



BUSINESS PAPER

Health and Building
Committee Meeting

Council Chambers
21 May 2023
5:30pm

BROKEN HILL

CITY COUNCIL

**AUSTRALIA'S FIRST
HERITAGE LISTED CITY**

MEMBERS OF THE HEALTH & BUILDING COMMITTEE:

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

Notice is hereby given, in accordance with the provisions of the *Local Government Act 1993*, that the Health and Building Standing Committee of the Broken Hill City Council will be held in the Council Chambers on **Tuesday 21 May 2024 at 5:30pm** to consider the following business:

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

STATEMENT OF ETHICAL OBLIGATIONS

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

LIVE STREAMING OF COUNCIL MEETINGS

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

JAY NANKIVELL
GENERAL MANAGER

MINUTES FOR CONFIRMATION

Minutes of the Health and Building Committee of the City of Broken Hill held Tuesday, March 19, 2024.

**MINUTES OF THE HEALTH AND BUILDING COMMITTEE MEETING HELD
TUESDAY, MARCH 19, 2024 (5:30 PM)**

As the Chairperson submitted an Apology for this meeting, the Mayor called for a motion for a member of the Committee to Chair the meeting.

Motion

Moved Councillor Alan Chandler, Seconded Councillor Darriea Turley

That Councillor Gallagher be appointed as Chair for this meeting.

CARRIED UNANIMOUSLY

PRESENT:

Councillor T Kennedy (Mayor) Councillor, A Chandler, D Gallagher (Chairperson), and D Turley.

General Manager, Director Corporate and Community, Manager Communications and Marketing, Executive Officer and Executive Assistants.

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

APOLOGIES:

Councillor J Hickey (Deputy Mayor)

Motion

Moved Mayor Tom Kennedy, Seconded Councillor Darriea Turley

That the apology as submitted by Deputy Mayor Hickey be accepted.

CARRIED UNANIMOUSLY

LEAVE OF ABSENCE APPLICATIONS: Nil

ABSENT:

Councillor H Jewitt

PRAYER

Mayor Kennedy delivered the Prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgement of Country.

ACKNOWLEDGEMENT OF BROKEN HILL'S MINING HISTORY

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

MINUTES FOR CONFIRMATION

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

That the Minutes of the Health and Building Committee meeting held Tuesday February 20, 2024 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Nil

REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 37/24 - DATED FEBRUARY 19, 2024 - DRAFT SCORES ON DOORS POLICY D24/8835

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

1. That Broken Hill City Council Report No. 37/24 dated February 19, 2024, be received.
2. That Council endorse the draft revised Scores on Policy for the purpose of public exhibition.
3. That the revised Draft Scores on Doors Policy be placed on public exhibition for a period of 28 days for public comment.
4. That following the conclusion of the public exhibition period a report be presented to Council detailing submissions received and any recommended amendments.

CARRIED UNANIMOUSLY

The General Manager took a question on notice from Mayor Kennedy regarding the number of food premises that are actively participating in the Scores on Doors program.

2. BROKEN HILL CITY COUNCIL REPORT NO. 38/24 - DATED MARCH 07, 2024 - MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 13 FEBRUARY 2024 D24/12249

Recommendation

Moved Councillor Darriea Turley, Seconded Mayor Tom Kennedy

1. That Broken Hill City Council Report No. 38/24 dated March 7, 2024, be received.

2. **That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 13 February 2024 be received.**

CARRIED UNANIMOUSLY

Motion

Moved Mayor Tom Kennedy, Seconded Councillor Darriea Turley

That the meeting moves into closed session in accordance with Section 10A(2) of the *Local Government Act 1993*, whilst the confidential matter is considered

CARRIED UNANIMOUSLY

The meeting moved into closed session at 5:37pm. There were nil members of the public or media present. The livestream of the meeting ceased.

CONFIDENTIAL MATTERS

3. **BROKEN HILL CITY COUNCIL REPORT NO. 39/24 - DATED FEBRUARY 28, 2024 - PROPOSED LEASE OF SUITE 2 / 23-27 BROMIDE STREET -**

CONFIDENTIAL

(General Manager's Note: This report considers a lease 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).

