



# Broken Hill City Council

*...a safe, vibrant, prosperous and culturally rich City achieved through community leadership and sustainable management.*

May 20, 2015

## ORDINARY MONTHLY MEETING

### TO BE HELD

**WEDNESDAY, MAY 27, 2015**

Please address all communications to:  
The General Manager,  
240 Blende Street,  
P.O.Box 448,  
BROKEN HILL NSW 2880  
Telephone: (08) 8080 3300  
Fax: (08) 8080 3424  
ABN: 84873116132  
Email: [council@brokenhill.nsw.gov.au](mailto:council@brokenhill.nsw.gov.au)  
Website: [www.brokenhill.nsw.gov.au](http://www.brokenhill.nsw.gov.au)

Dear Sir/Madam,

Your attendance is requested at the Ordinary Meeting of the Council of the City of Broken Hill to be held in the Council Chamber, Sulphide Street, Broken Hill on **Wednesday, May 27, 2015** commencing at 6:30 p.m. to consider the following business:

- 1) Apologies
- 2) Prayer
- 3) Acknowledgement of Country
- 4) Public Forum
- 5) Minutes for Confirmation
- 6) Disclosure of Interest
- 7) Mayoral Minute
- 8) Notice of Motion
- 9) Notices of Rescission
- 10) Reports from Delegates
- 11) Reports
- 12) Committee Reports
- 13) Questions on Notice
- 14) Questions for Next Meeting
- 15) Closed

THERESE MANNS  
GENERAL MANAGER

## **MINUTES FOR CONFIRMATION**

Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held Wednesday, April 29, 2015.

Minutes of the Extraordinary Meeting of the Council of the City of Broken Hill held Wednesday, May 13, 2015.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
APRIL 29, 2015

Meeting commenced at 6.30pm

**PRESENT:**

Councillor W. Cuy (Mayor) Councillor D. Gallagher (Deputy Mayor),  
Councillors C. Adams, B. Algate, P. Black, M. Browne, B. Licul, J. Nolan,  
J. Richards and D. Turley.

General Manager, Manager Infrastructure Strategy, Division Manager  
Corporate and Human Services, Governance Officer, Administration Officer,  
Executive Support Officer and Communication Specialist.

Media (5), Members of the Public (7).

**APOLOGIES:**

Councillor J. Nolan

**RESOLUTION**

Minute No. 44920

Councillor D. Turley moved	)	That the apology as submitted on behalf of
Councillor B. Licul seconded	)	Councillor Nolan be accepted and leave of absence granted.

CARRIED

**PRAYER**

Councillor Richards delivered the prayer

**ACKNOWLEDGEMENT OF COUNTRY**

Councillor Gallagher delivered the Acknowledgment of Country

**Acknowledgement**

Councillor Browne spoke about the passing of former Deputy Mayor and Councillor John Simons. John served several terms as a Councillor and was instrumental in gaining funding for the endangered species sanctuary at the Living Desert and trustee of the Sulphide Street Railway Museum for many years. He was a dedicated Councillor and pursued many important issues with great energy and commitment for the community of Broken Hill.

Council acknowledged John Simons' contributions to both Council and the community by observing one minute of silence.

**RESOLUTION**

Minute No. 44921

Councillor M. Browne moved	)	That a minute of silence be held in honour of
Councillor W. Cuy seconded	)	John Simons.

CARRIED

The Mayor also acknowledged the passing of another community member, Mr John Rouse who was a member of many service clubs in the Broken Hill Community.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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**PUBLIC FORUM**

Amendment of Consent Conditions for DA 2014/182 Telecommunications facility  
- Telstra Corporation Ltd

DA2014/182

William John Fitzpatrick spoke against the amendment of consent conditions for DA 2014/182. He stated that Council should not agree to the amendment of the consent conditions otherwise this would allow Telstra to increase the power output of the tower at any time without Council approval.

**MINUTES FOR CONFIRMATION**

**RESOLUTION**

Minute No. 44922

Councillor P. Black moved  
Councillor C. Adams seconded

)  
)

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held March 25, 2015 be confirmed.

CARRIED

**DISCLOSURE OF INTEREST**

Councillor Gallagher declared:

- a non pecuniary interest in Report No 80/15 as he is a member of Legacy and is legatee of six ladies at the Shorty O'Neil Village and advised that he will leave the Council Chambers whilst the item is considered.

**MAYORAL MINUTES**

Nil.

**NOTICES OF MOTION**

Nil.

**RESCISSION MOTIONS**

Nil.

**REPORTS FROM DELEGATES**

Nil.



MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
APRIL 29, 2015

**REPORTS**

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 75/15 - DATED APRIL 17, 2015 -  
RECOMMENDATIONS AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD APRIL 16,  
2015** 13/19

Recommendation

That Broken Hill City Council Report No. 75/15 dated April 17, 2015, be received.

That the minutes of the Audit Committee meeting held April 16, 2015 be adopted.

**RESOLUTION**

Minute No. 44923

Councillor B. Algate moved ) That the recommendation of item 1 be adopted.  
Councillor J. Richards seconded )

CARRIED

**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 76/15 - DATED APRIL 17, 2015 -  
DELEGATIONS OF FUNCTIONS** 11/264

Recommendation

That Broken Hill City Council Report No. 76/15 dated April 17, 2015, be received.

That Council notes the Schedule of Delegable Functions for the Broken Hill City Council attached to this report at Attachment 7.

That Broken Hill City Council delegate to the Mayor of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachments 4.

That Broken Hill City Council delegate to the Deputy Mayor of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachments 5.

That Broken Hill City Council delegate to the General Manager of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachments 6.

That for the period April 29, 2015 to October 31, 2016, the Deputy General Manager be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave, such appointment to cease upon the return to work of the General Manager; and that such person acting as General Manager pursuant to this resolution has all the functions, delegations, and sub-delegations given to the General Manager by the Council.

That Broken Hill City Council resolves to delegate to the Deputy General Manager, Manager Infrastructure Strategy, Manager Planning Development and Compliance, Asset Planner Buildings and Open Spaces, Roads and Parks Coordinator, Waste Management Coordinator, Trades Coordinator, Team Leader Parks and Open Spaces, Team Leader Roads, Labourer/Plant Operator, Ranger Living Desert and Finance Operations Coordinator of the Broken Hill City Council the relevant Functions under the Noxious Weeds Act 1993 in accordance with the Instruments of Delegation attached to this report at Attachment 8.

**RESOLUTION**

Minute No. 44924

Councillor C. Adams moved ) That the recommendation of item 2 be adopted.  
Councillor D. Gallagher seconded )

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
APRIL 29, 2015

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 77/15 - DATED FEBRUARY 27, 2015 -  
ADOPTION OF THE DRAFT ASSET MANAGEMENT POLICY**

12/14

Recommendation

That Broken Hill City Council Report No. 77/15 dated February 27, 2015, be received.

That Council adopts the Draft Asset Management Policy as a policy of Council.

**RESOLUTION**

Minute No. 44925

Councillor B. Algate moved ) That the recommendation of item 3 be adopted.  
Councillor M. Browne seconded )

CARRIED

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 78/15 - DATED MARCH 27, 2015 - DRAFT  
INTELLECTUAL PROPERTY POLICY FOR PUBLIC EXHIBITION**

12/114

**RESOLUTION**

Minute No. 44926

Councillor P. Black moved ) That the Draft Intellectual Property Policy be  
Councillor B. Algate seconded ) redrafted and re-presented to Council to ensure  
that personal records of former Mayors and  
Aldermen are not included as Council property  
and that this reference is removed from the  
policy.

CARRIED

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 79/15 - DATED APRIL 20, 2015 - DRAFT  
PROCUREMENT POLICY FOR PUBLIC EXHIBITION**

11/663

That Broken Hill City Council Report 79/15 dated, April 20, 2015 be received.

That Council endorse the Draft Procurement Policy for the purposes of public consultation.

That the Draft Procurement Policy be exhibited for public comment for a 28 day period.

That the Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the Draft Procurement Policy for use. If adopted the "Purchasing Policy" will be rendered obsolete.

**RESOLUTION**

Minute No. 44927

Councillor C. Adams moved ) That the recommendation of item 5 be adopted.  
Councillor D. Gallagher seconded )

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 80/15 - DATED APRIL 22, 2015 - SHORTY O'NEIL VILLAGE UPDATE** 11/333

*Councillor Gallagher declared a non-pecuniary interest in item 6 and left the Council Chamber at 6.44pm*

Recommendation

That Broken Hill City Council Report No. 80/15 dated April 22, 2015, be received.

That Council write to Adelaide Legacy offering transfer of title for the 12 Gossan Street units on the basis that:

1. Council undertake the cost and project management of installation of separate water and electricity metering.
2. Council undertake the cost and project management of the installation of hot water system units as the present units are shared between each two units of the twelve unit cluster.
3. Council undertake the costs of subdivision and transfer of title.
4. The transfer of title of all twelve units is subject to acceptance of tenancy of the current residents of Gossan Street units alongside Legacy residents until such time as vacancies occur. When vacancies occur among the six non-Legacy residents, Legacy will apply Legacy criteria for future residents.
5. Any caveat remaining on the Shorty O'Neil Village site is transferred to the Gossan Street property parcel.

**RESOLUTION**

Minute No. 44928

Councillor D. Turley moved ) That the recommendation of item 6 be adopted.  
Councillor C. Adams seconded )

CARRIED

*Councillor Gallagher returned to the Council Chamber at 6.45pm. The Mayor advised Councillor Gallagher that Council had adopted the report recommendation of item 6.*

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 81/15 - DATED APRIL 09, 2015 - INVESTMENT REPORT FOR MARCH 2015** 11/48

Recommendation

That Broken Hill City Council Report No. 81/15 dated April 9, 2015, be received.

**RESOLUTION**

Minute No. 44929

Councillor J. Richards moved ) That the recommendation of item 7 be adopted.  
Councillor M. Browne seconded )

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 82/15 - DATED APRIL 09, 2015 -  
RESOURCES FOR REGIONS CIVIC CENTRE GRANT - DEED OF AGREEMENT**

14/123

Recommendation

That Broken Hill City Council Report No. 82/15 dated April 9, 2015, be received.

That Council authorise the General Manager to execute the Restart NSW Funding Deed for the Broken Hill Civic Centre Project and affix the common seal as necessary.

**RESOLUTION**

Minute No. 44930

Councillor D. Turley moved ) That the recommendation of item 8 be adopted.  
Councillor B. Algate seconded )

CARRIED

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 83/15 - DATED MARCH 27, 2015 -  
ESTABLISHMENT OF A BROKEN HILL HERITAGE CITY EVENT ADVISORY COMMITTEE**

11/117

**RESOLUTION**

Minute No. 44931

Councillor C. Adams moved ) That Broken Hill City Council Report No. 83/15  
Councillor J. Richards seconded ) dated March 27, 2015, be received.

That Council adopts the inclusion of the Broken Hill Heritage City Event Advisory Committee within the Section 355 Advisory Committee Standard Constitution.

That Mayor Cuy and Councillor Adams be Council's representatives on the Broken Hill Heritage City Event Advisory Committee.

That Council endorses a public call for nominations seeking four (4) community representatives with demonstrated expertise in heritage, arts, culture and/or event planning.

That a special Council Meeting (as per Council Minute 44846) be held once the Broken Hill Heritage City Event Advisory Committee has been formed and held sufficient meetings to formulate a calendar of events.

CARRIED

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 84/15 - DATED APRIL 17, 2015 -  
ALCOHOL FREE ZONES**

11/307

Recommendation

That Broken Hill City Council Report No. 84/15 dated April 17, 2015, be received.

That Council endorse the draft proposal to re-establish the Alcohol Free Zone in the CBD area as attached.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
APRIL 29, 2015

That Council refer the Draft Proposal for comment in accordance with the provisions of the *Local Government Act 1993* and Ministerial Guidelines (2009) to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area and all affected licensed premises and registered clubs that border on, adjoin or are adjacent to the proposed alcohol free zone, for response within thirty days of public notice.

That Council invite public comment on the proposal through an advertisement in local newspaper with time for response within thirty days.

That a further report be submitted to Council upon completion of the consultative process.

**RESOLUTION**

Minute No. 44932

Councillor D. Gallagher moved ) That the recommendation of item 10 be adopted.  
Councillor J. Richards seconded )

CARRIED

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 85/15 - DATED APRIL 07, 2015 -  
COMMUNITY ASSISTANCE REQUESTS - APRIL 2015**

11/117

**RESOLUTION**

Minute No. 44933

Councillor P. Black moved ) That Broken Hill City Council Report No. 85/15  
Councillor B. Algate seconded ) dated April 7, 2015, be received.

That Council endorses the General Manager's approval of waiver of hire fees at the Joe Keenan Lookout for the conduct of the Combined Churches Easter Sunrise Service on Easter Sunday, April 5, 2015.

That Council declines financial support to the coach, Kate Balman, of the Under 14 Broken Hill Basketball Broncos Girls representative team to travel to Adelaide to attend the South Australian Junior Championships in May 2015.

CARRIED

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 86/15 - DATED APRIL 20, 2015 - MINUTES  
OF THE BROKEN HILL COMMUNITY ROUND TABLE COMMITTEE MEETING HELD MARCH 11,  
2015**

13/145

Recommendation

That Broken Hill City Council Report No. 86/15 dated April 20, 2015, be received.

That minutes of the Broken Hill Community Round Table Community Committee meeting held March 11, 2015 be received.

**RESOLUTION**

Minute No. 44934

Councillor D. Gallagher moved ) That the recommendation of item 12 be adopted.  
Councillor M. Browne seconded )

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
APRIL 29, 2015

CARRIED

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 87/15 - DATED APRIL 14, 2015 - MINUTES  
OF THE LOCAL TRAFFIC COMMITTEE MEETING NO.347, HELD 14 APRIL 2015** 11/397

Recommendation

That Broken Hill City Council Report No. 87/15 dated April 14, 2015, be received.

That the Minutes for the Local Traffic Committee Meeting No.346, held March 10, 2015 be received.

**RESOLUTION**

Minute No. 44935

Councillor J. Richards moved ) That the recommendation of item 13 be adopted.  
Councillor M. Browne seconded )

CARRIED

The Mayor took a Question on Notice from Councillor Black regarding access to the bus stop and the removal of the bin adjacent to the Astra/Temptations Cafe and asked when it was going to be reinstated.

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 88/15 - DATED APRIL 08, 2015 -  
ECONOMIC DEVELOPMENT ACTIVITY REPORT FOR MARCH 2015** 11/514

Recommendation

That Broken Hill City Council Report No. 88/15 dated April 8, 2015, are received.

**RESOLUTION**

Minute No. 44936

Councillor D. Gallagher moved ) That the recommendation of item 14 be adopted.  
Councillor J. Richards seconded )

CARRIED

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 89/15 - DATED APRIL 17, 2015 -  
SUSTAINABILITY GROUP ACTIVITIES - MARCH 2015** 11/514

Recommendation

That Broken Hill City Council Report No. 89/15 dated April 17, 2015, be received.

**RESOLUTION**

Minute No. 44937

Councillor P. Black moved ) That the recommendation of item 15 be adopted.  
Councillor C. Adams seconded )

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
APRIL 29, 2015

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 90/15 - DATED APRIL 17, 2015 -  
HERITAGE STATUS REPORT - MARCH 2015** 11/126

Recommendation

That Broken Hill City Council Report No. 90/15 dated April 17, 2015, be received.

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 91/15 - DATED APRIL 17, 2015 -  
INFRASTRUCTURE GROUP ACTIVITIES - MARCH 2015** 11/514

Recommendation

That Broken Hill City Council Report No. 91/15 dated April 17, 2015, be received.

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 92/15 - DATED APRIL 20, 2015 - ACTION  
LIST REPORT** 11/25

Recommendation

That Broken Hill City Council Report No. 92/15 dated April 20, 2015, be received.

Minute No. 44938

Councillor P. Black moved	)	That the recommendations of items 16 to 18 be
Councillor J. Richards seconded	)	adopted.

CARRIED

## COMMITTEE REPORTS

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 93/15 - DATED APRIL 13, 2015 - MINUTES  
OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES MEETING HELD  
MARCH 17, 2015** 12/51

Recommendation

That Broken Hill City Council Report No. 93/15 dated April 13, 2015, be received.

That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee meeting held March 17, 2015 be received.

**RESOLUTION**

Minute No. 44939

Councillor B. Algate moved	)	That the recommendation of item 19 be adopted.
Councillor M. Browne seconded	)	

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
APRIL 29, 2015

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 94/15 - DATED APRIL 15, 2015 - MINUTES OF THE SPECIAL MEETING AND GENERAL MEETING OF THE BIU BAND HALL AND SOCCER COMPLEX COMMUNITY COMMITTEE HELD APRIL 1, 2015** 12/48

Recommendation

That Broken Hill City Council Report No. 94/15 dated April 15, 2015, be received.

That minutes of the Special Meeting and the General Meeting of the BIU Band Hall and Soccer Complex Community Committee held April 1, 2015 be received.

**RESOLUTION**

Minute No. 44940

Councillor M. Browne moved ) That the recommendation of item 20 be adopted.  
Councillor B. Licul seconded )

CARRIED

**QUESTIONS ON NOTICE**

**ITEM 21 - QUESTIONS ON NOTICE NO. 6/15 - DATED MARCH 27, 2015 - COUNCILLORS QUESTIONS ON NOTICE FROM THE MARCH 2015 COUNCIL MEETING** 11/296, 11/214, T14/4

Recommendation

That Questions On Notice No. 6/15 dated March 27, 2015, be received.

**RESOLUTION**

Minute No. 44941

Councillor M. Browne moved ) That the recommendation of item 21 be adopted.  
Councillor B. Algate seconded )

CARRIED

**ITEM 22 - QUESTIONS ON NOTICE NO. 7/15 - DATED MARCH 27, 2015 - PUBLIC FORUM QUESTIONS ON NOTICE FROM THE MARCH 2015 COUNCIL MEETING** 13/12

Recommendation

That Questions On Notice No. 7/15 dated March 27, 2015, be received.

**RESOLUTION**

Minute No. 44942

Councillor M. Browne moved ) That the recommendation of item 22 be adopted.  
Councillor C. Adams seconded )

CARRIED



MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
APRIL 29, 2015

**SUPPLEMENTARY ITEM**

**RESOLUTION**

Minute No. 44943

Councillor B. Algate moved ) That Council accepts the late report.  
Councillor D. Gallagher seconded )

CARRIED

**ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 95/15 - DATED APRIL 29, 2015 - LGNSW  
RURAL/REGIONAL FORUM** 11/364

**RESOLUTION**

Minute No. 44944

Councillor B. Algate moved ) That Broken Hill City Council Report No. 95/15  
Councillor D. Turley seconded ) dated April 29, 2015, be received.

