



BUSINESS PAPER

Community Development
Committee Meeting

Council Chambers
18 March 2025
5:30pm

BROKEN HILL

CITY COUNCIL

AUSTRALIA'S FIRST
HERITAGE LISTED CITY

MEMBERS OF THE COMMUNITY DEVELOPMENT COMMITTEE:

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

Notice is hereby given, in accordance with the provisions of the *Local Government Act 1993*, that the Community Development Standing Committee of the Broken Hill City Council will be held in the Council Chambers on **Tuesday 18 March 2025 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 Committee Meeting is being livestreamed via YouTube and recorded and published online via Council's website. To those present in the meeting today, by attending in this public meeting you are consenting to your image, voice and comments being recorded and published.

The Chairperson and/or General Manager have the authority to pause the livestream if comments or debate are considered defamatory or otherwise inappropriate for publishing.

Participants 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 Community Development Committee of the City of Broken Hill held Tuesday, February 18, 2025.

**MINUTES OF THE COMMUNITY DEVELOPMENT COMMITTEE MEETING HELD
TUESDAY, FEBRUARY 18, 2025 (5:30 PM)**

PASSING OF COUNCILLOR DAVE GALLAGHER

The Chairperson spoke of the passing of Councillor Gallagher on 9 February 2025. Councillor Gallagher served as a Broken Hill City Councillor for 14 years. He spoke of Councillor Gallagher's passion for Broken Hill and his strong advocacy to Federal and State Government on important issues for the City during his time as Councillor; and that Councillor Gallagher will be missed by many in the community.

A minute of silence was observed in honour of Councillor Gallagher.

PRESENT: Councillor T Kennedy (Mayor), Councillor M Boland (Chairperson),
Councillors B Algate, H Jewitt and E Gillett.

General Manager, Director Corporate and Community, Executive
Officer and Executive Assistant.

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

APOLOGIES: Councillor J Hickey (Deputy Mayor)

Procedural Motion

Moved Councillor Bob Algate, Seconded Councillor Elaine Gillett

That the apology submitted on behalf of Deputy Mayor Hickey be accepted.

CARRIED UNANIMOUSLY

LEAVE OF ABSENCE

APPLICATIONS: Nil.

PRAYER

Mayor Kennedy delivered the Prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Jewitt delivered the Acknowledgement of Country.

ACKNOWLEDGEMENT OF BROKEN HILL'S MINING HISTORY

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

MINUTES FOR CONFIRMATION

Recommendation

Moved Councillor Hayley Jewitt, Seconded Councillor Bob Algate

That the Minutes of the Community Development Committee meeting held Tuesday July 23, 2024 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Nil.

REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 21/25 - DATED JANUARY 08, 2025 - ADOPTION OF THE DRAFT OUTBACK ARCHIVE COLLECTION MANAGEMENT POLICY D25/1029

Recommendation

Moved Councillor Bob Algate, Seconded Councillor Hayley Jewitt

1. That Broken Hill City Council Report No. 21/25 dated January 8, 2025, be received.
2. That Council notes that one (1) submission was received during the public exhibition of the Draft Outback Archive Collection Management Policy.
3. That due to the submission received, Council has made amendments to the policy to add 'environmental and natural history' as a collecting area and have amended methods of acquisition to include that long term loans may be considered in special circumstances.
4. That Council adopts the Draft Outback Archive Collection Management Policy with an amendment to clarify that a Council resolution must be sought prior to any action being taken to purchase an archive collection.
5. That the previous Outback Archives Policy be rendered obsolete.

CARRIED UNANIMOUSLY

2. BROKEN HILL CITY COUNCIL REPORT NO. 22/25 - DATED JANUARY 30, 2025 - DISABILITY INCLUSION ACTION PLAN 2022-2026 - KEY PERFORMANCE INDICATORS PROGRESS REPORT FOR PERIOD ENDING 31 DECEMBER 2024 D25/4216

Recommendation

Moved Councillor Hayley Jewitt, Seconded Councillor Elaine Gillett

1. That Broken Hill City Council Report No. 22/25 dated January 30, 2025, be received.
2. That Council note the Disability Inclusion Action Plan 2022-2026 –Key Performance Indicators Progress Report for the reporting period ending 31 December 2024.
3. That the Disability Inclusion Action Plan 2022-2026 – Key Performance Indicators Progress Report for the reporting period ending 31 December 2024 be placed on Council’s website.

CARRIED UNANIMOUSLY

3. BROKEN HILL CITY COUNCIL REPORT NO. 23/25 - DATED FEBRUARY 11, 2025 - TEMPORARY SUSPENSION OF ALCOHOL PROHIBITED AREA - PERFECT LIGHT FILM FESTIVAL - 22 MARCH 2025 D25/6342

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Hayley Jewitt

1. That Broken Hill City Council Report No. 23/25 dated February 11, 2025, be received.
2. 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 *Local Government Act 1993*, on Saturday, 22 March 2025 from 6pm to 9.30pm 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 local newspaper. 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 the Sturt Park; and that all existing alcohol-free zones in Broken Hill will remain in force.
4. That the General Manager be authorised to implement the suspension and advertising processes on final advice of the Barrier Local Area Command.
5. That the Barrier Local Area Command be advised of Council’s decision.

CARRIED UNANIMOUSLY

Procedural Motion

Moved Mayor Tom Kennedy, Seconded Councillor Hayley Jewitt

That the meeting moves into closed session as per Section 10A(2) of the Local Government Act 1993 whilst the Committee considers the confidential matter.

CARRIED

The meeting moved into closed session at 5:39pm and the livestream of the meeting ceased.

CONFIDENTIAL MATTERS

4. BROKEN HILL CITY COUNCIL REPORT NO. 196/25 - DATED JULY 24, 2024 - CONFIDENTIAL MINUTES OF THE HEALTH AND BUILDING COMMITTEE MEETING HELD TUESDAY 23 JULY 2024 FOR CONFIRMATION - CONFIDENTIAL

(General Manager's Note: This report considers the confidential minutes of a lease matter 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 Bob Algate

1. That Broken Hill City Council Report No. 196/25 dated July 24, 2024, be received.
2. That the Confidential Minutes of the Health and Building Committee meeting held Tuesday 23 July 2024 be confirmed

CARRIED UNANIMOUSLY

Procedural Motion

Moved Mayor Tom Kennedy, Seconded Councillor Hayley Jewitt

That the meeting resumes in open session.

CARRIED UNANIMOUSLY

The meeting resumed in open session at 5:40pm.

CONCLUSION OF THE MEETING

There being no further business to consider, the meeting was declared closed at 5:40pm.

The foregoing minutes were read and confirmed at the Community Development Committee meeting held on 18 March 2025.

Chairperson

REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 44/25 - DATED MARCH 06, 2025 - DRAFT FOOTWAY RESTAURANT SETTINGS POLICY FOR PUBLIC EXHIBITION (D25/10410) 9
2. BROKEN HILL CITY COUNCIL REPORT NO. 45/25 - DATED FEBRUARY 25, 2025 - NOMINATIONS FOR THE APPOINTMENT OF COMMUNITY REPRESENTATIVES TO SECTION 355 COMMITTEES (D25/8430) 29
3. BROKEN HILL CITY COUNCIL REPORT NO. 46/25 - DATED FEBRUARY 17, 2025 - MINUTES OF THE S355 AGEING WELL ADVISORY COMMITTEE MEETING HELD 5 FEBRUARY 2025 (D25/7255)..... 39

COMMUNITY DEVELOPMENT COMMITTEE

March 6, 2025

ITEM 1BROKEN HILL CITY COUNCIL REPORT NO. 44/25

SUBJECT: DRAFT FOOTWAY RESTAURANT SETTINGS POLICY FOR
PUBLIC EXHIBITION D25/10410

Recommendation

1. That Broken Hill City Council Report No. 44/25 dated March 6, 2025, be received.
2. That Council endorses the draft revised Footway Restaurant Settings Policy for the purpose of public exhibition.
3. That the draft revised Footway Restaurant Settings Policy be placed on public exhibition for submissions to be received for a period of 28 days.
4. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the draft revised Footway Restaurant Settings Policy.