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Darriea Turley

1. **That Broken Hill City Council Report No. 39/24 dated February 28, 2024, be received.**
2. **That Council grant a new lease to the existing tenant (Muhammad Ilyas Dexter) at Suite 2 / 23-27 Bromide Street for a period of 12 months with an option to renew for a further two years, with the new lease to reflect the terms and conditions of the previous lease.**
3. **That the Mayor and General Manager sign the new lease under the Common Seal of Council.**

CARRIED UNANIMOUSLY

Motion

Moved Mayor Tom Kennedy, Seconded Councillor Darriea Turley

That the meeting resume in open session.

CARRIED UNANIMOUSLY

The meeting resumed in open session at 5:38pm. The livestream of the meeting recommenced at 5:38pm.

There being no further business to consider, the meeting was declared closed at 5:38.p.m.

The foregoing minutes were read and confirmed at the Heath and Building Committee meeting held on 16 April 2024

Chairperson

REPORTS

1. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 1/24 - DATED MAY 16, 2024 - PLANNING PORTAL WORKSHOP (D24/24044)..... 9
2. BROKEN HILL CITY COUNCIL REPORT NO. 66/24 - DATED APRIL 15, 2024 - ADOPTION OF DRAFT SCORES ON DOORS POLICY (D24/18598) 11
3. BROKEN HILL CITY COUNCIL REPORT NO. 67/24 - DATED APRIL 15, 2024 - MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 12 MARCH 2024 (D24/18640) 20
4. BROKEN HILL CITY COUNCIL REPORT NO. 68/24 - DATED APRIL 15, 2024 - MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 9 APRIL 2024 (D24/18647) 25

HEALTH AND BUILDING COMMITTEE

May 16, 2024

ITEM 1MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 1/24

SUBJECT: PLANNING PORTAL WORKSHOP D24/24044

Recommendation

1. That Motions of Which Notice has been Given No. 1/24 dated May 16, 2024, be received.
2. That the Health & Building Committee request that the General Manager arrange a workshop evening with local builders and other interested parties to discuss the lodgement of Development Applications (DA) and Construction Certificates (CC).

Summary

Council has received a Notice of Motion from Deputy Mayor Hickey on 14 May 2024.

... "Following numerous discussions with local builders they are still very frustrated by the delay in relevant approvals and the time it takes when they have a lot of work however can't commence until approval is given.

I have had a long discussion with the General Manager and we suggest that as the builders themselves have a lag time of up to twelve months then we need to have a workshop to get them to help their clients or point them in the right direction to start the Development Application immediately, when they get a quote or indication that they want to proceed. That way if it takes three months, to go through the DA and subsequent CC process, it's at no inconvenience to anyone as the building lag time is usually well over that period and can happen in the background.

The Dept of Planning advised at the Country mayors meeting that they are currently preparing YouTube instruction videos to help council staff and applicants follow and understand the processes of the DA Portal Applications.

I suggest that once this program is available on youtube the General manager be requested to arrange a worksop to explain our suggestion of immediate applications and go through the youtube portal videos which should be fairly self explanatory.

Once the DA's are approved the builders will be able to give their electricians plumbers plasterers etc a heads up to an approx. start date months before each project commences and therefore no delays."

Attachments

1. [↓](#) Notice of Motion - Planning Portal Workshop

J HICKEY
DEPUTY MAYOR

Health & Building Committee Meeting May 2024

Motion

That the Health & Building Committee request that the general manager arrange a workshop evening with local builders and other interested parties to discuss the lodgement of Development Applications (DA) and Construction Certificates (CC).

Background

Following numerous discussions with local builders they are still very frustrated by the delay in relevant approvals and the time it takes when they have a lot of work however can't commence until approval is given.

I have had a long discussion with the General Manager and we suggest that as the builders themselves have a lag time of up to twelve months then we need to have a workshop to get them to help their clients or point them in the right direction to start the Development Application immediately, when they get a quote or indication that they want to proceed. That way if it takes three months, to go through the DA and subsequent CC process, it's at no inconvenience to anyone as the building lag time is usually well over that period and can happen in the background.

The Dept of Planning advised at the Country mayors meeting that they are currently preparing YouTube instruction videos to help council staff and applicants follow and understand the processes of the DA Portal Applications.

