresponding Committee Secretary/Chairperson.**
- 11. That Council notes that the current round of advertising closes on 3 June 2022 and a further report will be presented to the June Policy and General Committee Meeting with further nominations received.**

12. That Council notes that correspondence has been sent to all outgoing community representatives on Section 355 Committee in appreciation of their service on the Committee and encouraging them to renominate.
13. That the Section 355 Framework and Constitutions be amended in order for the Section 355 Committees to elect their Chairperson at their Annual General Meetings.

CARRIED UNANIMOUSLY

CONFIDENTIAL MATTERS

Nil

There being no further business, the meeting closed at 6:12pm.

The foregoing minutes were read and confirmed at the Policy and General Committee meeting held on 15 June 2022.

Chairperson

REPORTS

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POLICY AND GENERAL COMMITTEE

June 2, 2022

ITEM 1BROKEN HILL CITY COUNCIL REPORT NO. 138/22SUBJECT: ANNUAL FEES - MAYOR AND COUNCILLORS D22/29125**Recommendation**

1. That Broken Hill City Council Report No. 138/22 dated June 2, 2022, 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 2022.
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 Mayor and Councillors for the 2022/2023 financial year.
5. 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.

Executive Summary:

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 2022 (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 2022/2023 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.

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. 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 2022/2023 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 2022 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 2022		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2022	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	28,750	42,170	175,930	231,500
	Major CBD	19,180	35,520	40,740	114,770
	Metropolitan Large	19,180	31,640	40,740	92,180
	Metropolitan Medium	14,380	26,840	30,550	71,300
	Metropolitan Small	9,560	21,100	20,370	46,010
General Purpose Councils - Non-Metropolitan	Major Regional City	19,180	33,330	40,740	103,840
	Major Strategic Area	19,180	33,330	40,740	103,840
	Regional Strategic Area	19,180	31,640	40,740	92,180
	Regional Centre	14,380	25,310	29,920	62,510
	Regional Rural	9,560	21,100	20,370	46,040
	Rural	9,560	12,650	10,180	27,600
County Councils	Water	1,900	10,550	4,080	17,330
	Other	1,900	6,300	4,080	11,510

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

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:

The Local Government Act 1993 section 249 and the annual determination of the Local Government Remuneration Tribunal for 2022/2023.

Financial Implications:

The current fees paid to Councillors and the Mayor in current 2021/2022 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 2022/2023 Budget for Mayoral and Councillor fees with an increase of two percent, which reflects \$18,342.25 per Councillor Fee and the Mayoral Fee being \$40,019.29.

Attachments

1. OLG Council Circular 22-14 Determination of the Local Government Remuneration Tribunal 2022/2023
[↓](#)
2. 2022 Annual Determination Report - Local Government Remuneration Tribunal
[↓](#)

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

Office of
Local Government

Circular to Councils

Circular Details	Circular No 22-14/ 22 May 2022 / A817449
Previous Circular	21-06 – 2021/22 <i>Determination of the Local Government Remuneration Tribunal</i>
Who should read this	Councillors / General Managers
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

2022/23 Determination of the Local Government Remuneration Tribunal**What's new or changing**

- The Local Government Remuneration Tribunal has determined an increase of 2% to mayoral and councillor fees for the 2022-23 financial year, with effect from 1 July 2022.
- The Tribunal is required to determine the remuneration categories of councils and mayoral offices at least once every three years under section 239 of the *Local Government Act 1993*. The Tribunal last undertook a significant review of the categories as part of its 2020 determination and will next review these categories in 2023.
- The Tribunal found that the allocation of councils into the current categories continued to be appropriate having regard to the 2020 review, the current category model and criteria and the evidence put forward in the submissions received.

What this will mean for your council

- Sections 248 and 249 of the Act require councils to fix and pay an annual fee to councillors and mayors from 1 July 2022 based on the Tribunal's determination for the 2022-23 financial year.

Key points

- The level of fees paid will depend on the category the council is in.
- A council cannot fix a fee higher than the maximum amount determined by the Tribunal.
- If a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.

Where to go for further information

- The Tribunal's report and determination is available [here](#).
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.



Melanie Hawyes
Deputy Secretary, Crown Lands and Local Government

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Local Government Remuneration Tribunal

Annual Report and
Determination

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

20 April
2022

[NSW Remuneration Tribunals website](https://www.remunerationtribunals.nsw.gov.au/)

Local Government Remuneration Tribunal

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Local Government Remuneration Tribunal

Executive Summary

The *Local Government Act 1993* (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 per annum 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. The Tribunal can also determine that a council can be placed in another existing or new category with a higher range of fees without breaching the Government's Wages Policy as per section 242A (3) of the LG Act.
5. The Tribunal's determinations take effect from 1 July each year.

Section 2 2021 Determination

6. The Tribunal received 18 submissions which included 9 requests for re-categorisation. At the time of making its determination, the Tribunal had available to it the Australian Bureau of Statistics 25 March 2020 population data for FY2018-19. The Tribunal noted the requirement of section 239 of the LG Act that it must determine categories for councils and mayoral offices at least once every 3 years. It noted that the Tribunal had conducted an extensive review in 2020 and decided that the categories would next be considered in 2023.
7. 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.
8. In regard to fees, the Tribunal determined a 2 per cent per annum increase in the minimum and maximum fees applicable to each category.

Section 3 2022 Review**Process**

9. In 2020, 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

Local Government Remuneration Tribunal

	<ul style="list-style-type: none"> • Rural
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10. The Tribunal wrote to all mayors or general managers and LGNSW on 14 October 2021 to advise of the commencement of the 2021 review and invited submissions regarding recategorisation, fees and other general matters. The Tribunal's correspondence advised that an extensive review of categories was undertaken in 2020 and, as this was only legislatively required every three years, consideration would be next be given in 2023. The correspondence further advised that submissions requesting to be moved into a different category as part of the 2022 review would require a strong case supported by evidence that substantiates that the criteria for the requested category is met.
11. Seven submissions were received from individual councils and one submission was received from LGNSW. The Tribunal noted that several of the submissions had not been endorsed by their respective councils. The Tribunal also met with the President, Chief Executive and Senior Manager of LGNSW.
12. The Tribunal discussed the submissions at length with the Assessors.
13. The Tribunal acknowledged previous and ongoing difficulties imposed by COVID19 and natural disasters on councils.
14. The Tribunal also acknowledged submissions from councils in regional and remote locations that raised unique challenges, such as travel and connectivity, experienced by mayors and councillors in those areas.
15. A summary of the matters raised in the received submissions and the Tribunal's consideration of those matters is outlined below.

Categorisation

16. Five council submissions requested recategorisation. Three of these requests sought the creation new categories.

Metropolitan Large Councils

17. Penrith City Council acknowledged that categories were not being reviewed until 2023. However, the Council reiterated their previous year's position and contended that their claim for the creation of a new category of "Metropolitan Large – Growth Centre" continues to be enhanced through their leading role in the Western Sydney City Deal. Council's submission further stated that the participation in the Deal demonstrated the exponential growth that will occur in the Penrith Local Government Area.
18. Blacktown City Council requested the creation of a new category "Metropolitan Large – Growth Area". Council stated that the current criteria for "Metropolitan Large" does not reflect the Council's size, rate of growth and economic influence.

Council based its argument for a new category on the following grounds:

- Significant population growth. Current estimated population of 403,000 with an expected population of 640,000 in 2041.
- Blacktown being critical to the success of the Greater Sydney Region Plan while also being part of the fastest growing district for the next 20 years.
- 4th largest economy in NSW – as of 30 June 2020, Gross Regional Product (GRP) was \$21.98 billion, comparatively City of Parramatta was \$31.36 billion.
- Undertaking of several transformational projects to increase economy and services. Examples include the redesign of Riverstone Town Centre, Australian Catholic University establishment of an interim campus for up to 700 undergrads

Local Government Remuneration Tribunal

with a permanent campus to open by 2024, the \$1 billion Blacktown Brain and Spinal Institute proposal and Blacktown International Sports Park Masterplan to provide a first-class multi-sport venue.

- Expansion in provision of services such as childcare, aquatic and leisure centres.
- Diversity of population.

Non-Metropolitan Major Regional City Councils

19. Newcastle Council requested clarification regarding City of Newcastle's status as either Metropolitan or Regional, noting that while City of Newcastle is classified as a "Major Regional City", the Newcastle Local Government Area is often exempt from both regional and metropolitan grant funding due to inconsistencies in classification. Council sought review on the following grounds:

- Size of council area 187km² (in comparison of Parramatta Council 84km²).
- Physical terrain.
- Population and distribution of population.
- Nature and volume of business dealt with by Council.
- Nature and extent of development of City of Newcastle.
- Diversity of communities served.
- Regional, national and international significance of City of Newcastle.
- Transport hubs.
- Regional services including health, education, smart city services and public administration.
- Cultural and sporting facilities.
- Matters that the Tribunal consider relevant

Regional Centre

20. Tweed Shire Council requested to be reclassified as a "Regional Strategic Area" on the following grounds:

- Proximity to the Gold Coast City and Brisbane.
- Proximity to Sydney via the Gold Coast airport.
- Tweed being the major population and city centre for the Northern Rivers Joint Organisation.
- Tweed being the largest employer and strongest growth area in the Northern Rivers.

Non-Metropolitan Rural Councils

21. Murrumbidgee Council requested recategorisation to "Regional Rural" as they are a product of the merger of the former Jerilderie Shire Council and the former Murrumbidgee Shire Council. Council also suggested that the criteria for "Regional Rural" is amended to:

- Councils categorised as Regional Rural will typically have a minimum residential population of 20,000 or can demonstrate one of the following features...."
 - the product of the 2016 amalgamation where two or more Rural classified Local Governments Areas merged.

Findings - categorisation

22. The Tribunal assessed each Council's submission and found that the current categories and allocation of councils to these categories remained appropriate. The Tribunal's findings had regard to the 2020 review, the current category model and

Local Government Remuneration Tribunal

criteria and the evidence put forward in the received submissions.

23. Having regard to the requirements of sections 239 and 240 of the LG Act, the Tribunal did not find that any council's submission was strong enough for a change in category or for the creation of a new category.
24. The Tribunal did note, however, that some councils may have a better case for recategorisation at the next major review of categories in 2023.
25. The Tribunal was of the view that the 2023 determination and review of categories as required by s239 (1) of the LG Act will see more requests from councils for recategorisation and possible determination of new categories. The Tribunal and Assessors may benefit from visits to meet regional organisations of councils and direct opportunities for input from Mayors and general managers in this regard.

Fees

26. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required by section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
27. Pursuant to section 146C(1)(a) of the IR Act, the current government policy on wages is expressed in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (IR Reg.). The IR Reg. provides that public sector wages cannot increase by more than 2.5 per cent per annum. The Tribunal therefore has the discretion to determine an increase of up to 2.5 per cent per annum.
28. Submissions that addressed fees sought an increase of a maximum of 2.5 per cent per annum or greater. These submissions raised issues such as comparative remuneration, cost of living and increasing workloads. One submission also suggested that higher fees are required to attract a higher standard of candidates to council roles.
29. The LGNSW submission contained 3 parts. The first part of the submission supported an increase of 2.5 per cent per annum in remuneration, but further argued that the maximum increase is inadequate and does not address the historical undervaluation of work performed by mayors and councillors, and the substantial expansion of their responsibilities and accountability in recent years. LGNSW used the following economic indexes and wage data in support of their argument:
 - Consumer price index (CPI)
 - National and state wages cases
 - Wage increases under the *Local Government (State) Award 2020*.
30. The second part of LGNSW's submission addressed inequity and impacts of low remuneration. It was supported by the research paper "Councillor perspectives on the (in)adequacy of remuneration in NSW local government: Impacts on well-being, diversity and quality of representation" (the "ANU Paper"), written by Associate Professor Jakimow of the Australian National University. A key finding of the ANU Paper was that "current remuneration levels are perceived as inadequately reflecting the extent and nature of council work." The finding was derived from the undertaking of

Local Government Remuneration Tribunal

a survey of councillors and mayors. The paper suggests that there is a disconnect between workload and remuneration and this was identified as the most frequent argument for increasing the current rate.

31. The third and final part of LGNSW's submission compared the minimum and maximum rates of NSW mayor and councillor remuneration to the remuneration of directors and chairpersons of comparable government bodies and not-for-profits, mayors and councillors in Queensland and members of the NSW Parliament. The submission contended that NSW mayor and councillor remuneration is below that of their counterparts.
32. Following the most recent review by the Independent Pricing and Regulatory Tribunal (IPART) the amount that councils will be able to increase the revenue they can collect from rates will depend on their level of population growth. IPART has set a 2022-23 rate peg for each council, ranging from 0.7 to 5.0 per cent. IPART's rate peg takes into account the annual change in the Local Government Cost Index, which measures the average costs faced by NSW councils, in addition to a population factor based on each council's population growth.
33. Employees under the *Local Government (State) Award 2020* will receive a 2 per cent per annum increase in rates of pay from the first full pay period to commence on or after 1 July 2022.
34. The Tribunal has determined a 2 per cent per annum increase in the minimum and maximum fees applicable to each category.

Conclusion

35. The Tribunal's determinations have been made with the assistance of Assessors Ms Kylie Yates and Ms Melanie Hawyes.
36. It is the expectation of the Tribunal that in the future all submissions have council endorsement.
37. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.
38. 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: 20 April 2022

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	

Local Government Remuneration Tribunal

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

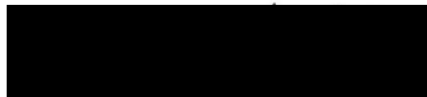
Rural (57)			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen 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: 20 April 2022

Local Government Remuneration Tribunal

Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2022

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 2022 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 2022		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2022	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	28,750	42,170	175,930	231,500
	Major CBD	19,180	35,520	40,740	114,770
	Metropolitan Large	19,180	31,640	40,740	92,180
	Metropolitan Medium	14,380	26,840	30,550	71,300
	Metropolitan Small	9,560	21,100	20,370	46,010
General Purpose Councils - Non-Metropolitan	Major Regional City	19,180	33,330	40,740	103,840
	Major Strategic Area	19,180	33,330	40,740	103,840
	Regional Strategic Area	19,180	31,640	40,740	92,180
	Regional Centre	14,380	25,310	29,920	62,510
	Regional Rural	9,560	21,100	20,370	46,040
	Rural	9,560	12,650	10,180	27,600
County Councils	Water	1,900	10,550	4,080	17,330
	Other	1,900	6,300	4,080	11,510

*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: 20 April 2021

Local Government Remuneration Tribunal**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.

Local Government Remuneration Tribunal**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*.

POLICY AND GENERAL COMMITTEE

June 7, 2022

ITEM 2BROKEN HILL CITY COUNCIL REPORT NO. 139/22

SUBJECT: OFFICE OF LOCAL GOVERNMENT CIRCULAR - COUNCILLOR
SUPERANNUATION D22/30189

Recommendation

1. That Broken Hill City Council Report No. 139/22 dated June 7, 2022, be received.
2. That Council notes that as per Council Resolution Minute No. 46815, the Office of Local Government's proposal for the payment of superannuation contribution payments to Councillors was placed on public exhibition for a 28 day period concluding at midnight on 31 May 2022, during which time Council received nil submissions from the public. Council did however, receive 11 submissions after the closing date and these are attached to the report.
3. That Council **determines** whether superannuation contribution payments will be made to Councillors as per the *Commonwealth Superannuation Guarantee (Administration) Act 1992*, as of 1 July 2022 at the superannuation guarantee rate of 10.5% (which will come into effect from 1 July 2022).
4. That, should Council resolve to make superannuation contribution payments to Councillors as of 1 July 2022, then:
 - a) That Council notes that the superannuation guarantee rate will be the amount the Council would have been required to contribute under the *Commonwealth Superannuation Guarantee (Administration) Act 1992* as superannuation if the Councillors were employees of the Council; and as of 1 July 2022, the superannuation guarantee rate will be 10.5% with the rate increasing by half a percent each year until 1 July 2025 when it reaches 12%.
 - b) That the superannuation contribution payments are made at the same intervals as the annual fee are paid to Councillors (currently monthly).
 - c) That, to receive superannuation contribution payments, each Councillor must first nominate a superannuation account for the payment before the end of the month to which the payment relates.
 - d) That the superannuation account nominated by Councillors must be an account for superannuation or retirement benefits from a scheme or fund to which the *Commonwealth Superannuation Guarantee (Administration) Act 1992* applies.
 - e) That Council must not make a superannuation contribution for a Councillor if the Councillor fails to nominate an eligible superannuation account for the payment

before the end of the month to which the payment relates.

- f) That Council must not make superannuation contribution payments for Councillors during any period in which they are suspended from their civic office or their right to be paid any fee or other remuneration, or expense, is suspended under the Act.
 - g) That Council must not make superannuation contribution payments for Councillors during any period in which they are not entitled to receive their fee under section 254A of the Act because they are absent.
5. That Council notes that individual Councillors may opt out of receiving superannuation contribution payments or opt to receive reduced payments. Councillors must do so in writing to the General Manager prior to 1 July 2022 or at any time during the Term of Council.

Executive Summary:

The Office of Local Government (OLG) have issued a Circular to Council No. 22/04 regarding the payment of Councillor superannuation (see attachment).

This circular follows an amendment to the *Local Government Act 1993* (the Act) last year, for Council's to determine whether to make superannuation guarantee payments to Councillors starting from the financial year commencing on 1 July 2022.

Council considered this matter at the April 2022 Policy and General Committee Meeting and at the April 2022 Council Meeting and Council resolved (Minute No. 46815) to consult with the community as to whether Councillors should receive an increase to their Councillor Allowance of 10.5% Superannuation Contribution payments.

The OLG's proposal was placed on public exhibition for a period of 28 days concluding at midnight on 31 May 2022 during which time Council received nil submissions from the public. Council did however receive 11 submissions after the closing date and prior to this report being finalised, which are attached.

This report is provided to Council following the public consultation period for Council to make a determination on whether Councillors are paid superannuation contribution payments commencing 1 July 2022.

Report:

Following an amendment to the Act last year, Councils may make superannuation contribution payments to a superannuation account nominated by their Councillors, starting from the new financial year commencing 1 July 2022.

The making of superannuation contribution payments to Councillors is optional and is at each Council's discretion. For superannuation contribution payments to be made to Councillors, Council must first resolve at an open meeting to make superannuation guarantee payments for Councillors commencing 1 July 2022.

Background information

OLG issued a circular and discussion paper in March 2020 (see attachment) to consult with NSW Councils regarding whether Councils should make superannuation contribution payments for Councillors.

Council considered this matter at its Ordinary Meeting held 25 March 2020 and resolved to receive information regarding the various options regarding the introduction of Councillor superannuation payments and to make a submission to OLG on what the majority of Councillors preferred.

The options of which OLG was seeking the views of Councils and others was on the following four options:

1. Maintaining the status quo – Mayors and Councillors can continue to voluntarily contribute a portion of their fees to a complying superannuation fund of their choice.
2. Mandate the current voluntary situation – amend the Local Government Act 1993 to make it compulsory for Councils to pay a portion of the Mayor's and Councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the Mayor and Councillors.
3. Amend the Act to allow Councils to voluntarily pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the Mayor and Councillors in addition to the Mayor's and Councillors' fees – this means that the payment of Council superannuation in addition to their fee would be at each Council's discretion, allowing the Council to take into account the Council's resources and the local community's views, or
4. Amend the Act to make it compulsory for Councils to pay an amount equivalent to the superannuation guarantee into a compulsory superannuation fund nominated by the Mayor and Councillors in addition to the Mayor's and Councillors' fees.

Responses were gathered from Councillors and the majority of Councillors indicated that they preferred option 1 and Council's submission to that effect was forwarded to OLG on 30 April 2020 (see attachment).

The NSW Parliament passed the Local Government Amendment Act 2021 (Amendment Act) on 13 May 2021. The Amendment Act includes rating reforms for Councils formed by merger in 2016 to harmonise their rating structures and other rating reforms for all NSW Councils, Councillor superannuation and minor changes that relate to Council elections and the terms of office of chairs of County Councils and Joint Organisations.

In terms of Councillor superannuation, the Amendment Act allows for NSW Councils to have the option to make superannuation contribution payments for Councillors from 1 July 2022 equivalent in amount to superannuation guarantee payments. The decision to make superannuation contribution payments (as per the *Local Government Act 1993 Sections 254B, 254A and 248A*) must be made by resolution at an open meeting of Council.

Attached to this report is background information regarding OLG's consultation with Councils in 2020 and the previous Council's subsequent submission to OLG in April 2020 regarding the introduction of superannuation guarantee payments to Councillors from 1 July 2022. The relevant sections of the *Local Government Act 1993* are provided as an attachment to the report for reference and the 11 late submissions received after the 28 day public exhibition period are also attached for reference.

This report is presented to Council to consider whether to resolve to make superannuation contribution payments to Councillors to commence from 1 July 2022 as per the *Local Government Act 1993 Sections 254B, 254A and 248A*.

Community Engagement:

The OLG's proposal was placed on public exhibition for a 28 day period concluding on 31 May 2022. 11 late submissions were received on 7 June 2022 and these are attached for reference.

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 254B, 254A & 248A

Financial Implications:

If adopted by Council and taken up by all Councillors, the estimated amount of superannuation contribution payments for Councillors for 2022/2023 (based on the current annual Mayoral and Councillor Fees) would be approximately \$23,001.00.

Attachments

1. [↓](#) 2022 - OLG Circular No. 22/04 - Payment of Councillor Superannuation
2. [↓](#) Extracts from the Local Government Act 1993
3. [↓](#) 2020 - OLG Discussion Paper - Councillor Superannuation
4. [↓](#) 2020 - OLG Circular - Councillor Superannuation
5. [↓](#) 2020 - Council's submission to OLG dated 30 April 2020
6. [↓](#) Submission 1
7. [↓](#) Submission 2
8. [↓](#) Submission 3
9. [↓](#) Submission 4
10. [↓](#) Submission 5
11. [↓](#) Submission 6
12. [↓](#) Submission 7
13. [↓](#) Submission 8
14. [↓](#) submission 9
15. [↓](#) Submission 10
16. [↓](#) Submission 11

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER



Office of
Local Government

Circular to Councils

Circular Details	22-04/ 15 March 2022/ A811265
Previous Circular	21-07 <i>Commencement of Local Government Amendment Act 2021</i>
Who should read this	Councillors / General Managers / Council Governance Staff
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Council to Implement

Payment of councillor superannuation

What's new or changing

- Following an amendment to the *Local Government Act 1993* (the Act) last year, councils may make payments as a contribution to a superannuation account nominated by their councillors, starting from the financial year commencing on **1 July 2022**.
- The making of superannuation contribution payments for councillors is optional and is at each council's discretion.

What this will mean for your council

- To exercise the option of making superannuation contribution payments for their councillors, councils must first resolve at an open meeting to make superannuation contribution payments for the councillors.
- Where a council resolves to make superannuation contribution payments for its councillors, the amount of the payment is to be the amount the council would have been required to contribute under the *Commonwealth Superannuation Guarantee (Administration) Act 1992* as superannuation if the councillors were employees of the council.
- As of 1 July 2022, the superannuation guarantee rate will be 10.5%. The rate will increase by half a percent each year until 1 July 2025 when it reaches 12%.
- The superannuation contribution payment is to be paid at the same intervals as the annual fee is paid to councillors.
- To receive a superannuation contribution payment, each councillor must first nominate a superannuation account for the payment before the end of the month to which the payment relates. The superannuation account nominated by councillors must be an account for superannuation or retirement benefits from a scheme or fund to which the *Commonwealth Superannuation Guarantee (Administration) Act* applies.
- Councils **must not** make a superannuation contribution payment for a councillor if the councillor fails to nominate an eligible superannuation account for the payment before the end of the month to which the payment relates.
- Individual councillors may opt out of receiving superannuation contribution payments or opt to receive reduced payments. Councillors must do so in writing.

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- Councils must not make superannuation contribution payments for councillors during any period in which they are suspended from their civic office or their right to be paid any fee or other remuneration, or expense, is suspended under the Act.
- Councillors are also not entitled to receive a superannuation contribution payment during any period in which they are not entitled to receive their fee under section 254A of the Act because they are absent.

Where to go for further information

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

Melanie Hawyes
Deputy Secretary, Crown Lands and Local Government

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EXCERPTS FROM THE *LOCAL GOVERNMENT ACT 1993* – AS AT 06/04/2022

SECTION 254B:

254B Payment for superannuation contributions for councillors

- (1) A council may make a payment (a *superannuation contribution payment*) as a contribution to a superannuation account nominated by a councillor, starting from the financial year commencing 1 July 2022.
- (2) The amount of a superannuation contribution payment is the amount the council would have been required to contribute under the Commonwealth superannuation legislation as superannuation if the councillor were an employee of the council.
- (3) A superannuation contribution payment is payable with, and at the same intervals as, the annual fee is payable to the councillor.
- (4) A council is not permitted to make a superannuation contribution payment—
 - (a) unless the council has previously passed a resolution at an open meeting to make superannuation contribution payments to its councillors, or
 - (b) if the councillor does not nominate a superannuation account for the payment before the end of the month to which the payment relates, or
 - (c) to the extent the councillor has agreed in writing to forgo or reduce the payment.
- (5) The Remuneration Tribunal may not take superannuation contribution payments into account in determining annual fees or other remuneration payable to a mayor or other councillor.
- (6) A person is not, for the purposes of any Act, taken to be an employee of a council and is not disqualified from holding civic office merely because the person is paid a superannuation contribution payment.
- (7) A superannuation contribution payment does not constitute salary for the purposes of any Act.
- (8) Sections 248A and 254A apply in relation to a superannuation contribution payment in the same way as they apply in relation to an annual fee.
- (9) In this section—

Commonwealth superannuation legislation means the *Superannuation Guarantee (Administration) Act 1992* of the Commonwealth.

superannuation account means an account for superannuation or retirement benefits from a scheme or fund to which the Commonwealth superannuation legislation applies.

SECTION 254A:

254A Circumstances in which annual fees may be withheld

- (1) Despite this Division, a council may resolve that an annual fee will not be paid to a councillor or that a councillor will be paid a reduced annual fee determined by the council—
 - (a) for any period of not more than 3 months for which the councillor is absent, with or without leave, from an ordinary meeting or ordinary meetings of the council, or
 - (b) in any other circumstances prescribed by the regulations.
- (2) Despite this Division, if a councillor is absent, with or without leave of the council, from ordinary meetings of the council for any period of more than 3 months, the council must not pay any annual fee, or part of an annual fee, to that councillor that relates to the period of absence that is in excess of 3 months.

SECTION 248A:

248A Annual fees or other remuneration not to be paid during period of suspension

A council must not at any time pay any fee or other remuneration, or any expenses, to which a councillor would otherwise be entitled as the holder of a civic office, in respect of any period during which—

- (a) the councillor is suspended from civic office under this Act, or
- (b) the councillor's right to be paid any such fee or other remuneration, or expense, is suspended under this Act,

unless another provision of this Act specifically authorises payment to be made, or specifically permits a person to authorise payment to be made, when the suspension is terminated.



Office of
Local Government

COUNCILLOR SUPERANNUATION

Discussion paper

March 2020



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Produced by the Office of Local Government, Department of Planning, Industry and Environment



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Minister's foreword



Since becoming the Minister for Local Government, I have actively engaged with local councils across New South Wales. I am constantly impressed by the passion held by our mayors and councillors, and frequently find myself commenting on the incredible work ethic of many who continually deliver for their communities.

I am proud to be a part of a Government that is committed to supporting councils to deliver for their local communities. Since 2011 this Government has provided more than \$9 billion to local councils to deliver and improve local infrastructure, services and facilities for their communities. About half of this funding has gone to regional and rural communities which are struggling through one of the worst droughts on record and are recovering and rebuilding after the recent natural disasters. This funding boost has helped local councils provide the very things that make our communities tick – from local infrastructure to essential services and programs that unite local residents.

Under Commonwealth legislation, councils are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors because they are not employees of councils. Recently I was pleased to host a workshop where the obstacles that deter women from nominating to be a councillor or mayor were identified, and the lack of superannuation payments was one of the barriers raised. It can also be said that this goes some way in deterring people under 35 from representing their community on their local council.

As you know, mayors and councillors currently receive a level of remuneration that is independently set by the Local Government Remuneration Tribunal based on the application of a range of criteria. It is currently possible for councils to make superannuation contributions on behalf of mayors and councillors on a pre-tax basis out of the fees they receive from the council as determined by the Tribunal.

However, the Government recognises that not everyone agrees with the current arrangements and acknowledges the calls for councils to be required to make superannuation contributions on behalf of mayors and councillors in addition to the payment of their fees. The purpose of this discussion paper is to encourage further discussion about this issue and assist the Government in better understanding the views of the local government sector and the broader community.

The discussion paper:

- provides information on the current system for setting councillor remuneration and the legislation governing superannuation contributions for elected officials
- sets out the arguments for and against the payment of superannuation contributions for mayors and councillors, and
- provides different options and legislative models.

I welcome your input into this conversation and look forward to hearing your views.

The Hon Shelley Hancock MP
Minister for Local Government

1. Should mayors and councillors in NSW receive superannuation payments in addition to their fees?

Reasons that mayors and councillors should receive superannuation payments in addition to their fees can be summarised as follows:

- it will ensure that mayors and councillors are adequately remunerated for the performance of their duties
- it will address a historic anomaly that has seen mayors and councillors denied the benefit of superannuation guarantee payments enjoyed by the broader workforce, and
- it is hoped it will encourage more women to stand as candidates for election to councils.

Each of these arguments are examined below.

Are NSW mayors and councillors adequately remunerated?

In NSW, the remuneration received by mayors and councillors is independently set by an expert tribunal, the Local Government Remuneration Tribunal.

Under section 239 of the NSW *Local Government Act 1993* (the Act), the Tribunal is required to determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The categories are to be determined at least once every 3 years.

To ensure that mayors and councillors receive remuneration that is commensurate with, and reflects their workload and responsibilities, the Tribunal is required to consider a range of criteria under section 240 of the Act in determining remuneration categories. These include:

- the size, physical terrain, population and the distribution of the population of each local government area
- the nature and volume of business dealt with by each council
- the nature and extent of the development of each local government area
- the diversity of the communities each council serves
- the regional, national and international significance of the council, and
- any other matters the Tribunal considers relevant to the provision of efficient and effective local government.

The Tribunal last undertook a significant review of the categories and the allocation of councils into each of the categories in 2017. The Tribunal has indicated that it will next consider the model, the criteria applicable to each group and the allocation of councils in detail in 2020.

Under section 241 of the Act, the Tribunal is required to determine, no later than 1 May in each year, for each of the categories determined under section 239, 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.

As noted above, in determining the maximum and minimum fees payable in each of the categories, the Tribunal is required under section 242A(1) of the Act, to give effect to the same policies on increases in remuneration as the Industrial Relations Commission.

The current policy on wages is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.

However, the Tribunal is able to determine that a council can be placed into another existing or a new category with a higher range of fees without breaching the Government's wage policy pursuant to section 242A(3) of the Act. This means that where, for whatever reason, the workload or responsibilities of the mayor and councillors increase, they may receive an increase in remuneration that reflects their increased workload even if that increase exceeds the 2.5% public sector wages cap.

The current remuneration levels for mayors and councillors in each category are set out below:

Table 1: Minimum and maximum fees for NSW mayors and councillors

Category		Councils in Category	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
			Minimum	Maximum	Minimum	Maximum
General Purpose Councils – Metropolitan	Principal CBD	1	27,640	40,530	169,100	222,510
	Major CBD	1	18,430	34,140	39,160	110,310
	Metropolitan Large	8	18,430	30,410	39,160	88,600
	Metropolitan Medium	9	13,820	25,790	29,360	68,530
	Metropolitan Small	11	9,190	20,280	19,580	44,230
General Purpose Councils – Non - metropolitan	Regional City	2	18,430	32,040	39,160	99,800
	Regional Strategic Area	2	18,430	30,410	39,160	88,600
	Regional Rural	37	9,190	20,280	19,580	44,250
	Rural	57	9,190	12,160	9,780	26,530
County Councils	Water	4	1,820	10,140	3,920	16,660
	Other	6	1,820	6,060	3,920	11,060

- Mayors and county council chairpersons receive their fee **in addition to** the fee they receive as a councillor/member.

A comparison of average remuneration received by mayors and councillors in NSW with the remuneration received by their counterparts in other jurisdictions indicates that NSW councillors receive similar or higher levels of remuneration than their counterparts in other jurisdictions other than Queensland.

Table 2: Interjurisdictional comparison of councillor remuneration

Jurisdiction	Average	Lowest Fee	% NSW fee	Highest fee	% NSW fee
NSW	24,860	9,190		40,530	
QLD	121,194	53,049	577%	189,338	467%
VIC	27,450	8,660	94%	46,240	114%
TAS	22,824	9,322	101%	36,326	90%
WA	17,634	3,589	39%	31,678	78%
NT	23,263	7,755	84%	38,770	96%
SA	16,215	6,500	71%	25,930	64%

Table 3: Interjurisdictional comparison of mayors' remuneration

Jurisdiction	Average	Lowest Fee	% NSW fee	Highest fee	% NSW fee
NSW	160,315	57,590		263,040	
QLD	209,255	106,100	184%	312,410	119%
VIC	129,291	61,651	107%	196,931	75%
TAS	79,884	32,626	57%	127,142	48%
WA	70,685	4,102	7%	137,268	52%
NT	80,385	26,796	47%	133,974	51%
SA	101,500	26,000	45%	177,000	67%

Have NSW mayors and councillors been denied a financial benefit received by other members of the workforce through the payment of the superannuation guarantee?

The superannuation guarantee was introduced in 1992-93, with compulsory contributions rising at regular intervals from 3 per cent of wages in that year to 9 per cent in 2002-03 and 9.5 per cent in 2013-14. The superannuation guarantee is scheduled to rise incrementally from 9.5 per cent of wages today to 12 per cent by July 2025.

While superannuation guarantee payments are made in addition to an employee's wages, as the Grattan Institute has demonstrated¹, higher compulsory superannuation contributions are ultimately funded by lower wages. When the superannuation guarantee increases, this is wholly or mostly borne by workers who receive smaller pay rises and lower take-home pay. For example, when the superannuation guarantee increased by from 9 per cent to 9.25 per cent in 2013, the Fair Work Commission stated in its minimum wage decision that the proposed minimum wage increase was *"lower than it otherwise would have been in the absence of the Super Guarantee increase"*.

Given the evidence that superannuation guarantee payments are in effect paid for by workers through lower wages, it would be over simplifying the situation to assume that workers are receiving a 9.5% supplementary payment that is being denied to NSW mayors and councillors.

The last increase in the superannuation guarantee came into effect in 2013/14 when the contribution rate increased from 9.25% to 9.5%. A comparison of increases in average weekly earnings with increases in NSW mayors' and councillors' remuneration as determined by the Tribunal since then indicates that NSW mayors and councillors have, on average, enjoyed slightly higher increases in remuneration than the rest of the community.

Table 4: Comparison of increases in average weekly earnings with increases in mayors' and councillors' remuneration

Financial year	Average weekly ordinary time earnings Aust - annual average increase June to June each year	Councillor remuneration increase 1 July
1 July 2014 – 30 June 2015	2.3%	2.5%
1 July 2015 – 30 June 2016	2.0%	2.5%
1 July 2016 – 30 June 2017	2.2%	2.5%
1 July 2017 – 30 June 2018	1.8%	2.5%
1 July 2018 – 30 June 2019	2.7%	2.5%
1 July 2019 – 30 June 2020	3.1%	2.5%

¹ See John Daley and Brendan Coates (2018) [Money in retirement: More than enough](#). Grattan Institute. November 2018

Were councils to be required to make an additional payment on behalf of mayors and councillors equivalent to the superannuation guarantee amount (currently 9.5% of their fees) this would, in effect confer on mayors and councillors a 9.5% increase in their remuneration outside of the normal process for setting mayors' and councillors' remuneration by the Local Government Remuneration Tribunal.

This will not be a one-off increase. With the superannuation guarantee set to increase to 12% in the years up to 2025, this would see further increases to mayors' and councillors' remuneration over and above any increases approved by the Tribunal.

While the receipt of a 9.5% increase in their remuneration through the payment of the superannuation guarantee is likely to be widely supported by mayors and councillors, it is important that the community is consulted and support shown by them before changes are made.

At present it is not clear whether ratepayers would support seeing the revenue they contribute to their local councils being diverted from providing services and infrastructure to fund a 9.5% increase in remuneration for their elected representatives.

Will payment of the superannuation guarantee encourage more women to stand as candidates at council elections?

Payment of the superannuation guarantee for mayors and councillors has been promoted as an equity measure to address disparities in men's and women's superannuation balances.

Research has demonstrated that the principal impediments to more women standing as candidates at local government elections are:

- lack of awareness of local government and the role of councils and councillors
- feeling unqualified
- balancing carer and work commitments
- the investment of time required to be an effective councillor, and
- perceptions of the culture of councils and councillor conduct.²

The payment of the superannuation guarantee would benefit male and female councillors alike. In the short term, male mayors and councillors will be the principal beneficiaries of any increase in remuneration through the receipt of an additional superannuation payment given that they currently comprise 69% of councillors in NSW³.

Major stakeholders promoting an increase in the number of females represented on councils including Local Government NSW, Women for Election Australia, Australian Local Government Women's Association and the Country Women's Association of NSW recently noted that *"a key barrier for women standing for election to local government can be the lack of access to superannuation, with women unwilling to take on more work with insufficient remuneration"*. The stakeholders also noted *"women tend to have far lower superannuation balances than men, often due to time out of the workforce caring for family members"*.

² See Manion, Jo and Sumich, Mark (2013), [Influencing Change – Views of elected representatives on leadership, decision making and challenges for Local Government in NSW](#)

³ See Office of Local Government (2019), [NSW Candidate and Councillor Diversity Report 2017](#)

Will payment of the superannuation guarantee encourage younger people to stand as candidates at council elections?

Two separate studies undertaken by the University of Melbourne in 2014⁴ and 2015⁵ found that younger people tend not to be engaged by and are uninterested in superannuation or retirement planning. HECS repayments and saving to purchase a first home tend to be higher financial priorities for younger people than saving for retirement.

The average tenure of councillors is between one to two terms. More than three quarters (77%) of councillors elected at the 2012, 2016 and 2017 elections had served two terms or less. Assuming that councillors were to receive the superannuation guarantee of 9.5% with respect to their fees over one or two terms, as demonstrated by table 5, the value of the capital contributions made to their superannuation funds would, at retirement, represent a small proportion of their accumulated lifetime superannuation capital.

Table 5: Comparison of superannuation contribution amounts that would be made on the maximum annual fee in each category of council at a rate of 9.5% over 1 term (4 years) and 2 terms (8 years).

Category		Number of Councils in Category	Councillor/Member Maximum Annual Fee	4 years at 9.5%	8 years at 9.5%
General Purpose Councils – Metropolitan	Principal CBD	1	40,530	15,401	30,802
	Major CBD	1	34,140	12,973	25,946
	Metropolitan Large	8	30,410	11,556	23,112
	Metropolitan Medium	9	25,790	9,800	19,600
	Metropolitan Small	11	20,280	7,706	15,412
General Purpose Councils – Non-metropolitan	Regional City	2	32,040	12,175	24,350
	Regional Strategic Area	2	30,410	11,556	23,112
	Regional Rural	37	20,280	7,706	15,412
	Rural	57	12,160	4,621	9,242
County Councils	Water	4	10,140	3,853	7,706

⁴ See Ali, Paul and Anderson, Malcolm and Clark, Martin and Ramsey, Ian and Shekhar, Chander (2014), [Superannuation Knowledge, Behaviour and Attitudes in Young Adults in Australia](#). CIFR Paper No. RP002/2014

⁵ See Ali, Paul and Anderson, Malcolm and Clark, Martin and Ramsey, Ian and Shekhar, Chander (2015), [No Thought for Tomorrow: Young Australian Adults' Knowledge, Behaviour and Attitudes About Superannuation](#). Law and Financial Markets Review Vol. 9, No. 2, pages 90-105

	Other	6	6,060	2,303	4,606
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How much will it cost and who will pay?

The cost of paying the superannuation guarantee for mayors and councillors will need to be met by each council out of its existing budget.

This cost will vary from council to council depending on what fees the mayor and councillors receive and how many councillors there are on the council. The table below sets out the average annual cost to councils in each remuneration category of paying the 9.5% superannuation guarantee for the mayor and each councillor based on the maximum annual fee payable in each category.

The total estimated annual cost of paying the 9.5% superannuation guarantee for mayors and councillors for the local government sector as whole is close to \$3 million (\$2,758,739).

Table 6: Average annual cost to councils of making a 9.5% superannuation contribution for mayors and councillors

Category		Councils in Category	Average annual cost of paying 9.5% superannuation contribution for mayors and councillors
General Purpose Councils – Metropolitan	Principal CBD	1	55,792
	Major CBD	1	55,886
	Metropolitan Large	8	45,973
	Metropolitan Medium	9	35,911
	Metropolitan Small	11	21,541
General Purpose Councils – Non-metropolitan	Regional City	2	46,007
	Regional Strategic Area	2	45,973
	Regional Rural	37	21,543
	Rural	57	11,762
County Councils	Water	4	9,289
	Other	6	5,081

2. Why are councils not required to make superannuation guarantee payments to mayors and councillors?

The Commonwealth *Superannuation Guarantee (Administration) Act 1993* (SG Act) imposes an obligation on an employer to pay the superannuation guarantee of 9.5% of an employee's earnings to a complying superannuation fund nominated by the employee.

The obligations under the SG Act do not extend to councils with respect to the fees they pay to mayors and councillors because they are not employees of the council for the purposes of that Act. Mayors and councillors are elected to a civic office in the council and the council is not their employer.

Section 12(9A) of the SG Act expressly excludes mayors and councillors across Australia from the definition of "employee" meaning that councils are not obliged to make superannuation guarantee payments to mayors and councillors under that Act. Section 12(9A) of the SG Act provides that, "*a person who holds office as a member of a local government council is not an employee of the council*".

Section 251 of the NSW Local Government Act also makes it clear that the payment of a fee to a mayor or councillor does not constitute the payment of a salary and mayors and councillors are not to be taken to be employees of councils because of the payment of the fee.

3. Can NSW councils make superannuation contributions on behalf of mayors and councillors as a component of their fees?

There is nothing currently preventing councils from making superannuation contributions on a voluntary basis on behalf of the mayor and councillors.

The Australian Tax Office has made a definitive ruling, (ATO ID 2007/205) that allows for mayors and councillors to redirect their annual fees into superannuation on a pre-tax basis.

In practical terms, there is nothing currently preventing mayors and councillors, who wish to make concessional contributions to their superannuation funds, from entering into an arrangement with their council under which they agree to forego part of their remuneration in exchange for the council making contributions to a complying superannuation fund on their behalf on a pre-tax basis.

Councils are also able to determine for themselves, by council resolution and/or within an appropriate council policy, if and how councillors may do this.

4. Can NSW councils make superannuation contributions on behalf of mayors and councillors *in addition to the payment of their fee?*

It is open to councils under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the Commonwealth *Taxation Administration Act 1953* (TAA) to resolve that mayors and councillors are subject to Pay As You Go withholding. The resolution must be unanimous to be effective.

A resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA operates to take the mayor and councillors out of section 12(9A) of the SG Act, which recognises that they are not employees of the council, and brings them within section 12(10) of the SG Act which states that:

A person covered by paragraph 12-45(1)(e) in Schedule 1 to the Taxation Administration Act 1953 (about members of local governing bodies subject to PAYG withholding) is an employee of the body mentioned in that paragraph.

Section 12(1) effectively deems the mayor and councillors to be employees and the council to be their employer for the purposes of the SG Act. This will mean the council will be obliged to make superannuation guarantee contributions (currently 9.5% of the mayor's and councillors' fees) to complying superannuation funds in respect of fees paid to the mayor and councillors. These contributions would be paid in addition to the fees received by the mayor and councillors.

It should be noted however that a resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA will also result in mayors and councillors being treated as employees for a wide range of other taxation purposes. Among other things:

- the council will have to withhold amounts from the payment of fees to the mayor and councillors in accordance with section 12-45(1)(e) of Schedule 1 of the TAA
- the council will be subject to fringe benefits tax under the Commonwealth *Fringe Benefits Tax Assessment Act 1986* on the taxable value of expenses paid to and facilities provided to the mayor and councillors under the council's councillor expenses and facilities policy adopted under section 252 of the LGA, and
- the council will be obliged under Commonwealth *Child Support (Registration and Collection) Act 1988* to withhold payments from fees paid to the mayor and councillors for the purposes of making child support/maintenance/carers payments.

It is unclear however whether a resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA is permissible under sections 248(2) and 249(3) of the Act where it would have the consequence of requiring a council to make a superannuation guarantee contribution in respect of the fees paid to councillors and the mayor that, taken together with their fees, exceeds the maximum amount determined by the Local Government Remuneration Tribunal.

It is also unclear what impact section 242A of the Act would have in relation to a council's resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA. Section 242A of the Act places an obligation on the Local Government Remuneration Tribunal when determining the remuneration of mayors and councillors, to apply the same policies on increases in remuneration as those that the Industrial Relations Commission is required to apply under section 146C of the NSW *Industrial Relations Act 1996* when making or varying awards or orders relating to the conditions of employment of public sector employees.

It is possible that where a council is obliged to make superannuation guarantee contributions on behalf of the mayor and councillors in addition to their fee, the Tribunal may, in turn, be obliged under section 242A to make a determination reducing the mayor's and councillors' fees to ensure that the fee and superannuation contribution do not result in an increase that exceeds the 2.5% public sector wages cap.

5. What is the position in Queensland?

Section 226 of the Queensland *Local Government Act 2009* gives councils the option to pay an amount into a complying superannuation fund on behalf of the mayor and councillors up to an amount payable with respect to employees of the council. The amount paid is in addition to the amount the mayor and councillor receive as a fee. Alternatively, councils may contribute a portion of the mayor's or councillors' fees to complying superannuation fund as is the case in NSW.