Executive Summary:

Broken Hill City Council is responsible for assessment and approval of footway dining activities on any public land (including Public Roads) in the Broken Hill City Council Local Government Area (LGA) that is owned or under the care, control and management of Council. This particularly applies to footpath areas adjacent to public roads situated within the town and neighborhood centres in the city.

Footway restaurants/cafés make a significant contribution to the quality of public places and urban life. They contribute to active vibrant streets with opportunities for economic activity, social interaction and leisure.

Broken Hill City Council's current Policy for Footway Restaurants was adopted in 2006, therefore it is required to be revised to meet the needs of local businesses and the community.

The current Policy is brief and does not address modern day requirements such as requests for footway extension areas, types of furniture and barriers as well as other fixtures such as blinds, lighting and heating. This draft policy aims to provide clear guidelines for applicants, staff, Council and the community with respect to Council's expectations in relation to footway dining.

Report:

The number of Footway Dining Applications in the Broken Hill LGA has increased in recent years.

The policy will act as a guideline to promote and control the establishment, approval and operation of footway restaurants. It will also allow for the separation of the Policy and the Application.

The majority of footway dining occurs in the CBD area (Argent Street) and it is Council's responsibility to ensure that footway dining areas are appropriate for use by all community

members. The policy also aims to ensure that pedestrian and traffic safety and accessibility will not be compromised by footway dining activities.

The draft revised Footway Dining Policy is presented to Council for endorsement to be placed on public exhibition.

Community Engagement:

The draft policy will be placed on public exhibition for submissions to be received for a period of 28 days.

Strategic Direction:

Key Direction:	1	Our Community
Objective:	1.5	Our built environment supports our quality of life
Strategy:	1.5.2 & 1.5.4	Maintain an attractive and welcoming Central Business and Activities District & Design and deliver pathways, walking trails and other pedestrian movement infrastructure to maximise access, inclusion and mobility

Relevant Legislation:

Food Act 2003

Roads Act 1993

Liquor Act 2007

Environmental Planning and Assessment Act 1979

Local Government Act 1993

Disability Discrimination Act 1992

Companion Animals Act 1998

The Companion Animals Amendment (Footway Dining Areas) Act 2010

Work Health and Safety Act and Regulations 2011

Financial Implications:

Nil

Attachments

1. [↓](#) Draft Footway Restaurant Settings Policy

RAZIJA NU'MAN

DIRECTOR CORPORATE AND COMMUNITY

JAY NANKIVELL

GENERAL MANAGER

DRAFT FOOTWAY RESTAURANT SETTINGS POLICY

QUALITY CONTROL			
EDRMS REFERENCES	12/14 – D24/13464		
RESPONSIBLE POSITION	Manager Corporate and Customer Experience		
APPROVED BY			
REVIEW DATE	March 2029	REVISION NUMBER	1
EFFECTIVE DATE	ACTION	MINUTE NUMBER	
	Public Exhibition		
	Adopted		

1. INTRODUCTION

Footway cafés make a significant contribution to the quality of public places and urban life. They contribute to active vibrant streets with opportunities for economic activity, social interaction and leisure.

This document is Council's Footway Dining Policy and provides information for the public and for applicants seeking to use the footway for dining. The procedure has been developed internally as well as procedures that are required under legislation and provide guidance for Council in determining applications.

Council is responsible for assessment and approval of footway dining activities on any public land (including Public Roads) in the Broken Hill City Council Local Government Area that is owned or under the care, control and management of Council. This particularly applies to footpath areas adjacent to public roads situated within the town and neighbourhood centres in the city.

2. POLICY OBJECTIVE

The objectives of this policy are:

- To encourage footway dining in areas that are suitable for that purpose
- To add to the vitality of the streetscape character of centres within the City
- To provide opportunities for increased economic activity in the City
- To provide clear guidelines for applicants, staff, Council and the community with respect to Council's expectations in relation to footway dining
- To ensure that pedestrian and traffic safety and accessibility is not compromised by footway dining activities

- To ensure that adequate, sheltered and safe space is maintained for pedestrian access and circulation
- To ensure equitable access for all including people with disabilities
- To ensure that footway dining areas are maintained in a clean, healthy, tidy manner and remain attractive elements of Broken Hill City

3. POLICY SCOPE

These guidelines have been prepared and adopted by Council as a general policy to foster, promote and control the establishment, approval and operation of footway restaurants.

The requirements of this policy will apply generally however, each application will be determined on its merits. For this purpose Council reserves the right to depart from the requirements of the policy whenever it deems that such departure is in the interest of the City or is necessary to protect the amenity of the neighbourhood.

The provisions of the *Roads Act 1993*, the *Environmental Planning and Assessment Act 1979*, and the *Local Government Act 1993*, and Regulations shall apply in all respects where not specifically provided for in this policy and no approval shall be granted unless the proposal complies with the provisions of the Acts and approval.

4. POLICY STATEMENT

The following are the guiding principles and standards that Council must adhere to for the implementation of this policy.

4.1 Location and Site Criteria

This section provides details on location and site criteria for footway dining.

The most important local conditions to be considered in locating footway dining areas are:

- Proximity to associated approved food and drink premises;
- Available area for footway dining – footpath width and width of public space;
- Existing context including topography and footpath gradient, existing street furniture, the access points to nearby businesses;
- Siting and design of any existing footway dining in the locality;
- Proximity to residential areas; and
- Type of parking and the proximity to kerb.

4.1.1. Site Conditions and Associated Works

The ground surface must be suitably constructed and sufficiently level to support a proper layout and safe use of furniture.

Minor structures and changes to the footpath may be approved to achieve a suitable gradient. The applicant may also wish to undertake other streetscape works to accommodate the footway dining area. Such works may include planter boxes, lighting, safety barriers, etc. Any such changes or works require approval by Council and will be at the expense of the applicant/s.

4.1.2. Minimum Areas and Clearances

4.1.2.1. Minimum Areas

The minimum area for any footway dining is 4m² this minimum area is based on a layout of one table with four chairs (or two small tables with two chairs each). The number of tables and chairs permitted in the proposed area will be assessed on an individual basis.

Applications for smaller footway dining areas will be considered on a case-by-case basis.

4.1.2.2. Minimum Clearances (Setbacks)

For circulation, safety, accessibility and convenience, clearances are required around footway dining areas.

Locations on footways in business centres

A footway dining area may be located:

- Adjacent to the kerb/roadway
- Plaza locations i.e. Town Square
- Corner locations
- Other locations satisfying criteria outlined in this policy

The location will be determined considering local conditions, including the retention of a continuous accessible pedestrian corridor; the volume of pedestrian traffic; the location of existing footway dining areas, existing shop fronts and awnings; the location of streetscape elements including poles, signs, rubbish bins; and the location of any bus stops and taxi stands, etc. (refer also 4.1.3 Unsuitable Locations).

A clear unobstructed pedestrian corridor of 2 metres minimum must be maintained adjacent to the seating area or shop frontage (whichever is relevant) for clear passage of pedestrian traffic to allow for continuous accessible paths of travel at all times. Note: A pedestrian corridor of 1.8 metres may be approved in exceptional circumstances where the 2 metre corridor cannot be achieved.