I suggest that once this program is available on youtube the General manager be requested to arrange a worksop to explain our suggestion of immediate applications and go through the youtube portal videos which should be fairly self explanatory.

Once the DA's are approved the builders will be able to give their electricians plumbers plasterers etc a heads up to an approx. start date months before each project commences and therefore no delays.

Jim Hickey

HEALTH AND BUILDING COMMITTEE

April 15, 2024

ITEM 2**BROKEN HILL CITY COUNCIL REPORT NO. 66/24****SUBJECT:** **ADOPTION OF DRAFT SCORES ON DOORS POLICY** **D24/18598****Recommendation**

1. That Broken Hill City Council Report No. 66/24 dated April 15, 2024, be received.
2. That Council notes that the draft revised Scores on Doors 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 revised Scores on Doors Policy as a Policy of Council and notes that it will supersede the 2016 Scores on Doors Policy.

Executive Summary:

At the 27 March 2024 Council Meeting, Council resolved to place the draft revised Scores on Doors Policy on public exhibition for a period of 28 days for submissions from the public. The public exhibition period closed on 5 May 2024 during which time Council received nil submissions from the public.

The draft revised Scores on Doors Policy is now presented to Council for consideration of adoption.

Report:

Council resolved in July 2016 to implement a voluntary “Scores on Doors” program with a view to promote compliance with hygiene and food safety standards, promote consumer trust in food businesses and to further the reputation and economy of food businesses in Broken Hill.

In support of the program, a policy document was developed to promote and enhance transparency of the program and to inform all participants on the fundamentals of the “Scores on Doors” program and on 26 October 2016, Council resolved to adopted the Scores on Doors Policy.

Council is obligated to carry out food safety inspections at all medium and high-risk retail food premises, through its Food Regulation Partnership with the NSW Food Authority.

The Scores on Doors program provides Council with the opportunity to be transparent with inspection results and present an incentive for businesses to maintain and/or increase their score rating, thereby improving the quality of local food premises.

The Draft Scores on Doors Policy addresses issues such as eligibility criteria to participate in the program, operating procedures, circumstances in which a certificate will not be issued, inspection regime and appeal procedure.

A recent review of the Scores on Doors Policy revealed that the policy had, to a large extent remained current since its introduction.

Proposed minor updates to the policy are listed in the table below:

Page No	Section No - Description
3	4.2 – “standard inspection check sheet” wording changed to “FPAR” in reference to the Food Premises Assessment Report.
4	4.3 (e) – “Council officer” wording changed to “Authorised Officer” to maintain consistency throughout the document
4	4.4 – Point No 2: “must” wording change to “may” given it is a voluntary program
5	4.5 – “inspector” wording changed to “Authorised Officer” to maintain consistency throughout the document

At the 27 March 2024 Council Meeting, Council resolved to place the draft revised Scores on Doors Policy on public exhibition for a period of 28 days for submissions from the public. The public exhibition period closed on 5 May 2024 during which time Council received nil submissions from the public.

The draft revised Scores on Doors Policy is now presented to Council for consideration of adoption.

Community Engagement:

The draft revised Scores on Doors Policy was placed on public exhibition for a period of 28 days.

Strategic Direction:

Key Theme:	4.	Our Leadership
Objective:	4.1	Openness and transparency in decision making
Strategy:	4.1.5	Support the organisation to work within is legal framework

Relevant Legislation:

- *Food Act 2003*
- Food Standards Code

Financial Implications:

Administration support for the issuing of certificates is provided within the existing budget for administrative support staff.

