



# BUSINESS PAPER

Policy and General  
Committee Meeting

Council Chambers  
24 August 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, August 24, 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, June 15, 2022.

**MINUTES OF THE POLICY AND GENERAL COMMITTEE MEETING HELD  
WEDNESDAY, JUNE 15, 2022 (5:30PM)**

**PRESENT:**

Councillor J. Hickey (Deputy Mayor), Councillors B. Algate (Chairperson), M. Boland, M. Browne and H. Jewitt.

General Manager, Chief Corporate and Community Officer, Chief Financial Officer, Manager Communications and Marketing, Executive Manager Planning and Community Safety, Executive Manager Growth and Investment, Executive Manager People and Culture, Executive Officer and Executive Assistant.

Media - nil, Members of the Public (1).

**APOLOGIES:**

Councillor T. Kennedy (Mayor)

Procedural Motion

Moved Deputy Mayor Jim Hickey, Seconded Councillor Hayley Jewitt

That the apology submitted on behalf of Mayor Kennedy be accepted.

CARRIED UNANIMOUSLY

**LEAVE OF ABSENCE APPLICATIONS:** Nil.

**PRAYER**

Councillor Boland delivered the Prayer.

**ACKNOWLEDGEMENT OF COUNTRY**

Councillor Jewitt delivered the Acknowledgement of Country.

**ACKNOWLEDGEMENT OF BROKEN HILL'S MINING HISTORY**

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

**MINUTES FOR CONFIRMATION**

Recommendation

Moved Councillor Michael Boland, Seconded Councillor Marion Browne

That the Minutes of the Policy And General Committee meeting held Wednesday May 18, 2022 be confirmed.

CARRIED UNANIMOUSLY



**DISCLOSURE OF INTEREST**

Nil

**REPORTS**

1. BROKEN HILL CITY COUNCIL REPORT NO. 138/22 - DATED JUNE 02, 2022 - ANNUAL FEES - MAYOR AND COUNCILLORS D22/29125

Motion:

Moved Deputy Mayor Jim Hickey, Seconded Councillor Michael Boland

1. That Broken Hill City Council Report No. 138/22 dated June 2, 2022, be received.
2. That no increase be applied to the Councillor and Mayoral fees for 2022/2023, i.e. the Councillor and Mayoral fees remain at the current 2021/2022 level for the 2022/2023 financial year.
3. 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.

Amendment:

Moved Councillor Marion Browne

1. That Broken Hill City Council Report No. 138/22 dated June 2, 2022, be received.
2. That Council writes to other NSW Councils that fall under the Local Government Remuneration Tribunal's category of Rural/Regional to ascertain their level of Councillor and Mayoral fees.

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The motion was put.

Recommendation

Moved Deputy Mayor Jim Hickey, Seconded Councillor Michael Boland

1. That Broken Hill City Council Report No. 138/22 dated June 2, 2022, be received.
2. That no increase be applied to the Councillor and Mayoral fees for 2022/2023, i.e. the Councillor and Mayoral fees remain at the current 2021/2022 level for the 2022/2023 financial year.

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

**CARRIED**

FOR: Deputy Mayor Jim Hickey, Councillors Bob Algate, Michael Boland and Hayley Jewitt  
AGAINST: Councillor Marion Browne

2. BROKEN HILL CITY COUNCIL REPORT NO. 139/22 - DATED JUNE 07, 2022 - OFFICE OF LOCAL GOVERNMENT CIRCULAR - COUNCILLOR SUPERANNUATION D22/30189

**Recommendation**

Moved Deputy Mayor Jim Hickey, Seconded Councillor Michael Boland

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 Broken Hill City Council does not make superannuation contribution payments to the Mayor and Councillors.

**CARRIED**

FOR: Deputy Mayor Jim Hickey, Councillors Bob Algate, Michael Boland and Hayley Jewitt  
AGAINST: Councillor Marion Browne

3. BROKEN HILL CITY COUNCIL REPORT NO. 140/22 - DATED JUNE 02, 2022 - ADOPTION OF THE COMMUNITY STRATEGIC PLAN - YOUR BROKEN HILL 2040 D22/21685

**Recommendation**

Moved Councillor Michael Boland, Seconded Councillor Hayley Jewitt

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.

**CARRIED UNANIMOUSLY**

4. BROKEN HILL CITY COUNCIL REPORT NO. 141/22 - DATED JUNE 02, 2022 - ADOPTION OF THE DISABILITY INCLUSION ACTION PLAN 2022-2026 D22/21721

**Recommendation**

Moved Deputy Mayor Jim Hickey, Seconded Councillor Marion Browne

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.

**CARRIED UNANIMOUSLY**

5. BROKEN HILL CITY COUNCIL REPORT NO. 142/22 - DATED MAY 03, 2022 - ADOPTION OF THE DRAFT DEBT RECOVERY POLICY D22/21771

**Recommendation**

Moved Deputy Mayor Jim Hickey, Seconded Councillor Michael Boland

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.

**CARRIED UNANIMOUSLY**

6. BROKEN HILL CITY COUNCIL REPORT NO. 143/22 - DATED JUNE 02, 2022 -

ADOPTION OF DRAFT EQUAL EMPLOYMENT OPPORTUNITY POLICY D22/22639**Recommendation****Moved Councillor Michael Boland, Seconded Councillor Hayley Jewitt**

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.

**CARRIED UNANIMOUSLY**

7. BROKEN HILL CITY COUNCIL REPORT NO. 144/22 - DATED JUNE 02, 2022 - COMMUNITY ASSISTANCE GRANTS AWARDED FOR ROUND ONE OF 2022/2023 D22/29210

**Recommendation****Moved Councillor Michael Boland, Seconded Councillor Marion Browne**

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.

**CARRIED UNANIMOUSLY**

8. BROKEN HILL CITY COUNCIL REPORT NO. 145/22 - DATED JUNE 02, 2022 - INVESTMENT REPORT FOR MAY 2022 D22/29286

**Recommendation****Moved Councillor Michael Boland, Seconded Councillor Marion Browne**

1. That Broken Hill City Council Report No. 145/22 dated June 2, 2022, be received.

**CARRIED UNANIMOUSLY**



**MATTER OF URGENCY**

9. COUNCILLORS REPORT NO. /22 - DATED JUNE 16, 2022 - MATTER OF URGENCY RAISED AT THE JUNE POLICY AND GENERAL COMMITTEE MEETING - COUNCIL'S SUBMISSION TO THE NSW DEPARTMENT OF PLANNING AND ENVIRONMENT REGARDING THE DRAFT WESTERN REGIONAL WATER STRATEGY

D22/31655

**Recommendation**

Moved Councillor Marion Browne, Seconded Deputy Mayor Jim Hickey

1. That Councillors Report No. /22 dated June 16, 2022, be received.
2. That Council forwards a submission to the NSW Department of Planning and Environment regarding the Draft Western Regional Water Strategy objecting to the proposed critical dry condition trigger level of 195 GL for Menindee Lakes total storage capacity for implementing temporary water restrictions (once this trigger is reached there would be no releases beyond the minimum flow requirements from lakes Wetherell, Pamamaroo, Menindee, Cawndilla and Tandure).
3. That Council delegates authority to the Mayor, Councillor Browne and the General Manager to formulate Council's submission and forward said submission to the Department of Planning and Environment by the closing date of 13 July 2022.

**CARRIED UNANIMOUSLY**

**CONFIDENTIAL MATTERS**

Nil

Meeting closed at 6:01pm.

The foregoing minutes were read and confirmed at the Policy and General Committee meeting held on 20 July 2022.

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Chairperson

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## POLICY AND GENERAL COMMITTEE

July 28, 2022

**ITEM 1**BROKEN HILL CITY COUNCIL REPORT NO. 176/22

SUBJECT: CHILD CARE AVAILABILITY IN BROKEN HILL D22/39465

**Recommendation**

1. That Broken Hill City Council Report No. 176/22 dated July 28, 2022, be received.
2. That the Policy and General Committee reviews correspondence, that was presented to the July Council Meeting from the Minister for Early Childhood Education, to determine the future direction of any advocacy and correspondence in relation to Childcare availability in the City.

**Executive Summary:**

Council sent correspondence to the Hon Dr Anne Aly MP, Minister for Early Childhood Education dated 10 June 2022, advising of Council's resolution at the March 30 2022, Council Meeting regarding the urgency of increasing child care availability within the City.

The Minister for Early Childhood Education, Hon Dr Anne Aly MP, replied to the Mayor's correspondence advising of the various Government strategies to support accessible childcare for families in Australia.

Council at its meeting held 27 July 2022, resolved that this correspondence be referred back to the Policy and General Committee to determine the future direction of any advocacy and correspondence in relation to Childcare availability.

**Report:**

Mayoral Minute 2/22 was presented to the Council meeting held January 12, 2022 and as part of the resolution, Council resolved (Minute No. 46690):

*..." Item 21 - That options to increase childcare be referred to the Policy and General Committee."*

Council considered Broken Hill City Council Report No 71/22 - Childcare Availability Broken Hill at the March 30, 2022 Council Meeting and resolved:

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 71/22 - DATED MARCH 11, 2022 -**  
**CHILDCARE AVAILABILITY BROKEN HILL** **D22/12769**

**RESOLUTION**

Minute No. 46783

Councillor R Algate moved  
Councillor D Turley seconded

**Resolved**

1. That Broken Hill City Council Report No. 71/22 dated March 11, 2022, be received.

2. That Council note the initiation of a Council developed Liveability & Housing Strategy to support advocacy and assist in the identification and resourcing to improve livability within the City.
3. That Council continues to support the work of the Foundation Broken Hill Project Officer to identify and research improved childcare.
4. That Council partners with Foundation Broken Hill to advocate for additional services for the expansion of services.
5. That Council writes to the appropriate Federal & State Ministers as well as Local Members, The Honorable Mark Coultan and Mr Roy Butler to reinforce the urgency of increasing childcare availability within the City.
6. That the Mayor and Councillors meet with the Federal Member when he is next in Broken Hill, to discuss the issue.

CARRIED UNANIMOUSLY

Following the Council Meeting, Council sent correspondence to the appropriate Federal and State Ministers as well as the Federal and Local Members, advising of Council's resolution.

The Minister for Early Childhood Education, Hon Dr Anne Aly MP, replied to the Mayor's correspondence advising of the various Government strategies to support accessible childcare for families in Australia and The Minister's correspondence dated June 29, 2022 was considered at the Council Meeting held 27 July 2022. Council resolved:

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 155/22 - DATED JULY 05, 2022 -**  
**CORRESPONDENCE REPORT - CHILD CARE AVAILABILITY IN BROKEN HILL** D22/34897

**RESOLUTION**

Minute No. 46903

Deputy Mayor J Hickey moved )  
Councillor D Turley seconded )

**Resolved**

1. That Broken Hill City Council Report No. 155/22 dated July 5, 2022, be received.
2. That reply correspondence from The Hon Dr Anne Aly MP, Minister for Early Childhood Education dated 29 June 2022 advising of various Government strategies to support accessible childcare for families in Australia, be received and noted.
3. That the matter be referred to the Policy and General Standing Committee for further discussion regarding future correspondence to Ministers.

CARRIED UNANIMOUSLY



As per Council's resolution, this report is now being presented to the Policy and General Committee to make recommendation to Council regarding the future direction of any advocacy or correspondence to Ministers in relation to this issue.

**Community Engagement:**

Discussions have been held with Foundation Broken Hill's Project Officer on the findings from the latest research on childcare gaps in Broken Hill.

**Strategic Direction:**

Key Direction:	2	Our Economy
Objective:	2.1	Our businesses are well connected and thrive in an environment that supports innovation and economic growth
Strategy:	2.1.7	Advocate for incentives and initiatives that support business and industry to expand

**Relevant Legislation:**

*Local Government Act 1993*

**Financial Implications:**

Nil

**Attachments**

1. Copy of Report No 71-22 - Childcare Availability - presented to March 2022 Health and Building Committee  
[↓](#)
2. Copy of reply correspondence received from the Hon Dr Anne Aly MP - presented to July 2022 Council Meeting  
[↓](#)

LEISA BARTLETT  
EXECUTIVE OFFICER

JAY NANKIVELL  
GENERAL MANAGER

Health and Building Committee

22 March 2022

HEALTH AND BUILDING COMMITTEE

March 11, 2022

**ITEM 1**BROKEN HILL CITY COUNCIL REPORT NO. 71/22SUBJECT: CHILDCARE AVAILABILITY BROKEN HILL D22/12769**Recommendation**

1. That Broken Hill City Council Report No. 71/22 dated March 11, 2022, be received.
2. That Council note the initiation of a Council developed Liveability & Housing Strategy to support advocacy and assist in the identification and resourcing to improve livability within the City.
3. That Council continues to support the work of the Foundation Broken Hill Project Officer to identify and research improved childcare.
4. That Council partners with Foundation Broken Hill to advocate for additional services for the expansion of services.
5. That Council writes to the appropriate Federal & State Ministers as well as Local Members, The Honorable Mark Coulton and Mr Roy Butler to reinforce the urgency of increasing childcare availability within the City.

**Executive Summary:**

In response to Mayoral Minute No. 2/22 (Council resolution No. 46690), Council officers have collated information to outline the next steps to progress Minute No. 21.

Liveability of a community is measured by identifying and measuring the factors that provide quality of life in a place.

Liveability factors include affordable decent housing, access to the natural environment, feeling safe, a strong sense of community, high quality health services, good job prospects, a prosperous economy, high quality educational opportunities (including access to quality, available and affordable childcare), access to sports and recreation, cultural facilities, social cohesion, access to fresh water and food, access to a diverse range of shopping, leisure and dining experiences and opportunity for all. (Australian Urban Observatory <https://auo.org.au/portal/metadata/urban-liveability-index/>).

The provision of quality, available and affordable childcare is a liveability factor which impacts on workforce participation in Broken Hill and the attractiveness of the city for potential new residents.

Foundation Broken Hill is facilitating a consortium of industry employers that have joined to create a short-term Project Officer position to research and explore solutions to the provision of liveability factors in the City. Primarily related to improved housing and childcare. The consortium membership includes mining companies with a footprint in the Far West of NSW. The Project Officer role provides information and research into the factors which may impact on the ability of industry to attract suitable staff to meet the expected demand of the mining sector in Broken Hill.

Health and Building Committee

22 March 2022

The Project Officer has produced a Child Care Snapshot Report to document the current demand and project the need for childcare over the short to medium term. However, the Report only documents childcare being undertaken within a facility. It does not document home based childcare, known as Family Day Care.

**Report:**

Council officers met with the Foundation Broken Hill Project Officer on 11<sup>th</sup> February 2022 to discuss the findings of the Childcare Services Snapshot/Status Report which was produced in September 2021.

The attached Report, identified a waiting list for facility based childcare, including long day care and preschool, of approximately 75 places. The two Outside School Hours Care (OSHC) services have limited vacancies.

Broken Hill currently has 10 childcare providers in the community:

- one for profit private provider of childcare services,
- one family day care service (Cobar Shire Council managed),
- five private non-profit community-controlled centres,
- two state government-controlled school centres,
- and one private non-profit- other organisation centre.

After engagement with the local childcare sector by the Project Officer, substantial growth of existing local operations is not expected.

**Family Day Care Services**

Family Day Care is childcare provided in private homes by 'registered educators' who work for a Provider Agency.

Family Day Care providers (in this case, Cobar Shire Council) must employ one coordinator for every 15 educators. Educators provide care for 4 children under 5 years of age and up to 7 children on school holidays. The ratio of children to educators is 4 children aged 0-5 years and 3 children of school age.

Cobar Shire Council provides Far West Family Day Care services in Broken Hill. This service has no vacancies for care in Broken Hill and maintains a waiting list which is over 18 months long. The service has 14 educators in the local community at present.

Far West Family Day Care has been granted permission to "over licence" and provide care for 5 children under 5 years of age for each educator as opposed 4 children for every educator.

**Data**

Census 2021 data is not yet available in the required detail to ascertain the number of children and babies in the community presently. Thus, using the latest available data (ABS 2016), Broken Hill had 974 babies, toddlers and pre-schoolers aged 0-4 years who are the primary age candidates for childcare, long day care and preschool.

Based on the data in the Child Care Snapshot Report, there are currently approximately 275 available places for this age group in the city. There are approximately 1373 children aged 5 to 11 years who could access the 120 available Outside School Hours Care places (ABS Quickstats, 2016) (profileID).

Health and Building Committee

22 March 2022

Australian Bureau of Statistics information for age groups will be updated with the release of census data collected in 2021. The information will be released during 2022.

The expected rise in employment and population due to growth in the mining sector is anticipated to place significant additional pressure on already burdened childcare sector and leave many families without adequate care.

Strong demand, future growth and existing waiting lists suggest that there is an opportunity for business and operational growth in the childcare sector in Broken Hill.

**Childcare Developments Group** are currently advertising a business opportunity for a childcare centre which is to be built at 276-278 Clarke Street, Broken Hill. The proposed centre will be licensed for 51 placements. A licensee is expected to be found prior to building commencement. The opportunity can be found at <https://childcaredevelopments.com.au/centres-for-sale/>

The focus for the Foundation Broken Hill's Project Officer is to engage with local and national operators in the for-profit and non-profit sectors to communicate the strong current and future business demand and the opportunity to lease a purpose-built development in Broken Hill.

It is recommended that Council support this approach and advocate for additional childcare places.

#### **Community Engagement:**

Discussion was held with the Foundation Broken Hill Project Officer on the findings from the latest research on childcare gaps in Broken Hill.

#### **Strategic Direction:**

Key Direction:	2	Our Economy
Objective:	2.1	Our economy is strong and diversified and attracts people to work, live and invest
Strategy:	2.1.2	Develop and implement strategies and partnerships to support established businesses and services, and encourage new investment opportunities within the region

#### **Relevant Legislation:**

*Local Government Act 1993*

#### **Financial Implications:**

NIL

#### **Attachments**

1. Childcare in Broken Hill Status Report

RAZIJA NU'MAN  
CHIEF CORPORATE AND COMMUNITY OFFICER

Broken Hill City Council

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Health and Building Committee

22 March 2022

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JAY NANKIVELL  
GENERAL MANAGER

Preview





## Childcare Services in Broken Hill

### Snapshot/Status Report

#### 1. Introduction

This status report provides a snapshot of childcare services in Broken Hill as at the date of this report.

The term childcare is used broadly to refer to long day care, preschool, outside school hours care and family day care. Each service provides different education and care for different age groups.

Childcare is regulated under a national set of laws in each state, with a National Quality Framework setting the standard for childcare across the sector.

The number of places in a childcare service is regulated and dependant on the type and physical characteristics of the childcare facility, such as the unencumbered space per child both indoors and outdoors. Childcare facilities have specific building and planning requirements to provide a safe environment for children.

The number of childcare educators in a service is also regulated and based on educator-to-child ratios across different age groups. Services must have suitably qualified educators at diploma, certificate III and early childhood teacher levels, depending on the type of service and the approved number of child places, amongst other things.

At present in Broken Hill there are 7 long day care and preschool services providing 91 long day care and 168 preschool places, 1 family day care service and 2 outside school hours services.

Based on either direct conversation with childcare services or information from childcare websites, all services have waiting lists for available places.

Revision 1.0	Date: 01/09/2021	Author: Travis Nadge
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## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report

**2. Current Services - Overview**

Name	Type	Services	Places	Availability*
Busy Kids Childcare	Centre-Based Care	Long Day Care	38	Waitlist 6 months
Happy Day Preschool and Long Day Care	Centre-Based Care	Long Day Care Preschool/Kindergarten	71	Waitlist (~50 on waitlist)
Silverlea Early Childhood Services	Centre-Based Care	Long Day Care	22	Waitlist (73 on waitlist)
Rainbow Preschool	Centre-Based Care	Preschool/Kindergarten	59	Waitlist 1 month
Playtime Preschool	Centre-Based Care	Preschool/Kindergarten	29	Waitlist
Broken Hill Public School Preschool	Centre-Based Care	Preschool/Kindergarten	20	Waitlist
Alma Bugdlie Preschool	Centre-Based Care	Preschool/Kindergarten	20	Waitlist
YMCA Burke Ward	Centre-Based Care	OSHC (after school, vacation care)	75	Vacancies
PCYC OSHC	Centre-Based Care	OSHC (after school, vacation care)	45	Vacancies
Far West Family Day Care	Family Day Care	Family Day Care	1 Service	Unknown

\* Based on conversations with services or online information as at date of report.

### 3. Types of Childcare Services

- 3.1. **Long Day Care** –Centre-based care with qualified educators for children usually from 6 weeks of age up until they are ready to start school, around 6 years. Care is offered in a space that is especially built or designed for childcare purposes, usually offering different rooms for the various age groups. Outdoor play areas can offer children access to equipment, toys and facilities such as arts and crafts. Long day care centres provide all-day or part-time care for working families and offer developmental programs within their care programs.
- 3.2. **Preschool** - A service that provides an early childhood education program with qualified educators. In the years before a child starts school, they take part in a tailored program that will help to prepare them for formal learning. Depending on the centre, children can be between 3 and 5 years old when they start preschool. The location can be within a long day care centre, in a separate purpose-built centre, or even within a primary school.
- 3.3. **Family Day Care** - Care for children from babies to school age in a small group at an educator's home or approved family day care venue. Educators need to register as a provider and are rated and assessed for quality. The small group of children tend to be across a wide range of ages. Up to seven children can be cared for by one educator, with a maximum of four if they are preschool aged or younger.
- 3.4. **Outside School Hours Care (OSHC)** - Service that provides care for primary school aged children (typically 5 to 12 years) before and after school and can also operate during school holidays (vacation care) and on pupil free days. Outside school hours care services are usually provided from primary school premises, community facilities or childcare centres.

### 4. Centre-Based Child Ratio Requirements (NSW)

Age of children	Educator to child ratio
Birth to 24 months	1:4
Over 24 months and less than 36 months	1:5
36 months up to and including preschool age	1:10
Over preschool age	1:15

## 5. National Quality Framework

The National Quality Framework (NQF) operates under an applied law system and is a set of national standards for children's education and care across Australia. In effect it means the same law is applied in each state and territory, but with some varied provisions as applicable to the needs of each state or territory.

The Australian Children's Education and Care Quality Authority (ACECQA [www.acecqa.gov.au](http://www.acecqa.gov.au)) is an independent national authority that assists governments in administering the National Quality Framework for children's education and care.

The National Quality Standard (NQS) sets a high national benchmark for early childhood education and care and outside school hours care services in Australia.

### 5.1. NQS Quality Areas

The NQS includes 7 quality areas that are important outcomes for children.

- 1 Educational program and practice**  
Your child is supported to participate in play and learning
- 2 Children's health and safety**  
Your child is protected from illness and hazards
- 3 Physical environment**  
Your child plays in a safe and well maintained environment
- 4 Staffing arrangements**  
There are enough qualified staff to give your child the attention they need
- 5 Relationships with children**  
Your child is made to feel supported and welcomed
- 6 Collaborative partnerships with families and communities**  
Local community involvement and respect for the beliefs and values of families
- 7 Governance and leadership**  
Your child is cared for in a positive and well managed environment

Detailed descriptions of each NQS quality area can be found in Appendix A.

CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report

### 5.2. NQS Ratings

Services are assessed and rated by their regulatory authority against the NQS, and given a rating for each of the 7 quality areas and an overall rating based on these results.



Snapshot of NQS at a national and state level can be found in Appendix B.

## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report

## 6. Current Services – In Detail



Name:	Busy Kids Childcare
Location:	121 Bagot Street, Broken Hill
Service Type:	Centre-Based Care Long Day Care
Approved Places:	38
Provider:	AR Business Management Pty Ltd
Management Type:	Private for profit
Service Approval Granted:	28 September 2008
NQF Rating/Status:	Working Towards NQS

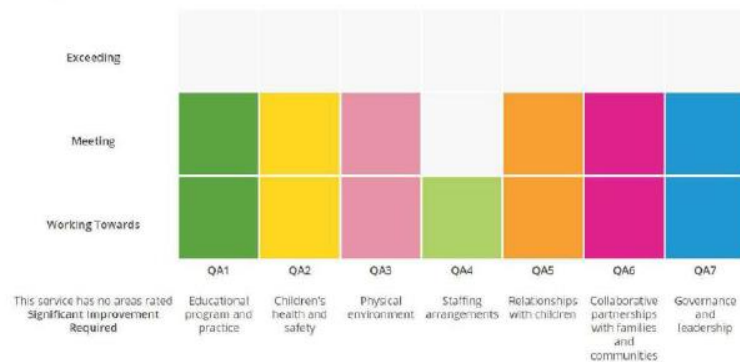
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## Ratings chart



Busy Kids Child Care

Overall Rating: Working Towards NQS



Date: 01/09/2021

Childcare Services in Broken Hill

Page 6

## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report



Name:	Happy Day Preschool and Long Day Care
Location:	367 Kaolin, Broken Hill
Service Type:	Centre-Based Care Long Day Care Preschool/Kindergarten - Standalone
Approved Places:	71 (Long Day Care 31 / Preschool 40)
Provider:	Broken Hill Happy Day Preschool Kindergarten Inc
Management Type:	Private not for profit community managed
Service Approval Granted:	3 November 2008
NQF Rating/Status:	Meeting NQS

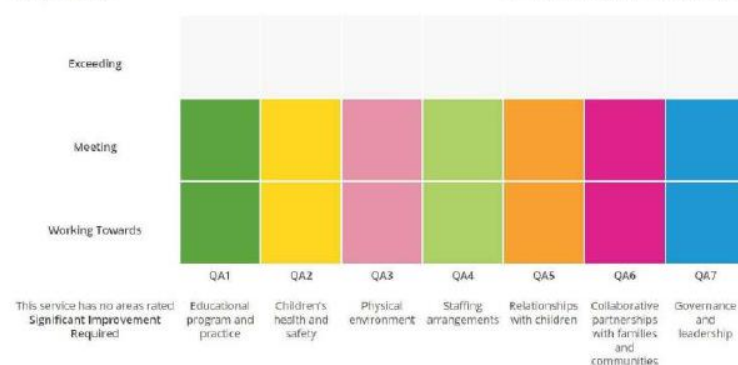
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## Ratings chart



## Happy Day Preschool and Long Day Care

Overall Rating: Meeting NQS



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Childcare Services in Broken Hill

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## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
 Childcare in Broken Hill Status  
 Report



Name:	Silverlea Early Childhood Services
Location:	158 Rakow Street, Broken Hill
Service Type:	Centre-Based Care Long Day Care
Approved Places:	22
Provider:	Silverlea Early Childhood Service Inc
Management Type:	Private not for profit community managed
Service Approval Granted:	29 October 2019
NQF Rating/Status:	Working Towards NQ5

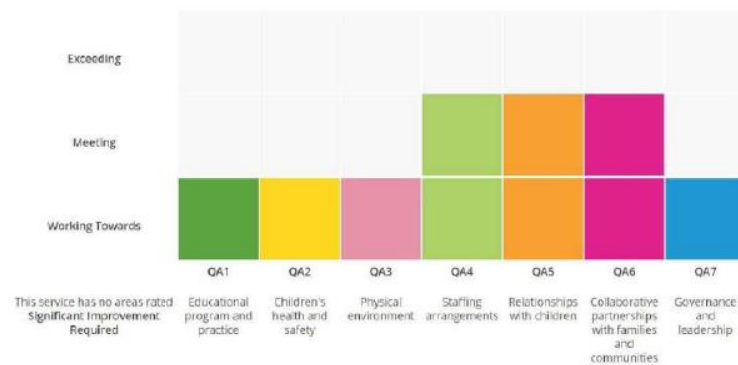
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## Ratings chart



## Silverlea Early Childhood Services

Overall Rating: Working Towards NQ5



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Childcare Services in Broken Hill

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## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report



Name:	Rainbow Preschool
Location:	2 Patton Lane, Broken Hill
Service Type:	Centre-Based Care Preschool/Kindergarten - Standalone
Approved Places:	59
Provider:	Rainbow Preschool Association Broken Hill Inc
Management Type:	Private not for profit community managed
Service Approval Granted:	7 November 2008
NQF Rating/Status:	Meeting NQS

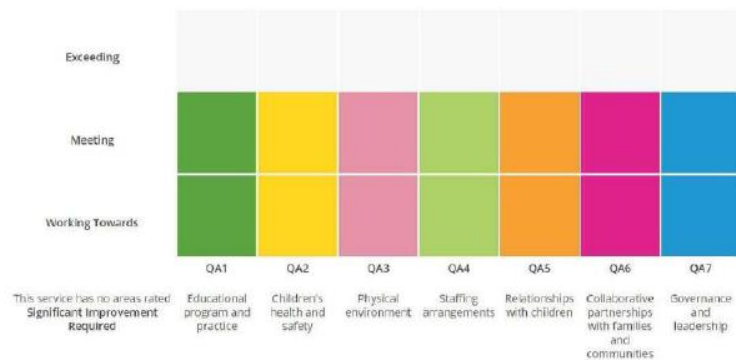
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## Ratings chart



Rainbow Pre-School - Broken Hill

Overall Rating: Meeting NQS



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Childcare Services in Broken Hill

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## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report



<b>Name:</b>	Playtime Preschool
<b>Location:</b>	Cnr Patton & Comstock Streets, Broken Hill
<b>Service Type:</b>	Centre-Based Care Preschool/Kindergarten - Standalone
<b>Approved Places:</b>	29
<b>Provider:</b>	Playtime Pre-School Centre Association Incorporated
<b>Management Type:</b>	Private not for profit community managed
<b>Service Approval Granted:</b>	8 November 2007
<b>NQF Rating/Status:</b>	Working Towards NQS

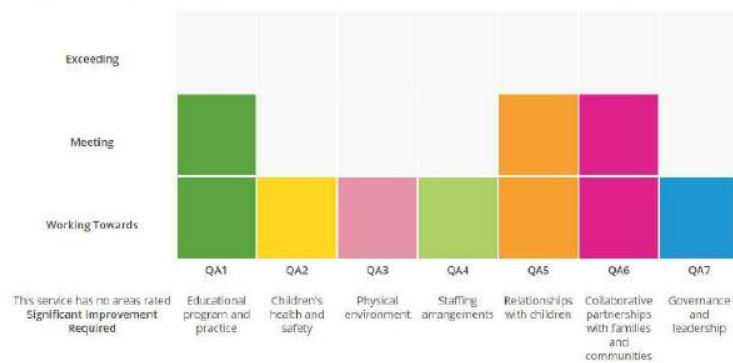
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## Ratings chart



Playtime Pre-School

Overall Rating: Working Towards NQS



Date: 01/09/2021

Childcare Services in Broken Hill

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## CHILDCARE AVAILABILITY BROKEN HILL

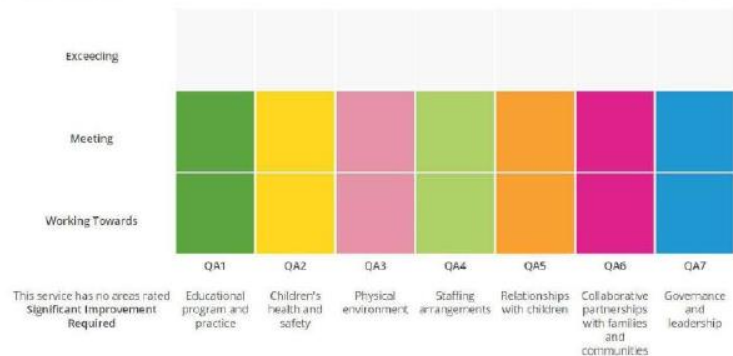
Attachment 1  
 Childcare in Broken Hill Status  
 Report



Name:	Broken Hill Public School Preschool
Location:	Bromide Street, Broken Hill
Service Type:	Centre-Based Care Preschool/Kindergarten – Part of a School
Approved Places:	20
Provider:	Department of Education (NSW)
Management Type:	State government school
Service Approval Granted:	18 May 2021
NQF Rating/Status:	Meeting NQS

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## Ratings chart

Broken Hill Public School  
PreschoolOverall Rating: **Meeting NQS**

Date: 01/09/2021

Childcare Services in Broken Hill

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## CHILDCARE AVAILABILITY BROKEN HILL

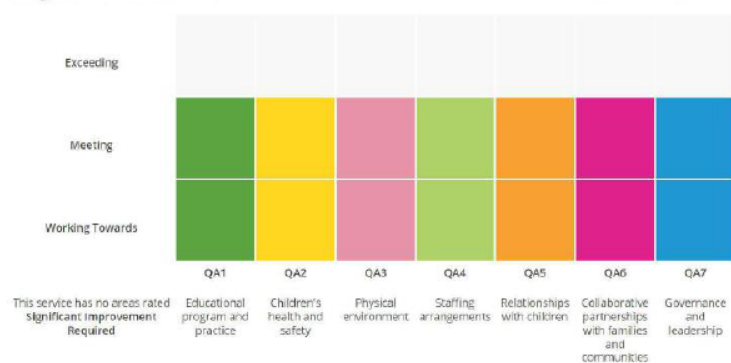
Attachment 1  
Childcare in Broken Hill Status  
Report



Name:	Alma Public School – Alma Bugdlie Preschool
Location:	29 Comstock Street, Broken Hill
Service Type:	Centre-Based Care Preschool/Kindergarten – Part of a School
Approved Places:	20
Provider:	Department of Education (NSW)
Management Type:	State government school
Service Approval Granted:	17 May 2010
NQF Rating/Status:	Meeting NQS

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## Ratings chart

Alma Public School - Alma  
Bugdlie PreschoolOverall Rating: **Meeting NQS**

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Childcare Services in Broken Hill

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## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report



<b>Name:</b>	YMCA Bourke Ward OSHC
<b>Location:</b>	1 Rakow Street, Broken Hill
<b>Service Type:</b>	Centre-Based Care Outside School Hours Care – After School Outside School Hours Care – Before School Outside School Hours Care – Vacation Care
<b>Approved Places:</b>	75
<b>Provider:</b>	Young Men's Christian Association of Sydney
<b>Management Type:</b>	Private not for profit community managed
<b>Service Approval Granted:</b>	15 November 2017
<b>NQF Rating/Status:</b>	Meeting NQS

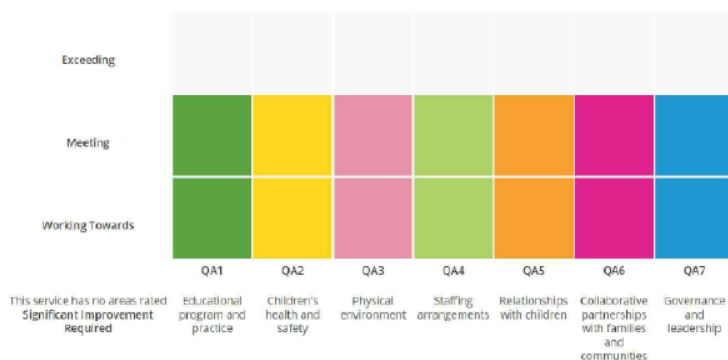
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## Ratings chart



YMCA Burke Ward OSHC

Overall Rating: Meeting NQS



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Childcare Services in Broken Hill

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## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report



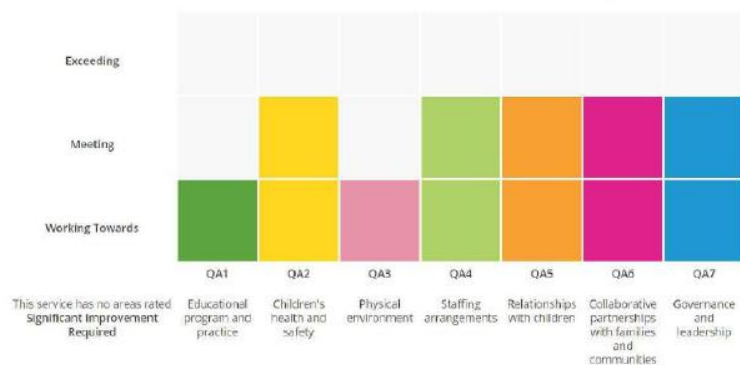
Name:	PCYC- Out of School Hours Broken Hill
Location:	58 Gypsum Street, Broken Hill
Service Type:	Centre-Based Care Outside School Hours Care – After School Outside School Hours Care – Vacation Care
Approved Places:	45
Provider:	Police & Community Youth Clubs NSW Ltd
Management Type:	Private not for profit other organisation
Service Approval Granted:	13 September 2013
NQF Rating/Status:	Working Towards NQS

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## Ratings chart

PCYC- Out Of School Hours  
Broken Hill

Overall Rating: Working Towards NQS



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Childcare Services in Broken Hill

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## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report



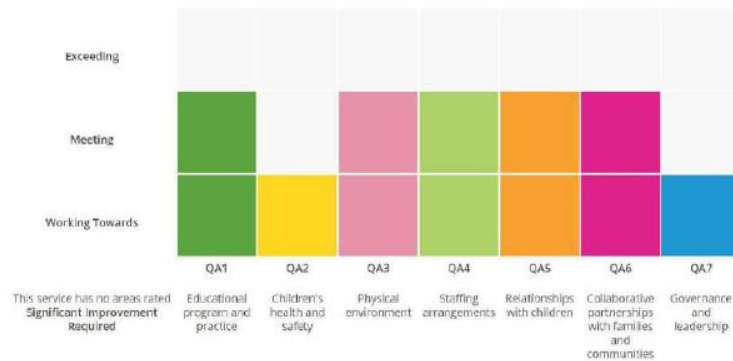
Name:	Far West Family Day Care Service Broken Hill
Location:	246 Oxide Street, Broken Hill
Service Type:	Family Day Care
Approved Places:	
Provider:	Cobar Shire Council
Management Type:	Local government managed
Service Approval Granted:	24 September 2006
NQF Rating/Status:	Working Towards NQS

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## Ratings chart

Far West Family Day Care  
Services

Overall Rating: Working Towards NQS

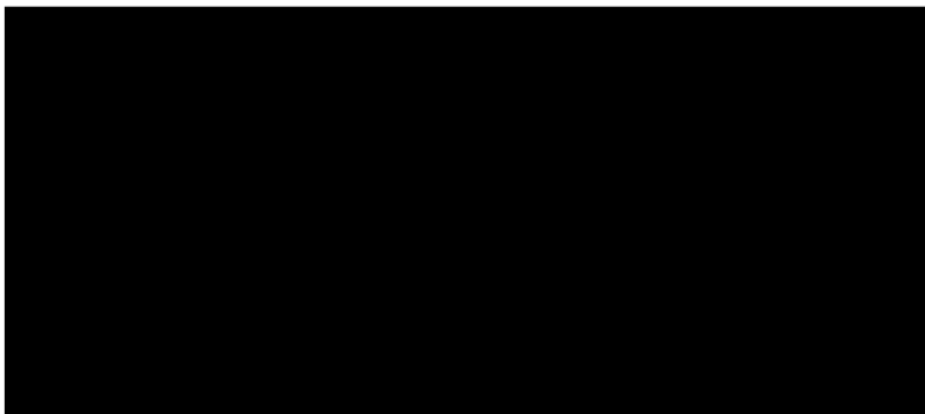
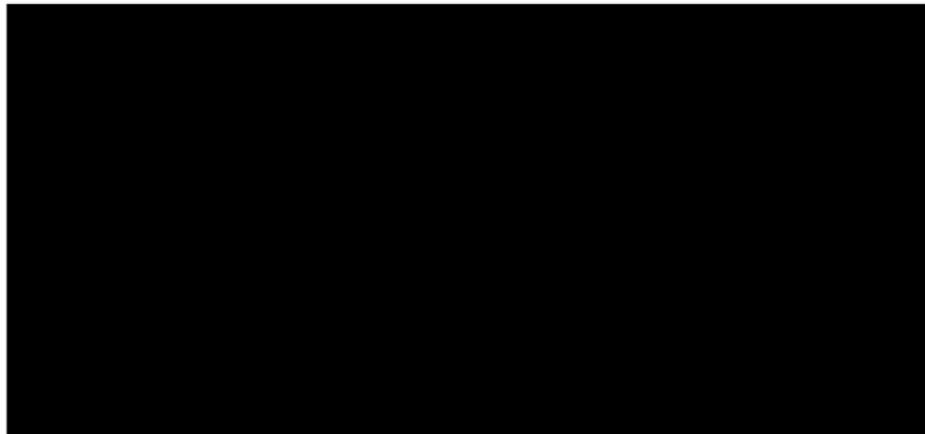


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Childcare Services in Broken Hill

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**7. Feedback from Providers/Services**





## 8. New Potential Services

### Childcare Developments

Childcare Developments Group specialise in providing advice on developing a childcare centre. They do not operate the centre themselves. For example, if you wish to start a childcare centre, they could provide advice on location and other regulatory compliance issues with the location. They also design and construct childcare compliant buildings, including obtaining council development approval.

They have built numerous existing centres around NSW, mainly Sydney, and have multiple locations proposed. They either build and sell a location, or lease a centre to a provider, including possibly some up-front capital investment from the provider.

Childcare Developments did a Facebook posting in early August in Broken Hill. They were advertising for someone to lease their proposed (yet to be built) 71 place childcare centre in Broken Hill (it is noted as 51 places on their website).

The proposed location is on vacant land on the corner of Clarke and Rockwell Streets in south Broken Hill.

<https://childcareddevelopments.com.au/centres-for-lease/>



## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report

**9. Comparison to Other Mining/Industrial Centres**

<b>Census 2016 data (by LGA)</b>	<b>Broken Hill</b>	<b>Mount Isa</b>	<b>Kalgoorlie</b>	<b>Port Pirie</b>
Population	17,708	18,671	30,059	17,364
Population 0-4 years	974 (5.5%)	1,712 (9.2%)	2,566 (8.5%)	943 (5.4%)
Family with Children	2,543	2,788	4,601	2,532
In Preschool	308	269	420	202
Cared for Child/Children (Unpaid work)	3,595	4,295	6,922	3,612
Full/Part Time Employment	6,407	8,512	13,998	6,112
Work in Mining/Smelting	466	2,467	2,856	653
<b>Childcare Places* (Current data)</b>				
Long Day Care	91	256	296	129
Preschool	168	275	**	173
<b>Total Places (LDC, Preschool)</b>	<b>259</b>	<b>531</b>	<b>296</b>	<b>302</b>
OSHC	120	321	118	50
Family Day Care Services	1	1	1	1

\* Some childcare centres are combined services, eg, Long day care and preschool. For the purposes of this comparison where a service is combined the places have been apportioned to the different categories, but the totals are correct.

\*\* WA combines some years of preschool age into the regular school system. There are no defined preschool/kindergarten services in ACECQA.

CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report

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APPENDIX A

NATIONAL QUALITY STANDARD

## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report

NATIONAL QUALITY STANDARD			
Concept	Descriptor		
<b>QA1</b>	<b>Educational program and practice</b>		
1.1	Program	The educational program enhances each child's learning and development.	
1.1.1	Approved learning framework	Curriculum decision-making contributes to each child's learning and development outcomes in relation to their identity, connection with community, wellbeing, confidence as learners and effectiveness as communicators.	
1.1.2	Child-centred	Each child's current knowledge, strengths, ideas, culture, abilities and interests are the foundation of the program.	
1.1.3	Program learning opportunities	All aspects of the program, including routines, are organised in ways that maximise opportunities for each child's learning.	
1.2	Practice	Educators facilitate and extend each child's learning and development.	
1.2.1	Intentional teaching	Educators are deliberate, purposeful, and thoughtful in their decisions and actions.	
1.2.2	Responsive teaching and scaffolding	Educators respond to children's ideas and play and extend children's learning through open-ended questions, interactions and feedback.	
1.2.3	Child directed learning	Each child's agency is promoted, enabling them to make choices and decisions that influence events and their world.	
1.3	Assessment and planning	Educators and co-ordinators take a planned and reflective approach to implementing the program for each child.	
1.3.1	Assessment and planning cycle	Each child's learning and development is assessed or evaluated as part of an ongoing cycle of observation, analysing learning, documentation, planning, implementation and reflection.	
1.3.2	Critical reflection	Critical reflection on children's learning and development, both as individuals and in groups, drives program planning and implementation.	
1.3.3	Information for families	Families are informed about the program and their child's progress.	
<b>QA2</b>	<b>Children's health and safety</b>		
2.1	Health	Each child's health and physical activity is supported and promoted.	
2.1.1	Wellbeing and comfort	Each child's wellbeing and comfort is provided for, including appropriate opportunities to meet each child's need for sleep, rest and relaxation.	
2.1.2	Health practices and procedures	Effective illness and injury management and hygiene practices are promoted and implemented.	
2.1.3	Healthy lifestyle	Healthy eating and physical activity are promoted and appropriate for each child.	
2.2	Safety	Each child is protected.	
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.	
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practised and implemented.	
2.2.3	Child protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.	
<b>QA3</b>	<b>Physical environment</b>		
3.1	Design	The design of the facilities is appropriate for the operation of a service.	
3.1.1	Fit for purpose	Outdoor and indoor spaces, buildings, fixtures and fittings are suitable for their purpose, including supporting the access of every child.	
3.1.2	Upkeep	Premises, furniture and equipment are safe, clean and well maintained.	
3.2	Use	The service environment is inclusive, promotes competence and supports exploration and play-based learning.	
3.2.1	Inclusive environment	Outdoor and indoor spaces are organised and adapted to support every child's participation and to engage every child in quality experiences in both built and natural environments.	
3.2.2	Resources support play-based learning	Resources, materials and equipment allow for multiple uses, are sufficient in number, and enable every child to engage in play-based learning.	
3.2.3	Environmentally responsible	The service cares for the environment and supports children to become environmentally responsible.	

## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report

Concept		Descriptor
<b>QA4</b>		<b>Staffing arrangements</b>
4.1	Staffing arrangements	Staffing arrangements enhance children's learning and development.
4.1.1	Organisation of educators	The organisation of educators across the service supports children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.
<b>QA5</b>		<b>Relationships with children</b>
5.1	Relationships between educators and children	Respectful and equitable relationships are maintained with each child.
5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
5.1.2	Dignity and rights of the child	The dignity and rights of every child are maintained.
5.2	Relationships between children	Each child is supported to build and maintain sensitive and responsive relationships.
5.2.1	Collaborative learning	Children are supported to collaborate, learn from and help each other.
5.2.2	Self-regulation	Each child is supported to regulate their own behaviour, respond appropriately to the behaviour of others and communicate effectively to resolve conflicts.
<b>QA6</b>		<b>Collaborative partnerships with families and communities</b>
6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
6.1.1	Engagement with the service	Families are supported from enrolment to be involved in the service and contribute to service decisions.
6.1.2	Parent views are respected	The expertise, culture, values and beliefs of families are respected and families share in decision-making about their child's learning and wellbeing.
6.1.3	Families are supported	Current information is available to families about the service and relevant community services and resources to support parenting and family wellbeing.
6.2	Collaborative partnerships	Collaborative partnerships enhance children's inclusion, learning and wellbeing.
6.2.1	Transitions	Continuity of learning and transitions for each child are supported by sharing information and clarifying responsibilities.
6.2.2	Access and participation	Effective partnerships support children's access, inclusion and participation in the program.
6.2.3	Community engagement	The service builds relationships and engages with its community.
<b>QA7</b>		<b>Governance and Leadership</b>
7.1	Governance	Governance supports the operation of a quality service.
7.1.1	Service philosophy and purpose	A statement of philosophy guides all aspects of the service's operations.
7.1.2	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.1	Continuous improvement	There is an effective self-assessment and quality improvement process in place.
7.2.2	Educational leadership	The educational leader is supported and leads the development and implementation of the educational program and assessment and planning cycle.
7.2.3	Development of professionals	Educators, co-ordinators and staff members' performance is regularly evaluated and individual plans are in place to support learning and development.

CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report

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**APPENDIX B**

NQF SNAPSHOT - Q2 2021



## NQF Snapshot

### Q2 2021



A quarterly report from  
the Australian Children's Education and Care Quality Authority

August 2021

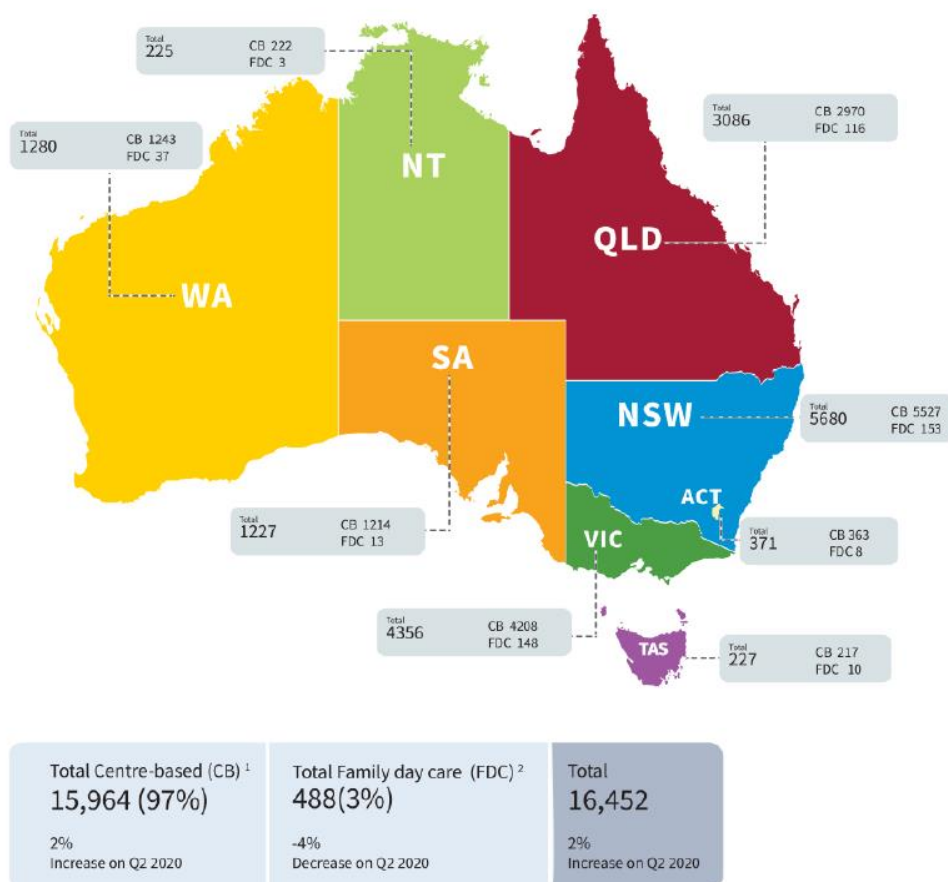


## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report

## Profile of the sector

Figure 2: Number of approved services by jurisdiction and service type



<sup>1</sup> A centre-based service is an education and care service other than a family day care service. This includes most long day care, preschool and outside school hours care services that are delivered at a centre. It does not include Tasmanian preschools/kindergartens and most preschools/kindergartens in Western Australia that are outside the scope of the NQF, as well as other services that aren't regulated under the National Law.

<sup>2</sup> A family day care service is an education and care service delivered through a network of educators operating from residences and other approved venues. They are sometimes known as family day care schemes and they are administered and supported by central coordination units.



## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report

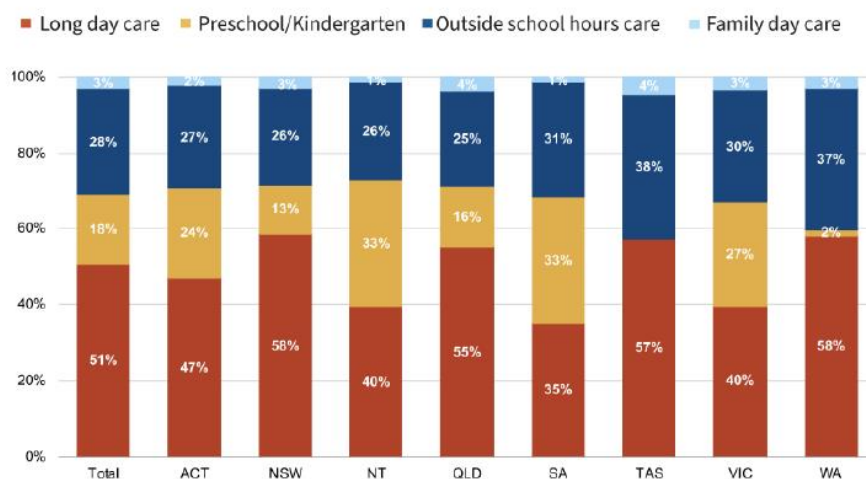
Figure 5: Proportion of services by service sub-type and jurisdiction <sup>1,2,3,4,5</sup>

Table 1: Number of services by service sub-type and jurisdiction

	Family day care	Long day care	Preschool/Kindergarten	Outside school hours care	Other	Total
ACT	8	174	88	100	1	371
NSW	153	3320	757	1450	0	5680
NT	3	89	74	58	1	225
QLD	116	1708	495	766	1	3086
SA	13	430	407	377	0	1227
TAS	10	130	0	87	0	227
VIC	148	1735	1185	1288	0	4356
WA	37	746	21	475	1	1280
TOTAL	488	8332	3027	4601	4	16,452

- 1 NQA ITS data collected on service sub-type is self-reported by providers when applying for service approval, and providers may choose multiple service sub-types. For example, a service providing both long day care and outside school hours care, or one providing both long day care and preschool/kindergarten.
- 2 Providers are not required to notify changes to this information, and therefore this NQA ITS information may not be current.
- 3 Centre-based services offering more than one type of service are classified as follows: services which provide long day care in addition to any other service type are classified as long day care services; services which provide preschool/kindergarten as well as outside school hours care are classified as preschool/kindergarten services; services which provide outside school hours care only are classified as outside school hours care services.
- 4 Excludes Tasmanian preschools/kindergartens and most preschools/kindergartens in Western Australia that are outside the scope of the NQF, as well as other services that aren't regulated under the National Law.
- 5 Four services categorised as 'Other' excluded for graphical purposes.



NQF SNAPSHOT Q2 2021

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## CHILDCARE AVAILABILITY BROKEN HILL

Attachment 1  
Childcare in Broken Hill Status  
Report

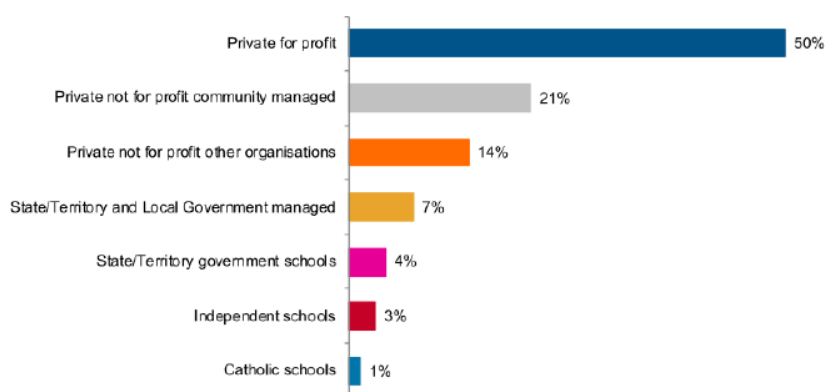
Figure 6: Proportion of services by provider management type <sup>1,2,3</sup>

Table 2: Number and proportion of services by provider management type

Provider management type	Number of services	Proportion of services
Private for profit	8190	50%
Private not for profit community managed	3411	21%
Private not for profit other organisations	2244	14%
State/Territory and Local Government managed	1204	7%
State/Territory government schools	684	4%
Independent schools	494	3%
Catholic schools	209	1%
Not stated/Other	16	0%
<b>Total</b>	<b>16,452</b>	<b>100%</b>

<sup>1</sup> NQA ITS data collected on provider management type is self-reported by providers when applying for provider approval. Providers are not required to notify changes to this information, and therefore this NQA ITS information may not be current.

