



BUSINESS PAPER

Ordinary Meeting of Council

Council Chambers
31 January 2024

6.30pm

BROKEN HILL
CITY COUNCIL

**AUSTRALIA'S FIRST
HERITAGE LISTED CITY**

Notice is hereby given, in accordance with the provisions of the *Local Government Act 1993*, that an Ordinary Meeting of the Broken Hill City Council will be held in the Council Chambers on **Wednesday 31 January 2024** commencing at **6:30pm** 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	Public Forum Session
8	Minutes for Confirmation
9	Disclosure of Interest
10	Mayoral Minute(s)
11	Notice of Motion
12	Notices of Rescission
13	Reports from Delegates
14	Reports
15	Questions Taken on Notice from Previous Council Meeting
16	Questions for Next Meeting Arising from Items on this
17	Public Forum Session
18	Confidential Matters
19	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 Ordinary Meeting of the Council meeting held Wednesday, December 20, 2023.

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Meeting commenced at 6:44pm (due to technical difficulties with the audio-visual system).

PRESENT:

Councillor T. Kennedy (Mayor) Councillor J. Hickey (Deputy Mayor),
Councillors B. Algate, M. Boland, A. Chandler, D. Gallagher and
R. Page.

General Manager, Director Finance and Commercial, Director Infrastructure
and Environment, Manager Communications and Marketing, Executive
Officer and Executive Assistants.

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

APOLOGIES:

Councillor H. Jewitt.

RESOLUTION

Minute No. 47403 - Procedural Motion

Councillor A Chandler moved)
Councillor D Gallagher seconded)

Resolved

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

CARRIED UNANIMOUSLY

LEAVE OF ABSENCE

APPLICATIONS:

- 1) Councillor M. Browne submitted a Leave of Absence Application and provided the reason "travelling out of Broken Hill".
- 2) Councillor D. Turley submitted a Leave of Absence Application for a reason as prescribed by Council's Code of Meeting Practice.

RESOLUTION

Minute No. 47404 - Procedural Motion

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

That the applications be accepted and a Leave
of Absence granted to Councillor Browne and
Councillor Turley for this Council Meeting.

CARRIED UNANIMOUSLY

PRAYER

Councillor Boland delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

ACKNOWLEDGEMENT OF BROKEN HILL'S MINING HISTORY

Councillor Chandler delivered the Acknowledgment of Broken Hill's Mining History.

PUBLIC FORUM

Nil.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 47405

Deputy Mayor J Hickey moved)
Councillor R Algate seconded)

Resolved

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held November 29, 2023 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Councillor Boland declared:

- a non-pecuniary conflict of interest in Item 15, Report No. 244/23 of Further Reports as he is the General Manager of a local Registered Club which participates in the ClubGRANTS program, and advised that he will leave the Council Chambers whilst the item is considered.

MAYORAL MINUTES

ITEM 1 - MAYORAL MINUTE NO. 25/23 - DATED DECEMBER 12, 2023 - PROJECT SUPPORT/CBH RESOURCES

D23/67427

RESOLUTION

Minute No. 47406

Mayor T Kennedy moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Mayoral Minute No. 25/23 dated December 12, 2023, be received.
2. That Council send correspondence to relevant Government Ministers and Members to request that all reasonable Government measures be undertaken as a matter of urgency to expedite the Hawsons, Cobalt Blue, and Hydrostor CAES projects.
3. That the Cobalt Blue project be prioritised for any available assistance given Australia's participation in the Critical Minerals and Clean Energy Transformation Compact with the United States.
4. That Council also sends correspondence to relevant Ministers requesting that the Smart And Skilled program funding and criteria be reviewed to assist Broken Hill in the wake of the Rasp Mine closure.
5. That Council requests that all redundant workers in Broken Hill in mining or related industries become eligible for subsidised training under the Smart And Skilled program and that locals in mining or related industries looking to upskill be considered for

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subsidised training regardless of their current employment status.

6. That Registered Training Organisations be empowered to make group applications to Smart And Skilled on behalf of potential trainees, rather than requiring individuals to contact the funding body directly.

CARRIED UNANIMOUSLY

ITEM 2 - MAYORAL MINUTE NO. 26/23 - DATED DECEMBER 19, 2023 - RESOURCES FOR REGIONS D23/68657

RESOLUTION

Minute No. 47407

Mayor T Kennedy moved)

Councillor D Gallagher seconded)

Resolved

1. That Mayoral Minute No. 26/23 dated December 19, 2023, be received.
2. That Council sends correspondence to the NSW Premier The Hon Chris Minns MP, the Minister for Regional NSW and Western NSW The Hon Tara Moriarty MP, and Member for Barwon Mr Roy Butler stating its dissatisfaction with the current trajectory of the newly created Regional Development Trust and Working Regions Fund; and that mining communities receive funding priority under the Regional Development Trust and Working Regions Fund in the same proportions allocated previously through the Resources for Regions fund.

CARRIED UNANIMOUSLY

NOTICES OF MOTION

Nil.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

ITEM 3 - VERBAL DELEGATE'S REPORT - ATTENDANCE AT THE COUNTRY MAYOR'S ANNUAL GENERAL MEETING (GB8/23)

11/179

Councillor Jim Hickey gave a verbal report on his attendance (along with the General Manager) at the Country Mayor's Annual General Meeting held at Parliament House on 24 November 2023.

Councillor Hickey advised of the following matters that were raised at the Country Mayor's AGM:

- The meeting was attended by approximately 120 delegates and a number of Ministers.*
- Central Darling Shire is a newly endorsed member bringing the number of member Councils to 85 (plus 2 associate members).*
- Most Councils were very critical of the loss of the Resources for Regions Fund and Building Better Communities Fund and its impact on mining communities.*
- The proposed sale of water authorities was also a topic of concern.*
- Of further concern also was the widening gap between the thinking of country Councils and city/north coast Councils.*
- Complaints about the 2023 Local Government NSW Conference and the types of motions moved by the city/coastal councils; also the time spent discussing matters that are possibly not within the jurisdiction of NSW Local Government along with being irrelevant for a number of non-metropolitan Councils.*
- That many member Councils commented that they will no longer be attending the Local Government NSW Conference and will just focus on the Country Mayors' meetings as they are much more relevant and are attended by a good number of Ministers, being a strong advocacy group for regional Councils.*

RESOLUTION

Minute No. 47408

Councillor A Chandler moved)
Councillor D Gallagher seconded)

Resolved

That Council sends correspondence to Local Government NSW providing feedback on the conduct of the Local Government NSW Conference with regards to its relevance to regional Councils and the time spent discussing matter that are possible not within the jurisdiction of NSW Local Government.

CARRIED UNANIMOUSLY

MATTER OF URGENCY

RESOLUTION

Minute No. 47409 - Matter of Urgency

Councillor R Page moved)
Councillor R Algate seconded)

Resolved

That Deputy Mayor Hickey's urgent motion regarding Fruit Fly eradication in Broken Hill be heard.

CARRIED UNANIMOUSLY

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ITEM 4 - FRUIT FLY ERADICATION IN BROKEN HILL (GB9/23)

23/21

RESOLUTION

Resolved

Minute No. 47410

Deputy Mayor J Hickey moved)
Councillor R Page seconded)

1. That Council sends correspondence to Mr Tim Grieger, Executive Officer of Summerfruit and Citrus SA Chairman, Mr Mark Doecke and thank them for their interest in helping set up a plan for eradicating Fruit Fly in Broken Hill.
2. That an invitation be forwarded to Mr Tim Grieger and Mr Mark Doecke inviting them to come to Broken Hill with a proposal and suggestions from their expertise for Broken Hill City Council to formulate a submission to the DPI and NSW Government to seek funding.
3. That the members of Council's Fruit Fly Awareness Working Group be invited to attend the discussion once a date has been set; and when appropriate, a public meeting be held to advise the community of the fruit fly eradication measures proposed to be undertaken and how Council and the community can work together to combat fruit fly in Broken Hill.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

WORKS COMMITTEE

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 238/23 - DATED DECEMBER 01, 2023 - BUDGET REVIEW - GROUND FLOOR REFURBISHMENT FOR THE TEMPORARY LIBRARY

D23/65661

RESOLUTION

Resolved

Minute No. 47411

Councillor R Page moved)
Councillor M Boland seconded)

1. That Broken Hill City Council Report No. 238/23 dated December 1, 2023, be received.
2. That Council review the budget report which reflects original contracts, approved variations, and expected variations for each component of the Temporary Library Budget (Ground Floor Refurbishment, Logistics and Staff Movements, Car Park Upgrades, and New Library Construction).
3. That Council approve an additional amount of \$239,618.10 (ex GST) which equals a revised total budget of \$1,039,618.10 (ex

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GST) to complete the project works
required.

CARRIED UNANIMOUSLY

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 239/23 - DATED DECEMBER 04, 2023 -
BUDGET REVIEW: CBD BANNER POLES - ARGENT STREET LIGHTING PROJECT D23/66077**

RESOLUTION

Minute No. 47412

Councillor R Algate moved)
Councillor R Page seconded)

Resolved

1. That Broken Hill City Council Report No. 239/23 dated December 4, 2023, be received.
2. That Council considers a budget review for the CBD Banner Poles – Argent Street Lighting Project, for the project approved in the 2024/25 financial year, based on responses received from a public request for quotation in November 2023
3. That Council approve an increase in budget of \$41,820 (ex GST) to bring the total project budget for this project to \$94,835 (ex GST).

CARRIED UNANIMOUSLY

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 240/23 - DATED DECEMBER 01, 2023 -
MINUTES OF THE PROJECT CONSULTATIVE GROUP PROJECT STEERING GROUP
MEETING HELD 8 NOVEMBER 2023 D23/65635**

RESOLUTION

Minute No. 47413

Deputy Mayor J Hickey moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 240/23 dated December 1, 2023, be received.
2. That the minutes of the Project Consultative Group Project Steering Group from 8 November 2023 be noted.
3. That the PowerPoint Presentation of the Project Consultative Group Project Steering Group from 8 November 2023 be noted.

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 241/23 - DATED NOVEMBER 24, 2023 -
MINUTES OF THE E.T. LAMB MEMORIAL OVAL COMMUNITY COMMITTEE ANNUAL
GENERAL MEETING HELD 11 OCTOBER 2023 D23/64220**

RESOLUTION

Minute No. 47414

Councillor D Gallagher moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 241/23 dated November 24, 2023, be received.

2. That the minutes of the E.T. Lamb Memorial Oval Community Committee Annual General Meeting held 11 October 2023 be received.

CARRIED UNANIMOUSLY

HEALTH AND BUILDING COMMITTEE

ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 242/23 - DATED NOVEMBER 22, 2023 - MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGERS COMMUNITY COMMITTEE MEETING, HELD ON TUESDAY, 14 NOVEMBER 2023 D23/63333

RESOLUTION

Minute No. 47415

Councillor D Gallagher moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Broken Hill City Council Report No. 242/23 dated November 22, 2023, be received.
2. That the minutes of the Section 355 Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting, held on Tuesday, 14 November 2023 be received.
3. That Council endorses and acknowledges in writing the resignation of Mr David Spielvogel and Mrs Jill Spielvogel from the Section 355 Friends of the Flora and Fauna of the Barrier Ranges Community Committee and express its gratitude and appreciation for their contribution to the Committee and the Community.

CARRIED UNANIMOUSLY

POLICY AND GENERAL COMMITTEE

ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 233/23 - DATED NOVEMBER 13, 2023 - CODE OF CONDUCT COMPLAINT STATISTICS ANNUAL REPORT 2022/23 D23/61566

RESOLUTION

Minute No. 47416

Councillor R Algate moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Broken Hill City Council Report No. 233/23 dated November 13, 2023, be received.

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2. That the Code of Conduct Complaints Statistics Annual Report for the Broken Hill City Council for the period of 1 September 2022 – 31 August 2023 be forwarded to the Office of Local Government.

CARRIED UNANIMOUSLY

ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 234/23 - DATED NOVEMBER 02, 2023 - ADOPTION OF DRAFT MANDATORY NOTIFICATION OF DATA BREACH POLICY D23/60057

RESOLUTION

Minute No. 47417

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 234/23 dated November 2, 2023, be received.
2. That Council notes that the draft Mandatory Notification of Data Breach Policy was placed on public exhibition for a period of 28 days during which time Council received nil submissions from the public.
3. That Council adopts the draft Mandatory Notification of Data Breach Policy as a Policy of Council.

CARRIED UNANIMOUSLY

ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 235/23 - DATED NOVEMBER 30, 2023 - ADOPTION OF REVIEWED CREDIT CARD POLICY D23/65120

RESOLUTION

Minute No. 47418

Councillor R Algate moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 235/23 dated November 30, 2023, be received.
2. That Council adopts the reviewed Corporate Credit Card Policy as a policy of Council.
3. That the Corporate Credit Card Policy adopted April 2021 becomes obsolete.

CARRIED UNANIMOUSLY

ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 236/23 - DATED NOVEMBER 30, 2023 - NOMINATION FOR THE APPOINTMENT OF COMMUNITY REPRESENTATIVES TO SECTION 355 FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE D23/64290

RESOLUTION

Minute No. 47419

Resolved

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Councillor M Boland moved)
Councillor R Algate seconded)

1. That Broken Hill City Council Report No. 236/23 dated November 30, 2023, be received.
2. That Council appoint Mr Richard Ball as a community representative on the Friends of the Flora and Fauna of the Barrier Ranges Community Committee.
3. That Mr Richard Ball be advised of his appointment and advice also be sent to the Secretary of the Committee.

CARRIED UNANIMOUSLY

ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 237/23 - DATED NOVEMBER 30, 2023 - MINUTES OF THE S355 YOUTH ADVISORY COMMITTEE MEETING HELD 24 OCTOBER 2023
D23/65183

RESOLUTION

Minute No. 47420

Councillor M Boland moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 237/23 dated November 30, 2023, be received.
2. That the minutes of the S355 Youth Advisory Committee meeting held on 24 October 2023 be received.

CARRIED UNANIMOUSLY

FURTHER REPORTS

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 244/23 - DATED OCTOBER 12, 2023 - CORRESPONDENCE REPORT - CLUBGRANTS
D23/56139

Councillor Boland declared a non-pecuniary conflict of interest in Item 15 and left the Council Chambers at 7:22pm.

RESOLUTION

Minute No. 47421

Deputy Mayor J Hickey moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 244/23 dated October 12, 2023, be received.
2. That correspondence dated 21 November 2023 from the Minister for Gaming and Racing be received and noted.
3. That correspondence be forwarded to The Hon David Harris MP thanking him for his correspondence however advising him that the Category 2 ClubGRANTS being the smaller grants which are used to support

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local sporting bodies etc. and it is imperative that these grants also be left for local ClubGRANT Committees to allocate these funds.

CARRIED UNANIMOUSLY

Councillor Boland returned to the Council Chambers at 7:25pm.

The Mayor advised Councillor Boland that Council had adopted the report recommendation with an addendum that correspondence be forwarded to The Hon David Harris MP requesting that Category 2 grants, which are smaller grants used to support local sporting bodies, also be allocated by local ClubGRANT Committees.

ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 245/23 - DATED NOVEMBER 27, 2023 - CORRESPONDENCE REPORT - CHILDCARE IN BROKEN HILL D23/64434

RESOLUTION

Minute No. 47422

Deputy Mayor J Hickey moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 245/23 dated November 27, 2023, be received.
2. That Correspondence from The Hon Pru Car MP dated 5 September 2023 Deputy Premier of NSW, Minister for Education and Early Learning to the Member for Barwon Mr Roy Butler MP in response to representations that Mr Butler made on behalf of Council (forwarded to Council by the Member for Barwon) regarding childcare in Broken Hill, be received and noted.
3. That correspondence be sent to The Hon Pru Car MP raising the importance of freeing up Crown Land in and around Broken Hill so that a new childcare centre/s can be built to address the local childcare crisis.

CARRIED

FOR: Mayor Tom Kennedy, Deputy Mayor Jim Hickey, Councillors Bob Algate, Michael Boland, Alan Chandler and Dave Gallagher.

AGAINST: Councillor Ron Page.

ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 246/23 - DATED DECEMBER 08, 2023 - COUNCILLOR ATTENDANCE AT THE 2024 NSW AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) CONFERENCE TO BE HELD IN MACQUARIE PARK (SYDNEY) FROM 14-16 MARCH 2024 D23/66958

RESOLUTION

Minute No. 47423

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 246/23 dated December 8, 2023, be received.
2. That Councillors interested in attending the ALGWA Conference notify Council at

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Council's Ordinary Meeting held 31 January
2024.

CARRIED UNANIMOUSLY

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 247/23 - DATED DECEMBER 07, 2023 -
MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 23
NOVEMBER 2023** D23/66821

RESOLUTION

Minute No. 47424

Councillor M Boland moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Broken Hill City Council Report No. 247/23 dated December 7, 2023, be received.
2. That minutes of the Audit, Risk and Improvement Committee meeting held 23 November 2023 be endorsed.

CARRIED UNANIMOUSLY

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 248/23 - DATED DECEMBER 12, 2023 -
DRAFT AGENCY INFORMATION GUIDE** D23/67383

RESOLUTION

Minute No. 47425

Councillor R Algate moved)
Councillor M Boland seconded)

Resolved

1. That Broken Hill City Council Report No. 248/23 dated December 12, 2023, be received.
2. That Council endorse the reviewed Draft Agency Information Guide for release to the Information Commissioner for its review and comment.

CARRIED UNANIMOUSLY

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 249/23 - DATED DECEMBER 12, 2023 -
INVESTMENT REPORT FOR NOVEMBER 2023** D23/67368

RESOLUTION

Minute No. 47426

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 249/23 dated December 12, 2023, be received.

CARRIED UNANIMOUSLY

**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 250/23 - DATED NOVEMBER 01, 2023 -
TEMPORARY SUSPENSION OF ALCOHOL PROHIBITED AREA - PERFECT LIGHT FILM
FESTIVAL - 23 MARCH 2024** D23/56529

RESOLUTION

Minute No. 47427

Councillor R Algate moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 250/23 dated November 1, 2023, be received.
2. That Council provide in principle support to begin the planning process for the temporary suspension of the prohibition of the

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consumption of alcohol in a portion of Sturt Park, under Section 632A of the *Local Government Act 1993*, on Saturday, 23 March 2024 from 5pm to 10:30pm for the Perfect Light Film Festival.

3. That the temporary suspension on the prohibition of the consumption of alcohol in a portion of Sturt Park be advised to the public by way of advertisement in the Barrier Daily Truth and that the advertisement also confirms that the suspension only applies to the VIP Marquee area and that the consumption of alcohol will remain prohibited for all other areas of Sturt Park; and that all existing alcohol-free zones in Broken Hill remain in force.
4. That the General Manager be authorised to implement the suspension and advertising processes on final advice of the Barrier Police District.
5. That the Barrier Police District be advised of Council's decision.
6. That the Perfect Light Film Festival be more extensively advertised by the event organisers and Council.

CARRIED UNANIMOUSLY

ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 251/23 - DATED DECEMBER 08, 2023 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO.442, HELD ON TUESDAY, 5 DECEMBER 2023 D23/66969

RESOLUTION

Minute No. 47428

Councillor D Gallagher moved)
Councillor A Chandler seconded)

Resolved

1. That Broken Hill City Council Report No. 251/23 dated December 8, 2023, be received.
2. That the minutes of the Local Traffic Committee – Meeting No.442, held on Tuesday, 5 December 2023 be endorsed.
3. That Item No: 442.10.2 recommendation be endorsed:
 - That the complainant be advised that parking is only permitted for registered Taxis in a Taxi Zone, as stated in the NSW Government Road Rules and the Australian Road Rules, Rule 182.
4. That Item No: 442.10.3 recommendation be endorsed:
 - That Council continue to investigate the request for installation of a disability

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access ramp on Oxide Street and Chapple Street, adjacent to the shopping complex.

5. That Item No.442.8.1 recommendation be endorsed:
 - That the Local Traffic Committee endorse the proposal for replacement of the Gateway Sign on the Wentworth Road (Silver City Highway).
6. That Item No: 442.8.2 recommendation be endorsed:
 - That a specialised technician from Transport for NSW be advised of the proposal to paint directional arrows on each of the three lanes, found on Argent Street at each of the traffic light intersections on Bromide, Chloride and Oxide Streets.
7. That Item No.442.8.4 recommendation be endorsed:
 - That the complainant be advised of the Committee's determination to install a 'Loading Zone', adjacent to the Broken Hill Correctional Centre on Gossan Street, between the two driveways to allow for deliveries.
8. That Item No: 436.8.5 recommendation be endorsed:
 - That the 'No Parking' signs installed on Chloride Street, adjacent to the Civic Centre remain in place permanently, following completion of the two-month trial period.

CARRIED UNANIMOUSLY

ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 252/23 - DATED DECEMBER 05, 2023 - ACTION LIST REPORT D23/66333

RESOLUTION

Minute No. 47429

Councillor D Gallagher moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 252/23 dated December 5, 2023, be received.

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

**ITEM 24 - QUESTIONS ON NOTICE NO. 12/23 - DATED DECEMBER 05, 2023 - COUNCILLOR
QUESTIONS TAKEN ON NOTICE AT THE COUNCIL MEETING HELD 29 NOVEMBER 2023 AND
THE HEALTH AND BUILDING COMMITTEE MEETING HELD 12 DECEMBER 2023** D23/66235

RESOLUTION

Minute No. 47430

Councillor M Boland moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Questions On Notice No. 12/23 dated December 5, 2023, be received.
2. That the matter of the sale of Shorty O'Neil Village by private treaty in 2016 (of which internal research of Council reports, resolutions and internal emails suggest that the Shorty O'Neil Village may have been sold by a previous Council contrary to provisions of the *Local Government Act 1993 and Local Government (General) Regulation 2005* regarding the sale of Council assets and the Local Government Election Caretaker period) be reported to the Office of Local Government.

CARRIED UNANIMOUSLY

**ITEM 25 - QUESTIONS ON NOTICE NO. 13/23 - DATED DECEMBER 05, 2023 - PUBLIC FORUM
QUESTIONS TAKEN ON NOTICE AT THE 29 NOVEMBER 2023 COUNCIL MEETING** D23/66242

RESOLUTION

Minute No. 47431

Councillor R Algate moved)
Councillor R Page seconded)

Resolved

1. That Questions On Notice No. 13/23 dated December 5, 2023, be received.
2. That Council's traditional crest be reintroduced in branding as the official logo for both the City itself and the elected Council; and the crest be used on all items related to Councillor or civic matters including written Councillor correspondence, attire, awards, certificates etc.
3. That when the existing 'hexagon' branding decals on current fleet, plant, and signage are due for renewal, the hexagon branding be replaced with the crest.
4. That the crest also be applied to all new fleet, plant, and signage obtained by Council henceforth.
5. That the current 'hexagon' logo, which features a more corporate design, be retained for Administrative use such as staff uniforms and Administrative correspondence thus saving costs and

ensuring staff remain easily identifiable,
and differentiate staff from elected
Councillors in official capacities.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

From Item 24 – Councillor Questions taken on notice – Sale of Shorty O’Neil Village

The General Manager took a question on notice from the Mayor regarding the relevant provisions under the Local Government Act 1993 to report matters to the Office of Local Government relating to the suspected unlawful sale of a Council asset (Shorty O’Neil Village) during the caretaker period for the 2016 Local Government Election.

PUBLIC FORUM SESSION

Nil.

RESOLUTION

Minute No. 47432 - Procedural Motion

Deputy Mayor J Hickey moved)
Councillor D Gallagher seconded)

Resolved

That the meeting be closed to the public in accordance with Section 10A(2) of the *Local Government Act 1993* whilst Council considers the confidential matters.

CARRIED UNANIMOUSLY

At this point in the meeting, the Mayor wished all members of the community, Councillors and Council staff a very Merry Christmas and a Happy New Year !

Members of the public and media left the Council Chambers at 7:46pm. and the livestream of the meeting ceased.

CONFIDENTIAL MATTERS

ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 243/23 - DATED NOVEMBER 28, 2023 - PROPOSED EASEMENT TO A-CAES NSW PTY LTD - CONFIDENTIAL D23/64647

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

RESOLUTION

Minute No. 47433

Deputy Mayor J Hickey moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 243/23 dated November 28, 2023, be received.
2. That Council (as Willyama Common Trust Manager and Crown Land Manager)

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
DECEMBER 20, 2023

consent the proposed easement to A-CAES NSW Pty Ltd, for the purposes of access and a transmission easement over the Willyama Common and other Crown Land managed by Council (as identified in Attachment 1 – Schedule of Land).

3. That the General Manager be delegated to negotiate the final terms and conditions of the proposed easement.
4. That the Mayor and General Manager be authorised to sign and execute the easement documents under the Common Seal of Council.

CARRIED UNANIMOUSLY

ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 253/23 - DATED DECEMBER 11, 2023 - T23/9 ANNUAL ROAD RESEAL PROGRAM - CONFIDENTIAL D23/67286

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

RESOLUTION

Minute No. 47434

Councillor D Gallagher moved)
Councillor A Chandler seconded)

Resolved

1. That Broken Hill City Council Report No. 253/23 dated December 11, 2023, be received.
2. That Fulton Hogan Industries Pty Ltd be awarded the contract for T23/9 Annual Road Reseal Program, for the amount of \$760,877.62 (ex GST).

CARRIED UNANIMOUSLY

RESOLUTION

Minute No. 47435 - Procedural Motion

Deputy Mayor J Hickey moved)
Councillor D Gallagher seconded)

Resolved

That the meeting resumes in open session.

CARRIED UNANIMOUSLY

Members of the public and media returned to the Council Chambers at 7:47pm. and the livestream recommenced.

At the Mayor's invitation, the General Manager reported on the Council resolutions made in closed session.

There being no further business to consider, the Mayor closed the meeting at 7:49 p.m.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
DECEMBER 20, 2023

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 31 JANUARY 2024)

CHAIRPERSON

REPORTS

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ORDINARY MEETING OF THE COUNCIL

January 9, 2024

ITEM 1

BROKEN HILL CITY COUNCIL REPORT NO. 1/24

SUBJECT: CORRESPONDENCE REPORT - RESOURCES FOR REGIONS
FUNDING D24/347

Recommendation

1. That Broken Hill City Council Report No. 1/24 dated January 9, 2024, be received.
2. That reply correspondence from the Hon Tara Moriarty MLC, Minister for Regional NSW dated 15 December 2023 regarding Resources for Regions funding be received and noted.
3. That reply correspondence from Mr Roy Butler, Member for Barwon, dated 8 January 2024, regarding the reallocation of Resources for Regions funding be received and noted.
4. That Council notes it is awaiting replies from The NSW Premier and The Hon Stephen Lawrence MLC.
5. That Council note a submission into the *Review of Regional Development Act 2004*, specifically advocating for retention of the Resources for Region funding and or creation of a similar fund along with changes to the creation and makeup of the Regional Development Advisory Council has been submitted.

Summary:

Council, at its Ordinary Meeting held 5 October 2023, considered a Mayoral Minute regarding the Resources for Regions Funding and Council resolved:

ITEM 3 - MAYORAL MINUTE NO. 18/23 - DATED SEPTEMBER 27, 2023 - RESOURCES FOR REGIONS D23/52815

RESOLUTION

Minute No. 47319

Mayor T Kennedy moved)
 Councillor D Gallagher seconded)

Resolved

1. That Mayoral Minute No. 18/23 dated September 27, 2023, be received.
2. That Council writes to the NSW Premier Chris Minns, Minister for Regional NSW and Western New South Wales Tara Moriarty, Member for Barwon Roy Butler and the Hon Stephen Lawrence MLC, requesting that mining communities receive funding priority under the Regional Development Trust and Working Regions Fund.

CARRIED UNANIMOUSLY

Council, at its Ordinary Meeting held 20 December 2023, considered a further Mayoral Minute regarding the Resources for Regions Funding, and Council resolved:

ITEM 2 - MAYORAL MINUTE NO. 26/23 - DATED DECEMBER 19, 2023 - RESOURCES FOR REGIONS

D23/68657

RESOLUTION

Resolved

Minute No. 47407

Mayor T Kennedy moved)
Councillor D Gallagher seconded)

1. That Mayoral Minute No. 26/23 dated December 19, 2023, be received.
2. That Council sends correspondence to the NSW Premier The Hon Chris Minns MP, the Minister for Regional NSW and Western NSW The Hon Tara Moriarty MP, and Member for Barwon Mr Roy Butler stating its dissatisfaction with the current trajectory of the newly created Regional Development Trust and Working Regions Fund; and that mining communities receive funding priority under the Regional Development Trust and Working Regions Fund in the same proportions allocated previously through the Resources for Regions fund.

CARRIED UNANIMOUSLY

Following the Council Meetings correspondence was forwarded to The NSW Premier The Hon Chris Minns MP, the Minister for Regional NSW and Western NSW The Hon Tara Moriarty MP, The Hon Stephen Lawrence MLC and Member for Barwon Mr Roy Butler.

Reply correspondence has now been received from the Hon Tara Moriarty MLC, Minister for Regional NSW dated 15 December 2023 and from Mr Roy Butler dated 8 January 2024 and are attached to this report.

Replies are yet to be received from The NSW Premier, The Hon Chris Minns MP and The Hon Stephen Lawrence MLC.

Attachments

1. Correspondence Report - Resources for Regions - Response from the Minister for Regional NSW
[↓](#)
2. Correspondence Report - Resources for Regions - Response from the Member for Barwon
[↓](#)

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

The Hon Tara Moriarty MLC

Minister for Agriculture
Minister for Regional New South Wales
Minister for Western New South Wales



Ref: MF23/2915
Your Ref: L23/2484- 16/154 TK:LB

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

council@brokenhill.nsw.gov.au

Re: Funding for mining communities

Dear Mayor,

Thank you for your letter of 5 October 2023 regarding priority funding for mining communities.

The NSW Government will continue to ensure our regional communities remain strong and prosperous into the future. We are committed to supporting mining communities and I recognise the challenges faced due to the nature of the mining cycle and world economic influences.

To ensure funds from the new \$350 million Regional Development Trust and \$250 million Working Regions Fund are distributed to the regions where they are needed most, the Regional Development Advisory Council will be appointed following an independent evaluation process. I am committed to ensuring those appointed will best represent the needs of regional NSW.

An initial investment round in regional pilot programs will commence in 2023. Investment proposals will be considered from March 2024.

I trust this information is of assistance, however, I have asked Ms Angela Shepherd, Deputy Director, Regional Development, Department of Regional NSW, to be available to answer any further questions you may have. Ms Shepherd can be contacted on 0429 833 131 or by email at angela.shepherd@regional.nsw.gov.au.

Thank you for you for bringing this matter to the attention of the NSW Government.

Yours sincerely,

Tara Moriarty MLC
Minister for Agriculture
Minister for Regional New South Wales
Minister for Western New South Wales

15 / 12 /2023

cc: The Hon. Chris Minns MP, NSW Premier
The Hon. Stephen Lawrence MLC
Mr Roy Butler MP, Member for Barwon

52 Martin Place Sydney NSW 2000
GPO Box 5341 Sydney NSW 2001

02 7225 6120
nsw.gov.au/ministertoriarty

1

OFFICIAL



ROY BUTLER MP

INDEPENDENT MEMBER FOR BARWON

REF: RB5880

08 January 2024

Mr Thomas Kennedy
Mayor
Broken Hill City Council
384 Oxide Street
BROKEN HILL 2880

Dear Mayor Kennedy,

Thank you for contacting my office to raise Council's and your community's concerns regarding the New South Wales Government's decision to reallocate the Resources for Regions funding.

I have made representation on Council's behalf to the Minister for Regional New South Wales, the Hon. Tara Moriarty, advocating for funding that is delivered to mining affected communities, to be based on a proportion of the royalties received by the NSW Government. Minister Moriarty informs me that she has responded to your letter regarding funding for mining communities and is committed to the funds from the Regional Development Trust and Working Regions Fund being distributed where they are most needed to keep regional communities strong and prosperous.

These well-established mining communities and in particular Broken Hill, have been longstanding contributors to the wealth of New South Wales. I will continue to advocate for Barwon's fair share of state government funding.

I am advised that funds from the \$350 million Regional Development Trust and the \$250 million Working Regions Fund will be distributed, following the appointment of a Regional Development Advisory Council. I have also made representations to Minister Moriarty regarding the membership of the Regional Development Advisory Council and the review of the Regional Development Act 2004 reflecting the views of Barwon communities.

Public consultation on the review of the Regional Development Act is open until 31 January 2024 on: <https://www.haveyoursay.nsw.gov.au/regional-development-act-review> and can include feedback on the future composition of the Regional Development Advisory Council.

I look forward to continuing working with you and the Broken Hill City Council in 2024.

Yours sincerely,

Roy Butler MP
Member for Barwon

barwon@parliament.nsw.gov.au
 www.roybutler.com.au

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

COBAR OFFICE
P 02 6836 3722
11 BARTON STREET

NARRABRI OFFICE
P 02 6792 1422
1/60 MAITLAND STREET

ORDINARY MEETING OF THE COUNCIL

January 9, 2024

ITEM 2

BROKEN HILL CITY COUNCIL REPORT NO. 2/24

SUBJECT: CORREPDENCE REPORT - SOUTHERN CROSS AUSTEREO'S
SPENCER GULF NIGHTLY NEWS D24/415

Recommendation

1. That Broken Hill City Council Report No. 2/24 dated January 9, 2024, be received.
2. That reply correspondence from the Office of the Hon Michelle Rowland MP, Minister for Communications, dated 22 December 2023 regarding the Spencer Gulf Nightly News be received and noted.

Executive Summary:

Council, at its Ordinary Meeting held 26 April 2023, considered a Mayoral Minute regarding the cancellation of Southern Cross Austereo’s Nightly News broadcasting and resolved as follows:

ITEM 1 - MAYORAL MINUTE NO. 7/23 - DATED APRIL 26, 2023 - SOUTHERN CROSS
AUSTEREO'S SPENCER GULF NIGHTLY NEWS D23/21200

RESOLUTION

Minute No. 47175

Mayor T Kennedy moved)

Councillor D Turley seconded)

Resolved

1. That Mayoral Minute No. 7/23 dated April 26, 2023, be received.
2. That correspondence be sent to Mark Coulton MP and the appropriate Minister outlining the concerns that the Broken Hill City Council and the community have about Southern Cross Austereo’s recent decision to cease Spencer Gulf Nightly News and requests that the government introduce licence conditions that require regional broadcasters to produce regional content.
3. That correspondence is sent to the Spencer Gulf Mayors supporting their action to reinstate local news services and endorse the correspondence received from them.
4. That correspondence be sent to Southern Cross Austereo outlining our objections and concerns at the lack of public consultation before ceasing the local news bulletin.

5. That a late motion be submitted to the National General Assembly regarding Southern Cross Austereo's decision to cease the Spencer Gulf Nightly News and request that the government introduces licence conditions that require regional broadcasters to produce regional content; and that the Spencer Gulf Mayors be advised of Council's late motion and request their support.

CARRIED UNANIMOUSLY

Following the April Council Meeting, Mayoral correspondence dated 12 May 2023 was sent to the Hon Michelle Rowland MP, Minister for Communication, The Hon Mark Coulton MP, Federal Member for Parkes, Port Pirie City Council, Whyalla City Council and Port Augusta City Council.

Reply correspondence has now been received from the Office of the Hon Michelle Rowland MP and is attached to this report.

Attachments

1. Correspondence Report - Response from the Hon Michelle Rowlands - Cancellation
[↓](#) of the Spencer Gulf Nightly News

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER



Office of the Hon Michelle Rowland MP

Minister for Communications
Member for Greenway

MC23-062198

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

council@brokenhill.nsw.gov.au

Dear Mayor

Thank you for your email of 12 May 2023, to the Hon Michelle Rowland MP, Minister for Communications, regarding the Spencer Gulf Nightly News. The Minister has asked me to respond on her behalf and I apologise for the delay in doing so, while also taking this opportunity to update you on the Government's work to support regional media.

Local news is critical to communities across Australia, including those in Spencer Gulf. The Government recognises the challenges faced by the Australian media sector in continuing to produce Australian content and deliver local news, particularly in regional areas.

I note your concern regarding SCA's closure of its nightly broadcast news service in Spencer Gulf. Provided broadcasters meet their regulatory obligations, the provision of news services is a commercial decision for each broadcaster and the Australian Government does not seek to intervene in such decisions.

Given the Spencer Gulf licence area is a regional non-aggregated licence area, there are currently no obligations for SCA. Further information can be found on the Australian Communications and Media Authority's (ACMA) website at: www.acma.gov.au/local-tv-content-regional-areas.

The *Broadcasting Services Act 1992* otherwise requires the provision of local content in regional Australia. The local content obligations for commercial television services differ based on the market a regional licensee serves, with licensees in the eastern markets subject to obligations for the provision of 'material of local significance', for a number of years, while other regional licensees will only be subject to obligations under certain circumstances.

The Government is taking a number of steps to support the sustainability of regional broadcasting across Australia. After a decade of policy inaction under the Coalition, a range of works are necessary and are now underway to bring stability to the sector.

Parliament House Canberra | (02) 6277 7480 | minister.rowland@mo.communications.gov.au
Suite 101C, 130 Main Street BLACKTOWN NSW 2148

In the recent ~~Mid-Year Economic and Fiscal Outlook 2023-24 (MYEFO)~~, the Government announced that it will extend transitional support for regional commercial broadcasters by providing a rebate of the Commercial Broadcasting Tax for an additional four years with an increase to the rebate of 12.5 per cent. This change is estimated to decrease receipts by \$16.2 million over four years, and builds on the \$9.5 million in support to 19 eligible regional broadcasters over two years from 2022-23 as a rebate on the Commercial Broadcasting Tax paid for the spectrum that they use. This rebate continues the support provided to eligible broadcasters since 2017.

We are also committed to ensuring that all Australians – particularly those in regional and remote areas – can access television services. Where terrestrial television reception is not available, the Viewer Access Satellite Television (VAST) safety net service is funded and currently provides services to over 250,000 premises, primarily in regional and remote Australia. The Government will extend funding to continue the VAST service across regional and remote Australia for a further seven years to 30 June 2031, providing commercial free-to-air television to over 1.5 million Australians.

Funding is also being provided in 2023-24 to undertake work to assess the state of broadcasting transmission and reception equipment in remote and regional Australia. This work will look at gaps and deficiencies in service provision, with a particular focus on First Nations communities. This is intended to support ongoing access to high quality broadcast television services for these communities.

The Government will also continue to engage with the Future of Broadcasting Working Group to further support regional and remote broadcasters as part of a commitment to equitable television service provision for all Australians.

The Government has committed to developing a News Media Assistance Program (News MAP) to secure the evidence base needed to inform longer term news media policy interventions and to develop measures to support public interest journalism and media diversity in Australia.

On 12 December 2023, the Minister announced the commencement of public consultation on the News MAP which considers potential measures to support the news media sector, as well as evidence to inform the application of measures, including the ACMA's new Media Diversity Measurement Framework. The consultation closes on 22 February 2024 and further information is available at <https://www.infrastructure.gov.au/have-your-say/news-media-assistance-program-news-map>. Information about the ACMA's new Media Diversity Measurement Framework is available at <https://www.acma.gov.au/media-diversity-measurement-framework>.

I trust this information is of assistance.

Yours sincerely



Shervin Rafizadeh
Chief of Staff

22 / 12 / 2023

ORDINARY MEETING OF THE COUNCIL

January 9, 2024

ITEM 3

BROKEN HILL CITY COUNCIL REPORT NO. 3/24

SUBJECT: CORRESPONDENCE REPORT - ESTABLISHMENT OF A PARLIAMENTARY INQUIRY INTO CRIME IN REGIONAL RURAL AND REMOTE NSW D24/419

Recommendation

1. That Broken Hill City Council Report No. 3/24 dated January 9, 2024, be received.
2. That reply correspondence (undated) from the Hon Yasmin Catley MP, Minister for Police and Terrorism regarding a Parliamentary Inquiry into crime in regional rural and remote NSW be received and noted.
3. That reply correspondence dated 5 December 2023, from the Hon Aileen MacDonald OAM MLC, Shadow Minister for Youth Justice regarding a Parliamentary Inquiry into crime in regional rural and remote NSW be received and noted.

Executive Summary:

Council, at its Ordinary Meeting held 25 October 2023, considered a Mayoral Minute regarding Council support for the establishment of a Parliamentary Inquiry into crime in regional, rural and remote NSW, and resolved as follows:

ITEM 3 - MAYORAL MINUTE NO. 22/23 - DATED OCTOBER 19, 2023 - SUPPORT FOR THE ESTABLISHMENT OF A PARLIAMENTARY INQUIRY INTO CRIME IN REGIONAL, RURAL AND REMOTE NSW D23/57186

RESOLUTION

Minute No. 47356

Mayor T Kennedy moved)
Councillor D Gallagher seconded)

Resolved

1. That Mayoral Minute No. 22/23 dated October 19, 2023, be received.
2. That Broken Hill City Council endorse the following recommendations listed in the Country Mayors Association of NSW report into Crime, Law and Order and call on the Local Member for Barwon, Mr Roy Butler MP, to support the establishment of a Parliamentary Inquiry with the suggested terms of reference in the document.
 - a) That Broken Hill City Council calls on all members of the NSW Parliament to commit to bipartisan support to establish a Parliamentary Inquiry into, and report on, the rate of crime in all categories reported on by the Bureau of Crime Statistical and Research (BOCSAR) in

regional, rural and remote NSW, specifically focusing on the inequity between metro and regional Local Government areas.

- b) That Broken Hill City Council calls on all members of the NSW Parliament to commit to bipartisan support to increase spending on the NSW Police Force to increase front-line policing numbers in regional, rural and remote NSW regions most at need.
- c) That Broken Hill City Council calls on the NSW Government to commit to the minimum staffing agreements (known in the NSW Police Force as First Response Agreements) for non-24 hour police stations, all of which are located in regional, rural and remote NSW Local Government areas.
- d) That Broken Hill City Council calls on the NSW Government to review the current formula used to assess staffing levels including the universally agreed outdated current model for those Local Government areas that do have a First Response Agreement in place.

CARRIED UNANIMOUSLY

Following the October Council Meeting, Mayoral correspondence was forwarded to the NSW Premier, The Hon Chris Minns MP, all NSW Ministers and all NSW Shadow Ministers.

Reply correspondence has been received from the Minister for Police and Counter-terrorism and the Shadow Minister for Youth Justice and are attached to this report for Council's consideration.

Attachments

1. Correspondence Report - Response from the Minister for Police and Counter-terrorism - Establishment of a Parliamentary Inquiry into crime in regional rural and remote NSW
2. Correspondence Report - Response from the Shadow Minister for Youth and Justice - Establishment of a Parliamentary Inquiry into crime in regional rural and remote NSW

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

The Hon Yasmin Catley MP

~~Minister for Police and Counter-terrorism~~
Minister for the Hunter



Ref: MINS-522608304-4486
F/2023/66500

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

executive.support@brokenhill.nsw.gov.au

Dear Cr Kennedy,

Thank you for your correspondence to the NSW Premier, the Hon. Chris Minns MP and other Members of Parliament, requesting a Parliamentary Inquiry into Crime in Regional, Rural and Remote NSW.

I acknowledge the issues raised through the Country Mayors Association of NSW, the NSW Police Association and NSW Farmers coming out of the Country Mayors Association report on Crime, Law and Order in Regional NSW.

We do not need a parliamentary inquiry, or politicians on Macquarie Street, to tell us that there is more work to do to tackle crime in regional, rural and remote NSW. I am focused on working with the NSW Police Force on immediate proactive policing and crime prevention activities in local communities. I will continue to engage locally with Country Mayors and other key stakeholders in relation to regional law enforcement matters.