Attachments

1. [↓](#) draft revised Scores on Doors Policy

RAZIJA NU'MAN
DIRECTOR CORPORATE AND COMMUNITY

JAY NANKIVELL
GENERAL MANAGER



DRAFT SCORES ON DOORS POLICY

QUALITY CONTROL		
TRIM REFERENCES	D16/29766 – 12/14	
RESPONSIBLE POSITION	Director Corporate and Community	
APPROVED BY	Council	
REVIEW DATE	October 2018	REVISION NUMBER 1
EFFECTIVE DATE	ACTION	MINUTE NUMBER
31/08/2016	Public Exhibition	45320
26/10/2016	Adopted	45356
<u>27/03/2024</u>	Public Exhibition	<u>47485</u>
	Adopted	

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1. INTRODUCTION

Council introduced a voluntary program titled "Scores on Doors". The aim of the program is to improve food safety standards and to reduce the instance of foodborne illness in the retail food industry. Subsequent to a standard food safety inspection, Council's Environmental Health Officer will issue a certificate with a star rating representing the hygiene status of the particular food business. The Scores on Doors program offers participating businesses a fantastic opportunity to show customers just how seriously they take food hygiene and the results they have achieved by displaying a rating certificate on their shop front door.

2. POLICY OBJECTIVE

This Policy aims to:

- raise the standard of food safety and hygiene within the retail food business sector,
- reward food businesses who are achieving a high standard of food safety and hygiene,
- promote consumer trust in food businesses and to further the reputation and economy of food businesses in Broken Hill,
- encourage participating food businesses to strive towards achieving higher standards of food safety and hygiene, and
- ensure transparency through proactive communication with participating businesses.

3. POLICY SCOPE

The Policy applies to all participating and eligible retail food businesses within Broken Hill.

4. POLICY STATEMENT

Council's Environmental Health Officer currently inspects retail food premises within the City of Broken Hill, using a standard checklist termed the Food Premises Assessment Report (FPAR). The routine inspections are conducted to ensure that food businesses comply with the requirements of the *Food Act 2003* and Food Standards Code (FSC).

The FPAR features a points system to determine a hygiene and food safety score.

The following areas are examined during the assessment:

- general items, that you appointed a trained Food Safety Supervisor (FSS), have an FSS certificate on the premises, and that food handlers have skills and knowledge to handle food safely;
- food handling controls, storage, display and transport, processing, the risk of cross-contamination;
- cleaning and sanitising, hand washing and proximity of facilities;
- food temperature control;
- pest control;
- premises design and construction, issues such as water supply, disposal, adequate and safe garbage facilities and lighting;
- food labelling, accurate and sufficient.

Note: The "I'm Alert" free online Food Safety Training is available on Council's webpage.

The routine inspection frequency is determined by Council's Food Premises Priority Risk Classification System, which rates food premises as: High Risk; Medium Risk; and Low Risk.

High and medium risk retail food service businesses process and sell food that is:

- ready-to-eat,
- potentially hazardous (i.e. requires temperature control), and
- intended for immediate consumption.

These businesses include:

- restaurants
- take away shops
- pubs
- hotels
- cafes
- bakeries
- clubs
- supermarkets selling hot food

Low risk premises include:

- deli's
- service stations
- businesses selling pre-packaged shelf stable food

4.1. 'Scores on Doors'

- Council has adopted the NSW Food Authority's Scores on Doors voluntary food business rating scheme to reward existing high performing medium and high-risk food premises and encourage lower performing high and medium risk premises to strive toward ongoing improvement in their food safety and hygiene practices.
- Council's Environmental Health Officer uses the standard FPAR score to assign a star rating to the completed inspection result. The participating food business will receive from Council a certificate with the star rating prominently displayed.
- The certificate is designed to be displayed on the door, or other visually prominent location within the premises.
- The displayed certificate allows consumers to compare the scores achieved from the food businesses and make informed choices about the places where they eat out, or from which they purchase food.
- This practice will apply 'market pressure' and provide incentives for food businesses to strive towards improved operational standards in order to gain a higher inspection score outcome.
- Participation in the Scores on Doors program is only offered to medium and high-risk retail food businesses.
- The scheme is not intended for delicatessens, low risk food premises or those serving pre-packaged food, e.g. service stations, butchers, green grocers, temporary markets, mobile food vending vehicles, or premises licensed by the NSW Food Authority.

4.2. Operating procedure

Council Officers will use the programmed, unannounced inspection system currently in place to conduct the 'Scores on Doors' inspections.

After the Council Officer completes the [standard inspection check sheet FPAR](#), the demerit points received by the business are added together and a corresponding star rating is assigned. The lower the demerit point score received, the better the star rating.