6. Options

Option 1: Maintaining the status quo

Under this option, councils will continue not to be obliged to make superannuation guarantee payments on behalf of the mayor and councillors. Mayors and councillors who wish to make concessional contributions to their superannuation funds can continue to enter into an arrangement with the council under which they agree to forego part of their fee in exchange for the council making contributions to a complying superannuation fund on their behalf on a pre-tax basis.

Option 2: Amending the NSW *Local Government Act 1993* to require councils to pay a portion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Under this option, the Act would be amended to require councils to pay a proportion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Option 3: Amending the NSW *Local Government Act 1993* to require councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the payment of the mayor's and councillors' fees.

Under this option, all councils will be required to pay an amount equivalent to the superannuation guarantee contribution payable with respect to the mayor's and councillors' fees, into a complying superannuation fund nominated by the mayor and councillors. The payment would be made in addition to the payment of the mayor's and councillors' fees.

A supporting amendment would be required to exempt the additional payment from section 242A of the Act.

Option 4: Amend the NSW *Local Government Act 1993* to give councils the option to pay an amount equivalent to the superannuation guarantee into a

**complying superannuation fund nominated by the mayor and councillors
in addition to the mayor's and councillors' fees.**

This option is based on the Queensland model. Under this option, the payment of an additional superannuation contribution in addition to the mayor's and councillors' fees would be optional for councils. Councils would also have the option to make a superannuation contribution on behalf of the mayor and councillors as a portion of the mayor's or councillors' fees.

As with option 3, a supporting amendment would be required to exempt the additional payment from section 242A of the Act.

7. Have Your Say

We now want to hear from you.

**Key
questions
to
consider**

- **Should councils be required to make superannuation contributions for the mayor and councillors?**
- **Should contributions be made as a portion of mayors' and councillors' fees or in addition to them?**
- **Which is your preferred option?**
- **Do you have an alternative suggested option?**

Submissions may be made in writing by COB Friday 8 May 2020 to the following addresses.

Post

Locked Bag 3015
NOWRA NSW 2541

Email:

olg@olg.nsw.gov.au

Submissions should be labelled 'Councillor Superannuation Consultation' and marked to the attention of OLG's Council Governance Team.

Further information

For more information, please contact OLG's Council Governance Team on (02) 4428 4100 or via email at olg@olg.nsw.gov.au.



Office of
Local Government

Circular to Councils

Circular Details	Circular No / Date / Doc ID
Previous Circular	N/A
Who should read this	Councillors / General Managers / Council staff
Contact	Council Governance - (02) 4428 4100/ olg@olg.nsw.gov.au
Action required	Council to Implement

Release of councillor superannuation discussion paper

What's new or changing

- The Office of Local Government has issued a discussion paper to seek the views of councils and their local communities on whether councillors should receive superannuation payments.
- Under the Commonwealth *Superannuation Guarantee (Administration) Act 1993*, councils across Australia are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors. This is because mayors and councillors are elected to a civic office in a council and are not employees of the council.
- The release of the discussion paper has been prompted by concerns raised by mayors and councillors that the ineligibility of councillors to receive superannuation payments is inequitable and is a deterrent to more women and younger people standing as candidates at council elections.
- The discussion paper is available on the Office of Local Government's (OLG) website at www.olg.nsw.gov.au.

What this will mean for your council

- The Office of Local Government is seeking the views of councils, councillors and council staff on this issue.
- Councils are also encouraged to inform their local communities about the discussion paper and to encourage members of the community to make submissions.
- Submissions may be made to olg@olg.nsw.gov.au, labelled 'Councillor Superannuation Consultation' and marked to the attention of OLG's Council Governance Team.
- Submissions should be made before COB Friday 8 May 2020.

Key points

- The discussion paper seeks the views of councils and others on the following four options:
 - maintaining the status quo – mayors and councillors can continue to voluntarily contribute a *portion* of their fees to a complying superannuation fund of their choice
 - mandate the current voluntary situation – amend the *Local Government Act 1993* (the Act) to make it compulsory for councils to pay a *portion* of the mayors' and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 44 913 630 046

- amend the Act to allow councils to voluntarily pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors *in addition to* the mayor's and councillors' fees – this means that the payment of councillor superannuation in addition to their fee would be at each council's discretion, allowing the council to take into account the council's resources and the local community's views, or
- amend the Act to make it compulsory for councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors *in addition to* the mayor's and councillors' fees.

Where to go for further information

- For further information please contact the Council Governance team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

Tim Hurst
Deputy Secretary
Local Government, Policy and Planning

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
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T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 44 913 630 046



Quote No L20/947 - 11/20
JR:LMS

Telephone / Personal Enquiries
Ask for James Roncon

30 April 2020

Office of Local Government
Council Governance Team
Locked Bag 3015
NOWRA NSW 2541
By email olg@olg.nsw.gov.au

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

Dear Sir/Madam

Councillor Superannuation Consultation

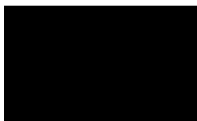
At Council's Ordinary Monthly Council meeting held on Wednesday 26 March 2020 Councillors were invited to forward their comments to the General Manager's Office for inclusion in a Council submission to the Office of Local Government prior to 8 May 2020.

The Mayor and Councillors were provided with all financial implications to assist them in determining what they consider to be the best option.

The Mayor and Councillors have provided comments to the General Manager and the majority have given their view as the preferred option is Option 1 – *"Maintaining the status quo – Mayors and Councillors can continue to voluntarily contribute a portion of their fees to a complying superannuation fund of their choice"*.

Thank you for providing the discussion paper and I hope that our views assist the Government in gaining a better understanding of the opinions of the local government section.

Yours faithfully



JAMES RONCON
GENERAL MANAGER

COUNCILLOR SUPERANNUATION

BROKEN HILL
CITY COUNCIL

Submission date: 7 June 2022, 12:00PM

Receipt number: 1

Related form version: 3

Should Councillors receive 10.5% superannuation on top of their current fees? **No**

Where are the reasons for your decision?

1. Being elected to Council is a privilege - people nominate so they can serve their community. 2. Some councillors got elected because they were part of a group. Examining votes, it is clear the councillor would never have been elected if they had run by themselves. On this analysis the community did not elect those councillors... they got in by default. 3. Without clear community support it is untenable for Council to ask rate payers to pay superannuation to these persons eg one woman who was ungrouped got a significant number of votes many more than some councillors who got onto Council solely because they ran in a group. 4. Most/all councillors have superannuation accrued or accruing from their professional/employment roles. 5. People on Council are financially secure. To pay councillors superannuation potentially amplifies the division of the 'haves' and 'have nots' in Broken Hill. 6. As a rate payer I firmly believe the money is better spent improving community services, upgrading infrastructure, promoting Broken Hill.

COUNCILLOR SUPERANNUATION

BROKEN HILL
CITY COUNCIL

Submission date: 7 June 2022, 12:49PM

Receipt number: 2

Related form version: 3

Should Councillors receive 10.5% superannuation on top of their current fees? **No**

Where are the reasons for your decision?

Current 'pay' to councillors is designed to offset personal costs of councillor activities. Councillors are not employees; they are elected members. Being a councillor should not be promoted as a 'job' but an opportunity for community representation and as such should not be entitled to superannuation.

COUNCILLOR SUPERANNUATION

BROKEN HILL
CITY COUNCIL

Submission date: 7 June 2022, 1:57PM

Receipt number: 3

Related form version: 3

Should Councillors receive 10.5% superannuation on top of their current fees? **Yes**

Where are the reasons for your decision?

They perform an important role and should be eligible for all the benefits we are all entitled too in our employment.

COUNCILLOR SUPERANNUATION

BROKEN HILL
CITY COUNCIL

Submission date: 7 June 2022, 3:10PM

Receipt number: 4

Related form version: 3

Should Councillors receive 10.5% superannuation on top of their current fees? **No**

Where are the reasons for your decision?

COUNCILLOR SUPERANNUATION

BROKEN HILL
CITY COUNCIL

Submission date: 7 June 2022, 5:38PM

Receipt number: 5

Related form version: 3

Should Councillors receive 10.5% superannuation on top of their current fees? **No**

Where are the reasons for your decision?

Council is broke and there are far more important expenditure items than the already well paid councilors

COUNCILLOR SUPERANNUATION

BROKEN HILL
CITY COUNCIL

Submission date: 7 June 2022, 6:26PM

Receipt number: 6

Related form version: 3

Should Councillors receive 10.5% superannuation on top of their current fees? **No**

Where are the reasons for your decision?

They claim that they want to reduce cost to ratepayers

COUNCILLOR SUPERANNUATION

BROKEN HILL
CITY COUNCIL

Submission date: 7 June 2022, 9:17PM

Receipt number: 7

Related form version: 3

Should Councillors receive 10.5% superannuation on top of their current fees? **No**

Where are the reasons for your decision?

I am struggling to pay rates now let alone if this is added to our current rates.

COUNCILLOR SUPERANNUATION

BROKEN HILL
CITY COUNCIL

Submission date: 7 June 2022, 9:31PM

Receipt number: 8

Related form version: 3

Should Councillors receive 10.5% superannuation on top of their current fees? **No**

Where are the reasons for your decision?

It's community service - not a job.

COUNCILLOR SUPERANNUATION

BROKEN HILL
CITY COUNCIL

Submission date: 7 June 2022, 10:37PM

Receipt number: 9

Related form version: 3

Should Councillors receive 10.5% superannuation on top of their current fees? **Yes**

Where are the reasons for your decision?

Why shouldn't they receive the superannuation rise the same as everybody else. If it were a pay rise, that would be another thing.

COUNCILLOR SUPERANNUATION

BROKEN HILL
CITY COUNCIL

Submission date: 8 June 2022, 6:09AM

Receipt number: 10

Related form version: 3

Should Councillors receive 10.5% superannuation on top of their current fees? **No**

Where are the reasons for your decision?

Superannuation is paid to workers to help them save up for their retirement. all employees are entitled to this.

However, Councillors are not employees of the Council and are not entitled to the same benefits such as sick or leave or rostered days off, or superannuation.

Councillors nominate to sit on the council in the election to serve the community, not to earn an income or save for their retirement. people who are on Council may have their own jobs or businesses for which they accrue savings or super. Councillors may indeed be retirees who are already drawing on their superannuation.

Councillors who wish to save for their retirement already have the option of self contributing their council sitting fee to their own super fund.

COUNCILLOR SUPERANNUATION



Submission date: 8 June 2022, 11:11AM

Receipt number: 11

Related form version: 3

Should Councillors receive 10.5% superannuation on top of their current fees? **No**

Where are the reasons for your decision?

POLICY AND GENERAL COMMITTEE

June 2, 2022

ITEM 3

BROKEN HILL CITY COUNCIL REPORT NO. 140/22

SUBJECT: ADOPTION OF THE COMMUNITY STRATEGIC PLAN - YOUR
BROKEN HILL 2040 D22/21685

Recommendation

1. That Broken Hill City Council Report No. 140/22 dated June 2, 2022, be received.
2. That Council notes that as per Minute Number 46816, the Draft Community Strategic Plan – Your Broken Hill 2040 was placed on public exhibition for a 28-day period concluding 31 May 2022 during which time Council received four written submissions from members of the public and recorded several matters raised during community engagement pop up sessions undertaken by Council staff during the exhibition period.
3. That Council endorses the amendments and inclusions made to the Draft Community Strategic Plan – “*Your Broken Hill 2040*”, identified from written submissions and public feedback received.
4. That the Draft Community Strategic Plan – “*Your Broken Hill 2040*” be adopted.
5. That the adopted Community Strategic Plan be placed on Council’s website.

Executive Summary:

The Community Strategic Plan is the highest-level plan that a council will prepare and sits above all other Council plans and policies according to the new Integrated Planning and Reporting Guidelines (October 2021) and key changes to the Act and Regulations. The Community Strategic Plan is a strategic plan from which flows Council directions for the next four years via its Delivery Program and one-year Operational Plans.

The purpose of the plan is to understand the range of services the community wants, the service standards they expect and the infrastructure that will be required; to identify the community's main long-term priorities and aspirations for the future and to plan strategies for achieving these goals. In doing this, the plan considers the issues and pressures that may affect the community and the level of resources that will realistically be available to achieve its aims and aspirations.

While Council has a custodial role in initiating, preparing and maintaining the Community Strategic Plan on behalf of the Local Government Area, it is not wholly responsible for its implementation. Other partners, such as levels of government, State agencies, business, educational institutions, and community groups have an important role in engaging and delivering the long-term objectives of the plan.

All councils in NSW are required to work within the Integrated Planning and Reporting (IP&R) framework. The updated 2021 IP&R framework reinforces the pivotal role of the IP&R framework in guiding all council planning and decision making based on a sound understanding of the community's expectations around priorities and service levels.

IP&R is aligned with the NSW local government election cycle. The Community Strategic Plan must be reviewed every four years, whereby each newly elected council completes the

review by 30 June in the year following the Local Government Elections and rolls the planning period forward by at least four years so that it is always a 10-year minimum plan.

Broken Hill City Council initiated and facilitated the development of this community plan with a 20-year planning focus and will continue to have a custodial role during its implementation, monitoring and reporting and review.

Council considered the draft Community Strategic Plan – Your Broken Hill 2040 at the Ordinary Council Meeting held 27 April 2022 and Council resolved (Minute Number 46816) to place the Draft Plan on public exhibition for a 28-day period during which time Council would accept submissions from the public.

As per Council's resolution, the draft Community Strategic Plan was placed on public exhibition commencing 4 May 2022 and concluding on 31 May 2022, during which time Council received four written submissions from members of the public and recorded social media posts and matters raised during community engagement pop up sessions undertaken by Council staff during the exhibition period.

A list of feedback received and copies of written submissions are attached to this report.

As a result of feedback received the following amendments and inclusions have been made to the draft Community Strategic Plan – “Your Broken Hill 2040”, which seek Council's endorsement.

Amendments and inclusions made to the Draft Community Strategic Plan – “Your Broken Hill 2040”

AMENDMENTS TO STRATEGIES

Amendment to Strategy 1.4.3 to include *global reference and the criteria which resulted in the City's National heritage listing*

Ensure our residents and visitors are aware of the importance of Broken Hill in Australian and *global* history and in particular that the criteria which resulted in the *City being listed as Australia's first City on the National Heritage List*, is widely known and valued

Amendment to Strategy 1.5.6 to include “*inclusive*”

Seek opportunities for vibrant spaces and *inclusive* facilities to increase access to active and passive recreational facilities

Amendment to Strategy 1.6.3 to include “*disability services and support*”

Provide quality health, medical and allied services to meet community need, particularly *disability services and support*, 24-hour medical services, paediatric and other specialist services, mental health support services, allied health and rehabilitation services

Amendment to Strategy 3.2.1 to include “*accessibility to the night sky*”

Recognise and communicate the fragility of the natural environment and insist on its respectful use and the protection and restoration of local biodiversity, lands and *accessibility to the night sky*

Amendment to Strategy 3.2.3 to include “*and in accordance with the National heritage listing*”

Protect, rehabilitate and enhance regeneration areas and commons for the benefit of the City and *in accordance with the National heritage listing*

NEW STRATEGIES
New Strategy 1.4.6 - Promote the importance and maintenance of the heritage and history of the City through initiatives that will increase heritage value locally, nationally and internationally
New Strategy 1.6.6 - Create opportunities for people to participate in cultural, creative and artistic programs, and experience the natural environment to enhance health and wellbeing
New Strategy 2.1.6 - Advocate for improved digital connectivity in and around the City to support community and business needs
Further Updates
Who will play a part? Pages 21 and 26 – addition of <i>Art and Cultural organisations</i> . Page 30 – addition of <i>Utility organisations</i> .
Page 9 – Amendments to reflect data updates. <i>Unemployment rate Dec 2021 5.9%, Local Jobs 7,575 (NEIR 2021) and Local Businesses 1,009 (Dec 2021 source Australian Business Register)</i>
Page 12 updated to reflect engagement undertaken during exhibition period. Closing the Loop – A comprehensive checking in process <u>was</u> undertaken during the 28-day public exhibition period to ensure further community engagement <u>confirmed</u> the goals and aspirations for the future are expressed in the Community Strategic Plan. New paragraph included: A further four pop up listening posts were undertaken during the public exhibition period, and the draft plan circulated to over 200 key stakeholders, industry, business and residents, inviting feedback.
Page 13 updated to include “ <i>History and heritage of the City</i> ” and “ <i>Arts and Culture</i> ”
Page 36 – Related Plans. Plans under development/draft in progress have been included. Crown Land Plan of Management – Natural Areas (draft in progress) and Broken Hill Economic Development Strategy 2022-2026 (under development).

This report is presented to Council following the public exhibition period, in order for Council to consider adoption of the draft Community Strategic Plan – “*Your Broken Hill 2040*” with the recommended amendments and inclusions.

Report:

The Community Strategic Plan 2033 was originally developed in 2010, with a major review in 2013 following extensive community consultation, followed by smaller revisions in 2014 and 2017.

In preparation for the new Community Strategic Plan “*Your Broken Hill 2040*”, an intensive analysis of Council plans, local strategic documents from business, industry and agencies were undertaken to create a background paper to inform the methodology for engagement.

The Community Strategic Plan engagement activities commenced in March 2020, where two personnel from Blackadder Associates led two days of engagement sessions and interviews with individuals at the Civic Centre. These sessions commenced from 7am up continued up until 7pm, to capture as much representation as possible. Participants included representatives from government, non-government organisations, business, industry, education institutions, health, first responders, youth, tourism, arts, sport, history, First Nations people, community groups, Councillors and Council staff.

The announcement of COVID-19 pandemic Public Health Orders, which limited gatherings, delayed the engagement processes for a period. However, Council staff led consultation continued throughout the shutdown period, where two community surveys were conducted. One survey targeted people with disability and the other survey broadly assessed the impact

of COVID-19 on the information gathered prior to the implementation of the pandemic public health measures.

When Public Health Orders allowed, Council staff then headed out to the people, undertaking a series of pop-up listening posts, including a range of activities to ensure that the community had an opportunity to contribute and have their goals and aspirations captured. Two of these listening posts were undertaken in Argent Street and three were undertaken at Westside Plaza. Further pop-up listening posts were scheduled to be undertaken during the 28-day public exhibition period.

In summary the engagement period extended to 15 months and included 12 focused workshops; five pop up listening posts; two online surveys and individual interviews. Extensive minutes were taken by staff at workshops, which were included with all material collected across engagement activities to form an analytical process that defined the themes and objectives of the new Community Strategic Plan.

They key feedback areas included affordable housing, Airport redevelopment, allied health services, cleaner and greener city, climate change and renewable energy, community facilities maintenance, development, drug rehabilitation, effective community engagement, employment and local jobs, financial sustainability, cooperation between indigenous and non-indigenous, trees, parks and open spaces, health and ageing population, homelessness, local environmental protection, mental health, population growth and management, roads and infrastructure, tourism, training and education, waste management and recycling, youth and childcare.

Social justice principles (a requirement within the IP&R) of equity, access, participation and rights were central to the development of this Plan. The Plan has a new vision, resonating with the community's aspirations and retains the four themes of Our Community, Our Economy, Our Environment and Our Leadership (also recommended by the IP&R).

The strategies, objectives and actions have been updated to reflect the current foci, challenges, and goals of our community.

A Community Strategic Plan Workshop for Councillors and the Executive Leadership Team (ELT) was held on 28 March 2022. The presentation included an overview of the Community Strategic Plan, the legislative requirements and the new strategies, objectives and actions within the Plan. The presentation also included who is responsible for elements within the Community Strategic Plan, the Integrated Planning & Reporting (IP&R) Framework and new and changed items in the IP&R.

The three key changes emphasised were, the new position of the Community Strategic Plan in the hierarchy of plans, that all plans and strategies must be connected in some way to the framework and that oversight of the CSP, services and service reviews would be undertaken by the Audit Risk and Improvement Committee. At time of writing this report, the guidelines for that oversight by ARIC have not been received by Council.

A copy of the presentation slides were made available at the workshop and circulated to Councillors and ELT following the workshop.

The draft Community Strategic Plan was endorsed by Council for public exhibition at Council's Ordinary Meeting held the 27 April 2022 (Minute Number 46816). The draft Plan was placed on public exhibition for a 28-day period commencing 4 May 2022 and concluding 31 May 2022, during which time Council received four written submissions and feedback from members of the public.

This report is presented to Council following the public exhibition period, for Council to consider adoption of the draft Community Strategic Plan – *"Your Broken Hill 2040"*.

Community Engagement:

The Draft Community Strategic Plan was placed on public exhibition for a period of 28 days.

During the 28-day public exhibition period several engagement activities were undertaken within the community. These activities included circulating the draft plan to over 200 key

stakeholders, industry, business and residents for feedback and Council staff undertaking four pop-up listening posts across the City from 10th – 13th May 2022.

Strategic Direction:

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

Relevant Legislation:

Section 402 of the *Local Government Act 1993* states:

- (1) Each local government area must have a community strategic plan that has been developed and endorsed by the council. A community strategic plan is a plan that identifies the main priorities and aspirations for the future of the local government area covering a period of at least 10 years from when the plan is endorsed.
- (2) A community strategic plan is to establish strategic objectives together with strategies for achieving those objectives.
- (3) Following an ordinary election of councillors, the council must review the community strategic plan before 30 June following the election. The council may endorse the existing plan, or develop or endorse a new community strategic plan, as appropriate, to ensure that the area has a community strategic plan covering at least the next 10 years.

Financial Implications:

The Community Strategic Plan forms the base document upon which the next four-year Delivery Program and one-year Operational plan will be budgeted.

A long-term Financial Plan (10 years minimum) will be developed to inform decision making during the finalisation of the CSP and the development of the Delivery Program.

Financial implications of endorsing the Draft Community Strategic Plan for public display included advertising costs estimated to be \$300.

Attachments

1. Draft Community Strategic Plan "Your Broken Hill 2040"
[↓](#)
2. Draft Community Strategic Plan – Public Exhibition Period – Engagement Feedback Notes
[↓](#)
3. CSP - Written Submission Number 1
[↓](#)
4. CSP - Written Submission Number 2
[↓](#)
5. CSP - Written Submission Number 3
[↓](#)
6. CSP - Written Submission Number 4
[↓](#)

RAZIJA NU'MAN
CHIEF CORPORATE AND COMMUNITY OFFICER

JAY NANKIVELL
GENERAL MANAGER



Draft Community Strategic Plan

Your Broken Hill 2040

BROKEN HILL CITY COUNCIL
COMMUNITY STRATEGIC PLAN – “Your Broken Hill 2040”



Prepared by Broken Hill City Council
240 Blende Street, BROKEN HILL NSW 2880
PO Box 448, BROKEN HILL NSW 2880
Telephone: 08 8080 3300
Email: Council@brokenhill.nsw.gov.au
Website: brokenhill.nsw.gov.au

D22/19758 - 19/124

Endorsed by Council for public exhibition – 27 April 2022, Minute Number 46816

Adopted by Council <Insert adopted plan details here – Meeting Date and Minute Number>



The Wilyakali people of the Barkindji Nation are the Traditional Owners of the land upon which we all live, work and play and we pay our respects to their elders past present and emerging. We acknowledge the continuous connection of Aboriginal people to this land, a connection that has existed for tens of thousands of years.



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Introduction

Mayoral Message

It gives me great pleasure to introduce the City's new Community Strategic Plan (CSP).

The CSP is a document created by the people of Broken Hill to outline their priorities and their aspirations for the City's future.

It is important to remember that this is not a Council plan, but a community plan that Council simply compiles to help provide strategic direction for Broken Hill.

This new plan has been completed using input from a large and diverse range of locals, businesses, and community groups who provided feedback in various ways.

Council held focus groups, pop up sessions, surveys, and a host of other community sessions - both before and after COVID-19 - to inform this plan and ensure it reflects the community's views.

I wish to thank everyone who provided feedback to this plan to ensure the voices of the community were heard.

The CSP should ideally be read in conjunction with Council's Delivery Program (DP) and Operation Plan (OP).

The DP and OP outline what steps Council will take in the coming years to help accomplish the outcomes listed in the CSP.

I also encourage all local businesses, services, and community groups to read this plan and consider how they can help achieve the goals that have been highlighted by locals.



Councillor Tom Kennedy
MAYOR



Your Broken Hill 2040 is a whole of community plan, in which levels of government, state agencies, business, educational institutions, community groups and individuals have an important role.

The Community Strategic Plan (CSP) outlines the community's main priorities and aspirations for the future and includes strategies for how we will achieve them. While a council has a custodial role in initiating, preparing and maintaining the Community Strategic Plan on behalf of the Local Government Area, it is not wholly responsible for its implementation. Other partners, such as state agencies and community groups may also be engaged in delivering the long-term objectives of the Community Strategic Plan.

Broken Hill City Council initiated and facilitated the development of this community plan and will continue to have a custodial role during its implementation, monitoring and reporting and review.

Your Broken Hill 2040 was developed with extensive community input including representatives from community, government, business, health, education institutions, non-government organisations, First Nation people, community groups and Council staff.

Social justice principles of equity, access, participation and rights have been central to the development of this plan under the theme headings of community, economic, environmental and civic leadership.

Results from a series of engagement activities have informed the development of *Your Broken Hill 2040* Community Strategic Plan.

The Plan has a new vision, resonating with the community's aspirations and retains the four themes, with strategies, objectives and actions updated to reflect the current focus, challenges and goals of our community.

Key questions considered throughout the development of this Plan:

- Where are we now?
- Where do we want to be in ten years' time?
- How will we get there?
- How will we know when we have got there?

The community were also asked to describe what makes us a flourishing community?



We are a strong, vibrant and growing regional city with wide opportunities, abundant natural assets, and a commitment to living lives of quality and connection in a unique location.

Our CSP Themes

To support the achievement of our community vision, collaborative efforts will focus on four interconnected themes:

1. **Our Community** – We value lifestyle and wellbeing; a place that encourages safe, active, cultural and social opportunities
2. **Our Economy** – We value a diverse economy which is resilient and adaptable to change, making the best use of the unique advantages of our remoteness and lifestyle
3. **Our Environment** – We value our unique landscape; we are committed to conservation and preservation of the natural environment and greater reduction of the human impact to ensure a sustainable and healthy community
4. **Our Leadership** – We value collaboration and working together for the greater good – Broken Hill community continues shared responsibility for good governance



The City of Broken Hill

is the largest regional centre in the western half of New South Wales. It lies in the centre of the sparsely settled New South Wales Outback, close to the South Australian border and midway between the Queensland and Victorian borders. The nearest population base is Mildura in Victoria, 300 kilometres to the south on the Murray River. The nearest capital city is Adelaide, approximately 500 kilometres to the southwest.

Connected by air, rail and road and with all the facilities that one would expect of a regional city, the Far West NSW region relies heavily on Broken Hill for essential services and connectivity.

Although located within NSW, Broken Hill has strong cultural and historic connections with South Australia and operates on Central Australian Time, half hour behind Eastern Standard Time.

Broken Hill's isolation is as much a strength as it is a challenge. This is Australia's longest lived mining city, where the BHP mining company was founded on the richest mineral deposit and where safe working practices and workers' legislation were first developed for miners in Australia. The city skyline is dominated by prominent mining structures along the Line of Lode, including a memorial to miners.

Broken Hill sits beneath a vast sky (now being mined for renewable energy), atop a landscape famed for its natural, cultural and industrial heritage. Each day, lives are lived out in dwellings built atop a mineralogical rainforest containing 300 confirmed mineral

species and representing 2300 million years of geological history. Many of the City's streets take their names from the wealth of metals, minerals and compounds found in the City's Ore Deposit (its Line of Lode).

The City is renowned for its perfect light – by day the sun and by night the stars, the desert moon and the city lights – which attracts artists, photographers and filmmakers.

In January 2015, Broken Hill was recognised as Australia's First National Heritage Listed City.

International findings show that heritage listing 'sells' and can stimulate growth through the visitor economy, the attraction of investment and entrepreneurial opportunity.

As part of a very elite listing, there is potential to heighten the brand of Broken Hill to world status.

Snapshot of our City

The external environment will continually impact on Broken Hill's capacity to deliver on our agreed objectives. There is a complex global economic environment with significant uncertainty around the outlook for interest rates, labour shortages, global political risk and the path of Covid-19 which will influence the success of growing the economy.

Increases in the prices of food, energy, and metals and exacerbating supply chain disruption, threaten to weaken global supply chains. Climate change may also increase commodity price volatility. However, while the current global economic trends have, and will continue to cause disruption to the National and local economy, Broken Hill's economic outlook is strong, with the investment from new mining ventures in Far West NSW representing a \$2.8bn potential impact on the Far West NSW economy. Potentially, there are 3,000 jobs being created across five projects in the next three to five years with mining companies committed to employing a residential workforce.

The challenges for Broken Hill will be to advocate for locally provided training and professional development opportunities to prepare the local workforce for new opportunities and the City's ability to attract a new workforce to limit the potential to become a fly-in fly-out community. The political willingness of the State and Federal Government to invest in infrastructure and services will also influence the City's capacity to encourage new residents to live and work in Broken Hill.



BROKEN HILL CITY	
Land area	170.4km ²
	1,100km west of Sydney and 500km east of Adelaide
DEMOGRAPHICS	
Estimated Resident Population 2021 (ABS)	17,230
Projected population in 2025	19,200
Female population – Census 2016	51.3%
Male population – Census 2016	48.6%
Identifying as Aboriginal and Torres Strait Islander – Census 2016	8.5%
Total Households – Census 2016	7,738
Median House Price (June 2021)	\$150,000
Median House Rental (June 2021)	\$260/week
Occupied Dwellings – Census	80.1%
Unoccupied Dwellings – Census 2016	19.4%
OUR ENVIRONMENT	
Mean maximum temperature (°c) 1991 - 2020	24.8
Mean minimum temperature (°c) 1991 - 2020	11.8
Mean Rainfall (mm) – 1994 - 2020	244.8

OUR ECONOMY	
Gross Regional Product	\$0.86 billion
Local jobs - NIEIR 2021	7,575
Employed residents- NIEIR 2021	7,370
Local businesses – Dec 2021	1,009
Australian Business Register	
People working in health care and social assistance (2020)	16.2%
People working in retail	8.4%
People working in mining (2020)	28.8%
Jobs to worker ratio (2020/2021)	1.03
Total tourism and hospitality sales in the City (2019/2020)	\$65.2m total value added \$34.1m
High income earners	18.3% (\$1,750 per week or more)
Low-income earners	18.7% (\$500 per week or less)
Full-time employment – Census 2016	64.6%
Part-time employment – Census 2016	34%
Unemployment rate – Dec 2021	5.9%
Tertiary qualification	16.5%
Workers who held educational qualifications	57.5%
No qualifications	39.1%

Sources: profile.id.com.au, Australian Bureau of Statistics - abs.gov.au, National Institute of Economic and Industry Research - nieir.com.au, Australian Business Register and Bureau of Meteorology - bom.gov.au



Engaging with Our Community

Engagement is all about involving our community in the decision- making process

Broken Hill City Council, as the coordinator of the engagement of the Community Plan also collated the information into a format that is readily accessible and can be used as a community wide resource. As the plan identifies and amplifies the voice of Broken Hill's residents, Council appreciates the time and effort invested by the community in this process.

Consultation for the plan was undertaken over a 15-month period across the City. It began with an analysis of Council plans, local strategic plans from business, industry and agencies and a background paper highlighted some megatrends, which informed the face-to-face engagement.

The engagement activities targeted groups, industries, individuals and communities. Consultation included facilitated forums, pop up information booths in Argent Street and Westside Plaza, surveys, individual interviews and interviews with small groups with special interests.

People involved in consultation were generous and forthright and could both name what was great about Broken Hill and where our City's challenges lie. Discussion included ideas on how we can reach our community goals.

The 15-month period in which engagement activities were undertaken, incorporated both pre pandemic and mid pandemic

times which allowed for discussion of the impact of COVID-19 and the public health measures on the community and its sense of wellbeing.

The success of this plan relies on collaboration between all levels of government, health, education, economic development, business, industry, environment, cultural sector, social services, the community and the stakeholders that operate within the Broken Hill City Council Local Government Area.

Council's role in the development of this plan is to collate the information provided by the community, including its goals and aspirations, and present the information in a plan.

Ongoing ownership of the plan and reaching the identified goals of the community is a shared responsibility in which every person, every group, business, industry, and service, has an important role to play.



What We Said ...about Our Now and our Future

Through an extensive range of engagement activities including focused and open workshops, interviews and a series of pop-up listening pots along with research from studies of the Broken Hill community, we said this:

"We are down to earth, hardworking, diverse people who are part of a close-knit community who know where they are going, say it as it is and see the future as a positive albeit challenging on a number of fronts."

"We don't want our population to shrink any further, in fact it is important that we turn this around and grow it."

"We respect and include our First Nations people and consider their perspective in our work, our decisions, solutions and activities."

"We must look after and celebrate our unique natural environment better."

"We are a beautiful and unique Heritage City and we are proud of our mining history."

"We need to look after our health better."

"We like the investment in all our public facilities and transport."

"We need to keep our young people happy and engaged with our community – creating opportunities and jobs is key."

"We need to keep growing, diversifying our economy and looking for opportunities that are compatible with our unique location, history and social fabric."

"We need better access to health and community services."

"We need to deal with drought, our Darling Baaka River, the Menindee Lakes and water generally better."

"We need our partners and leaders to work better together and coordinate their response and solutions to our issues."

"Our businesses both large and small need to be supported and encouraged."

"We have a bright future and our visitors are welcomed in growing numbers."

Engagement Timeline

Intensive Research

The engagement plan structure included a four-step plan, which began with the analysing of plans from a range of businesses, industries, agencies, the social sector and any others available for inclusion, to gather a flavour of where the community is aiming. This intensive research produced a background paper that was used to inform the commencement of engagement.

Engagement Commencement

In preparation for the new Community Strategic Plan, the research phase of the engagement with the community began in 2020. Fortuitously, two personnel from Blackadder Associates led two days of the engagement at the Civic Centre prior to the imposition of public health orders limiting gathering.

Council led consultation continued throughout the shutdown period and two community surveys were also conducted.

Checking In

Touching base with focus groups from a broad range of areas. Engaging with voices not always represented and engaging with those people with similar interests to progress conversation and drill into specific needs and goals.

Heading to the People

A series of pop-up listening posts conducted by Council staff and including a range of activities to ensure that people had an opportunity to contribute and capture their goals. Two online surveys were conducted- one targeting people with disability and the other broadly assessing the impact of COVID 19 on the information gathered prior to the pandemic public health measures.

Closing the Loop

A comprehensive checking in process was undertaken during the 28-day public exhibition period to ensure further community engagement confirms their goals and aspirations for the future are expressed in the Community Strategic Plan.

The delay in the scheduled NSW Council elections has drawn out the timeline of the Community Strategic Plan but also offered the opportunity to consult widely with the community over a longer period.

Community Consultation provided important information about how the community sees itself prior to and post COVID 19 pandemic public health restrictions and influenced the direction of the goals that the community identified.

In Summary

The engagement period extended to 15 months and involved a wide range of opportunities for community consultation.

A large and diverse range of people contributed their thoughts to Broken Hill's plan for the future, through targeted activities such as:

- Twelve focussed workshops
- Five pop up listening posts
- Two online surveys
- Individual interviews

Extensive minutes were taken by staff at workshops and all remaining material from consultations added to the analytical process that defined the themes and final objectives.

A further four pop up listening posts were undertaken during the public exhibition period, and the draft plan circulated to over 200 key stakeholders, industry, businesses and residents, inviting feedback.



As a community it is important to have a document that defines how we want to grow into the future and what we need as a community now. This document is called the Community Strategic Plan. This plan seeks to guide us all in how to achieve these goals and how we can measure if we are on track or not.

What our community told us

The community identified the following to be considered in developing the Community Strategic Plan

Affordable housing
Airport redevelopment
Allied services
Arts and Culture
Cleaner and greener city
Climate change and renewable energy
Community facilities maintenance
Development
Drug rehabilitation
Effective community engagement
Employment and local jobs

Financial sustainability
Heightened cooperation between indigenous and non-indigenous
History and heritage of the City
Trees, parks and open spaces
Health and ageing population
Homelessness
Local environmental protection
Mental health
Population growth and management
Roads and infrastructure
Tourism
Training and Education
Transport
Waste management and recycling
Youth and childcare



Social Justice and Inclusion Statement

We ensure that the social justice principles are embedded in the delivery of the Community Strategic Plan and interaction between the partners. We welcome and celebrate diversity including people of all ages, abilities, cultural backgrounds, sexual preferences, religious beliefs, political perspectives and linguistic backgrounds. Inclusion, full participation and representation within our community is the key to building a strong resilient place that can achieve outcomes that reflect our true and varied needs.

Environmental Sustainability Statement

We acknowledge the impact of the changing climate on our community, its resources and liveability factors. Our focus includes protecting ourselves from the worst effects of climate change, protecting our unique and fragile landscapes and the plants and animals within it, ensuring fresh food and water security and leaving a positive legacy to our young people. We welcome opportunities to increase our sustainability, including recycling and energy efficiency and we look to set an example to the rest of Australia.

Intergeneration Equity Statement

We acknowledge the generational gap in Broken Hill, and that the needs of generations are different. We will ensure that the needs of all generations are met. These include the need for connection to each other and the wider community, opportunity for good health and social and emotional wellbeing, quality education, suitable recreation, satisfying work and worthwhile leadership opportunities. Planning and decision making will ensure short term solutions do not compromise our longer-term opportunities. The health, diversity and productivity of the environment must be protected, maintained and enhanced for the benefit of our future generations.

First Nations and Cultural Importance Statement

Broken Hill acknowledges the Wilyakali people of the Barkindji nation as the Traditional Custodians of our land. We recognize the cultural importance of this place to Aboriginal people, and that cultural respect and acknowledgement brings the opportunity for greater health and wellbeing to the whole community. We promise to honour the history and ongoing contribution of Aboriginal and Torres Strait Islander people to the community.



In 2009, the NSW Government introduced the Integrated Planning and Reporting (IP&R) framework. The requirements for IP&R are set out in the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Integrated Planning and Reporting Framework requires councils to develop a Community Strategic Plan, which outlines the Vision, Goals and Strategies. The plan is not limited to the responsibilities of any one government or organisation.

Under the Framework, Broken Hill City Council will use the Community Strategic Plan to determine which goals and strategies can be implemented at a local government level. These goals and strategies are included in a four-year Council Delivery Program.

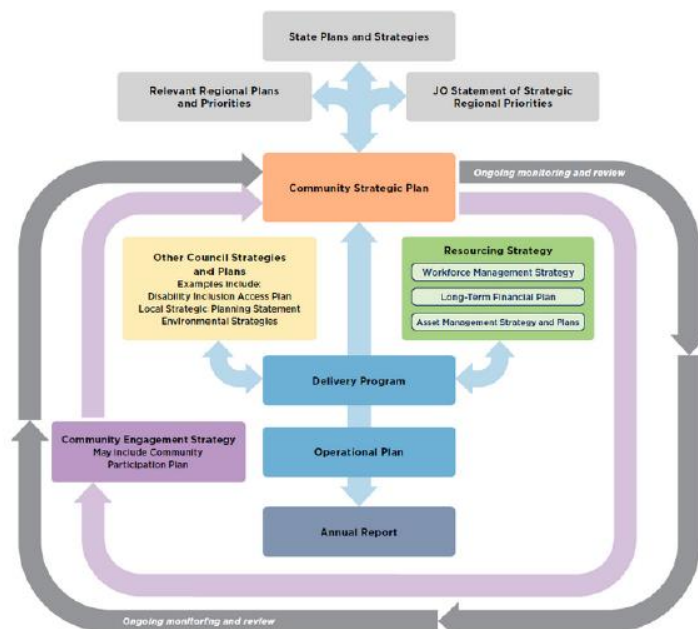
To ensure that Council has the required resources to achieve the goals and strategies set out in the Delivery Program, a Resourcing Strategy is prepared to address long term asset management, financial management and workforce planning.

The Operational Plan is a plan which focuses on the short term. It provides a one-year detailed plan of which activities and projects from the Delivery Program will be implemented.

Each year, Council's success in achieving the goals and strategies

set out in these plans will be reported through Council's Annual Report.

Although considered long term, our Community Strategic Plan and Delivery Program will remain current through a four yearly review in line with Local Government Elections.





Key Themes

The key theme areas place structure to the Community Strategic Plan. The four key themes are the same as the community values that were adopted by Council in 2010 and reflect those in the IP&R Framework.

Objectives

Where do we want to be? These are the community's long-term priorities and aspirations for the City. Council has a custodial role in working towards realising these outcomes; however, it is not wholly responsible for achieving them.

Performance Measures

How will we know when we have got there? Track progress towards the long-term objectives. Identify a data source that can be used to quantify progress.

Our Community

Objective 1.1 Our community spirit is our strength

- 1.1.1 Work to connect people, build capacity and create local solutions to solve a range of social and health issues that may impact community wellbeing and vulnerable people
- 1.1.2 Ensure that the liveability factors that enhance our lifestyles are identified, considered, maintained, and grown
- 1.1.3 Provide equitable, affordable, flexible, and co-located community services and facilities based on community need
- 1.1.4 Provide opportunities to practice traditions in community settings and experience good social and cultural health
- 1.1.5 Support and encourage volunteering across all age, cultural and ability sectors of the community
- 1.1.6 Young people are provided the opportunities required to learn, connect, and grow

Strategies

How will we get there? These are the activities and plans that contribute to achieving the long-term objectives and the City's vision.

Where do we want to be in the future?	How will we get there?	Who will play a part?
Our City has events and festivals that enhance our lifestyle and communicates them effectively	Host and support a diverse range of events, activities, and festivals Communications with the wider community are improved through updated directories and accessible event calendars	Aboriginal Affairs NSW Aboriginal Community Working Party Broken Hill City Council Charity organisations Department Family and Community Services Department of Justice Department of Planning and Environment
Our public spaces and activities help us feel healthy and happy	Ensure sport and recreation facilities are available to meet community needs Ensure that future development supports the growth of our community Ensure that public spaces and community buildings meet the needs of the community	Far West Local Health District Federal and State Government Agencies Local sports and recreation Clubs Non-Government Agencies NSW Department of Premier and Cabinet NSW Police – Barrier Police District
Our community has access to adaptable and inclusive community and health services	Support and continue to develop services to promote health and wellbeing Implement and review plans and strategies to support an inclusive community	NSW Primary Health Network NSW Sports and Recreation Social housing providers Transport for NSW
We are a supportive and inclusive community	Support volunteer and community groups to increase community capacity	
We are a healthy community	People are engaged and taking advantage of the opportunities available to connect with others	
It is safe and easy to get around our City	Ensure that infrastructure meets community needs and service levels Ensure that active transport infrastructure meets community need and service levels	
How will we know when we have got there?		
Measures	Source	
1. Increased measures of health and wellbeing	Health Surveys	
2. Increased attendance at community events and celebrations	Data collection	
3. Access to suitable support and services are available	Community Survey	
4. The community feels safe	Community Survey	
5. There is adequate housing and sufficient employment for all	Data Collection	
6. Minority groups are engaged and participating in the life of the community	Community Survey	
7. The social and lifestyle factors affecting health of residents are monitored for improvement	Data Collection	
8. Our residents know the history of the City	Community Survey	
9. Young people feel connected to the community and have growing opportunities to contribute	Community Survey	
10. The community narrative is increasingly positive	Community Survey	

Partners

Who will play a part? Local and state government agencies, other organisations and community groups have an important role in delivering the long-term objectives.



Our Community

We are a connected and unique community and enjoy our safety and wellbeing. We aspire to create welcoming, accessible, and safe private and public places that foster good health and social interaction. We maintain an inclusive lifestyle as we come together to get things done.

There is a strong link between the ambience and quality of our surroundings and our individual and collective wellbeing.

We value our diversity, our safety, our heritage outback environment and love the uniqueness of our City. We value the built environment and love the shops, restaurants, bars, and range of recreation facilities. We would like to see more vibrancy in our public spaces.

As the first Australian city to be included on the National Heritage List, the built environment is also highly valued and our community places great importance on protecting, celebrating, and enhancing it as much as we are able.



We have a healthy community in a liveable City

We will achieve this by...

Objective 1.1 Our community spirit is our strength

- 1.1.1 Work to connect people, build capacity and create local solutions to solve a range of social and health issues that may impact community wellbeing and vulnerable people
- 1.1.2 Ensure that the liveability factors that enhance our lifestyles are identified, considered, maintained, and grown
- 1.1.3 Provide equitable, affordable, flexible, and co-located community services and facilities based on community need
- 1.1.4 Provide opportunities to practice traditions in community settings and experience good social and cultural health
- 1.1.5 Support and encourage volunteering across all age, cultural and ability sectors of the community
- 1.1.6 Young people are provided the opportunities required to learn, connect, and grow

Objective 1.2 People in our community are in safe hands

- 1.2.1 Enhance community safety within homes, neighbourhoods, and public spaces by building partnerships and using coordinated targeted local programs
- 1.2.2 Increase the level of disaster preparedness across the community and ensure first responder services are adequately resourced
- 1.2.3 Community and social service providers are adequately resourced and connected to meet community needs
- 1.2.4 Continue to advocate for affordable, sustainable water and food security with all stakeholders
- 1.2.5 Provide and maintain sustainable, affordable, efficient and reliable utilities and services to the Broken Hill community

Objective 1.3 Our community works together

- 1.3.1 Develop, implement, support and promote initiatives to celebrate the range of people and programs within the community
- 1.3.2 Engage, develop and maintain relationships to address local issues and create opportunities for residents, groups and business
- 1.3.3 Openly share information within the community to allow participation and inclusion
- 1.3.4 Grow access to quality, accessible, accredited, and affordable social services
- 1.3.5 Implement measures to ensure sustainable transport options
- 1.3.6 Support the transition of young people from school to career
- 1.3.7 Encourage collaboration between services, sporting competitions, arts, creative enthusiasts and community groups to facilitate the sharing of resources
- 1.3.8 Monitor and plan for the community's changing needs

We have a healthy community in a liveable City

We will achieve this by...