<sup>2</sup> Provider management type classifications are available at Australian Bureau of Statistics (2013) [National Early Childhood Education and Care Collection Data Collection Guide 2013](#) (Cat. No. 4240.0.55.002).

<sup>3</sup> 16 services categorised as 'Not stated/Other' excluded for graphical purposes.



NQA SNAPSHOT Q2 2021

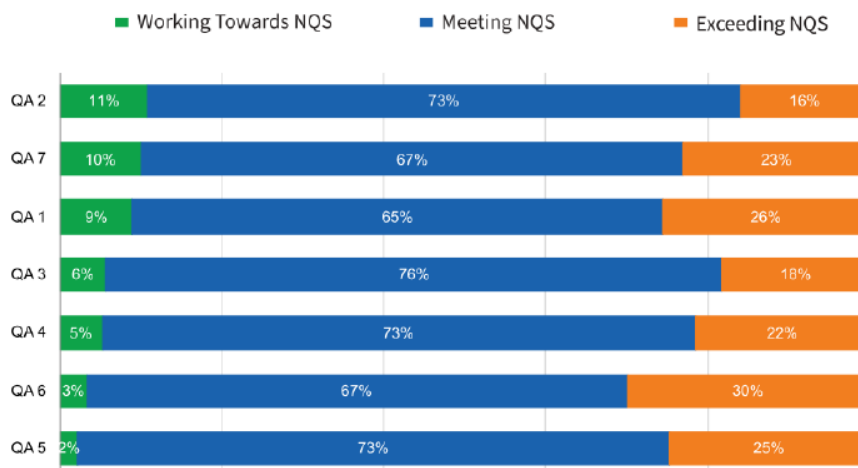
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## New South Wales summary

<b>5680</b>	services comprising <b>5527</b> centre-based services and <b>153</b> family day care services
<b>5368 (95%)</b>	services with a <b>quality rating</b>
<b>7</b>	services rated <b>Significant Improvement Required</b>
<b>728</b>	services rated <b>Working Towards NQS</b>
<b>3258</b>	services rated <b>Meeting NQS</b>
<b>1363</b>	services rated <b>Exceeding NQS</b>
<b>12</b>	services rated <b>Excellent</b> by ACECQA

Figure 20 ranks the seven quality areas of the NQS in descending order based on the proportion of services rated Working Towards NQS in each quality area.

Figure 20: Quality area ratings



**Contact details**  
Department of Education  
Early Childhood Education Directorate  
[www.education.nsw.gov.au/early-childhood-education](http://www.education.nsw.gov.au/early-childhood-education)





**The Hon Dr Anne Aly MP**  
Minister for Early Childhood Education  
Minister for Youth

Reference: MC22-002176

Councillor Tom Kennedy  
Mayor  
Broken Hill City Council  
PO Box 448  
BROKEN HILL NSW 2880

By email: [council@brokenhill.nsw.gov.au](mailto:council@brokenhill.nsw.gov.au)

Dear Mayor

Thank you for your correspondence of 10 June 2022 in relation to child care availability in Broken Hill.

The Australian Government is committed to improving our early childhood education and care system, including outcomes for families in regional areas, to ensure that all Australian children have the best possible start in life and that parents are supported to work, train or study. To that end, the Government will continue to deliver important child care measures and will also implement new measures designed to improve the child care system and make child care more accessible for Australian families.

The Government supports Australian families with the costs of child care through the Child Care Subsidy. Child care in Australia is delivered through a market approach—decisions in relation to the provision of child care services in certain areas remains a commercial decision for providers.

In addition, to further support Australian child care markets, the Government provides funding through the Community Child Care Fund (CCCF). CCCF Open Competitive grant helps eligible child care services address barriers to child care participation particularly in disadvantaged, regional and remote communities. Child care services in Broken Hill have previously been the recipient of a CCCF Open Grant. Broken Hill was identified as a priority area for Round 3 of the CCCF Open Grants.

The Government is currently considering options around future CCCF competitive grant rounds. In the 2021 funding round, more than \$100 million was offered to 385 child care providers from 716 applications. I encourage you to monitor the CCCF Open website for announcements and further information on upcoming rounds at [www.dese.gov.au/child-care-package/community-child-care-fund/open-competitive-grant](http://www.dese.gov.au/child-care-package/community-child-care-fund/open-competitive-grant).

As you may also be aware, attracting, developing, and retaining staff is a significant challenge currently impacting the child care sector, with workforce issues often felt particularly in regional and remote areas, such as Broken Hill.

Parliament House, Canberra ACT 2600

The National Children's Education and Care Workforce Strategy, designed collaboratively by the Australian Government, state and territory governments, and the child care sector, is an important initiative designed to support the recruitment, retention, sustainability and quality of the early childhood education and care workforce, including in regional areas. Both myself and the Hon Jason Clare MP, Minister for Education, are looking forward to further engaging with our Workforce Strategy partners and progressing the Implementation and Evaluation Plan for this measure in the coming months.

Minister Clare and I are also looking forward to implementing our commitments for fee free TAFE, 20,000 additional university places over 2022 and 2023, the establishment of Jobs and Skills Australia to support workforce planning, and closing the gender pay gap, all of which will help to alleviate workforce pressures.

Lastly, the Government has committed to developing a whole-of-government Early Years Strategy in order to create a new, integrated approach to the early years and increase accountability for the wellbeing, education and development of Australia's children. This strategy will aim to better coordinate functions and activities across government in order to deliver better outcomes for children and their families across the country.

The New South Wales Government has announced a range of budget measures that touch upon the affordability and accessibility of child care in New South Wales. The New South Wales Government's Affordable and Accessible Childcare and Economic Participation Fund is an investment of up to \$5 billion over 10 years to boost access and affordability of child care. Child care providers will be able to bid for funding through a competitive process, commencing in financial year 2023–24, to help them deliver more accessible and affordable childcare. These measures will complement the Australian Government's child care policy framework.

Minister Clare and I are looking forward to implementing the Government's commitments to support children to receive quality early learning in regional Australia.

I have copied this letter to Minister Clare.

I trust this information is of assistance.

Yours sincerely,



**Dr Anne Aly**

29 / 6 / 2022

## POLICY AND GENERAL COMMITTEE

August 1, 2022

**ITEM 2**BROKEN HILL CITY COUNCIL REPORT NO. 177/22

SUBJECT: REVIEW OF COUNCIL'S CODE OF MEETING PRACTICE TO PERMIT COUNCILLOR ATTENDANCE VIA AUDIO VISUAL LINK AT STANDING COMMITTEE MEETINGS AND COUNCIL MEETINGS D22/39896

**Recommendation**

1. That Broken Hill City Council Report No. 177/22 dated August 1, 2022, be received.
2. That Council determines whether amendments be made to the Code of Meeting Practice Policy to permit attendance by Councillors at Committee and Council Meetings via audio-visual link.

**Executive Summary:**

At the Council Meeting held 27 July 2022, The Mayor took a question on notice from Councillor Turley as follows:

*Councillor Turley asked for Council to review the option for Councillors to be able to attend Committee and Council Meetings via audio-visual link given that a Standing Committee was not held this month due to the number of Councillors who could not attend due to personal reasons or unforeseen circumstances, but that these Councillors may have attended if the option of attendance via audio-visual link was available under the Code of Meeting Practice.*

The Mayor advised that this matter would be presented to the Policy and General Committee for discussion and recommendation to Council.

**Report:**

The Office of Local Government consulted with Councils in NSW during 2021 to gauge interest in the inclusion of new provisions that allow Councils to permit individual Councillors to attend meetings by audio-visual link and to hold meetings by audio-visual link in the event of natural disasters or public health emergencies. The provisions governing attendance at meetings by audio-visual link are non-mandatory. Councils can choose to adopt them or to adapt them to meet their own needs.

Just prior to the December 2021 NSW Local Government Elections, the Office of Local Government released its new 2021 Model Code of Meeting Practice for Local Councils in NSW which was published in the Government Gazette and prescribed under the *Local Government (General) Regulation 2021*.

The release of the 2021 Model Code of Meeting Practice coincided with the newly elected Council's requirement to review and adopt its Code of Meeting Practice Policy that incorporates the mandatory provisions of the Model Code of Meeting Practice within 12 months of the local government elections.

At the Ordinary Council Meeting held 12 January 2022, Council considered a Mayoral Minute No. 1/22 and as part of the resolution (Minute No. 46690) Council resolved:

*“That a workshop be held on Wednesday 19 January 2022 at 5:30pm to organise amendments to Council’s Code of Meeting Practice, so that the public will be part of Council’s Ordinary and Extraordinary Meetings. Other amendments to the Code of Meeting Practice will also be made, that the amendments discussed will be put in a draft form for adoption at the January Council Meeting on Thursday 21 January 2022.”.*

A Councillor Workshop of the Draft Code of Meeting Practice Policy Wednesday 19 January 2022 and from this review Councillors agreed that:

- all supplementary provisions contained in Council’s adopted Code of Meeting Practice Policy (additional to the mandatory and non-mandatory provisions of the 2021 Model Meeting Code) be removed.
- All mandatory provisions and the majority of the non-mandatory provisions of the 2021 Model Code of Meeting Practice, which were adopted by Council in the current iteration of Council’s Code of Meeting Practice Policy should remain.
- Two non-mandatory provisions of the Model Meeting Code be included in Council’s draft amended Code of Meeting Practice to be considered and debated at the Council Meeting as optional inclusions.

The two non-mandatory optional provisions that were included in Council’s draft amended Code of Meeting Practice for the purpose of consideration and debate were:

- Pre-Council Meeting Briefings (indicated in **green font**) on pages 9 and 10.
- Meetings held by Audio-visual link and Councillor attendance at meetings held by audio-visual link (indicated in **orange font**) throughout the draft Code on pages 14, 15, 16, 17, 19, 23, 35, 39, 41, 45, 49 and 52.

A report was presented to the Council Meeting held 27 January 2022 along with the Draft Code of Meeting Practice Policy showing mark-ups as detailed above for Council’s consideration of removal/inclusion prior to placing the Draft Code of Meeting Practice Policy on public exhibition.

Council at its meeting held 27 January 2022 resolved:

**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 16/22 - DATED JANUARY 20, 2022 - DRAFT AMENDED CODE OF MEETING PRACTICE POLICY FOR PUBLIC EXHIBITION** D22/2463

**RESOLUTION**

Minute No. 46713

Councillor R Algate moved )

Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 16/22 dated January 20, 2022, be received.

2. That the following amendments be made to the Draft Code of Meeting Practice Policy prior to public exhibition:

- Delete clauses 3.30-3.35 noted in green print that relate to pre-meeting briefing sessions (page 129)
- Delete clause 5.2 part of clause shown in orange print that relates to attendance by audio-visual link (page 134).

- c) Delete clauses 5.15-5.29 shown in orange print that relates to the holding of audio-visual links and audio-visual meetings (pages 135, 136 and 137).
  - d) Delete clause 5.43 shown in orange print relating to attendance of General Manager and staff by audio-visual link (page 139).
  - e) Delete clause 8.1 (02) the reference to audio-visual link shown in orange print (page 143).
  - f) Delete clause 14.20 relating to Councillors attending by audio visual link shown in orange print (page 155)
  - g) Delegate clauses 15.21 and 15.22 relating to disorder by Councillors attending by audio-visual link shown in orange print (page 159).
  - h) Delete clause 16.2 relating to conflicts of interest in respect to Councillors attending via audio-visual link shown in orange print (page 161).
  - i) Delete clause 19.2 (a) shown in orange print (page 165).
  - j) Delete part of clause 20.22 (a) shown in orange print (page 169).
  - k) Remove from the Definitions Table, the definition for audio-visual link shown in orange print (page 172).
- 2. That Council publicly exhibits the draft amended Code of Meeting Practice Policy for a 28 day period and accepts submissions for members of the community for a period of at least 42 days.
  - 3. That following the public exhibition and submission period of the draft amended Code of Meeting Practice Policy, a report be presented to Council outlining any public submissions received and whether the draft amended Code of Meeting Practice Policy has been further amended due to the submissions received.

CARRIED

As per the above Council resolution, all clauses relating to Councillor attendance at Committee and Council Meeting via audio-visual link were removed from the Draft Policy which was placed on public exhibition from 5 February 2022 to 18 March 2022.



Following the public exhibition period, the Draft Code of Meeting Practice was presented to the 30 March 2022 Council Meeting for adoption and Council resolved:

**ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 75/22 - DATED MARCH 02, 2022 -**

**ADOPTION OF DRAFT AMENDED CODE OF MEETING PRACTICE POLICY**

D22/10337

**RESOLUTION**

Minute No. 46799

Councillor D Gallagher moved )

Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 75/22 dated March 2, 2022, be received.
2. That Council notes that four (4) submissions were received from the public during the public exhibition and submissions period which closed on 18 March 2022.
3. That Council considers the submissions received and whether further amendments to the Code of Meeting Practice Policy are required.
4. That Council notes that further amendments have been made to clauses 8.1 - Order of Business and 20.5 – Functions of Committees to allow for the operation of three Standing Committees in the Council Meeting cycle as per Council's resolution of Mayoral Minute No. 1/22 (Minute No. 46690).
5. That Council notes that further amendments have also been made to Section 3 to correct errors in the reference numbers, and to re-insert mandatory clause 5.28 (that allows the General Manager and other staff to attend meetings via audio-visual link) which was removed in error.
6. That Council adopts the draft Code of Meeting Practice Policy as a Policy of Council, which will supersede the 2020 Code of Meeting Practice Policy.

CARRIED UNANIMOUSLY

Attached to this report is the Office of Local Government's Model Code of Meeting Practice for NSW Councils and Council's current adopted Code of Meeting Practice Policy.

This report is presented to the August Policy and General Committee for discussion and recommendation to Council regarding Councillors being permitted to attend future Standing Committee Meetings and Council Meeting via audio-visual link.

**Community Engagement:**

Should Council resolve to make amendments to the Code of Meeting Practice Policy, the Policy will be placed on public exhibition for a period of 28 days for submissions from the public.

**Strategic Direction:**

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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

**Relevant Legislation:**

*Local Government Act 1993*, Sections 360 and 361

*Local Government (General) Regulation 2021*

Office of Local Government 2021 Model Code of Meeting Practice for Local Councils in NSW

**Financial Implications:**

Nil.

**Attachments**

1. [↓](#) OLG Model Code of Conduct
2. [↓](#) Council's current Code of Meeting Practice

LEISA BARTLETT  
EXECUTIVE OFFICER

JAY NANKIVELL  
GENERAL MANAGER

# MODEL CODE OF MEETING PRACTICE

for Local Councils  
in NSW

2021



**MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW**

2021

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Model Code of Meeting Practice for Local Councils in NSW

# 1 Introduction

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Model Meeting Code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

The provisions of the Model Meeting Code that are not mandatory are indicated in **red font**.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

The Model Meeting Code also applies to meetings of the boards of joint organisations and county councils. The provisions that are specific to meetings of boards of joint organisations are indicated in **blue font**.

In adopting the Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

In adopting the Model Meeting Code, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

Model Code of Meeting Practice for Local Councils in NSW

## 2 Meeting Principles



2.1 Council and committee meetings should be:

<b>Transparent:</b>	Decisions are made in a way that is open and accountable.
<b>Informed:</b>	Decisions are made based on relevant, quality information.
<b>Inclusive:</b>	Decisions respect the diverse needs and interests of the local community.
<b>Principled:</b>	Decisions are informed by the principles prescribed under Chapter 3 of the Act.
<b>Trusted:</b>	The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.
<b>Respectful:</b>	Councillors, staff and meeting attendees treat each other with respect.
<b>Effective:</b>	Meetings are well organised, effectively run and skilfully chaired.
<b>Orderly:</b>	Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

Model Code of Meeting Practice for Local Councils in NSW

## 3 Before the Meeting

## Timing of ordinary council meetings

- 3.1 Ordinary meetings of the council will be held on the following occasions: **[council to specify the frequency, time, date and place of its ordinary meetings]**.
- 3.2 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

**Note: Councils must use either clause 3.1 or 3.2.**

**Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.**

**Note: Under section 396 of the Act, county councils are required to meet at least four (4) times each year.**

**Note: Under section 400T of the Act, boards of joint organisations are required to meet at least four (4) times each year, each in a different quarter of the year.**

## Extraordinary meetings

- 3.3 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

**Note: Clause 3.3 reflects section 366 of the Act.**

## Notice to the public of council meetings

- 3.4 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

**Note: Clause 3.4 reflects section 9(1) of the Act.**

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

## Notice to councillors of ordinary council meetings

- 3.7 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

**Note: Clause 3.7 reflects section 367(1) of the Act.**

- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

**Note: Clause 3.8 reflects section 367(3) of the Act.**

## Notice to councillors of extraordinary meetings

- 3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

**Note: Clause 3.9 reflects section 367(2) of the Act.**

## Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted **[council to specify notice period required]** business days before the meeting is to be held.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.

- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:
- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
  - (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

## Questions with notice

- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

## Agenda and business papers for ordinary meetings

- 3.17 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
  - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
  - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
  - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when

the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:

- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

**Note: Clause 3.21 reflects section 9(2A) (a) of the Act.**

- 3.22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

## Statement of ethical obligations

- 3.23 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

## Availability of the agenda and business papers to the public

- 3.24 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

**Note: Clause 3.24 reflects section 9(2) and (4) of the Act.**

- 3.25 Clause 3.24 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

**Note: Clause 3.25 reflects section 9(2A) (b) of the Act.**

- 3.26 For the purposes of clause 3.24, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

**Note: Clause 3.26 reflects section 9(3) of the Act.**

- 3.27 A copy of an agenda, or of an associated business paper made available under clause 3.24, may in addition be given or made available in electronic form.

**Note: Clause 3.27 reflects section 9(5) of the Act.**

## Agenda and business papers for extraordinary meetings

- 3.28 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

- 3.29 Despite clause 3.28, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:

(a) a motion is passed to have the business considered at the meeting, and

(b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

- 3.30 A motion moved under clause 3.29(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

- 3.31 Despite clauses 10.20-10.30, only the mover of a motion moved under clause 3.29(a) can speak to the motion before it is put.

- 3.32 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29(b) on whether a matter is of great urgency.

---

## **Pre-meeting briefing sessions**

- 3.33 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.34 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.35 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.36 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.37 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.38 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

Model Code of Meeting Practice for Local Councils in NSW

## 4 Public Forums

14



2021

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums may be held by audio-visual link.
- 4.3 Public forums are to be chaired by the mayor or their nominee.
- 4.4 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by **[date and time to be specified by the council]** before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.5 A person may apply to speak on no more than **[number to be specified by the council]** items of business on the agenda of the council meeting.
- 4.6 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.7 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.8 No more than **[number to be specified by the council]** speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.10 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.11 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than **[number to be specified by the council]** days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.12 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.13 Each speaker will be allowed **[number to be specified by the council]** minutes to address the council. This time is to be strictly enforced by the chairperson.

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- 4.14 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.15 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.16 Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to **[number to be specified by the council]** minutes.
- 4.17 Speakers at public forums cannot ask questions of the council, councillors, or council staff.
- 4.18 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to **[number to be specified by the council]** minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.19 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.20 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.21 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.22 Clause 4.21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.23 Where a speaker engages in conduct of the type referred to in clause 4.20, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.24 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.
- Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.**



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## 5 Coming Together

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## Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

**Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.**

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.

- 5.3 The board of the joint organisation may, if it thinks fit, transact any of its business at a meeting at which representatives (or some representatives) participate by telephone or other electronic means, but only if any representative who speaks on a matter before the meeting can be heard by the other representatives. For the purposes of a meeting held in accordance with this clause, the chairperson and each other voting representative on the board have the same voting rights as they have at an ordinary meeting of the board.

**Note: Clause 5.3 reflects section 397G of the Regulation. Joint organisations may adopt clause 5.3 and omit clause 5.2. Councils must not adopt clause 5.3.**

- 5.4 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making

an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

- 5.5 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

- 5.6 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.

- 5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

**Note: Clause 5.7 reflects section 234(1)(d) of the Act.**

- 5.8 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

## The quorum for a meeting

- 5.9 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

**Note: Clause 5.9 reflects section 368(1) of the Act.**

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- 5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

**Note: Clause 5.10 reflects section 368(2) of the Act.**

- 5.11 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
  - (b) within half an hour after the time designated for the holding of the meeting, or
  - (c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date, and place fixed:
- (a) by the chairperson, or
  - (b) in the chairperson's absence, by the majority of the councillors present, or
  - (c) failing that, by the general manager.
- 5.13 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each

councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

## Meetings held by audio-visual link

- 5.16 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.
- 5.17 Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the general manager must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
  - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and



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- (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.

- 5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

**Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.**

## Attendance by councillors at meetings by audio-visual link

- 5.19 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee.
- 5.20 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.21 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.20.
- 5.22 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.23 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.24 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state:
- (a) the meetings the resolution applies to, and
  - (b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.
- 5.25 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.26 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-

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visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.

- 5.27 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality, or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.28 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.29 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.30 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

## Entitlement of the public to attend council meetings

- 5.31 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

**Note: Clause 5.31 reflects section 10(1) of the Act.**

- 5.32 Clause 5.31 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.33 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

**Note: Clause 5.33 reflects section 10(2) of the Act.**

**Note: If adopted, clauses 15.14 and 15.15 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.14 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.15 authorises chairpersons to expel persons other than councillors from a council or committee meeting.**



## Webcasting of meetings

- 5.34 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.
- 5.35 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
- (a) the meeting is being recorded and made publicly available on the council's website, and
  - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.36 The recording of a meeting is to be made publicly available on the council's website:
- (a) at the same time as the meeting is taking place, or
  - (b) as soon as practicable after the meeting.
- 5.37 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.
- 5.38 Clauses 5.36 and 5.37 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.
- 5.39 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

**Note: Clauses 5.34 – 5.38 reflect section 236 of the Regulation.**

**Note: Joint organisations are not required to webcast meetings but may choose to do so by adopting clauses 5.34–5.39. Joint organisations that choose not to webcast meetings may omit clauses 5.34–5.39.**

## Attendance of the general manager and other staff at meetings

- 5.40 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.
- Note: Clause 5.40 reflects section 376(1) of the Act.**
- 5.41 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.
- Note: Clause 5.41 reflects section 376(2) of the Act.**
- 5.42 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.
- Note: Clause 5.42 reflects section 376(3) of the Act.**
- 5.43 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.
- 5.44 The general manager and other council staff may attend meetings of the council and committees of the council by audio-visual link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.

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## 6 The Chairperson

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## The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

**Note: Clause 6.1 reflects section 369(1) of the Act.**

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

**Note: Clause 6.2 reflects section 369(2) of the Act.**

## Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted:
- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
  - (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:
- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
  - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

## Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:
- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
  - (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

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## 7 Modes of Address

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- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

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## 8 Order of Business for Ordinary Council Meetings

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- 8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.
- 8.2 The general order of business for an ordinary meeting of the council shall be:  
**[councils may adapt the following order of business to meet their needs]**
- 01 Opening meeting
  - 02 Acknowledgement of country
  - 03 Apologies and applications for a leave of absence or attendance by audio-visual link by councillors
  - 04 Confirmation of minutes
  - 05 Disclosures of interests
  - 06 Mayoral minute(s)
  - 07 Reports of committees
  - 08 Reports to council
  - 09 Notices of motions/Questions with notice
  - 10 Confidential matters
  - 11 Conclusion of the meeting

**Note: Councils must use either clause 8.1 or 8.2.**

- 8.3 The order of business as fixed under [8.1/8.2] **[delete whichever is not applicable]** may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

**Note: If adopted, Part 13 allows council to deal with items of business by exception.**

- 8.4 Despite clauses 10.20-10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

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## 9 Consideration of Business at Council Meetings

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## Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
  - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
  - (b) is the election of a chairperson to preside at the meeting, or
  - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
  - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
  - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that

it requires a decision by the council before the next scheduled ordinary meeting of the council.

- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

## Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.

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9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

answer a question put to them through the general manager at the direction of the general manager.

9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.

## Staff reports

9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

9.18 Councillors must put questions directly, succinctly, respectfully and without argument.

9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

## Reports of committees of council

9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.

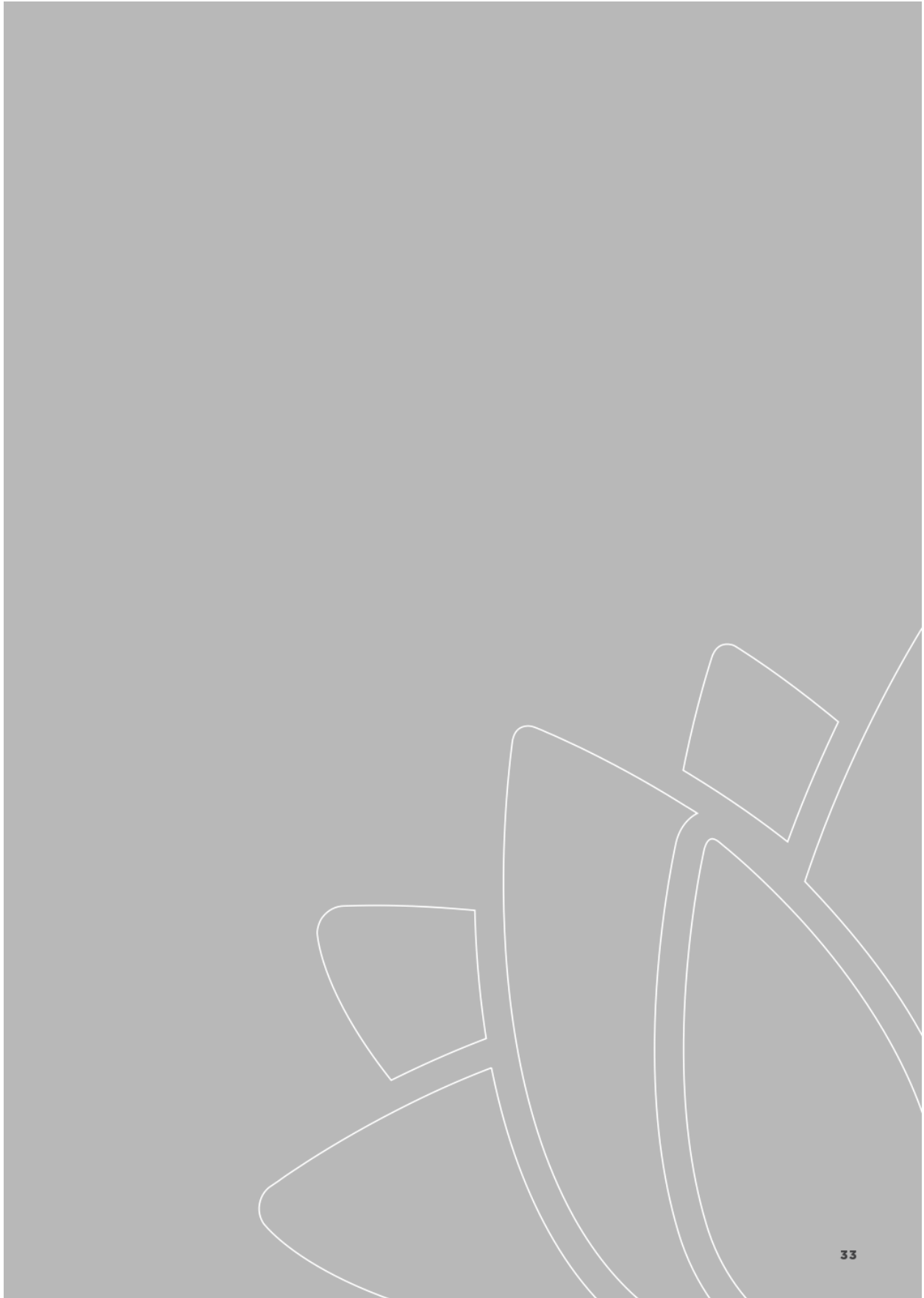
9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

## Questions

9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.

9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.

9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to



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## 10 Rules of Debate

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## Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

## Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
  - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

## Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.

- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment, or other matter that the chairperson has ruled out of order is taken to have been lost.

## Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

## Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.

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- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

### **Foreshadowed motions**

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.

- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

### **Limitations on the number and duration of speeches**

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.

10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:

- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
- (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.

10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.

10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.

10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.

10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.

10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

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## Participation by non-voting representatives in joint organisation board meetings

10.31 Non-voting representatives of joint organisation boards may speak on but must not move, second or vote on any motion or an amendment to a motion.

**Note:** Under section 400T(1)(c) of the Act, non-voting representatives of joint organisation boards may attend but are not entitled to vote at a meeting of the board.

**Note:** Joint organisations must adopt clause 10.31. Councils must not adopt clause 10.31.

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## 11 Voting

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## Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.

**Note: Clause 11.1 reflects section 370(1) of the Act.**

**Note: Under section 400T(1) of the Act, voting representatives of joint organisation boards are entitled to one (1) vote each at meetings of the board.**

- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

**Note: Clause 11.2 reflects section 370(2) of the Act.**

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

- 11.4 A motion at a meeting of the board of a joint organisation is taken to be lost in the event of an equality of votes.

**Note: Clause 11.4 reflects section 397E of the Regulation. Joint organisations must adopt clause 11.4 and omit clauses 11.2 and 11.3. Councils must not adopt clause 11.4.**

**Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 11.4 must be adapted to reflect those requirements.**

## Voting at council meetings

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion

- 11.6 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.

- 11.7 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.

- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.

- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.

- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

- 11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

**Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13 may be omitted.**

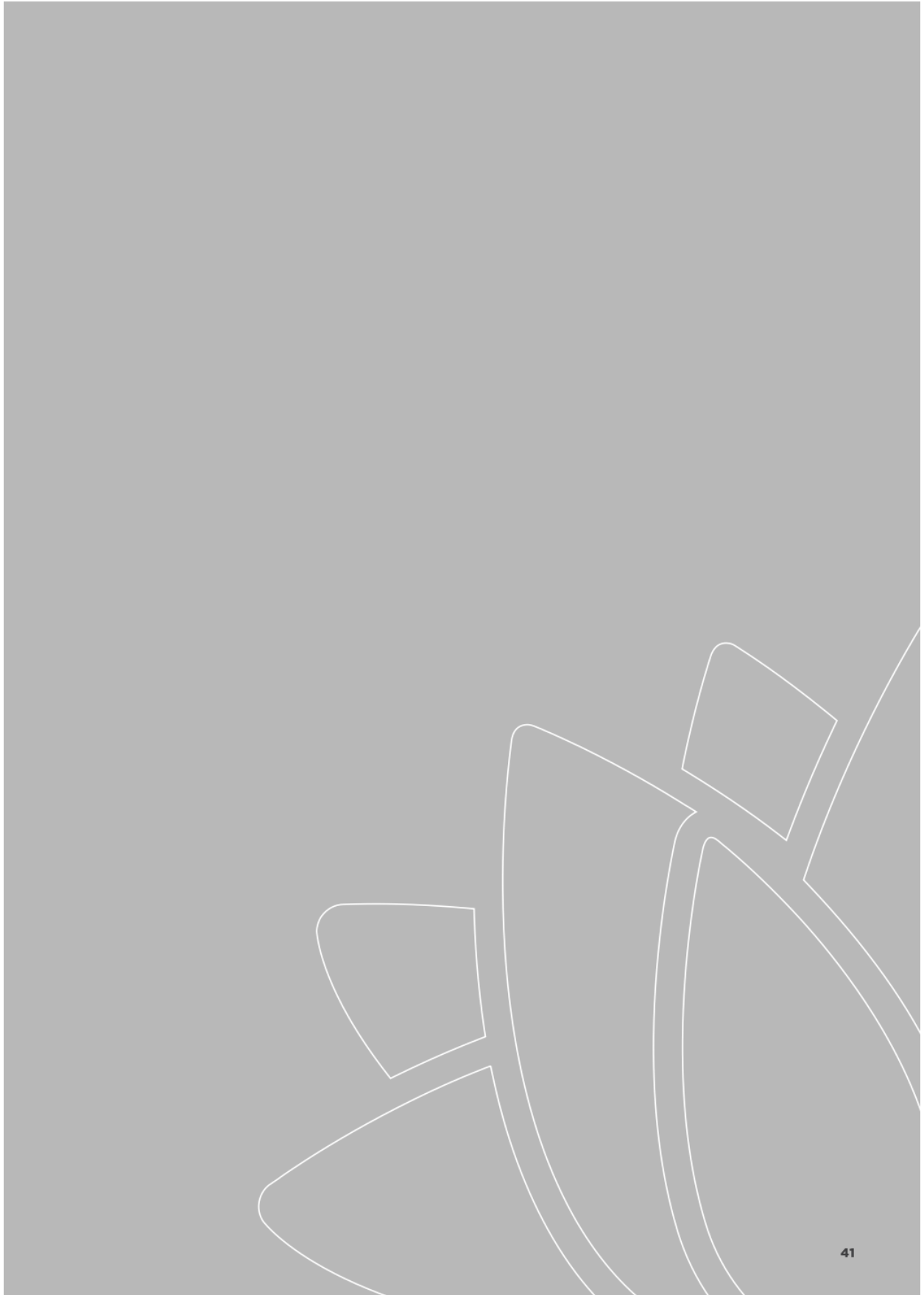
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## Voting on planning decisions

- 11.12 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

**Note: Clauses 11.12–11.15 reflect section 375A of the Act.**

**Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.**



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## 12 Committee of the Whole

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- 12.1 The council may resolve itself into a committee to consider any matter before the council.

**Note: Clause 12.1 reflects section 373 of the Act.**

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

**Note: Clauses 10.20–10.30 limit the number and duration of speeches.**

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

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## 13 Dealing with Items by Exception

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- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

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## 14 Closure of Council Meetings to the Public

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## Grounds on which meetings can be closed to the public

14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,

(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,

(i) alleged contraventions of the council's code of conduct.

**Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.**

14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

**Note: Clause 14.2 reflects section 10A(3) of the Act.**

## Matters to be considered when closing meetings to the public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

**Note: Clause 14.3 reflects section 10B(1) of the Act.**

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14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

**Note: Clause 14.4 reflects section 10B(2) of the Act.**

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

**Note: Clause 14.5 reflects section 10B(3) of the Act.**

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
  - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
  - (ii) cause a loss of confidence in the council or committee.

**Note: Clause 14.6 reflects section 10B(4) of the Act.**

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

**Note: Clause 14.7 reflects section 10B(5) of the Act.**

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### **Notice of likelihood of closure not required in urgent cases**

14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
  - (i) should not be deferred (because of the urgency of the matter), and
  - (ii) should take place in a part of the meeting that is closed to the public.

**Note: Clause 14.8 reflects section 10C of the Act.**

## Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

**Note: Clause 14.9 reflects section 10A(4) of the Act.**

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by **[date and time to be specified by the council]** before the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than **[number to be specified by the council]** speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the

persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.

- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than **[number to be specified by the council]** speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed **[number to be specified by the council]** minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

### **Expulsion of non-councillors from meetings closed to the public**

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

### **Obligations of councillors attending meetings by audio-visual link**

- 14.20 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

### **Information to be disclosed in resolutions closing meetings to the public**

- 14.21 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
  - (b) the matter that is to be discussed during the closed part of the meeting,
  - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**Note: Clause 14.21 reflects section 10D of the Act.**

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### **Resolutions passed at closed meetings to be made public**

- 14.22 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.23 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.22 during a part of the meeting that is webcast.
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## 15 Keeping Order at Meetings

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## **Points of order**

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

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## **Questions of order**

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

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## **Motions of dissent**

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

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## **Acts of disorder**

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
  - (a) contravenes the Act, the Regulation or this code, or
  - (b) assaults or threatens to assault another councillor or person present at the meeting, or
  - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or



(d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or

(e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

**Note: Clause 15.11 reflects section 182 of the Regulation.**

15.12 The chairperson may require a councillor:

(a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), (b), or (e), or

(b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or

(c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

**Note: Clause 15.12 reflects section 233 of the Regulation.**

## How disorder at a meeting may be dealt with

15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

## Expulsion from meetings

15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

15.15 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

**Note: Councils may use either clause 15.14 or clause 15.15.**

15.16 Clause [15.14/15.15] **[delete whichever is not applicable]**, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

**Note: Clause 15.17 reflects section 233(2) of the Regulation.**

15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.



- 15.19 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.20 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

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### **How disorder by councillors attending meetings by audio-visual link may be dealt with**

- 15.21 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.22 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

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### **Use of mobile phones and the unauthorised recording of meetings**

- 15.23 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.24 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.25 Without limiting clause 15.18, a contravention of clause 15.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.24, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.26 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

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## 16 Conflicts of Interest

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- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

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## 17 Decisions of the Council

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## Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

**Note: Clause 17.1 reflects section 371 of the Act in the case of councils and section 400T(8) in the case of joint organisations.**

**Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 17.1 must be adapted to reflect those requirements.**

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

## Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

**Note: Clause 17.3 reflects section 372(1) of the Act.**

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

**Note: Clause 17.4 reflects section 372(2) of the Act.**

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

**Note: Clause 17.5 reflects section 372(3) of the Act.**

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

**Note: Clause 17.6 reflects section 372(4) of the Act.**

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

**Note: Clause 17.7 reflects section 372(5) of the Act.**

- 17.8 The provisions of clauses 17.5-17.7 concerning lost motions do not apply to motions of adjournment.

**Note: Clause 17.8 reflects section 372(7) of the Act.**

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than [council to specify the period of time] after the meeting at which the resolution was adopted.

- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

**Note: Clause 17.11 reflects section 372(6) of the Act.**

17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

## Recommitting resolutions to correct an error

17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or

- (b) to confirm the voting on the resolution.

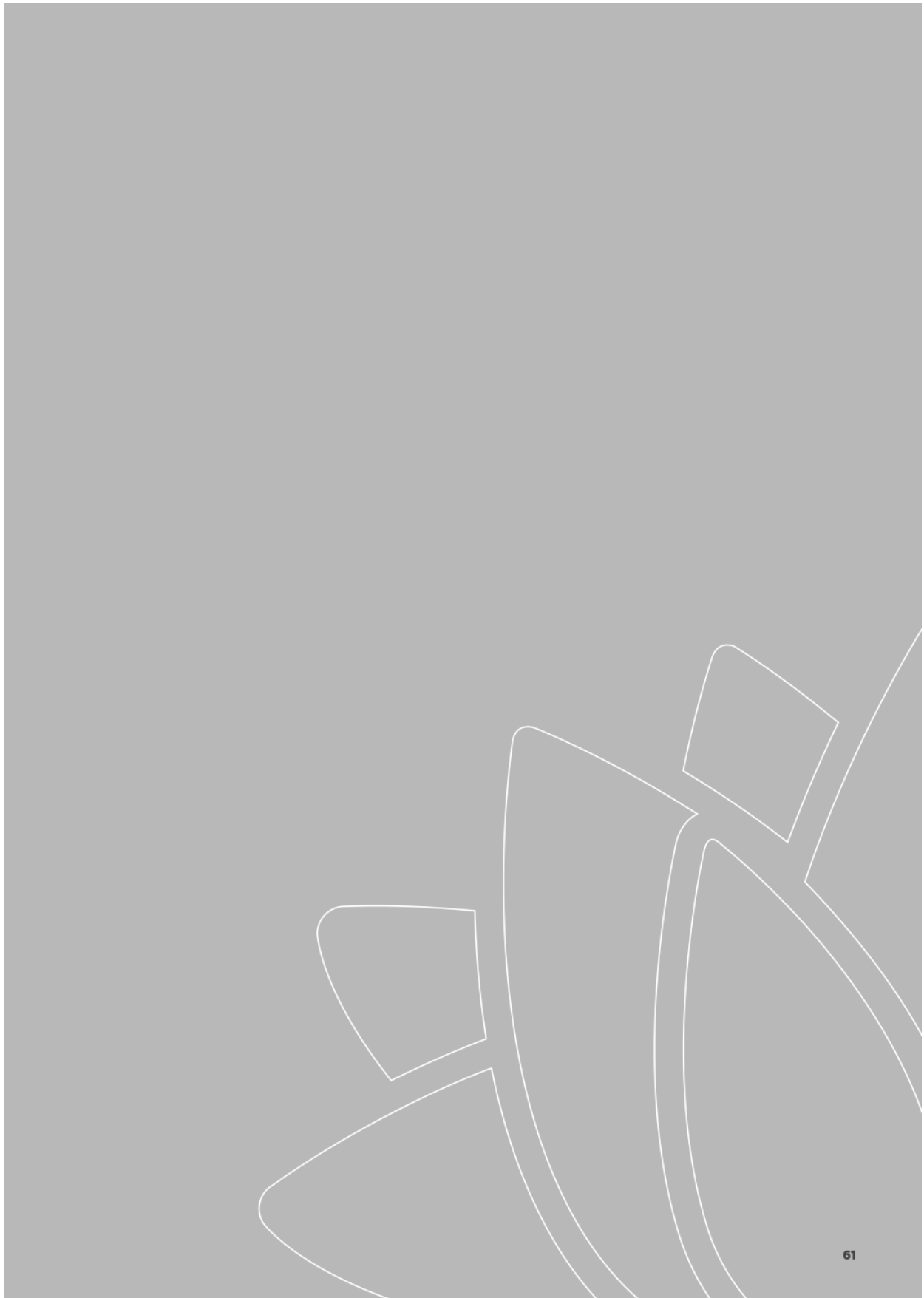
17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.

17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.



Model Code of Meeting Practice for Local Councils in NSW

## 18 Time Limits on Council Meetings

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- 18.1 Meetings of the council and committees of the council are to conclude no later than **[council to specify the time]**.
- 18.2 If the business of the meeting is unfinished at **[council to specify the time]**, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at **[council to specify the time]**, and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
  - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
  - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

Model Code of Meeting Practice for Local Councils in NSW

## 19 After the Meeting

## Minutes of meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

**Note: Clause 19.1 reflects section 375(1) of the Act.**

- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a council meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

**Note: Clause 19.3 reflects section 375(2) of the Act.**

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

**Note: Clause 19.5 reflects section 375(2) of the Act.**

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been

confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

## Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

**Note: Clause 19.8 reflects section 11(1) of the Act.**

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

**Note: Clause 19.9 reflects section 11(2) of the Act.**

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

**Note: Clause 19.10 reflects section 11(3) of the Act.**

Model Code of Meeting Practice for Local Councils in NSW

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

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## Implementation of decisions of the council

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

**Note: Clause 19.12 reflects section 335(b) of the Act.**



Model Code of Meeting Practice for Local Councils in NSW

## 20 Council Committees

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## Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

## Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
  - (b) if the council has not decided a number – a majority of the members of the committee.

## Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

## Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
  - (b) the business proposed to be considered at the meeting.

- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

## Attendance at committee meetings

- 20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:
- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
  - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

## Non-members entitled to attend committee meetings

- 20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
  - (b) to move or second a motion at the meeting, or
  - (c) to vote at the meeting.

## Chairperson and deputy chairperson of council committees

- 20.11 The chairperson of each committee of the council must be:
- (a) the mayor, or
  - (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
  - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

## Procedure in committee meetings

- 20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.
- 20.17 A motion at a committee of a joint organisation is taken to be lost in the event of an equality of votes.
- Note: Clause 20.17 reflects section 397E of the Regulation. Joint organisations must adopt clause 20.17 and omit clause 20.16. Councils must not adopt clause 20.17.**
- 20.18 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).



## Closure of committee meetings to the public

- 20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.20 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

## Disorder in committee meetings

- 20.22 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

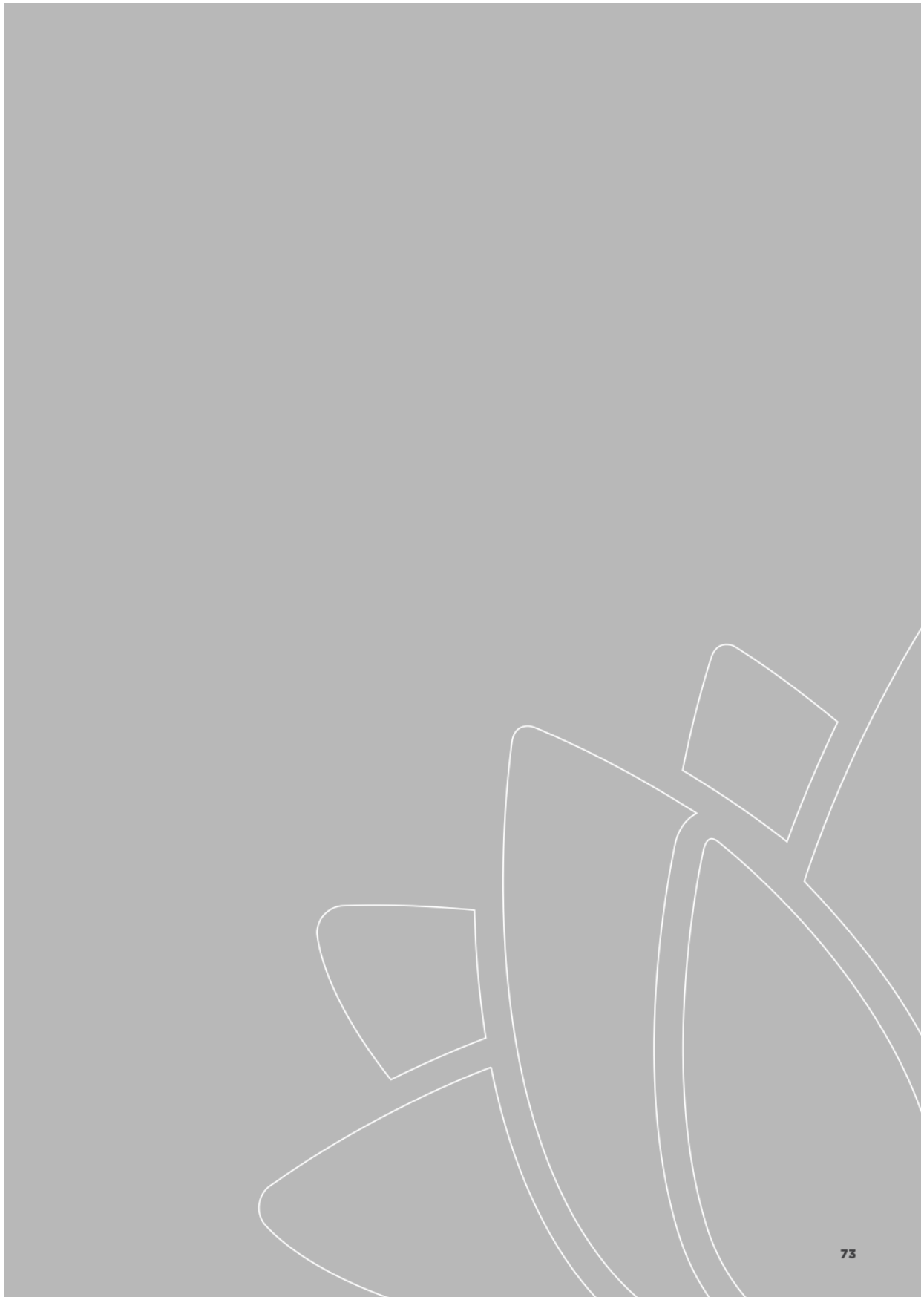
## Minutes of council committee meetings

- 20.23 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
  - (b) details of each motion moved at a meeting and of any amendments moved to it,
  - (c) the names of the mover and seconder of the motion or amendment,
  - (d) whether the motion or amendment was passed or lost, and
  - (e) such other matters specifically required under this code.
- 20.24 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

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20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

20.29 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.



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## 21 Irregularities

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- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
- (a) a vacancy in a civic office, or
  - (b) a failure to give notice of the meeting to any councillor or committee member, or
  - (c) any defect in the election or appointment of a councillor or committee member, or
  - (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
  - (e) a failure to comply with this code.

**Note: Clause 21.1 reflects section 374 of the Act.**

Model Code of Meeting Practice for Local Councils in NSW

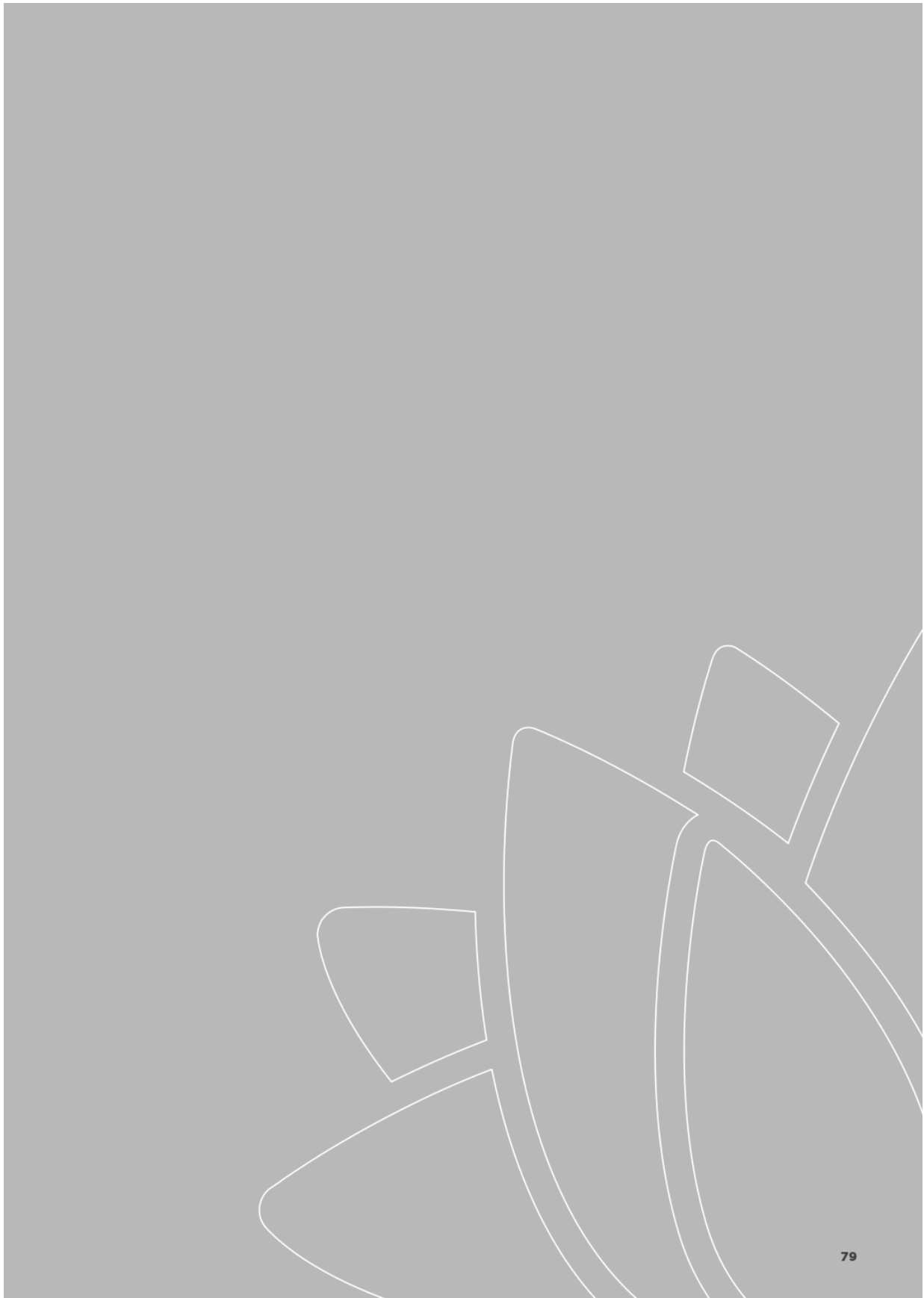
## 22 Definitions

<b>the Act</b>	means the <i>Local Government Act 1993</i>
<b>act of disorder</b>	means an act of disorder as defined in clause 15.11 of this code
<b>amendment</b>	in relation to an original motion, means a motion moving an amendment to that motion
<b>audio recorder</b>	any device capable of recording speech
<b>audio-visual link</b>	means a facility that enables audio and visual communication between persons at different places
<b>business day</b>	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
<b>chairperson</b>	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and  in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
<b>this code</b>	means the council's adopted code of meeting practice
<b>committee of the council</b>	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
<b>council official</b>	has the same meaning it has in the <i>Model Code of Conduct for Local Councils in NSW</i>
<b>day</b>	means calendar day
<b>division</b>	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
<b>foreshadowed amendment</b>	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
<b>foreshadowed motion</b>	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
<b>open voting</b>	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
<b>planning decision</b>	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act

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<b>performance improvement order</b>	means an order issued under section 438A of the Act
<b>quorum</b>	means the minimum number of councillors or committee members necessary to conduct a meeting
<b>the Regulation</b>	means the <i>Local Government (General) Regulation 2021</i>
<b>webcast</b>	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
<b>year</b>	means the period beginning 1 July and ending the following 30 June









## CODE OF MEETING PRACTICE POLICY

QUALITY CONTROL			
EDRMS REFERENCES	12/14 - D19/21935		
RESPONSIBLE POSITION	General Manager		
APPROVED BY	Council		
REVIEW DATE	Within 12 months after each ordinary election	REVISION NUMBER	7
EFFECTIVE DATE	ACTION	MINUTE NUMBER	
29 April 2020	Adoption of Amendment and Temporary Amendment	46238	
29 July 2020	Adoption	46307	
9 December 2020	Adoption of Temporary Amendment	46411	
26 March 2021	Temporary amendment to policy as per <i>Local Government (General) Regulation 2005 temporary amendment to allow Councillors to attend Council Meetings via audio-visual link under certain circumstances and as resolved by Council</i>	As per the temporary amendment to the <i>Local Government (General) Regulation 2005</i> (26 March 2021 to 31 December 2021).	
28 April 2021	Adoption of temporary addendum (extended to 30 June 2022) – Procedures for Councillor attendance via audio-visual link	46505	
27 January 2022	Public Exhibition	46713	
30 March 2022	Adoption	46799	
25 May 2022	Adoption of Amendment	46858	

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## **1. INTRODUCTION**

The Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) first adopted by Broken Hill City Council on 29/05/2019 and with subsequent amendments and is known as Council's Code of Meeting Practice Policy is made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

This code applies to all meetings of council and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

The code of meeting practice incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

## 2. MEETING PRINCIPLES

2.1 Council and committee meetings should be:

- Transparent:* Decisions are made in a way that is open and accountable.
- Informed:* Decisions are made based on relevant, quality information.
- Inclusive:* Decisions respect the diverse needs and interests of the local community.
- Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.
- Trusted:* The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.
- Respectful:* Councillors, staff and meeting attendees treat each other with respect.
- Effective:* Meetings are well organised, effectively run and skilfully chaired.
- Orderly:* Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

### 3. BEFORE THE MEETING

#### Timing of ordinary council meetings

- 3.1 Ordinary meetings of the council will be held on the following occasions:

Ordinary Council Meetings will be held on the last Wednesday of every month of the year with the exception of the December Council Meeting which will be set by Council Resolution each year. The meeting will commence at 6:30p.m. and be held in the Council Chambers.