Points Rating Definition

0 - 3 ★★★★★ Excellent - The business has achieved the top grade, which means that it achieved the highest level of compliance with food safety standards.

4 - 8 ★★★★ Very Good - The business has in place very good food safety practices. Some minor areas where standards were not met will need to be addressed.

9 - 15 ★★★ Good - The business has a good standard of food safety. A number of areas, although not serious, need to be corrected.

Businesses that achieve 15 or less demerit points will be presented with a 'Scores on Doors' certificate, which depicts the star rating achieved during the inspection.

Businesses that receive greater than 15 demerit points will be ineligible to display a star rating and will not receive a certificate.

4.3. Certain instances may render businesses ineligible to display a star rating

A food business is not eligible to receive or display a rating, regardless of the final points score, if:

- a) The 'Authorised Officer' takes enforcement action through issuing an:
 - Improvement Notice, or
 - Penalty Notice, or
 - Prohibition Order, or
 - Seizure Notice, or
 - Prosecution.
- b) The 'Authorised Officer' assigns a 'critical' breach (breach score of 8).
- c) The inspection that is undertaken is only a 'part' inspection (i.e. completion of the full FPAR is not undertaken).
- d) A food business is inspected due to a complaint and the complaint is substantiated or proven.
- e) The [Authorised Council Officer](#) becomes aware of a significant change in the food safety standards at a premises.

If any of the above situations occur, the food business may be deemed ineligible to display its current rating and the rating display must be removed. It is recommended that Council conduct an unannounced inspection within three months to re-determine the rating.

4.4. Scores on Doors certificate

- Businesses that achieve the required star rating will receive the certificate from Council within seven (7) days of the inspection or may be issued the certificate on the spot.
- The certificate includes an expiry date, and the certificate ~~must~~ be displayed until the next routine inspection by Council, unless the business is deemed ineligible to display the certificate.
- The certificate may be displayed at each public entrance to the food business and remains the joint property of the NSW Food Authority and Council. Only the official Scores on Doors certificate may be displayed. Businesses should not display a false Certificate or one that is not the most recent.
- When a business receives a new certificate, the inspecting officer will stamp the expired certificate, so that it may not be displayed but may be kept with the business as a historical record.
- The expiry date of the certificate should be set based on Council's expected minimum inspection frequency, which takes into consideration the businesses' food safety risk profile and compliance history. Where compliance history is considered it should be based on the results of at least two inspection cycles.
- For most businesses eligible to participate in the program, the expiry period will usually be the end of the next six-month inspection period. For medium risk businesses that achieve an 'Excellent (five star)' score in two consecutive inspections, expiry dates may be set on a 12-month inspection period.

- A complaint investigation of a food premises that identifies a critical food safety breach, may result in the removal of a current Scores on Doors certificate.
- Results from follow up reinspection or enforcement activity, further to an unannounced routine inspection, will not be used to generate or amend Scores on Doors rating.
- Council is not obliged to carry out any additional inspections solely for the purpose of the Scheme.
- Council may choose to allow a further additional unannounced inspection to regrade a food business where the business is dissatisfied with their score, and all issues have been rectified. The inspection will be conducted within three months of accepting a request for a reinspection.
- A new star rating can only be issued on the results of a complete unannounced inspection. Part inspections do not qualify.
- Councils may display information about the businesses that participate in the Scores on Doors program, and their corresponding scores, consistent with relevant legislation. A score rating should not be published if a review of it is underway and not yet concluded.

4.5. A business may appeal to Council to review its star rating

A food business may seek a review of its star rating within seven days of receiving the certificate.

The appeal must be made in writing to Council. In the appeal the proprietor(s) must specify what non-compliance item/s they wish to appeal and the mitigating circumstances that may have resulted in the non-compliance. Council must determine the appeal within 14 days of it being received. The review can be an internal review by the relevant Manager in conjunction with the [inspector/Authorised Officer](#) who conducted the initial assessment. A further inspection of the premises will not be required in the review process.

Examples of circumstances that may be considered in an appeal:

- emergency situations;
- structural issues that have arisen in the past seven days;
- equipment faults that have occurred in the past 24 hours and have not resulted in a food safety issue; and
- interpretation of Food Standards Code (FSC) requirements.