With regards to regional crimes, the NSWPF advises that it is undertaking a number of initiatives across regional and remote areas in NSW to address this issue. A number of strike forces are being run across several Police Districts encompassing a number of expert NSWPF resources to meet the challenges faced by this issue.

I am further advised that the response to regional crime is commensurate with the seriousness of the incidents and the impact of crime on community safety. The NSWPF has a number of strategies in place, including Region-level surge operations in partnership with the State Crime Command, which have been successful in terms of enhancing capacity and achieving significant results in terms of legal action.

An example of this is Operation Regional Mongoose, which is a key initiative that combines regional and local police resources to rapidly deal with and investigate property and violent crime in Western Region. This surge response has had a significant impact on the emerging serious youth crime issues in Western Region.

One of the key priorities for the NSWPF is to prevent crime and intervening early to divert young people from contact with the criminal justice system. Several strategies are in place, including the delivery of RISEUP programs, focusing on youth engagement in hotspot locations, partnering with PCYC to deliver youth programs, and many more.

The Hon Yasmin Catley MP

~~Minister for Police and Counter-terrorism~~
Minister for the Hunter



Please be assured that I will continue to engage with regional leaders and members of the community as well as local Police, to ensure that local needs are being considered and addressed.

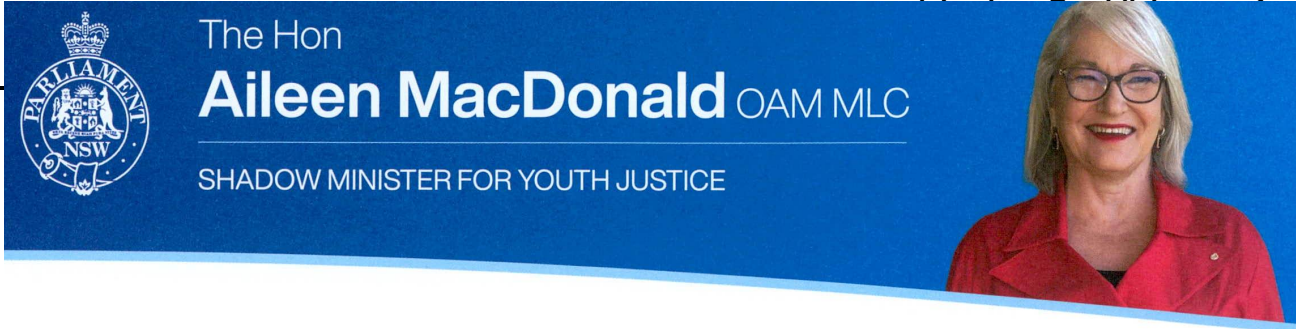
Thank you for writing about this matter.

Sincerely,



Yasmin Catley MP

Minister for Police and Counter-terrorism
Minister for the Hunter



Broken Hill Council
The Office of the Mayor
PO Box 448
BROKEN HILL NSW 2880

05 DEC 2023

Dear Mayor

Thank you for your letter dated 1 November 2023 regarding the establishment of a Parliamentary Inquiry into Crime in Regional, Rural and Remote NSW as recommended by the Country Mayors Association. I write to advise that I support the call from the Country Mayors Association of NSW (CMA) and the NSW Police Association and the NSW Farmers.

I have read the suggested Terms of Reference for the Inquiry together with the endorsed report and am supportive of such an Inquiry. I will work with my Parliamentary Colleagues in the Legislative Council to recommend the Inquiry is established and Hearings are held throughout NSW.

Unfortunately, this will be our last sitting week for this year, and we will be unable to bring this fruition until Parliament again sits in 2024. In the interim I suggest you continue to advocate to all Members of Parliament and request that other Councils also take the initiative that you have done in raising awareness of the report and this much needed Inquiry.

Kind regards



The Hon Aileen MacDonald OAM MLC
Member of the Legislative Council

 aileen.macdonald@parliament.nsw.gov.au

 02 9230 2403

 Parliament House, 6 Macquarie Street, Sydney NSW 2000

 [AileenMacDonaldMLC](#)

 [AMacDonaldMLC](#)

 [AileenMacDonaldMLC](#)

 [Aileen MacDonald OAM MLC](#)

ORDINARY MEETING OF THE COUNCIL

January 10, 2024

ITEM 4**BROKEN HILL CITY COUNCIL REPORT NO. 4/24**

SUBJECT: **COUNCILLOR ATTENDANCE AT THE 2024 NSW AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) CONFERENCE TO BE HELD IN MACQUARIE PARK (SYDNEY) FROM 14-16 MARCH 2024** **D24/995**

Recommendation

1. That Broken Hill City Council Report No. 4/24 dated January 10, 2024, be received.
2. That Council be represented at the 2024 NSW ALGWA Conference in Macquarie Park, 14-16 March by any interested Councillors
3. That Councillors advise their interest in attending the ALGWA Conference to the General Manager's Office by Friday 9 February 2024.

Executive Summary:

The NSW ALGWA Conference brings together hundreds of delegates from Councils and businesses across Australia to provide training and support for Councillors and staff. It provides an opportunity to learn and gain valuable insights from guest speakers and network with other delegates from across NSW.

This matter was reported to the Ordinary Council Meeting held 20 December 2023 and Council resolved (Minute No. 47423) that Councillors advise of their interest at the Ordinary Council Meeting to be held 31 January 2024.

As per clause 4.11 of Council's adopted Councillor Support Policy, all Councillor travel must be by Council resolution:

"4.11 - Authorisation

- (a) All Councillors' travel must be authorised by resolution of Council, except in cases of urgency or where it relates to attendance at external committee meetings to which the Councillor has been appointed by Council. In situations of urgency, the Mayor may authorise travel which must then be endorsed at the next Council Meeting."*

This report is presented to Council to facilitate compliance with the Councillor Support Policy for Council Delegates to attend the 2024 NSW ALGWA Conference.

Report:

The 2024 NSW ALGWA Conference will be held in Macquarie Park at MGSM Executive Hotel from 14 -16 March 2024.

As per clause 4.11 of Council’s adopted Councillor Support Policy, all Councillor travel must be by Council resolution:

“4.11 - Authorisation

(b) All Councillors’ travel must be authorised by resolution of Council, except in cases of urgency or where it relates to attendance at external committee meetings to which the Councillor has been appointed by Council. In situations of urgency, the Mayor may authorise travel which must then be endorsed at the next Council Meeting.”

Attendance at the conference is an opportunity for our Councillors to learn and network with industry peers in government and business.

The theme of this year’s conference is ‘The world belongs to Optimists’ and guest speakers include Juanita Phillips, Melissa Neighbour, Effie Zahos, Amanda Johnstone and Debbie Haski-Leventhal.

The three day Conference includes a Welcome event, a Gala dinner and conference sessions focusing on the subjects of ‘Artificial Intelligence’ and how technological advances compliment human endeavours and elevates them to new heights; and ‘Professional Development’ which includes a masterclass on ‘Owning the Space’ to build confidence in delivering formal and informal presentations.

The Conference Program is attached to this report.

Community Engagement:
Not applicable.

Strategic Direction:

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

Financial Implications:

Registration Fee (per person) \$1,300.00

(includes welcome reception on Thursday night, entry to Conference Friday and Saturday, transport to Eastwood on Friday night, Conference Dinner and transfers on Saturday night)

Travel and accommodation:

Return flights to Sydney (approximate cost per person – if booked early) \$568.00

Accommodation (approximate cost per person for 3 nights) \$900.00

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

Attachments

1. [↓](#) ALGWA 2024 Conference Program

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

NSW ALGWA

2024 CONFERENCE

The World Belongs to Optimists



CONFERENCE PROGRAM

THURSDAY 14 MARCH –
SATURDAY 16 MARCH 2024

Venue: MGSM Executive Hotel
99 Talavera Road, Macquarie Park



**AUSTRALIAN LOCAL
GOVERNMENT WOMEN'S
ASSOCIATION**
NEW SOUTH WALES BRANCH

ORGANISED BY

 City of Ryde



Lifestyle and opportunity
at your doorstep

Introduction

The Australian Local Government Women's Association (ALGWA) is the peak body for women in local government. A voluntary-run organisation, ALGWA supports both employees and elected representatives.

The 2024 ALGWA NSW Annual Conference is designed to provide training and support for councillors and staff, whether they are new to local government or have been around for a long time. It's an opportunity to learn and gain valuable insights from our guest speakers along with networking with other delegates from across NSW. The City of Ryde is proud to host this important event in 2024.

SILVER SPONSOR



The World Belongs to Optimists

In an era marked by rapid change it's the optimists that see beyond immediate challenges and envisage a world where technological advances compliment human endeavours and elevates them to new heights. Together let's delve deeper to explore the economic impacts to society, the potential, and embrace opportunities to shape our future communities.

Optimism is the most powerful tool a Leader has. Our NIDA masterclass will help you master intentional optimism as you pay close attention to the energy and language you are bringing into the space in leading your communities.



Schedule

THURSDAY 14 MARCH

- 2.00 - 4.00pm Guests to check in at hotels
- 4.00 - 5.30pm Registrations open
- 6.00 - 8.00pm Welcome Cocktail Party - Ubar - Macquarie University

Guest speaker:

JUANITA PHILLIPS

For 21 years, Juanita Phillips anchored the ABC's flagship 7.00pm News in Sydney, making her the public broadcaster's longest-serving prime-time female TV news presenter. She resigned from the ABC in 2023 to focus on her writing and speaking work. She specialises in gender equality, business, fintech and cyber security, but has a wide range of both business and government clients, including the mining and banking industries, local and state governments, and the finance and technology sector.



FRIDAY 15 MARCH – “Artificial Intelligence”

- 7.00am Morning Activity
- 8.00 - 8.45am Registrations
- 8.45 - 9.30am MC Welcome - Juanita Phillips
ALGWA NSW President Welcome - Cnr Dianna Baker – B.U.R.P.(Hons) J.F
Mayor Welcome - Cnr Sarkis Yedelian OAM, City of Ryde Mayor

9.30 - 10.30am

Guest speaker:

MELISSA NEIGHBOUR

Melissa is an environmental town planner, community builder and sustainability specialist. She is the Owner of Sky Town Planning, a purpose-driven town planning consultancy based in Sydney. She has developed and implemented award-winning sustainable development projects across Australia, and is on a mission to activate sustainable forms of living in urban spaces of the future. She is a founding member of the World Economic Forum Sydney Shaper Hub, and was the National Convener for the United National Association of Australia Young Professionals Network.



10.30 - 11.00am

Morning tea

11.00 - 12.00pm

Guest speaker:

EFFIE ZAHOS

Effie Zahos is one of Australia's leading personal finance commentators. Known for her no-nonsense approach, she has a knack for making money matters simple. Effie is also the author of a A Real Girl's Guide to Money, Ditch the Debt & Get Rich and The Great \$20 Adventure. She is the host of Channel 9's "Your Money" segments on the Today Show and regularly speaks with media across Australia.



**Speakers are subject to change*

Schedule

FRIDAY 15 MARCH – “Artificial Intelligence”

...continued

12.00 - 12.30pm	Discover Ryde
12.30 - 1.30pm	Lunch
1.30 - 3.00pm	Guest speaker:



AMANDA JOHNSTONE

Amanda Johnstone is the CEO of Transhuman and is one of Australia's most globally recognised AI technologists and emerging technology communicators. TIME have awarded her as a Next Generation Leader for her work in social impact technology, The CEO Magazine awarded her as Start-up Executive of the Year. She's been highlighted by peak bodies including GSMA and Singularity and has been appointed an expert keynote speaker and panellist on emerging technologies for YPO, Allianz, Stanford, Google, Optus, The Australian Government, Commonwealth Bank, The Education Department, MYOB, Zoom and more.

3.00 - 3.30pm	Afternoon Tea
3.30 - 4.30pm	Panel discussion
4.30 - 5.30pm	Networking, drinks and entertainment
6.30pm	Explore Eastwood

*Speakers are subject to change

SATURDAY 16 MARCH – “Professional Development”

7.00am	Morning Activity
9.00 - 11.00am	NIDA Corporate Training: Executive Voice NIDA Corporate Training will join us to deliver the 'Owning the Space' course to assist you in achieving the following outcomes:
	<ul style="list-style-type: none"> To build participants knowledge of the power of visual and vocal signals when presenting To help manage nerves when talking to large groups To feel comfortable and authentic networking and meeting new people To be confident presenting delivering formal and informal presentations. To experience using Improvisation techniques to stay present and focused while presenting and manage uncertain moments.

11.00 - 11.30am Morning Tea

11.30 - 12.30pm

Guest speaker:



DEBBIE HASKI-LEVENTHAL

Author of the bestselling book *Make it meaningful*, Debbie is an awarded and well-published professor of business management and the MBA Director at Macquarie University, Australia. With over sixty academic articles, five books and a TED talk, she dedicates her teaching, research, and knowledge to creating impact and enabling others to find meaningfulness and purpose.

12.30 - 1.00pm	Voting
1.00 - 1.30pm	Lunch
1.30 - 2.00pm	Voting result
2.00 - 2.30pm	ALGWA hotspots
2.30 - 3.30pm	ALGWA NSW General Meeting
3.30pm	Close
3.30 - 5.00pm	Optional - Macquarie University tour
6.30pm	Bus from MGSM to Curzon Hall
7.00pm - 10.00pm	Gala dinner with entertainment by <i>The Cockroaches</i>

Additional Information

Accommodation options

MGSM Executive Hotel (Limited rooms are available)

Mercure Sydney Macquarie Park (2 minute walk from venue)

Other hotel options are available within the Macquarie Park precinct.

Transport options

Car

The Macquarie Park Executive Centre is an easy, 20 minute drive from Sydney's CBD and approximately a 35-minute drive from Sydney's Domestic and International Airport. There is ample on-site parking, free of charge, for MGSM Executive Accommodation and conference centre guests. Parking is available at the rear of the MGSM Executive Hotel off Executive Road and through the boomgate (at the boomgate speaker, mention you are a conference participant).

Train

Macquarie University train station is just a few minutes' walk from the Macquarie Park Executive Centre. Trains to Sydney's CBD (and Epping line) depart every few minutes. Macquarie University to Sydney's CBD takes approximately 25 minutes and approximately 4 minutes to Epping.

Bus

Buses arrive and depart just a few minutes' walk from the Macquarie Park Executive Centre and travel to and from many Sydney Metropolitan areas, including the City, Hills District, North Shore, Chatswood, Manly, the Ryde and Carlingford areas, and the Western Suburbs.

Pricing

All inclusive price for the Conference includes:

- Welcome Reception Party on Thursday night
- Conference Friday and Saturday
- Transport to Eastwood on Friday night
- Dinner Saturday night (including transfers to Curzon Hall)

Early Bird discount before 1 January 2024 - \$1,100.00

After 1 January 2024 - \$1,300.00

Bookings

To book, [register online](#) or scan the QR code.

Bookings open from Friday 1 December 2023 at 7.00am.



SCAN TO BOOK

ORDINARY MEETING OF THE COUNCIL

January 11, 2024

ITEM 5**BROKEN HILL CITY COUNCIL REPORT NO. 5/24**

SUBJECT: **COUNCILLOR ATTENDANCE AT THE 2024 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT TO BE HELD IN CANBERRA ON 2 - 4 JULY 2024** **D24/1223**

Recommendation

1. That Broken Hill City Council Report No. 5/24 dated January 11, 2024, be received.
2. That Council be represented at the 2024 National General Assembly of Local Government in Canberra, 2 - 4 July 2024 by the Mayor, Deputy Mayor and General Manager and any interested Councillors.
3. That Councillors advise their interest in attending the Assembly to the General Manager's Office by Friday 16 February 2024.
4. That Council determine representation at the 2024 Australian Council of Local Government (ACLG) following the Assembly on 5 July 2024.

Executive Summary:

The National General Assembly (NGA) brings together hundreds of delegates from Councils across Australia to debate issues of national significance to local government. It provides an opportunity for local Councils to develop and express a united voice on core issues affecting their communities with access to influential decision-makers of the federal government, at both the political and departmental levels.

The 2024 Australian Council of Local Government meeting will be held the day following the National General Assembly, on 5 July 2024, of which Council delegates usually attend.

As per previous experience, Council has pre-booked accommodation in Canberra for four persons, and it is recommended that Council confirm representation to the National General Assembly of Local Government in order that the accommodation can be finalised.

As per clause 4.11 of Council's adopted Councillor Support Policy, all Councillor travel must be by Council resolution:

"4.11 - Authorisation

- (a) All Councillors' travel must be authorised by resolution of Council, except in cases of urgency or where it relates to attendance at external committee meetings to which the Councillor has been appointed by Council. In situations of urgency, the Mayor may authorise travel which must then be endorsed at the next Council Meeting."*

This report is presented to Council to facilitate compliance with the Councillor Support Policy for Council Delegates to attend the 2024 NSW ALGWA Conference.

Report:

The 2024 National General Assembly will be held in Canberra at the National Convention Centre from Tuesday 2 July to Thursday 4 July 2024.

As per clause 4.11 of Council’s adopted Councillor Support Policy, all Councillor travel must be by Council resolution:

“4.11 - Authorisation

(b) All Councillors’ travel must be authorised by resolution of Council, except in cases of urgency or where it relates to attendance at external committee meetings to which the Councillor has been appointed by Council. In situations of urgency, the Mayor may authorise travel which must then be endorsed at the next Council Meeting.”

Attendance at the Assembly is an opportunity for our elected members to meet Federal Government Ministers and Shadow Ministers to discuss various matters of concern to the City. This face to face interaction is invaluable as a follow up to Council’s letters/submissions to Ministers regarding current matters of high importance to the City and advocating Council’s position on these matters.

The Conference Program has not yet been released for the 2024 National General Assembly. This will be circulated to Councillors once released.

As per previous experience, accommodation in Canberra needs to be booked early to secure rooms close to the venue as Canberra accommodation is usually heavily booked.

Community Engagement:

Not applicable.

Strategic Direction:

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

Financial Implications:

Registration Fees are not yet available for 2024

Below are the fees paid by Council in 2023:

Registration Fee - (per person) (includes welcome reception)	\$895.00 (2023)
Regional Forum for NGA Delegate	\$225.00 (2023)
Gala Dinner (per person)	\$175.00 (2023)

Travel and accommodation:

Return flights to Canberra (approximate – booked early)	\$1,400.00
Return travel by car to Canberra (per car for 1 day travel each way (no accommodation enroute))	\$1,713.00
Accommodation – 4 rooms have been pre-booked for 2024 (approximate cost per person for 5 nights)	\$1,000.00

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

Attachments

There are no attachments for this report

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

January 11, 2024

ITEM 6BROKEN HILL CITY COUNCIL REPORT NO. 6/24

SUBJECT: 2024 NATIONAL GENERAL ASSEMBLY OF LOCAL
GOVERNMENT - CALL FOR MOTIONS D24/1232

Recommendation

1. That Broken Hill City Council Report No. 6/24 dated January 11, 2024, be received.
2. That, Council determine its motions to the 2024 National General Assembly of Local Government in line with the Assembly's eligibility principles for motions.
3. That motions be submitted to the Australian Local Government Association by March 29, 2024 along with a copy of the supporting Council resolution.

Executive Summary:

The National General Assembly (NGA) brings together hundreds of delegates from Councils across Australia to debate issues of national significance to local government. It provides an opportunity for local Councils to develop and express a united voice on core issues affecting their communities with access to influential decision-makers of the federal government, at both the political and departmental levels.

This report is presented to Council to consider submitting Motions to the Conference which must be in line with the Assembly's eligibility principles (see attached).

The due date for the submission of motions is 29 March 2024.

Report:

The 2024 National General Assembly will be held in Canberra in 2 – 4 July 2024.

Attendance at the Assembly is an opportunity for our elected members to meet Federal Government Ministers and Shadow Ministers to discuss various matters of concern to the City. This face to face interaction is invaluable as a follow up to Council's letters/submissions to Ministers regarding current matters of high importance to the City and advocating Council's position on these matters.

The Australian Local Government Association Board is calling for motions for the 2024 National General Assembly under this year's theme "*Building Community Trust*".

Motions to the Assembly (including background information on the national objective and summary) and along with the respective Council resolution, should be submitted electronically and should be received by the Australian Local Government Association no later than 11:59pm AEST on Friday 29 March, 2024.

To assist Councils in preparing motions, a discussion paper is available on the National General Assembly website (see attached copy).

To be eligible for inclusion in the National General Assembly Business Papers motions must follow the principles and must also be accompanied by a Council resolution:

1. Be relevant to the work of local government nationally.
2. Not be focused on a specific jurisdiction, location or region – unless the project or issue has national implications.
3. Be consistent with the themes of the NGA.
4. Complement or build on the policy objectives of ALGA and your state or territory local government association.
5. Be submitted by a council which is a financial member of their state or territory local government association.
6. Propose a clear action and outcome ie call on the Australian Government to act on something.
7. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

Motions should have a contact officer, a clear national objective, a summary of the key arguments in support of the motions, and be accompanied by Council's resolution.

Motions should generally be in a form that seeks the National General Assembly's support for a particular action or policy change at the Federal level which will assist local governments to meet local community needs. Motions should commence as follows: "*That this National General Assembly calls on the Australian Government to.....*". A background to the motion is also required to be submitted.

This year's call for motion focusses on twelve priority areas:

- Intergovernmental relations;
- Financial sustainability;
- Roads and infrastructure;
- Emergency management;
- Housing and homelessness;
- Jobs and skills;
- Community services;
- Closing the Gap and Aboriginal and Torres Strait Islander Reconciliation;
- Data, digital technology and cyber security;
- Climate change and renewable energy;
- Environment; and
- Circular economy.

This report is presented to Council to consider submitting Motions to the National General Assembly Conference:

Community Engagement:

Nil.

Strategic Direction:

Key Direction:	4	Our Leadership
Objective:	4.2	Our leaders make smart decisions
Strategy:	4.2.2	Our leaders seek information, are well informed and aware of emerging issues and new information in order to advocate and respond appropriately

Financial Implications:

Nil financial implications for the submission of motions.

A separate report is presented to the January 2024 Council Meeting to consider attendance at the conference which carries financial implications.

Attachments

1. [↓](#) 2024 NGA Discussion Paper

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

2024 NGA

Building
Community
Trust

National Convention Centre
Canberra



AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION

2 - 4
JULY
2024

DISCUSSION
PAPER



KEY DATES

29 March 2024 | Acceptance of Motions

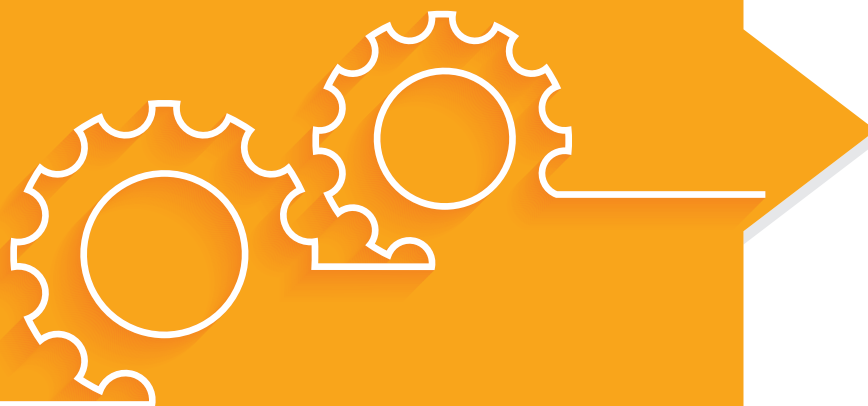
2 July 2024 | Regional Cooperation & Development Forum

3 - 4 July 2024 | National General Assembly

5 July 2024 | Australian Council of Local Government

TO SUBMIT YOUR MOTION

VISIT: [ALGA.COM.AU](https://alga.com.au)



The Australian Local Government Association (ALGA) is pleased to convene the 30th National General Assembly of Local Government (NGA), to be held in Canberra from 2-4 July 2024.

As convenor of the NGA, the ALGA Board cordially invites all councils to send representatives to this important national event.

The NGA is the premier national gathering of local governments, and provides councils with the opportunity to come together, share ideas, debate motions, and most importantly unite and further build on the relationship between local government and the Australian Government.

This discussion paper contains essential information for Australian councils considering submitting motions for debate at the 2024 National General Assembly of Local Government (NGA).

It is recommended that all councils and delegates intending to attend the 2024 NGA familiarise themselves with the guidelines for motions contained in this paper on page 6.

BACKGROUND TO ALGA AND THE NGA

ALGA was established 1947. In structure, ALGA is a federation of member state and territory associations. Its mission is to achieve outcomes for local government through advocacy with impact, and maximise the economic, environmental and social wellbeing of councils and our communities.

Since 1994, the NGA has built the profile of local government on the national stage, showcased the value of councils, and most importantly demonstrated - particularly to the Australian Government - the strength and value of working with local government to help deliver on national priorities.

Debate on motions was introduced to the NGA as a vehicle for councils from across the nation to canvas ideas. Outcomes of debate on motions (NGA Resolutions) could be used by participating councils to inform their own policies and priorities, as well as their advocacy when dealing with federal politicians.

At the same time, they help ALGA and its member state and territory associations gain valuable insight into council priorities, emerging national issues, and the level of need and support for new policy and program initiatives.

Given the structure of ALGA, its Constitution, and level of resources, the NGA does not bind the ALGA Board. However, the Board carefully considers NGA resolutions as it determines ALGA's policies, priorities and strategies to advance local governments within the national agenda.

This is your NGA and ALGA is pleased to act as the convenor. ALGA's policies and priorities will continue to be determined by the ALGA Board in the interests of all councils.

The ALGA Board thanks all councils for attending the NGA and those that will take the time to reflect on the purpose of debate on motions outlined in this paper, and to submit motions for debate at the 2024 NGA.

SUBMITTING MOTIONS

Australia is one of the world's great democracies. It is held in high regard across the world but should never be taken for granted.

The theme of the 2024 NGA is – Building Community Trust.

This theme aims to explore the critical importance of trust in governments, between governments, its institutions, and its citizens. This trust is a fundamental building block of our nation's democracy.

While relatively low key, over the past decade there has been increasing public debate by scholars and policy makers about the level of trust in government, its institutions and indeed the operation of our democracy more broadly.

Mark Evans et al (2019) published research in 'The Conversation' indicating that Australians' trust in politicians (our political representatives) and democracy has hit an all-time low. This report indicates 'fewer than 41% of Australian citizens are satisfied with the way democracy works in Australia, down from 86% in 2007.

Public satisfaction has fallen particularly sharply since 2013, when 72% of Australian citizens were satisfied. Generation X is least satisfied (31%) and Baby Boomers most satisfied (50%). Some political authors suggest that these trends in part explain the rise in popularity and the relative success of independents and micro or single-issue parties.

These statistics should be of concern to every level of government and those interested in the future of our communities and Australia's democratic system.

It is said that 'trust is hard-earned, easily lost, and difficult to re-establish – and a key to absolutely everything.' While media and public attention frequently focuses on levels of trust in the national and state governments, local governments have an equally important role in building, maintaining and indeed, often repairing government-community relationships.

At its most fundamental level, the 2024 NGA focusses on the role of local government and how all levels of government can help each other build, maintain and strengthen government-community relationships.

This discussion paper is a call for councils to submit motions for debate at the 2024 NGA to be held in Canberra from 2-4 July 2024.



Motions for this year's NGA should consider:

- how all levels of government in Australia can build trust in each other and earn greater trust from the community;
- practical opportunities for the Australian Government to leverage the trust that local communities have in their local council;
- focus on practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities; and
- new program ideas that that would help the local government sector to deliver the Australian Government's objectives.

Motions should be concise, practical and implementable and meet the guidelines for motions set out in the paper.

You are encouraged to read all the sections of the paper but are not expected to respond to every issue or question. Your council's motion/s must address one or more of the issues identified in the discussion paper.

Motions must be lodged electronically using the online form available on the NGA website at: www.alga.com.au and received no later than 11:59pm AEST on Friday 29 March 2024.

All notices of motions will be reviewed by the ALGA Board's NGA Sub-committee prior to publishing the NGA Business Paper to ensure that they meet these guidelines. This sub-committee reserves the right to select, edit or amend notices of motions to facilitate the efficient and effective management of debate on motions at the NGA.

All NGA resolutions will be published on www.nationalgeneralassembly.com.au.

As the host of the NGA, ALGA will communicate resolutions to the relevant Australian Government Minister and publish Ministerial responses as they are received on this website.

Please note that if your council does submit a motion, there is an expectation that a council representative will be present at the NGA to move and speak to that motion if required.

We look forward to hearing from you and seeing you at the 2024 NGA.



CRITERIA FOR MOTIONS

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. Be relevant to the work of local government nationally.
2. Not be focused on a specific jurisdiction, location or region – unless the project or issue has national implications.
3. Be consistent with the themes of the NGA.
4. Complement or build on the policy objectives of ALGA and your state or territory local government association.
5. Be submitted by a council which is a financial member of their state or territory local government association.
6. Propose a clear action and outcome ie call on the Australian Government to act on something.
7. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

Motions must commence with the following wording:

This National General Assembly calls on the Australian Government to ...

Please note that resolutions of the NGA do not automatically become ALGA's national policy positions.

OTHER THINGS TO CONSIDER

It is important to complete the background section of the submission form. Submitters of motions should not assume that NGA delegates will have background knowledge of the proposal. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion. Please note, motions should NOT be prescriptive in directing how the matter should be pursued.

Try to keep motions practical, focussed and capable of implementation to ensure that relevant Australian Government Ministers provide considered, thoughtful and timely responses.

Try to avoid motions that are complex, contain multi-dot points and require complex cross-portfolio implementation.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-committee, in consultation with state and territory local government associations, to determine their eligibility for inclusion in the NGA Business Papers.

When reviewing motions, the Sub-committee considers the criteria, clarity of the motion and the importance and relevance of the issue to local government.

If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. With the agreement of the submitting council, these motions may be edited before inclusion in the NGA Business Papers.

To ensure an efficient and effective debate, where there are numerous motions on a similar issue, the NGA Sub-committee will group these motions together under an overarching strategic motion. The strategic motions will have either been drafted by ALGA or will be based on a motion submitted by a council which best summarises the subject matter.

Debate will occur in accordance with the rules for debate published in the Business Papers and will focus on the strategic motions. Associated sub-motions will be debated by exception only or in accordance with the debating rules.

Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

All motions require:

- a contact officer;
- a clear national objective;
- a summary of the key arguments in support of the motion; and
- endorsement of your council.

**Motions should be lodged electronically using the online form available at www.alga.asn.au.
Motions should be received no later than 11:59pm AEST on Friday 29 March 2024.**

SETTING THE SCENE

The theme for NGA24 'Building Community Trust' aims to focus on the role of local government in the Australian system of government and explore the critical importance of trust in governments, between governments, its institutions, and our citizens.

In a recent essay on Capitalism after the Crisis (2023) the Treasurer the Hon Dr Jim Chalmers MP wrote:

'Our mission is to redefine and reform our economy and institutions in ways that make our people and communities more resilient, and our society and democracy stronger as well.'

The need to strengthen our democracy was also emphasised the Prime Minister the Hon Anthony Albanese MP in a speech at Queensland's Woodford Folk Festival toward the end of 2022:

'I urge anyone who thinks our democracy is unassailable to have a look around the world. Even some of the oldest, most stable democracies have come under attack from a whole range of corrosive, insidious forces. No one is immune. Our democracy is precious, something we have carefully grown and nurtured from one generation to the next. One of our core responsibilities is to make it stronger, and the key to that strength is transparency and accountability.'

In early 2023 the Australian Government established a taskforce to advise government on 'what can be done – practically – to strengthen Australian democracy'.



The 2024 NGA provides you - the elected representatives of Australia's local councils and communities - with the opportunity to engage with the Federal Government and key Ministers.

Further, it is your opportunity to advocate for new or expanded programs and key policy initiatives that could strengthen local governments, its capacity to deliver services and infrastructure to local communities across the nation. This service delivery is critical to build, maintain and strengthen the trust of our citizens.

This year's call for motion focusses on twelve priority areas:

- Intergovernmental relations;
- Financial sustainability;
- Roads and infrastructure;
- Emergency management;
- Housing and homelessness;
- Jobs and skills;
- Community services;
- Closing the Gap and Aboriginal and Torres Strait Islander Reconciliation;
- Data, digital technology and cyber security;
- Climate change and renewable energy;
- Environment; and
- Circular economy.



1. INTERGOVERNMENTAL RELATIONS

'Australia's federal structure, built upon reciprocal financial, legislative and policy responsibilities, requires intelligent cooperation on issues of strategic national significance.'

National Cabinet is a forum for the Prime Minister, Premiers and Chief Ministers to meet and work collaboratively. National Cabinet was established on 13 March 2020 and is chaired by the Prime Minister. The National Cabinet is a key mechanism in Australia's current intergovernmental architecture.

A representative of local government, the President of ALGA, is invited to meet with National Cabinet once each year. The President of ALGA also attends one meeting per year of the Council on Federal Financial Relations comprising the Commonwealth Treasurer as Chair and all state and territory treasurers.

A substantial body of research, from Australia and internationally, has highlighted that governments that work together are generally more successful in achieving shared national objectives, including economic recovery from events like the COVID-19 pandemic as well as in service and infrastructure delivery.

This research reinforces the need for local government to be included in relevant ministerial forums that support national priorities – from housing affordability to reaching net-zero emissions. ALGA currently participates in National Cabinet (1/year), Council on Federal Financial Relations (1/year), Infrastructure Transport Ministers Meeting, National Emergency Managers Meeting, Local Government Ministers Forum, Joint Council on Closing the Gap, Planning Ministers Meeting, Meeting of Environment Ministers, Energy and Climate Change Ministers and the Road Safety Ministers Meeting, to represent local government views.

Local government input can provide a community voice, enabling our intergovernmental forums to make decisions with greater legitimacy and authority.

Given the importance of trust in governments, between governments and its citizens, how can intergovernmental arrangements be further improved in Australia?

Are there ways of maintaining and enhancing the community's trust in local government?

Are there new initiatives and programs that could be adopted to improve the level of cooperation and collaboration between the Australian Government and local government?

2. FINANCIAL SUSTAINABILITY

Trust in governments is highly correlated with their ability to fulfill the implicit social contract between government and its citizens by keeping promises.

Local government is the third sphere of government in Australia's system of government. Councils are comprised of locally elected representatives who understand local needs and engage locally on strategies to meet those needs.

Councils are responsible for providing a wide range of critical local area services including planning, libraries, waste management systems, transport and infrastructure (eg roads and footpaths, parks, sporting grounds and swimming pools) and social services.

These services are critical to the wellbeing, liveability and productivity of all local communities, and therefore the nation. Equally important is the sustaining of democratic processes at the local and regional level.

Local government's total annual expenditure in 2021 -22 was approximately \$43.6 billion. Non-financial assets including roads, community infrastructure such as buildings, facilities, airports, water, and sewerage (in some states) including land, are valued at \$539 billion [ABS Government Finance Statistics, Australia, 2021-22].

In 2021-22, the Australian Government provided \$2.6 billion in Financial Assistance Grants funding to councils. This included \$1.3b which was brought forward from the 2021-22 estimate and paid through state and territory governments in 2020-21.

Nationally, local government derives nearly 90% of its revenue from its own sources (including rates and services charges), compared to around 50% for state governments. Grants from other levels of government make up just over 10% of local government's total revenue, however these grants are particularly important in areas with a low-rate base, and/or high growth rates, and rapidly expanding service and infrastructure needs.

In 2021-22 Financial Assistance Grants to local governments was less than 0.6% of Commonwealth taxation revenue (CTR), a significant drop from 1996 when these grants were at 1% of CTR. In 2023-24 Financial Assistance Grants have fallen to 0.5% of Commonwealth taxation.

What improvements are needed to the intergovernmental financial transfer system, particularly the Commonwealth transfers to local government, to enhance the community's trust in local government and by extension all governments?

Noting that Commonwealth tied funding is provided with detailed requirements how can this system be improved to provide flexibility and maximize the benefit to local communities?

3. ROADS AND INFRASTRUCTURE

ALGA's 2021 National State of the Assets Report (NSoA) is currently being updated and expected to be launched in 2024. The most recent NSoA shows that while most local government assets such as roads, bridges, buildings, parks and recreation, stormwater, water and wastewater, and airports and aerodromes are generally in good to very good condition, around 10% are not fit for purpose, and around 20–25% are only fair and over time will need attention.

The last NSoA found that in 2019–20 non-financial infrastructure assets were valued at \$342 billion and were depreciating at \$7.7 billion per year. Replacement costs of these infrastructure assets were in the order of \$533 billion.

Local government assets make up a significant proportion of the physical structure of local communities and often provide critical access to and support for citizens to engage in state and national assets and opportunities.

For example, local roads provide important “first and last-mile access” for communities and industry to road networks, integral to economic development and community connection. Local sporting grounds can provide access for community groups to build community participation that has social, health and economic benefits.

Are there programs or initiatives that the Australian Government could adopt to improve the long-term sustainability of local government infrastructure?

Are there programs or initiatives that the Australian Government could provide to improve the sector's capacity to manage local government infrastructure and to integrate these plans into long-term financial plans?

Are there programs or initiatives that the Australian Government could develop to maintain, strengthen and enhance the reputation of Australia's infrastructure providers, including local government?

4. EMERGENCY MANAGEMENT

In 2022 alone, 46 disasters were declared across Australia, covering more than 300 different council areas. In recent years, almost every Australian council has been impacted in some way by fires, floods, or cyclones.

Last year's flooding caused a damage bill of approximately \$3.8 billion to local roads across Queensland, New South Wales, Victoria and South Australia. This was just a fraction of the total disaster costs incurred by governments across the country.

There have been numerous NGA motions in recent years regarding natural disasters and this has been a significant priority in ALGA's advocacy program.

In 2022 ALGA successfully advocated for a new \$200 million per year Disaster Ready Fund, with the first round of funding allocated in June 2023. This fund will support councils and communities to mitigate against the risk of future disasters and help address the significant imbalance between mitigation and recovery spending.

Councils are encouraged to draw on their practical experience of the improvements that could be made to managing emergencies.

Please note that many aspects of emergency management are state or territory responsibilities, and your motions should focus on how the Australian Government could assist.

What new programs, or improvements to existing programs, could the Australian Government develop to partner with local government to improve the current natural disaster management systems to further assist in recovery and build resilience?

5. HOUSING AND HOMELESSNESS

Almost every Australian council and community is facing challenges around a lack of affordable housing.

Alarming research by the UNSW City Futures Research Centre shows 640,000 Australian households – or one in 15 households – are under housing stress.

All levels of government, including councils, have a fundamental role to play in addressing this crisis, which is being compounded by high interest rates, rising construction costs and skills shortages.

At a national level, ALGA is a signatory to the National Housing Accord, and in 2023 successfully advocated for a new \$500 million Housing Support Program for state and local governments to deliver supporting infrastructure for new housing developments.

While the provision of affordable housing is not a local government responsibility, councils have a role to play in ensuring there is enough suitably located land available for housing and that a diversity of housing stock is supported. Councils also want to ensure that new housing developments are supported with the necessary services and infrastructure to create liveable and sustainable communities.

Many councils are also addressing thin markets and developing land and housing themselves, delivering local solutions to meet the needs of their communities.

Councils also want to ensure that they engaged with planning decisions that affect local communities. Taking planning powers away from councils does not always support the best local outcomes.

Councils also play an important role addressing some of the causes of homelessness, including social inclusion programs that can assist mental health and family violence issues, as well as providing support for people currently experiencing homelessness.

What new programs and policies could the Australian Government develop to partner with local government to support the provision of more affordable housing?

How can the Australian Government work with councils to address the causes and impacts of homelessness?

6. JOBS AND SKILLS

Local government is a major employer in Australia providing employment, career advancement and training opportunities for more than 190,800 Australians, across an estimated 400 occupations.

However, councils are facing significant jobs and skills shortages that are constraining their capacity to deliver services and build and maintain local infrastructure.

ALGA's 2022 National Local Government Workforce Skills and Capability Survey indicated that more than 90 percent of Australia's 537 councils were experiencing skills shortages.

The survey also showed that for approximately two-thirds of these councils, these shortages were impacting on project delivery.

In particular, councils are facing a shortage of planners, engineers, building surveyors, environmental officers and human resources professionals.

Skills shortages occur for a variety of reasons including an inability to compete against the private sector, worker accommodation, support services for families, ageing of the workforce and geographic isolation.

Are there programs or initiatives that the Australian Government could implement that would enhance local government's capacity to attract and retain appropriately skilled staff now and into the future?

Are there programs or changes to existing programs that would increase local government's ability to employ apprentices and trainees?

Are there other initiatives that the Australian Government could provide to improve the sector's ability to plan and develop skills fit for the future?

7. COMMUNITY SERVICES

Councils provide a wide range of services based on local characteristics, needs, priorities, and the resources of their community. Indeed, it is this level of responsiveness and accountability to the local community that is an essential feature of democratic local governments worldwide.

Some of these services are provided to address market failure, and many of them are provided by councils on behalf of other levels of government.

It is important to note that nationally local government is more than 83% self-sufficient ie funded at the local level either through rates, fees and charges, sale of goods and services, or interest. The Australian Bureau of Statistics data shows that total local government annual expenditure in 2021-22 was \$43.6 billion.

Only 17% comes from grants and subsidies from other levels of government. Unfortunately, many of these grants and subsidies are tied, or require matching funding which restricts the ability to address local priorities in the way the council and community might need.

Arguably there is no greater obligation upon government than to maintain the trust that citizens have in meeting their community services obligations and promises, particularly to society's most vulnerable.

Local government community services are broadly defined, and may include but are not limited to:

- environmental health including food safety;
- childcare, early childhood education, municipal health;
- aged care, senior citizens;
- services to people living with disability;
- programs to address disadvantage, to reduce poverty and homelessness;
- sporting and recreational programs;
- arts and cultural activities, programs and festivals;
- tourism and economic development activities; and
- library services.

Noting the funding arrangements for the provision of local government community services are there programs and initiatives that the Australian Government could implement to improve the delivery of these services?

Are there reforms or improvements in national community services program that would help local governments support the Australian Government to deliver on its national objectives?

8. CLOSING THE GAP AND ABORIGINAL AND TORRES STRAIT ISLANDER RECONCILIATION

In 2021, ALGA co-signed a landmark national agreement to close the gap between Indigenous and non-Indigenous Australians. At the heart of the National Agreement on Closing the Gap Partnership are four agreed priority reform targets and 19 socio-economic targets in areas including education, employment, health and wellbeing, justice, safety, housing, land and waters, and Aboriginal and Torres Strait Islander languages.

The Indigenous Voice Co-design Final Report to the Australian Government was released in December 2021. The Local & Regional Voice will contribute to achieving the Closing the Gap outcomes by providing avenues for Indigenous voices to be heard, including to provide feedback to government on Closing the Gap.

As the level of government closest to the people, councils have an essential role supporting and helping to steer the development of policies and programs in partnership with local Indigenous peoples that address closing the gap priorities at the local and regional level.

Local government plays a positive role in reconciliation and celebrating Indigenous culture and identity, and sustainably funded could work effectively to reduce Indigenous disadvantage in all its forms.

On 14 October 2023, Australians voted in a referendum about whether to change the Constitution to recognise the First Peoples of Australia by establishing a body called the Aboriginal and Torres Strait Islander Voice. The referendum did not pass.

Are there programs or initiatives that the Australian Government could adopt to assist local government to advance reconciliation and close the gap?

Are there practical programs or initiatives that local government and the Australian Government could introduce to maintain, build and strengthen the level of trust between Aboriginal and Torres Strait Islanders and governments?