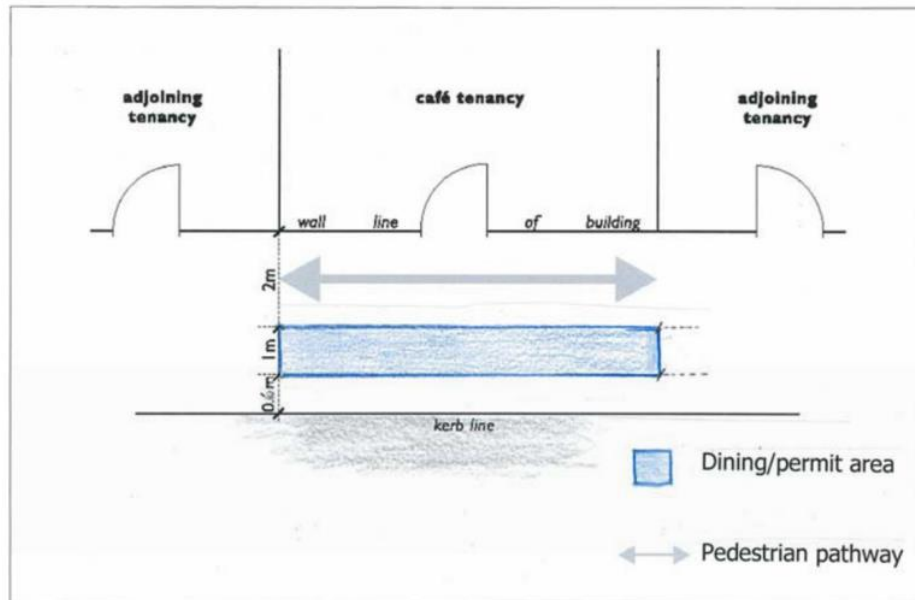
Footpath widths and configurations can vary. The diagram in Figure 1 illustrates pedestrian clearances required.

Adjacent to kerb/roadway

Where footway dining is proposed adjacent to kerbside parking, a minimum 600mm wide clear area must be provided adjacent to the kerb to allow motor vehicle doors to open unimpeded and to permit passage of pedestrians to and from vehicles (refer Figure 1). This distance may be increased depending on the road use and type of parking. For safety reasons, allowances for clear pedestrian passage may be increased depending on the volume of pedestrian activity, traffic speed and volume, and where required by Transport for NSW, particularly on classified roads. Barriers/wheels stops may also be required to be installed at the expense of the applicant/approval holder and to the satisfaction of Council.

Figure 1: The diagram below shows the location of the 2m wide pedestrian corridor where footway dining is proposed along the kerb line. Note the 600mm wide clearance from the kerb where there is a parking lane in the adjacent road.

Note: Equitable access is to be considered and clearances must have regard to current Access Standards including AS1428.



Where there is no kerbside parking, a suitable barrier/clear zone may be enforced in accordance with the approval issued and to the satisfaction of Council for safety considerations including preventing diners from walking directly onto the roadway and chairs being pushed onto the roadway. Installation will be at the expense of the applicant/approval holder.

Plaza locations

Where proposed in plaza locations, for example the Town Square, the footway dining area may be considered in locations not directly in front of the associated business. In these circumstances, it may be considered in close proximity to the respective café, restaurant, or hotel depending on:

- The design of the plaza area;
- The location of street furniture and services;
- Topography of the site and surrounds;
- Location of pedestrian corridors, service vehicle access, existing or planned for goods for display, street stalls; and
- Other matters with respect to the design of pedestrian and shared plaza areas, including the needs of adjacent businesses.

Corner locations

At street corners, a setback of at least 2 metres measured from the building corner applies exclusive of any obstruction or street fixture e.g. bench, tree, rubbish bin, pole etc. This is required to maintain safe sight distances for vehicles and pedestrians, as well as clear paths of travel and equitable access (refer Figure 2).

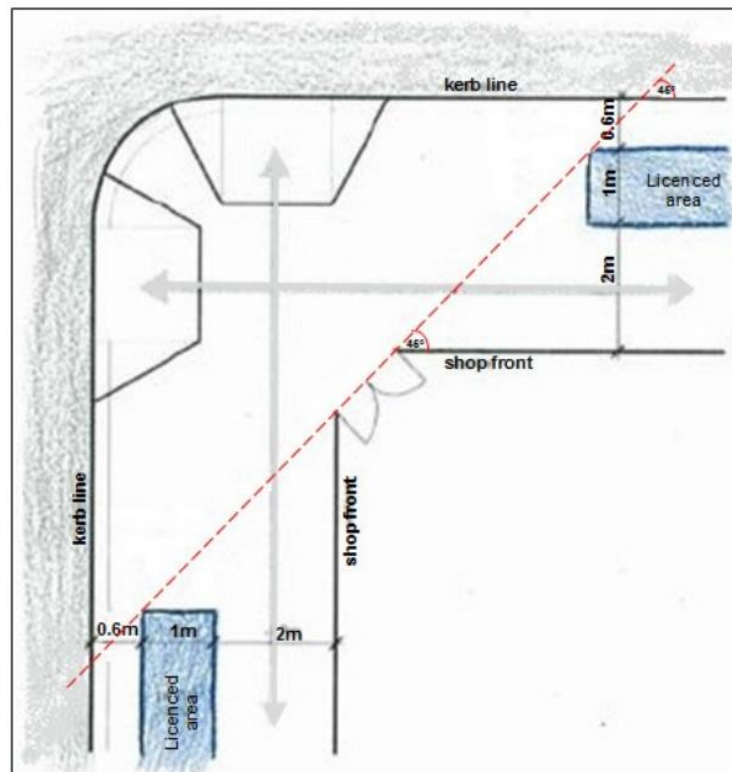


Figure 2: Footway dining areas are permitted on corner locations at street intersections subject to the required clearances being met. The diagram identifies the clearances required for safety and access considerations.

Other locations

In otherwise favourable locations, minor modifications of the nominated clearances may be approved if the objectives of this policy are met.

4.1.3. Unsuitable Locations

Footway dining areas will not be considered at bus stops, taxi ranks, near pedestrian crossings, or other areas where there is concentrated pedestrian traffic or vehicular traffic safety concerns.

Not all footpaths are suitable for use as footway dining areas, or may not have sufficient width to meet pedestrian access/vehicular access, sightlines etc.

Where a suitable pedestrian access corridor is unable to be provided, footway dining will not be permitted.

4.1.4. Limitations on the Use of Footpath Areas

The use of a footpath will generally be limited to the area situated directly in front of the food premises/restaurant, which provides the base for the footway dining activity.

it may also be necessary to limit footway dining activity to particular times of the day depending on local circumstances.

The *Liquor Act 2007* may also apply when determining the location of footway dining areas.

4.1.5. Extension Areas

In some circumstances, for example where a footway dining area is proposed outside a row of shops, consideration may be given to extending the footway dining into the area in front of the adjoining shop (refer to Figure 3). This consideration will require the written consent of the owner and the occupier of the adjoining premises to be submitted with the application.

Any changes to the ownership or occupancy of the adjoining premises will require the approval holder to seek a new consent from the owner and occupier. If this approval is not obtained, the area approved for use of the activity will be reduced to the footpath area immediately in front of the principle dining premises.

Footway dining approvals will also cease upon change of use or change of ownership of the principle dining premises or if the restaurant ceases to trade.

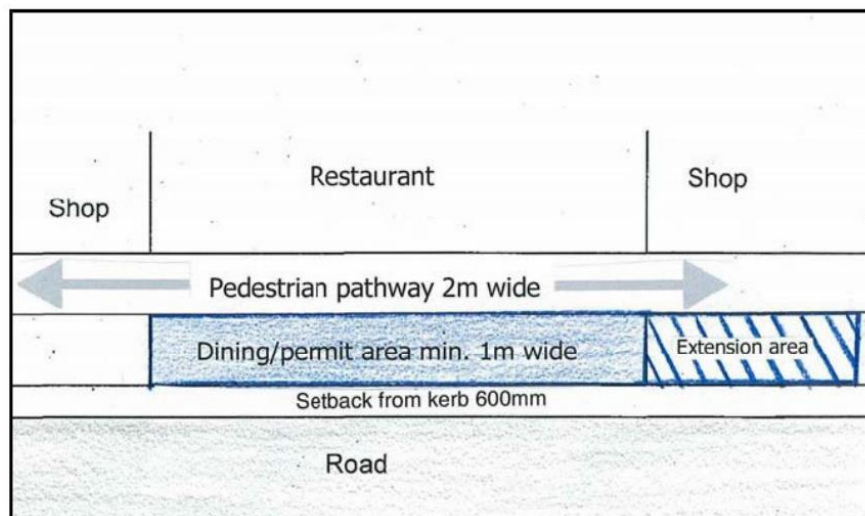


Figure 3: The diagram illustrates an example of an opportunity for extension of a footway dining area.