That Councillors advise the General Manager of  
their availability to attend the Regional/Rural  
workshop on Thursday 4 June 2015.

CARRIED

**QUESTIONS FOR NEXT MEETING**

**From Item 13: Broken Hill City Council Report No. 87/15 - dated April 14, 2015 - Minutes of the Local  
Traffic Committee Meeting no.347, held 14 April 2015**

Access to the Bus Stop adjacent to the Astra/Temptations Cafe 11/115  
The Mayor took a Question on Notice from Councillor Black regarding access to the bus stop and the  
removal of the bin adjacent to the Astra/Temptations Cafe and asked when it was going to be  
reinstated.

**CONFIDENTIAL MATTERS**

Nil.

There being no further business the Mayor closed the meeting at 7.07 p.m.

THE FOREGOING MINUTES WERE READ )  
AND CONFIRMED AT THE ORDINARY )  
MEETING OF THE BROKEN HILL CITY )  
COUNCIL HELD ON MAY 27 2015 )

\_\_\_\_\_  
CHAIRPERSON

MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
MAY 13, 2015

Meeting commenced at 5:30 p.m.

**PRESENT:**

Councillor W. Cuy (Mayor) Councillor D. Gallagher (Deputy Mayor),  
Councillors C. Adams, B. Algate, P. Black, M. Browne, J. Nolan,  
J. Richards and D. Turley.

General Manager, Deputy General Manager, Manager Planning  
Development and Compliance, Executive Support Officer and Governance  
Officer.

Media - 4, Members of the Public - nil.

**APOLOGIES:**

Councillor B. Licul

**RESOLUTION**

Minute No. 44943

Moved Councillor C. Adams

Seconded Councillor D. Gallagher

)

)

That the apology submitted on behalf of

Councillor Licul be accepted and leave of absence  
granted.

CARRIED

**PURPOSE OF THE MEETING**

For Council to consider the following Draft Strategic Plans for endorsement for the purpose of public  
exhibition:

1. Broken Hill City Council Report No. 96/15 – Broken Hill City Council Draft Long Term  
Financial Plan 2015/2025 Review
2. Broken Hill City Council Report No. 97/15 – Broken Hill City Council Draft Operational Plan  
2015/2016

A Supplementary Late Report was also presented to the Meeting:

1. Broken Hill City Council Report No. 98/15 – Confidential

**PUBLIC FORUM**

Nil

**DISCLOSURE OF INTEREST**

Nil

## REPORTS

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 96/15 - DATED MAY 05, 2015 - BROKEN  
HILL CITY COUNCIL DRAFT LONG TERM FINANCIAL PLAN 2015/2025 REVIEW** 14/193

### Recommendation

That Broken Hill City Council Report No. 96/15 dated May 5, 2015, be received.

That Council endorse the Draft Long Term Financial Plan 2016 -2025 for public exhibition.

That the Draft Long Term Financial Plan 2016 -2025 be place on public display for 28 days in  
accordance with legislation.

**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 97/15 - DATED MAY 05, 2015 - BROKEN  
HILL CITY COUNCIL DRAFT OPERATIONAL PLAN 2015/2016** 14/193

### Recommendation

That Broken Hill City Council Report No. 97/15 dated May 5, 2015, be received.

That in accordance with sections 404 & 405 of the Local Government Act 1993, the Draft Operational  
Plan 2015/16 inclusive of the Revenue Policy, be endorsed for the purposes of public consultation  
and exhibited for community comment for a 28 day period.

That Council adopt the 2.4% Ministerial rate pegging limit increase in rates, as described in the Draft  
2014/2015 Operational Plan.

## **RESOLUTION**

Minute No. 44944

Moved Councillor D. Gallagher	)	That the recommendations of Items 1 and 2
Seconded Councillor P. Black	)	be adopted.

CARRIED

## **SUPPLEMENTARY AGENDA**

### **RESOLUTION:**

Minute No. 44945

Moved Councillor M. Browne	)	That the late report No. 98/15 be considered
Seconded Councillor D. Turley	)	of great urgency and that the report be considered by Council at this meeting.

CARRIED

MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
MAY 13, 2015

**RESOLUTION:**

Minute No. 44946

Moved Councillor J. Richards	)	That the meeting be closed in accordance with
Seconded Councillor D. Gallagher	)	Section 10A(2) of the Local Government Act
		1993 whilst the confidential matter is considered.

CARRIED

*Members of the media left at 5:36p.m.*

**CONFIDENTIAL MATTERS**

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 98/15 - DATED MAY 13, 2015 -**

**CONFIDENTIAL**

**(General Manager's Note:** This report considers a Native Title Claim and is deemed confidential under Section 10A(2) (g) of the Local Government Act, 1993 which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).

**RESOLUTION:**

Minute No. 44947

Moved Councillor P. Black	)	That Broken Hill City Council Report No. 98/15
Seconded Councillor D. Gallagher	)	dated May 13, 2015, be received.

That Council advises the Federal Court of Australia that Council concurs with the draft Consent Determination for NSD 6084 of 1998.

That Council delegate authority to the General Manager to sign the draft Consent Determination on Council's behalf.

CARRIED

**RESOLUTION:**

Minute No. 44948

Moved Councillor D. Gallagher	)	That the Meeting resume in open session.
Seconded Councillor M. Browne	)	

CARRIED

*Members of the media returned to the Council Chambers at 6:00p.m.*

The Mayor invited the General Manager to report on the item considered in closed session.

The General Manager advised that Council had resolved, in respect of:

MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
MAY 13, 2015

Item 3 – Broken Hill City Council Report No. 98/15 dated May 13, 2015 – Confidential

- That Broken Hill City Council Report No. 98/15 dated May 13, 2015, be received.
- That Council advises the Federal Court of Australia that Council concurs with the draft Consent Determination for NSD 6084 of 1998.
- That Council delegate authority to the General Manager to sign the draft Consent Determination on Council's behalf.

There being no further business the Mayor closed the meeting at 6:02 p.m.

THE FOREGOING MINUTES WERE READ )  
AND CONFIRMED AT THE ORDINARY )  
MEETING OF THE BROKEN HILL CITY )  
COUNCIL HELD ON MAY 27, 2015. )

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CHAIRPERSON

## **REPORTS**

1.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 99/15 - DATED MARCH 30, 2015 - ADOPTION OF DRAFT CEMETERY MANAGEMENT POLICY (13/163)</u> .....	20
2.	<u>BROKEN HILL CITY COUNCIL REPORT NO. 108/15 - DATED MAY 14, 2015 - DRAFT COMPLIANCE AND ENFORCEMENT POLICY (12/14)</u> .....	35
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ORDINARY MEETING OF THE COUNCIL

March 30, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 99/15

SUBJECT:                    ADOPTION OF DRAFT CEMETERY MANAGEMENT POLICY  
13/163

**Recommendation**

That Broken Hill City Council Report No. 99/15 dated March 30, 2015, be received.

That Council adopts the Draft Cemetery Management Policy as a Policy of Council.

That one existing policy (Exclusive Rights for Old Graves Policy) be deleted from Council's Policy Register as adoption of the Draft Cemetery Management Policy will render it obsolete.

**Executive Summary:**

Council considered the Draft Cemetery Management Policy at its Ordinary Council Meeting held March 25, 2015 and resolved (Minute No. 44900) to place the draft policy on public exhibition for a period of twenty eight days as per Section 160 of the Local Government Act 1993.

The policy was placed on public exhibition for twenty eight days concluding on Tuesday, April 28, 2015.

During the public exhibition period, nil submissions from the public were received by Council regarding the Draft Cemetery Management Policy.

**Report:**

A recent review of procedures has identified a gap in Council having a Cemetery Management Plan and overarching Council Policy, and that those policies that are in place are outdated.

The purpose of the Cemetery Management Policy is to provide a simple yet effective management approach for the short and long term future of the Cemetery within Broken Hill. The policy will provide an initial one document reference point for understanding how Council will manage the Cemetery and the framework as to how staff will administer the Cemetery management.

The policy shall be reviewed at the start of each term following the Local Government Elections, or as required to ensure that it meets legislation requirements and the needs of Council and the Community.

The Broken Hill Cemetery is an important and valued asset to Council, Cemetery Stakeholders, the Broken Hill Community and visitors. As such, it is recommended that Council adopt a Policy to provide a framework to staff and the community about how best to manage the Broken Hill Cemetery.



In accordance with Section 160 of the *Local Government Act 1993* the Draft Cemetery Management Policy will be placed on public exhibition for a period of 28 days, during which time submissions may be made to the Council.

Once adopted, the policy will take immediate effect and render the “Exclusive Rights for Old Graves Policy” obsolete.

#### Strategic Direction:

<b>Key Direction:</b>	<b>1 Our Community</b>
<b>Objective:</b>	<b>1.4 Our built environment supports our quality of life</b>
<b>Function:</b>	<b>Our Community</b>
<b>Strategy:</b>	<b>1.4.1.5</b> Maintain the cemetery to allow a final resting place and a place for residents and visitors to visit loved ones that have passed <b>1.4.1.6</b> Facilitate searches for deceased persons interred in the Broken Hill Cemetery

#### Relevant Legislation:

Under the *Local Government Act 1993*, the *Public Health (Disposal of Bodies) Regulation 2002* and the *Local Government (Control of Cemeteries) Amendment Act 1966*, Broken Hill City Council as a cemetery authority is required to establish policies and procedures in regards to the control of the management and operation of Council's cemetery.

Section 160 of the *Local Government Act 1993* requires plans and policies to be placed on public exhibition for a period of 28 days, during which time submissions may be made to the Council.

#### Financial Implications:

There are no financial implications to develop this policy.

#### Attachments

1. Draft Cemetery Management Policy 13 Pages

ANDREW BRUGGY  
MANAGER INFRASTRUCTURE STRATEGY

THERESE MANNS  
GENERAL MANAGER



## **Purpose**

The Broken Hill City Council Cemetery Management Policy outlines the overall principles that underpin how Council manages its cemetery in order to comply with legislative requirements and to provide a dignified and responsive cemetery and memorial service to the community.

## **Scope**

This policy applies to the Broken Hill Cemetery, which is under the care, control and management of the Broken Hill City Council, following the introduction of the *Local Government (Control of Cemeteries) Amendment Act 1966*, in the early 1970's.

This policy is aimed at all members of the public; including Council employees, residents, visitors and contractors, who have an interest in or are undertaking work within the Broken Hill Cemetery.

## **Definitions**

### **Adult**

A person aged 13 years and 1 day and over.

### **Applicant**

The person making an application for an Exclusive Right of Burial, Work Permit, enquiry, burial, relocation or exhumation. This could be a Funeral Director, Monumental Mason or a Family member or Friend.

### **Burial / Interment**

The placement of the remains of a deceased person in a grave, plot, or niche.

### **Burial Site / Grave Site**

A gravesite, vault site, memorial site or other place for the disposition or commemoration of the remains of the dead, whether cremated or not.

### **Child**

A person aged 0 up to 13 years of age.

**Council**

The Broken Hill City Council.

**Exclusive Right of Burial**

A certificate that provides a person with the authorisation of who can be interred or exhumed from a burial site. **The Exclusive Right does not give the holder any equity or property holding in the cemetery.**

**Exclusive Right Holder**

The owner / purchaser of the Exclusive Right of Burial and recorded as such in Council's register. In some circumstances, the Exclusive Right Holder refers to a surviving member of the original holder's family, their executor or administrator, Power of Attorney, their heir or successor. Ownership may be formally transferred or bequeathed by a Will. There is no entitlement to any 'real estate' or property as such.

**Exhumation**

The removal of the remains of a deceased person from a grave site.

**Fee**

A fee fixed by Council in its annual Schedule of Fees and Charges. Fees are updated each year and typically come into effect as of the 1<sup>st</sup> July each year.

**Funeral Director / Undertaker**

A person(s) whose business is the management of funerals and conducts a funeral and burial.

**Grave**

An occupied burial site.

**Monument**

Any structure, plaque, headstone, masonry, metal work, casting or item placed over, in or around a burial right.

**Monumental Mason**

A tradesman mason or person possessing the skills to carry out monumental masonry work.

**Plot**

- An unoccupied burial site
- A burial site within the Rose Garden

**Pre Selection**

The selection of a spare plot at a specific location.

**Register**

The Council's formal repository of data containing all the required details of a burial, cremation, memorial site or right of burial. (Note limited records are available prior to 1973).

**Slab**

The slab of concrete covering the gravesite.

**Spare Plot**

An unoccupied burial site that has been selected, purchased and marked as a spare plot for a future burial.

**General Principles****1. Cemetery Maintenance**

Council shall maintain lawn areas, trees and vegetation, roadways and paths adjacent to and within the monumental sections. All shrubs, plants etc in the cemetery and gardens are planted and cared for by Council. Council may remove any trees, shrubs or other vegetation from the cemetery.

The public are not permitted to plant flowers, shrubs or trees in any area within the cemetery boundary without Council's written consent. Council may remove any shrubs, trees or other vegetation that have been planted on a burial site or within the Cemetery without Council's written consent.

Council are not responsible for the upkeep, maintenance, repair, restoration, or cleaning of any monument or structure at a burial site. Council will endeavour to contact the Exclusive Right holder if damage is caused to a grave or monument. It is important that all Exclusive Right holders provide up to date contact details to Council.

Council may act to remove any structure in a cemetery that has become dilapidated, unsightly, is crumbling, or deemed to be unsafe in a risk assessment carried out by Council. Council's actions will be limited to making unsafe structures safe to ensure public and employee safety.

Where subsidence is evident, Council may fill and compact the ground.

**2. Cemetery Records**

Prior to Council taking on the management of the Cemetery in the 1970's, the cemetery management and records were administered by various church and community trustees, and consequently some records are incomplete, missing or incorrect.

The Public Health Regulation 2012, Part 8 – Disposal of Bodies, Division 3 – Handling of bodies, Section 68 Register of Burials, states:

- 1) *A cemetery authority must maintain a register of all burials carried out at the cemetery.*
- 2) *The cemetery authority must make in the register an entry relating to each burial immediately after the burial has been carried out.*
- 3) *Each entry must include the following:*
  - a. *the name, age and last address of the person whose body or remains have been buried,*
  - b. *the date of the person's death,*
  - c. *the date of the burial,*
  - d. *the section and allotment where the burial has been made,*

- e. the name of the person (if any) who continues to hold any right of burial in that allotment,*
  - f. the name of the funeral director who transported the body to the cemetery,*
  - g. the fees paid to the cemetery authority for the burial.*
- 4) *The cemetery authority must keep a copy of the register at the cemetery and make it available for inspection on request by an authorised officer.*
- 5) *If a cemetery authority ceases to direct the operations of a cemetery, the chief executive officer of the authority must ensure that the register of burials for the cemetery is sent to the Director-General or otherwise disposed of as the Director-General may direct.*

Council will ensure that:

- a) A register of burials is maintained, as required by legislation.
- b) Each burial is recorded in the burial register immediately after the service. Council will mark burial locations on a map. Printed copies of records and maps are available at Council.
- c) Registers are amended to remove or correct inaccuracies.
- d) As time permits, Council staff will investigate and locate burial records not currently held at Council and continue with the ongoing collation of all burial records, where possible.
- e) Council will locate and record reservations and unmarked graves within the cemetery, where possible.

### **3. Fees and Charges**

Cemetery fees are detailed in Council's Schedule of Fees and Charges. The Schedule is reviewed annually and implemented on 1 July each year.

### **4. Exclusive Right of Burial and Work Permits**

An Exclusive Right of Burial (Exclusive Right) grants the holder the authority to make decisions about the grave/plot/niche and/or the monument, which may include:

- a) Erection or alteration of a monument
- b) Initial and subsequent burials, exhumations and relocations
- c) Maintenance of the grave or monument

The Exclusive Right is perpetual.

A maximum of two people may own an Exclusive Right.

A Work Permit grants the holder the authority to make decisions about the monument, which may include:

- a) Erection or alteration of a monument
- b) Maintenance of the grave or monument

The Work Permit is perpetual.

As of 1 January 2004, the purchase of an Exclusive Right includes both the Exclusive Right and Work Permit. Any Exclusive Right that was purchased prior to this date will

require a Work Permit to be purchased separately prior to any monumental works being undertaken.

The Exclusive Right does not give the holder any equity or property holding in the cemetery. There is no ownership of "the plot" or cemetery land. It is a permit that provides conditional access and right to the specified burial site.

An Exclusive Right does not need to be produced when the owner is the deceased and will be interred in the plot / grave indicated on the Exclusive Right as it is assumed that the person purchased the Exclusive Right with the intention of their own interment.

*a) Transfer of Exclusive Right to another person*

Upon application Council will transfer the ownership of an Exclusive Right from the existing holder to a person or persons. The original Certificate must be presented to Council with the transfer section completed and signed by the Exclusive Right owner.

*b) Surrender or Transfer of Exclusive Right and / or Work Permit to Council*

The holder or joint holders of an Exclusive Right and Work Permit granted by the Council may transfer the Exclusive Right and/or Work Permit to Council.

Council will only accept the transfer of an Exclusive Right and/or Work Permit if:

- Evidence of ownership of the Exclusive Right and/or Work Permit is supplied to Council
- The gravesite described in the Exclusive Right and/or Work Permit to be transferred has not been used for burial of human remains including the remains from a cremation or if it has previously been used, an exhumation has occurred and the gravesite is no longer required
- The gravesite is free of structural improvements, such as headstone, marker, plantings etc. If a monument has been placed on a spare grave, the Exclusive Right and Work Permit holder will be responsible, at their own cost, for the removal of the monument prior to the transfer of the Exclusive Right and/or Work Permit to Council
- Council will reimburse the applicant for the amount paid for the Exclusive Right and/or Work Permit at the time of the original purchase, or if paid prior to the introduction of decimal currency an amount determined by Council.

*c) Exclusive Right and/or Work Permit to pass to surviving holder*

If jointly owned, upon the death of one of the joint holders of an Exclusive Right and/or Work Permit, the remaining joint holder is, or joint holders are, entitled to the full ownership of the Exclusive Right and Work Permit.

If all original holders of the Exclusive Right are deceased, the right of ownership will pass to the estate of the most recently deceased holder or to the person(s) nominated in the estate. If a further interment or further monumental work is requested, all persons with an interest must agree to the interment or works by completing a Statutory Declaration.

*d) Exclusive Right and/or Work Permit bequeathed*

The holder of a burial permit may bequeath the Exclusive Right and/or Work Permit as if it were the holder's personal estate.