9. DATA, DIGITAL TECHNOLOGY AND CYBER SECURITY

Provision of information technology to all Australians is vital to innovation, economic growth, and social equity. However, it is potentially even more important to regional Australia where the tyranny of distance increases the inequity of services available – including education, health, economic and social. Innovative technology is becoming more broadly available and could boost productivity and economic growth.

Councils around Australia continue to embrace new technologies to improve their service delivery standards and broaden consultation and engagement with their local communities. However, implementation can be hindered without access to basic technological infrastructure and the necessary IT skills and resources.

In recent times, cyber-attacks on major corporations and other businesses have resulted in significant data breaches. It is a timely reminder as digital information, services and products become an increasing feature of modern business operation including in local government.

Like all risks, local government must manage the risk of cyber-attacks and address cyber security. At a national level, there is limited understanding of local governments' vulnerability to cyber-attacks, preparedness and adequacy of risk management strategies or business continuity planning.

While this is primarily a responsibility of the sector itself, governments at all levels must work together to ensure that the public have confidence in government information management systems and its security.

Drawing upon your council's experience, and your knowledge of other councils within your state or territory, are there programs and initiatives that the Australian Government could implement to help local government develop its digital technology services and infrastructure?

Are there actions the Australian Government could take to improve cyber security within the local government sector?

10. CLIMATE CHANGE AND RENEWABLE ENERGY

Australia's changing climate presents a significant challenge to governments, individuals, communities, businesses, industry, and the environment.

The Australian Government has committed to address climate change and in June 2022 submitted its revised National Determined Contribution (NDC) to the United Nations Framework Convention on Climate Change. The revised NDC included reaffirming a target of net zero emissions by 2050 and committing to reduce greenhouse gas emissions by 43% from 2005 levels.

Local governments have played an important leadership role in addressing climate change, and councils have supported a wide range of community-based programs and initiatives to lower the carbon footprint of their own business operations and of their local communities.

As a sector, local government has been an advocate and active participant in the debate for lowering carbon emissions, is sourcing renewable energy, has responded creatively to reduce greenhouse gas emissions from landfills, and facilitated the construction of green buildings and water sensitive design of cities and towns.

Local government has been at the forefront in addressing the impacts of climate change and adaptation to climate change. In particular, councils have a practical understanding of the risk and impact of climate change on Australia's infrastructure and physical assets, natural ecosystems, local economies and their community.

Noting the Australian Government's approach to reducing emissions, are there partnerships, programs, and initiatives that local government and the Australian Government can form to achieve Australia's 2050 net zero emissions target?

Are there initiatives that could assist local governments to build trust in the community for implementation of key climate change and emissions reduction initiatives?

11. ENVIRONMENT

Australia's 537 local councils play an essential role in providing, regulating and managing Australia's environmental services and infrastructure.

Whether it's biodiversity, biosecurity, natural resource management (NRM), contaminated lands, waste management, water resources, sustainability or roadside environments, councils are responsible for educating households and businesses on environment policy, as well as driving environmental programs and initiatives in their local communities.

In recent years the National General Assembly has considered a range of environmental issues, and passed resolutions on biodiversity, biosecurity, conservation, climate change and water security.

How could the Australian Government partner with local government to strengthen Australia's environmental services and infrastructure?

What new programs could the Australian Government partner with local government in to progress local regional and national objectives?



12. CIRCULAR ECONOMY

Local government is responsible for the management of household and domestic waste and has a critical role to play in further developing the circular economy.

Australia's 537 councils manage approximately 26 percent of Australian waste, either directly or through contractual arrangements. Each year, local governments collect around 9.7 million tonnes of waste from kerbside bin services, sort it at material recovery facilities (MRFs), and dispatch what can be recycled to reprocessing facilities in Australia and overseas.

Where waste cannot be recovered it is landfilled, and local governments in most jurisdictions must pay a significant levy per tonne for landfilled waste, as well as incur the operational costs of maintaining and managing a landfill.

Collecting, treating, and disposing of Australian domestic waste costs local government an estimated \$3.5 billion annually. Local government also dedicates resources to administering community waste-education programs, collecting litter, addressing illegal rubbish dumping, and ensuring compliance with waste bylaws.

In November 2023, Australia's Environment Ministers agreed that the Federal Government would establish new regulations for packaging as well as mandate how packaging is designed, develop minimum recycled content requirements and prohibit harmful chemicals being used. These changes are expected to have a positive impact on the amount of waste sent to landfill, and the costs borne by councils and their communities.

How could the Australian Government further strengthen product stewardship arrangements to support local governments in their endeavours to increase recycling and reduce the volume of waste?

How could the Australian Government partner with local government to advance the circular economy?

CONCLUSION

Thank you for taking the time to read this discussion paper and your support for the 2024 National General Assembly of Local Government.

A FINAL REMINDER:

- » Motions should be lodged electronically at www.alga.com.au and received no later than 11.59pm on Friday 29 March 2024.
- » Motions must meet the criteria published in this paper.
- » Motions should commence with the following wording: 'This National General Assembly calls on the Australian Government to...'
- » Motions should not be prescriptive in directing how the matter should be pursued.
- » Motions should be practical, focussed and relatively simple.
- » It is important to complete the background section on the form.
- » Motions must not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
- » When your council submits a motion there is an expectation that a council representative will be present at the 2024 National General Assembly to move and speak to that motion if required.
- » Resolutions of the National General Assembly do not automatically become ALGA's national policy positions. The resolutions are used by the ALGA Board to inform policies, priorities and strategies to advance local governments within the national agenda.

We look forward to hearing from you and seeing you at the 2024 National General Assembly in Canberra.





AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION

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ORDINARY MEETING OF THE COUNCIL

January 18, 2024

ITEM 7**BROKEN HILL CITY COUNCIL REPORT NO. 7/24****SUBJECT:** **ADOPTION OF DRAFT AGENCY INFORMATION GUIDE D24/2512****Recommendation**

1. That Broken Hill City Council Report No. 7/24 dated January 18, 2024, be received.
2. That Council adopt the Draft Agency Information Guide.

Executive Summary:

Council must have in place an Agency Information Guide in accordance with Section 20 of the *Government Information (Public Access) Act 2009* (the Act). The Act states:

- (1) *An agency (other than a Minister) must have a guide (its **agency information guide**) that—*
 - (a) *describes the structure and functions of the agency, and*
 - (b) *describes the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public, and*
 - (c) *specifies any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the exercise of the agency's functions, and*
 - (d) *identifies the various kinds of government information held by the agency, and*
 - (e) *identifies the kinds of government information held by the agency that the agency makes (or will make) publicly available, and*
 - (f) *specifies the manner in which the agency makes (or will make) government information publicly available, and*
 - (g) *identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.*
- (2) *An agency must make government information publicly available as provided by its agency information guide.*
- (3) *The Chief Executive of the Office of Local Government may, in consultation with the Information Commissioner, adopt mandatory provisions for inclusion in the agency information guide of local authorities. The agency information guide of a local authority must include any such mandatory provision unless the Chief Executive otherwise approves in a particular case.*

In accordance with Section 21 of the *Government Information (Public Access) Act 2009* (the Act), an agency must adopt its first agency information guide within 6 months after the commencement of this section and must review its agency information guide and adopt a new agency information guide at intervals of not more than 12 months. An agency may update and amend its agency information guide at any time.

Report:

In accordance with Section 22 of the Act Council is required, prior to adopting a new or amending a current Agency Information Guide, to notify the Information Commissioner.

Council resolved at its ordinary meeting held 20 December 2023 to release the reviewed Draft Agency Information Guide to the Information Commissioner for its review and comment.

A response has now been received (attached) and the feedback attached is intended to assist Council when it next reviews its Agency Information Guide.

The overall feedback received from the Information and Privacy Commission in its correspondence dated 17 January 2024 and as attached, noted that Council’s Agency Information Guide covered all elements required to make it clear, concise, and well structured.

It is recommended that Council adopt the Draft Agency Information Guide as presented and that any future guidance and comment received from the Information Commissioner be considered during future reviews of the Agency Information Guide.

The next review is scheduled for December 2024, or earlier in the event of any significant changes occurring.

Community Engagement:

Council Business Papers – Council Meeting 20 December 2023 and 31 January 2024.

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:

Government Information (Public Access) Act 2009

Financial Implications:

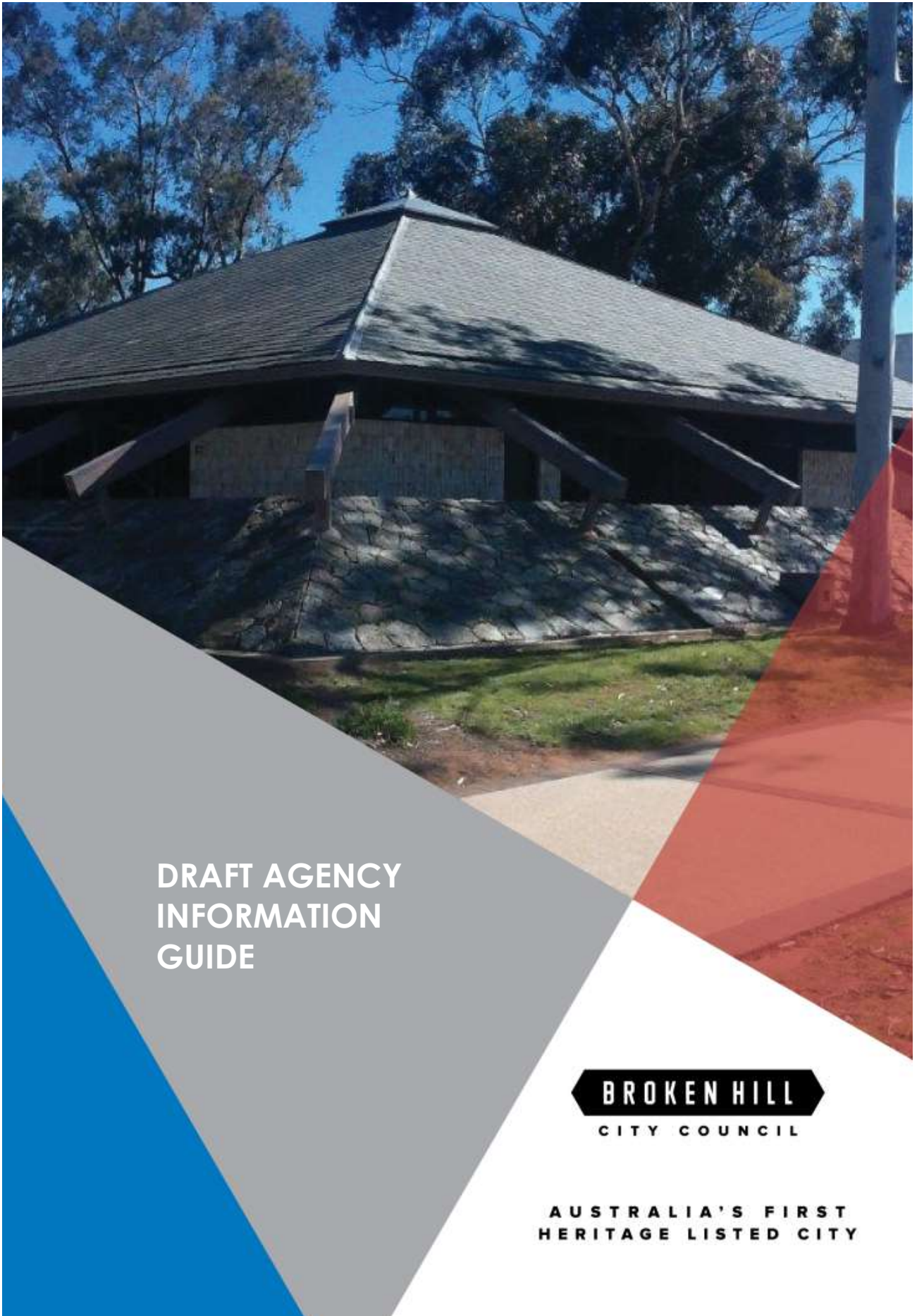
Operational costs only, no additional expenditure required.

Attachments

1. [↓](#) Draft Agency Information Guide
2. [↓](#) Agency Information Guide - IPC Feedback Checklist Letter

MICHELLE ROLTON
MANAGER CORPORATE AND CUSTOMER EXPERIENCE

JAY NANKIVELL
GENERAL MANAGER



**DRAFT AGENCY
INFORMATION
GUIDE**



**AUSTRALIA'S FIRST
HERITAGE LISTED CITY**

QUALITY CONTROL			
KEY THEME	4. Our Leadership		
OBJECTIVE	4.1 Openness and Transparency in Decision Making		
STRATEGY	4.1.5 Support the organisation to operate within its legal framework		
FUNCTION	Corporate Support		
FILE REFERENCE No	11/118	EDRMS No	D16/1194
RESPONSIBLE OFFICER	Public Officer		
REVIEW DATE	November 2023		
DATE	ACTION		MINUTE No
27 November 2019	Endorsed for release to Information Commissioner		46130
26 February 2020	Adopted		46181
November 2020	Document reviewed and amended		N/A
27 November 2020	Endorsed for release to Information Commissioner		46413
24 February 2021	Adopted		46442
November 2021	Document reviewed and amended		N/A
24 November 2021	Endorsed for release to Information Commissioner		
23 February 2022	Adopted		46750
30 November 2022	Document reviewed and amended		N/A
21 December 2022	Endorsed for release to Information Commissioner		47075
29 March 2023	Adopted		47153
20 December 2023	Endorsed for release to Information Commissioner		
NOTES	Front cover image: Council Chamber		
ASSOCIATED DOCUMENTS	Community Strategic Plan Your Broken Hill 2040 Long Term Financial Plan 2024-2032 Delivery Program 2022-2026 incorporating Operational Plan 2023/2024 Schedule of Fees and Charges 2023/2024 Privacy Management Plan Records Management Policy		



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1. INTRODUCTION

1.1 What is an Agency Information Guide?

An Agency Information Guide is a guide developed in accordance with Section 20 of the *Government Information (Public Access) Act 2009* (GIPA Act).

The section of the Act clearly outlines what information must be included in an Agency Information Guide.

1.2 Why does Council need to have an Agency Information Guide?

In accordance with Section 20 of the Act, Council must have an Agency Information Guide.

Council has a strong commitment to assisting those who wish to view or obtain information under GIPA Act and encourages people who request information to contact the Public Officer.

1.3 What does the Agency Information Guide include?

In accordance with Section 20 of the Act, Council (referred to as the agency in the Act) must have an Agency Information Guide that:

- a) describes the structure and functions of the agency; and
- b) describes the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public; and
- c) specifies any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the exercise of the agency's functions; and
- d) identifies the various kinds of government information held by the agency; and
- e) identifies the kinds of government information held by the agency that the agency makes (or will make) publicly available; and
- f) specifies the manner in which the agency makes (or will make) government information publicly available; and
- g) identifies the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

2. ABOUT THE CITY

“When you think of regional Australia, when you think of mining, when you think of the ethos of Australia, you think of Broken Hill”

The City of Broken Hill is the largest regional centre in the western half of New South Wales. It lies in the centre of the sparsely settled New South Wales Outback, close to the South Australian border and midway between the Queensland and Victorian borders.

POPULATION	
2022	**17,569
2016	*18,114
Female population	*51.3%
Male population	*48.7%

** 2022 ABS Estimated Resident Population

* 2016 ABS Estimated Resident Population

WORKFORCE	
Local Jobs	*7,548
Local Businesses	*968
Gross Regional Product (GRP)	\$0.98 billion

* National Institute of Economic and Industry Research (NIEIR) 2022

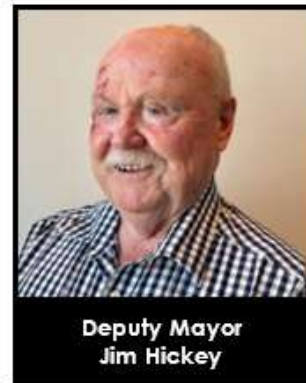
INDUSTRY	\$(M)	JOBS
Mining, Construction, Manufacturing	\$258.2	1,807
Household Services*	\$228.4	3,208
Public Administration and Safety	\$46.1	462
Retail Trade	\$38.7	750
Tourism	\$106.1 1	524

*Household Services refers to Accommodation and Food Services, Education and Training, Health Care and Social Assistance, Arts and Recreation Services and Other Services

Source: www.profile.id.com.au

3. ABOUT COUNCIL

The Mayor and Councillors of Broken Hill have many responsibilities to the Council and the community. All Councillors, in accordance with the *Local Government Act 1993*, must "represent the collective interests of residents, ratepayers and the local community"; "facilitate communication between the local community and the governing body"; and "is accountable to the local community for the performance of the council".



4. COUNCIL ORGANISATION STRUCTURE

The Executive Leadership Team (ELT) provides clear and consistent leadership and decision making, which supports the delivery of the strategic priorities and direction of the operational business for the City. This team is led by the General Manager and includes Director Finance and Commercial, Director Corporate and Community, Director Infrastructure and Environment, Executive Manager Place Activation, Executive Manager People and Culture and Manager Communications and Marketing.



4.1 Roles and Responsibilities of Council in Decision Making

Council is made up of a body of ten Councillors whose role is to ensure Council's vision is articulated and fulfilled, to govern the Broken Hill local government area and to:

- Set the direction of the affairs of the Council in accordance with the *Local Government Act 1993*
- Play a key role in the creation and review of Council's policies, objectives and plans relating to the exercise of Council's regulatory functions
- Participate in the optimum allocation of Council's resources for the benefit of the City
- Represent the interest of the residents and ratepayers and facilitate communication between the community and the Council
- Review organisational performance.

The General Manager's role is to:

- Ensure the effective and efficient operation of the Council's organisation
- Ensure the implementation without undue delay, of decisions of the Council
- Provide the day-to-day management of the Council
- Appoint staff in an organisational structure and resources approved by the Council
- Implement the Council's Equal Opportunity Management Plan
- Carry out other functions as may be conferred or imposed by the *Local Government Act 1993*.

5. FUNCTIONS OF COUNCIL

KEY THEME 1 – OUR COMMUNITY	KEY THEME 3 – OUR ENVIRONMENT	
<p>Arts & Culture Charles Rasp Memorial Library Broken Hill Regional Art Gallery Albert Kersten Mining & Minerals Museum Broken Hill Archives</p> <p>Community Development Community Assistance</p> <p>Community Facilities Cemetery Broken Hill Regional Aquatic Centre Halls and Community Centres Public Amenities</p> <p>Local Transport Bus Shelters Footpaths and Bike Tracks Road Furniture Local Roads Car Parks Traffic Control</p> <p>Open Spaces Parks and Reserves Sportsgrounds</p> <p>Public Health Health Administration and Inspections</p> <p>Public Order Sustainability and Environmental Management Parking and Other Ranger Services Animal Control</p> <p>Public Safety Street Lighting Emergency Services</p>	<p>Waste Management Waste Management Operations Garbage Collection Street Cleaning</p> <p>Sustainability After Mining Willyama Common Regeneration Area</p> <p>Natural Environment Noxious Weeds Living Desert</p> <p>Environmental Footprint Water Energy</p> <p>Built Environment Historic Buildings Preservation Town Planning</p> <p>Stormwater Management Stormwater Drainage Kerb and Gutter</p>	
	KEY THEME 4 – OUR LEADERSHIP	
<th style="background-color: #0056B3; color: white;">KEY THEME 2 – OUR ECONOMY</th> <td> <p>Leadership & Governance Elected Members General Manager</p> <p>Financial Management Corporate Services Management Financial Control Revenue Payroll Procurement and Payables</p> <p>Corporate Support Risk Management and Insurance Information Technology Services Records Management Human Resources Governance Organisation Culture</p> <p>Customer Relations Media and Communications Customer Relations</p> <p>Asset Management Infrastructure Engineering Management Infrastructure Administration Asset Management and Technical Services</p> <p>Operations Management Mechanics Workshop Plant and Vehicle Maintenance Warnock Street Works Depot Private Works Billable Works</p> <p>Buildings & Property Buildings - Structures Maintenance and Operations Buildings - Property Commercial</p> </td>	KEY THEME 2 – OUR ECONOMY	<p>Leadership & Governance Elected Members General Manager</p> <p>Financial Management Corporate Services Management Financial Control Revenue Payroll Procurement and Payables</p> <p>Corporate Support Risk Management and Insurance Information Technology Services Records Management Human Resources Governance Organisation Culture</p> <p>Customer Relations Media and Communications Customer Relations</p> <p>Asset Management Infrastructure Engineering Management Infrastructure Administration Asset Management and Technical Services</p> <p>Operations Management Mechanics Workshop Plant and Vehicle Maintenance Warnock Street Works Depot Private Works Billable Works</p> <p>Buildings & Property Buildings - Structures Maintenance and Operations Buildings - Property Commercial</p>
<p>Economic Development Economic Development Civic Centre Area Promotion and Events</p> <p>Property Development Land Development and Sales</p> <p>Strategic Transport Regional Roads State Roads Airport</p> <p>Tourism Development Tourism</p> <p>Film Film Promotion Film Activities</p>		

6. HOW COUNCIL FUNCTIONS AFFECT MEMBERS OF THE PUBLIC

All Council's functions effect the community, whether directly or indirectly. Council is conscious of accountability to the public for its actions and strives for open communication and community consultation to ensure maximum customer satisfaction.

Council's functions, as depicted on the previous pages, affect the public as follows:

6.1 Service Functions

The provision and maintenance of library services, community health, waste removal and disposal, recreational facilities, environmental protection, industry and tourism and development assistance.

6.2 Regulatory Functions

Approval of all building and development in the City and ensuring that all approvals and certificates are issued in accordance with the relevant Acts. Developments are made in the best interest of the public and are made in accordance with all Council's ecologically sustainable development codes and policies.

6.3 Ancillary Functions

These functions affect only a minority of Council's residents and involve matters such as the resumption of land, powers of entry and inspection over land, all of which is dealt with in the best interest of Council's residents.

6.4 Revenue Functions

Revenue functions affect the community directly as it is a function which affects the financing of services and facilities provided to residents. Revenue is obtained from rates, charges, fees, borrowings, and investments.

6.5 Administrative Functions

The administrative functions of the Council do not directly affect residents. However, functions such as employment of staff and compliance with Council's statutory obligations including management plans, financial reporting and annual reporting all have an impact on the community.

6.6 Enforcement Functions

Under the *Local Government Act 1993* and other related legislation Council has a statutory responsibility to enforce local by-laws such as alcohol-free zones and regulations delegated by other levels of government, eg food safety inspections. These are applied in the best interest of the community.

7. PUBLIC PARTICIPATION

Council wants to understand and consider community concerns about the impact of services and decisions.

In a changing local government environment, councils must ensure that services are in keeping with future opportunities and the existing needs and expectations of its community.

To achieve this aim, to increase accountability and transparency of operations, Council is committed to keeping the community informed and engaged through ongoing and quality communication.

7.1 Participation at Council Meetings

Council welcomes the public to attend Council meetings which are held on the last Wednesday of each month, commencing at 6.30pm. At this meeting, Reports of the General Manager, Mayoral Minutes, Planning Matters, Public Access and Matters Referred from Previous Council Meetings, Notices of Motions and Matters for Information are presented. Council may also consider confidential matters in Closed Session with the resolutions from these meetings announced in public prior to the close of the meeting.

Members of the public attending Council meetings have an opportunity to address Council at the meeting. For information on how to register to speak, contact Council or refer to current procedures on Council's website.

7.2 Written Submissions to Council and Councillors

Residents and ratepayers are encouraged to make written submissions, or personal representations through their elected local representative.

Written submissions to Council or to individual local Councillors may be made in writing and addressed to:

Broken Hill City Council
PO Box 448
Broken Hill NSW 2880

7.3 Council Business Papers

Council agendas are made publicly available and are usually uploaded on to Council's website the Friday prior to the Ordinary Monthly Council meeting.

Agendas can also be viewed at the Charles Rasp Memorial Library or at Council's Administrative Centre.

Minutes from previous Council meetings are also made publicly available on Council's website as soon as possible after they have been endorsed.

7.4 Community Consultation – Having Your Say

Council invites the community to have their say on the formation of Council's policy and service delivery. Council communicates with the community and encourages communication and feedback through various channels such as Council's website, Council's official Social Media channels, surveys, advertising in the local newspaper, radio stations and media releases.

7.5 Documents on Public Display

All significant plans, strategies and policies of Council are placed on exhibition in draft form so that interested members of the public may view them and make comments should they wish to.

Exhibition documents are available on Council's website, at the Charles Rasp Memorial Library or at Council's Administrative Centre and submissions should be addressed to the General Manager.

7.6 Section 355 Committees

Council also co-ordinates a range of Section 355 Asset and Advisory Committees.

A Section 355 Committee is a committee established under Section 355 of the *Local Government Act 1993*, to assist Council with the operation and maintenance of various Council facilities and services.

Managing community assets is an essential part of Council activities and the community of Broken Hill has strong representation on a number of Council committees to help manage the City's interests and public assets.

There are eight Asset Committees and three Advisory Committees. They include:

Asset Committees

1. Alma Oval Community Committee
2. BIU Band Hall Community Committee
3. ET Lamb Memorial Oval Community Committee
4. Friends of the Flora and Fauna of the Barrier Ranges Community Committee
5. Memorial Oval Community Committee
6. Norm Fox Sporting Complex Community Committee
7. Picton Sportsground Community Committee
8. Riddiford Arboretum Community Committee

Advisory Committees

1. Ageing Well Advisory Committee
2. Broken Hill Heritage Committee
3. Broken Hill Regional Art Gallery Advisory Committee
4. Community Strategic Plan Round Table Committee
5. Youth Advisory Committee

Members of the public are encouraged to nominate for a position on Section 355 Committees.

8. INFORMATION HELD AT COUNCIL AND HOW TO ACCESS

Council holds information in various formats in respect of the wide range of functions undertaken by it as well as information which is pertinent to different issues relating to the Broken Hill City Council Local Government Area.

There are 4 main ways in which Council provides access to information:

1. **Mandatory Proactive Release**
2. **Authorised Proactive Release**
3. **Informal Release**
4. **Formal Access Applications**

Under the *Government Information (Public Access) Act 2009*, (*GIPA Act*), there is a right of access to certain information held by Council, unless there is an overriding public interest against its disclosure. Any applications made under the *GIPA Act* will be processed in accordance with the requirements of the *GIPA Act*.

8.1 Mandatory Proactive Release - Open Access Information

Under Schedule 1 of the *Government Information (Public Access) Regulation 2018*, Council must make the following information, classified as 'open access information', publicly available unless there is an overriding public interest against disclosure.

Where possible, open access information will be made available on Council's website (www.brokenhill.nsw.gov.au). Where open access information is not made available on Council's website, it will be made available for viewing at Council's Administrative Building during normal business hours.

Fees: A fee may apply for the release of information. Fees are detailed in Council's Schedule of Fees and Charges, updated each financial year and available on Council's website. An example of when a fee may be applied includes staff searches of building/development records, copy of building plans, a bound copy of the Local Environmental Plan, or Local Environmental Plan maps.

8.1.1 Information about Council		
Document/Record Type	Description	How to Access
Agency Information Guide	This document sets out the functions of Broken Hill City Council and the type of information held by Council and how it can be accessed.	Council's website www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3ivY6Ju
Council Policies	Documents used to exercise Council functions.	Council's website www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3qt8R19
Register of Government Contracts.	A register of contracts awarded by Broken Hill City Council valued at \$150,000 or more.	Council's website www.brokenhill.nsw.gov.au – or alternatively click here https://bit.ly/3qw8YsW

8.1.1 Information about Council		
Document/Record Type	Description	How to Access
Disclosure Log of Formal (Access) Applications for Information	The <i>GIPA Act</i> requires Council to publish a Disclosure Log that records details of formal requests for information (access applications) where Council considers that the information requested may be of interest to other members of the public.	Council's website www.brokenhill.nsw.gov.au – or alternatively click here https://bit.ly/3wC7uON
The Model Code of Conduct prescribed under Section 440(1) of the <i>Local Government Act 1993</i>	Outlines the conduct obligations of Council officials.	Council's website www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3qrDSCB
Code of Meeting Practice	Summarises the procedures for all Council and Council Committee Meetings.	Council's website www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3qrDSCB
Annual Report inclusive of Annual Financial Statements	Outlines Council's performance and achievements against its key strategies and objectives.	Council's website www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3n7cGHa
Auditor's Reports	Outlines the financial position of Council and is included in the Annual Financial Statements.	Auditor's Reports – see Financial Statements or alternatively click here https://bit.ly/3gVNFyn
Equal Employment Opportunity Management Plan	Policy that outlines the equal employment opportunities within Council.	Informal request for information https://bit.ly/3OW1p8R
Policy concerning the Payment of Expenses incurred by and the Provision of Facilities to Councillors	A policy to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties.	Council's website www.brokenhill.nsw.gov.au – Councillor Support Policy, alternatively click here https://bit.ly/2YF6iJ5
Annual Reports of bodies Exercising Functions Delegated by Council	S355 Community Committees provide Annual Reports and are reported to Council and the community.	Council's website www.brokenhill.nsw.gov.au – Council Meeting Business Papers – click here https://bit.ly/3qsPW6r
Any Codes referred to in the <i>Local Government Act 1993</i>	The codes are referenced in Council's Code of Conduct Policy and Code of Meeting Practice Policy	Council's website www.brokenhill.nsw.gov.au – Policies or alternatively click here https://bit.ly/2YDzgh8

8.1.1 Information about Council		
Document/Record Type	Description	How to Access
Returns of Interests of Councillors, Designated Persons and Delegates	Returns of interest are reported to Council each September.	Council's website www.brokenhill.nsw.gov.au – Access to Information – click here https://bit.ly/30qKINX Council Meeting Business Papers – click here https://bit.ly/3qsPW6r
Agendas and Business papers fro any meeting of Council or any Committee of Council	Monthly reports to Council Ordinary Meeting including Extraordinary Meetings.	Council's website www.brokenhill.nsw.gov.au – Meetings – click here https://bit.ly/3qsPW6r
Minutes of any meeting of Council or any Committee of Council	Minutes recording the records of any meeting of Council or any Committee of Council, inclusive of adopted recommendations by Council.	Council's website www.brokenhill.nsw.gov.au – Meetings – click here https://bit.ly/3qsPW6r
Land Register	A register of all lands vested in Council, or under its control.	Informal request for information https://bit.ly/3OW1p8R
Register of Investments	A written report setting out details of all monies that have been invested under Section 625 (2) of the <i>Local Government Act 1993</i> , and reported to Council monthly.	Council's website www.brokenhill.nsw.gov.au Council - "Meetings", "Minutes and Agendas". Click here https://bit.ly/3qsPW6r
Register of Delegations	A register of the functions delegated to the Mayor, General Manager, and to Council staff, which is adopted each term of Council.	Council's website www.brokenhill.nsw.gov.au Access to Information – Click here https://bit.ly/30qKINX
Register of Graffiti Removal Works	A register containing records of graffiti removal works that are maintained in a database.	Informal request for information https://bit.ly/3OW1p8R
Register of current Declarations of Disclosures of Political Donations	A register containing information regarding disclosures of political donations.	Informal request for information https://bit.ly/3OW1p8R
Register of Voting on Planning Matters	Documents containing information of voting on planning matters available for viewing by members of the public – Council Business Paper (Resolution of Council) or NSW Regional Planning Panel.	Council's website www.brokenhill.nsw.gov.au or alternatively Council Business Paper https://bit.ly/3qsPW6r Or NSW planning portal www.planningportal.nsw.gov.au

8.1.2 Plans and Policies		
Document/Record Type	Description	How to Access
Local Policies adopted by Council concerning approvals and orders	Provide guidance for those participating in the local approvals process and specify criteria which Council will take into consideration in determining applications for approval under the <i>Local Government Act 1993</i> . Criteria to be considered before issuing certain order under section 124 of the <i>Local Government Act</i> .	Council's website www.brokenhill.nsw.gov.au Policies - Local Approvals Policy and Local Orders Policy – Click here https://bit.ly/3F7afdR
Plans of Management for Community Land	Outlines the plans in the management of Broken Hill City Council.	Informal request for information https://bit.ly/3OW1p8R
Environmental Planning Instruments, Development Control Plans and Contribution Plans	The principal legal documents for controlling all development within Broken Hill City Council.	Council's website www.brokenhill.nsw.gov.au or click here https://bit.ly/3ol6CKr

8.1.3 Information about Development Applications		
Document/Record Type	Description	How to Access
Register of Development Applications Lodged and Determined	A register listing the full details of Development Applications lodged and determined.	Informal request for information – Development Applications after 1 July 2010 https://bit.ly/3OW1p8R Formal request for information – Development Applications prior to 1 July 2010 https://bit.ly/3ixFrNv Or Council's website www.brokenhill.nsw.gov.au - DA Tracker – Click here https://bit.ly/3F8exBF
Environmental Planning Instruments, Development Control Plans and Contribution Plans	The legal documents and frameworks for controlling all development within Broken Hill City Council municipality.	Council's website www.brokenhill.nsw.gov.au – Click here https://bit.ly/3D4ujqI

8.1.3 Information about Development Applications		
Document/Record Type	Description	How to Access
Development Applications and associated documents including, but not limited to: Application Form, Determination and Conditions, Officer's Delegated Authority report, Statement of Environmental Effects, Plans (excluding floor plans), Construction and Occupation Certificates, Home Warranty Insurance documents, Acoustic Consultants' reports, Structural Certification documents, Heritage Consultants' reports, Land Contamination reports, Tree Inspection Consultants' reports	Development and Construction application files and associated documents.	<p>Informal request for information – Development Applications after 1 July 2010 https://bit.ly/3OW1p8R</p> <p>Formal request for information – Development Applications prior to 1 July 2010 https://bit.ly/3ixFrNv</p> <p>Or</p> <p>Council's website: DA Tracker - Click here https://bit.ly/3F8exBF</p>
Submissions received on Development Applications	Responses by individuals providing their comments in relation to the Development Application.	<p>Informal request for information – Development Applications after 1 July 2010 https://bit.ly/3OW1p8R</p> <p>Formal request for information – Development Applications prior to 1 July 2010 https://bit.ly/3ixFrNv</p> <p>Council's website: www.brokenhill.nsw.gov.au - DA Tracker - Click here https://bit.ly/3F8exBF</p> <p>Note: Council considers the balance test for public interest in protecting the personal information of submitters.</p>
Records of decisions on Development Applications including decisions on appeals	A record of all development applications received and determined by Council.	<p>Informal request for information – Development Applications after 1 July 2010 https://bit.ly/3OW1p8R</p> <p>Formal request for information – Development Applications prior to 1 July 2010 https://bit.ly/3ixFrNv</p> <p>Council's website: www.brokenhill.nsw.gov.au - DA Tracker - Click here https://bit.ly/3F8exBF</p>

8.1.4 Approvals, Orders and Other Documents		
Document/Record Type	Description	How to Access
Applications for approvals under section 68 of the LG Act	Applications and associated documents received for approval under Section 68 of the <i>Local Government Act</i> .	Informal request for information https://bit.ly/3OW1p8R
Applications for approvals under any other Act and any associated document	Application regarding approval other than Development Application.	Informal request for information https://bit.ly/3OW1p8R
Records of approvals granted or refused, any variation from Council Policies reasons for the variation and decisions made on appeals concerning approvals	A record of approvals granted or refused for specific approvals other than development applications.	Informal request for information https://bit.ly/3OW1p8R
Orders given under Part 2 of Chapter 7 of the <i>Local Government Act 1993</i> and any reasons given under Section 136 of the <i>Local Government Act 1993</i>	Order issued and complied with under section 124 of the <i>Local Government Act</i> .	Informal request for information https://bit.ly/3OW1p8R
Orders given under the Authority of any other Act	Order issued and complied with under the authority of other Acts.	Informal request for information https://bit.ly/3OW1p8R
Records of Building Information Certificates (Building Certificates) under the <i>Environmental Planning and Assessment Act 1979</i>	Record of Building Information Certificates (Building Certificates) issued under the <i>Environmental Planning & Assessment Act 1979</i> .	Informal request for information https://bit.ly/3OW1p8R Copies of Building Certificates are subject to a fee as per Council's Schedule of Fees and Charges
Plans of land proposed to be compulsorily acquired by Council	A plan on authority that is exercised by Council in Compulsory acquiring land.	Informal request for information https://bit.ly/3OW1p8R
Compulsory Acquisition Notices	A notice relating to a specific site which is to be compulsorily acquired.	Informal request for information https://bit.ly/3OW1p8R
Leases and Licenses for use of Public Land classified as Community Land.	Leases and Licenses for use of Public Land classified as Community Land.	Informal request for information https://bit.ly/3OW1p8R

8.2 Authorised Proactive Release Information

The *GIPA Act* encourages Council to go beyond the minimum mandatory disclosure requirement, unless there is an overriding public interest against disclosure. This is a discretionary power to release information in any manner considered appropriate, free of charge or at the lowest reasonable cost.

Council will make the following information of public interest available on the website where possible, as part of authorised proactive release.

8.2.1 Administration and Governance		
Document/Record Type	Description	How to Access
Community Strategic Plan (CSP)	Plan outlines the community's aspirations and main priorities for the future.	Council's website: www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3H99Fy9
Delivery Program inclusive of Operational Plan	Details the principal activities to be undertaken by Council to implement the strategies in the Community Strategic Plan.	Council's website: www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3Dd58Zc
Progress reports on Delivery Program	Reports on progress of the activities and actions detailed in the Delivery Program.	Council's website: www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3F70uMK
Long Term Financial Plan	Inclusion in Resourcing Strategy for the provision of resources required to implement the CSP.	Council's website: www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3DljAhu
Workforce Management Plan	Inclusion in Resourcing Strategy for the provision of resources required to implement the CSP.	Council's website: www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3n9EFGm
Approved Council strategies and plans	Plans/documents used in connection with the functions.	Council's website: www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3wRMvYt
Disability Inclusion Action Plan (DIAP)	Outlines Council's commitment to improving opportunities for people with a disability of all ages to access the full range of services and activities available in the community.	Council's website: www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3oswAfo
Progress report on Disability Inclusion Action Plan	Reports on progress of the activities and actions detailed in the Disability Inclusion Action Plan.	Council's website: www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3oswAfo

8.2.1 Administration and Governance		
Document/Record Type	Description	How to Access
State of the Environment Reports (SOE)	Report on environmental activities and indicators undertaken to enhance and protect the local environment.	Council's website: www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3oogH9G
End of Term Report	Report on Council's achievements in implementing the CSP over the term of the Council (4 years).	Council's website: www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3CcrDfg
Community Management Committees	Delegated authority to manage some of Council facilities and functions.	Council's website: www.brokenhill.nsw.gov.au – Section 355 Community Committees – or alternatively click here https://bit.ly/3F71kJo
Schedule of Fees and Charges	Pricing policy – fees and charges for the current financial year.	Council's website: www.brokenhill.nsw.gov.au or alternatively click here https://bit.ly/3op1OUq

8.3 Informal Release

Access to information that is not available as mandatory or authorised proactive release may be provided through discretionary release.

Council is authorised to release information unless there is an overriding public interest against disclosure. Informal release can enable the release of as much information as possible, however Council is also authorised to redact content from information released, if its inclusion would otherwise result in an overriding public interest against disclosure.

Applications can be made to Council by submitting an Informal Request for Information. The *GIPA Act* does not set a limit for the processing of informal requests for information, therefore these requests are balanced against the other duties for which the Governance team is responsible and can take up to 20 working days to finalise.

8.4 Formal Access Applications

A formal access application is required to be submitted if the information being sought:

- Is not available via proactive or informal release;
- Is of a sensitive nature that requires careful weighing of the considerations in favour of, and against, disclosure;
- Contains personal or confidential information about a third party that may require consultation; or
- Would involve an unreasonable amount of time and resources to produce.

Applications must be made to Council by:

- Submitting the Formal Request for Information Form, together with the application fee (\$30). Additional processing charges may be applicable at a rate of \$30 per hour;
- Specify clearly that it is made under the *GIPA Act*;
- Provide sufficient detail to enable Council to identify the information requested; and
- Include an Australian postal address

Note: An application will be invalid if it seeks access to excluded information of Council or does not meet the formal requirements for an access application.

Council will advise the applicant within 20 working days of receipt of the request of its decision to provide information and in cases where the applicant is aggrieved by Council's determination, an appeal may be lodged. Information on how this may be done will be included with Council's determination notice.

8.5 Proactive Release Strategy

Proactive release involves an agency making information or documents it holds or collects publicly available, on its own accord without someone making an information access request, to promote open and transparent government.

The benefits of proactive release include:

- Improved service delivery
- Increased community participation in government processes and decision-making
- Better informed community
- Reduced costs and resourcing needs by decreasing the number of access applications

Proactive Release Program

Council will undertake an annual Proactive Release Program to ensure that it complies with Mandatory and Authorised Proactive Release obligations under the *Government Information (Public Access) Act 2009*.

The Corporate Governance and Compliance Team will manage and coordinate the annual proactive release review in consultation with relevant business units:

DATE	STAGE	ACTION
June	Preliminary	Engage with business units regarding: <ul style="list-style-type: none"> • the process and timeline • guidance in identifying information for proactive release • communicating the roles and responsibilities
July	Identify	Business units to identify information in their area that: <ul style="list-style-type: none"> • can be considered for proactive release • has been proactively released within the previous 12 months Business unit owners to submit an annual review summary report to Corporate Governance and Compliance Team.

DATE	STAGE	ACTION
August	Assess	The Corporate Governance and Compliance Team will assess information identified for proactive release, by applying the public interest test. The data will be collated in an annual review report, detailing whether information should be released. Legal services may be consulted where deemed necessary.
September	Consult	The Corporate Governance and Compliance Team will provide a draft annual review report to Council's Public Officer and business owners for endorsement, for the referral to Council's Executive Leadership Team (ELT) to seek approval.
October	Approve	The Corporate Governance and Compliance Team will submit an annual review report for the proactive release of government information to ELT. The ELT will have the final authority to determine whether the information identified in the review report is published or not. ELT may consult with business unit owners before making a final decision.
November		The Corporate Governance and Compliance Team will update the organisations' Agency Information Guide in accordance with any approved actions, and present to Council for endorsement to submit to the IPC for annual review.

9. OTHER GOVERNMENT OPEN DATA

In Australia, there are many other open data initiatives. Open data are large datasets available to anyone with an internet connection.

The **federal government** open data portal can be accessed via data.gov.au

Data.gov.au is a centralised source of Australian open government data. In addition to government data, publicly funded research data and datasets from private institutions that are of public interest can also be found here.

The **NSW government** portal can be accessed via data.nsw.gov.au

Data. NSW aims to increase the safe use of data across NSW government, to support better customer service, policy development, responsiveness, and innovation.