Objective 1.4 Our history, culture and diversity are embraced and celebrated

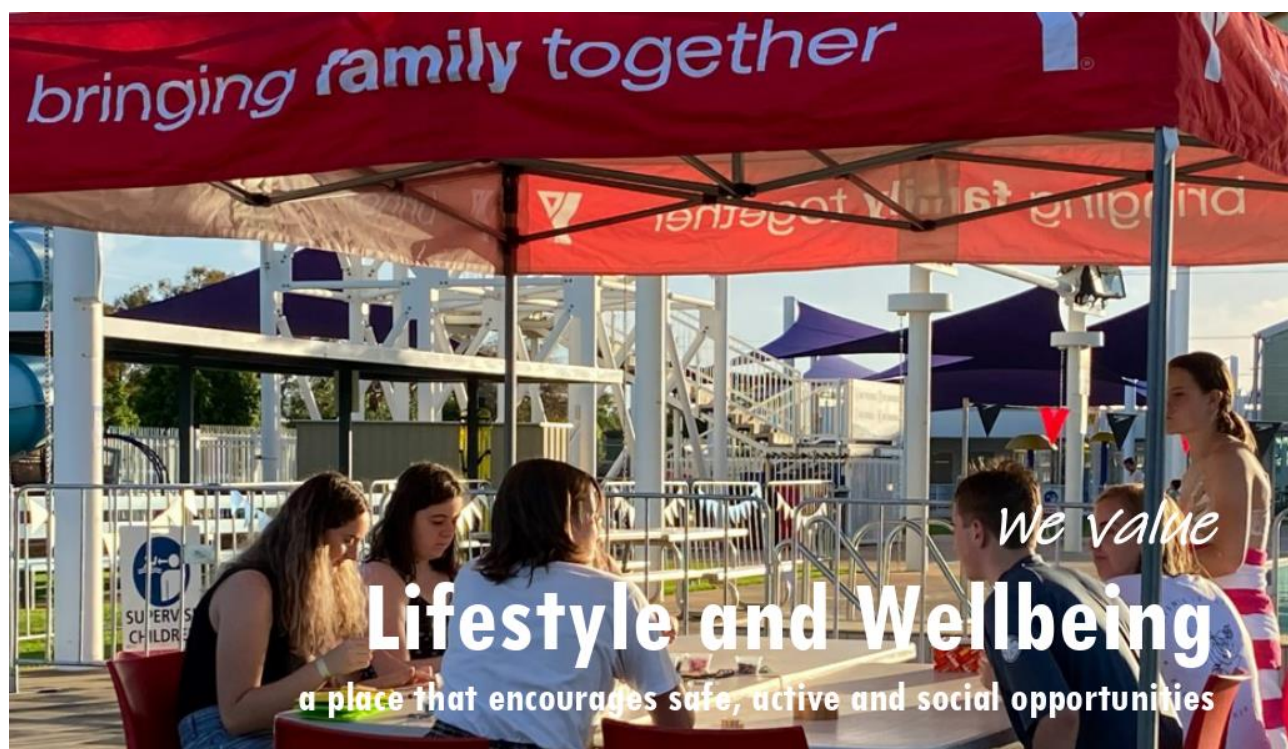
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|-------|---|
| 1.4.1 | Raise awareness of cultural and community events that celebrate Broken Hill's cultural diversity |
| 1.4.2 | Promote and support reconciliation and inclusion with the Aboriginal community |
| 1.4.3 | Ensure our residents and visitors are aware of the importance of Broken Hill in Australian and global history and in particular that the criteria which resulted in the City being listed as Australia's first city on the National Heritage List, is widely known and valued |
| 1.4.4 | Sustain and grow arts and culture and events and preserve the importance of our social capital, built heritage and history |
| 1.4.5 | Celebrate the City's milestones and traditions publicly to increase the opportunity for tourism interest, social interaction and gathering |
| 1.4.6 | Promote the importance and maintenance of the heritage and history of the City through initiatives that will increase heritage value locally, nationally and internationally |

Objective 1.5 Our built environment supports our quality of life

- | | |
|-------|--|
| 1.5.1 | Maintain the character of our historic City through good design and initiatives |
| 1.5.2 | Maintain an attractive and welcoming Central Business and Activities District |
| 1.5.3 | Manage community infrastructure sustainably |
| 1.5.4 | Design and deliver pathways, walking trails and other pedestrian movement infrastructure to maximise access, inclusion and mobility |
| 1.5.5 | Advocate for a mix of housing stock that is affordable and supports growing our population |
| 1.5.6 | Seek opportunities for vibrant spaces and inclusive facilities to increase access to active and passive recreational facilities |
| 1.5.7 | Provide the infrastructure required to reach positive life outcomes including an Alcohol and Drug Facility, Child Contact Centre, and Youth spaces |

Objective 1.6 Our health and wellbeing ensure that we live life to the full

- | | |
|-------|--|
| 1.6.1 | Maintain awareness of and create strategies and partnerships to address the impact of the social and lifestyle factors affecting the health and wellbeing of residents |
| 1.6.2 | Create opportunities for people to participate in active and healthy recreational activities |
| 1.6.3 | Provide quality health, medical and allied services to meet community need, particularly disability services and support, 24-hour medical services, paediatric and other specialist services, mental health support services, allied health, and rehabilitation services |
| 1.6.4 | Ensure the support and information required to access programs and funding for individuals navigating aged care, childcare, NDIS and other programs are readily available and accessible |
| 1.6.5 | Advocate for the provision of a suitable range of social services in the City including disability, childcare and aged care services |
| 1.6.6 | Create opportunities for people to participate in cultural, creative and artistic programs, and experience the natural environment to enhance health and wellbeing |



Where do we want to be in the future?	How will we get there?	Who will play a part?
Our City has events and festivals that enhance our lifestyle and communicates them effectively	Host and support a diverse range of events, activities, and festivals Communications with the wider community are improved through updated directories and accessible event calendars	Aboriginal Affairs NSW Aboriginal Community Working Party Art and Cultural organisations Broken Hill City Council Charity organisations Department Family and Community Services Department of Justice Department of Planning and Environment
Our public spaces and activities help us feel healthy and happy	Ensure sport and recreation facilities are available to meet community needs Ensure that future development supports the growth of our community Ensure that public spaces and community buildings meet the needs of the community	Far West Local Health District Federal and State Government Agencies Local sports and recreation Clubs Non-Government Agencies NSW Department of Premier and Cabinet
Our community has access to adaptable and inclusive community and health services We are a supportive and inclusive community	Support and continue to develop services to promote health and wellbeing Implement and review plans and strategies to support an inclusive community Support volunteer and community groups to increase community capacity	NSW Police – Barrier Police District NSW Primary Health Network NSW Sports and Recreation Social housing providers Transport for NSW
We are a healthy community	People are engaged and taking advantage of the opportunities available to connect with others	
It is safe and easy to get around our City	Ensure that infrastructure meets community needs and service levels Ensure that active transport infrastructure meets community need and service levels	
How will we know when we have got there?		
Measures		Source
1. Increased measures of health and wellbeing		Health Surveys
2. Increased attendance at community events and celebrations		Data collection
3. Access to suitable support and services are available		Community Survey
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6. Minority groups are engaged and participating in the life of the community		Community Survey
7. The social and lifestyle factors affecting health of residents are monitored for improvement		Data Collection
8. Our residents know the history of the City		Community Survey
9. Young people feel connected to the community and have growing opportunities to contribute		Community Survey
10. The community narrative is increasingly positive		Community Survey



Our Economy

Our Economy

We focus on our population as a key element in preserving and growing our economy and our future. By diversifying our economic interests, we will be resilient, agile, and ensure our economic prosperity.

We aspire to create a thriving and vibrant local economy in Broken Hill where traditional (eg mining, art, and tourism) and new (eg technology and renewable energies) industries are supported and local career, training and education opportunities are created and if existing, expanded - especially for young people, to ensure more stay in Broken Hill and our opportunities attract more people in all forms - visitors, investors, and new residents to our City.

The emphasis our community has given towards a sustainable economy, recognises the imperative to innovate, problem solve and create new opportunities, to remain relevant in a global environment that is marked by rapid social and technological change.

We must also actively pursue prospects for new business investment and encourage and support local entrepreneurship and innovation as our economy transforms to meet new opportunities.



We have an innovative and sustainable economy

We will achieve this by...

Objective 2.1 Our businesses are well connected and thrive in an environment that supports innovation and economic growth

- | | |
|-------|---|
| 2.1.1 | Improve access to business information, incentive programs and enterprise support |
| 2.1.2 | Ensure an adequate supply of industrial land with the capacity to enable the development of specialised industry clusters and encourage co-location of related industries |
| 2.1.3 | Advocate for improved accessible transport and connectivity including air, road and rail services to and around the City |
| 2.1.4 | Ensure strategic planning addresses the capacity to increase economic activity for the retention of residents |
| 2.1.5 | Encourage innovation in business and industry |
| 2.1.6 | Advocate for improved digital connectivity in and around the City to support community and business needs |

Objective 2.2 Our economy provides opportunities that match the skills and needs of the population and enhances population growth

- | | |
|-------|---|
| 2.2.1 | Attract new industries for employment and skill growth |
| 2.2.2 | Promote employment and training opportunities for all residents |
| 2.2.3 | Support businesses and local leaders to ensure that apprenticeship and traineeship opportunities continue to grow |
| 2.2.4 | Ensure secondary and tertiary education, distance education and placement experience are locally accessible and the sector is supported to grow |
| 2.2.5 | Ensure that our private and public educational entities are provided with the resources required to deliver quality learning outcomes |

Objective 2.3 Our City attracts a diverse range of businesses and visitors providing opportunities for work, education, leisure and social life

- | | |
|-------|---|
| 2.3.1 | Promote Broken Hill as an attractive place to establish and grow a business |
| 2.3.2 | Partner to pursue opportunities to work on projects, government contracts and scaled opportunities available in the City and region |
| 2.3.3 | Promote the narrative of long-term economic stability to the community |

We have an innovative and sustainable economy

We will achieve this by...

Objective 2.4 We are a destination of choice and provide a unique experience that encourages increased visitation

2.4.1 Engage government, business and community stakeholders in supporting the management of tourism

2.4.2 Deliver service excellence in the tourism, hospitality and retail sectors to enhance visitor experience and maximise yield from tourism

2.4.3 Deliver authentic visitor products and experiences

2.4.4 Ensure a strategic and proactive approach to the development, management and marketing of business and destination events, tourism and filming activities

2.4.5 Encourage and support Aboriginal business and tourism projects



Where do we want to be in the future?	How will we get there?	Who will play a part?
Broken Hill is a popular destination with a wide variety of experiences	Raise the City's profile as a visitor destination Support the City's strong city identity	Art and Cultural organisations Broken Hill City Council Business Far West Department of Regional NSW Destination NSW Far West Joint Organisation Foundation Broken Hill Local business and major employers Non-Government Agencies NSW Crown Land
We have an adaptable and diverse economy	Promote an environment where start-ups, small and medium businesses are encouraged Support businesses to build capability and capacity to use new technology to realise opportunities Our City has a strong creative industry	NSW Department of Education NSW Health Regional Development Australia – Far Registered training organisations State and Federal Government Agencies TAFE
Our growing population supports a thriving local economy	Ensure the availability of land for a variety of community health and wellbeing, economic and housing uses	
How will we know when we have got there?		
Measures		Source
1. Visitation is increasing		Tourism Research Australia
2. Opportunities to grow industry are realised		Data Collection- RDA
3. Population is increasing		Data Collection
4. Young people have opportunities post school and are staying in the community		Data Collection
5. Housing is affordable and fit for purpose		Data Collection
6. Secondary, tertiary and vocational educational options are growing		Data Collection
7. Access to services is increasing (including childcare and NDIS services)		Data Collection
8. The economic value of the local community is growing		Regional Gross Domestic Data
9. Investment opportunities are growing		Data Collection



Our Environment



Our Environment

We value our wide streetscapes, quality of life and stunning vistas; we are committed to conservation and preservation of the natural environment and greater reduction of human impact and climate change to ensure a sustainable healthy community.

We need to protect the environment for its own sake as well as for the sake of our future Broken Hill generations.

Therefore, the preservation of our natural environment remains a focus and driver in our strategic direction - we are committed to collaborating with our community and partners to plan, promote, educate and facilitate better protection of our environment.

The matter of climate change and adaptation measures has increased in recent years and prioritisation of climate adaptation activities must be acknowledged and actioned as a priority.



We value and protect our environment

We will achieve this by:

Objective 3.1 Our environmental footprint is minimised

- 3.1.1 Implement measures to reduce the city's carbon footprint and enhance the circular economy by educating and demonstrating the use of renewable resources
- 3.1.2 Educate the community on measures to avoid waste and reduce littering and waste to landfill
- 3.1.3 Investigate and plan for the minimisation of environmental, social and rehabilitation impacts associated with mining activity on the City
- 3.1.4 Pursue opportunities for scale renewable energy and back up battery capability and investigate new technologies as they emerge

Objective 3.2 Natural environments and flora and fauna are enhanced and protected

- 3.2.1 Recognise and communicate the fragility of the natural environment and insist on its respectful use and the protection and restoration of local biodiversity, lands and accessibility to the night sky
- 3.2.2 Increase awareness and understanding of climate change and active protection of the natural environment
- 3.2.3 Protect, rehabilitate and enhance regeneration areas and commons for the benefit of the City and in accordance with the National Heritage listing
- 3.2.4 Minimise the impact of feral and domestic animals and noxious weeds on the natural environment
- 3.2.5 Advocate for river connectivity in the Murray Darling Basin system, maintaining water supply in the Menindee Lakes system, and maintaining the health of the Darling Baaka River

Objective 3.3 Proactive, innovative and responsible planning supports the community, the environment and beautification of the City

- 3.3.1 Encourage measures that limit the impact of the changing climate and enhance environmentally sustainable building and land use planning
- 3.3.2 Create green and resilient environments by improving tree cover, native vegetation, landscaping and water management systems
- 3.3.3 Preserve the heritage and streetscapes of the City
- 3.3.4 Reuse and repurposing of the existing built environment are managed in a sustainable manner



Where do we want to be in the future?	How will we get there?	Who will play a part?
Have access to a clean, healthy environment	Ensure water quality is maintained Ensure the regeneration areas are maintained Ensure that shade trees and quality cool recreational spaces are a feature of our community	Australian Renewable Energy Agency (ARENA) Broken Hill City Council Crown Lands NSW Broken Hill Local Aboriginal Land Council Federal and State Government Agencies Landcare
Our blood lead levels are managed	The community receives regular updates from ongoing monitoring	Local environmental and heritage groups
We are recycling our waste into needed products	Reduction of waste is addressed through programs and partnerships Successful waste reduction outcomes are celebrated	Mining and Industry Non-Government Agencies NSW Aboriginal Land Council NSW Department of Planning and Environment NSW Environment Protection Authority NSW Local Land Services NSW National Parks and Wildlife Service
Our reliance on fossil fuels is decreasing	Active transport, walkability, and liveability factors are considered for any new developments Renewable energy solutions are embraced by the community	Our media partners Our volunteers Utility organisations
How will we know when we have got there?		
Measures		Source
1. Maintain quality, affordable water		Data collection
2. Decreasing ecological footprint (monitoring renewable energy and recycling levels)		Data collection
3. Limit the detrimental health impacts of mining on the community		Data collection
4. Increased involvement in environmental activities		Community survey
5. The tree canopy in our CBD and across the City is increasing		Data collection
6. Recreational water is maintained for community use		Data Collection
7. The City is promoted as clean, green, comfortable, sustainable and affordable		Liveability Data



Our Leadership

We have strong civic and community leadership. We are inventive, inclusive and innovative; when we work together there is nothing we can't do and our achievements continue to write history.

Good governance is about creating a culture of transparency and accountability and establishing trust with the community.

The community have told us that there are opportunities to improve coordination between various organisations delivering services and generally improving communication among leading bodies in our community.

The community have asked for more collaboration across the community and real opportunities for true, authentic engagement that leads to outcomes that truly address the issues identified and allow the community to respond to growth opportunities together.



We are a connected and engaged community

We will achieve this by...

Objective 4.1 Openness and transparency in decision making

4.1.1 Build strong relationships and ensure responsibilities and benefits of putting strategic plans into practice are shared amongst key community sectors

4.1.2 Undertake communication and authentic, open and reciprocal engagement with the community to increase confidence in decision-making

4.1.3 Social, environmental and economic sustainability is considered when making decisions

4.1.4 Decision-makers provide accountability through planning and reporting frameworks

Objective 4.2 Our leaders make smart decisions

4.2.1 Support leaders through the process of making difficult decisions

4.2.2 Our leaders seek information, are well informed and aware of emerging issues and new information in order to advocate and respond appropriately

4.2.3 Leadership capability and capacity, including cultural awareness within our community is increased

Objective 4.3 We unite to succeed in Australia's First City on the National Heritage List

4.3.1 Ensure a collaborative partnership forum is developed to drive the implementation of the Community Strategic Plan

4.3.2 Partnerships, role models and joint success are celebrated and promoted

4.3.3 Develop and build strong, productive relationships with State and Federal Governments and their agencies

Objective 4.4 Our community is engaged and informed

4.4.1 Increase community involvement in decision-making by establishing a representative Engagement Framework

4.4.2 Engage the community through information and activities aimed at increased participation and reciprocal information sharing

4.4.3 Increase knowledge and awareness of challenges and opportunities facing the City



Where do we want to be in the future?	How will we get there?	Who will play a part?
We are confident that partnerships between community, government and business benefit our City	Develop and maintain a network of key agencies, organisations, peak bodies and community groups Influence decisions that impact our region	Broken Hill City Council Business and business groups Community members and local community groups Department of Premier and Cabinet Federal and State Government Agencies Non-Government Agencies
We know how and why decisions are made	Deliver high quality and informative customer service and engagement activities Provide clear, accessible and relevant information to the community	NSW Auditor General NSW Office of Local Government Our media partners NSW Ombudsman NSW Treasury
Our community influences decisions that shape our City	Actively engage with and seek direction from the community and key stakeholders	
How will we know when we have got there?		
Measures		Source
1. The community is increasing in confidence that a sustainable future is being created		Community Survey
2. Our leadership is collaborative		Data Collection
3. The community is involved in decision making		Community Survey
4. Communications to the community are comprehensive		Community Survey
5. The Community Round Table program realises joint outcomes that match the Community Strategic Plan		Participant Survey
6. The community increasingly understands the challenges faced and opportunities available to the City		Community Survey
7. Joint initiatives are undertaken		Data Collection



In the development of our Your Broken Hill 2040 Community Strategic Plan, consideration has been given to the relationship to other plans objectives and strategies, including NSW State Premiers Priorities and Far West Regional Action Plan 2021.

Premiers Priorities

These priorities represent the government's commitment to making a significant difference to enhance the quality of life of the people of NSW.

They aim to tackle many of the issues that have been put in the too hard basket, for too long. Each priority has an ambitious target. They have been set with the purpose of

delivering on the government's key policy priorities, being:

- a strong economy
- highest quality education
- well-connected communities with quality local environments
- putting customer at the centre of everything we do
- breaking the cycle of disadvantage

Far West Regional Action Plan 2021

The priorities identified by communities within the Far West include:

- Prosperous and diverse economy with a highly skilled workforce
- Strong partnerships with Aboriginal communities
- Strong communities supported by effective and coordinated service delivery
- Sustainable management of our natural resources

Related Plans

All relevant State and Regional Plans	Destination Country and Outback NSW Destination Management Plan
Advocacy Strategy 2020	Development Control Plan
Asset Management Strategy	Digital Strategy
Benchmark for Building Assets Rationalisation	End of Term Report 2016 – 2021
Broken Hill Airport Master Plan 2010	Far South West Joint Organisation Management Plan (under development)
Broken Hill CBD Masterplan 2021	Far West Regional Action Plan 2021
Broken Hill Community Working Party- Community Action Plan 2019	Far West Regional Economic Development Strategy 2018 - 2022
Broken Hill Cultural Framework and Synopsis Report 2019	Far West Regional Plan 2036
Broken Hill Cultural Plan 2021-2040	Far West Workforce Development Study 2019
Broken Hill Development Control Plan 2016	Landfill Environmental Management Plan
Broken Hill Disaster Plan 2011	NSW Visitor Economy Strategy
Broken Hill Heritage Strategy 2020-2023	Parking Strategy
Broken Hill Economic Development Strategy 2022-2026 (under development)	Pollution Incident Response Management Plan
Broken Hill Housing Strategy (under development)	Privacy Management Plan
Broken Hill Living Desert Plan of Management	Reconciliation Action Plan 2020-2022
Broken Hill Displan 2011 – Local Disaster Plan	Regional Transport Strategy
Broken Hill Local Environmental Plan 2013	Renewable Energy Action Plan 2020
Broken Hill Lead Reference Group Integrated Strategy (review under development)	Risk Management Strategy
Broken Hill Local Strategic Planning Statement 2020 - 2040	Section 7.12 Developer Contributions Plan
Broken Hill National Values Study 2021	Smart Community Framework 2016
Broken Hill Wayfinding Strategy (under development)	Social Media Strategy
Business Support Policy	State of the Environment Report 2016 - 2021
Communications and Community Engagement Strategy	Strategic Tourism Plan 2010 - 2020
Companion Animal Management Plan	Sustainability Strategy 2018 - 2023
Crown Lands- Strategic Vision Report 2016	Tree Management Plan
Crown Land Plan of Management – Natural Areas (draft in progress)	Urban Stormwater Master Plan
Cultural Infrastructure 2025 NSW Government	Willyama Common Management Plan
Cyber Security Framework	Workforce Development Study 2019- RDA Far West



PAGE NO	PHOTO INVENTORY	PHOTO CREDITS
Front Cover	Country Universities Centre (CUC) Far West - Graduation Ceremony 2021	Country Universities Centre (CUC) Far West
	Mayor Tom Kennedy, Ambassador Bronte Hendricks, Mr Steve Radford OAM Broken Hill Citizen of the Year 2022	BHCC Photo Library
	Youth event participants at Regional Aquatic Centre	BHCC Photo Library
	Youth Week celebrations in Sturt Park	BHCC Photo Library
Page 3	Young Leader Campbell Quintrell taking part in a smoking ceremony under the guidance of Aunty Maureen O'Donnell, a Wiliyakali Traditional Owner	BHCC Photo Library
Page 4	Community event in Sturt Park	BHCC Photo Library
Page 5	Councillor Tom Kennedy, Mayor of Broken Hill	BHCC Photo Library
Page 6	Mayor Tom Kennedy with 2022 Australia Day Award recipients, Barry King, Natasha Bearman, Steve Radford OAM, Arliah Pearce, Lesley Harvey and Shane Webb	BHCC Photo Library
Page 7	Argent Street precinct streetscape, including TAFE, Police Station, Town Hall Facade and Australia Post	BHCC Photo Library
Page 8	Line of Lode and Miners Memorial on top of the ore body that bisects the City	BHCC Photo Library
Page 9	Map of NSW, highlighting Far Western Region and location of Broken Hill	NSW State Archives
Page 10	Youth Community Engagement Focus Session	BHCC Photo Library
Page 11	Council staff engaging with residents during a CSP pop-up listening post in Argent Street at the pop-up Aboretum in the Art Gallery carpark	BHCC Photo Library
Page 13	Eastern town overview	BHCC Photo Library
Page 14	Council staff engaging with the public at a CSP pop-up listening post at Westside Plaza	BHCC Photo Library

Page 15	Syndicate of Seven statutes, which line the frontage of the Council Chamber	BHCC Photo Library
Page 16	Totem Skateboarding workshop Duff Street Park – Rage Cage	BHCC Photo Library
Page 17	Liam and Emma McLaughlin on new play equipment at Queen Elizabeth Park	Rebecca McLaughlin
	YMCA Community Exercise Group – South Community Centre	BHCC Photo Library
	Community march – Sturt Park	BHCC Photo Library
	YMCA Colour Run – Sturt Park	BHCC Photo Library
	YMCA Colour Run – Clown activities – Sturt Park	BHCC Photo Library
	Local Artist, Amanda Johnston	BHCC Photo Library
Page 18	Visitors and residents enjoying Alfresco dining in Argent Street	BHCC Photo Library
Page 21	Participants of Youth event at Regional Aquatic Centre	BHCC Photo Library
Page 22	Country Universities Centre (CUC) Far West students	Country Universities Centre (CUC) Far West
	View of the Line of Lode and Miners Memorial on top of the ore body that bisects the City	BHCC Photo Library
	Broken Hill Festival, parade participants	BHCC Photo Library
	Filming in the City - "Last Cab to Darwin"	BHCC Photo Library
	Retail worker at Bell's Milk Bar	BHCC Photo Library
	Tourists enjoying the view from the Living Desert Sculpture Site	Destination NSW
Page 23	Argent Street roadway, showcasing the City's banner poles	BHCC Photo Library
Page 26	Tourists enjoying the view from the Living Desert Sculpture Site	Destination NSW
Page 27	Sturt peas growing within the local region	Debbie Coady
	Outcrop on the City's outskirts	Debbie Coady
	Landcare Broken Hill members taking part in a working bee along Bromide Street between Blende and Beryl Streets	Landcare Broken Hill
	AGL Solar Farm aerial view	BHCC Photo Library
	Our built environment – walk tour group gathering in front of the Trades Hall	BHCC Photo Library
Page 28	Visitors to the Living Desert, enjoying the birdlife and fauna in the area	BHCC Photo Library
Page 30	Landscape on the City's outskirts	Debbie Coady
Page 31	Young Leaders Campbell Quintrell and Kelsie Mitchel with Roy Butler MP	YMCA NSW Broken Hill
	Mark Coulton, MP and Mayor Tom Kennedy during a visit to announce the successful application for a CHART grant	Office of the Hon Mark Coulton MP
	Mayor Tom Kennedy, Ambassador Bronte Hendricks and Steve Radford OAM during 2022 Australia Day Awards	BHCC Photo Library
	Council's General Manager, Jay Nankivell	BHCC Photo Library
Page 32	Central-east view of the City, centred by Sulphide Street, Broken Hill	BHCC Photo Library
Page 34	Civic Centre lit up to pay tribute to the City's dedicated health workers and first responders during the COVID-19 pandemic	Barrier Truth
Page 35	Junction Mine	BHCC Photo Library
Page 37	YMCA Colour Run	BHCC Photo Library
Back Cover	Far West Local Health District celebrating National Reconciliation Week with Aunty Dulcie O'Donnell officiating the Smoking Ceremony and accompanied by Melissa Cumming	Far West Local Health District
	Broken Hill Hospital Kiosk volunteer, Meredith Farquhar	Far West Local Health District
	Community event - Baby Bounce in Sturt Park	BHCC Photo Library
	Murdi Paaki Young Leaders- NAIDOC week	BHCC Photo Library
Note	Council events display signage informing community members that by taking part in the event, community members grant Council permission to use the images from the event for publicity or other purposes.	



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BROKEN HILL
CITY COUNCIL

Draft Community Strategic Plan “Your Broken Hill 2040” Community Engagement and Public Exhibition Submissions		
Tuesday, 10 May 2022 – Broken Hill Regional Aquatic Centre		
What the community told us...	CSP Strategy	Comments
Aged care - caring for our older residents in care and in their homes- also help needed for aged people to clean footpaths	1.6.5	The matter captured in the Plan.
Airport upgrades required to encourage larger airlines and more visitors	1.5.3	The matter captured in the Plan.
Attracting new residents – current rental crisis – businesses staying open to meet needs, engage senior people, encourage volunteering, connected community	Objective 2.3	The matter captured in the Plan.
Banner poles – use to celebrate the people written in the City’s history	1.4.3 and 1.4.5	The matter captured in the Plan.
Building approval – improve timeframes to encourage building and growth	Objective 1.5	Operational matter.
Celebration of mining – Mining Museum	1.4.4	The matter captured in the Plan.
Childcare – increase availability to meet the needs of the community, young families and encourage families to reside in the City	1.6.4 and 1.6.5	The matter captured in the Plan.
Clean up the City	1.1.2 and 1.5.2	The matter captured in the Plan.
Collaboration – improved relationships/dialogue between Council, State government and other agencies/entities to encourage joint planning	4.1.1 and 4.3.3	The matter captured in the Plan.
Community assets – fix public tennis courts within the City	1.5.3 and 1.5.6	The matter captured in the Plan.
Community assets for young people, such as tennis courts, basketball hoops (land behind Aquatic Centre)	1.5.6	The matter captured in the Plan.
Community kitchen – embrace multicultural cuisines and provide opportunities for the multicultural communities	1.1.4 and 2.1.1	The matter captured in the Plan.
Community newsletter – events and news	4.4.2	The matter captured in the Plan.
Companion Animal management – responsible pet ownership – risk to community to walk safely around the City. Consultation of a policy.	1.2.1	The matter captured in the Plan.
Environment – household recycling bins (separate waste)	3.1.2	The matter captured in the Plan.
Inclusiveness – race, homelessness, support services	1.3.4 and 1.1.1	The matter captured in the Plan.
Increased criminal activity	1.2.1	The matter captured in the Plan.
Lighting – increase celebration lighting in the CBD and across City – recreate the excitement of Christmas for all and in the minds of young children	1.1.4	The matter captured in the Plan.
Multicultural food options and celebration of multiculturalism in the community	1.1.4	The matter captured in the Plan.

NDIS – ensure adequate support and education is available and provided effectively to assist access	1.6.4	The matter captured in the Plan.
One stop community information centre	1.1.1 and 1.1.3	The matter captured in the Plan.
Population growth	Objective 2.2	The matter captured in the Plan.
Service delivery into 2040 – what does that look like? What will the City need?	1.1.1, 1.1.2 and 1.1.3	The matter captured in the Plan.
Small business support	2.1.1 and 2.1.5	The matter captured in the Plan.
Street lighting – light up dark pockets across the City	1.2.1 and 1.2.5	The matter captured in the Plan.
Street trees	3.3.2	The matter captured in the Plan.
Tourism – promote our heritage and grow tourism	1.4.3 and 2.4.2	The matter captured in the Plan.
Transport – bus service gaps, such as markets, tip shop, RFDS, art galleries. More bus transport options required	1.3.5	The matter captured in the Plan.
Youth – education and support	2.2.3, 2.2.4, 2.2.5 and 1.1.6	The matter captured in the Plan.
Wednesday, 11 May 2022 - South Trading Post		
What the community told us...	CSP Strategy	Comments
Arts and heritage – should be visible in the main street	1.4.4 and 1.4.5	The matter captured in the Plan.
Banner poles – should have bespoke local banners	1.4.4 and 1.4.5	The matter captured in the Plan.
Heritage – more focus on advice to community groups and individuals to ensure heritage is maintained in the City	1.4.4, 1.4.5 and 2.1.1	The matter captured in the Plan.
Heritage and history – tell the story of mining in a mining museum – importance of Broken Hill's mining past, present and future	1.4.3 and 1.4.4	The matter captured in the Plan.
Regeneration Area – to be valued and measures in place to stop erosion	3.2.3	The matter captured in the Plan.
Tourism- tell the complete story of Broken Hill. Create maps and have better signage. Utilise the banner poles in Argent Street to tell a uniquely Broken Hill story.	1.4.3, 1.4.4 and 1.4.5	The matter captured in the Plan.
Thursday, 12 May 2022 – Westside Plaza		
What the community told us...	CSP Strategy	Comments
Affordable regional travel – costs out of reach for average resident	1.3.5 and 2.1.3	The matter captured in the Plan.
Banner poles – light up	1.4.5	The matter captured in the Plan.
Bike tracks – family and visitors. Link Broken Hill to Silverton by train	1.5.3, 1.6.2, 2.4.1, 2.4.3 and 2.4.4	The matter captured in the Plan.
Celebration of history – visible in street sculptures, public art and murals (brochures) Chips Rafferty, June Bronhill, Pro-Hart	1.4.3, 1.4.4 and 2.4.3	The matter captured in the Plan.

Charities to become more involved with homelessness	1.2.1, 1.2.3 and 1.6.1	The matter captured in the Plan.
Community Group meetings – revive of structure needed – messaging needs to change	4.1.2	The matter captured in the Plan.
Customer service across the City needs approving	2.4.2, 1.3.3	The matter captured in the Plan.
Customer service across the City needs improvement – can be perceived as rude	2.4.2, 1.3.3	The matter captured in the Plan.
Customer service – former Broken Hill Proud programs for organisations and businesses to participate – whole of City approach – advertising, social media – whole of community buy in	2.4.2	The matter captured in the Plan.
Domestic violence – public awareness education campaign	1.6.1, 1.1.1, 1.2.1, 1.3.2, 1.5.7, and 4.4.3	The matter captured in the Plan.
Drug and alcohol rehabilitation services needed	1.5.7 and 1.6.3	The matter captured in the Plan.
Encourage education and skill development to lead lives of achievement	1.3.6, 2.2.4, 2.2.5 and 2.2.2	The matter captured in the Plan.
Food bank – help support lower socioeconomic residents	1.6.1, 1.3.2 1.1.2 and 1.1.1	The matter captured in the Plan.
Footpaths – increase paving across City	1.5.3 and 1.5.4	The matter captured in the Plan.
Footpaths – upgrade to reduce risks of trips and falls	1.5.3 and 1.5.4	The matter captured in the Plan.
Imperial Lake – public access	1.5.3, 1.5.6 and 3.3.2	The matter captured in the Plan.
Lack of suitable housing – affordable rent options	1.5.5	The matter captured in the Plan.
Local newspaper needed – information needed to community	4.4.2	The matter captured in the Plan.
Meeting place for First Nations people	1.4.2, 1.1.2 and 1.1.4,	The matter captured in the Plan.
More seating and more shaded areas	1.5.3, 3.3.2 and 1.5.2	The matter captured in the Plan.
Negative attitudes of residents – promote and encourage being proud residents	1.1.1, 1.1.2 and 2.3.3	The matter captured in the Plan.
Phone and Internet connection – does not meet community or business needs	New	New strategy recommendation: 2.1.6 Advocate for improved digital connectivity in and around the City to support community and business needs
Population growth – housing availability to accommodate people moving to the City for employment	1.5.5	The matter captured in the Plan.
Public seating and shaded areas – increased and upgraded	1.5.3, 3.3.2 and 1.5.2	The matter captured in the Plan.
Public Toilets Upgrade	1.5.3 and 1.5.2	The matter captured in the Plan.
Regeneration areas – protect from dirt bike riders with infrastructure and policing	3.2.3 and 1.2.1	The matter captured in the Plan.
Street signs – missing and vandalised signs	1.5.3 and 3.3.3	The matter captured in the Plan.
Support increased business opportunities	Objective 2.1 and strategies	The matter captured in the Plan.

Tourism – market the City	2.4.4	The matter captured in the Plan.
Youth (5-13 years) nothing available to them – improve services and available activities. Ask what they want and get them involved.	1.1.6	The matter captured in the Plan.
Friday, 13 May 2022 – Town Square		
What the community told us...	CSP Strategy	Comments
Alcohol and Drugs – how do we change the norms to reduce impacts? Education required.	1.2.1, 1.5.7 and 1.6.3	The matter captured in the Plan.
Autism support – service gaps, extensive waiting lists for early intervention, NDIS support, funding – advocate for early intervention, encourage skilled professionals to the City – stop young families leaving City to seek services and support	1.6.3	The matter captured in the Plan.
Built Environment – protection of heritage buildings and buildings of importance.	3.3.3 and 1.5.1	The matter captured in the Plan.
Business development service – encourage industry and skilled trades to the City.	2.1.1, 2.1.2, 2.1.5, 2.2.1, 2.2.3 and 2.3.3	The matter captured in the Plan.
Clean up the City – former programs such as work for the dole.	Objective 3.3	The matter captured in the Plan.
Community education across all matters.	4.1.2, 4.4.2 and 4.4.3	The matter captured in the Plan.
Connection between industry and education to work towards workforce retention.	2.2.3, 2.2.4 and 2.2.5	The matter captured in the Plan.
Cultural Precinct important – looking forward to new Library.	1.4.4 and 1.5.3	The matter captured in the Plan.
Encourage new residents and new businesses to come to the City.	2.3.1	
Entry to the City from Airport (Bonanza Street) not attractive for arriving visitors. Clean up and place mural on Alma Oval grandstand facing Bonanza Street. Dead trees line Pro Hart Way.	1.4.4, 3.3.2 and 3.3.3	
Filming – promotion	2.4.4	
History – identify wasted opportunities – tell the story.	NEW -	New strategy recommended: 1.4.6 Promote the importance and maintenance of the heritage and history of the City through initiatives that will increase heritage value locally, nationally and internationally
History – tell the story. Make it visible and inform the community of its history – Argent Street cross (light up and have the story placed on site – Charity to support).	1.4.3	New strategy developed
Infrastructure – Airport upgrades, Roads - place a greater important and budget towards roads.	1.5.3	The matter captured in the Plan.
Lack of medical specialist and allied health services to meet community needs.	1.6.3	The matter captured in the Plan.

Realistic messaging around entrenched norms – alcohol, domestic violence	1.5.7, 1.6.1, 1.6.4, 1.1.1, 1.2.1, 1.3.2 and 4.4.3	The matter captured in the Plan.
Regeneration Area (Brown Street) noxious weeds program, trees not native and are taking over – fencing maintenance. Manage for future generations.	3.2.3	The matter captured in the Plan.
Safe environments for young people.	1.5.6, 1.5.7 and 1.2.1	The matter captured in the Plan.
Services – community legal, child contact centre, community accessible professionals.	1.6.1, 1.6.5, 1.5.7 and 1.1.3	The matter captured in the Plan.
Skills development – skills shortage, particularly in the auto industry. How can this be promoted and encouraged?	2.1.1, 2.2.1, 2.2.3 and 2.1.5	The matter captured in the Plan.
Sport – competitions at night to increase participation and assist in providing young people with activities.	1.6.2 and 1.5.6	The matter captured in the Plan.
Sport – encourage increase of participation and inclusiveness for NDIS recipients.	1.6.2 and 1.5.6	Amend Strategy 1.5.6 to include “inclusive” facilities Seek opportunities for vibrant spaces and inclusive facilities to increase access to active and passive recreational facilities
Sport – multi sport facilities and collaboration.	1.3.7, 1.5.6 and 1.3.8	The matter captured in the Plan.
Sport and recreation – Far West regional plan (Office of Sport) – develop competitions and encourage participation.	1.3.7, 1.5.6, 1.6.2 and 1.3.8	The matter captured in the Plan.
Steam train to Silverton	2.4.3, 2.4.1 and 2.4.4	The matter captured in the Plan.
Tower lights at ovals	1.5.3	The matter captured in the Plan.
Transport to sport and recreation.	1.3.5	The matter captured in the Plan.
Volunteering program – empowering young people.	1.1.5	The matter captured in the Plan.
Volunteers – recognition of neighbourhood volunteers (where the aged and people living with disability are assisted in keeping their footpaths tidy by neighbours). How are these volunteers recognised in the awards program?	1.1.5	The matter captured in the Plan.
Youth facilities – BMX track; Go Kart track.	1.5.6	The matter captured in the Plan.
Social Media Posts		
What the community told us...	CSP Strategy	Comments
Community Officer “vibe officer” to work with business and bridge communication between Council and business. Work with people with vacant land, vacant houses. Work towards greater good of the town with support and backup of the community.	4.1.1, 2.1.1 and 2.1.5	The matter captured in the Plan.

Heritage – greater importance required.	Objective 1.4 and strategies. New strategy recommended	New strategy recommended: 1.4.6 Promote the importance and maintenance of the heritage and history of the City through initiatives that will increase heritage value locally, nationally and internationally.
Film and art industries – promote and grow	2.4.4	The matter captured in the Plan.
Disability – services, awareness, support for families, support to retain families living in the City. Improvement of living standards for those people living with barriers. City lacks inclusiveness for those who have loved ones with disabilities, poor quality education options and respite services. Awareness for support for people who live with developmental disabilities and communication barriers within the community. Lack of focus on the barriers people with disability live with. Lack of support and services in the community. This lack of support and services drives families to relocate to other areas.	1.6.3	Amend strategy 1.6.3 to include “disability services and support” 1.6.3 Provide quality health, medical and allied services to meet community need, particularly disability services and support, 24-hour medical services, paediatric and other specialist services, mental health support services, allied health and rehabilitation services.
<ol style="list-style-type: none"> 1. Move the Charles Sturt memorial plaque from the Duke of Cornwall park to the CBD or the Art Gallery car park. 2. Move the obelisk commemorating Charles Rasp pegging block 12 which is in Crystal Street at the Anzac Hall to the Town Square. 3. Put a mural scene of a miner or a mining scene on the north wall of the Art Gallery. 4. Put signage on the ruins of the BHP mill ruins. 5. Put signage for the BHP chimney remains 6. Put a sculpture of an old-time miner next to the Art Gallery and put tables and chairs there permanently. 7. Put birthplace of BHP on the flags on the new poles in the CBD. 8. Put the conservation centre in Crystal Street full of Broken Hill’s mining history and ran by the West Darling Preservation Society on your mud map and take more interest in it. It’s a shame Broken Hill is the first heritage city and we haven’t got a full-time heritage adviser. 	1.4.3 and New Strategy recommended 1.4.6	New strategy recommended: 1.4.6 Promote the importance and maintenance of the heritage and history of the City through initiatives that will increase heritage value locally, nationally and internationally

Public Exhibition – Written Submissions (attached)		
What the community told us...	CSP Strategy	Comments/Recommendation
<p>Submission No. 1 I would like to suggest some additions to the Draft Community Strategic plan. West Darling Arts is supported by Broken Hill City Council to provide services in arts and culture to the city and community and it would be great to see the inclusion, not only of us as an organisation, but also a greater recognition of arts and culture to the health and wellbeing of community as well as its importance to the economy of the city, particularly tourism. The arts are also essential to the "liveability" of any place, and particularly one that prides itself on its creative soul.</p> <p>In Objective 1.6 regarding health and wellbeing, I would suggest adding the importance providing opportunity to engage with arts and culture for health and wellbeing - the links between these are well proven to be beneficial to both mental and physical health.</p> <p>Also, West Darling Arts is actively engaged with the events and festivals, including putting on next year's Gawler Laneway Festival, I would love to see our inclusion into "Who will play a part".</p> <p>In regard to Diverse Economy, West Darling Arts plays a part in promoting Broken Hill and the Far West as an arts and culture destination through our culture maps (both printed and online), a very active social media, newsletters and projects and I would again love to see our inclusion into "Who will play a part".</p>	<p>New strategy recommended - 1.6.6</p>	<p>Include Art and Cultural organisations in the listing of partnerships of "Who will play a role" Page 21</p> <p>Include Art and Cultural organisations in the list of partnerships of "Who will play a role" – Page 26</p> <p>New Strategy recommended: 1.6.6 Create opportunities for people to participate in cultural, creative and artistic programs, and experience the natural environment to enhance health and wellbeing.</p>
<p>Submission No. 2 My interests are in tourism and how tourism can leverage Broken Hill's mining history, its heritage and recognition of historical assets, and innovations in science, technology, engineering and maths (STEM), and how Broken Hill can leverage its mining and heritage to move ahead into a space industry economy,</p> <p>and also, how the city's youth, disability sector and our First Nations aboriginal people can be actively drawn and warmly welcomed into the economic sector.</p>	<p>2.1.5, 2.4.1 and 2.4.3 New Strategy recommended 1.4.6</p> <p>1.1.6, 2.2.2 and 2.4.5</p>	<p>New strategy recommended: 1.4.6 Promote the importance and maintenance of the heritage and history of the City through initiatives that will increase heritage value locally, nationally and internationally.</p> <p>Science, technology, engineering and maths (STEM) - covered under Strategy 2.1.5 Encourage innovation in business and industry</p> <p>The matter captured in the Plan.</p>

<p>I've been writing to Broken Hill City Council for 10 years about implementing dark sky policies and protections for the natural dark sky asset we exploit, which is at the heart of the experience offered by our award-winning tourism attraction.</p> <p>There is no mention of any dark sky policies or protections to allow us to have assurance that our investment, which benefits our city and region, will be secure in decades to come. There is so progress that I know of specifically that progresses my aspirations, though I do note, with thanks, some street lighting has improved and we are consulted about some city lighting works. It's a small step only and much more needs to be done.</p> <p>If we are to have an "innovative and sustainable economy", that is "resilient and adaptable to change", we need to at least have a fair playing field to be able to compete with the rest of the State of NSW and the nation of Australia, and Broken Hill urgently requires the following improvements (which have been in dire need since the 1990s)-</p> <ul style="list-style-type: none"> o reliable telecommunications services provided by all carriers who supply retail smartphone consumers o fast reliable broadband o affordable power and water o available, skilled labour o affordable and efficient freight services o affordable access by road, rail and air <p>In the future, I would hope that highway access routes into the city of Broken Hill are beautified, functional, clean and far more pleasant than they currently are specifically noting that the Round Hill rest stop is unsuitable for any safe human recharge, particularly after rainfall.</p> <p>In the future, the city's youth, disability sector and First Nations people must be welcomed into the local economy and strategies must be developed to mobilise this underutilised resource.</p> <p>There is absolutely nothing in this document that tells me how we are going to adapt to rapid social and technological change in the future.</p>	<p>2.1.1, 2.1.5, 2.4.1, 2.4.2 and 3.2.1 (amendment recommended)</p> <p>(New strategy recommended 2.1.6)</p> <p>1.2.4, 1.2.5, 2.2.1, 2.2.5 and 2.1.1.5.3 and 3.3.2</p> <p>1.1.6, 2.2.2 and 2.4.5</p> <p>2.1.1 and 2.1.5</p> <p>New strategy recommended 2.1.6</p>	<p>The matter captured in the Plan. Amend strategy 3.2.1 to include "and accessibility to the night sky"</p> <p>3.2.1 Recognise and communicate the fragility of the natural environment and insist on its respectful use and the protection and restoration of local biodiversity, lands and accessibility to the night sky</p> <p>New Strategy recommended: 2.1.6 Advocate for improved digital connectivity in and around the City to support community and business needs</p> <p>The matters captured in the Plan.</p> <p>The matter captured in the Plan.</p> <p>The matter captured in the Plan.</p> <p>The matter captured in the Plan.</p> <p>New Strategy recommended: 2.1.6 Advocate for improved digital connectivity in and around the City to support community and business needs</p>
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Draft Community Strategic Plan – Public Exhibition Period – Engagement Feedback Note Page 9

<p>2.4.1 / 2.4 /2.4.6 Include Art and Culture as its own sector as much as for its contribution to other sectors for example in tourism. (The Sculpture Symposium at the Living Desert is as much an art & cultural initiative as a tourism site)</p>	<p>Objective 2.4 and its strategies</p>	<p>Include Art and Cultural organisations in the list of partnerships of "Who will play a role" – Page 26</p>
<p>3.1.4 Support for the exploration of new technologies and their applications to environmental sustainability i.e., Broken Hill Art Exchange and the Environmental Research Initiative for Art (ERIA/UNSW) & Landcare developmental project</p>	<p>3.2.3</p>	<p>The matter captured in the Plan.</p>
<p>3.2.3 "...for the benefit of the city" as well as its citizens & natural flora and fauna 3.3.5 The notion of 'Beauty' has a specificity particular to the practice of art and the arts engage on such matters 1. to fuel Ethical Environmental choices by being an adaptive and resourceful community and equity for all</p>	<p>Objective 3.3 and its strategies</p>	<p>The matter captured in the Plan.</p>
<p>4.4 Archiving and keeping a record of the changes impacting the city and its history in the making. In regards to communication the diverse pockets of advertising outlets (local radio, newspaper, social media) make it expensive to promote and hinders the dissemination of information throughout the community. There needs to be a free community newspaper. Create spaces that allow access for alternative voices to be heard and that allows new projects by experimental and new voices external to the city to share the city's platform. Afterall, Broken Hill is part of an international community by rote of global trade & the mining industry. - Engagement with past citizens of the city and their achievements to celebrate them and also to question why they left or what would bring them back? St the same time often only Council led initiatives are recorded and archived and more need to be done to support, applaud and preserve the history of organisations (especially while they exist in living memory) such as the Family History Society, Willyama Society, Machinery Preservation Group, the Barrier Field Naturalists, the Potters, the Broken Hill Art Exchange Incorporated and the list goes on a long way.</p>	<p>Objective 4.4 and its strategies</p>	<p>The matter captured in the Plan.</p>
<p>Does the city have the capacity to critically question the 'Line of Lode' as part of a</p>	<p>4.1.2</p>	<p>The matter captured in the Plan.</p>

<p>landscape of power or the conservation and preservation of rainforests in all its forms, even a mineral rainforest?</p> <p>Has the addition of a local food growing industry, bush crafts or disaster planning been mentioned anywhere?</p> <p>Was there mention of increased educational opportunities, particularly in areas such as art, politics, geology, land & water management and cultural criticism. Also, with regards to the economy and climate change, stimulating a nighttime economy particularly in summer would be an idea.</p> <p>All Council building should offset the cost of electricity, with shared to local businesses and residents as well as demonstrate water conservation by adopting new method toilet systems and allowing grey water initiatives etc. All references to public and private space also includes that which is beyond physical, pertaining to the 'ideological' (spiritual & intellectual spaces). Sometimes visual enactments are more communicative and informative than written words and documents.</p>	<p>1.2.2, 2.1.1, 2.1.5, 4.1.3</p> <p>2.2.4 and 2.2.5</p> <p>Objective 3.1 and its strategies</p>	<p>The matter captured in the Plan.</p> <p>The matter captured in the Plan.</p> <p>The matter captured in the Plan.</p>
<p>Submission No. 4 Page 8 The City of Broken Hill Addition: "The Regeneration Area is one of the earliest ecological regeneration works globally".</p> <p>Page 20 Amendment: 1.4.3 "Ensure our residents and visitors are aware of the importance of Broken Hill <i>in global and Australian history in establishing the National Trust-listed Regeneration Area</i> and as Australia's first city on the National Heritage List</p> <p>Page 30</p> <ul style="list-style-type: none"> Addition of Essential Energy to list of "Who will play a part?" <p>[It is essential that the large volumes of tree waste be used to increase soil carbon levels; mulch bare areas of streets, roadsides, parks, and disused lands; prevent loss of embedded carbon back to the atmosphere (as methane or CO2); and cool the city. Essential Energy has begun this work with BHCI, Landcare and volunteers around the city. It is to be hoped that Broken Hill Council will look to re-</p>	<p>1.4.3 and 3.2.3 (recommend strategy amendments)</p>	<p>Amend strategy 1.4.3 to include global reference and the criteria which resulted in the City's National heritage listing.</p> <p>1.4.3 Ensure our residents and visitors are aware of the importance of Broken Hill in Australian and global history and in particular that the criteria which resulted in the City being listed as Australia's first City on the National Heritage List, is widely known and valued</p> <p>Amend Strategy 3.2.3 to include "and in accordance with the National heritage listing"</p> <p>3.2.3 Protect, rehabilitate and enhance regeneration areas and commons for the benefit of the City and in accordance with the National heritage listing</p>

purpose plant waste collected from parks and other spaces, rather than dump and waste this resource].		Include Utility organisations in the list of partnerships of “Who will play a role” – Page 30
Landcare Media Release: The National Heritage List reference should be expanded to include the recognition of the unique natural values that were highlighted in the National listing. Landcare: Include adaption measures for climate change and prioritise climate adaption measures as a priority	3.2.3 and 3.2.2	Amend Strategy 3.2.3 to include “and in accordance with the National heritage listing” 3.2.3Protect, rehabilitate and enhance regeneration areas and commons for the benefit of the City and in accordance with the National heritage listing
Public Exhibition – Verbal Submission		
What the community told us...	CSP Strategy	Comments/Recommendation
Trades Hall representative. Nomination for UNESCO status (World Heritage Listing) Broken Hill Trade Hall and trades union movement. Ensure provision in the City’s plans capture the significance and international opportunities of such a listing.	Objective 1.4 Our history, culture and diversity are embraced and celebrated	New strategy required. 1.4.6 Promote the importance and maintenance of the heritage and history of the City through initiatives that will increase heritage value, locally, nationally and internationally



Dear BHCC GM and staff

Firstly I would like to commend everyone for their work on this important document. Well done to everyone involved - it has obviously taken considerable time, thought, and many conversations.