4.2 Furniture Guidelines

Footway furniture for the purpose of this policy includes shade structures, tables, chairs, heaters, and perimeter barricades.

This section provides guidance on the design requirements for both removable and fixed furniture associated with footway dining.

4.2.1. Furniture Layout

The layout and orientation of furniture should be chosen according to the size and shape of the available space. The available depth of a footway dining area depends on the width of the footpath; however, the minimum practical width for footway dining is 1m (refer to Figure 4).

The location of all furniture, barriers and the like, removable and fixed, must not extend beyond the boundaries of the approved footway dining area.

The approval holder is responsible to ensure patrons maintain furniture within the boundaries of the approved seating area at all times.

In kerbside locations where footway dining is located adjacent to parking, for safety reasons, the layout must be organised so that chairs must not be placed with their backs to the kerb.

Whenever possible, a footway dining area should visually relate to and be physically aligned with streetscape features.

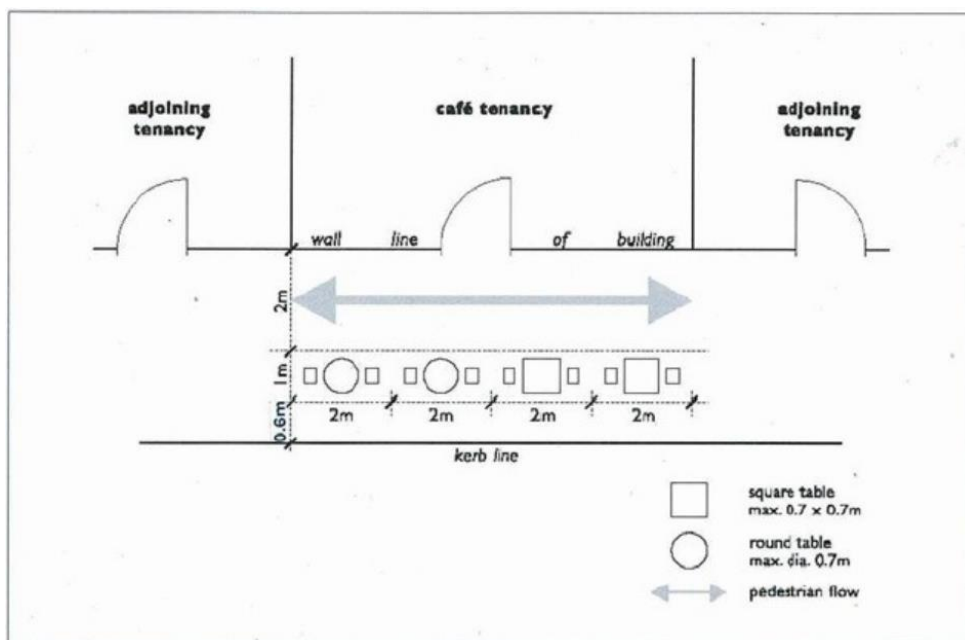


Figure 4: Example of a seating layout for a standard footpath. Chairs are sited so as not to intrude on the 2m wide pedestrian corridor.

4.2.2. Delineation of Boundaries

Council requires all footway dining areas to be delineated.

Barriers

The use of framed fabric barriers may be approved, provided they do not become a physical or visual obstruction within the public domain and do not have a detrimental impact on pedestrians.

Barriers may be considered between adjoining footway dining activities to separate the dining areas. Barriers should be provided where the footway dining area is located 600mm from the kerb line to prevent chairs and tables creeping closer to the kerb. The barriers prevent car drivers/passengers walking through the maze of tables and chairs to access the footpath. For safety purposes, barriers may be required to be designed to be energy absorbing (refer also Section 4.1.2.2 Minimum Clearances (Setbacks)).

Barriers must be of a colour and type that complements other furniture, such as umbrellas (refer to Figure 5).

Removable barriers, placed on public land, must be free standing and of a weight that is safe, durable and supports the design. The establishment of holes, location fasteners and penetration into a pavement surface is not permitted without Council approval.

All barriers require the approval of Council.



Figure 5: Example of a removable barrier.

Other

Other barriers that may be appropriate between the footway dining area and kerb area are planter boxes and landscape features. The design of such elements must be discussed and approved by Council.

All fixed elements require the approval of Council.

4.2.3. Furniture style

Footway furniture should make a positive contribution to the street environment. A furniture style that is practical, robust and attractive and complements the surrounding streetscape is encouraged. All furniture items, including umbrellas and barriers are to be approved by Council, details of which must be included in all applications.

Furniture should comply with the following criteria:

- Furniture should be strong, sturdy, durable, waterproof and weather resistant, designed for commercial footway use; of smart design approved by council prior to use;
- The design must not contain parts that are likely to cause damage to the pavement;
- The furniture must be suitable for the maintenance of public safety, comfort and hygiene;
- Particular care should be taken with any sharp edges, and hinges or other moving parts to ensure that they do not present a potential hazard to users;
- Furniture, in particular tables, must be able to be cleaned and not be of a design that allows particles of food to collect;
- All removable furniture must fold or stack for storage, and be readily removed and stored within the associated indoor premises;
- Furniture colour schemes must form part of any application. The design and colour should give consideration to the furniture in existing approved footway dining areas in the street, and access for the vision impaired (refer AS1428);
- Surfaces such as tabletops must be non-reflective;
- Any proposed items of furniture that are to carry advertising materials (logos, brand names etc.) must be detailed as part of the application.

Refer to Figure 6.



Figure 6: Examples of REMOVABLE Furniture Styles.

Note: These styles are illustrative only. Requirements may vary depending on proposed location of footway dining area. Favourable consideration may also be given to well designed, creative and individual alternatives.



Figure 7: Example of a FIXED Furniture Style.

Note: These styles are illustrative only. Requirements may vary depending on proposed location of the footway dining area. Favourable consideration may also be given to well designed, creative and individual alternatives.

4.2.4. Enclosure

Footway dining areas should enrich the pedestrian experience and public life. It is therefore important that they present an open inviting image and are easily accessible.

Full height solid screens are not preferred. Direct physical contact with the footway environment is an integral part of the experience of footway dining.

Roll-up blinds and the like

Where applicants propose the use of any form of enclosure for footway dining areas, such as roll-up blinds and the like, the enclosures are:

- to be used around no more than two sides of the footway dining area. In the case of a row of footway dining areas, should only be used on the perimeter of the entire row of footway dining areas so as not to work against the amenity of footway dining;
- must be retractable and not to be permanently rolled down (in the case of blinds) i.e. can be rolled up and down for use only in inclement conditions;
- not to cause any obstruction to the minimum path clearance required for public access (including access for the disabled);
- not to encroach the roadway or the approved seating area or be able to be blown into kerb edge/roadway area or pedestrian area;
- not to be located near any heating devices so as not to cause a potential fire hazard;
- to be securely fitted and installed to ensure that they withstand the effects of wind. Fixtures that penetrate or damage the pavement on Council's footpaths will not be permitted; and further that they be removed or closed in extremely windy conditions and must be removed when the footway seating area is not in use;
- not undermine the strength of the structure on which they are to be fitted;
- not to be used for the display of advertising;
- not to be positioned where vehicle sight distance is restricted for example at an intersection.

4.2.5. Umbrellas

Umbrellas are appropriate for providing shade and shelter; however, considerations with respect to safety are critical.

Umbrellas must:

- be installed to ensure that they are at all times securely fixed to withstand the effects of wind;
- be removed or closed in extremely windy conditions and must be removed when the footway seating area is not in use;

- not encroach on, or interfere with pedestrian movement, and must be at least 2.2 metres above the ground level at the lowest point;
- be manufactured from fire retardant material if adjacent to a heating device;
- be maintained in sound and aesthetically acceptable condition to the Council's satisfaction;
- not have general advertising but may include business premises identification and advertising associated with the associated food premises (e.g. coffee brand).