18. HOW DO I CONTACT COUNCIL

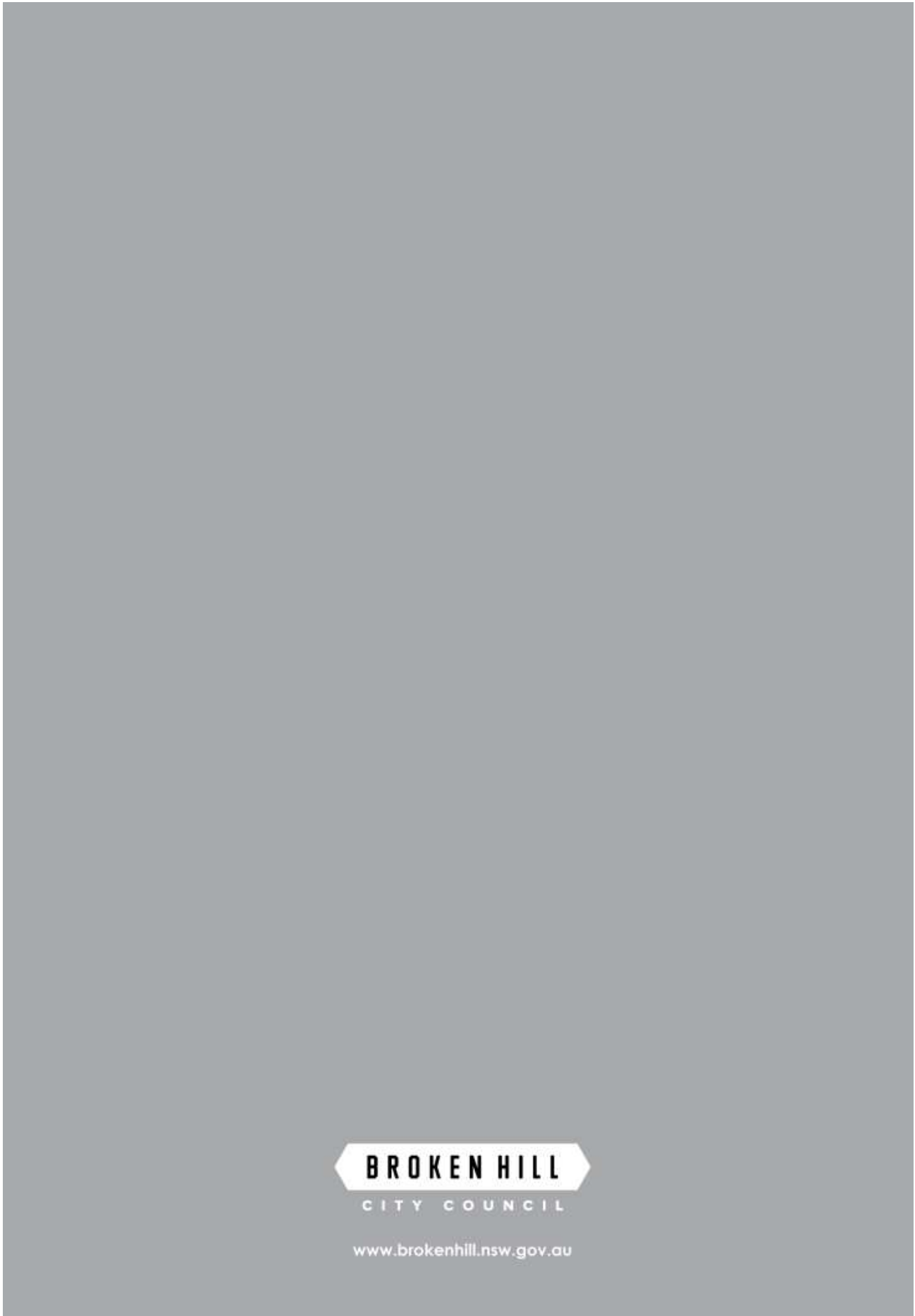
HOW?	CONTACT DETAILS
IN PERSON	Council Administrative Centre 240 Blende Street Broken Hill NSW 2880
POST	Broken Hill City Council PO Box 448 Broken Hill NSW 2880
PHONE	08 8080 3300
FAX	08 8088 3424
EMAIL	council@brokenhill.nsw.gov.au
OPENING HOURS	9.00 am to 4pm Monday to Friday

10.1 Contact

For specific information or enquiries regarding access to information at Broken Hill City Council, please contact:

The Public Officer
PO Box 448
Broken Hill NSW 2880
Phone: 08 8080 3300
Email: council@brokenhill.nsw.gov.au

If you wish to learn more about your right to information, please contact the Information and Privacy Commission at www.ipc.nsw.gov.au





information
and privacy
commission
new south wales

Enquiries: Elvan Efe
Telephone: 1800 472 679
Our reference: IPC23/AU000504

17 January 2024

Ms Michelle Rolton
Acting Director Corporate and Community
Broken Hill City Council

By email to: Michelle.Rolton@brokenhill.nsw.gov.au

Dear Ms Rolton

Feedback on Broken Hill City Council Agency Information Guide

Thank you for your email of 22 December 2023 notifying the Information Commissioner of amendment of the Broken Hill City Council Agency Information Guide (AIG).

AIGs provide a mechanism to make government information accessible, promote currency of information and appropriate release, and support the management of government information as a strategic asset.

The Information Commissioner has published AIG guidance materials on the IPC's website, including *Guideline 6: Agency Information Guides*, a self-assessment checklist for agencies, and a fact sheet on AIGs and the public. The IPC's AIG resources can be found at <http://www.ipc.nsw.gov.au/agency-information-guide>.

I have assessed the Agency's Draft Amended AIG against the requirements of sections 20 to 22 of the GIPA Act and guidance published by the IPC. In my assessment, I have also considered the AIG currently available and published on the Agency's website [here](#).

My feedback is attached to this letter and is intended to assist the Broken Hill City Council when it next reviews its AIG in accordance with section 21 of the GIPA Act, at an interval of not more than 12 months.

Please do not hesitate to contact me on 1800 472 679 or by email to ipcinfo@ipc.nsw.gov.au if you have any questions about the feedback.

Yours sincerely



Elvan Efe
Regulatory Support Officer

Level 15, McKell Building, 2-24 Rawson Place, Haymarket NSW 2000 • GPO Box 7011, Sydney NSW 2001
T 1800 ipc nsw (1800 472 679) • E ipcinfo@ipc.nsw.gov.au • W www.ipc.nsw.gov.au

Assessment Results for Broken Hill City Council AIG

We conducted the assessment using the question in the IPC's self- assessment checklist for agencies, which is published on the IPC's website at [Information Access Resources for Public Sector Agencies \(nsw.gov.au\)](http://www.ipc.nsw.gov.au). The self-assessment checklist reflects the requirements of the GIPA Act and provides additional guidance. The checklist does not prescribe the structure and format that an AIG should follow. Rather, it is a practical tool for an agency to assess the content of its AIG once it has been prepared.

For practical guidance on how to prepare an AIG, please refer to the [Guideline for Agency Information Guides](#).

Mandatory Practice questions relate to the mandatory elements of the GIPA Act and agencies are strongly encouraged to complete them. Recommended Practice questions in the checklist have been included in italics to assist and guide an agency on how they may satisfy or demonstrate the requirements under the GIPA Act, or how to best promote and enhance Open Government, Open Data, and public participation. While these elements are not mandatory, they may assist agencies to assess their maturity in the utilisation of AIGs.

	Assessment questions	Status	Comments
Open access information (Sections 6(2) & 18(a) of the GIPA Act)			
1	Mandatory Practice: Has the agency made its AIG publicly available on its website?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
	Recommended Practice: <i>Is it easily accessible on the agency's website, such as on its 'access to information' page?</i>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Adoption and review of AIGs (Section 21 of the GIPA Act)			
2	Mandatory Practice: Has the agency reviewed its AIG and adopted a new AIG at an interval of not more than 12 months?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
	Recommended Practice: <i>Does the AIG include the date it was last reviewed/adopted/amended?</i>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
AIG requirements (Section 20(1) of the GIPA Act)			
3	Mandatory Practice: Does the AIG describe the structure of the agency? Note: Refer to paragraph 8.1 of Guideline 6	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
	Recommended Practice: <i>Does the AIG describe the multiple divisions of the agency if applicable?</i>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
	Recommended Practice: <i>Does the AIG describe how the agency operates in a cluster arrangement if applicable?</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	
	Recommended Practice: <i>Does it link to other agency AIGs where appropriate?</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	

	Assessment questions	Status	Comments
4	Mandatory Practice: Does the AIG describe the functions of the agency?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
5	Mandatory Practice: Does the AIG describe the way in which the functions, especially decision-making functions, of the agency affect members of the public?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
6	Mandatory Practice: Does the AIG specify any arrangements that exist to enable members of the public to participate in the formulation of the agency's policies?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
7	Mandatory Practice: Does the AIG specify any arrangements that exist to enable members of the public to participate in the exercise of the agency's functions?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
8	Mandatory Practice: Does the AIG identify the various kinds of government information held by the agency?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
9	Mandatory Practice: Does the AIG identify the kinds of government information held by the agency that the agency makes or <u>will make</u> publicly available?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
10	Mandatory Practice: Does the AIG specify the manner in which the agency makes or <u>will make</u> government information publicly available?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
11	Mandatory Practice: Does the AIG identify the kinds of information that the Agency makes or <u>will make</u> publicly available free of charge?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
12	Mandatory Practice: Does the AIG identify the kinds of information that <u>will be</u> made publicly available free of charge?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
13	Mandatory Practice: Does the AIG identify the kinds of information that a charge is or <u>will be</u> imposed by the Agency?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
14	Mandatory Practice: Does the AIG identify the kinds of information for which a charge <u>will be</u> imposed?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
AIG Government Information (Section 20(2) of the GIPA Act)			

	Assessment questions	Status	Comments
15	Mandatory Practice: Has the agency made government information publicly available as provided by its AIG?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
	Recommended Practice: Is there a process for ensuring information is released, such as through a proactive release strategy or committee?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Local authorities (Section 20(3) of the GIPA Act)			
16	Mandatory Practice: Where the Chief Executive of the Office of Local Government (OLG), in consultation with the Information Commissioner, has adopted mandatory provisions for inclusion in the AIGs of local authorities – has the AIG (of a local authority) included the mandatory provision, unless otherwise approved by the Chief Executive OLG in a particular case?	<input type="checkbox"/> YES <input type="checkbox"/> PART <input checked="" type="checkbox"/> N/A	
Role of the Information Commissioner (Section 22(1) of the GIPA Act)			
17	Mandatory Practice: Has the agency notified the Information Commissioner before adopting or amending its AIG?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Open Government, Open Data & public participation			
18	Recommended Practice: Does the AIG adopt a core set of headings in line with the Guideline for AIGs to promote consistency across the government sectors and make it easier for the public to find the information that they seek?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
19	Recommended Practice: Generally consider – How does the AIG promote Open Government?		The AIG provides sufficient information to the public about the Agency's functions, what information it holds and how the public can engage with them and access this.
	Recommended Practice: Does the AIG provide a public resource that informs citizens about the information that the agency holds, the agency's engagement channels, and its decision-making processes?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
20	Recommended Practice: Generally consider – How does the AIG identify any data held by the agency and detail the way the agency will make the data open to citizens?		The AIG includes processes about how to access open data.
	Recommended Practice: Does the AIG link to other open data initiatives such as data.nsw.gov.au?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	The AIG mentions open data initiatives however would benefit from including working links to the relevant sites referenced. A direct link to

	Assessment questions	Status	Comments
			https://data.gov.au/home & https://data.nsw.gov.au/data/about will benefit the public in accessing this information with ease.
21	Recommended Practice: Generally consider – How does the AIG inform the public about how the agency engages with citizens and stakeholders on the formulation of policy and service delivery?		The AIG provides a range of information on how the public can engage with the Agency in its policy and functions. However, the AIG would benefit from including links to the various channels mentioned under 7.4 Community Consultation – Having your say – pg 11

General – review against previously submitted AIG

a.	General: Was IPC feedback provided in the previous AIG?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
b.	General: Has the IPC feedback been incorporated into the new AIG?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> PART <input type="checkbox"/> NO	
c.	General: If IPC feedback has not been addressed do the issues remain present?	<input type="checkbox"/> YES <input type="checkbox"/> PART <input checked="" type="checkbox"/> NO	

General comments

The Agency's AIG covers all elements required to make it clear, concise, and well structured.

For more information

Contact the Information and Privacy Commission NSW (IPC):

Freecall: 1800 472 679

Email: ipcinfo@ipc.nsw.gov.au

Website: www.ipc.nsw.gov.au

Report:

The PID Act is the framework in NSW which promotes a strong 'speak up' culture that encourages and facilitates public officials to report wrongdoing by:

- protecting those who speak up from detriment;
- taking active steps to maintain the confidentiality of reports; and
- imposing duties on agencies who receive reports of wrongdoing to take appropriate action to investigate or otherwise deal with them.

Protections for PID makers include:

- protections from detrimental action;
- protections from civil and criminal liability for making a disclosure; and
- the protection of information that may identify the maker of a PID.

The new legislation provides protections for a broader range of people, including those who make PIDs, investigators involved in an investigation of PIDs, witnesses involved in an investigation, all of whom could be at risk of detrimental action.

Public officials will have multiple options for reporting serious wrongdoing, including reporting to their manager, nominated disclosure officers or integrity agencies. The new PID Act identifies a broader range of required disclosure officers.

Public Officials at Council include:

- Councillors;
- Council employees;
- contractors, sub-contractors or volunteers who provide services, or exercise functions on behalf of Council; and
- employees of an entity (such as a non-government organisation) who is contracted by Council to provide services or exercise functions on behalf of Council — if you are involved in undertaking that contracted work.

The PID Act outlines what agencies are expected to do with a report when it is received and how it must be dealt with, including processes for maintaining confidentiality, welfare support and assessing the risk of detrimental action.

The key implications from the new PID Act include;

- Disclosure officers and managers
 - The range of disclosure officers has widened to include the most senior ongoing employee who ordinarily works at a permanent maintained work site, where more than one employee work. The purpose of this is to ensure all public officials have access to someone who is appropriately authorised and trained to receive PIDs.
 - Annexure A of the Draft Public Interest Disclosure Policy is the updated list of disclosure officers which meets the requirements of the PID Act. Detailed contact information will be provided on a separately maintained list on Council's intranet to ensure accuracy of information can be maintained in a timely manner.
 - Managers now have obligations under the new PID act including receiving and passing on received reports from staff they supervise. Council's managers are advised to pass on reports they receive to a disclosure coordinator either the Director Corporate and Community or Manager Corporate and Customer Experience.

- Contractors providing service on behalf of Council

The expanded definition of public official in the new PID Act includes any person providing services or exercising function on behalf of Council, including contractors and sub-contractors.

- Awareness and training
 - All public officials associated with Council must be made aware of:
 - How to make a Voluntary PID;
 - Council’s Public Interest Disclosure Policy: and
 - The fact a person who is dissatisfied with the way in which a voluntary PID has been dealt with may be entitled to take further action under the PID Act or another act or law.
 - Section 48 of the PID Act requires training for all disclosure officers and managers on their responsibilities under the PID Act, within a reasonable timeframe not later than:
 - 6 months after the commencement of the PID Act (1 April 2024); or
 - 3 months after the person commences in the relevant role.
 - Online training for disclosure officers and managers has recently been scheduled in coordination with the NSW Ombudsman.

Community Engagement:

The Draft Public Interest Disclosure Policy was placed on public exhibition from Saturday 2 December 2023 until Sunday 31 December 2023.

Due to no submissions being received there have been no amendments made to the content of the draft Public Interest Disclosure Policy. It is recommended that the Policy be adopted as per Section 335(d) of the Local Government Act 1993.

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 Interest Disclosure Act 2022*
- Local Government Act 1993*
- Government Information (Public Access) Act 2009 (GIPA Act)*
- Privacy and Personal Information Protection Act 1998*
- Health Records and Information Privacy Act 2002*
- Independent Commission Against Corruption Act 1988*
- State Records Act 1998*
- NSW Ombudsman Model Policy and Guidance for Agencies

Financial Implications:

There are no financial implications for Council to implement this Policy

Attachments

1. [↓](#) DRAFT Public Interest Disclosure Policy

MICHELLE ROLTON
MANAGER CORPORATE AND CUSTOMER EXPERIENCE

JAY NANKIVELL
GENERAL MANAGER

DRAFT PUBLIC INTEREST DISCLOSURE POLICY

QUALITY CONTROL			
EDRMS REFERENCES	12/14 D23/59767		
RESPONSIBLE POSITION	Director Corporate and Community		
APPROVED BY			
REVIEW DATE	November 2027	REVISION NUMBER	1
EFFECTIVE DATE	ACTION	MINUTE NUMBER	
29 November 2023	Public Exhibition	47387	

1. INTRODUCTION

All agencies in NSW are required to have a Public Interest Disclosure (PID) Policy under section 42 of the *Public Interest Disclosures Act 2022* (PID Act)

Broken Hill City Council (Council) take reports of serious wrongdoing seriously and are committed to building a 'speak up' culture where public officials are encouraged to report any conduct that they reasonably believe involves wrongdoing.

The integrity of our agency relies upon our staff, volunteers, contractors and subcontractors speaking up when they become aware of wrongdoing.

2. POLICY OBJECTIVE

The objective of this policy is to set out:

- how Council will support and protect you if you come forward with a report of serious wrongdoing
- how Council will deal with the report and other responsibilities under the PID Act
- who to contact if you want to make a report
- how to make a report
- the protections which are available to you under the PID Act.

This policy also documents Council's commitment to building a speak up culture. Part of that speak up culture is having in place the PID Act framework that facilitates public interest reporting of wrongdoing by:

- protecting those who speak up from detrimental action
- imposing duties on agencies who receive reports of wrongdoing to take appropriate action to investigate or otherwise deal with them.

3. POLICY SCOPE

This policy applies to, and for the benefit of, all public officials in NSW. You are a public official if you are:

- a person employed in or by an agency or otherwise in the service of an agency
- a person having public official functions or acting in a public official capacity whose conduct or activities an integrity agency is authorised by another Act or law to investigate
- an individual in the service of the Crown
- a statutory officer
- a person providing services or exercising functions on behalf of an agency, including a contractor, subcontractor or volunteer
- an employee, partner or officer of an entity that provides services, under contract, subcontract or other arrangement, on behalf of an agency or exercises functions of an agency, and are involved in providing those services or exercising those functions
- a judicial officer
- a Member of Parliament (MP), including a Minister
- a person employed under the *Members of Parliament Staff Act 2013*.

The General Manager, Disclosure Coordinator, other nominated disclosure officers and managers or supervisors within Council have specific responsibilities under the PID Act. This policy also provides information on how people in these roles will fulfil their responsibilities. Other public officials who work in and for the public sector, but do not work for Council may use this policy if they want information to whom they can report wrongdoing within Council.

This policy does not apply to:

- people who have received services from an agency and want to make a complaint about those services
- people, such as contractors, who provide services to an agency. For example, employees of a company that sold computer software to an agency.

This means that if you are not a public official, this policy does not apply to your complaint (there are some circumstances where a complaint can be deemed to be a voluntary PID, see section 4.1.9 of this policy for more information).

If this policy does not apply to you, you can still make a complaint to Council. This can be done by contacting Council via:

- Phone: 08 8080 3300
- Email: council@brokenhill.nsw.gov.au
- Website: www.brokenhill.nsw.gov.au

For further information please see Council's Complaints Management Policy.

4. POLICY STATEMENT

This policy will provide you with information on the following:

- ways you can make a voluntary PID to Council under the PID Act
- the names and contact details for the nominated disclosure officers at Council
- the roles and responsibilities of people who hold particular roles under the PID Act and who are employees of Council
- what information you will receive once you have made a voluntary PID
- protections available to people who make a report of serious wrongdoing under the PID Act and what Council will do to protect you
- Council procedures for dealing with disclosures
- Council procedures for managing the risk of detrimental action and reporting detrimental action
- Council record keeping and reporting requirements
- how Council will ensure it complies with the PID Act and this policy.

4.1 How to make a report of serious wrongdoing

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation.

If a report is made verbally, the person receiving the report must make a comprehensive record of the disclosure and ask the person making the disclosure to sign this record. The employee should keep a copy of this record.

If you are concerned about being seen making a report, ask to meet in a discreet location away from the workplace.

4.1.1 Reports, complaints and grievances

When a public official reports suspected or possible wrongdoing in the public sector, their report will be a PID if it has certain features which are set out in the PID Act.

Some internal complaints or internal grievances may also be PIDs, as long as they have the features of a PID. If an internal complaint or grievance is a report of serious wrongdoing, Council will consider whether it is a PID. If it is a PID, Council will deal with the report as set out in this policy, but will also act in accordance with Council's Grievance and Complaints Management frameworks.

It is important that Council quickly recognise the receipt of a PID. This is because once a PID is received, the person who has made the report is entitled to certain protections and Council have certain decisions to make on how to deal with the PID and how to protect and support the person who has made the report.

4.1.2 When will a report be a PID

There are three types of PIDs in the PID Act. These are:

Voluntary PID

This is a PID where a report has been made by the public official because they decided, of their own accord, to come forward and disclose what they know.

Mandatory PID

This is a PID where the public official has made a report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency.

Witness PID

This is a PID where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator.

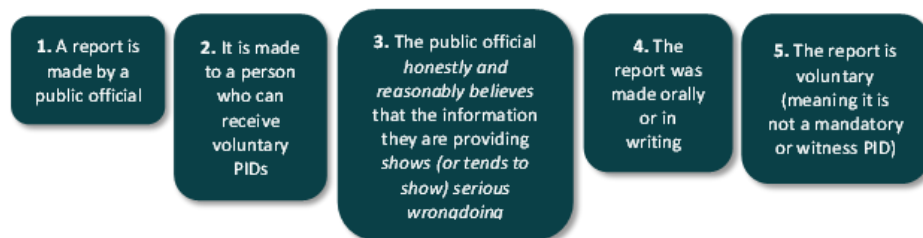
This policy mostly relates to making a voluntary PID and how Council will deal with voluntary PIDs. People who make a mandatory PID or a witness PID are still entitled to protection. More information about protections is available in section 4.2 of this policy.

You can find more information about mandatory and witness PIDs in the Ombudsman's guidelines 'Dealing with mandatory PIDs' and 'Dealing with witness PIDs'.

Voluntary PIDs are the kind of PIDs most people have in mind when they think about public interest reporting and 'whistleblowing'.

They involve a public official making a report because they have information that they believe shows (or tends to show) serious wrongdoing, where they are not under a legal obligation to make that report and where it is not an ordinary part of their role to report such wrongdoing.

A report is a voluntary PID if it has the following five features, which are set out in sections 24 to 27 of the PID Act:



If the report has all five features, it is a voluntary PID.

You will not be expected to prove that what you reported actually happened or is serious wrongdoing. You do have to honestly believe, on reasonable grounds, that the information you are reporting shows or tends to show serious wrongdoing.

Even though you do not have to prove the serious wrongdoing happened or provide evidence, a mere allegation with no supporting information is unlikely to meet this test.

If Council makes an error and does not identify that you have made a voluntary PID, you will still be entitled to the protections under the PID Act.

If you make a report and believe Council have made an error by not identifying that you have made a voluntary PID, you should raise this with a nominated disclosure officer or your contact officer for the report. If you are still not satisfied with this outcome, you can seek an internal review or Council may seek to conciliate the matter. You may also contact the NSW Ombudsman. Further information on rights to internal review and conciliation is found in section 4.6 of this policy.

4.1.3 Who can make a voluntary PID

Any public official can make a voluntary PID. You are a public official if:

- you are a Councillor
- you are employed by Council
- you are a contractor, subcontractor or volunteer who provides services, or exercises functions, on behalf of Council, or
- you work for an entity (such as a non-government organisation) who is contracted by Council to provide services or exercise functions on behalf of Council — if you are involved in undertaking that contracted work.

A public official can make a PID about serious wrongdoing relating to *any* agency, not just the agency they are working for. This means that Council may receive PIDs from public officials outside our agency. It also means that you can make a PID to any agency, including an integrity agency like the Independent Commission Against Corruption (**ICAC**) and the NSW Ombudsman. Annexure B of this policy has a list of integrity agencies.

4.1.4 What is serious wrongdoing?

Reports must be of one or more of the following categories of serious wrongdoing to be a voluntary PID (in addition to having the other features set out in section 4.1.2). Serious wrongdoing is defined in the PID Act as:

Corrupt Conduct

The dishonest or partial exercise of official functions by a public official.

For example this could include:

- a public official accepting a bribe
- the improper use of knowledge, power or position for personal gain or the advantage of others
- acting dishonestly or unfairly, or breaching public trust
- a member of the public influencing a public official to use their position in a way that is dishonest, biased or breaches public trust.

Serious Maladministration

Conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- an agency systemically failing to comply with proper recruitment processes when hiring staff
- making a decision and/or taking action that is unlawful
- refusing to grant someone a licence for reasons that are not related to the merits of their application
- issuing an order against a person without giving them procedural fairness
- failing to make a decision in accordance with official policy with no appropriate reason.

Government Information Contravention

Failure to properly fulfil functions under the *Government Information (Public Access) Act 2009 (GIPA Act)*

For example, this could include:

- destroying, concealing or altering records to prevent them from being released under a GIPA application
- knowingly making decisions that are contrary to the legislation
- directing another person to make a decision that is contrary to the legislation.

Local government pecuniary interest contravention

A local government pecuniary interest contravention is a failure to comply with requirements under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, lodge written declarations and disclose pecuniary interests at Council and Council committee meetings. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example, this could include:

- a senior Council staff member recommending a family member for a Council contract and not declaring the relationship
- the General Manager holding an undisclosed shareholding in a company competing for a Council contract
- a Councillor participating in consideration of a Development Application for a property in which they or their family have an interest.

Privacy contravention

A privacy contravention means a failure, other than a trivial failure, by an agency or public official to exercise functions in accordance with—

- the *Privacy and Personal Information Protection Act 1998*, or
- the *Health Records and Information Privacy Act 2002*.

For example, this could include:

- unlawfully accessing a person's personal information on an agency's database

Serious and substantial waste of public money

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in the loss or wastage of public money. This includes all revenue, loans and other money collected, received or held by, for or on account of Council.

For example, this could include:

- an agency not following a competitive tendering process when contracting with entities to undertake government work
- misappropriation or misuse of public property
- purchase of unnecessary or inadequate goods and services
- poor project management practices leading to projects running over time
- having poor or no processes in place for a system involving large amounts of public funds

When you make a report, you do not need to state to Council what category of serious wrongdoing you are reporting or that you are reporting serious wrongdoing.

Who can I make a voluntary PID to?

Council Public Officials

For a report to be a voluntary PID, it must be made to certain public officials.

- General Manager
- Disclosure Coordinator
- Disclosure Officers - a list of disclosure officers for Council and their contact details can be found at Annexure A of this policy
- Your Manager — this is the person who directly, or indirectly, supervises you. It can also be the person to whom you directly, or indirectly, report. You may have more than one manager. Your manager will make sure that the report is communicated to a disclosure officer on your behalf or may accompany you while you make the report to a disclosure officer.

Recipients outside of Council

You can also make your report to a public official in another agency (meaning an agency you do not work for) or an integrity agency. These include:

- the head of another agency — this means the head of any public service agency
- an integrity agency — a list of integrity agencies is located at Annexure B of this policy
- a disclosure officer for another agency — ways to contact disclosure officers for other agencies is located in an agency's PID policy which can be found on their public website
- a Minister or a member of a Minister's staff but the report must be made in writing.

If you choose to make a disclosure outside of Council, it is possible that your disclosure will be referred back to Council so that appropriate action can be taken.

Member of Parliament or journalist

Disclosures to MPs or journalists are different to other reports. You can only disclose a report of wrongdoing as a voluntary PID to an MP or journalist in the following circumstances:

- You must have first made substantially the same disclosure (described here as a 'previous disclosure') to someone who can receive disclosures.
- The previous disclosure must be substantially true.
- You did not make the previous disclosure anonymously.
- You did not give a written waiver of your right to receive information relating to your previous disclosure.
- You did not receive the following from Council:
 - notification that Council will not investigate the serious wrongdoing and will also not refer the previous disclosure to another agency, or
 - the following information at the end of the investigation period:
 - notice of Council decision to investigate the serious wrongdoing
 - a description of the results of an investigation into the serious wrongdoing
 - details of proposed or recommended corrective action as a result of the previous disclosure or investigation.

Investigation period means:

- after six months from the previous disclosure being made, or
- after 12 months if you applied for an internal review of the agency's decision within six months of making the disclosure.

If all the above requirements are met, your disclosure to an MP or journalist may be a voluntary PID.

4.1.5 What form should a voluntary PID take?

You can make a voluntary PID:

- in writing — this could be an email or letter to a person who can receive voluntary PIDs.
- orally — have a private discussion with a person who can receive voluntary PIDs. This can be face-to-face, via telephone or virtually.
- anonymously — write an email or letter or call a person who can receive PIDs to make a report without providing your name or anything that might identify you as the maker of the report. A report will only be considered anonymous if there is no reasonable or practical way of communicating with the person making the report. Even if you choose to remain anonymous, you will still be protected under the PID Act. It may be difficult, however, for Council to investigate the matter(s) you have disclosed if you cannot be contacted for further information.

4.1.6 What should I include in my report?

You should provide as much information as possible so Council can deal with the report effectively. The type of information you should include is:

- date, time and location of key events
- names of person(s) involved in the suspected wrongdoing, their role, title and how they are involved
- your relationship with the person(s) involved, such as whether you work closely with them
- your explanation of the matter you are reporting
- how you became aware of the matter you are reporting
- possible witnesses
- other information you have that supports your report.

4.1.7 What if I am not sure if my report is a PID?

You should report all wrongdoing you become aware of regardless of whether you think it is serious wrongdoing. It is important for Council to understand what is or may be occurring.

Council is then responsible for making sure your report is handled appropriately under the PID Act, or if it is not a PID, in line with all other related procedures. Even if your report is not a PID, it may fall within another one of Council's policies for dealing with reports, allegations or complaints.

4.1.8 Deeming that a report is a voluntary PID

The General Manager/ delegate can, in certain circumstances, determine that a report is a voluntary PID even if the report does not otherwise have all the features of a voluntary PID. This is known as the 'deeming power'.

By deeming that a report is a voluntary PID, it ensures that reporters are provided with protections under the PID Act.

If you make a report that has not met all the requirements of a voluntary PID, you can refer your matter to the General Manager / delegate to request that they consider deeming your report to be a voluntary PID.

A decision to deem a report to be a voluntary PID is at the discretion of the General Manager /delegate. For more information about the deeming power, see the Ombudsman's guideline 'Deeming that a disclosure is a voluntary PID'.

4.1.9 Who can I talk to if I have questions or concerns?

Questions or concerns can be directed to Council's Disclosure Coordinator - contact details for Disclosure Officers can be found in Annexure A of this Policy.

If you are concerned about being seen making a report, request to meet in a discreet location away from the workplace.

4.2 Protections

4.2.1 How is the maker of a voluntary PID protected?

When you make a voluntary PID you receive special protections under the PID Act.

Council is committed to taking all reasonable steps to protect you from detriment as a result of having made a PID and is also committed to maintaining your confidentiality as much as possible while the PID is being dealt with.

Council will not tolerate any type of detrimental action being taken against you because you have made a report, might make a report or are believed to have made a report.

Protection from detrimental action

- A person cannot take detrimental action against another person because they have made a voluntary PID or are considering making a PID. Detrimental action includes bullying, harassment, intimidation or dismissal.
- Once Council become aware that a voluntary PID by a person employed or otherwise associated with Council, concerns serious wrongdoing relating to Council has been made, Council will undertake a risk assessment and take steps to mitigate the risk of detrimental action occurring against the person who made the voluntary PID.
- It is a criminal offence for someone to take detrimental action against a person because they have made or may make a voluntary PID. It is punishable by a maximum penalty of 200 penalty units or imprisonment for five years or both.
- A person may seek compensation where unlawful detrimental action has been taken against them.
- A person can apply for a court order (injunction) where detrimental action is threatened or has occurred (for example, an order to prevent dismissal or to require reinstatement).

Note that a person who makes a PID can still be subject to reasonable management action (such as ordinary performance reviews and performance management). Provided such action is not taken because of the PID, it is not detrimental action under the PID Act.

Immunity from civil and criminal liability

Some public officials are often subject to a duty of confidentiality that prevents them disclosing certain information that they obtain or become aware of at work. Sometimes, in order to make a PID, public officials will need to breach or disregard such confidentiality duties. If that happens, a public official cannot be disciplined, sued or criminally charged for breaching confidentiality.

Confidentiality

Public officials and agencies must not disclose information tending to identify a person as the maker of a voluntary PID unless doing so is permitted by the PID Act.

Protection from liability for own past conduct

The Attorney General can give the maker an undertaking that a disclosure of their own past conduct will not be used against them if a person discloses their own wrongdoing or misconduct while making a report. This undertaking can only be given on application by an integrity agency to the Attorney General.

4.2.2 Protections for people who make Mandatory and Witness PIDs

Apart from PIDs that are made voluntarily by public officials, there are other types of reports that are recognised as PIDs under the PID Act:

A Mandatory PID

This is a PID where the public official has made the report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency.

A Witness PID

This is a PID where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator.

Protections for makers of Mandatory and Witness PIDs are detailed in the following table.

Protection	Mandatory PID	Witness PID
Detrimental action — It is an offence to take detrimental action against a person based on the suspicion, belief or awareness that a person has made, may have made or may make a PID.	✓	✓
Right to compensation — A person can initiate proceedings and seek compensation for injury, damage or loss suffered as a result of detrimental action being taken against them.	✓	✓
Ability to seek injunction — An injunction can be sought to prevent the commission or possible commission of a detrimental action offence against a person. For example, an order to prevent dismissal or to require reinstatement.	✓	✓
Immunity from civil and criminal liability — a person will not incur civil or criminal liability if the person breaches a duty of confidentiality while making a disclosure. This means that legal action cannot be taken against a person for: <ul style="list-style-type: none"> • breaching a duty of secrecy or confidentiality, or • breaching another restriction on disclosure. 	✓	✓

4.3 Reporting detrimental action

If you experience adverse treatment or detrimental action, such as bullying or harassment, you should report this immediately. You can report any experience of adverse treatment or detrimental action directly to Council (see **Annexure A**), or to an integrity agency. A list of integrity agencies is located at **Annexure B** of this Policy.

4.4 General Support

Council will ensure that employees who have reported wrongdoing, regardless of whether they have made a public interest disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management, counselling services, legal or career advice. All Council employees have access to the Employee Assistance Programme (EAP), further information on the EAP is available to Council employees on the intranet.

The Disclosures Coordinator, in consultation with the Executive Manager People and Culture, should put in place a care plan to manage any potential ongoing risk to the complainant. For example, if the complainant is currently required to interact directly with the respondent in the workplace, alternative arrangements may be put in place so that contact is avoided.

All supervisors must notify the Disclosure Coordinator if they believe an employee is suffering any detrimental action as a result of disclosing wrongdoing.

4.5 How Council deals with voluntary PIDs

4.5.1 How Council will acknowledge receipt of a report and keep the person who made it informed

When a disclosure officer of Council receives a report which is a voluntary PID, or looks like it may be a voluntary PID, the person who made the report will receive the following information:

You will receive an acknowledgment that the report has been received. This acknowledgement will:

- state that the report will be assessed to identify whether it is a PID
- state that the PID Act applies to how Council deals with the report
- provide clear information on how you can access this PID policy
- provide you with details of a contact person and available supports.

If the report is a voluntary PID, you will be informed as soon as possible how Council intend to deal with the report. This may include:

- that Council is investigating the serious wrongdoing
- that Council will refer the report to a different agency (if appropriate) to deal with the voluntary PID. If this occurs you will be provided with the referral details
- If Council decide to not investigate the report and to not refer it to another agency for it to be investigated, you will be notified of the reasons for this decision. Council will also notify the NSW Ombudsman of this decision.

If Council decide to investigate the serious wrongdoing, you will be provided with updates on the investigation at least every three months. During this time, if you would like more frequent updates, you should contact the contact person who was nominated when you made the report.

- If Council investigate the serious wrongdoing, you will be provided with the following information once the investigation is complete:
 - a description of the results of the investigation - that is, Council will tell you whether it was identified that serious wrongdoing took place.
 - information about any corrective action as a result of the investigation/s - this means Council will tell you what actions were made in relation to the person who engaged in the serious wrongdoing or if the serious wrongdoing was by Council, what has been put in place to address that serious wrongdoing.
- Corrective action could include taking disciplinary action against someone or changing the practices, policies and procedures that Council have in place which led to the serious wrongdoing.

There may be some details about both the findings made as a result of the investigation and the corrective action taken that cannot be revealed to you. Council will always balance the right of a person who makes a report to know the outcome of that report, with other legal obligations.

If you have made an anonymous report, in many cases Council may not be able to provide this information to you.

4.5.2 How Council will deal with voluntary PIDs

Once a report that may be a voluntary PID is received, Council will look at the information contained in the report to see if it has the features of a voluntary PID. This assessment is undertaken to identify whether the report is a voluntary PID or another type of disclosure, and to make sure that the right steps are followed. If it is a voluntary PID, Council will ensure compliance with the requirements in the PID Act.

Report not a voluntary PID

Even if the report is not a voluntary PID, it will still need to be dealt with in a manner consistent with Council's Grievance Policy, Complaints Management Policy or through an alternate process.

If the report is not a voluntary PID, Council will let you know that the PID Act does not apply to the report and how concerns raised in the report will be dealt with and the supports available to you.

If you are not happy with this assessment or otherwise disagree with it, you can raise it with the person who has communicated the outcome with you or a disclosure officer, request an internal review or request that the matter be conciliated. Council can, but do not have to, request the NSW Ombudsman to conciliate the matter.

Cease dealing with report as voluntary PID

Council may stop dealing with a voluntary PID because it is not actually a voluntary PID (meaning it does not have all the features of a PID).

If Council decides to stop dealing with a PID as it does not have all the features required by the PID Act you will be notified, provided with the reason(s) Council has determined to stop dealing with the report of a voluntary PID and the actions (if any) which will be taken in dealing with the concerns raised in your report.

Where the report is a voluntary PID

If the report is a voluntary PID:

- In most cases Council will conduct an investigation to make findings about whether the serious wrongdoing disclosed in the report occurred, who was involved, who was responsible, and whether the people involved, or the agency engaged, in serious wrongdoing. There may be circumstances where Council believe an investigation is not warranted — for example, if the conduct has previously been investigated.
- There may also be circumstances where Council decide that the report should be referred to another agency, such as an integrity agency. For example, reports concerning possible corrupt conduct may be required to be reported to the ICAC in accordance with section 11 of the *Independent Commission Against Corruption Act 1988*.
- Before referring a matter, Council will discuss the referral with the other agency, and will provide you with details of the referral and a contact person within the other agency.
- If Council decide not to investigate a report and to not refer the matter to another agency, Council must let you know the reasons for this and notify the NSW Ombudsman.

4.5.3 How Council will protect the confidentiality of the maker of a voluntary PID

Council understands that people who make voluntary PIDs may want their identity and the fact that they have made a report to be confidential.

Under the PID Act, information tending to identify a person as the maker of a voluntary PID (known as identifying information) is not to be disclosed by a public official or an agency.

There are certain circumstances under the PID Act that allow for the disclosure of identifying information. These include:

- where the person consents in writing to the disclosure
- where it is generally known that the person is the maker of the voluntary PID because of their voluntary self-identification as the maker
- when the public official or Council reasonably considers it necessary to disclose the information to protect a person from detriment

- where it is necessary the information be disclosed to a person whose interests are affected by the disclosure
- where the information has previously been lawfully published
- when the information is disclosed to a medical practitioner or psychologist for the purposes of providing medical or psychiatric care, treatment or counselling to the individual disclosing the information
- when the information is disclosed for the purposes of proceedings before a court or tribunal
- when the disclosure of the information is necessary to deal with the disclosure effectively
- if it is otherwise in the public interest to disclose the identifying information.

Council will not disclose identifying information unless it is necessary and authorised under the PID Act.

Steps will be put in place to keep the identifying information of the maker and the fact that a report has been made confidential. It may not be possible to maintain complete confidentiality while progressing the investigation, but Council will do all that is practical to not unnecessarily disclose information from which the maker of the report can be identified. This will be done by:

- limiting the number of people who are aware of the maker's identity or information that could identify them
- not disclosing information that may identify the maker of the PID, if information must be disclosed Council will still not disclose the actual identity of the maker of the PID, unless the maker gives their consent to do so.
- ensuring that any person who does know the identity of the maker of a PID is reminded that they have a legal obligation to keep their identity confidential.
- ensuring that only authorised persons have access to emails, files or other documentation that contain information about the identity of the maker.
- undertaking an assessment to determine if anyone is aware of the maker's identity and if those persons have a motive to cause detrimental action to be taken against the maker or impede the progress of the investigation.
- providing information to the maker of the PID about the importance of maintaining confidentiality and advising them how best to protect their identity, for example, by telling them not to discuss their report with other staff.

If confidentiality cannot be maintained or is unlikely to be maintained, Council will:

- advise the person whose identity may become known
- update the risk assessment and risk management plan
- implement strategies to minimise the risk of detrimental action
- provide additional supports to the person who has made the PID
- remind persons who become aware of identifying information, of the consequences for failing to maintain confidentiality and that engaging in detrimental action is a criminal offence and may also be a disciplinary matter.

4.5.4 How Council will assess and minimise the risk of detrimental action

Council will not tolerate any detrimental action being taken by any person against a person who has made a PID, investigators, witnesses or the person the report is about.

Council will assess and take steps to mitigate detrimental action from being taken against the maker of a voluntary PID, the person whose conduct is the subject of a PID, investigators and witnesses.

Council will take steps to assess and minimise the risk of detrimental action by:

- explaining that a risk assessment will be undertaken, and a risk management plan will be created (including reassessing the risk throughout the entirety of the matter)
- providing details of the unit/role that will be responsible for undertaking a risk assessment
- explaining the approvals for risk assessment and the risk management plan, that is, rank or role of the person who has final approval
- explaining how the agency will communicate with the maker to identify risks
- listing the protections that will be offered, that is, the agency will discuss protection options with the maker which may including remote working or approved leave for the duration of the investigation
- outlining what supports will be provided.

Detrimental action against a person is an act or omission that causes, comprises, involves or encourages detriment to a person or a threat of detriment to a person (whether express or implied). Detriment to a person includes:

- injury, damage or loss
- property damage
- reputational damage

- intimidation, bullying or harassment
- unfavourable treatment in relation to another person's job
- discrimination, prejudice or adverse treatment
- disciplinary proceedings or disciplinary action, or any other type of disadvantage.

Detrimental action does not include:

- lawful action taken by a person or body to investigate serious wrongdoing or other misconduct
- the lawful reporting or publication of a finding of serious wrongdoing or other misconduct
- the lawful making of adverse comment, resulting from investigative action
- the prosecution of a person for a criminal offence
- reasonable management action taken by someone in relation to a person who made or may make a PID. For example, a reasonable appraisal of a PID maker's work performance.

4.5.5 How Council will deal with allegations of a detrimental action offence

If Council become(s) aware of an allegation that a detrimental action offence has occurred or may occur, Council will:

- take all steps possible to stop the action and protect the person(s)
- take appropriate disciplinary action against anyone that has taken detrimental action
- Disclosure Coordinator refer any evidence of a detrimental action offence to the Commissioner of Police and the ICAC or the Law Enforcement Conduct Commission (whichever is applicable)
- notify the NSW Ombudsman about the allegation of a detrimental action offence being committed.

If you believe that detrimental action is being taken against you or someone else in relation to the reporting of serious wrongdoing you should tell your supervisor, a Disclosure Officer, the Disclosure Coordinator or the General Manager immediately.

All supervisors must notify the Disclosure Coordinator if they believe an employee is suffering any detrimental action as a result of disclosing wrongdoing.

4.5.6 What Council will do if an investigation finds that serious wrongdoing has occurred

If, after an investigation, it is found that serious wrongdoing or other misconduct has occurred, Council will take the most appropriate action to address that wrongdoing or misconduct. This is also known as corrective action.

Corrective action can include:

- a formal apology
- improving internal policies to adequately prevent and respond to similar instances of wrongdoing
- providing additional education and training to staff where required
- taking employment action against persons involved in the wrongdoing (such as termination of employment, relocation, a caution or reprimand)
- payment of compensation to people who have been affected by serious wrongdoing or other misconduct.

Council will develop a terms of reference and or investigation plan which will outline:

- who receives the findings of an investigation
- what steps will be taken to address any recommendations in the findings
- who will be responsible for ensuring corrective action takes place
- how the maker will be notified of the proposed or recommended corrective action.