Upon application made by a person to whom a burial permit has devolved as a result of a bequest, Council will amend the register so as to indicate that the person has become the holder of the Exclusive Right and/or Work Permit. A new certificate will be issued and the original certificate will be retained at Council and recorded as cancelled.

Evidence in writing of a bequeath is required to be provided to Council in order to make any changes

*e) Power of Attorney*

A person who produces Power of Attorney documents relating to the Exclusive Right Holder(s) will have the same interment and monument works decision rights as the holder(s) would.

**5. Exclusive Right for Spare Plots/Niches and Pre Selection of Spare Plots/Niches**

All spare plots/niches purchased incur a fee for as per the Schedule of Fees and Charges, in effect at the time of the spare plot/niche being purchased. Only upon payment shall an Exclusive Right and Work Permit be issued.

*a) Spare Plot and Niche Pre Selection Fees*

- If a person requests a specific plot or niche location, Council's Pre Selection Fee will apply.
- If a person does not specify a spare plot or niche and rather accepts Council's selection of a plot or niche, this will not be classed as a pre selected plot and the Pre Selection Fee will not apply.

*b) Available Locations for Spare Plots and Niches*

- General Section
- Denomination Sections
- Cremation Wall

Spare Plots are not available in the Rose Garden or Native Garden.

All spare plots and niches will be marked with a reservation marker (peg) by Cemetery Staff to identify this as a spare plot.

Council will permit a maximum of six (6) spare plots/niches to be purchased by any one family at any one time.

**6. Exclusive Right and Work Permits for Old Graves**

An application for the purchase of an Exclusive Right for Old Grave must be submitted to Council on the applicable form.

Should any further application be made for an interment following the issuing of the Exclusive Right for Old Graves, the differential of the fee between the Exclusive Right for Old Graves effective at the time of purchase and the fee for an Exclusive Right for Burial effective at the time of the proposed interment will be required to be paid prior to an interment taking place (refer to Schedule of Fees and Charges).

#### **7. Grave and Plot Allocation Sizing**

*a) In Ground Plots:*

- 2100mm depth
- 700mm width
- 1<sup>st</sup> Interment is dug at 1800mm in ground depth
- Reopen interments are dug at 1200mm in ground depth

*b) Rose Garden:*

- Plot Allocation Size – 45mm x 40mm

#### **8. Monuments**

For the purpose of this policy, the definition of a permanent and a temporary monument is considered as the following:

- Permanent – A monument that is not easily removable. Any concrete or granite grave, headstone, slab or sloper, a sloper with a plaque, any masonry structures and sculptures
- Temporary – A monument that is easily removable. A brick (without mortar), wire, metal or wooden fence, a wooden cross, pebbles or stones, a wire cage cover (without a slab)

The holder of an Exclusive Right and Work Permit is responsible for all costs relating to a monument, including maintenance and repair.

All permanent monuments and monumental work must comply with AS 4204-1994 *Headstones and Cemetery Monuments* and AS 4425—1996 *Above-Ground Burial Structures*.

A grave site can be marked with a wooden cross without the requirement to purchase a Work Permit.

Name plates on crosses must be engraved to survive weather and age deterioration.

Monument sizing is as follows:

*a) Gravesites*



Monuments erected on graves shall adhere to Australian Standards AS 4204-1994 *Headstones and Cemetery Monuments* and AS 4425-1996 *Above-Ground Burial Structures*. Council appreciates the personalisation of gravesites and requests that any memorials and monuments are of a tasteful manner which cannot be deemed as offensive.

*b) Rose Garden*

All plots must be marked with a Sloper and a Plaque.

Monument sizing in the Rose Garden are:

- Large Base – 450mm x 400mm
- Standard Base – 300mm x 300mm
- Standard Sloper – 250mm x 200mm
- Plaque – standard 152mm x 152mm

Monuments and plaques must not exceed the plot allocation size of 450mm x 400mm.

If Council is required to undertake any work relating to a monument to ensure public or employee safety it may recover these costs from the holder.

**9. Tributes - Ornaments, Floral and Other**

Council's first priority remains public safety and Council must ensure that respect is shown at time to all mourners. Therefore Council advise that items placed at gravesites are limited to floral arrangements and a limited number of ornaments.

*a) Rose Garden*

Tributes must not exceed the plot allocation size of 450mm x 400mm. Any items exceeding this plot allocation may be removed.

*b) Cremation Wall*

The Cremation Wall is designed to reflect a plaque and a single flower holder only. Any other ornaments and tributes that obstruct any niches are not permitted and may be removed. Council will send notification to the Exclusive Right holder to advise that ornaments and tributes will be removed.

*c) All Areas*

Council reserve the right to remove any tributes that have been placed at a gravesite, niche or plot that cause safety concerns to visitors, Council staff and Council equipment, interferes with any maintenance work or burials, or encroaches upon other graves and plots. This includes alcohol, other drink and food products.

**10. Contractor Requirements for Work Undertaken within the Cemetery**

Any person or business providing or carrying out monumental masonry services in the Cemetery, including the construction, erection, repair, cleaning and restoration of structures over burial sites and spare plots, must comply with Council's requirements, policies and procedures.

Council require specific valid insurance documents to be retained on file at Council prior to any works being undertaken. The required information will be noted on the Application for Licence to Work in the Broken Hill Cemetery and Council will require both the signed application form and required documents to be submitted prior to a licence being approved and issued, and any work being undertaken on Council property. At such time that insurance policies expire, Council will request updated documents to be submitted to Council and work will not be permitted to be undertaken until all updated documents have been received by Council.

Council reserve the right to decline an approval for an interment booking request, cancel or revoke an approval for proposed work or stop work in progress for failure to comply with Council requirements.

The above-mentioned information is applicable to all Funeral Directors, Monumental Masons and Contractors that conduct funeral services, interments or any type of work in the cemetery.

A person shall not, in the Cemetery:

- a) construct, install, alter, restore, renovate or improve any monument, memorial, foundation, vault, table, headstone, gravestone, kerbing, railing or other structure, unless it is of:
  - a material and design approved in writing by Council;
  - carried out to the standard of workmanship required by Council; and
  - constructed or maintained in accordance with *AS 4204-1994 Headstones and Cemetery Monuments* and *AS 4425-1996 Above-Ground Burial Structures*
  - Make any inscription or carry out any adornment, unless it is approved by Council and made or carried out to the standard required by Council or erase, correct, or require the erasure or correction of, wording of any inscription that has been constructed, installed, made or carried out without Council's written consent; or otherwise than in accordance with an approval given by Council
- b) remove a monument, memorial, foundation, vault, table, headstone, gravestone, kerbing, rail or other structure from the Cemetery without Council's written permission
- c) do any of the above without first having an Application for Licence to Work in the Broken Hill Cemetery approved.

#### **11. Interments**

All requests for interments must be made to Council.

#### **12. Children's Section of the Cemetery**

For the purpose of this policy and Council's Schedule of Fees and Charges, Council considers a child to be aged between 0 and 13 years.

Exclusive Rights, Work Permits, Burial Times and Fees and Charges will apply in relation to all interments in the Children's Section of the Cemetery, also known as and marked on the Cemetery Map as General 1.

No fee is applicable when placing a memorial plaque on the garden wall or in the garden bed border of General 1 where no remains are being interred. Council request that the details of the memorialised child and the person placing the memorial plaque submit their contact details to Council so that Council may record appropriate details.

### **13. War Cemetery**

The Returned Services League Garden of Remembrance is situated within the Cemetery. The walls within the garden contain plaques of service men and women who were either killed in battle or who have since passed on. New plaques are added on a regular basis. Any enquiries are to be directed to the Broken Hill Returned Services League Sub Branch.

### **14. War Graves**

Council exempt the Commonwealth War Graves Commission and Returned Services League (RSL) from the payment of an Exclusive Right in relation to grave sites purchased for eligible ex-service men and women, although a fee for a Work Permit will be applied for any monumental work to be undertaken. Once a monument has been erected, the headstone or plaque is not to be altered in any manner.

The RSL will order a brass plaque for the Rose Garden or the RSL Wall. The RSL Wall does not have provision for the interment of ashes.

If an additional interment is requested to be undertaken in the grave or plot, Council will apply a fee for an Exclusive Right according to the current fee noted in Council's Schedule of Fees and Charges, applicable at the time of the request, and any other applicable fees. Personal details of the additional interred person/s will only be recorded on the grave by means of a plaque attached in the centre of the slab, not on an existing or new headstone.

If the grave is damaged during the reopen process for a second or subsequent interment, the RSL will be advised and will be required to arrange for the grave to be repaired.

### **15. Shared Grave**

In previous times, shared graves were used for the interment of persons without means, babies born without life and infants.

Often the deceased were interred in a grave site designed specifically for the purpose of a shared grave, or interred with the next available burial, such as being placed in the coffin or grave site with an unrelated adult who was being interred.

While Council have some records of the interred in shared graves, there are many deaths that were not registered or recorded and as such records were not maintained at the time and are not available at Council. Many records Council obtained from community and religious trustees were incomplete and while sometimes, details such as the name and date were recorded, the location was not.

Council are empathetic towards relatives and understand that this is a very sensitive topic. Council respect the rights of relatives who do wish to acknowledge and do not wish to acknowledge an interred person at the Cemetery and as such the following applies:

- a) Due to multiple relatives potentially having an interest in purchasing the Exclusive Right and Work Permit for a shared grave, Council are unable to determine an appropriate person to grant these permits to.
- b) Due to the sensitive nature of a shared grave and the fact that some deaths of infants were not discussed within the family, it is impossible for Council to locate and contact each interred persons relative to confirm if they object to a sale of any permits.
- c) Council respects the rights of families mentioned in point b) and will not allow for one relative to name any interred person in the shared grave on any monument, plaque or cross who is not related to that person.
- d) Due to points a), b) and c), Council are unable to permit the purchase of an Exclusive Right and Work Permit for a grave that was used as a shared grave. As such, Council will not grant or apply fees for an Exclusive Right or Work Permit for a shared grave site.
- e) Council will allow for a relative to purchase and have placed on the gravesite a Plaque or a Wooden Cross on the grave site with the details of their interred relative only.
- f) Council advise that the plaque must reflect that the grave is a shared grave through the mandatory wording "Resting with Others in this Shared Grave". While this will recognise it is a shared grave with other people interred, it will not reveal any personal information of others interred.

#### **16. Exhumation**

An exhumation may only take place when an order by a Coroner or a Court permitting this is issued, or an applicant has obtained, prior to commencing the exhumation both:

- Approval for exhumation by NSW Department of Health in accordance with the provision of *Public Health (Disposal of Bodies) Regulation, 2002*; and
- Approval from Council as per the Cemeteries and Crematoria Act 2013, Section 66

An exhumation of cremated remains does not require NSW Health approval and can be conducted with Council approval only.

#### **17. Mohammedan Section of the Cemetery**

Exclusive Rights of Burial in the Mohammedan Section of the Cemetery are treated differently to other sections of the Cemetery due to historical reasons.

Several members of the Mohammedan community have been provided with an Exclusive Right of Burial at no charge, resolved at the Councils ordinary meeting held 30 April 2014.

All further burials in this section for those not specified in Councils report and resolution, will have the Exclusive Right of Burial fee applied at the time of burial.

#### **18. Miscellaneous**

A person must not do any of the following within a cemetery:

- a) Damage, deface, interfere with or alter burial sites;
- b) Damage, deface, interfere with or alter monuments;
- c) Bury, inter or exhume any human remains, whether cremated or not;
- d) Enter or remain in the cemetery between sunset and sunrise;
- e) Cause or permit an animal that is under the person's control to enter or remain in the Cemetery, but does not prevent a person from riding a horse or leading or walking a dog on a leash;
- f) Take part in any gathering, meeting or assembly, except for the purpose of religious, research, historical, educational or other ceremony of burial or commemoration;
- g) Engage in trade or commerce without Council's written consent;
- h) Distribute any circulars, advertisements, paper drawn or photographic material without prior Council consent;
- i) Drive a vehicle at a speed of more than twenty (20) kilometres per hour;
- j) Drive a vehicle or a vehicle and trailer having an unladen weight of more than three (3) tonnes;
- k) Drive a vehicle through a cemetery for the purpose of travelling between places outside of the cemetery;
- l) Park a vehicle on any known burial place, verge or plantation, or in a manner that is likely to impede traffic;
- m) Teach, learn or practice driving a vehicle;
- n) Camp or reside on any cemetery land;
- o) Possess or consume an alcoholic or intoxicating beverage or substance;
- p) Urinate or defecate;
- q) Bring or leave any rubbish, refuse, scrap metal (including remains of vehicles), rock, soil, sand or any other such substances;
- r) Remove any dead timber, logs, trees, flora, whether standing or fallen;
- s) Kill, capture or in any way interfere with any animal, bird, fish or other fauna, whether native or introduced;
- t) Plant any tree, shrub, herbage or other plant without prior consent.

#### **Associated Policies & Documents**

Australian Standard AS 4204-1994 Headstones and Cemetery Monuments  
Australian Standard AS 4425-1996 Above-Ground Burial Structures

#### **Relevant Legislation**

Anti-Discrimination Act 1977  
 Births, Deaths and Marriages Registration Act 1995  
 Cemeteries and Crematoria Act 2013 - Sect 66  
 Conservation of Cemeteries Act 1974  
 Coroners Act 1980  
 Crown Lands Act 1989  
 Crown Lands (General Reserves) By-Law 2006  
 Crown Lands (General Reserves) Amendment (Sustainable Burials) By-law 2011  
 Heritage Act 1977  
 Human Tissues Act 1983  
 Local Government Act 1993  
 Local Government (Control of Cemeteries) Amendment Act 1966  
 Privacy and Personal Information Protection Act 1998  
 Public Health (Disposal of Bodies) Regulation 2002  
 Public Health Act 1991  
 Public Health Regulation 1991  
 State Records Act 1998  
 Work Health and Safety Act 2011

### Quality Control

<b>Key Direction:</b>	1 Our Community		
<b>Objective:</b>	1.4 Our built environment supports our quality of life		
<b>Function:</b>	Our Community		
<b>Strategy:</b>	1.4.1.5 Maintain the cemetery to allow a final resting place and a place for residents and visitors to visit loved ones that have passed 1.4.1.6 Facilitate searches for deceased persons interred in the Broken Hill Cemetery		
<b>File Reference No:</b>	13/163	<b>TRIM No:</b>	D14/28765
<b>Type of Policy:</b>			
<b>Responsible Officer:</b>	Manager Infrastructure Strategy Asset Planner Buildings and Open Spaces		
<b>Review Date:</b>	September 2016 - This policy will be reviewed at the start of each term following the Local Government Elections, or as required.		
<b>Date</b>	<b>Action</b>	<b>Minute No.</b>	
4 February 2015	Draft Policy	N/A	
	Adopted		
TBA	Place on Public Exhibition	TBA	

ORDINARY MEETING OF THE COUNCIL

May 14, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 108/15

SUBJECT:                      DRAFT COMPLIANCE AND ENFORCEMENT POLICY                      12/14

**Recommendation**

That Broken Hill City Council Report No. 108/15 dated May 14, 2015, be received.

That Council endorse the Draft Compliance and Enforcement Policy for the purposes of public consultation.

That the Draft Compliance and Enforcement Policy be exhibited for public comment for a 28 day period.

That the Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the Draft Compliance and Enforcement Policy.

**Executive Summary:**

Council has a responsibility under Section 8 of the Local Government Act 1993 to ensure that its regulatory activities are carried out in a consistent manner and without bias.

Council's regulatory and enforcement actions should be exercised to ensure the health, safety and environmental protection of all stakeholders including residents, visitors, workers and business operators. All stakeholders should have confidence in the decision making and internal review processes. Attached is the draft "Compliance and Enforcement Policy".

**Report:**

This policy has been developed to ensure good governance and best practice standards are adhered to. This policy has been reviewed in its entirety so as to comply with contemporary Local Government requirements.

Broken Hill City Council is an enforcement authority and its Officers are required to make decisions and use discretion about appropriate enforcement action when non compliant issues are identified.

The spirit of this Policy is to use a graduated approach to enforcement action, for example the issue of a warning letter, which if not successful in resolving the issue may be followed by statutory Notices and Orders and, finally some form of enforcement proceedings either via a penalty notice or Court action if compliance cannot be achieved by any other method.

The draft Policy also recognises in some situations the gravity of the incident or other circumstances determines that an escalated approach is not appropriate and immediate regulatory action is required e.g. where an activity is or is likely to result in a significant public health or safety risk, or is or likely to cause significant environmental harm.

In accordance with Section 160 of the *Local Government Act 1993* the Draft Compliance and Enforcement Policy will be placed on public exhibition for a period of 28 days, during which time submissions may be made to the Council.

**Strategic Direction:**

**Key Direction:** 4. Our Leadership  
**Objective:** 4.1 Openness and Transparency in Decision Making  
**Function:** Leadership & Governance  
**Action:** 4.1.1.13 – Maintain good governance and best practice methods and ensure compliance with various guidelines and legislation

**Relevant Legislation:**

Relevant Legislation predominately includes but is not limited to, the Local Government Act 1993 and Environmental Planning and Assessment Act 1979.

Section 160 of the *Local Government Act 1993* requires plans and policies to be placed on public exhibition for a period of 28 days, during which time submissions may be made to the Council.

**Financial Implications:**

There are no financial implications to implement this Policy.

**Attachments**

1. Draft Compliance and Enforcement Policy 7 Pages

FRANCOIS VANDERBERG  
MANAGER PLANNING, DEVELOPMENT & COMPLIANCE

THERESE MANNS  
GENERAL MANAGER





# DRAFT COMPLIANCE AND ENFORCEMENT POLICY

## QUALITY CONTROL

<b>TRIM References</b>	12/114 - D12/11854	<b>Policy Type</b>	Council
<b>Responsible Position</b>	Manager Planning, Development and Compliance		
<b>Approved by</b>	Broken Hill City Council		
<b>Review Date</b>	May 2015	<b>Revision No.</b>	1
<b>Effective Date</b>	<b>Action</b>	<b>Minute Resolution No.</b>	
31/1/2007	Adopted	42142	

## 1 INTRODUCTION

This policy has been developed to ensure good governance and best practice standards are adhered to.

Broken Hill City Council is an enforcement authority and its Officers are required to make decisions and use discretion about appropriate enforcement action when non compliant issues are identified.

Council also has a responsibility under Section 8 of the Local Government Act 1993 to ensure that its regulatory activities are carried out in a consistent manner and without bias.