**Note: Clause 3.1 reflects section 365 of the Act.**

#### Extraordinary meetings

- 3.2 If the mayor receives a request in writing, signed by at least two (2) Councillors, the Mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

**Note: Clause 3.2 reflects section 366 of the Act.**

#### Notice to the public of council meetings

- 3.3 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

**Note: Clause 3.3 reflects section 9(1) of the Act.**

- 3.4 For the purposes of clause 3.3, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

#### Notice to councillors of ordinary council meetings

- 3.6 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

**Note: Clause 3.6 reflects section 367(1) of the Act.**

- 3.7 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

**Note: Clause 3.7 reflects section 367(3) of the Act.**

### **Notice to councillors of extraordinary meetings**

- 3.8 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

**Note: Clause 3.8 reflects section 367(2) of the Act.**

### **Giving notice of business to be considered at council meetings**

- 3.9 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted to the General Manager's Office by 5:00pm two Friday's prior to the Council Meeting.
- 3.10 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

### **Questions with notice**

- 3.11 A councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the general manager about the performance or operations of the council.
- 3.12 A councillor is not permitted to ask a question with notice under clause 3.11 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.13 The general manager or their nominee may respond to a question with notice submitted under clause 3.11 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

### **Agenda and business papers for ordinary meetings**

- 3.14 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.15 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- a. all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
  - b. if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
  - c. all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
  - d. any business of which due notice has been given under clause 3.9.



- 3.16 Nothing in clause 3.15 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.17 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.18 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- a. identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
  - b. states the grounds under section 10A(2) of the Act relevant to the item of business.
- Note: Clause 3.18 reflects section 9(2A)(a) of the Act.**
- 3.19 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

### **Statement of Ethical Obligations**

- 3.20 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

### **Availability of the agenda and business papers to the public**

- 3.21 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.
- Note: Clause 3.21 reflects section 9(2) and (4) of the Act.**
- 3.22 Clause 3.21 does not apply to the business papers for items of business that the general manager has identified under clause 3.18 as being likely to be considered when the meeting is closed to the public.
- Note: Clause 3.21 reflects section 9(2A)(b) of the Act.**

- 3.23 For the purposes of clause 3.22, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

**Note: Clause 3.25 reflects section 9(3) of the Act.**

- 3.24 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

**Note: Clause 3.26 reflects section 9(5) of the Act.**

### **Agenda and business papers for extraordinary meetings**

- 3.25 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.26 Despite clause 3.25, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
- a. a motion is passed to have the business considered at the meeting, and
  - b. the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 3.27 A motion moved under clause 3.26(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.28 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.26(a) can speak to the motion before it is put.
- 3.29 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.26(b) on whether a matter is of great urgency.

## **4. PUBLIC FORUMS**

4.1 That Council holds two public forum sessions of 15 minute duration, during ordinary and extraordinary meetings of the council for the purpose of hearing oral submissions from members of the public. The first public forum session held at the commencement of the meeting will be held for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting or on general matters. The second public forum session held prior to the consideration of confidential matters will be held for the purpose of hearing oral submissions from members of the public on items of business only. Public forums will also be held during extraordinary council meetings.

4.2 Public forums are to be chaired by the mayor or their nominee.

4.3 To speak at a public forum, a person is encouraged to make an application to the council in the approved form. Applications to speak at the public forum should be delivered to Council's Administrative Centre, Customer Relations Staff, up to 4:00pm on the day of the meeting or handed to a Council staff member 15 minutes prior to the commencement of the Public Forum Session, and must identify the item of business on the agenda of the council meeting the person wishes to speak upon.

The Chairperson will invite members of the public present at the Public Forum to speak. Members of the public will be asked to state their name and verbally identify the item of business on the agenda of the meeting in which they are speaking, and whether they wish to speak 'for' or 'against' the item.

Members of the public will be invited to speak in the following order:

1. Members of the public who have registered to speak either 'for' or 'against' items listed in the meeting agenda.
2. Members of the public who have registered to speak on general matters.
3. Then if time permits, members of the public who have not registered but wish to speak either 'for' or 'against' items listed in the meeting agenda; or who wish to speak on general matters.

4.4 A person may apply to speak on no more than 2 items of business on the agenda of the council meeting. A person may speak on more than 2 items if approved by the Chairperson.

4.5 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

4.6 The Chairperson may refuse an application to speak at a public forum. The Chairperson must state reasons for a decision to refuse an application.

4.7 No more than 2 speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.

4.8 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chairperson may request the speakers to nominate from among themselves the persons who are to address the council on the item of

business. If the speakers are not able to agree on whom to nominate to address the council, the Chairperson or their delegate is to determine who will address the council at the public forum.

- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chairperson may increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.10 Speakers at the public forum are to register with the council any written material to be presented in support of their address to the council at the public forum no less than one (1) day before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.11 The Chairperson is to determine the order of speakers at the public forum.
- 4.12 Each speaker will be allowed 2 minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.13 Speakers at public forums must not digress from the item on the agenda of the council meeting they have requested to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.14 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.15 Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be limited to 1 minute.
- 4.16 Speakers at public forums cannot ask questions of the council, councillors or council staff.
- 4.17 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to 2 minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.18 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.19 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.20 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.

- 4.21 Clause 4.20 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.22 Where a speaker engages in conduct of the type referred to in clause 4.19, the Chairperson may refuse further requests from that person to speak at public forums for such a period as the Chairperson considers appropriate.
- 4.23 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

## 5. COMING TOGETHER

### Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.
- 5.3 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.4 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.5 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.6 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

**Note: Clause 5.6 reflects section 234(1)(d) of the Act.**

- 5.7 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

## The quorum for a meeting

- 5.8 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

**Note: Clause 5.8 reflects section 368(1) of the Act.**

- 5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

**Note: Clause 5.9 reflects section 368(2) of the Act.**

- 5.10 A meeting of the council must be adjourned if a quorum is not present:
- at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
  - within half an hour after the time designated for the holding of the meeting, or
  - at any time during the meeting.
- 5.11 In either case, the meeting must be adjourned to a time, date and place fixed:
- by the chairperson, or
  - in the chairperson's absence, by the majority of the councillors present, or
  - failing that, by the general manager.
- 5.12 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

## Entitlement of the public to attend council meetings

- 5.15 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

**Note: Clause 5.15 reflects section 10(1) of the Act.**

- 5.16 Clause 5.15 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.17 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:
- a. by a resolution of the meeting, or
  - b. by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

**Note: Clause 5.17 reflects section 10(2) of the Act.**

### **Webcasting of meetings**

- 5.18 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.
- 5.19 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
- a. The meeting is being recorded and made publicly available on the council's website, and
  - b. Persons attending the meeting should refrain from making defamatory statements.
- 5.20 The recording of a meeting is to be made publicly available on the council's website and via YouTube and Facebook:
- a. at the same time as the meeting is taking place, or
  - b. as soon as practicable after the meeting.
- 5.21 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.
- 5.22 Clauses 5.20 and 5.21 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

**Note: Clauses 5.18 – 5.22 reflect section 236 of the Regulation.**

- 5.23 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

### **Attendance of the general manager and other staff at meetings**

- 5.24 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

**Note: Clause 5.24 reflects section 376(1) of the Act.**

- 5.25 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.



**Note: Clause 5.25 reflects section 376(2) of the Act.**

- 5.26 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

**Note: Clause 5.26 reflects section 376(3) of the Act.**

- 5.27 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.
- 5.28 The general manager and other council staff may attend meetings of the council and committees of the council by audio-visual link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.

## 6. THE CHAIRPERSON

### The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

**Note: Clause 6.1 reflects section 369(1) of the Act.**

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

**Note: Clause 6.2 reflects section 369(2) of the Act.**

### Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted:
- a. by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
  - b. by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.
- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:
- a. arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
  - b. then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

### **Chairperson to have precedence**

- 6.9 When the chairperson rises or speaks during a meeting of the council:
- a. any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
  - b. every councillor present must be silent to enable the chairperson to be heard without interruption.

## 7. MODES OF ADDRESS

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mayor [surname]'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

## 8. ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 The general order of business for an ordinary meeting of the council shall be:

- 01 Opening Meeting
- 02 Apologies
- 03 Leave of Absence Applications
- 04 Prayer
- 05 Acknowledgement of Country
- 06 Acknowledgement of Broken Hill's Mining History
- 07 Public Forum Session
- 08 Confirmation of Minutes
- 09 Disclosures of Interests
- 10 Mayoral Minute(s)
- 11 Notices of Motion
- 12 Notices of Rescission
- 13 Reports from Delegates
- 14 Committee Reports
  - a) Works Committee
  - b) Health and Building Committee
  - c) Policy and General Committee
- 15 Further Reports
- 16 Questions on Notice
- 17 Questions for Next Meeting
- 18 Public Forum Session
- 19 Confidential Matters
- 20 Conclusion of the meeting

**Note:** Wording of the Prayer shall be: *"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 area, our State and Australia. AMEN"*

**Note:** Wording of the Acknowledgement of Country shall be: *"We acknowledge the traditional owners of the land upon which we meet today and pay our respects to their elders; past, present and emerging."*

**Note:** Wording of the Acknowledgement of Broken Hill's Mining History shall be: *"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."*

- 8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.
- 8.3 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.1 may speak to the motion before it is put.

## 9. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

### Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- a. unless a councillor has given notice of the business, as required by clause 3.9, and
  - b. unless notice of the business has been sent to the councillors in accordance with clause 3.6 in the case of an ordinary meeting or clause 3.8 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- a. is already before, or directly relates to, a matter that is already before the council, or
  - b. is the election of a chairperson to preside at the meeting, or
  - c. subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
  - d. is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- a. a motion is passed to have the business considered at the meeting, and
  - b. the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

### Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.

- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.

### **Staff Reports**

- 9.10 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

### **Reports of committees of council**

- 9.11 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.12 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

### **Questions**

- 9.13 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.9 and 3.13.
- 9.14 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.15 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.16 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.17 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.18 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.



## 10. RULES OF DEBATE

### Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

### Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.9 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.9 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- a. any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
  - b. the chairperson may defer consideration of the motion until the next meeting of the council.

### Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

### Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

### **Amendments to motions**

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

### **Foreshadowed motions**

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

### **Limitations on the number and duration of speeches**

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- a. if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
  - b. if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

## 11. VOTING

### Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.

**Note: Clause 11.1 reflects section 370(1) of the Act.**

- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

**Note: Clause 11.2 reflects section 370(2) of the Act.**

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

### Voting at council meetings

- 11.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.5 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.
- 11.6 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

### Voting on planning decisions

- 11.7 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.8 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.9 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.10 Clauses 11.7–11.9 apply also to meetings that are closed to the public.

**Note: Clauses 11.7–11.10 reflect section 375A of the Act.**

**Note: The requirements of clause 11.7 may be satisfied by maintaining a register of the minutes of each planning decision.**

## 12. COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.

**Note: Clause 12.1 reflects section 373 of the Act.**

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

**Note: Clauses 10.20–10.30 limit the number and duration of speeches.**

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

## **13. DEALING WITH ITEMS BY EXCEPTION**

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

## 14. CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

### Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- a. personnel matters concerning particular individuals (other than councillors),
  - b. the personal hardship of any resident or ratepayer,
  - c. information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
  - d. commercial information of a confidential nature that would, if disclosed:
    - (i) prejudice the commercial position of the person who supplied it, or
    - (ii) confer a commercial advantage on a competitor of the council, or
    - (iii) reveal a trade secret,
  - e. information that would, if disclosed, prejudice the maintenance of law,
  - f. matters affecting the security of the council, councillors, council staff or council property,
  - g. advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
  - h. information concerning the nature and location of a place or an item of Aboriginal significance on community land,
  - i. alleged contraventions of the council's code of conduct.

**Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.**

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

**Note: Clause 14.2 reflects section 10A(3) of the Act.**

### Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- a. except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and

- b. if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

**Note: Clause 14.3 reflects section 10B(1) of the Act.**

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- a. are substantial issues relating to a matter in which the council or committee is involved, and
  - b. are clearly identified in the advice, and
  - c. are fully discussed in that advice.

**Note: Clause 14.4 reflects section 10B(2) of the Act.**

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

**Note: Clause 14.5 reflects section 10B(3) of the Act.**

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- a. a person may misinterpret or misunderstand the discussion, or
  - b. the discussion of the matter may:
    - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
    - (ii) cause a loss of confidence in the council or committee.

**Note: Clause 14.6 reflects section 10B(4) of the Act.**

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

**Note: Clause 14.7 reflects section 10B(5) of the Act.**

### **Notice of likelihood of closure not required in urgent cases**

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- a. it becomes apparent during the discussion of a particular matter that the



matter is a matter referred to in clause 14.1, and

- b. the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
  - (i) should not be deferred (because of the urgency of the matter), and
  - (ii) should take place in a part of the meeting that is closed to the public.

**Note: Clause 14.8 reflects section 10C of the Act.**

### **Representations by members of the public**

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

**Note: Clause 14.9 reflects section 10A(4) of the Act.**

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by 5:00pm three days before the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than 2 speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than 2 speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed 2 minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their

representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

### **Expulsion of non-councillors from meetings closed to the public**

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

### **Information to be disclosed in resolutions closing meetings to the public**

- 14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- a. the relevant provision of section 10A(2) of the Act,
  - b. the matter that is to be discussed during the closed part of the meeting,
  - c. the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**Note: Clause 14.20 reflects section 10D of the Act.**

### **Resolutions passed at closed meetings to be made public**

- 14.21 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is webcast.

## **15. KEEPING ORDER AT MEETINGS**

### **Points of order**

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

### **Questions of order**

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

### **Motions of dissent**

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

## **Acts of disorder**

15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:

- a. contravenes the Act, the Regulation or this code, or
- b. assaults or threatens to assault another councillor or person present at the meeting, or
- c. moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- d. insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
- e. says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

**Note: Clause 15.11 reflects section 182 of the Regulation**

15.12 The chairperson may require a councillor:

- a. to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or (e), or
- b. to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
- c. to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

**Note: Clause 15.12 reflects section 233 of the Regulation**

## **How disorder at a meeting may be dealt with**

15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

## **Expulsion from meetings**

15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

15.15 Clause 15.14 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

- 15.16 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

**Note: 15.16 reflects section 233(2) of the Regulation**

- 15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act or disorder concerned.

**Note: Clause 15.17 reflects section 233(2) of the Regulation**

- 15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.19 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.20 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

### **Use of mobile phones and the unauthorised recording of meetings**

- 15.21 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.22 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.23 Without limiting clause 15.18, a contravention of clause 15.22 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.24 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

## **16. CONFLICTS OF INTEREST**

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

## 17. DECISIONS OF THE COUNCIL

### Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

**Note: Clause 17.1 reflects section 371 of the Act**

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

### Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.9.

**Note: Clause 17.3 reflects section 372(1) of the Act.**

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

**Note: Clause 17.4 reflects section 372(2) of the Act.**

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.9.

**Note: Clause 17.5 reflects section 372(3) of the Act.**

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

**Note: Clause 17.6 reflects section 372(4) of the Act.**

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

**Note: Clause 17.7 reflects section 372(5) of the Act.**

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

**Note: Clause 17.8 reflects section 372(7) of the Act.**

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the General Manager's Office no later than 5:00pm 2 business days after the meeting at which the resolution was adopted.
- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.
- Note: Clause 17.11 reflects section 372(6) of the Act.**
- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:
- a. a notice of motion signed by three councillors is submitted to the chairperson, and
  - b. a motion to have the motion considered at the meeting is passed, and
  - c. the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.
- 17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

### **Recommitting resolutions to correct an error**

- 17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
- a. to correct any error, ambiguity or imprecision in the council's resolution, or
  - b. to confirm the voting on the resolution.
- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.



- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

## **18. TIME LIMITS ON COUNCIL MEETINGS**

- 18.1 Meetings of the council and committees of the council are to conclude no later than 10:00pm.
- 18.2 If the business of the meeting is unfinished at 10:00pm, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at 10:00pm, and the council does not resolve to extend the meeting, the chairperson must either:
- a. defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
  - b. adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
- a. individually notify each councillor of the time, date and place at which the meeting will reconvene, and
  - b. publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

## 19. AFTER THE MEETING

### Minutes of meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

**Note: Clause 19.1 reflects section 375(1) of the Act.**

- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- a. The names of councillors attending a council meeting,
- b. details of each motion moved at a council meeting and of any amendments moved to it,
- c. the names of the mover and seconder of the motion or amendment,
- d. whether the motion or amendment was passed or lost, and
- e. such other matters specifically required under this code.

- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

**Note: Clause 19.3 reflects section 375(2) of the Act.**

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

**Note: Clause 19.5 reflects section 375(2) of the Act.**

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

### Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

**Note: Clause 19.8 reflects section 11(1) of the Act.**

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

**Note: Clause 19.9 reflects section 11(2) of the Act.**

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

**Note: Clause 19.10 reflects section 11(3) of the Act.**

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

### **Implementation of decisions of the council**

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

**Note: Clause 19.12 reflects section 335(b) of the Act.**

## 20. COUNCIL COMMITTEES

### Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

### Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- such number of members as the council decides, or
  - if the council has not decided a number – a majority of the members of the committee.

### Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.
- As per Minute No. 46689 of 12 January 2022 Council Meeting, Council will operate three Standing Committees, with meetings to be held at 5:30pm on the Monday, Tuesday and Wednesday of the week preceding the Monthly Ordinary Council Meeting. The Standing Committees will consider reports on the following matters:
    - **Works Committee** to consider all matters relating to garbage services, parks and gardens, animal control and any other function the council delegates.
    - **Health and Building Committee** to consider all matters relating to cultural activities, Library, Art Gallery, Geocentre and any other function the council delegates.
    - **Policy and General Committee** to consider all matters relating to corporate services, heritage, tourism and any other function the council delegates.
  - The order of business for the conduct of Standing Committees will consist of:
    - 01 Opening Meeting
    - 02 Apologies
    - 03 Leave of Absence Applications
    - 04 Prayer
    - 05 Acknowledgement of Country
    - 06 Acknowledgement of Broken Hill's Mining History

- 07 Confirmation of Minutes
- 08 Disclosure of Interest
- 09 Reports
- 10 Confidential Matters
- 11 Conclusion of the Meeting

**Note:** Wording of the Prayer shall be: *"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 area, our State and Australia. AMEN"*

**Note:** Wording of the Acknowledgement of Country shall be: *"We acknowledge the traditional owners of the land upon which we meet today and pay our respects to their elders; past, present and emerging."*

**Note:** Wording of the Acknowledgement of Broken Hill's Mining History shall be: *"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."*

### Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
  - a. the time, date and place of the meeting, and
  - b. the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

### Attendance at committee meetings

- 20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:
  - a. has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
  - b. has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

### **Non-members entitled to attend committee meetings**

- 20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- a. to give notice of business for inclusion in the agenda for the meeting, or
  - b. to move or second a motion at the meeting, or
  - c. to vote at the meeting.

### **Chairperson and deputy chairperson of council committees**

- 20.11 The chairperson of each committee of the council must be:
- a. the mayor, or
  - b. if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
  - c. if the council does not elect such a member, a member of the committee elected by the committee.
- 20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

### **Procedure in committee meetings**

- 20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.
- 20.17 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

### **Closure of committee meetings to the public**

- 20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is webcast.

### **Disorder in committee meetings**

- 20.21 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

### **Minutes of council committee meetings**

- 20.22 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- a. The names of councillors attending a meeting,
  - b. details of each motion moved at a meeting and of any amendments moved to it,
  - c. the names of the mover and seconder of the motion or amendment,
  - d. whether the motion or amendment was passed or lost, and
  - e. such other matters specifically required under this code.
- 20.23 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.24 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.25 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.26 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.



- 20.27 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.28 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

## 21. IRREGULARITIES

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
- a. a vacancy in a civic office, or
  - b. a failure to give notice of the meeting to any councillor or committee member, or
  - c. any defect in the election or appointment of a councillor or committee member, or
  - d. a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
  - e. a failure to comply with this code.

**Note: Clause 21.1 reflects section 374 of the Act.**

## 22. DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and  in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the <i>Model Code of Conduct for Local Councils in NSW</i>
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment

foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later times
year	means the period beginning 1 July and ending the following 30 June

## POLICY AND GENERAL COMMITTEE

August 18, 2022

**ITEM 3****BROKEN HILL CITY COUNCIL REPORT NO. 178/22**

**SUBJECT:** **PUBLIC INTEREST DISCLOSURES ANNUAL REPORT - 2021/2022**  
**D22/43501**

**Recommendation**

1. That Broken Hill City Council Report No. 178/22 dated August 18, 2022, be received.
2. That the Broken Hill City Council Public Interest Disclosures Annual Report 2021/2022 be forwarded to the Minister for Local Government and the NSW Ombudsman by 30 October 2022

**Executive Summary:**

In accordance with Section 31 of the *Public Interest Disclosures Act 1994 (the Act)* each public authority must, within four months after the end of each reporting year, prepare an annual report on the public authority's obligations under the Act for submission to the Minister responsible for the public authority. A copy of the report is also to be provided to the NSW Ombudsman.

Council adopted the reviewed Reporting of Public Interest Disclosures Policy on 25 September 2019. The objective of this policy is to establish an internal reporting system for staff and Councillors, volunteers, consultants and contractors to report wrongdoing without fear of reprisal. The policy sets out to whom wrongdoing can be reported at Broken Hill City Council, what can be reported and how reports of wrongdoing will be dealt with.

The Act focuses on corrupt conduct, maladministration, serious and substantial waste of public money or local government money (as appropriate), Government information contraventions and local government pecuniary interest contraventions.

Council's reporting year is aligned with financial year reporting. As such, this report is for 1 July 2021 through to 30 June 2022. A copy of the July to December 2021 and January to June 2022 Public Interest Disclosures reports submitted online to the NSW Ombudsman are attached for reference.

**Report:**

The *Public Interest Disclosures Regulation 2011* – Reg 4 requires the following information to be included in the Public Interest Disclosures Annual Report:

<b>The <i>Public Interest Disclosures Regulation 2011</i>, requires the following information to be included in the Public Interest Disclosures Annual Report:</b>		
	<b>Requirement</b>	<b>Statistic</b>
(a)	The number of public officials who have made a public interest disclosure to the public authority	Nil
(b)	The number of public interest disclosures received by the public authority in total and the number of public interest disclosures received by the public authority relating to each of the following: (i) corrupt conduct (ii) maladministration	Nil  Nil Nil

	(iii) serious and substantial waste of public money or local government money (as appropriate)	Nil
	(iv) government information contraventions	Nil
	(v) local government pecuniary interest contraventions	Nil
(c)	The number of public interest disclosures finalised by the public authority	Nil
(d)	Whether the public authority has a public interest disclosure policy in place	A copy of Council's Reporting of Public Interest Disclosures Policy is available on Council's website <a href="http://www.brokenhill.nsw.gov.au">www.brokenhill.nsw.gov.au</a>
(e)	What actions the head of the public authority has taken to ensure that his or her staff awareness responsibilities under section 6E (1) (b) of the Act have been met.	<ul style="list-style-type: none"> <li>• Council's reviewed Reporting of Public Interest Disclosures Policy was adopted by Council 25 September 2019 and is available on Council's website and intranet site.</li> <li>• PID Awareness and information on PID Policies and Procedures is included in Council's Corporate Induction Program.</li> </ul>

**Community Engagement:**

Reporting of Public Interest Disclosures Policy was placed on 28-day public exhibition for comment in July 2019 and once adopted, the Policy was placed on Council's website.

**Strategic Direction:**

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

**Relevant Legislation:**

*Public Disclosures Act 1994*

*Public Interest Disclosures Regulation 2011*

*Local Government Act 1993*

**Financial Implications:**

Nil

**Attachments**

1. [↓](#) Public Interest Annual Disclosure Report July to December 2021
2. [↓](#) Public Interest Annual Disclosure Report - January to June 2022

RAZIJA NU'MAN

CHIEF CORPORATE AND COMMUNITY OFFICER

JAY NANKIVELL

GENERAL MANAGER

## BROKEN HILL CITY COUNCIL

### Report to the NSW Ombudsman

Submitted On: 27 Jan 2022

Reporting Period: July to December 2021

	Made by public officials performing their day to day functions	Under a statutory or other legal obligation	All other PIDs
No of public officials who made public interest disclosures to your public authority	0	0	0
No of public interest disclosure received by your public authority	0	0	0
Of public interest disclosures received, how many were primarily about:	0	0	0
Corrupt conduct	0	0	0
Maladministration	0	0	0
Serious and substantial waste	0	0	0
Government information contravention	0	0	0
Local government pecuniary interest contravention	0	0	0
No of public interest disclosures (received since 1 Jan 2012) that have been finalised in this reporting period		0	
Have you established an internal reporting policy?			Yes
Has the head of your public authority taken action to meet their staff awareness obligations?			Yes
If so, please select how staff have been made aware			
Staff undertaking that they have read and understood your organisation's internal reporting policy, Training provided to new staff during induction			

## BROKEN HILL CITY COUNCIL

### Report to the NSW Ombudsman

Submitted On: 27 Jul 2022

Reporting Period: January to June 2022

	Made by public officials performing their day to day functions	Under a statutory or other legal obligation	All other PIDs
No of public officials who made public interest disclosures to your public authority	0	0	0
No of public interest disclosure received by your public authority	0	0	0
Of public interest disclosures received, how many were primarily about:	0	0	0
Corrupt conduct	0	0	0
Maladministration	0	0	0
Serious and substantial waste	0	0	0
Government information contravention	0	0	0
Local government pecuniary interest contravention	0	0	0
No of public interest disclosures (received since 1 Jan 2012) that have been finalised in this reporting period		0	
Have you established an internal reporting policy?			Yes
Has the head of your public authority taken action to meet their staff awareness obligations?			Yes
If so, please select how staff have been made aware			
Policy briefing from senior managers, Staff undertaking that they have read and understood your organisation's internal reporting policy, Training provided by your organisation, Posters, Training provided to new staff during induction			



## POLICY AND GENERAL COMMITTEE

July 29, 2022

**ITEM 4**BROKEN HILL CITY COUNCIL REPORT NO. 179/22SUBJECT: DRAFT PUBLIC ART POLICYD22/39643**Recommendation**

1. That Broken Hill City Council Report No. 179/22 dated July 29, 2022, be received.
2. That Council adopt the draft Public Art Policy to include minor amendments as outlined in this report.

**Executive Summary:**

Council expressed concern with current wording and approval process of the Broken Hill City Council Public Art Policy. A recent application for the installation of Public Art from the Country Women's Associated highlighted areas of the policy that could be strengthened and improved.

Council resolution Minute No. 46718 from its ordinary meeting held 27 January 2022 is below:

*That the Public Art Policy be included in the Policy Workshop being arranged for Councillors; and that in readiness for the workshop, the Public Art Policy be amended to include that all recommendation of the Panel are presented to Council for final approval.*

The policy has been reviewed and the recommended changes are detailed in the following report. In consultation with Council's Planning & Community Safety Team, changes have been recommended with the intent to clarify the process of making a Development Application when in relation to Public Art.

Recommendations have also been made to the online Public Art Application Form to inform these changes.

**Report:**

A briefing was held with Councillors on Thursday, 10 March 2022 where the current Public Art Policy was presented by its original author, Andrew Overton of Overton Creative Consulting. Council noted key changes in direction and subsequently the following changes have been recommended.

The approval process for Public Art submissions will be clearly separated from and precede, a Development Application (DA). The current policy requires simultaneous applications (with the DA cost incurred at a no guarantee to the applicant) but is recommended for the applicant to first apply and have approved their public art proposal (at no cost) before proceeding with their Development Application.

It is recommended that all public art applications flow to the appropriate Council Officer within the Corporate and Community team. A panel will then be convened to review the applications and be comprised of two Broken Hill City Council staff within the Corporate and

Community team and two members of the Broken Hill City Art Gallery Advisory Group, one of whom shall be the Chairperson of the Broken Hill City Art Gallery Advisory Group.

This panel will not approve or decline any application, however, will generate a report including key recommendations to Council through the appropriate Standing Committee of Council.

The panel may make key recommendations to Council for consideration. Council will either support or reject the application, and if it is supported, Council shall then notify the applicant to progress with their Development Application, if it is required.

All planning, technical, and development staff have been removed from the initial review and will subsequently play their regular role throughout the Development Application process.

To implement this approach the following policy points shall be amended.

#### Policy Point 6.1 Roles and Responsibilities

##### Current Policy paragraph

The implementation of this Policy requires a cross-Council approach. Strong internal working processes at Council are critical to the success of the Public Art Program. An interdepartmental group/panel comprised of key representatives from departments will be established under this Policy.

The panel will include the following skills and experience of a minimum of two Council staff from the Culture and Community Team (For example: Art Gallery & Museum Manager and Community Development Officer). The panel will be supported by two independent panel members co-opted from Broken Hill City Art Gallery Advisory Committee. One of these two members will be the Chairperson of the Broken Hill City Art Gallery Advisory Committee

##### Proposed Policy paragraph amendment

*The implementation of this Policy requires a cross-Council approach. Strong internal working processes at Council are critical to the success of the Public Art Program. A group/panel comprised of key representatives from the Arts and Cultural Sector will be established under this Policy.*

*The panel will include the following skills and experience of a minimum of two Council staff from the Culture and Community Team (For example: Art Gallery & Museum Manager and Community Development Officer). The panel will be supported by two independent panel members co-opted from Broken Hill City Art Gallery Advisory Committee. One of these two members will be the Chairperson of the Broken Hill City Art Gallery Advisory Committee.*

#### Policy Point 6.2 Project Application Approval Process shall read:

##### Current Policy paragraph

All public art projects to which this policy applies will require a written application to Council, describing the project and demonstrating how the project meets the policy (see attached guidelines).

All public art projects will be reviewed by the panel referred to in section 6.1 Roles and Responsibilities. The panel will review the application and a report will be prepared for submission to Council detailing the development of the public art proposal or project.

In the instance Council adopt and support the proposal, the applicant may be required to submit a Development Application under the provisions of the *Environmental Planning and*

*Assessment Act 1979 and/or Broken Hill Local Environmental Plan 2013. A successful notification from Council will advise an applicant whether to proceed with a Development Application.*

#### Proposed Policy paragraph amendment

*All public art projects to which this policy applies require written application to Council, describing the project and demonstrating how the project meets the policy (see attached guidelines). All public art projects will be reviewed by the panel referred to in section 6.1 Roles and Responsibilities. The panel will review the application and a report will be prepared for submission to Council detailing the development of the public art proposal or project.*

*In the instance Council adopt and support the proposal, the applicant may be required to submit a Development Application under the provisions of the Environmental Planning and Assessment Act 1979 and/or Broken Hill Local Environmental Plan 2013. A successful notification from Council will advise an applicant whether to proceed with a Development Application.*

The Online Application - Permanent Art (murals, art, memorials) will require updating to reflect the proposed changes to the Public Art Policy. Online form with suggested changes attached to this report.

#### **Community Engagement:**

Councillors participated in a policy workshop on Thursday, 10 March 2022. The current policy was reviewed in the presence of its original author, Andrew Overton. Councillors noted a change in strategic direction with a desire to provide clarity and resolution to the Public Art application process by having all public art applications provided to Council for final approval or rejection.

The amendments to the draft Public Arts Policy are not deemed substantial and therefore recommended that public exhibition of the policy not be required.

The original policy was placed on public exhibition for a 28-day period concluding 28 August 2020. Council adopted the policy on 30 September 2020.

#### **Strategic Direction:**

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

#### **Relevant Legislation:**

*Local Government Act 1993*

*Environmental Planning and Assessment Act 1979*

*Graffiti Control Act 2008.*

*Environment Protection & Biodiversity Conservation Act 1999 (Commonwealth)*

Regulations associated with above legislation.

Relevant State Environmental Planning Policies

*Broken Hill Local Environmental Plan 2013*

*Broken Hill Development Control Plan 2016*

**Financial Implications:**

Nil financial implications.

**Attachments**

1. [!\[\]\(4c660a3c4ce1da3313488b7854f55083\_img.jpg\)](#) Application-Permanent Art (murals, art, memorials)
2. [!\[\]\(f01c435bb39e3068a9b4895c9a993158\_img.jpg\)](#) Draft Public Art Policy

RAZIJA NU'MAN  
CHIEF CORPORATE AND COMMUNITY OFFICER

JAY NANKIVELL  
GENERAL MANAGER

Remove Permanent and replace with "Public"

## Application-Permanent Art (murals, art, memorials)



### Please note: Development Application may be required

Remove this section

Permanent Art includes public artworks, murals and memorials.

A Development Application may be required for any permanent art proposed for Broken Hill.

Please contact a member of the City Development and Planning team on 088 08 03300 to discuss your project and establish if a Development Application is needed.

### Identify the category of the project

This application is for a (Select 1 option)

Required

- ☐ Mural
- ☐ Memorial
- ☐ Permanent Public Artwork

Add: Temporary or Ephemeral Public Art

### Applicant Details

Name of applicant

Required

Telephone

Required

Email

Required

Website (if applicable)

Business name (if applicable)

Why do you want to create a public artwork? What do you hope to achieve and why is it important? Required

**Change to:** Outline how does your project address the Policy Principles: - Supporting Equity, Accessibility, Relevance and Engagement; - Connecting to place (people, land and environment); - Enhancing Broken Hill's cultural offer for residents and visitors; - Recognising the depth and breadth of contemporary public art practice.

Have you checked if you need a Development Application? (Select 1 option) Required

- ☐ Yes
- ☐ No

Remove this section

If you have applied for a Development Application, please provide the application number here

### Site Details

Full address of proposed site RequiredName and contact details of site owner Required

Do you have formal permission to use this site? Formal permission is required (Select 1 option)

- ☐ Yes
- ☐ No

Upload evidence of formal permission, such as a letter containing the contact details of the owner



Please attach all files to the end of this form before submitting it.

Provide details of the proposed date that the artwork will be installed Required

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Please outline the maintenance planned for this work Required

**Remove and replace with:** If your project is on private property, please outline the proposed maintenance plan for the work. Note: Council owned artworks are the responsibility of Council.

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### Artistic Details

Provide the artist/s name and contact details Required

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Provide a description of the artwork Required

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Attach the artwork design



Please attach all files to the end of this form before submitting it.

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### Project Management Details

Please describe how this project will be managed. Please include details about risk management and appropriate insurance Required

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**Attach the Risk Management Plan**



Please attach all files to the end of this form before submitting it.

**Attach the Insurance Certificate**



Please attach all files to the end of this form before submitting it.

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*End of form*

*Don't forget to attach all files before submitting this form*



## PUBLIC ART POLICY

QUALITY CONTROL			
EDRMS REFERENCES	D20/27566 – 12/14		
RESPONSIBLE POSITION	<del>Chief Corporate and Community Officer</del> Director-Corporate		
APPROVED BY	Council		
REVIEW DATE	09 July 2024	REVISION NUMBER	<u>32</u>
EFFECTIVE DATE	ACTION	MINUTE NUMBER	
03/11/2010	Adoption	42572	
29/07/2020	Public Exhibition	46311	
30/09/2020	Adoption	46352	

### 1. INTRODUCTION

This Public Art Policy supports Council's broader strategic priorities of creating a vibrant community that expresses our distinctive character and identity. Whilst Broken Hill is a City that honours and is inspired by its history and uniqueness, at the same time, Council also encourages new creative interpretations of culture that reflect our current way of life.

Broken Hill aspires for public art to be an everyday experience that expresses the community's unique attributes, culture, heritage and people. Public art contributes to the creation and vibrancy of the City's public spaces and landscapes for the enjoyment of residents and visitors. It elevates the aesthetic profile of our places and provides insight into our cultural life and community values. It also assists in promoting social inclusion, diversity and artistic expression.

This policy reflects the key directions identified in Council's vision, plans and strategic priorities. It also outlines a position and approach to public art that is flexible to ensure outcomes are responding appropriately to the changing social/economic/cultural environment of Broken Hill and the region.

Council plays a key role in the development of public spaces and as such hold the key to including public art in its many forms, whether through direct commissions or in partnership with other tiers of government and/or the private sector, or through supporting community driven initiatives. This Policy supports the Broken Hill City Council Community Strategic Plan.

### 2. POLICY OBJECTIVE

This Policy and associated Guidelines (attached) aims to provide a framework for the acquisition, assessment and development of public art in the Broken Hill Local Government Area (LGA) in accordance with community aspirations and industry best practice. It also establishes the key principles (Council and the community seeks to express through public art) and criteria for informed, transparent and high-quality decision-making when developing, approving or declining proposed public art projects.

Public Art Policy

Page 1 of 14

### 3. POLICY SCOPE

This Policy applies to all and any public art projects located, or proposed, in the public domain; including private land that is publicly visible. It articulates the approach for works that are developed and managed by Council. It also defines Council and third-party roles in facilitating privately commissioned works. The policy applies to:

- Public art commissioned and developed by Council.
- Public art commissioned and developed by private enterprises, associations, individuals, property developers, community groups, businesses or other third parties.
- Public art commissioned by third parties (including other government bodies) and transferred or donated to Council.

This policy applies to public art within the Broken Hill City Council Local Government Area.

Signage including entry statements, interpretative panels are excluded from this policy.

This policy also recognises that contemporary public art practice includes a diverse range of styles and practices. These may be stand-alone projects or proposals from within Council or from the community; embellishments to capital works or other proposals arising from time to time. Council reserves the right to decline the offer of any artwork proposed for a public place which does not meet safety, aesthetic, structural, heritage, urban design or durability requirements.

The policy does not apply to public art that does not otherwise require Council involvement. This includes projects that are wholly exempt development, privately funded, privately owned, on private property and carried out without Council involvement.

Proponents of public art projects outside the scope of this policy are encouraged to engage Council for guidance and advice voluntarily. In such cases, this policy will form the basis of that guidance and advice as though the project were within the policy scope.

### 4. POLICY PRINCIPLES

Through public art, we imagine and experience our place in a new way. Broken Hill's unique status on the National Heritage List as the first heritage listed city reflects its deep natural and cultural values. It is therefore challenging to define a single cultural narrative for Broken Hill.

For that reason, these guiding principles help define the key messages to be conveyed, and help define the way in which the City will interpret or create meaning or spirit of the place through public art. These principles aim to encourage conversation, aid engagement with the social and cultural histories of Broken Hill and guide artists in the initiation and development of public art. These include:

- **Supporting Equity, Accessibility, Relevance and Engagement**

Council recognises the intrinsic value of public art. Artworks can be accessible to a diverse audience while maintaining rigor, relevance, and depth of meaning. Public art can provide a variety of experiences and opportunities for community engagement/ interaction and to encourage community reflection, inspiration, and well-being. Public art will also seek to provoke thought and challenge.

- **Connecting to place (people, land and environment)**

Public art can bring Broken Hill's fascinating history to life while also making the city socially viable and connected in the present day. Public artworks can provide a point of reference, a meeting place and an object for exploration. Key narratives that support this principle relate to Broken Hill's uniqueness through deep earth, desert, climate, heritage, Aboriginal art and culture, stories, the big sky and land art.

- **Enhancing Broken Hill's cultural offer for residents and visitors**

Public art can build a connected, creative and dynamic place to live and visit. Public art enlivens and animates public space and can be used as an active placemaking tool in regeneration. Public art can not only seek to enhance the aesthetic value of the built and natural environment but also encourage residents and visitors to Broken Hill to interact with public spaces and contribute to the vibrancy of the community and broader cultural tourism opportunities. Public art can offer Indigenous perspectives and strengthen our understanding of the rich First Nations Cultures in this area.

- **Recognising the depth and breadth of contemporary public art practice**

This policy recognises that contemporary public art practice includes a diverse range of styles and practices. Public art includes permanent and/or temporary and ephemeral art projects across a wide range of media including projects integrated with architecture and urban design (street lighting, wayfinding, landscape and furniture elements) to supporting and creating events and outcomes of artist residencies (film, digital, projection, performance and interactivity).

## 5. POLICY STATEMENT

This Policy will guide the development and implementation of public art projects to enhance the cultural vitality of the community.

The role of public art in urban design, placemaking and activation is widely recognised for its ability to enliven spaces, contribute to a positive sense of place and reinforces a range of social, cultural, economic, and environmental and heritage values particular to Broken Hill.

Culture and landscape are fundamental to shaping our local place, and are inherently linked with memory, meaning, and identity. Council is able to play a very active role in advocating for quality public art works to be created across the LGA. Council is in a position of primary influence, to shape public spaces and inspire art which is unique to Broken Hill and reflective of its community.

## 6. IMPLEMENTATION

Implementation of this Policy is outlined in greater detail below and in the attached guidelines.

### 6.1 Roles and Responsibilities

The implementation of this Policy requires a cross-Council approach. Strong internal working processes at Council are critical to the success of the Public Art Program. An interdepartmental group/panel comprised of key representatives from departments will be established under this Policy.

The panel will include the following skills and experience of a minimum of two Council staff from the Culture and Community Team (For example: Art Gallery & Museum Manager and Community Development Officer). The panel will be supported by two independent panel members co-opted from Broken Hill City Art Gallery Advisory Committee. One of these two members will be the Chairperson of the Broken Hill City Art Gallery Advisory Committee. The panel will include the following skills and experience of Council staff; with the support of two independent panel members:

- Art/Culture—i.e. Art Gallery & Museum Manager
- Technical—i.e. Building inspector/civic works/landscape architect
- Planning—i.e. Development Assessment Planner

Two independent panel members will be co-opted from Council's Broken Hill Regional Art Gallery Advisory Committee. One of these two members will be the Chair of the Broken Hill Regional Art Gallery Advisory Committee.

## 6.2 Project Application Approval Process

All public art projects to which this policy applies will require a written application to Council, describing the project and demonstrating how the project meets the policy (see attached guidelines).

~~All public art projects will be reviewed by the panel referred to in section 6.1 Roles and Responsibilities. The panel will review the application and a report will be prepared for submission to Council detailing the development of the public art proposal or project.~~

~~In the instance Council adopt and support the proposal, the applicant may be required to submit a Development Application under the provisions of the *Environmental Planning and Assessment Act 1979* and/or Broken Hill Local Environmental Plan 2013. A successful notification from Council will advise an applicant whether to proceed with a Development Application.~~

~~If a development application (DA) is required, this should be submitted alongside the application. Both the application under this policy and the DA will be assessed concurrently.~~

~~All public art projects will be assessed by the panel referred to in section 6.1 Roles and Responsibilities. The panel will review the application and a report will be prepared on the development of public art proposals/projects. This report will be submitted to Council for final adoption.~~

## 6.3 Assessment Criteria

Each public art project will be assessed on its merit. Evaluation and approval of all public artworks proposed by Council, the private sector, other public authorities, individuals and other groups within the Broken Hill LGA is based on the following criteria:

1. Reflects excellence in contemporary art practice and standards of high quality.
2. Presents creative, original and innovative ideas.
3. Appropriateness to the context of the project brief, site and community (ability to reflect and engage with community aspirations, create discussion, interest and awareness, and foster relationships between people and place).
4. Consideration of the implications of the project in the context of the National Heritage values of the City.
5. Technical feasibility and ability to successfully realise the proposal/work.
6. Consideration of public safety and the public's access to and use of the public domain.
7. Relevance to the strategic objectives and actions of Council.
8. Consistency with current Council plans and procedures (heritage; environmental policies; and plans of management).
9. Maintenance and durability requirements.
10. Value for money.

## 6.4 Maintenance of Public Art Works

Council recognises the importance of adequate and appropriate maintenance of public artworks. As such, the life of the work should be considered in the commissioning phase and any ongoing maintenance requirements form a core part of the consideration for the work; an assessment of the work's ongoing durability, life of materials and the limitation of maintenance are criteria for Council's consideration.

Council is responsible for the maintenance and safe keeping of all Council commissioned or acquired public artwork. Excepting contractual exclusions, assets procured under this policy are to be managed under Council's Asset Management Policy and procedures, with specific regard to maintenance linked with Council's corporate and business plans (including the Long-Term Financial Plan), budgets and reporting processes.

Public artworks developed privately are the responsibility of the owner. If the artwork cannot be satisfactorily maintained/repaired or restored, Council may request the removal of the artwork at the owners expense or consider discretion for future public ownership.

#### **6.5 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 and will be further documented in any commission briefs

#### **6.6 Associated Documents**

This Public Art Policy integrates with Council's strategic directions, policies, planning controls, corporate documents. This holistic approach to local planning requires that the Public Art Policy reference those policies and equally that those policies are amended to reference it.

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

- The Public Art Guidelines (Appendices attached) – which outline the main elements that need to be considered in the implementation of Council's Public Art Policy. These Guidelines provide the rationale and outline the key processes for Council's commitment to planning, developing, and installing public art projects. It provides the key criteria for informed, transparent and high-quality decision-making when approving or declining proposed public art projects.
- Council's Procurement Policy.
- BHRAG Collection Management Policy.

#### **7. REVIEW**

Review of this policy will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines. The standard review period will be within each term of Council following the Local Government Elections, or as required to ensure that it meets legislation requirements and the needs of the community and Council. The responsible Council officer will be notified of the review requirements three months prior to the expiry of this policy.

The Director Corporate is responsible for the review of this policy.

#### **8. LEGISLATIVE AND LEGAL FRAMEWORK**

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

- *Environmental Planning and Assessment Act 1979.*
- *Local Government Act 1993.*
- *Graffiti Control Act 2008.*
- *Environment Protection & Biodiversity Conservation Act 1999 (Commonwealth)*
- Regulations associated with above legislation.

- Relevant State Environmental Planning Policies.
- *Broken Hill Local Environmental Plan 2013*; and
- *Broken Hill Development Control Plan 2016*.

## 9. DEFINITIONS

**Public Art** - Art which is: located in the public domain; and/or accessible to members of the public; and/or created through a public event or activity.

This includes artwork installed, performed, created or otherwise presented on Council controlled premises, reserves under BHCC control, community land, or otherwise requires development consent.

This can consist of permanent, temporary and ephemeral works such as installations, sculptures, murals, mosaics, projection, lighting, soundscapes, multi-media and performance-based work. Public art also extends to unique street design and furniture elements created by an artist to add value to the creative outcome of public realm projects such as paving, ornamental wall inserts, windows, gates, grates, light fittings, bollards, water features and the like.

**Temporary artworks** - have a lifespan of under five years and include relocatable works. All public art, as encompassed by this guideline, is short-term, temporal or transient. It does not include works of public art which are intended to be "permanent". Works of temporary public art are intended to occupy a place and/or have a presence in the public realm for a finite period of time usually between one week and six months.

**Ephemeral artworks** - are distinctive because they may have a fleeting and immaterial presence on site, perhaps only for a single day or a matter of hours - for instance in the case of a light projection or a performance. Other works of ephemeral public art may have a more substantial material presence on site but may incorporate their own changing state and disappearance/dissipation as an integral part of the artwork (i.e. sand sculpture).

**Permanent artworks** - have an expected lifespan of five years or more. Enduring artworks are commissions with an expected lifespan of 15-20 years or more.

**Site specific** - specifically, for and responsive to a particular site, thematically or through use of scale or materials.

**Mural** - A mural is an artwork applied directly to a large surface in a public space. As a form of street art, murals can be distinguished from graffiti-vandalism, tagging or guerrilla advertising. Murals are typically temporary in nature and can be produced in a variety of ways - for example, painted, digital, ceramic, airbrush and aerosol can.

**Memorial** - Generally, a memorial can be described as an object established in memory of a person or an event. A memorial object may be a plaque, statue, sculptural work, fountain, seat or park bench, or horticultural features.

**Graffiti** - Unlike Street Art, graffiti and tagging are generally considered to be the illegal practice of marking another person's property without consent and usually involves the use of paint, spray paint or marker pens.

**Plaque** - A flat tile/tablet of metal, stone or other material which includes text and/or images to commemorate a person, place or an event and/or to provide interpretive text or information relevant to its location. Such a plaque is usually fixed to an object, furniture, building or pavement.

**Interpretive Panels** - A panel with information often found in parks, gardens and public open spaces. The panel will interpret and inform visitors about what is around them or what they are looking at. For example: a piece of permanent public art might have an interpretive panel that also acknowledges

the artist, or there might be a Heritage interpretive panel that will give you historical/cultural context to the site.

**National Heritage values** – Those values of the City of Broken Hill which were the basis of listing the City on the National Heritage List pursuant to the *Environment Protection & Biodiversity Conservation Act 1999 (Commonwealth)*, an explanation of which were set out in the gazettal notice published in the Commonwealth of Australia Gazette dated 22 December 2014.

**Exempt Development** – Low-impact projects that meet specific criteria and do not require any assessment or approval under the *Environmental Planning and Assessment Act 1979*, such as a Development Application or 'DA'. For more information on Exempt Development, visit <https://www.planningportal.nsw.gov.au/>

**APPENDIX 1:****GUIDELINES FOR MURAL ARTWORK**

Council aims to support artists to create contemporary art that has community benefits including graffiti prevention, community building, placemaking and regeneration across the City of Broken Hill.

It is a requirement that before painting an artwork/mural on an external surface whether it is a wall, fence, laneway or façade it is essential to contact Council's planning section to enquire about approval. Council, at its discretion, may refuse to approve any Mural.

It should be noted that there are heritage listed items and heritage conservation areas in effect across the City. This includes Local, State and National Heritage Listed buildings/places. This ensures that controls are in place to protect the heritage, amenity and suburban character across the LGA.

There may be paint controls over individual properties and therefore, murals will not always be appropriate. In some cases, exposed brick walls are heritage controlled and cannot be painted over in any circumstance. Furthermore, artworks proposed adjacent to a state or federal road may also require NSW Roads and Maritime consent.

**What is a Mural?**

A mural is an artwork applied directly to a large surface in a public space. As a form of street art, murals can be distinguished from graffiti-vandalism, tagging or guerrilla advertising. Murals are typically temporary in nature and can be produced in a variety of ways - for example, painted, digital, ceramic, airbrush and aerosol can.

**DEVELOPMENT APPROVAL**

Development Approval may be required and will be subject to Council's assessment process before an artwork/mural can be painted or installed. Aerosol art murals are treated as works of art in the public domain and assessed in the same manner as any other proposal.

The criteria for public art (as described within this policy) are sufficiently broad to equitably accommodate different styles, aesthetics and art media.

The artwork will therefore be subject to consistency with this Policy by means of the relevance and appropriateness of the artwork:

- With Council's vision for Broken Hill and addressing an expression of identity and character.
- To the context of its site (artwork in keeping with the aesthetic and social context of the location).
- Artwork does not contain tags, offensive language/material or explicit images.
- Artwork does not contain commercial branding/imagery/logos (Any Mural which can be deemed advertising (by way of colour branding, business logos or imagery related to the main service of the business)).

Consideration will also be given to:

- Consistency with current planning, heritage and environmental plans/policies and plans of management (where applicable).
- Public safety and the public's access to and use of the public domain.
- Maintenance and durability requirements of the artwork.
- Feedback from any properties that will have your artwork in their direct line of sight or may be directly impacted by a change to the space.
- Evidence of community support being sought and considered.

Applicants must be prepared to enter an agreement with Council that guarantees completion of the work in the manner approved by Council. This is in addition to any documentation required for a development approval.



**INFORMATION TO BE SUBMITTED**

A Development Application may be required under the provisions of the *Environmental Planning and Assessment Act 1979* and/or *Broken Hill Local Environmental Plan 2013*.

Proposals must include sufficient information for the assessment to be undertaken. You will be requested to supply the following information in your Development application:

- Written permission from the property owner.
- A completed Development Application form. (Please note there may be sections in the application form that are not applicable to your project).
- Statement of Environmental Effects.
- A clear purpose: a description of why you want to create a mural, what you hope to achieve and why it is important.
- A timeline showing how long the artwork is to remain. (Murals typically last three to five years. After this time, the condition of the mural may decline, the topic or theme may become less relevant, or the owner may want to renovate the site. For these reasons, it is important to agree on the lifespan of your mural before submission).
- Photos of the building or location where the artwork will be located.
- A plan of the site which illustrates where the artwork will be located in relation to roads, buildings etc.
- Dimensions of the artwork should be provided.
- A colour design of the artwork (to scale) outlining what mediums will be used (e.g. aerosol, mosaic, acrylic paint).

**ADDITIONAL LIABILITY AND SAFETY REQUIREMENTS**

- If you plan to paint your artwork on boards and attach the boards to a wall, or install other objects onto a building, you must provide an explanation of how you will do this (an engineering report may be required)
- A copy of the certificate of currency for Public Liability Insurance - All artists working in the public realm are required to have public liability insurance of \$20,000,000. This is to protect you from anyone who might make a claim against you for bodily injury or property damage caused by negligent action on your part.
- There may also be a requirement to complete a Traffic Management Plan. This is to ensure that the artist/people painting the mural and passers-by/pedestrians/cyclists/motorists are safe. This may involve cordoning off a footpath or car park, or a road/lane closure, providing signage and public notices about the activity.
- If working above three metres a scaffolding system or a cherry picker/scissor lift is required.

**MAINTENANCE OR DAMAGE**

If the Mural cannot be satisfactorily repaired or restored, Council may request the removal of the artwork/mural at the Property Owner or lessee's expense.

**APPENDIX 2:****GUIDELINES FOR TEMPORARY AND EPHEMERAL PUBLIC ART**

This Guideline has been created to manage artworks and art-based activity that can complement existing community, retail and commercial activities, and balance the needs of local residents and the public within the City. It also seeks to maintain and enhance the character, heritage, ambience and safety of the public domain, enriching both the community and visitor experience.

Temporary and ephemeral public art shares key characteristics with other works of public art, as defined by the Public Art Policy. Works of art in public spaces take many forms, including but not limited to paintings, prints, murals, photography, sculpture, and earthworks, details in streetscapes, performance art, installation, sound works, and text, audio and multimedia.

**PRINCIPLES**

Council's decision to approve a permit for this activity will be based on the following guiding principles. Council will refer to these principles in the decision-making process to ensure each application conforms to the Policy and is assessed fairly, consistently and appropriately. Council, at its discretion, may refuse to approve any temporary and ephemeral public artwork.

**Appropriate location**

- Council seeks temporary public art in an appropriate location in order to promote economic growth, cultural benefits and social integration while still appreciating the needs of local businesses, adjoining properties and other users of the public domain.
- The location should contribute positively to an area's sense of place and character.
- Temporary art can be an extension of the area's current activities and services or may align with community events, cultural and sporting celebrations, and forthcoming plans for the area.

**Engaging and high quality**

- Council supports original and creative temporary art that encourages community participation, is innovative or distinct, adds to the life of the place and offers a connection to our rich cultural surroundings.
- The activity should aim to engage with the surrounding public domain and people.

**Safety and accessibility**

- Temporary art should be delivered without compromising the safety of people or places.
- Temporary art should ensure that responsible and appropriate measures are in place to minimise risk and danger.
- Temporary art should be integrated into the public domain in a way that does not compromise existing uses, furniture, buildings, entrances, exits, disabled access and pedestrian safety.

**Public amenity**

- Temporary art should be designed to create a safe atmosphere for the community and never compromise public amenity.
- Temporary art should add to, rather than disrupt the community's engagement with the public domain.
- Temporary art should be integrated into the public domain in a way that does not compromise existing uses, furniture, buildings, entrances, exits, disabled access and pedestrian safety.

**Management and operations**

- Council will approve temporary art that demonstrates sound management practices such as timeliness, reliability and professionalism.