I would like to suggest some additions to the Draft Community Strategic plan. West Darling Arts is supported by Broken Hill City Council to provide services in arts and culture to the city and community and it would be great to see the inclusion, not only of us as an organisation, but also a greater recognition of arts and culture to the health and well being of community as well as its importance to the economy of the city, particularly tourism. The arts are also essential to the "livability" of any place, and particularly one that prides itself on its creative soul.

In Objective 1.6 regarding health and wellbeing, I would suggest adding the importance providing opportunity to engage with arts and culture for health and wellbeing - the links between these are well proven to be beneficial to both mental and physical health.

Also, West Darling Arts is actively engaged with the events and festivals, including putting on next year's Gawler Laneway Festival, I would love to see our inclusion into "Who will play a part".

In regards to Diverse Economy, West Darling Arts plays a part in promoting Broken Hill and the Far West as an arts and culture destination through our culture maps (both printed and online), a very active social media, newsletters and projects and I would again love to see our inclusion into "Who will play a part".

Please contact me if you would like to discuss any of the above or if you would like further information

Kind regards



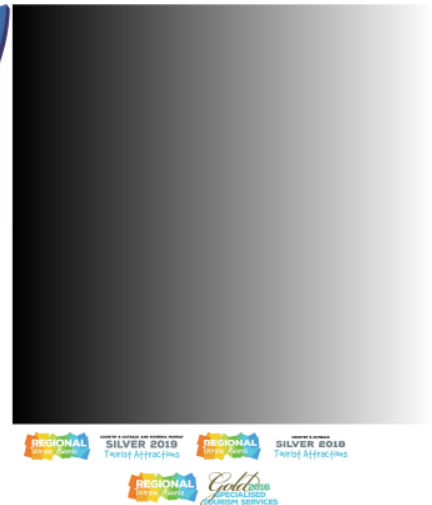


NSW
TOURISM
AWARDS
2019
GOLD
AWARD



28 May 2022

General Manager
Broken Hill City Council
PO Box 448
BROKEN HILL NSW 2880



Sent by email
council@brokenhill.nsw.gov.au

Dear Mr Nankivell

Feedback - Draft Community Strategic Plan, Your Broken Hill 2040

There is too much repetition of ideas and objectives compared to the 2017 document.
Here are the objectives that are the same or similar:

- 5 out of 6 in the Community section
- 2 out of 4 in the Economy section
- 3 out of 3 in the Environment section
- 4 out of 4 in the Leadership section

"Insanity is doing the same thing over and over and expecting different results"

(Albert Einstein).



Space Tourism, STEM

My interests are in tourism and how tourism can leverage Broken Hill's mining history, its heritage and recognition of historical assets, and innovations in science, technology, engineering and maths (STEM), and how Broken Hill can leverage its mining and heritage to move ahead into a space industry economy, and also how the city's youth, disability sector and our First Nations aboriginal people can be actively drawn and warmly welcomed into the economic sector.

I've been writing to Broken Hill City Council for 10 years about implementing dark sky policies and protections for the natural dark sky asset we exploit, which is at the heart of the experience offered by our award-winning tourism attraction.

There is no mention of any dark sky policies or protections to allow us to have assurance that our investment, which benefits our city and region, will be secure in decades to come.

There is so progress that I know of specifically that progresses my aspirations, though I do note, with thanks, some street lighting has improved and we are consulted about some city lighting works. It's a small step only and much more needs to be done.

Past Strategies Are Not Working

Generally, there is a lack of significant change in substance between this draft and its 2017 predecessor document.

Many people may argue "if it isn't broken, don't fix it".

However, clearly, past strategies are not working.

In respect of the local economy, a quick comparison of the city snapshot shows these serious changes in our city against a backdrop of an otherwise healthy and booming state and regional economy during just a few years:

GRP	↓ 7.5%
Population	↓ 4.5%

The document is full of hollow words.

It commits to nothing.

It is fully uninspiring, and drab, old hat.

It is a minimalistic document.

I doubt it meets requirements of the IPR Guidelines.

There is no accountability for delivering any strategy, despite the IPR guidelines clearly stating that "an explanation of who is responsible for delivering each strategy" forms part of the basic structure of a Community Strategic Plan.

It is impossible link strategies and objectives.

It is impossible to link objectives to outcomes and measures are so vague and non-transparent, catch-all type descriptors (eg "data collection").

I've been in various community feedback sessions and I know the passion and interest in our community.

However, this document fails to articulate any community feedback in exciting, achievable, focused strategies and objective and measures – if one stretches the mind to imagine what the document was intended to suggest.

This document fails to address the economy and its serious situation.

If the community failed to provide feedback about the economy during 12 focused workshops, five pop-up listening posts, two online surveys and individual interviews, then authors of this plan should have reached out to business people for insight, particularly in the so-called traditional areas of mining art and tourism but also in the so-called new industries - technology and renewable energies

Had I known about the community engagement sessions in a timely manner, and had I been able to attend, my feedback as follows would have been provided:

- if we are to have an "innovative and sustainable economy", that is "resilient and adaptable to change", we need to at least have a fair playing field to be able to compete with the rest of the State of NSW and the nation of Australia, and Broken

Hill urgently requires the following improvements (which have been in dire need since the 1990s)-

- reliable telecommunications services provided by all carriers who supply retail smartphone consumers
- fast reliable broadband
- affordable power and water
- available, skilled labour
- affordable and efficient freight services
- affordable access by road, rail and air
- in the future, I would hope that highway access routes into the city of Broken Hill are beautified, functional, clean and far more pleasant than they currently are, specifically noting that the Round Hill rest stop is unsuitable for any safe human recharge, particularly after rainfall
- in the future, the city's youth, disability sector and First Nations people must be welcomed into the local economy and strategies must be developed to mobilise this underutilised resource

Regarding my claim of hollow words

Rather than 39 pages of pointless jibber jabber, although a welcome shrinkage from 2017's 52-pager, perhaps in future put out a readable, quality and meaningful document with far less pages.

Everyone knows that there is a "global environment that is marked by rapid social and technological change", page 23, but why bother mentioning this when there is no follow-through?

There is absolutely nothing in this document that tells me how we are going to adapt to rapid social and technological change in the future.

Also, the persons who will play a part in creating this diverse economy in Broken Hill, that is resilient and adaptable to change, are mostly government departments or bureaucrats, page 26.

This is completely unrealistic.

██████████ is mentioned as a role playing organisation, however, as a business owner, my experience is it is another flop, it doesn't communicate with business and no

one really knows about it. It is a fledgling organisation that wants to start but no one seems to know how to communicate with actual local businesses. It seems to me to be full of well intentioned, well meaning folks, but they haven't any experience in this sort of thing. This document seems to have been compiled by those types of persons too.

How will we know when we have got there, that is to the point where we can call the Broken Hill economy diverse and resilient and adaptable to change? Apart from three specific data collection points, TRA, RDA and GRP, the source of data for accountability is non-specific. How is it planned to measure the number of new start-ups, small and medium businesses? How is it planned to support businesses building capability and capacity to use new technology to realise opportunities?

These are the initiatives that will lead to a diverse economy but there is nothing of substance anywhere to specify what this means, who will deliver or what they will deliver. I'm particularly concerned that there is not one mention of the acronym STEM. Every other community in the country knows what it is – why is it such a mysterious omission? Not one mention, quite incredible.

Yet, the word **community** has 187 mentions in the 39 page document.

The word **innovation** has 3 mentions.

The word **plan** and its derivatives have 104 mentions in a 39 page document.

The word **technology** has 4 mentions.

On page 23 where the words "technology and renewable energies" were used, it should be highlighted that Broken Hill is missing out on the brain work. The real investment in technology is occurring out of town.

Also, a negligible workforce of just one or two persons per plant is in Broken Hill for technology and renewable energies in the maintenance department, and Broken Hill people are completely missing out on the transfer of knowledge. Is this really what we want to promise for the future of our young people?

Community engagement by council has been ineffective, insufficient, lacking passion, showing lacklustre and minimalist effort and has resulted in a pointless, hollow document. This document does not reflect what this community thinks at all.

It's also containing at least one dreadful choice of language which must be deleted or edited to something far more professional,

"Limit the detrimental health impacts of mining on the community", on page 30.

It begs the question why we have not attacked McDonalds or KFC for sales of unhealthy foods, or Harvey Norman's sales of TVs and the Broken Heel and Mundi Mundi festivals, pubs and clubs that make large revenue hauls through the sale of alcohol that contribute to unhealthy lifestyles and high impacts on health and NDIS services. Is the flourishing NDIS service provider outlook the best we can do for this town's economy (page 26), seriously?

All this provides a most disappointing insight into the writers of this document and where their biases lie, and how they are almost oblivious to the true source of regional investment that is decreasing. Clearly the huge extension of time for engagement with the community was a failure.

This document reflects a lazy, tick a box job for people in the office and I am offended by it. I hope it does get published on the council website.

Regards



Public Submission

BROKEN HILL
CITY COUNCIL

Submission date: 31 May 2022, 12:03AM

Receipt number: PS-33

Related form version: 3

Please enter your email address if you would like to receive a
copy of your submission:

Name of document

Details of submission

I am interested in the city being an example of livability and as an artist I am passionate about how art contributes to the health and wellbeing of humans as creative beings. Please accept the following comments as suggestions and thoughts pertaining to my impression of the 2040 Strategic Plan. This document contributes to Broken Hill's history in the making for 'Australia's Heritage City'.

Page 9: Snapshot – the inclusion of explanatory and contextual statements to convey the meaning and significance of the figures provided against state and National averages would communicate their significance to readers.

Airport: Living under airplane routes and runways destroy quality of life (peace & quiet). Larger aircraft landing and flying over the city requires consideration to mitigating solutions. (e.g., a railway heritage restoration for commuting people into the city could elevate distress from larger aircraft or increased frequency of flights over the city?)

Environmental Statement (page 4): Housing and income protection & new opportunities to retain and preserve social capital (1.5.5 Objective) in the arts and for artists in particular (please refer to the Broken Hill Art Exchange Residency as a local arts initiative with far reaching significance)

Objective 1.4

- 1.4.4. include wording referencing both the built, industrial, movable and natural heritage with reference to the inclusion of inheritance past and future.

2.1.2 Industrial land also enabling specialised 'social' industry clusters perhaps? Often art and cultural is overlooked because it is invisibly absorbed under the

1 of 4

heading of tourism or other sectors due to its wide application throughout all areas of society.

2.1.4 The idea is to increase economic activity for the retention of residents, is this inclusive of satisfying the needs of current residents together with attracting and retaining new residents & population growth.

2.2.5 Encourage the exploration of new and diverse models by enabling research & development & allowing partners (remembering that local groups also have significant partnerships to maintain) access to their voice/s. e.g., Exploration of Eco Village models, alternative housing models / the applied art of architecture in both theory & practice.

2.3.2 Exploit and Increase International linkages, either historical from what once existed or exists today

2.4.1 / 2.4 / 2.4.6 Include Art and Culture as its own sector as much as for its contribution to other sectors for example in tourism. (The Sculpture Symposium at the Living Desert is as much an art & cultural initiative as a tourism site)

Page 26: 'fit for purpose housing' The Broken Hill Art Exchange is addressing this in the arts sector and requires Council to support its initiative for an artist residency of 21 years.

3.1.4 Support for the exploration of new technologies and their applications to environmental sustainability i.e., Broken Hill Art Exchange and the Environmental Research Initiative for Art (ERIA/UNSW) & Landcare developmental project

Page 29 The growth of tourism depends on local residents supplying and maintaining resources and products. Citizens should be compensated and rewarded and Council could provide greater support for the community to better perform (local public holiday, free or concession access passes to events, such as the yearly pass to the Living Desert tourism sites, or rate rebates etc.). There are examples of this overseas.

3.2.3 "...for the benefit of the city" as well as its citizens & natural flora and fauna

3.3.5 The notion of 'Beauty' has a specificity particular to the practice of art and the arts engage on such matters

1. to fuel Ethical Environmental choices by being an adaptive and resourceful community and equity for all

PAGE 30 Landscape: Measuring global and international engagement with regards to seeking best practices or partnerships will also measure if we are getting there. The

inference is to engage sectors locally, regionally and internationally to partner and support the city and for the city to enable its use as a platform for others to speak.

4.4 Archiving and keeping a record of the changes impacting the city and its history in the making. In regards to communication the diverse pockets of advertising outlets (local radio, newspaper, social media) make it expensive to promote and hinders the dissemination of information throughout the community. There needs to be a free community newspaper.

Create spaces that allow access for alternative voices to be heard and that allows new projects by experimental and new voices external to the city to share the city's platform.

Afterall, Broken Hill is part of an international community by rote of global trade & the mining industry.

- Engagement with past citizens of the city and their achievements to celebrate them and also to question why they left or what would bring them back? St the same time often only Council led initiatives are recorded and archived and more need to be done to support, applaud and preserve the history of organisations (especially while they exist in living memory) such as the Family History Society, Willyama Society, Machinery Preservation Group, the Barrier Field Naturalists, the Potters, the Broken Hill Art Exchange Incorporated and the list goes on a long way.

Does the city have the capacity to critically question the 'Line of Lode' as part of a landscape of power or the conservation and preservation of rainforests in all its forms, even a mineral rainforest?

Has the addition of a local food growing industry, bush crafts or disaster planning been mentioned anywhere? Being ever mindful of the use of positive and inclusive language (rather than judgements like 'good' & 'suitable' which leads one to ask by whose standards is this to be measured?) within the document.

Was there mention of increased educational opportunities, particularly in areas such as art, politics, geology, land & water management and cultural criticism. Also, with regards to the economy and climate change, stimulating a night time economy particularly in summer would be an idea.

All Council building should offset the cost of electricity, with shared to local businesses and residents as well as demonstrate water conservation by adopting new method toilet systems and allowing grey water initiatives etc. All

references to public and private space also includes that which is beyond physical, pertaining to the 'ideological' (spiritual & intellectual spaces). Sometimes visual enactments are more communicative and informative than written words and documents.

Supporting documents/files if relevant

Signed:



Subject: Submission to Broken Hill Community Strategic Plan 2040

Page 8 The City of Broken Hill

Addition: "The Regeneration Area is one of the earliest ecological regeneration works globally".

Page 20 Amendment: 1.4.3 "Ensure our residents and visitors are aware of the importance of Broken Hill *in global and Australian history in establishing the National Trust-listed Regeneration Area and* as Australia's first city on the National Heritage List

Page 30

- Addition of Essential Energy to list of "Who will play a part?"

[It is essential that the large volumes of tree waste be used to increase soil carbon levels; mulch bare areas of streets, roadsides, parks, and disused lands; prevent loss of embedded carbon back to the atmosphere (as methane or CO₂); and cool the city. Essential Energy has begun this work with BHCI, Landcare and volunteers around the city. It is to be hoped that Broken Hill Council will look to re-purpose plant waste collected from parks and other spaces, rather than dump and waste this resource].

Our Environment

Objective 3.1 Our environmental footprint is minimised

Sent from [Mail](#) for Windows

POLICY AND GENERAL COMMITTEE

June 2, 2022

ITEM 4BROKEN HILL CITY COUNCIL REPORT NO. 141/22

SUBJECT: ADOPTION OF THE DISABILITY INCLUSION ACTION PLAN 2022-
2026 D22/21721

Recommendation

1. That Broken Hill City Council Report No. 141/22 dated June 2, 2022, be received.
2. That Council notes that as per Minute Number 46817, the Draft Disability Inclusion Action Plan 2022-2026 was placed on public exhibition for a 28-day period concluding 31 May 2022 during which time Council received nil submissions from members of the public.
3. That Council adopts the Draft Disability Inclusion Action Plan 2022-2026 as a Strategic Plan of Council.

Executive Summary:

The *NSW Disability Inclusion Act (2014)* aims to achieve the goal of ensuring people with disability achieve full inclusion in community life. Under the Act, the NSW Government required all councils to implement a Disability Inclusion Action Plan (DIAP) by July 2017. Council's Disability Inclusion Action Plan 2017-2021 was developed according to legislative requirements described in this Act and adopted by Council at its 28 June 2017 Council meeting.

The strategies within the DIAP sought to create improved and equitable opportunities for all persons living with disability to access the full range of services and activities available in the community and to participate fully in the community.

The DIAP sits within the Community Strategic Plan. Links between DIAP and the Community Strategic Plan, Delivery Program and Operational Plan will enable Council to track where we are up to in putting the plan into action. Council will integrate DIAP into the Integrated Planning and Reporting Framework, where measures will be reported upon every six months in progress reports to the community and via Council's Annual Report.

In May 2021, Council received correspondence from the Minister for Disability Services, The Hon Gareth Ward MP advising that the publication of Council's new Disability Inclusion Action Plans were due July 2021, however due to the impact of COVID-19 and natural disasters had been extended to July 2022.

The Draft Disability Inclusion Action Plan 2022-2026 was presented to the Ordinary Council Meeting held 27 April 2022 and Council resolved (Minute Number 46817) to place the Draft Plan on public exhibition for a 28-day period during which time Council would accept submissions from the public.

As per Council's resolution the Draft Disability Inclusion Action Plan 2022-2026 was placed on public exhibition commencing 4 May 2022 and concluding on 31 May 2022 during which time Council received nil submissions from the public.

During the exhibition period, the draft Plan was also circulated via email to Disability Inclusion Action Plan monitoring group members, support organisations and people with disability or a carer of a person with disability, seeking feedback to the Plan.

This report is presented to Council following the public exhibition period, for Council to consider adoption of the Draft Disability Inclusion Action Plan 2022-2026 as a Strategic Plan of Council.

Report:

Development of new Disability Inclusion Action Plan 2022 – 2026

In 2019, Council sought the services of a suitably experienced consultant to develop a new Disability Inclusion Action Plan, which was due to be revised and adopted from 1 July 2021. Date now revised to be 1 July 2022.

Jenny Bray Consulting was engaged. Jenny already had familiarity with the disability sector in Broken Hill, from working in the City previously and having developed Council's first DIAP, in a consultative and inclusive approach with Council staff. This enabled the engagement strategy to be enacted quite rapidly.

The *NSW Disability Inclusion Act 2014* requires Action Plans to:

- address the Disability Inclusion Act's principles
- include specific strategies to support people with disability
- describe how people with disability were consulted
- describe how the plan supports the NSW Disability Inclusion Plan
- be made available to the public
- be reviewed in consultation with people with disability every four years
- include progress reports published annually in Council's Annual Report.

The Disability Inclusion Action Plan must specifically address four key focus areas:

- Developing positive community attitudes and behaviours
- Creating liveable communities
- Supporting access to meaningful employment
- Improving access to services through better systems and processes

How Council Consulted

Council consulted with the community and people living with disabilities, their families and other significant people. Consultations explored what was important to them, what isn't working for disability inclusion and how Council could improve inclusion. Consultation methods, included:

- An online survey
- Hard copy survey
- Easy read survey (hard copy)
- Community consultation session
- Focus interviews with NDIS service providers
- Internal consultations with Council staff

Council advertised through a range of media, including:

- Online via our website and social media (Facebook)
- In newspapers (Barrier Truth)

- Via our networks and events (including the DIAP Monitoring Group, service providers and health and education services)
- Surveys were distributed to the Library, YMCA, Council's Administrative Centre and local disability service providers distributed surveys to NDIS participants
- Existing distribution lists including through the eNews distribution list

A total of 20 people completed the online survey. Five survey respondents (5 or 25%) identified as being a person with disability; seven (7 or 35%) identified as a parent or care giver of a child or children with a disability (aged under 17); three (3 or 15%) identified as a parent of an adult child with a disability; and five (or 25%) identified as working in the sector supporting people with disability.

A total of six easy read surveys were received. People completing these said they like going shopping, using parks and gardens, and all said they use the Library. Three out of four said they needed help filling in forms and need writing to be easy to read. Two out of four said they would like people to be more friendly to them.

Ten people attended the community consultation, including four family members (parents or siblings) of people with disability. Six other participants were service providers supporting people with disability.

A further 20 one-on-one interviews were conducted by the consultant including five parents / family members of persons with disability (25%), ten (10 or 50%) who work in the sector supporting people with disability, four (4 or 20%) people with disability and a community member (cab driver).

The results of the consultations were shared with all departments of Council. Strategies for the Disability Inclusion Action Plan are based directly on the comments, suggestions and feedback given via the consultations, surveys and interviews.

The consultant progressively provided resources and links throughout the project, for ongoing use by Council staff.

Disability Inclusion Action Plan Monitoring Group

Council will monitor the implementation of the Disability Inclusion Action Plan via six monthly compliance progress reporting and feedback from the Disability Inclusion Plan Monitoring Group.

The draft Disability Inclusion Action Plan was endorsed by Council for public exhibition at Council's Ordinary Meeting held the 27 April 2022 (Minute Number 46817). The draft Plan was placed on public exhibition for a 28-day period commencing 4 May 2022 and concluding 31 May 2022, during which time Council received nil submissions from members of the public.

This report is presented to Council following the public exhibition period, for Council to consider adoption of the draft Disability Inclusion Action Plan as a Strategic Plan of Council.

Community Engagement:

The Draft Disability Inclusion Action Plan 2022-2026 was placed on public exhibition for a period of 28 days concluding 31 May 2022.

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:

Disability Inclusion Act (NSW) 2014

Disability Discrimination Act (Commonwealth) 1992

Local Government Act 1993

Integrated Planning and Report Framework

Financial Implications:

The implementation of the Disability Inclusion Action Plan 2022-2026 will be budgeted and included in the Delivery Program and one-year Operational Plans.

Attachments

1. [!\[\]\(33006de4dd11f8c729ca8ca0fde0352f_img.jpg\)](#) Draft Disability Inclusion Action Plan 2022 - 2026

RAZIJA NU'MAN

CHIEF CORPORATE AND COMMUNITY OFFICER

JAY NANKIVELL

GENERAL MANAGER



**DRAFT DISABILITY
INCLUSION ACTION
PLAN
2022-2026**

BROKEN HILL
CITY COUNCIL

**AUSTRALIA'S FIRST
HERITAGE LISTED CITY**

QUALITY CONTROL			
KEY DIRECTION	4. Our Leadership		
OBJECTIVE	4.1 Openness and transparency in decision making		
STRATEGY	4.1.5 Support the organisation to operate within its legal framework		
FUNCTION	Leadership & Governance		
FILE REFERENCE NUMBER	16/82	EDRMS NUMBER	D22/20958
RESPONSIBLE OFFICER	Chief Corporate and Community Officer		
REVIEW DATE	2025		
DATE	ACTION	MINUTE NUMBER	
April 2022	Document Developed	N/A	
27 April 2022	Public Exhibition	46817	
	Adopted		
NOTES	Images sourced from Council's Image Library © Broken Hill City Council 2022		
ASSOCIATED DOCUMENTS	Draft Community Strategic Plan "Your Broken Hill 2040" Draft Delivery Program 2022-2026 including Operational Plan 2022/2023		

To request Council's Disability Inclusion Action Plan in an alternate format please contact:

Customer Relations
Broken Hill City Council
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DOCUMENT PURPOSE

Broken Hill City Council's Disability Inclusion Action Plan 2022-2026 outlines Council's commitment to improving opportunities for people with a disability of all ages to access the full range of services and activities available in the community.

ACKNOWLEDGEMENTS

Thank you to all the community members and staff who participated in engagement sessions and who filled in a survey. Your comments and ideas were very helpful.

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INTRODUCTION

MESSAGE FROM YOUR MAYOR

On behalf of the Broken Hill City Council, it is my honour to present the newly updated Disability Inclusion Action Plan (DIAP).

Council's DIAP sets out the vision of Broken Hill City Council, which is to engage people with disability, their families and supporters, to join with us to improve opportunities for people of all ages, all cultures, and of differing abilities, to access the full range of services and activities available in the local community.

The Plan was developed in consultation with people with disabilities, and its strategies are based on the information and ideas they provided.

I believe Council has made significant advances in regard to disability inclusion, starting with the implementation of a new website that meets all Website Content Accessibility Guidelines.

Disability inclusion has also become a cornerstone of all project planning undertaken by Council, and that is perhaps best reflected in the recent upgrade of the toddler's area at Queen Elizabeth Park with fully accessible play equipment.

The most notable recent example of Council's commitment to disability inclusion is Council's Active Transport Plan.

The 10-year plan aims to carry out approximately \$14 million worth of footpath construction and repairs to ensure people of all abilities can travel between key services and facilities such as schools, aged care, health services, and retail centres.



However, we know that our work is far from finished in the disability inclusion space, and we will continue working to make Broken Hill as inclusive and liveable as possible for people of all abilities.

Finally, I would like to thank the members of the Working Party and all the individuals and groups who support the ongoing evolution of this plan

Councillor Tom Kennedy
MAYOR

DEFINITIONS

INCLUSION

Inclusion means everyone participating in the places and activities of community life on an equal basis.ⁱ The Disability Inclusion Action Plan is about taking practical steps, based on the experiences and ideas of people with disability, to ensure inclusion in all aspects of community life in Broken Hill.

DISABILITY

The definition of 'disability' used in this Action Plan comes from two laws, the:

1. *Disability Discrimination Act (Commonwealth) 1992*, where the word 'disability' means:ⁱⁱ
 - 'The total or partial loss of the person's body or mental functions
 - The total or partial loss of a part of the body
 - The presence in the body of organisms causing disease or illness
 - The presence in the body of organisms capable of causing disease or illness
 - The malfunction, malformation or disfigurement of a part of the person's body
 - A disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction'
2. *Disability Inclusion Act (NSW) 2014*, where the word 'disability' means:ⁱⁱⁱ
 - *long-term physical, psychiatric, intellectual or sensory impairment that, in interaction with various barriers, may hinder the person's full and effective participation in the community on an equal basis with others'*

This second definition is very important because it says people's participation is affected by barriers created by society to the same extent as an impairment may. This is called the "social model of disability". Dr Alison Davis explains the social model when she says:^{iv}

'If I lived in a society where being in a wheelchair was no more remarkable than wearing glasses, and if the community was completely accepting and accessible, my disability would be an inconvenience and not much more than that. It is society which handicaps me far more seriously and completely than the fact that I have spina bifida.'

(Shut Out: The Experience of People with Disabilities and their Families in Australia, 2009)

FOCUS AREAS^v

The Broken Hill Disability Inclusion Action Plan 2022-2026 is based on four Focus Areas. These Focus Areas came from the NSW Government, which asked people with disability what barriers affect their inclusion. People said these four areas need to be worked on in order to remove barriers to inclusion.

The four Focus Areas are:

- Attitudes and Behaviour
- Liveable Communities
- Systems and Processes
- Employment

EXECUTIVE SUMMARY

VISION FOR THE DOCUMENT

Broken Hill City Council's Disability Inclusion Action Plan 2022-2026 is a vision for an inclusive Broken Hill which is inclusive to people of all abilities and all ages.

PRINCIPLES

Council's Disability Inclusion Plan 2022-2026 is designed to enact the Principles of the New South Wales (NSW) *Disability Inclusion Act 2014*, which states that people who live with disability have the right to:

- respect for their worth and dignity as individuals
- participate in and contribute to social and economic life, and be supported to develop and enhance their skills and experience
- realise their full potential in all areas of life
- make decisions about their lives, and be supported in these if they want or need it
- privacy and confidentiality
- live free from neglect, abuse, and/or exploitation
- access information in a way that is appropriate for their disability and cultural background, and which enables them to make informed choices; and
- pursue complaints with the same ease as other members of the community

Council has a commitment to respect for the individual experience of people with disability, including their cultural diversity, age, gender, sexual orientation, and religious beliefs.

Council's Disability Inclusion Action Plan 2022-2026 recognises that interests and needs of people with disability will change throughout their lifetime. This Action Plan seeks to build inclusion across the life-course, for children, young adults, adults and seniors. Council recognises that needs of children, youth, women and men with disability are different and Council has sought to address each.

Council recognises the importance of families, carers, and other significant persons, and Council support these relationships through the provision of community spaces, events, programs, services and access to information connecting people to their community.

OVERVIEW

The following is an outline to tell you what is in this Disability Inclusion Action Plan.

1. The Business Case

The business case for supporting inclusion of people with disability explains why building inclusion will benefit the whole community socially and economically.

2. Links to Other Council Plans

This section describes how the Disability Inclusion Action Plan (DIAP) sits within broader Council Plans. By linking the Plans, we ensure that progress on the DIAP is reported back to the community.

3. Policy Context

This section explains the laws and policies that the DIAP must follow. Working together, these laws and policies will help to make Australia and Broken Hill more inclusive.

4. People of the Broken Hill Local Government Area

This section looks at how many people living in Broken Hill LGA may have a disability and would benefit from this Plan.

5. How Council Consulted

We explain how Council talked to the community and collected ideas that would make a practical difference to the lives of residents of and visitors to Broken Hill who may have a disability.

7. The Action Plan

This section lists the actions recommended to make the Broken Hill area easier for people with disability and their families and supporters to access and enjoy.

8. Monitoring and Reporting

This section explains how Council will check that our Plan is being achieved and how we will involve people with disability to help us check the Plan's effectiveness.

1. THE BUSINESS CASE – BENEFITS OF INCLUSION

The NSW Disability Inclusion Action Planning Guidelines require all NSW public authorities to have a "unique business case for supporting the inclusion of people with disability".^{vi} This section outlines the business case for working towards the full inclusion of people of all ages with disability (including children who may have temporary or permanent delays in their development). By supporting inclusion, Broken Hill can achieve significant social and economic benefits to the entire community. Inclusion is part of the core business of local government.

Economic Benefits

- Inclusion enables people with disability to access employment or to establish businesses. By supporting economic independence, the need for income supports are reduced, workforce participation is increased and we experience economic growth. Economic participation supports the wellbeing of individuals and families because it results in additional income in families. Additional income in families is most likely to be money spent locally.
- The National Disability Insurance Scheme (NDIS) will inject \$22 billion dollars per year into the Australian economy. Age care funding provides a further \$18 billion annually. Both the NDIS and aged care provide funds to individuals to buy supports to access community life. These support services are provided locally, enabling people with disability (including age related disability) to enjoy local shopping, entertainment, leisure, learning and access to health care. By targeting the accessible tourism market, Broken Hill could further access related economic growth.^{vii} By making physical and information environments accessible and ensuring business and community attitudes and behaviours are inclusive, there is

significant potential to stimulate the local economy.

- Lack of accessibility of information, environments and attitudes and behaviours that create barriers cost business. Missed business is not limited to potential customers with disability. It extends to the friends and family of those individuals, who would have accessed that service together. When one person using a wheelchair is unable to attend an event or service, it's likely the friends and family of that person who would have attended together are also 'missed business'.
- The fastest growing component of the Australian consumer market is older people, and the current generation of older Australians are retiring with unprecedented, accumulated wealth.^{viii} Businesses that cater to people with disability who may have limitations to mobility, vision, hearing etc extend their market reach to include families using prams and to older people who use mobility aids or who need assistance with vision or hearing.

Social Benefits

- Inclusion enriches the community because it enables us to access the full range of talents and viewpoints within the population.
- At some point in our lives, all of us will experience a disability or impairment which, in interaction with barriers in society, limit our access to community life. To enjoy a rich social and family life, which in turn supports our wellbeing, we need access to barrier-free information, places and activities.
- Inclusion protects our community from the cycles of disadvantage that can lead to negative impacts across generations in areas of health, wellbeing, education and employment. Planning for inclusion helps to avoid these negative outcomes and is proven to be more cost effective in the long term.^{ix}

Inclusion as Core Business

- Section 8 of the NSW *Local Government Act 1993* requires Councils to provide adequate, equitable and appropriate services and facilities for the community.^x People with disability are identified as part of a social justice target group needing specific strategies to ensure they are equally included in community engagement activities and decision making. The Disability Inclusion Action Plan (DIAP) provides a way for Council to achieve this outcome and to continuously improve service delivery to this group.
- Broken Hill City Council is committed to meeting and exceeding both State and Commonwealth laws, that address direct and indirect discrimination against people with disability, in the delivery of their services, goods and facilities.^{xi} By consulting with people with disability, Broken Hill City Council DIAP has identified potential sources of indirect discrimination in the form of unintended attitudinal barriers and other unintended barriers that may exist in systems and processes.

2. LINKS TO OTHER COUNCIL PLANS

This Disability Inclusion Action Plan (DIAP) fits within a larger 10-year plan called the Community Strategic Plan (CSP) “Your Broken Hill 2040”. The CSP was developed from extensive community engagement and consultation, as well as the ongoing input from the Community Round Table Committee. The CSP keeps Council focussed on achieving long-term goals in four Key Directions: Our Community, Our Economy, Our Environment and Our Leadership.

All Council Plans fit under the CSP. Many of these other Council plans are also relevant to people with disability, for example Active Transport Plan, Ageing Strategy, Tourism Plan and more. The Disability Inclusion Action Plan 2022-2026 has suggestions and ideas that often relate to all these. To coordinate all activities, every four years Council develops the Delivery Program which combines the activities of all Plans and links them to the headings of social, economic, environmental and civic leadership.

As Council implements the Delivery Program, evidence is collected to confirm that progress is being made. Council uses this information to report back to the community, to tell you what improvements have been made. Progress reports are provided to the Council at least six monthly.

At the end of each year, Council reports to the community in the Annual Report on tasks completed in the Disability Inclusion Action Plan during that year.

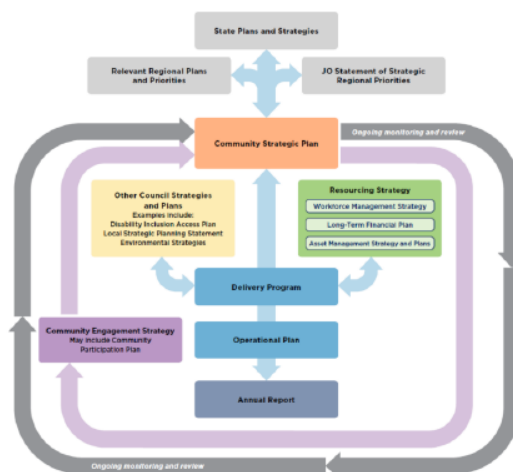


Figure 1: Link Between This Plan and Other Council Plans

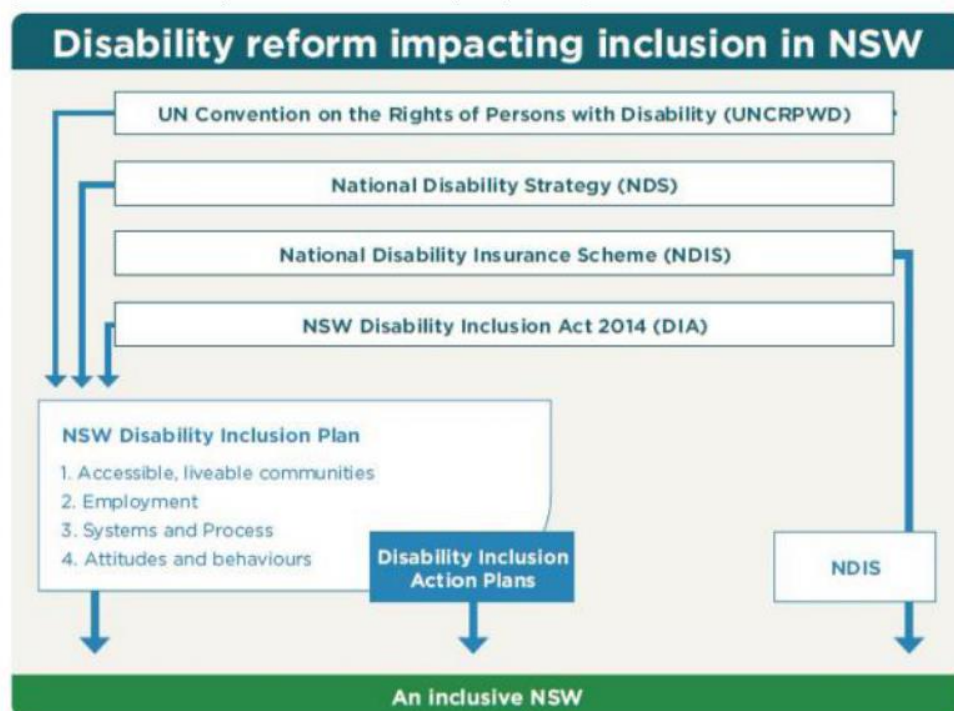
3. POLICY CONTEXT

The Broken Hill City Council Disability Inclusion Action Plan 2022-2026 has been developed in line with laws and policies designed to ensure that people with disability are included in all aspects of community life. The laws and policies demonstrate Australia's commitment to a

global shift in awareness that more must be done to respect the rights of people with disability.

This section outlines these key laws and policies in Australia and New South Wales (NSW). The policy context will support the effectiveness of the Broken Hill City Council Disability Inclusion Action Plan 2022-2026.

Figure 2: The relationships between the relevant policy and legislative instruments.



(Source: NSW Government Disability Inclusion Action Planning Guidelines)

3.1 UN Convention on the Rights of Persons with Disabilities (UNCRPD)

Australia has committed to implementing the Articles of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). The Articles state that persons with disabilities must enjoy all human rights; specify how these rights apply in practice; and identify where

efforts to be made for people with a disability to effectively exercise their rights.^{xii}

By signing the UNCRPD, Australia committed to make changes to laws and policies to ensure the inclusion of people with disability. Australia will also report back to the United Nations about the progress made towards this goal.^{xiii}

Key areas to be addressed under the UNCRPD are:

- Equality and non-discrimination before the law for people with a disability, with specific measures about upholding the human rights of women and children with a disability.
- Raising awareness, fostering respect and dignity, and combating stereotypes relating to people with a disability. Activities include public awareness campaigns and promoting an attitude of respect for the rights of people with disability.
- Ensuring access to the physical environment (including access to transport), as well as access to information and communication.
- Recognising the equal right of people with disability to participate in and enjoy all amenities and activities of community life.
- Ensuring the right to freedom of expression and respect for the home and family of people with disability.
- Ensuring the right to work and employment on an equal basis with others.
- Providing opportunities to fully participate in political and public life, including voting and representation by people with disability in all levels of government.
- Ensuring the right to participate in cultural life, including ensuring visual culture (art, film, theatre) and other cultural activities are accessible and represent the diversity of human experience. Ensuring access to museums, libraries, tourism services and to sites of national cultural importance.

3.2 Australia's Disability Strategy (ADS), 2021-2031

The Strategy was developed by Australian, state, territory and local governments; with more than 3,000 people consulted with disability, families, carers and

representatives to ensure their views were included in the Strategy. Australia's Disability Strategy 2021-2031 builds on the work of the original strategy, the National Disability Strategy 2010-2020. The Strategy's vision is for an inclusive Australian society that ensures people with disability can fulfil their potential, as equal members of the community.

The Strategy has seven outcome areas, which are:

- Employment and Financial Security
- Inclusive Homes and Communities
- Safety, Rights and Justice
- Personal and Community Support
- Education and Learning
- Health and Wellbeing
- Community Attitudes

The Australia's Disability Strategy is Australia's national disability policy framework; driving action at all levels of government to improve the lives of people with disability. (ADS, 2021-2031)

3.3 National Disability Insurance Scheme (NDIS)^{xiv}

The National Disability Insurance Scheme (NDIS) provides for a national insurance system that enables funding and administrative systems to support people with disability to access the reasonable and necessary supports they need to lead an ordinary life.

The NDIS will enable eligible people with a disability to pursue their interests in the community through individualised packages of funding. Funding will also be available to help make mainstream services more inclusive. The latter will be available through grants from the Information, Linkages and Capacity Building initiatives of the NDIS.

The Broken Hill City Council Disability Inclusion Action Plan 2022-2026 support NDIS objectives by:

- ensuring accessible and inclusive built environments
- developing accessible and inclusive programs and services
- providing information in a range of formats
- continuing to work towards inclusive employment application processes, and
- fostering positive community behaviours and attitudes towards people with disability.