For other shade structures, contact Council for advice on whether such structures will require the consent of Council.

4.2.6. Heating Devices

Where the use of a heating device is proposed, details of the type, location and design must be included in the application. All heating devices are subject to approval, and the design of the device and the safety of persons and property will be the main consideration. Heating devices should turn off automatically if overturned to prevent injury to patrons and property.

4.2.7. Storage facilities

Adequate storage facilities will be required to be provided in the associated premises or in the building containing the associated premises for tables, chairs, umbrellas, heating devices, etc. when not in use (i.e. outside the hours of operation of the footway dining area).

4.2.8. Toilet facilities

Toilet facilities are to be made available to patrons in accordance with the requirements of the Building Code of Australia.

Toilet facilities are required to be available in the building occupied by the food and drink premises where alcohol is served or if the total seating provided, (indoors and footways) exceeds the prescribed number.

Inclusion of footway seating will increase the number of seats to a food and drink premises, and such an increase may require the provision of toilet facilities.

4.2.9. Advertising and signage

The name of the footway dining premises, its business name or logo may be placed on footway umbrellas, and other items of furniture, only if it:

- identifies the footway dining premises;
- is in the nature of a corporate logo or identification;
- is of a minor and integral element of the furniture design and does not have an excessive impact on the area of the café or the streetscape.

Details of all signage and advertising must be submitted for approval as part of the application.

4.2.10. Lighting

Any footway dining approved to operate outside daylight hours must have adequate lighting, to Council's satisfaction, to ensure the safety and amenity of patrons and the public. Lighting must not also cause a nuisance or injury to amenity.

4.3 Management Issues

This section provides an understanding of the ongoing management and operational matters required of footway dining areas.

4.3.1. Conditions of approval

The approval holder will be responsible for making sure the footway dining area is operated in accordance with the conditions attached to the approval, and where it applies, any conditions attached to the development consent.

Non-compliance will be enforced by way of a written warning for a first offence and a fine in all other circumstances. Continual non-compliance may result in the approval being revoked or enforcement action taken.

4.3.2. Fees

All fees associated with footway dining approvals are included in Council's Schedule of Fees and Charges for that financial year.

4.3.3. Approval Document

A copy of the Footway Dining Approval that includes a plan of the approved area must be kept on the premises and is to be produced on request by any authorised person. Approvals will be issued as part of Council's approval process.

4.3.4. Maintenance and Cleaning

All furniture must be maintained at all times in a physically sound and aesthetically acceptable condition to the Council's satisfaction. The approval holder is responsible for cleaning the approved footway dining area. It must present a clean, well-maintained image as specified in the conditions of the approval.

4.3.5. Waste Disposal

Street rubbish bins are not to be used for the disposal of waste associated with the operation of the restaurant, café or other food premises and the approval holder must have a suitable arrangement for commercial waste collection service.

4.3.6. Furniture Storage

Footway furniture must be removed and stored away from all public areas outside the hours of business operation or when not in use due to bad weather etc.

4.3.7. Table Service

The *Liquor Act 2007* may include requirements with respect to table service in the footway dining area where alcohol is served. Any requirements relating to table service that are set out in conditions of the applicable Liquor Licence must be complied with.

4.3.8. Alcohol

A Liquor Licence from Liquor and Gaming NSW needs to be obtained prior to the consumption of alcohol within the footway dining area. This includes Bring Your Own (BYO) Alcohol. Alcohol may then be supplied or consumed within the footway dining area, subject to requirements from Liquor and Gaming NSW and any conditions imposed by Council. The Liquor Licence must include the outdoor dining area.

In most cases, a Liquor licence will not be issued for a footway dining area, unless Development consent for the footway area to allow for serving and consumption of liquor, has been granted by Council. To seek Development consent, relevant information can be sought from Council's Planning team.

The applicant must provide evidence of the Liquor Licence to Council at the time of the Footway Dining Application.

4.3.9. No Smoking Policy

Refer to the *Smoke Free Environment Act and Regulations 2000* for further information.

4.3.10. Heating Devices

Heating devices must be removed from public land and appropriately stored when not in use.

4.3.11. Animals

The *Companion Animals Act 1998* Sec 14A enables café and restaurant owners to make a decision whether or not to allow dogs in footway dining areas, under certain circumstances, which are indicated in "the Act." This requirement relates to the responsibilities attached to food handling and it is the responsibility of the approval holder to comply with the requirements of relevant legislation.

Assistance animals are permitted in footway dining areas under the *Disability Discrimination Act 1992*.

4.3.12. Lighting

Lighting provided for footway dining is to be maintained to ensure the safety and amenity of patrons and the public. All lighting is to be installed in a manner which ensures that nuisance is not caused to passing-by vehicles or to neighbouring properties.

4.3.13. Insurance

All approval holders will be required to carry and maintain public risk liability insurance to the minimum value of \$20million with Broken Hill City Council listed as an interested party for footway dining purposes.

4.3.14. Change of Ownership or Use

Footway dining approvals will cease upon change of ownership, change of use of the principle dining premises or if the business ceases trading. A new application is required for any change of ownership.

4.4 Application Requirements

In all cases of footway dining, approval is required from Council to meet various legislated and policy requirements. The nature of the approval required might relate to one, two or three Acts (or more) and related policies. To assist applicants, Council has made the application process as streamlined as possible. This section assists in explaining the requirements for approval in the majority of cases.

4.4.1. Local Government Act 1993 and Roads Act 1993

Footway dining proposals also need approval under the *Local Government Act 1993* (where located on public land) and the *Roads Act 1993* (where the activity is on a public road/footway).

Application forms for an approval under the *Local Government Act 1993* or *Roads Act 1993* are available from Council's website at www.brokenhill.nsw.gov.au or Council's Customer Service Centre, 240 Blende Street, telephone (08) 8080 3300.

Any footway dining areas where it is intended to serve alcohol require a separate licence under the *Liquor Act 2007*. Further information can be obtained from Liquor and Gaming NSW.

If the application for footway dining is in a residential area or adjacent to a residential area and is likely to involve the consumption of alcohol, Council must consider the following matters in determining the application:

- whether the proposed use is likely to detrimentally affect the amenity of the surrounding residential area; and
- whether any objections to the proposed liquor licence are well founded.

4.4.2. Period of approval and variation of approval

Approvals will be valid for one financial year. An approval to use a footway or public space may be varied or revoked at any time.

It should be noted that pedestrian movement patterns are continuously monitored and may lead to variation or revocation of an approval at any time should Council consider it to be in the public interest to do so. In these circumstances, reasonable notice shall be given and a reasonable period of time, as set out in the approval, will be provided before the notice becomes effective. Notice periods will be abridged where there is any risk to public safety and amenity.

Approvals will automatically cease upon any change of ownership or occupancy of the associated premises or if the business ceases to trade.

Note: Applications to extend/renew the footway dining approval should be renewed at least two months before expiration of the approval if continuity of use is required. Otherwise, any use of the footway dining area must cease at the end of the financial year and all tables, chairs, umbrellas, barriers and the like are to be removed permanently or until a new approval is issued.

5. IMPLEMENTATION

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

5.1 Roles and Responsibilities

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

- General Manager
- Director Corporate & Community
- Manager Corporate & Customer Experience
- Environmental Health Officer
- Community Safety Officers
- Manager Planning and Development
- Town Planner

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:

- Compliance and Enforcement Policy
- Shop Front Displays and Moveable Signs Policy
- Local Orders Policy
- Local Approvals 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 Manager Corporate & Customer Experience is responsible for the review of this policy.

8. LEGISLATIVE AND LEGAL FRAMEWORK

Footway dining proposals require approval from Council. The most common location for footway dining is on part of the public footpath outside restaurants, cafes and other food premises, but may also be located on other public land in Council's ownership such as road reserves (land adjacent to carparks etc.), provided that the land is adjacent to a restaurant, café or other food premises.

There are a number of safety, accessibility, and amenity considerations with respect to footway dining proposals. These aim to ensure the comfort of footway diners as well as the comfort of the general public accessing areas in and around footway dining areas.