- Any proposed activity should consider operational matters such as but not limited to, safety, traffic, noise, waste and access before, during and after each activity.

Applicants must be prepared to enter an agreement with Council that guarantees completion of the work in the manner approved by Council. (This is in addition to any documentation required for development approval).

**INFORMATION TO BE SUBMITTED**

Initially, the process for external public art projects will require:

- Community groups/organisations/individuals/property owners contacting Council for approval to conduct a public art project on Council land.
- Council receiving a proposal (an outline of the project that should include artwork brief, proposed location and timing, project management details, nature of participants/artists and other support material including a risk management plan, and appropriate insurances etc.)

|

**APPENDIX 3:****GUIDELINES FOR PERMANENT PUBLIC ART**

From time to time Council is approached by individuals and groups with proposals for permanent public art that sit outside Council's own program. Public art outside of Council initiated projects will need to comply with all requirements under this Public Art Policy. Council may accept proposals by artists, schools, public institutions, community organisations and private property owners for permanent Public Art projects with demonstrated community benefit.

**PRINCIPLES**

Council, at its discretion, may refuse to approve any permanent public artwork. Council's decision to approve a permanent public artwork will be based on the following guiding principles. Council will refer to these principles in the decision-making process to ensure each application conforms to the Policy and is assessed fairly, consistently and appropriately. Permanent public art projects will:

- Enhance the location in which the artwork is to be sited, adding interest and enriching context.
- Be specific to its site or context, drawing from and adding to the history, heritage and environment of its location; tells a local story.
- Be appropriate and suitable to its site, in scale and impact on amenity and other uses.
- Be high quality in design, materials and finishes.
- Present innovative, fresh, creative and original ideas.
- Engage and inform, be comprehensible and encourage engagement, provide interactivity; inspire, provoke reflection, arouse curiosity; enrich and stimulate.

The assessment of permanent public art projects will also include the following technical considerations:

- Is the artwork safe, durable, practical, robust and vandal resistant?
- Is there a detailed plan for maintenance including annualised costs and responsibility?
- Is there agreement on terms and conditions for removal, re-location, de-accessioning and disposal?

Applicants must be prepared to enter an agreement with Council that guarantees completion of the work in the manner approved by Council. (This is in addition to any documentation required for a development approval).

**INFORMATION TO BE SUBMITTED**

Development Approval maybe required, and any permanent artwork proposal will be subject to Council's approval process. Submissions must be in writing to Council and include:

- A Statement of Environmental Effects, which is required for all Development Applications. Also, a Heritage Impact Statement is also required in certain cases.
- Project proposal, (description to include expected outcomes and how the work will positively benefit the community)
- Final Design (Scale, materials and proposed location). Applicants must provide a brief outline of the proposal including dimensions, theme, style, materials and the type of artwork. The applicant must also consider and provide notes on the proposed footings for the work, as some structural considerations may require engineering/ development approval.
- Applicants must provide specific details of the site including a simple plan and/or visual documentation showing the proposed location of the artwork and detailing whether the artwork is freestanding, on a wall, fence, etc.
- Confirmation of artists/project consultants and curriculum vitae/resume.
- Schedule for the project.
- Lifespan and Maintenance: what is the projected life of the artwork? Who will maintain the artwork in terms of public safety and aesthetics? What impact will the artwork have on the maintenance of the surrounding area? How will climatic conditions impact on the artwork?

**APPENDIX 4:****GUIDELINES FOR MEMORIALS**

Council recognises that professionally designed and sited commemorative works provide an enduring reminder of events and people who have made a significant contribution to or impact on the history and evolution of the City of Broken Hill Local Government Area. The physical expression of commemorative works generally comprises plaques, memorials, gardens, trees, sculptures and statues.

Individuals and organisations periodically request that Council place monuments and memorials within buildings, parks and other public spaces owned or managed by Council. These memorial requests involve commemoration of individuals, organisations or events, and typically comprise plaques, gardens, trees, fountains, statues and/or sculptures.

Traditional memorials/monuments are not considered to be public art. However, projects that pay homage to a person, place or event must adhere to the goals of this policy and the criteria of this guideline. This guideline applies to all commemorative works and memorials within buildings, parks and other public domain under the ownership or management of Council. However, it does not apply to:

- naming of roads, buildings or parks.
- roadside memorials dedicated to victims of road fatality.
- commemorative objects in cemeteries, crematoria or burial grounds.
- signage, display boards, banners or public artworks.
- structures required primarily to provide directional or interpretive information

Design, construction or installation of any memorial on land or road owned or managed by Council may require council approval. Proposals that are consistent with the criteria and principles outlined in this guideline will proceed to Council for consideration.

Council does not guarantee the retention of any plaque or memorial in perpetuity and maintains the right to remove or relocate it should the site be redeveloped or significantly changed in character. Council also reserves the right to remove the memorial without compensation, should the memorial fall into disrepair, become vandalised or pose a risk to the public.

**What is a Memorial?**

Generally, a memorial can be described as an object established in memory of a person or an event. A memorial object may be a plaque, statue, sculptural work, fountain, seat or park bench, or horticultural features.

**PROPOSING A NEW MEMORIAL**

All formal requests are to be submitted in accordance with this guideline. New memorials may be created from time to time in recognition of people, organisations or events deemed to have made a lasting contribution which relates to the City of Broken Hill and is appropriate to be memorialised in this city. Proposals for memorials must therefore relate to a demonstrated, significant and acknowledged:

- civic-minded achievement or endeavour.
- outstanding community achievement and endeavour.
- educational or academic achievement or endeavour.
- achievement or endeavour in justice and law.
- service and sacrifice in war, or as a consequence of war, or the impact of war.
- achievement or endeavour in the visual arts or performing arts literature or literary achievement or endeavour.

- achievement or endeavour in relation to governance and community service; and
- achievement or endeavour in relation to sporting excellence.

Memorial subjects need to demonstrate the significant contribution by persons, groups, organisations or events to the Broken Hill community.

Memorials must convey the cultural and/or geographic significance to the Broken Hill community of the person, organisation or event being commemorated.

Memorials for individual/s will only be approved posthumously and a minimum of 12 months since the passing of the individual/s to be memorialised consistent with Geographical Names Board (GNB) Guidelines.

No new memorials will be considered to commemorate an individual, group, organisation or event already memorialised.

#### **PRINCIPLES**

Memorials will be assessed as to:

- The contribution that an individual, group or event proposed for commemoration has made to the development of Broken Hill. Where the contribution is more appropriately recognised at a State or National level, the individual or organisation proposing the memorial will be referred to the relevant body or authority.
- The connection or contribution of an individual, group or event has to the proposed site.
- Where the proposed site is to be located within a heritage conservation area or impacts a heritage item, such documents will inform the appropriateness of the memorial to a site.
- Whether the method of acknowledgement proposed is the most appropriate way to commemorate the person, group or event.
- The contribution the memorial will make to enhance a particular public space and use of that space.
- The appropriateness of the style, scale, materials and subject of the memorial for the place proposed.

Applicants must be prepared to enter an agreement with Council that guarantees completion of the work in the manner approved by Council. (This is in addition to any documentation required for a development approval).

#### **INFORMATION TO BE SUBMITTED**

Development Approval may be required, and any permanent artwork proposal will be subject to Council's approval process. Proposals for new memorials should address the following key points:

- The details of the proponents of the plaque, memorial or sign. If more than one group is involved, then include letters of support from these organisations.
- The type of memorial proposed, including materials and structural.
- The reason for the memorial and the connection with Broken Hill and the specific location proposed.
- The proposed siting of the memorial and the reason for choosing the site; and
- The approximate cost of the memorial if known and the funding arrangements.

Council receiving a proposal (an outline of the project that should include artwork brief, proposed location and timing, project management details, nature of participants/artists and other support material including a risk management plan, and appropriate insurances etc.)

## POLICY AND GENERAL COMMITTEE

July 22, 2022

**ITEM 5****BROKEN HILL CITY COUNCIL REPORT NO. 181/22**

**SUBJECT:**                    **2017-2021 DISABILITY INCLUSION ACTION PLAN - FINAL KEY  
PERFORMANCE INDICATORS PROGRESS REPORT FOR  
PERIOD ENDING 30 JUNE 2022**                    **D22/38574**

**Recommendation**

1. That Broken Hill City Council Report No. 181/22 dated July 22, 2022, be received.
2. That Council note the 2017-2021 Disability Inclusion Action Plan – Final Key Performance Indicators Progress Report for the reporting period ending 30 June 2022.
3. That the 2017-2021 Disability Inclusion Action Plan – Final Key Performance Indicators Progress Report for the reporting period ending 30 June 2022 be placed on Council's website.

**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 DIAP was developed according to the legislative requirements described in the Act and adopted on 28 June 2017.

The Disability Inclusion Action Plan Monitoring Group provides a forum for relevant stakeholders and representatives to monitor the progress of Council's DIAP to achieve the requirements of the NSW *Disability Inclusion Act 2014*.

**Report:**

This report relates to progress of Actions within the plan, for the period ending 30 June 2022.

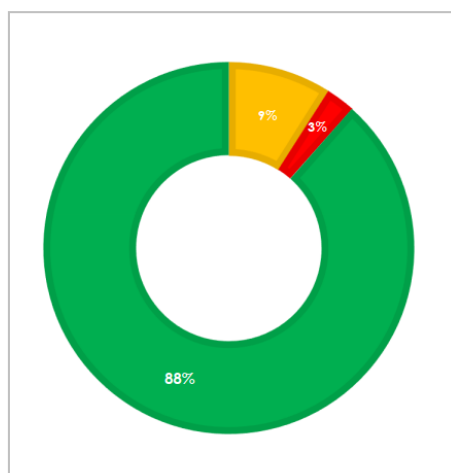
A total of 78 performance action targets were set within Council's 2017-2021 DIAP. The final report provides an indication of performance against targets set for the previous 12 months and includes those actions already achieved in previous years.

A snapshot of the Action KPIs for the final report of the plan indicates 69 Actions (88%) have been "Completed", 7 Actions (9%) show as "Monitor", and 2 Actions (3%) are "Off Track" with less than 20% of the target achieved. The report therefore shows a total of 9 actions (11%) to be completed. These actions have been included in Council's 2022-2026 Disability Inclusion Action Plan for completion.

A legend table to explain the performance descriptors can be found on the next page of this report.

**DISABILITY INCLUSION ACTION PLAN SNAPSHOT – 1 JULY 2017 – 31 DECEMBER 2021****OVERVIEW****ACTION SUMMARY**

By Performance

**69** COMPLETED**7** Monitor**2** Off Track**Action Progress Against Targets****78** Actions reported on**69** 100% of action target achieved**01** At least 90% of action target achieved**05** At least 80% of action target achieved**01** At least 75% of action target achieved**02** At least 20% of action target achieved**Community Engagement:**

The Disability Inclusion Action Plan progress report for the period ending 30 June 2022, will be placed on Council's website.

**Strategic Direction:**

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

**Relevant Legislation:***Disability Inclusion Act (NSW) 2014**Disability Discrimination Act (Commonwealth) 1992**Local Government Act 1993*

Integrated Planning and Reporting Framework

**Financial Implications:**

The DIAP is included in the Integrated Planning and Reporting Framework, with actions identified in the Delivery Program, in accordance with Council's Long Term Financial Plan, annual Operational Plan and annual budget processes.

**Attachments**

1. 2017-2021 Disability Inclusion Action Plan - Final KPI Progress Report ending 30 June 2022

RAZIJA NU'MANCHIEF CORPORATE AND COMMUNITY OFFICERJAY NANKIVELLGENERAL MANAGER





# **2017-2021 DISABILITY INCLUSION ACTION PLAN - FINAL KPI PROGRESS REPORT ENDING 30 JUNE 2022**

Broken Hill City Council

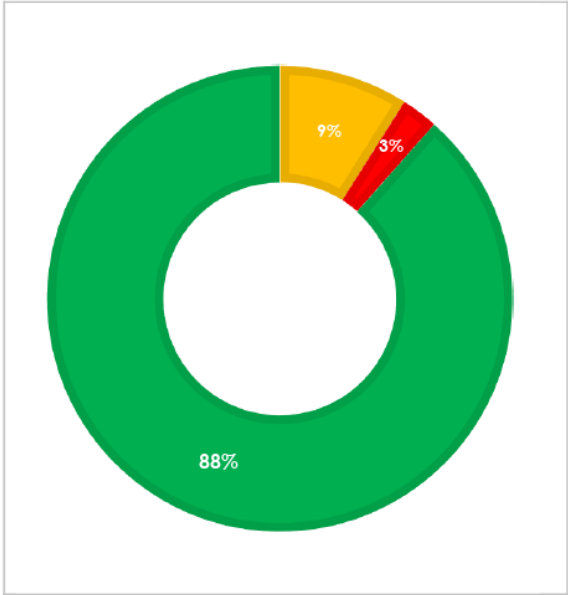
OVERVIEW

ACTION SUMMARY  
By Performance

69 COMPLETED

7 Monitor

2 Off Track



Action Progress Against Targets

78 Actions reported on  
69 100% of action target achieved  
01 At least 90% of action target achieved  
05 At least 80% of action target achieved  
01 At least 75% of action target achieved  
02 At least 20% of action target achieved

ACTION TARGET LEGEND

GREEN

At least 90% of action target achieved

AMBER

Between 70% and 90% of action target achieved

RED

Less than 70% of action target achieved

COMPLETED

No target set  
COMPLETED between  
2017-2021

GREEN

- At least 90% of action target achieved

AMBER

- Between 70% and 90% of action target achieved

RED


- Less than 70% of action target achieved


## Business Plan – DIAP 2017-2021




### 1 Attitudes and Behaviours

#### 1.1 Support positive attitudes towards inclusion amongst our Council staff

##### 1.1.1 All Council staff have an awareness of what inclusion means

Action Title: 4.1.1.3 DIAP A1.1.01 - Develop in-house training materials on inclusion of people with disability						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Awareness training materials for inclusion in induction and/or refresher courses under development. This will be included in Council's review of its Corporate Orientation and Onboarding induction process. New Corporate Induction is being trialled online for all council staff, with Corporate Orientation and Employee Onboarding processes being drafted to align with new online staff induction requirements.						

Action Title: 4.1.1.4 DIAP A1.1.02 - Deliver induction sessions that encompass the topic of inclusion of people with disability						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	In Progress	01-Jul-2021	30-Jun-2022	75%	100.00%	 AMBER
<b>Action Progress Comments:</b> Inclusion awareness training to be incorporated into review of induction processes. This will be included in Council's review of its Corporate Orientation and Onboarding induction process. New Corporate Induction is being trialled online for all council staff, with Corporate Orientation and Employee Onboarding processes being drafted to align with new online staff induction requirements. Council has requested specific module to be created for disability inclusivity within council's online training portal. This has not yet been finalised for implementation however, Council is actively participating in all relevant awareness sessions for staff to attend.						

Action Title: 4.1.1.5 DIAP A1.1.03 - Develop and implement an annual training program that promotes inclusivity						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
 GREEN - At least 90% of action target achieved  AMBER - Between 70% and 90% of action target achieved  RED - Less than 70% of action target achieved						

**Action Progress Comments:** Annual Training program development underway and will be included in Council's review of its Learning and Development Framework process. CAMMS Talent system audit review commenced in August 2020 for employee learning and development programs to be entered for Annual Performance reviews for 2020/21. CAMMS Talent audit was completed with annual reviews to be conducted through CAMMS Talent online for FY 2020/21. Employee training on CAMMS Talent commenced in May/June 2021 with all staff attending sessions. New Corporate Online Annual Compliance training is now incorporated into mandatory annual training requirements for all staff commencing FY 2020/21 for employee annual performance reviews.

**Action Title: 4.1.1.6 DIAP A1.1.04 - Incorporate disability awareness and person-centred communication in the Customer Service Framework**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Documentation within the Customer Service Framework includes sections on Inclusion and Accessibility and incorporates awareness and effective communication with customers who may have disability.

## 1.2 Train Council staff to respectfully, confidently and effectively communicate with people with disability

### 1.2.1 Council staff are confident and skilled in communicating with people who have disability

**Action Title: 4.1.1.7 DIAP A1.2.01 - Provide key Council staff in Corporate Services, Human Resources and Planning, Development & Compliance training in creating alternative document formats in Word, PDF, PowerPoint (as a minimum)**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** All new and revised existing documentation is being reviewed by Corporate Services to ensure that compliance for alternative formats is made available under disability inclusion requirements. Training in creating alternative document formats to be further investigated. Staff individual development plans are currently being completed for 2021 and will be reviewed in staff annual performance reviews for FY 2020/21. Current accessible documents have been assessed through council's communications and digital marketing department to meet inclusivity standards.

**Action Title: 4.1.1.8 DIAP A1.2.02 - Provide Information Services, Digital Officer and other staff who may be required to update web pages with training in web content and design compatible with Web Content Accessibility Guidelines (WCAG) 2.0**



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Website Content Accessibility Guidelines awareness and compliance forms a standard part of Social Media, Open Forms, and Open Cities training provided to content creators. Open Forms training has been delivered to 22 staff over 8 sessions to 31 December 2018.

**Action Title: 4.1.1.9 DIAP A1.2.03 - Support the Assets and Infrastructure team to enhance disability confidence and communication skills in order to effectively engage people with disability in the Pedestrian Access Mobility Plan (PAMP) and the Traffic Committee**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Support provided to Assets and Infrastructure team to enhance disability confidence and communication skills and liaising with community in responding to CRMs, is included in weekly team meetings. Process embedded into ongoing consultation and communication plans.

**Action Title: 4.1.1.10 DIAP A1.2.04 - Provide Council staff from Library, Events, GeoCentre and Art Gallery with opportunities to gain awareness of the needs of children with autism (and the needs of their parents, caregivers and siblings)**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Staff attended planned lecture from Professor Tony Attwood (Clinical Psychologist). Further autism awareness training activities will be scheduled as made available. Further online training and resources have been accessed by relevant staff within these areas as required.

**Action Title: 4.1.1.11 DIAP A1.2.05 - Provide GeoCentre, Library, events and Art Gallery staff with skills (via training or partnership with parents and/or experienced professionals) to create Social Stories that will assist children with autism, or children who experience anxiety, to be involved in groups or formal program activities**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
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GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> Staff attended planned lecture from Professor Tony Attwood (Clinical Psychologist) on 22 February 2018. A social story using photos and simple text to show children what to expect and how to interact in unfamiliar social settings has been developed for the Library. Development skills for staff to create Social Stories relating to programs and events to be undertaken with invitations to be extended as opportunities identified.						

**Action Title: 4.1.1.12 DIAP A1.2.06 - Expand awareness and/or training programs for Council staff across the organisation to ensure all services can be delivered in an inclusive manner**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** All training programs are being assessed for inclusivity factors. Online learning training platform has commenced for all annual compliance staff training which meet this requirement.

### 1.3 Contribute positive media stories about what Council is doing to build inclusion with people with disability

#### 1.3.1 The community is aware of the activities Council is undertaking to progressively build greater inclusion of people with disability

**Action Title: 4.1.1.13 DIAP A1.3.01 - Provide regular media stories (including on social media) on the progress of the implementation of the DIAP**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Manager Communications	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Disability Inclusion Action Plan has been referenced in all relevant releases and statements.

**Action Title: 4.1.1.14 DIAP A1.3.02 - Source and provide stories to media on the experiences and/or opinions of people with disability with regards to the effectiveness of Council's strategies to build inclusion**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
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GREEN - At least 90% of action target achieved




AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved



Manager Communications	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Disability Inclusion Action Plan referenced in relevant releases and statements.						

## 1.4 Contribute to creating positive attitudes towards inclusion in Broken Hill community

### 1.4.1 The community has a greater awareness of disability inclusion and the benefits of inclusion to the broader community

**Action Title: 4.1.1.15 DIAP A1.4.01 - Support disability awareness campaigns by displaying promotional posters in Council buildings and facilities (e.g. Autism Awareness, Mental Health Month, International Day of People with Disability and National Relay Service)**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Events Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Council has supported the NDIS information and preplanning hubs, National Reconciliation Week, Positive Partnerships Autism Awareness, Inclusive Tourism Online Learning (internal promotion), Stress Down Day and International Day of People with a Disability community event.

**Action Title: 4.1.1.16 DIAP A1.4.02 - Extend an invitation to YMCA staff, to join the autism awareness session and/or training provided to Library, Events, GeoCentre and Art Gallery staff**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** 80% targeted attendance at education/training sessions by YMCA staff - Invitation sent to education/training sessions to YMCA. Evaluation by Council and YMCA staff attending autism awareness training indicates an increase in confidence in meeting the needs of children with autism and their families.

**Action Title: 4.1.1.17 DIAP A1.4.03 - Extend an invitation to YMCA staff, to join the professional development opportunities relating to creating Social Stories for children with autism or who experience anxiety**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
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GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> No training opportunities identified for creating Social Stories. Invitation to be extended as opportunities identified.						

Action Title: 4.1.1.18 DIAP - A1.4.04 - Library, GeoCentre and/or Art Gallery host programs and/or events that include disability as being part of the human experience and/or reflected in cultural artefacts						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> The Library, Gallery and Museum make regular adjustments to programs for people with disability to attend. The Gallery has resumed programming (February 2021) and is now running a regular after school art program (arts/COOL), along with school workshops and Tour groups. The Gallery remains accessible with participation open to everyone for these programs. . The Gallery has continued to offer and endorse an inclusive environment where participants feel comfortable to visit and attend. Adjustments are made for participants with a disability and these adjustments are successfully reflected in our current programs where children and adults with disability are currently enrolled. Enrich workshops have resumed (March 2021), where groups of medical students from the University of Sydney: School of Rural Health visit the Gallery. These workshops aim to broaden the understanding and use of visual arts and creative practices as an important and relevant communication tool to prepare and relate to a practitioner/client environment. The Geo Centre has continued to offer and endorse an inclusive environment where participants feel comfortable to visit and attend. Adjustments are made when and where required for people to attend who may have a disability. Library early literacy programming commenced in January 2021. Library programming remains accessible with participation open to everyone for these programs. The Library makes regular adjustments to programs to ensure inclusion and all program delivery, whether online or in house, have built in flexibility to adjust to differing abilities, ages and needs.						

## 2 Liveable Communities

### 2.1 Progressively improve the accessibility of footpaths in Broken Hill LGA in consultation with people with mobility and vision related disabilities

#### 2.1.1 People with disability are consulted about the priority maintenance and upgrade of footpaths, kerbs, crossings and ramps in Broken Hill



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved



<b>Action Title: 4.1.1.19 DIAP A2.1.01 - Write Terms of Reference for a PAMP Reference Group that includes purpose, duration, frequency, representation across Broken Hill and representational of various mobility types and parents/guardians of school aged children</b>						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> PAMP Reference Group Terms of Reference have been drafted however, due to the lack of response from the public to participate in the PAMP Reference Group, the group will not progress. The community was provided the opportunity to participate in the development of the PAMP through consultation sessions/workshops on the 5 December 2018 and further consultation on 15 August 2019 completed this process.						
<b>Action Title: 4.1.1.20 DIAP A2.1.02 - Advertise for PAMP Reference Group members, and use contacts from industry and Government services to assist to fill all required representation positions</b>						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> The PAMP Reference Group will not proceed due to lack of response following advertising. All future PAMP development activity will be reported to Council.						
<b>Action Title: 4.1.1.21 DIAP A2.1.03 - Conduct meetings (using Accessible Meeting Guidelines) and report on PAMP progress and asking the PAMP Reference Group to provide feedback on the priorities listed in the PAMP</b>						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> The PAMP has been incorporated into an Active Transport Plan as directed by the RMS. The Active Transport Plan will include a forward works program of footpath maintenance and upgrade works.						
<b>Action Title: 4.1.1.22 DIAP A2.1.04 - Review the PAMP priorities and assessments based on input from the PAMP Reference Group</b>						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

Chief Assets & Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
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**Action Progress Comments:** Council received funding from Roads and Maritime Services (RMS) to develop a city-wide Pedestrian Access and Mobility Plan (PAMP) commencing in 2018/2019. The PAMP has been upgraded to an Active Transport Plan (ATP) which also incorporates a bike plan. The project incorporates community consultation and development of a reference group however, advertising for participation for this group resulted in a lack of response. The reference group has been removed from the project and will now be communicated through Council. An invitation was extended to the community for public consultation sessions, with representation from disability organisations attending. - Grant funding of \$977,101 in Phase -1 and Phase -2 has been secured from Infrastructure, Transport, Regional Development and Communication under the Local Roads and Community Infrastructure Program, for footpath upgrades in accordance with Council's Active Transport Plan (ATP). Tender for the work was awarded to a panel of contractors in December 2020 and works commenced in March 2021. Shared footpath upgrades have been completed in the following footpath links: O'Farrell Street from Morgan Street to Williams Street, Patton Street from Bonanza Street to Queen Street, Galena Street from Williams Street to Talc Street, Blende Street from Sulphide Street to Chloride Street. - The first phase of work commenced in March 2021 and was completed by 30 June 2021. The second phase of work is to be completed by December 2021 in accordance with the grant funding agreement.

**Action Title: 4.1.1.23 DIAP A2.1.05 - Inform the public of the consultation with the PAMP Reference Group and the priority list for maintenance or upgrade of PAMP related infrastructure**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** PAMP review as part of the Active Transport Plan completed. Council actively prepared media releases for key stages of the project where relevant. During the community consultation phase, Council promoted the completion of the community survey on social media. The General Manager undertook a radio interview explaining the project on the ABC Radio. Consultations completed.

## 2.2 Plan to progressively improve the accessibility of public toilets (including way finding)

### 2.2.1 People with disability are directly consulted about the priorities for enhancement of Council public toilets

**Action Title: 4.1.1.24 DIAP A2.2.01 - Write a Consultation Plan for a community consultation on Council public toilet maintenance and upgrade, and way finding priorities including: purpose and aim of the consultation; promotional plan to engage a broad range of relevant stakeholders (particularly mobility and vision related disability); draft consultation questions**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
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GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

Chief Assets & Projects Officer	In Progress	01-Jul-2021	30-Jun-2022	80%	100.00%	<div><div></div><div></div><div></div></div> AMBER
<b>Action Progress Comments:</b> Scope of works are still being developed to determine plan requirements for community consultation. Consultation will take place in new operational year of 2022/2023.						
<b>Action Title: 4.1.1.25 DIAP A2.2.02 - Advertise community consultation on accessible Council public toilets (maintenance and upgrade and way finding priorities), using industry and government contacts to assist to reach target audience</b>						
<b>Responsible Person</b>	<b>Status</b>	<b>Start Date</b>	<b>End Date</b>	<b>% Complete</b>	<b>Target</b>	<b>On Target %</b>
Chief Assets & Projects Officer	In Progress	01-Jul-2021	30-Jun-2022	80%	100.00%	<div><div></div><div></div><div></div></div> AMBER
<b>Action Progress Comments:</b> Scope of works are still being developed to determine plan requirements for community consultation. Consultation will take place in new operational year of 2022/2023. Advertisement to be carried out once communication plan has been completed. Stakeholders and community groups have been identified awaiting communication plan completion.						
<b>2.2.3 Current and accurate information on the location of Council accessible toilets is available to residents and visitors</b>						
<b>Action Title: 4.1.1.26 DIAP A2.2.03 - Conduct community consultation on accessible Council public toilets (maintenance and upgrade and way finding priorities) using Accessible Meetings Guidelines</b>						
<b>Responsible Person</b>	<b>Status</b>	<b>Start Date</b>	<b>End Date</b>	<b>% Complete</b>	<b>Target</b>	<b>On Target %</b>
Chief Assets & Projects Officer	In Progress	01-Jul-2021	30-Jun-2022	80%	100.00%	<div><div></div><div></div><div></div></div> AMBER
<b>Action Progress Comments:</b> Scope of works are still being developed to determine plan requirements for community consultation. Consultation will take place in new operational year of 2022/2023. Advertisement to be carried out once communication plan has been completed. Stakeholders and community groups have been identified awaiting communication plan completion.						
<b>Action Title: 4.1.1.27 DIAP A2.2.04 - Review the PAMP priorities and assessments on accessible Council public toilet (including way finding) needs based on the community consultation results and other relevant data</b>						
<b>Responsible Person</b>	<b>Status</b>	<b>Start Date</b>	<b>End Date</b>	<b>% Complete</b>	<b>Target</b>	<b>On Target %</b>
Chief Assets & Projects Officer	In Progress	01-Jul-2021	30-Jun-2022	80%	100.00%	<div><div></div><div></div><div></div></div> AMBER


GREEN - At least 90% of action target achieved

AMBER - Between 70% and 90% of action target achieved

RED - Less than 70% of action target achieved

**Action Progress Comments:** 75% audit completed on public toilets. Upon 100% completion and review, the program will be used to inform future capital works.


**Action Title: 4.1.1.28 DIAP A2.2.05 - Progressively maintain or upgrade accessible Council public toilets (including way finding) based on the priorities identified following community consultation and other data**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	In Progress	01-Jul-2021	30-Jun-2022	80%	100.00%	 AMBER

**Action Progress Comments:** 75% audit completed on public toilets. Upon 100% completion and review, the program will be used to inform future capital works.

#### 2.2.4 Suitable sites for the potential installation of adult change tables identified in consultation with people with disability and included as an addendum to the PAMP

**Action Title: 4.1.1.29 DIAP A2.2.06 - Compile a PDF for each accessible Council public toilet describing the access features (including availability of adult change tables), and providing a picture of each toilet (to enable families of people with profound disability to decide on suitability of access for their needs)**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** The National Public Toilet Map [www.toiletmapp.gov.au](http://www.toiletmapp.gov.au) assists people with disabilities to know what toilets are accessible and where they are located. The online database includes all features of the Public Toilet and has the ability to include information such as the size of the toilet room, photos and other vital information. Research undertaken by the Corporate Services team indicated that the National Public Toilet Map was the preferred database by councils and other businesses. A link to the National Public Toilet Register has been included on Council's website under 'Facilities'. The National Public Toilet Register is updated regularly.

**Action Title: 4.1.1.30 DIAP A2.2.07 - Review map of accessible Council public toilets based on the information collected in A2.2.06**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Strategic Asset Management Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

**Action Progress Comments:** Public toilets are reviewed and linked to National Public Toilets Map Register.

**Action Title: 4.1.1.31 DIAP - A2.2.08 - Review the National Public Toilet Map including descriptions of access features described as important by the community consultation results**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Strategic Asset Management Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Public toilets are reviewed and linked to National Public Toilets Map Register.

**Action Title: 4.1.1.32 DIAP A2.2.09 - Identify suitable sites for the potential installation of adult change tables identified in consultation with people with disability and included as an addendum to the PAMP**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Council has been proactive in the installation of adult change tables at key locations such as at the Broken Hill Regional Aquatic Centre and the Patton Park amenities block.

## 2.3 Increase accessibility and inclusion of events held in Broken Hill and of Council meetings

### 2.3.1 Council staff are supported to increase or promote access and inclusion of events and meetings

**Action Title: 4.1.1.33 DIAP A2.3.01 - Council staff responsible for events are provided with professional development (and/or training) opportunities to enhance their knowledge and skills relating to organising accessible events**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Events Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Council departments share templates and resources internally on an ongoing basis.

**Action Title: 4.1.1.34 DIAP A2.3.02 - Source existing Accessible and Inclusive Event Guidelines for use within Council**



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved



Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Events Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> Accessible and Inclusive Guidelines are accessed as required from industry bodies and government agencies.						

### 2.3.2 People with disability have greater access to events hosted in Broken Hill LGA

Action Title: 4.1.1.35 DIAP A2.3.03 - Progressively incorporate Council's Access and Inclusion Plans into all civic events						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Events Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> All Civic events include disability access in the planning template.						

Action Title: 4.1.1.36 DIAP A2.3.04 - Progressively develop Council's Accessible Event templates, guidelines, policies and/or procedures specific to the context of Broken Hill events						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Events Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> Accessible event planning incorporated into Council's Event Guide.						

Action Title: 4.1.1.37 DIAP A2.3.05 - Make Council's Accessible Event Guidelines (including promotional information about drop off points and parking etc) available to event organisers booking Council owned sites						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Events Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> Broken Hill Event Guide complete and available for event planners via Council's website.						

### 2.3.3 Access by people with disability attending meeting held at Council is specifically addressed and catered for

 GREEN - At least 90% of action target achieved
  AMBER - Between 70% and 90% of action target achieved
  RED - Less than 70% of action target achieved

**Action Title: 4.1.1.38 DIAP A2.3.06 - Develop a Council Accessible Meetings checklist template to assist staff to cater for meeting participants who may have a disability**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** An Accessible Meeting Checklist has been researched and developed for communication and implementation in 2021.

**Action Title: 4.1.1.39 DIAP A2.3.07 - Develop a process to ensure meeting requests or invitations consider the accessibility requirements of attendees**


Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** An Accessible Meeting Process has been researched and developed for communication and implementation in 2021 and includes the Accessible Meeting Checklist.

## 2.4 Progressively increase accessibility and inclusion of places of recreation, learning and leisure

### 2.4.1 People of all ages with disability have greater access to Library service, Art Gallery and GeoCentre

**Action Title: 4.1.1.40 DIAP A2.4.01 - Compile a PDF for Council buildings describing the access features of the building and the activities hosted in them**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Strategic Asset Management Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** All Council facilities have been inspected and recorded, the relevant site information has been converted to PDF format and is to be installed in a prominent area within all sites.

**Action Title: 4.1.1.41 DIAP A2.4.02 - Document the accessibility features of the Library, Art Gallery, Tourist and Travellers Centre and GeoCentre buildings and publish these in relevant locations (website, social media, intranet, tourism collateral and onsite)**



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Corporate and Community Officer	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> The Art Gallery and GeoCentre introduced building access information in advertising and marketing information during July 2017 to June 2018. The Art Gallery has its own dedicated website with a page regarding access including building accessibility and all other appropriate information - <a href="https://www.bhartgallery.com.au/Visit/Access">https://www.bhartgallery.com.au/Visit/Access</a> The GeoCentre continues to include accessibility information in marketing material and will work towards including this on the website as well. The Broken Hill City Library promotes sensory friendly afternoons for the community and has uploaded information regarding accessibility on the Library website - <a href="https://www.brokenhill.nsw.gov.au/Facilities/Library/Library-services/Library-accessibility">https://www.brokenhill.nsw.gov.au/Facilities/Library/Library-services/Library-accessibility</a> . The Broken Hill Visitor Information Centre displays accessibility information for the Tourist and Travellers Centre via the Australian Tourism Data Warehouse and the Broken Hill City Council website. Signage for ramps and disability parking is displayed at the facility.						

**Action Title: 4.1.1.47 DIAP A2.4.08 - Art Gallery and/or GeoCentre workshops and/or activities provide adjustments enabling people with disability to attend**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Gallery and Museum Manager	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> The Art Gallery hosted workshops for Maari Ma Health group clients. The Gallery and Museum make regular adjustments to programs for people with disability to attend. Workshops at the Gallery and Museum recommenced in February 2021 for the first time since COVID-19, with adjustments made to workshops for people with disability to attend.						

**2.4.2 Parents of children with disability access the Library**

**Action Title: 4.1.1.42 DIAP A2.4.03 - Design Library activities and/or events that provide adjustments enabling people with disability to attend**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> The Library is a space that is free, inclusive, diverse and available for all members of the community regardless of culture, religion, race, gender or socio-economic status. - Library early literacy programming commenced in January 2021. Library programming remains accessible with participation open to everyone for these programs. The Library makes regular adjustments to programs to ensure inclusion and all program delivery, whether online or in house, have built in flexibility to adjust to differing abilities, ages and needs.						



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved




RED - Less than 70% of action target achieved



Accessible public computers are available at the Library for use by the community. The Library website provides access to the Central West Zone online BorrowBox "Mindful and Well-being" collection which is supported by the Books on Prescription grant from the Library Council of NSW. - For those members unable to visit the Library offers two outreach programs: Home Library Service which delivers Library items directly to the door of members who are frail, ill, disabled or unable to visit the library due to medical reasons including carers. - Outback Letterbox Library Service which delivers Library items directly to the door of members who are isolated and residing in remote areas of the Far West of NSW, Unincorporated area and Central Darling Shire.

**Action Title: 4.1.1.43 DIAP A2.4.04 - Work in partnership with families and/or service providers of children with autism to create suitable Library activities and/or events and programs (particularly in school holidays)**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** The Library is a space that is free, inclusive, diverse and available for all members of the community regardless of culture, religion, race, gender, ability or socio-economic status. Library programming remains accessible with participation open to everyone for these programs. The Library makes regular adjustments to programs to ensure inclusion and all program delivery, whether online or in house, have built in flexibility to adjust to differing abilities, ages and needs. The Library has developed a Library Social Story which uses photos and simple text to show children on the autism spectrum what to expect and how to interact in unfamiliar social settings. The Social Story is available in hard copy. Passive support is provided via: Accessible public computers are available at the Library for use by the community. The Library website provides access to the Central West Zone online BorrowBox "Mindful and Well-being" collection which is supported by the Books on Prescription grant from the Library Council of NSW.

**Action Title: 4.1.1.44 DIAP A2.4.05 - Develop a Social Story about going to the Library (or story time within the Library) to enable children with autism and children who experience anxiety to be more comfortable attending these places and events**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** A social story using photos and simple text to show children what to expect and how to interact in unfamiliar social settings has been developed for the Library. Caryn Ferguson Allied Health Assistant, Aspect Therapy has had input into the final publication. The Social Story will be available in hard copy and available on the Library Web page by the end of August 2021 due to staffing issues affecting completion as predicted in June 2021.



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

Action Title: 4.1.1.45 DIAP A2.4.06 - Support ATSI persons with disability to attend culturally safe and appropriate activities and/or events						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** The Library is a space that is free, inclusive, diverse and available for all members of the community regardless of culture, religion, race, gender or socio-economic status. Library staff have completed the Aboriginal and Torres Strait Islander Cultural Competence Course through the Centre for Cultural Competence Australia and funded by the State Library NSW, the majority of Library staff have completed this course. - Library early literacy programming commenced in January 2021. Library programming remains accessible with participation open to everyone for these programs. The Library makes regular adjustments to programs to ensure inclusion and all program delivery, whether online or in house, have built in flexibility to adjust to differing abilities, cultures, ages and needs. - Accessible public computers are available at the Library for use by the community. The Library website provides access to the Central West Zone online BorrowBox "Mindful and Well-being" collection which is supported by the Books on Prescription grant from the Library Council of NSW. - For those members unable to visit the Library offers two outreach programs: Home Library Service which delivers Library items directly to the door of members who are frail, ill, disabled or unable to visit the library due to medical reasons including carers. - Outback Letterbox Library Service which delivers Library items directly to the door of members who are isolated and residing in remote areas of the Far West of NSW, Unincorporated area and Central Darling Shire.

Action Title: 4.1.1.46 DIAP A2.4.07 - Host activities and/or events in the Library designed to support parents and care givers of children who have a disability						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** The Library is a space that is free, inclusive, diverse and available for all members of the community regardless of culture, religion, race, gender or socio-economic status. Library programming remains accessible with participation open to everyone for these programs. The Library makes regular adjustments to programs to ensure inclusion and all program delivery, whether online or in house, have built in flexibility to adjust to differing abilities, ages and needs. - Non-contact support is provided via: Accessible public computers - available at the Library for use by the community. The Library website provides access to the Central West Zone online BorrowBox "Mindful and Well-being" collection which is supported by the Books on Prescription grant from the Library Council of NSW.

#### 2.4.3 Families have improved information about the access features of playgrounds (including fencing)




GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

<b>Action Title: 4.1.1.48 DIAP A2.4.09 - Design a template to capture information about the accessibility features of Council parks, sporting and playgrounds (including fencing) in a standard format</b>						
<b>Responsible Person</b>	<b>Status</b>	<b>Start Date</b>	<b>End Date</b>	<b>% Complete</b>	<b>Target</b>	<b>On Target %</b>
Corporate Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> Council's Corporate Services staff collaborated with Council's Asset Planner Open Spaces to develop a template to capture the information about the accessibility features of Council's parks, sports fields and playgrounds. The template is now complete and has been provided to the Asset Planner Open Spaces for data input and upload to Council's website.						
<b>Action Title: 4.1.1.49 DIAP A2.4.10 - Document the accessibility features of Council parks, sporting and playgrounds (including fencing) and post these on all relevant websites</b>						
<b>Responsible Person</b>	<b>Status</b>	<b>Start Date</b>	<b>End Date</b>	<b>% Complete</b>	<b>Target</b>	<b>On Target %</b>
Assets Planner-Parks & Open Spaces	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Broken Hill City Council has installed 6 x new picnic table settings within Sturt Park. New pathways will now be developed to connect the table to existing walkways. Planning and purchasing has been completed to install a fully accessible water bubbler and BBQ within Apex Park.						
<b>2.4.4 Tourists and visitors with disability have greater access to information on accessibility features of accommodation, and places and activities of interest in and around Broken Hill</b>						
<b>Action Title: 4.1.1.50 DIAP A2.4.11 - Review the template for accessible accommodation and encourage the use of photos to show the accessible bathroom features and any other accessibility features</b>						
<b>Responsible Person</b>	<b>Status</b>	<b>Start Date</b>	<b>End Date</b>	<b>% Complete</b>	<b>Target</b>	<b>On Target %</b>
Visitor Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> The current accommodation guide template produced by the Visitor Information Centre (VIC) was reviewed and highlights properties that are wheelchair accessible and have a wheelchair accessible bathroom. More detailed information on accessibility features including photos will require a larger accessibility audit of local tourism product.						

Action Title: 4.1.1.51 DIAP A2.4.12 - Review the accessible accommodation guide annually, progressively incorporating enhanced information on accessible accommodation						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Visitor Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> The current accommodation guide that is produced by the Visitor Information Centre highlights properties that are wheelchair accessible and have a wheelchair accessible bathroom. This is reviewed annually at the beginning of the year. Visitor Information Centre staff also encourage the local tourism industry to keep their free listing on the Australian Tourism Data Warehouse up to date, which prompts operators to enter detailed information on their accessibility features. The information in this database can be accessed via all government tourism websites including visitnsw.com.au.						

Action Title: 4.1.1.52 DIAP A2.4.13 - Create a dedicated section on the Tourism website, annually reviewed, that holds enhanced information about accessible accommodation and activities						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Visitor Services Coordinator	In Progress	01-Jul-2021	30-Jun-2022	20%	100.00%	<div><div></div><div></div><div></div></div> RED
<b>Action Progress Comments:</b> Council's internal tourism strategy team is working with the provider to scope a new version of the current tourism website, www.destinationbrokenhill.com.au. This will include a new navigation and new functionality as well as enhanced information about accessible attractions and accommodation providers.						

## 2.5 Improve access to Council Administrative Centre and Civic Centre, and Visitor Information Centre, including better way finding

### 2.5.1 Council Administrative Centre, Civic Centre and Visitor Information Centre have improved access features

Action Title: 4.1.1.53 DIAP A2.5.01 - Ensure the Council Administrative Centre refurbishment considers provision for: a lift; a lower information desk for people using wheelchairs; availability of hearing loop; and a meeting room enabling sound privacy						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Strategic Asset Management Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

GREEN - At least 90% of action target achieved

AMBER - Between 70% and 90% of action target achieved

RED - Less than 70% of action target achieved

2017-2021 Disability Inclusion Action Plan – KPI Progress Report ending 30 June 2022

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**Action Progress Comments:** Design has been completed as part of refurbishment associated with new library temporary relocation. Inclusion of the installation of a Hearing Loop, dedicated room enabling sound privacy and the redesign of the information desk for wheelchair access has been undertaken as part of the design for the Temporary Library to be located on the lower floor of the Admin Building. These inclusions will be in place for the life of the Temporary Library project. Installation of a permanent disability toilet on the lower floor has also been included as part of the redesign of the lower floor.

**Action Title: 4.1.1.54 DIAP A2.5.02 - Ensure the Civic Centre refurbishment considers provision for: a lift; accessible toilet; hearing loop and theatre area suitable for people who use wheelchairs**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Civic Centre access features completed including a lift; accessible toilet; hearing loop and theatre area suitable for people who use wheelchairs.


**Action Title: 4.1.1.55 DIAP A2.5.03 - Ensure the Visitor Information Centre is accessible to visitors who use wheelchairs**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Strategic Asset Management Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** The Visitor Information Centre is accessible to visitors who use wheelchairs. Further investigations required for a wheelchair height counter and installation of directional signage to direct people in wheelchairs to the auto-doors.

**2.5.2 Way finding in and around Council Administrative Centre, Civic Centre and Visitor Information Centre is inclusive of people with vision and/or hearing impairment, blindness and/or deafness**

**Action Title: 4.1.1.56 DIAP A2.5.04 - Install appropriate way finding, suitable for guests who may be vision or hearing impaired; blind and/or deaf, in Council Administrative Centre, Civic Centre and Visitor Information Centre**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	In Progress	01-Jul-2021	30-Jun-2022	90%	100.00%	 GREEN



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved



**Action Progress Comments:** Council have engaged Buchan Group to develop concept plan for wayfinding infrastructure in the Central Business District (CBD), as part of the CBD Master Plan. Buchan Group currently developing concept plan for CBD Master Plan, to be implemented in the 2022/23 financial year.

## 2.6 Encourage, support and promote accessible businesses and tourism in Broken Hill

### 2.6.1 Businesses and tourist attractions in Broken Hill have greater awareness of the economic benefits of developing accessible and ageing friendly places and activities

**Action Title:** 4.1.1.57 DIAP A2.6.01 - Support the promotion of the economic benefits of accessible and ageing friendly businesses and activities via information updates to businesses

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Business Forums successfully run for the Broken Hill Mundi Mundi Bash as a precursor for enabling further industry sessions to promote the benefits of ageing friendly businesses and accessibility in general. Council have also supported a number of activities promoting accessibility and is forefront in the newly developed Business Development Policy. Further consultation and promotion have been impacted by COVID-19. The Our Economy Key Direction Working Group have progressed this action by being a part of business breakfasts presentations initiated by BEC Business Advice. Media releases have previously been made detailing the economic benefits local business could have by becoming disability and ageing friendly.

**Action Title:** 4.1.1.58 DIAP A2.6.02 - Promote the economic benefits of accessible and ageing friendly businesses and activities in a variety of media

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Manager Communications	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Specific media releases have referenced the financial benefits of operating disability friendly businesses.

**Action Title:** 4.1.1.59 DIAP A2.6.03 - Encourage and support the organisers of Business Awards to include an Accessible and Inclusive Business Award in their award categories

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
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GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> Due to COVID-19, the local business awards were deferred for 2021 however, Council was an active supporter and participant in the lead up.						

Action Title: 4.1.1.60 DIAP A2.6.04 - Promote the accessibility features of tourism properties						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Visitor Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> The current accommodation guide that is produced by the Visitor Information Centre (VIC) highlights properties that are wheelchair accessible and have a wheelchair accessible bathroom. The guide is made available to visitors and also posted and emailed as part of VIC information packs. This guide is reviewed annually at the beginning of the year. VIC staff also encourage local tourism industry to keep their free listing on the Australian Tourism Data Warehouse up to date, which prompts operators to enter detailed information on their accessibility features. The information in this database can be accessed via all government tourism websites including visitnsw.com.au.						

### 3 Systems and Processes

#### 3.1 Update the Customer Service Framework to provide guidance to staff on how to make information more accessible

##### 3.1.1 Written information produced by Council is easier to read both in form and content

Action Title: 4.1.1.61 DIAP A3.1.01 - Develop guidelines and/or checklists for staff to author web accessible documents						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Manager Communications	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> Guide developed and distributed to web content authors.						

##### 3.1.2 People with disabilities can request information in alternative formats and are presented with options to better meet their communication needs



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

**Action Title: 4.1.1.62 DIAP A3.1.02 - Develop guidelines or procedure(s) to produce documentation in alternative formats including providing options that enable timely and cost-effective communication to occur**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** An Accessible Format Request Process has been developed. The purpose of this process is to ensure Council maintains and continues to improve document accessibility in line with the Disability Inclusion Action Plan. An OpenForm has been developed to allow requests for alternate formats of all available Council documents and where practicable, Council will endeavour to provide requested documentation formats.

### 3.2 Progressively improve accessibility of Council websites

#### 3.2.1 People with disability have greater access to information via Council websites

**Action Title: 4.1.1.63 DIAP A3.2.01 - Undertake an audit of Council's websites and intranet against WCAG2.0 standards**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Manager Information & Communications Technology	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Website accessibility audit of brokenhill.nsw.gov.au complete.

**Action Title: 4.1.1.64 DIAP A3.2.02 - Ensure contact details for the National Relay Service and how to access or request alternative format documents is provided on the contact and accessibility pages on Council's website**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Manager Communications	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Completed and available at <https://www.brokenhill.nsw.gov.au/Website-accessibility>

**Action Title: 4.1.1.65 DIAP A3.2.03 - Develop a business case with estimates of costs for updating vs replacing the Council website to WCAG 2.0 AA standard**



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved



Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Manager Communications	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Business case complete and new website deployed. Website conforms to Web Content Accessibility Guidelines 2.1 "AA" standards.

Action Title: 4.1.1.66 DIAP A3.2.04 - Create an Accessibility page on Council's website describing the accessibility features of the site						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Manager Communications	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> Completed and available at <a href="https://www.brokenhill.nsw.gov.au/Website-accessibility">https://www.brokenhill.nsw.gov.au/Website-accessibility</a>						

Action Title: 4.1.1.67 DIAP A3.2.05 - Create an Accessibility page on the Tourism and Council's websites describing the accessibility features for getting around Broken Hill.						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Patrick Robert Kreitner - 1709.1 - 1709.1 - Visitor Services Coordinator	In Progress	01-Jul-2021	30-Jun-2022	20%	100.00%	 RED
<b>Action Progress Comments:</b> Council's internal tourism strategy team is working with the provider to scope a new version of the current tourism website, <a href="http://www.destinationbrokenhill.com.au">www.destinationbrokenhill.com.au</a> . This will include a new navigation and new functionality as well as enhanced information about accessible attractions and accommodation providers.						

### 3.3 Progressively incorporate accessibility and inclusion considerations in procurement decisions and contracts

#### 3.3.1 Council contracts increasingly specify delivery of accessible and inclusive goods, programs and services by third parties or contractors

Action Title: 4.1.1.68 DIAP A3.3.01 - Source or develop guidelines for incorporating accessibility and inclusion considerations in procurement contracts						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

**Action Progress Comments:** Procurement Framework and Policy implemented and currently in use since approval at August 2020 Council meeting.

### 3.4 Review the Community Engagement Strategy (Round Table or equivalent body) to improve representation of people with disability, their families and supporters


#### 3.4.1 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 Title:** 4.1.1.69 DIAP A3.4.01 - Develop surveys (including easy read surveys) to distribute at the International Day of People with Disabilities events, and provided to all National Disability Insurance Agency (NDIA) registered service providers operating in Broken Hill, asking key questions about the satisfaction with Community Strategic Plan (CSP) progress

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Community Development Officer	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** The action was scheduled for 2019/2020 for commencement. However, with the presence of COVID-19 identified internationally in December 2019 and the Australian responses made between January 2020 and March 2020, the action has been significantly impacted and consequently delayed. International Day of People with Disabilities events were not conducted in the community in 2020. The easy read survey was completed and distributed in June 2021. The survey was offered as a hard copy and as an OpenForm and distributed to NDIS providers and sector partners and available to the wider community. Survey results have been collated for inclusion into the engagement material collected to inform the Your Broken Hill 2040 Community Strategic Plan.

**Action Title:** 4.1.1.70 DIAP A3.4.02 - Recruit and/or invite people with disabilities to the Round Table or equivalent body and enable their active participation by way of Accessible Meeting Guidelines

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Website has been updated to include easy access for people with a disability. All relevant documentation on the Community Round Table, including agendas and minutes, are uploaded to the website. Representation of people with disability on the Round



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved




RED - Less than 70% of action target achieved

Table or equivalent body to be further investigated with the inclusion of a member from the Disability Inclusion Action Plan Monitoring Group as a member of the Community Round Table.

### 3.5 Review reference groups, or advisory bodies relating to PAMP; Traffic Safety; Flood Evacuation Plans and Council Building refurbishment plans, to ensure adequate representation of the issues of people

#### 3.5.1 People with disability are represented on reference groups and/or advisory bodies relating to the PAMP; Traffic Safety; Flood/Emergency Evacuation Plans and Council Building refurbishment plans

**Action Title: 4.1.1.71 DIAP A3.5.01 - Discuss with LEMC how the LEMP has accommodated for the needs of people with a disability for various emergency scenarios and advocate for consultation with people with disability**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Accommodating for the needs of people with disability for various emergency scenarios will be part of consequence management plan that will be developed specific to each emergency type and will be developed by lead agency nominated for that emergency. For example COVID-19 response during 2019/2020, NSW Health was the lead agency and it developed all necessary communication plans which included reaching out to people with disability.

**Action Title: 4.1.1.72 DIAP A3.5.02 - Ensure consultation with people with disability to provide input on the suggested access features for the Council Administrative Centre and Civic Centre**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** The Civic Centre refurbishment was designed according to accessibility requirements and standards. Draft concept design plans for the Administrative Centre were drafted considering accessibility requirements and standards. Any future asset refits to be designed in accordance with accessibility requirements and standards, inclusive of community consultation.

### 3.6 Ensure Council's emergency evacuation procedures specifically consider the needs of people with disability

#### 3.6.1 Council's emergency evacuation procedures address the specific needs of people with disability



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

**Action Title: 4.1.1.73 DIAP A3.6.01 - Review emergency evacuation procedures for all Council buildings to address the needs of people with disability**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Risk Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Review of emergency evacuation procedures completed, fire warden training completed, independently reviewed evacuation drills completed for all Council sites and documentation updated accordingly.

**3.7 Progressively review the procedures supporting access to all Council services and processes (such as making a complaint etc) to ensure improved access**

**3.7.1 Council services can be accessed more independently by people with disability**

**Action Title: 4.1.1.74 DIAP A3.7.01 - Review the policy and procedures for handling complaints to ensure better access for people with disability**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Complaints Management Policy adopted 30 August 2017; minute number 45610. Complaints Management Procedure and Workflow developed with communication and implementation scheduled for 2021. Policy and procedure consider disability inclusion with plain English documentation and an accommodation of a variety of methods to register a complaint and easy to follow workflow chart.

**Action Title: 4.1.1.75 DIAP A3.7.02 - Review the procedures for handling customer service requests to ensure better access for people with disability**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** The review of procedures for handling customer requests is incorporated in Council's Customer Service Framework. The review of the Customer Service Framework was undertaken in 2019/2020 and is reviewed every two years. Better access for those with a disability is included and considered within the procedures in this Framework.



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

## 4 Employment

### 4.1 Review Council recruitment and employment processes to ensure they provide fair and barrier free opportunity to candidates who have a disability

#### 4.1.1 Council has access to resources supporting best practice with regards to recruiting people with disability

**Action Title: 4.1.1.76 DIAP A4.1.01 - Join the Australian Network on Disability to access resources that will support Council to become a more inclusive employer**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Budget to purchase Membership of the Australian Network on Disability approved for 2017/2018 and ongoing.

**Action Title: 4.1.1.77 DIAP A4.1.02 - Access and implement the free resources from the Australian Network on Disability, specifically:**

- Sharing and monitoring disability information in the workplace; and
- Employers' Guide to Partnering with Disability Employment Services

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Sourced free resources from Australian Network on Disability and all current policies and procedures being reviewed for implementation of best practice amendments as required.