4.6 Review and dispute resolution

4.6.1 Internal Review

People who make voluntary PIDs can seek internal review of the following decisions made by Council:

- that Council is not required to deal with the report as a voluntary PID
- to stop dealing with the report because Council decided it was not a voluntary PID
- to not investigate the serious wrongdoing and not refer the report to another agency
- to cease investigating the serious wrongdoing without either completing the investigation or referring the report to another agency for investigation.

Council will ensure internal reviews are conducted in compliance with the PID Act.

If you would like to make an application for an internal review, you must apply in writing to the Disclosure Coordinator, within 28 days of being informed of Council decision. The application should state the reasons why you consider Council's decision should not have been made. You may also submit any other relevant material with your application.

Internal reviews will be conducted by the Disclosure Coordinator in conjunction with the General Manager where necessary.

4.6.2 Voluntary dispute resolution

If a dispute arises between Council and a person who has made a report which is, or may be, a voluntary PID, Council may request the NSW Ombudsman to conciliate the dispute. Conciliation is a voluntary process and will only be suitable for disputes where Council and the maker of the report are willing to resolve the dispute.

4.7 Other Agency Obligations

4.7.1 Record keeping requirements

Council must keep full and accurate records with respect to all information received in connection with the PID Act. This ensures that Council complies with its obligations under the *State Records Act 1998*, and in accordance with Councils Records Management Policy.

4.7.2 Reporting of Voluntary PIDs and Council annual return to the Ombudsman

Each year Council's Disclosure Coordinator provide an annual return to the NSW Ombudsman which includes:

- information about voluntary PIDs received by Council during each return period (yearly with the start date being 1 July)
- action taken by Council to deal with voluntary PIDs during the return period
- how Council promoted a culture in the workplace where PIDs are encouraged.

4.7.3 How Council will ensure compliance with the PID Act and this policy

To ensure Council complies with the PID Act and deals with all reports of wrongdoing properly, all staff and Councillors with roles outlined below and elsewhere in this policy will receive training on their responsibilities.

A report will be presented to Council's Risk and Audit Committee on a case by case bases.

5. IMPLEMENTATION

5.1 Roles and Responsibilities

Certain people within Council have responsibilities under the PID Act.

Role	Responsibility
Principal Officer The General Manager	<ul style="list-style-type: none"> • fostering a workplace culture where reporting is encouraged • receiving disclosures from public officials • ensuring there is a system in place for assessing disclosures • ensuring Council complies with this policy and the PID Act • ensuring Council has appropriate systems for: <ul style="list-style-type: none"> ○ overseeing internal compliance with the PID Act ○ supporting public officials who make voluntary PIDs, including by minimising the risk of detrimental action ○ implementing corrective action if serious wrongdoing is found to have occurred ○ complying with reporting obligations regarding allegations or findings of detrimental action ○ complying with yearly reporting obligations to the NSW Ombudsman.
Disclosure Coordinator	<ul style="list-style-type: none"> • assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the General Manager); • coordinate Council's response to a report; • acknowledge reports and provide updates and feedback to the reporter; • assess whether it is possible and appropriate to keep the reporter's identity confidential; • assess and document the risk of reprisal and workplace conflict related to, or likely to arise • out of a report, and develop strategies to manage any risk identified; • where required, provide or coordinate support to individuals involved in the reporting or investigation process, including protecting the interests of the subject of a report; • ensure Council complies with the PID Act; • provide annual reports to the NSW Ombudsman in accordance with section 78 of the PID Act.
Disclosure Officers	<ul style="list-style-type: none"> • receiving reports from public officials • receiving reports when they are passed on to them by managers • ensuring reports are dealt with appropriately, including by referring the matter to the appropriate complaint unit (if relevant) • ensuring that any oral reports that have been received are recorded in writing.

<p>Managers and Supervisors</p>	<ul style="list-style-type: none"> • receiving reports from persons that report to them or that they supervise • passing on reports they receive to a disclosure officer.
<p>Councillors, all employees, contractors, sub contractors, volunteers and Public Officials from other agencies</p>	<ul style="list-style-type: none"> • report suspected serious wrongdoing or other misconduct • use their best endeavours to assist in an investigation of serious wrongdoing if asked to do so by a person dealing with a voluntary PID on behalf of Council • treat any person dealing with or investigating reports of serious wrongdoing with respect. <p>All employees must not take detrimental action against any person who has made, may in the future make, or is suspected of having made, a PID.</p>

5.2 Communication

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

6. ASSOCIATED DOCUMENTS

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

- Code of Conduct
- Statement of Business Ethics
- Gifts and Benefits Policy
- Conflicts of Interest Policy
- Fraud Control Policy
- Equal Employment Opportunity Policy
- Complaints Management Policy
- Records Management Policy
- Grievance Policy
- Employee Assistance Programme 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 (3) months prior to the expiry of this policy.

The Director Corporate and Community is responsible for the review of this policy.

8. LEGISLATIVE AND LEGAL FRAMEWORK

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

- *Public Interest Disclosure Act 2022*
- *Local Government Act 1993*
- *Government Information (Public Access) Act 2009 (GIPA Act)*
- *Privacy and Personal Information Protection Act 1998*
- *Health Records and Information Privacy Act 2002*
- *the Independent Commission Against Corruption Act 1988*
- *State Records Act 1998*

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

9. DEFINITIONS

Council	Broken Hill City Council
ICAC	Independent Commission Against Corruption
PID	Public Interest Disclosure
PID Act	Public Interest Disclosures Act 2022

Annexure A – Council Disclosure Officers

Council's Principal Officer
The General Manager
Council's Disclosure Coordinator
Director Corporate and Community Manager Corporate and Customer Experience
Council's Disclosure Officers
Airport Manager Cemetery Service Coordinator Civic Centre Coordinator Gallery and Museum Manager Library Coordinator Living Desert Ranger Visitor Services Coordinator Waste and Sustainability Manager
Contact Information
Each of the above officers can be contacted by staff by all internal communication methods. External Public Officials may contact the above listed officers by the following methods: Telephone: 08 8088 3300 – ask to speak to the relevant officer and state that the matter is confidential. Writing: PO Box 448, Broken Hill NSW 2880 – To remain confidential mail must be addressed to Council's Disclosure Officer and then the relevant Disclosure Officers title Email: council@brokenhill.nsw.gov.au

Annexure B — List of integrity agencies

Integrity agency	What they investigate	Contact information
The NSW Ombudsman	Most kinds of serious maladministration by most agencies and public officials (but not NSW Police, judicial officers or MPs)	Telephone: 1800 451 524 between 9am to 3pm Monday to Friday Writing: Level 24, 580 George Street, Sydney NSW 2000 Email: info@ombo.nsw.gov.au
The Auditor-General	Serious and substantial waste of public money by auditable agencies	Telephone: 02 9275 7100 Writing: GPO Box 12, Sydney NSW 2001 Email: governance@audit.nsw.gov.au
Independent Commission Against Corruption	Corrupt conduct	Telephone: 02 8281 5999 or toll free on 1800 463 909 (callers outside Sydney) between 9am and 3pm, Monday to Friday Writing: GPO Box 500, Sydney NSW 2001 or faxing 02 9264 5364 Email: icac@icac.nsw.gov.au
The Inspector of the Independent Commission Against Corruption	Serious maladministration by the ICAC or the ICAC officers	Telephone: 02 9228 3023 Writing: PO Box 5341, Sydney NSW 2001 Email: oiicac_executive@oiicac.nsw.gov.au
The Law Enforcement Conduct Commission	Serious maladministration by the NSW Police Force or the NSW Crime Commission	Telephone: 02 9321 6700 or 1800 657 079 Writing: GPO Box 3880, Sydney NSW 2001 Email: contactus@lecc.nsw.gov.au
The Inspector of the Law Enforcement Conduct Commission	Serious maladministration by the LECC and LECC officers	Telephone: 02 9228 3023 Writing: GPO Box 5341, Sydney NSW 2001 Email: oilccec_executive@oilccec.nsw.gov.au
Office of the Local Government	Local government pecuniary interest contraventions	Email: olg@olg.nsw.gov.au
The Privacy Commissioner	Privacy contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au
The Information Commissioner	Government information contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au

ORDINARY MEETING OF THE COUNCIL

January 19, 2024

ITEM 9BROKEN HILL CITY COUNCIL REPORT NO. 9/24

SUBJECT: ADOPTION OF THE DRAFT ALBERT KERSTEN MINING AND MINERAL MUSEUM (GEOCENTRE) COLLECTION MANAGEMENT POLICY D23/66982

Recommendation

1. That Broken Hill City Council Report No. 9/24 dated January 19, 2024, be received.
2. That Council notes that one submission was received from the public during the public exhibition period.
3. That Council adopts the draft Albert Kersten Mining and Mineral Museum (GeoCentre) Collection Management Policy as a Policy of Council.
4. That adoption of the draft Albert Kersten Mining and Mineral Museum (GeoCentre) Collection Management Policy will render the 1997 Management – GeoCentre Policy obsolete.

Executive Summary:

As part of an organisation wide review of Council's Policy Register to ensure that all of Council's strategic policies are updated to comply with current legislation and industry model codes, guidelines and best practice; and also reflect any changes in technology or service delivery, a review of Council's 1997 Management - GeoCentre Policy has led to the development of a new draft Albert Kersten Mining and Mineral Museum (GeoCentre) Collection Management Policy.

The draft Albert Kersten Mining and Minerals Museum (GeoCentre) Collection Management Policy sets out the management standards in Council's assessment, acquisition, care and display of its collection and aims to provide an appropriate, sector-standards collection management framework to ensure that the GeoCentre is managed in an ethical, responsible, sustainable and accountable manner.

It is considered best practice that policies be reviewed and adopted at least once per term of Council, regardless of whether the review identified that amendments were required to be made to a policy.

Report:

Council's Executive Leadership Team has commenced a review of Council's Policy Register to ensure strategic policies comply with current legislation and align with the Office of Local Government's (OLG) model codes, guidelines and best practice for Local Government and reflect any changes in technology or service delivery.

As part of the Policy Register review, Council's 1997 Management -GeoCentre Policy was reviewed and led to the development of the draft Albert Kersten Mining and Minerals Museum (GeoCentre) Collections Management Policy.

Upon reviewing the 1997 Management – GeoCentre Policy it was decided that a new draft GeoCentre Collection Management Policy be developed to support the GeoCentre to manage the following:

- To collect, conserve, interpret and exhibit the unique geology, minerology and metallurgy of the Broken Hill region, as well as the region’s mining-related social history and cultural heritage, according to the museum sector’s collection management best practice.
- Ensure the GeoCentre’s collection (including objects and associated information/documentation) is made available to the widest possible audience through curated exhibitions, other displays, online platforms and educational activities or programs, in order to foster and understanding, accessibility, enjoyment and appreciation of the GeoCentre.
- To develop and maintain a mining minerals collection of local, state and national significance and repute that reflects the mission of the GeoCentre and its expressed objectives, goals and policies.

The GeoCentre has a role in promoting the origin of the unique Broken Hill ore body as one of great historical significance to geologists and other researchers, an iconic ore body and one of the most studied in the world. It can also play a significant role in fostering research on the social history of the city’s mining personalities, families, communities and associated organisations – which also is of local, state and national importance.

Section 335(d) of the *Local Government Act 1993* allows the General Manager to recommend to Council the appropriate form of community consultation required on the strategic plans, programs, strategies and policies of the Council and other matters related to the Council. As a result the draft Albert Kersten Mining and Minerals Museum (GeoCentre) Collections Management Policy was placed on public exhibition closing midnight on 31 December 2023 and one submission was received from the public during this period.

The submission response and amendments made to the Policy as a result of the submission is outlined in the table below.

SECTION	COMMENTS (SUMMARISED)	RESPONSE
9	(The) security of the collection has been considerably weakened in the draft policy.	<p>Noted/agreed. Section 9.7 has been amended.</p> <p>9.7 Access to storage areas is to be controlled and limited to the Gallery and Museum Manager and the Museum Collections Officer. Individuals seeking access may be granted authorisation under the discretion and direct supervision of either the Gallery and Museum Manager and the Museum Collections Officer.</p> <p>9.8 Storage rooms shall remain locked at all times unless occupied by either the Gallery and Museum Manager and the Museum Collections Officer.</p> <p>9.9 Access to locked mineral cabinets for maintenance purposes shall be under direct supervision by either the Gallery and Museum Manager and the Museum Collections Officer.</p>

SECTION	COMMENTS (SUMMARISED)	RESPONSE
9	The requirement of an annual audit of the collection has been removed.	Noted/agreed. The following amendment has been made: 9.10 A collection audit shall be conducted every 2 (two) years and also performed when changes to the appointed Museum Collection Officer occur.
10	Disposal Procedure. Objects that were donated...may be returned to the donor... is not possible if the donation was made under the DGR (Donor Gift Recipient) programme.	Noted/agreed. 10.3 amended to: 'Objects that were donated, and where the original donor is still contactable, may be returned to the donor unless obtained through the Donor Gift Recipient programme where the recipient has received the monetary value of the donation through the Cultural Gift Program. Transferred to another appropriate collecting institution by means of gift, sale or exchange.
12	Loans: Outward/Inward loans; condition reports should be prepared by the GeoCentre Curator.	Noted/agreed Additional point: 12.9. Condition reports shall be completed by the Museum Collections Officer for all outward and inward loans, at the time of receipt and prior to specimens leaving the facility.
	Exhibitions: No mention of exhibitions except in the preamble to the draft policy.	Noted/no change. This document is for the management of the Collection as opposed to the GeoCentre as a facility. Future directions of exhibitions to be explored further once updated Strategic Business Plan and Master Plan finalised.
13	13. Clarification sought on Implementation statement.	No change. The statement pertains to activities by Council employees that may create potential or perceived conflict of interests that directly relate to the management of the collection.
14	There should be a section dealing with conflict of interest, real, potential or perceived within this policy document.	Noted. Inclusion of Section 14. Conflict of Interest Council employees shall refrain from personal activities that would conflict with proper execution and management of Council's Albert Kersten Mining and Minerals Museum (GeoCentre) Collection Management Policy. Museum staff must not undertake activities with collection objects that could be perceived as corrupt or illegal activity, such as: <ul style="list-style-type: none"> • carry out appraisals or identifications of objects for outside persons or agencies under circumstances that might aid or encourage illegal or unethical dealing with those objects;

SECTION	COMMENTS (SUMMARISED)	RESPONSE
		<ul style="list-style-type: none"> • move or handle collection objects without the knowledge and consent of the Gallery and Museum Manager and/or the Museum Collections Officer. • remove collection objects without appropriate authorisation from the Gallery and Museum Manager and adherence to this Policy; • house collection objects anywhere other than a collection area or an exhibition area without the knowledge and consent from the Gallery and Museum Manager; • maintain a personal collection without having declared that collection as a potential conflict of interest; and • provide a photographed catalogue of any personal collection on the commencement of employment.
16	Private Collections.	<p>Noted. Inclusion of Section 14 (as above) and addition in Section 16:</p> <p>ASSOCIATED DOCUMENTS</p> <p>NSW Independent Commission Against Corruption document, Identifying and Managing Conflicts of Interest in the Public Sector (2012) https://www.icac.nsw.gov.au/prevention/basic-standards/conflicts-of-interest.</p>

The draft GeoCentre Collection Management Policy is presented to Council for consideration of adoption, which if adopted will render the 1997 Management GeoCentre Policy obsolete.

Community Engagement:

The draft Albert Kersten Mining and Minerals Museum (GeoCentre) Collection Management Policy was placed on public exhibition for 28 days concluding 31 December during which time Council received one submission from the public as outlined above.

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:

Local Government Act 1993 Section 335(d)

Financial Implications:

Nil.

Attachments

1. Draft Albert Kersten Mining and Minerals Museum (GeoCentre) Collection Management Policy

2. Response to GeoCentre Collection Management Policy Community Feedback


MICHELLE ROLTON
MANAGER CORPORATE AND CUSTOMER EXPERIENCE

JAY NANKIVELL
GENERAL MANAGER

DRAFT ALBERT KERSTEN MINING AND MINERALS MUSEUM (GEOCENTRE) COLLECTION MANAGEMENT POLICY

QUALITY CONTROL			
EDRMS REFERENCES	12/14 - D23/58545		
RESPONSIBLE POSITION	Gallery and Museum Manager		
APPROVED BY	Council		
REVIEW DATE	December 2026	REVISION NUMBER	1
EFFECTIVE DATE	ACTION	MINUTE NUMBER	
29 November 2023	Public Exhibition	47383	

1. INTRODUCTION

This document is a statement of policy for the development and management of the Albert Kersten Mining & Minerals Museum (GeoCentre) Collection and supports the GeoCentre:

- To collect, conserve, interpret, and exhibit the unique geology, mineralogy and metallurgy of the Broken Hill region, as well as the region’s mining-related social history and cultural heritage, according to the museum sector’s collection management best practice.
- Ensure the GeoCentre’s collection (including objects and associated information / documentation) is made available to the widest possible audience through curated exhibitions, other displays, online platforms and educational activities or programs, in order to foster an understanding, accessibility, enjoyment, and appreciation of the GeoCentre.
- To develop and maintain a mining minerals collection of local, state and national significance and repute that reflects the mission of the GeoCentre and its expressed objectives, goals and policies.

The GeoCentre has a role in promoting the origin of the unique Broken Hill ore body as one of great historical significance to geologists and other researchers, an iconic ore body and one of the most studied in the world. It can also play a significant role in fostering research on the social history of the city’s mining personalities, families, communities and associated organisations – which also is of local, state and national importance.

2. POLICY OBJECTIVE

This GeoCentre Collection Management Policy is a reference document that should be used in conjunction with appropriate available professional expertise and resources.

The GeoCentre Collection Management Policy demonstrates Council's commitment to rigorous, accountable, and transparent standards in the assessment, acquisition, care and display of its collection and aims to provide an appropriate, sector-standards collection management framework to ensure that the GeoCentre is managed in an ethical, responsible, sustainable and accountable manner.

3. POLICY SCOPE

The GeoCentre is not solely a collecting institution and therefore this policy must be applied in the context of the broader mission of the GeoCentre educational and research facility and a community space. Its collection is also part of a network of other mining collections / objects held in other important local collections, cared for by volunteer organisations.

The GeoCentre Collection is the official mining and minerals collection of Broken Hill City Council and falls under the direct care and control of Council.

The GeoCentre Collection Policy is applicable to the GeoCentre only. It does not apply to other Council collections including the Outback Archive or the Art Gallery.

This policy is also separate to Council's Acquisition and Loan of Cultural Heritage Objects Policy (1992).

The term 'object' is used throughout to describe items collected by the GeoCentre.

4. ACQUISITION APPROVALS PROCESS

The following three step authorisation process will be used in the approval of acquisitions to the GeoCentre's collection:

- 4.1** A Donation Application from must be completed by prospective donors.
- 4.2** An Acquisition Assessment will be made on proposed donation, assessing objects on their merit against the Acquisition Criteria provided in this Policy. This will be undertaken by The Gallery and Museum Manager with input from GeoCentre staff and/or external professionals. The Acquisition Assessment will have a recommendation to accept or decline the proposed donation.
- 4.3** Approval - the Gallery and Museum Manager has delegated authority to approve Acquisitions within established delegation limits. All proposed Acquisitions with a purchase price over the Gallery and Museum Manager's delegation must be approved by the General Manager and endorsed by Council. Should an acquisition be approved a Deed of Gift shall be completed to transfer legal ownership to Council.

5. GUIDELINES FOR ACQUISITION

- 5.1** The GeoCentre shall acquire objects through;
 - Donation (including Commonwealth Government Cultural Gifts programme donations)
 - Bequest
 - Purchase
 - Transfer from another collection institution.

- 5.2 The GeoCentre shall not normally accept long-term loans.
- 5.3 The GeoCentre reserves the right not to accept objects that do not meet the Acquisition Criteria in this policy, or which carry onerous restrictions or conditions imposed by the donor (for example, that the object must be on display at all times).

6. WHAT THE GEOCENTRE WILL COLLECT

6.1 Geographic Area

The GeoCentre collection shall primarily collect objects from the Broken Hill and Far West geographical region, however it may acquire objects from outside this region if they have a high level of interpretive, research or educational potential that would complement the existing collection or GeoCentre activities. Social history related objects collected will also be confined to this region and criteria.

The Broken Hill region can include the greater Curnamona Geological Province, and samples from other mines or localities within this region, holding geological significance can be included into the GeoCentre collection.

6.2 Historical Time Period

Both historical and contemporary objects may be collected.

6.3 Type of Item

The GeoCentre shall collect objects of direct relevance to the geological, mineralogical, metallurgical, and mining history of Broken Hill and the Broken Hill region, including:

- mineral specimens, meteorites, rocks and fossils
- objects such as tools, equipment, machinery and paraphernalia that are significant to mining-related social history, including the development of the mining industry, working operations of specific mines, the daily life and work of miners and their families, the development of the union movement, friendly societies and miners' strikes etc.

Exclusions:

- Indigenous cultural material, human fossils, human skeletal material, culturally sensitive artefacts or rocks and minerals worked into tools by indigenous peoples are specifically excluded from the GeoCentre collection.
- The GeoCentre shall not collect objects which would better fit within other Council collections i.e. the Broken Hill Outback Archive or Broken Hill City Art Gallery.

7. ACQUISITION CRITERIA

7.1 Significance

Priority will be given to objects that meet one or more of the following significance criteria:

- historic significance
- aesthetic significance
- scientific or research significance
- social or spiritual significance

7.2 Provenance

Priority will be given to objects where the provenance is known, and associated documentation and support material can be provided. This may include scientific field collection data and evidence of ownership history.

7.3 Condition, Size and Ongoing Care

The GeoCentre will not generally collect items that require extensive conservation work prior to display or ongoing conservation maintenance or are of a physical size that would place a strain on storage facilities. Generally, radioactive objects or other objects posing risks to workplace health and safety will not be acquired.

7.4 Interpretive Potential

Objects that offer opportunities to interpret a variety of themes and contribute to a range of exhibitions and public programmes at the GeoCentre will be prioritised.

7.5 Rarity or Representativeness

Objects that are rare examples or excellent representative examples of a particular kind of item will be prioritised.

Objects that will add to an under-represented area of the collection will be prioritised.

7.6 Duplications

Items that duplicate ones already in the collection shall not generally be accepted unless they are of superior condition or significance, or where duplicates may assist with interpretation or educational outreach purposes.

7.7 Legal Title

As a general principle, the GeoCentre shall not acquire objects through any means or methods, unless it can acquire clear and valid transfer of ownership documentation.

8. DOCUMENTATION

An effective documentation system shall be maintained for the GeoCentre collection including:

- Donation Application forms
- Acquisition Assessment forms
- Deed of Gift forms
- Acquisition Register

Signed documents shall be uploaded to the EMU collection database and the Council Content Manager database and hard copies retained. In addition, every effort shall be made to acquire additional reference material relating to objects to support research into the collection and potential future exhibitions.

9. COLLECTION CONSERVATION, DISPLAY AND STORAGE

9.1 The GeoCentre collection shall be conserved, stored, displayed and managed in accordance with accepted contemporary national practices and standards and advice shall be sought from appropriate collecting institutions when required.

- 9.2** All preventative conservation measures shall be taken by staff handling objects and appropriate training provided to staff on preventative conservation protocols. Untrained staff shall not be permitted to handle collection objects.
- 9.3** Environmental conditions in object storage and display areas shall be monitored and managed according to industry standards, including temperature, humidity, light levels, cleanliness and pest control.
- 9.4** Collection items shall not be displayed in environments, or for time periods, that will damage them through light level, temperature, humidity, or risk of theft or vandalism.
- 9.5** Conservation works and treatments will only be performed by a qualified professional Conservator.
- 9.6** Industry standard archival storage cabinets and materials shall be used, and objects or storage containers are not to be stored on the floor.
- 9.7** Access to storage areas is to be controlled and limited to the Gallery and Museum Manager and the Museum Collections Officer. Individuals seeking access may be granted authorisation under the discretion and direct supervision of either the Gallery and Museum Manager or the Museum Collections Officer.
- 9.8** Storage rooms shall remain locked at all times unless occupied by either the Gallery and Museum Manager or the Museum Collections Officer.
- 9.9** Access to locked mineral cabinets for maintenance purposes shall be under direct supervision by either the Gallery and Museum Manager or the Museum Collections Officer.
- 9.10** A collection audit shall be conducted every 2 (two) years and also performed when changes to appointment Museum Collection Officer occur.

10. DEACCESSIONING AND DISPOSAL

To maintain and safeguard standards and to refine and improve the collection, the GeoCentre is committed to periodic reviews to assess items that could potentially be deaccessioned. Deaccessioning is the administrative process of de-registering an item from a collection for clearly stated reasons and disposing of it in accordance with approved policies and procedures.

10.1 Criteria for Deaccessioning

- 10.1.1** A Collection Policy has been developed or revised since the object was acquired and the significance and merit of the object falls substantially below the acquisition criteria outlined in the Policy.
- 10.1.2** An object is damaged beyond repair or the conservation and storage costs for it are beyond the means of the GeoCentre budget.
- 10.1.3** An object is a lesser quality duplicate of a new donation to the GeoCentre collection.
- 10.1.4** An object lacks any supporting information to enable proper identification or to establish its relevance to the GeoCentre collection.
- 10.1.5** A substantiated legal request for the return of the object to its original donor or the donor's estate is received (for example, a substantiated claim that the object was in fact loaned to the GeoCentre and had never been donated).
- 10.1.6** An object has been lost or stolen.

10.1.7 An object can no longer be suitably stored due to its size or special climate requirements.

10.1.8 An object poses risks to health and safety of staff or visitors.

10.2 Deaccessioning Procedure

10.2.1 The Gallery and Museum Manager (in consultation with GeoCentre staff and/or independent collection specialists) will prepare a deaccession recommendation taking into account the criteria for deaccessioning outlined below.

10.2.2 The deaccession recommendation will be presented to Council for final decision.

10.2.3 An object identified for deaccession must be held for a twelve-month "cooling off" period before it is disposed of.

10.2.4 GeoCentre staff and volunteers and their families are prohibited from purchasing, or otherwise obtaining, a deaccessioned object.

10.2.5 Any funds acquired from the sale of the deaccessioned object shall be used for acquisitions or ongoing care of the GeoCentre collection.

10.2.6 All records of a deaccessioned object and the circumstances of its deaccessioning and disposal shall be recorded in EMU and kept on file for future reference. The accession number of a deaccessioned object shall not be re-used.

10.3 Disposal Procedure

Objects identified for disposal will be valued by a recognised valuer and disposed of in the following priority order:

- Objects that were donated, and where the original donor is still contactable, may be returned to the donor, unless obtained through the Donor Gift Recipient programme where the recipient has received the monetary value of the donation through the Cultural Gift program. Transferred to another appropriate collecting institution by means of gift, sale or exchange.
- Sold by public auction where the object has no significant cultural value but does have a market value.
- Destroyed or recycled if all other avenues for disposal have been exhausted.

11. PUBLIC ACCESS TO THE COLLECTION

The GeoCentre collection shall be made accessible to the public through GeoCentre displays. Objects not on display may be accessible for research purposes by appointment and in accordance with any conservation restrictions applying to the item and at the discretion of GeoCentre management.

Images and information on selected collection object may become accessible to the public via online applications as these are developed.

12. OUTWARD AND INWARD LOANS

12.1 The GeoCentre may from time to time enter into Inward or Outward Loan Agreements with external organisations or individuals. These will be for fixed periods only, which will be agreed between all parties and may be extended by mutual agreement.

12.2 The Gallery and Museum Manager will approve all inward and outward loans.

- 12.3** No object will be loaned by the GeoCentre unless the safety of the object is assured and adequate security, environmental conditions and standards of care are evident.
- 12.4** For both inward and outward loans, it is expected that the borrower will exercise the same standard of care for borrowed objects as it does for its own collection in accordance with established procedures and professional museum standards.
- 12.5** Outward loans are subject to the borrower agreeing to the conditions specified in the GeoCentre Outward Loan Agreement.
- 12.6** Inward loans are subject to the lender having legal title to the object/s.
- 12.7** All costs associated with outward loans will be the responsibility of the borrower, including transport and insurance.
- 12.8** Generally, objects in the private collections of GeoCentre staff will not be accepted for an inward loan.
- 12.9** Condition reports shall be completed by the Museum Collections Officer for all outward and inward loans, at the time of receipt and prior to specimens leaving the facility.

13. IMPLEMENTATION

The Gallery and Museum Manager is primarily responsible for the implementation and the adherence to this policy. Council employees shall refrain from personal activities that would conflict with proper execution and management of Council's Albert Kersten Mining and Minerals Museum (GeoCentre) Collection Management Policy.

13.1 Conflict of Interest

Council employees shall refrain from personal activities that would conflict with proper execution and management of Council's Albert Kersten Mining and Minerals Museum (GeoCentre) Collection Management Policy. Museum staff must not undertake activities with collection objects that could be perceived as corrupt or illegal activity, such as:

- carry out appraisals or identifications of objects for outside persons or agencies under circumstances that might aid or encourage illegal or unethical dealing with those objects;
- move or handle collection objects without the knowledge and consent of the Gallery and Museum Manager and/or the Museum Collections Officer.
- remove collection objects without appropriate authorisation from the Gallery and Museum Manager and adherence to this Policy;
- house collection objects anywhere other than a collection area or an exhibition area without the knowledge and consent from the Gallery and Museum Manager;
- maintain a personal collection without having declared that collection as a potential conflict of interest; and
- provide a photographed catalogue of any personal collection on the commencement of employment.

14. 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.

15. ASSOCIATED DOCUMENTS

- Australian Institute for Conservation of Cultural Materials (AICCM) Environmental Guidelines: <https://aiccm.org.au/about/who-we-are/advocacy/environmental-guidelines-australian-cultural-heritage-collections>
- National Standards for Australian Museums & Galleries (V1.5, 2016): http://www.magsq.com.au/dbase_upl/NSFAMG_v1.5_2016.pdf
- NSW Independent Commission Against Corruption document, Identifying and Managing Conflicts of Interest in the Public Sector (2012) <https://www.icac.nsw.gov.au/prevention/basic-standards/conflicts-of-interest>

16. 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 Gallery and Museum Manager is responsible for the review of this policy.

17. LEGISLATIVE AND LEGAL FRAMEWORK

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

All relevant other legislation, including but not limited to the *Local Government Act 1993* and related legislation, planning controls, codes of practice, and relevant internal procedures.

18. DEFINITIONS

- Accession: the process of assigning a unique number to an object and recording all relevant details in an Accession Register and catalogue.
- Acquisition: the act of gaining physical possession of an object and of transferring title or ownership from the providing source to the GeoCentre.
- Bequest: the bestowal by will of privately-owned cultural items to the GeoCentre.
- Cataloguing: assigning an object to an established classification system and initiating a record of the nomenclature, provenance, number, and location of that object in the collection storage area.
- Clear title: legal ownership without restrictions or conditions.
- Collection: Object for which the GeoCentre is the custodian.
- Conservation: the processes for preserving and protecting objects from loss, decay, damage, or other forms of deterioration and of repairing objects.
- Curnamona Geological Province: A cratonic region straddling the NSW / South Australian border that contains igneous and highgrade metamorphic rocks, aging from 1800 mya to 1000 mya and includes the Broken Hill, Olary, Mount Painter and Benagerie Ridge areas.
- Deaccession/disposal: the process of removing objects from a Museum's collection/s.
- Deed of gift: a document with the signature of the donor transferring ownership of an object to a collecting institution.

- Loans: collection objects which have been or are intended to be transferred temporarily to a stated destination outside the Museum (outward loans), or, alternatively, objects which have been or are intended to be transferred to the Museum from elsewhere (inward loans). The transfers are undertaken for a stated purpose (for example, a temporary exhibition) and for a stated period of time and do not involve a change of ownership.
- Preventive conservation: collection care to minimise conditions which may cause damage.
- Provenance: derivation or origin of an object and its history.

Attachment 2.

BROKEN HILL CITY COUNCIL REPORT NO. /24

SUBJECT: ADOPTION OF THE DRAFT ALBERT KERSTEN MINING AND MINERAL MUSEUM (GEOCENTRE) COLLECTION MANAGEMENT POLICY. D23/66982

Response to public feedback on the Draft Albert Kersten Mining and Mineral Museum (Geocentre) Collection Management Policy.

The Draft Albert Kersten Mining and Mineral Museum (Geocentre) Collection Management Policy was on public exhibition for a period of 28 days following the Ordinary Meeting of Council December 8, 2023. During this time, one submission was received. This report outlines the response and amendments made to the Draft Policy as a result of that submission.

SECTION	COMMENT	RESPONSE
9.7	<p>(The) security of the collection has been considerably weakened in the draft policy: it only has a fleeting mention in Section 9.7 i.e. "access to storage areas is to be controlled and limited to GeoCentre staff, or authorised individuals". In this case, who is meant by GeoCentre staff, does it mean all staff or some staff, full time, part time or casual? Who will be the responsible person to give authorisation to individuals seeking access to the storage areas? Contrast this with the existing policy regarding safe storage: It is clear and unequivocal in points 4 – 9.</p> <ul style="list-style-type: none"> • Storage rooms shall be locked at all times. • Only the GeoCentre Curator shall hold the keys to the storage rooms. • Only the GeoCentre Curator may authorise access to the storage rooms. • Only the GeoCentre Curator may determine 	<p>Noted/agreed. Section 9.7 has been amended.</p> <p>9.7 Access to storage areas is to be controlled and limited to the Gallery and Museum Manager and the Museum Collections Officer. Individuals seeking access may be granted authorisation under the discretion and direct supervision of either the Gallery and Museum Manager and the Museum Collections Officer.</p> <p>9.8 Storage rooms shall remain locked at all times unless occupied by either the Gallery and Museum Manager and the Museum Collections Officer.</p> <p>9.9 Access to locked mineral cabinets for maintenance purposes shall be under direct supervision by either the Gallery and Museum Manager and the Museum Collections Officer.</p>

	<p>the number of visitors allowed into a storage area at any one time.</p> <ul style="list-style-type: none"> No person may be left unattended in the storage rooms. <p>The minerals on display are housed in locked cabinets, the keys should be held by the GeoCentre Curator and only the Curator should authorise access to the display cabinets (cleaning of cabinet, changing globes & other housekeeping etc). In my opinion, a nominated officer, the Curator should have the sole responsibility for access, control and movement of the collection specimens</p>	
	<p>The requirement of an annual audit of the collection has been removed, perhaps reinsert on a three year cycle, but at the very least at a changeover of GeoCentre Curator.</p>	<p>Noted/agreed. The following amendment has been made:</p> <p>9.10 A collection audit shall be conducted every 2 (two) years and performed when changes to the appointed Museum Collection Officer occur.</p>
	<p>10.3 Disposal Procedure. "Objects that were donated, and where the original donor is still contactable, may be returned to the donor". This is not possible if the donation was made under the DGR (Donor Gift Recipient) programme as the donor would already have received the monetary value of the donation through the ATO's Cultural Gift Programme.</p>	<p>Noted/agreed. 10.3 amended to:</p> <p>'Objects that were donated, and where the original donor is still contactable, may be returned to the donor unless obtained through the Donor Gift Recipient program where the recipient has receive the monetary value of the donation through the Cultural Gift Program . Transferred to another appropriate collecting institution by means of gift, sale or exchange.</p>
	<p>Loans: 12. Suggestion: For both Outward/Inward loans; condition reports should be prepared by the GeoCentre Curator.</p>	<p>Noted/agreed Additional point:</p> <p>12.9. Condition reports shall be completed by the Museum Collection Officer for all outward and inward loans at the time of receipt and prior to specimens leaving the facility.</p>
	<p>Exhibitions:</p> <p>No mention of exhibitions except in the preamble to the draft policy.</p> <p>(D) Display Policy (existing document)</p>	<p>Noted/no change.</p> <p>This document is for the management of the Collection as opposed to the GeoCentre as a facility. Future directions of exhibitions to be explored further once updated Strategic Business Plan and Master Plan finalised.</p>

	<p>5. The GeoCentre Curator will determine a schedule of temporary exhibitions annually. This schedule should be maintained.</p>	
	<p>13. Implementation: I don't really understand the sentence "Council employees shall refrain from personal activities that would conflict with proper execution and management of Council's GeoCentre Collection Management Policy." What exactly does this mean in plain English? Is this an oblique reference to conflicts of interest? If so, then it needs to be addressed in a straightforward manner. If not....?</p>	<p>Noted / No change. The statement pertains to activities by Council employees that may create potential or perceived conflict of interests that directly relate the management of the collection.</p>
	<p>There should be a section dealing with conflict of interest, real, potential or perceived within this policy document. Critical areas of conflict of interest include personal collecting and dealing.</p>	<p>Noted. Inclusion of Section 14. Conflict of Interest Council employees shall refrain from personal activities that would conflict with proper execution and management of Council's GeoCentre Collection Management Policy. Museum staff must not undertake activities with collection objects that could be perceived as corrupt or illegal activity, such as:</p> <ul style="list-style-type: none"> • carry out appraisals or identifications of objects for outside persons or agencies under circumstances that might aid or encourage illegal or unethical dealing with those objects; • move or handle collection objects without the knowledge and consent of the Gallery and Museum Manager and/or the Museum Collections Officer. • remove collection objects without appropriate authorisation from the Gallery and Museum

		<p>Manager and adherence to this Policy;</p> <ul style="list-style-type: none"> • house collection objects anywhere other than a collection area or an exhibition area without the knowledge and consent from the Gallery and Museum Manager; • maintain a personal collection without having declared that collection as a potential conflict of interest; and • provide a photographed catalogue of any personal collection on the commencement of employment.
	<p>Section 8.16 Private Collections:</p> <p><i>“Members of the museum profession should not compete with their institution either in the acquisition of objects or in any personal collecting activity. An agreement between the museum professional and the governing body concerning any private collecting must be formulated and scrupulously followed”.</i></p> <p>During the period 2014 – 2016 I attempted on two occasions to update the current policy. Both attempts failed; for reasons not conveyed to me, senior managers declined to progress any change.</p> <p>One of the updates I suggested was that GeoCentre Staff, paid and unpaid, who have collections should submit a catalogue along with images, of their collection to the General Manager. I am still of that opinion.</p>	<p>Noted. Inclusion of Section 14 (as above) and addition in Section 16: ASSOCIATED DOCUMENTS</p> <p>NSW Independent Commission Against Corruption document, Identifying and Managing Conflicts of Interest in the Public Sector (2012) https://www.icac.nsw.gov.au/prevention/basic-standards/conflicts-of-interest.</p>

Submission 1.

To: Mr. J. Nankivell
General Manager
Broken Hill City Council
Broken Hill NSW 2880

Dear Mr.Nankivell,

*Re: Comments on Draft Albert Kersten Mining and Minerals Museum (GeoCentre) Collection
Management Policy*

As I am unsure as to job titles I shall refer to the day to day officer in charge of museum operations as the Curator.

Firstly, in my opinion, security of the collection has been considerably weakened in the draft policy: it only has a fleeting mention in Section 9.7 i.e. “access to storage areas is to be controlled and limited to GeoCentre staff, or authorised individuals”. In this case, who is meant by GeoCentre staff, does it mean all staff or some staff, full time, part time or casual? Who will be the responsible person to give authorisation to individuals seeking access to the storage areas? Contrast this with the existing policy regarding safe storage: It is clear and unequivocal in points 4 – 9.

- Storage rooms shall be locked at all times.
- Only the GeoCentre Curator shall hold the keys to the storage rooms.
- Only the GeoCentre Curator may authorise access to the storage rooms.
- Only the GeoCentre Curator may determine the number of visitors allowed into a storage area at any one time.
- No person may be left unattended in the storage rooms.

The minerals on display are housed in locked cabinets, the keys should be held by the GeoCentre Curator and only the Curator should authorise access to the display cabinets (cleaning of cabinet, changing globes & other housekeeping etc). In my opinion, a nominated officer, the Curator should have the sole responsibility for access, control and movement of the collection specimens.

The requirement of an annual audit of the collection has been removed, perhaps reinsert on a three year cycle, but at the very least at a changeover of GeoCentre Curator.

10.3 Disposal Procedure.

“Objects that were donated, and where the original donor is still contactable, may be returned to the donor”. This is not possible if the donation was made under the DGR (Donor Gift Recipient) programme as the donor would already have received the monetary value of the donation through the ATO’s Cultural Gift Programme.

Loans: 12.

Suggestion: For both Outward/Inward loans; condition reports should be prepared by the GeoCentre Curator.

Exhibitions:

No mention of exhibitions except in the preamble to the draft policy.

(D) Display Policy (existing document)

5. The GeoCentre Curator will determine a schedule of temporary exhibitions annually. This schedule should be maintained.

13. Implementation:

I don't really understand the sentence "Council employees shall refrain from personal activities that would conflict with proper execution and management of Council's GeoCentre Collection Management Policy." What exactly does this mean in plain English? Is this an oblique reference to conflicts of interest? If so, then it needs to be addressed in a straightforward manner. If not....?

There should be a section dealing with conflict of interest, real, potential or perceived within this policy document. Critical areas of conflict of interest include personal collecting and dealing.

The International Council of Museums (ICOM) Code of Professional Ethics and provides a general statement of professional ethics regarded as a minimum requirement to practise as a member of the museum profession. They state:

Section 8.16 Private Collections:

"Members of the museum profession should not compete with their institution either in the acquisition of objects or in any personal collecting activity. An agreement between the museum professional and the governing body concerning any private collecting must be formulated and scrupulously followed".

During the period 2014 – 2016 I attempted on two occasions to update the current policy. Both attempts failed; for reasons not conveyed to me, senior managers declined to progress any change.

One of the updates I suggested was that GeoCentre Staff, paid and unpaid, who have collections should submit a catalogue along with images, of their collection to the General Manager. I am still of that opinion.

Yours sincerely,

Name Redacted

ORDINARY MEETING OF THE COUNCIL

January 19, 2024

ITEM 10

BROKEN HILL CITY COUNCIL REPORT NO. 10/24

SUBJECT: INVESTMENT REPORT FOR DECEMBER 2023 D24/2822

Recommendation

1. That Broken Hill City Council Report No. 10/24 dated January 19, 2024, 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 December 2023, Council's Investment Portfolio had a current market valuation of \$33,954,564 or principal value (face value) of \$33,587,260 and was compliant with policy and legislative requirements as per the below table.

Report:

Council's investments as at 31 December 2023 are detailed in Attachment 1.

Portfolio Summary		
Portfolio Performance vs. RBA Cash Rate	✓	Compliant with policy
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:

Global issues:

- It's now looking almost certain that rates have peaked in major central banks and they are moving towards rate cuts. This is all being driven by the ongoing fall in inflation, with US consumer price inflation falling again and a bigger than expected fall in producer price inflation.

- The past month saw several central banks – the US Fed, the European Central Bank, the Bank of England along with central banks in Switzerland, the Philippines and Taiwan – all leave interest rates on hold.
- The US inflation rate peaked in June 2022 which was several months ahead of other countries (October 2022 for the Eurozone and UK and December 2022 in Australia) and so it has experienced a longer period of slowing. The US Fed held rates at 5.25-5.50% but noted that growth and inflation have slowed and is allowing for three rate cuts in 2024 possibly starting in the June quarter.
- The peaking in global interest rates and shift towards rate cuts led by the US Fed is a good sign for the RBA. Just as Australian inflation and interest rates lagged the pickup in US/global inflation and interest rates by a few months its likely to also do the same on the way down.
- Global (and domestic) shares and bonds performed strongly again in December due to inflation pressures continuing to ease in many countries and the growing prospect of cuts in the official cash rates both domestically and abroad. Australian shares were among the top performers globally for the month with the All Ords up 7.4% for the month, bringing its 12 month return to 13%. The US S&P 500 closed out 2024 with a return of 4.5% for December and over 26% for the year.