Examples of circumstances that will not be considered in an appeal:

- lack of knowledge on FSC requirements;
- issues with staff;
- high risk food safety issues; and
- long term issues.

Council should advise of the outcome of the review within 14 days of receipt of the review request. If Council's review results in an amended rating Council should issue a revised certificate. Otherwise, it should notify that the score remains unchanged.

5. IMPLEMENTATION

5.1. Roles and Responsibilities

The following Council officers are responsible for the implementation and the adherence to this policy:

- General Manager
- Director Corporate and Community
- Manager Corporate & Customer Experience
- Environmental Health Officer

5.2. Communication

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

5.3. Associated Documents

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

- *Food Act 2003*
- Australia New Zealand Food Standards Code

6. REVIEW

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

The standard review period will be 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.

Council's Director Corporate and Community is responsible for the review of this policy.

7. LEGISLATIVE AND LEGAL FRAMEWORK

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

- *Food Act 2003*
- Food Regulation Partnership (NSW Food Authority)

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

8. DEFINITIONS

Expressions used in the Policy are defined in the Dictionary at the end of the *Food Act 2003* (the "Act Dictionary").

"Authorised Officer" means a person appointed under Division 3 of Part 9.

"Enforcement Agency" means:

- a) the Food Authority, or
- b) a relevant body appointed as an enforcement agency under Division 2 of Part 9, or
- c) any person or body, or a person or body within a class of persons or bodies, prescribed by the regulations for the purposes of this definition (other than a relevant body within the meaning of Division 2 of Part 9).

"Equipment" means the whole or part of:

- a) any utensil, machinery, instrument, device, apparatus or appliance that is used, or that is designed or intended for use, in or in connection with the handling of food; or
- b) any substance, utensil, machinery, instrument, device, apparatus or appliance that is used, or that is designed or intended for use, in cleaning anything referred to in paragraph (a).

"Food" has the meaning given by section 5.

"Food Authority" means the NSW Food Authority constituted under Part 9.

"Food Business" has the meaning given by section 6.

"Food Safety Standards" means the standards contained in Chapter 3 of the Food Standards Code.

"Food Standards Code" means the Australia New Zealand Food Standards Code as defined in the *Food Standards Australia New Zealand Act 1991* of the Commonwealth, as modified in accordance with regulations referred to in section 140 or 141.

"Handling of Food" includes the making, manufacturing, producing, collecting, extracting, processing, storing, transporting, delivering, preparing, treating, preserving, packing, cooking, thawing, serving or displaying of food.

"Improvement Notice" means an improvement notice issued under Part 5.

"Premises" includes:

- a) land (whether or not vacant), or
- b) the whole or any part of a building, tent, stall or other structure (whether of a permanent or temporary nature), or
- c) a pontoon, or
- d) a vehicle (other than a food transport vehicle while it is engaged in the transport of food).

"Prohibition Order" means a prohibition order made under Part 5.

"Proprietor of a Food Business" means:

- a) the person carrying on the food business, or
- b) if that person cannot be identified the person in charge of the food business.

"Unsafe" has the meaning given by section 8.

"Unsuitable" has the meaning given by section 9.

HEALTH AND BUILDING COMMITTEE

April 15, 2024

ITEM 3**BROKEN HILL CITY COUNCIL REPORT NO. 67/24**

SUBJECT: MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 12 MARCH 2024 D24/18640

Recommendation

1. That Broken Hill City Council Report No. 67/24 dated April 15, 2024, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 12 March 2024 be received.

Executive Summary:

Council has received minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 12 March 2024 for endorsement by Council.

Report:

As per Council's Section 355 Asset Committee Framework Manual and the Constitution of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee (both adopted March 2022), the Committee is required to provide Council with a copy of their meeting minutes following each Committee meeting.

Community Engagement:

Minutes provided to Section 355 Friends of the Flora and Fauna of the Barrier Ranges Community Committee members.

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:

The Friends of the Flora and Fauna of the Barrier Ranges Community Committee operates under Council's Section 355 Asset Committee Constitution and the *Local Government Act 1993* (Section 355).