**Action Title: 4.1.1.78 DIAP A4.1.03 - Purchase the Australian Network on Disability resource "Manager's Guide: Disability in the Workplace" and update Council's policies in line with best practice examples provided**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED

**Action Progress Comments:** Council has purchased of "Manager's Guide: Disability in the Workplace" and all current policies and procedures being reviewed for implementation of best practice amendments as required.



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved



4.1.2 Council has recruitment and employment policies that reflect best practice with regards to encouraging and supporting the employment of people with disability

Action Title: 4.1.1.79 DIAP A4.1.04 - Ensure employment processes and budget is developed to assess and/or implement appropriate and reasonable adjustment						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> Recruitment Framework has been finalised and implemented operationally and addressed Council's ability to implement reasonable adjustment for all applicants during the employment process.						

Action Title: 4.1.1.80 DIAP A4.1.05 - Review and update the Information Technology Strategy to ensure that Council's commitment to inclusion is considered including reasonable adjustment and use of assisted technology						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Manager Information & Communications Technology	Completed	01-Jul-2021	30-Jun-2022	100%	-	COMPLETED
<b>Action Progress Comments:</b> Device Standard Development and Standardisation Plan has been reviewed to allow for a default mobile device (laptop or detachable tablet) and desk mounting options for monitors to support height and flexible placement. Modified audio equipment purchased to minimise impact of working in a noisy environment.						



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

## POLICY AND GENERAL COMMITTEE

August 3, 2022

**ITEM 6**BROKEN HILL CITY COUNCIL REPORT NO. 182/22

SUBJECT: 2021-2022 DELIVERY PROGRAM INCLUSIVE OF OPERATIONAL PLAN 2021/2022 OUTCOMES - FINAL KEY PERFORMANCE INDICATORS PROGRESS REPORT FOR PERIOD ENDING 30 JUNE 2022 D22/39115

**Recommendation**

1. That Broken Hill City Council Report No. 182/22 dated August 3, 2022, be received.
2. That Council receive the 2021-2022 Delivery Program inclusive of 2021/2022 Operational Plan outcomes - Final Key Performance Indicators Progress Report for period ending 30 June 2022.
3. That the 2021-2022 Delivery Program inclusive of 2021/2022 Operational Plan outcomes - Final Key Performance Indicators Progress Report for period ending 30 June 2022, be placed on Council's website.

**Executive Summary:**

The Office of Local Government, NSW Department of Premier and Cabinet established the Integrated Planning and Reporting Guidelines for all New South Wales Councils. One of the components within the framework is a four-year Delivery Program.

Section 404 of the *Local Government Act 1993* requires that *'The general manager must ensure that regular progress reports are provided to the council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every 6 months'*.

**Report:**

This report relates to the Council's progress on the Delivery Program 2021-2022 inclusive of Operational Plan 2021/2022 outcomes, for the reporting period ending 30 June 2022.

This reporting period provides an indication of progress against set targets, particularly those measures and tasks assigned to be achieved within the 2021/2022 financial year. The progress of a number of 2021/22 actions was significantly impacted by COVID-19 service interruptions, along with the delay in the NSW Local Government elections, which have affected the delivery of these items within the Operational Plan.

A total of 108 performance action targets were set in the 2021-2022 Delivery Program, inclusive of the 2021/2022 Operational Plan. A snapshot of Council's **Delivery Program 2021-2022** final progress report indicates 79 Actions (73%) have been "Completed", 11 Actions (10%) reported as "Monitor" with between 70-95% of the action target completed and 18 Actions (17%) reported as "Off Track" with between 5-60% of the action target completed.

Of the 29 Actions not completed, 17 actions have been included in Council's 2022/2023 Operational Plan for completion. The remaining 12 actions reported as "In Progress" in the KPI Progress Report, include progress comments with expected timeframe for completion.

A legend table (taken from the Progress Report) to explain the performance descriptors is shown below.

**2021-2022 DELIVERY PROGRAM, INCLUSIVE OF 2021/2022 OPERATIONAL PLAN SNAPSHOT  
– 1 JULY 2021 to 30 JUNE 2022**

**OVERVIEW**

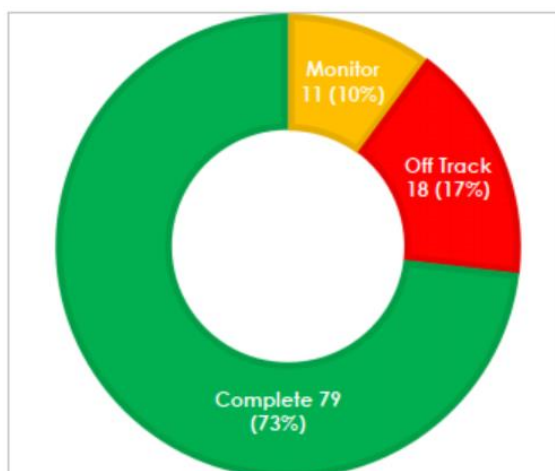
**ACTION  
SUMMARY**

By Performance

**79** COMPLETED

**11** Monitor

**18** Off Track



**Action Progress Against Targets**

108 Actions reported on  
**79** 100% of action target achieved  
**03** At least 90-95% of action target achieved  
**08** At least 70-80% of action target achieved  
**18** Between 5-60% of action target achieved

**ACTION TARGET LEGEND**



At least 90% of action target achieved



Between 70% and 90% of action target achieved



Less than 70% of action target achieved

**Community Engagement:**

The 2021-2022 Delivery Program progress report for the period ending 30 June 2022 is the subject of an open report in the August 2022 Ordinary Council meeting agenda and will also be placed on Council's website.

**Strategic Direction:**

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

**Relevant Legislation:**

*Local Government Act 1993, Sect 404 - Delivery program*  
 404 Delivery program

*(5) The general manager must ensure that regular progress reports are provided to the council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every 6 months.*

**Financial Implications:**

Measures and actions identified in the Delivery Program are adopted in accordance with Council's Long Term Financial Plan and annual budgets.

**Attachments**

- 2021-2022 Delivery Program inclusive of 2021-2022 Operational Plan - Final Key Performance Indicator Progress Report ending 30 June 2022

RAZIJA NU'MAN

CHIEF CORPORATE AND COMMUNITY OFFICER

JAY NANKIVELL

GENERAL MANAGER





# **2021-2022 DELIVERY PROGRAM INCLUSIVE OF 2021/2022 OPERATIONAL PLAN - FINAL KPI PROGRESS REPORT ENDING 30 JUNE 2022**

Broken Hill City Council

OVERVIEW

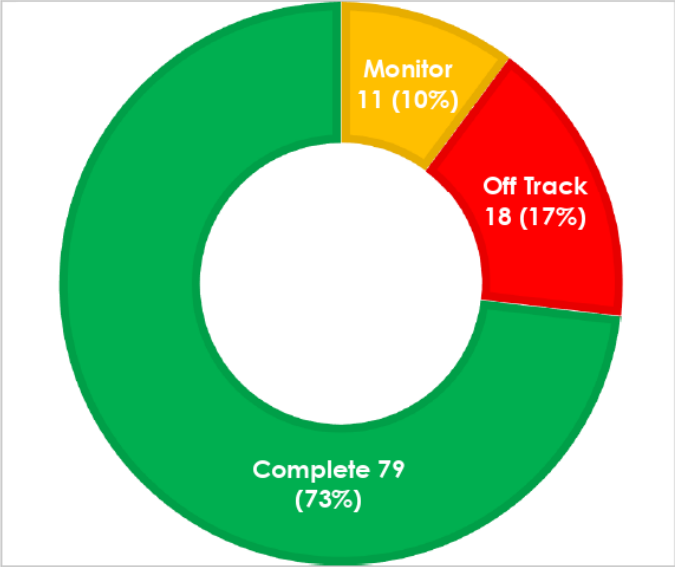
ACTION  
SUMMARY

By Performance

79 COMPLETED

11 Monitor

18 Off Track



Action Progress Against Targets

108 Actions reported on

- 79 100% of action target achieved
- 03 At least 90-95% of action target achieved
- 08 At least 70-80% of action target achieved
- 18 Between 5-60% of action target achieved

ACTION TARGET LEGEND



At least 90% of action target achieved



Between 70% and 90% of action target achieved



Less than 70% of action target achieved



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

## 1 Our Community

### 1.1 People in our Community are in safe hands

#### 1.1.1 Implement infrastructure and services for the effective management and control of companion animals

**Action Title:** 1.1.1.1 Continue to provide a comprehensive companion animal management service in accordance with objectives in the Companion Animal Management Plan

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Exec Manager Planning & Community Safety	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Council engaged a Contract Ranger to carry out animal control (and other relevant Ranger and compliance) duties. Two new Rangers commenced with Council in 2022 to provide companion animal management services to the community. These two new positions will continue to undertake training and learn on the job from the experienced Contract Ranger. A Companion Animals Management Working Group has been created, inclusive of Councillors, Industry stakeholders, Council Staff and Community Representation.

#### 1.1.2 Prioritise actions within the Smart City Framework that support safer communities within our Parks and Open Spaces


**Action Title:** 1.1.2.1 Continue the implementation of Smart City Projects in accordance with the Smart City Framework

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Smart Banner and Street Lighting project commenced in Argent Street (COVID-19 delays), smart wind and solar lighting installed at Queen Elizabeth Park. All projects have been connected to Council's IOT platform. Irrigation continues to be renewed to include smart applications, across Council's Open Spaces.

#### 1.1.3 Provide suitable land within the Cemetery reserve and develop for future expansion

**Action Title:** 1.1.3.1 Implement expansion of Cemetery Grounds

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

**Action Progress Comments:** Available land was identified for expansion and geotechnical investigation was completed to determine validity of the land for use. Expansion outline will be identified within the Cemetery Plan of Management, which is under development and due for completion in June 2023.

## 1.2 Our Community works together

### 1.2.1 Advocate for and recognise volunteerism

#### Action Title: 1.2.1.1 Review Volunteer Strategy

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Community Development Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** An initial review of the Volunteer Strategy was undertaken in 2021 and submitted to Chief Corporate and Community Officer for comment. A secondary review of the Volunteer Strategy was undertaken in 2022 in line with feedback, with results submitted to the Chief Corporate and Community Officer. An overarching Volunteer Policy Framework will be drafted in 2022/23 from the review findings.

#### Action Title: 1.2.1.2 Conduct a function recognising the contribution of volunteers

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Events Coordinator	In Progress	01-Jul-2021	30-Jun-2022	50%	100.00%	 RED

**Action Progress Comments:** Volunteer function unable to be held in 2021 due to COVID-19 lockdown and restrictions. Planning for Volunteer awards and function for 2022 is underway. Awaiting meeting of Volunteer Working Group to consider Volunteer awards and function for 2022. Funding has been submitted to Reconnecting Regional NSW Community Events Program to assist with hosting this event.

### 1.2.2 Develop and implement a Customer Contact and Call Centre

#### Action Title: 1.2.2.1 Undertake Customer Relations Satisfaction Survey

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

**Action Progress Comments:** The 2020/21 review of the Customer Service Framework included the addition of an online version of the Customer Feedback Form. The Feedback Form is available online and in hard copy. The online Community Portal provides another platform for the collection of satisfaction data. Programs and the collection of data to measure customer relations satisfaction will be ongoing and used for staff training and identify areas for improvement.

**Action Title: 1.2.2.2 Undertake Customer Service Telephone Evaluations for business improvement**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	In Progress	01-Jul-2021	30-Jun-2022	95%	100.00%	 GREEN

**Action Progress Comments:** A Customer Service Telephone Evaluation Template was developed in conjunction with the Customer Service Framework review undertaken during 2021. The template is a tool to assess call quality and ensure standard telephone protocols are followed. It can also be used to measure, evaluate and benchmark the quality of Council calls and help assess if Council's agents understand the customer concerns and offer the most appropriate solution. The Customer Service Telephone Evaluation Template will enable a system of continuous improvement in customer service and offers the ability to provide observations and feedback on how agents can improve the quality of calls. Evaluations are scheduled for the third quarter of 2022 and quarterly ongoing. This action has been included in Council's 2022/23 Operation Plan.

**Action Title: 1.2.2.3 Investigate a customer centric online Community Portal for lodging of service requests/complains, rates, account enquiries and payments**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** An online Community Portal project team worked with system provider Civica to build an online Community Portal. The portal is scheduled to be launched to the community in August 2022. The online Community Portal will allow for online payments, lodging of customer services requests and quick links to areas of Council's website.

**Action Title: 1.2.2.4 Undertake Community Satisfaction Survey**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	Deferred	01-Jul-2021	30-Jun-2022	50%	100.00%	 RED



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

**Action Progress Comments:** Planning for Community Satisfaction Survey undertaken during 2021, with survey moved to 2022/23 budget operational year. Community Satisfaction Survey has been included in Council's 2022/23 Operational Plan.

### 1.2.3 Support the Reconciliation Movement

**Action Title: 1.2.3.1 Conduct quarterly meetings of the Reconciliation Action Plan working group and ensure continued membership of the working group by First Nation's people**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Community Development Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Meetings of the Reconciliation Action Plan (RAP) working group were undertaken in the first and second quarters of the 2021/22 financial year. The scheduled meeting of the RAP in March 2022 was postponed until April 2022, while Councillor nominations for positions on the working group were received. The final meeting for the 2021/22 period was held in June 2022.

**Action Title: 1.2.3.2 Engage with local Indigenous Community as to seeking endorsement of Murkutu Cultural Engagement Database**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	In Progress	01-Jul-2021	30-Jun-2022	80%	100.00%	 AMBER

**Action Progress Comments:** Consulted with State Library NSW Indigenous Engagement Branch regarding Murkutu support and assistance in setting up the database once local community engages with project. A PowerPoint presentation of the Murkutu Database was presented to the Reconciliation Action Plan Committee in 2021. Contact was made with the Broken Hill Local Aboriginal Land Council and Aboriginal Working Group, to meet and discuss this project. The Library Coordinator will further follow-up to make a presentation regarding the project, with an outcome to be achieved by 30 June 2023.

**Action Title: 1.2.3.3 Identify and promote Aboriginal and Torres Strait Islander content within the Broken Hill City Library Archive**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	In Progress	01-Jul-2021	30-Jun-2022	70%	100.00%	 AMBER

**Action Progress Comments:** Archive Collection Manager appointed mid November 2021. Archive Collection Manager is responsible for an audit of the Archive collection. This entails identifying, checking cultural protocol relating to items, with the result being community consultation once audit nears completion. Consultation with Australian Institute of Aboriginal and Torres Strait Islander Studies regarding



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved




adding Wilyakali material to our local collection has been investigated with community support. Contact made and referral to a Reconciliation Action Plan meeting to report on progression. This action will continue in 2022/23 with the project to be completed by 30 June 2023.

**Action Title: 1.2.3.4 Identify archival programs and opportunities to record the vast history of Aboriginal people of the area**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Oral History Workshop held on the 22/06/2022 and 23/06/2022 with a grant from the Museums and Galleries New South Wales, with presenter Daniel Browning from ABC radio. This grant provided 2 days of training in interviewing and recording of Oral Histories. First day was training and skills development of people of the local aboriginal community. The second day was open to the whole Broken Hill community. A second grant provided the opportunity to purchase four Zoom recorders that are available for loan from the Library and to run an Oral History Alive workshop, with Jeanette Thompson leading this workshop.

**Action Title: 1.2.3.5 Investigate the possibility of incorporating archival material from Australia Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) into Archive**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Australia Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) was contacted by email, to commence conversation regarding incorporating archival material into Archive. AIATSIS responded positively with email requesting a meeting with community to discuss. This information was discussed at the Reconciliation Action Plan (RAP) Committee and was received positively. COVID-19, as well as delay in RAP committee commencement in 2022 has delayed engagement with community regarding this project. Conversation will recommence with local community in 2022/23, following RAP committee meeting, to discuss further action to implement with an outcome to be achieved by 30 June 2023.

**1.2.4 Engage with key community sectors via Community Round Table**

**Action Title: 1.2.4.1 Further implement methodologies to ensure community representatives understand the functions and reporting associated with S355 for the Community Strategic Plan Round Table Committee**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Officer	In Progress	01-Jul-2021	30-Jun-2022	50%	100.00%	 RED



GREEN - At least 90% of action target achieved




AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved


**Action Progress Comments:** Methodologies reviewed and will be implemented when the new Community Strategic Plan Round Table Committee is formally appointed. Council is currently advertising for community representatives for this Committee.

**Action Title: 1.2.4.2 Collaborate with community representatives within the Community Strategic Plan Round Table Committee to ensure active participation and communication**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Officer	In Progress	01-Jul-2021	30-Jun-2022	50%	100.00%	 RED

**Action Progress Comments:** A workshop will be held with members of the Community Strategic Plan Round Table Committee to ensure they have an understanding of their role. Council is currently advertising for community representative positions on the Community Strategic Plan Round Table Committee.

**Action Title: 1.2.4.3 Undertake Community Strategic Plan Partners Orientation Program to engage stakeholders and promote active partnership and participation**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Community Development Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** With Council elections being postponed from September to December 2021, Council is still in the process of advertising for community representative positions on the Community Strategic Plan Round Table Committee. The delay in Council elections and impacts to engagement as a result of COVID-19, resulted in the draft Community Strategic Plan - Your Broken Hill 2040 being presented to Council in April 2022 and endorsed for 28-day public exhibition during May 2022. Feedback, gained from the community during public exhibition, was incorporated into the final draft prior to adoption. The Community Strategic Plan - Your Broken Hill 2040 was adopted by Council in June 2022. Stakeholder engagement was undertaken during the development of the new Community Strategic Plan, to foster active partnerships and discussion participation moving into 2022/23.

**1.3 Our history, culture and diversity is embraced and celebrated**

**1.3.1 Advocate for funding and investment for Community Development Projects in City growth and development**

**Action Title: 1.3.1.1 Work with third parties to seek funding**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
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GREEN - At least 90% of action target achieved




AMBER - Between 70% and 90% of action target achieved




RED - Less than 70% of action target achieved




Executive Manager Growth & Investment	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> The following was undertaken during 2021/22: - Support provided to community groups seeking Stronger Country Communities Funding. - Collaborated with local tourism business for Regional Tourism Funding. - Collaborated with Business Far West to secure funding for Small Business Month. Council and Business Far West were both successful in securing funding to host workshops and events in March 2022.						

### 1.3.2 Develop the Broken Hill Cultural Precinct, Library and Archive

#### Action Title: 1.3.2.1 Continue to pursue funding sources and opportunities to construct the Cultural Precinct


Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Both Federal and State Government funding achieved. Variations are currently underway to align with Council's change in project scope.						

#### Action Title: 1.3.2.2 Begin construction of new Cultural Precinct, Library and Archive

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	In Progress	01-Jul-2021	30-Jun-2022	90%	100.00%	 GREEN
<b>Action Progress Comments:</b> Variations for funding have been submitted and approved. Redesign within new budget complete, project management firm awarded and tender is being finalised.						

### 1.3.3 Promote City's listing as Australia's First Heritage City

#### Action Title: 1.3.3.1 Advocate for recognition and financial support for the continuity of Broken Hill Heritage and its importance to the nation

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager Growth & Investment	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Advocating for tri-partisan management of the national heritage listing is a key focus in the Advocacy Strategy, which is the document referred to by Governments when assessing applications for grant funding. Grant funding applications for infrastructure projects also refer to the National Heritage listing.						







GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

Action Title: 1.3.3.2 Raise awareness of heritage related issues and management						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Town Planner	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> This is an ongoing action by Council. As part of Council's Heritage Advisory Service, the Heritage Advisor undertakes media interviews, in particular local radio interviews during her visits to Broken Hill. The radio interviews highlight different heritage issues and also provides advice to the public on heritage management.						
Action Title: 1.3.3.3 Develop a strategy to build Broken Hill Heritage Festival as a signature event						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Events Coordinator	In Progress	01-Jul-2021	30-Jun-2022	50%	100.00%	 RED
<b>Action Progress Comments:</b> With Council elections being postponed from September to December 2021, Council is still in the process of advertising for community representative positions on the Heritage Advisory Committee. Awaiting first meeting of Heritage Advisory Committee with new representatives to ascertain long term direction of the Broken Hill Heritage Festival.						
1.3.4 To facilitate lifelong learning via access to books, learning resources and other information						
Action Title: 1.3.4.1 Update policies in relation to Library and Archive Services						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	In Progress	01-Jul-2021	30-Jun-2022	25%	100.00%	 RED
<b>Action Progress Comments:</b> New Archive Collection Manager commenced in November 2021, with the review and update policies being rescheduled to 2023, following the Library relocation. Action to be completed by 30 June 2023.						
1.3.5 To preserve and share the City's archive, art and mineral asset collections through digitisation						
Action Title: 1.3.5.1 Seek funding for digitisation of City's archival assets						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN



GREEN - At least 90% of action target achieved




AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved


**Action Progress Comments:** Opportunities were investigated as they arose, with no funding identified during 2021/22. This action has been included in Council's 2022/23 Operation Plan.

**Action Title: 1.3.5.2 Digitisation of City's archival assets**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	In Progress	01-Jul-2021	30-Jun-2022	40%	100.00%	 RED

**Action Progress Comments:** The appointment of the Archive Collections Manager (who oversees the formal implementation of this project) was achieved in mid-November 2021. Digitisation recommenced in January 2022, with the Collections Project Manager and one volunteer in the Archive (one day per week). The Collections Project Manager has established protocols, procedures and data entry requirements and has provided training to volunteers to upload digitised images to EMU database. This is an ongoing project as there is over 100,000+ images in our collection and to date 2,215 items have been audited and 1,296 scanned images uploaded.

**Action Title: 1.3.5.3 Finalise policies for the Museum**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Gallery and Museum Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Gallery Policies finalised and Museum strategy noted. Funding for renewed Museum Master Plan and associated strategy successful for the 2022/23 financial year.

**Action Title: 1.3.5.4 Finalise digitisation and archiving of mineral assets at the Museum**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Gallery and Museum Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** The digitisation project has been finalised and acquitted. The online catalogue search platform is now live and publicly accessible via this link <https://collection.brokenhill.nsw.gov.au/collection/>.

**Action Title: 1.3.5.5 Seek funding for method for making art and mineral collections publicly accessible online**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Gallery and Museum Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

**Action Progress Comments:** The digitisation project has been finalised and acquitted. The online catalogue search platform is now live and publicly accessible via this link <https://collection.brokenhill.nsw.gov.au/collection/>. The website coding and data migration was completed by The Interaction Consortium and staff completed training on the hosting platform to make updates regularly.

#### 1.3.6 Develop interstate and regional partners to maximise tourism opportunities

##### Action Title: 1.3.6.1 Support the development of the Silver to Sea Trail project

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Visitor Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** The Silver to Sea Way project has its origins in 2015, when five local councils in the mid-north of South Australia and Broken Hill City Council banded together with 14 small communities along the route from Port Pirie to Broken Hill. Realising they were connected by one of Australia's greatest industrial heritage stories, they formed the Silver to Sea Way (S2SW). This project is now under the auspices of National Trust SA. The funding for Stage 1 of the project (Port Pirie to Peterborough) has been secured and a number of major conservation works on heritage buildings and a series of new compelling digital experiences are underway. - National Trust SA reached out to Broken Hill City Council to suggest and coordinate meetings with major regional stakeholders to discuss suitable projects and funding avenues for stage 2 of the development (Peterborough to Broken Hill and Silverton). A group of regional stakeholders has been assembled to discuss potential projects for the stage 2 development and possible funding options. The inaugural meeting was held on 27/09/2021 with follow-up meetings on 13/12/2021 and 01/02/2022. A number of National Trust members travelled out to Broken Hill on 28/04/2022 to meet with regional stakeholders, including Councillors and Council staff, to discuss the project. Broken Hill City Council is committed to continuing to support the development of this self-drive tourism trail. Support for this project has also been included as an outcome in the draft Broken Hill Economic Development Strategy 2022-2026.

##### Action Title: 1.3.6.2 Develop working tourism relationships with regional tourism associations and village committees

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Visitor Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** A number of key relationships have been developing over many years (Silverton Village Committee, Wilcannia Tourism), some have recently been re-engaged via the Corner Country familiarisation (Milparinka and Tibooburra Village Committee) and the Central Darling Shire familiarisation (White Cliffs and Menindee Tourism Associations). All of these organisations are now included in regular communications from the Visitor Information Centre, providing local and regional relevant information for the tourism industry. The next step is to establish regular meetings between these groups.



GREEN - At least 90% of action target achieved




AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

### 1.3.7 Develop a City-wide Cultural Plan

#### Action Title: 1.3.7.1 Review, prioritise, seek funding or budget for action items within Culture Plan

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Corporate and Community Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Culture Plan was accepted by Council on 21 September 2021. Staff now have an overarching strategy to guide culturally related actions.

**Action 1.7.2** - Council partnered with Museums and Galleries NSW to provide 'Let's Get Digital Oral History Workshops' to the community on 22/06 and 23/06. Daniel Browning, a Bundjalung and Kullilli man and host of Radio National Arts Show working with the local Traditional Owners from the First Nations community to provide culturally informed education to learn to take oral histories appropriately. The workshop on day two was for the whole community and attracted a diverse group of people who learned about interview, recording and editing oral histories for use in the city's archive collections.

Council attracted funding \$2,806 from Australian Museums and Galleries to buy Zoom recorders and conduct an oral history workshop. This workshop took place on 30/06/2022. Twelve engaged participants learned from local historian Dr Jeanette Thompson.

**Action 1.8.3** - Council attracted \$27,000 funding for the NSW Office of Sport to conduct an 'Active Fest' event on 19/06/2022. The event was staged in Sturt Park and included local sports, local recreation providers, skateboarding workshops and games providers. Service NSW attended to provide information about the 'Active Kids' vouchers to local sports and parents. Local service clubs provided food and a band entertained the large crowd of 1 600 people.


**Action 2.6.2** - \$ 71,860 received for the classification, digitisation of around 4,500 specimens currently unidentified and located in the GeoCentre basement. Therefore minerals have not been subject to the same standard of collection management as the 1,100 Centenary items on exhibition. The impact of this funding will permit the collection to be accessible for local cultural expressions, storytelling and celebration of shared cultural narratives and will pave a way for academic engagement with this unique collection.

**Action - 3.3.2** - In 2021/22 Council received funding from the Elsa Dixon Aboriginal Employment Grant to employ eight young people undertaking school-based apprenticeships and traineeships. Three young people were attracted into diverse roles at Council. The objective of the Elsa Dixon grant is to encourage permanent employment and promote innovation in achieving education, employment and training outcomes for Aboriginal people.

### 1.4 Our built environment supports our quality of life

#### 1.4.1 Develop City Strategic Plan

##### Action Title: 1.4.1.1 Investigate option for a multi lot subdivision at the Broken Hill Airport to promote non aeronautical and aeronautical development

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved




RED - Less than 70% of action target achieved



**Action Progress Comments:** Airport Business Case developed and provided to the market for Expressions of Interest.


**Action Title: 1.4.1.2 Advocate to secure funding for heavy vehicle bypass road**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager Growth & Investment	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Advocacy for heavy vehicle bypass road has been included in Council's Advocacy Strategy. Advocating for a heavy vehicle bypass road is a focus in the Advocacy Strategy, which is the document referred to by Governments when assessing applications for grant funding.


**1.4.2 Maintain the serviceability of Council's assets at an appropriate condition level**

**Action Title: 1.4.2.1 Develop Asset Management Plan - Roads and Footpaths**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Strategic Asset Management Coordinator	In Progress	01-Jul-2021	30-Jun-2022	20%	100.00%	 RED

**Action Progress Comments:** Work has commenced in the development of a Condition Assessment and Maintenance Manual. This document forms the foundation of the annual maintenance tasks to be undertaken on all road, footpath and appurtenance assets covered by the proposed asset management plan. Work on the development of the asset management plan is to continue in 2022/2023. This action has been included in Council's 2022/23 Operational Plan.

**Action Title: 1.4.2.2 Develop Asset Management Plan - Parks and Open Spaces**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Strategic Asset Management Coordinator	In Progress	01-Jul-2021	30-Jun-2022	75%	100.00%	 AMBER

**Action Progress Comments:** Annual ongoing maintenance tasks have been completed allowing the development of maintenance cost for inclusion in the Asset Management Plan (AMP). The majority of works in the development of the AMP have been completed, with the inclusion of financial data still to be finalised.. Work on the development of the Asset Management Plan is to continue in 2022/2023. This action has been included in Council's 2022/23 Operational Plan.







GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

Action Title: 1.4.2.3 Develop Asset Management Plan - Buildings						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Strategic Asset Management Coordinator	In Progress	01-Jul-2021	30-Jun-2022	60%	100.00%	 RED
<b>Action Progress Comments:</b> Condition assessment and maintenance manual has been completed, allowing scheduled maintenance plan to be developed. Development of the Council's Asset Management system will allow the capture and analysis of asset condition and proactive maintenance costs for inclusion in the proposed Asset Management Plan. Information is being collated for the Asset Management Plan. Work on the development of the Asset Management Plan is to continue in 2022/2023. This action has been included in Council's 2022/23 Operational Plan.						
Action Title: 1.4.2.4 Develop Asset Management Plan - Fleet						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	In Progress	01-Jul-2021	30-Jun-2022	5%	100.00%	 RED
<b>Action Progress Comments:</b> The development of the Asset Management Plan - Fleet is still in progress and has been included in Council's 2022/23 Operational Plan.						
Action Title: 1.4.2.5 Continue implementation actions within Active Transport Plan (including Footpaths, Bicycle paths, Signage, Pedestrian Access etc)						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Shared footpath construction works continued across the City, with works completed in Brooks Street from Willyama High School to O'Neill Street and in Blende Street from Kaolin Street to Bromide Street. Shared footpath was also completed from Willyama High School to Morgan St Primary School along Brooks Street, O'Neill Street, Rasp Street and Uranium Street.						
Action Title: 1.4.2.6 Finalise 2021-2026 upgrade/replacement capital works plan for Active Transport Plan						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN



GREEN - At least 90% of action target achieved




AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

**Action Progress Comments:** Five-year capital works plan has been developed and approved for the Active Transport Plan , including costings and schedule maps.


**Action Title: 1.4.2.7 Develop annual capital works plan for Active Transport Plan**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** 2022/23 Annual capital works plan was completed and approved by Council as part of the 2022/23 Annual Budget. Work to be completed along Blende Street from Galena Street to Silver Street.

**1.4.3 Develop Council assets to promote outdoor recreation, exercise and mobility for families**

**Action Title: 1.4.3.1 Refurbishing of the E.P. O'Neill Memorial Park Precinct**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Projects Officer	In Progress	01-Jul-2021	30-Jun-2022	25%	100.00%	 RED

**Action Progress Comments:** A Project Steering Group (PSG) for the refurbishment of the E.P. O'Neill Memorial Park has been established and the first meeting was held 16/06/2022, with a follow up site visit held on 17/06/2022. The design consultant, Barnson, attended both meetings. A 50% design package is expected to be submitted to Council in August 2022, for review and acceptance by Council and the PSG. Stage 1 includes not only the preliminary site investigations, the design and relevant approvals, it will also include part construction works with the focus on the refurbishment of the Netball Courts and works to Norm Fox Oval to create a multipurpose field. While budget has been included in Council's 2022/23 Operational Plan for further works to be completed as part of Stage 2 to compliment Stage 1, Council will also seek additional grant funding to increase the funds available in order to achieve these works. This action has been included in Council's 2022/23 Operational Plan.

**Action Title: 1.4.3.2 Develop and reactivate Queen Elizabeth Park**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** The refurbishment of Queen Elizabeth Park is complete. The site was handed back to Council on 21 December 2021. The Minister for Western NSW, Dugald Saunders MP, officially opened the park, alongside Mayor Tom Kennedy on 20 April 2022.



GREEN - At least 90% of action target achieved






AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved



Action Title: 1.4.3.3 Construct a new skate park in Sturt Park						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Construction of the skate park in Sturt Park was completed in April 2022. Minister for Western NSW, Dugald Saunders MP, officially opened the park, alongside Mayor Tom Kennedy on 20 April 2022. A community event was held on 19 June 2022.						
<b>1.5 Our health and wellbeing ensures that we live life to the full</b>						
<b>1.5.1 Support our residents to lead healthy, active and independent lives</b>						
Action Title: 1.5.1.1 Secure grant funding opportunities and partner with local entities to increase activities that allow for better health and wellbeing						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Community Development Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> The total grant funding attracted for community events and projects in 2021/22 totalled \$90,275. - The Heywire ABC Foundation for Rural Regional Renewal grant was secured in November 2021 for a youth program to be executed by the Cultural facilities staff based at the Art Gallery in consultation with Broken Hill's High Schools and young people. - Youth Week funding was used to support an all-services family day in Sturt Park in April 2022 in partnership with local services. - Autumn Break Holiday funding (April 2022) was utilised to increase arts and recreational activity in the City for 12-24 years, partnering with Broken Hill Art Gallery and YMCA (Wellness Centre and Regional Aquatic centre sites). - Regional Youth Radio program funding won to execute a podcast/radio program featuring the Betoota Advocate and partnering with 2DryFM and West Darling Arts.						
Action Title: 1.5.1.2 Review Council Welcome Kit for new residents						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Community Development Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Council's welcome kit was reviewed and initial recommendations were made for Council to upload the new Welcome Kit produced by Regional Development Australia-Far West to Council's website to reach new residents. The Regional Development Australia's updated Welcome Kit was added to Council's website in May 2022 for the use of residents, new residents and employers.						



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved




RED - Less than 70% of action target achieved

## 2 Our Economy

### 2.1 Our economy is strong and diversified and attracts people to work, live and invest

#### 2.1.1 Council's Workforce Management Plan reflects the needs of the organisation

##### Action Title: 2.1.1.1 Learning and Development plans are completed for all employees including succession and career options

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN


**Action Progress Comments:** Annual Performance reviews were completed for 2020/21, with whole of organisation training and development requirements identified for 2021/22. Online platforms continued to maintain and record mandatory staff compliance training and to assist with future training needs analysis for workforce strategic plan development. All mandatory and compliance training was completed for staff in 2021/22.

##### Action Title: 2.1.1.2 Review Workforce Management Plan 2020-2024 in line with Local Government election process

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** The Workforce Management Plan review was completed, with analysis on industry trends, workplace demographics and succession planning data compiled. The Draft Workforce Management Strategy 2022-2026 was placed on 28 days Public Exhibition during May 2022 and adopted by Council on 29 June 2022.

##### Action Title: 2.1.1.3 Continue to improve Recruitment Service Delivery and employee experiences

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Recruitment Service Delivery Service review model from 2020/21 was in operation during 2021/22, with internal stakeholder and employee consultation regarding best practice process continuing into the future.

#### 2.1.2 Develop the Airport as a commercial precinct

##### Action Title: 2.1.2.1 Advocate for Airport upgrades in line with Advocacy Strategy and Airport Business Case



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved




RED - Less than 70% of action target achieved

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager Growth & Investment	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Council negotiated with the NSW Government for funding to support the new business case to develop commercial and industrial precinct and improved infrastructure. Advocacy for Airport upgrades has been included in Council's 2022/23 Operational Plan.						


#### 2.1.3 Advocate for affordable housing

##### Action Title: 2.1.3.1 Develop an Affordable Housing Strategy and identify available land

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	In Progress	01-Jul-2021	30-Jun-2022	90%	100.00%	 GREEN
<b>Action Progress Comments:</b> Housing Strategy under development, with expected completion October 2022. Housing audit completed and awaiting report to be finalised.						

#### 2.1.4 Advocate Broken Hill and Far West as a centre for renewable energy

##### Action Title: 2.1.4.1 Implement Renewable Energy Action Plan

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Waste & Sustainability Manager	In Progress	01-Jul-2021	30-Jun-2022	75%	100.00%	 AMBER
<b>Action Progress Comments:</b> Stage 1 of the Renewable Energy Action Plan has been completed. The Broken Hill City Council Solar Powerplant Business Modelling was presented to Council for endorsement in March 2022. The Model has since been refined and is now awaiting confirmation of Capex and retail detail to complete the Model, which will then inform the Expression Of Interest to retailers. A total project budget is expected to be finalised in the first quarter of 2022/23, with the action being included in Council's 2022/23 Operational Plan.						

#### 2.1.5 Increase digital communication network through projects outlined in Smart Communities Framework

##### Action Title: 2.1.5.1 Increase city coverage of City Smart Devices (smart bins, lighting, WIFI, irrigation systems and parking)

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Assets & Projects Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN



GREEN - At least 90% of action target achieved




AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

**Action Progress Comments:** Smart devices are being integrated into all capital project works, to ensure that Council continues to increase the City's coverage of these systems. Smart lighting and irrigation systems have been installed as part of the Queen Elizabeth Park Redevelopment. Upgrades of five parks and five sporting field sites within the City included installation of a Wi-Fi enabled irrigation system. The Wi-Fi enabled irrigation systems are connected to a weather station that enables systems to remain off if rain has occurred to the level of irrigation needed.


**Action Title: 2.1.5.2 Provide open data to community via IoT (Internet of Things) platform**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Manager Information & Communications Technology	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Council's Internet of Things platform provided the community with data on topics of parking utilisation at the Airport and environmental sensing at Sturt Park and Patton Park. The Internet of Things dashboard is available on Council's website at <https://www.brokenhill.nsw.gov.au/Community/About-the-city/Smart-Broken-Hill/Dashboards>.


**2.1.6 Expand available industrial land**

**Action Title: 2.1.6.1 Advocate for early determination for land that has a Local Aboriginal Claim which is zoned as industrial land**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Ongoing conversations with Federal and State Government.

**Action Title: 2.1.6.2 Collaborate with State Government to expand the industrial area in accordance with objectives in the Local Strategic Planning Statement**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Discussions and advocacy ongoing.

**Action Title: 2.1.6.3 Investigate land for use to expand available industrial land options**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
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GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved




RED - Less than 70% of action target achieved


General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Discussions and advocacy ongoing.						

#### 2.1.7 Advocate for incentives and initiatives that support business and industry to expand


##### Action Title: 2.1.7.1 Collaborate with business, industry and government to attract investment

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager Growth & Investment	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Bi-monthly business meetings were held prior to establishment of Business Far West. Council provided seed funding for Business Far West and has an advisory role on the Board. Regular meetings were held with NSW Regional Development, the mining industry, Foundation Broken Hill and other stakeholders.						




##### Action Title: 2.1.7.2 Review and implement Business and Industry Support Strategy

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager Growth & Investment	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> The Business Industry Support Strategy was adopted by Council and implemented in November 2021.						


##### Action Title: 2.1.7.3 Collaborate with film industry and government to ensure Broken Hill and region is a destination of choice for film makers

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager Growth & Investment	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Collaboration with film industry and government was undertaken during 2021/22, with Film Approvals being provided within KPI of five days. The following was undertaken in Broken Hill or the region during 2021/22: - Location and logistics support provided for Warner Brothers Mad Max Furiosa, - 3 x TV series filmed, - 1 x TV morning program filmed, - 2 x commercials filmed, - 1 x government video filmed, - Destination NSW video and photography shoot, - 1 x small film shoot. - Contacts on industry and government pages updated, along with Council film page updated.						

##### Action Title: 2.1.7.4 Advocate for incentives and initiatives that support Broken Hill and region as a film location

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
	 GREEN - At least 90% of action target achieved			 AMBER - Between 70% and 90% of action target achieved		 RED - Less than 70% of action target achieved



Executive Manager Growth & Investment	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Ongoing liaison with film industry and government undertaken during 2021/22, including support for major feature film.						

#### 2.1.8 Work closely with the Far South West Joint Organisation for successful regional outcomes

##### Action Title: 2.1.8.1 Support the initiatives that are endorsed by the Far South West Joint Organisation

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Collaboratively working with the development of a Regional Destination Marketing Plan and Regional Transport Strategy. Council is also providing administrative and Executive Officer support to the Far South West Joint Organisation.						

#### 2.1.9 Promote a strategic approach to improve transport services

##### Action Title: 2.1.9.1 Advocate for improved air and rail services through active lobbying and participation in government inquiries

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
General Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Ongoing advocacy for the upgrade to the airport, including securing Sydney services from Qantas and advocacy for an additional weekly rail service from Sydney.						

#### 2.2 We are a destination of choice and provide a real experience that encourages increased visitation

##### 2.2.1 Heritage Festival continues to grow and become nationally recognised

##### Action Title: 2.2.1.1 Facilitate an annual Heritage Festival

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Events Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

**Action Progress Comments:** The 2022 Broken Hill Heritage Festival event was delivered 14 - 17 April 2022. The Heritage Festival incorporated Heritage Highlights image projections onto the Town Hall Façade, a Heritage Highlights Photographic Project involving a collection of "turn of the century" local shop images printed as window decals and placed in selected vacant shop front windows and a Heritage Highlights AR (Augmented Reality) code experience, providing participants a digital experience with 3 of the colourful, vibrant murals in Broken Hill.

### 2.2.2 Develop the Visitor Experience

#### Action Title: 2.2.2.1 Develop improved visitor experiences on Tourism website and app

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Visitor Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Council's internal tourism strategy team is working with the provider to scope a new version of the current tourism website, www.destinationbrokenhill.com.au. This will include a new navigation and new functionality including events calendar, tourism business listings sourced via the Australian Tourism Data Warehouse and much more. This Action has been included in Council's 2022/23 Operational Plan.

#### Action Title: 2.2.2.2 Collaborate with industry and government to expand destination marketing campaign

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager Growth & Investment	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** The main It's Out There campaign is complete with results reported to Council in 2021. New collaborative campaign with DNSW was launched in June 2022 (Feel New NSW). Ongoing communication occurred with industry at business meetings. Feature in Australian Traveller and 101 Unique stays (magazine and website) was undertaken during 2021/22. Collaboration with Broken Hill Mundi Mundi Bash on visitor information occurred during 2021/22.

### 2.2.3 Develop the Civic Centre Business to be a self-sufficient profit-making enterprise

#### Action Title: 2.2.3.1 Develop Marketing Plan for Civic Centre

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Events Coordinator	In Progress	01-Jul-2021	30-Jun-2022	25%	100.00%	 RED

**Action Progress Comments:** Marketing plan being developed in conjunction with review of Civic Centre Business Plan. Draft due for Executive Leadership Team review by 31 August 2022.



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

Action Title: 2.2.3.2 Implement Business Plan for Civic Centre						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Events Coordinator	In Progress	01-Jul-2021	30-Jun-2022	70%	100.00%	 AMBER
<b>Action Progress Comments:</b> Civic Centre Business Plan developed and being reviewed due to creation of Growth and Investment unit. This action has been included in Council's 2022/23 Operational Plan						


### 2.3 A supported and skilled workforce provides strength and opportunity

#### 2.3.1 Collaborate with education and training providers to deliver training and education locally

Action Title: 2.3.1.1 Continue funding for school-based apprenticeships and traineeships through government funding						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Council successfully secured eight school-based trainee grants, with recruitment occurring in December 2021. Council employed five trainees and one apprentice under the current government incentives.						

Action Title: 2.3.1.2 Continue to encourage a career path at Council and local employment for Aboriginal and Torres Strait Islander community members						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager People and Culture	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Council continued to build relationships with key community stakeholders to promote opportunities available and continued to provide work experience and work placements for those interested in working within Local Government.						

#### 2.3.2 The Library supports formal and informal learning

Action Title: 2.3.2.1 Provision of technology and resources to support health and wellbeing						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved




RED - Less than 70% of action target achieved



**Action Progress Comments:** Resources are provided to the community through the Library service. These resources include physical books, digital resources such as eBooks, eMagazines as well as online databases. - The Library website provides access to the Central West Zone online BorrowBox "Mindful and Well-being" collection, which is supported by the Books on Prescription grant from the Library Council of NSW. - The Library is a member of the Central West Library Zone Consortia. This consortium provides access to a range of Health and Well-being resources in eResources through the 24/7 Digital Library collection. - The Library offers free public access computers to community members, providing access to online databases that include health and well-being sites. - Safe and accessible spaces are also offered to all members of the community supporting a safe place to visit, engage and interact with others. - Programs allow people to learn and engage, with programs such as Baby Bounce and Toddler time, allowing parents and caregivers to meet in a safe place and engage with likeminded people, providing positive mental engagement. - The iPad Loan scheme (grant funded by the State Library NSW) launched at Ag Fair 2022, is a new program where iPads are made available for loan to Home Library and Outback Letterbox Library members, to explore the digital 24/7 online library and other online resources.


**Action Title: 2.3.2.2 Obtain certification/accreditation as an eSmart Library**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	In Progress	01-Jul-2021	30-Jun-2022	40%	100.00%	 RED

**Action Progress Comments:** Investigation of requirements for eSmart Library accreditation undertaken during 2021/22 including documentation research, compilation of draft survey and formation of committee to progress accreditation process. Survey distribution to be completed by June 2022 and process toward accreditation to continue, with completion by December 2023.

**2.3.3 Foster partnerships with tertiary institutions to bring scarce skills to the City**

**Action Title: 2.3.3.1 Explore partnership opportunities for Library services**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved


**Action Progress Comments:** The Library partnered with various organisations such as: - Australian Library and Information Association with their "Online Story-time project": This project has been funded for a second year providing support for offering story-time online to our members and assisting with areas in copyright, publisher permissions, technical assistance. - Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS): Discussion with AIATSIS regarding dialogue identified opportunity to access material for local community which is ongoing. - New South Wales Public Library Association "Author Reads": Participating in online author talks and sharing with members online with NSW public libraries. - Far West Legal Aid: Linking in with online talks presented by Far West Legal Service and providing link to members. - Service NSW: Partnered with the Library to provide programs that assist community members and linking with Service NSW services. - Sydney Opera House: Live streamed Sydney Writers festival at the Library in May 2022. - Far West Medical Centre: New Mothers group met a number of times using the Children's area of the library for their meeting and programs.

**Action Title: 2.3.3.2 Explore grant and partnership opportunities for Archives**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Library Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Successful grant opportunities identified for in 2021/22 for Archives: - Go Digital Grant from the MGNSW successful utilised for Two workshops held in June with Daniel Browning from ABC Radio leading these sessions. - CHART grant for History Alive Oral History workshop held in June 2022. Four recorders were also purchased with this grant and will be made available for loan to the community to record Oral Histories. This action will continue in Council's 2022/23 Operational Plan.

**Action Title: 2.3.3.3 Explore grant and partnership opportunities for Gallery and Museum**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Gallery and Museum Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** The Gallery applied to Australia Council for the Arts Funding, to boost funds in the exhibition program and top-up budget affected by COVID-19 - Awaiting the outcome of this application. The GeoCentre applied for Regional Arts Australia Funding to complete a mural project in the garden/cottage precinct - Awaiting the outcome of this project. Both the Gallery and Museum are in ideation phase to apply for CHART funding through Australian Museums and Galleries Association for minor projects. The Gallery applied to the Restart Investment to Sustain and Expand Fund with a major outdoor sculpture proposal in partnership with Urban Art Projects (Australia). The Gallery applied for minor exhibition fixings to be installed over heritage walls through the small - medium projects Creative Capital Fund - awaiting the outcome of this application.



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved




RED - Less than 70% of action target achieved

### 3 Our Environment

#### 3.1 Our environmental footprint is minimised

##### 3.1.1 Review Waste Management Strategy and implement actions to reduce environmental footprint

###### Action Title: 3.1.1.1 Investigate potential for increased recycling options at the Waste Management Facility

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Waste & Sustainability Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Potential for increased recycling options at the Waste Management Facility was investigated during 2021/22. A Submission prepared for the Remanufacture NSW – Regional and Remote Recycling Modernisation Fund, for tyre recycling during the reporting period was unfortunately unsuccessful. A capital project submission was made for a Material Recovery Facility design to increase resource recovery capabilities at the Waste Management Facility, which was to include a plant layout design, mechanical design to achieve resource recovery outcomes, engineering design to suit space and power available, equipment specification and proposal. The submission was not approved. Additionally, a capital project submission was made for a recycling shed to be built to increase resource recovery capabilities at the Waste Management Facility. This submission was also not approved. Investigations for increased recycling capacity will be ongoing.						

###### Action Title: 3.1.1.2 Develop guidelines and partnerships to encourage local businesses to implement waste reduction measures

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Waste & Sustainability Manager	In Progress	01-Jul-2021	30-Jun-2022	15%	100.00%	 RED
<b>Action Progress Comments:</b> Broken Hill City Council is engaged in the process to produce a 3-year Waste Management Strategy, which will inform our long-term goals in alignment with the Community Strategic Plan objectives. This Strategy encompasses a few key areas, with a focus on developing a circular waste economy in the Broken Hill Region, starting with key producers and ending with final consumers, with the end goal of diverting as much waste as possible from the Waste Management Facility, by advocating for the usage of long-lifespan products, re-purposing of otherwise obsolete equipment and collaboration between industries to achieve optimal outcomes for all areas of the Broken Hill community. The Strategy will incorporate this action to encourage local businesses to implement waste reduction measures. This action has been included in Council's 2022/23 Operational Plan, through the development and promotion of the Waste Management Strategy.						

###### Action Title: 3.1.1.3 Identify non-operational areas of the Waste Management Facility for rehabilitation activities

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
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GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

Waste & Sustainability Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Non-operational areas for rehabilitation activities were identified through site observations, with operational staff and review of annual Waste Management Facility surveys. The areas identified were subject to activities which included final shaping and covering.						
<b>Action Title: 3.1.1.4 Investigate potential for a major material recycling facility in Broken Hill</b>						
<b>Responsible Person</b>	<b>Status</b>	<b>Start Date</b>	<b>End Date</b>	<b>% Complete</b>	<b>Target</b>	<b>On Target %</b>
Waste & Sustainability Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> A proposal for initial design engagement to undertake a detailed review of the waste stream inputs, required off take product mix and quality criteria, system layout and plant performance in view of proposing a detailed system was sought and received. This proposal was submitted for 2022/23 capital projects but was not approved. Investigations will continue with the development of the new Waste Management Strategy.						
<b>Action Title: 3.1.1.5 Implement Waste and Resource Recovery Strategy 2020-2023</b>						
<b>Responsible Person</b>	<b>Status</b>	<b>Start Date</b>	<b>End Date</b>	<b>% Complete</b>	<b>Target</b>	<b>On Target %</b>
Waste & Sustainability Manager	In Progress	01-Jul-2021	30-Jun-2022	25%	100.00%	 RED
<b>Action Progress Comments:</b> The Waste and Resource Recovery Strategy 2020-2023 was reviewed and the Waste and Resource Recovery Strategy 2022-2025 is being drafted in partnership with Sustainability Advantage. A draft Waste Action Plan was distributed and workshopped in 2022 to key stakeholders within Council. The Action Plan and the Waste and Resource Recovery Strategy has been included in Council's 2022/23 Operation Plan.						
<b>3.1.2 Implement outcomes outlined in Sustainability Strategy</b>						
<b>Action Title: 3.1.2.1 Implement hybrid cars into Council light fleet as part of fleet replacement</b>						
<b>Responsible Person</b>	<b>Status</b>	<b>Start Date</b>	<b>End Date</b>	<b>% Complete</b>	<b>Target</b>	<b>On Target %</b>
Waste & Sustainability Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved


**Action Progress Comments:** The Council light fleet currently comprises of one hybrid car. As no light fleet was replaced during the reporting period, no further hybrid vehicles have been incorporated into the fleet. Discussions have commenced with Essential Energy regarding the installation of Electric Vehicle (EV) charging stations at the Council carpark and also Warnock Street Yard, to further support the conversion of the fleet to hybrid or electric vehicles. Hybrids or EVs will continue to be incorporated into the fleet as the fleet is replaced.

**Action Title: 3.1.2.2 Investigate potential activities that may be supported through the Emissions Reduction Fund**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Waste & Sustainability Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN


**Action Progress Comments:** The Emissions Reduction Fund provides incentives to adopt new practices and technologies that will reduce emissions. The Renewable Energy Action Plan (REAP) provides a pathway for Council to achieve 100% renewable energy status to its facilities by 2023 and is therefore an eligible activity under the scheme. Potentially, one Australian carbon credit unit (ACCUs) is earned for each tonne of carbon dioxide equivalent (tCO2-e) stored or avoided by the project. ACCUs can be sold to generate income, either to the government through a carbon abatement contract, or in the secondary market. However, it is a requirement of the EMF that projects do not receive funding, rebates or other financial incentives from other government programs, so eligibility will be determined once funding sources have been identified.

**Action Title: 3.1.2.3 Investigate installation of electric car chargers in public places**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Waste & Sustainability Manager	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** The NRMA, in partnership with Transport NSW, have recently installed an Electric Vehicle (EV) charging station at the Kintore Headframe Recreation Vehicle Carpark, which was commissioned in February 2022. Potential funding has also been investigated through the Department of Planning, Industry and Environment for the government's EV fleet incentive round and with Essential Energy. The potential for additional EV charging infrastructure will continue to be investigated.

**Action Title: 3.1.2.4 Develop guidelines for including energy efficiency in the planning for all new Council buildings or Council building upgrades**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Waste & Sustainability Manager	In Progress	01-Jul-2021	30-Jun-2022	10%	100.00%	 RED



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved




RED - Less than 70% of action target achieved



**Action Progress Comments:** Consultation has commenced with the Council's Planning and Assets departments to ensure a holistic approach is adopted in the development of these guidelines. The guidelines will be developed to ensure objectives meet the NSW Energy Efficiency Action Plan. The adoption of the Renewable Energy Action Plan will support the efficiency of energy for all new Council buildings and Council building upgrades, by ensuring 100% renewable energy is used along with the installation of smart metering.

**Action Title: 3.1.2.5 Review and implement maintenance program to ensure water infrastructure is maintained to optimum efficiency**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Strategic Asset Management Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Maintenance programs have been reviewed and implemented for all irrigated grounds. Scheduled works based on the maintenance programs will continue to be implemented into and generated from Council's maintenance software "I am Omni".

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

**3.2.1 Develop the Crown Land Management Plan and review the Living Desert Management Plan as required**

**Action Title: 3.2.1.1 Adopt Plans of Management for all Crown Reserves under Council Management**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Strategic Land Use Planner	In Progress	01-Jul-2021	30-Jun-2022	75%	100.00%	 AMBER

**Action Progress Comments:** Draft Plans of Management for Reserves categorised as Parks, Natural Areas, Sportsgrounds and General Community Use were presented to Council in 2021 and are with Crown Lands for approval. The final remaining Plans for Cemetery and Area of Cultural Significance are near final draft stage and the remaining site-specific Plans are with SLR Consulting for drafting. It is noted that in 2021, Crown Lands changed the legislation and there is now no legislated due date for adoption of Plans of Management. This action has been included in Council's 2022/23 Operation Plan.

**Action Title: 3.2.1.2 Adopt updated Plan of Management for Living Desert Reserve**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Strategic Land Use Planner	In Progress	01-Jul-2021	30-Jun-2022	25%	100.00%	 RED



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

**Action Progress Comments:** The existing Living Desert Plan of Management is with SLR Consulting to review and amend. It is noted that Crown Lands changed the legislation in 2021, removing any due date for adoption of Plans of Management. Resources provided by the Office of Local Government to develop Plans of Management, have been used to prioritise drafting of Plans for Reserves that do not have existing Plans of Management in place, with the amended Plan of Management for the Living Desert to be finalised following the drafting of the remaining Plans of Management.