Council's regulatory and enforcement actions should be exercised to ensure the health, safety and environmental protection of all stakeholders including residents, visitors, workers and business operators. All stakeholders should have confidence in the decision making and internal review processes.

Council supports and welcomes the positive assistance of the community in reporting issues of concern and undertakes to work collaboratively with the community to promote the benefits of compliance as a way of sustaining a safer quality of life for all.

The spirit of this Policy is to use a graduated approach to enforcement action, for example the issue of a warning letter, which if not successful in resolving the issue may be followed by statutory Notices and Orders and, finally some form of enforcement proceedings either via a penalty notice or Court action if compliance cannot be achieved by any other method.

The Policy also recognises in some situations the gravity of the incident or other circumstances that determine an escalated approach is not appropriate and immediate regulatory action is required e.g. where an activity is or is likely to result in a significant public health or safety risk, or is or likely to cause significant environmental harm.

## 2 DEFINITIONS

The following explanation is provided in regard to terms used in this Policy.

**"Authorised Officer"** shall mean a Council Officer with delegated authority to carry out specific duties and take any necessary enforcement action. Such officers carry specific Authorities under various Acts which include prescribed powers of entry to certain properties.

**"BCA"** shall mean Building Code of Australia, part of the National Construction Code series.

**"BPB"** shall mean Building Professionals Board.

**"Civil Proceedings"** shall mean and include:

- Notices, Orders and Directions issued pursuant to various legislation;
- Class 4 proceedings in the Land and Environment Court seeking an order to remedy a breach of the Environmental Planning and Assessment Act, the Local Government Act, the Protection of the Environment Act or any other Act, if the breach is causing or is likely to cause harm to the environment; and
- Interlocutory relief for matters causing or with reasonable potential to cause serious environmental harm. In such proceedings it is likely the Council would be required to provide an undertaking as to damages.

**"Complainant"** shall mean a person lodging a customer action request (complaint) to Council.

**"Council"** shall mean Broken Hill City Council.

**"Defendant"** shall mean an alleged offender against whom action is being taken in Court.

**"EP&A Act"** shall mean the Environmental Planning and Assessment Act, 1979.

**"Offence"** shall mean an offence under NSW legislation.

**"PCA"** shall mean Principal Certifying Authority.

**"PIN or Penalty Notice"** shall mean Penalty Infringement Notice (or Penalty Notice) occasionally referred to as an "on the spot fine".

**"Respondent"** shall mean the party against whom civil proceedings are brought.

**"Unauthorised/unlawful activity"** shall mean any activity that is:

- contrary to the terms or conditions of a development consent, approval or permission;
- contrary to an environmental planning instrument that regulates the activities or work that can be carried out on particular land;
- contrary to a legislative provision regulating particular activity of work;
- without a required development consent, approval, permission or licence;
- contrary to legislation for which the Council is the appropriate regulatory authority; and
- includes any activity, place or structure which is a risk to public health and safety but excludes any parking or traffic offences which are dealt with in accordance with the Australian Road Rules.

### 3. POLICY OBJECTIVE

- 3.1 Broken Hill City Council is strongly opposed to unlawful and non compliant activities and aims to provide and deliver regulatory services in a fair, equitable and consistent manner designed to protect the natural, built and social environment.

**3.2** This Policy aims to "demonstrate accountability, transparency and ethical conduct".

**3.3** Consequently the Policy aims to:

- a) ensure all regulatory activities meet Council's Charter of responsibilities under Section 8 of the Local Government Act;
- b) assist Council Officers to respond promptly and effectively to complaints of unlawful activity and undertake proactive investigation;
- c) ensure Officers comply with Council's Code of Conduct when investigating any unlawful activity;
- d) provide a framework for operational guidelines and procedures for Council Officers and the community which incorporate the principles of procedural fairness and natural justice where decisions are made in a consistent, fair, equitable and transparent manner;
- e) provide a framework for criteria to determine whether enforcement action is warranted and if so, ensure such action is in accordance with the delegation in a timely, cost effective manner and proportional to the relative seriousness of the situation;
- f) provide a framework to ensure all possible options are considered prior to the implementation of enforcement action;
- g) take a proactive approach to compliance by providing information to the public about Council's role and policy on enforcement and encourage a culture of compliance aimed at self regulation rather than Council imposed enforcement action;
- h) provides a service which embodies good practice and ensures that Council is a Model Litigant by behaving ethically, fairly and honestly in litigation.

#### **4. POLICY SCOPE**

**4.1** This Policy applies to all areas where Council has a compliance and enforcement role under the various Acts and Regulations.

**4.2** The application of the Policy includes but is not limited to:

- a) abandoned vehicles;
- b) asbestos management;
- c) boarding houses;
- d) brothels;
- e) commercial/ private swimming pools;
- f) environmental and pollution control issues;
- g) failure to comply with a condition of an approval, an Order or Notice;
- h) fire safety;
- i) food safety;
- j) removal of trees or clearing vegetation from land;
- k) parking control;
- l) public health and safety;
- m) the control over the keeping of animals and companion animals;

- n) the regulation of unlawful development activities;
- o) waste; and
- p) any other functions for which Council is the appropriate Regulatory Authority.

- 4.3** Any enforcement action will be in accordance with this Policy, relevant NSW legislation and the State Debt Recovery Office Guidelines.
- 4.4** Whilst it is intended the principles in this Policy will have general application, there may be cases where the particular circumstances justify departure from these principles.
- 4.5** In any situation where an officer considers taking action which varies with the Policy and associated guidelines/procedures, the officer will discuss the reasons for the variance with the supervisor and will document and implement the agreed course of action.

**Additional requirements for parking and traffic matters:**

- 4.6** This Policy applies to Council's enforcement functions and supports the concept of an escalated and proportionate approach to all non compliant issues except for parking and traffic matters.
- 4.7** While this Policy covers all matters to be taken into account when exercising discretion about compliance and enforcement matters, it recognises that Rangers who work with traffic and parking matters are faced with different time frames and decisions which need to be made on the spot.
- 4.8** It is Council's Policy that Rangers will enforce the Road Rules and will carry out traffic and parking duties in a fair, equitable and consistent manner with a Zero Tolerance approach in school zones.
- 4.9** Zero tolerance is the strict enforcement of the rules.

**5. LEGAL AND POLICY FRAMEWORK:**

The Policy applies but is not limited to and is to be read in conjunction with the following NSW legislation and any subsequent amendments:

- a) Australian Road Rules, 2008;
- b) Boarding Houses Act, 2012;
- c) Companion Animals Act, 1998;
- d) Contaminated Land Management Act, 1997;
- e) Crown Lands Act, 1989;
- f) Environmental Planning & Assessment Act, 1979;
- g) Fines Act, 1996;
- h) Food Act, 2003;
- i) Impounding Act, 1993;
- j) Local Government Act, 1993;
- k) Motor Dealers Act, 1974;
- l) Noxious Weeds Act, 1993;
- m) Protection of the Environment Operations Act, 1997;

- n) Public Health Act, 2010;
- o) Swimming Pool Act, 1992;
- p) Roads Regulations, 2008;
- q) Road Transport (General) Regulation, 2013;
- r) Road Transport (Mass Loading & Access) Regulation, 2005;
- s) Rural Fires Act, 2008; and
- t) The Regulations relating to the above Acts.

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

## **6. IMPLEMENTATION**

### **6.1 Roles and Responsibilities**

All employees who deal with complaints and the enforcement of relevant legislation are responsible for implementing this Policy e.g. Building Surveyor, Town Planner, Compliance Officer, Weeds Officer, Ranger, Health Inspector and any authorised officers appointed by the General Manager.

### **6.2 Communication**

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

### **6.3 Associated Documents**

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

- a) Local Orders Policy; and
- b) Code of Conduct Policy.

## **7. REVIEW**

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

This policy will be reviewed within 12 months following the election of a new Council or at any given time following legislative changes requiring a review of this policy.

## **8. POLICY STATEMENT**

### **8.1 Enforcement and Compliance Principles**

Broken Hill City Council as a responsible regulator is committed to:

- a) acting with consistency, impartiality, objectivity and fairness;
- b) avoiding any discrimination on the basis of race, religion, political association, sex or national origin;
- c) the adoption of a graduated and proportionate response (where appropriate) to legislative non-compliance;

- d) providing every opportunity for compliance by all stakeholders by indicating the relevant penalties for non-compliance;
- e) providing written advice or directions in a clear and simple manner;
- f) ensure any action taken is in the public interest and the action is in proportion to the offence;
- g) ensure any action taken by Council is justified, against the correct person, cost effective and based on sound evidence which will withstand robust scrutiny;
- h) ensure any decision to take no further action or issue a caution is in the public interest and in accordance with relevant guidelines (e.g. SDRO);
- i) avoiding any actual or potential conflict of interest situations;
- j) conducting all investigations in accordance with the Code of Conduct and making decisions in a professional manner with appropriate integrity;
- k) creating awareness and seeking support with all stakeholders including workers and business operators and the broader community in the need for compliance when dealing with relevant issues;
- l) ensuring action is instigated within legislative time limits; and
- m) disclosing all evidence relevant to an alleged offence and assisting the Court, as required.

## 8.2 Procedural Fairness

Council is committed to natural justice and acting fairly in all aspects of the implementation of this Policy. In order to achieve this outcome Council will:

- a) provide an opportunity for an alleged offender to provide an explanation, however there will be situations such as parking enforcement and other circumstances considered to represent a serious risk to public safety or the environment or the like which would preclude this opportunity;
- b) give due consideration to any written submission made by an alleged offender made either directly to Council or via another agency (e.g. State Debt Recovery Office);
- c) make all appropriate enquires investigations and searches prior to making an enforcement decision;
- d) establish appropriate procedures to avoid an enforcement decision being influenced by an actual, potential or perceived conflict of interest;
- e) implement procedures to ensure relevant information is provided to a complainant and alleged offender, subject to maintaining appropriate confidentiality provisions; and
- f) act without bias and within statutory time frames.

## 8.3 Disclosure of Information

Council Officers will respect the privacy and confidentiality of information received, however due to its statutory obligations and other requirements, confidentiality cannot always be guaranteed.

The complainant's identity may be disclosed where:

- a) access to the information is permitted under legislation including but not limited to the Government Information (Public Access) Act 2009;

- b) legal action is commenced and the information is disclosed in evidence;
- c) the person consents to the disclosure of the information;
- d) the principles of natural justice dictate that information be disclosed to the person who is the subject of the complaint, which may enable the complainant to be identified; and
- e) Council is of the opinion that disclosure of information is necessary to effectively investigate the matter.

Council Officers will also observe the information protection principles in the Privacy and Personal Information Protection Act 1998 which provides in certain circumstances for information to be shared with other public sector agencies for law enforcement purposes.

Reasons for decisions regarding compliance and enforcement action will be made available, unless to do so would cause a breach of the law. Reasons may not be given in any case where the information may cause harm to an informant, witness, or the alleged offender, nor in circumstances which would significantly prejudice the administration of justice.

#### **8.4 Community Awareness**

Council will take every opportunity to promote ongoing community awareness in regard to compliance/enforcement. This may include but is not limited to, website references, the publication of press releases and the periodic inclusion in any community newsletters with a view to improving community confidence and awareness.

Awareness initiatives that focus on residents, developers and business operators will adopt an educational approach designed to engage and promote:

- a) an awareness of the spirit and content of this Policy;
- b) the minimisation of non-compliance by improving the knowledge of legislation within the community; and
- c) the benefits of complying with the legislation and the consequences of not complying.

ORDINARY MEETING OF THE COUNCIL

May 5, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 109/15

SUBJECT: DRAFT INTELLECTUAL PROPERTY POLICY FOR PUBLIC EXHIBITION 12/114

**Recommendation**

That Broken Hill City Council Report No. 109/15 dated May 5, 2015, be received.

That Council endorse the Intellectual Property Policy for the purposes of public consultation.

That the Draft Intellectual Property Policy be exhibited for public comment for a 28 day period.

That the Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the Draft Intellectual Property Policy as a Policy of Council.

**Executive Summary:**

Council considered Broken Hill City Council Report No. 78/15 dated March 27, 2015 at its meeting held April 29, 2015.

Council resolved:

Minute No. 44926

<i>Councillor P. Black moved</i>	)	<i>That the Draft Intellectual Property Policy be re-drafted and re-presented to Council to ensure that personal records of former Mayors and Alderman are not included as Council property and that this reference is removed from the policy.</i>
<i>Councillor B. Algate seconded</i>	)	

**CARRIED**

The Draft Intellectual Property Policy has been re-drafted and is now presented to Council for consideration of endorsement of the purposes of public consultation.

Council's concerns in relation to personal records of former Mayors and Alderman are addressed under the "scope".

**Report:**

A recent review of procedures has identified the need for Council to have an Intellectual Property Policy.

Intellectual Property is defined as all statutory and other proprietary rights (including rights to require information to be kept confidential) in respect of inventions, copyright, trademarks, designs, patents, plant breeder's rights, circuit layouts, know-how, trade secrets and all other



rights including pre-existing intellectual property that is the Intellectual property developed and owned by BHCC staff, Councillors or contractors.

The purpose of the Intellectual Property Policy is to provide a simple yet effective management approach for Council's intellectual property. The policy will provide an initial one document reference point to clarify ownership and management of Intellectual Property developed by Council.

The policy shall be reviewed at the start of each term following the Local Government Elections, or as required to ensure that it meets legislation requirements and the needs of Council and the Community.

The Broken Hill Intellectual Property is an important and valued asset to Council, and the Broken Hill Community. As such, it is recommended that Council adopt a Policy to provide a framework to staff and the community about how best to manage the Broken Hill Branding and associated intellectual property.

Council works in a diverse and dynamic environment and will continue to embrace innovation to enhance the operation of Council and the diversification of the economy for the benefit of the community.

When a new innovation is created, it is important that its value is protected. As a Council, intellectual property may be created by staff or councillors during the course of their duties with Council or by contractors/consultants undertaking projects on behalf of Council.

The Draft Intellectual Property Policy provides guidance in relation to ownership and protection of Intellectual Property.

In accordance with Section 160 of the *Local Government Act 1993* the Draft Intellectual Property Management Policy will be placed on public exhibition for a period of 28 days, during which time submissions may be made to the Council.

Once adopted, the policy will take immediate effect.

#### **Strategic Direction:**

<b>Key Direction:</b>	<b>2 Our Economy</b>
<b>Objective:</b>	<b>2.2</b> we are a destination of choice and provide a real experience that encourages increased visitation
<b>Function:</b>	Our Community
<b>Strategy:</b>	<b>2.2.7</b> Establish and deliver a consistent destination brand and image that positions Broken Hill as a significant outback destination in Australia

#### **Relevant Legislation:**

Under Commonwealth Legislation; Patents Act 1990; Copyright Act 1968; Trademarks Act 1995; Designs Act 2003 and the Circuit Layouts Act 1989, Broken Hill City Council as a government authority is required to establish policies and procedures in regards to protect and control of the management of Council's Intellectual Property.

Section 160 of the *Local Government Act 1993* requires plans and policies to be placed on public exhibition for a period of 28 days, during which time submissions may be made to the Council.

**Financial Implications:**

There are no financial implications to develop this policy.

**Attachments**

1. Draft Intellectual Property Policy 5 Pages

THERESE MANNS  
GENERAL MANAGER

# DRAFT INTELLECTUAL PROPERTY POLICY



## QUALITY CONTROL

CATEGORY	Statutory		POLICY TYPE		Council/Public Policy	
FILE REFERENCE NO.	12/14	TRIM NO.	D15/12023	REVISION NO.	1	
RESPONSIBLE POSITION	General Manager					
APPROVED BY	Broken Hill City Council <Date> <Minute Number>					
EFFECTIVE DATE	<Date>		REVIEW DATE		April 2015	
DATE	ACTION			MINUTE NO.		
	Public Display Period					
	Adopted					

## 1. INTRODUCTION

The intellectual property (IP) of Broken Hill City Council is an asset. IP has many of the same ownership rights as physical property and needs to be managed responsibly, in the same way Council manages its tangible assets, such as its finances, buildings, infrastructure and the environment.

This policy has been introduced to manage, protect, share and commercialise Intellectual Property within Broken Hill City Council.

## 2. POLICY OBJECTIVE

Broken Hill City Council owns, controls and manages all intellectual property (IP) that it has created or acquired. All staff, contractors and consultants have a responsibility to properly identify, attribute and preserve the IP of Broken Hill City Council.

The two main types of IP owned by BHCC are;

- Copyright, including website content, multimedia, written materials; and
- Registered and Unregistered trademarks, including brand names, logos, tag lines and other insignia of origin.

The purpose of this policy is to ensure that IP is managed professionally, protected, shared and commercialised where appropriate.

## 3. POLICY SCOPE

This policy applies to all activities of Broken Hill City Council and to all Councillors, staff, consultants, contractors or other appointees of Council.

The personal records of former Mayors and Alderman are not considered Intellectual Property for the purpose of this policy.

#### **4. DEFINITIONS**

**Background IP** - IP that is already in existence at the time of entering into a contractual arrangement involving that IP and is made available by a party prior to the development of new IP or during the course of the contractual arrangement

**Intellectual Property (IP)** - Intellectual Property (IP) is a term that describes the application of the mind to develop something new or original. All statutory and other proprietary rights (including rights to require information be kept confidential) in respect of inventions, copyright, trademarks, designs, patents, plant breeder's rights, circuit layouts, know-how, trade secrets and all other rights.

#### **5. LEGAL AND POLICY FRAMEWORK**

This policy considers Patents Act 1990, Copyright Act 1968, Trademarks Act 1995, Designs Act 2003 and Circuit Layouts Act 1989, Councils Code of Conduct and Statement of Business Ethics.

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

#### **6. POLICY STATEMENT**

This policy is intended to apply to all IP created in or during the course of employment or engagement with BHCC and includes IP created while participating in any project or program supported by funding obtained or provided by or through BHCC.

BHCC is committed to the ensuring the community of Broken Hill have the best opportunity to benefit from the IP through effective management, protection, sharing and commercialisation Intellectual Property.

#### **7. IMPLEMENTATION**

##### **7.1 ROLES AND RESPONSIBILITIES**

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

- General Manager;
- Deputy General Manager;
- Managers

##### **7.2 COMMUNICATION**

The Policy will be communicated to the community and staff utilising Broken Hill City Council's Policy and Procedure Framework and Council's Business Paper process. Following adoption by Council the Policy will be made available on Council's website.

##### **7.3 ASSOCIATED POLICIES, PROCEDURES, FORMS AND ATTACHMENTS**

Code of Conduct  
Statement of Business Ethics  
Secondary Employment Policy  
Engagement of Consultants Procedure

Delegation of Authority – Authority for implementation of this Policy is delegated by Council to the General Manager in accordance with the Local Government Act 1993.