Financial Implications:

Nil

Attachments

1. [MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE - 12 March 2024](#)

RAZIJA NU'MAN
DIRECTOR CORPORATE AND COMMUNITY

JAY NANKIVELL
GENERAL MANAGER

MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE S355 MEETING 12 MARCH 2024 AT 6PM – GROUND FLOOR MEETING ROOM, COUNCIL ADMINISTRATIVE CENTRE, 248 BLENDE STREET 12/51

1. Present:

Councillor Marion Browne	Council Delegate
Darrell Ford	Living Desert Ranger (BHCC)
Gaylene Ford	Community Representative
Karen Ford	Community Representative
Michael Ford	Community Representative
Jeff Crase	Community Representative
Ann Evers	Community Representative
Richard Ball	Community Representative
Narelle Tweedie	Community Representative
Greg Edwards	Community Representative
John Rogers	Community Representative

2. Apologies:

Councillor Darriea Turley	Council Delegate
Merran Coombe	Community Representative
Paul Reed	Community Representative
Geoffrey Hoare	Community Representative
Sue Spangler	Community Representative
Nick King	Living Desert Ranger (BHCC)
Jasmin Fryer	Living Desert Ranger (BHCC)

3. Non-Attendance:

Kellie Scott	Community Representative
Evan Scott	Community Representative
Emily Scott	Community Representative
Jamie Scott	Community Representative

4. Confirmation of Minutes from Previous Meeting: 12 March 2023

Confirmed By: Narelle Tweedie

Seconded By: Karen Ford

5. Business arising from Previous Minutes:

Nil

6. Correspondence:

Correspondence was received from Council's Director Corporate and Community notifying the community that Council at its Ordinary meeting held 28 February 2024, Minute No. 47457, resolved That Councillor Darriea Turley be appointed as a Councillor Representative on the Friends of the Flora and Fauna of the Barrier Ranges Community Committee.

7. Update on Action List Items:

7.1 Cement Paths

No Update

7.2 Improve roadworks

No Update

7.3 Infrastructure Improvements

Update: All infrastructure improvement projects currently awaiting funding

- Boardwalk from information bay to shelter
- Viewing platforms at the scenic lookout
- Tables and chairs
- Concrete the picnic area allowing for easy wheelchair access
- Concrete two paths in Starview campsite to the star viewing seats
- Sculptures path to be replaced to improve wheelchair accessibility
- New ranger's office to be built before the pay bay
- Working office to be built in the sanctuary
- Aerial to be installed to improve internet access at the ranger's office
- Sculptures carpark to be sealed
- Bend to be removed from the Sculptures Road
- S-Bend to be straightened on the picnic area road
- Replacement of the large barbeque in the picnic area
- Upgrades to the Bilby and Yellow footed rock wallaby enclosure
- Paving paths on trail
- Wheelchair path - from the carpark to the information bay (picnic area carpark to flora site)

8. Reports:

8.1 Visitors

Campsite and Visitor numbers steadily increasing as the temperatures begin to slightly decrease.

9. General Business:

9.1 Fauna

All the fauna seem to be handling the extreme temperatures we've been receiving well.

9.2 Paths

All the paths have held up after the rain we received.

9.3 Working Bee

Great job done by all those who lent a hand at the most recent working bee to fix the paths, big thank you to all. The next Working bee will be held on 13 April 2024. Meet at the Rangers Hut at 9am.

10. Next Meeting:

6pm on Tuesday, 9 April 2024, Council Chambers, 240 Blende Street

11. Meeting Closed:

6.20pm

12. Action List:

ACTION	WHO
1. Identification Cards – Continuing	Customer Relations
2. Cement paths – Awaiting funding	Darrell Ford
3. Improve Roadworks – Awaiting Funding	Darrell Ford
4. Infrastructure Improvements – All Infrastructure improvement projects currently awaiting funding	Darrell Ford

HEALTH AND BUILDING COMMITTEE

April 15, 2024

ITEM 4**BROKEN HILL CITY COUNCIL REPORT NO. 68/24**

SUBJECT: MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 9 APRIL 2024 D24/18647

Recommendation

1. That Broken Hill City Council Report No. 68/24 dated April 15, 2024, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 9 April 2024 be received.

Executive Summary:

Council has received minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 9 April 2024 for endorsement by Council.