The NDIS enables eligible people with a disability to pursue their interests in the community through individualised NDIS funding. Under the NDIS, Information Linkages and Capacity Building grants are available to help make mainstream services more inclusive. (NDIS, 2014)

3.4 NSW Disability Inclusion Act, 2014^{xv}

The NSW *Disability Inclusion Act 2014* (the Act) requires all agencies of the NSW Government and Local Governments to develop Disability Inclusion Action Plans (DIAPs). The Act states that DIAPs must:

- state how the Disability Inclusion Act's Principles will be addressed
- provide specific strategies to support people with disability to access buildings and events, information and employment opportunities
- describe how people with disability were consulted
- describe how the plan supports the NSW Disability Inclusion Plan (see below)
- be made available to the public
- be reviewed, in consultation with people with disability, every four years
- include progress reports published annually in Council's Annual Report.

The *Disability Inclusion Act, 2014* requires all NSW government agencies and local governments to consult with people with disability, and then based on this information, to commit to practical actions to improve access and inclusion. (NSW Disability Inclusion Act 2014)

3.5 NSW Disability Inclusion Plan (NDIP)^{xvi}

The NSW Disability Inclusion Plan (NDIP) is a four-year action plan detailing how NSW government agencies (and local government) will work towards ensuring people with disability enjoy the same opportunities and choices as everyone else. In developing the NDIP, the NSW Government consulted with people with a disability about what barriers affect their inclusion. This led to the identification of four "Focus Areas" that must underpin all DIAPs in NSW. The Focus Areas are: ^{xvii}

- developing positive community attitudes and behaviours
- creating liveable communities
- supporting access to meaningful employment, and
- improving access to mainstream services through better systems and processes.

NSW Disability Inclusion Plan outlines how all NSW government agencies and local governments will make local communities more inclusive. All Inclusion Plans must address the four 'focus areas'. (NSW Disability Inclusion Plan, 2015)

3.6 Disability Discrimination Act (DDA) 1992 and Amendments (2009)

The Disability Discrimination Act, 1992 (C'wlth) (DDA) protects against discrimination based on disability. These protections extend to relatives, friends, carers, co-workers or associates of a person with disability who may experience discrimination because of this relationship.

The DDA also encourages governments, businesses and others to implement the DDA to ensure the full participation of all citizens. The Broken Hill City Council DIAP 2022-2026 incorporates the requirements of Section 61 of the DDA, where Council must have plans that:

- devise policies and programs to achieve the Objects of the Act
- communicate these to persons within the Council
- review practices to identify and eliminate discriminatory practices
- set goals and targets to measure the success of the Plan
- appoint persons within the Council to implement the provisions.

3.7 Other Relevant Laws and Plans

Other laws and plans relevant to Broken Hill City Council Disability Inclusion Action Plan 2022-2026 are:

- National Arts and Disability Strategy, 2009 (C'with)
- Web Accessibility National Transition Strategy, 2010 (C'with)
- *Anti-Discrimination Act*, 1977 (NSW)
- *Carers (Recognition) Act*, 2010 (NSW)
- *The Local Government Act*, 1993 (NSW)
- *The Local Government (General) Regulation*, 2005 (NSW)

4. PEOPLE OF THE BROKEN HILL LOCAL GOVERNMENT AREA

Broken Hill City Local Government Area (LGA) is in the Far West region of New South Wales (NSW). Covering an area of 4,531 square kilometres it has a population density of 1.04 persons per hectare. Not only is Broken Hill City LGA sparsely populated, it is also one of the most isolated population centres in the state. ^{xviii}

In 2018 the estimated resident population of Broken Hill City was 17,734 people.

Population decline remains a factor for Broken Hill City LGA. The Australian Bureau of Statistics (ABS) notes that this trend is in line with many of NSW's predominantly rural areas, particularly in Far West. ^{xix}

The main employing industry in Broken Hill City LGA is health care and social assistance, employing 18.3% of the workforce. In 2016, more Broken Hill City residents worked in health care and social assistance than any other industry. ^{xx} The Disability Inclusion Action Plan 2022-2026, by improving inclusion and access in the Broken Hill LGA will encourage people with disability (which includes seniors with disability) to live in, or visit the town, thus supporting or even boosting local employment opportunities. ^{xxi}

4.1 People with Disability

Information about the number of people with disability living in Australia cannot be provided as precise measurements. The main source of information is the Survey of Disability, Ageing and Carers (SDAC), ^{xxii} and is based on a person's self-reported need for assistance. Some of the difficulties associated with statistics and the prevalence of disability have been identified by the Australian Bureau of Statistics (ABS) and include:

- The ABS defines disability as a need for assistance in one or more of three core activity areas of self-care, mobility and communication, because of a long-term health condition (lasting six months or more), a disability (lasting six months or more), or old age. ^{xxiii} The ABS data is likely to count only those people whose disability impacts more on their need for care, whilst people with disability who manage without as much or any assistance in core activity areas, may not be represented in the census data. They are however, included in the definition of the *NSW Disability Inclusion Act 2014*.

- People can vary in their perception of the impact of the disability on their daily activities. This means people with similar assistance needs could report their needs differently.
- Some people may be uncomfortable with reporting their disability because of concern about negative community attitudes. This is often the case for people who experience mental ill health, dementia, or acquired brain injury. Others may not report their disability because it is episodic in nature, such as epilepsy, or certain types of mental illness.
- Census information is often reported by one person for the entire household. The individual completing the survey may or may not know about the disability status of other persons living in the house. The person completing the survey could answer it differently to how the person with disability may have.

Census Data Does Not Count All People with Disability - The ABS Survey of Disability Ageing and Carers definition of disability is "needing assistance in one or more of three core activity areas of self-care." The Disability Inclusion Action Plan includes people who are self-caring.

4.1.1 How many People in Broken Hill have a Disability?

Information from the Australian Bureau of Statistics (ABS) and the Far West NSW Medicare Local, show that: ^{xxiv}

- In Broken Hill LGA, 8.0% of the population (1,424 people) reported needing assistance with their day-to-day lives due to disability. There has been a notable increase in reported disability among aged groups 65 to 79 years between 2011 and 2016. ^{xxv}
- 1,269 (7.5% of the population) receive the Disability Support Pension. This is higher than the NSW percentage (5.7%). ^{xxvi}

- 1,878 (12.4 % of the population) provided unpaid assistance to a person with disability.
- The Far West NSW Medicare Local has the third highest percentage (6.1%) of people having profound or severe disability. By contrast, in NSW the percentage is 4.9%.

Far West NSW has an exceptionally high proportion of people of all ages (6.1%) with a profound or severe disability (ABS, 2016)

4.1.2 Why Inclusion is Important

The 2015 Survey of Disability, Ageing and Carers highlighted key factors relating to the impact of disability and caring which demonstrates why, as a caring community, we need to address disability inclusion. ^{xxvii} These factors include:

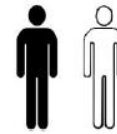
- One in five Australians have a disability (4 million in total).
- Almost 1 in 12 Australians with disability (or 8.6%) reported they had experienced discrimination or unfair treatment because of their disability. Young people with disability are more likely to report the experience of discrimination (20.5%) than those aged over 65 years (2.1%).
- More than 1 in 3 women and more than 1 in four men aged 15 years and over reported that they avoided situations because of their disability.
- More than half those with disability aged 15 to 64 years participated in the labour force (53.4%) which is significantly less than those without disability (83.2%).

People with disability are more likely to face considerable social exclusion, particularly in the areas of education and employment. This is also true for those who provide care. (ABS Survey of Ageing, Disability and Carers, 2015)

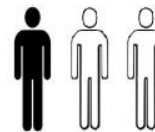
4.2 Age Profile^{xxviii}

The 2015 Survey of Disability, Ageing and Carers identified that in Broken Hill, 1 in 2 people reporting the need for assistance in one or more core activities were aged 65 or over.^{xxix} As the population of Broken Hill ages (particularly if there is continued population decline in the under 65-year age group), the proportion of the population needing assistance in one or more core activities (ie, with disability) is likely to increase significantly.

In 2016,^{xxx} Broken Hill had a higher proportion of persons at post retirement age than Regional NSW. Overall, 28.9% of the population of Broken Hill were aged 60 years and over, compared with 27.2% for Regional NSW. A breakdown of Broken Hill LGA by age group is set out in the figure below.

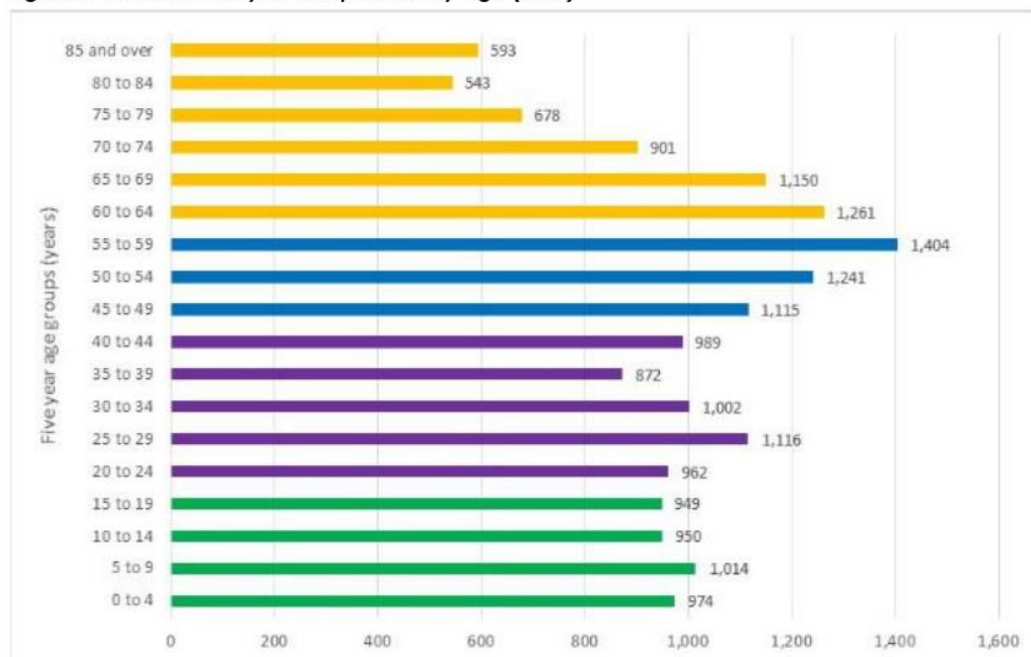


**1 in every 2 people
who reported needing
assistance in one or
more core activities
were aged 65 or over**



**1 in 3 people living in
Broken Hill in 2016
were aged 60 or
over**

Figure 3: Broken Hill City LGA Population by Age (2016)



[Source: Australian Bureau of Statistics, Census (2011), Population and Housing]

4.3 Aboriginal and/or Torres Strait Islander Persons

The Australian Bureau of Statistics (ABS) Survey of Disability, Ageing and Carers identified that Aboriginal people are 1.7 times more likely to have disability.^{xxxii} For this reason, it is important to specifically consider the Aboriginal and Torres Strait Islander residents of Broken Hill and to include strategies in the Disability Inclusion Action Plan 2022-2026 that considers the specific needs of Aboriginal and/or Torres Strait Islander residents and visitors who may have a disability.

In 2016 there were 1,498 Aboriginal and/or Torres Strait Islander residents in the Broken Hill LGA. They represent 8.5% of the total population or about 1 in 12 people. This is an increase of approximately 1% or 100 indigenous residents since 2011.^{xxxiii}

Figure 4:. Aboriginal and/or Torres Strait Islander Population (2016)

Areas	Aboriginal and/or Torres Strait Islander Persons	% of total population
Broken Hill LGA	1,498	8.5
New South Wales	548,368	2.9

[Source: Australian Bureau of Statistics, Census (2016), Population and Housing]

The Australian Institute of Health and Welfare has identified a strong correlation between socio-economic status and disability in capital cities.^{xxxiii} Median household income data shows that the Broken Hill Indigenous community is economically disadvantaged when compared with Indigenous groups in NSW and Australia. While mortgage repayments in Broken Hill are slightly lower than the NSW and Australia-wide averages for Indigenous people, rental rates are higher.^{xxxiv}

ABORIGINAL AND/OR TORRES STRAIT ISLANDER PEOPLE

- Aboriginal children under 14 are 4 times more likely to have disability
- Aboriginal adults aged 35-54 years are 2.7 times more likely to have disability
- Aboriginal children under 15 are 3.4 times more likely to be deaf
- Aboriginal Australians are 4 times as likely to have an intellectual disability

(NSW Child, Family and Community Peak
Aboriginal Corporation –
Based on ABS Census Data)

Economic disadvantage increases for the Broken Hill Indigenous community when household income is compared against the non-indigenous community.

Indigenous households in Broken Hill Local Government Area have about 50% less weekly income than the median family household income in the Broken Hill region.^{xxxv}

4.4 Cultural Diversity

The ABS Survey of Disability, Ageing and Carers identified that people from Culturally and Linguistically Diverse (CALD) backgrounds who have disability are less likely than to access services than people of non-CALD backgrounds. In 2011, 2.3% of the total population of Broken Hill City LGA were identified as speaking a language other than English at home.

The most commonly spoken non-English languages spoken are Italian, Greek, Filipino/Tagalog and Australian Indigenous Languages (each language group being < 0.1% of total population).

5. HOW COUNCIL ENGAGED AND CONSULTED

Broken Hill City Council consulted with the community and people living with disabilities, their families and other significant people. Consultations explored what was important to them, what isn't working for disability inclusion and how Council could improve inclusion. Our consultation methods, included:

- An online survey
- Hard copy survey
- Easy read survey (hard copy)
- Community consultation session
- Focus interviews with NDIS service providers
- Internal consultations with Council staff

We advertised through a range of media, including:

- Online via our website and social media (Facebook)
- In newspapers (Barrier Truth)
- Via our networks and events (including the DIAP Monitoring Group, service providers and health and education services)
- Surveys were distributed to the library, YMCA, Council's Administrative Centre and local disability service providers distributed surveys to NDIS Participants
- Existing distribution lists including through the eNews distribution list

A total of 20 people completed the online survey.

Five survey respondents (5 or 25%) identified as being a person with disability; seven (7 or 35%) identified as a parent or care giver of a child or children with a disability (aged under 17); three (3 or 15%) identified as a parent of an adult child with a disability; and five (or 25%) identified as working in the sector supporting people with disability.

A total of six easy read surveys were received. People completing these said they like going shopping, using parks and gardens, and all said they use the library. Three (3) out of 4 said they needed help filling in forms and need writing to be easy to read. Two (2) out of 4 said they would like people to be more friendly to them.

Ten (10) people attended the community consultation, including four (4) family members (parents or siblings) of people with disability. Six (6) other participants were service providers supporting people with disability.

A further 20 one-on-one interviews were conducted by the consultant including five parents/family members of persons with disability (25%), ten (10 or 50%) who work in the sector supporting people with disability, four (4 or 20%) people with disability and a community member (cab driver).

The results of the consultations were shared with all departments of Council. Strategies for this Disability Inclusion Action Plan are based directly on the comments, suggestions and feedback given via the consultations, surveys and interviews

6. THE ACTION PLAN

FOCUS AREA 1: ATTITUDES AND BEHAVIOURS

Community Outcome 1: Council staff lead by example through their behaviour and attitudes to promote and support inclusion within the community.

What the Community Told Us

- Most people said Council staff were approachable and helpful. However, parents of children with autism said more work needs to be done to understand the needs of their children and families.
- Council needs to use more pictures and images to communicate with the community. Council language can be too hard to understand.
- Sometimes the differing needs of community members don't align, for example, some people need quiet, and others need more volume. In shared places (like the pool or the library) staff need to assist community to be understanding of differing needs and to be willing to compromise.

Strategy S1.1 Promote inclusion and inclusive communication in Council and in the community			
Objective O1.1.1		All Council staff have an awareness of what inclusion means	
Action	Timeline	Measure	Responsibility
A 1.1.01 Celebrate, support and promote events such as International Day of People with Disability, Autism Awareness, R U OK? Day and World Mental Health Awareness Day	30 June 2023 and ongoing each year	Number and list of inclusion/people with disability events actively supported by Council	Events (Lead) Corporate Services Communications
A 1.1.02 Purchase communication aids (such as magnifying glasses, large face clocks and portable hearing loops) and have them visible in Council buildings and facilities	30 June 2023	List and location of communication aides purchased	Corporate Services (Lead) Facility Managers
A 1.1.03 Display the SCOPE Communication Bill of Rights at all Council facilities and buildings	30 June 2023	List of venues where Communication Bill of Rights is displayed	Corporate Services (Lead) Facility Managers
A 1.1.04 Increasingly use infographics and simple English in corporate publications and plans	30 June 2023 and ongoing each year	List of corporate publications and plans incorporating infographics and/or simple English	Corporate Services (Lead) Communications
A1.1.05 Consult with inclusive communication experts (eg, Novita speech therapist) to	30 June 2023	Guidelines and/or strategies for supporting inclusion and managing differing needs	Library Services (Lead)

Strategy S1.1 Promote inclusion and inclusive communication in Council and in the community			
Objective O1.1.1	All Council staff have an awareness of what inclusion means		
Action	Timeline	Measure	Responsibility
develop guidelines on supporting inclusion and managing differing needs in shared community spaces		in shared community spaces	Cultural Facilities
A 1.1.06 Invite management from the YMCA (pool) to be involved in the discussions about developing guidelines for supporting inclusion and managing differing needs in shared community spaces	30 June 2023	Invitation extended to YMCA (Regional Aquatic Centre) management to discuss guidelines for supporting inclusion and managing differing needs in shared community spaces	Assets

Strategy S1.2 Continue to support our staff to respectfully, confidently and effectively communicate with people with disability			
Objective O1.2.1	Council staff are confident and skilled in communicating with people who have a disability		
Action	Timeline	Measure	Responsibility
A1.2.01 Continue to train staff to write accessible documents for presentations and on Council's website	30 June 2023 and ongoing each year	Number and type of training initiatives relating to inclusion or disability confidence/awareness delivered or that staff are sent to	People and Culture (Lead) Communications
A1.2.02 Continue to support staff to develop web content and design compatible with Web Content Accessibility Guidelines 2.0	30 June 2023 and ongoing each year	Number of staff deemed competent to upload WCAG20. Content to Council's website	Communications
A1.2.03 Support the Infrastructure team to enhance disability confidence and communication skills in order to effectively engage and consult with people with disability	30 June 2023	Staff feedback indicates increased confidence in engaging and consulting with people with disability and their supporters	Infrastructure
A1.2.04 Deliver induction sessions that encompass the topic of inclusion of people with disability	30 June 2023 and ongoing each year	Number of induction or refresher sessions delivered that encompass disability inclusion as a topic	People and Culture
A1.2.05 Provide expert guest speakers to staff meetings and/or internal training sessions	30 June 2023 and ongoing each year	Number and topic of guest speakers providing information sessions to staff	People and Culture

Strategy S1.2 Continue to support our staff to respectfully, confidently and effectively communicate with people with disability			
Objective 01.2.1		Council staff are confident and skilled in communicating with people who have a disability	
Action	Timeline	Measure	Responsibility
to provide strategies for communicating effectively with people with diverse communication needs.			

Strategy S1.3 Continue to promote Council's activities for building inclusion in Council and in the community			
Objective 01.3.1		The community is aware of the activities Council is undertaking to progressively build greater inclusion of people with disability	
Action	Timeline	Measure	Responsibility
A1.3.01 Continue to provide media stories (including on social media) on the progress of the implementation of the Disability Inclusion Action Plan 2022-2026	30 June 2023 and ongoing each year	Number and topic of media releases relating to Disability Inclusion Action Plan 2022-2026	Communications

FOCUS AREA 2: LIVEABLE COMMUNITIES

Community Outcome 2: People with disability and their families have improved access to community places, buildings and events.

What the Community Told Us

- The older paths, ramps and kerb ramps in the town are not built to suit newer mobility equipment. Some ramps are too steep and narrow. Kerbs that have a 'lip' on them can be hard to use for people using wheelchairs and walkers.
- Whilst many accessible parking spaces are well placed and easy to use, some accessible spaces are not near kerb ramps.
- Accessible parking sitting adjacent to a kerb is difficult for people who have rear ramp loading accessible cars. The car blocks the ramp.
- It is difficult for people who use wheelchairs to navigate the ambulant toilet spaces. Some of the toilet blocks are old and in need of replacement (particularly the one opposite the Civic Centre).
- Ramp access into the administration building is not a direct path. Signage for access points could be improved and there is a need for accessible parking near the entrance.
- Bus stops and tourist facility entrance points could be improved with regards to accessibility.
- Please don't use bark chips in parks as children and adults who use mobility aids or wheelchairs can't cross the bark chips.
- We need more accessible or universal children's playgrounds and equipment.
- People who use wheelchairs would like to sit with their friends and family at the Civic Centre.
- Schools need ramped access from their bus bay areas.
- Sporting grounds need to be fixed in terms of accessibility.
- Council buildings require quiet / sensory areas.
- More parks need accessible or universal play equipment

Strategy S2.1 Engage with people who use wheelchairs and other mobility aids, and parents of children with disabilities, to determine priorities for improving footpaths, crossings and kerb ramps			
Objective O2.1.1		People with disability are consulted about the priority maintenance and upgrade of footpaths, kerbs, crossings and ramps in Broken Hill	
Action	Timeline	Measure	Responsibility
A2.1.01 Hold specific community consultations with people who use wheelchairs, walkers or gophers to identify priorities for the Active Transport Plan	30 June 2023	Written report of consultation identifying the priorities of adults and children (via their parents) who use mobility aids	Assets
A2.1.02 Promote the progress on the Active Transport Plan via Council media and information to the community care interagency; using Accessible Meeting Guidelines	30 June 2023 and ongoing each year	List of Active Transport Plan related media and interagency presentations	Assets (Lead) Communications

Strategy S2.1 Engage with people who use wheelchairs and other mobility aids, and parents of children with disabilities, to determine priorities for improving footpaths, crossings and kerb ramps			
Objective O2.1.1		People with disability are consulted about the priority maintenance and upgrade of footpaths, kerbs, crossings and ramps in Broken Hill	
Action	Timeline	Measure	Responsibility
A2.1.03 Conduct community consultation on accessible public toilets (maintenance and upgrade and way finding priorities) using Accessible Meetings Guideline	30 June 2023	Community consultation on accessible public toilets (maintenance and upgrades) documented and incorporated into the Active Transport Plan	Assets

Strategy S2.2 Progressively address the issues raised by people with disability to improve access around the City			
Objective O2.2.1		People with disability are directly consulted about the priorities for improvement to access around the City	
Action	Timeline	Measure	Responsibility
A2.2.01 Ensure ramps at school bus bay areas are included in the Active Transport Plan priority list	30 June 2023 and ongoing each year	List with location of bus bay ramps installed	Assets
A2.2.02 Increase the continuous accessible paths of travel to key places based on results of consultations with people who use powered and unpowered wheelchairs, mobility walkers and mobility scooters	30 June 2023 and ongoing each year	List of works contributing to continuous accessible paths of travel	Assets
A2.2.03 Replace bark chips in public paths with options that do not obstruct wheelchairs and mobility walkers	30 June 2023 and ongoing each year	List of locations where bark chips are replaced with other covering options	Assets
A2.2.04 Provide quiet/sensory areas in Council buildings and at Council events	30 June 2023 and ongoing each year	List of quiet and sensory spaces provided in buildings and at events	Library Services (Lead) Cultural Facilities Events
A 2.2.05 Ensure upgrades to and installation of play equipment are accessible to children with physical and non-physical disability	30 June 2023 and ongoing each year	Tenders for play equipment upgrades or installations that require universal design of equipment	Assets

Strategy S2.3 Progressively increase accessibility and inclusion of places of entertainment, recreation, learning and leisure			
Objective O2.3.1		People with disability have greater access to events hosted in the City	
Action	Timeline	Measure	Responsibility
A2.3.01 Source existing Accessible and Inclusive Event Guidelines for use within Broken Hill City Council	30 June 2023	Source and implement Accessible and Inclusive Event Guidelines	Events
A2.3.02 Incorporate Access and Inclusion Plans into all Council hosted events	30 June 2023 and ongoing each year	Percentage of Council run events that have an access and inclusion plan as part of event implementation	Events
A2.3.03 Develop Accessible Event templates, guidelines, policies and/or procedures specific to the context of Broken Hill Events	30 June 2024	Number of Accessible and Inclusive Events Guidelines Council has completed	Events
A2.3.04 Make Council's Accessible Event Guidelines (including promotional information about drop off points and parking etc) available to event organisers booking Council owned sites	30 June 2023 and ongoing each year	Number of Accessible event Guidelines distributed to event organisers in contact with Council	Events
A2.3.05 Ensure seating arrangements enable people who use wheelchairs to sit on the row they would prefer	30 June 2023 and ongoing each year	Seating arrangement procedures for people using wheelchairs to choose the row they wish to sit in	Events
A2.3.06 Compile a template(s) with consistent or aligned meta-data for collecting information on accessibility/inclusion features of Council Buildings, parks, playgrounds etc enabling the presentation of access features of the building and the activities hosted in them	30 June 2023	Templates for collecting presenting access and inclusion information relating to Council buildings, parks, playgrounds and activities created	Assets (Lead) Corporate Services (support role) Events Cultural Facilities Library Services
A2.3.07 Collect and document the accessibility features of all Council buildings, parks, playgrounds and post these on all relevant websites including Council's main website and the national accessible tourism website	30 June 2023 and ongoing each year	Information on accessible and inclusive features of Council buildings, parks and playgrounds collected	Assets
		Ensure the information (and/or completed templates) are made available to: National Accessible Tourism Data Base; Events Information packages for	Assets (Lead) Corporate Services (support role) Events

Strategy S2.3 Progressively increase accessibility and inclusion of places of entertainment, recreation, learning and leisure			
Objective O2.3.1		People with disability have greater access to events hosted in the City	
Action	Timeline	Measure	Responsibility
		internal / external event managers; Venue hire information; Venue information; community information; Library playing the videos or showing photos of the community work; (private venue operators may wish to have copies of their information to place in their own materials)	Cultural Facilities Library Services Communications
A2.3.08 Invite Broken Hill accommodation, entertainment and other leisure / tourism providers to participate in the Access and Inclusion Information Collection Project	30 June 2023 and ongoing each year	The number of active participants increases year by year	Tourism
A2.3.09 Continue to design Library workshops or activities that provide adjustments enabling people with disability to attend	30 June 2023 and ongoing each year	List of workshops designed for people with disability and/or that provided adjustments for people with disability to attend	Library Services
A2.3.10 Continue to enable access by Aboriginal and/or Torres Strait Islander persons with disability to attend culturally safe and appropriate programs	30 June 2023 and ongoing each year	List of workshops designed for people with disability and/or that provided adjustments for people with disability to attend	Library Services (Lead) BH City Art Gallery
A2.3.11 Continue to offer Art Gallery activities with adjustments for people with disability	30 June 2024	List of workshops designed for people with disability and/or that provided adjustments for people with disability	BH City Art Gallery
A2.3.12 Ensure that any future refurbishment of the Council Administration Building includes provision for a lower information desk for people using wheelchairs; availability of hearing loop; and a meeting room enabling sound privacy	30 June 2026	List of Council Administration Building access features completed	Assets
A2.3.13 Ensure the Visitors' Information Centre has a section of the information counter at a lowered height to accommodate visitors who use wheelchairs	30 June 2024	List of Visitor Information Centre Building access features completed	Tourism

FOCUS AREA 3: SYSTEMS AND PROCESSES

Community Outcome 3: Council processes support and enhance inclusion of people with disability

What the Community Told Us

- "Thank you for the opportunity to be included in a better Broken Hill"
- Council needs to ensure plans promote more child safety awareness especially for kids with delays and the elderly.
- Rates notice is not so easy to understand at times.
- Be more open and have better communication with the community.
- Please use language that all aged groups and people from all backgrounds can understand. It's too "businessy".

Strategy S3.1 Systems supporting Council communications, meetings and consultations enhance inclusion			
Objective O3.1.1		Written information produced by Council is easier to read both in form and content	
Action	Timeline	Measure	Responsibility
A3.1.01 Develop guidelines for creating accessible documents (integrating the International Day of People with Disabilities Style Guide, 2018 https://www.idpwd.com.au/wp-content/uploads/2018/09/IDPWD-Style-Guide-2018.pdf).	30 June 2024	Guidelines for creating accessible documents developed	Corporate Services

Strategy S3.2 Incorporate accessibility and inclusion considerations in procurement decisions and contracts			
Objective O3.2.1		People with disability have greater access to information relating to procurement and contracts	
Action	Timeline	Measure	Responsibility
A3.2.01 Review procurement systems and contracts to ensure accessible and inclusive practices are used by consultants	30 June 2024	Procurement procedures reviewed and standard request for tender documents and standard contracts have inclusive practice requirements	Finance

Strategy S3.3 Ensure procedures and work practices require all community campaigns or information sessions to be inclusive			
Objective O3.3.1:		People with disability have greater access to information	
Action	Timeline	Measure	Responsibility
A3.3.01 Review procedures and work practices relating to the development of community campaigns or information sessions to ensure inclusion is built in	30 June 2025	Review of systems generating community campaigns and information sessions identify inclusion / access opportunities	Communications

Strategy S3.4 Utilise the expertise of the DIAP Monitoring Group to improve systems and processes			
Objective O3.4.1		People with disability are represented on the DIAP Monitoring Group	
Action	Timeline	Measure	Responsibility
A3.4.01 Continue to support and resource the DIAP Monitoring Group to assist Council to improve systems and processes	30 June 2023 and ongoing each year	List of issues taken to the DIAP Monitoring Group relating to improvement of systems and processes	Corporate Services

Strategy S3.5 Embed inclusive practices into all community consultations, communications and Council work practices			
Objective O3.5.1		People with disabilities increasingly give feedback to Council and are able to give formal and informal input on the development and progress of Council plans	
Action	Timeline	Measure	Responsibility
A3.5.01 Community engagement plans include methods for engaging 'harder to reach' individuals and communities	30 June 2023 and ongoing each year	Multiple methods of communication are utilised; media releases, public statements, images, brochures, events, surveys, social media	Communications
A3.5.02 Collate database of key community contacts in order to collect 'lived' information on 'accessible Broken Hill'	30 June 2025	Organisations, projects, programs and partnerships communicate appropriately with the community/vulnerable population including feeding back of results/outcomes.	Corporate Services
		Establishment of shared	Corporate

Strategy S3.5 Embed inclusive practices into all community consultations, communications and Council work practices			
Objective O3.5.1		People with disabilities increasingly give feedback to Council and are able to give formal and informal input on the development and progress of Council plans	
Action	Timeline	Measure	Responsibility
		key community contacts database	Services
A3.5.03 Collate a database of volunteers prepared to take photos of places, for example, routes to tourism venues, Council buildings and parks; and approach private venues and accommodation operators wishing to cater to accessible tourism	30 June 2025	Establishment of a shared volunteer database	Tourism

Strategy S3.6 Consumer satisfaction surveys indicate the consumers feel heard and have a say in decision making.			
Objective O3.6.1		Surveys are developed to ensure accessibility to respond by hard-to-reach individuals can be achieved	
Action	Timeline	Measure	Responsibility
A3.6.01 Community consumer satisfaction survey	30 June 2024	Survey design questions have obtained the responses of 'harder to reach' individuals	Corporate Services

FOCUS AREA 4: EMPLOYMENT

Community Outcome 4: People with disability have greater access to employment opportunities with Council

What the Community Told Us

- "Wish I knew about this maybe I will have to look on website!!" (Regarding Council's work to support employment and volunteering opportunities for people with disability)
- It's extremely hard in this town to get employed if you are disabled. Understanding and quality of jobs are two big issues

Strategy S4.1 Review recruitment and employment processes to ensure they are barrier free to candidates who have disability			
Objective O4.1.1		Council has recruitment and employment policies that reflect best practice with regards to encouraging and supporting the employment of people with disability	
Action	Timeline	Measure	Responsibility
A4.1.01 Include on the front of Council's 'Jobs' webpage a statement that Council welcomes applications for employment from people with disability	30 June 2023	Council's Job section on its website includes a statement that Council welcomes applications from people with disability	People and Culture
A4.1.02 Continue to regularly access and implement the free resources from the Australian Network on Disability, specifically: <ul style="list-style-type: none"> • Sharing and monitoring disability information in the workplace; and • Employers' Guide to Partnering with Disability Employment Services 	30 June 2024	List of recruitment and employment related policies/procedures reviewed and/or amended for implementation in line with Australian Network on Disability guidelines and samples	People and Culture
A4.1.03 Continue to reference the Australian Network on Disability resource "Manager's Guide: Disability in the Workplace" and continuously update Council's policies and processes in line with best practice examples provided	30 June 2024	List of recruitment and employment related policies/procedures reviewed and/or amended for implementation in line with Australian Network on Disability guidelines and samples	People and Culture

7. MONITORING AND EVALUATION

Throughout the four years that this Plan is being implemented, we want to engage and involve people with disability to help us monitor the progress.

We will achieve this by reporting to our established Disability Inclusion Plan Monitoring Group, made up of people with disability and members of the community with an interest in disability, that will be formed for the term of each Council and reviewed annually, to ensure the broadest range of input possible, as well as representatives of key partner agencies and staff from within Council.

At the end of the 4-year Disability Inclusion Action Plan, we will consult broadly with the community to ask what positive changes they may have noticed, as well as asking where barriers continue to exist.

Council will also require senior managers to make sure the Plan is being implemented. Links between the Disability Inclusion Action Plan and the Community Strategic Plan, Delivery Program and Operational Plans, will enable us to track exactly where we are up to in putting the plan into action.

This will enable us to give a clear picture in the Annual Report, of what has been completed, and what is still to happen.

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POLICY AND GENERAL COMMITTEE

May 3, 2022

ITEM 5BROKEN HILL CITY COUNCIL REPORT NO. 142/22SUBJECT: ADOPTION OF THE DRAFT DEBT RECOVERY POLICY D22/21771**Recommendation**

1. That Broken Hill City Council Report No. 142/22 dated May 3, 2022, be received.
2. That Council notes that as per Minute Number 46820, the Draft Debt Recovery Policy was placed on public exhibition for a 28 day period concluding 31 May 2022 during which time Council received nil submissions from members of the public.
3. That Council adopts the Draft Debt Recovery Policy as a Policy of Council which will render the 2017 Debt Recovery Policy obsolete.

Executive Summary:

In order to facilitate improved financial management and compliance with the *Local Government Act 1993*, a review of Councils Debt Recovery Policy has been conducted. This review is to ensure Councils Debt Recovery Policy is compliant and in alignment with The *Local Government Act 1993*, and Office of Local Government Debt Management and Hardship Guidelines November 2018. Ratepayer and debtor feedback has been considered and incorporated into the revised policy during this review.

In accordance with the *Local Government Act 1993* any new or reviewed policies require public exhibition for a period no less than 28 days following which all submissions should be considered and the policies be either amended, adopted or rejected.

Council considered the Draft Debt Recovery Policy at its Ordinary Meeting held 27 April 2022 and resolved (Minute Number 46820) to place the Draft Policy on public exhibition for a 28 day period.

The Draft Policy was placed on public exhibition commencing 4 May 2022 and concluding 31 May 2022 during which time Council received nil submissions from members of the public.

Report:

Council collects rates and charges each year in line with the *Local Government Act 1993*. Councils that receive funds on time are in a better position to be financially sustainable and continue to deliver the services and facilities that the local community need and expect.

A robust, fair, transparent, and equitable Debt Recovery policy is essential in managing the collection of rates and charges and communication with ratepayers.

The review of Councils Debt Recovery policy has been conducted with the *Local Government Act 1993*, OLG - Debt Management and Hardship Guidelines November 2018, and ratepayer and debtor feedback as the guiding principles.

Key elements required for an effective Debt Recovery policy:

- Recovery of debt in a fair, equitable and respectful manner
- Modern payment methods and bill smoothing
- Stop the clock approach
- Clear and accessible communication – early engagement
- Cost minimisation
- Consistent approach
- Regular review of policies and procedures

Proposed Key Changes to existing policy:

- Days to respond between reminder and demand letters increased from 14 to 21 days.
- Threshold for proceeding to legal action recovery increased from \$800 to \$1000.
- Final Reminder notice to be issued on Council Letterhead 21 days after due date.

The proposed changes in the draft debt recovery policy have been included in response to feedback received from rates and sundry debtors. Debtors have expressed a preference for initial contact to come from Council, on Council letterhead rather than from an external debt recovery agent. Debtors have also communicated a preference to avoid legal costs where possible and that they have been experiencing delays with the mail, making the 14 day response time difficult to meet. The above changes, including the extension of time between letters from 14 to 21 days, the legal action threshold increase to \$1000 and the final reminder to be issued on Council letterhead have been included as a response to these issues.

This revised policy will provide a sound debt recovery policy to ensure that appropriate controls are in place for the management of rates and sundry debtors as part of council's overall financial management system.

Council considered the Draft Debt Recovery Policy at its Ordinary Meeting held 27 April 2022 and resolved (Minute Number 46820) to place the Draft Policy on public exhibition for a 28 day period.

The Draft Policy was placed on public exhibition commencing 4 May 2022 and concluding 31 May 2022 during which time Council received nil submissions from members of the public.

This report is now presented to Council to consider adoption of the Draft Debt Recovery Policy as a Policy of Council.

Community Engagement:

The Draft Debt Recovery Policy was placed on public exhibition for a 28 day period concluding 31 May 2022.

Strategic Direction:

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

Relevant Legislation:

- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*

Financial Implications:

This policy will provide a sound corporate debt recovery policy to ensure that appropriate controls are in place for the management of rates and sundry debtors as part of council's overall financial management system.

Attachments

1. [↓](#) Draft Debt Recovery Policy
2. [↓](#) Debt-Management-And-Hardship-Guidelines-Nov-2018

SIMON BROWN
CHIEF FINANCIAL OFFICER

JAY NANKIVELL
GENERAL MANAGER

DRAFT DEBT RECOVERY POLICY

QUALITY CONTROL		
TRIM REFERENCES	12/14 – D16/44049	
RESPONSIBLE POSITION	Manager Finance	
APPROVED BY	Council	
REVIEW DATE	1 April 2026	REVISION NUMBER 2
EFFECTIVE DATE	ACTION	MINUTE NUMBER
30 November 2016	Public Exhibition	45377
22 February 2017	Adopted	45460
25 March 2020	Adopted temporary amendment	46209
27 April 2022	Public Exhibition	46820

1. INTRODUCTION

The purpose of this policy is to ensure effective control over debts owed to Council by maximising the collection of outstanding rates and sundry income. Fulfilling the statutory requirements of the *Local Government Act 1993* and associated Local Government Regulations with respect to the recovery of rates, charges and other debts. Also, to ensure consistency, fairness, integrity and confidentiality of all proceedings for both Council and the debtor including those facing hardship and to provide contemporary and flexible payment options for ratepayers and reduce the use of expensive court processes to recover debts.

2. POLICY OBJECTIVE

In managing Council's most significant cash inflow, it is essential that an effective and equitable debt management policy exists to recover all rates and charges revenue.

This policy outlines the principles and guidelines for managing the recovery of outstanding rates and charges, incorporating the following major elements:

- Aim to collect all rates and charges by the end of each rating year.
- Apply a fair and reasonable approach to recovering overdue rates and charges.
- Achieve and maintain an outstanding rates and charges ratio at or below the industry standard.

- Apply the provisions of the Act relating to the sale of land as and when required.

3. POLICY SCOPE

Authority for implementation of the Debt Recovery Policy is delegated by Council to the General Manager in accordance with the *Local Government Act 1993*.

The General Manager may delegate the debt recovery function to an authorised council officer. Other finance staff will assist in the day-to-day administration of the debt recovery process which is in accordance with relevant legislation and guidelines.

4. POLICY STATEMENT

4.1. ETHICS AND CONFLICTS OF INTEREST

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

4.2. PRIVACY OBLIGATIONS

Personal information means information or opinion, whether it is true or not, about an individual that can reasonably allow the individual to be identified.

A debtor's personal information will be treated with respect and Council will comply with the *Privacy and Personal Information Protection Act 1998* when collecting and disclosing information throughout the debt recovery process.

4.3. RECOVERY OF DEBTS

4.3.1. RATES AND CHARGES

Council will levy rates charged by service of a rates notice in accordance with Section 546 the Local Government Act. Council will levy rates notices in the month of July of every year.

If the rates notice is served in July, under section 562(3) of the Act, ratepayers have the option of making payment of the amounts owing in those rates notices by one lump sum (which is to be paid by 31 August) or by four quarterly instalments due on the last day of the following months:

- 31 August
- 30 November
- 28 February
- 31 May

Instalment Reminder Notices

Under Section 562(5) of the Local Government Act, Council must send instalment reminder notices to each ratepayer by instalment on or before 31 October, 31 January and 30 April.

Final Reminder

A Final Reminder Notice is to be sent to any ratepayer who has not, within twenty-one (21) days of the due date:

- a) Paid the amount of any instalment; or

- b) Come to an arrangement for payment of the instalment by instalments; or
- c) Made written application for waiver, credit or reduction of the instalment; or
- d) Taken some action to dispute the amount is payable.

The Final Reminder Notice will:

- a) Be on Council Letterhead
- b) Set out the amount of the instalment.
- c) Request payment of the instalment within twenty-one (21) days of the date of the notice
- d) Urge the ratepayer to contact Council if they believe that the instalment has been paid or is not payable; and
- e) Urge the ratepayer to make contact to come to a suitable arrangement if they are unable to make payment of the instalment amount within the time allowed.

Demand Letter

A Demand Letter (in an approved form) is to be sent to any ratepayer who has not within twenty-one (21) days of the Final Notice:

- a) Paid the amount of any instalment; or
- b) Come to an arrangement for payment of the instalment by instalments; or
- c) Made written application for waiver, credit or reduction of the instalment; or
- d) Taken some action to dispute that the amount is payable.

The Demand Letter will:

- a) Set out the amount of the instalment;
- b) Demand payment of the instalment within twenty-one (21) days of the date of the notice
- c) Urge the ratepayer to contact Council if they believe that the instalment has been paid or is not payable; and
- d) Urge the ratepayer to contact Council to come to a suitable arrangement if they are unable to make payment of the instalment amount within the time allowed.

Commencement of Legal Action

Council is to instruct the external debt recovery agency to commence legal action with the issue and service of a Statement of Claim against any ratepayer with an instalment (or instalments) unpaid and owing greater than \$1000 (including any accrued interest); and who has not:

- a) Come to an arrangement for payment of the instalment by instalments; or
- b) Made written application for waiver, credit or reduction of the instalment; or
- c) Taken some action to dispute that the amount is payable.

Costs of Legal Action

Council is to ensure that the costs of any legal action taken are legally recoverable as a charge on the property pursuant to Section 550 of the Act and to upload those costs to the property as required.

Obtaining Judgment

Council is to instruct their external law firm to make application for judgment if, within the time allowed by the relevant legislation (currently twenty-eight days after service of the statement of claim), the ratepayer has not:

- (a) Paid the debt and costs claimed; or
- (b) Filed a defence; or
- (c) Filed an acknowledgement of claim; or
- (d) Come to an arrangement to pay by instalments; or
- (e) Taken any other action that means Council is unable to apply for judgment.

Enforcing Judgment

Council is to instruct their external law firm to enforce any judgment obtained by one or more of the following methods as advised by their external debt recovery agent:

- (a) Writ against property;
- (b) Examination; (c) Garnishee of bank accounts;
- (d) Garnishee of wages or other debts;
- (e) Bankruptcy;
- (f) Winding up of companies;
- (g) "Rent for Rates" under Section 569 of the Act; or
- (h) Such other method as Council is advised.

Duplicate Matters

With ratepayers who have not paid instalments, referral for recovery will be done quarterly, in order to keep costs to a minimum should legal action be required. Council will adhere to the following practice:

1. If debt recovery has already commenced to recover the previous instalments then no further debt recovery is to be taken on later instalments until such time as the amount claimed in those legal proceedings (including costs) have been paid.
2. If debt recovery has not commenced to recover the previous instalment then the amount of any later instalment is to be added to the earlier instalment for the taking of that debt recovery.

Payment of Debt and Costs

If, after the commencement of legal proceedings, a ratepayer makes payment of the instalment claimed but not the costs of those proceedings, Council's external debt recovery is to send the relevant ratepayer a letter setting out the amount payable for costs and demanding payment of same within twenty one (21) days.

If the ratepayer does not make payment of those costs within twenty one (21) days of the sending of the letter legal action is to be continued for the recovery of those costs.

4.4. AGREEMENTS FOR PERIODICAL PAYMENT

Council acknowledges that in certain cases, some ratepayers may genuinely be experiencing a period of financial hardship and as a result may have difficulty in meeting the cost of each rates and charges instalment when they fall due. In such cases, Council encourages ratepayers to enter into an agreement for periodical payment of rates and charges applicable to their property in accordance with Council's Hardship Policy.

Similarly, Council is considerate to accepting a mutually agreeable arrangement for the payment of overdue rates and charges. The agreement may be entered into at any time during the recovery process, except when Council has resolved to sell a property under the Sale of Land provisions outlined in the *Local Government Act*.

It is the ratepayer's responsibility to ensure that payments made under approved payment arrangements are made on time. A reminder will not be issued for an unpaid instalment, and debt recovery action will continue.

The following guidelines should be used when considering an appropriate agreement:

- The agreement should be accepted on the basis that the outstanding amounts be finalised as soon as possible;
- Agreements can be made on a weekly, fortnightly or monthly basis;
- Any agreement made should be made such that all amounts are paid in full by 30th June of that financial year;
- An agreement made should not extend beyond two years;
- Council acknowledges that some ratepayers may be experiencing hardship and as such, extenuating circumstances can be taken into consideration if any of the above three conditions cannot be met. In this instance, debtors may be required to complete an application under hardship provisions detailing personal financial information.
- Should the debtor not meet the conditions of the agreement without prior contact with Council, the agreement will be cancelled and debt recovery action will commence.

4.5. INTEREST

Interest accrues on a daily basis, in accordance with Section 566 of the *Local Government Act 1993*, on rates and charges that remain unpaid after they become due and payable. The rate to be charged is the maximum allowed as announced by the Division of Local Government and advertised in Council's Operational Plan.