Council has various responsibilities to meet under the following legislation:

- *Local Government Act 1993*
- *Roads Act 1993*
- *Disability Discrimination Act 1992*
- *Companion Animals Act 1998*
- *The Companion Animals Amendment (Footway Dining Areas) Act 2010*
- *Liquor Act 2007*
- *Food Act 2003*
- *Work Health and Safety Act and Regulations 2011*

Part 4 of this policy outlines the requirements for applications to Council for approvals under the above listed legislation.

The *Roads Act 1993* and the *Local Government Act 1993* generally require that a person shall not carry out any activity on a public road or place without the approval of Council. The *Roads Act 1993* enables Council, as a road authority, to grant approval for limited use of Council's footpaths, roadways etc. which form part of a public road.

Sections 125, 126 and 127 and in some cases Sections 137-139 of the *Roads Act 1993* allow Council to grant approval for use of a footpath in association with an adjacent restaurant (being premises in which food is regularly supplied on sale to the public for consumption on the premises), as long as this use is not taken to constitute a public nuisance and does not give rise to an offence against the *Roads Act* or any other legislation.

Transport for NSW must also give approval for footway dining activities on classified roads.

9. DEFINITIONS

Authorised Officer shall mean an employee of a council generally or specially authorised by the council to be an Authorised Officer under the provisions of the *Local Government Act 1993*.

Business frontage shall mean the ground level property alignment of the business premises to the footpath.

Business premises shall mean the premises from which a business, trade or calling is conducted.

BYO shall mean Bring Your Own.

Carriageway shall mean an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles.

Classified Road includes Main Roads, State Highway, Freeway, Controlled Access Roads, Secondary Roads, Tourist Road, Tollway, Transit way and a State Work as defined under the *Roads Act 1993*.

Footpath shall mean an area open to the public that is designated for, or has as one of its main uses, use by pedestrians and includes but not limited to a road reserve and nature strip.

Footway restaurant setting shall mean, but is not limited to, any table or chair, or any other thing placed on a footway for the use of the public to sit at, whether or not that person eats or drinks.

Intersection or junction shall mean the area where 2 or more roads (except any road-related area) meet and includes: (a) any area of the roads where vehicles travelling on different roads might collide, and (b) the area of any slip lane where the roads meet.

Kerb shall mean the area at the junction of the carriageway and the footpath whether it is a formed kerb or not.

Setting shall mean: - footway restaurant setting, consisting of one table with not more than 4 chairs per table.

COMMUNITY DEVELOPMENT COMMITTEE

February 25, 2025

ITEM 2BROKEN HILL CITY COUNCIL REPORT NO. 45/25

SUBJECT: NOMINATIONS FOR THE APPOINTMENT OF COMMUNITY REPRESENTATIVES TO SECTION 355 COMMITTEES D25/8430

Recommendation

1. That Broken Hill City Council Report No. 45/25 dated February 25, 2025, be received.
2. That Council review and consider the nomination of Phil Neal for appointment as community representative on the Alma Oval Community Committee.
3. That Council review and consider the nomination of Jody Whitehair for appointment as community representative on the Memorial Oval Community Committee.
4. That Council review and consider the nomination of Colin Casey for appointment as community representative on the Norm Fox Sporting Complex Community Committee.
5. That the community representatives be advised of their appointment.
6. That the Alma Oval Community Committee be formally reestablished and commence meetings through a transition period, during which Council and the Committee will collaborate to assess the Committees capacity to fulfill its duties as outlined in the Constitution of the Alma Oval Community Committee.
7. That Council notes that the current round of advertising closes on 31 March 2025 and a further report will be presented to the March Council Meeting with further nominations received.

Executive Summary:

Section 355 of the *Local Government Act 1993* provides that a function of the Council may be exercised:

- (a) by the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means, or
- (b) by a committee of the council, or
- (c) partly or jointly by the council and another person or persons, or
- (d) jointly by the council and another council or councils, or
- (e) by a delegate of the council.

In accordance with Section 355 of the *Local Government Act 1993* Council previously established Committees to assist Council with the operation and management of its parks, ovals and reserves, these are called Section 355 Asset Committees. Council has also previously established Section 355 Advisory Committees to provide advice to the General Manager on specific operations of Council.

Council adopted Asset and Advisory Committee Frameworks and Constitutions at its Ordinary Meeting held 30 October 2024, Minute number 47674 as the governance structure by which each Committee operates. Membership on each committee forms part of the constitution and includes the number of community representatives, stakeholder representatives (if any) and Councillor representatives required for each Committee to function effectively.

Report:

As per Council's adopted Asset and Advisory Committee Framework (adopted 30 October 2024, Min No 47674) which states that:

Committees are to be appointed every four (4) years, within six (6) months after the Local Government General Election. The term of office for all Committees will be aligned to the term of office of the current Council (four years).

Council is currently calling for nominations for community representatives on its Section 355 Committees, the current round of advertising will close on 31 March 2025.

A subsequent report will be presented to the April 2025 Council Meeting to progressively appoint representatives to the Section 355 Committees and further advertising will be undertaken as required to fill all community representative positions.

As at the time of writing this report, three (3) nominations have been received for consideration. Each of the received nominations have been reviewed by Council's Corporate Services Governance team and are deemed to meet the criteria for volunteer applications, as per Council's Volunteer Management Framework.

The following table summarises the number of community representatives required on each Committee; the number of community representatives currently appointed to the Committee, nominations received and the nominees. It also includes, for reference, the Council delegate/s on each Committee.

Name of Committee	Committee Structure and Membership	Community Representatives	Further Nominations Received	Council Delegate/s on each Committee
Alma Oval Community Committee	Minimum membership required four (4), ideal membership six (6). At least one (1) Councillor representative. Consisting of at least one (1) representative per user group.	2 Peter Johnston Trevor Cutjar	1 Phil Neal	Councillor Boland Councillor Byrne

Memorial Oval Community Committee	Minimum membership required four (4), ideal membership twelve (12). At least one (1) Councillor representative. Allowance for at least one (1) representative per user group. Reasonable number of community representatives reflecting the size and operations of the facility (to be approved by Council).	3 Tanya Martyn Christopher May Nathan Fell	1 Jody Whitehair	1 vacant Councillor position
Norm Fox Sporting Complex Community Committee	Minimum membership required four (4), ideal membership ten (10). At least one (1) Councillor representative. Allowance for at least one (1) representative per user group Reasonable number of community representatives reflecting the size and operations of the facility (to be approved by Council).	2 Peter Johnston Margaret Pope	1 Colin Casey	Councillor Algate
total nominations:			3	

Alma Oval Community Committee

As per Council's resolution at its Ordinary Meeting held 30 October 2024 to re-establish the Alma Oval Community Committee, subject to meeting committee management requirements, Council sent correspondence to the Oval's regular users inviting membership nomination. One further nomination was received this month, if the nominee is appointed, will award the committee five (5) members, including the two (2) Councillor delegates, which meets the minimum committee membership requirements.

It is recommended that Council formally reestablish the Alma Oval Community Committee. Given the Committee's role in the management care and maintenance of the Alma Oval, with consideration of the limited occupancy of membership, reviewing the Committee's Constitution and reinstating its operations with structured oversight throughout a transition period will help ensure that the Committee is functioning effectively and delivering its intended outcomes. The transition ought to include regular reporting, through the Committee's meeting minutes on key activities, progress and any challenges encountered. This will enable Council to make an informed decision about the Committee's long-term role and ongoing contributions.

It should be noted that letters of appreciation have been sent to the outgoing community representatives on all Section 355 Committees as per Council's resolution at the 30 October 2024 Council Meeting. These letters also encouraged the community representatives to renominate for the new term.

This report is presented to Council to consider the nominations received to date and accordingly appoint community representative to the various Section 355 Committees.

Community Engagement:

Council is currently advertising for nominations for community representatives on its Section 355 Committees. Ongoing advertising will be carried out until a sufficient number of nominations are received for each committee.