Report:

As per Council's Section 355 Asset Committee Framework Manual and the Constitution of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee (both adopted March 2022), the Committee is required to provide Council with a copy of their meeting minutes following each Committee meeting.

Community Engagement:

Minutes provided to Section 355 Friends of the Flora and Fauna of the Barrier Ranges Community Committee members.

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:

The Friends of the Flora and Fauna of the Barrier Ranges Community Committee operates under Council's Section 355 Asset Committee Constitution and the *Local Government Act 1993* (Section 355).

Financial Implications:

Nil

Attachments

1. [MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE - 9 April 2024](#)

RAZIJA NU'MAN
DIRECTOR CORPORATE AND COMMUNITY

JAY NANKIVELL
GENERAL MANAGER

MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE S355 MEETING 9 APRIL 2024 AT 6PM – GROUND FLOOR MEETING ROOM, COUNCIL ADMINISTRATIVE CENTRE, 248 BLENDE STREET

12/51

1. Present:

Darrell Ford	Living Desert Ranger (BHCC)
Gaylene Ford	Community Representative
Karen Ford	Community Representative
Michael Ford	Community Representative
Jeff Crase	Community Representative
Ann Evers	Community Representative
Richard Ball	Community Representative
Narelle Tweedie	Community Representative
Greg Edwards	Community Representative
John Rogers	Community Representative
Merran Coombe	Community Representative

2. Apologies:

Councillor Marion Browne	Council Delegate
Paul Reed	Community Representative
Geoffrey Hoare	Community Representative
Sue Spangler	Community Representative
Nick King	Living Desert Ranger (BHCC)
Jasmin Fryer	Living Desert Ranger (BHCC)

3. Non-Attendance:

Councillor Dariea Turley	Council Delegate
Kellie Scott	Community Representative
Evan Scott	Community Representative
Emily Scott	Community Representative
Jamie Scott	Community Representative

4. Confirmation of Minutes from Previous Meeting: 12 March 2024

Confirmed By: Narelle Tweedie

Seconded By: Karen Ford

5. Business arising from Previous Minutes:

Nil

6. Correspondence:

Nil

7. Update on Action List Items:

7.1 Cement Paths

No Update

7.2 Improve roadworks

No Update

7.3 Infrastructure Improvements

Update: All infrastructure improvement projects currently awaiting funding

- Boardwalk from information bay to shelter
- Viewing platforms at the scenic lookout
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- Replacement of the large barbeque in the picnic area
- Upgrades to the Bilby and Yellow footed rock wallaby enclosure
- Paving paths on trail
- Wheelchair path - from the carpark to the information bay (picnic area carpark to flora site)

8. Reports:

8.1 Visitors

Lower than usual visitor numbers over the Easter long weekend, even with the caravan park close to full. Visitation should improve in the upcoming school holiday period.

9. General Business:

9.1 Weed Spraying

Brett the Weed Spraying Contractor is currently in town and undertaking weed spraying projects in regeneration areas and Willyama Common.

9.2 New Can-am

A new Can-am has been approved for purchase by the Broken Hill City Council for the Living Desert, this will allow for additional weed spraying and aid in the efficiency of general duties.

9.3 Goats

Goats in the area are becoming a nuisance around town. This is because of the low price of goat at the moment, resulting in station owners not wanting to hold or keep them.

9.4 Rangers update

Living Desert Rangers Darrell Ford and Nicholas King have just completed their First Aid Certificates. The Rangers have also just had a new fridge installed in the Rangers Office.

9.5 Working Bee

There will be a working held Saturday, 13 April 2024 at 9am. Meet at the Rangers Office.

10. Next Meeting:

6pm on Tuesday, 14 April 2024, Council Chambers, 240 Blende Street

11. Meeting Closed:

6.20pm

12. Action List:

ACTION	WHO
1. Identification Cards – Continuing	Customer Relations
2. Cement paths – Awaiting funding	Darrell Ford
3. Improve Roadworks – Awaiting Funding	Darrell Ford
4. Infrastructure Improvements – All Infrastructure improvement projects currently awaiting funding	Darrell Ford



CITY COUNCIL

www.brokenhill.nsw.gov.au