Ratepayers who are unable to pay accrued interest on rates and charges for reasons beyond their control or because payment of the accrued interest would cause them hardship, may apply to have the accrued interest written off under Section 567 of the *Local Government Act 1993*.

4.6. WRITING OFF ACCRUED INTEREST

Applications for writing off accrued interest under the hardship provisions of the *Local Government Act 1993* shall be determined on the merits of each individual case, on the basis of whether or not the hardship criteria have been satisfied by the applicant and a proper opinion can be formed. The above is not applicable to the writing off of interest amounts raised in error.

4.7. WRITING OFF RATES

Rates or charges (including accrued interest) or other debts will be written off only by resolution of Council or under delegated authority. Any interest which has to be written off due to hardship will be written off by the end of the financial year after confirming if the ratepayer has adhered to the agreed arrangement. Where an arrangement is broken due to missed payments or dishonoured payments, the interest will not be written off.

4.8. SALE OF LAND FOR UNPAID RATES AND CHARGES

Council is to avail itself of the procedure for sale of land for unpaid rates and charges provided for by Part 2 Division 5 of the Act where appropriate

4.9. PENSIONERS

Due consideration is to be given to pensioners, taking into account income and other circumstances. Legal action against pensioners will be a last resort, again depending on the circumstances.

4.9 SUNDRY DEBTORS

Recovery action will commence when invoices issued are not paid by the due date unless arrangements have been entered into (in writing) to make periodical payments.

Due Date for Payment

Invoices for sundry debtors are due for payment thirty (30) days from the date of issue of the invoice.

Reminder

As with rates, a reminder is to be sent to sundry debtors where no payment has been made, within twenty-one (21) days of the due date for payment. Reminders will be made via letter, email or phone call as appropriate.

Demand Letter

A Demand Letter is to be sent by Council's debt recovery agency to any sundry debtor that has not made payment of the amount owing within twenty-one of the date of the Reminder Letter. The Demand Letter will demand payment within Twenty-one (21) days and advise that Council may take legal action to recover the amount without further notice if it is not paid within that time.

Debt Recovery

Council is to instruct its external debt recovery to commence legal action with the issue and service of a Statement of Claim against any sundry debtor with an amount owing greater than \$1000 and who has not:

- a) Come to an arrangement for payment of the debt; or
- b) Made written application for waiver, credit or reduction of the debt; or

- c) Taken some action to dispute that the amount is payable.

Obtaining Judgment

Council is to instruct their external debt recovery agency to make application for judgment if, within the time allowed by the relevant legislation (currently twenty-eight (28) days after service of the statement of claim), the ratepayer has not:

- a) Paid the debt and costs claimed; or
- b) Filed a defence; or
- c) Filed an acknowledgement of claim; or
- d) Come to an arrangement to pay by instalments; or
- e) Taken any other action that means Council is unable to apply for judgment.

Enforcing Judgment

Council is to instruct their external law firm to enforce any judgment obtained by one or more of the following methods as advised by their external law firm:

- a) Writ against property.
- b) Examination.
- c) Garnishee of bank accounts.
- d) Garnishee of wages or other debts.
- e) Bankruptcy.
- f) Winding up of companies.
- g) Such other method as Council is advised.

Arrangements

Council is able to come to an arrangement with any sundry debtor for payment of the amount owing (including any costs and interest).

Any request for an instalment arrangement from a sundry debtor must be in writing and Council will not consider any request until it has been submitted in writing.

Whether or not Council agrees to any arrangement proposal is entirely in the discretion of Council and the following should be taken into account:

- a) The debt size;
- b) The debt age;
- c) The time it will take to pay;
- d) The conduct of the debtor, including any previous arrangements and their outcome;
- e) The amount of costs incurred;

- f) The financial circumstances of the debtor, to the extent that Council is aware of them; and
- g) Any other matter Council considers relevant.

If Council accepts a proposal from a sundry debtor for payment of a debt by instalments, that acceptance is to be confirmed in writing. The confirmation is to:

1. Refer to the written offer to pay by instalments received;
2. Set out the amount payable under the arrangement;
3. Confirm that the arrangement only applies to that amount payable;
4. Set out the arrangement itself;
5. Urge the debtor to contact Council prior to the due date for payment should they be unable to comply with the arrangement; and
6. Advise that Council reserves the right to continue action without notice should the debtor default on the arrangement

Defaulted Arrangements

Should a sundry debtor default on a payment arrangement then recovery action is to continue from the last stage it reached prior to the arrangement being entered into

5. IMPLEMENTATION

5.1. Roles and Responsibilities

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

- General Manager
- Chief Financial Officer
- Manager Finance
- Management/ Financial Accountant
- Assistant Accountant
- Rates Officer
- Finance Support Officer

5.2. Communication

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

5.3. Associated Documents

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

- Hardship Policy

6. REVIEW

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

The standard review period will be every two (2) years from the effective date. The responsible Council officer will be notified of the review requirements three (3) months prior to the expiry of this policy.

The Chief Financial Officer 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*
- *Local Government (General) Regulation 2005*
- *Office of Local Government Debt Management and Hardship Guidelines, November 2018*
- *Local Government Code of Accounting Practice and Financial reporting*
- *Australian Accounting Standards*
- *Division of Local Government Circulars*
- *Trade Practices Act 1974*
- *Australian Securities and Investments Commission Act 2001*
- *ACCC and ASIC Debt Collection Guideline for collectors and creditors*
- *Privacy and Personal Information Protection Act 1998*

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

Strengthening local government

Office of Local Government

DEBT MANAGEMENT AND HARDSHIP GUIDELINES

November 2018



GUIDELINES UNDER SECTION 23A OF THE
LOCAL GOVERNMENT ACT 1993

DEBT MANAGEMENT AND HARDSHIP GUIDELINES

NOVEMBER 2018

ACCESS TO SERVICES

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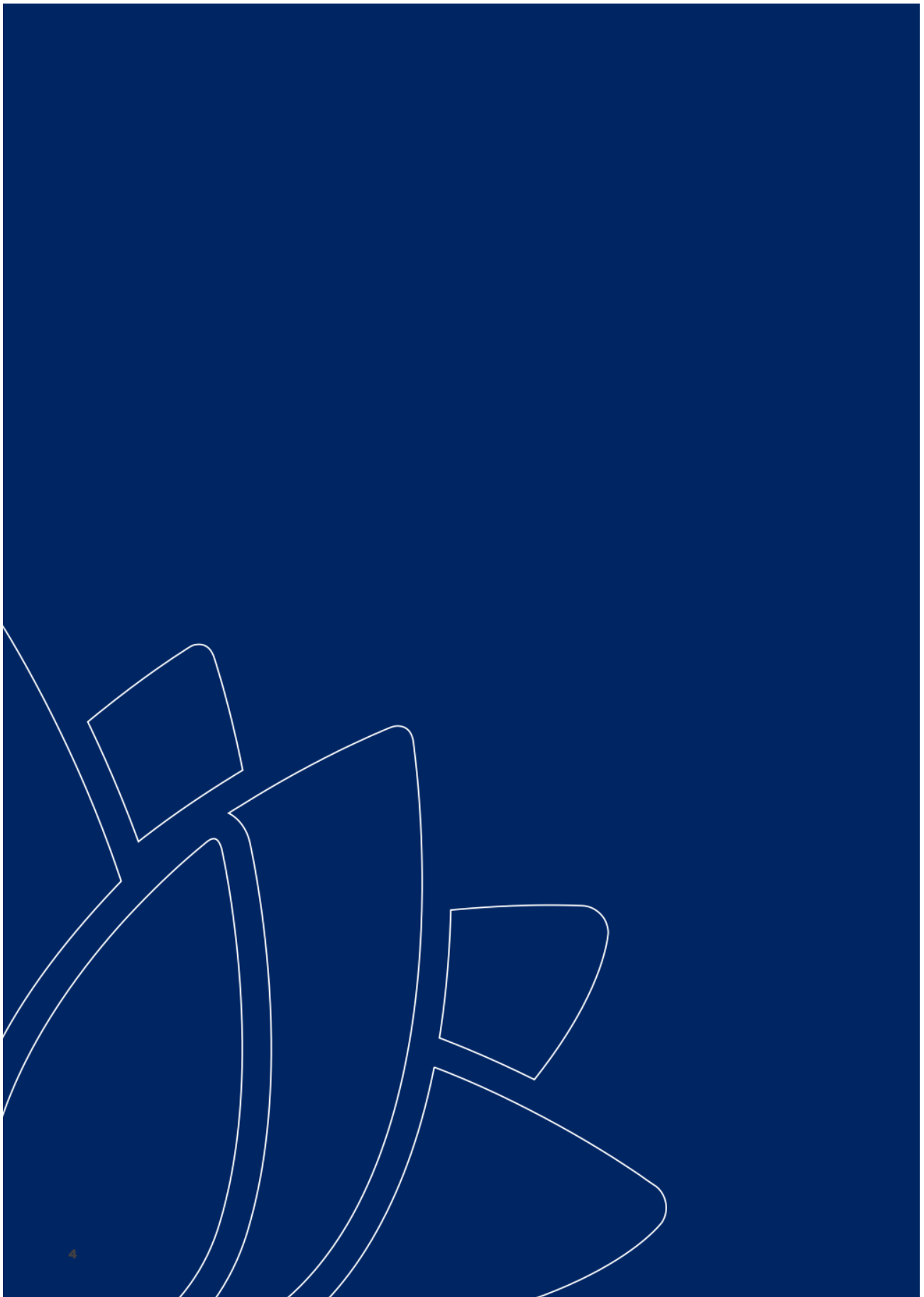
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Foreword

Council rates and charges fund a vast array of services, infrastructure and facilities that local communities rely on. It is therefore vital that councils have good policies and processes in place to ensure rates and charges are collected promptly, fairly and efficiently, while minimising the risk of debt from overdue payments.

Local communities expect governments, including councils, to have modern payment processes in place that best suit current day needs, including electronic payments of rates and charges and options to smooth out payments across the year for more substantial bills.

It is important for councils to recover debt from unpaid rates and charges fairly and equitably. Councils are encouraged to give special consideration for people facing hardship to limit unnecessary fees, interest and legal costs that can cause additional financial stress in difficult times.

To support NSW councils to develop and apply modern, fair and effective debt recovery and hardship policies and practices in line with the requirements of the *Local Government Act 1993*, the NSW Office of Local Government, in conjunction with the NSW Department of Justice, has published these section 23A Debt Management and Hardship Guidelines.

The Guidelines set out information that councils must take into account when developing and implementing debt management and hardship policies, as well as best practice examples of easy-to-follow communication, hardship assessment, early mediation and dispute resolution.

They should be implemented alongside appropriate financial management practices to enable councils to maintain financial sustainability and achieve financial performance benchmarks.

Tim Hurst

Chief Executive
Office of Local Government



Part 1:

Debt Management

and Hardship for

Local Government

1.1 Introduction

NSW councils collect rates and charges each year in line with the *Local Government Act 1993*. Councils receiving funds on time are in a better position to be financially sustainable and continue to deliver the services and facilities local communities need and expect.

Each council should adopt robust, fair and transparent policies and procedures outlining how they will communicate with ratepayers, collect monies owing, assess hardship claims and, where necessary, recover overdue payments to manage debt.

Good debt management by councils generally flows from having good rates and charges collection processes in place.

The Office of Local Government has worked with the NSW Department of Justice to prepare these *Debt Management and Hardship Guidelines*.

The Guidelines support councils to review and update existing debt management policies and practices to collect rates and waste charges, water and sewerage charges, and align them to best practice across the sector. They provide guidance on proactive measures councils can take to ensure prompt payment and minimise default, as well as how to follow up ratepayers and recover any debts incurred fairly and effectively.

When recovering debt, and at other times, councils must consider whether a ratepayer is facing hardship and the best way to support a person in hardship to pay their bills. Guidance on developing relevant hardship policies and procedures is also included.

Councils must take these section 23A Guidelines into account when exercising debt management and hardship functions or making relevant decisions. Debt Management and Hardship policies may be prepared separately or as a comprehensive article but must be integrated in their application.

Some helpful definitions for key terms in these Guidelines are set out at **Appendix A**.

1.2 Status and scope of Guidelines

The Guidelines are issued under section 23A of the *Local Government Act*. Councils must therefore take the Guidelines into account when implementing local debt management and hardship policies and/or procedures. They apply to all NSW councils, whether or not debt recovery functions are outsourced.

While the Guidelines have been developed with particular reference to collecting debts from individual ratepayers, much of the information will also be relevant to the collection of other debts, such as from businesses or other organisations.

Councils must always seek and be guided by their own independent legal advice on these matters.

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The Guidelines have drawn on best practice material in a number of NSW council policies and the *Debt collection guideline: for collectors and creditors* (Commonwealth, 2015) and the *Debt Recovery Guidelines – Responsible collection of State debts: Guidelines for Revenue NSW to collect State debt* (Revenue NSW). Valuable and timely feedback from the Revenue Professionals and a number of its member council practitioners is also acknowledged.

1.3 Objectives

The Guidelines assist councils to develop policies and procedures that provide for:

- efficient and effective collection of council rates, charges and outstanding debt
- contemporary and flexible options to collect money from ratepayers
- fair and equitable treatment of ratepayers, including those facing hardship
- how to identify and work with ratepayers in hardship when collecting money
- reduced use of expensive court processes to recover debts
- improved financial sustainability of councils, including performance in managing outstanding rates and charges, and
- compliance with legislative requirements, including the *Local Government Act* and privacy laws.

1.4 Legal framework

The *Local Government Act* provides the legal framework for how councils set and levy rates and charges each year and recover debt from overdue rates and charges, including for waiving or reducing rates in cases of hardship. A best practice debt recovery summary flowchart is set out at **Appendix B**.

Rates and charges are set in a council's Revenue Policy as part of their Integrated Planning and Reporting requirements. Rates and charges are made by 1 August each year. Notices state rates owing, any arrears and interest, any postponed rates, amount due and date to pay. Notices also advise that interest accrues after the due date, at a daily rate set by council up to a cap set yearly under the *Local Government Act*.

Councils are permitted to agree to periodic payments of rates and charges, write off accrued interest and postpone rates payments. In extreme cases, councils may also sell land to recover unpaid rates and charges. Councils may also provide discount incentives for prompt payment in full, if desired.

Hardship provisions are stipulated to encourage councils to have fair and equitable policies in place to assess hardship claims, particularly for pensioners, and procedures that make it as easy as possible for ratepayers in hardship to pay.

The NSW Government encourages councils to incorporate modern and flexible periodic and electronic payment systems and other incentives to make it as easy as possible for ratepayers to pay promptly and to minimise the risk of debt.

Relevant legislative excerpts from the *Local Government Act* and a list of other relevant laws are at **Appendix C**.

1.5 Principles

The advice and options in this Guideline are based on best practice from across the local government sector, with reference to a set of guiding principles.

Councils should consider the following guiding principles in establishing or reviewing their own policies and practices to support effective debt management:

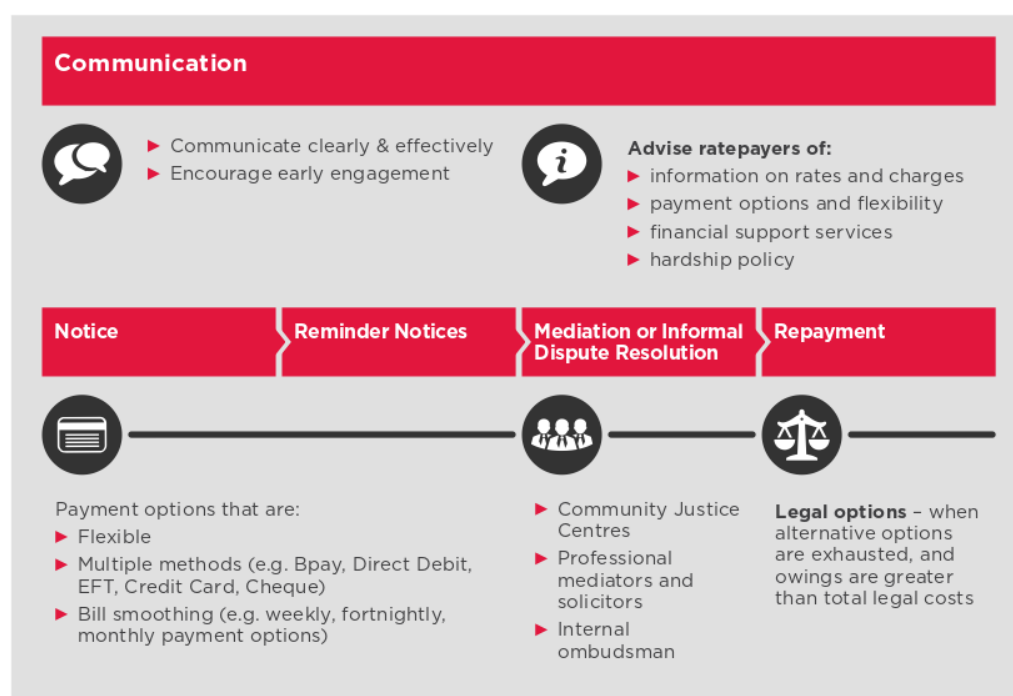
- **clear and accessible communication** – easy-to-understand information about rates and charges, how to pay, hardship, who to contact and the council's approach to overdue rates and dealing with hardship claims
- **local flexibility** – providing payment options and processes that meet local needs and the special circumstances of those facing hardship

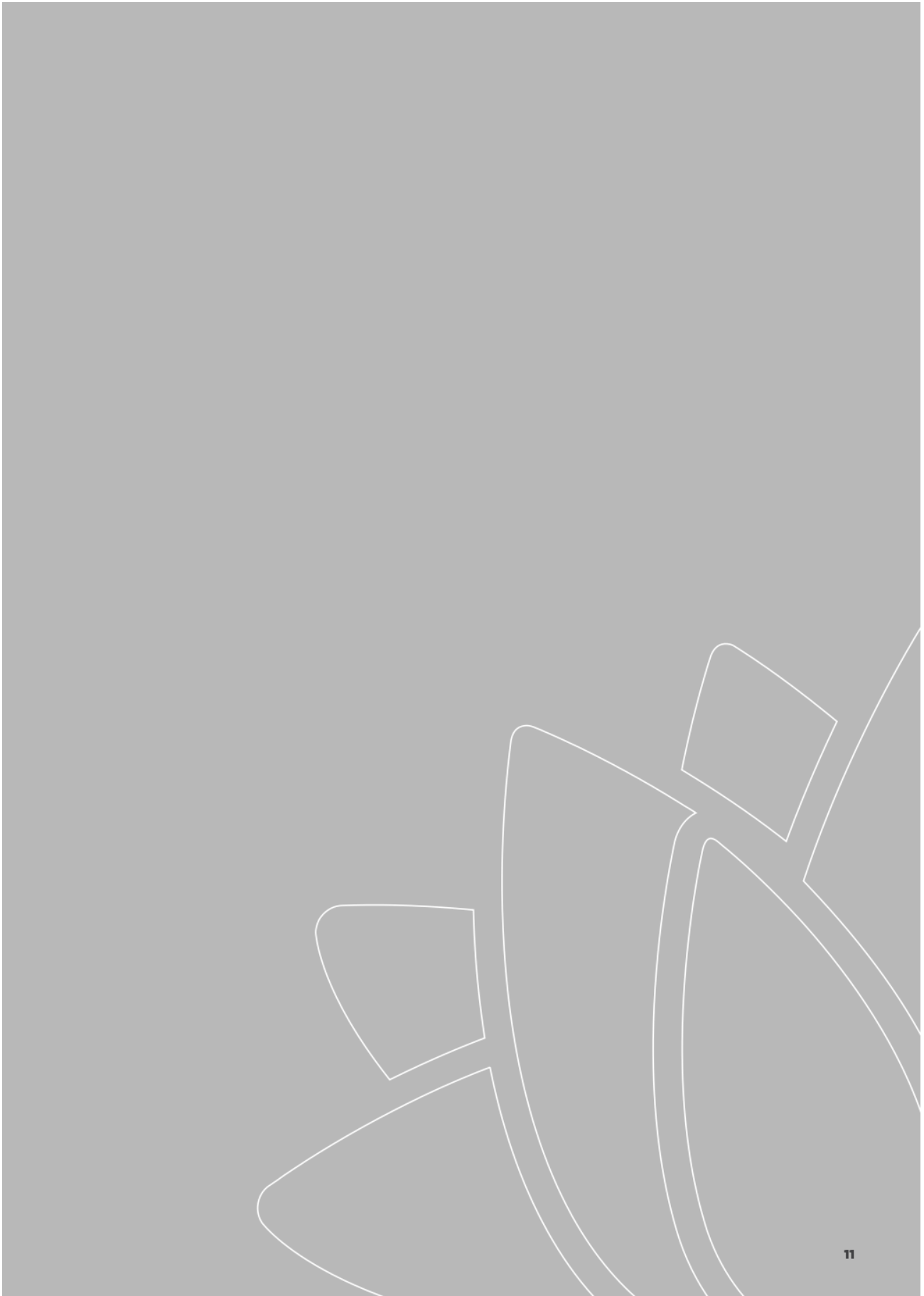
- **fair, equitable and respectful treatment** – of all ratepayers, including respectful communication with those facing hardship
- **a 'stop the clock' approach** – to suspend debt recovery, legal action and interest accrual while a ratepayer's hardship application is awaiting determination, or while they are complying with an approved payment arrangement
- **informal action first** – timely action to prompt payments and communicate relevant information when following-up overdue amounts prior to taking formal action
- **minimise costs** – try to achieve payment without increasing ratepayer debts
- **maintain confidentiality and privacy** – information provided by applicants is treated confidentially and only used for appropriate purposes, such as to assess a hardship application
- **regular review of policies and procedures** – to identify good practice and areas for improvement, and
- **consistent debt management and hardship approaches and policies.**

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1.6 Good practice summary flowchart

Figure 1 below summarises the good practice approaches to debt recovery and hardship taken by a number of NSW councils. These are further expanded on and explained in the following sections of the Guidelines.





Part 2:

Ensuring prompt payment

Debt Management and Hardship Guidelines

When ratepayers act and pay promptly, and when councils are fair and realistic, the need for debt management is reduced. Below are some practical ways that councils can assist ratepayers to act promptly to meet their financial commitments.

2.1 Information for ratepayers

Most ratepayers act responsibly if they are given enough information about the rates and charges they owe, as well as reasonable opportunity and flexibility to pay in an easy and timely way that takes their needs into account.

Councils should support this approach by ensuring that their policies and procedures:

- allow for alternative payment options including flexible payment arrangements before rates are due – for example, periodic payments (i.e. weekly, fortnightly, monthly or quarterly), and electronic payment options
- authorise council staff to make suitable payment arrangements with ratepayers that have not paid on time, such as a Time to Pay agreement
- include helpful information on rates notices to encourage ratepayers to contact council early if they may have difficulty paying, and
- encourage staff to refer ratepayers making enquiries to financial counsellors and other low cost support services.

Councils can take proactive steps to reduce overdue payments and support ratepayers experiencing hardship such as:

- promoting debt recovery and hardship policies
- developing clear, simple information, such as 'fact sheets' about rates and charges and options available to make sure they are paid on time

- translating material into other languages commonly used in their local area or including a list of local language services
- promoting flexible payment options in other communication materials, and
- improving access to policies, e.g. having key search terms to find them online (i.e. "debt recovery", "local government", "rates", "hardship").

Councils may also consider offering a discount on rates for ratepayers that promptly pay their rates in full under section 563 of the *Local Government Act*.

2.2 Rates and charges notices

Councils recover rates and charges owed by issuing a notice under section 546 of the *Local Government Act*. Information that must be included on rates and charges notices is listed in clause 127 of the *Local Government (General) Regulation 2005*.

Some ratepayers have difficulty navigating and understanding the complex and detailed information in rates notices. To support understanding and timely payments, councils should include in their policies and procedures how they will ensure notices have accurate, easy to understand and accessible information.

For example, while formatting is not prescribed, councils should design rates notices to be accessible and easy to understand. Councils with diverse communities should consider translating key information on rates notices into relevant languages.

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Some important information to highlight prominently on, or with, notices includes:

- name of rateable person – every effort should be made to identify this
- the rate or charge amount due
- any outstanding rate or charge overdue and any interest charges
- when each payment is due
- payment options
- how to contact the council with any questions about the notice
- where to go for further information, such as a link to the council website, on:
 - a council's financial hardship policy
 - any English as a Second Language (ESL) services, and
 - local financial counselling services.

Good Practice Case Study

A number of councils are sending out a flyer with their rates notices to provide advice to ratepayers about what to do if they cannot pay on time.

2.3 Modern and flexible payment options

Ongoing advances in technology are making it easier than ever for councils to create easy payment options for ratepayers. Communities expect councils to provide modern and flexible options that support easy payment and take into account different needs and circumstances.

Electronic billing and payments

Electronic billing and payments help to make sure that bills are received and payments are made on time, including for ratepayers living or travelling outside the local government area, and allow ratepayers to schedule payments and avoid going in person to a council during regular work hours.

NSW council policies should enable ratepayers the opportunity to make payments electronically and enable ratepayers to enter into an agreement to receive their rates notices electronically (via email).

Periodic payments and payment smoothing

Most people need to budget in advance for significant annual expenses, such as rates, waste, water and sewerage charges, as well as other utilities and insurances.

Councils should provide flexible options to enable periodic payment as do most modern businesses and governments. This may include 'payment smoothing' to reduce the impact of large bills by spreading payments evenly out across the year.

Allowing ratepayers to make small, consistent payments helps councils obtain rates and charges on time and helps ratepayers manage their budget more easily. Councils should consider combining this with a direct debit option, potentially with a discount incentive, to create seamless, automatic payments.

Council should enable periodic payment options, including payment smoothing, to help ratepayers pay on time. This may be as frequently as monthly, fortnightly or weekly to balance convenience to ratepayers with what is practical for councils.

Section 564 of the *Local Government Act* enables councils to enter into agreements with ratepayers that allow periodic payments to be made, at the council's discretion.

Councils should consider preparing a template agreement to make it easier to provide this option to all ratepayers.

Centrepay

Centrepay is a voluntary way for people to pay bills directly from their Centrelink payments through regular automatic deductions.

Councils should consider using and promoting Centrepay to ratepayers as an easy way to pay rates and charges through regular deductions from Centrelink payments. There is no cost to the ratepayer and councils pay a small transaction fee based on an agreement negotiated with the Commonwealth Department of Human Services.

Benefits to councils include reduced administrative costs, a secure option that helps ratepayers on lower fixed incomes to automatically pay bills on time, and a reduced risk of overdue rates and charges and recovery costs. Further information is at: www.humanservices.gov.au/individuals/services/centrelink/centrepay

2.4 Contacting ratepayers, currency of contact details and privacy laws

Councils should include information in their policies and procedures about their approach to proactively contacting ratepayers to collect rates and charges and recover debt beyond the legal requirements to serve rates and charges notices under section 127 of the *Local Government (General) Regulation* (see **Appendix C**).

Policies and procedures should include information about:

- **reasonable and appropriate contact** – for the council to contact a ratepayer about rates and charges payments and any outstanding debt
- **ensuring contact details are current** – for what a council will do in this case, for example, if a rates notice is returned to the council
- **reasonable and appropriate follow-up** – to again contact a ratepayer
- **conduct towards a ratepayer** – in line with the law and the council's Code of Conduct and including respect and courtesy as well as protection from misleading, humiliating, intimidating, demeaning or abusive conduct
- **how information will be used and confidentiality and privacy will be maintained**, and
- **strategies for dealing with inappropriate behaviour from ratepayers** – potentially including training, escalation of matters to be handled by senior staff and ceasing contact in extreme situations.

Councils, or their debt recovery agent if this function is outsourced, should proactively update contact details and contact ratepayers about rates and charges owed, and outstanding debts while maintaining confidentiality and meeting privacy protection laws.

Councils should consider reviewing their Privacy Management Plans and Privacy Notification/Consent Forms to ensure they have resident and ratepayer permission to share personal information between internal business units of the council for general administrative purposes, including the collection of rates and charges.

Taking a proactive contact approach will help resolve payment issues and outstanding debt quickly and cheaply with little adverse impact on finances and ratepayers.

Appendix D to this Guideline provides further detail about best practice on contacting people to recover debt based on other relevant debt recovery guidelines.

2.5 Payments by pensioners

Under the *Local Government Act* eligible pensioners are currently entitled to a \$250 discount on their annual rates and domestic waste management service charges, as well as an \$87.50 discount on each of their annual water and sewerage charges in NSW, with the subsidy cost shared between the NSW Government (55%) and councils (45%).

Councils can choose to provide and meet further pensioner discounts on these rates and charges for hardship or in certain circumstances (s575).

The Local Government Act outlines separate requirements and flexibility for pensioners in relation to overdue rates and charges which councils must consider when adopting local debt management and hardship policies. Councils should balance the need to ensure financial sustainability with factors such as local socio-economic conditions and social justice principles.

Strategies councils should consider for pensioners include:

- working to achieve payment through informal means
- actively promoting flexible payment options, such as time to pay (s564)
- mandatory review before commencing legal action to recover debts
- deferring rates payments
- writing off debts (s582 and 583), and
- considering individual circumstances of pensioners.

These strategies are also relevant for other ratepayers.

Further information about pensioners is under **section 3.4** and **section 4** of these Guidelines.

2.6 Measuring council performance

Councils should monitor and report on their financial performance to ensure they are financially sustainable. This reporting provides each council with a means to check how they are going over time and identify areas where further attention is needed.

A key indicator of council financial performance is outstanding rates and charges. For this purpose, these payments are outstanding if they have been overdue for at least 30 days.

The local government performance indicator for outstanding rates and charges is presented as a ratio. This ratio reflects the impact of uncollected rates and charges on liquidity and the efficiency of council's debt recovery practices by comparing outstanding amounts to the total amount of rates and charges levied by each council.

The Office of Local Government has set councils a performance benchmark of:

- less than 5% for councils in city and coastal areas, and
- less than 10% for other regional and rural areas.

In 2016-17, outstanding rates and charges for NSW councils ranged from 1.1% to 35.7%, with outstanding amounts owed ranging from \$140,000 to \$25.98 million. The figures clearly show that, while some councils are meeting their performance benchmark, others are not.

Councils should regularly check the total value of outstanding rates and charges as well as their performance against the State-wide performance indicator.

Part 3:

Recovering debts fairly and effectively

Councils and communities rely on rates and charges to fund vital local services and facilities. Councils need effective debt recovery policies in place to recover rates and charges in a timely way to ensure they remain financially sustainable and able to continue to deliver quality services.

However, from time to time some ratepayers will face difficulties, such as loss of employment or illness, and councils need to take a fair and flexible approach to managing their debts.

To balance these considerations, councils should have policies that first seek to recover outstanding payments using a fair and effective process that promptly determines how each debt will be paid outside a formal court process. This minimises overall costs to the individual ratepayer, who may already be facing difficulties, and cost to the community.

Council Activity in the NSW Local Courts

In 2013 NSW councils filed 34,098 actions in the Local Court. Of these claims, around 95% were for unpaid rates and charges. The average claim was \$1,600 and over 80% were for less than \$2,000. Almost 70% of these matters settled, were paid or written off by councils prior to judgement.

In around 27% of these matters the ratepayer did not file a notice of defence in the court action. This means that these ratepayers were either not aware of the proceedings, did not understand the court process, were not willing to make a response to the claims, or were unable to seek representation.

3.1 Debt management options

Each council should determine how best to resource their debt collection and recovery role based on local circumstances and need.

While some councils undertake this role in-house, others engage professional businesses or debt recovery agents.

Agents acting on behalf of councils do so under express or implied authority. The council is ultimately liable for the agent's actions in recovering debt and the debt management process, as for any in-house debt recovery process.

- **conflicts of interest** – this should require any conflicts to be identified, declared and managed, including circumstances where the same business is performing other work for the council and/or is representing council in any subsequent legal action
- **personal conduct** – this should require agents to approach ratepayers with respect, courtesy and discretion
- **pensioners and others facing hardship** – this should set out special requirements for how these ratepayers are to be assessed and managed to meet council's legal obligations and policies
- **use of alternative resolution options** – this should set out the council's requirements around attempting to resolve matters informally before filing in court and/or to follow certain dispute resolution guidelines or procedures, and
- **confidentiality and privacy** – this should set out how personal information must be managed, including limiting provision and use of information.

3.2 Reminder notices and payment arrangements

Where councils choose to outsource debt collection and recovery, they should have appropriate contracts and operations in place that take into account **sections 2.4** and **3.2** of these Guidelines and the following principles:

- **contacting ratepayers** – this should require clear, fair and efficient processes to identify, locate and contact ratepayers to recover debt
- **provision of information and documents** – this should facilitate prompt and efficient processes for agents relaying requests to the council, and for councils to respond to those requests, and for collection activity to be suspended at times when it is arranged for the council to respond directly about account information or documents

Even councils that proactively use best practice to support ratepayers to pay rates and charges on time will have some outstanding payments to manage each year.

Councils are required to issue an annual rates and charges notice and reminders of each quarterly instalment one month prior to the relevant due date.

If a rates instalment is overdue, councils should issue ratepayers with a reminder notice, advising that full payment is required by a stipulated due date, unless a payment agreement has been made or a deferred payment has been approved.

Where contact details are out of date or rates notices are returned to the council, there is little advantage in issuing multiple reminder notices. In this case, councils should make attempts to obtain current ratepayer contact details. See **Appendix D** for information about how some councils achieve this.

Payment arrangements and repayment negotiations

Generally, if a ratepayer fails to meet two payment arrangements, councils issue a reminder notice advising that full payment is required within the date specified, after which debt recovery action will commence.

Councils are encouraged to work with ratepayers by taking a flexible and realistic approach, such as by:

- making reasonable allowances for ongoing living expenses
- considering if the ratepayer is on a fixed low income (for example a disability pension or other welfare payments) and prospects of future income, and
- any other debts owing to different creditors.

Under no circumstances should councils provide ratepayers with financial advice. Any repayment arrangement reached should be fully and accurately documented and a copy provided to the ratepayer.

Where this prompts a ratepayer to reveal financial or other difficulties preventing payment, councils should follow special policies and procedures to assess and deal with hardship, as discussed in **Section 4**.

Council policies and procedures should include information about how best to deal with non-payment.

*Councils should consider checking currency of contact details at the reminder notice stage, if they appear out of date, and how best to bring the notice to the ratepayer's attention (see also **section 2.4** and **Appendix D**).*

Some councils offer prominent 'Change of Name' and 'Change of Address' services online for ratepayers and regularly undertake electronic ratepayer contact detail updates.

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Councils should develop a template reminder notice for overdue payments including:

- amount owing and date on which payment was due
- any interest charges that apply, or will apply, under the Act
- advice that the ratepayer should contact council immediately to discuss an alternative payment arrangement if unable to pay in full
- contact details to discuss the debt
- advice that the council officer will be respectful, courteous and discreet when working with the ratepayer to resolve the matter
- notification that, if payment is not made, council will first seek resolution through internal dispute resolution but may need to resort to legal proceedings
- notification that all legal costs and expenses incurred in recovering rates will be charged against the property under the Act
- advice where to find further information about local support services, including free legal advice or financial counselling
- confirmation that council may agree to a payment arrangement before or after legal action has commenced but may continue legal action if the ratepayer does not comply with their arrangement with council, and
- notification, if relevant, that the ratepayer will be listed on the Credit Reference listing by credit bodies if payment is not made by a certain date.

If a ratepayer does not pay by the date on the reminder notice, council should consider issuing a final notice or letter of demand before taking legal action. Council should again try to find current contact details prior to sending the notice.

The final notice should repeat the reminder notice information, refer to the previous reminder notice and confirm that council will take further action without notice unless payment is made or the ratepayer negotiates an alternative arrangement with council.

3.3 Counselling, mediation and informal dispute resolution (IDR)

Local court data shows that councils file many claims for small debts at a much greater rate than State and Commonwealth governments, electricity and water providers combined. This results in unnecessary time, cost, use of court resources and stress on ratepayers. It can also indicate poor debt management practices.

Council should let ratepayers know about legal and financial counselling options, as well as any mediation or dispute resolution processes in place to help resolve issues.

Importantly, if a ratepayer is actively participating in a dispute resolution process, has made an application for financial hardship that has not yet been determined, or is complying with a payment arrangement made with a council in good faith, any action to sell the debt, retrieve the debt or start legal proceedings should be suspended (and then only be commenced if liability is confirmed).

Any business or agent acting on the council's behalf must also be aware of the council's policy in relation to mediation and dispute resolution. Further detail about different levels of mediation and dispute resolution is below.

Referring ratepayers to legal and financial advice

Councils can outline options for ratepayers to access support services to help resolve legal or financial issues and/or negotiate arrangements to manage debt. This will be mutually beneficial as it may result in an early agreement about payment arrangements.

Community legal centres and financial counsellors assist people resolve debt issues by providing free, tailored expert advice. Solicitors from these centres or Legal Aid can provide legal advice and assistance to ratepayers.

Financial counsellors provide a mix of social, financial and paralegal advice and advocacy on debt issues. Assistance can include:

- assessing whether or not the debt is legally owed
- advice around protected income and assets (in broad terms, where a ratepayer's sole income is social security and they have only basic household assets, a creditor may be unable to enforce a debt against them), and
- advice about budgets, options for reducing expenses and possible debt repayment strategies, and
- negotiating with other creditors to free up income that can assist people to pay rates and other essential charges.

Support services councils should refer ratepayers to

www.moneysmart.gov.au/managing-your-money/managing-debts
Financial Advice, including financial counsellor search function

www.legalaid.nsw.gov.au/get-legal-help/find-a-service
Legal Aid service (Legal Advisers)

Community Legal Centres in different local government areas:
www.clcnsw.org.au/find_legal_help

Mediation, negotiation and informal dispute resolution (IDR)

Mediation or informal dispute resolution is a quick, cheap, flexible and confidential process. It can help preserve business or personal relationships.

Mediation or informal dispute resolution is a key option to support councils to reach a payment arrangement with a ratepayer and many councils report high success rates using this. This should occur before any legal action is commenced. It may also occur during resolution of a legal claim or after a court has made a judgement.

Council policies should include Informal Dispute Resolution options. Timely mediation to resolve debt informally, prior to filing in court, benefits both councils and the ratepayers. It is effective and efficient best practice.

Options for mediation and informal dispute resolution differ across NSW and include:

- **Community Justice Centres** – these centres provide free, community mediation services and can assist with many disputes, including debts
- **Professional mediators and solicitors** – a list of people able to assist at cost is available through the Law Society of NSW and District Court of NSW – this is usually only appropriate for larger outstanding debts, and
- **Internal Ombudsmen.**

3.4 Specific considerations for pensioners

Where a ratepayer that owes council a debt for rates and charges is a pensioner, additional options for support and flexibility may exist.

Councils should bring these options to the attention of ratepayers as soon as possible to minimise further costs accruing to those ratepayers and should set out in their policies and procedures how pensioner matters will be handled and relevant factors to consider in assessing applications.

For further information about pensioners refer to **Section 4** of these Guidelines.

3.5 Water and sewerage charges

Like rates and waste charges, councils levy ratepayers for water and sewerage services council provides. To the extent possible, the overall debt collection and recovery process should be consistent with the recovery of rates and charges.

Also like for rates and waste charges, pensioners are eligible for a discount on their water and sewerage charges.

While some special considerations apply to collecting these charges and responding to overdue payments, councils should also ensure they have appropriate policies and procedures in place to manage non-payment for water and sewerage charges.

Notifying ratepayers and occupiers

Particular considerations that should be included as part of these policies will apply where council may consider restricting water supply due to non-payment.

Debt Management and Hardship Guidelines

Councils should be aware that:

- a decision to restrict water supply must be consistent with the *Local Government (General) Regulation* and allow sufficient water use to maintain personal hygiene
- if payment is not made after a reminder notice is issued, council may choose to issue a notice of Intention to Restrict Water Supply
- notices should advise what action will be taken and a time period set by council, together with other matters usually set out on a reminder notice for rates
- notices should be sent to the legal owner of the property affected at his or her last known address and a copy sent to the 'Occupier' at the property address
- if council receives no response to a Notice of Intention to Restrict, a further Water Restriction Notice should be served on the occupier, and, the property owner at their last known address. This further notice should state when service will be restricted, at least 7 days from the date of the notice
- arrangements for payment should not be entered into directly with tenants
- if payment is not received and a restrictor is installed, a notice should be given to the occupier advising that water supply has been restricted or, if that is not possible, left at the property address, and
- the final notice should state that water supply will not be restored until payment is made, including a reconnection fee.

3.6 Writing off debt

If a debt cannot be recovered, or a council chooses not to take any further action, outstanding debts should be settled, where legally allowable.

One option is to reduce or write-off an outstanding debt. This can happen before, during or after any legal action is commenced, and may include:

- rates and charges in certain circumstances – clause 131 *Local Government (General) Regulation*
- accrued interest – s.567 *Local Government Act*
- pensioners' rates and charges – s.582 and 583 *Local Government Act*, and
- sundry fees and charges – s.610E, *Local Government Act* (after public notice).

Further information about the procedures for these actions is set out in the Council Revenue and Rating Manual.

Bad debts may be written off by a General Manager with delegated authority. For example, an elected council may resolve that the General Manager can write off debts below a certain amount or in specific circumstances without council resolution in accordance with the *Local Government Act*, such as in cases where it is believed that an attempt to recover the amount would not be cost effective.

3.7 External Dispute Resolution options

Businesses in many industries belong to an external dispute resolution (EDR) scheme. Specialist collection and debt purchasing agencies may also decide to join a scheme. At times, these schemes can help to resolve disputes that are unable to be resolved through the council's internal or informal dispute resolution processes.

Some councils are members of the Energy and Water Ombudsman scheme (EWON). Councils may wish to consider joining such a scheme for water charges. Further information is available at: www.ewon.com.au/.

The benefits of external review are that it provides an independent and transparent process to present a case, explain decisions and often resolve issues before the need for court action. It can also inform continual improvement in council policies and procedures.

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Council policies should specify any circumstances in which outstanding payment issues are to be elevated to more formal dispute resolution processes.

3.8 Legal options

While there are a number of local government court claims for unpaid rates in NSW each year, only 0.1% go to a final hearing. Almost all disputes are resolved through negotiation or other informal dispute resolution processes prior to judgement, and this is often required before a claim can be heard.

Court claims dealing with unpaid rates and charges can waste time, resources and cause unnecessary stress to ratepayers. Excessive court claims by councils can be a sign of poor debt recovery practices.

Councils should take legal action in court as a last resort rather than a matter of practice. This should only occur if an informal payment arrangement with a ratepayer is not successful, a ratepayer breaches an existing payment arrangement or a ratepayer has a long history of not paying rates and charges.

In considering whether to commence legal proceedings, councils should also consider the amount of a debt, how overdue it is and action taken to date. Special considerations may apply if the ratepayer is a pensioner, has a mental illness, is in hardship or otherwise requires assistance to defend a legal claim.

Councils should develop and apply a set of principles or criteria as part of their policies to assist in their decision about whether to proceed with legal action. This could include whether the ratepayer has:

- attempted to contact council or make instalments
- previously failed to pay their rates
- complied with any alternative arrangements to make payments
- more than one rates instalment outstanding, and
- participated willingly in mediation or other attempts to settle the debt.

Filing in court

Only when other options are exhausted – and a council determines the next best option is to file in court – councils may use the NSW Department of Justice Online Registry to file forms including Statements of Claim and applications for default judgement. This may reduce the need to engage agents to file matters for councils. Further information is at: onlineregistry.lawlink.nsw.gov.au/content/.

NSW Government Civil Justice Strategy

The Department of Justice is developing a new Civil Justice Strategy that places a strong emphasis on dispute resolution prior to filing in court, particularly by State agencies and councils. This strategy recognises that more than 95% of court matters settle before final judgements and that the formal justice system should be involved in civil matters such as outstanding debts only where necessary.

Statements of Claim

Councils can recover debts in the Local Court for up to \$100,000. A flowchart of the debt recovery process is at **Appendix B**. The Small Claims Division handles debts up to \$10,000. This provides a lower cost process with less formality, less technicality in proceedings and fewer rules of evidence. Costs that can be awarded are therefore capped to a fixed amount. Most matters are usually dealt with by court assessors rather than magistrates.

Court orders and recovery action

The court may order that a ratepayer owes a council a debt. If not paid, the council or agent may take recovery action. This should only be authorised by a council officer with appropriate delegation. Council policies that contemplate legal action should provide guidance about how to choose an appropriate course of action such as an examination summons or garnishee order. Councils should only ever choose options that are commensurate with the nature of the debt owed.

Sale of land for unpaid rates

Under Chapter 17, Division 6 of the *Local Government Act*, councils are able to sell land to recover rates and charges in certain circumstances where the debts have been outstanding for more than five years. Councils should only resort to this option as a last resort, particularly where a ratepayer lives on the property and the debt owing is a small amount. Councils should be guided by sound policies and procedures if taking this action.

If a property is sold and the amount received by council is less than the outstanding rates and charges, the council should consider the debt paid in full as per Section 719 of the *Local Government Act*.

If the amount received is more than the amount outstanding, the council will hold the money for persons having estates or interests in the land immediately before the sale according to their respective estates and interests.

Section 720 of the *Local Government Act* provides for councils to pay the balance of the purchase money or any part of the balance to or among the persons who are, in its opinion, clearly entitled to it. Receipt by the person of any payment made under this section is an effectual discharge of the council's liability.

Part 4:

Ensuring hardship is fairly and effectively assessed

Councils should act proactively, fairly, realistically and flexibly when they think a ratepayer may be experiencing hardship. They should also take into account the individual circumstances causing hardship. This will better ensure that the ratepayer is supported to meet their financial commitments.

Councils should ensure hardship information is easily accessible and understandable to ratepayers.

Councils should ensure that their hardship and debt management policies and procedures are integrated well, even if they are written as separate policies.