### 3.2.2 Review and implement outcomes identified in the Noxious Weeds Program

#### Action Title: 3.2.2.1 Implement the Western Land Services Weeds Management program


Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Strategic Asset Management Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Memorandum of Understanding between Council and Western Local Land Services (WLLS) is in place. WLLS inspects and reports noxious weed locations to Council to control and eradicate as part of its annual plan. Annual works programs were developed, with the engagement of contractors to undertake the works during 2021/22.

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

#### 3.3.1 Investigate and cost spin-off strategies from the Cultural Framework for greening the City

##### Action Title: 3.3.1.1 Continue trial installation of mature trees in priority areas of the City

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Assets Planner-Parks & Open Spaces	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Council's Parks and Open Spaces team has trialled 100L tree species in various areas of the Central Business District (CBD). Council's Assets Team is looking to trial field grown tree species up to 500L within our Primary parklands including Sturt Park and Patton Park. Deciduous tree species have been trialled and Council's workforce is monitoring growth rate, pests and diseases, temperature and adapting to new soil.

##### Action Title: 3.3.1.2 Continue programming to replace dead trees within the City

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Assets Planner-Parks & Open Spaces	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved


**Action Progress Comments:** Council has planted between 120-150 trees throughout the City. New data collection software will allow a controlled approach to remove and replace dead trees.

#### 4 Our Leadership

##### 4.1 Openness and transparency in decision making


###### 4.1.1 Support the organisation to operate within its legal framework

###### Action Title: 4.1.1.1 Implement Governance Framework, adopting best practice principles for governance arrangements and culture

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	In Progress	01-Jul-2021	30-Jun-2022	75%	100.00%	 AMBER

**Action Progress Comments:** The Governance Lighthouse Review has established a sound platform and a gap analysis tool to assist in the development of a Governance Framework. The content structure of the Framework has been developed, with the document content being collaborated with key stakeholders to progress finalisation for implementation.

###### Action Title: 4.1.1.2 Work with NSW Electoral Commission to carry out Local Government Election

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Chief Corporate and Community Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** The Minister for Local Government postponed the Local Government elections from the second Saturday in September 2021, to Saturday, 4 December 2021. The NSW Electoral Commission held the local Council elections on Saturday, 4 December 2021.

###### Action Title: 4.1.1.81 Develop an election method and Election Plan Manual

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** An election method spreadsheet with corresponding timelines was developed to guide stakeholder meetings and actions. Real time actions of the recent election informed the structure for the Election Plan Manual. Council staff will use the manual to assist in planning for local government elections in each future term.



GREEN - At least 90% of action target achieved




AMBER - Between 70% and 90% of action target achieved





RED - Less than 70% of action target achieved




Action Title: 4.1.1.82 Review Section 355 Community Committee manuals and constitutions in accordance with new term						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Regular internal stakeholder review meeting participation. Section 355 Community Committee manuals and constitutions adopted by Council 30 March 2022.						

#### 4.1.2 Develop, implement and embed a structured and holistic approach to the management of risk at all levels of the organisation and all business activities of Council

Action Title: 4.1.2.1 Initiate Stage 2 of the Enterprise Risk Management Plan						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Risk Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Stage 2 of the Enterprise Risk Management Plan was completed with upskilling and training held for senior managers and Councillors in Enterprise Risk Management fundamentals and use of Council's Risk Management Framework.						

Action Title: 4.1.2.2 Carry out full review and testing of Council's Business Continuity Plan						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Risk Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Council's Business Continuity Plan was under continuous review and update during current COVID-19 pandemic, to ensure Council's operations were maintained. Full desktop simulated Business Continuity Plan and Cyber Security Framework test scenario was completed in May 2022, with independent observer outcomes report presented to senior management and Council's Audit Risk and Improvement Committee.						

#### 4.1.3 Ensure a robust Safety Management System (SMS) is in place which supports our workforce to operate in a safe and sustainable way

Action Title: 4.1.3.1 Control effectiveness is reported						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Risk Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

**Action Progress Comments:** Regular testing and auditing of some high risk works control effectiveness was completed with findings reported to senior management, in conjunction with any incident investigations completed. Control effectiveness auditing and reporting to senior management will be further expanded to encompass all Council operations during 2022/23.

**Action Title: 4.1.3.2 Annual review of Council's Injury Management Plan to support "recover at work" principles and manage high risk work**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Risk Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Council completed a preliminary self audit of its Safety Management Systems in conjunction with Council's workers compensation Insurer. Findings were reported to senior management.

**Action Title: 4.1.3.3 Implement an accredited Chain of Responsibility Policy Framework and Procedure**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Risk Coordinator	In Progress	01-Jul-2021	30-Jun-2022	50%	100.00%	 RED

**Action Progress Comments:** Chain of Responsibility Policy and Procedure in place, development and implementation of fully accredited framework is currently in progress. Fully accredited framework to be completed by 30 June 2023.

**4.2 Our leaders make smart decisions**

**4.2.1 Provide learning and networking opportunities for elected members**

**Action Title: 4.2.1.1 Develop and deliver a Councillor induction and training program**

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** An induction and training program was developed and implemented following the formal appointment of the new Council in December 2021. The following Councillor Induction sessions were undertaken in 2022: - Councillor IT Induction Training was held 11 January 2022, - "Elected Life" Workshop for Councillors, facilitated by and industry trainer held 18/19 January 2022. - Various workshops and site visits of Council's facilities held in February, March and April 2022. - Further Councillor Induction Training held 6/7 June 2022 facilitated by industry trainer Centium, covering Code of Conduct, Code of Meeting Practice, Local Government Finance and Local Government Planning.




GREEN - At least 90% of action target achieved




AMBER - Between 70% and 90% of action target achieved




RED - Less than 70% of action target achieved

Action Title: 4.2.1.2 Councillors have accessed and implemented individual learning plans						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Individual learning plans were developed and made available to Councillors in January 2022. Councillors have undertaken various formal Local Government training and attending site visits of Council facilities. At the conclusion of the Councillor induction training sessions in June 2022, Councillors were provided with links to the LGNSW Councillor online training portal, to undertake further supplementary/consolidatory training throughout their term on Council.						

#### 4.2.2 Continue to look for efficiencies in the organisation and ensure financial sustainability

Action Title: 4.2.2.1 Continue to implement service reviews as per the Service Review Framework						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Business Systems Analyst	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Event Management Service Review Commenced 09/11/2021 and ongoing. Community Development Service Review commenced 17/06/2022.						

Action Title: 4.2.2.2 Reduce the annual operational deficit in line with the Long Term Financial Plan						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Acting Chief Financial Officer	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> 2022/23 Budget prepared in accordance with the Long Term Financial Plan and expectation to return to surplus in 2024. Business Improvement and efficiency are continually researched to ensure this target is achieved, as per the Quarterly Budget Review Statements.						

#### 4.2.3 Ensure Council has robust Information Communications Technology Platform

Action Title: 4.2.3.1 Continue to implement the agreed Information and Communication Technology Strategy/Roadmap						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %




GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

Manager Information & Communications Technology	In Progress	01-Jul-2021	30-Jun-2022	75%	100.00%	 AMBER
<b>Action Progress Comments:</b> COVID-19 lock-down impacted the delivery of projects, with many projects deferred to prevent business interruption during the working from home period (August-September 2021). Project work has re-commenced, including mobile device management and organisation-wide security improvements. This action has been included in Council's 2022/23 Operational Plan Action.						

#### 4.3 We unite to succeed in Australia's first heritage listed city

##### 4.3.1 Develop a strategy to protect Broken Hill Heritage Assets

###### Action Title: 4.3.1.1 Implement the recommendations from the National Heritage Values Planning Framework and the Broken Hill Heritage Study

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Town Planner	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** The Broken Hill National Heritage Values Study Report (endorsed by Council April 2021) was prepared for Broken Hill City Council and the Department of Environment by Paul Davies Architects and Heritage Consultant. The report explores Broken Hill's National Heritage values and produced information and protocols to assist government, Council and owners with how the National values apply. The Broken Hill Heritage Review Study was prepared for Broken Hill City Council by Paul Davies Architects and Heritage Consultant and was completed in November 2021. The Heritage Review Study was undertaken in conjunction with and arising from the outcomes of the Broken Hill National Heritage Values Study. The National Values Study was undertaken to explore the National heritage listing over Broken Hill and in particular, how National heritage values could be managed in the future. The intent of the two studies was that an exploration of the complex issues related to the national listing, would inform a review of the current heritage listings (heritage items and heritage conservation areas) using National heritage values as the basis for new assessments. The Broken Hill Heritage Review Study provides details and recommendations for consideration should Council amend the LEP in the future and will be referred to Council's Heritage Advisory Committee in 2022.

###### Action Title: 4.3.1.2 Advocate for tri-partisan government approach to management of the National Heritage assets

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Executive Manager Growth & Investment	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN

**Action Progress Comments:** Advocacy for a tri-partisan government approach to management of the National Heritage assets has been included in Advocacy Strategy. Completion of National Heritage Values framework will inform strategic direction.



GREEN - At least 90% of action target achieved





AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved

#### 4.4 Our community is engaged and informed

##### 4.4.1 Facilitate engagement activities to determine the community's long term vision

Action Title: 4.4.1.1 Continue stakeholder and community engagement to review and update the Community Strategic Plan						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Manager Communications	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Stakeholder and community engagement to date have enabled the drafting of the Community Strategic Plan - Your Broken Hill 2040 (CSP) in preparation for presentation to Executive Leadership Team and Council in February 2022 for endorsement and placement on 28-day public exhibition. Further stakeholder and community engagement was undertaken by CSP project team and newly elected Council during public exhibition period in May 2022. The Community Strategic Plan - Your Broken Hill 2040 was adopted by Council on 29 June 2022						
Action Title: 4.4.1.2 Continue development of Community Strategic Plan to ensure finalisation within 9 months of election to meet compliance requirements						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Corporate Services Coordinator	Completed	01-Jul-2021	30-Jun-2022	100%	100.00%	 GREEN
<b>Action Progress Comments:</b> Blackadder Associates were engaged to deliver a high-level Assumptions Paper, conduct an Intensive Community Engagement programme and deliver a draft 'Community Strategic Plan - Your Broken Hill 2040'. Engagement workshop sessions held in March 2020 for stakeholders from Council staff and Councillors, Industry, Open Community, Volunteers, Arts and History, Social/Aged/Disability, First Responders, Health and Human Services, Economic Development, Justice, Aboriginal Community, Early Childhood, Environment - Built and Natural, Sporting Groups, Education, Health and Well-being, Leadership groups, provided an interim discussion/progress paper, developed from the Assumptions Paper and notes collected at the stakeholder engagement sessions. An online survey conducted for a 6-week period during August to September 2020, targeted those who attended the engagement sessions in March 2020. A series of questions were asked to extend the ideas gathered from the engagement sessions, to incorporate further inclusions or changes influenced by the COVID-19 pandemic. The online survey closed on 30 September 2020 and the results were relayed to Blackadder on 1 October 2020 for inclusion in the draft Plan. Community engagement pop up sessions were conducted on 27 and 28 October 2020 at the temporary Argent Street Arboretum, a further session was undertaken on 16 December 2021 at Westside Plaza, with an additional session held in January 2021. The information from these sessions was relayed to Blackadder in January 2021. A youth survey was distributed on 20 December 2020 and closed on 20 February 2021. Due to the COVID-19 pandemic, the Office of Local Government advised Council elections will be held in September 2021. Therefore, the following timeline was confirmed to ensure finalisation meets the organisations needs and compliance requirements: Online Survey August - September 2020, Community Engagement Activities September - November 2020 and February 2021, Engagement/survey information provided to Blackadder- December - January 2021, Comprehensive Draft Community Strategic Planning (CSP) document provided to Council by Blackadder February - March 2021. CSP Project Team Workshops finalised the strategies and published a draft Community Strategic Plan for further engagement with partners and the community and with the newly elected Council. The Community Strategic Plan - Your Broken Hill 2040 was adopted 29 June 2022.						



GREEN - At least 90% of action target achieved



AMBER - Between 70% and 90% of action target achieved



RED - Less than 70% of action target achieved



## POLICY AND GENERAL COMMITTEE

August 10, 2022

**ITEM 7**BROKEN HILL CITY COUNCIL REPORT NO. 183/22

SUBJECT:                      BUDGET CARRYOVER'S 2021/22                      D22/41941

**Recommendation**

1. That Broken Hill City Council Report No. 183/22 dated August 10, 2022, be received.
2. That Council revoke the budget items as listed below in *Table 1* for the amount of \$143,700.
3. That Council note the carryover budget items as listed below in *Table 2* for the amount of \$23,328,537.

**Executive Summary:**

At the conclusion of each financial year some works remain either not commenced or not completed. Under *Local Government (General) Regulation (2005)* Division 5, Section 211 (Authorisation of Expenditure) it is necessary for Council each year to revoke funds for those works that are not commenced in order that the works can be carried out during the following financial year. It is not a requirement for Council to revoke funds for works that have commenced or are/have been contracted to be carried out.

The 2021-22 capital programme has been severely disrupted by Covid 19 restrictions on travel during the first half of the financial year and ongoing disruptions and delays to supply chains for equipment and materials. As a result, the number of projects that are not completed at the end of the financial year is higher than usual. In addition, some projects not completed are substantial projects inclusive of the Library/Archive & CBD Activation Projects, totalling \$16,760,642

As at 30 June 2022, four projects as listed below in *Table 1* for \$143,700 require Council's revoke and 36 projects as listed below in *Table 2* for \$23,328,537 have been included for Council's notation.

The total carryover expenditure budget for 2022/23 is \$23,472,237. Ten of the carryover projects are partly or fully grant funded and the total grant funding still to be received for these projects is \$14,233,051.

**Report:**

A reconciliation of all budgeted capital items for the 2021/22 financial year has been completed. As a result of this reconciliation, Four projects have been identified that have yet to be commenced. For these works to be carried out in the 2022/23 financial year Council are required to revoke these funds.

In addition, there are 37 projects that have been started in the 2021/22 financial year but are incomplete. These are included in this report for Council notation.

Below is a summary of the capital works that are required to be carried forward into the 2022/23 financial year.

***For Council's re-vote:***

The capital projects that have yet to be started with their matching unspent funds and Council contribution are listed below and require Council to formally re-vote them as part of the 2022/23 budget:

**Table 1**

<b>No.</b>	<b>Project Name</b>	<b>Budgeted Expenditure</b>
1	Civic Centre Air Conditioner - No1 chilled water pump replacement	10,400
2	Civic Centre Chiller No 1 replacement	37,900
4	Admin Building - Atmospheric Boiler Replacement	83,400
3	Replace UV Filtration Lamps	12,000
	<b>Total required for re-vote:</b>	<b>\$143,700</b>

1. Civic Centre Air Conditioner - No1 chilled water pump replacement

The project is part of the building renewal programme that has been delayed due to the Covid 19 restrictions on travel to Broken Hill during 2021.

2. Civic Centre Chiller No 1 replacement

The project is part of the building renewal programme that has been delayed due to the Covid 19 restrictions on travel to Broken Hill during 2021.

3. Admin Building - Atmospheric Boiler Replacement

The project is part of the building renewal programme. The project has been delayed because the existing equipment is no longer made and spare parts cannot be sourced. Staff are investigating options for compatible alternative equipment.

4. Aquatic Centre - Replace UV Filtration Lamps

The project is part of the building renewal programme. The project has been delayed because the existing equipment is no longer made and spare parts cannot be sourced. Staff are investigating options for compatible alternative equipment.

**For Council's notation:**

The following list is of commenced but incomplete projects for the 2021/22 financial year and is for Council's notation. All unspent funds on these projects were placed in reserves at the year end and will be brought forward to cover the cost of these projects. These works with their matching reserves and/or unspent grant funds will be added to this year's budget.

**Table 2**

<b>No.</b>	<b>Project Name</b>	<b>Budgeted Expenditure</b>
1	Library, Archive & Cultural Precinct - Construction	11,943,004
2	Library, Archive & Cultural Precinct - Temp Relocation	800,000
3	CBD Redevelopment	4,017,638
4	Civic Centre Office Construction	218,317
5	Civic Centre - Stage Lighting Bar Replacement	10,921
6	Civic Centre Fire System Upgrade	36,500
7	Art Gallery Exhibition Space Upgrades 2022	40,512
8	Geocentre Switchboard Upgrade	107,459
9	Admin Building Kitchen Renewal	570
10	Admin Building Repair & Replace Air Damper Components	11,438
11	Admin Building - Fire System Upgrade	79,500
12	Admin Building – Chilled Water Pump Replacement	10,400
13	HACC Building Evaporative AC Overhaul	7,500
14	Warnock St Works Depot Masterplan	22,224
15	Airport Terminal - Fire System Panel Upgrade	36,500
16	Replace Airport Lighting	297,377
17	Airport Fire Equipment Upgrade	49,866
18	Airport Terminal Welcome Information Board	11,608
19	Galena Mercury Talc St Intersection (Safer Rds 20/21)	963,600
20	Reseal Program 21-22	197,977
21	Blende-Wills-Galena Roundabout Recon-FLR Phase3	358,048



22	Thomas O`Farrell Intersection Upgrade- FLR Phase3	352,623
23	Chloride St - Williams to Chapple Chapple Street Upgrade - FLR Phase3	373,916
24	Gypsum St - Mercury to Pell St Reconstruction	134,867
25	Wyman Lane Stormwater Upgrade	95,463
26	Broken Hill Public School - Road Safety Program	16,212
27	Apex Park Playground Equipment Replacement	13,821
28	Duke of Cornwall Park BBQ Replacement	6,897
29	Multiple Parks - electrical cubicle lock upgrade	63,797
30	Living Desert Water Tanks 2022	6,500
31	Living Desert, Regen Area & Willyama Common Fence Replacement	159,698
32	WiFi Access Point Refresh	18,202
33	Plant and Equipment Replacement 20-21	386,629
34	Plant and Equipment Replacement 21-22	940,111
35	Outback Letterbox Library Van	124,000
36	Waste Collection Compactors	1,538,842
	<b>Total carry forward that does not require a re-vote:</b>	<b>\$23,328,537</b>

1. Library, Archive & Cultural Precinct - Construction

The budget and scope of this project was revised following a Council resolution in February 2022 (Minute No. 46735). It is planned that the tender will be advertised in September 2022 and finalised by November 2022.

2. Library, Archive & Cultural Precinct – Temporary Relocation

This project was deferred pending completion of the revised scope and timeline for construction of the new library noted above.

3. CBD Redevelopment

Two phases of this project commenced in the 2022 financial year being the design and installation of wayfinding signs and structures and erection of banner poles. Banner poles erection was due to be completed in September 2022, however rock has been detected in the end pole locations and this may cause a delay. Draft wayfinding concepts and designs are included in a separate report to the August Council meeting.

4. Civic Centre Office Construction

A project manager has been appointed and a Development Application lodged, however Council has not received any response to the Request for Quotation for this project that has been advertised twice. The project manager is now undertaking direct negotiations with several builders to carry out the project.

5. Civic Centre Stage Lighting Bar Replacement

The equipment is installed and operating. The Asset Management Department is awaiting the supply of "as installed" drawings before finalising expenditure on the project.

6. Civic Centre Fire System Upgrade

This project is part of building renewal programme that has been delayed due to the availability of the contractor. Work has been contracted to a local contractor who is due commence on 22 August 2022.

7. Art Gallery Exhibition Space Upgrades

This project is funded by a grant from Create NSW to install fixed and mobile partitions for art display in the Art Gallery. As at 30 June 2022 the fixed component of the works had been completed as part of the major renovations but the mobile partitions were awaiting delivery.

8. Geocentre Switchboard Upgrade

This project is part of the building renewal programme. The project is awaiting availability of the local contractor that has been contracted to carry out the works.

9. Admin Building Kitchen Renewal

Works were completed on 7 July 2022. The project budget is carried forward to allow the final payment to be made.

10. Admin Building Repair & Replace Air Damper Components

This project was delayed due to material supply delay and contractor availability. Site works were completed 10 August 2022.

11. Admin Building Fire System Upgrade

This project is part of building renewal programme that has been delayed due to the availability of the contractor. Work has been contracted to a local contractor, work is currently underway with completion expected in September 2022.

12. Admin Building Chilled Water Pump Replacement

This project was delayed due to material supply delay and contractor availability. Site works were completed 10 August 2022.

13. HACC Building Evaporative AC Overhaul

This project is part of building renewal programme that has been delayed due to the availability of the contractor. Work has been contracted to a local contractor with completion expected in September 2022.

14. Warnock St Works Depot Masterplan

The masterplan for the Warnock St Works Depot renewal has been completed. The scope of the project for 2021-22 was to develop a scope works, tender and project manage the technical design of the individual components of the masterplan. The request for tender for the technical design has been advertised and closes on 17 August 2022.

15. Airport Terminal - Fire System Panel Upgrade

This project was delayed due to material supply delay and contractor availability. Site works were completed 10 August 2022.

16. Replace Airport Lighting

Lighting equipment has been installed and is operating; however completion of the project has been delayed due difficulty in coordinating visits by CASA and Essential Energy to approve technical requirements in relation to replacement of the airport backup generator. Installation of the new generator is planned for 17-21 October 2022.

17. Airport Fire Equipment Upgrade

This project included repair and replacement of firefighting tanks and associated pumps. Completion has been delayed pending installation of the airport backup generator (noted above in item 17) which is required to run the pumps in the event of power failure.

18. Airport Terminal Welcome Information Board

Designs, engineering requirements and scope of works have been completed and request for quotations for manufacture and installation of signs are planned to be advertised during week ending 26 August 2022.

19. Galena Mercury Talc St Intersection (Safer Roads 20/21)

This project is funded through Transport for NSW Federal Stimulus Safer Roads Program Grant. The project has been varied from the original scope due to the need to relocate electrical infrastructure to make way for the roadworks. This variation along with Covid restrictions and weather have delayed completion of the project. It is expected that works will be completed on 26 August 2022.

20. Reseal Program 21-22

This project is mainly carried out by Council staff and all inhouse work was complete as of 30 June 2022. The remaining task is line marking which is completed by contractors. This work will be completed by September 2022.

21. Blende-Wills-Galena Roundabout Reconstruction-FLR Phase3

This project is funded by a Transport for NSW Fixing Local Roads Phase 3 Grant. Preliminary design and site establishment works have been completed and the final completion of the project is planned for 16 December 2022

22. Thomas O'Farrell Intersection Upgrade- FLR Phase3

This project is funded by a Transport for NSW Fixing Local Roads Phase 3 Grant. Preliminary design and site establishment works have been completed and the final completion of the project is planned for 16 November 2022.

23. Chloride St - Williams to Chapple Street Upgrade- FLR Phase3

This project is funded by a Transport for NSW Fixing Local Roads Phase 3 Grant. Preliminary design and site establishment works have been completed and the final completion of the project is planned for 28 October 2022.

24. Gypsum St - Mercury to Pell St Reconstruction

This project is funded by Transport for NSW Regional Roads Repair Grant and Block Grant. Originally planned for the first half of 2021-22 the project was postponed due to Covid restrictions on interstate contractors and then the unseasonably heavy rainfall in the second half of the year. Works are now complete.

25. Wyman Lane Stormwater Upgrade

Construction drawings and scope of works documentation have been submitted by consultants and are awaiting review by Asset Management staff and finalisation of the request for quotation.

26. Broken Hill Public School – School Zone Road Safety Program

One of seven school zone safety upgrades. Works have been substantially completed on all upgrades, but carryover of budget required to finalise minor works around signage at Broken Hill Public School.

27. Apex Park Playground Equipment Replacement

Equipment was received in June and installation completed in July 2022.

28. Duke of Cornwall Park BBQ Replacement

The majority of equipment has been installed and operational with minor cosmetic works to be completed.

29. Multiple Parks - electrical cubicle lock upgrade

The project was delayed because Council received no response to the Request for Quotation. Council staff have subsequently received one quote that is being reviewed to ensure it complies with scope of works. Once a contractor is appointed the works will be progressively rolled out over the financial year.

30. Living Desert Water Tanks 2022

Tanks not delivered on site until after end of financial year. Tanks to be installed by Council staff in August.

31. Living Desert, Regen Area & Willyama Common Fence Replacement

The 2021-22 section of the works commenced 20 June 2022 and is due for completion in November 2022.

32. WiFi Access Point Refresh

This project was delayed by late delivery of equipment and was completed in August 2022. The carryover budget is to complete payment for the equipment.

33. Plant and Equipment Replacement 20-21

Part of the 2020-21 plant and equipment replacement program was carried over into 2022 however two Hino trucks from this budget have not been delivered and the supplier is currently unable to confirm a production date.

34. Plant and Equipment Replacement 21-22

The 2021-22 plant and equipment replacement program is experiencing similar supply chain delays to the 2020-21 program with only two of ten items delivered prior to year end.

35. Outback Letterbox Library Van

This project is funded from the Outback Letterbox Library Grant. Council received no response from the first Request for Tender. Staff are contacting suppliers direct to source an appropriate supplier.

36. Waste Collection Compactors

One vehicle was delivered on 31 May 2022 and the remaining three vehicles are due to be delivered by October 2022.

In summary, \$143,700 requires a Council re-vote and \$23,328,537 will be carried forward into the 2022/23 financial year which does not require a Council re-vote.

The total carryover expenditure budget for 2022/23 is \$23,472,237. Ten of the carryover projects are partly or fully grant funded and the total grant funding still to be received for these projects is \$14,233,051.

**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) Division 5, Section 211***Financial Implications:**

The recommendation will have an impact on the representation of the cash flow in the 2022/23 year as the carry forward expenditure of \$23,472,237 less related grant income of \$14,233,051 was not forecast to be expended in this year.

However, it will not influence Council's budgeted cash position or budgeted income statement as these were forecasted for 2022/23 based on these capital projects being completed in 2021/22 financial year.

An updated capital budget inclusive of the approved carryovers will form part of the September 2022 Budget Quarterly Review report.

**Attachments**

There are no attachments for this report

SIMON BROWN  
CHIEF FINANCIAL OFFICER

JAY NANKIVELL  
GENERAL MANAGER

## POLICY AND GENERAL COMMITTEE

August 2, 2022

**ITEM 8**BROKEN HILL CITY COUNCIL REPORT NO. 184/22

SUBJECT: INVESTMENT STRATEGY AND PORTFOLIO REVIEW FOR  
2021/2022 D22/40414

**Recommendation**

1. That Broken Hill City Council Report No. 184/22 dated August 2, 2022, be received.

**Executive Summary:**

This report is to satisfy the *Local Government (General) Regulation 2021* (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 past six months has been particularly challenging for investors. The continuing fallout from Covid related lockdowns, supply chain issues and Russia's invasion of Ukraine has sent inflation rates soaring around the world and central banks scrambling to raise key benchmark interest rates without sending their economies into recession.

While valuations of existing holdings in shares and market traded fixed interest securities have fared poorly in reaction to the sharp rise in interest rates, it has been good for new investments in term deposits and bonds as rates are at levels not seen in years.

Council's NSW TCorpIM Medium Term Growth Fund, with its exposures to growth assets such as shares, property and long dated fixed interest performed poorly in the recent environment dragging the Council's overall mark-to-market portfolio performance negative over the past two quarters and financial year. Growth assets have had the best average returns over the past 20+ years, but they also have had the highest annual highs and the lowest annual lows, therefore keeping a long term view on this Fund is recommended.

All of council's investment have been made within council policy and the *Local Government Act 1993*.

**Report:****Investment Climate**

In the span of six months, inflation has grown to multi-decade highs in countries around the globe and the outlook for growth in a number of advanced economies has become more uncertain. The expectation that central banks will need to continue raising interest rates substantially over the second half of 2022 to bring inflation back to target is clouding the economic growth outlook and is prompting analysts to lower their growth forecasts substantially.

On the positive side, global shipping costs have levelled off and there are signs of improvement in global supply chain bottlenecks aided by increased production of consumer durables and electronics in east Asia. Domestically, the economy is showing signs of

strength. Economic growth, most recently +3.3%, is being supported by household and business balance sheets that are in overall good shape.

The challenge now for the RBA, like many central banks around the world, is to bring inflation back to its 2-3% target range with the right amount of interest rate hikes without sending the economy into a recession.

The past six months has been a particularly difficult period for investors in growth assets. Both fixed income and equity markets had negative returns over this period and the combination of the two within the NSW TCorpIM Medium Term Growth Fund resulted in Council's portfolio having a negative mark-to-market return over the past two quarters and financial year.

It is recommended to remain focused on the original long term strategy of using the NSW TCorpIM Medium Term Growth Fund for long term holdings with a 7+ year time horizon.

There is a reasonable gap between current 3, 6 and 12 month rates and those expected to be offered in the near future. For example, by the end of 2022, three month rates are expected to be above 3.50%pa. Therefore, it is recommended to target the shorter periods only for required cash expenditures. With market pricing indicating much of the expected interest rate increases has been priced into long dated rates already, there may be scope to consider >12mo deposits/securities with fixed rates on a case-by-case basis.

### Australian Economic Conditions

Domestically, the economy is showing signs of strength. Economic growth, most recently +3.3%, is being supported by household and business balance sheets that are in overall good shape; an upswing in business investment; and a large pipeline of construction work to be completed. Macroeconomic policy settings are also supportive of growth and higher commodity prices have provided a boost to national income.

Like other advanced economies, inflationary pressures continue to build in Australia with input costs increasing across a range of industries. Adverse weather conditions have affected the prices of fresh produce; rents are expected to pick up in response to tightening rental market conditions across most of the country; and wholesale electricity and gas prices have increased sharply in recent months, reflecting domestic supply disruptions during a period of increased demand. As a result of these price pressures inflation, already over 6%, is expected to increase through the remainder of 2022.

Wage price inflation appears ready to increase as well, with the unemployment rate at its lowest level in nearly 50 years and measures of spare capacity at their lowest levels in many years. Job vacancy rates remain very high across most industries, pointing to continued strong near term employment growth.

The Fair Work Commission's recent announcement of a 5.2 per cent increase to the national minimum wage and an increase in modern award wages of between 4.6 per cent and 5.2 per cent were the largest increases since 2006, reflecting the Commission's aim to support real wages for low-paid workers during a period of high inflation.

Consumer spending data has been positive, although household budgets are under pressure from higher prices and higher interest rates. The household saving rate is still higher than it was before the pandemic. Many households have built up large financial buffers and are benefiting from stronger income growth. Housing prices have declined in some markets recently, but remain significantly higher than prior to the pandemic, thereby supporting household wealth and spending. The challenge now for the RBA, like many central banks around the world, is to bring inflation back to its 2-3% target range with the right amount of interest rate hikes without sending the economy into a recession.



### Interest Rate Environment

Six months ago, despite the financial markets pricing in sharp interest rate increases, the RBA was still projecting the official cash rate to remain unchanged at its historic low of 0.10% until 2024. The financial markets proved better at predicting the central bank's actions than the bank itself.

In a span of three months, the RBA has hiked the official cash rate from 0.10%, where it sat for 18 months, to 1.35% with more increases expected over the coming months. The financial markets are now pricing in an official cash rate of 3.25% by the end of 2022 and a peak rate of 3.50%-3.75% by March 2023.

Over the 2021/22 Financial Year, the average term deposit rates on a selection of the largest Australian banks have mirrored the surge in market rates rising an average of 2.90% across 1mo to 5yr terms. The biggest increases were in the longer term rates and the majority of the rises have occurred since February. Much of the anticipated future interest rate hikes are seen as being priced into the current levels, making this a reasonable time to consider longer dated investments.

### International & Australian Equities

Global share markets posted their worst first half of a calendar year in decades as equities have been hammered by recession worries.

The surge in energy and commodity prices, following Russia's invasion of Ukraine, has rocked markets. With inflation hitting the highest in decades, stocks have slumped as central bankers have tightened monetary policy and pledged to cool prices.

MSCI's All-Country World Index has tumbled by 20% since the start of 2022, its worst opening six months to a year since the index was created in 1990.

The pan-European Stoxx 600 index has shed 16% since the start of the year, Japan's TOPIX has lost 6%, and the US S&P 500 is down 20%. Britain's FTSE 100 index has fared better, down over 3% so far this year, with oil companies rallying.

Australia's share market did not escape the downturn as it recorded a financial year loss for only the third time in the last ten years with the interest rate sensitive IT sector leading the downturn, off nearly 40%.

On the positive side, some market analysts see the Australian equity market trading at a discount to global equities giving international investors incentive to find value in downtrodden Australian shares. Australian government bonds also look attractive relative to global peers on a valuation basis.

On a 6-12 month view, analysts are optimistic on equity markets, providing inflation recedes, central banks stop raising interest rates and a deep recession is avoided.

When investing in growth assets such as domestic and international shares and property, either directly or through a managed fund such as NSW TCorpIM's Medium Term Growth Fund, it is important to keep a long term view, particularly during times of short term volatility such as the past six months.

It is recommended to remain focused on the original long term strategy of using the NSW TCorpIM Medium Term Growth for long term holdings with a 7+ year time horizon.

### Council's Portfolio Performance

The past six months has been a particularly difficult period for investors in growth assets. Both fixed income and equity markets had negative returns over this period and the combination of the two within the NSW TCorpIM Medium Term Growth Fund resulted in Council's portfolio having a negative mark-to-market return over the past two quarters and financial year. *(Mark-to-market returns include any changes on underlying security valuations based upon current market interest rates).*

Short term performance of the TCorp fund is subject to greater volatility than other assets in Council's portfolio and are recommended for holdings with time horizons of at least 7+ years.

All of council's investment have been made within council policy and the *Local Government Act 1993*.

### Investment Strategy Recommendation

Council is taking advantage of the high yield cash accounts from Westpac and Macquarie Bank resulting in a modest term deposit portfolio.

With 17% of the portfolio in the NSW TCorpIM Medium Term Growth Fund, Council has a well-diversified long term exposures.

With banks again actively raising funds in the bond market, it is recommended Council consider appropriate long dated floating rate notes as opportunities arise, providing expenditure requirements allow.

For further and more in-depth information, please refer to the attached report.

### **Strategic Direction:**

Key Direction: 4	Our Leadership
Objective: 4.1	Openness and Transparency in Decision Making
DP Action:	Support the organisation to operate within its legal framework
4.1.1	

### **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*.

### **Attachments**

1. [Investment Strategy and Portfolio Review - 2021/22 Financial Year](#)

SIMON BROWN  
CHIEF FINANCIAL OFFICER

JAY NANKIVELL  
GENERAL MANAGER



28 July 2022

Mr Jay Nankivell  
General Manager  
Broken Hill City Council  
240 Blende St  
BROKEN HILL NSW 2880

Dear Jay,

**Investment Strategy and Portfolio Review – 2021/22 Financial Year**

Please find attached Council's Investment Strategy and Portfolio Review for the 2021/22 Financial Year ending June.

The past six months has been particularly challenging for investors. The continuing fallout from Covid related lockdowns, supply chain issues and Russia's invasion of Ukraine has sent inflation rates soaring around the world and central banks scrambling to raise key benchmark interest rates without sending their economies into recession.

While valuations of existing holdings in shares and market traded fixed interest securities have fared poorly in reaction to the sharp rise in interest rates, it has been good for new investments in term deposits and bonds as rates are at levels not seen in years.

Council's NSW TCorpIM Medium Term Growth Fund, with its exposures to growth assets such as shares, property and long dated fixed interest performed poorly in the recent environment dragging the Council's overall mark-to-market portfolio performance negative over the past two quarters and financial year. Growth assets have had the best average returns over the past 20+ years, but they also have had the highest annual highs and the lowest annual lows, therefore keeping a long term view on this Fund is recommended.

Please call with any questions or we can also arrange a video meeting at your convenience if you wish.

Yours sincerely,



**Erik Gates**

**Director**

Prudential Investment Services Corp  
Level 1, 29 Kiara Road, Miranda NSW 2228  
[assetconsulting@prudentialinvestmentservices.com](mailto:assetconsulting@prudentialinvestmentservices.com)  
ABN: 81 163 587 362  
AFSL: 468145



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**Investment Strategy  
and  
Portfolio Review  
2021/22 Financial Year**



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## **Executive Summary**

### **Investment Climate:**

- In the span of six months, inflation has grown to multi-decade highs in countries around the globe and the outlook for growth in a number of advanced economies has become more uncertain.
- The expectation that central banks will need to continue raising interest rates substantially over the second half of 2022 to bring inflation back to target is clouding the economic growth outlook and is prompting analysts to lower their growth forecasts substantially.
- On the positive side, global shipping costs have levelled off and there are signs of improvement in global supply chain bottlenecks aided by increased production of consumer durables and electronics in east Asia.
- Domestically, the economy is showing signs of strength. Economic growth, most recently +3.3%, is being supported by household and business balance sheets that are in overall good shape.
- The challenge now for the RBA, like many central banks around the world, is to bring inflation back to its 2-3% target range with the right amount of interest rate hikes without sending the economy into a recession.

### **Investment Portfolio:**

- The past six months has been a particularly difficult period for investors in growth assets. Both fixed income and equity markets had negative returns over this period and the combination of the two within the NSW TCorpIM Medium Term Growth Fund resulted in Council's portfolio having a negative mark-to-market return over the past two quarters and financial year.
- It is recommended to remain focused on the original long term strategy of using the NSW TCorpIM Medium Term Growth Fund for long term holdings with a 7+ year time horizon.
- There is a reasonable gap between current 3, 6 and 12 month rates and those expected to be offered in the near future. For example, by the end of 2022, three month rates are expected to be above 3.50%pa. Therefore, it is recommended to target the shorter periods only for required cash expenditures.
- With market pricing indicating much of the expected interest rate increases has been priced into long dated rates already, there may be scope to consider >12mo deposits/securities with fixed rates on a case-by-case basis.



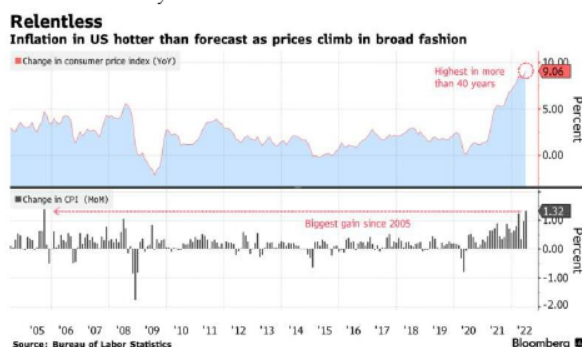
## Investment Climate

### International Economic Overview

The continuing fallout from Covid related lockdowns, supply chain issues and Russia's invasion of Ukraine is evident in increases in the prices of fuel, electricity and food in many economies, which has boosted headline inflation over the past several months. Crude oil prices are below their peaks earlier in the year but remain high, while gas prices in Europe and Asia have increased further.

Consequently, in the span of six months, inflation has grown to multi-decade highs in countries around the globe and the outlook for growth in a number of advanced economies has become more uncertain. Risks to global growth have become skewed to the downside as central banks are expected to lift key interest rates substantially in the period ahead to curb the surge of inflation.

With US inflation hitting a 40 year annual high and the highest monthly change in nearly 17 years in June, the US Federal Reserve has increased its policy target base rate from 0% to 1.50% in just over 3 months with more rate increases expected before the end of 2022. The European Central Bank raised its policy rate for the first time in 11 years at its July meeting to combat consumer price inflation that has spiked 8.6% in a year.



So far, consumer spending in advanced economies has generally been resilient to higher inflation and interest rates. Strong labour markets have supported household consumption and, outside of the US and UK, household saving rates in advanced economies remain high. However, the expectation that central banks will need to continue raising interest rates substantially over the second half of 2022 to bring inflation back to target is clouding the economic growth outlook and is prompting analysts to lower their growth forecasts substantially.

The World Bank's main indicator of a worldwide recession is multiple major countries' economies contracting at the same time, as well as other evidence of weak global economic growth. The chart below from the OECD shows the change in growth projections for several countries over just the past six months:

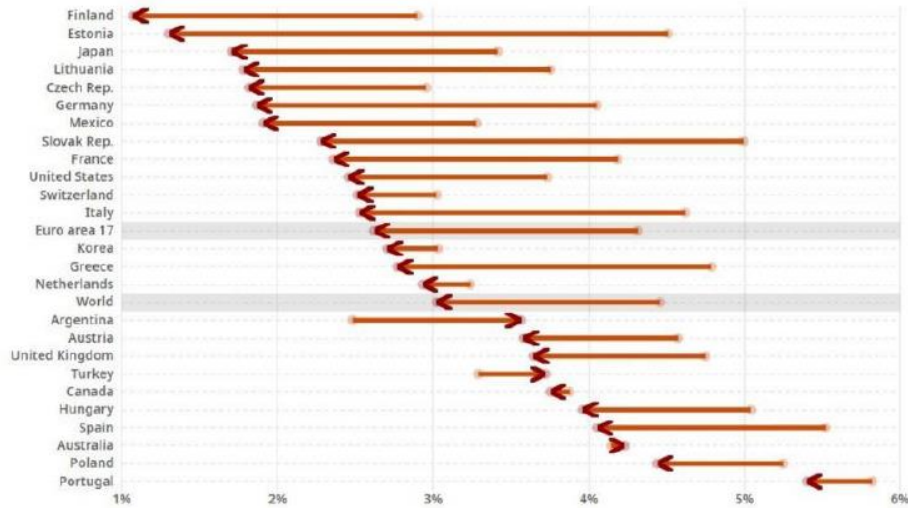




### Annual GDP growth projections for 2022

Year on year, %

● December 2021 projection ● June 2022 projection



Global GDP has declined this year following the war in Ukraine. Image: OECD

The International Monetary Fund has expressed concern for the global economy downgrading its 2022 growth forecast for the third time this year, now at to 3.2%, and does not rule out a global recession.

On the positive side, global shipping costs have levelled off and there are signs of improvement in global supply chain bottlenecks aided by increased production of consumer durables and electronics in east Asia.

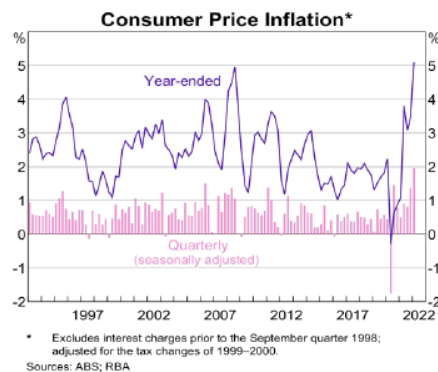
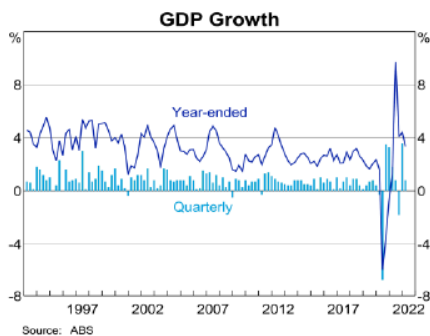




## Australian Economic Overview

Domestically, the economy is showing signs of strength. Economic growth, most recently +3.3%, is being supported by household and business balance sheets that are in overall good shape; an upswing in business investment; and a large pipeline of construction work to be completed. Macroeconomic policy settings are also supportive of growth and higher commodity prices have provided a boost to national income.

Like other advanced economies, inflationary pressures continue to build in Australia with input costs increasing across a range of industries. Adverse weather conditions have affected the prices of fresh produce; rents are expected to pick up in response to tightening rental market conditions across most of the country; and wholesale electricity and gas prices have increased sharply in recent months, reflecting domestic supply disruptions during a period of increased demand. As a result of these price pressures inflation, already over 6%, is expected to increase through the remainder of 2022.



Wage price inflation appears ready to increase as well, with the unemployment rate at its lowest level in nearly 50 years and measures of spare capacity at their lowest levels in many years. Job vacancy rates remain very high across most industries, pointing to continued strong near term employment growth. The Fair Work Commission's recent announcement of a 5.2 per cent increase to the national minimum wage and an increase in modern award wages of between 4.6 per cent and 5.2 per cent were the largest increases since 2006, reflecting the Commission's aim to support real wages for low-paid workers during a period of high inflation.

Consumer spending data has been positive, although household budgets are under pressure from higher prices and higher interest rates. The household saving rate is still higher than it was before the pandemic. Many households have built up large financial buffers and are benefiting from stronger income growth. Housing prices have declined in some markets recently, but remain significantly higher than prior to the pandemic, thereby supporting household wealth and spending.

The challenge now for the RBA, like many central banks around the world, is to bring inflation back to its 2-3% target range with the right amount of interest rate hikes without sending the economy into a recession.

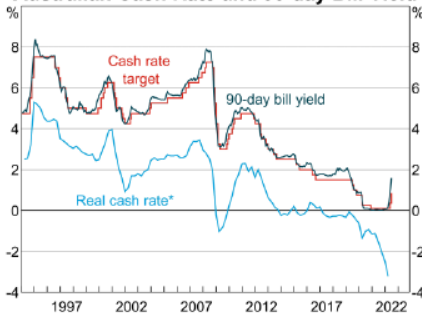


## Interest Rate Environment

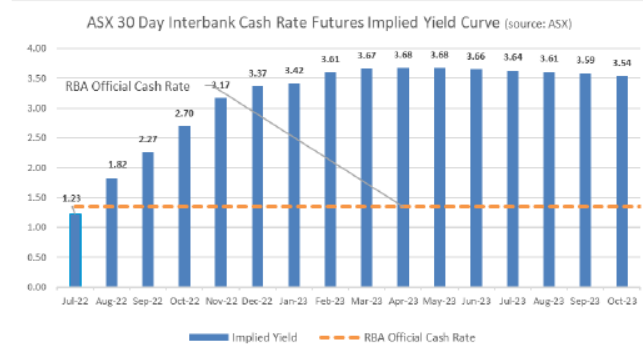
Six months ago, despite the financial markets pricing in sharp interest rate increases, the RBA was still projecting the official cash rate to remain unchanged at its historic low of 0.10% until 2024. The financial markets proved better at predicting the central bank's actions than the bank itself.

In a span of three months, the RBA has hiked the official cash rate from 0.10%, where it sat for 18 months, to 1.35% with more increases expected over the coming months. The financial markets are now pricing in an official cash rate of 3.25% by the end of 2022 and a peak rate of 3.50%-3.75% by March 2023:

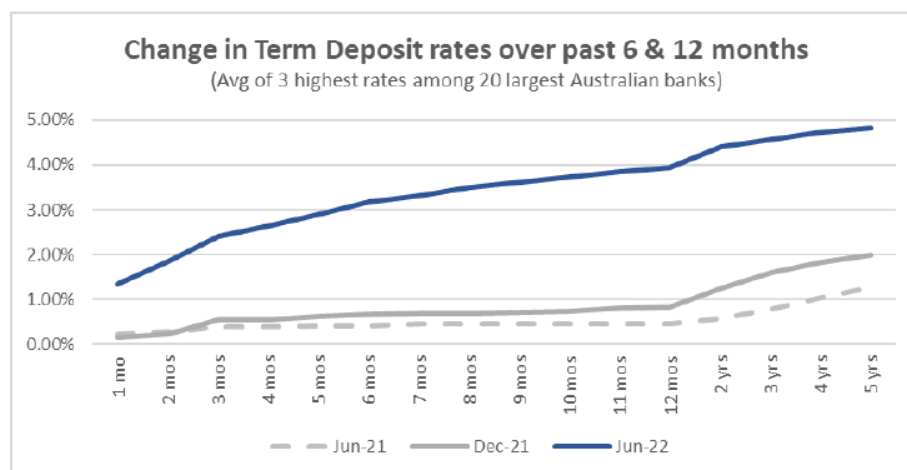
**Australian Cash Rate and 90-day Bill Yield**



\* Calculated using average of year-ended weighted median inflation and year-ended trimmed mean inflation.  
Sources: ABS; AFMA; ASX; RBA



Over the 2021/22 Financial Year, the average term deposit rates on a selection of the largest Australian banks have mirrored the surge in market rates rising an average of 2.90% across 1mo to 5yr terms. The biggest increases were in the longer term rates and the majority of the rises have occurred since February. Much of the anticipated future interest rate hikes are seen as being priced into the current levels, making this a reasonable time to consider longer dated investments.





### International & Australian Equities

Global share markets posted their worst first half of a calendar year in decades as equities have been hammered by recession worries.

The surge in energy and commodity prices, following Russia's invasion of Ukraine, has rocked markets. With inflation hitting the highest in decades, stocks have slumped as central bankers have tightened monetary policy and pledged to cool prices.

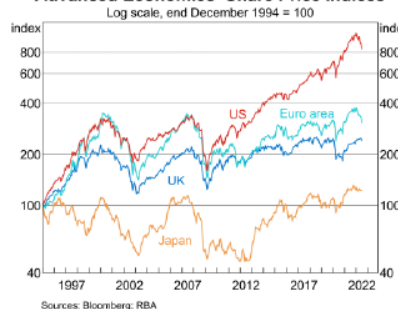
MSCI's All-Country World Index has tumbled by 20% since the start of 2022, its worst opening six months to a year since the index was created in 1990.

The pan-European Stoxx 600 index has shed 16% since the start of the year, Japan's Topix has lost 6%, and the US S&P 500 is down 20%. Britain's FTSE 100 index has fared better, down over 3% so far this year, with oil companies rallying.

**S&P 500 posts worst first half since 1970**

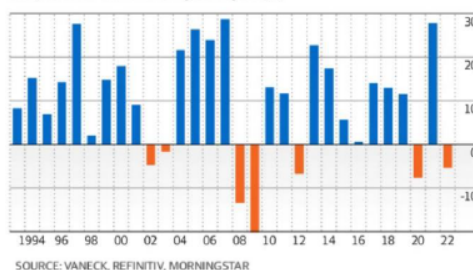


**Advanced Economies' Share Price Indices**

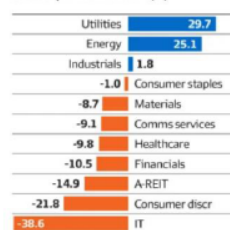


Australia's share market did not escape the downturn as it recorded a financial year loss for only the third time in the last ten years with the interest rate sensitive IT sector leading the downturn, off nearly 40%.

**S&P/ASX 200 total return by fiscal year (%)**



**Sector performance\* (%)**



On the positive side, some market analysts see the Australian equity market trading at a discount to global equities giving international investors incentive to find value in downtrodden Australian shares. Australian government bonds also look attractive relative to global peers on a valuation basis.

On a 6-12 month view, analysts are optimistic on equity markets, providing inflation recedes, central banks stop raising interest rates and a deep recession is avoided.



When investing in growth assets such as domestic and international shares and property, either directly or through a managed fund such as NSW TCorpIM's Medium Term Growth Fund, it is important to keep a long term view, particularly during times of short term volatility such as the past six months.

The table below shows over two decades of annual returns of individual asset classes which are within the TCorp fund. As can be seen, in any given year a different asset class can be the top performer, however Cash has rarely been in the top half of performance. Shares and property have had the best average returns over the past 20+ years, but they also have had the highest annual highs and the lowest annual lows.

Annual returns for selected asset classes, ranked in order of performance in each year

	Year to 31 December																										
	Avg	Min	Max	Rank	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	
Australian Shares	8.5	-40.4	39.6	1	44	15.4	12.2	15.9	32.2	21.1	34	18	14.9	39.6	8.6	11.4	33	53.6	32.1	14.3	13.2	13.4	6.2	31.7	7.9	37.2	
International Shares	5.2	-27.4	48	2	18.1	14.9	11.2	9	32	17.7	31.4	7	13.4	7.9	8.3	10.8	21.2	48	27	14	12.5	12.8	4.9	28	5.7	36.8	
US Shares (S&P500)	7	-29.2	53.6	3	12.1	10.1	8.8	8.8	27.6	16.8	25	6.7	7.6	4	6	5	18.8	19.9	24.3	13.6	11.6	12.5	4.5	24.1	5	28.6	
Australian Property	8	-54	34	4	9.8	7.2	4.8	5.5	9.9	12.5	11.5	3.5	-20.7	3.5	4.7	2.1	14.6	19.7	15	11.8	7.8	5.7	2.9	23.6	4.5	26.1	
International Property	9.6	-29.2	44	5	7	5.4	2.5	4.9	8.9	12.1	7.8	-2.6	-24.9	3.1	3.3	-0.7	14.1	7.1	11	3.8	5.2	3.7	2.7	19.4	3.8	17.7	
Australian Bonds	5.6	-2.9	14.9	6	6.3	5.2	-8.1	3	7	7.3	6	-5.3	-29.2	1.7	1	-1.5	8.4	2.9	9.8	3.8	4.9	2.8	1.9	7.3	0.4	0	
Intl. Bonds (A\$ hedged)	6.4	-2.3	13.4	7	5	-4.3	-27.4	-8.8	6.6	5.8	-4.1	-8.4	-40.4	-0.3	-0.4	-5.3	7.7	2.5	5	2.6	2.9	1.7	1.5	6.2	-4.6	-2.3	
Cash	3.9	0	7.6	8	2.2	-10	-29.2	-3.8	5.6	5.7	3.1	-25.3	-54	-2	-2	-11.4	4	2	2.7	2.3	2.1	0.2	-3.5	1.5	-16.9	2.9	

It is recommended to remain focused on the original long term strategy of using the NSW TCorpIM Medium Term Growth for long term holdings with a 7+ year time horizon.



As for the upcoming year, views of leading economists include:

- Cash and bank deposit returns are expected to continue improving as RBA cash rate increases flow through to new deposits.
- Bond yields look like they may have peaked for now, which will help bond returns to start improving.
- Shares are likely to see continued short-term volatility as central banks continue to tighten rates to combat high inflation, the war in Ukraine continues and fears of recession remain high. However, shares are expected to provide reasonable returns on a 12 month horizon as valuations have improved, global growth ultimately picks up again and inflationary pressures ease through next year, allowing central banks to ease up on the monetary policy brakes.
- The strong labour market is one reason economists expect the share market will gain next year. According to the Commonwealth Bank, the jobless rate is expected to average around 3.8 per cent over the remainder of 2022 but lift to 4.2 per cent in September quarter 2023. The economy is expected to continue to operate at 'full-employment'. In response to the tight job market, wage growth will lift to around 3.25 per cent by March quarter 2023 from current annual growth near 2.4 per cent.
- Australian home prices are expected to fall further as poor affordability and rising mortgage rates impact. Economists expect a 15 to 20% top to bottom fall in prices stretching into second half next year, but with a large variation between regions. Sydney and Melbourne prices have already fallen aggressively, while most other cities and regions are seeing price gains slow ahead of likely falls.
- Unlisted commercial property may see some weakness in retail and office returns (as online retail activity remains well above pre-pandemic levels and office occupancy remains well below). Unlisted infrastructure is expected to see solid returns.
- The \$A is expected to remain volatile in the short term as global uncertainties persist. However, a rising trend in the \$A is likely over the next 12 months as commodity prices ultimately remain in a macro upward trend.