Strategic Direction:

Key Direction:	4	Our Leadership
Objective:	4.1	Openness and transparency in decision making
Strategy:	4.1.5	Support the organisation to operate its legal framework

Relevant Legislation:

Section 355 of the *Local Government Act 1993*
Council's adopted S355 Asset and Advisory Committee Framework and Constitutions.

Financial Implications:

There are no additional financial implications, outside the operational budget for the associated committees.

Attachments

1. Section 355 Nomination Form - Alma Oval Community Committee - Phil
[↓](#) Neal_Redacted
2. Section 355 Nomination Form - Memorial Oval Community Committee - Jody
[↓](#) Whitehair_Redacted
3. Section 355 Nomination Form - Norm Fox Sporting Complex Community Committee
[↓](#) - Colin Casey_Redacted

RAZIJA NU'MAN
DIRECTOR CORPORATE AND COMMUNITY

JAY NANKIVELL
GENERAL MANAGER

Section 355 Alma Oval Community Committee Nomination Form



Submitted on 20 February 2025, 12:46PM
Receipt number 3
Related form version 1

Personal Details

First Name: Phil
Last Name: Neal
Contact Number: [REDACTED]
Email Address: [REDACTED]
Full Address (Including Street, Suburb, State, Postcode): [REDACTED]

Emergency Contact:

Emergency Contact Name: [REDACTED]
Emergency Contact Phone Number: [REDACTED]

Volunteer Expression of Interest: Skills, Experience and Special Interests

Skills: Can operate large machines
Experience: Nil
Special Interests: Football
Why are you interested in becoming a Section 355 Volunteer? Support the south football club

Additional Information

Do you have any health or fitness limitations that may limit your availability to perform certain types of activities? [REDACTED]
If yes, please explain

Are you on any medication or under any course of treatment that may limit your ability to perform certain types of activities?



If yes, please explain

Do you hold a current Drivers licence?

Yes

Declaration/Sign Off

I agree to abide by Council's Section 355 Asset/Advisory Committee Manual and associated constitution/terms of reference, Model Code of Conduct Policy, Volunteer Management Framework, policies, procedures and directives from Council Officers and to act only within the scope of my delegation as a Council Volunteer

I agree to attend Council's Section 355 induction training as soon as practical and subsequent refresher training annually

I understand that I am volunteering my services to Council and will not receive remuneration for my services, and that I will inform Council when I no longer wish to be considered for further volunteering activities.

I agree to inform Council of any hazards and risk to health and safety in the Council workplace, safety incidents, near misses or injuries sustained whilst undertaking volunteering activities.

I agree to contact the designated Council employee to seek approval to vary the nature of work specified in this application, or if I experience any problems with the work I am undertaking, I will notify the designated Council employee before taking any undue action.

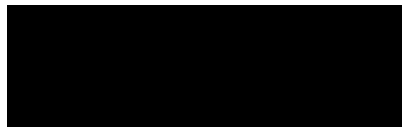
I agree to undertake a National Police Check in accordance with Council's Volunteer Management Framework/Policy. Note: At Council's Cost

I agree that I may require confirmation from my General Practitioner (GP) that I have no limitations to carry out the required tasks. Note: At Council's cost, where applicable.

I confirm that all information I have submitted as part of my volunteer nomination is correct and accurate to the best of my knowledge.

Signature

Name of signatory: Phil Neal



[Link to signature](#)

Section 355 Committee Nomination Form



Submitted on 13 January 2025, 2:40PM
Receipt number S355CNF-65
Related form version 7

Personal Details

First Name: Jody
Last Name: Whitehair
Contact Number: [REDACTED]
Email Address: [REDACTED]
Full Address (Including Street, Suburb, State, Postcode): [REDACTED]

Emergency Contact:

Emergency Contact Name: [REDACTED]
Emergency Contact Phone Number: [REDACTED]

Committee Details

Name of Committee: Memorial Oval Community Committee

Volunteer Expression of Interest: Skills, Experience and Special Interests

Skills: Ability to liaise with the public, record keeping
Experience: Memorial Oval Committee member for previous 5 years
Special Interests: Continue to participate in a team environment to assist with the use and enjoyment of Memorial Oval facilities
Why are you interested in becoming a Section 355 Volunteer? Continue my role as Secretary

Additional Information

Do you have any health or fitness limitations that may limit [REDACTED]

your availability to perform certain types of activities?

If yes, please explain

Are you on any medication or under any course of treatment that may limit your ability to perform certain types of activities?



If yes, please explain

Do you hold a current Drivers licence?

Yes

Declaration/Sign Off

I agree to abide by Council's Section 355 Asset/Advisory Committee Manual and associated constitution/terms of reference, Model Code of Conduct Policy, Volunteer Management Framework, policies, procedures and directives from Council Officers and to act only within the scope of my delegation as a Council Volunteer

I agree to attend Council's Section 355 induction training as soon as practical and subsequent refresher training annually

I understand that I am volunteering my services to Council and will not receive remuneration for my services, and that I will inform Council when I no longer wish to be considered for further volunteering activities.

I agree to inform Council of any hazards and risk to health and safety in the Council workplace, safety incidents, near misses or injuries sustained whilst undertaking volunteering activities.

I agree to contact the designated Council employee to seek approval to vary the nature of work specified in this application, or if I experience any problems with the work I am undertaking, I will notify the designated Council employee before taking any undue action.

I agree to undertake a National Police Check in accordance with Council's Volunteer Management Framework/Policy. Note: At Council's Cost

I agree that I may require confirmation from my General Practitioner (GP) that I have no limitations to carry out the required tasks. Note: At Council's cost, where applicable.

I confirm that all information I have submitted as part of my volunteer nomination is correct and accurate to the best of my knowledge.

Signature

Name of signatory: Jody Whitehair



[Link to signature](#)

Section 355 Committee Nomination Form



Submitted on 20 November 2024, 2:33PM
Receipt number S355CNF-45
Related form version 7

Personal Details

First Name: Colin
Last Name: Casey
Contact Number: [REDACTED]
Email Address: [REDACTED]
Full Address (Including Street, Suburb, State, Postcode): [REDACTED]

Emergency Contact:

Emergency Contact Name: [REDACTED]
Emergency Contact Phone Number: [REDACTED]

Committee Details

Name of Committee: Norm Fox Sporting Complex Community Committee

Volunteer Expression of Interest: Skills, Experience and Special Interests

Skills: managerial skills
Experience: Former Ceo of Sporting Organisation, current Football Operations Co-ordinator AFL Broken Hill
Special Interests: Assisting the council and town through volunteering
Why are you interested in becoming a Section 355 Volunteer? as above

Additional Information

Do you have any health or fitness limitations that may limit [REDACTED]

your availability to perform certain types of activities?

If yes, please explain

Are you on any medication or under any course of treatment that may limit your ability to perform certain types of activities?



If yes, please explain

Do you hold a current Drivers licence?

Yes

Declaration/Sign Off

I agree to abide by Council's Section 355 Asset/Advisory Committee Manual and associated constitution/terms of reference, Model Code of Conduct Policy, Volunteer Management Framework, policies, procedures and directives from Council Officers and to act only within the scope of my delegation as a Council Volunteer

I agree to attend Council's Section 355 induction training as soon as practical and subsequent refresher training annually

I understand that I am volunteering my services to Council and will not receive remuneration for my services, and that I will inform Council when I no longer wish to be considered for further volunteering activities.

I agree to inform Council of any hazards and risk to health and safety in the Council workplace, safety incidents, near misses or injuries sustained whilst undertaking volunteering activities.

I agree to contact the designated Council employee to seek approval to vary the nature of work specified in this application, or if I experience any problems with the work I am undertaking, I will notify the designated Council employee before taking any undue action.

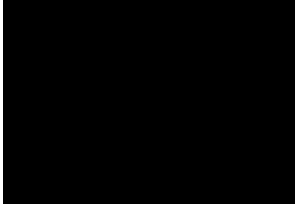
I agree to undertake a National Police Check in accordance with Council's Volunteer Management Framework/Policy. Note: At Council's Cost

I agree that I may require confirmation from my General Practitioner (GP) that I have no limitations to carry out the required tasks. Note: At Council's cost, where applicable.