Many of the principles, policies and processes that apply to debt management, as outlined in the earlier sections of these Guidelines, also apply to hardship. Below is additional information that councils should take into account when preparing and implementing hardship policies and procedures.

4.1 Understanding hardship

Hardship is difficulty in paying debts when repayment is due. Any person who cannot pay their rates or charges due to hardship can apply to council for assistance at any time. Ratepayers should be encouraged to seek assistance from the council as soon as practical. The council should then consider each case on its merits.

Short term hardship can arise from a temporary change in circumstances:

- Loss or change in income
- Illness
- Loss arising from an accident
- Natural disaster or emergency situation
- Death in the family
- Separation, divorce or other family crisis
- Family violence, and/or
- Some other temporary financial difficulty due to loss of income or increase in essential expenditure.

Long term hardship can arise from any of the reasons listed above, or it can relate to the problem of managing living costs with a low or fixed income such as a pension or superannuation payment.

4.2 Clear and upfront communication with ratepayers about hardship

As for debt management generally, councils should adopt and widely communicate local hardship policies and procedures in an easy to understand and accessible format. This should include having fact sheets, forms and other information on the council's website.

Where possible, councils should include information about language services to support the hardship claim process.

Councils should additionally define and clearly communicate financial support contacts, or information about where contacts can be found, as part of their debt management and hardship communication strategies. Key contacts could include:

- Financial Counsellors Association
- Financial Rights Legal Centre
- Mortgage Hardship Service
- National Debt Helpline, and/or
- any other relevant services in the local area.

Councils should clearly communicate key sections of their debt management and hardship policy to ratepayers, including alternative payment options available to ratepayers (**section 2.3**), privacy provisions for ratepayers engaging with council (**section 2.4**), and arrangements for pensioners (**section 2.5** of this Guideline).

4.3 Assessing applications for hardship assistance

Councils should have information in their policies and procedures about how they will consistently assess hardship applications.

Resources, such as hardship factsheets and application forms, should be easily accessible on the council website to allow ratepayers to make an application. Information should include a contact point in the council for any queries a ratepayer has. Applications should be able to be submitted by the ratepayer or by another person on their behalf.

How applications may be assessed

As each local community is different, councils should develop a methodology for assessing hardship based on local circumstances.

Applications may be assessed by the council or a delegate (e.g. a Hardship Committee or council employee). Factors to be considered may include, but are not limited to, whether the ratepayer:

- has provided appropriate evidence of financial and/or other hardship
- receives Centrelink benefits
- receives other benefits (e.g. emergency relief funding)
- whether the applicant could be considered in acute financial hardship, for example, if an individual earns below 75% of the minimum weekly wage
- is experiencing domestic or family violence involving financial abuse
- has been referred by an accredited financial counsellor, welfare agency or legal assistance service, or
- has a payment history that indicates they have difficulty in meeting payments in the past.
- has appropriately completed a hardship application form (if required).

Debt Management and Hardship Guidelines

Councils may wish to consider best practice hardship processes of peer councils and/or talk to Legal Aid NSW or local financial support agencies when developing their hardship assessment processes.

Capacity to pay

An individual's capacity to pay should be assessed as part of this process. The payment amount and/or payment plan should take into account and reflect a ratepayer's personal circumstances including, but not limited to:

- the ratepayers total disposable income and current financial commitments
- the number of children and/or dependents of the ratepayer, and/or
- advice from an accredited financial counsellor.

Financial hardship and council assistance

There are several ways the council may help a ratepayer who is experiencing financial hardship including, but not limited to:

- a payment plan or agreement (s564 of the *Local Government Act*) so that rates and charges (whether overdue or not) are paid on a weekly, fortnightly or monthly basis
- interest may be waived or reduced for a set period of time
- a pensioner rebate (additional to the legislated rebate) may be given
- interest, rates or charges may be written off, waived, reduced, or deferred for eligible applicants (s564, s577, s601 *Local Government Act*).

When a payment plan is being arranged, the delegated council officer should work with the applicant to ensure the plan is realistic in terms of the applicant's capacity to pay.

When a payment plan is agreed the applicant should be given written notice of:

- how long the plan will last
- the amount of each instalment payable under the plan
- the due date of each instalment
- what action the council will take if the applicant misses a payment
- who to contact if the applicant's circumstances change, and
- details of any payment deferral options (e.g. s601, *Local Government Act*).

Penalty interest charges may normally be written off or reduced if:

- if the applicant complies with their payment plan, or
- if the applicant is a 'first time' defaulter with a good payment history and there are mitigating circumstances.

Hardship application decisions and appeals

The council, or delegate deciding hardship applications, should generally make a recommendation to the General Manager about whether or not to grant hardship. The General Manager would then make a decision.

The applicant should be informed of the General Manager's decision in writing within a reasonable timeframe after making the application (say 14 days) and should be given reasons for the decision.

If not satisfied with the outcome, the applicant should be able to appeal the decision, potentially to the elected council. Any hardship request considered by the elected council should be done at a closed meeting.

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Length of payment arrangements

Any form of assistance provided under a local debt management and hardship policy may be for 6 months, 12 months, or a period agreed to between both parties. A further application for hardship consideration may be made after this period.

Cancelling hardship arrangements

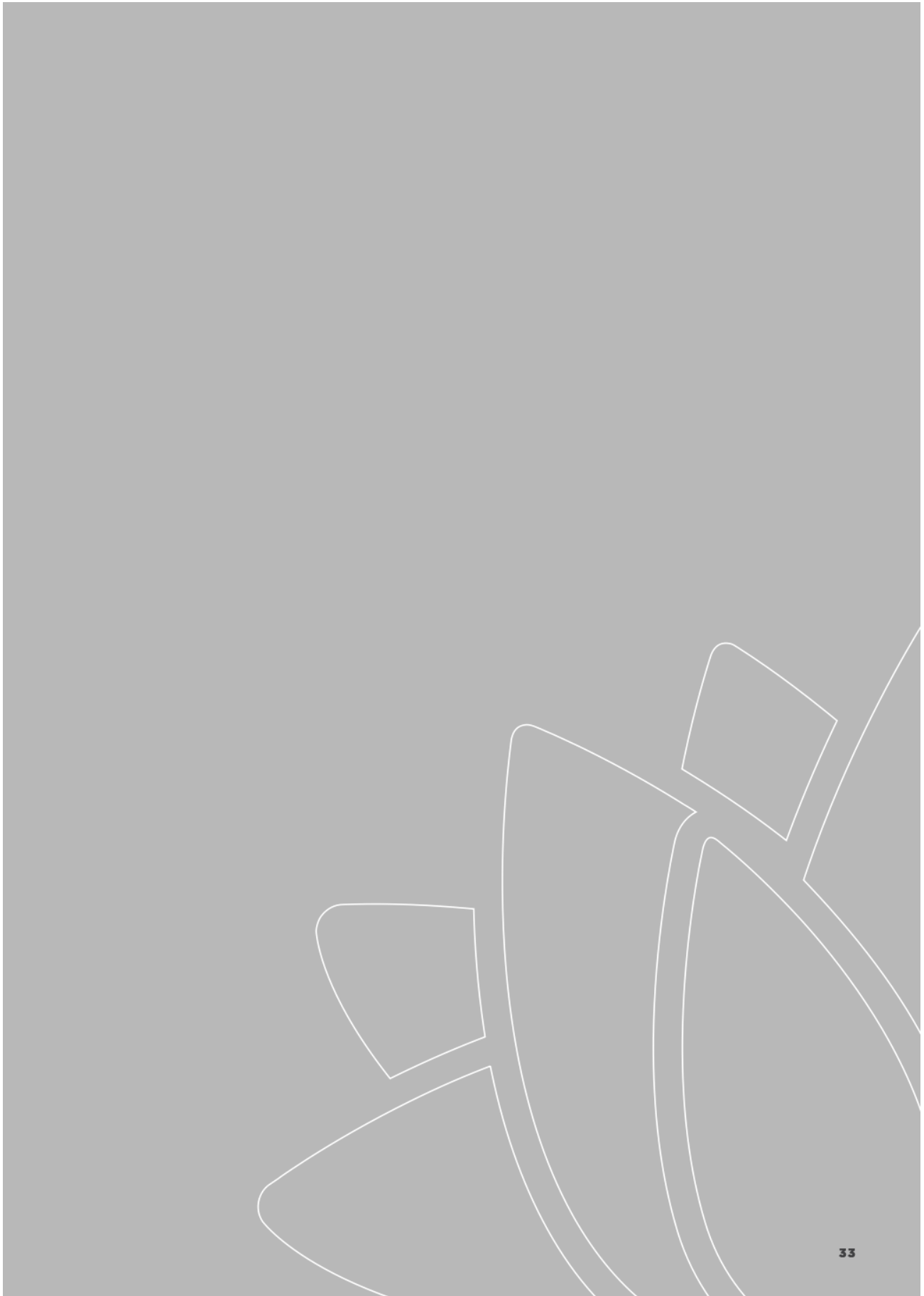
A hardship arrangement may be cancelled if the ratepayer:

- fails to comply with their payment plan
- no longer owns the land
- advises the council that financial hardship no longer applies, or
- provides false or misleading evidence of financial hardship to council.

Where a ratepayer fails to comply with their payment plan or contact the council about failing to pay, council should send a reminder to make a payment or contact the council.

If the ratepayer does not respond within an appropriate timeframe, say ten business days, and the council determines the payment plan is unlikely to be met, the payment plan may be cancelled and this decision communicated to the ratepayer in writing. The ratepayer's debt would then become subject to the normal debt recovery processes of the council.

Relevant checklists are in **Appendices E** and **F**.



Appendices

Appendix A

Definitions

Term	Definition
Agent	A person who has the express or implied authority to undertake collection activity on behalf of a council in circumstances where a debt has not been sold or assigned
Authorised representative	A person such as a financial counsellor, solicitor, financial advisor, carer, trustee or guardian who has been authorised by a ratepayer to act on their behalf
Capacity to pay	A payment amount or plan that takes account a ratepayer's personal circumstances including, but not limited to: a) total disposable income and current financial commitments b) number of children and/or other dependents of the ratepayer, or c) advice from an accredited financial counsellor
Costs	Amounts incurred by a council in recovering overdue debts (e.g. Court, interest and professional costs) which can be legally recovered from the ratepayer
The Council	The elected representatives, or councillors, who form the governing body of a local council.
Council policy	Policy created and approved by the General Manager of a council and/or the elected body
Credit listing	The listing of an unpaid debt on a person's credit report
Credit report	Any record or information that: <ul style="list-style-type: none"> • is being or has been prepared by a credit reporting agency • has any bearing on an individual's <ul style="list-style-type: none"> - eligibility to be provided with credit - history in relation to credit, or - capacity to repay credit, or • is used or has the capacity to be used as a factor in establishing an individual's eligibility for credit.
Debt collector	A person collecting a debt in the course of a business, including councils, agencies collecting a debt on a council's behalf and independent collection agencies
Debt Recovery Procedure	A council procedure that defines the processes to implement to meet the objectives of a council's debt recovery policy
Default Judgment	In cases where the ratepayer does not respond to a Summons issued to them, the Court may make a default judgment whereby it will make a decision without having the matter heard in Court
Financial counsellor	A person who provides information, support and advocacy to assist people in financial difficulty

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Term	Definition
Garnishee	Legal document issued by the court ordering third parties who hold funds on behalf of the defendant (eg. an employer) to pay funds to a council. Garnishees can be issued against a defendant's wages, bank accounts or other third party holding funds on behalf of the defendant.
Hardship	Hardship is any situation where an individual is having difficulty paying legally owed debt. This can result from life changes (for example, because of illness, unemployment or changed financial circumstances) restricting the short-term capacity to pay
Judgment debt	A debt confirmed by an order or judgment of a court
Notice of Demand	Demand letter from a council or a council's legal recovery representative issued in accordance with the Australian Competition and Consumer Commission and the Australian Securities and Investments Commission guidelines
Penalty interest	Interest raised in accordance with the <i>Local Government Act</i> and as adopted by a council in its Revenue Policy
Pensioner	An eligible pensioner as defined in clause 134 of the <i>Local Government (General) Regulations 2005</i>
Rateable valuation	Land value used for rating purposes i.e. net of allowances allowed by the <i>Valuation of Land Act 1916</i> and s.585 <i>Local Government Act</i>
Reasonableness	Assessed according to an objective standard, taking into account all relevant circumstances
Rent for rates	Section 569 of the <i>Local Government Act</i> allows a council to order tenants of properties with overdue rates to pay rent to a council in lieu of unpaid rates, under specific circumstances
Sale of Land	In accordance with s713 of the <i>Local Government Act</i> , a council has the authority to sell land which has any unpaid rates or charges for more than 5 years, or 1 year for vacant land, where the owing debt exceeds the land valuation
Write off	The accounting procedure for cancelling a debt that is no longer collectable resulting in its removal from the ratepayer's balance sheet account

Appendix B

Debt recovery process flowchart

	Debt recovery process	Council / delegated authority	Debtor
1	Rate and charges notice s562 1 August 31 days	<ul style="list-style-type: none"> Flexible payment options Financial hardship policy Debt recovery policy Debt communication 	<ul style="list-style-type: none"> Contact Council Ensure contact details are correct Payment of Council debt <ul style="list-style-type: none"> Fixed Flexible Apply for hardship arrangements
2	Rate and charges instalment notice s562 30 days		
3	Notification of outstanding debt 14 days	<ul style="list-style-type: none"> Confirm debtor contact details are correct Debt review Early dispute Resolution (EDR) Financial Counsellors 	<ul style="list-style-type: none"> As above Payment of council debt, via agreement
4	"Notice of Demand" Final reminder notification 14 days	<ul style="list-style-type: none"> As above Develop payment agreement s564 Defer payment requirements, s607 Write off interest, debt, s564, s567, s607, c1131 Refer for legal action if not paid Sale of land, s713 	<ul style="list-style-type: none"> As above
5	Statement of claim 28 days	<ul style="list-style-type: none"> Debt review File claim Process claim Report 	<ul style="list-style-type: none"> As above
6	Notice of motion default judgment		Quarterly payment by: <ul style="list-style-type: none"> 31 August 30 November 28 February 31 May
7	Recovery action Weeks, months, years		

Note: Red indicates action referred to the NSW Local Courts, whereby rates, charges and fees remain unpaid after a final reminder notification.

Appendix C

Local Government Act and regulations – excerpts

The *Local Government Act 1993* (the Act) provides the legal framework for how councils in NSW may set and levy rates and charges and recover debt from overdue rates and charges. This is supported in provisions in the *Local Government (General) Regulation 2005*. Some relevant excerpts are set out in the tables below.

Councils must take a range of other laws into account when undertaking these activities. This Guideline does not capture all other legislation, in relation to which councils should take their own advice.

Local Government Act 1993

Section 546 How is a rate or charge levied?

- (1) A rate or charge is levied on the land specified in a rates and charges notice by the service of the notice.
- (2) The notice may be served at any time after 1 July in the year for which the rate or charge is made or in a subsequent year.
- (3) A notice that is required to effect an adjustment of rates or charges may be served in the year for which the rate or charge is made or a subsequent year.
- (4) The notice may include more than one rate, more than one charge and more than one parcel of land.
- (5) It is not necessary to specify the name of the rateable person or the person liable to pay the charge in the notice if the council does not know the person's name.

Section 562 Payment of rates and annual charges

- (1) Annual rates and charges may be paid in a single instalment or by quarterly instalments.
- (2) If payment is made by quarterly instalments, each instalment is to be a quarter of the rates or charges, disregarding any remainder, together, in the case of the first instalment, with the remainder. However, if the amount of an instalment, other than the first instalment, is not a multiple of 10 cents, the amount of each instalment in excess of a multiple of 10 cents is to be subtracted from that instalment and added to the first instalment.
- (3) Except as provided by subsection (4):
 - (a) if payment is made in a single instalment, the instalment is payable by 31 August, and
 - (b) if payment is made by quarterly instalments, the instalments are payable by 31 August, 30 November, 28 February and 31 May.
- (4) If the rates and charges notice is not served by 1 August:
 - (a) the single instalment (if payment is made in a single instalment), or
 - (b) the first 2 instalments (if payment is made by quarterly instalments),
 is or are payable by 30 November, or by the day that is 30 days after service of the notice, whichever is the later.
- (5) On or before 31 October, 31 January and 30 April, a council must send reminder notices (to be sent separately from the rates and charges notice) to each person whose rates and charges are being paid by quarterly instalments.

Section 563 Discount for prompt payment in full

A council may discount the amount of a rate or charge to such extent as it determines if the whole of the discounted amount of the rate or charge is paid by a date nominated by the council

Section 564 Agreement as to periodical payment of rates and charges

- (1) A council may accept payment of rates and charges due and payable by a person in accordance with an agreement made with the person.
- (2) The council may write off or reduce interest accrued on rates or charges if the person complies with the agreement.

Section 566 Accrual of interest on overdue rates and charges

- (1) Interest accrues on rates and charges that remain unpaid after they become due and payable.
- (2) Interest accrues on a daily basis.
- (3) The rate of interest is that set by the council but must not exceed the rate specified for the time being by the Minister by notice published in the Gazette.
- (4) Accrued interest is, for the purpose of its recovery, taken to be a rate or charge which is due and payable.
- (5) Interest continues to accrue on unpaid rates or charges even though judgment for payment of the rates or charges may have been obtained in a court. Interest is not payable on the judgment debt, despite any other Act.

Section 567 Writing off of accrued interest

The council may write off accrued interest on rates or charges payable by a person if, in its opinion:

- (a) the person was unable to pay the rates or charges when they became due and payable for reasons beyond the person's control, or
- (b) the person is unable to pay the accrued interest for reasons beyond the person's control, or
- (c) payment of the accrued interest would cause the person hardship.

Section 570 Transfer of land in payment of rates or charges

A council may accept a transfer of the land in respect of which rates or charges are or accrued interest is due and payable in full satisfaction of the rates, charges or accrued interest.

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Section 577 Extension of concession to avoid hardship

- (1) If a council considers it proper to do so to avoid hardship, the council may, by order, direct that:
- (a) a person specified in the order:
 - (i) who occupies a dwelling as his or her sole or principal place of living, which dwelling is the sole or principal place of living of an eligible pensioner, and
 - (ii) who is jointly liable with that eligible pensioner or with that eligible pensioner and one or more other persons in respect of the land on which that dwelling is situated, and
 - (iii) in respect of whom a reduction of rates or charges would not, if that person were solely liable in respect of that land, be required to be made under this Division, or
 - (b) any person belonging to a class of persons specified in the order, being persons referred to in paragraph (a),

is, on and from the effective date of the order, taken, for the purposes of this Division, to be or to have been an eligible pensioner.
- (2) If a council considers it proper to do so to avoid hardship, the council may, by order, direct that:
- (a) an eligible pensioner specified in the order who, although not liable, or although liable jointly with one or more other persons, to do so, has, for such period as, in the opinion of the council, warrants the making of an order under this section in respect of that person, paid the whole of the rates or charges for the land on which that dwelling is situated or is, in the opinion of the council, likely to pay the whole of the rates or charges in circumstances that in the opinion of the council warrant the making of an order under this subsection, or
 - (b) any person belonging to a class of persons specified in the order being persons referred to in paragraph (a),

is, on and from the effective date of the order, taken, for the purposes of this Division, to be or to have been the person solely liable in respect of the land on which the dwelling is situated.
- (3) An order under this section has effect according to its tenor.

Section 578 When does an order under sec 577 take effect?

- (1) An order under section 577 takes effect (or is taken to take effect) on such date as is specified in the order (the effective date), being a date in the year commencing on 1 July during which the order is made, whether or not that date is before or after the date on which the order is made.
- (2) If a council makes an order under section 577 that is taken to take effect on a date that is before the date of the making of the order, the council may, in that order or in a subsequent order, give such directions as to refunding any rates or charges that have been paid and the charging of interest on overdue rates or charges and as to such other matters as the council thinks fit.
- (3) An order under subsection (2) has effect according to its tenor.
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Section 579 When and how is an application made for the purposes of this Division?

- (1) An application under this Division is to be made within the time and in the manner prescribed by the regulations.
- (2) If no such regulations are in force, the application is to be made within the time and in the manner fixed by resolution of the council and, if an application is made for an order referred to in section 577, as the council may require.
- (3) If, pursuant to an application made under this Division, a reduced rate or charge applies, the council may, if the eligibility of the applicant for a reduction in a subsequent rate or charge is verified by the council as prescribed by the regulations, reduce the subsequent rate or charge without requiring a further application under this Division.

Section 580 Variation by regulation of amounts of reductions

The amount by which a rate or charge is to be reduced in accordance with this Division may be varied from time to time by the regulations.

Section 582 Abandonment of pensioners rates and charges

A council may 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 Social Security Act 1991 of the Commonwealth.

Section 583 Writing off of pensioners rates and charges

- (1) A council is to write off amounts of rates, charges and interest which are reduced or waived under this Division.
- (2) A council may not take proceedings to recover an amount so written off unless the amount has been written off because of a wilfully false statement in an application under this Division or except as provided by section 584.

Section 585 Who may apply for postponement of rates?

The rateable person for land described in any of the following paragraphs may apply to the council for a postponement of rates payable for the land in the current or following rating year (or in both years):

- (a) a parcel of land on which there is a single dwelling-house used or occupied as such and which is zoned or otherwise designated for use under an environmental planning instrument for the purposes of industry, commerce or the erection of residential flat buildings, not being land referred to in paragraph (b) or (c),
- (b) a parcel of land (which may comprise one or more lots or portions in a current plan) on which there is a single dwelling-house used or occupied as such and which is zoned or otherwise designated under an environmental planning instrument so as to permit its subdivision for residential purposes, not being land referred to in paragraph (c),
- (c) a parcel of rural land (which may comprise one or more lots or portions in a current plan) which is zoned or otherwise designated under an environmental planning instrument so as to permit its use otherwise than as rural land, or its subdivision into two or more lots or portions, one or more of which has an area of less than 40 hectares.

Section 595 Rates to be written off after 5 years

- (1) If 5 years have elapsed since the commencement of a rating year for which part of the rates levied on land have been postponed under this Division, the part postponed and any interest accrued on that part must be written off by the council.
 - (2) Nothing in this section affects the right of the council to recover rates and interest, even though they have been written off under this section, if it subsequently appears to the council that they should not have been written off.
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Section 601 Hardship resulting from certain valuation changes

- (1) A ratepayer who, as a consequence of the making and levying of a rate on a valuation having a later base date than any valuation previously used by a council for the making and levying of a rate, suffers substantial hardship, may apply to the council for relief under this section.
- (2) The council has a discretion 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 it thinks fit.
- (3) An applicant who is dissatisfied with a council's decision under this section may request the council to review its decision and the council, at its discretion, may do so.

Section 710 Service of notices on persons

- (1) A notice required by or under this Act to be served on a person may be served as provided by this section.
 - (2) The service may be:
 - (a) personal, or
 - (b) by delivering the notice at or on the premises at which the person to be served lives or carries on business, and leaving it with any person apparently above the age of 14 years resident or employed at the premises, or
 - (c) by posting the notice by prepaid letter addressed to the last known place of residence or business or post office box of the person to be served, or
 - (d) by transmitting the notice by facsimile transmission to a number specified by the person (on correspondence or otherwise) as a number to which facsimile transmissions to that person may be sent, or
 - (d1) by transmitting the notice by electronic mail to an email address specified by the person (on correspondence or otherwise) as an address to which electronic mail to that person may be transmitted, or
 - (e) by fixing the notice on any conspicuous part of the land, building or premises owned or occupied by the person, or
 - (f) in the case of an offence involving a vehicle, by attaching the notice to the vehicle, or
 - (g) if the person to be served maintains a box at a document exchange established in New South Wales, by depositing the notice in that box or leaving it at another such exchange for transmission to the first mentioned exchange for deposit in that box.
 - (2A) Subsection (2) (d1) does not authorise a notice to be transmitted to a person by electronic mail unless the person has requested the council, in writing, that notices of that kind be transmitted to the person by electronic mail, and has not subsequently withdrawn the request.
 - (2B) A person's request under subsection (2A) is taken to have been withdrawn in relation to a particular kind of notice only if the person has informed the council, in writing, that notices of that kind are no longer to be transmitted to the person by electronic mail.
 - (2C) While a person's request under subsection (2A) has effect in relation to a particular kind of notice, the address to which notices of that kind are to be transmitted is:
 - (a) the email address indicated in the request, or
 - (b) if the person subsequently directs the council, in writing, to transmit notices of that kind to a different email address, that different address.
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Debt Management and Hardship Guidelines

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- (3) If a notice is deposited in a box, or left at a document exchange, service of the notice is, until the contrary is proved, taken to be effected 2 days after the day on which the notice is so deposited or left.
 - (4) In addition to the means of service prescribed by subsection (2):
 - (a) in any case where the person to be served is, or after inquiry appears to be, absent from New South Wales, the service may be on the agent of that person by any of the means prescribed by subsection (2) (a), (b), (c) or (d), and
 - (b) in any case where the land, building or premises are unoccupied and the owner or the owner's address or place of residence is not known to the council, service by the council may be by advertisement in the approved form published in:
 - (i) a newspaper circulating in the area or part of the area in which the land, building or premises are situated that is published in print form at intervals not exceeding 26 days, or
 - (ii) a manner determined by the council having regard to the object of bringing notices to the attention of owners in cases of that kind, and
 - (c) in the case of the service of a rates and charges notice, the service may be effected by delivering the notice to the premises at which the person to be served lives or carries on business and depositing it in a box or receptacle at, on or in the proximity of those premises that is provided, used or designed for the reception of letters addressed to that person.
 - (5) The notice may be addressed by the description of "rateable person" or "owner" or "occupier" of the land, building or premises (naming or otherwise sufficiently indicating the same) in respect of which the notice is served, and without further name or description.
 - (6) The notice may be wholly printed, wholly written or partly printed and partly written.
 - (7) If a notice has been served by any of the means prescribed by this section, all inquiries required under this section are taken to have been made, and the service is conclusive evidence of them.
 - (8) Proof by affidavit or orally that a notice has been posted, or its transmission by electronic mail has been initiated, in accordance with this section is conclusive evidence of service.
 - (9) For the purposes of this section, a justice of the peace is authorised to take and receive an affidavit, whether any matter to which the affidavit relates is or is not pending in any court.
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Section 713 Sale of land for unpaid rates and charges

- (1) For the purposes of this Division, a rate or charge is overdue if:
- (a) in the case of vacant land, it has remained unpaid for more than one year, or
 - (b) in the case of any other land, it has remained unpaid for more than 5 years, from the date on which it became payable.
- (2) A council may, in accordance with this Division:
- (a) sell any land (including vacant land) on which any rate or charge has remained unpaid for more than 5 years from the date on which it became payable, and
 - (b) sell any vacant land on which any rate or charge has remained unpaid for more than one year but not more than 5 years from the date on which it became payable, but only if:
 - (i) the council obtains a valuation of the land from the Valuer-General, and
 - (ii) the total amount of unpaid rates or charges on the land exceeds the valuation, and
 - (iii) the council sells the land within 6 months after the date when the council received the valuation.
- (3) The council must not sell any such land unless the general manager or the public officer certifies in writing:
- (a) what rates and charges (including overdue rates and charges) are payable on the land, and
 - (b) when each of those rates and charges was made and how it was levied, and
 - (c) when each of those rates and charges became payable, and
 - (d) what amounts are payable by way of overdue rates and charges on the land, and
 - (e) what amounts are payable by way of rates and charges (other than overdue rates and charges) on the land.
- (4) The council may, in the case of adjoining parcels of land (whether in the same or different ownerships) each of which may be sold under this Division:
- (a) sell them separately or as a single parcel and under whatever conditions of sale it considers proper, and
 - (b) do such things as it considers appropriate for the purpose of selling the land at its full value.
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Local Government (General) Regulation 2005

cl.127 Rates and charges notices

- (1) A rates and charges notice must contain the following information:
- (a) the land to which it relates,
 - (b) the land value of the land to which it relates and the base date of the general valuation from which the land value is derived,
 - (c) particulars of each rate or charge levied on the land by the notice,
 - (d) if the rate consists of a base amount to which an ad valorem amount is added, particulars of the base amount,
 - (e) the date the notice is taken to have effect,
 - (f) particulars of any outstanding arrears of rates and charges levied on the land and of any interest payable on those amounts,
 - (g) the total amount due and the dates for payment of the rates or charges concerned,
 - (h) the amounts payable for, and the due dates for payment of, instalments of rates or charges,
 - (i) particulars of any waiver of an amount of special rate in consideration of payment of a lump sum,
 - (j) a statement that concessions are available to eligible pensioners for any quarter in which they are eligible pensioners,
 - (k) particulars of any concession extended in respect of payment of the rates,
 - (l) particulars of any discount for prompt payment in full of a rate or charge,
 - (m) particulars of any postponement of rates or postponed rates,
 - (n) particulars of any option to pay a lump sum towards the capital cost of any works, services or facilities instead of a special rate in the notice,
 - (o) a statement that if payment is not made on or before the due date or dates interest accrues on the overdue amount,
 - (p) a statement as to how to make inquiries about the notice,
 - (q) the text, or a summary, of the following provisions of the Act (if applicable):
 - (i) section 524 (Notice of change of category),
 - (ii) section 525 (Application for change of category),
 - (iii) section 526 (Appeal against declaration of category),
 - (iv) section 555 (What land is exempt from all rates?),
 - (v) section 556 (What land is exempt from all rates, other than water supply special rates and sewerage special rates?),
 - (vi) section 557 (What land is exempt from water supply special rates and sewerage special rates?),
 - (vii) section 562 (Payment of rates and annual charges),
 - (viii) section 563 (Discount for prompt payment in full),
 - (ix) section 564 (Agreement as to periodical payment of rates and charges),
 - (x) section 566 (Accrual of interest on overdue rates and charges) (xi) section 567 (Writing off of accrued interest), (xii) section 574 (Appeal on question of whether land is rateable or subject to a charge),

Appendix D

Best practice procedures for contacting ratepayers

Councils should contact ratepayers if they have not paid their rates after a reminder notice is issued, and potentially in other circumstances in which rates and charges are owed.

Council officers can contact local residents and ratepayers without breaching their obligation to protect their privacy.

The following is an overview of some issues and practical considerations when contacting ratepayers about outstanding debt. If there is any doubt, councils should seek and be guided by their own legal advice.

When can a ratepayer be contacted?

1. When you have a reasonable purpose for contacting a ratepayer

You must only contact a ratepayer for a *reasonable purpose* and only to the extent necessary. It may be necessary and reasonable if your purpose is to:

- make a demand for payment
- offer to work with the ratepayer to reach a flexible repayment arrangement
- accurately explain the consequences of non-payment, including any legal remedies available to the collector/creditor, and any service restrictions that may apply in the case of utilities
- make arrangements for repayment of a debt
- put a settlement proposal or alternative payment arrangement to the ratepayer
- review existing arrangements after an agreed period
- ascertain why earlier attempts to contact the ratepayer have not been responded to within a reasonable period, if this is the case
- ascertain why an agreed repayment arrangement has not been complied with, if this is the case

- investigate whether the ratepayer has changed their residential location without informing you, when there are grounds for believing this has occurred, or
- other similar purposes.

You may also contact a person at their request.

Whether or not a purpose is reasonable may depend on the personal circumstances of each ratepayer – e.g., if you know a person cannot make repayments (for example, because they are in jail) then continuing to contact them to demand payment is not reasonable or appropriate unless you know, or have good reason to think it is likely, that the ratepayer's financial situation has improved.

There may be circumstances where contact is made for a reasonable purpose, or contact is made initially for a reasonable purpose, and yet other relevant considerations mean the contact becomes unreasonable or unacceptable. Relevant considerations may include the ratepayer's mental illness or intellectual disability, or the ratepayer's incarceration.

If you make contact with a ratepayer in order to convey a demand for payment it may be contact for a reasonable purpose. However, if the ratepayer disputes liability and requests proof of a debt, and you continue to pursue that person without properly investigating the claims, then this will not be contact for a reasonable purpose.

2. It is necessary and reasonable to contact the ratepayer (again)

It is not acceptable to harass a ratepayer. Make a written record of all contact with ratepayers and check these records before contacting a ratepayer. For this purpose *contact* is interpreted widely and includes:

- telephone calls and text messages – whether or not the person receives the call if you leave a message;
- all written correspondence – for example, this includes letters, emails, text messages, faxes, social media, instant chats and other private messages; and
- face to face contact – including contact at their work, home or elsewhere.

Debt Management and Hardship Guidelines

Importantly, if you phone a ratepayer and leave a message on their voice mail, and you also send the ratepayer an email, and a text message, then you will have made three separate contacts with that person.

Once you have made contact, leave a reasonable interval before next contacting the ratepayer. Give the ratepayer time to respond to your previous communications, and/or to organise payments if this has been agreed.

If you have spoken to the ratepayer and it is understood that the ratepayer requires a few days to speak to third parties or consider options, then contacting the ratepayer on the following day may be considered unreasonable, even though it is within the recommended limits.

3. It is a reasonable time to contact the ratepayer, given their circumstances and reasonable wishes

The following table sets out general guidance on what may be a reasonable time to contact a ratepayer.

Type of contact	Day	Reasonable contact times
Contact by telephone	Monday to Friday	7:30am – 9pm
	Weekends	9am – 9pm
	National public holidays	No contact recommended
Face to face contact	Monday to Friday	9am – 9pm
	Weekends	9am – 9pm
	National public holidays	No contact recommended
All contact at the ratepayer's workplace	Ratepayer's normal working hours if known, or 9 am to 5 pm on weekdays	

There may be reasons why contact during the above times is unreasonable, or contact outside these times is reasonable. For example, a ratepayer may ask that contact be made at other or more restricted times for various reasons, such as, because he or she is a shift worker, is responsible for children, or caring for a family member. He or she may also not wish to be contacted when other family members are present. In these and other such cases, the reasonable wishes of the ratepayers should be respected, and contact limited to the times requested.

However, you may alter the time of contact if, after reasonable efforts over a reasonable period of time to contact the ratepayer during normal hours or at the times requested, you have not been able to do so.

Generally, you should not contact a ratepayer more than three times per week, or 10 times per month at most (when contact is actually made, as distinct from attempted contact) and only when it is necessary to do so. This does not apply to face-to-face contact – you should not make more than one face-to-face contact with a ratepayer per month.

Think carefully about where to contact a ratepayer. In general, face to face visits should be an option of last resort after less intrusive means have failed. Particular care should be taken in visiting a person's home or workplace.

Office of Local Government**Ensure the person is the correct ratepayer before discussing their debt**

Before discussing the reason for making contact or any other confidential information, make sure you are speaking to the correct ratepayer. It is important that you do not reveal directly or indirectly that the ratepayer has a debt to another person. Particular care should be taken when calling a ratepayer's workplace.

If the ratepayer has requested contact by a particular means (such as email) or specifically asked not to be contacted a certain way, adopt that preference and avoid contacting them by other channels as far as possible.

Rate payers have the right to have an authorised representative (such as a financial counsellor, financial advisor, community worker, solicitor, guardian or carer) represent them or advocate on their behalf. Where possible, it is helpful if this advice is provided formally to council, such as in writing, to ensure council does not inadvertently discuss private information with unauthorised individuals.

If you know, or should know, a ratepayer has chosen to have another person represent them, you should not contact the ratepayer directly unless:

- the ratepayer specifically requests direct communication with you
 - the representative does not consent to represent the ratepayer or tells you he or she does not have instructions from the ratepayer about their debt
 - the representative does not respond to your communications within a reasonable time (normally seven days) and you advise the representative in writing after the reasonable time has passed that if they do not respond within the next seven days, you will make direct contact with the ratepayer; and
 - you advised the ratepayer you require a written authority which states that you are only to communicate through his or her representative, and you do not receive this in a reasonable time (normally seven days).
- Note: that this does not apply where the ratepayer's representative is a solicitor.*

Further exceptions may apply where the representative is not a qualified legal practitioner, qualified accountant or a financial counsellor.

Provide the ratepayer with current information about their debt

Make sure the ratepayer is told what they owe, when it was due, any payments they have made and what the payment was for. He or she may then request further information or documents.

It is also important to make sure that the ratepayer has contact details for the person or team managing their debt for council, such as contact phone number, postal address and email address, and that this information is included in all written correspondence to them.

Conduct towards ratepayer must be respectful and appropriate at all times

A ratepayer approached about an outstanding debt is entitled to respect and courtesy at all times by a council, debt collector or any of their agents or representative.

Inappropriate conduct, as outlined below, is likely to breach the law and the council's Code of Conduct. Ratepayers should never be subjected to

- **abusive, offensive, obscene, discriminatory language or disrespectful or demeaning remarks** – about character, situation in life, financial position, physical appearance, intelligence or other characteristics or circumstances
- **embarrassment or humiliation** – for example, by sending open correspondence to the ratepayer via a shared post-box, posting messages in a public online forum, making employers or co-workers aware that the ratepayer is being pursued for a debt, or creating an impression that the ratepayer is under surveillance
- **aggressive, threatening or intimidating behaviour** – for example, by shouting at or continually interrupting the ratepayer, or by refusing to listen to what they say
- use, or threat of violence or physical force, or

Debt Management and Hardship Guidelines

- **misleading information** – about the nature or extent of a debt, consequences of non-payment, identity (for example, falsely stating you work for a solicitor, court or government agency), or action not legally permitted to take (for example, to seize goods).

Strategies for dealing with inappropriate behaviour by a ratepayer

Inappropriate behaviour by a ratepayer does not justify unprofessional conduct by the collector and council staff and agents should deal with this using strategies such as:

- ensuring appropriate training of staff
- attempting to defuse inappropriate behaviour and refocus discussion on the outstanding debt and arrangements for its repayment
- escalating the matter to a senior staff member who has authority and training to manage such situations
- attempts to propose a viable and achievable repayment arrangement, and
- in the event of violence or other extreme conduct, cease contact immediately and refer the matter to the police.

Ensuring contact details are up to date

Currency of contact details is a huge issue for collecting rates and charges. Many councils feel that there is little advantage in sending additional correspondence or notices requesting payment when the address is not current.

Council policies and procedures may specify what the council will do to keep contact details current. When rates and charges notices are returned to the council, some councils proactively check other business areas of the council for more recent contact details, send information to both postal and physical addresses (where known), use internet searches and databases to ascertain more recent contact details, contact real estate agencies, keep a return mail register and undertake other searches.

Keep accurate, up to date records and protect the ratepayer's privacy

You should ensure you maintain accurate, complete and up-to-date records of all communication with ratepayers, including the time, date and nature of calls, records of any face to face contact, all correspondence sent and all payments made.

Councils and other organisations acting on their behalf should always treat a ratepayer's personal information with respect and ensure that they meet the requirements of the *Privacy and Personal Information Protection Act 1998* (the PPIPA) and their Privacy Management Plan prepared under the Act. Personal information means information or an opinion, whether it is true or not, about an individual that can reasonably allow the individual to be identified.

Particular care should be taken in collecting information about the ratepayer and their financial circumstances as well as disclosing that information, whether directly or inadvertently, to other people. For example, telling a ratepayer's neighbour the reason for trying to find the ratepayer would inappropriately disclose personal information about the ratepayer, as would leaving messages with inappropriate detail that may be seen or accessed by other people.

Councils use *Privacy Notification/Consent Forms* to enable the collection and use of personal information from ratepayers. The information collected cannot be used or disclosed for a purpose other than that for which it was collected, unless the ratepayer has consented or another exception applies.

Councils may consider reviewing their Privacy Notification/Consent Forms to request consent from residents and ratepayers for their personal information to be shared between internal business units of the council for purposes specified in the consent form, including for general administrative purposes including the collection rates and charges.

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Appendix E

Hardship checklist for local government staff

No	Proposed action by a council	Progress
1	Has the council undertaken a risk assessment of likely defaulting ratepayers to proactively manage financial hardship?	
2	Has the council publically advertised or contacted applicable ratepayer(s) to identify payment options of rates?	
3	Has the council identified if interpretative services are required for the ratepayer?	
4	Has the council referred the rate payer to a financial Counsellor?	
5	Has the council entered into mediation or Informal Dispute Resolution (IDR)?	
6	Has the council deferred payment of additional charges while the hardship application is being assessed?	
7	Has the council developed a payment schedule?	
8	Has the council exhausted all possible options to managed hardship and recover debt prior to referring to the local courts?	
9	Has council reviewed the progress of payment against the signed payment plan?	
10	Are there other options to recover the debt?	

Appendix F

Hardship assistance application checklist for ratepayers

No	Proposed action by ratepayer	Y / N
1	Have you read your council's debt management and/or hardship policies?	
2	Have you compiled the required information noted in the application form?	
3	Have you contacted the nominated council officer to discuss options for the payment of rates or charges?	
4	Have you contacted a financial advisor?	
5	Have you identified an acceptable payment plan?	
6	Have you discussed your options with your local council?	

Office of Local Government

Further information

Relevant agencies

NSW Office of Local Government

Physical Address 5 O'Keefe Avenue NOWRA NSW 2541
Telephone 02 4428 4100
Fax 02 4428 4199
TTY 02 4428 4209
Email olg@olg.nsw.gov.au
Postal Address Locked Bag 3015, NOWRA NSW 2541.
Website www.justice.nsw.gov.au

NSW Department of Justice

Physical Address Parramatta Justice Precinct, 160 Marsden Street
Telephone 02 8688 7777
Fax 02 8688 7980
Postal Address Locked Bag 5111, Parramatta NSW 2124.
Website www.justice.nsw.gov.au

NSW Online Registry

Telephone 1300 679 272 (Call Monday – Friday 8:30am – 4.30pm)
Website www.onlineregistry.lawlink.nsw.gov.au

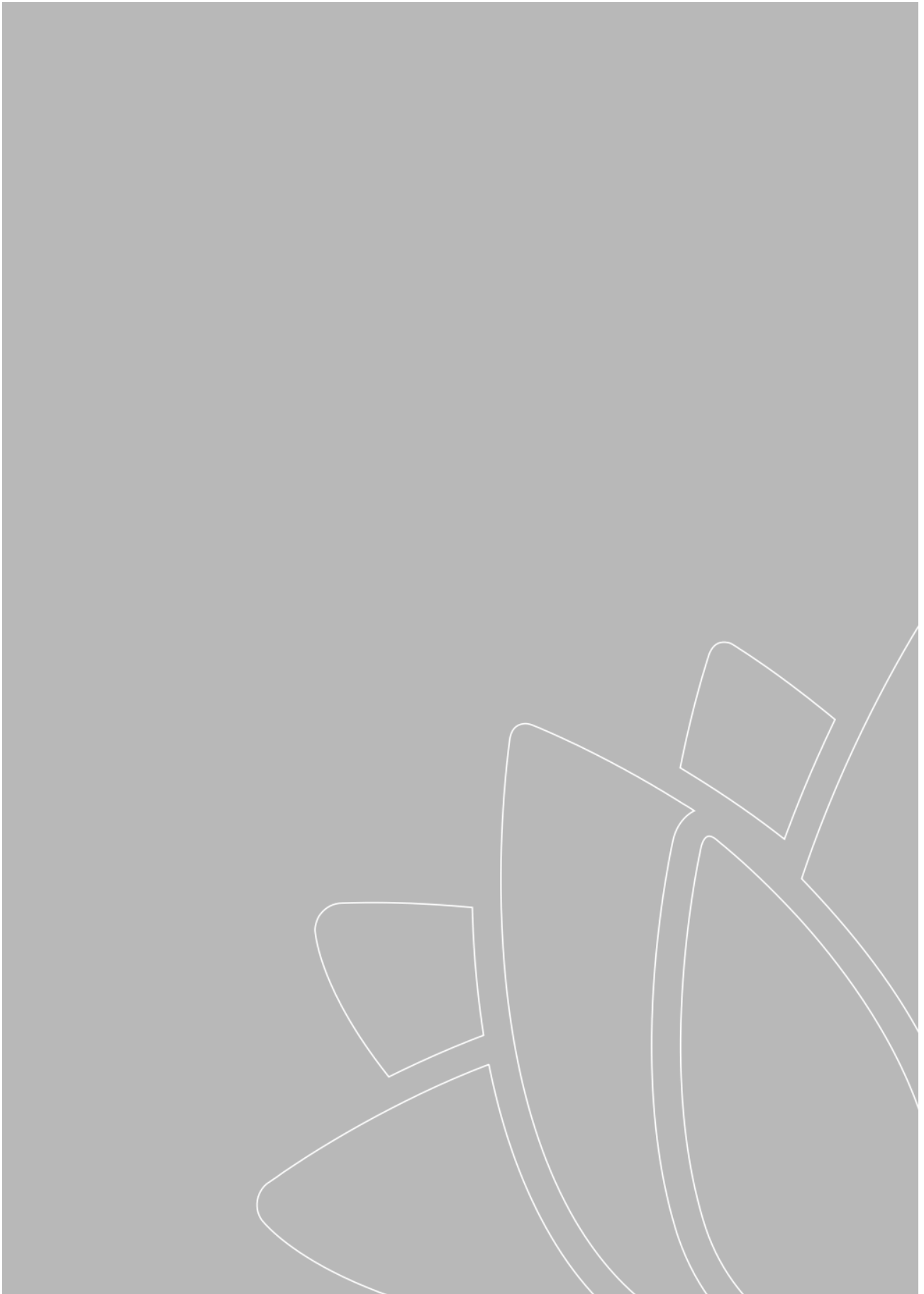
Energy and Water Ombudsman

Physical Address Level 11, 133 Castlereagh Street, Sydney (please make an appointment)
Telephone 1800 246 545
Postal Address Reply Paid 86550, Sydney South NSW 1234.
Website www.ewon.com.au

Further guidance

Commonwealth of Australia (2007), *A guide for business: Debt Collection Guideline for collectors and creditors*, Australian Competition and Consumer Commission and Australian Securities and Investment Commission.