Domestic issues

- September quarter GDP and other data released in December leave no doubt that the domestic household sector is getting hit hard by the RBA rate hikes. While annual GDP growth was stronger than expected at 2.1%yoy, this reflected upwards revisions to past quarters with September quarter GDP growth coming in well below expectations at 0.2%qoq.
- Consumer spending stalled in the September quarter and down 2% per person over the last year which highlights that the average Australian is cutting back discretionary spending.
- While labour income has been strong this is being swamped by increasing mortgage payments and higher tax payments. The share of gross household income devoted to mortgage payments and tax payments are now both at or around record highs.
- Consumer confidence rose slightly in December on the RBA rate pause but remains depressed and business confidence surveys fell, albeit business conditions are still okay but also falling. All things being equal this is consistent with soft growth.

Interest rates

- At its December meeting, the RBA kept the official cash rate unchanged at 4.35% noting that economic data received over the prior month had been broadly in line with expectations. Inflation had continued to decline but remained high and wages growth had reached 4% sooner than expected but is unlikely to rise much further.
- The RBA Board agreed that “*whether*” further tightening of monetary policy is required will depend on how the global economy, trends in domestic demand, and the outlook for inflation and the labour market alter the economic outlook and the evolving assessment of risks.
- The market is pricing in no further interest rate hikes for this cycle and as much as 85bps in rate cuts by mid-2025:
- In December, term deposit rates across the 1 to 3 month range were little changed from last month, but then dropped off for terms between 3 months to 5 years as the market priced in a reprieve from another rate hike in this cycle and the prospect of interest rate cuts starting within six months.

Investment Portfolio Commentary

Council's investment portfolio returned 8.05%pa (0.66% actual) for the month on a marked-to-market basis versus the bank bill index benchmark's 4.43%pa (0.37% actual) return. Over the past 12 months, the investment portfolio has returned 4.59% versus the bank bill index benchmark's 3.89%.

The NSW TCorpIM Medium Term Growth Fund (+2.48% actual) had another strong month reflecting the surge in global share markets and the upward trend in bond prices. Inflation appears to be easing in many major countries signalling the likely end of interest rate hikes in this cycle and possible cuts starting in mid-2024. The fund's return gave another good boost to the portfolio's overall performance.

During December, Council had \$2.5m in maturities across several 6-, 7- and 8-months term deposits paying an average of 5.04%pa. The proceeds were reinvested across a series of 4 to 7 month deposits paying an average of 5.19%pa.

Council has a well-diversified portfolio invested predominantly among a range of term deposits from highly rated Australian banks. Council also has exposure to a wide range of asset classes, including senior ranked fixed and floating rate notes, listed property and 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 – December 2023

As at 31 December 2023, Council's Investment Portfolio had a current market valuation of \$33,954,564 or principal value (face value) of \$33,587,260 and was compliant with policy and legislative requirements as per the table above.

	Source of Funds	Principal Amount
GENERAL Fund	Operating Capital & Internal Restrictions	\$17,497,426
	Royalties Reserve	\$603,047
	Domestic Waste Management Reserve	\$4,275,320
	Grants	\$11,211,467
	TOTAL PORTFOLIO	\$33,587,250

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 2021*.

Financial Implications:

The recommendation has no financial impact.

Attachments

1. [↓](#) Investment Report December 2023

SIMON BROWN
DIRECTOR FINANCE AND COMMERCIAL

JAY NANKIVELL
GENERAL MANAGER



Investment Summary Report
December 2023



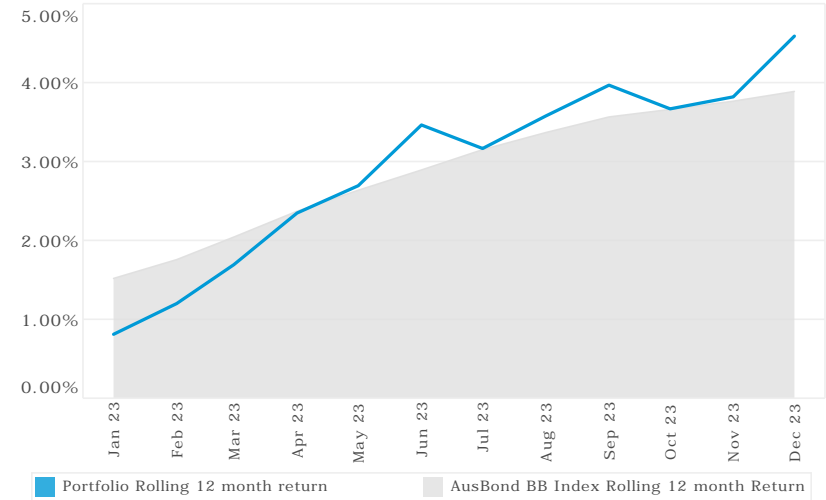
BROKEN HILL CITY COUNCIL
Executive Summary - December 2023



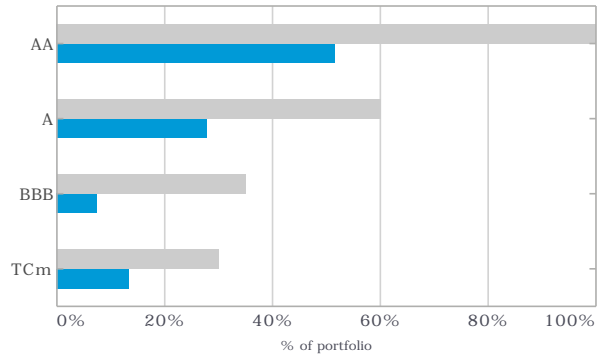
Investment Holdings

	Face Value (\$)	Current Value (\$)
Cash	11,596,644	11,596,644
Managed Funds	4,490,617	4,490,617
Term Deposit	17,500,000	17,867,304
	33,587,260	33,954,564

Investment Performance

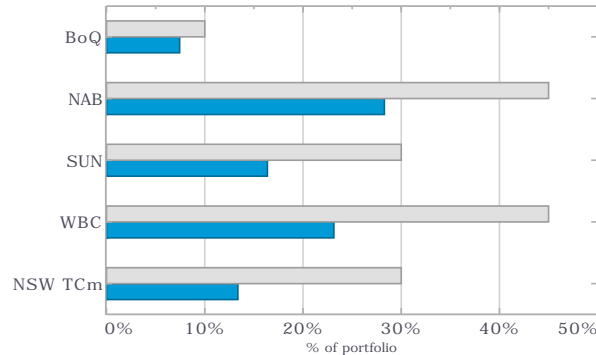


Total Credit Exposure



Investment Policy Compliance

Individual Institutional Exposures



Term to Maturities

	Face Value (\$)	Policy Max
Between 0 and 1 years	33,587,260	100% a
	33,587,260	

Specific Sub Limits

Between 5 and 10 year:	0	0%	30% a
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Portfolio Exposure Investment Policy Limit



BROKEN HILL CITY COUNCIL
Investment Holdings Report - December 2023



Cash Accounts

Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
1,952,048.84	0.0000%	Westpac Group	AA-	1,952,048.84	473409	Cheque
3,823,227.80	4.2085%	Macquarie Bank	A+	3,823,227.80	540354	Accelerator
5,821,366.95	5.3000%	Westpac Group	AA-	5,821,366.95	535442	90d Notice
11,596,643.59	4.0480%			11,596,643.59		

Managed Funds

Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Funds Name	Current Value (\$)	Deal No.	Reference
4,490,616.82	2.4764%	NSW T-Corp (MT)	TCm	Medium Term Growth Fund	4,490,616.82	536441	
4,490,616.82	2.4764%				4,490,616.82		

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
24-Jan-24	1,000,000.00	5.5000%	Suncorp Bank	A+	1,000,000.00	29-Jun-23	1,028,027.40	544273	28,027.40	At Maturity	
6-Feb-24	1,000,000.00	5.5500%	Bank of Queensland	BBB+	1,000,000.00	4-Jul-23	1,027,521.92	544288	27,521.92	At Maturity	
23-Feb-24	2,000,000.00	5.5000%	Suncorp Bank	A+	2,000,000.00	29-Jun-23	2,056,054.79	544274	56,054.79	At Maturity	
5-Mar-24	500,000.00	4.4700%	National Australia Bank	AA-	500,000.00	5-Apr-23	516,594.11	543995	16,594.11	At Maturity	
5-Mar-24	1,000,000.00	5.5100%	National Australia Bank	AA-	1,000,000.00	5-Jul-23	1,027,172.60	544292	27,172.60	At Maturity	
6-Mar-24	1,000,000.00	5.5000%	Suncorp Bank	A+	1,000,000.00	6-Jul-23	1,026,972.60	544296	26,972.60	At Maturity	
20-Mar-24	500,000.00	5.2000%	National Australia Bank	AA-	500,000.00	16-Aug-23	509,830.14	544393	9,830.14	At Maturity	
27-Mar-24	2,000,000.00	5.4500%	National Australia Bank	AA-	2,000,000.00	28-Jun-23	2,055,843.84	544239	55,843.84	At Maturity	
9-Apr-24	500,000.00	5.1700%	National Australia Bank	AA-	500,000.00	5-Sep-23	508,356.99	544469	8,356.99	At Maturity	
9-Apr-24	500,000.00	5.2000%	Bank of Queensland	BBB+	500,000.00	6-Dec-23	501,852.05	544700	1,852.05	At Maturity	
9-Apr-24	1,000,000.00	4.4700%	National Australia Bank	AA-	1,000,000.00	5-Apr-23	1,033,188.22	543996	33,188.22	At Maturity	
16-Apr-24	1,000,000.00	5.1600%	National Australia Bank	AA-	1,000,000.00	19-Sep-23	1,014,702.47	544514	14,702.47	At Maturity	
23-Apr-24	500,000.00	5.4600%	Suncorp Bank	A+	500,000.00	26-Jul-23	511,892.33	544336	11,892.33	At Maturity	
14-May-24	500,000.00	5.1500%	Bank of Queensland	BBB+	500,000.00	10-Oct-23	505,855.48	544572	5,855.48	At Maturity	



BROKEN HILL CITY COUNCIL
Investment Holdings Report - December 2023



Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
14-May-24	500,000.00	5.2200%	National Australia Bank	AA-	500,000.00	11-Aug-23	510,225.48	544380	10,225.48	At Maturity	
12-Jun-24	500,000.00	5.1700%	National Australia Bank	AA-	500,000.00	12-Dec-23	501,416.44	544714	1,416.44	At Maturity	
17-Jun-24	500,000.00	5.1700%	National Australia Bank	AA-	500,000.00	19-Dec-23	500,920.68	544752	920.68	At Maturity	
18-Jun-24	500,000.00	5.1300%	Suncorp Bank	A+	500,000.00	14-Dec-23	501,264.93	544723	1,264.93	At Maturity	
25-Jun-24	500,000.00	5.2500%	Bank of Queensland	BBB+	500,000.00	28-Sep-23	506,832.19	544543	6,832.19	At Maturity	
9-Jul-24	500,000.00	5.2800%	Suncorp Bank	A+	500,000.00	5-Dec-23	501,952.88	544699	1,952.88	At Maturity	
24-Sep-24	1,000,000.00	5.3500%	National Australia Bank	AA-	1,000,000.00	25-Sep-23	1,014,364.38	544523	14,364.38	At Maturity	
8-Oct-24	500,000.00	5.3000%	National Australia Bank	AA-	500,000.00	4-Oct-23	506,461.64	544558	6,461.64	At Maturity	
	17,500,000.00	5.2871%			17,500,000.00		17,867,303.56		367,303.56		



BROKEN HILL CITY COUNCIL

Accrued Interest Report - December 2023

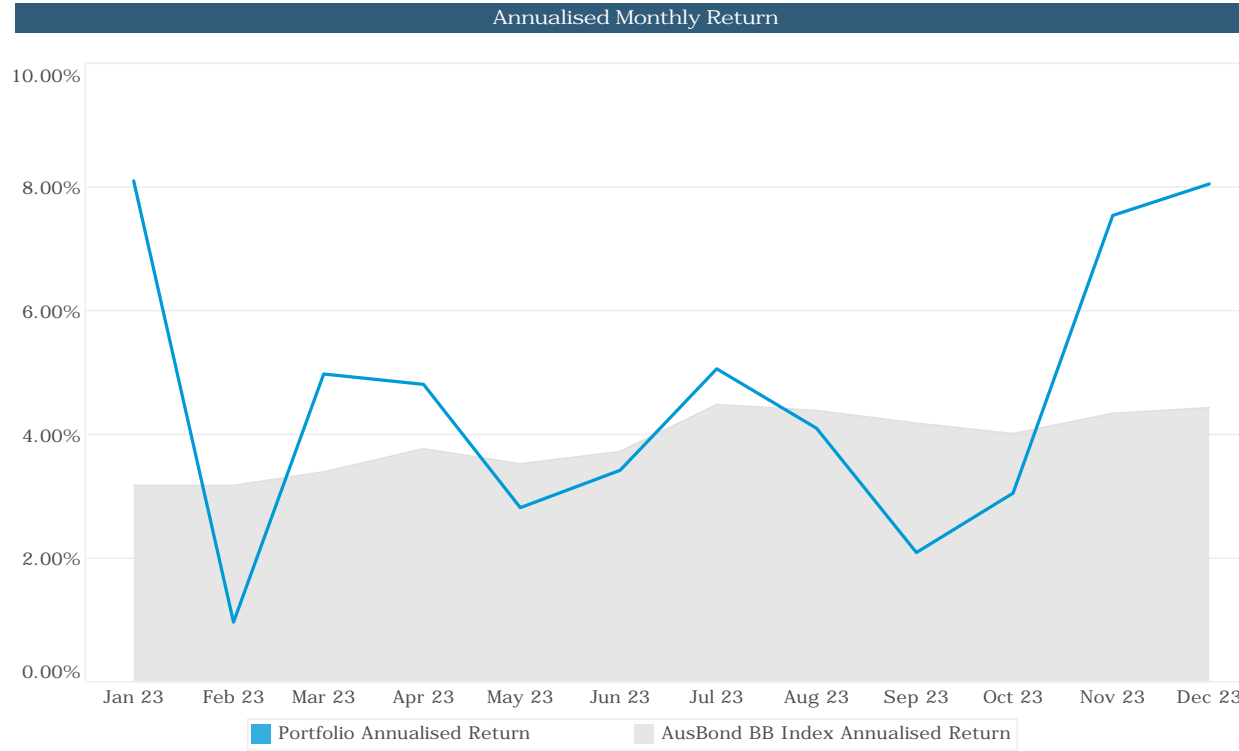


Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
Cash									
Macquarie Bank	540354					16,744.88	0	16,744.88	4.21%
Westpac Group	473409					0.00	0	0.00	0.00%
Westpac Group	535442					24,410.74	0	24,410.74	5.30%
						41,155.62		41,155.62	4.02%
Managed Funds									
NSW T-Corp Medium Term Growth Fund	536441				1-Jul-24	0.00	0	108,516.92	33.38%
						0.00		108,516.92	33.38%
Term Deposits									
Suncorp Bank	544001		500,000.00	6-Apr-23	5-Dec-23	14,979.45	4	246.57	4.50%
Bank of Queensland	544162		500,000.00	6-Jun-23	6-Dec-23	12,784.93	5	349.31	5.10%
National Australia Bank	544090		500,000.00	10-May-23	12-Dec-23	14,143.56	11	720.27	4.78%
Suncorp Bank	544202		500,000.00	15-Jun-23	14-Dec-23	13,487.95	13	963.43	5.41%
National Australia Bank	544215		500,000.00	21-Jun-23	19-Dec-23	13,364.25	18	1,329.04	5.39%
Suncorp Bank	544273		1,000,000.00	29-Jun-23	24-Jan-24	0.00	31	4,671.24	5.50%
Bank of Queensland	544288		1,000,000.00	4-Jul-23	6-Feb-24	0.00	31	4,713.70	5.55%
Suncorp Bank	544274		2,000,000.00	29-Jun-23	23-Feb-24	0.00	31	9,342.46	5.50%
National Australia Bank	543995		500,000.00	5-Apr-23	5-Mar-24	0.00	31	1,898.22	4.47%
National Australia Bank	544292		1,000,000.00	5-Jul-23	5-Mar-24	0.00	31	4,679.72	5.51%
Suncorp Bank	544296		1,000,000.00	6-Jul-23	6-Mar-24	0.00	31	4,671.23	5.50%
National Australia Bank	544393		500,000.00	16-Aug-23	20-Mar-24	0.00	31	2,208.22	5.20%
National Australia Bank	544239		2,000,000.00	28-Jun-23	27-Mar-24	0.00	31	9,257.54	5.45%
Bank of Queensland	544700		500,000.00	6-Dec-23	9-Apr-24	0.00	26	1,852.05	5.20%
National Australia Bank	543996		1,000,000.00	5-Apr-23	9-Apr-24	0.00	31	3,796.44	4.47%
National Australia Bank	544469		500,000.00	5-Sep-23	9-Apr-24	0.00	31	2,195.48	5.17%
National Australia Bank	544514		1,000,000.00	19-Sep-23	16-Apr-24	0.00	31	4,382.47	5.16%
Suncorp Bank	544336		500,000.00	26-Jul-23	23-Apr-24	0.00	31	2,318.63	5.46%

BROKEN HILL CITY COUNCIL
Accrued Interest Report - December 2023

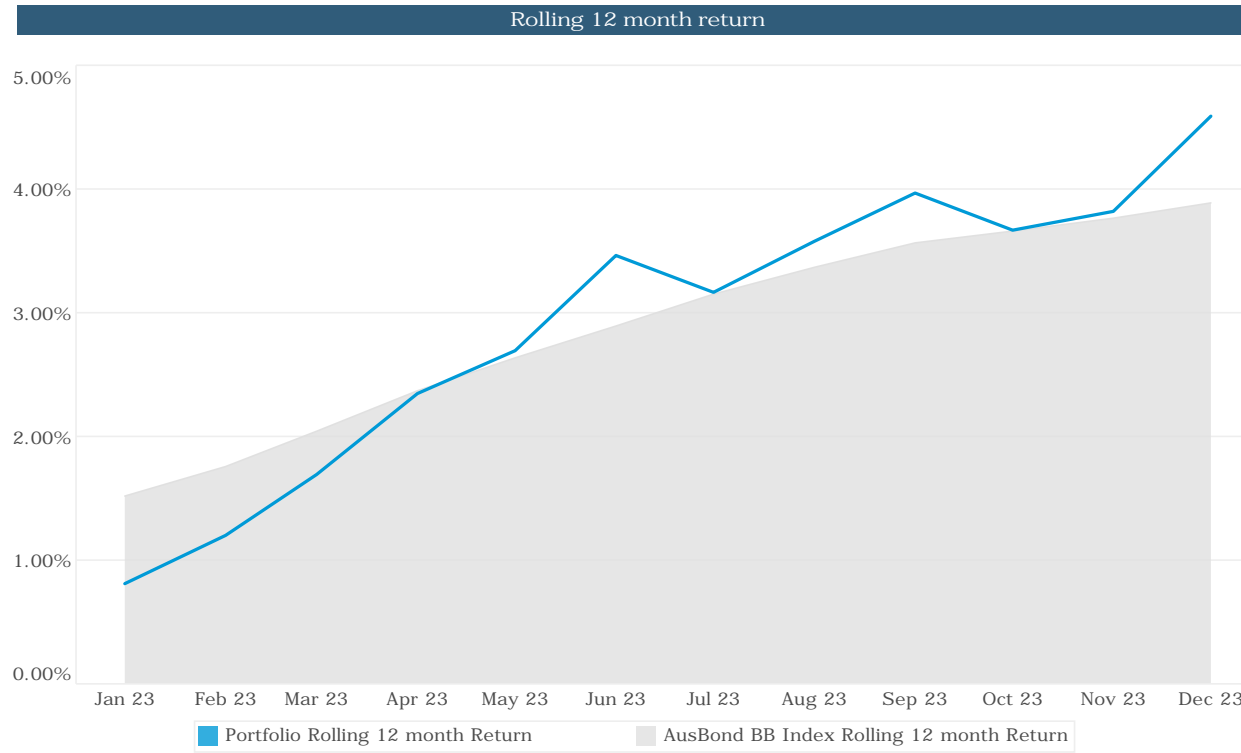


Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Yield (% pa)
Bank of Queensland	544572		500,000.00	10-Oct-23	14-May-24	0.00	31	2,186.99	5.15%
National Australia Bank	544380		500,000.00	11-Aug-23	14-May-24	0.00	31	2,216.71	5.22%
National Australia Bank	544714		500,000.00	12-Dec-23	12-Jun-24	0.00	20	1,416.44	5.17%
National Australia Bank	544752		500,000.00	19-Dec-23	17-Jun-24	0.00	13	920.68	5.17%
Suncorp Bank	544723		500,000.00	14-Dec-23	18-Jun-24	0.00	18	1,264.93	5.13%
Bank of Queensland	544543		500,000.00	28-Sep-23	25-Jun-24	0.00	31	2,229.45	5.25%
Suncorp Bank	544699		500,000.00	5-Dec-23	9-Jul-24	0.00	27	1,952.88	5.28%
National Australia Bank	544523		1,000,000.00	25-Sep-23	24-Sep-24	0.00	31	4,543.83	5.35%
National Australia Bank	544558		500,000.00	4-Oct-23	8-Oct-24	0.00	31	2,250.68	5.30%
						68,760.14		78,578.61	5.29%
Grand Totals						109,915.76		228,251.15	8.05%



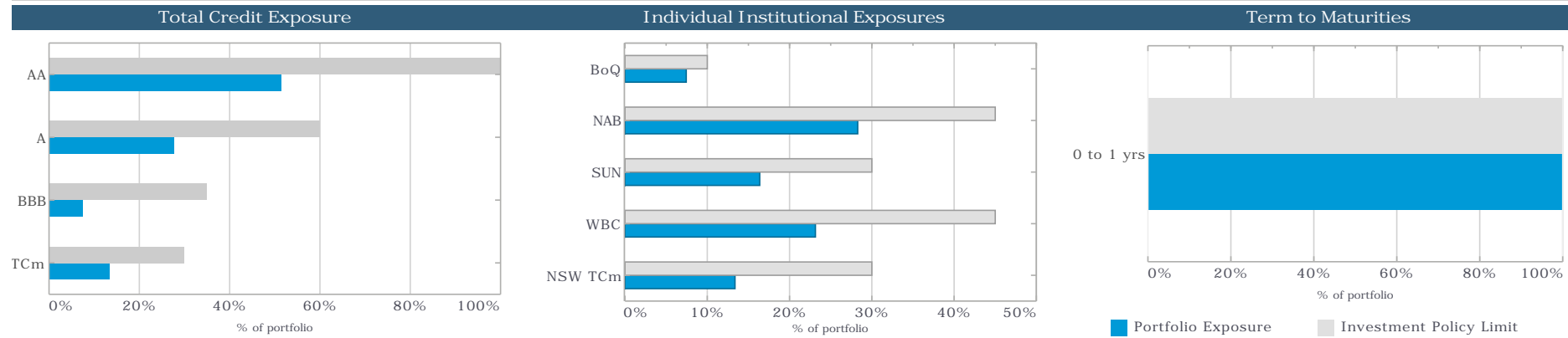
Historical Performance Summary (% pa)			
	Portfolio	Annualised BB Index	Outperformance
Dec 2023	8.05%	4.43%	3.62%
Last 3 months	6.17%	4.26%	1.91%
Last 6 months	4.96%	4.31%	0.65%
Financial Year to Date	4.96%	4.31%	0.65%
Last 12 months	4.59%	3.89%	0.70%





Historical Performance Summary (% actual)			
	Portfolio	Annualised BB Index	Outperformance
Dec 2023	0.66%	0.37%	0.29%
Last 3 months	1.52%	1.06%	0.46%
Last 6 months	2.47%	2.15%	0.32%
Financial Year to Date	2.47%	2.15%	0.32%
Last 12 months	4.59%	3.89%	0.70%

BROKEN HILL CITY COUNCIL
Investment Policy Compliance Report - December 2023



Credit Rating Group	Face Value (\$)	Policy Max
AA	17,273,416	51% 100% a
A	9,323,228	28% 60% a
BBB	2,500,000	7% 35% a
TCm	4,490,617	13% 30% a
	33,587,260	

Institution	% of portfolio	Investment Policy Limit
Bank of Queensland (BBB+)	7%	10% a
National Australia Bank (AA-)	28%	45% a
Suncorp Bank (A+)	16%	30% a
Westpac Group (AA-)	23%	45% a
NSW T-Corp (TCm)	13%	30% a
Macquarie Bank (A+)	11%	30% a

Term	Face Value (\$)	Policy Max
Between 0 and 1 years	33,587,260	100% 100% a
	33,587,260	

Specific Sub Limits	Face Value (\$)	Policy Max
BBB+	2,500,000	7% 35% a

Specific Sub Limits	Face Value (\$)	Policy Max
Between 5 and 10 years	0	0% 30% a

Credit Rating	Current Longest Maturity (years)	Policy Max
AA+, AA, AA-	0.77	5.00 a
A+, A, A-	0.52	3.00 a
BBB+	0.48	3.00 a

a = compliant
r = non-compliant



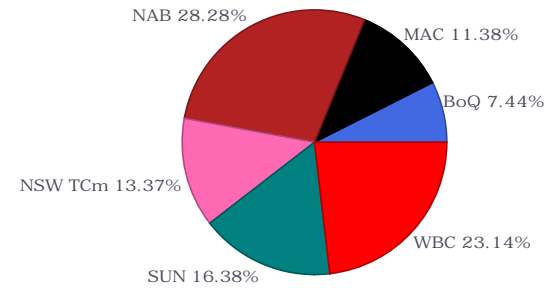
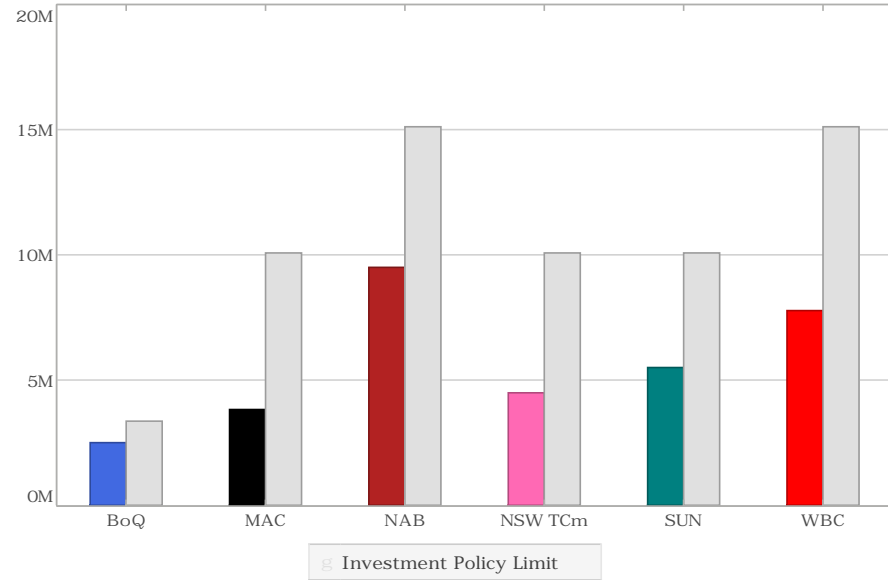
BROKEN HILL CITY COUNCIL
Individual Institutional Exposures Report - December 2023



Individual Institutional Exposures

Individual Institutional Exposure Charts

	Current Exposures		Policy Limit		Capacity
Bank of Queensland (BBB+)	2,500,000	7%	3,358,726	10%	858,726
Macquarie Bank (A+)	3,823,228	11%	10,076,178	30%	6,252,950
National Australia Bank (AA-)	9,500,000	28%	15,114,267	45%	5,614,267
NSW T-Corp (TCm)	4,490,617	13%	10,076,178	30%	5,585,561
Suncorp Bank (A+)	5,500,000	16%	10,076,178	30%	4,576,178
Westpac Group (AA-)	7,773,416	23%	15,114,267	45%	7,340,851
	33,587,260				



BROKEN HILL CITY COUNCIL
Cashflows Report - December 2023



Actual Cashflows for December 2023

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
5-Dec-23	544001	Suncorp Bank	Term Deposit	Maturity: Face Value	500,000.00
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	14,979.45
<u>Deal Total</u>					<u>514,979.45</u>
5-Dec-23	544699	Suncorp Bank	Term Deposit	Settlement: Face Value	-500,000.00
<u>Deal Total</u>					<u>-500,000.00</u>
Day Total					14,979.45
6-Dec-23	544162	Bank of Queensland	Term Deposit	Maturity: Face Value	500,000.00
		Bank of Queensland	Term Deposit	Maturity: Interest Received/Paid	12,784.93
<u>Deal Total</u>					<u>512,784.93</u>
6-Dec-23	544700	Bank of Queensland	Term Deposit	Settlement: Face Value	-500,000.00
<u>Deal Total</u>					<u>-500,000.00</u>
Day Total					12,784.93
12-Dec-23	544090	National Australia Bank	Term Deposit	Maturity: Face Value	500,000.00
		National Australia Bank	Term Deposit	Maturity: Interest Received/Paid	14,143.56
<u>Deal Total</u>					<u>514,143.56</u>
12-Dec-23	544714	National Australia Bank	Term Deposit	Settlement: Face Value	-500,000.00
<u>Deal Total</u>					<u>-500,000.00</u>
Day Total					14,143.56
14-Dec-23	544202	Suncorp Bank	Term Deposit	Maturity: Face Value	500,000.00
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	13,487.95
<u>Deal Total</u>					<u>513,487.95</u>
14-Dec-23	544723	Suncorp Bank	Term Deposit	Settlement: Face Value	-500,000.00
<u>Deal Total</u>					<u>-500,000.00</u>
Day Total					13,487.95
19-Dec-23	544215	National Australia Bank	Term Deposit	Maturity: Face Value	500,000.00
		National Australia Bank	Term Deposit	Maturity: Interest Received/Paid	13,364.25

BROKEN HILL CITY COUNCIL
Cashflows Report - December 2023

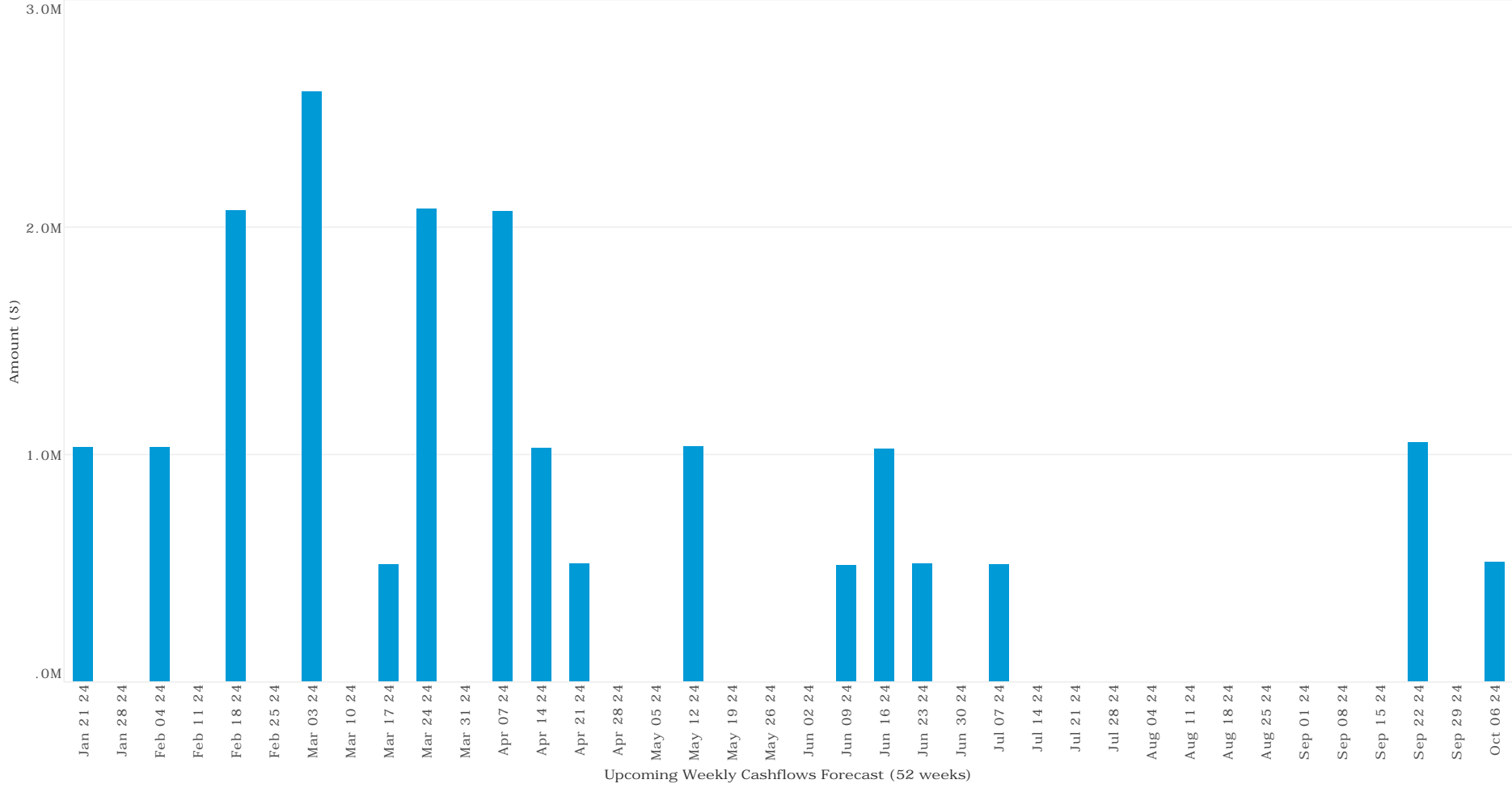


Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
<u>Deal Total</u>					513,364.25
19-Dec-23	544752	National Australia Bank	Term Deposit	Settlement: Face Value	-500,000.00
<u>Deal Total</u>					-500,000.00
Day Total					13,364.25
<u>Total for Month</u>					68,760.14

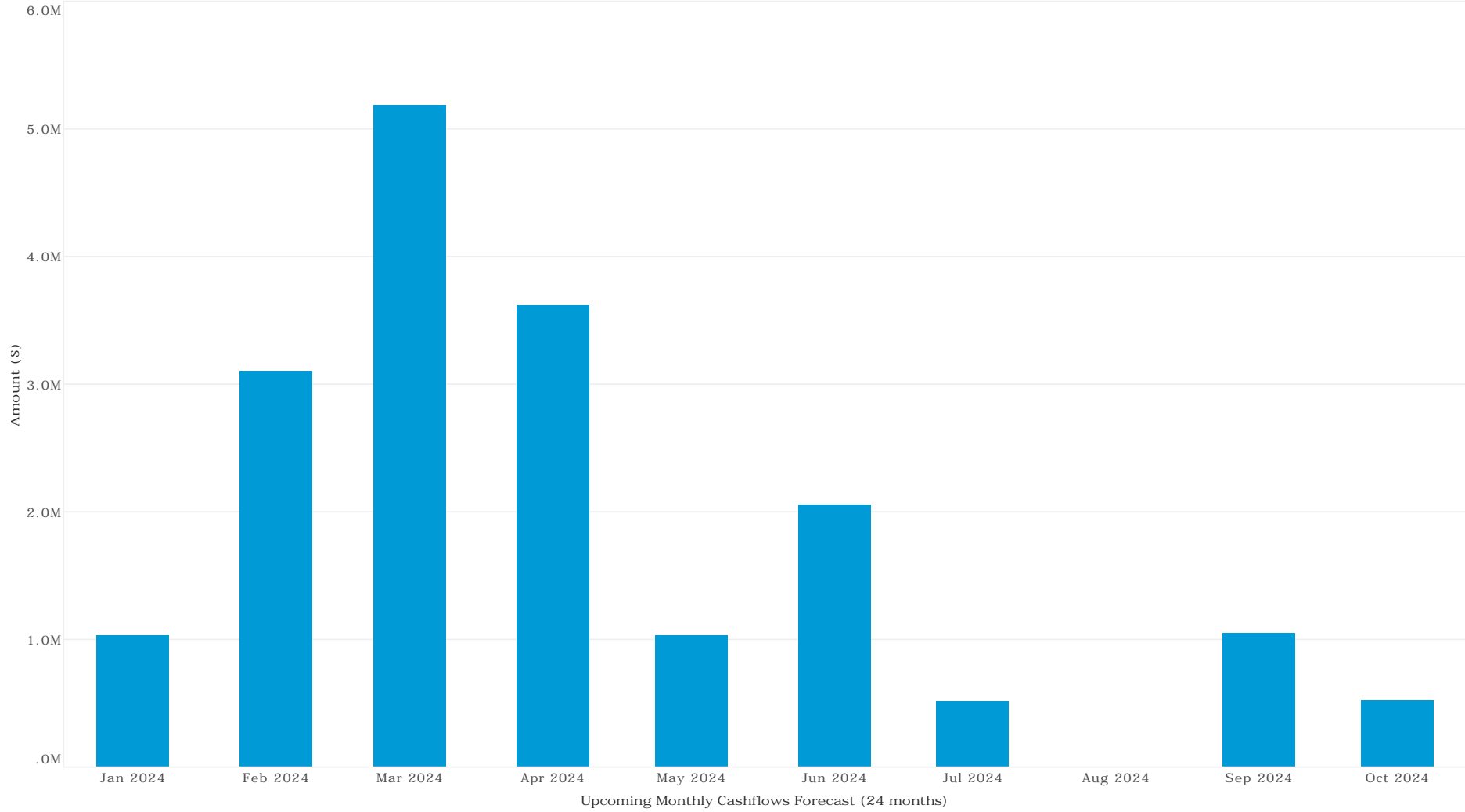
Forecast Cashflows for January 2024

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
<u>Deal Total</u>					1,031,493.15
24-Jan-24	544273	Suncorp Bank	Term Deposit	Maturity: Face Value	1,000,000.00
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	31,493.15
<u>Deal Total</u>					1,031,493.15
Day Total					1,031,493.15
<u>Total for Month</u>					1,031,493.15

BROKEN HILL CITY COUNCIL
Cashflows Report - December 2023



BROKEN HILL CITY COUNCIL
Cashflows Report - December 2023



Attachments

1. [↓](#) Action List

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

For Action	Division: Ordinary Council	Date From: 1/06/2020
Action Sheets Report	Committee: Ordinary Council	Date To: 23/01/2024
	Officer: Including Further Reports	Printed: Tuesday, 23 January 2024 2:47:15 PM

Meeting	Officer/Director	Section	Subject
Ordinary Council 29/07/2020	Howard, Codie Nankivell, Jay	Confidential Matters	WILLYAMA COMMON TRUST LICENCE OF PART LOT 7315 DP 1183447 TO BROKEN HILL SPEEDWAY CLUB
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 105/20 dated July 1, 2020, be received. That Council (as Trust Manager for the Willyama Common Trust) lease Part Lot 7315 in Deposited Plan 1183447 to the Broken Hill Speedway Club for the purpose of a motocross track extension and associated access. That the lease term be 25 years and the annual rental be the minimum Crown Lands rental. That the Mayor and General Manager be authorised to sign and execute any documents under the Common Seal of Council, the absence of a Trust Seal. 			
CARRIED UNANIMOUSLY			
<p>12 Aug 2020 10:00am Bartlett, Leisa Solicitors are drawing up the licence agreement.</p> <p>17 Sep 2020 3:09pm Bartlett, Leisa Draft lease being finalised.</p> <p>16 Oct 2020 9:20am Bartlett, Leisa Draft lease with Solicitors.</p> <p>10 Nov 2020 4:26pm Bartlett, Leisa Licence is with the Broken Hill Speedway Club for signature.</p> <p>30 Nov 2020 2:11pm Bartlett, Leisa Licence with Speedway Club for signature.</p> <p>12 Feb 2021 10:04am Bartlett, Leisa Licence signed by all parties and is now with the Minister for approval.</p> <p>18 Mar 2021 4:40pm Bartlett, Leisa In progress.</p> <p>16 Apr 2021 10:42am Bartlett, Leisa In progress.</p> <p>12 May 2021 12:14pm Bartlett, Leisa In progress.</p> <p>17 Jun 2021 4:55pm Bartlett, Leisa Waiting on response from Local Aboriginal Land Council.</p> <p>15 Jul 2021 12:15pm Bartlett, Leisa Solicitor is awaiting a response from the Local Aboriginal Land Council.</p> <p>12 Aug 2021 3:04pm Bartlett, Leisa Council's Solicitor is awaiting a response from the Local Aboriginal Land Council.</p> <p>15 Sep 2021 9:06am Bartlett, Leisa Council staff following up with Local Aboriginal Land Council.</p> <p>14 Oct 2021 4:12pm Bartlett, Leisa Awaiting response from Local Aboriginal Land Council.</p> <p>11 Nov 2021 9:02am Bartlett, Leisa Awaiting response from the Local Aboriginal Land Council.</p> <p>16 Dec 2021 11:51am Bartlett, Leisa Awaiting response from Local Aboriginal Land Council.</p> <p>18 Jan 2022 2:55pm Butcher, Lacey Awaiting response from Aboriginal Land Council</p> <p>15 Feb 2022 10:58am Bartlett, Leisa Awaiting response from Aboriginal Land Council.</p> <p>23 Mar 2022 2:42pm Bartlett, Leisa No change in status.</p> <p>19 May 2022 11:23am Bartlett, Leisa No change in status.</p> <p>22 Jun 2022 11:04am Guerin, Emily No change in status</p> <p>18 Jul 2022 3:07pm Guerin, Emily No change in status</p> <p>24 Aug 2022 3:28pm Bartlett, Leisa</p>			

For Action	Division: Ordinary Council	Date From: 1/06/2020
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No change in status.

07 Sep 2022 3:24pm Guerin, Emily - Reallocation
Action reassigned to Mason, Michael by Guerin, Emily

20 Sep 2022 12:16pm Guerin, Emily
No change in status.

18 Oct 2022 9:36am Guerin, Emily
Still awaiting response from Aboriginal Land Council. Further follow up with LALC to again occur.

16 Nov 2022 8:25am Guerin, Emily
No change in status

13 Dec 2022 8:56am Guerin, Emily
No change in status

17 Jan 2023 11:16am Guerin, Emily
No change in status

13 Feb 2023 11:43am Guerin, Emily
No change in status

21 Mar 2023 1:29pm Guerin, Emily
No change in status

18 Apr 2023 11:20am Guerin, Emily
No change in status

23 May 2023 8:48am Butcher, Lacey
No change in status

14 Jun 2023 11:34am Guerin, Emily - Reallocation
Action reassigned to Howard, Codie by Guerin, Emily

20 Jun 2023 8:49am Butcher, Lacey
No change in status

22 Aug 2023 10:50am Falkner, Georgina
No change in status

20 Sep 2023 10:31am Howard, Codie
No change in status.

11 Oct 2023 1:14pm Falkner, Georgina
No change in status.

21 Nov 2023 2:24pm Falkner, Georgina
No change in status.

07 Dec 2023 10:40am Falkner, Georgina
No change in status.

19 Jan 2024 1:44pm Falkner, Georgina
No change in status. Follow up correspondence sent.

Meeting	Officer/Director	Section	Subject
Ordinary Council 31/03/2021	Howard, Codie Nankivell, Jay	Notice of Motion	STREET LIGHTING
Resolved			
<ol style="list-style-type: none"> That Motions of Which Notice has been Given No. 8/21 dated March 19, 2021, be received. That Broken Hill City Council prepares a report to be tabled at the May 2021 Council Meeting regarding the installation of street lighting on Holten Drive, McGillivray Drive and Federation Way. That at the end of the roll-out of the Southern Lights project, an assessment be undertaken of any further need for street lighting including the lighting to the roads mentioned in part 2 (Holten Drive, McGillivray Drive and Federation Way). 			
CARRIED			
16 Apr 2021 10:53am Bartlett, Leisa Report being prepared for the May Council Meeting.			
12 May 2021 4:35pm Bartlett, Leisa Awaiting advice on public lighting code requirements, prior to report being finalised.			
20 Jul 2021 1:45pm Bartlett, Leisa Report still being completed. Meeting with Essential Energy delayed due to COVID-19.			
12 Aug 2021 3:07pm Bartlett, Leisa Meeting with Essential Energy delayed due to COVID-19.			
14 Sep 2021 4:36pm Bartlett, Leisa			

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Meeting with Essential Energy delayed due to COVID-19.