#### **8. REVIEW**

Review of this Policy will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines. The General Manager is responsible for the review of this Policy.

## **INTELLECTUAL PROPERTY POLICY**

### **1. STAFF AND INTELLECTUAL PROPERTY RIGHTS**

BHCC owns, controls and manages all IP created by BHCC staff pursuant to the terms of their employment or otherwise created under the direction or control of BHCC.

Any literary work, computer program, invention, design, patent, copyright, trademark, improvement or idea developed by the employee in the course of employment with BHCC is the sole property of Council and Council will unless otherwise agreed have the exclusive right to use, adapt, patent and otherwise register it.

BHCC staff employed or otherwise engaged outside of this organisation cannot use BHCC IP as part of this employment or engagement unless permission has been granted in writing by the General Manager or his/her delegate.

The employee will immediately disclose to the General Manager any literary work, computer program, invention, design, patent, copyright, trademark, improvement or idea developed by the employee after their commencement date to enable the General Manager to ascertain whether it was discovered, developed or produced wholly outside and wholly unconnected with the course of employment under this contract.

To protect disclosures made by employees, the General Manager or the employee may require a confidentiality agreement to be signed prior to, during or immediately after discussion of the intellectual property being considered.

### **2. CONSULTANTS, CONTRACTORS AND AGENCY STAFF AND INTELLECTUAL PROPERTY RIGHTS**

Where BHCC engages any contractor or consultant, and that contractor or consultant creates any IP (including copyright) as part of that engagement, then there must be a written agreement which clearly sets out that BHCC owns this IP.

Any such agreement must also address the issue of sub-contractors being engaged and the ownership of any IP created. This also applies to individuals employed by BHCC through an agency.

### **3. OTHER APPOINTEES OR PERSONS AND INTELLECTUAL PROPERTY**

IP may be created and owned by persons or organisations not engaged by BHCC in an employment or contractor/consultant relationship, for example:

- committee and board members;
- students on voluntary placements within BHCC, or who receive a nominal payment, scholarship or sponsorship; and
- visitors and volunteers.

Whenever BHCC enters into an arrangement with any of the above or agrees to provide services to another party that may result in the creation of IP, there must be a written contract that deals with the relationship and addresses the ownership of any IP created and imported background IP. Otherwise the other party might claim sole ownership of the IP, notwithstanding that BHCC paid for its development.

#### **4. EXCEPTIONS - BHCC OWNERSHIP OF INTELLECTUAL PROPERTY**

There may be situations arise whereby BHCC ownership is not necessary or desirable and it will be more useful or valuable for BHCC to allow third parties to own IP under negotiated arrangements. Ensuring that the BHCC has the right to use the IP for its own internal purposes may be sufficient.

In asserting and negotiating BHCC ownership or rights to use particular IP, the following consideration should be made:

- the purpose of the ownership (i.e. whether it is necessary or desirable for BHCC to own the IP having regard to its internal use, knowledge transfer and commercialisation requirements);
- in the case of contractors, the nature of the services, the other terms and conditions of the contract, how the IP arrangements may impact on the project cost, and ongoing cost to BHCC;
- in the case of joint ventures and cooperative projects, any background IP and other resources brought to the project by the participating parties, any further developments to be made or funded by each party and their respective capacities and opportunities to leverage the developed IP for broader application;
- the cost of protecting and maintaining the IP; and
- in the case of students, joint appointments or secondments, whether joint or a negotiated proportional ownership with the relevant university, research institution or other third party is indicated.

Under such circumstances, approval must be provided by the General Manager.

#### **5. COMMUNITY USE OF INTELLECTUAL PROPERTY**

The General Manager or his/her delegate may approve the use of BHCC IP for non-profit community purposes where a net benefit to the community is considered applicable. In such circumstances, consideration should be given to the impact on the value of IP if such use is approved.

#### **6. COMMERCIALISATION OF INTELLECTUAL PROPERTY**

Any use of IP owned by BHCC must be approved by the General Manager or his/her delegate.

The preferred approach for the commercialisation of IP owned by BHCC is through assignment or licence to a third party. BHCC may licence the right to exploit IP under certain conditions for a set term.

BHCC remuneration for the assignment or licence may include upfront or deferred payments and periodic royalties.

The assignment or licence may be in return for other benefits such as information and materials exchanges or payments, equity participation in a commercialisation vehicle, collaborative agreements and other forms of remuneration appropriate to the specific case.

Any assignment or license of the IP must be legally documented and, if appropriate, should provide that BHCC can continue to use the IP for its own purposes.

BHCC may assign ownership of its IP outright to a third party under appropriate negotiated arrangements only with the approval of Council.

BHCC may also manage commercialisation of IP or enter into partnership or joint venture commercialisation models.

## **7. COPYRIGHT OWNERSHIP STATEMENT**

All published or distributed copyright material owned by BHCC must include the following copyright statement:

© Copyright Broken Hill City Council [year]

## **8. MORAL RIGHTS**

BHCC recognises the moral rights of the creators of certain works in accordance with the Copyright Act 1968. These include the right of fair attribution, and the need for work not to be altered or used in such a way that it harms the reputation of the creator. Where a creator agrees to be involved in research activities as part of a project between BHCC and an external contractor or other third party, the creator may be required to provide a written consent in respect of the creator's moral rights in relation to certain works that may be created during the project prior to work commencing.

## **9. INDIGENOUS CULTURAL AND INTELLECTUAL PROPERTY RIGHTS**

The heritage of indigenous people is a living one and includes items that may be created in the future, based on that heritage. BHCC recognises and will protect indigenous cultural and intellectual property rights as identified under Australian federal laws.

## **10. BREACH OF POLICY**

Failure to comply with this policy or associated procedure may result in disciplinary or legal action.

## ORDINARY MEETING OF THE COUNCIL

May 18, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 110/15

SUBJECT: MODIFICATION OF DEVELOPMENT CONSENT 182/2014 - 334  
MCCULLOCH STREET, BROKEN HILL - TELSTRA  
CORPORATION 11/467

## Recommendation

That Broken Hill City Council Report No. 110/15 dated May 18, 2015, be received.

That

- i. the application made by S K Planning Pty Ltd to modify consent for Development Application 182/2014 for a telecommunications facility at Lot 2 DP 1175135, NO. 334 McCulloch Street, Broken Hill be refused for the following reasons:
  - a) The proposal is inconsistent with section 79C(a)(i) matter for consideration in that satisfaction of *Principle 3 - Health standards for exposure to radio emissions will be met* of the *NSW Telecommunications Facilities Guideline Including Broadband July 2010* given effect by State Environmental Planning Policy (*Infrastructure*) 2007 is uncertain and unknown by the community of Broken Hill without provision of information concerning emission levels to Council and the community,
  - b) The proposal is inconsistent with section 79C(a)(iii) matter for consideration in that research required in accordance with *Broken Hill Development Control Plan No. 1 Residential Development* into the Land and Environment Court case law has found that the Court has imposed similar conditions to validate and monitor electromagnetic emissions from telecommunications facilities. Such conditions are intended to ensure that the development does not interfere with the amenity of the locality,
  - c) The proposal is inconsistent with section 79C(b) matter for consideration in that the likely social (public health) impacts of an exceedance of permitted maximum electromagnetic emissions, including where further antenna and radio communications dishes are added to the facility, cannot be ascertained,
  - d) The proposal is inconsistent with section 79C(d) matter for consideration in that there is substantial community opposition to deleting the conditions of consent as demonstrated through the volume of submissions received during the public notification period, and
  - e) The proposal is inconsistent with section 79C(e) matter for consideration in that it is in the public interest to validate and monitor electromagnetic emissions from the facility for the sake of transparency and to alleviate community concern.
- ii. Notwithstanding the above, Condition 22 be amended to read:



## 22. *Electro Magnetic Energy Monitoring*

*In the interests of public safety, the applicant must carry out on-going and regular monitoring of the Electro Magnetic Energy emission levels to ensure that levels comply with the Radio communications (Electromagnetic Radiation – Human Exposure) Standard 2003 as prescribed by the Australian Communications and Media Authority. As a minimum, such monitoring is to be carried out if and when further infrastructure including antenna and radiocommunications dishes are added to the facility and must be submitted to Council to be made available for public inspection.*

*In the event that EME levels exceed permitted maximum levels, power to the telecommunications facility must be reduced or turned off until compliance with the permitted maximum levels is achieved.*

### **Executive Summary:**

Broken Hill City Council issued consent on 18 February 2015 to S K Planning Pty Ltd for a telecommunications facility at No 334 McCulloch Street, Broken Hill on a parcel of public land occupied by the Regional Aquatic Centre, playground and picnic area, tennis courts and drainage infrastructure. The approved development comprises a 35 metre monopole with six panel antennas and radio units mounted on the pole and associated ground level infrastructure.

An application has been made to Broken Hill City Council by S K Planning Pty Ltd on behalf of Telstra to modify consent to remove four conditions (16, 18 in so far as it relates to condition 16, 21 and 22) each of which relate to measuring and monitoring EME levels from the telecommunications facility.

These conditions were imposed to ensure that there are no adverse social impacts of electromagnetic emissions and because it is in the public interest to make readings of EME levels publicly available.

It is recommended that the application made by S K Planning Pty Ltd to modify consent for Development Application 182/2014 be refused. It is also recommended that Condition 22 be amended to require monitoring to ensure compliance with maximum permitted EME levels and that, as a minimum, such monitoring be carried out if and when further antenna and dishes are added to the facility.

### **Report:**

Broken Hill City Council engaged Allen Grimwood, principal of Zenith Town Planning a NSW-based planning consultancy, to prepare this assessment report due to Council's interest in the land. Mr. Grimwood has qualifications in geography and a Masters of Urban and Regional Planning from Sydney University. He has over twenty years of experience in development assessment and is a state-appointed member of the NSW Southern Joint Regional Planning Panel which has determined several development applications for telecommunications facilities.

#### *Approved development*

Development consent was issued by Broken Hill City Council on 18 February 2015 to S K Planning Pty Ltd on behalf of Telstra to construct a mobile telephone base station comprising a 35 metre high monopole, 6 panel antennas, 6 remote radio units, an equipment shelter, an overhead cable tray and a 2.4 metre high security fence on Lot 2 DP 1175135.

The approved development is located on public land managed by Council that is zoned R1 General Residential under *Broken Hill LEP 2013*. Subdivision to facilitate the lease of land by Council to Telstra has been completed and is now with Land & Property Information for registration.

In accordance with an industry code of practice (*C564:2011 Industry Code – Mobile Phone Base Station Deployment*) an Environmental EME Report was submitted with the DA. The report presents estimated electromagnetic energy values at 1.5 metres above ground level in circular bands out to 500 metres from the site. Values are expressed as a percentage of the mandated exposure limit with 100% being the maximum allowable exposure limit.

The EME Report predicts that the maximum levels of radiofrequency EME to be omitted from the proposed facility, once it is operational, will be 0.7% of the mandated exposure limit.

The consent is subject to a number of conditions including requirements to certify and validate EME levels and regular monitoring of those levels. These conditions were imposed to minimise or mitigate any potential adverse social impacts of the development such as on public health and to ensure it is in the public interest to make such readings publicly available.

#### *Application to modify consent*

An application to Broken Hill City Council to modify consent has been lodged by S K Planning Pty Ltd on behalf of Telstra. The applicant seeks to remove four conditions (16, 18 in so far as it relates to condition 16, 21 and 22) each of which relate to measuring and monitoring EME levels from the telecommunications facility.

The conditions read as follows:

#### 16. Electromagnetic energy levels

Telstra is to provide certification of the operation of the facility in accordance with the approved electromagnetic energy (EME) levels prior to commissioning of the facility (i.e. levels at distances from the facility do not exceed the predicted levels in the submitted Environmental EME Report, dated 27 January 2015, RFNSA Site No. 2880055).

#### 18. Compliance with conditions

Conditions 15 (Vegetation) and 16 (Electromagnetic energy levels) shall be complied with and completed prior to the issue of an Occupation Certificate for the approved development.

#### 21. Electro Magnetic Energy Levels

A validation report shall be submitted to Council within 12 months of the facility commencing operations. This report shall demonstrate that emissions levels for adjoining areas (i.e. at the distances as shown in the submitted Environmental EME Report, dated 27 January 2015, RFNSA Site No. 2880055) do not exceed the predicted EME levels and comply with the Australian Radiation Protection and Nuclear Safety Agency Protection Standard – Maximum exposure levels to radiofrequency fields – 3kHz to 300Hz as amended from time to time.

#### 22. Electro Magnetic Energy Monitoring

In the interests of public safety, the applicant must carry out on-going and regular monitoring of the Electro Magnetic Energy emission levels to ensure that the predicted radiation levels are not exceeded. The results of such monitoring must be submitted to Council annually and be available for public inspection.

In the event that EME level exceed the predicted levels, power to the telecommunications facility must be reduced or turned off until compliance with the submitted EME Predicted Levels is achieved.

The justification provided by the applicant for the application to delete conditions 16, 21 and 22 and the reference to condition 16 in condition 18 is as follows:

- The EME Report submitted with the original development application predicts that maximum levels of EME are well below the maximum levels permitted by legislation
- Telstra is required to comply with relevant standards and operate below the maximum limit which is usually 1% or less of the standard
- It is a futile exercise for Council to effectively try to regulate this limit further
- Telstra cannot be expected to have initial and future EME levels comply with an EME Report prepared at a particular point in time. Future upgrades and other changes may affect EME levels
- Telstra agrees to provide an actual EME measurement upon commissioning the facility as a separate goodwill exercise but not in response to a condition of consent. There is no need for Council to place an arbitrary limit on emissions
- There is no need for ongoing monitoring of EME levels because Telstra is required to continue operating within the standard
- The ability to take and interpret EME measurements is a specialist area, is expensive and time-consuming and will only reveal compliance with the standard as precise levels are irrelevant
- Council as landowner will have access to an on-line report certifying compliance with the standard which is updated anytime a modification is made to the facility. This should be sufficient to satisfy Council of compliance

### *Industry regulation*

Wireless base stations include radio transmitters that radiate EME into the surrounding area. The levels of these electromagnetic fields must comply with safety limits imposed by the Australian Communications and Media Authority (ACMA) under the *Radiocommunications Licence Conditions (Apparatus Licence) Determination 2003*. These limits are based on the *ARPANSA Radiation Protection Standard - Maximum Exposure Levels to Radiofrequency Fields - 3kHz to 300GHz*.

For companies providing public mobile telecommunications services ACMA also requires compliance with industry codes of practice including the *C564:2011 Industry Code - Mobile Phone Base Station Deployment*. The Code is registered by the Australian Communications and Media Authority (ACMA) and took effect from 1 July 2012. It applies to all carriers that install and operate Mobile Phone Radiocommunications Infrastructure.

Under this Code the network operators of mobile phone networks (carriers) have certain obligations when planning, installing or upgrading wireless base stations. These include providing information about calculated levels of EME in the vicinity of a new or upgraded facility.

In relation to radio emissions and health and safety information, the code specifies that if requested, a carrier must make available to the public as soon as practicable and at no charge:

- (a) a description of their radio frequency infrastructure on the site,

- (b) the radio frequency bands as per the ARPANSA EME Report format,
- (c) a declaration that their infrastructure is in compliance with the ACMA mandatory limits for general public exposure to radio frequency electromagnetic radiation,
- (d) details of any radio frequency hazard areas associated with their infrastructure and management practices to restrict access to radio frequency hazard areas,
- (e) the levels of exposure to electromagnetic radiation emissions in accordance with the ARPANSA report, and
- (f) coverage information of the area.

### *Planning considerations*

The application to modify consent has been made pursuant to section 96 of the *Environmental Planning and Assessment Act 1979*. There are three categories of modifications. An application made under section 96(1) of the Act enables a consent authority to modify a consent to correct a minor error, mis-description or miscalculation. An application made under section 96(1A) enables a consent authority to modify consent if it is satisfied that the proposed modification is of minimal environmental impact and is substantially the same development as originally approved. An application made under section 96(2) enables a consent authority to modify consent which is likely to have more than a minor impact on the environment and is substantially the same development as originally approved.

The application to modify consent relates to conditions that aim to avoid any environmental, social or economic impacts caused by electromagnetic energy emissions. These conditions were also imposed to ensure full transparency of operating conditions to the community of Broken Hill. Should the telecommunications facility emit electromagnetic energy at levels that exceed Commonwealth standards then there is the potential for significant impacts within the community. The purpose of conditions 16, 21 and 22 is to prevent such a situation by determining the level of emissions upon commissioning of the facility, after 12 months of operations of the facility and regularly thereafter. This is especially warranted should upgrades be carried out to the facility, including the addition of antennas or radiocommunication dishes that are defined as “low impact” telecommunication facilities under the Commonwealth *Telecommunications (Low-impact Facilities) Determination 1997* and permitted without consent. For this reason the application to modify consent is assessed under section 96(2) of the EPA Act.

### **Environmental Planning and Assessment Act 1979 - Section 79C assessment**

The application has been lodged under section 96 of the *Environmental Planning and Assessment Act 1979*. Section 96(3) requires the consent authority to consider relevant matters referred to in section 79C(1) when determining the application to modify consent. An assessment of the proposed development under relevant matters of section 79C(1) of the Act is given below.

#### ***(a) the provisions of:***

##### ***(i) any environmental planning instrument***

*State Environmental Planning Policy (SEPP) (Infrastructure)*

The approved development is development that is permitted with consent under the *Infrastructure SEPP*. Clause 115 (3) requires the consent authority to take into consideration the *NSW Telecommunications Facilities Guideline Including Broadband July 2010* concerning site selection, design, construction or operating principles for telecommunications facilities. *Principle 3 - Health standards for exposure to radio emissions will be met* is considered below.

*Principle 3 - Health standards for exposure to radio emissions will be met*

The EME Report submitted with the original DA predicts that the maximum levels of radiofrequency EME to be omitted from the proposed facility, once it is operational, will be 0.7% of the mandated exposure limit. This value would be reached when the system is operating at full capacity, such as when wireless base station transmitters for mobile and broadband data are operating at maximum power and simultaneous telephone calls and data transmission is occurring. Exposures are generally lower due to the presence of vegetation, buildings and other environmental features which reduce signal strength, and as the base station is set to produce the minimum power that is required. The EME value rises from the site of the proposed facility to a maximum of 0.7% at a distance of 187.5 metres from the facility and then falls with increasing distance from the facility.