I confirm that all information I have submitted as part of my volunteer nomination is correct and accurate to the best of my knowledge.

Signature

Name of signatory: Colin Victor Casey



[Uploaded signature image: IMG_4739.jpg](#)

COMMUNITY DEVELOPMENT COMMITTEE

February 17, 2025

ITEM 3**BROKEN HILL CITY COUNCIL REPORT NO. 46/25**

SUBJECT: MINUTES OF THE S355 AGEING WELL ADVISORY COMMITTEE MEETING HELD 5 FEBRUARY 2025 D25/7255

Recommendation

1. That Broken Hill City Council Report No. 46/25 dated February 17, 2025, be received.
2. That the minutes of the S355 Ageing Well Advisory Committee meeting held 5 February 2025 be received.

Executive Summary:

Council has received minutes from the S355 Ageing Well Advisory Committee meeting held 5 February 2025.

Report:

As per Council's Section 355 Advisory Committee Framework Manual (adopted 30 March 2022) and the 355 Ageing Well Committee Terms of Reference (adopted 27 April 2022), the Committee is required to provide Council with a copy of their meeting minutes following each Committee meeting.

Community Engagement:

Community engagement occurs through Section 355 Ageing Well Advisory Committee which includes a range of Aged Care sector service providers and community representatives.

Strategic Direction:

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

Relevant Legislation:

The S355 Ageing Well Advisory Committee Terms of Reference
Local Government Act 1993

Financial Implications: Nil

Attachments

1. [↓](#) S355 Ageing Well Advisory Committee 5 February 2025

RAZIJA NU'MAN
DIRECTOR CORPORATE AND COMMUNITY

JAY NANKIVELL
GENERAL MANAGER



MINUTES OF THE SECTION 355 AGEING WELL COMMITTEE MEETING HELD 5 FEBRUARY 2025 AT 3.00PM – GROUND FLOOR MEETING ROOM, COUNCIL ADMINISTRATIVE BUILDING

1. Present

Rachel Merton	Community Development Coordinator BHCC(Chair)
Alison Howse	Community Development Officer (Minute Taker BHCC)
Cindy Richards	LiveBetter Representative
Larni Baird	Southern Cross Care Representative
Judy Parr	Kirinari Representative
Irene Davey	Community Representative

2. Apologies

Clr Bob Algate	Council Delegate
Clr David Gallagher	Council Delegate
Clr Hayley Jewitt	Council Delegate
Razija Numan	Director Corporate and Community (BHCC)
Julua Hamel	Community Representative

3. Acknowledgement of Country

Acknowledgement of Country - Rachel Merton Community Development Coordinator
We acknowledge the traditional owners of the land upon which we meet today, the land of the Wilyakali people, and pay our respects to their elders; past, present and emerging.

4. Confirmation of Minutes of Previous Meeting

Confirmation of minutes for meeting held 7 November 2024

Moved: Larni Baird

Seconded: Judy Parr

5. Correspondence

Nil

6. Business arising from previous minutes

Reclassification of MMM3 to MMM6 Taskforce visit

7. Action List

Nil

8. General Business

8.1 S355 Nominations



BROKEN HILL
CITY COUNCIL

General discussions were held around the S355 nomination submissions for the Ageing Well Committee. Council's Community Development Coordinator, Rachel Merton, advised that the S355 Committee nominees are treated the same as a volunteer under Councils Volunteer Framework, entailing an application process, police check and endorsement by Council.

Committees such as the S355 Ageing Well and S355 Youth Advisory Committees do not fit the strict format of a 355 committee such as those that oversee ovals and sporting complexes that have a budget and maintenance etc. Community Development Officer will follow up with Council's People and Culture Department regarding the police check process and forward via email the application link and police check procedure to make ease of application. Discussions around the checks required and the costs attached to commence working in the aged care sector.

8.2 Updated presentation on the new Aged Care Act from Paul Saddler

Judy Parr advised of an updated presentation from Paul Saddler Consultancy on 4 February 2025 on the Aged Care Act changes and Home Care Support Packages, the presentation discussed fees, particularly for retirees and self-funded retirees. Classification fundings such as classifications 5 will incur a 20% increase and classifications 6 & 7 would incur a 40% increase on the funding, a significant amount of money if they are increased to the 6 or 7 band. General discussion were held around the charges, cost of living and the effects on aged persons in their homes.

Larni Baird mentioned the statistics for Broken Hill indicate a higher than the state average for sole households. Cindy Richards shared statistics of the 100 Home Care Package clients with LiveBetter there are only 6 couples, the rest are single persons.

Judy Parr will email the updated Paul Saddler Consultancy Aged Care Act presentation link to Community Development to be shared amongst Committee.

8.3 Aged Care Taskforce

Community Development Officer asked if anyone had received any feedback from the Aged Care Taskforce visit to Broken Hill in November 2024. Judy Parr advised she has not received any feedback advising it was indicated that it would be a year before we would see any outcomes.

Southern Cross Care CEO Larni Baird advised that SCCBH has not been reclassified and a review timeframe indicated was for March 2025 with process changes to start around October 2025. Three different departments attended from the health service at the same time with slightly different agendas and in terms of the reclassification of the MMM it did sound like a complete redesign.

Community Development has not had any feedback filtered down to them.

Larni Baird mentioned the re-banding that Southern Cross Care went through in October 2024 has helped slightly and that a reclassification would be better.

Judy Parr raised the fact that we have been reclassified for disability and Broken Hill was compared with Kalgoorlie having the same demographic and questioned why aged care did not follow.

Community Development Officer mentioned that the Working Better For Medicare Review final report indicated 26 recommendations coming from the review. Alison will email the Working Better For Medicare Review Final Report to committee.

8.4 Seniors Information Session and NSW Seniors Festival 2025



BROKEN HILL
CITY COUNCIL

Judy Parr asked if Council was considering a follow-on Seniors Information Session after receiving feedback from clients and requests for another session. Community Development Officer to investigate funding to create a calendar of senior's information sessions. Senior's Week funding guidelines favour an ongoing event or activity created for seniors as opposed to a one-off event or activity. NSW Seniors Festival runs from 3 March until the 16 March 2025.

Judy Parr asked if LiveBetter could provide a space such as the Seniors Lounge in the North Mine Hall and suggested Kirinari Community Service could contribute to the cost of catering.

Community Development will investigate how Council could provide support for a 2025 Senior's Week information session.

General discussions around having the same presenters and further collaborations with services such as Far West Local Health Service to deliver information session on the COMPACT program. This program provides people being discharged from hospital to a further six weeks of care delivered within the home.

Community Development to engage services and work with Livebetter to establish a date and time to host the information session.

General discussion around the annual Seniors Concert with a coordinator yet to take on the organisation of the concert. It had been suggested that a potential final concert be held on the memorial of the late June Bennett as the coordinator and choreographer for many years. Council will be working towards next year's seniors' festival funding.

8.5 Aged Care Remote Workforce Accord

Judy Parr raised the Aged Care Remote Workforce Accord – a training program for rural communities engaging people with lived experience in caring for someone, with training online and in person for improvement of work force in rural places like Menindee, Pooncarie etc. Project Management is asking providers to come into the program, Larni Baird raised the benefit of being able to have those participants on student placement.

9. Next Meeting

Wednesday, 7 May 2025

10. Meeting Closed

3.50pm



ITEM NUMBER	ACTION	RESPONSIBLE	DUE
Meeting held 5 February 2025			
8.1	Community Development Officer will follow up with Councils People and Culture Department as to the police check process and forward via email the application link and police check procedure to make ease of application.	Community Development Officer	7 May 2025
8.2	Judy Parr will email the updated Paul Saddler Aged Care Act presentation link to Community Development to be shared amongst Committee.	Community Development Officer	7 May 2025
8.3	Community Development Officer to email the Working Better For Medicare Review Final Report to committee.	Community Development Officer	7 May 2025
8.4	Community Development to engage services and work with Livebetter to establish a date and time to host the information session.	Community Development Officer	13 February 2025



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