12 Oct 2021 11:09am Bartlett, Leisa
Meeting with Essential Energy delayed due to COVID-19.

11 Nov 2021 9:03am Bartlett, Leisa
Discussions being held with Southern Lights Group around long term ownership of street lights and installation of new poles.

16 Dec 2021 11:52am Bartlett, Leisa
Discussions ongoing.

18 Jan 2022 2:57pm Butcher, Lacey
Discussions ongoing

15 Feb 2022 11:00am Bartlett, Leisa
Discussions ongoing

21 Mar 2022 3:15pm Bartlett, Leisa
Discussions ongoing.

19 Apr 2022 3:01pm Bartlett, Leisa
Southern Lights Project still being carried out by South West joint organisation, with discussions ongoing.

19 May 2022 11:25am Bartlett, Leisa
Engagement of lighting engineer commenced for assessment of current lighting and requirements to meeting the public lighting code.

22 Jun 2022 9:43am Guerin, Emily
No change in status

18 Jul 2022 1:34pm Guerin, Emily
Request for Quotation for street lighting assessment have been sent out and are awaiting response

24 Aug 2022 3:25pm Bartlett, Leisa
Quotations have been received and are currently being evaluated.

14 Sep 2022 10:53am Guerin, Emily
Awaiting schedule from contractors on when works can be completed

18 Oct 2022 9:27am Guerin, Emily
No change in status

21 Nov 2022 2:20pm Guerin, Emily
Assessment currently being completed

13 Dec 2022 11:51am Guerin, Emily
No change in status

16 Jan 2023 2:23pm Guerin, Emily
Report from assessment due in February 2023

13 Feb 2023 2:07pm Guerin, Emily
No change in status

23 Mar 2023 9:49am Guerin, Emily
Assessment has been completed and data recieved. Report will be prepared and presented to April Works Committee for comment.

19 Apr 2023 11:25am Guerin, Emily
Data is still being interpreted and integrated into Council's GIS System

24 May 2023 8:36am Butcher, Lacey
Data transfer is ongoing

21 Jun 2023 3:44pm Butcher, Lacey
No change in status

23 Aug 2023 11:51am Howard, Codie
No change in status

20 Sep 2023 10:39am Howard, Codie
No change in status.

18 Oct 2023 8:43am Howard, Codie
No change in status

21 Nov 2023 12:03pm Howard, Codie
No change in status

12 Dec 2023 2:28pm Howard, Codie
Entire city and all streetlights mapped based on luminosity in Council's GIS System. Framework being developed in regard to street lighting levels and satisfactory standards., Estimated Installation/ Replacement Costs being sought for Streetlighting Infrastructure to finalise report.

23 Jan 2024 2:03pm Howard, Codie
No change in status

Meeting	Officer/Director	Section	Subject
Ordinary Council 26/05/2021	Howard, Codie	Reports	UPDATE ON PROPOSED ACQUISITION OF FEDERATION WAY
	Nankivell, Jay		
Resolved			
1. That Broken Hill City Council Report No. 75/21 dated April 27, 2021, be received.			

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2. That Council note the progress update on the proposed acquisition of Federation Way.
3. That Council seek to negotiate an Indigenous Land Use Agreement (ILUA) with the Barkandji Corporation, to allow Council to acquire the Crown Land while preserving the Barkandji's Native Title rights and interests.
4. That the Mayor and General Manager be authorised to negotiate the terms and conditions of the proposed Indigenous Land Use Agreement (ILUA) with the Barkandji Corporation; and that at the finalisation of negotiations, a report be provided to Council advising the outcome of the negotiations for Council's approval to enter an ILUA with the Barkandji Corporation.

CARRIED UNANIMOUSLY

18 Jun 2021 3:31pm Bartlett, Leisa

All parties agreed to extension of acquisition timeline. Native Title negotiations to commence in July.

15 Jul 2021 12:23pm Bartlett, Leisa

In progress - Solicitors working out date for negotiations.

12 Aug 2021 3:09pm Bartlett, Leisa

Meeting re negotiations delayed due to COVID-19.

26 Aug 2021 3:27pm Falkner, Georgina - Completion

Action completed by Bartlett, Leisa

15 Sep 2021 9:10am Bartlett, Leisa

Meeting likely to be organised remotely due to COVID-19. Solicitors are currently trying to organise potential dates.

14 Oct 2021 4:16pm Bartlett, Leisa

Meeting proposed for early November 2021.

11 Nov 2021 9:05am Bartlett, Leisa

Initial meeting held, further negotiations to continue.

16 Dec 2021 11:57am Bartlett, Leisa

Further negotiations continuing.

18 Jan 2022 2:59pm Butcher, Lacey

Further negotiations continuing

15 Feb 2022 11:07am Bartlett, Leisa

Negotiations continuing.

23 Mar 2022 2:43pm Bartlett, Leisa

No change in status.

19 Apr 2022 10:14am Bartlett, Leisa

An update report regarding the progress of this matter is provided to the April 2022 Health & Building Committee Meeting.

19 May 2022 11:26am Bartlett, Leisa

On hold, pending further discussion with Crown Lands as per the April 2022 Council Meeting Resolution.

22 Jun 2022 11:28am Guerin, Emily

Correspondence sent to Crown Lands

18 Jul 2022 3:08pm Guerin, Emily

No change in status

24 Aug 2022 3:31pm Bartlett, Leisa

No change in status.

07 Sep 2022 3:25pm Guerin, Emily - Reallocation

Action reassigned to Mason, Michael by Guerin, Emily

20 Sep 2022 12:16pm Guerin, Emily

No change in status.

18 Oct 2022 9:46am Guerin, Emily

No change in status

16 Nov 2022 8:26am Guerin, Emily

No change in status

13 Dec 2022 8:56am Guerin, Emily

No change in status

17 Jan 2023 11:17am Guerin, Emily

No change in status

13 Feb 2023 11:43am Guerin, Emily

No change in status

21 Mar 2023 1:30pm Guerin, Emily

No change in status

18 Apr 2023 11:23am Guerin, Emily

No change in status

23 May 2023 8:49am Butcher, Lacey

No change in status

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<p>14 Jun 2023 11:34am Guerin, Emily - Reallocation Action reassigned to Howard, Codie by Guerin, Emily</p> <p>20 Jun 2023 2:22pm Falkner, Georgina No change in status</p> <p>23 Aug 2023 11:51am Howard, Codie No change in status</p> <p>20 Sep 2023 10:39am Howard, Codie No change in status.</p> <p>11 Oct 2023 1:15pm Falkner, Georgina No change in status.</p> <p>21 Nov 2023 2:25pm Falkner, Georgina No change in status.</p> <p>07 Dec 2023 10:40am Falkner, Georgina No change in status.</p> <p>19 Jan 2024 1:45pm Falkner, Georgina No change in status.</p>

Meeting	Officer/Director	Section	Subject
Ordinary Council 12/01/2022	Nankivell, Jay Nankivell, Jay	Council Resolution	Council Resolution
Resolved			
<ol style="list-style-type: none"> That the Mayoral Minute 2/22 dated the 12/01/22 be received. That an Ordinary Council Meeting be held on the 27/01/2022 at 6.30pm. That a workshop be held on Wednesday 19/01/2022 at 5.30pm to organise amendments to Council's Code of Meeting Practice, so that the public forum will be part of Councils 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 27/01/2022. That Council immediately advertises for community groups interested in hosting public meetings to discuss Council matters. The public meetings will be held monthly and business forums bi-monthly; that a report will be presented to the February 2022 meeting of Council about potential arrangements for public meetings. That at the February 2022 meeting of Council, Councillors are to be presented with the required policies, with amendments included, that will allow for cash payments to be accepted at all Council operated facilities. That a workshop will be held to discuss amendments to the following policies, The Code of Conduct, Compliance and Enforcement Policy, Debt Recovery Policy, Local Orders Policy, Media Relations Policy, Social Media Policy and Tree Management Policy. That all expenditure, plans and actions related to the development of the Council's Library hub be abandoned and that the General Manager be invited to present a report to the Council Meeting on 27/1/2022 outlining the use of federal grant money for a purpose built archive that is located in the proposed position of the Library hub. The report will include staffing requirements. That the General Manager be invited to advertise for expressions of interest for a community group to facilitate the removal and replacement of the gateway signage, that Councillors are presented with a report at the February 2022 Council Meeting detailing the cost of replacing one of the gateway signs with a sign chosen by Deanna Spicer from her designs. 			

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9. That the General Manager be invited to provide a report to Council with options on how to manage a complaints committee that is operated locally, the committee will deal with disputed fines and disputed orders.
10. That the General Manager be invited to provide a report to March 2022 Ordinary Council Meeting that details the structure and operations of the former 355 committee known as "The Regional Tourism Association" with a view to re-establish the committee. The goal of the committee will be to market tourism and encourage migration to the city.
11. That the General Manager be invited to provide a report to Council detailing the requirements for dedicated full time Council employed staff to maintain footpaths and nature strips.
12. That the over \$6M collected from waste disposal from the Wentworth to Broken Hill pipeline is removed from the Library hub project reserve and placed into a general projects reserve.
13. That Council forms a 355 committee that deals with all matters that affect our senior citizens and that the formation of the committee is to be advertised to the community for membership and expressions of interest.
14. That Council forms a 355 committee that has the role to bring projects and services to the city that benefit young children, teenage children and young adults and that the formation of the committee will be advertised and expressions sought.
15. That the General Manager be invited to provide a report to Council detailing what amendments need to be made to the constitutions of all Council 355 committees as to provide more autonomy to the committees to operate and manage Council facilities.
16. That the Mayor be invited to organise a meeting with the Local Member Roy Butler and Essential Water as early as possible to significantly accelerate the process to open the Imperial Lake. That a site visit is organised with Essential Energy for Councillors to view the Imperial Lake. That the General Manager be invited to obtain an independent engineers report into the safety of the dam wall. Expressions of interest are advertised immediately for community representation on a working group to facilitate volunteers and the opening of the Lake and that Landcare and RANA are contacted to gauge interest.
17. That options to increase street lighting be referred to the Policy and General committee.
18. That the General Manager be invited to immediately advertise for expression of interest from the community to form a working party to provide Council with advice on projects that Council undertakes, with a view to reduce the Council's reliance on consultants.
19. That the General Manager be invited to hold a workshop to explain to Councillors how line budgets will be implemented for the 2022/23 budget.
20. That the Mayor be invited to host a meeting with the Local State Member Roy Butler and the Local Federal Member Mark Coulton and that John Lynch, and a representative from the RFDS are invited to discuss proposals and options for an airport upgrade and options.

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21. That options to increase childcare be referred to the Policy and General committee.
22. That the Works committee discuss and provide options for the removal of residential waste gate charges, this will also apply to commercial businesses that are disposing of residential rubbish, the committee will also discuss greenwaste and other recycling options. Any findings will be discussed at a number of public meetings.
23. That the General Manager be invited to provide the Council with a report detailing the legal expenditure to defend against the Ombudsman's report into the Occupation Certificate and Civic Centre usage. The report will detail any decision to expend funds to mount such defence. This report will be provided to the February 2022 meeting.
24. That the General Manager be invited to hold a workshop on 24/01/2022 at 5.30 pm to provide Councillors with all reports and information pertaining to the Civic Centre litigation.
25. That the Policy and General committee consider proposals to reduce commercial and industrial rates and to make residential rates more equitable.
26. That the General Manager be invited to advertise for expressions of interest to paint murals and provide other street art and that a report be provided at the January 27th 2022 meeting explaining why the proposed mural in Argent Street from the Country Women's Association was rejected and options to invite them to resubmit their application.
27. That the Policy and General committee investigate the cost for Council to provide more focus on applying for grant funding and the opportunity to apply for grants for local organisations as a fee for service.
28. That the Mayor be invited to send correspondence to the Local State Member Roy Butler asking that he make representations to the State Government on behalf of the Broken Hill community to have a permanent Wentworth pipeline subsidy implemented. That the State Member be asked to facilitate a meeting with the appropriate Minister to meet with himself and the Mayor to discuss the subsidy.
29. That the General Manager be invited to provide Council with a report at the on the progress of the Netball, Norm Fox redevelopment and a tour is organised for Councillors to see all Council parks, ovals and sporting facilities.
30. That the General Manager be invited to organise a meeting with IPART and Essential Energy to discuss options to increase water usage at a lower cost so that the city can be greened.
31. That the Mayor be invited to send correspondence to the Local Member Roy Butler to ask him to organise a meeting with the appropriate Ministers to discuss the management of the Menindee Lakes and the Darling River.
32. That General Manager be invited to immediately advertise for expressions of interest from the community to remove dead trees.
33. That the Works committee investigate options to plant different tree species that are asset friendly and fast growing.
34. That the General Manager be invited to provide Councillors with a report on options to address the issues of roaming dogs and cats. That a meeting be organised of the committee that was formed to address this issue and

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the findings referred to the Policy and General committee.

35. That the General Manager be invited to provide a report about the process to get funding for a mining, truck, car and motorbike museums. The report will include previous reports on the matters and the offer made by Perilya a number of years ago about mining assets.
36. That the General Manager advertise for expressions of interest to form a working group to address the homeless issue, drug and alcohol use and suicide prevention.
37. That the General Manager be invited to provide a report to Council detailing options to facilitate a truck wash and truck stop.
38. That the General Manager be invited to provide a report to the January meeting about any positions in the employee structure that remain unfilled and the expense to date for wages compared to the budgeted amount. Also the expected wage amount to year end with only the current positions filled.
39. That the General Manager be invited to contact the appropriate Aboriginal organisations to facilitate communication for the purpose of establishing a green space at the rear of Creedon Street.
40. That the General Manager provides a report to the January 27 2022 Ordinary Council Meeting outlining timelines for the implementation of the resolutions of Mayoral Minute No. 2/22.

CARRIED

21 Jan 2022 5:25pm Bartlett, Leisa

2. - COMPLETE, 3. - COMPLETE. Draft for public exhibition presented to the January Council Meeting., 4. - Report to be presented to the February Council Meeting., 5. - Report to be presented to the February Ordinary Council Meeting, 6. - Workshops to be scheduled during February to enable consideration of amended policies at the March Committee meetings., 7. - Report presented to the January Council Meeting., 8. - Report to be presented to the February Council Meeting., 9. - Report to be presented to the March Policy & General Committee Meeting., 10. - Report to be presented to the March Ordinary Council Meeting, 11. - Workshops to be held with Council through the development of the 2022/23 Operational Plan and Resourcing Strategy, with a report provided to the April 2022 Policy & General Committee., 12. - Internal transfer of reserves has been completed. An updated internal reserve table will be presented as part of the December Quarterly Review Report., 13. - A workshop will be held with Councillors in March to formulate a TOR for presentation to the March Committee Meetings., 14. - A workshop will be held with Councillors in March to formulate a TOR for presentation to the March Committee Meetings., 15. - Report to be presented to the March Works Committee meeting., 16. - Site visit being arranged with Essential Water for the week commencing 31 January 2022., 17. - Options to be presented at the April Works Committee meeting., 18. - Projects Steering Group Terms of Reference to be formulated and presented to the February Ordinary Council Meeting., 19. - Workshops to be held during March 2022 as part of the 2022/23 budget process., 20. - Meeting to be scheduled for February 2022., 21. - Further consultation with Foundation Broken Hill is recommended during February 2022 with options for Council support to be presented to the March Health and Building Committee Meeting., 22. - to occur during March 2022 as part of the 2022/23 budget process., 23. - Report to be presented to the February Council Meeting., 24. - Workshop held on 24 January 2022., 25. - to occur during March 2022 as part of the 2022/23 budget process., 26. - Report presented at this Council Meeting. EOI for murals and street art in accordance with Council's Public Art Policy to be advertised in February 2022., 27. - This will be workshopped with Council through the development of the 2022/23 Operational Plan and Resourcing Strategy, with a report provided to the April Policy and General Committee meeting., 28. - Letter being drafted., 29. - Report presented to January Council Meeting with site visits and further workshops scheduled for February., 30. - Meeting to be organised for February 2022., 31. - Letter being drafted., 32. - EOI to be advertised during February 2022 following the results of the tree audit to identify high priority areas of removal in the first instance., 33. - Tree Management Policy and Tree Management Plan to be workshopped with Councillors during February 2022 for presentation to the March Works Committee Meeting., 34. - Report will be provided to Councillors in March 2022, following the commencement of Council's recently appointed Executive Manager Planning and Community Safety., 35. - Priority projects and funding to be discussed and workshopped as part of the development of the 2022/23 Operational Plan and Resourcing Strategy., 36. - Working Groups Terms of Reference to be developed in consultation with the appropriate stakeholders and presented to the April Health and Building Committee Meeting., 37. - Report to be presented to the February Council Meeting for further consideration to occur as part of the 2022/23 budget process., 38. - Report presented to the January Council Meeting - COMPLETE, 39. - Contact and further investigation to occur during February 2022 when appropriate Officers return from leave., 40. - Report presented to January Council Meeting - COMPLETE

11 Feb 2022 5:02pm Bartlett, Leisa

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<p>2 - COMPLETE. 3 - Code of Meeting Practice Policy placed on public exhibition-COMplete. 4 - Report prepared to February Council Meeting regarding Business Meetings. 5 - Report prepared to February Council Meeting - COMPLETE. 6 - Workshops scheduled for 7&9 March 2022. 7 - Report presented to 27/01/22 Council Meeting - COMPLETE. 8 - Report presented to February Council Meeting tracking of further action will continue with that report resolution - COMPLETE. 9 - Report to be presented to March Policy and General Committee Meeting. 10 - Report prepared for February Council Meeting and tracking of further action will continue with that report resolution - COMPLETE. 11 - to be included in Budget Workshops with a report to April Policy & General Committee. 12 - Funds moved, adjustments to be made in Quarter 3 budget review report. 13&14 Report to February Council Meeting and tracking of further action will continue with that report-COMplete. 15 - Report to be presented to March Works Committee. 16 - Site visit has been held. 17 - Report to be presented to April Works Committee. 18 - Report to February Council Meeting and tracking of further action will continue with that report resolution - COMPLETE. 19 - Budget workshops to be held in March. 20 - Meeting scheduled for 21/02/22. 21. Meeting being scheduled with Foundation Broken Hill. 22 - To be discussed during Budget workshops in March. 23 - Report prepared for February Council Meeting - COMPLETE. 24 - Councillor Briefing has been held - COMPLETE. 25 - To be included in Budget workshops in March. 26 - Report presented to February Council Meeting and advertising to occur in February. 27 - To be workshopped with Operational Plan 2022/23 and a report to the April Policy & General Committee. 28 - Draft Letter with Mayor for signature. 29 - Report was presented to 27 January Council Meeting, site visit scheduled for 25/2/22. 30 - Meeting being scheduled. 31 - Draft Letter with Mayor for signature. 32 - EOI to be advertised following completion of the Tree Audit. 33 - Policy workshop being scheduled. 34 - Report to be presented to March Policy and General Committee. 35 - To be included in Operational Plan 2022/23 workshop. 36 - Report prepared to February Council Meeting. 37 - Report prepared to February Council Meeting and further tracking will be included with resolution of new report - COMPLETE. 38 - Report presented to 27 January Council Meeting - COMPLETE. 39 - Report prepared to February Council Meeting and further tracking will be included with the resolution of the new report - COMPLETE. 40 - Report presented to 27 January Council Meeting - COMPLETE.</p> <p>23 Mar 2022 3:05pm Bartlett, Leisa 2-COMplete, 3-COMplete, 4-report regarding public meetings to be presented to Council, 5-COMplete, 6- Code of Conduct, Media Relations Policy and Social Media Policy have been workshopped. Workshops to be arranged for the Compliance & Enforcement Policy, Debt Recovery Policy, Local Orders Policy and Tree Management Policy. 7-COMplete, 8-COMplete, 9-Report to be presented to Council following the Policy Workshop on the Local Orders Policy. 10-COMplete, 11- report to be presented to the April Policy & General Committee following the budget workshop. 12-adjustments made in quarter 3 budget review report-COMplete. 13&14-COMplete, 15-report presented to March Policy and General Committee-COMplete, 16-Site visit held and investigations ongoing, 17-report to be presented to April Works Committee, 18-COMplete, 19-Budget workshops to be held in March, 20-Meeting held COMPLETE, 21-Report presented to March Health and Building Committee-COMplete, 22-to be discussed at budget workshops in March, 23-COMplete, 24- COMPLETE, 25-to be discussed at budget workshops in March, 26-included in Public Art Policy Workshop held on 10 March and policy updated as per resolution-COMplete, 27-to be workshopped with operational plan and a report to April Policy & General Committee, 28-letter sent-COMplete, 29-Site visit scheduled-COMplete, 30-meeting being scheduled. 31-letter sent-COMplete, 32-EOI to be advertised following completion of the tree audit, 33-Policy workshop being scheduled, 34-report to be presented to Council. 35- to be included in operational plan workshop, 36-interagency group formed-COMplete, 37-COMplete, 38-COMplete, 39-COMplete, 40-COMplete</p> <p>13 Apr 2022 2:40pm Bartlett, Leisa 2-COMplete, 3-COMplete, 4-Public Forums introduced to Council Meetings and Foundation Broken Hill to commence community meetings, Business Forums already being held-COMplete, 5-COMplete, 6-Councillor Workshop to consider the remaining policies scheduled for 10 May 2022-COMplete, 7-COMplete, 8-COMplete, 9-To be considered at Councillor Workshop on 10 May 2022-COMplete, 10-COMplete, 11-Report to be provided following the Councillor Budget Workshop, 12-COMplete, 13-COMplete, 14-COMplete, 15-COMplete, 16-Councillor Briefing by Landcare scheduled for 28/4/22 regarding the Imperial Lakes Nature Park Project-COMplete, 17-Report to be presented to Council following the Councillor Budget Workshop scheduled for 26/4/22, 18-COMplete, 19-part of full-day Councillor Budget Workshop scheduled for 26/4/22-COMplete, 20-COMplete, 21-COMplete, 22-to be considered at an Extraordinary Council Meeting along with the 2022/23 budget-COMplete, 23-COMplete, 24-COMplete, 25-included in Councillor Budget Workshop and will be included in budget report to Extraordinary Council Meeting-COMplete, 26-COMplete, 27-To be considered at an Extraordinary Council Meeting along with the budget report-COMplete, 28-COMplete, 29-COMplete, 30-meeting to be scheduled, 31-COMplete, 32-EOI to be advertised following completion of the Tree Audit, 33-Tree Management Policy currently being reviewed and provided to Council Meeting, 34 report to be presented to Council, 35-to be included in Councillor Budget Workshop scheduled for 26/4/22-COMplete, 36-COMplete, 37-COMplete, 38-COMplete, 39-COMplete, 40-COMplete</p> <p>19 May 2022 11:38am Bartlett, Leisa 6-Councillor Workshop to consider the remaining policies re-scheduled for 15 June 2022-COMplete, 9- Councillor Workshop scheduled for 15 June 2022-COMplete, 17-Report to be presented to Council following the adoption of the Budget in May 2022, 1, 30-meeting to be scheduled, 32-EOI to be advertised following completion of the Tree Audit, 33-Tree Management Policy currently being reviewed and provided to Council Meeting, 34 report to be presented to Council</p> <p>15 Jun 2022 1:28pm Nankivell, Jay - Completion Action completed by Bartlett, Leisa</p> <p>22 Jun 2022 10:26am Guerin, Emily 17. No change in status. 30. Representatives of the Broken Hill City Council will attend a public hearing for the Essential Water and WaterNSW Pipeline reviews in September 2022 (date TBC). 32- EOI to be advertised following completion of the Tree Audit, 33 - No change in status 34. Nominations for Working Group closed 17/6/22. Community Members to be determined by General Manager. First meeting will be held in due course.</p> <p>19 Jul 2022 9:48am Guerin, Emily 17. No change in status. 30. Council briefing has been organised for Councillors to review IPART draft report into the review of Water NSW prices for the Murray River to Broken Hill pipeline, being held Tuesday, 9 August 2022. 32. No change in status. 33. No change in status. 34. Community Representatives appointed by General Manager, welcome letters sent to Committee Members beginning of July. First meeting date TBC.</p> <p>24 Aug 2022 3:34pm Bartlett, Leisa 17. Quotations for street lighting assessment have been received and are currently being evaluated. 30. - COMPLETE, 32. Advertising to occur in September, conversations with suppliers held in August. 33 - COMPLETE, 34 - First meeting of the Working Group to be arranged.</p> <p>24 Aug 2022 3:56pm Butcher, Lacey 17. No change in status 30. Complete 32. Advertising to occur in September, Conversations held with suppliers in August. 33 Complete. 34 Complete.</p>

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19 Sep 2022 1:18pm Guerin, Emily
17. Contractors awarded, awaiting works schedule. 32. No change in status

20 Oct 2022 1:07pm Guerin, Emily
17. No change in status 32. No change in status

21 Nov 2022 2:05pm Guerin, Emily
17. No change in status 32. No change in status

13 Dec 2022 11:55am Guerin, Emily
17. No change in status 32.No change in status

16 Jan 2023 2:25pm Guerin, Emily
17. No change in status 32. No change in status

13 Feb 2023 11:47am Guerin, Emily
17. No change in status 32. No change in status

22 Mar 2023 11:54am Guerin, Emily
17. No change in status 32. No change in status

23 May 2023 3:16pm Butcher, Lacey
Item - 17.No change in status Item 32. EOI to go out in the last week of May.

21 Jun 2023 4:37pm Butcher, Lacey
32 - EOI issued Item 17 - No change in status

19 Jul 2023 9:23am Guerin, Emily
17. Audit completed, assessment of data being undertaken

22 Aug 2023 9:59am Butcher, Lacey
Item 17 - No change in status

18 Jan 2024 10:10am Butcher, Lacey
Item 17 - Entire city and all streetlights mapped based on luminosity in Council's GIS System. Framework being developed in regard to street lighting levels and satisfactory standards., Estimated Installation/ Replacement costs being sought for Streetlighting Infrastructure to finalise report.

Meeting	Officer/Director	Section	Subject
Ordinary Council 23/02/2022	Nankivell, Jay Nankivell, Jay	Confidential Matters	LEGAL EXPENDITURE - CIVIC CENTRE OMBUDSMAN'S REPORT
<u>Resolved</u>			
1. That Broken Hill City Council Report No. 54/22 dated February 15, 2022, be received.			
2. That the General Manager be invited to contact the Auditor General to investigate the legality of the expenditure to defend the Ombudsman's report in the absence of Council's approval to do so.			
CARRIED UNANIMOUSLY			
24 Mar 2022 5:35pm Bartlett, Leisa Communication initiated with the Audit Office to commence the investigation and the best course of action.			
19 May 2022 11:47am Bartlett, Leisa No change in status.			
20 Jul 2022 4:05pm Guerin, Emily No change in status			
24 Aug 2022 4:05pm Butcher, Lacey Awaiting advice from Audit Office			
19 Sep 2022 11:32am Guerin, Emily No change in status			
21 Nov 2022 2:29pm Guerin, Emily No change in status			
07 Dec 2022 9:37am Guerin, Emily Ongoing			
17 Jan 2023 11:22am Guerin, Emily Nothing futher			
14 Feb 2023 1:43pm Guerin, Emily Ongoing			
21 Mar 2023 1:50pm Guerin, Emily Ongoing			
18 Apr 2023 2:09pm Guerin, Emily Ongoing			

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23 May 2023 3:19pm Butcher, Lacey Ongoing
21 Jun 2023 4:39pm Butcher, Lacey Ongoing
19 Jul 2023 9:24am Guerin, Emily No change in status
22 Aug 2023 3:45pm Butcher, Lacey Ongoing
18 Jan 2024 8:41am Butcher, Lacey Ongoing

Meeting	Officer/Director	Section	Subject
Ordinary Council 27/07/2022	Howard, Codie Nankivell, Jay	Confidential Matters	WILLYAMA COMMON TRUST LEASE TO SILVER CITY ARCHERS
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 167/22 dated June 22, 2022, be received. That Council (as the Willyama Common Trust) enter into a new 20 year lease agreement with Silver City Archers, for lease of their existing site on the Willyama Common (Part Lot 7388 Deposited Plan 1200953). That the rent remain \$250 per annum. That in the absence of a Trust Seal, the lease documents be executed by the Mayor and General Manager under the Common Seal of Council. 			
CARRIED UNANIMOUSLY			
25 Aug 2022 1:02pm Butcher, Lacey Council's solicitors are preparing the draft lease			
20 Sep 2022 11:29am Guerin, Emily Continuing use as currently arranged while new template is being reviewed.			
18 Oct 2022 9:35am Guerin, Emily Template being reviewed. Current lease ongoing			
16 Nov 2022 8:26am Guerin, Emily Lease under review			
13 Dec 2022 8:56am Guerin, Emily Draft lease sent to Silver City Archers for review			
17 Jan 2023 11:17am Guerin, Emily No change in status			
13 Feb 2023 11:44am Guerin, Emily No change in status			
21 Mar 2023 1:30pm Guerin, Emily Solicitors are making minor amendments to lease document			
18 Apr 2023 11:23am Guerin, Emily Amendments made and lease to be sent to Silver City Archers for review and signing			
22 May 2023 3:50pm Butcher, Lacey lease is now with Council for signing			
14 Jun 2023 11:33am Guerin, Emily - Reallocation Action reassigned to Howard, Codie by Guerin, Emily			
20 Jun 2023 8:48am Butcher, Lacey lease with Silver City Archers for signing			
22 Aug 2023 10:52am Falkner, Georgina Lease signed by Council and Silver City Archers. Lease has been sent to Crown Lands for Ministerial consent.			
20 Sep 2023 10:40am Howard, Codie No change in status.			
11 Oct 2023 1:19pm Falkner, Georgina Awaiting Ministerial consent.			
21 Nov 2023 2:25pm Falkner, Georgina Discussions ongoing with Crown Lands.			
07 Dec 2023 10:41am Falkner, Georgina Discussions ongoing.			

For Action	Division:	Date From:	1/06/2020
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19 Jan 2024 1:45pm Falkner, Georgina
No change in status.

Meeting	Officer/Director	Section	Subject
Ordinary Council 28/09/2022	Howard, Codie Nankivell, Jay	Works Committee Reports	UPDATE FOR THE ESTABLISHMENT OF A COMMUNITY GARDEN AT THE FORMER ALMA POOL SITE
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 202/22 dated September 9, 2022, be received. That Council formulate a Community Gardens Policy with associated Guidelines for presentation to the community for input and consultation. 			
CARRIED UNANIMOUSLY			
18 Oct 2022 9:31am Guerin, Emily No change in status			
21 Nov 2022 2:51pm Guerin, Emily No change in status			
13 Dec 2022 11:52am Guerin, Emily Policy currently being created.			
16 Jan 2023 2:24pm Guerin, Emily No change in status			
13 Feb 2023 2:08pm Guerin, Emily No change in status			
23 Mar 2023 9:50am Guerin, Emily No change in status			
19 Apr 2023 11:25am Guerin, Emily No change in status			
23 May 2023 3:24pm Butcher, Lacey No change in status			
21 Jun 2023 3:46pm Butcher, Lacey No change in status			
23 Aug 2023 11:52am Howard, Codie No change in status			
20 Sep 2023 10:40am Howard, Codie No change in status.			
18 Oct 2023 8:43am Howard, Codie Draft Policy currently being prepared.			
21 Nov 2023 12:04pm Howard, Codie Draft Policy preparation is on-going			
12 Dec 2023 2:29pm Howard, Codie No change in Status			
23 Jan 2024 2:05pm Howard, Codie No change in status.			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/11/2022	Howard, Codie Nankivell, Jay	Works Committee Reports	RENEWABLE ENERGY ACTION PLAN STAGE 2
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 246/22 dated November 11, 2022, be received. That Council adopt and proceed with Stage II of the Renewable Energy Action Plan incorporating the pre-feasibility stage of a Mid-Scale Solar Array. 			

For Action	Division: Ordinary Council	Date From: 1/06/2020
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<p>3. That subject to recommendation two, Council notes the General Manager will identify budgetary adjustments and impacts in the September Quarterly Budget Review.</p> <p>4. That subject to recommendation two, Council commence the process with Crown Lands to either lease or acquire the land and obtain Ministerial Consent dependent on the most financially feasible and time appropriate process.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p>13 Dec 2022 11:52am Guerin, Emily Purchase order to be raised.</p> <p>16 Jan 2023 2:23pm Guerin, Emily No change in status</p> <p>13 Feb 2023 2:10pm Guerin, Emily No change in status</p> <p>23 Mar 2023 9:48am Guerin, Emily No change in status</p> <p>19 Apr 2023 11:25am Guerin, Emily No change in status</p> <p>21 Jun 2023 3:47pm Butcher, Lacey No change in status</p> <p>23 Aug 2023 11:53am Howard, Codie No change in status</p> <p>20 Sep 2023 10:52am Howard, Codie No change in status.</p> <p>18 Oct 2023 8:44am Howard, Codie No change in status</p> <p>21 Nov 2023 12:05pm Howard, Codie No change in status</p> <p>12 Dec 2023 2:30pm Howard, Codie No change in Status</p> <p>23 Jan 2024 2:06pm Howard, Codie No change in status.</p>
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Meeting	Officer/Director	Section	Subject
Ordinary Council 30/11/2022	Howard, Codie Nankivell, Jay	Notice of Motion	BUSY KIDS CHILDCARE CENTRE
Resolved			
<p>1. That Motions of Which Notice has been Given No. 3/22 dated November 14, 2022, be received.</p> <p>2. That the General Manager be invited to correspond with Crown Lands to urgently seek a solution to expedite the process of extinguishing Native Title on the 4048m² allotment at Lot 4444/DP757298, being 123 Bagot Street; and for the allotment to be made freehold with a change of land use to enable a purchaser to establish a childcare centre on the allotment.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p>13 Dec 2022 8:53am Guerin, Emily Letter to Crown Lands being drafted</p> <p>17 Jan 2023 11:17am Guerin, Emily Letter to Crown Lands has been sent</p> <p>13 Feb 2023 11:44am Guerin, Emily No change in status</p> <p>21 Mar 2023 1:31pm Guerin, Emily No change in status</p> <p>18 Apr 2023 11:23am Guerin, Emily Crown Lands seeing alternate avenues.</p> <p>23 May 2023 8:50am Butcher, Lacey No change in status</p>			

For Action	Division: Committee: Ordinary Council	Date From: 1/06/2020 Date To: 23/01/2024
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14 Jun 2023 11:34am Guerin, Emily - Reallocation
Action reassigned to Howard, Codie by Guerin, Emily

23 Aug 2023 11:52am Howard, Codie
Still awaiting response from Crown Lands.

20 Sep 2023 10:52am Howard, Codie
No change in status.

18 Oct 2023 8:44am Howard, Codie
No change in status

23 Jan 2024 2:05pm Howard, Codie
Ongoing negotiations with Crown Lands has resulted in the recommendation to proceed with compulsory acquisitions of the lot. These plans and surveys are now being planned for Council's endorsement.

Meeting	Officer/Director	Section	Subject
Ordinary Council 24/01/2023	Nankivell, Jay Nankivell, Jay	Confidential Matters	LAND ACQUISITION
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 15/23 dated January 18, 2023, be received. That Council authorise and delegate to the General Manager to pursue the purchase of 'the subject' land via either private treaty or at the upcoming Sale of Land for Unpaid Rates Auction to be held on 15 & 16 February 2023. That the General Manager be delegated authority to increase Council's purchase bid by up to 50% in order to secure the purchase of 'the subject' land via either private treaty or at the upcoming Sale of Land for Unpaid Rates Auction to be held on 15 & 16 February 2023. That Council authorise the General Manager to engage a consultant to develop and prepare a feasibility study, preliminary concept designs and a business case for the development of multi-story residential apartment buildings on 'the subject land' specifically for the accommodation of key workers in the City. That following initial discussions with Ministers and key stakeholders within NSW Government, the General Manager proceeds with formal negotiations to secure a Memorandum of Understanding and Partnership Agreement for the development of key worker housing apartments. 			
CARRIED UNANIMOUSLY			
<p>14 Feb 2023 1:44pm Guerin, Emily Contract for sale signed awaiting settlement</p> <p>18 Apr 2023 2:32pm Guerin, Emily No change in status</p> <p>23 May 2023 3:20pm Butcher, Lacey No change in status</p> <p>21 Jun 2023 4:39pm Butcher, Lacey Delayed due to the passing of the owner</p> <p>19 Jul 2023 9:20am Guerin, Emily No change in status</p> <p>22 Aug 2023 3:46pm Butcher, Lacey No change in status</p> <p>12 Dec 2023 2:50pm Butcher, Lacey No change in status</p> <p>18 Jan 2024 8:41am Butcher, Lacey No change in status</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 29/03/2023	Nankivell, Jay Nankivell, Jay	Policy And General Reports	ESTABLISHMENT BROKEN HILL TOURISM ORGANISATION
Resolved			

For Action	Division: Ordinary Council	Date From: 1/06/2020
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- That Broken Hill City Council Report No. 49/23 dated February 16, 2023, be received.
- That the General Manager develop a proposal and business case to establish a member based not-for-profit company limited by guarantee for the purposes of a tourism organisation.
- That the proposal, including associated documentation required by the Office of Local Government, deliverables, and proposed budget, be presented to Council for consideration prior to being submitted to the Minister via the Office for Local Government as required under Section 358 of the *Local Government Act 1993*.

CARRIED UNANIMOUSLY

19 Apr 2023 9:49am Guerin, Emily
Proposal being drafted

23 May 2023 3:08pm Butcher, Lacey
No change in status

23 May 2023 3:09pm Butcher, Lacey - Reallocation
Action reassigned to Nankivell, Jay by Butcher, Lacey

21 Jun 2023 4:47pm Butcher, Lacey
ongoing

19 Jul 2023 9:20am Guerin, Emily
No change in status

22 Aug 2023 3:46pm Butcher, Lacey
No change in status

12 Dec 2023 2:50pm Butcher, Lacey
No change in status

18 Jan 2024 8:42am Butcher, Lacey
No change in status

Meeting	Officer/Director	Section	Subject
Ordinary Council 31/05/2023	Howard, Codie Nankivell, Jay	Confidential Matters	PROPOSED WILLYAMA COMMON ACCESS LICENCE TO A-CAES NSW PTY LTD

Resolved

- That Broken Hill City Council Report No. 81/23 dated April 27, 2023, be received.
- That Council (as Trust Manager of the Willyama Common Trust) provide consent for an access licence to be granted to A-CAES NSW Pty Ltd for the purpose of geotechnical site investigation on Part Lot 7320 DP 1201053.
- That the licence be issued for a period of twelve (12) months and the annual rent be \$574 (current Crown Lands minimum rent).
- That the Mayor and General Manager be authorised to sign and execute the licence documents under the Common Seal of Council.

CARRIED UNANIMOUSLY

20 Jun 2023 2:23pm Falkner, Georgina
Draft licence document being finalised

22 Aug 2023 10:54am Falkner, Georgina
Licence being prepared for signing

20 Sep 2023 10:53am Howard, Codie
No change in status.

18 Oct 2023 8:45am Howard, Codie
No change in status

21 Nov 2023 2:26pm Falkner, Georgina
No change in status.

07 Dec 2023 10:41am Falkner, Georgina
No change in status.

For Action	Division: Committee: Ordinary Council	Date From: 1/06/2020 Date To: 23/01/2024
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19 Jan 2024 1:47pm Falkner, Georgina
No change in status.

Meeting	Officer/Director	Section	Subject
Ordinary Council 26/07/2023	Nu'man, Razija Nankivell, Jay	Further Reports	MINUTES OF THE S355 YOUTH ADVISORY COMMITTEE MEETING HELD 21 MARCH 2023
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 144/23 dated July 17, 2023, be received. That the minutes of the S355 Youth Advisory Committee meeting held on 21 March 2023 be received. That Council support the Community Development Officer in investigating the opportunity for a youth coordination day enhancing the voice of youth in 2024. That Council prepare and send correspondence to the former Community Development Officer acknowledging and thanking her for her contribution and support while in the role. That Council encourage and invite service organisations and providers to participate as committee members to assist in Youth being represented. 			
CARRIED UNANIMOUSLY			
23 Aug 2023 9:58am Brealey, Jodie Items 4 and 5 Completed			
23 Aug 2023 10:22am Merton, Rachel Item 3 - Community Development Officer commencing 11/9/2023 to follow up on commencement.			
18 Oct 2023 9:35am Butcher, Lacey No change in status			
20 Nov 2023 11:26am Merton, Rachel No change in status			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/08/2023	Brown, Simon Nankivell, Jay	Confidential Matters	ACQUISITION OF LAND - ASSESSMENT 36970
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 163/23 dated August 14, 2023, be received. That Council proceed with the transfer of Assessment 36970 – 101 Cornish Lane into Councils possession in accordance with Section 570 of the <i>Local Government Act 1993</i> That Council write off outstanding rates on the property of \$4,688.78 with an upper limited of \$5,000 to allow for any additional interest and costs yet to be attributed and finalised. That Council delegate authority to the General Manager to sign documents required to complete the transfer. That Council pay conveyancing costs to complete the transfer. 			
CARRIED UNANIMOUSLY			
21 Sep 2023 12:42pm Butcher, Lacey conveyancing process is in progress			
18 Oct 2023 9:21am Butcher, Lacey			

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No change to status
20 Nov 2023 11:11am Butcher, Lacey
 No change to status
12 Dec 2023 2:54pm Butcher, Lacey
 No change in status
19 Jan 2024 2:13pm Butcher, Lacey
 No change in status

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/08/2023	Nankivell, Jay Nankivell, Jay	Confidential Matters	SALE OF LOT 2, 3, 4, 5, 6 & 7 IN DP 1102740
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 164/23 dated August 21, 2023, be received. That Lots 2 to 7 in DP 1102740 be sold to the current leaseholders, Broken Hill Lifestyle Village. That the General Manager be authorised to negotiate a sale price with Broken Hill Lifestyle Village, with the current market value as listed within the report as a basis. That Council protect its development interests in the land by placing a positive covenant on the sale of the land and/or stagger the sale of individual lots based on development progress. That the Mayor and General Manager be authorised to sign and apply the Common Seal of Council on necessary documents to execute the sale. 			
			CARRIED
21 Sep 2023 11:57am Bartlett, Leisa Solicitors drafting contract. 18 Oct 2023 9:27am Butcher, Lacey No change in status 05 Dec 2023 4:08pm Butcher, Lacey Contract being reviewed by Broken Hill Lifestyle Villages 18 Jan 2024 8:42am Butcher, Lacey Further contract amendments occurring			

Meeting	Officer/Director	Section	Subject
Ordinary Council 30/08/2023	Howard, Codie Nankivell, Jay	Further Reports	MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO.438, HELD ON THURSDAY, 10 AUGUST 2023
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 166/23 dated August 11, 2023, be received. That the minutes of the Local Traffic Committee – Meeting No.438, held on Thursday, 10 August 2023 be endorsed. That Item No. 427.6.1 recommendations be endorsed: <ul style="list-style-type: none"> That the Local Traffic Committee supports relocation of the 'Bus Stop' on Blende Street, adjacent to the Con Crowley Retirement Village. That Item No. 427.9.1 recommendation be endorsed: <ul style="list-style-type: none"> That Council continue to liaise with KFC Management regarding traffic matters and that no further action be required by the Local Traffic Committee. 			