Significant community concern was expressed about the potential health effects of EME levels in submissions made to the original DA. Given that the EME Report submitted with the original DA contained modelled predictions, these conditions will serve to reassure the community that actual EME levels are being maintained beneath the maximum levels set by ARPANSA, including when further antenna and radiocommunications dishes are added to the tower without the need obtain consent. In the absence of conditions requiring EME levels to be validated and monitored any member of the community may request that actual levels be provided by Telstra in accordance with the industry code of practice. It would seem practical and efficient for the carrier to provide these details on a regular basis to Council so that they may be made publicly available, negating the need for members of the community to individually request this information and for Telstra to respond to each individual request.

*Broken Hill Local Environmental Plan 2013*

The site is zoned R1 General Residential. The objectives of the zone are:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The approved development is defined as a *telecommunications facility* which is permitted with consent in zone R1 General Residential under *Broken Hill LEP 2013*. The proposed development satisfies the objectives of the zone as the telecommunications facility is intended to meet the day to day needs of residents by providing an improved mobile phone and internet service to inhabitants of the northern area of Broken Hill including to home businesses, home occupations and home industries that operate in the residential zones of the city.

The application to modify consent does not alter the permissibility of the facility or the fact that zone objectives are satisfied.

***(ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the***

***Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved)***

Not applicable

***(iii) any development control plan***

***Broken Hill Development Control Plan No 1 Residential Development***

*Broken Hill DCP No 1 Residential Development* applies to residential development across Broken Hill LGA including to land zoned R1 Low Density Development. The DCP contains a section on non-residential development/compatible uses.

Relevantly, an objective concerning non-residential development in residential areas is to ensure that the activity does not *interfere with the amenity of the locality by reason of the hours of operation, emission of noise, vibration, smell, fumes, smoke, vapour, steam, ash, dust, waste products, oil or otherwise.*

The DCP states that Council will consider the following matters when assessing and determining a DA for non-residential development:

- *any establishments of similar usage in the City;*
- *decisions of the Courts;*
- *requirements and matters for consideration under Section 79 ( c ) of the Environmental Planning and Assessment (Amendment) Act 1997.*

By extension, these considerations should be considered when assessing and determining an application to modify consent for non-residential development in a residential area.

There are currently two other comparable telecommunications facilities in the city of Broken Hill – the facility located within the CBD on land occupied by the Telstra exchange building on Chloride Street, and at the Waste Rock Emplacement (Line of Lode) near the intersection of Gypsum Street and the Silver City Highway.

Heads of consideration under section 79C of the *Environmental Planning and Assessment Act 1979* are the subject of this assessment report.

Since 2005 there have been eighteen decisions of the NSW Land and Environment Court involving a telecommunications carrier and a local government authority. Telstra was the appellant in all but one of these 18 cases. In three of these cases the Court issued consent for a telecommunications tower and imposed conditions relating to the monitoring of EME levels. There are no examples in NSW case law of appeals against conditions relating to the validation or monitoring of EME levels or concerning applications to modify consent to delete such conditions.

Details of the three cases are given below.

**Telstra Corporation Limited v Bathurst Regional Council [2011] NSWLEC 1379**  
(J S Murrell, Commissioner of the Court)

Telstra appealed a refusal by Bathurst Regional Council for the erection of a telecommunications base station facility (mobile phone tower) and associated infrastructure at Kelso. Consent was granted by the Court.

The applicant in these proceedings agreed to provide follow-up measurements of the EME levels at thirty days after the operation of the tower and also at a twelve month interval. A condition was imposed to this effect.

**Telstra Corporation Limited v City of Ryde Council [2009] NSWLEC 1130**

(J S Murrell, Commissioner of the Court)

Telstra appealed a refusal by the City of Ryde Council for the erection of a telecommunications tower at Marsfield. Consent was granted by the Court.

The applicant agreed to a condition which would require testing some three to six months after the operation and installation of the facility to determine and demonstrate that the facility is not emitting levels which are above those predicted. The conditions imposed by the Court read as follows:

*27. The electromagnetic emissions from the facility shall comply with the Radio communications (Electromagnetic Radiation – Human Exposure) Standard 2003 as prescribed by the Australian Communications and Media Authority.*

*28. Within the period of 3-6 months after the date of commissioning the tower, testing shall be carried out at the public boundary of the properties numbered 4, 9, 11 and 28 on the map provided at Attachment B to the report entitled “Summary of Estimated RF EME Levels around the Proposed Mobile Phone Base Station at Abuklea Ave, Marsfield” prepared by Radhaz Consulting Pty Ltd and dated 18 November 2008, to indicate that the actual levels of maximum cumulative radiofrequency electromagnetic energy at those locations as emitted by the subject phone tower is no greater than the predicted levels expressed in Appendix A to the report. A copy of the tests demonstrating that the actual levels are no greater than the predicted levels must be submitted to the Council within 14 days of the date of testing.*

**Telstra Corporation Limited v Hornsby Shire Council [2006] NSWLEC 133**

(Chief Judge, Preston CJ)

Telstra appealed a refusal by Hornsby Shire Council for the erection of a mobile telephone base station at Cheltenham Recreation Club. Consent was granted by the Court. This case investigated the matter of the health effects of radio frequency electromagnetic emissions extensively and has been cited widely in other Court proceedings involving telecommunications facilities.

The following conditions were imposed by the Court:

*12. The addition of the communication infrastructure to the existing building must be in compliance with:*

- *ARPANSA, Australian Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency fields - 3khz to 300GHz, in Radiation Protection Standard RPS3 2002, ARPANSA: Australian, clause 5.7, pages 28-29, as amended from time to time; and*
- *The Australian Communication Industry Forum Code ‘ACIF’ C564:2004 (December 2004).*

*13. The applicant is to provide certification of the operation of the communication facility in accordance with the approved electromagnetic energy (EME) levels, prior to the commissioning of the facility.*

***(iia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F***

Not applicable

***(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates***

Not applicable

***(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates***

Not applicable

***(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality***

The application to modify consent relates to conditions that aim to avoid any social impacts caused by electromagnetic energy emissions. These conditions were also imposed to ensure full transparency of operating conditions to the community of Broken Hill. Should the telecommunications facility emit EME at levels that exceed Commonwealth standards then there is the potential for uncertain health impacts within the community. The purpose of conditions 16, 21 and 22 is to prevent such a situation by determining the level of emissions upon commissioning of the facility, after 12 months of operations of the facility and regularly thereafter. This is especially warranted should upgrades be carried out to the facility, including the addition of antennas or radiocommunication dishes that are defined as “low impact” telecommunication facilities under the Commonwealth *Telecommunications (Low-impact Facilities) Determination 1997* and permitted without consent.

***(c) the suitability of the site for the development***

Not applicable

***(d) any submissions made in accordance with this Act or the regulations,***

Council exhibited DA 182/2014 (modification) for public comment between Wednesday 8 April and Friday 1 May 2015. An advertisement was placed in the *Barrier Daily Truth* on three occasions – Wednesday 8 April, Wednesday 15 April and Saturday 18 April 2015. A letter was also mailed to adjoining and adjacent land owners and residents within a 150 metre radius of the site of the proposed development and to those who made a submission to original DA during the public notification period in November-December 2014 advising of the DA and notifying of the exhibition period. A sign was also placed on the site advising of the application and exhibition period.

A total of 166 submissions were received during the exhibition period comprising 8 original submissions and 4 different pro-forma letters. In some cases multiple submissions were made by some households, i.e. different persons residing within the same household made separate submissions and individual persons made more than one submission.

Relevant issues raised in submissions by members of the community and the residents action group are summarised below.

- Monitoring of EME levels is in the public interest for safety, health, transparency and goodwill reasons
- Monitoring is the community’s only safeguard that EME levels do not exceed ARPANSA standards. Council has a duty of care to residents to retain the conditions and ensure EME levels are safe



- Future upgrades and other changes may be made to the facility which effect EME levels. Regulation may be difficult in the future due to changing technology. EME levels are being closely monitored and reconsidered in Europe
- Deletion of conditions requiring monitoring is intended to avoid time and costs
- Telstra is challenging the Chapple Lane site refusal in court and may pursue that site if the conditions are not deleted. Avoidance of litigation influences Council decisions such as to approve the development application at McCulloch Street
- Objection to the development of the facility at McCulloch Street for health, amenity, visual reasons, cumulative impact and proximity to a residential area, recreational facilities, child care and a school. Council now has an opportunity to provide an alternative location
- Question about the process of notification of residents in the vicinity of the McCulloch Street site

A submission was also made by the Parents & Citizens Association of Willyama High School. Concerns are expressed about the lack of consultation by the applicant and the effects of EME on children. Fulfillment of the conditions ensures that the development does not conflict with the public interest and that any adverse environmental, social and economic impacts are minimised or mitigated. Retention of the conditions is supported.

The majority of matters raised in submissions are addressed in this report. Any separate legal proceedings are not a matter for consideration in the assessment of the current application. The application is seeking to modify a legally valid consent. Council has exhibited the application to modify consent for community comment which has satisfied obligations under the Environmental Planning and Assessment Act 1979. The process of public notification is explained above. The applicant has no legal obligation to consult with the community under the EPA Act.

***(e) the public interest.***

It is considered that it is in the public interest to retain conditions requiring the validation and monitoring of EME levels from the telecommunications facility at No 334 McCulloch Street, Broken Hill.

For comparison purposes, town planners at Shoalhaven City Council, Eurobodalla Shire Council, Bega Valley Shire Council and Queanbeyan City Council have been consulted regarding conditions imposed on consents issued for telecommunications towers.

Shoalhaven City Council and the Southern Joint Regional Planning Panel require certification, validation and ongoing monitoring in the same way as the consent issued for the facility at 334 McCulloch Street, Broken Hill. Neither Shoalhaven City Council nor the Southern JRPP have been challenged by Telstra on these conditions and no applications to modify consent have been made. However, Eurobodalla Shire Council, Bega Valley Shire Council and Queanbeyan City Council only impose a condition requiring the facility to comply with relevant standards and for EME levels not to exceed the maximum levels set by ARPANSA at all times.

Shoalhaven City Council issued consent issued for a mobile telecommunications base station at Callala Bay in 2010. Council received numerous submissions objecting to the facility on the basis of the potential health effects of electromagnetic emissions. Council engaged the consultancy firm TCG Planning to carry out a peer review of the development application process including the recommended conditions of consent. The peer review

endorsed the assessment of the DA in that the development application should not be refused on the grounds of electromagnetic emissions and associated health impacts. The review also endorsed the imposition of conditions of consent requiring certification upon commissioning of the facility and a validation report to be submitted to Council within 12 months of commissioning that demonstrates compliance with ARPANSA standards.

### *Conclusion*

Research has demonstrated that, despite the fact that three of the four council's surveyed have imposed conditions requiring compliance with the standard set by ARPANSA, Shoalhaven City Council and the Southern JRPP have imposed conditions requiring validation and monitoring on each consent issued for a telecommunications tower and, in the case of one consent issued within Shoalhaven LGA, a peer review endorsed the imposition of these conditions. The three Land and Environment Court cases cited above relate to the granting of consent for telecommunications towers. In two of these cases the Court considered it appropriate to impose conditions of consent for the validation of EME levels upon commissioning and at a later date once operational. In one case the Court imposed a condition requiring validation of EME levels prior to commissioning.

Given that the *Industry Code – Mobile Phone Base Station Deployment* requires the provision of information about transmission levels when requested by anyone, it is reasonable for Telstra to provide this information to Council. This information should be made available to the public by posting on either Telstra's or Council's website. This will avoid the need for Telstra to provide information in response to ad hoc and irregular requests, and will also ensure that the community is kept fully informed about EME levels in the event that further antenna and dishes are installed on the facility. There is no obligation under Commonwealth law for Telstra to provide this information unless requested by the community.

Council is not seeking to provide additional regulatory requirements upon the carrier through the imposition of the conditions but aims to make readings of EME levels publicly available to address community concerns. These readings need to be periodically carried out by Telstra, irrespective of time and costs, to ensure that compliance with ARPANSA standards. By the applicant's own admission in the application to modify consent, future upgrades and changes made to the facility may affect EME levels. It is important that Council and the community are kept informed about initial and future readings.

It is acknowledged however that annual reporting to comply with levels predicted in the EME Report submitted with the original development application is onerous. Monitoring of the EME levels and the supply of readings to Council should occur, as a minimum, when further antenna and dishes are placed on the facility that have the ability to alter emissions levels.

It is recommended that the application made by S K Planning Pty Ltd to modify consent for Development Application 182/2014 be refused because these conditions will ensure that actual, as opposed to predicted, EME levels are compliant with ARPANSA standards. It is also recommended that Condition 22 be amended to require monitoring to ensure compliance with maximum permitted EME levels and that, as a minimum, such monitoring be carried out if and when further antenna and dishes are added to the facility.

### **Strategic Direction:**

The following objectives of zone R1 General Residential of *Broken Hill LEP 2013* are:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposed development is a facility that will provide services to meet the day to day needs of residents.

**Relevant Legislation:**

Relevant Commonwealth legislation governing telecommunications and environmental planning instruments have been considered in this report in the assessment under section 79C of the *Environmental Planning and Assessment Act 1979*.

**Financial Implications:**

Council has entered into a lease agreement with the proponent, however, this arrangement is not relevant to this assessment and has had no bearing on the recommendation.

**Attachments**

There are no attachments for this report.

FRANCOIS VANDERBERG  
MANAGER PLANNING, DEVELOPMENT & COMPLIANCE

THERESE MANNS  
GENERAL MANAGER

## ORDINARY MEETING OF THE COUNCIL

May 12, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 100/15SUBJECT: INVESTMENT REPORT FOR APRIL 201511/48**Recommendation**

That Broken Hill City Council Report No. 100/15 dated May 12, 2015, be received.

**Executive Summary:**

The Local Government (General) Regulation 2005 (Part 9, Division 5, Clause 212), effective from 1 September 2005, requires the Responsible Accounting Officer of a Council to provide a written report setting out details of all monies that have been invested under Section 625 (2) of the Local Government Act 1993, as per the Minister's Amended Investment Order gazetted 11 March 2011. The Responsible Accounting Officer must also include in the report a certificate as to whether the investment has been made in accordance with the Act, the Regulations and the Council's Investment Policy.

**Report:**

Council's investments as at 30<sup>th</sup> April 2015 are detailed in Attachment 1.

Portfolio Summary		
Portfolio Performance vs. RBA Cash Rate	✓	Council's investment performance did exceed benchmark.
Investment Policy Compliance		
Legislative Requirements	✓	Compliant with policy
Portfolio Credit Rating Limit	✓	Compliant with policy
Institutional Exposure Limits	✓	Compliant with policy
Term to Maturity Limits	✓	Compliant with policy

**Market Review****Global issues**

In its latest quarterly update, the International Monetary Fund (IMF) estimates global growth will reach 3.5% for 2015. Some of the economies expected to benefit from lower petrol prices and interest rates include: US +3.1% estimated growth; China +6.8% and India +7.5%.

The IMF is predicting the European economy to only expand by 1.5%. While this is weaker than the global expected average it is an improvement from recent gloomier forecasts for the Eurozone area.

In the US, 1st Quarter corporate earnings have been better than expected with over 70% of S&P 500 companies beating expectations.

In China, the share market continues to rise sharply with the Shanghai Composite index now up well over 100% over the past 12 months spurred on by low fuel prices and expectations of further interest rate easings.

**Domestic issues**

In Australia, March Quarter CPI data showed inflation remains under control with a modest 1.3% rise over the past year. Excluding volatile items, e.g. falling petrol prices, the rise was +2.4% for the year.

The national unemployment rate edged slightly lower to 6.1% aided by job gains of nearly 80,000 over the past 2 months.

**Interest rates**

At its May meeting the RBA cut the benchmark rate by 25 basis points to 2% in what is largely seen as an effort to weaken the Australian dollar to help boost exports.

Interest rates on term deposits from highly rated Australian ADIs were largely unchanged during April. Three month rates remained in the 2.70-2.90%pa area and the best 12 month rate from a major continued to be in the 2.90% area. At this stage, anything above 3% from a major is not available short of 3 years.

**Council's Portfolio by Source of Funds – April 2015**

As at 30<sup>th</sup> April 2015, Council's Investment Portfolio had a current market valuation of \$7,819,258.75 or principal value (face value) of \$7,791,952.30 with the source of these funds being detailed in the table below.

Fund	Source of Funds	Principal Amount
<b>GENERAL FUND</b>	Operating Capital & Internal Restrictions	4,169,952
	Accommodation Bonds Reserve	45,000
	Royalties Reserve	396,000
	Domestic Waste Management Reserve	2,091,000
	Grants	671,000
	Developer Contributions	419,000
<b>TOTAL PORTFOLIO</b>		<b>\$7,791,952</b>

**Certificate by Responsible Accounting Officer**

All investments have been placed in accordance with Council's Investment Policy, Section 625 of the Local Government Act 1993 (as amended), the Revised Ministerial Investment Order gazetted 11 February 2011, Clause 212 of the Local Government (General) Regulations 2005 and Third Party Investment requirements of the then Department Local Government Circular 06-70. Council continues to obtain independent financial advice on its investment portfolio in accordance with the then Department of Local Government Circular of 16 September 2008.

**Strategic Direction:**

Key Direction 4: Our Leadership  
 Objective 4.1: Openness and Transparency in Decision Making  
 Action 4.1.1.13 Maintain good governance and best practice methods and ensure compliance with various guidelines and legislation.

**Relevant Legislation:**

This report is provided for Council's consideration in compliance with the requirements of Part 9, Division 5, Clause 212 of the *Local Government (General) Regulations 2005*.

**Financial Implications:**

The recommendation has no financial impact.