Revenue NSW, *Debt Recovery Guidelines – Responsible collection of State debts: Guidelines for Revenue NSW to collect State debt*





POLICY AND GENERAL COMMITTEE

June 2, 2022

ITEM 6

BROKEN HILL CITY COUNCIL REPORT NO. 143/22

SUBJECT: ADOPTION OF DRAFT EQUAL EMPLOYMENT OPPORTUNITY
POLICY D22/22639

Recommendation

1. That Broken Hill City Council Report No. 143/22 dated June 2, 2022, be received.
2. That Council adopts the Draft Equal Employment Opportunity Policy as a Policy of Council.
3. That Council notes that adoption of the Draft Equal Employment Opportunity Policy will render the 2009 Equal Employment Opportunity Policy obsolete.

Executive Summary:

Council's Equal Employment Opportunity (EEO) Policy is designed to assist Council meet its obligations, under the *Anti-Discrimination Act 1997*, to provide a workplace that is free from unlawful discrimination.

Council has reviewed its current EEO Policy and now presents a Draft EEO Policy for consideration of adoption.

Report:

Council's Equal Employment Opportunity (EEO) Policy is designed to assist Council it meet its obligations, under the *Anti-Discrimination Act 1997*, to provide a workplace that is free from unlawful discrimination.

The *Anti-Discrimination Act 1997* makes it unlawful to discriminate in employment, education and the delivery of goods and services, and promotes equality of opportunity between all people.

Equal Employment Opportunity (EEO) is a positive way of describing the absence of discrimination in the workplace. This means that employment decisions, including recruitment, selection, opportunities and employment conditions, will not be made on the basis of irrelevant characteristics such as a person's age, sex marital status, race, colour, pregnancy, sexuality, religion, political belief, impairment or disability or association with a person(s) having such characteristics. Basing decisions on these characteristics is both unfair and unlawful.

In order to ensure EEO, employment decisions at Council are made on the basis of individual merit of the employee or applicant on such attributes as skills, knowledge and experience and recognizing that having a diverse workforce can enhance the performance of the Council.

EEO also means the absence of harassment in the workplace. Under Federal and State legislation, unlawful harassment occurs when someone is made to feel intimidated, insulted or humiliated because of their race, colour, national or ethnic origin, sex, disability, or sexual

preference. It can also happen if someone is working in a “hostile” or intimidating environment.

Council has reviewed its 2009 EEO Policy to ensure that it remains current and complies with all relevant legislation.

Staff Consultation

Council’s consultation process has included the below:

- All current employees provided access to the draft policy for review and provide feedback.
- Policy was provided to both the Workplace Health & Safety Committee and Workplace Consultative Committee on Tuesday 24 May 2022, for review and to provide feedback.
- Policy was provided to the United Services Union (USU) for review and to provide feedback.
- All feedback was presented for review and discussion to both internal employee committees.
- Both internal employee committees moved to support and recommend the policy unanimously.

The Draft Equal Employment Opportunity Policy is presented to Council for consideration of adoption.

Community Engagement:

Not applicable.

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 (NSW), Section 440A
Anti-Discrimination Act 1977 (NSW), Part 2 Division 1
Racial Discrimination Act 1975 (Cth), Part 2 Section 9
Federal Sex Discrimination Act 1984 (Cth), Part 2 Section 14
Human Right and Equal Opportunity Commission Act 1986 (Cth), Schedule 1 Section 3
Age Discrimination Act 2004 (Cth), Part 4 Section 17
Workplace Relations Act 1996 (Cth), Part 1 Section 7

Financial Implications:

Nil

Attachments

1. [📄](#) Draft Equal Employment Opportunity Policy

CASEY DEERY
EXECUTIVE MANAGER PEOPLE AND CULTURE

JAY NANKIVELL
GENERAL MANAGER

DRAFT EQUAL EMPLOYMENT OPPORTUNITY POLICY

QUALITY CONTROL			
EDRMS REFERENCES	12/14, D19/51821		
RESPONSIBLE POSITION	Executive Manager People & Culture		
APPROVED BY			
REVIEW DATE	May 2024	REVISION NUMBER	1

1. INTRODUCTION

The Broken Hill City Council's Equal Employment Opportunity (EEO) Policy is designed to assist Council meet its obligations to provide a workplace that is free from unlawful discrimination.

The *Anti-Discrimination Act 1977* makes it unlawful to discriminate in employment, education and the delivery of goods and services, and promotes equality of opportunity between all people.

Equal Employment Opportunity (EEO) is a positive way of describing the absence of discrimination in the workplace. This means that employment decisions, including recruitment, selection, opportunities and employment conditions, will not be made on the basis of irrelevant characteristics such as a person's age, sex, marital status, race, colour, pregnancy, sexuality, religion, political belief, impairment or disability or association with a person(s) having such characteristics. Basing decisions on these characteristics is both unfair and unlawful.

In order to ensure EEO, employment decisions at Council are made on the basis of individual merit of the employee or applicant on such attributes as skills, knowledge and experience and recognising that having a diverse workforce can enhance the performance of the Council.

EEO also means the absence of harassment in the workplace. Under Federal and State legislation, unlawful harassment occurs when someone is made to feel intimidated, insulted or humiliated because of their race, colour, national or ethnic origin, sex, disability, or sexual preference. It can also happen if someone is working in a 'hostile' or intimidating environment. This is often described as workplace bullying.

2. POLICY OBJECTIVE

Broken Hill City Council (Council) is committed to equal employment opportunity, fair treatment and non-discrimination for all existing and future employees. It will not tolerate discrimination in the workplace. Council will take action to ensure all employment related decisions are based on merit and to ensure that the Council is an equal opportunity employer.

Council will, through its Equal Employment Opportunity Policy, ensure any discriminatory practices are progressively removed from its policies, procedures and practices.

3. POLICY SCOPE

This policy applies to Councillors, Council employees, volunteers, contractors, suppliers and service providers and prospective employees to all employment related areas including, but not limited to, the following:

- Selection and appointment of internal and external applicants to new and existing positions
- Training Opportunities
- Promotion
- Shift, rosters, hours of work and overtime
- Salary levels
- Leave arrangements (of all types)
- Performance management and discipline
- Restructuring
- Dress rules
- Work allocation
- Access to facilities
- Termination of employment

4. POLICY STATEMENT

Broken Hill City Council (Council) is committed to ensuring our workplace is free of discrimination and harassment. Council is dedicated to providing a pleasant and safe working environment and encouraging good working relationships among all employees.

Council will endeavour to ensure that in the application of all Council policies, practices and procedures, no discrimination takes place, diversity is encouraged, and that all employees enjoy equal access to opportunities within the Council. All recruitment, selection and employment decisions will be based on the individual merit of applicants and employees.

5. GENERAL AND PREVENTATIVE PRINCIPLES

5.1 Discrimination, Harassment and Bullying

Council considers discrimination, harassment or bullying unacceptable forms of behaviour that will not be tolerated under any circumstances, whether at work, attending a conference, work function, Christmas party, business or field trip. All employees have the right to work in an environment free of discrimination, harassment and bullying.

5.2 Merit

Means assessing each person's skills and abilities against the needs of the job and disregarding unlawful personal characteristics that are irrelevant to the job. Merit recognises experience gained both inside and outside formal employment.

5.3 Affirmative Action

Affirmative action programs are designed to overcome the effects of past discrimination. This discrimination has formed barriers which exclude target groups from having access to equal employment opportunity. Affirmative action seeks to redress the effects of past disadvantages and prevent future disadvantages. It is the method of achieving equal employment for target groups.

6. EQUAL EMPLOYMENT OPPORTUNITY (EEO) MANAGEMENT PLAN

Council is committed to developing and maintaining a comprehensive program that ensures equal employment opportunity for all employees.

7. IMPLEMENTATION

7.1. Roles and Responsibilities

Council will ensure that all Managers are sufficiently trained in effectively managing workplace discrimination and harassment and are conversant and up to date with Equal Employment law and legislation.

Council will ensure that its Equal Employment Opportunity Policy is available and communicated to and understood by all existing employees.

As part of new employees' inductions, Council will ensure that all new employees are advised of the Equal Employment Opportunity Policy, the standards expected of them, and the procedures for making a complaint.

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

➤ All Managers, Supervisors and Team Leaders are responsible for:

- Recruiting, training and developing employees on the basis of merit and performance, and free from any discriminatory assumptions;
- Ensuring that all Human Resources practices are applied fairly, consistently and without bias;
- Role-modelling non-discriminatory behaviour and practices within the workplace at all times;
- Regularly monitoring the working environment to ensure that it is free from sexually explicit or offensive material;
- Responsibly acting upon any behaviour within the working environment that may be construed as discriminatory or sexual harassment;
- Confidentially dealing with any grievances or complaints that an employee may come to them about;
- Appropriately recording all matters according to the EEO procedure.

➤ All Council employees and Council officials are responsible for:

- Conducting themselves in non-discriminatory manner at all times in the workplace;
- Not tolerating any form of harassment or discrimination and notifying the relevant manager or director should such circumstances arise;
- Attempting, (wherever practical) to amicably resolve any personal harassment or discrimination matter with the individual or group of people involved, prior to notifying their manager or People & Culture;
- Understanding, respecting and applying Council's EEO Policy and the bullying, harassment and discrimination prevention principles.

7.2. Communication

This Policy will be communicated to staff in accordance with Council's Policy, Procedure and Process Framework. Following approval by the General Manager, the Policy will be made available on Council's website and intranet.

7.3. Associated Documents

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

- Grievance Policy and Procedures
- Disciplinary Policy and Procedures
- Statement of Ethical Principles
- Code of Conduct

8. MAKING A COMPLAINT

Any employee, who believes that they have been subject to actions that may be discriminatory or that constitute unwelcome sexual or physical harassment or bullying, should act upon this behaviour as soon as possible.

In the first instance the aggrieved employee should, wherever practical, attempt to amicably resolve the matter with the employee(s) or manager(s) involved. Please refer to Council's Grievance Policy and Procedure for assistance.

Where the alleged behaviour involves the employee's direct Manager or it is not practical for the employee to directly resolve the matter, they shall immediately notify either their Senior Manager or People & Culture Department.

For further details on lodging a complaint, see refer to Council's Grievance Policy and Procedure or alternatively employees can seek advice or make a complaint direct to the Anti-Discrimination Board NSW. The Board can be contacted at:

Level 7, 10 Valentine Avenue, Parramatta NSW or;

PO Box W213, Parramatta Westfield NSW 2150

Email: complaintsadb@justice.nsw.gov.au

Phone: 02 9268 5555 or 1800 670 812 (free call)

Council will treat any reports of discrimination or harassment seriously, and will investigate such complaints, confidentially, impartially, thoroughly and with the appropriate degree of urgency.

Council will take all reasonable steps to ensure that complaints do not reoccur and that no staff members are victimised because of their involvement in a complaint.

If it is found that an employee has made an improper, frivolous or vexatious claim of discrimination the employee concerned may be subject to disciplinary action.

9. DISCIPLINARY ACTION

Any employee, manager, supervisor or team leader identified as engaging in either discriminatory practices or harassment or bullying of another employee will be subject to disciplinary action that may include termination of employment.

Failure to comply with the terms of this policy may result in disciplinary procedures and/or dismissal.

Individuals may also be prosecuted by the Anti-Discrimination Board for breaches of the *Anti-Discrimination Act 1977*.

10. REVIEW

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

The standard review period will be every two years from the effective date. The responsible Council officer will be notified of the review requirements three (3) months prior to the expiry of this policy.

The Executive Manager People & Culture is responsible for the review of this policy.

➤ LEGISLATIVE AND LEGAL FRAMEWORK

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

- *Local Government Act 1993 (NSW), Section 440A*
- *Anti-Discrimination Act 1977 (NSW), Part 2 Division 1*
- *Racial Discrimination Act 1975 (Cth), Part 2 Section 9*
- *Federal Sex Discrimination Act 1984 (Cth), Part 2 Section 14*
- *Human Right and Equal Opportunity Commission Act 1986 (Cth), Schedule 1 Section 3*
- *Age Discrimination Act 2004 (Cth), Part 4 Section 17*
- *Workplace Relations Act 1996 (Cth), Part 1 Section 7*

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

11. DEFINITIONS

TERM	MEANING
Discrimination	<p>Treating people less favourably because of their:</p> <ul style="list-style-type: none">• Sex• Pregnancy• Race (including colour, nationality, descent, ethnic or ethno-religious background)• Religion• Marital status• Disability (actual or presumed; current past or future; physical intellectual or psychiatric disability or long-term illness)• Age• Homosexuality (actual or presumed)• Transgender status (actual or presumed)• Physical features• Political belief• Religious belief or activity

	<ul style="list-style-type: none"> • Lawful sexual activity • Industrial activity • Expunged homosexual conviction • Personal association with someone who has/is assumed to have one of these personal characteristics
Direct Discrimination	When a person or group is specifically excluded from or have significantly reduced chances of gaining a benefit or opportunity.
Indirect Discrimination	A requirement (a rule, policy, practice or procedure) that is the same for everyone but has an effect or result that has an unequal or disproportionate effect or result on particular groups. Unless this type of requirement is 'reasonable having regard to all of the circumstances'.
Harassment	Behaviour that is unwanted, unwelcome, intrusive, offends, embarrasses or frightens someone, that is either sexual or targets them because of their race, ethno-religion, sex, pregnancy, marital status, disability, age, homosexuality or transgender. It may range from unpleasant comments to physical violence. Harassment could be directed towards an individual or a group of people.
Workplace Bullying	<p>Repeated, unreasonable behaviour directed towards a person or a group of people that creates a risk to health and safety. Bullying can be seen as psychological violence and/or physical violence, and can include:</p> <ul style="list-style-type: none"> • Persistent and repeatedly aggressive behaviour that makes someone feel victimised, intimidated or humiliated • Any physical abuse • Repeated verbal abuse, including yelling, screaming, personal comments, offensive language, sarcasm • Vindictive, offensive, cruel or malicious behaviour • Removal of status and authority if it's being done in an underhand or devious manner • Repeatedly having impossible deadlines, workload or pressure; being given meaningless tasks; being set up to fail • Persistent unjustified criticism, constantly being 'singled out' or targeted for practical jokes or gossip • Gender or racial discrimination, sexual harassment • Deliberately being ostracised, isolated or ignored • Frequency of withholding important information or resources or supplying the wrong information and resources • Having personal belongings, tool or equipment hidden or tampered with • Initiation practices

Unreasonable Behaviour	Behaviour that goes beyond a cone of silence disagreement, if it increases in intensity and becomes offensive or harmful
Repeated	Refers to the persistent nature of the behaviour, not the specific form the behaviour takes. Behaviour is considered 'repeated' if an established pattern can be identified. It may involve a series of diverse incidents – for example verbal abuse, deliberate damage to personal property and intimidation and frequency withholding important information or resources.

POLICY AND GENERAL COMMITTEE

June 2, 2022

ITEM 7**BROKEN HILL CITY COUNCIL REPORT NO. 144/22**

SUBJECT: **COMMUNITY ASSISTANCE GRANTS AWARDED FOR ROUND**
ONE OF 2022/2023 **D22/29210**

Recommendation

1. That Broken Hill City Council Report No. 144/22 dated June 2, 2022, be received.
2. That Council notes the Community Assistance Grants awarded for Round One of 2022/2023 which were recommended by the Panel on 31 May 2022 and approved by the General Manager on 2 June 2022 under delegation.
3. That Council notes the additional Community Assistance Grant recommended by the General Manager in addition to the Panel's recommendation to represent the full allocation of round one funds.

Executive Summary:

Council is committed to assisting local community not-for-profit organisations in the delivery of services/activities/programs that align with the objectives of Broken Hill's Community Strategic Plan. To facilitate this Council holds two rounds of Community Assistance Grant (CAG) funding each year to provide "one-off" financial grants. The grants program complies with Section 356 of the *Local Government Act 1993*.

Applications for Community Assistance Grants for Round One of 2022/2023 closed on 30 April 2022 at which time Council received 11 applications.

The CAG Panel recommended full support and part support of all applications. The Panel's recommendations gained approval from the General Manager on 2 June 2022 (as per the General Manager's Delegations of Authority) with the General Manager also approving an increase to the grant recommended to Meals on Wheels from \$4,000.00 to \$8,412.64. (see minutes attached)

All organisations have been advised of the outcome of their applications and the process to grant the funds has commenced.

Report:

Council's Community Assistance Grants Policy provides a framework for Council to provide grants for community events, projects, services or activities known as Community Assistance Grants that align with the objectives of Broken Hill's Community Strategic Plan.

The framework aims to ensure that the allocation of Council's limited resources is undertaken in a fair, transparent, accountable and ethical manner. Council recognises that

there can be difficulties in meeting community expectations with the increasingly limited financial resources available. Council also recognises that it is accountable to the community for the management and disbursement of its funds and that it must be done in a manner that maximises the benefits to the community and is seen as fair and equitable.

The CAG Panel met on 31 May 2022 and conducted their evaluation of the applications received for Round One of 2022/2023 and presented its recommendations to the General Manager for the awarding of grants.

Council received 11 applications, the General Manager approved the Panel's recommendations on 2 June 2022 with one change, to grant the remaining funds of \$4,412.64 to increase the grant to Meals on Wheels from \$4,000.00 (as recommended by the Panel) to \$8,412.64 (see attached minutes). A summary of the grants awarded is provided below:

Total of budget available for Round One		\$47,250.00
Applicant	Project/Activity	Amount Granted
In One Accord	2022 Carols by Candlelight	\$5,000.00
Broken Hill Family History Group	New computer, printer and software	\$3,468.16
Broken Hill Repertory Society	Land rates and insurances	\$5,516.00
Broken Hill Community Inc	Audio-visual equipment	\$1,825.40
Silver City Swim Club	2022 Summer Sizzler Swim Meet	\$7,500.00
Silverlea Employment and Training	2 small trailers for green waste removal (Picton Plants Division)	4,527.80
Australian Sports Foundation	Sisters in Strength workshop and domestic violence education program at YMCA	\$5,000.00
Lee's International Taekwondo	New uniforms and training equipment	\$4,000.00
Meals on Wheels Broken Hill	New concrete carpark at the Centre	\$8,412.64
Veteran, Vintage and Classic Motorcycle Club	Venue hire for Bike Show	\$1,000.00
Broken Hill Pistol Club	Rainwater diversion, new skirtings and vinyl floor	\$1,000.00
Total of grants awarded		\$47,250.00
Balance Remaining		\$0

All recipients of Grants must enter into an agreement with Council and provide Council with full acquittal information following the conduct of their activity/program/event. If an organisation fails to adequately acquit their grant, they will be ineligible for grants in the future and may be required to repay the grant funds to Council (depending on the circumstances).

Community Engagement:

Each Round of CAG Funding is open at least six weeks prior to the closing date. Council advertises extensively in the Barrier Truth, Council's website and facebook page during this period.

Strategic Direction:

Key Direction:	4	Our Leadership
Objective:	4.3	We unite to succeed in Australia's First Heritage Listed City
Strategy:	4.3.1	Opportunities to work together are identified and relationships are developed and maintained for the benefit of the community

Relevant Legislation:

Local Government Act 1993, Section 356

Council's adopted Community Assistance Grant Policy.

Financial Implications:

The budget for Round One 2022/2023 will be fully expended.

Attachments

1. [↓](#) Minutes of the Community Assistance Grants Panel - Round 1 2022/2023

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

**COMMUNITY ASSISTANCE GRANTS PANEL MEETING
FOR ROUND 1 OF 2022/2023
HELD TUESDAY 31 MAY 2022 AT 18:00AM**

1. ATTENDANCE

Present: Cr Gallagher APM (Chairperson), Councillor Boland, Mr Steve Radford OAM, Mr Ken Martin, Ms Sandra Haring, Ms Julua Hamel, Ms Tracy Harman, Ms Leisa Bartlett (Executive Officer) and Ms Emily Guerin (Executive Assistant).

Apologies: Mayor Kennedy, Ms Jody Whitehair

Moved Cr Boland /Seconded Sandra Haring carried

Acknowledgement of Country delivered the Acknowledgment of Country

2. DISCLOSURE OF INTEREST

NAME	DISCLOSURE	ACTION
Steve Radford	Friends of Peter Oldsen, Silver City Swim Club application	remain

3. REPORTS

a) Update Report

That the Panel notes the update provided regarding Round 2 of 2021/2022 Community Assistance Grants.

That the Community Assistance Grants Panel determines the Assessment Score needed to be reached, at this Panel meeting, for applicants to be recommended for approval taking into consideration the number of applications received; the total amount requested; and the budget available (this score will be different for each Panel Meeting).

That the Community Assistance Grants Panel assesses applications received and completes the Assessment Weighting Matrix for each application and the Meeting Evaluat recommending approval, or otherwise, of applications only.

Moved Sandra Haring / Seconded Julua Hamel carried

b) Applications for Round 1 2022/2023

Available Budget for Round 1 2022/2023 \$ 47,250.00

Organisation	Activity/Project	Meets Eligibility & Assessment Criteria	Assessment Score	Rank	Grant Amount Requested	Grant Amount Recommended by Panel	Grant approved by the General Manager	Panel Comment/Notes
In One Accord	2022 Carols by Candlelight	yes	43	1	\$5,000.00	\$ 5,000.00	\$ 5,000.00	
Broken Hill Family History Group	new computer, printer & software	yes	43	1	\$3,468.16	\$ 3,468.16	\$ 3,468.16	
Broken Hill Repertory Society	Land rates and insurances	yes	42	2	\$5,516.00	\$ 5,516.00	\$ 5,516.00	
Broken Hill Community Inc	audio-visual equipment	yes	41	3	\$1,825.40	\$ 1,825.40	\$ 1,825.40	
Silver City Swim Club	2022 Summer Sizzler Swim Meet	yes	40	4	\$7,500.00	\$ 7,500.00	\$ 7,500.00	
Silverlea Employment and Training	2 small trailers for green waste removal	yes	38	5	\$4,527.80	\$ 4,527.80	\$ 4,527.80	
Australian Sports Foundation	Sisters in Strength workshop and domestic violence education program at YMCAs	yes	33	6	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	
Lee's International Taekwondo	new uniforms and training equipment	yes	32	7	\$7,502.72	\$ 4,000.00	\$ 4,000.00	Request a covid safe plan for use of equipment
Meals on Wheels Broken Hill	new concrete carpark at Centre	yes	29	8	\$15,360.00	\$ 4,000.00	\$ 8,412.64	See below final approval of the General Manager
Veteran, Vintage & Classic Motorcycle Club	Venue hire for Bike Show	yes	27	9	\$3,280.00	\$ 1,000.00	\$ 1,000.00	
Broken Hill Pistol Club	rainwater diversion, new skirtings and vinyl floor	yes	24	10	\$4,500.00	\$ 1,000.00	\$ 1,000.00	dependent on the certificate of currency
Totals					\$ 63,480.08	\$ 42,837.36	\$47,250.00	
unspent grant money remaining:						\$ 4,412.64	0	

Moved Cr Boland / Seconded Ken Martin carried.

4. General Business

Nil.

Meeting concluded:

11:28am

Chairperson:

General Manager's Approval:

Recommend remaining \$ 4,412.64 be paid to Meals on Wheels in addition to the \$ 4,000 recommended by the panel.

02/06/22

POLICY AND GENERAL COMMITTEE

June 2, 2022

ITEM 8BROKEN HILL CITY COUNCIL REPORT NO. 145/22SUBJECT: INVESTMENT REPORT FOR MAY 2022D22/29286**Recommendation**

1. That Broken Hill City Council Report No. 145/22 dated June 2, 2022, 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 31 May 2022, Council's Investment Portfolio had a current market valuation of \$25,406,208 or principal value (face value) of \$25,394,308 and was compliant with policy and legislative requirements as per the below table.

Report:

Council's investments as at 31 May 2022 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

In the US, the Federal Reserve raised its key benchmark rate by 50bps to a range of 0.75%-1.00%, its largest rate hike in 22 years. Multiple further hikes of 50bps each are anticipated in the coming months in a bid to slow down surging inflation. The US annual inflation rate came down slightly in its latest reading but remains near a 40 year high at 8.3%. Inflation pressures also remain very high in Europe leading the European Central Bank to indicate rates will likely be increased in July. Central banks in the UK, Canada, New Zealand and South Korea are all in the process of raising key benchmark rates to curb inflation. Meanwhile, financial markets remain concerned that the central banks will raise rates too aggressively and tip their economies into recession. In China, retail and factory activity has fallen sharply in recent months as wide Covid-19 lockdowns confined workers and consumers to their homes and severely disrupted supply chains again, casting a long shadow over the outlook for the world's second-largest economy. Share markets continue to be volatile due to rising inflation and concerns of stagnating economic growth. The US S&P 500 index had a modest gain of 0.2% following its sharp fall in April, European shares were down 0.6% Japanese shares had rebound from last month, up 0.8%. Australian shares slumped by 3% with IT and telecom sectors down over 8%.

Domestic issues

The change in Australia's federal government is expected to make little immediate difference to prevailing economic conditions. Sharply higher energy prices, rising interest rates and stubbornly sluggish wage increases will now be Labour's challenges. Latest wages growth data edged only slightly higher in the March quarter, rising to 2.4% year over year. However, there are signs that sharper wage increases are on their way in the coming months. The long run average of annual wage growth is just over 3%. Australia's unemployment rate dropped to 3.9%, its lowest level since the mid-1970s. Overall there was an increase in 4000 jobs, with full-time positions increasing by 92k offset by fall of 88k in part-time roles. Retail sales continue to record gains well ahead of its pre-pandemic levels. A gain of nearly 1% last month has taken retail sales to +15% above its pre-covid trendline. The surge in demand is expected to simmer down as interest rate hikes take hold of discretionary spending.

Interest rates

The RBA rose the official cash rate from 0.10% to 0.35% at its May meeting. While the RBA Board considered a smaller initial increase, they acknowledged that inflationary pressures appeared to be more persistent than originally forecast. The Board also stated that more increases would be needed in the near future to help bring inflation back within the 2-3% target range. The market is pricing in a 0.50% cash rate by the end of June and 2.50% by the end of 2022, same levels as last month, but the market has trimmed back on late-2023 expectations, down to 3.20% from 3.50% last month.

Investment Portfolio Commentary

Council's investment portfolio returned -1.20%pa (-0.10% actual) for the month of May versus the bank bill index benchmark return of 0.41%pa. For the past 12 months, the investment portfolio has returned -0.15% return, versus the bank bill index benchmark's 0.05%pa. During May, Council had no term deposit maturities and no new deposits.

The NSW TCorpIM LT Growth Fund recorded a negative marked-to-market return in May of -0.84% (actual) and was reason for Council's overall negative result. The fund was mainly affected by a poor result in its Australian share component.

The Australian share market (All Ords) dropped by 3% in May led lower by another poor month in the interest rate sensitive IT sector which was down 8%. Telecoms, down 6.7%, Consumer Staples, -6.6%, and Consumer Discretionary, -5.5%, were the worst hit sectors during the month in which no major sector recorded a positive result.

On the positive side, with the sharp rise in interest rates, new TDs and securities are offering rates at levels not seen in over 2 years.

Council has a well-diversified portfolio invested predominantly among a range of term deposits and senior ranked floating rate notes from highly rated government and Australian bank issuers. Council also has a quarter of its portfolio invested in professionally managed funds, via NSW TCorp, which provide exposure to a wide range of asset classes, including international and domestic shares. It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection.

Council's Portfolio by Source of Funds – May 2022

As at 31 May 2022, Council's Investment Portfolio had a current market valuation of \$25,406,208 or principal value (face value) of \$25,394,308 and was compliant with policy and legislative requirements as per the table above.

	Source of Funds	Principal Amount
GENERAL Fund	Operating Capital & Internal Restrictions	\$18,437,308
	Royalties Reserve	\$727,000
	Domestic Waste Management Reserve	\$1,967,000
	Grants	\$4,263,000
	TOTAL PORTFOLIO	\$25,394,308

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. [Download](#) May 2022 Investment Report

SIMON BROWN
CHIEF FINANCIAL OFFICER

JAY NANKIVELL
GENERAL MANAGER



**Investment Summary Report
May 2022**



Broken Hill City Council

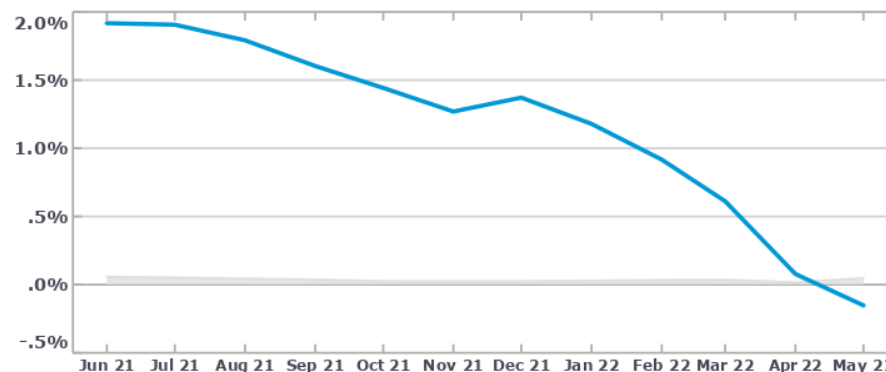
Executive Summary - May 2022



Investment Holdings

Investment Performance

By Product	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	17,094,441.76	17,094,441.76	0.3880
Managed Funds	4,799,866.60	4,799,866.60	-8.2090
Term Deposit	3,500,000.00	3,511,900.00	0.9229
	25,394,308.36	25,406,208.36	-1.1633



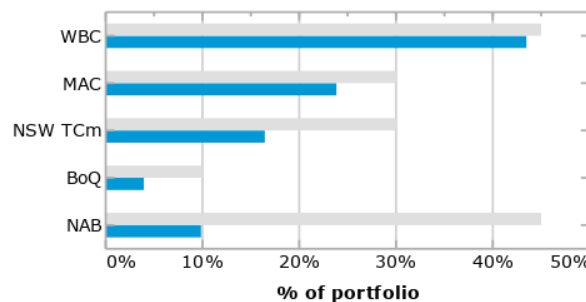
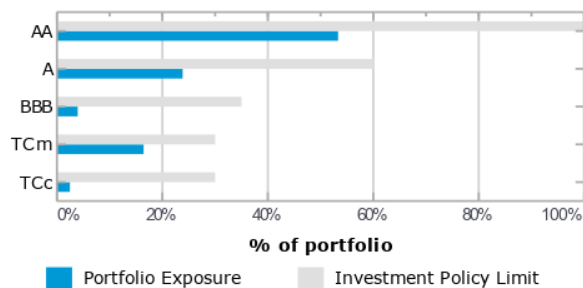
AusBond BB Index Rolling 12 month Return Portfolio Rolling 12 month Return

Investment Policy Compliance

Total Credit Exposure

Highest Individual Exposures

Term to Maturities



Maturity Profile	Face Value (\$)	Policy Max
Less than 1yr	24,394,308	96% 100%
Greater than 1yr	1,000,000	4% 60%
	25,394,308	

Broken Hill City Council

Investment Holdings Report



Cash Accounts							
Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference	
6,054,363.58	0.6000%	Macquarie Bank	A+	6,054,363.58	540354	Accelerator	
5,453,242.14	0.5500%	Westpac Group	AA-	5,453,242.14	535442	90d Notice	
5,586,836.04	0.0000%	Westpac Group	AA-	5,586,836.04	473409	Cheque	
17,094,441.76	0.3880%			17,094,441.76			

Managed Funds							
Face Value (\$)	Monthly Return	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.	Reference
625,164.14	0.0364%	NSW T-Corp (Cash)	TCc	Cash Fund	625,164.14	535329	
4,174,702.46	-0.8444%	NSW T-Corp (MT)	TCm	Medium Term Growth Fund	4,174,702.46	536441	
4,799,866.60					4,799,866.60		

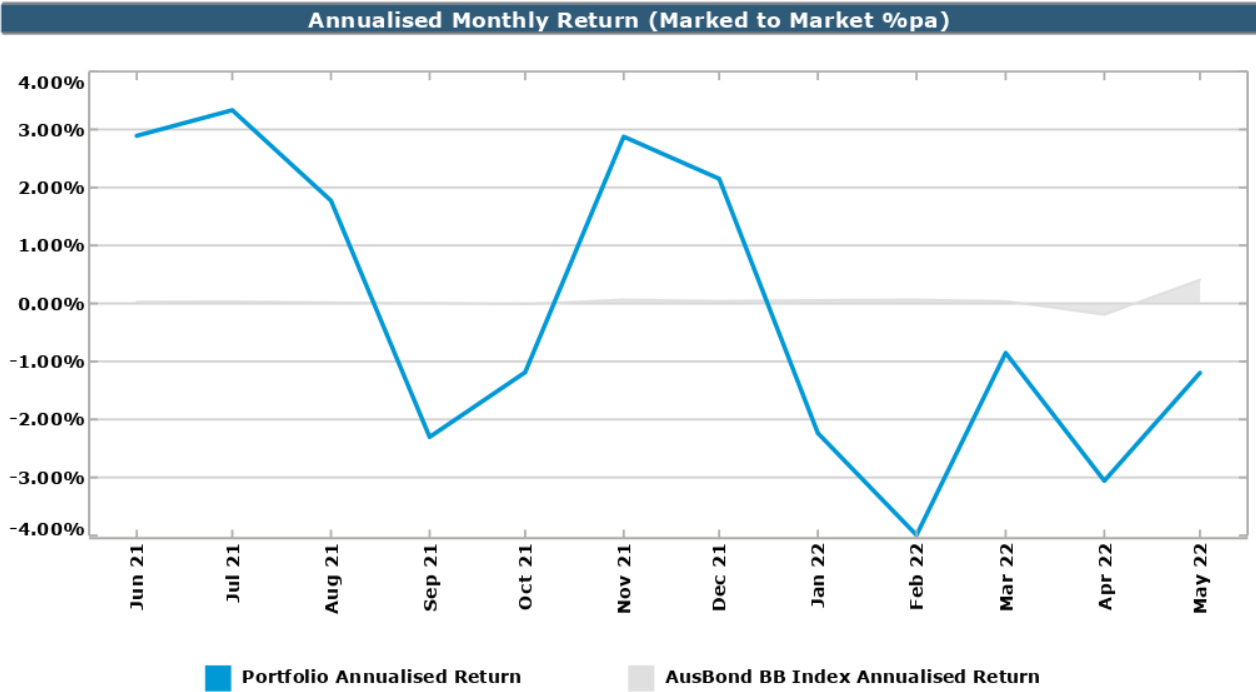
Term Deposits										
Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency Reference
8-Jun-22	500,000.00	0.5000%	ME Bank	BBB+	500,000.00	9-Jun-21	502,445.21	541512	2,445.21	At Maturity
12-Oct-22	500,000.00	0.4100%	National Australia Bank	AA-	500,000.00	13-Oct-21	501,297.40	541988	1,297.40	At Maturity
24-Oct-22	500,000.00	1.4500%	National Australia Bank	AA-	500,000.00	27-Apr-22	500,695.21	542702	695.21	At Maturity
16-Nov-22	500,000.00	0.7000%	ME Bank	BBB+	500,000.00	17-Nov-21	501,879.45	542099	1,879.45	At Maturity
27-Apr-23	500,000.00	2.1500%	National Australia Bank	AA-	500,000.00	27-Apr-22	501,030.82	542701	1,030.82	At Maturity
16-Aug-23	500,000.00	0.6200%	National Australia Bank	AA-	500,000.00	18-Aug-21	502,437.53	541757	2,437.53	Annually
27-Sep-23	500,000.00	0.6300%	National Australia Bank	AA-	500,000.00	29-Sep-21	502,114.38	541935	2,114.38	Annually
	3,500,000.00	0.9229%			3,500,000.00		3,511,900.00		11,900.00	

Broken Hill City Council
Accrued Interest Report - May 2022



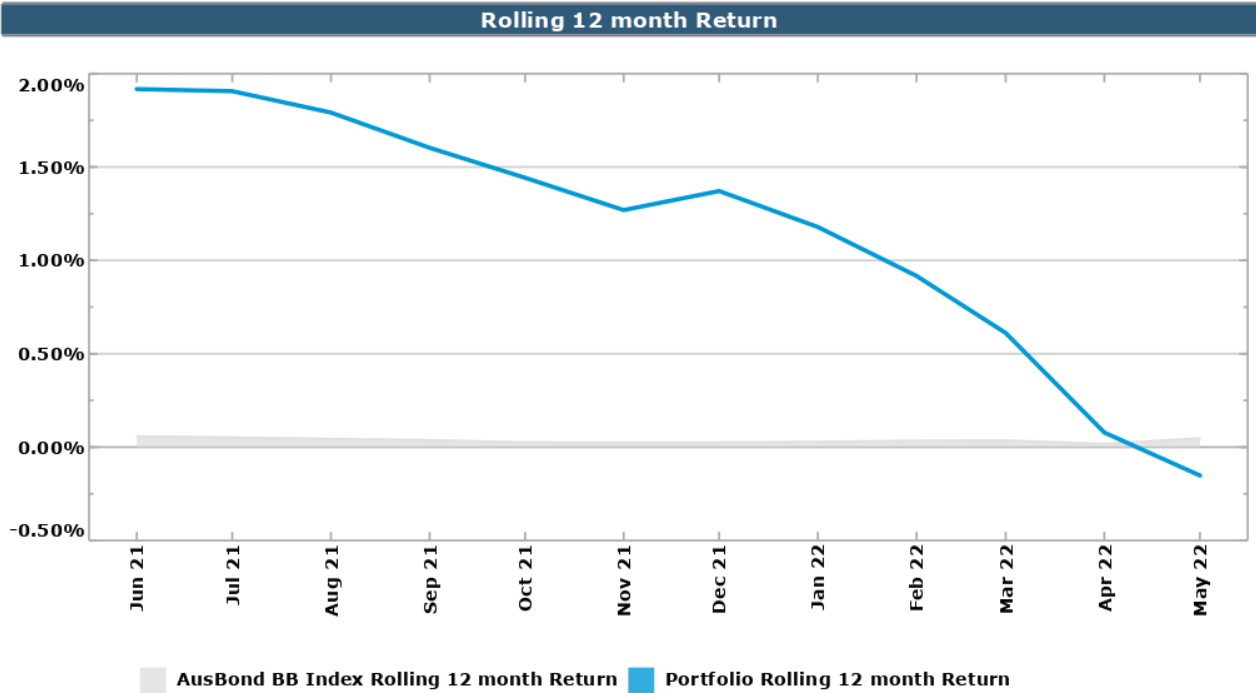
Accrued Interest Report									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Cash									
Westpac Group	473409	Cheque				0.00	31	0.00	.00%
Westpac Group	535442	90d Notice				2,742.61	31	2,742.61	.55%
Macquarie Bank	540354	Accelerator				3,183.04	31	3,183.04	.60%
Cash Total						5,925.66		5,925.66	.39%
Managed Funds									
Cash Fund	535329			29-May-17		0.00	31	227.29	.43%
Medium Term Growth Fund	536441			12-Feb-18		0.00	31	-35,553.31	-9.50%
Managed Funds Total						0.00		-35,326.02	-8.27%
Term Deposit									
ME Bank	541512			09-Jun-21	08-Jun-22	0.00	31	212.33	.50%
National Australia Bank	541988			13-Oct-21	12-Oct-22	0.00	31	174.11	.41%
National Australia Bank	542702			27-Apr-22	24-Oct-22	0.00	31	615.76	1.45%
ME Bank	542099			17-Nov-21	16-Nov-22	0.00	31	297.26	.70%
National Australia Bank	542701			27-Apr-22	27-Apr-23	0.00	31	913.01	2.15%
National Australia Bank	541757			18-Aug-21	16-Aug-23	0.00	31	263.28	.62%
National Australia Bank	541935			29-Sep-21	27-Sep-23	0.00	31	267.53	.63%
Term Deposit Total						0.00		2,743.28	.92%
						5,925.66		-26,657.08	-1.20%

Broken Hill City Council
Investment Performance Report



Historical Performance Summary			
	Portfolio	AusBond BB Index	Outperformance
May 2022	-1.20%	0.41%	-1.61%
Last 3 Months	-1.69%	0.09%	-1.78%
Last 6 Months	-1.50%	0.07%	-1.57%
Financial Year to Date	-0.42%	0.05%	-0.47%
Last 12 months	-0.15%	0.05%	-0.20%

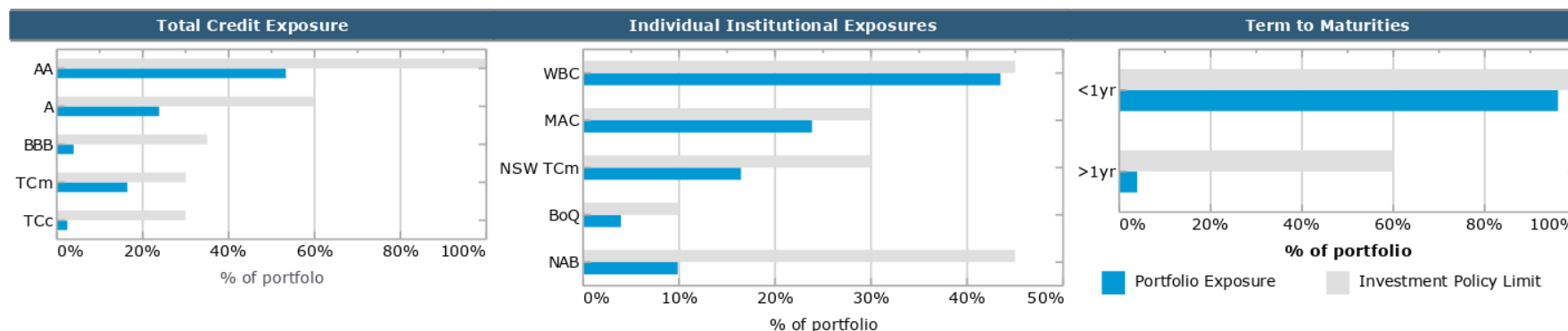
Broken Hill City Council
Investment Performance Report



Historical Performance Summary (actual)			
	Portfolio	AusBond BB Index	Outperformance
May 2022	-0.10%	0.03%	-0.13%
Last 3 Months	-0.43%	0.02%	-0.45%
Last 6 Months	-0.75%	0.04%	-0.79%
Financial Year to Date	-0.39%	0.05%	-0.44%
Last 12 months	-0.15%	0.05%	-0.20%

Broken Hill City Council

Investment Policy Compliance Report - May 2022



Credit Rating Group	Face Value (\$)	Policy Max
AA	13,540,078	53% 100%
A	6,054,364	24% 60%
BBB	1,000,000	4% 35%
TCm	4,174,702	16% 30%
TCc	625,164	2% 30%
	25,394,308	

Specific Sub Limits			
BBB+	1,000,000	4%	35%

☐ = compliant
☐ = non-compliant

	Portfolio Exposure	Investment Policy Limit
Westpac Group (AA-)	43%	45%
Macquarie Bank (A+)	24%	30%
NSW T-Corp (TCm)	16%	30%
Bank of Queensland (BBB+)	4%	10%
National Australia Bank (AA-)	10%	45%
NSW T-Corp (TCc)	2%	30%

Maturity Profile	Face Value (\$)	Policy Max
Less than 1yr	20,015,190	96% 100%
Greater than 1yr	750,000	4% 80%
	25,394,308	

Detailed Maturity Profile	Face Value (\$)	Policy Max
00. Cash + Managed Funds	21,894,308	86%
01. Less Than 30 Days	500,000	2%
04. Between 90 Days and 180 Days	1,500,000	6%
05. Between 180 Days and 365 Days	500,000	2%
06. Between 365 Days and 3 Years	1,000,000	4%
	25,394,308	

Broken Hill City Council

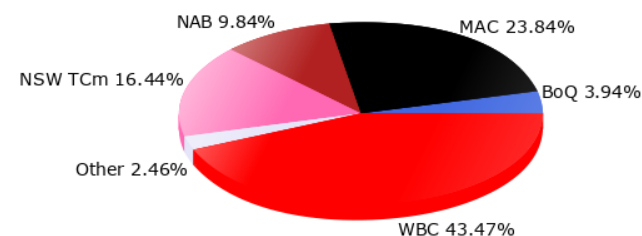
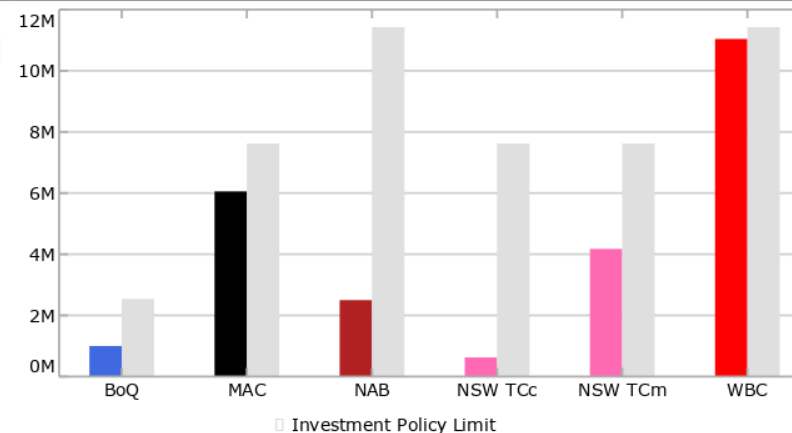
Individual Institutional Exposures Report



Individual Institutional Exposures

Individual Institutional Exposure Charts

	Current Exposures		Policy Limit		Capacity
Bank of Queensland (BBB+)	1,000,000	4%	2,539,431	10%	1,539,431
Macquarie Bank (A+)	6,054,364	24%	7,618,293	30%	1,563,929
National Australia Bank (AA-)	2,500,000	10%	11,427,439	45%	8,927,439
NSW T-Corp (TCc)	625,164	2%	7,618,293	30%	6,993,129
NSW T-Corp (TCm)	4,174,702	16%	7,618,293	30%	3,443,591
Westpac Group (AA-)	11,040,078	43%	11,427,439	45%	387,361
	25,394,308				



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>
Net Cash Movement for Period					
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>
8-Jun-22	541512	ME Bank	Term Deposit	Interest - Received	2,493.15
		ME Bank	Term Deposit	Maturity Face Value - Received	500,000.00
<u>Deal Total</u>					<u>502,493.15</u>
Day Total					502,493.15
Net Cash Movement for Period					502,493.15

Broken Hill City Council
Cash Flows Report