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5. That Item No. 436.8.1 recommendation be endorsed:
 - That Council's Community Safety Officer-Ranger's continue to monitor the 15-minute timed parking, adjacent to Aruma Lodge – Southern Cross Care.
 6. That Item No. 437.8.2 recommendation be endorsed:
 - That the Local Traffic Committee endorse the Traffic Control/Management Plans provided for the Broken Hill Festival in principle, dependent on supply of additional details to be included on the Traffic Control/Management Plans.
 7. That Item No. 438.8.1 recommendations be endorsed:
 - That the Local Traffic Committee supports the request from Damascus College, Ballarat Victoria's Sustainable Race Team to access Broken Hill's local roads for the fundraiser in principle, dependent on Transport for NSW comments following review.
- CARRIED UNANIMOUSLY**
- 20 Sep 2023 11:01am Howard, Codie**
Item No. 427.6.1 - with operational team for completion., Item No. 427.9.1 - COMPLETED., Item No. 436.8.1 - COMPLETED., Item No. 437.8.2 - COMPLETED., Item No. 438.8.1 - COMPLETED - Action with TfNSW & NSW Police for approval - No Further Action.
- 18 Oct 2023 8:45am Howard, Codie**
No change in status
- 21 Nov 2023 12:05pm Howard, Codie**
No change in status
- 12 Dec 2023 2:31pm Howard, Codie**
No change in Status

Meeting	Officer/Director	Section	Subject
Ordinary Council 27/09/2023	Nu'man, Razija Nankivell, Jay	Further Reports	RE-ESTABLISHMENT OF ALCOHOL-FREE ZONES
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 190/23 dated September 8, 2023, be received. 2. That Council endorse the proposal (as attached) to re-establish the Alcohol-Free Zone known as Creedon Street, including public roads and laneways, public car parks and footpath area of Creedon Street bounded by Rakow and Wills Streets. 3. That Council endorse the proposal (as attached) to re-establish the Alcohol-Free Zone known as Shell Memorial including all public roads and laneways, public car parks and footpaths in an area bounded by Iodide, Thomas, Bromide and Mica Streets including Oxide Street from Thomas Street through to Morgan Street. 4. That Council endorse the proposal (as attached) to re-establish the Alcohol-Free Zone surrounding the E.T. Lamb Memorial Oval, including public roads and laneways, public car parks and footpath area surrounding the oval bounded by South, Boughtman, Comstock and Jamieson Streets. 5. That Council endorse the proposal (as attached) to re-establish the Alcohol-Free Zone known as South Broken Hill including all public roads and laneways, public car parks and footpaths in an area bounded by Bonanza, Patton, Central and Hebbard Streets including South Street from Piper Street through to Wilson Street; with extension from Bonanza Street to Morish Street and off Bonanza Street from Wilson Street to Picton Street. 6. That Council refer the Proposals for comment in accordance with the provisions of the <i>Local Government Act 1993</i> and Ministerial Guidelines (2009) to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area and all affected licensed premises and registered clubs that border on, adjoin or are adjacent to the proposed alcohol free zone, for response within thirty days of public notice. 			

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<p>7. That Council invite public comment on the proposal through an advertisement in local newspaper with time for response within thirty days.</p> <p>8. That a further report be submitted to Council upon completion of the consultative process.</p> <p>9. That a report be prepared to a future Council meeting regarding a possible exemption to the prohibition of alcohol from the Norm Fox Sporting Grounds changeroom</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p>03 Oct 2023 12:08pm Brealey, Jodie Item 6 - Proposals forwarded to all stakeholders - COMPLETE, Item 7 - Proposals advertised in Barrier Truth - COMPLETE, Item 8 - Public exhibition underway consultation outcome report to Council to go to October Ordinary meeting - COMPLETE, Item 9 - Possible exemption for Norm Fox Sporting Grounds changeroom prohibition from alcohol prohibited area under investigation - Progressing</p> <p>16 Oct 2023 5:10pm Brealey, Jodie Item 9 - Possible exemption to the prohibition of alcohol consumption at the Norm Fox Sporting Grounds changeroom under investigation - Norm Fox Sporting Complex Alcohol Prohibited Area research underway to gather background information for discussion with Police. Dir Corporate and Community visited Norm Fox changeroom and met with Peter Johnston to discuss area to be considered during discussions with Police. Meeting with Police to be arranged to determine best outcome.</p> <p>17 Nov 2023 4:26pm Brealey, Jodie Investigation still in progress</p> <p>13 Dec 2023 9:24am Butcher, Lacey No change in status</p> <p>18 Jan 2024 3:31pm Butcher, Lacey In progress - discussions held with Licensing Sergeant in December 2023, with face to face meeting to be arranged to discuss options in 2024</p>

Meeting	Officer/Director	Section	Subject
Ordinary Council 27/09/2023	Nu'man, Razija Nankivell, Jay	Policy And General Reports	MINUTES OF THE S355 AGEING WELL ADVISORY COMMITTEE MEETING HELD 2 AUGUST 2023
Resolved			
<p>1. That Broken Hill City Council Report No. 179/23 dated September 6, 2023, be received.</p> <p>2. That the minutes of the S355 Ageing Well Advisory Committee meeting held 2 August 2023 be received.</p> <p>3. That Council prepare and send correspondence to service providers to enquire if they provide meals to clients, if so, where are the meals prepared and what is the cost of the meals.</p> <p>4. That the Ageing Well Advisory Committee provides a report to the General Manager outlining the issues currently being faced by the local aged care industry (aged care facilities and in-home aged care providers) with the issue of the reoccurrence of local elderly people being sent to Wentworth or Mildura Nursing Homes to be included in the report.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p>18 Oct 2023 11:50am Butcher, Lacey Item 3 – consultation with service providers currently in progress, Item 4 – Under investigation, with further information to be provided</p> <p>20 Nov 2023 11:30am Merton, Rachel Item 3 - Meeting scheduled for 1/11/23 had no quorum. Presentation scheduled for next meeting February 2024.</p> <p>20 Nov 2023 11:39am Merton, Rachel Item 4 - consultation with service providers in progress</p> <p>12 Dec 2023 1:48pm Merton, Rachel Item 4 - No change to status</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 27/09/2023	Howard, Codie	Health and Building Committee Reports	PROPOSED SECTION 3.22 AMENDMENT OF THE BROKEN HILL LOCAL ENVIRONMENTAL PLAN 2013 - REZONING OF PART LOT 5 DEPOSITED PLAN 1175135 (336A MCCULLOCH STREET)

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Nankivell,
Jay

Resolved

- That Broken Hill City Council Report No. 169/23 dated September 6, 2023, be received.
- That Council submit a request to the Minister for Planning and Public Spaces under Section 3.22 of the *Environmental Planning & Assessment Act 1979* to amend the *Broken Hill Local Environmental Plan 2013*, rezoning part of 336A McCulloch Street (Lot 5 Deposited Plan 1175135 and associated adjoining road from RE1 Public Recreation to R1 General Residential.
- That the General Manager be delegated to sign any documents relating to the submission.

CARRIED UNANIMOUSLY

11 Oct 2023 1:32pm Falkner, Georgina
Process commenced.

21 Nov 2023 2:26pm Falkner, Georgina
Draft documents being finalised for submission.

07 Dec 2023 10:42am Falkner, Georgina
Amended maps being prepared for submission.

19 Jan 2024 1:46pm Falkner, Georgina
Submission being finalised.

Meeting	Officer/Director	Section	Subject
Ordinary Council 25/10/2023	Howard, Codie Nankivell, Jay	Further Reports	MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 440, HELD ON TUESDAY, 10 OCTOBER 2023

Resolved

- That Broken Hill City Council Report No. 208/23 dated October 17, 2023, be received.
- That the minutes of the Local Traffic Committee – Meeting No.440, held on Tuesday, 10 October 2023 be endorsed.
- That Item No.440.10.1 recommendation be endorsed:
 - That further investigation be undertaken by Council and a risk assessment of the Heritage Walk Tour route be completed by Council’s Corporate Risk team to determine a safer route.
- That Item No.440.10.2 recommendation be endorsed:
 - That the parking arrangements on Crystal Lane, between Bromide and Sulphide Streets, remain unchanged and that the complainant be notified to comply with parking rules and regulations.
- That Item No.440.10.3 recommendation be endorsed:
 - That Council install ‘No Parking’ signs on either side of Bromide Street, between the Blende and Beryl Street roundabouts.
- That Item No.437.8.1 recommendation be endorsed:
 - That the parking arrangements on Oxide Street, between Argent Street and Crystal Lane remain unchanged and there be no further action required by the Local Traffic Committee.
- That Item No.439.10.1 recommendation be endorsed:
 - That the proprietor of the Old Saltbush Restaurant be advised of the Local Traffic Committee’s decision, not to install a ‘Loading Zone’ on Crystal Street. There is an existing ‘Loading Zone’ in Crystal Lane that can

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be used for deliveries and if required, the truck can park short term in the driveway to deliver supplies to the Old Saltbush Restaurant.

8. That Item No.439.10.3 recommendation be endorsed:

- That that complainant be advised of the Local Traffic Committee decision for the parking arrangements on Mica Lane to remain unchanged.

9. That Item No.439.8.2 recommendation be endorsed:

- That correspondence be forwarded to the complainant, advising the parking arrangements on Argent Street, adjacent to the Maari Ma Health will remain unchanged.

CARRIED UNANIMOUSLY

21 Nov 2023 12:07pm Howard, Codie

Item No.440.10.1 - On-going., Item No.440.10.2 - No further Action - COMPLETED., Item No.440.10.3 - With operational team for completion., Item No.437.8.1 - No further Action - COMPLETED., Item No.439.10.1 - Response letter being drafted., Item No.439.10.3 - No further Action - COMPLETED., Item No.439.8.2 - No further Action - COMPLETED.

12 Dec 2023 2:33pm Howard, Codie

Item No.440.10.1 - On-going., Item No.440.10.2 - No further Action - COMPLETED., Item No.440.10.3 - No Change, Item No.437.8.1 - No further Action - COMPLETED., Item No.439.10.1 - Response has been sent, no further action - COMPLETED., Item No.439.10.3 - No further Action - COMPLETED., Item No.439.8.2 - No further Action - COMPLETED.

23 Jan 2024 2:09pm Howard, Codie

Item No.440.10.1 - Action referred back to BHCC Risk Team - No further action - COMPLETED, Item No.440.10.2 - No further Action - COMPLETED., Item No.440.10.3 - No Change, Item No.437.8.1 - No further Action - COMPLETED., Item No.439.10.1 - No further action - COMPLETED., Item No.439.10.3 - No further Action - COMPLETED., Item No.439.8.2 - No further Action - COMPLETED.

Meeting	Officer/Director	Section	Subject
Ordinary Council 29/11/2023	Nu'man, Razija Nankivell, Jay	Policy And General Reports	RE-ESTABLISHMENT OF ALCOHOL-FREE ZONES

Resolved

- That Broken Hill City Council Report No. 222/23 dated October 18, 2023, be received.
- That Council notes that one submission was received during the public exhibition period from the Barrier Police District in support of the Re-establishment of the Alcohol-Free Zones known as Creedon Street zone, Shell Memorial zone, South Broken Hill zone and E.T. Lamb Memorial Oval zone.
- That Council re-establish the Alcohol-Free Zone known as Creedon Street as per attached proposal, including public roads and laneways, public car parks and footpath area of Creedon Street bounded by Rakow and Wills Streets.
- That Council re-establish the Alcohol-Free Zone known as Shell Memorial as per attached proposal, including all public roads and laneways, public car parks and footpaths in an area bounded by Iodide, Thomas, Bromide and Mica Streets; including Oxide Street from Thomas Street through to Morgan Street.
- That Council re-establish the Alcohol-Free Zone known as E.T. Lamb Memorial Oval as per attached proposal, including public roads and laneways, public car parks and footpath area surrounding the oval bounded by South, Boughtman, Comstock and Jamieson Streets.
- That Council re-establish the Alcohol-Free Zone known as South Broken Hill as per attached proposal, including all public roads and laneways, public car parks and footpaths in an area bounded by Bonanza, Patton, Central and Hebbard Streets including South Street from Piper Street through to Wilson Street; with extension along Bonanza Street to Morish Street and off Bonanza Street from Wilson Street to Picton Street.

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7. That the necessary signage be updated showing operation of Zones from 9 November 2023 to 9 November 2027.
 8. That re-establishment of the Creedon Street, Shell Memorial, E.T. Lamb Oval and South Broken Hill Alcohol-Free Zones be advised to the public by way of media release and advertisement in the Barrier Daily Truth. That the advertisement also confirms that the existing CBD Alcohol-Free Zone remains in force.
 9. Council note the late submission received by Maari Ma Health Aboriginal Corporation and remain open to further discussion with Maari Ma Health Aboriginal Corporation and the Barrier Police District.
 10. That it be noted that Council staff contacted the CEO of Maari Ma Health Aboriginal Corporation to arrange a meeting to discuss their submission; and that Council has not yet received a reply. This invitation is open for Maari Ma Health Aboriginal Corporation to meet with Council staff at any time. Also, that the CEO of Maari Ma sent correspondence to Council, during the 2018 consultation period, advising that they were in support of the introduction of the subject Alcohol-Free Zone in Creedon Street.
- CARRIED UNANIMOUSLY
- 06 Dec 2023 11:46am Bartlett, Leisa - Reallocation**
Action reassigned to Nu'man, Razija by Bartlett, Leisa - Had Michelle as action officer not Razija.
- 12 Dec 2023 2:54pm Blunden, Lauren**
Item 8 - Advertised in the BDT on 2 December 2023
- 18 Jan 2024 3:32pm Butcher, Lacey**
COMPLETE - No response received from Maari Ma regarding Item 10

Meeting	Officer/Director	Section	Subject
Ordinary Council 29/11/2023	Howard, Codie Nankivell, Jay	Further Reports	MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 441, HELD ON WEDNESDAY, 8 NOVEMBER 2023
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 229/23 dated November 14, 2023, be received. 2. That the minutes of the Local Traffic Committee – Meeting No.441, held on Wednesday, 8 November 2023 be endorsed. 3. That Item No.423.8.3 recommendations be endorsed: <ul style="list-style-type: none"> • That the eight disability parking spaces at the Broken Hill Regional Aquatic Centre carpark remain unchanged, based on the number of current disability parking spaces, being 2% of the total parking spaces in the area, which indicates the total number of available disability parking spaces surpasses the mandated standards. • That a pedestrian crossing not to be installed, due to the data collected from the traffic counters, does not meet Transport for NSW requirements to warrant a pedestrian crossing, due to the low volume of traffic in this area; and that installation of a pedestrian crossing would also reduce the number of parking spaces. • That the current disability parking spaces adjacent to the amenities block at the North Family Play Centre remain unchanged and the request for relocation be denied, due to safety concerns. • That correspondence be forwarded to the complainant, advising of the Committee’s determination. 4. That Item No.441.11.1 recommendation be endorsed: <ul style="list-style-type: none"> • That the organiser of the 16 Days of Activism event and protest march be requested to complete Council’s application for a full road closure for the event, including a Traffic Control Plan for the closure of Chloride Street, between Cobalt Street and Argent Street, at the Town Square for the event. 5. That Item No.441.11.2 recommendation be endorsed: 			

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- That the Local Traffic Committee endorse the Traffic Control Plans for the Christmas Pageant, including closure of associated drop-off areas.
 - That additional 'Road Closed' signs be placed at the Beryl and Chloride Streets and the Blende and Chloride Streets intersection and the Traffic Control Plans be updated.
6. That Item No.441.11.3 recommendation be endorsed:
- That the Local Traffic Committee endorse the Traffic Control Plan prepared for the temporary closure of Federation Way for the New Year's Eve Fireworks display on Sunday, 31 December 2023.
7. That Item No.441.11.5 recommendations be endorsed:
- That 'No Stopping' signs be installed 20 meters on the approach to the pedestrian crossing on Comstock Street and Boughtman Streets, adjacent to the Alma Public School.
 - That the 45-degree angle parking on Cobalt Street, adjacent the YMCA Wellness Centre be changed to 60-degree angle parking, bringing the rear of parked vehicles closer to the kerb, to reduce the impact on the carriage way.
 - That the 'No Stopping' area between the angle parking and the disability parking spaces on Cobalt Street, be changed to 'No Parking' to allow a drop-off and pick-up area.
8. That Item No.439.8.2 recommendation be endorsed:
- That correspondence be forwarded to the complainant advising of the Committee decision to change the angle parking spaces to two parallel parking spaces, adjacent to Hungry Jacks at 445 Argent Street.
9. That Item No.441.9.1 recommendation be endorsed:
- That the unrestricted parking space on Gawler Place adjacent to the RFDS Wellbeing Place gates, be removed and the businesses in the vicinity be notified of the Local Traffic Committee's determination.
- CARRIED UNANIMOUSLY**
- 12 Dec 2023 2:35pm Howard, Codie**
 Item No.423.8.3 - Response has been sent to complainant, no further action. COMPLETED., Item No.441.11.1 - Event location has now been changed with traffic control plan, no longer needed. No further action - COMPLETED., Item No.441.11.2 - Event was successfully held. No further action - COMPLETED., Item No.441.11.3 - Event to be held 31 December., Item No.441.11.5 - With operational team for completion., Item No.439.8.2 - Response has been sent to business owner., Item No.441.9.1 - Currently in consultation period with neighbouring businesses.
- 23 Jan 2024 2:13pm Howard, Codie**
 Item No.423.8.3 - COMPLETED., Item No.441.11.1 - COMPLETED., Item No.441.11.2 - COMPLETED., Item No.441.11.3 - COMPLETED., Item No.441.11.5 - No change in status., Item No.439.8.2 - COMPLETED., Item No.441.9.1 - No change in status.

Meeting	Officer/Director	Section	Subject
Ordinary Council 29/11/2023	Howard, Codie Nankivell, Jay	Further Reports	CRYSTAL STREET TREE PLANTING PROPOSAL
Resolved			
1. That Broken Hill City Council Report No. 231/23 dated November 21, 2023, be received.			
2. That Council approve Option 1 for Tree Planting Proposal in Crystal Street on the Fabtech Pty Ltd Footpath:			
(1) That London Plane trees (<i>Platanus xacerifolia</i>) be planted on the verge of Crystal Street from Iodide Street to Oxide Street			
That the trees be planted where there is the required 2 metres from the underground water mains pipe and 1 metre from the back of kerbing; and 5 metres apart and also 5 metres from any power poles or accessible accesses into the property known as Fabtech and the Old Commonwealth Motors site (noting that the 3 driveways no longer in use due to the new Fabtech building are not classified as access driveways).			

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CARRIED

12 Dec 2023 2:34pm Howard, Codie

Director of Fabtec Pty Ltd has been contacted and made aware of Council's decision. Planting now with Parks and Open Spaces team for completion in January, weather depending.

23 Jan 2024 2:10pm Howard, Codie

Planting start date, postponed to late February/ Early March due to heatwave.

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Falkner, Georgina Nankivell, Jay	Confidential Matters	PROPOSED EASEMENT TO A-CAES NSW PTY LTD
Resolved			
1. That Broken Hill City Council Report No. 243/23 dated November 28, 2023, be received.			
2. That Council (as Willyama Common Trust Manager and Crown Land Manager) consent the proposed easement to A-CAES NSW Pty Ltd, for the purposes of access and a transmission easement over the Willyama Common and other Crown Land managed by Council (as identified in Attachment 1 – Schedule of Land).			
3. That the General Manager be delegated to negotiate the final terms and conditions of the proposed easement.			
4. That the Mayor and General Manager be authorised to sign and execute the easement documents under the Common Seal of Council.			
CARRIED UNANIMOUSLY			
19 Jan 2024 1:50pm Falkner, Georgina			
Draft documents being reviewed by solicitors.			

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Howard, Codie Nankivell, Jay	Confidential Matters	T23/9 ANNUAL ROAD RESEAL PROGRAM
Resolved			
1. That Broken Hill City Council Report No. 253/23 dated December 11, 2023, be received.			
2. That Fulton Hogan Industries Pty Ltd be awarded the contract for T23/9 Annual Road Reseal Program, for the amount of \$760,877.62 (ex GST).			
CARRIED UNANIMOUSLY			
23 Jan 2024 2:20pm Howard, Codie			
Purchase Order has been raised and Contracts exchange with successful applicant - COMPLETED			

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Bartlett, Leisa Nankivell, Jay	Question On Notice	COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE COUNCIL MEETING HELD 29 NOVEMBER 2023 AND THE HEALTH AND BUILDING COMMITTEE MEETING HELD 12 DECEMBER 2023
Resolved			

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<ol style="list-style-type: none"> That Questions On Notice No. 12/23 dated December 5, 2023, be received. That the matter of the sale of Shorty O'Neil Village by private treaty in 2016 (of which internal research of Council reports, resolutions and internal emails suggest that the Shorty O'Neil Village may have been sold by a previous Council contrary to provisions of the <i>Local Government Act 1993 and Local Government (General) Regulation 2005</i> regarding the sale of Council assets and the Local Government Election Caretaker period) be reported to the Office of Local Government.
CARRIED UNANIMOUSLY
COMPLETED - Correspondence sent

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Bartlett, Leisa Nankivell, Jay	Further Reports	COUNCILLOR ATTENDANCE AT THE 2024 NSW AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) CONFERENCE TO BE HELD IN MACQUARIE PARK (SYDNEY) FROM 14-16 MARCH 2024
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 246/23 dated December 8, 2023, be received. That Councillors interested in attending the ALGWA Conference notify Council at Council's Ordinary Meeting held 31 January 2024. 			
CARRIED UNANIMOUSLY			
COMPLETED Report prepared for the January Council Meeting			

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Nu'man, Razija Nankivell, Jay	Further Reports	TEMPORARY SUSPENSION OF ALCOHOL PROHIBITED AREA - PERFECT LIGHT FILM FESTIVAL - 23 MARCH 2024
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 250/23 dated November 1, 2023, be received. That Council provide in principle support to begin the planning process for the temporary suspension of the prohibition of the consumption of alcohol in a portion of Sturt Park, under Section 632A of the <i>Local Government Act 1993</i>, on Saturday, 23 March 2024 from 5pm to 10:30pm for the Perfect Light Film Festival. That the temporary suspension on the prohibition of the consumption of alcohol in a portion of Sturt Park be advised to the public by way of advertisement in the Barrier Daily Truth and that the advertisement also confirms that the suspension only applies to the VIP Marquee area and that the consumption of alcohol will remain prohibited for all other areas of Sturt Park; and that all existing alcohol-free zones in Broken Hill remain in force. That the General Manager be authorised to implement the suspension and advertising processes on final advice of the Barrier Police District. That the Barrier Police District be advised of Council's decision. That the Perfect Light Film Festival be more extensively advertised by the event organisers and Council. 			
CARRIED UNANIMOUSLY			

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18 Jan 2024 3:33pm Butcher, Lacey
 COMPLETE - Correspondence to Police drafted and suspension to be advertised in March 2024

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Howard, Codie Nankivell, Jay	Further Reports	MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO.442, HELD ON TUESDAY, 5 DECEMBER 2023
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 251/23 dated December 8, 2023, be received. 2. That the minutes of the Local Traffic Committee – Meeting No.442, held on Tuesday, 5 December 2023 be endorsed. 3. That Item No: 442.10.2 recommendation be endorsed: <ul style="list-style-type: none"> • That the complainant be advised that parking is only permitted for registered Taxis in a Taxi Zone, as stated in the NSW Government Road Rules and the Australian Road Rules, Rule 182. 4. That Item No: 442.10.3 recommendation be endorsed: <ul style="list-style-type: none"> • That Council continue to investigate the request for installation of a disability access ramp on Oxide Street and Chapple Street, adjacent to the shopping complex. 5. That Item No.442.8.1 recommendation be endorsed: <ul style="list-style-type: none"> • That the Local Traffic Committee endorse the proposal for replacement of the Gateway Sign on the Wentworth Road (Silver City Highway). 6. That Item No: 442.8.2 recommendation be endorsed: <ul style="list-style-type: none"> • That a specialised technician from Transport for NSW be advised of the proposal to paint directional arrows on each of the three lanes, found on Argent Street at each of the traffic light intersections on Bromide, Chloride and Oxide Streets. 7. That Item No.442.8.4 recommendation be endorsed: <ul style="list-style-type: none"> • That the complainant be advised of the Committee’s determination to install a ‘Loading Zone’, adjacent to the Broken Hill Correctional Centre on Gossan Street, between the two driveways to allow for deliveries. 8. That Item No: 436.8.5 recommendation be endorsed: <ul style="list-style-type: none"> • That the ‘No Parking’ signs installed on Chloride Street, adjacent to the Civic Centre remain in place permanently, following completion of the two-month trial period. 			
CARRIED UNANIMOUSLY			
<p>23 Jan 2024 2:15pm Howard, Codie Item No: 442.10.2 - Response has been sent to complainant - COMPLETED, Item No: 442.10.3 - Council Engineer currently investigating solutions., Item No.442.8.1 - Response has been sent to Council Planning Department of outcome - COMPLETED, Item No: 442.8.2 - Item has been referred to TfNSW technical officer for comment., Item No.442.8.4 - Response has been sent to requestee - COMPLETED, Item No: 436.8.5 - Response has been sent to Council Events Department of outcome, signs to remain in place permanently - COMPLETED</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Nankivell, Jay	Question On Notice	PUBLIC FORUM QUESTIONS TAKEN ON NOTICE AT THE 29 NOVEMBER 2023 COUNCIL MEETING

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Nankivell, Jay
Resolved
<ol style="list-style-type: none"> 1. That Questions On Notice No. 13/23 dated December 5, 2023, be received. 2. That Council's traditional crest be reintroduced in branding as the official logo for both the City itself and the elected Council; and the crest be used on all items related to Councillor or civic matters including written Councillor correspondence, attire, awards, certificates etc. 3. That when the existing 'hexagon' branding decals on current fleet, plant, and signage are due for renewal, the hexagon branding be replaced with the crest. 4. That the crest also be applied to all new fleet, plant, and signage obtained by Council henceforth. 5. That the current 'hexagon' logo, which features a more corporate design, be retained for Administrative use such as staff uniforms and Administrative correspondence thus saving costs and ensuring staff remain easily identifiable, and differentiate staff from elected Councillors in official capacities.
CARRIED UNANIMOUSLY
17 Jan 2024 8:42am Butcher, Lacey COMPLETED - Council crest is being reintroduced as per Council resolution.

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Nu'man, Razija Nankivell, Jay	Further Reports	DRAFT AGENCY INFORMATION GUIDE
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 248/23 dated December 12, 2023, be received. 2. That Council endorse the reviewed Draft Agency Information Guide for release to the Information Commissioner for its review and comment. 			
CARRIED UNANIMOUSLY			
22 Dec 2023 11:53am Rolton, Michelle COMPLETE - Draft Agency Information Guide forwarded to Information Privacy Commissioner for feedback on 22 December 2023.			

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Howard, Codie Nankivell, Jay	Question On Notice	PUBLIC FORUM QUESTIONS TAKEN ON NOTICE AT THE 29 NOVEMBER 2023 COUNCIL MEETING
Resolved			
<ol style="list-style-type: none"> 1. That Questions On Notice No. 13/23 dated December 5, 2023, be received. 			

For Action	Division: Committee: Ordinary Council	Date From: 1/06/2020 Date To: 23/01/2024
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<ol style="list-style-type: none"> 2. That Council's traditional crest be reintroduced in branding as the official logo for both the City itself and the elected Council; and the crest be used on all items related to Councillor or civic matters including written Councillor correspondence, attire, awards, certificates etc. 3. That when the existing 'hexagon' branding decals on current fleet, plant, and signage are due for renewal, the hexagon branding be replaced with the crest. 4. That the crest also be applied to all new fleet, plant, and signage obtained by Council henceforth. 5. That the current 'hexagon' logo, which features a more corporate design, be retained for Administrative use such as staff uniforms and Administrative correspondence thus saving costs and ensuring staff remain easily identifiable, and differentiate staff from elected Councillors in official capacities.
CARRIED UNANIMOUSLY
<p>23 Jan 2024 2:29pm Butcher, Lacey Correspondence has been sent to TransGrid asking for an update on increasing the capacity and reliability of the transmission lines, but no response has been received to date.</p>

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Bartlett, Leisa Nankivell, Jay	Further Reports	CORRESPONDENCE REPORT - CHILDCARE IN BROKEN HILL
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 245/23 dated November 27, 2023, be received. 2. That Correspondence from The Hon Pru Car MP dated 5 September 2023 Deputy Premier of NSW, Minister for Education and Early Learning to the Member for Barwon Mr Roy Butler MP in response to representations that Mr Butler made on behalf of Council (forwarded to Council by the Member for Barwon) regarding childcare in Broken Hill, be received and noted. 3. That correspondence be sent to The Hon Pru Car MP raising the importance of freeing up Crown Land in and around Broken Hill so that a new childcare centre/s can be built to address the local childcare crisis. 			
CARRIED			
<p>18 Jan 2024 10:01am Butcher, Lacey COMPLETE - Correspondence sent</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Howard, Codie Nankivell, Jay	Works Committee Reports	BUDGET REVIEW - GROUND FLOOR REFURBISHMENT FOR THE TEMPORARY LIBRARY
Resolved			
<ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 238/23 dated December 1, 2023, be received. 2. That Council review the budget report which reflects original contracts, approved variations, and expected variations for each component of the Temporary Library Budget (Ground Floor Refurbishment, Logistics and Staff Movements, Car Park Upgrades, and New Library Construction). 			

For Action	Division:	Ordinary Council	Date From:	1/06/2020
Action Sheets Report	Committee:	Ordinary Council	Date To:	23/01/2024
	Officer:		Printed:	Tuesday, 23 January 2024 2:47:15 PM
	Further Report Required:	Including Further Reports		

3. That Council approve an additional amount of \$239,618.10 (ex GST) which equals a revised total budget of \$1,039,618.10 (ex GST) to complete the project works required.

CARRIED UNANIMOUSLY

23 Jan 2024 2:15pm Howard, Codie
No further action - COMPLETED.

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Howard, Codie Nankivell, Jay	Works Committee Reports	BUDGET REVIEW: CBD BANNER POLES - ARGENT STREET LIGHTING PROJECT
Resolved			
1. That Broken Hill City Council Report No. 239/23 dated December 4, 2023, be received.			
2. That Council considers a budget review for the CBD Banner Poles – Argent Street Lighting Project, for the project approved in the 2024/25 financial year, based on responses received from a public request for quotation in November 2023			
3. That Council approve an increase in budget of \$41,820 (ex GST) to bring the total project budget for this project to \$94,835 (ex GST).			
CARRIED UNANIMOUSLY			
23 Jan 2024 2:15pm Howard, Codie No further action - COMPLETED.			

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Manuel, Darrin Nankivell, Jay	General Business	FRUIT FLY ERADICATION IN BROKEN HILL
Resolved			
1. That Council sends correspondence to Mr Tim Grieger, Executive Officer of Summerfruit and Citrus SA Chairman, Mr Mark Doecke and thank them for their interest in helping set up a plan for eradicating Fruit Fly in Broken Hill.			
2. That an invitation be forwarded to Mr Tim Grieger and Mr Mark Doecke inviting them to come to Broken Hill with a proposal and suggestions from their expertise for Broken Hill City Council to formulate a submission to the DPI and NSW Government to seek funding.			
3. That the members of Council's Fruit Fly Awareness Working Group be invited to attend the discussion once a date has been set; and when appropriate, a public meeting be held to advise the community of the fruit fly eradication measures proposed to be undertaken and how Council and the community can work together to combat fruit fly in Broken Hill.			
CARRIED UNANIMOUSLY			
17 Jan 2024 9:16am Butcher, Lacey COMPLETE - Correspondence sent			

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Bartlett, Leisa Nankivell, Jay	Mayoral Minute	PROJECT SUPPORT/CBH RESOURCES

For Action	Division: Ordinary Council	Date From: 1/06/2020
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<p>Resolved</p> <ol style="list-style-type: none"> That Mayoral Minute No. 25/23 dated December 12, 2023, be received. That Council send correspondence to relevant Government Ministers and Members to request that all reasonable Government measures be undertaken as a matter of urgency to expedite the Hawsons, Cobalt Blue, and Hydrostor CAES projects. That the Cobalt Blue project be prioritised for any available assistance given Australia's participation in the Critical Minerals and Clean Energy Transformation Compact with the United States. That Council also sends correspondence to relevant Ministers requesting that the Smart And Skilled program funding and criteria be reviewed to assist Broken Hill in the wake of the Rasp Mine closure. That Council requests that all redundant workers in Broken Hill in mining or related industries become eligible for subsidised training under the Smart And Skilled program and that locals in mining or related industries looking to upskill be considered for subsidised training regardless of their current employment status. That Registered Training Organisations be empowered to make group applications to Smart And Skilled on behalf of potential trainees, rather than requiring individuals to contact the funding body directly. <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p>22 Dec 2023 9:30am Butcher, Lacey COMPLETE - Correspondence sent</p>

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Bartlett, Leisa Nankivell, Jay	Mayoral Minute	RESOURCES FOR REGIONS
<p>Resolved</p> <ol style="list-style-type: none"> That Mayoral Minute No. 26/23 dated December 19, 2023, be received. That Council sends correspondence to the NSW Premier The Hon Chris Minns MP, the Minister for Regional NSW and Western NSW The Hon Tara Moriarty MP, and Member for Barwon Mr Roy Butler stating its dissatisfaction with the current trajectory of the newly created Regional Development Trust and Working Regions Fund; and that mining communities receive funding priority under the Regional Development Trust and Working Regions Fund in the same proportions allocated previously through the Resources for Regions fund. <p style="text-align: right;">CARRIED UNANIMOUSLY</p> <p>22 Dec 2023 9:30am Butcher, Lacey COMPLETE - Correspondence sent</p>			

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Bartlett, Leisa Nankivell, Jay	General Business	VERBAL DELEGATE'S REPORT - ATTENDANCE AT THE COUNTRY MAYOR'S ANNUAL GENERAL MEETING
<p>Resolved</p> <p>That Council sends correspondence to Local Government NSW providing feedback on the conduct of the Local Government NSW Conference with regards to its relevance to regional Councils and the time spent discussing matter that are possible not within the jurisdiction of NSW Local Government.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>			

For Action	Division: Ordinary Council	Date From: 1/06/2020
Action Sheets Report	Committee: Ordinary Council	Date To: 23/01/2024
	Officer: Including Further Reports	Printed: Tuesday, 23 January 2024 2:47:15 PM

18 Jan 2024 10:03am Butcher, Lacey
COMPLETE - Correspondence sent

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Nu'man, Razija Nankivell, Jay	Policy And General Reports	NOMINATION FOR THE APPOINTMENT OF COMMUNITY REPRESENTATIVES TO SECTION 355 FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 236/23 dated November 30, 2023, be received. That Council appoint Mr Richard Ball as a community representative on the Friends of the Flora and Fauna of the Barrier Ranges Community Committee. That Mr Richard Ball be advised of his appointment and advice also be sent to the Secretary of the Committee. 			
CARRIED UNANIMOUSLY			
18 Jan 2024 10:02am Blunden, Lauren COMPLETE - Correspondence advising of appointment sent to Community Representative and Committee Secretary. COMPLETE			

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Bartlett, Leisa Nankivell, Jay	Further Reports	CORRESPONDENCE REPORT - CLUBGRANTS
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 244/23 dated October 12, 2023, be received. That correspondence dated 21 November 2023 from the Minister for Gaming and Racing be received and noted. That correspondence be forwarded to The Hon David Harris MP thanking him for his correspondence however advising him that the Category 2 ClubGRANTS being the smaller grants which are used to support local sporting bodies etc. and it is imperative that these grants also be left for local ClubGRANT Committees to allocate these funds. 			
CARRIED UNANIMOUSLY			
18 Jan 2024 10:01am Butcher, Lacey COMPLETE - Correspondence sent			

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Bartlett, Leisa Nankivell, Jay	Policy And General Reports	ADOPTION OF REVIEWED CREDIT CARD POLICY
Resolved			
<ol style="list-style-type: none"> That Broken Hill City Council Report No. 235/23 dated November 30, 2023, be received. That Council adopts the reviewed Corporate Credit Card Policy as a policy of Council. 			

For Action	Division: Ordinary Council	Date From: 1/06/2020
Action Sheets Report	Committee: Ordinary Council	Date To: 23/01/2024
	Officer: Including Further Reports	Printed: Tuesday, 23 January 2024 2:47:15 PM

3. That the Corporate Credit Card Policy adopted April 2021 becomes obsolete.

CARRIED UNANIMOUSLY

22 Dec 2023 9:31am Butcher, Lacey
COMPLETE - Policy adopted

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Nu'man, Razija Nankivell, Jay	Policy And General Reports	CODE OF CONDUCT COMPLAINT STATISTICS ANNUAL REPORT 2022/23
Resolved			
1. That Broken Hill City Council Report No. 233/23 dated November 13, 2023, be received.			
2. That the Code of Conduct Complaints Statistics Annual Report for the Broken Hill City Council for the period of 1 September 2022 – 31 August 2023 be forwarded to the Office of Local Government.			
CARRIED UNANIMOUSLY			
18 Jan 2024 3:35pm Butcher, Lacey COMPLETE - COC Complaint Statistics Annual Report forwarded to OLG			

Meeting	Officer/Director	Section	Subject
Ordinary Council 20/12/2023	Bartlett, Leisa Nankivell, Jay	Policy And General Reports	ADOPTION OF DRAFT MANDATORY NOTIFICATION OF DATA BREACH POLICY
Resolved			
1. That Broken Hill City Council Report No. 234/23 dated November 2, 2023, be received.			
2. That Council notes that the draft Mandatory Notification of Data Breach Policy was placed on public exhibition for a period of 28 days during which time Council received nil submissions from the public.			
3. That Council adopts the draft Mandatory Notification of Data Breach Policy as a Policy of Council.			
CARRIED UNANIMOUSLY			
22 Dec 2023 9:31am Butcher, Lacey COMPLETE - Policy adopted			

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETINGS

1. QUESTIONS ON NOTICE NO. 1/24 - DATED DECEMBER 21, 2023 -
COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE COUNCIL MEETING
HELD 20 DECEMBER 2023 AND THE HEALTH AND BUILDING COMMITTEE
MEETING HELD 12 DECEMBER 2023 (D23/69267) 207

ORDINARY MEETING OF THE COUNCIL

December 21, 2023

ITEM 1

QUESTIONS ON NOTICE NO. 1/24

SUBJECT: COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE COUNCIL MEETING HELD 20 DECEMBER 2023 AND THE HEALTH AND BUILDING COMMITTEE MEETING HELD 12 DECEMBER 2023 D23/69267

Summary

This report provides responses to questions raised by Councillors during the 20 December 2023 Council Meeting and the Health and Building Committee Meeting held 12 December 2023, which were taken on notice.

Recommendation

1. That Questions On Notice No. 1/24 dated December 21, 2023, be received.

Background

Following are the responses to questions raised by Councillors which Mayor or General Manager took on notice at the 20 December 2023 Council Meeting and the Health and Building Committee Meeting held 12 December 2023:

Ordinary Council Meeting held 20 December 2023	
Question:	<p><u>From Item 24 – Councillor Questions taken on notice – Sale of Shorty O’Neil Village</u></p> <p><i>The General Manager took a question on notice from the Mayor regarding the relevant provisions under the Local Government Act 1993 to report matters to the Office of Local Government relating to the suspected unlawful sale of a Council asset (Shorty O’Neil Village) during the caretaker period for the 2016 Local Government Election.</i></p>
Response:	<p>The relevant provisions are Sections 377(1)(h), 430 of the <i>Local Government Act 1993</i> and clause 393B(2) of the <i>Local Government Regulation 2005</i>.</p> <p><u>Local Government Act 1993</u> <u>Part 3 Delegations of Functions</u> <u>Section 377 - General power of the council to delegate</u> “(1) A council may, by resolution, delegate to the General Manager or any other person or body (not including another employee of the Council) any of the functions of the Council under this or any other Act, other than the following:”</p>

“(h) the compulsory acquisition, purchase, sale, exchange or surrender of any and or other property (but not including the sale of items of plant or equipment)”

Council’s resolution of August 26, 2015 approved the sale of the Shorty O’Neil Village by auction process. This resolution satisfies section 377 of the Act to sell the property by auction process, however, the property failed to sell at auction on 1 June 2016 and appears to have sold by private treaty with contracts signed on 31 August 2016.

Local Government (General) Regulation 2005

Section 393B(2) - Exercise of council functions during caretaker period

(1) *“The following functions of a council must not be exercised by the council, or the general manager or any other delegate of the council (other than a Joint Regional Planning Panel, the Central Sydney Planning Committee or a local planning panel), during a caretaker period*

(a) *Entering a contract or undertaking involving the expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council’s revenue from rates in the preceding financial year (whichever is the larger).*

(b) *Determining a controversial development application, except where –*

i. A failure to make such a determination would give rise to a deemed refusal under the Environmental Planning and Assessment Act 1979, section 8.11(1), or

ii. Such a deemed refusal arose before the commencement of the caretaker period,

(c) *The appointment or reappointment of a person as the council’s general manager (or the removal of a person from that position), other than –*

i. An appointment of a person to act as general manager under section 336(1) of the Act, or

ii. A temporary appointment of a person as general manager under section 351(1) of the Act.

(2) *Despite subclause (1), such a function may be exercised in a particular case with the consent of the Minister.*

(3) *In this clause –*

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

controversial development application *means a development application for designated development for which at least 25 persons have made a submission during community consultation.*

designated development *means designated development within the meaning of the Environmental Planning and Assessment Act 1979, section 4.10.*

local planning panel *has the same meaning as in the Environmental Planning and Assessment Act 1979.”*

No evidence can be found that Ministerial consent was sought to execute sale contracts during the caretaker period, and the sale contract was signed by Council on 31 August 2016 which was during the caretaker period for the 2016 Local Government Election being from Friday 12 August 2016 and

	<p>ending on Saturday 10 September 2016; and the sale price of Shorty O’Neil Village was above the threshold of sub-section 1(a).</p> <p><u>Local Government Act 1993</u> <u>Part 5 Inquiries, reviews and surcharging</u> <u>Division 1 Inquiries and reviews</u> <u>Section 430 – Departmental Chief Executive may investigate councils</u></p> <p><i>“The Departmental Chief Executive may, at the request of the Minister or on the Departmental Chief Executive’s own initiative, conduct an investigation into any aspect of a council or of its work and activities.”</i></p>
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Health & Building Committee Meeting held 12 December 2023	
<p>Question:</p>	<p><u>From Item 2 – Proposed Easement over the Willyama Common</u></p> <p><i>The General Manager took a question on notice from Councillor Turley regarding an update from Transgrid on increasing the capacity and reliability of the transmission lines.</i></p>
<p>Response:</p>	<p>Correspondence has been sent to TransGrid asking for an update on increasing the capacity and reliability of the transmission lines, but no response has been received to date.</p>

Attachments

There are no attachments for this report

LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

CONFIDENTIAL MATTERS

1. BROKEN HILL CITY COUNCIL REPORT NO. 12/24 - DATED JANUARY 18, 2024 - Q23/68 - REQUEST FOR QUOTATION - O'NEILL TENNIS COURTS LIGHTING UPGRADE - **CONFIDENTIAL**

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



CITY COUNCIL

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