**Attachments**

1. Monthly Investment Report April 2015 10 Pages

SHARON HUTCH  
DEPUTY GENERAL MANAGER

THERESE MANNS  
GENERAL MANAGER



## **Investment Summary Report April 2015**

## Broken Hill City Council

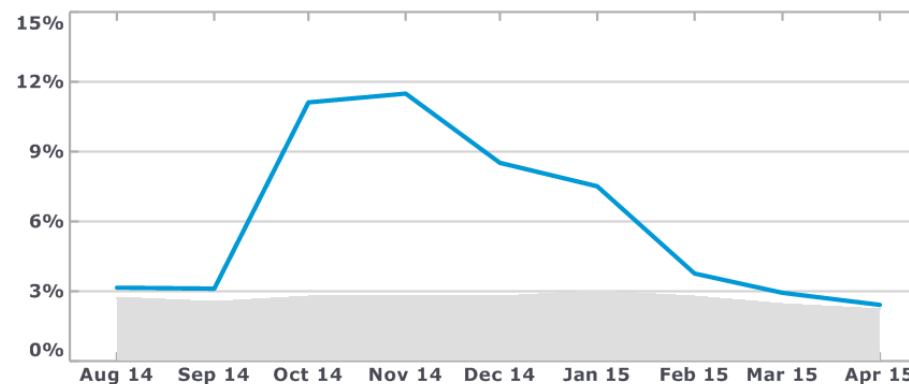
### Executive Summary



#### Investment Holdings

	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	2,291,952.30	2,291,952.30	1.8521
Term Deposit	5,500,000.00	5,527,306.45	3.0382
	<b>7,791,952.30</b>	<b>7,819,258.75</b>	<b>2.6893</b>

#### Investment Performance

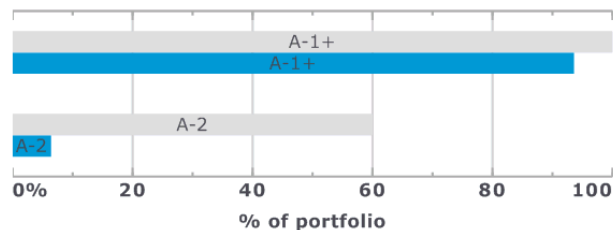


Portfolio Annualised Return

Bloomberg BB Index Annualised Return

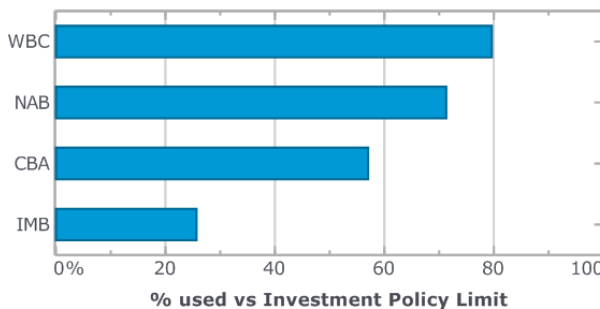
#### Investment Policy Compliance

##### Total Credit Exposure



Investment Policy Limit Portfolio Exposure

##### Highest Individual Exposures



##### Term to Maturities

	Face Value (\$)		Policy Max
01. Cash to 1 year	7,791,952.30	100%	100%
02. 1 year to 3 years	0.00	0%	60%
03. Over 3 years	0.00	0%	30%
	<b>7,791,952.30</b>		



## Broken Hill City Council Investment Holdings Report



Cash Accounts						
Face Value (\$)	Current Yield	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
1,721,420.20	1.7700%	Westpac Group	A-1+	1,721,420.20	473409	Cheque
570,532.10	2.1000%	Westpac Group	A-1+	570,532.10	473410	Maxi
<b>2,291,952.30</b>	<b>1.8521%</b>			<b>2,291,952.30</b>		

Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
13-May-15	1,000,000.00	3.1000%	Bankwest	A-1+	1,000,000.00	11-Feb-15	1,006,939.65	502289	6,709.59	AtMaturity	
24-May-15	1,000,000.00	3.1500%	National Australia Bank	A-1+	1,000,000.00	24-Feb-15	1,006,224.05	502290	5,695.89	AtMaturity	
27-May-15	500,000.00	3.0500%	IMB Ltd	A-2	500,000.00	25-Feb-15	502,876.72	502288	2,715.75	AtMaturity	
17-Jun-15	1,000,000.00	3.0000%	Bankwest	A-1+	1,000,000.00	18-Mar-15	1,004,558.97	503359	3,616.44	AtMaturity	
24-Jun-15	500,000.00	2.9600%	Westpac Group	A-1+	500,000.00	26-Mar-15	501,975.51	503360	1,459.73	AtMaturity	
24-Jun-15	500,000.00	2.9700%	National Australia Bank	A-1+	500,000.00	26-Mar-15	501,987.80	503361	1,464.66	AtMaturity	
14-Jul-15	1,000,000.00	2.9700%	National Australia Bank	A-1+	1,000,000.00	15-Apr-15	1,002,743.75	504285	1,301.92	AtMaturity	
	<b>5,500,000.00</b>	<b>3.0382%</b>			<b>5,500,000.00</b>		<b>5,527,306.45</b>		<b>22,963.97</b>		

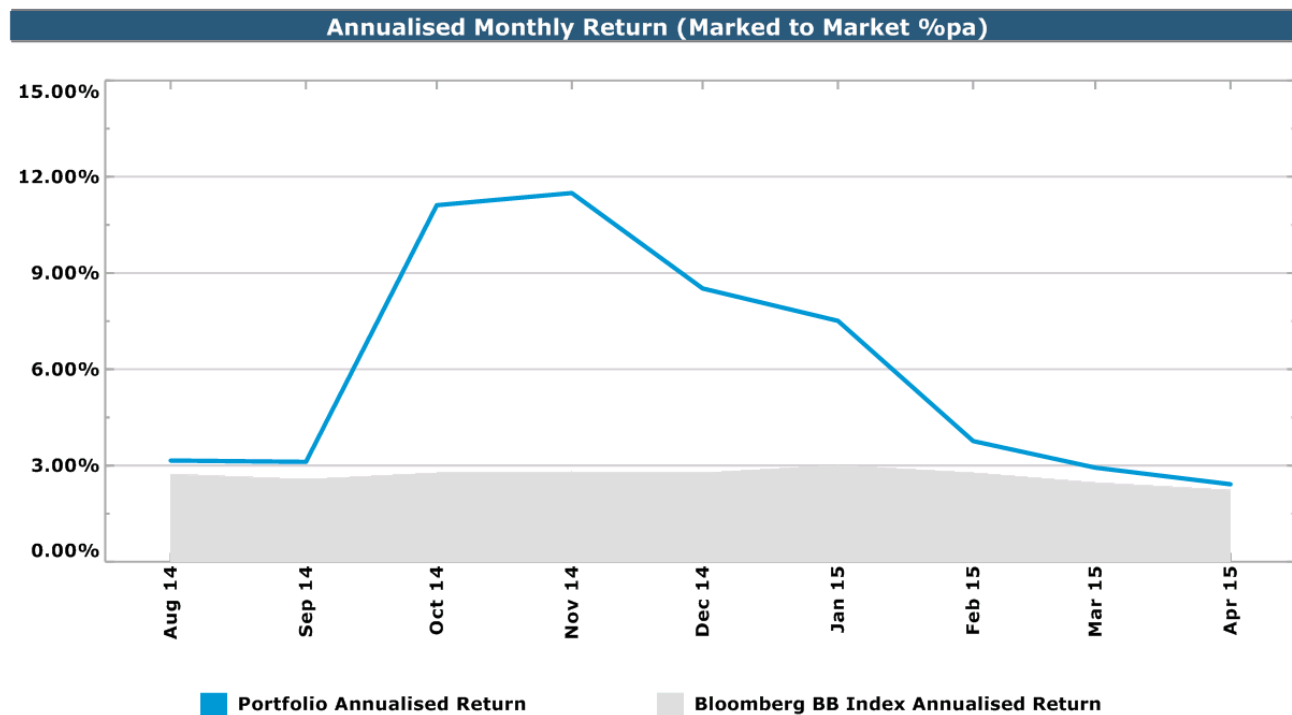
## Broken Hill City Council Accrued Interest Report



Accrued Interest Report								
Asset Type	Deal Number	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return
Westpac Group	473409	1,721,420.20	1-Apr-15	30-Apr-15		30		
Westpac Group	473410	570,532.10	1-Apr-15	30-Apr-15		30		
<b>Cash</b>								
IMB Ltd	501305	1,000,000.00	14-Jan-15	15-Apr-15	8,476.71	14	1,304.11	3.40%
National Australia Bank	501307	1,000,000.00	27-Jan-15	29-Apr-15	8,443.84	28	2,569.86	3.35%
Bankwest	502289	1,000,000.00	11-Feb-15	13-May-15	0.00	30	2,547.95	3.10%
National Australia Bank	502290	1,000,000.00	24-Feb-15	24-May-15	0.00	30	2,589.04	3.15%
IMB Ltd	502288	500,000.00	25-Feb-15	27-May-15	0.00	30	1,253.42	3.05%
Bankwest	503359	1,000,000.00	18-Mar-15	17-Jun-15	0.00	30	2,465.75	3.00%
Westpac Group	503360	500,000.00	26-Mar-15	24-Jun-15	0.00	30	1,216.44	2.96%
National Australia Bank	503361	500,000.00	26-Mar-15	24-Jun-15	0.00	30	1,220.55	2.97%
National Australia Bank	504285	1,000,000.00	15-Apr-15	14-Jul-15	0.00	16	1,301.92	2.97%
<b>Term Deposit</b>					<b>16,920.55</b>		<b>16,469.04</b>	<b>3.11%</b>
					<b>16,920.55</b>		<b>16,469.04</b>	<b><u>3.11%</u></b>

## Broken Hill City Council

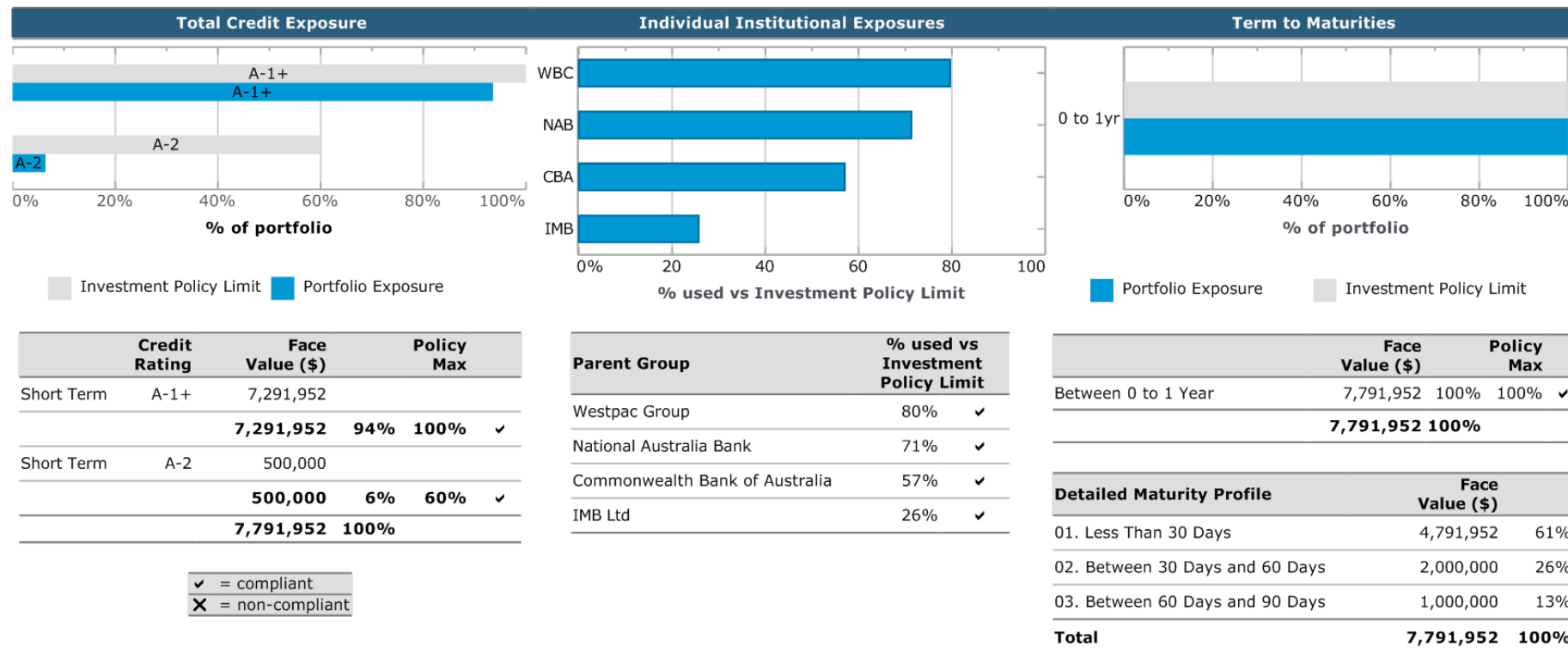
### Investment Performance Report



#### Historical Performance Summary

	Portfolio	UBS BB Index	Outperformance
Apr 2015	2.42%	2.21%	0.21%
Last 3 Months	3.02%	2.46%	0.56%
Last 6 Months	6.08%	2.66%	3.43%
Financial Year to Date	N/A	2.67%	N/A
Last 12 months	N/A	2.67%	N/A

## Broken Hill City Council Investment Policy Compliance Report

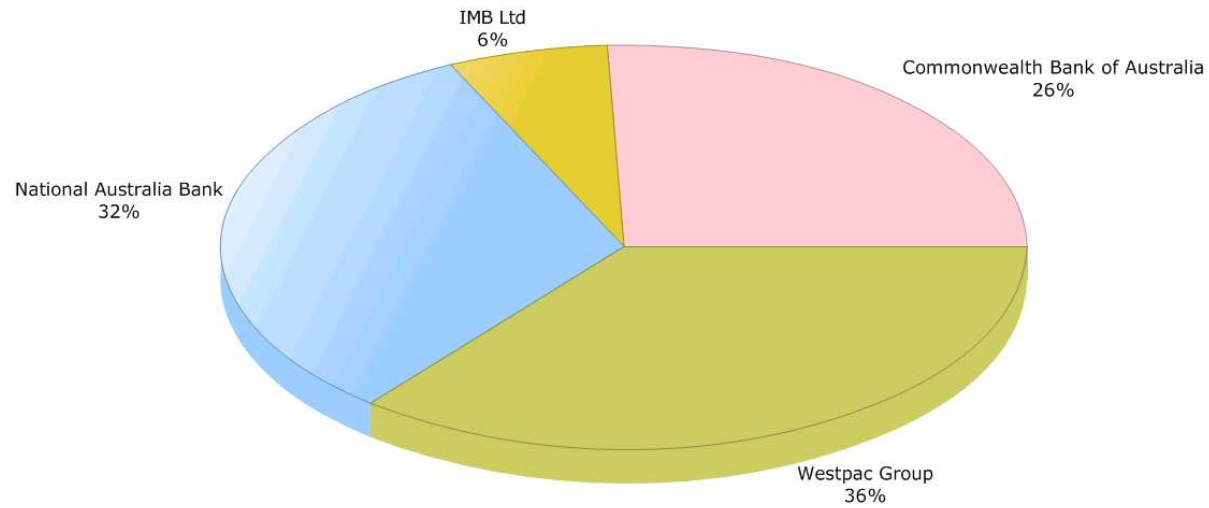


## Broken Hill City Council

### Individual Credit Limit Report



Counterparty Limits						
	Borrower	Credit Rating Type	Credit Rating	Amount Invested (\$)	Amount Allowed (\$)	Amount Available (\$)
	Commonwealth Bank of Australia	Short Term	A-1+	2,000,000	3,506,379	1,506,379
			<b>Total</b>	<b>2,000,000</b>		<b>1,506,379</b>
	IMB Ltd	Short Term	A-2	500,000	1,947,988	1,447,988
			<b>Total</b>	<b>500,000</b>		<b>1,447,988</b>
	National Australia Bank	Short Term	A-1+	2,500,000	3,506,379	1,006,379
			<b>Total</b>	<b>2,500,000</b>		<b>1,006,379</b>
	Westpac Group	Short Term	A-1+	2,791,952	3,506,379	714,426
			<b>Total</b>	<b>2,791,952</b>		<b>714,426</b>
				<b><u>7,791,952</u></b>		

**Broken Hill City Council**  
Individual Credit Limit Report**Total Portfolio Exposure**

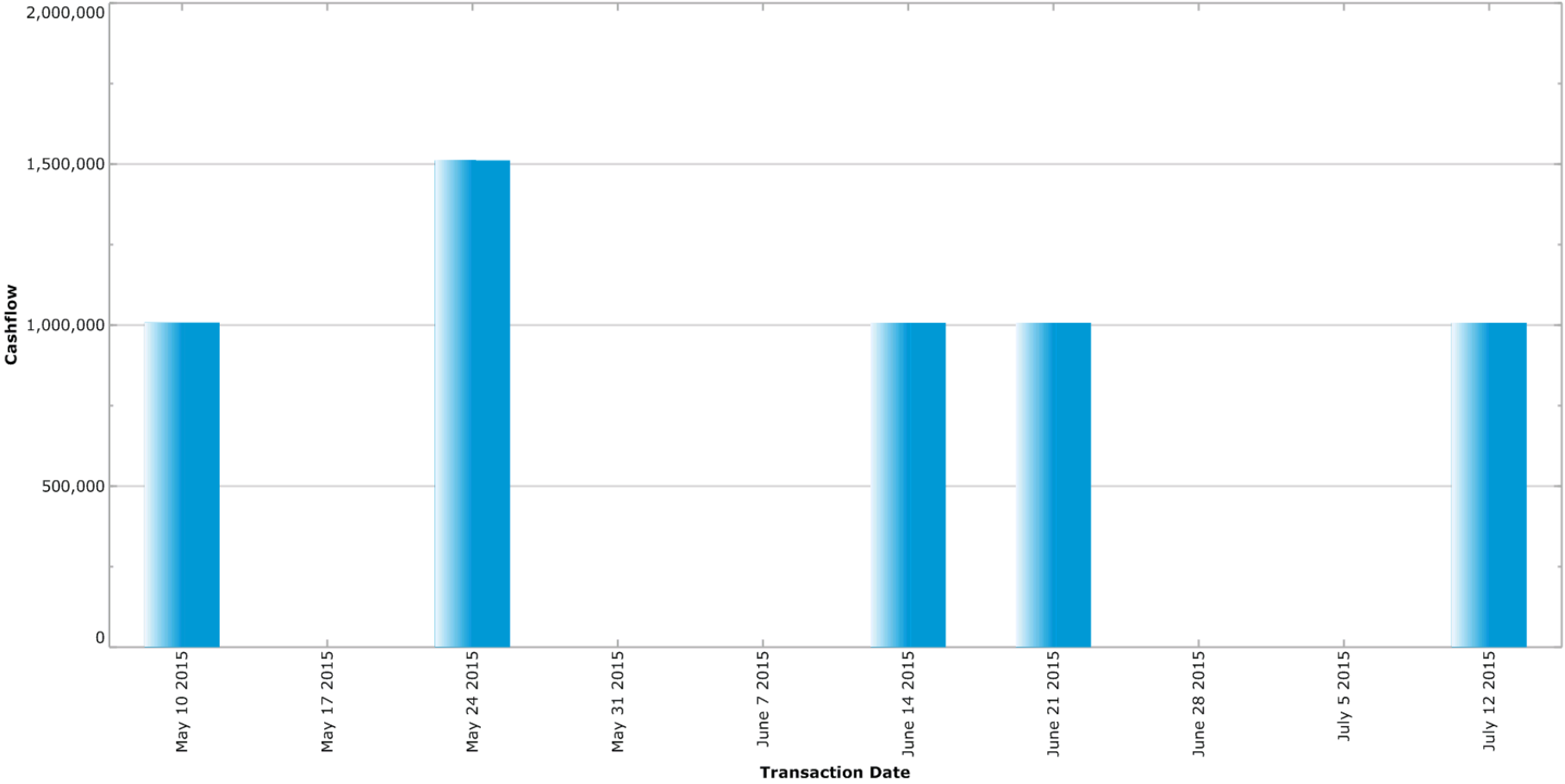
## Broken Hill City Council Cash Flows Report



Current Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Received
15-Apr-15	501305	IMB Ltd	Term Deposits	Interest - Received	8,476.71
		IMB Ltd	Term Deposits	Maturity Face Value - Received	1,000,000.00
				Deal Total	1,008,476.71
	504285	National Australia Bank	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
				Deal Total	-1,000,000.00
Day Total					8,476.71
29-Apr-15	501307	National Australia Bank	Term Deposits	Interest - Received	8,443.84
		National Australia Bank	Term Deposits	Maturity Face Value - Received	1,000,000.00
				Deal Total	1,008,443.84
Day Total					1,008,443.84
Net Cash Movement for Period					1,016,920.55

Next Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Due
13-May-15	502289	Bankwest	Term Deposit	Interest - Received	7,728.77
		Bankwest	Term Deposit	Maturity Face Value - Received	1,000,000.00
		<u>Deal Total</u>			<u>1,007,728.77</u>
Day Total					1,007,728.77
24-May-15	502290	National Australia Bank	Term Deposit	Interest - Received	7,680.82
		National Australia Bank	Term Deposit	Maturity Face Value - Received	1,000,000.00
		<u>Deal Total</u>			<u>1,007,680.82</u>
Day Total					1,007,680.82
27-May-15	502288	IMB Ltd	Term Deposit	Interest - Received	3,802.05
		IMB Ltd	Term Deposit	Maturity Face Value - Received	500,000.00
		<u>Deal Total</u>			<u>503,802.05</u>
Day Total					503,802.05
Net Cash Movement for Period					2,519,211.64

**Broken Hill City Council**  
Cash Flows Report





ORDINARY MEETING OF THE COUNCIL

May 19, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 111/15

SUBJECT: QUARTERLY BUDGET REVIEW STATEMENT FOR PERIOD  
ENDING MARCH 2015 12/160

**Recommendation**

That Broken Hill City Council Report No. 111/15 dated May 19, 2015, be received.