*Commentary sources: AMP Capital Markets, Commonwealth Bank of Australia, International Monetary Fund, Reserve Bank of Australia, the Economist Group, Macquarie Bank, Dimensional*





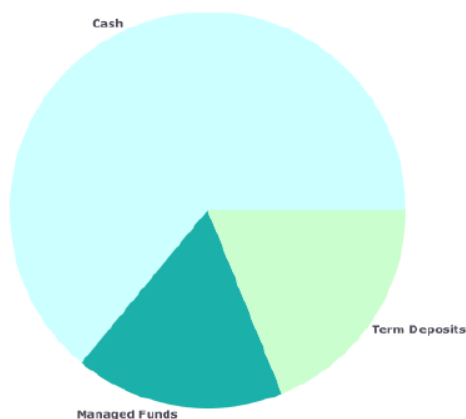
### Investment Portfolio Structure and Exposures vs Policy Limits

Council has a well-diversified investment portfolio across a range of asset types including:

- **Cash:** including the high yielding Westpac 90 day Notice Account (paying 1.30%pa) and the Macquarie Bank Accelerator account (paying 1.35%pa).
- **Term Deposits** among a selection of Australian Authorised Deposit taking Institutions (ADIs)
- **Growth Assets** via the NSW TCorpIM Medium Term Growth Fund (further details in Appendix A)

Asset Allocation as of 30 June:

<b>Portfolio Holding Breakdown</b>	
Product Type	Face Value
Cash	15,247,590.22
Managed Funds	4,069,929.24
Term Deposits	4,500,000.00
	<b>23,817,519.46</b>

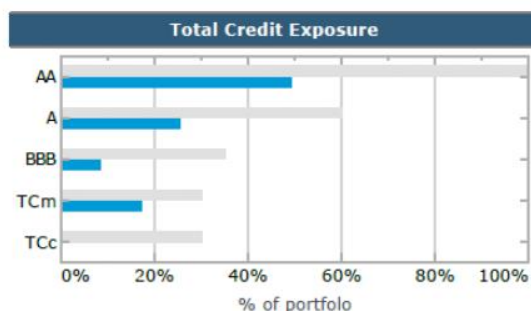




The following tables summarise Council's Investment Portfolio, as of 30 June, in terms of its Investment Policy Framework:

- A. Overall Portfolio Credit Limits
- B. Individual Institution Limits, and
- C. Term to Maturity Limits

**A. Overall Portfolio Credit Limits:**



Credit Rating Group	Face Value (\$)		Policy Max	
AA	11,689,312	49%	100%	✓
A	6,058,278	25%	60%	✓
BBB	2,000,000	8%	35%	✓
TCm	4,069,929	17%	30%	✓
TCc	0	0%	30%	✓
<b>23,817,519</b>				
<b>Specific Sub Limits</b>				
BBB+	2,000,000	8%	35%	✓

✓ = compliant  
X = non-compliant

Council's portfolio is well diversified, and within policy limits, across investment grade rated banks and the NSW TCorp fund.

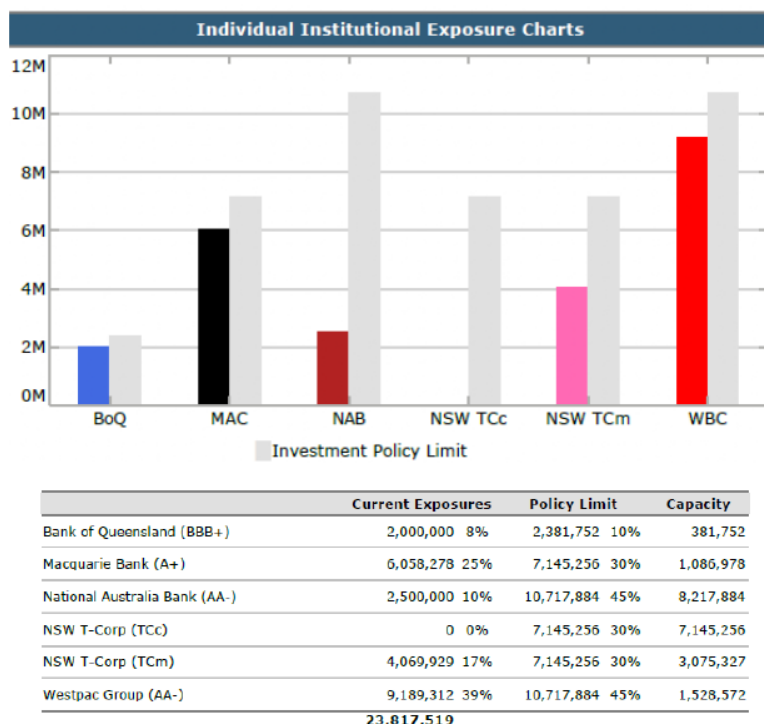
A list of Australian ADIs with their current credit ratings are included in Appendix C of this review.



### B. Individual Institution Limits:

Council's portfolio consists of a diversified selection of authorised investment options for NSW councils.

Council's exposures versus policy limits as of 30 June:



Council has done well sourcing good opportunities among the higher rated banks including using the Macquarie Bank at call account and the Westpac 90 day Notice Account to cater for short term cashflow requirements. Council redeemed its balance in the NSW TCorp Cash Fund before TCorp closes the fund in October.

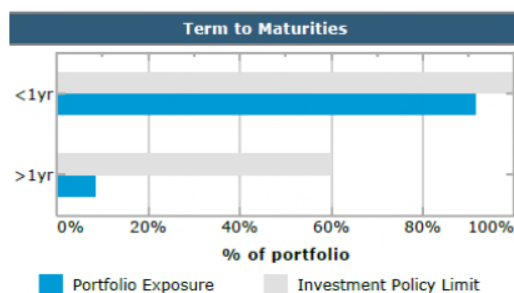
Council's portfolio exposures comply with legislation and are within Council's investment policy guidelines.





### C. Term to Maturity Limits:

Council's investment portfolio has a combination of short dated cash accounts; managed cash fund; fixed interest securities (short and long dated term deposits) and long term growth asset exposure through the NSW TCorpIM Medium Term Growth Fund:



Detailed Maturity Profile	Face Value (\$)	
00. Cash + Managed Funds	19,317,519	81%
04. Between 90 Days and 180 Days	2,000,000	8%
05. Between 180 Days and 365 Days	500,000	2%
06. Between 365 Days and 3 Years	2,000,000	8%
	<b>23,817,519</b>	

Council is taking good advantage of high yield at call and short dated notice accounts.

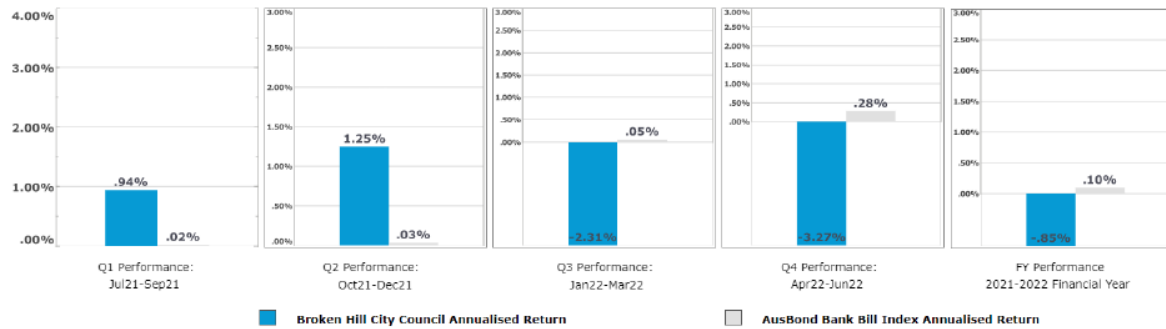
Council's holdings in the NSW TCorpIM Medium Term Growth Fund, totalling approx. \$4m, are in the "Cash + Managed Funds" category above.

Council's short/long term investment ratio is approximately 75%/25% when accounting for the NSW TCorpIM Medium Term Growth Fund as a long term holding. While these are held as long term investments, they are available to be liquidated within days.



### Portfolio Performance, Interest Details & Capital Movements

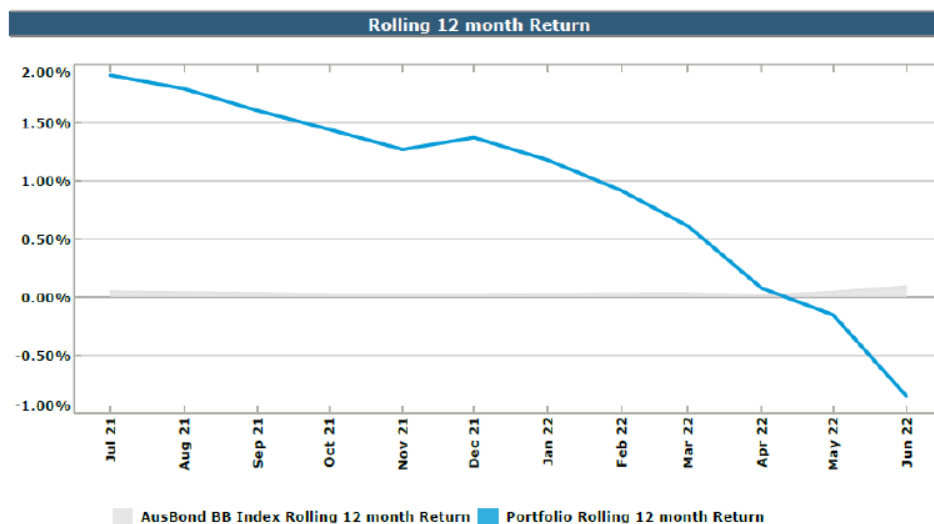
The charts below show Council's quarterly and 12 month investment portfolio returns against benchmark:



The past six months has been a particularly difficult period for investors in growth assets. Both fixed income and equity markets had negative returns over this period and the combination of the two within the NSW TCorpIM Medium Term Growth Fund resulted in Council's portfolio having a negative mark-to-market return over the past two quarters and financial year. (*Mark-to-market returns include any changes on underlying security valuations based upon current market interest rates*).

Short term performance of the TCorp fund is subject to greater volatility than other assets in Council's portfolio and are recommended for holdings with time horizons of at least 7+ years.

The chart below shows Council's total portfolio return on a rolling 12 month basis:





### Interest Accrued

Summary Interest Accrued Calculations up to 30-Jun-22

Instrument	Jul-2021	Aug-2021	Sep-2021	Oct-2021	Nov-2021	Dec-2021	Jan-2022	Feb-2022	Mar-2022	Apr-2022	May-2022	Jun-2022	Grand Total
Cash	4,940.58	5,008.16	4,787.54	4,737.17	4,770.80	4,782.31	4,784.33	4,304.95	4,895.60	4,281.02	5,026.68	7,230.05	60,336.02
Managed Fund	227.35	-18.60	-63.17	-1,063.41	1,125.01	344.01	-4.81	371.84	-1,504.70	-310.95	227.29	180.89	-1,138.46
Term Deposit	1,010.13	1,078.71	1,118.00	1,126.18	1,120.55	1,214.82	1,214.52	1,098.07	1,214.83	1,372.61	2,742.23	3,498.3	17,803.43
Grand Total	6,887.03	6,063.51	5,792.48	4,779.92	7,016.88	6,321.44	5,574.94	5,773.75	4,895.38	5,342.68	8,895.23	10,347.24	77,000.99

Council has accrued \$77k in interest for the 2021/22 Financial Year.

### Interest Received

Summary Interest Received Calculations up to 30-Jun-22

Instrument	Jul-2021	Aug-2021	Sep-2021	Oct-2021	Nov-2021	Dec-2021	Jan-2022	Feb-2022	Mar-2022	Apr-2022	May-2022	Jun-2022	Grand Total
Cash	4,840.56	5,005.15	4,787.54	4,737.17	4,770.89	4,782.31	4,784.33	4,304.95	4,895.59	4,281.02	5,025.95	7,280.05	60,336.02
Term Deposit		975.07	797.01	2,662.47	1,150.9							2,463.15	6,007.4
Grand Total	4,840.56	5,981.22	5,584.55	7,403.64	5,920.59	4,782.31	4,784.33	4,304.95	4,895.59	4,281.02	5,025.95	9,743.2	66,343.42

Council has received over \$68k in interest in the 2021/22 Financial Year.

### Capital Movements

Summary Capital Movements Calculations up to 30-Jun-22

Instrument	Jul-2021	Aug-2021	Sep-2021	Oct-2021	Nov-2021	Dec-2021	Jan-2022	Feb-2022	Mar-2022	Apr-2022	May-2022	Jun-2022	Grand Total
Managed Fund	55,997.55	38,051.94	-54,757.29	-28,545.45	53,892.24	35,942.58	-50,345.55	-80,275.08	-50,769.35	-59,428.52	-35,553.31	-104,773.22	-279,666.36
Grand Total	55,997.55	38,051.94	-54,757.29	-28,545.45	53,892.24	35,942.58	-50,345.55	-80,275.08	-50,769.35	-59,428.52	-35,553.31	-104,773.22	-279,666.36

Council's investment portfolio had a mark-to-market decline of \$2.5m over the 2021/22 Financial Year, with the vast majority of the 'loss' coming from the NSW TCorpIM Medium Term Growth Fund. As noted on page 10, shares and property have had the best average returns over the past 20+ years, but they also have had the highest annual highs and the lowest annual lows. It is recommended to remain focused on the original long term strategy of using the NSW TCorpIM Medium Term Growth Fund for long term holdings with a 7+ year time horizon.

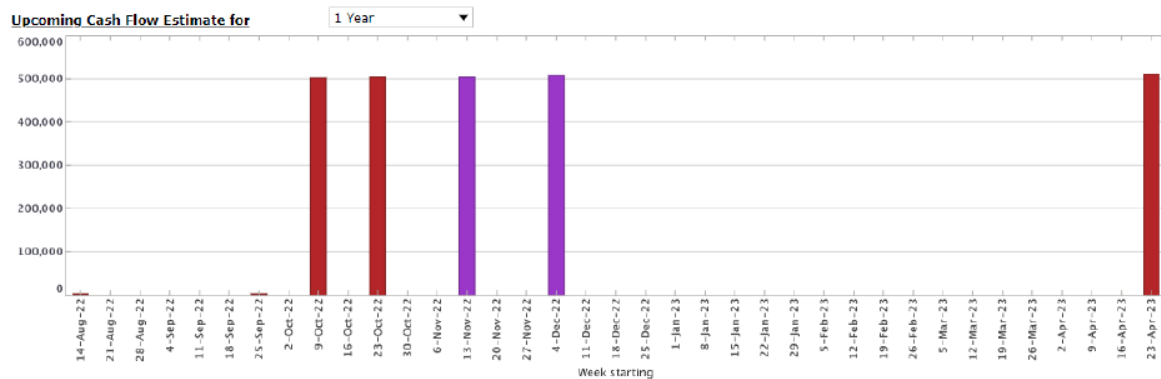


## Investment Strategy Recommendations

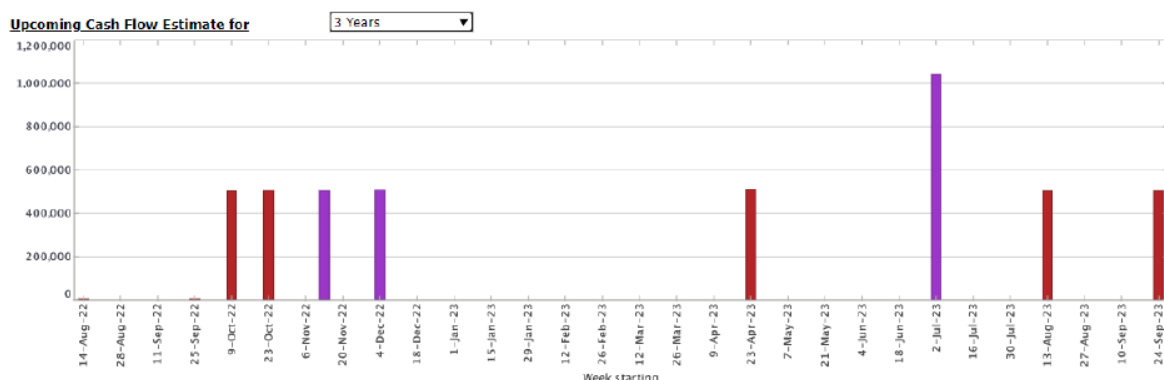
### Upcoming cash flow (existing investments):

Council is taking advantage of the high yield cash accounts from Westpac and Macquarie Bank resulting in a modest term deposit portfolio.

#### Short-term: weekly maturity schedule for 12 months:



#### Long-term: weekly maturity schedule through 2023:



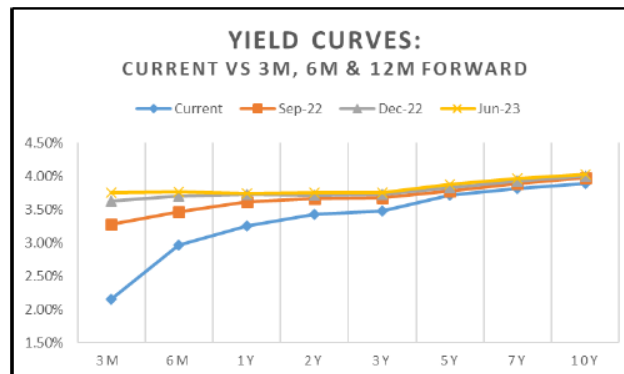
With 17% of the portfolio in the NSW TCorpIM Medium Term Growth Fund (not shown above), Council has a well-diversified long term exposures.

With banks again actively raising funds in the bond market, it is recommended Council consider appropriate long dated floating rate notes as opportunities arise, providing expenditure requirements allow.



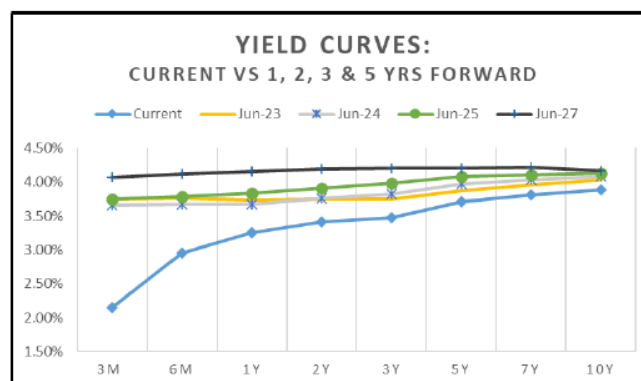
### Looking Forward – Value in the Market

**Short-term Outlook (up to 12 months):** short term interest rates rose sharply over the past 6 months in anticipation of the RBA's rate hikes to calm inflation pressures. There remains speculation that 1-12 month rates will continue to go higher over the next 3-6 months (blue vs orange and grey lines below) By the end of 2022, 3 month market rates are expected to be above 3.50%:



As the chart shows, there is a reasonable gap between today's 3, 6 and 12 month rates and those expected to be offered in the near future. Therefore, it is recommended to target the shorter periods only for required cash expenditures, while funds that can be invested longer dated, look at the 12+ months range.

**Long-term Outlook (12 months and greater):** As shown in the short term graph above, the market is expecting interest rates to be sharply higher a year from now, particularly across the 1-12 month area. Much of the longer dated interest rate increases (>12 months) has already been priced into the market. Therefore, long dated options could be a good investment now as there isn't expected to be much further upside from current levels. Fixed and floating rate options would be considered on a case-by-case basis, with fixed rate potentially providing good diversification.





With market pricing indicating much of the expected interest rate increases has been priced into long dated rates already, there may be scope to consider >12mo deposits/securities with fixed rates on a case-by-case basis. Short term rates are expected to continue their upward trajectory over the coming six months, so it is recommended to focus on short term deposits for known expenditure requirements.

Opportunities in the market include:

<b>At Call</b>	Macquarie Bank Accelerator paying 1.35%pa variable on balances up to \$10m ( <i>Being used by Council</i> )
<b>Notice Account</b>	AMP Bank 31 day Notice Account paying 1.80%pa variable, plus commission rebate.
<b>&lt;12 month investments</b>	With rates expected to be higher in 3-12 months, short dated fixed rate TDs entered into now need to be offering very attractive rates to help reduce interest rate risk. Focus on cashflow management for this time period.
<b>&gt;12 month investments</b>	Current market rates indicate that much of the anticipated rate increases have been priced in already. This provides good opportunity for longer dated deposits and bonds. There is also scope for considering fixed rate bonds, on a case-by-case basis, for diversification of the portfolio.  NSW TCorpIM Medium and Long Term Growth Funds for holdings available for 3-7+yrs. These funds provide a good option for very long term holdings, but Council must be comfortable with short term volatility which has been significant lately. ( <i>Council is using the Medium Term Growth Fund</i> )

Note: prevailing interest rates, appropriateness for Council and compliance with policy limits are always reviewed at time of consideration.

**Disclaimer:** The statements and opinions contained in this report are based on currently prevailing conditions in financial markets and are so contained in good faith and in the belief that such statements and opinion are not false or misleading. In preparing this report, Prudential Investment Services Corp has relied upon information which it believes to be reliable and accurate. Prudential Investment Services Corp believes that this report and the opinions expressed in this report are accurate, but no warranty of accuracy or reliability is given. Prudential Investment Services Corp does not warrant that its investigation has revealed all of the matters which a more extensive examination might disclose. This report may not be reproduced, transmitted, or made available either in part or in whole to any third party without the prior written consent of Prudential Investment Services Corp. AFS Licence No. 468145.



## Appendix A – Managed Funds

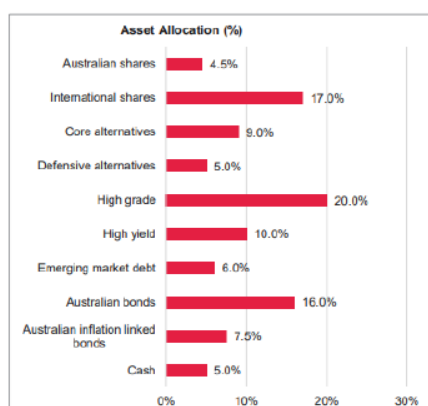
### Managed Funds

#### NSW TCorp Medium Term Growth Fund

- \$4,069,929 investment
- Unrated

The NSW TCorp Medium Term Growth Fund aims 'to provide potential for capital growth, while maintaining a high exposure to defensive assets'. It is intended to be at least a 3 to 7 year investment, with occasion periods of negative monthly returns. The long run expectation of the fund is to provide a return of CPI plus 2%pa over a 7 year period with greater than 50% probability.

The Fund's strategic asset allocation as at 30 June:



Asset class performance	Actual return	
	1 month %	FYTD %
Australian shares	(8.12)	(6.05)
International shares	(8.02)	(8.85)
Core alternatives	(2.18)	(2.64)
Defensive alternatives	3.83	
Global credit	(3.52)	(12.70)
Bank loans	(3.10)	(4.13)
Emerging market debt	(6.07)	(17.62)
Short term income	(0.11)	
High yield	(6.98)	(11.52)
Australian bonds	(1.80)	(11.05)
Australian inflation linked bonds	(2.32)	(10.75)
Cash	0.04	(0.01)

The NSW TCorpIM Medium Term Growth Fund has returned -6.42% over the past 12 months and is currently lagging its long term objective of CPI+2% p.a. over 7 years.

	10 year (% p.a.)	7 year (% p.a.)	3 year (% p.a.)	1 year (%)	FYTD (%)	1 month (%)
TCorpIM Medium Term Growth Fund	4.69	3.06	0.70	(6.42)	(6.42)	(2.51)
CPI + 2.0% p.a. (over rolling 7 years) <sup>(1)</sup>	4.25	4.15	4.79	6.77	6.77	0.64
Excess return to CPI + 2.0% p.a.	0.44	(1.09)	(4.09)	(13.19)	(13.19)	(3.18)

When investing in growth assets such as domestic and international shares and property, either directly or through a managed fund such as NSW TCorpIM's Medium Term Growth Fund, it is important to keep a long term view, particularly during times of short term volatility such as the past six months.

Over two decades of annual returns of individual asset classes within the NSW TCorpIM funds show that in any given year a different asset class can be the top performer, however Cash has rarely in the top half of performance. Shares and property have had the best average returns over the past 20+ years, but they also have had the highest annual highs and the lowest annual lows.





Holdings in the investment portfolio are considered to be sound with little risk of long term capital loss:

**Other Key Risks:** The following risks may also apply to Council's investments:

- **Liquidity risk:** The risk that Council may be unable to sell any or part of an investment on to the secondary market at a level suitable to them – or at all. Tradeable securities may be liquid in normal market conditions; however rates/margins may change substantially in periods of market stress.
- **Interest Rate Risk:** The risk to the value of an investment caused by changes in market interest rates. Floating Rate Securities have limited interest rate risk; Fixed Rate Securities are exposed to mark-to-market changes caused by movements in swap markets.
- **Market Risk:** The risk to the value of an investment caused by changes in related markets. Tradeable securities are exposed to market perceptions of issuer credit and credit markets generally.
- **Issuer/Credit risk:** The risk of default of the Issuer/Counterparty. Note that any issuer default may result in partial or total investor capital loss.





## **Appendix B – NSW Local Government Eligible Investments**

### **Definitions of Eligible ADI Investments:**

**At call deposits:** Cash invested on an overnight basis with an Australian Authorised Deposit-taking Institution (ADI). Funds can be recalled or re-invested prior to the bank's Real Time Gross Settlement cut-off each day.

#### *Benefits*

- At call accounts provides a quick and easy investment solution for current balances that are not being used otherwise.

#### *Major Risks / Disadvantages*

- Potentially a lower return investment product.
- Credit risk is a function of the creditworthiness of the issuer.

**Covered Bonds:** interest bearing senior ranking debt obligations of an Authorised Deposit-taking Institution (ADI) which have specific bank assets, ie loans, backing the bond. Covered bonds are market traded securities. They can be either fixed rate or floating rate interest bearing and typically are issued with 5+ year maturities. In the case of a bank failure, holders of covered bonds rank ahead of depositors and unsecured senior bond holders having first recourse to the underlying pool of assets backing the bond. If the pool's assets are not sufficient to meet the covered bond's obligations, holders then have recourse to the bank's total assets equal to other senior unsecured bondholders.

#### *Benefits*

- Highest ranking securities within a bank's capital structure.
- Securities are liquid allowing them to be sold on the secondary market.
- Fixed rate: Future coupons are known which helps with cash flow forecasting.
- Floating rate: Coupons move with the market, allowing for investor participation when interest rates increase.

#### *Major Risks / Disadvantages*

- Credit risk is a function of the creditworthiness of the issuer/ underlying assets.
- Fixed rate: interest rate risk applies in that a pre-determined coupon rate is locked in.
- Floating rate: coupons move with the market, allowing for reduced earning capacity when interest rates decrease.

*Current Covered Bond offerings are not representing good value for Council's portfolio, however these are being reviewed on an ongoing basis and should any issuance present an attractive proposition for Council's portfolio Prudential shall bring it to Council's attention.*



**Term deposits:** interest bearing deposit held at an ADI for a specific contracted period. Term deposits are not tradeable in the market. They typically have a fixed rate for their life, but floating rate term deposits are also available. Prior to the introduction of Covered Bonds into the Australian market, in early 2012, term deposits ranked at the top of an ADI's capital structure.

*Benefits*

- Term deposits are considered to be a relatively low-risk investment.
- As these funds are not callable prior to maturity, banks generally offer a return premium.
- This type of investment allows investors to match cash flow requirements.
- The return is known.

*Major Risks/ Disadvantages*

- Liquidity risk applies in that deposits are not redeemable before maturity. Deposits may not be breakable at all or may only be broken after a prohibitive break fee is paid.
- Interest Rate risk applies in that the rate of return is fixed.
- Credit risk is a function of the creditworthiness of the ADI.
- Counterparty/credit risk increases if invested with unrated/low rated financial institutions.

*Term Deposits are providing good value and are being actively recommended to Council. As with all investments there is a risk/reward trade-off - even with term deposits from Australian ADI's - and these are being actively monitored.*

**Bank Bills and Negotiable Certificates of Deposits (NCDs):** are similar types of interest bearing securities issued/accepted by ADIs, typically short dated. Unlike term deposits, these are tradeable in the market prior to maturity.

*Benefits*

- Counterparty party risk is partially mitigated by the accepting/issuing bank, which is typically a bank with very high credit rating.
- The return on the bank Bill and NCD is known if held until maturity.
- Bank bills and NCDs are liquid and can be traded on the secondary market.

*Major Risks / Disadvantages*

- Being a lower risk investment option, Bank Bills/NCDs provide a lower return.
- Interest Rate risk is present in that the rate is locked in for a fixed term.
- Credit risk is a function of the creditworthiness of the accepting/issuing bank.



*These securities provide exceptional liquidity and in the current climate are very useful where this is a key requirement for cash flow management. However, most current offerings are not providing as attractive a return as available from Term Deposits. As with other eligible investments, these are being regularly monitored, particularly as the margins on Term Deposits narrow.*

**Senior Debt Bonds:** interest bearing securities which are senior debt obligations of the issuing ADI. Senior bonds are tradeable in the market. They can be either fixed rate or floating rate interest bearing and are typically issued with 3+ year maturities. Interest is paid at scheduled intervals based on the face value of the bond with repayment of capital paid upon maturity. In the case of a bank failure, senior bond holders rank above subordinated debt holders and shareholders but below covered bond holders and depositors.

*Benefits*

- High ranking securities within a bank's capital structure.
- Securities are liquid allowing them to be sold on the secondary market.
- Fixed rate: Future coupons are known which helps with cash flow forecasting.
- Floating rate: Coupons move with the market, allowing for investor participation when interest rates increase.

*Major Risks / Disadvantages*

- Credit risk is a function of the creditworthiness of the issuer/ underlying assets.
- Interest rate risk applies in that a pre-determined coupon rate is locked in.
- Fixed rate: interest rate risk applies in that a pre-determined coupon rate is locked in.
- Floating rate: coupons move with the market, allowing for reduced earning capacity when interest rates decrease.

*Australian-owned ADIs regularly issue Senior Bank Bond issues and many NSW Councils include these in their portfolios. Council has historically not invested in these, but if it were to consider long dated income producing exposures these would be compared to long dated TDs.*

**Other NSW Local Government Eligible Investments (Non-ADI):**

**Commonwealth/State/Territory Government securities e.g. bonds:-**

These are interest paying securities which are issued by one of the above Australian government bodies and are guaranteed by that issuer. As such, these securities carry the same credit rating as the issuing government body.

*Benefits*

- Among the most secure investments available to Australian investors.
- Future coupons are known which helps with cash flow forecasting.

*Major Risks / Disadvantages*

- Typically much lower yielding than other investment options due to low investment risk of issuer.
- Interest rate risk applies in that a pre-determined coupon rate is locked in.



*Commonwealth and State and Territory Bond offerings are being reviewed by Prudential on an ongoing basis and those that represent good value to Council will be brought to Council's attention for consideration.*

**Deposits with NSW Treasury &/or Investments in NSW Treasury Corporation's Investment Management Funds:-**

The NSW Treasury Corporation Investment Management Funds (TCorpIM Funds) comprises a number of pooled managed funds options each set up as a unit trust. The current cash and fixed income options available through TCorpIM are the Cash Fund and the Strategic Cash Fund. However, TCorp is closing the Cash Fund later this year.

The Strategic Cash Fund is designed for investments ranging from 1.5 years out to 3 years and pays back redemptions generally within 24 to 72 hours.

In addition, the NSW TCorpIM Medium Term Growth and Long Term Growth Funds provide access to growth assets which are not available via direct investment. Full details of the asset classes and their risks is available via the NSW TCorp website.

*Benefits*

- Investments are pooled and as such a much more diversified pool of underlying investment is possible over investing in securities directly – particularly for small investment amounts.
- A broader investment pool usually allows for a smoothing of any volatility in the underlying investments.

*Major Risks/Disadvantages*

- As a unit trust, investment in the TCorpIM Funds are not deposits or liabilities of NSW TCorp.
- The TCorp IM Funds are subject to market and liquidity risk associated with their underlying securities.
- Usually an additional layer of fees is incurred via a managed fund to pay for fund manager costs.

*Council currently has holdings in the NSW TCorpIM Medium Term Growth Fund.*



## Appendix C – Australian ADI Credit Ratings

S&P Ratings (unless noted otherwise)	As at 30 June 2022 (Changes within past 12 months in yellow)				
		Long Term Ratings		Short Term Ratings	
Issuer Name	Rating Type	Rating	Date	Rating	Date
Long term 'AA' rating category					
ANZ Bank New Zealand Ltd	Issuer	AA-	01-Dec-2011	A-1+	11-Sep-1996
	Outlook	Stable	07-Jun-2021		
Commonwealth Bank of Australia	Issuer	AA-	01-Dec-2011	A-1+	14-Jun-1996
	Outlook	Stable	07-Jun-2021		
National Australia Bank Limited	Issuer	AA-	01-Dec-2011	A-1+	15-Nov-1994
	Outlook	Stable	07-Jun-2021		
Westpac Banking Corporation	Issuer	AA-	01-Dec-2011	A-1+	12-Sep-1996
	Outlook	Stable	07-Jun-2021		
Bank of Melbourne		Refer to Westpac Banking Corp		Refer to Westpac Banking Corp	
Bankwest		Refer to Commonwealth Bank of Aust		Refer to Commonwealth Bank of Aust	
St George Bank		Refer to Westpac Banking Corp		Refer to Westpac Banking Corp	
Long term 'A' rating category					
Cuscal Limited	Issuer	A+	22-Dec-2010	A-1	22-Dec-2010
	Outlook	Positive	27-Apr-2021		
HSBC Bank Australia Limited	Issuer	A+	30-Jul-2013	A-1	30-Jul-2013
	Outlook	Stable	30-Jul-2013		
Macquarie Bank Ltd	Issuer	A+	11-Dec-2019	A-1	17-Jan-1994
	Outlook	Stable	07-Jun-2021		
Rabobank Australia Ltd	Issuer	A+ (parent rating)	04-Nov-2014	A-1 (parent rating)	04-Nov-2014
	Outlook	Stable	24-Jun-2021		
Suncorp-Metway Limited	Issuer	A+	29-Jun-2022	A-1	29-Jun-2022
	Outlook	Negative	29-Jun-2022		
ABN AMRO Bank N.V.	Issuer	A	16-Nov-2012	A-1	05-Feb-2010
	Outlook	Stable	02-Feb-2021		
Bank of China Ltd	Issuer	A	30-Nov-2011	A-1	30-Nov-2011
	Outlook	Stable	30-Nov-2011		
ING Bank (Australia) Ltd	Issuer	A	27-Jul-2017	A-1	27-Jul-2017
	Outlook	Stable	27-Jul-2017		
Long term 'BBB' rating category					
AMP Bank Ltd	Issuer	BBB	07-Sep-2020	A-2	01-Mar-2019
	Outlook	Positive	30-Jun-2022		
Bank of Queensland Limited	Issuer	BBB+	22-May-2017	A-2	04-Sep-2013
	Outlook	Positive	27-Apr-2021		
Bendigo & Adelaide Bank Limited	Issuer	BBB+	22-May-2017	A-2	29-May-2002
	Outlook	Positive	27-Apr-2021		
Heritage Bank Ltd	Issuer	Baa1 (Moody's)	20-Jun-2017	P-2 (Moody's)	20-Jun-17
	Outlook	Stable	20-Jun-2017		
Mystate Financial Ltd	Issuer	Baa1 (Moody's)	17-Oct-2017	P-2 (Moody's)	17-Oct-17
	Outlook	Stable	17-Oct-2017		
RACQ Bank (ex-QT Mutual Bank)	Issuer	BBB+	16-Jul-2012	A-2	16-July-2012
	Outlook	Stable	24-Nov-2016		
Rural Bank Ltd		Refer to Bendigo & Adelaide Bank		Refer to Bendigo & Adelaide Bank	
Australian Central Credit Union Ltd (Peoples Choice Credit Union)	Issuer	BBB	22-May-2017	A-2	15-Jun-2012
	Outlook	Positive	27-Apr-2021		
Auswide Bank Ltd	Issuer	Baa2 (Moody's)	18-Sep-2017	P-2 (Moody's)	18-Sep-2017
	Outlook	Stable	18-Sep-2017		
Bank Australia	Issuer	BBB	22-May-2017	A-2	21-Jan-2008
	Outlook	Positive	27-Apr-2021		
Defence Bank Ltd	Issuer	BBB	22-May-2017	A-2	22-Apr-2013
	Outlook	Positive	27-Apr-2021		
Great Southern Bank (ex-CUA)	Issuer	BBB	22-May-2017	A-2	15-Oct-2010
	Outlook	Positive	27-Apr-2021		
Greater Bank Ltd	Issuer	BBB	22-May-2017	A-2	12-Oct-2006
	Outlook	Positive	27-Apr-2021		
IMB Ltd	Issuer	Baa1 (Moody's)	22-Dec-2017	P-2 (Moody's)	22-Dec-2017
	Outlook	Stable	22-Dec-2017		
Members Equity Bank Pty Ltd		Refer to Bank of Queensland		Refer to Bank of Queensland	
Newcastle Permanent Building Society Ltd	Issuer	BBB	22-May-2017	A-2	12-Oct-2004
	Outlook	Positive	27-Apr-2021		
Police & Nurses Ltd	Issuer	BBB	01-Sep-2014	A-2	02-Feb-2012
	Outlook	Positive	27-Apr-2021		
Police Bank Ltd	Issuer	BBB	22-May-2017	A-2	02-Feb-2012
	Outlook	Positive	27-Apr-2021		
Teachers Mutual Bank Ltd	Issuer	BBB	22-May-2017	A-2	04-Aug-2010
	Outlook	Positive	27-Apr-2021		
Qudos Bank (Qantas Staff Credit Union Ltd)	Issuer	Baa1 (Moody's)	29-Jul-2019	P-2 (Moody's)	29-Jul-2019
	Outlook	Stable	29-Jul-2019		
QBank (QPCU Ltd)	Issuer	BBB-	22-May-2017	A-3	22-May-2017
	Outlook	Positive	27-Apr-2021		





## Appendix D – Standard & Poor's Credit Ratings Definitions

### Short-Term Issue Credit Ratings

Category	Definition
<b>A-1</b>	A short-term obligation rated 'A-1' is rated in the highest category by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.
<b>A-2</b>	A short-term obligation rated 'A-2' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on the obligation is satisfactory.
<b>A-3</b>	A short-term obligation rated 'A-3' exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.
<b>B</b>	A short-term obligation rated 'B' is regarded as vulnerable and has significant speculative characteristics. The obligor currently has the capacity to meet its financial commitments; however, it faces major ongoing uncertainties which could lead to the obligor's inadequate capacity to meet its financial commitments.
<b>C</b>	A short-term obligation rated 'C' is currently vulnerable to nonpayment and is dependent upon favorable business, financial, and economic conditions for the obligor to meet its financial commitment on the obligation.
<b>D</b>	A short-term obligation rated 'D' is in default or in breach of an imputed promise. For non-hybrid capital instruments, the 'D' rating category is used when payments on an obligation are not made on the date due, unless Standard & Poor's believes that such payments will be made within any stated grace period. However, any stated grace period longer than five business days will be treated as five business days. The 'D' rating also will be used upon the filing of a bankruptcy petition or the taking of a similar action and where default on an obligation is a virtual certainty, for example due to automatic stay provisions. An obligation's rating is lowered to 'D' if it is subject to a distressed exchange offer.

### Long-Term Issue Credit Ratings\*

Category	Definition
<b>AAA</b>	An obligation rated 'AAA' has the highest rating assigned by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.
<b>AA</b>	An obligation rated 'AA' differs from the highest-rated obligations only to a small degree. The obligor's capacity to meet its financial commitment on the obligation is very strong.
<b>A</b>	An obligation rated 'A' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher-rated categories. However, the obligor's capacity to meet its financial commitment on the obligation is still strong.
<b>BBB</b>	An obligation rated 'BBB' exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.
<b>BB; B; CCC; CC; and C</b>	Obligations rated 'BB', 'B', 'CCC', 'CC', and 'C' are regarded as having significant speculative characteristics. 'BB' indicates the least degree of speculation and 'C' the highest. While such obligations will likely have some quality and protective characteristics, these may be outweighed by large uncertainties or major exposures to adverse conditions.
<b>BB</b>	An obligation rated 'BB' is less vulnerable to nonpayment than other speculative issues. However, it faces major ongoing uncertainties or exposure to adverse business, financial, or economic conditions which could lead to the obligor's inadequate capacity to meet its financial commitment on the obligation.
<b>B</b>	An obligation rated 'B' is more vulnerable to nonpayment than obligations rated 'BB', but the obligor currently has the capacity to meet its financial commitment on the obligation. Adverse business, financial, or economic conditions will likely impair the obligor's capacity or willingness to meet its financial commitment on the obligation.
<b>CCC</b>	An obligation rated 'CCC' is currently vulnerable to nonpayment, and is dependent upon favorable business, financial, and economic conditions for the obligor to meet its financial commitment on the obligation. In the event of adverse business, financial, or economic conditions, the obligor is not likely to have the capacity to meet its financial commitment on the obligation.
<b>CC</b>	An obligation rated 'CC' is currently highly vulnerable to nonpayment. The 'CC' rating is used when a default has not yet occurred, but Standard & Poor's expects default to be a virtual certainty, regardless of the anticipated time to default.
<b>C</b>	An obligation rated 'C' is currently highly vulnerable to nonpayment, and the obligation is expected to have lower relative seniority or lower ultimate recovery compared to obligations that are rated higher.
<b>D</b>	An obligation rated 'D' is in default or in breach of an imputed promise. For non-hybrid capital instruments, the 'D' rating category is used when payments on an obligation are not made on the date due, unless Standard & Poor's believes that such payments will be made within five business days in the absence of a stated grace period or within the earlier of the stated grace period or 30 calendar days. The 'D' rating also will be used upon the filing of a bankruptcy petition or the taking of similar action and where default on an obligation is a virtual certainty, for example due to automatic stay provisions. An obligation's rating is lowered to 'D' if it is subject to a distressed exchange offer.
<b>NR</b>	This indicates that no rating has been requested, or that there is insufficient information on which to base a rating, or that Standard & Poor's does not rate a particular obligation as a matter of policy.

\*The ratings from 'AA' to 'CCC' may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.

## POLICY AND GENERAL COMMITTEE

August 15, 2022

**ITEM 9**BROKEN HILL CITY COUNCIL REPORT NO. 185/22SUBJECT: INVESTMENT REPORT FOR JULY 2022D22/42670**Recommendation**

1. That Broken Hill City Council Report No. 185/22 dated August 15, 2022, be received.

**Executive Summary:**

The *Local Government (General) Regulation 2021* (Part 9, Division 5, Clause 212), effective from 1 September 2021, 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 July 2022, Council's Investment Portfolio had a current market valuation of \$22,444,066 or principal value (face value) of \$22,424,141 and was compliant with policy and legislative requirements as per the below table.

**Report:**

Council's investments as at 31 July 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**

The International Monetary Fund (IMF), citing monetary tightening, China lockdowns and ripple effects from the war in Ukraine, cut its global growth forecasts to 3.2% for 2022 and to 2.9% for 2023. While the IMF is not forecasting a global recession, it notes that the risks are tilted to the downside. US June quarter GDP contracted by -0.9%pa which, after the March quarter contraction, met the unofficial "two quarters in a row of GDP falls" concept of a recession but with the US labour market still strong it may not be formally classified as a recession. On the bright side, economists are cautiously optimistic that global inflation pressures appear to be at or close to peaking. A combination of a falling trend in work

backlogs, freight rates, metal prices, grain prices and even oil prices is likely to flow through to lower monthly inflation readings over the next 6 months. Evidence of slowing demand should then start to take pressure off central banks and slow the pace of rate hikes in time to avoid a deep recession. Global share markets mostly recorded healthy rebounds in July following their poor June results. The markets pinned their hopes that slowing growth will see central banks ease up on the pace of monetary tightening helped along by mostly good earnings results. The US S&P 500 index gained over 9%, European shares were up 7.6%, and Japanese shares rose 3.17%. Australian shares recorded solid improvement as the ASX All Ords was up 6.3% led by the IT and Financials sectors.

### **Domestic issues**

Inflation data came in slightly below market expectations, at +6.1% for the year ending June. Behind the headline figure, underlying price pressures among a wide breadth of sectors are still rising with the trimmed mean rate, which excludes extreme changes, rising to 4.9%, its highest since 1990. Australian economists expect inflation to remain manageable over the next 1-2 years with inflation expected to fall back to the mid-3% area in a year and mid-2% area in 2 years. Similarly, the Federal Treasurer's statement on the economy forecasted inflation to fall inside the 2-3% target in 2024 after hitting a peak of 7.75% at the end of 2022. Other domestic economic releases were mixed:

- a strong jobs report showed employment up far more than expected with unemployment falling to 3.5% its lowest level since 1974;
- the June quarter NAB business survey showed a drop in confidence for the second quarter in a row;
- retail sales growth slowed to 0.2% likely reflecting the drag from cost of living pressures and rising mortgage rates.

### **Interest rates**

The RBA hiked the official cash rate another 50 basis points, from 0.85% to 1.35% at its July meeting with the Board noting that the level of interest rates was still very low for an economy with a tight labour market and facing a period of higher inflation. The Board agreed that further rate hikes would be needed over the months ahead to normalise monetary conditions in Australia. The market lowered its cash rate expectations over the past month, pricing in a 3.25% cash rate by the end of the 2022/23 Financial Year, down from an expected 3.50% in June.

### **Investment Portfolio Commentary**

Council's investment portfolio returned 8.69%pa (0.71% actual) for the month versus the bank bill index benchmark return of 1.45%pa. For the past 12 months, the investment portfolio has returned -0.43% versus the bank bill index benchmark's 0.22%pa. Council had no maturities or new investments in term deposits during the month. Share and bond markets became optimistic that slowing economic growth will see central banks ease up on monetary tightening. This helped the NSW TCorpIM Medium Term Growth Fund record a solid marked-to-market return of 3.02% (actual).

The Australian share market (All Ords) gained over 6% in July led higher by the Financials (over 9%) and IT (over 15%) sectors. All major sectors recorded gains with the exception of Mining/Materials which slipped by 0.45%. 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 exposure to a wide range of asset classes, including international and domestic shares via the NSW TCorp Medium Term Growth Fund. 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 – July 2022**

As at 31 July 2022, Council's Investment Portfolio had a current market valuation of \$22,444,066 or principal value (face value) of \$22,424,141 and was compliant with policy and legislative requirements as per the table above.

	Source of Funds	Principal Amount
<b>GENERAL Fund</b>	Operating Capital & Internal Restrictions	\$15,456,141
	Royalties Reserve	\$795,000
	Domestic Waste Management Reserve	\$2,167,000
	Grants	\$4,006,000
	<b>TOTAL PORTFOLIO</b>	<b>\$22,424,141</b>

**Certificate by Responsible Accounting Officer**

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

**Community Engagement:**

Nil

**Strategic Direction:**

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

**Relevant Legislation:**

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

**Financial Implications:**

The recommendation has no financial impact.

**Attachments**

1. [July 2022 Investment Report](#)

SIMON BROWN  
CHIEF FINANCIAL OFFICER

JAY NANKIVELL  
GENERAL MANAGER



## **Investment Summary Report July 2022**



# Broken Hill City Council

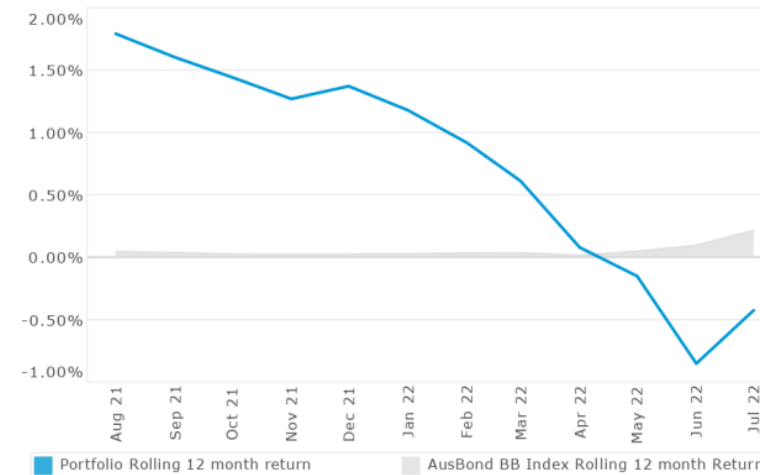
## Executive Summary - July 2022



### Investment Holdings

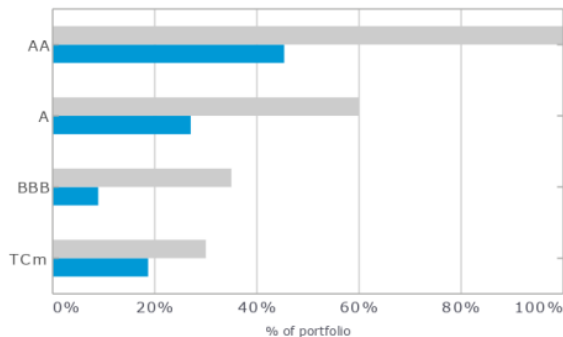
	Face Value (\$)	Current Value (\$)
Cash	13,731,481	13,731,481
Managed Funds	4,192,660	4,192,660
Term Deposit	4,500,000	4,519,925
	<b>22,424,141</b>	<b>22,444,066</b>

### Investment Performance

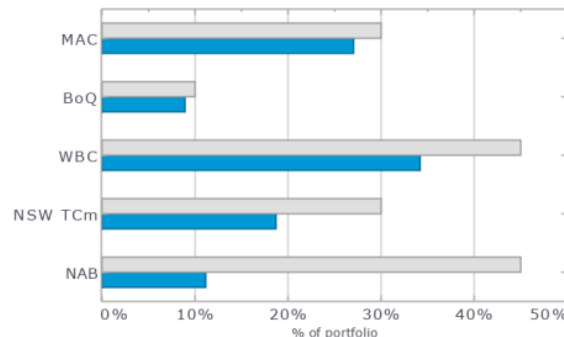


### Investment Policy Compliance

#### Total Credit Exposure



#### Individual Institutional Exposures



#### Term to Maturities

	Face Value (\$)	Policy Max
0 to 1 yrs	21,424,141	96% <b>100%</b>
1 to 10 yrs	1,000,000	4% <b>60%</b>
	<b>22,424,141</b>	

#### Specific Sub Limits

5 to 10 yrs	0	0% <b>30%</b>
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Portfolio Exposure Investment Policy Limit



## Broken Hill City Council

### Investment Holdings Report - July 2022



Cash Accounts								
	Face Value (\$)	Current Rate (%)	Institution	Credit Rating		Current Value (\$)	Deal No.	Reference
	2,204,549.23	0.0000%	Westpac Group	AA-		2,204,549.23	473409	Cheque
	5,462,910.78	1.8000%	Westpac Group	AA-		5,462,910.78	535442	90d Notice
	6,064,020.94	1.3500%	Macquarie Bank	A+		6,064,020.94	540354	Accelerator
	13,731,480.95	1.3123%				13,731,480.95		

Managed Funds								
	Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Funds Name	Current Value (\$)	Deal No.	Reference
	4,192,659.83	3.0155%	NSW T-Corp (MT)	TCm	Medium Term Growth Fund	4,192,659.83	536441	
	4,192,659.83	3.0155%				4,192,659.83		

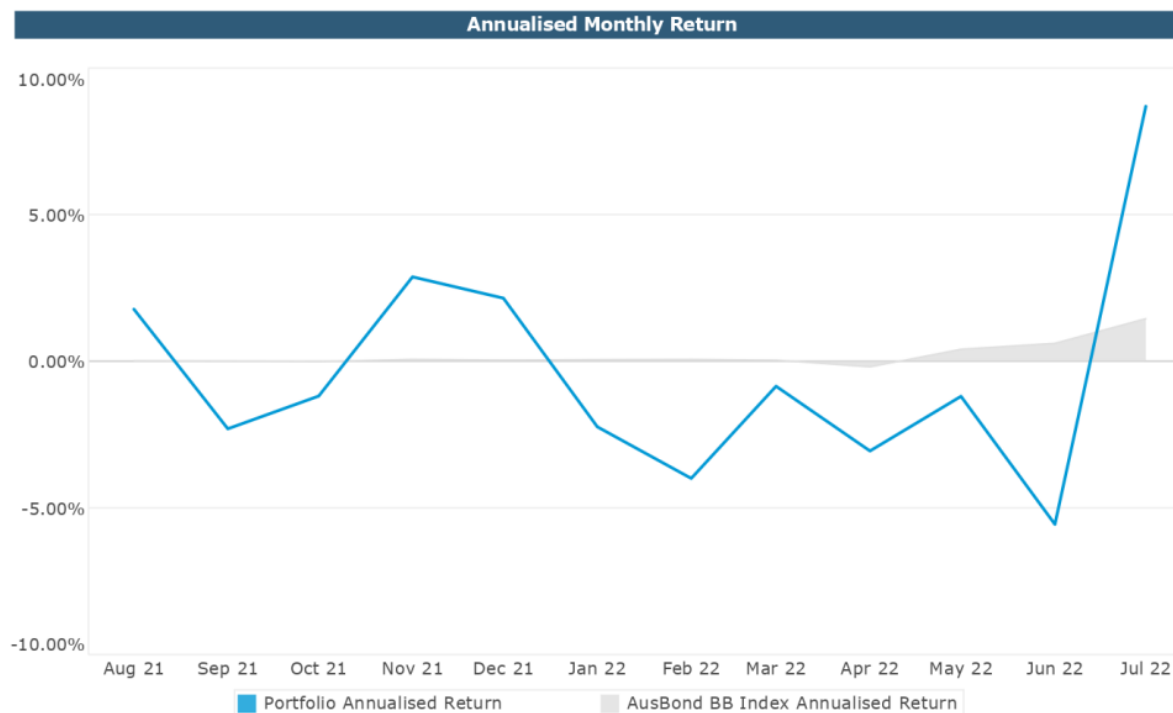
Term Deposits											
Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
12-Oct-22	500,000.00	0.4100%	National Australia Bank	AA-	500,000.00	13-Oct-21	501,640.00	541988	1,640.00	At Maturity	
24-Oct-22	500,000.00	1.4500%	National Australia Bank	AA-	500,000.00	27-Apr-22	501,906.85	542702	1,906.85	At Maturity	
16-Nov-22	500,000.00	0.7000%	ME Bank	BBB+	500,000.00	17-Nov-21	502,464.38	542099	2,464.38	At Maturity	
8-Dec-22	500,000.00	2.8000%	ME Bank	BBB+	500,000.00	8-Jun-22	502,071.23	542853	2,071.23	At Maturity	
27-Apr-23	500,000.00	2.1500%	National Australia Bank	AA-	500,000.00	27-Apr-22	502,827.40	542701	2,827.40	At Maturity	
4-Jul-23	1,000,000.00	3.9000%	ME Bank	BBB+	1,000,000.00	30-Jun-22	1,003,419.18	542914	3,419.18	At Maturity	
16-Aug-23	500,000.00	0.6200%	National Australia Bank	AA-	500,000.00	18-Aug-21	502,955.62	541757	2,955.62	Annually	
27-Sep-23	500,000.00	0.6300%	National Australia Bank	AA-	500,000.00	29-Sep-21	502,640.82	541935	2,640.82	Annually	
	<b>4,500,000.00</b>	<b>1.8400%</b>			<b>4,500,000.00</b>		<b>4,519,925.48</b>		<b>19,925.48</b>		

**Broken Hill City Council**  
Accrued Interest Report - July 2022

Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Yield Accrued (\$)	(% pa)
<b>Cash</b>									
Macquarie Bank	540354					5,742.86	0	5,742.86	1.35%
Westpac Group	473409					0.01	0	0.01	0.00%
Westpac Group	535442					6,159.40	0	6,159.40	1.80%
						<b>11,902.27</b>		<b>11,902.27</b>	<b>1.25%</b>
<b>Managed Funds</b>									
NSW T-Corp Defensive Cash Funds	535329				1-Jul-22	0.00	0	0.00	
NSW T-Corp Medium Term Growth Fund	536441				1-Sep-22	0.00	0	122,730.59	41.88%
						<b>0.00</b>		<b>122,730.59</b>	<b>41.88%</b>
<b>Term Deposits</b>									
National Australia Bank	541988		500,000.00	13-Oct-21	12-Oct-22	0.00	31	174.11	0.41%
National Australia Bank	542702		500,000.00	27-Apr-22	24-Oct-22	0.00	31	615.75	1.45%
ME Bank	542099		500,000.00	17-Nov-21	16-Nov-22	0.00	31	297.26	0.70%
ME Bank	542853		500,000.00	8-Jun-22	8-Dec-22	0.00	31	1,189.04	2.80%
National Australia Bank	542701		500,000.00	27-Apr-22	27-Apr-23	0.00	31	913.02	2.15%
ME Bank	542914		1,000,000.00	30-Jun-22	4-Jul-23	0.00	31	3,312.33	3.90%
National Australia Bank	541757		500,000.00	18-Aug-21	16-Aug-23	0.00	31	263.29	0.62%
National Australia Bank	541935		500,000.00	29-Sep-21	27-Sep-23	0.00	31	267.53	0.63%
						<b>0.00</b>		<b>7,032.33</b>	<b>1.84%</b>
<b>Grand Totals</b>						<b>11,902.27</b>		<b>141,665.19</b>	<b>8.69%</b>

## Broken Hill City Council

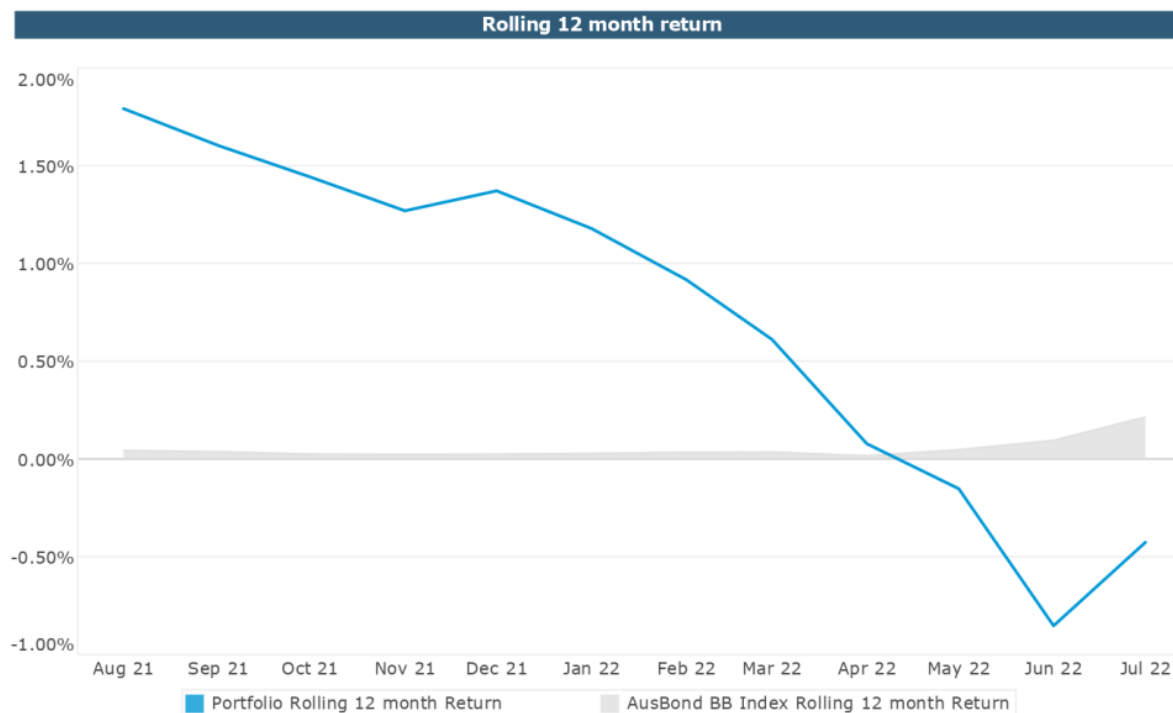
### Investment Performance Report - July 2022



Historical Performance Summary (%pa)			
	Portfolio	Annualised BB Index	Outperformance
Jul 2022	8.69%	1.45%	7.24%
Last 3 months	0.54%	0.83%	-0.29%
Last 6 months	-1.01%	0.40%	-1.41%
Financial Year to Date	8.69%	1.45%	7.24%
Last 12 months	-0.43%	0.22%	-0.65%

## Broken Hill City Council

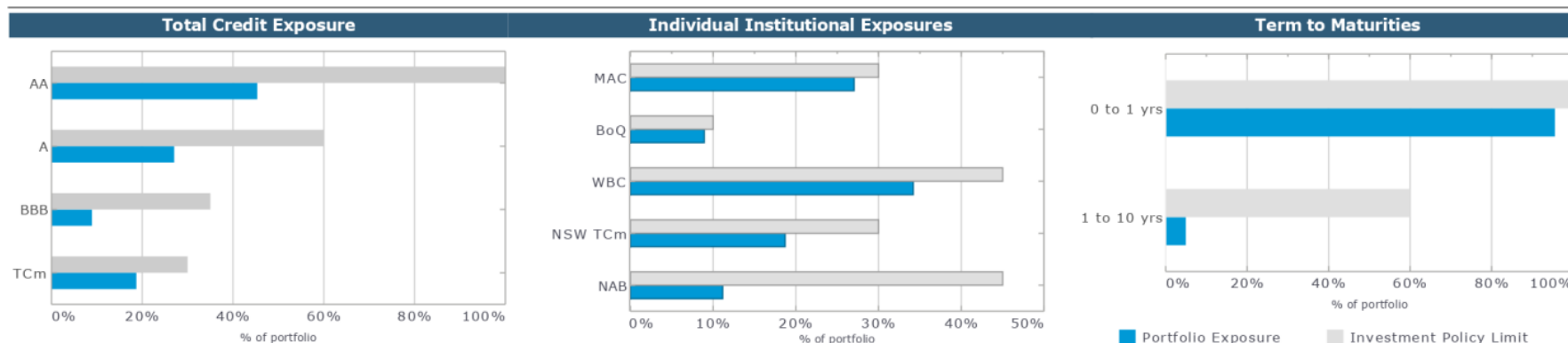
### Investment Performance Report - July 2022



Historical Performance Summary (% actual)			
	Portfolio	Annualised BB Index	Outperformance
Jul 2022	0.71%	0.12%	0.59%
Last 3 months	0.14%	0.21%	-0.07%
Last 6 months	-0.50%	0.20%	-0.70%
Financial Year to Date	0.71%	0.12%	0.59%
Last 12 months	-0.43%	0.22%	-0.65%

# Broken Hill City Council

## Investment Policy Compliance Report - July 2022



Credit Rating Group	Face Value (\$)		Policy Max	
AA	10,167,460	45%	100%	☐
A	6,064,021	27%	60%	☐
BBB	2,000,000	9%	35%	☐
TCm	4,192,660	19%	30%	☐
	<b>22,424,141</b>			

Institution	% of portfolio	Investment Policy Limit	
Macquarie Bank (A+)	27%	30%	☐
Bank of Queensland (BBB+)	9%	10%	☐
Westpac Group (AA-)	34%	45%	☐
NSW T-Corp (TCm)	19%	30%	☐
National Australia Bank (AA-)	11%	45%	☐

	Face Value (\$)		Policy Max	
0 to 1 yrs	21,424,141	96%	100%	☐
1 to 10 yrs	1,000,000	4%	60%	☐
	<b>22,424,141</b>			

Specific Sub Limits				
BBB+	2,000,000	9%	35%	☐

Specific Sub Limits				
5 to 10 yrs	0	0%	30%	☐

☐ = compliant  
☐ = non-compliant



# Broken Hill City Council

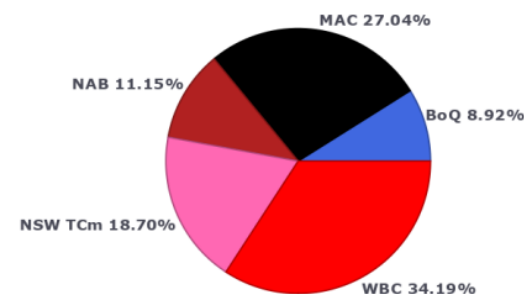
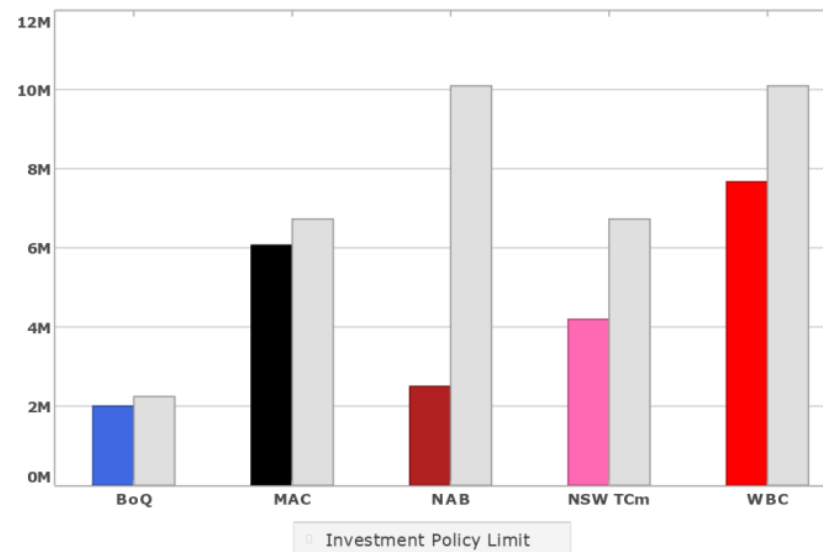
## Individual Institutional Exposures Report - July 2022



### Individual Institutional Exposures

	Current Exposures		Policy Limit		Capacity
Bank of Queensland (BBB+)	2,000,000	9%	2,242,414	10%	242,414
Macquarie Bank (A+)	6,064,021	27%	6,727,242	30%	663,221
National Australia Bank (AA-)	2,500,000	11%	10,090,863	45%	7,590,863
NSW T-Corp (TCm)	4,192,660	19%	6,727,242	30%	2,534,582
Westpac Group (AA-)	7,667,460	34%	10,090,863	45%	2,423,403
	<b>22,424,141</b>				

### Individual Institutional Exposure Charts



# Broken Hill City Council

## Cashflows Report - July 2022



### Actual Cashflows for July 2022

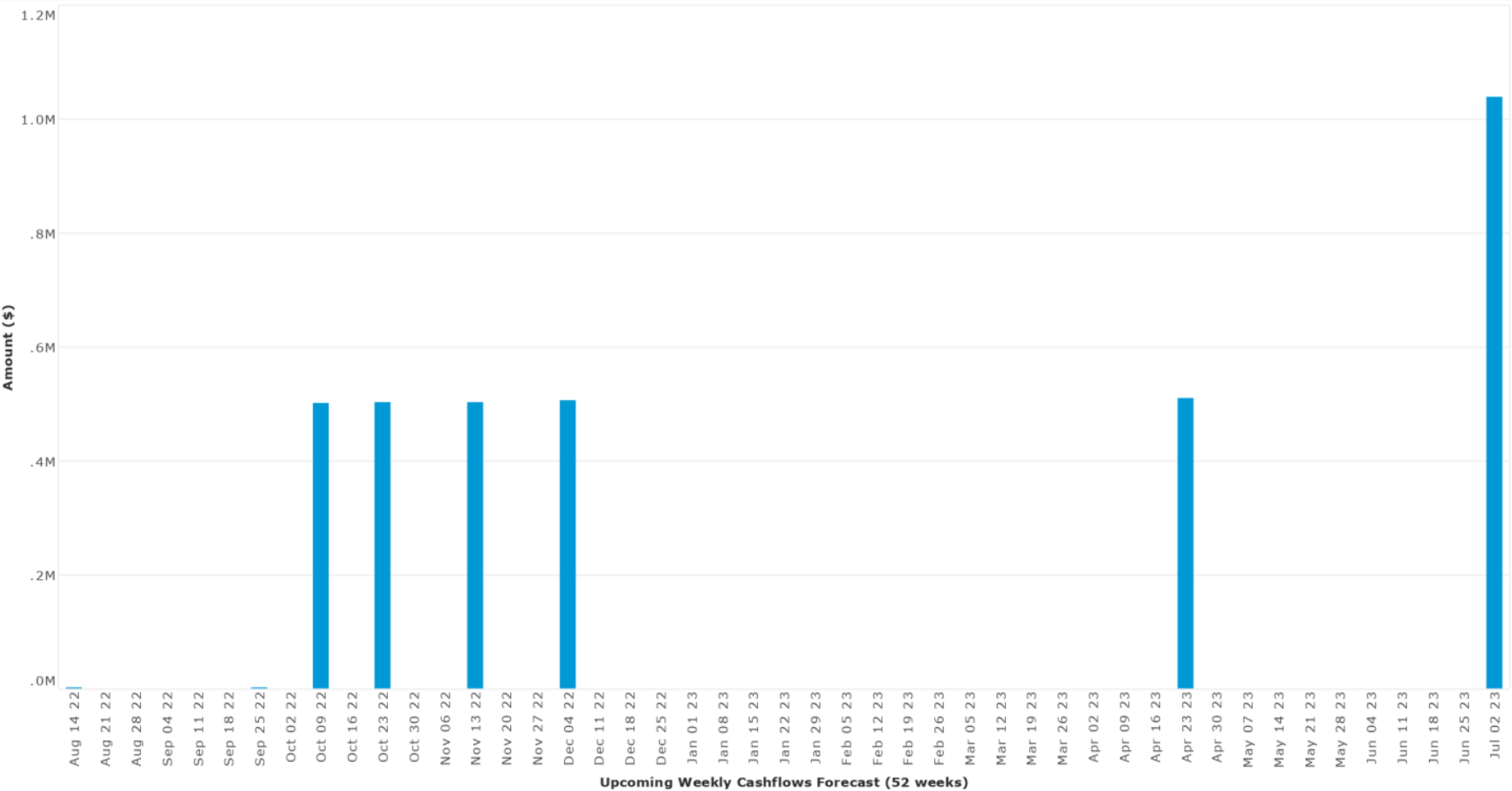
Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
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### Forecast Cashflows for August 2022

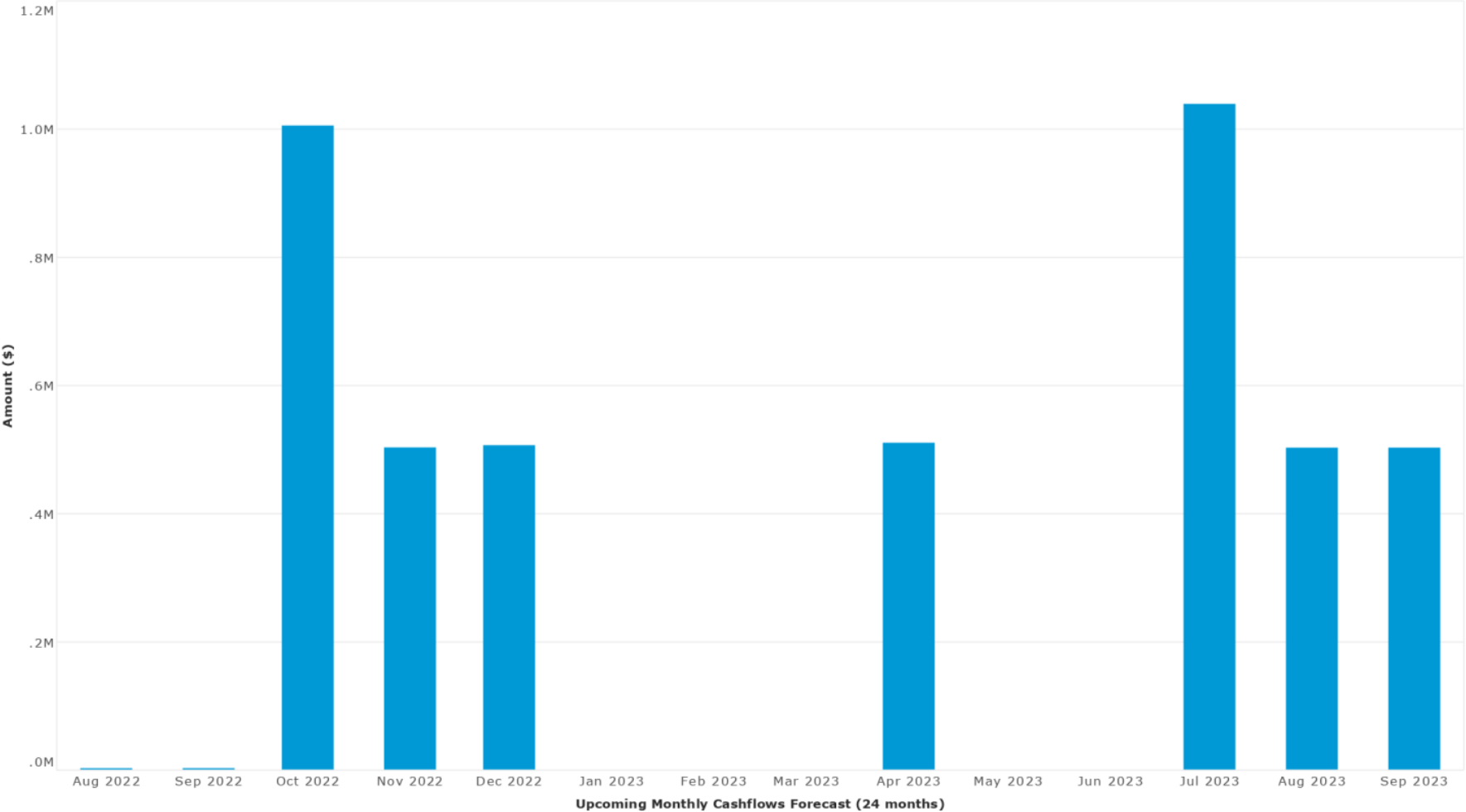
Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
18-Aug-22	541757	National Australia Bank	Term Deposit	During: Interest Received/Paid Dates	3,100.00
Deal Total					3,100.00
Day Total					3,100.00
Total for Month					3,100.00

Broken Hill City Council

Cashflows Report - July 2022



**Broken Hill City Council**  
Cashflows Report - July 2022



## POLICY AND GENERAL COMMITTEE

August 15, 2022

**ITEM 10**BROKEN HILL CITY COUNCIL REPORT NO. 186/22

SUBJECT: MEMORANDUM OF UNDERSTANDING - AFL BROKEN HILL AND  
BROKEN HILL CITY COUNCIL D22/42487

**Recommendation**

1. That Broken Hill City Council Report No. 186/22 dated August 15, 2022, be received.
2. That the General Manager be authorised to negotiate and execute a Memorandum of Understanding for a period of two (2) years with AFL Broken Hill.
3. That Council authorise the General Manager to include in the Memorandum of Understanding financial assistance grants of \$10,000 per annum.

**Executive Summary:**

AFL Broken Hill have written to Council as attached, requesting financial assistance of \$10,000 for 2022 and 2023.

AFL Broken Hill has been severely affected by the COVID-19 pandemic having been forced to cancel the 2020 season and cut short the 2021 season, just prior to finals taking place. Entry fees and food and beverage sales at games account for around 90% of AFL Broken Hill's revenue, this loss of revenue coupled with increasing costs of maintaining the Jubilee Oval has placed the board in an uncomfortable financial position and has led to the request to Council for financial support.

**Report:**

AFL Broken Hill are the league body for Australian Rules Football in Broken Hill. The league has large participation numbers with Auskick programs as well as Junior and senior competitions for men and women.

Local football competitions were cancelled in 2020 and cut short in 2021 due to restrictions in place due to the COVID-19 pandemic. These cancellations have placed AFL Broken Hill in a precarious financial position as the competitions account for more than 90% of the league's revenue. AFL Broken Hill are somewhat unique in that not only do they administer the sporting competition but are also trustees of the Jubilee oval which is a crown land reserve.

Rising costs associated with maintaining the oval coupled with the lack of football being played in 2020 and 2021 have placed the board in an uncomfortable financial position and is the reason for AFL Broken Hill contacting Council seeking a Covid-19 Recovery package.

AFL broken Hill have supplied their end of year financial report to verify their financial position.

Sport in Broken Hill plays a major role in the community and contributes significantly to the livability of the city, including attracting and retaining residents. AFL Broken Hill and its clubs

are a large part of this with high participation numbers and enables community and family interaction and integration amongst new residents. It is envisaged that a two year memorandum of understanding providing \$10,000 per year will enable AFL Broken Hill to rebuild to a sustainable financial position, without any further Council financial support.

In addition to financial assistance package, Council officers will work with Councils S355 committees to review the fee structure for oval hire at the Alma and Memorial Ovals for inclusion in the 2023/24 budget. Oval hire at these facilities is a significant cost to the league and a review of hire fees in line with current cost recovery may lead to a more sustainable future for the league.

**Community Engagement:**

Nil.

**Strategic Direction:**

Key Direction:	1	Our Community
Objective:	1.1	Our Community spirit is our strength
Strategy:	1.1.4	Facilitate the celebration of community and cultural events

**Relevant Legislation:**

Nil.

**Financial Implications:**

If adopted by Council, a financial assistance grant of \$10,000.00 for the current 2022/23 financial year will need to be included and voted at the first quarter budget review report and a financial assistance grant of \$10,000.00 will be included in budget for the 2023/24 financial year.

**Attachments**

1. [↓](#) Letter - AFL Broken Hill

SIMON BROWN  
CHIEF FINANCIAL OFFICER

JAY NANKIVELL  
GENERAL MANAGER



Friday 22 July 2022.

Mr J Nankivell  
General Manager  
Broken Hill City Council  
240 Blende Street  
Broken Hill NSW 2880.

Dear Jay,

I am writing to you on behalf of AFL Broken Hill.

The board of AFL Broken Hill is charged with administering the sport and serving as trustees of Jubilee Oval which is a crown land reserve.

The Oval is home to cricket and AFL and in recent years has received dual gazetting as recreational and now community.

The request to the Minister to add community was to allow us the opportunity to host events other than sport as we strive to boost our revenue stream.

This has proved successful with the Oval set to host the Glamping site for the HEEL festival in September which will enable us to charge a hire fee.

The threat to our tenure as trustees though has come from a combination of rising costs and Covid -19, the pandemic cruelled our AFL season in 2020 and cut short our 2021 season.

The local football season is the major source of our income and generates over 90% of our revenue.

The last 2 years with lack of football and ever-present costs of maintaining Jubilee Oval with water, power, mowing etc has placed our board in an uncomfortable financial position.

In this post Covid-19 lockdown era we are seeking support from Council to assist us to return to a sustainable financial footing.

We are requesting in simple terms a Covid-19 recovery package.

We believe with the modelling we have undertaken a return to a position of not requiring Council assistance can occur within a 2 year period providing we do not experience the draconian season ending measures we endured in 2020 and 2021.

I have attached the EOFY 2021 financial report to verify our position the 2020 figures display funding from the NSW Stronger Country Communities fund which was money we received for the Oval up-grade which has now mainly been acquitted.

If Council can support us to the amount of \$10,000 in 2022 and again in 2023 we would be most grateful.

As I have stated we are determined to continue in our roles however at this point of time we do require assistance for that position to proceed past 2022.

I am free to discuss at any time our proposal and thank you and the Councillors for considering our position.

Regards,



Chairman  
AFL Broken Hill





## POLICY AND GENERAL COMMITTEE

August 4, 2022

**ITEM 11**BROKEN HILL CITY COUNCIL REPORT NO. 187/22

SUBJECT: RE-ESTABLISHMENT OF E.T. LAMB MEMORIAL OVAL  
COMMUNITY COMMITTEE AND COMMITTEE NOMINATIONS  
D22/41183

**Recommendation**

1. That Broken Hill City Council Report No. 187/22 dated August 4, 2022, be received.
2. That Council re-establish the E.T. Lamb Memorial Oval Community Committee.
3. That Council appoints at least one Councillor Representative to the E.T. Lamb Memorial Oval Community Committee.
4. That user groups of the E.T. Lamb Memorial Oval and community representatives, continue to be encouraged to consider an interest in joining the community committee to achieve the required number of members stated in the constitution and for effective management of the asset.
5. That Council appoints Mr Dean Meadows, Mr Luke Driscoll, Mr Ross Morris, Mr Des Rumble and Mr Lyndon Pace as community representatives of the E.T. Lamb Memorial Oval Community Committee, subject to Council resolving to re-establish the committee.

**Executive Summary:**

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

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

In accordance with Section 355 of the *Local Government Act 1993* Council previously established Committees to assist Council with the operation and management of its parks, ovals and reserves. These are called Section 355 Asset Committees. Council has also previously established Section 355 Advisory Committees to provide advice to the General Manager on specific operations of Council.

Council resolved to disband the E.T. Lamb Memorial Oval Community Committee at its Meeting held 25 March 2020 (Minute No 46219) due to a decline in membership and inactivity of the remaining Committee to effectively be able to manage the asset.

Council resolved at that meeting:

*That major groups of the E.T. Lamb Memorial Oval be encouraged to consider an interest in joining the community committee to allow the s355 Community Committee to re-establish in accordance with s355 Asset Manual and s355 E.T. Lamb Memorial Oval Community Committee Constitution.*

Council's future vision for the Committee as stated in the report was,

*Given the background of the current situation, it is recommended that the E.T. Lamb Memorial Oval Community Committee be disbanded and formally brought back into Council's operational control for care and maintenance, until such time as full committee membership can be put in place in accordance with Council's adopted s355 Asset Committee Manual and Constitution of the E.T. Lamb Memorial Oval Community Committee.*

In accordance with the resolution of the Council in March 2020, to seek potential community membership for management of the E.T. Lamb Memorial Oval Community Committee, Council resolved the following, at its Meeting held 30 March 2022 (Minute No 46795).

*That Council invite applications for Committee membership of the inactive E.T. Lamb Memorial Oval Community Committee to consider reestablishment in accordance with the S355 Asset Manual and draft Constitution of the E.T. Lamb Memorial Oval Community Committee.*

### **Report:**

Advertising commenced in March 2022 and is ongoing, seeking nominations to fill vacant community representative positions on Section 355 Committees.

Letters of appreciation were sent to outgoing community representatives of all Section 355 Committees as per Council's resolution at the 30 March 2022 Meeting. These letters included encouraging past community members of the E.T. Lamb Memorial Oval Community to submit nominations, to enable consideration of the re-establishment of the Committee, subject to a sufficient number of nominations received.

The Constitution of the E.T. Lamb Memorial Oval Community Committee, Section 8: Structure and Membership states:

- 8.1. The Committee shall consist of eight (8) members to be appointed by resolution of the Council, such members to be nominated in the following manner:*
  - At least one (1) Councillor representative
  - Allowance for one (1) representative per user group
  - Reasonable number of community representatives reflecting the size and operations of the facility (to be agreed upon by executive).
- 8.2. Relevant Council staff can be invited by the Committee to provide information and technical advice on any upcoming Agenda items.*
- 8.3. Council reserves the right to amend the number of Committee members and category of representation.*

Council is in receipt of five community representative nominations for the Section 355 E.T. Lamb Memorial Oval Community Committee. These nominations are attached to this report for Council consideration.

It is recommended that five community representatives and one Councillor representative would be a sufficient number to consider re-establishment of the E.T. Lamb Memorial Oval Community Committee. Six representatives in total could be considered a reasonable number to establish an executive and effectively manage the asset, while continuing to seek further nominations for committee membership.

To ensure successful and long-term reinstatement, user groups of the E.T. Lamb Memorial Oval and community representatives, continue to be encouraged to consider an interest in

joining the community committee and achieve the required number of members stated in the constitution for effective management of the asset.

Nominations for membership of E.T. Lamb Memorial Oval Community Committee, received as of Wednesday, 10 August 2022.

- Mr Dean Meadows
- Mr Luke Driscoll
- Mr Ross Morris
- Mr Des Rumble
- Mr Lyndon Pace

In accordance with the Constitution of the E.T. Lamb Memorial Oval Community Committee, at least one Councillor Representative will be required to be appointed.

### **Community Engagement:**

Section 355 Committee nomination invitations in the Barrier Truth is ongoing. Nomination invitations for Section 355 Community Committees have also been posted on Council's Facebook page. Committee information and related manuals, constitution and the nomination form are available on Council's Facebook Page.

Reports to Council 25 March 2020 and 30 March 2022.

### **Strategic Direction:**

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

### **Relevant Legislation:**

*Local Government Act 1993*

### **Financial Implications:**

Volunteers perform a vital community service in assisting Council with the operation, management and maintenance of its parks, ovals and reserves and maximises community use of the facilities. Local volunteers have considerable extra knowledge through relationships built with users over time as well as an intimate knowledge of the site they manage. Without such care and attention and involvement by community groups in their local facilities, assets would need to return to direct oversight by Council.

Annual subsidies for E.T. Lamb Memorial Committee can be accommodated from within the current operational budget.

### **Attachments**

1. S355 ET Lamb Memorial Oval Nominations  
[↓](#)
2. Council Meeting 30 March 2022 - Minute 46795  
[↓](#)
3. Constitution of the ET Lamb Memorial Oval Community Committee - adopted  
[↓](#) 30.03.2022

RAZIJA NU'MAN  
CHIEF CORPORATE AND COMMUNITY OFFICER

JAY NANKIVELL  
GENERAL MANAGER

## Section 355 Committee Nomination Form

BROKEN HILL  
CITY COUNCIL

Submission date: 21 April 2022, 6:55PM

Receipt number: S355N-19

Related form version: 5

### Contact Details

First Name	Dean
Last Name	Meadows
Contact Number	
Do you have an email address?	Yes
Email Address	
Applicant Street Number	
Applicant Street Name	
Applicant Suburb/City	Broken Hill
Applicant State	NSW
Applicant Postcode	2880

### Committee Details

Which S355 Committee are you nominating for?	ET Lamb Memorial Oval Community Committee
--	---

### Privacy

- Council is collecting your personal information in accordance with the Privacy and Personal Information Protection Act 1998.
- The purpose for collecting your personal information is to obtain and record details to assess your application.
- The supply of your personal information may be by law or voluntary. If you cannot provide or do not wish to provide the information sought, Council may not be able to process your application.
- Your information will be collected and stored, in accordance with the State Records Act 1998, by Broken Hill City Council, 240 Blende Street, Broken Hill NSW 2880.

1 of 2

Declaration

I declare that I am over the age of 18

I declare that I have established ties to the Broken Hill community

I declare that I am a resident of the local government area (LGA); or if not a resident, be able to demonstrate an interest in the objectives of the committee and ability to attend committee meetings to the satisfaction of Council

I declare that I will commit to the activities of the Committee and a willingness to be actively involved in the Committee issues

I declare that all the information provided in this application is given by me being the person named as the applicant.

## Section 355 Committee Nomination Form

**BROKEN HILL**  
CITY COUNCIL

Submission date: 22 April 2022, 9:06AM

Receipt number: S355N-20

Related form version: 5

### Contact Details

First Name	Luke
Last Name	Driscoll
Contact Number	
Do you have an email address?	Yes
Email Address	
Applicant Street Number	
Applicant Street Name	
Applicant Suburb/City	BROKEN HILL (NSW)
Applicant State	NSW
Applicant Postcode	2880

### Committee Details

Which S355 Committee are you nominating for?	ET Lamb Memorial Oval Community Committee
--	---

### Privacy

- Council is collecting your personal information in accordance with the Privacy and Personal Information Protection Act 1998.
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1 of 2

Declaration

I declare that I am over the age of 18

I declare that I have established ties to the Broken Hill  
community

I declare that I am a resident of the local government area  
(LGA); or if not a resident, be able to demonstrate an  
interest in the objectives of the committee and ability to  
attend committee meetings to the satisfaction of Council

I declare that I will commit to the activities of the Committee  
and a willingness to be actively involved in the Committee  
issues

I declare that all the information provided in this application  
is given by me being the person named as the applicant.



## Section 355 Committee Nomination Form



Submission date: 4 May 2022, 2:17PM  
Receipt number: S355N-30  
Related form version: 5

### Contact Details

First Name	Des
Last Name	Rumble
Contact Number	
Do you have an email address?	Yes
Email Address	
Applicant Street Number	
Applicant Street Name	
Applicant Suburb/City	Broken Hill
Applicant State	
Applicant Postcode	2880

### Committee Details

Which S355 Committee are you nominating for?	ET Lamb Memorial Oval Community Committee
--	---

### Privacy

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Declaration

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I declare that I have established ties to the Broken Hill community

I declare that I am a resident of the local government area (LGA); or if not a resident, be able to demonstrate an interest in the objectives of the committee and ability to attend committee meetings to the satisfaction of Council

I declare that I will commit to the activities of the Committee and a willingness to be actively involved in the Committee issues

I declare that all the information provided in this application is given by me being the person named as the applicant.

## Section 355 Committee Nomination Form

**BROKEN HILL**  
CITY COUNCIL

Submission date: 22 April 2022, 2:47PM  
Receipt number: S355N-21  
Related form version: 5

### Contact Details

First Name Ross  
Last Name Morris  
Contact Number  
Do you have an email address? Yes  
Email Address  
Applicant Street Number  
Applicant Street Name  
Applicant Suburb/City Broken Hill  
Applicant State NSW  
Applicant Postcode 2880

### Committee Details

Which S355 Committee are you nominating for? ET Lamb Memorial Oval Community Committee

### Privacy

- Council is collecting your personal information in accordance with the Privacy and Personal Information Protection Act 1998.
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1 of 2

Declaration

I declare that I am over the age of 18

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I declare that I am a resident of the local government area (LGA); or if not a resident, be able to demonstrate an interest in the objectives of the committee and ability to attend committee meetings to the satisfaction of Council

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I declare that all the information provided in this application is given by me being the person named as the applicant.

## Section 355 Committee Nomination Form

**BROKEN HILL**  
CITY COUNCIL

Submission date: 27 July 2022, 12:34PM  
Receipt number: S355N-68  
Related form version: 7

### Contact Details

First Name Lyndon  
Last Name Pace  
Contact Number  
Do you have an email address? Yes  
Email Address  
Applicant Street Number  
Applicant Street Name Broken Hill  
Applicant Suburb/City Broken Hill  
Applicant State NSW  
Applicant Postcode 2880

### Committee Details

Which S355 Committee are you nominating for? ET Lamb Memorial Oval Community Committee

### Privacy

- Council is collecting your personal information in accordance with the Privacy and Personal Information Protection Act 1998.
- The purpose for collecting your personal information is to obtain and record details to assess your application.
- The supply of your personal information may be by law or voluntary. If you cannot provide or do not wish to provide the information sought, Council may not be able to process your application.
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1 of 2

Declaration

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I declare that I am a resident of the local government area (LGA); or if not a resident, be able to demonstrate an interest in the objectives of the committee and ability to attend committee meetings to the satisfaction of Council

I declare that I will commit to the activities of the Committee and a willingness to be actively involved in the Committee issues

I declare that all the information provided in this application is given by me being the person named as the applicant.

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
MARCH 30, 2022

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CARRIED UNANIMOUSLY

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 67/22 - DATED MARCH 01, 2022 -  
SECTION 355 ADVISORY AND ASSET COMMITTEE MANUALS AND CONSTITUTIONS**

D22/10225

**RESOLUTION**

Minute No. 46795

Councillor R Algate moved  
Councillor A Chandler seconded

**Resolved**

- ) 1. That Broken Hill City Council Report No.  
) 67/22 dated March 1, 2022, be received.
2. That Council adopt the Section 355 Asset  
Committee Manual
3. That Council adopt the Section 355  
Advisory Committee Manual
4. That Council adopt the Section 355  
Constitutions for all ten active Section 355  
Committees
5. That Council invite applications for  
Committee membership of the inactive E.T.  
Lamb Memorial Oval Community Committee  
to consider reestablishment in accordance  
with the s355 Asset Manual and draft  
Constitution of the E.T. Lamb Memorial Oval  
Community Committee.
6. That the s355 E.T. Lamb Memorial Oval  
Community Committee be re-established  
subject to meeting committee management  
requirements as outlined in the Committee  
Constitution and a Councillor representative  
also nominated.
7. That should insufficient applications be  
received for committee management of the  
E.T. Lamb Memorial Oval Community  
Committee, then its care, maintenance and  
management remain under the control of  
Council operations.
8. That the draft Constitution of the E.T. Lamb  
Memorial Oval Community Committee be  
adopted for use, in the event that a  
management committee can be formed.
9. That all previous Frameworks and  
Constitutions become obsolete and  
removed from Council's website
10. That all adopted s355 Manuals and  
Constitutions be uploaded to Council's  
website.

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This is page 13 of the Minutes of the Ordinary Meeting of the Broken Hill City Council held MARCH  
30, 2022

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
MARCH 30, 2022

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11. That Council invite applications for Committee membership in accordance with all adopted Constitutions.
12. That Council write and thank all existing Committee members for their care and oversight during a very disrupted period of tenure as a result of COVID and election delays.
13. That Council's appreciation be noted for the work undertaken to revise the Section 355 Committee Framework to provide more autonomy in the operation of Section 355 Committees; and for attendance of Council Officers at future Committee meetings to undertake the role of liaising with Committees to ensure that future maintenance work requests are actioned by Council in a timely manner.

CARRIED

## CONSTITUTION OF THE E.T. LAMB MEMORIAL OVAL COMMUNITY COMMITTEE

QUALITY CONTROL		
TRIM REFERENCES	D12/14774 – 12/50	
RESPONSIBLE POSITION	Chief Corporate and Community Officer	
APPROVED BY	Council	
REVIEW DATE	March 2022	REVISION NUMBER 8
EFFECTIVE DATE	ACTION	MINUTE NUMBER
6 October 2004	Adopted	40741
29 March 2006	Amended	41709
29 November 2006	Amended	42070
31 January 2007	Amended	42126
28 March 2007	Amended	42190
25 February 2009	Amended	42918
31 July 2013	Amended	44407
29 March 2017	Adopted	45508
30 March 2022	Adopted	46795

### 1. INTRODUCTION

- 1.1 The E.T. Lamb Memorial Oval Community Committee is a Section 355 Asset Committee established by Council under Section 355 of the *Local Government Act*.

### 2. COMMITTEE OBJECTIVE

- 2.1 To undertake an advisory role in respect of the care, maintenance, repair, beautification, improvement and management of the Oval; the Committee shall liaise with Council through a Contact Officer or current Councillor Representative/s on the Committee, in respect of proposed projects.
- 2.2 To carry out works as approved by Council.
- 2.3 To maintain a record of bookings of the Oval and its facilities in diary form and produce such a book for the inspection of Council upon request.



- 2.4 To provide access to the Oval and its facilities for use by citizens of and visitors to Broken Hill without distinction.
- 2.5 To allow any regular user of the Oval to erect structures under such conditions as the Committee shall see fit, provided that no such agreement shall be concluded without the approval in writing of the Council; so that Council's insurers are aware of the event activity.
- 2.6 To ensure a copy of current rules of use of the Oval and its facilities and the current schedule of fees and charges are exhibited in an appropriate public place at the sportsground.
- 2.7 To recommend to Council the making of rules or setting of any fees and charges, none of which to be implemented without formal approval by Council.

**3. COMMITTEE NAME**

- 3.1 The Committee shall be called the E.T. Lamb Memorial Oval Community Committee.

**4. COMMITTEE ASSET LOCATION AND ADDRESS**

- 4.1 The Committee shall manage and maintain the E.T. Lamb Memorial Oval, situated at 125 Boughtman Street.
- 4.2 The postal address of the Committee will be "to be advised" and alternatively c/- PO Box 448, Broken Hill NSW 2880.



**5. COMMITTEE DELEGATION**

Committees are responsible for the tasks delegated by Council which may include letting, cleaning, maintenance, minor repairs and operations.

- 5.1** To oversee and conduct the necessary duties of watering, weeding and lawn edging, sundry repairs and maintenance to watering systems and fixtures.
- 5.2** To present the Oval at a standard of appearance that is satisfactory to the community.
- 5.3** To provide a satisfactory service to users of the Oval and to advise Council promptly of safety and maintenance concerns.
- 5.4** To request Council assistance in removal of dead trees and any other task that requires the use of high risk power tools such as chainsaws.
- 5.5** To recommend to Council an annual works maintenance program and any special projects proposed by the Committee.
- 5.6** To co-opt additional members from time to time, at its discretion, to provide specialist advice or assistance at nil cost and without voting rights.
- 5.7** To recommend to Council any fees and charges for use of the Oval, each financial year for Council's consideration.
- 5.8** To accept all bookings for use of the Oval and keep all necessary records in respect of same.
- 5.9** To ensure that all Committee members abide by all of Council's Work, Health and Safety requirements, that all designated personal protective equipment (e.g. gloves, safety glasses) required by Council are used; and to ensure that safety procedures for use of the Sportsground are monitored.
- 5.10** To bring to Council's attention by way of recommendation through the Council or his/her delegate any item requiring a policy decision outside the authorised delegation of the Committee.

**6. RESTRICTION OF DELEGATION**

The Committee may not make decisions concerning the following:

- 6.1** The employment of staff. Committees may not have paid employees as this authority cannot be delegated under Section 355 of the Act. Volunteers will be covered by Council Insurance where they are registered with the committee and where they have acted in good faith and lawfully within this instrument of delegation and schedules.
- 6.2** Fixing of charges or fees (the Committee may submit recommendations for approval to Council in relation to the fixing of charges and fees for the use of the facility under its control).
- 6.3** Borrowing any monies.
- 6.4** The sale, lease or surrender of any land or other property vested in its care under the provision of the Act (as amended).
- 6.5** Formation of submissions to government policies or implementation of policies without the prior written consent of Council.

- 6.6** The payment or making of any profit, gain or gift, to or by its members as well as allowance or travelling expenses incurred whilst attending committee meeting.
- 6.7** The carrying out of any works on or to the facility including alterations, reconstruction or construction without the prior written consent of Council (this does not include minor maintenance work).
- 6.8** As a voluntary Committee, members do not receive payment for their services. The Committee may by resolution reimburse the Secretary for phone calls and postage made in relation to the hire of the facility. No other payment is to be made to Committee members without the prior written approval of Council.
- 6.9** Unreasonably withholding consent for the letting of the facility to any organisations which agreed to comply with and adhere to the rules adopted for the use of the facility, providing an acceptable letting period is available.
- 6.10** Vote on monies for expenditure on the works, services or operations of Council.
- 6.11** The exercise by the Committee of its powers and functions will be subject to such limitations and conditions as may from time to time be imposed by law, specified by resolution of the Council or in writing by the General Manager to the Committee. The Committee will observe any rules and regulations made by Council, in relation to the facility/ function under its management and control.
- 6.12** If at any time the Committee is deemed to be functioning outside the limits of its powers as described herein, all powers may be revoked by written notice to the Committee signed by the General Manager or his/her representative.

#### 7. COMMITTEE VS COUNCIL RESPONSIBILITY

ITEM	COMMITTEE	COUNCIL
<b>EXTERNAL</b>		
Walls – structure and cladding	Inspection and reporting of defects	Repair and replacement
Walls – finishing	Cleaning, removal of graffiti	Painting and resurfacing
Water supply and fittings – taps and valves	Maintenance and lubrication Inspection and reporting of defects Replacement of washers	Repair and replacement
Water supply and fittings – pipe works	Inspection and reporting of defects Securing off in emergency	Repair and replacement
Plumbing – sewerage lines and septic	Inspection and reporting of defects Emergency unblocking or make safe repairs	Repair and replacement
Guttering, down pipes, waste pipes and drains	Inspection and reporting of defects Clear foreign objects, blockages, mud etc.	Repair and replacement
External roofs, guttering and flashing	No responsibility	Repair and replacement
Light globes and fittings	Replacements of globes no	Replacement of any street

	higher than two metres above head height	lighting or light fittings Replacement of globes two metres above head height
Doors, including door hardware	Immediate securing where damaged	Repair and replacement
Windows – frames and locks	Inspection and reporting of defects Lubrication of hardware	Repair and replacement
Windows – glazing	All regular cleaning and maintenance Immediate securing if broken	Repair and replacement
Locks and security systems	Maintain key register Replace keys and locks not on Council Key Register Immediate securing of building if damaged Minor lubrication of locks Engage security service if required	Purchase, installation, service and maintenance where compatible with Council's Key Register
<b>INTERNAL</b>		
Internal walls and ceilings	Inspection and reporting of defects	Repair and replacement
Internal walls – painting	Cleaning	Painting and resurfacing
Ceilings – structure	Inspection and reporting of defects	Repair and replacement
Ceilings – surfacing	Inspection and reporting of defects	Repair and replacement
Floor structure	Inspection and reporting of defects	Repair and replacement
Floor surfaces and coverings	All regular cleaning and maintenance	Repair and replacement
Doors (including cupboards, doors and door fittings)	Regular cleaning Lubrication of hardware	Repair and replacement
Internal electrical wiring and fittings	Make safe immediately	Repair and replacement
Light globes	Replacement of globes no higher than two metres above head height	Replacement of globes where Committee risk assessment unable to manage risk
Light fittings	Inspection and reporting of defects	Repair and replacement
Water supply and fittings	Maintenance and lubrication Inspection and reporting of defects Replacement of washers	Repair and replacement
Internal plumbing – pipes, cisterns, toilet bowls, hand basins, sinks	Minimise any leakage and further damage	Repair and replacement

Heating, air-conditioning fixtures, hot water systems	Payment of all gas, water and electricity bills, and inspection and reporting of defects and services	Repair and replacement
Consumables to kitchens, toilets and bathrooms	Supply and replenish	No responsibility
Sanitary disposal	Supply and maintain	No responsibility
<b>ESSENTIAL SERVICES</b>		
Testing and tagging of electrical cords	Regular visual inspections. Remove damaged items from service. Arrange testing and tagging of electrical cords by an Licensed Electrician (or competent person) every two years or at Council's direction	Pay for all testing and tagging. Audit of currency of tags as part of regular inspections
Emergency lighting / exit signs	Inspection and reporting of defects	Six monthly testing Repair and replacement
Evacuation plan	Display prominently	Prepare in consultation with Committee
Paths of travel	Inspect and maintain clear paths of travel at all times Check all door handles on paths of travel	Audit according to regulations
All other Essential Safety Measures	No responsibility	All responsibility
<b>SURROUNDS</b>		
Paths and paved areas	Inspection and reporting of defects	Repair and replacement
Fencing and gates	Inspection and reporting of defects Lubrication of hardware Maintain key register	Repair and replacement
Nature strips and grassed areas	Mowing and regular re-seeding	Returfing
Sport fields and playing surfaces – watering	Water to maintain playable standard	Provide advice
Sports fields and playing surfaces	Minor maintenance, inspection and reporting of defects	Major repairs
Sports fields and playing surfaces – other	Inspection and reporting of defects	Construction, repair and replacement, annual seasonal renovation
Irrigation systems	Maintenance and minor repairs	Major repairs and replacement
Trees	Inspection and reporting of defects Minor pruning, feeding and watering	Planting and major pruning Tree removal
Facility perimeter signage	Inspection and reporting of defects	Installation, repair and replacement

Light towers	No responsibility	Total responsibility for purchase, installation, utility costs, repairs and maintenance
Australian rules football goal posts and nets	Inspection and reporting of defects	Repair and replacement
All other goals and nets	Total responsibility	No responsibility
Nets and goal posts	Total responsibility	No responsibility
Sports surface line marking	Complete as required	No responsibility
Fire prevention works	Remove all flammable materials from around buildings	Audit according to regulations
Hazardous substances and dangerous goods storage	Responsible for storing to relevant Work Health and Safety Standards	Audit according to regulations

## 8. STRUCTURE AND MEMBERSHIP

**8.1** The Committee shall consist of eight (8) members to be appointed by resolution of the Council, such members to be nominated in the following manner:

- At least one (1) Councillor representative
- Allowance for one (1) representative per user group
- Reasonable number of community representatives reflecting the size and operations of the facility (to be agreed upon by executive).

**8.2** Relevant Council staff can be invited by the Committee to provide information and technical advice on any upcoming Agenda items.

**8.3** Council reserves the right to amend the number of Committee members and category of representation.

## 9. TERM OF APPOINTMENT

**9.1** The term of a committee is the same term as the elected Council.

## 10. PRINCIPAL SPOKESPERSON

**10.1** The principal spokesperson for the Committee shall be the Chairperson.

**10.2** The Chair may authorise other members to speak on behalf of the Committee, where deemed necessary and/or appropriate

## 11. MEETINGS

**11.1** There should be minimum of four meetings held each year, however it is recommended that Ordinary Meetings of the Committees occur on a monthly basis to ensure that any outstanding matters are dealt with expeditiously.

**11.2** There should be one Annual General Meeting held per year, at which the Committee will appoint its executive.

## 12. REPORTING REQUIREMENTS

**12.1** Annual Report - Committees are to provide Council with an Annual Report inclusive of financial statements by the third (3<sup>rd</sup>) week in August each year.

- 12.2 Finance Reports - Committees are to provide Council with financial statements by third (3<sup>rd</sup>) week in August each year.

Financial Statements are to include the following information:

- Profit and Loss Statement
- Balance Sheet
- Supporting documentation as per clause 10.12 of the Section 355 Asset Committee Manual

- 12.3 Quarterly GST Reporting - Quarterly GST Reporting is to include the following information:

- A Profit and Loss Statement
- A Balance Sheet
- Completed Business Activity Statement (BAS)

- 12.4 Term Report - A Term Report will be prepared by the outgoing Committee in a Local Government Election year, on the achievements of the Committee over its four-year term and forwarded to Council by the third (3<sup>rd</sup>) week in August.

### 13. RECORDS

- 13.1 The Committee is required to keep all proper records.

- 13.2 Minutes of each meeting shall be submitted to Council within fourteen (14) days of the meeting.

### 14. FRAMEWORK

- 14.1 The Committee will comply with all provisions of Section 355 *Local Government Act 1993* (Committees), Section 377 *Local Government Act 1993* (Delegations), and the Model Code of Conduct for all Councils in NSW.

- 14.2 The Committee will comply with all provisions of Council's Section 355 Asset Committee Framework.

### 15. REVIEW

- 15.1 Review of all Section 355 Committees, their structures, Framework and including Constitutions will be conducted by Council following each Local Government General Election, or by Council resolution, at the request of the Committee or at the discretion of the General Manager.

### 16. DEFINITIONS

"Council" shall mean Broken Hill City Council.

"Committee" shall mean the E.T. Lamb Memorial Oval Community Committee.

"Executive" shall mean the Chairperson, Deputy Chairperson, Secretary and Treasurer of the Committee.

"User Group" shall mean organisations which are granted use of any portion of the facility on a license, annual, seasonal or longer term basis.

"Oval" shall mean the E.T. Lamb Memorial Oval.

## POLICY AND GENERAL COMMITTEE

July 27, 2022

**ITEM 12**BROKEN HILL CITY COUNCIL REPORT NO. 188/22

SUBJECT: MINUTES OF THE BROKEN HILL HERITAGE COMMITTEE  
ANNUAL GENERAL MEETING HELD 25 JULY 2022 D22/39192

**Recommendation**

1. That Broken Hill City Council Report No. 188/22 dated July 27, 2022, be received.
2. That minutes of the Broken Hill Heritage Committee Annual General Meeting held 25 July 2022 be received.

**Executive Summary:**

Council has received minutes of the Broken Hill Heritage Committee Annual General Meeting held 25 July 2022 for endorsement by Council.

**Report:**

As per Council's Section 355 Advisory Committee Framework Manual and the Constitution of the Broken Hill Heritage Committee (both adopted March 2022), the Committee is required to provide Council with a copy of their meeting minutes following each Committee meeting.

Accordingly, the Broken Hill Heritage Committee has submitted minutes from its Annual General Meeting held 25 July 2022 for Council's endorsement.

**Community Engagement:**

Community representatives participation on the Section 355 Broken Hill Heritage Committee.

**Strategic Direction:**

Key Direction:	4	Our Leadership
Objective:	4.1	Openness and transparency in decision making
Strategy:	4.1.5	Support the organisation to operate its legal framework

**Relevant Legislation:**

Section 355 of the *Local Government Act 1993*.  
the Broken Hill Heritage Committee operates under Council's S355 Advisory Committee Framework which includes the Section 355 Advisory Committee Manual and the Broken Hill Heritage Committee Constitution (both adopted 30 March 2022).

**Financial Implications:**

Nil



**Attachments**

1. Minutes of the Broken Hill Heritage Advisory Committee Annual General Meeting  
[!\[\]\(38441ceaa711016e0bf2ad46ad394ff4\_img.jpg\) Held 25 July 2022](#)

JAY NANKIVELL  
GENERAL MANAGER



## ANNUAL GENERAL MEETING MINUTES

Broken Hill Heritage Advisory Committee Minutes:

Date	25/07/2022	Time Meeting opened: 5pm	Time Meeting closed: 5.40pm
Location	Councillor Ground Floor meeting Room 5pm-5.40pm		
Present	Councillors Dariea Turley, Marion Browne and Michael Boland, Anne Andrews (BHCC Executive Manager Growth & Investment Manager) Tracey Stephens BHCC), Christine Adams, Gary Cook, Cliff Turley, Jeannette Thompson, Andrew Gosling		
Zoom	Gigi Barbe		
Apologies	Simon Molesworth		
Next Meeting	Tuesday 30 August 2022		
AGENDA		MOVED BY	SECONDED
1. Welcome and Apologies. Anne Andrews			
1.1. Apologies:		Anne Andrews	Councillor Dariea Turley
2. Confirmation of Minutes from previous meeting held		n/a	
3. Appointment of Executive positions.			
3.1. Name of Chairperson: Councillor Dariea Turley		Councillor Marion Browne	Councillor Michael Boland
3.2. Name of the Deputy Chairperson: Councillor Marion Browne		Councillor Michael Boland	Christine Adams
3.3. Name of the Secretary: Christine Adams		Councillor Marion Browne	Councillor Michael Boland
3.4. Name of the Treasurer:		n/a	
4. S355 Asset Manual/S355 Advisory Manual and the Committee's Constitution adopted 30 March 2022.		Accepted as read.	
5. Meeting dates to be set for remainder of the year.		Last Tuesday of each month.	
6. Adoption of the Annual Report		n/a	
7. Proposed Capital Works Requests:		n/a	
8. Adoption of the Annual Financial Report		n/a	

D17/49922



9. Review of Fees and charges (The committee is required to review and submit Fees and Charges for the next financial year to Council's Finance Team by 31 January each year)	n/a	
10. Next Meeting Date: Tuesday 30 August 2022 5pm		
11. Meeting Closed - There being no further business the Chairperson declared the meeting closed at 5.40 pm.		

**BROKEN HILL**

**CITY COUNCIL**

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