That the 3rd Quarterly Budget Review Statement and recommendations contained within be adopted and income and expenditure adjustments be voted.

**Executive Summary:**

In accordance with *Section 203 of the Local Government (General) Regulations 2005*:

- (1) Not later than 2 months after the end of each quarter, the responsible accounting officer of a Council must prepare and submit to the Council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the Council's Revenue Policy included in the Operational Plan for the relevant year, a revised estimate of the income and expenditure for that year.
- (2) A budget review statement must include or be accompanied by:
  - (a) A report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure; and
  - (b) If that position is unsatisfactory, recommendation for remedial action.

**Report:**

***Budget Review***

The Quarterly Budget Review Statement (QBRs) presents a summary of Council's financial position at the end of the third quarter of 2014/2015.

The quarterly budget review process is the mechanism through which Council and the community are informed of Council's progress against the Operational Plan and the budget, together with recommendations for changes and reasons for budget variations.

The improvements made to Council's expected end of financial year result are significant and are reflective of the substantial amount of work currently underway in implementing and developing further strategies that will address Council's underlying budgetary weaknesses.

Attachment 1 provides a quarterly budget review statement in line with guidelines issued by the Office of Local Government and meets the required reporting standards.

***Operational Budget Result***

The March Quarterly Budget Review results in a net operational saving from all operations of \$798K. The projected year end result has changed from an original budget deficit of \$6,097K to a \$4,922K deficit due to by \$1,175K in operational savings over the year.

Council's budgeted net income has reduced by \$116K excluding the capital grants adjustment. This change includes an increase in Council rates and annual charges and other revenue which reflects actuals. There are also downward adjustments for user charges & fees, interest revenues and contribution revenue from Official Visitors Guide. Please refer to attachment for detailed explanation.

Total savings of \$1,206K from operational expenses have been made in this quarter. Those savings have been made without compromising service levels to the community. The savings are mainly from the infrastructure maintenance area due to project works completed satisfactorily with greater efficiency than originally budgeted for which has resulted in a reduction of materials & contracts required. Savings have also been made from efficient water and energy usage in sport grounds, parks and gardens due to favourable weather conditions and improved energy saving activities. Detailed explanations can be found in the attachment.

### **Capital Budget Result**

A net saving of \$200K has been made in capital projects.

\$200K savings are made in the local roads area. These savings have been made in the carrying of the reseal program in a more targeted and efficient manner. A \$202K reduction in capital grant income and corresponding expenditure has been made due to fewer Roads to Recovery and RMS Roads capital works being undertaken with a net result of zero.

Overall, capital budgeted expenditures are now expected to fall from \$5,289K following the 2nd Quarter Budget Review to \$4,797K.

### **Strategic Direction:**

Key Direction 4: Our Leadership  
Objective 4.1: Openness and Transparency in Decision Making  
Action 4.1.1.13 Maintain good governance and best practice methods and ensure compliance with various guidelines and legislation.

### **Relevant Legislation:**

Clause 203(1) of the *Local Government (General) Regulations 2005*.

### **Financial Implications:**

Full details of the financial implications of this QBRs are contained within the attached report.

The financial impact of this report has improved Council's expected full year result. Council's expected net operating result from continuing operations for the 2014/15 financial year is now expected to fall from a deficit of \$5,720K following the 2nd Quarter Budget Review to a deficit of \$4,922K.

### **Attachments**

1. Quarterly Budget Review March 2015 15 Pages

SHARON HUTCH  
DEPUTY GENERAL MANAGER

THERESE MANNS  
GENERAL MANAGER

Broken Hill City Council

**Quarterly Budget Review Statement**  
for the period 01/01/15 to 31/03/15

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- Income & Expense by Key Direction	<b>3</b>
- Income & Expense Variation Detail	<b>4</b>
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- Capital Budget	<b>5</b>
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<b>4. Cash &amp; Investments Budget Review Statement</b>	
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Broken Hill City Council

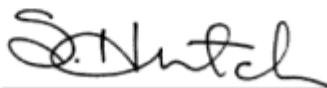
**Quarterly Budget Review Statement**  
for the period 01/01/15 to 31/03/15

**Report by Responsible Accounting Officer**

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion that the Quarterly Budget Review Statement for Broken Hill City Council for the quarter ended 31/03/15 indicates that Council's projected financial position at 30/6/15 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:



**Date: 19 May 2015**

Sharon Hutch  
Responsible Accounting Officer

Broken Hill City Council

## Quarterly Budget Review Statement

for the period 01/01/15 to 31/03/15

### Income & Expenses Budget Review Statement

Budget review for the quarter ended 31 March 2015

#### Income & Expenses - Council Consolidated

(\$000's)	Original Budget 2014/15	Approved Changes		Revised Budget 2014/15	Variations for this Mar Qtr		Projected Year End Result	Actual YTD figures
		Sep QBRs	Dec QBRs		Mar	Qtr		
<b>Income</b>								
Rates and Annual Charges	16,014		-	16,014	86	1	16,100	<b>16,105</b>
User Charges and Fees	3,394	(9)	(204)	3,181	(72)	2	3,109	<b>2,237</b>
Interest and Investment Revenues	431	-	(6)	425	(47)	3	378	<b>297</b>
Other Revenues	258	75	(5)	328	27	4	355	<b>276</b>
Grants & Contributions - Operating	9,511	(63)	150	9,598	(110)	5	9,488	<b>7,208</b>
Grants & Contributions - Capital	1,515		11	1,526	(292)		1,234	<b>500</b>
Net gain from disposal of assets	-			-			-	
Share of Interests in Joint Ventures	-			-			-	
<b>Total Income from Continuing Operations</b>	<b>31,123</b>	<b>3</b>	<b>(54)</b>	<b>31,072</b>	<b>(408)</b>		<b>30,664</b>	<b>26,623</b>
<b>Expenses</b>								
Employee Costs	18,428	(1,394)	57	17,091	46	6	17,137	13,238
Borrowing Costs	727		(181)	546	(150)	7	396	241
Materials & Contracts	6,575	1,053	(156)	7,472	(722)	8	6,750	4,207
Depreciation	6,456	145	-	6,601	-		6,601	4,842
Legal Costs				-			-	
Consultants				-			-	
Other Expenses	5,034	(61)	109	5,082	(380)	9	4,702	3,250
Interest & Investment Losses			-	-			-	
Net Loss from disposal of assets				-			-	
Share of interests in Joint Ventures				-			-	
<b>Total Expenses from Continuing Operations</b>	<b>37,220</b>	<b>(257)</b>	<b>(171)</b>	<b>36,792</b>	<b>(1,206)</b>		<b>35,586</b>	<b>25,778</b>
<b>Net Operating Result - Continuing Operations</b>	<b>(6,097)</b>	<b>260</b>	<b>117</b>	<b>(5,720)</b>	<b>798</b>		<b>(4,922)</b>	<b>845</b>
Discontinued Operations - Surplus/(Deficit)				-			-	
<b>Net Operating Result from All Operations</b>	<b>(6,097)</b>	<b>260</b>	<b>117</b>	<b>(5,720)</b>	<b>798</b>		<b>(4,922)</b>	<b>845</b>
<b>Net Operating Result before Capital Items</b>	<b>(7,612)</b>	<b>260</b>	<b>106</b>	<b>(7,246)</b>	<b>1,090</b>		<b>(6,156)</b>	<b>345</b>

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 31/03/2015 and should be read in conjunction with the total QBRs report

Broken Hill City Council

**Quarterly Budget Review Statement**  
for the period 01/01/15 to 31/03/15

**Income & Expenses Budget Review Statement**

Budget review for the quarter ended 31 March 2015

**Income & Expenses - Council Consolidated**

(\$000's)	Original Budget 2014/15	Approved Changes		Revised Budget 2014/15	Variations for this Mar Qtr	Projected Year End Result	Actual YTD figures
		Sep QBRs	Dec QBRs				
Income							
Our Leadership	18,784	(150)	6	18,640	(33)	18,607	17,708
Our Community	6,694	153	(66)	6,781	188	6,969	4,301
Our Economy	1,573		(5)	1,568	(508)	1,060	1,126
Our Environment	4,072		11	4,083	(55)	4,028	3,490
Total Income from Continuing Operations	31,123	3	(54)	31,072	(408)	30,664	26,625
Expenses							
Our Leadership	15,559	(438)	(3,361)	11,760	509	12,269	11,008
Our Community	14,181	96	1,912	16,189	(741)	15,448	9,733
Our Economy	2,907	(4)	1,095	3,998	(544)	3,454	2,607
Our Environment	4,573	89	183	4,845	(430)	4,415	2,432
Total Expenses from Continuing Operations	37,220	(257)	(171)	36,792	(1,206)	35,586	25,780
Net Operating Result - Continuing Operations	(6,097)	260	117	(5,720)	798	(4,922)	845
Discontinued Operations - Surplus/(Deficit)	-			-		-	
Net Operating Result from All Operations	(6,097)	260	117	(5,720)	798	(4,922)	845
Net Operating Result before Capital Items	(7,612)	260	106	(7,246)	1,090	(6,156)	345

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 31/103/2015 and should be read in conjunction with the total QBRs report

Broken Hill City Council

**Quarterly Budget Review Statement**  
for the period 01/01/15 to 31/03/15

**Income & Expenses Budget Review Statement**  
**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

<b>Notes</b>	<b>Details</b>
1	An increase of Council rates and annual charges of \$86K is due to the net result of a number of rating categorisation changes during the year. An increase in legal costs recovered is another contributor for the rates increase. This is a result of the debt recovery process being reviewed and implemented as per the Debt Recovery Policy.
2	A reduction of \$72K in user charges and fees is mainly due to a reduction of \$20K in anticipated lease/rental fees received from the film studio and a reduction of \$30K in tourism sales from the Visitor's Information Centre. Shop vacancy rates and reduced income from partnership agreements in tourism contribute a further reduction of \$22K.
3	\$47K is reduced in interest and investment revenue as a net result of a downward adjustment of \$100K on interest earned due to further interest rates cuts throughout the year; and an increase of \$53K in investment income for recognition of fair value adjustment of an investment according to the Australian Accounting Standards.
4	The workplace health and safety incentive received increased 'other income' by \$24K. Additional income of \$3K is from public collection for art restoration.
5	Due to advertising sales of the Official Visitors Guide not commencing until next financial year, \$120K revenue has been taken out from the current financial year. In addition there is a net upward adjustment of \$10K in community services and the economic development areas of general revenue.
6	An increase of \$46K in employee costs is due to additional support required in the aged and disability care operations which will be covered by existing budgeted grant funds.
7	Budgeted borrowing costs are reduced by \$150K as the \$1M loan for restructure costs will not be borrowed until June this year. This is due to an improved cash flow situation.
8	Regular maintenance programs across all operations are nearing completion and there will be a reduction in materials & contracts required of \$722K. The operational areas include local roads maintenance, plant operations, building maintenance and parks & gardens maintenance. These savings have been generated through productivity & efficiency improvements in operations.
9	Other expenses are down by \$380K as the result of energy and water savings in sport grounds, parks & horticulture areas due to favourable weather conditions and improved energy saving activities.

Broken Hill City Council

## Quarterly Budget Review Statement

for the period 01/01/15 to 31/03/15

### Capital Budget Review Statement

Budget review for the quarter ended 31 March 2015

#### Capital Budget - Council Consolidated

(\$000's)	Original Budget 2014/15	Approved Changes			Revised Budget 2014/15	Variations for this Mar Qtr	Notes	Projected Year End Result	Actual YTD figures	Variance Surplus (Deficit)
		Carry Forwards	Sep QBRS	Dec QBRS						
<b>Capital Expenditure</b>										
New Assets										
- Plant & Equipment	-	180			180			180	112	68
- Land & Buildings	157	535	206	11	909			909	131	778
- Roads, Bridges, Footpaths	1,779				1,779			1,779	498	1,281
- Other	137		77		214			214	74	140
Renewal Assets (Replacement)					-			-	-	-
- Plant & Equipment	608		75		683			683	-	683
- Land & Buildings	520		100	-	620	-		620	52	568
- Roads, Bridges, Footpaths	904				904	(402)	1	502	722	(220)
- Other					-					
<b>Total Capital Expenditure</b>	<b>4,105</b>	<b>715</b>	<b>458</b>	<b>11</b>	<b>5,289</b>	<b>(402)</b>		<b>4,887</b>	<b>1,589</b>	<b>3,298</b>
<b>Capital Funding</b>										
Rates & Other Untied Funding					-			-	-	-
Capital Grants & Contributions	1,515			11	1,526	(202)	2	1,324	520	804
Reserves:					-			-	-	-
- External Restrictions/Reserves		535	254		789			789		789
- Internal Restrictions/Reserves	905	180			1,085			1,085	-	1,085
New Loans	-		-		-			-	-	-
Receipts from Sale of Assets					-			-	-	-
- Plant & Equipment	-		-		-			-	-	-
- Land & Buildings	-		-		-			-	-	-
<b>Total Capital Funding</b>	<b>2,420</b>	<b>715</b>	<b>254</b>	<b>11</b>	<b>3,400</b>	<b>(202)</b>		<b>3,198</b>	<b>520</b>	<b>2,678</b>
<b>Net Capital Funding - Surplus/(Deficit)</b>	<b>(1,685)</b>	<b>-</b>	<b>(204)</b>	<b>-</b>	<b>(1,889)</b>	<b>200</b>		<b>(1,689)</b>	<b>(1,069)</b>	<b>(620)</b>

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 31/03/2015 and should be read in conjunction with the total QBRS report



Broken Hill City Council

**Quarterly Budget Review Statement**  
for the period 01/01/15 to 31/03/15

**Capital Budget Review Statement**  
**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

**Notes Details**

- |   |  |
|---|--|
| 1 | \$200K savings are made in the local roads area. These savings have been made in the reseal program as a more targeted program has been undertaken after consideration of road conditions and works have been undertaken in a more efficient manner. A \$202K reduction in capital grant income and corresponding expenditure has been made due to fewer Roads to Recovery and RMS Roads capital works being undertaken with a net result of zero. |
| 2 | \$202K grant funding will be reduced for roads to recovery and other RMS roads capital works that are not required.  |

Broken Hill City Council

## Quarterly Budget Review Statement

for the period 01/01/15 to 31/03/15

### Cash & Investments Budget Review Statement

Budget review for the quarter ended 31 March 2015

#### Cash & Investments - Council Consolidated

(\$000's)	Original Budget 2014/15	Approved Changes			Revised Budget 2014/15	Variations for this Mar Qtr		Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Sep QBRS	Dec QBRS						
<b>Externally Restricted <sup>(1)</sup></b>										
Accommodation Bonds - Aged Hostel	504		(504)		-				-	-
Developer Contributions - General	450				450				450	450
Domestic Waste Management	2,615	(180)	(75)		2,360		-		2,360	2,360
Royalties	397				397				397	397
Specific Purpose Unexpended Grants	1,031	(535)	(179)		317				317	317
<b>Total Externally Restricted</b>	<b>4,997</b>	<b>(715)</b>	<b>(758)</b>	<b>-</b>	<b>3,524</b>		<b>-</b>		<b>3,524</b>	<b>3,524</b>
(1) Funds that must be spent for a specific purpose										
<b>Internally Restricted <sup>(2)</sup></b>										
Infrastructure Replacement	21				21				21	21
Employee Leave Entitlements	1,295				1,295				1,295	1,295
Other Community Services	681				681				681	681
Security Bonds, Deposits & Retentions	68				68				68	68
Other Asset Replacement	273				273				273	273
<b>Total Internally Restricted</b>	<b>2,338</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,338</b>		<b>-</b>		<b>2,338</b>	<b>2,338</b>
(2) Funds that Council has earmarked for a specific purpose										
<b>Unrestricted</b> (ie. available after the above Restrictions)	1,912	-	(1,485)	-	427				427	427
<b>Total Cash &amp; Investments</b>	<b>9,247</b>	<b>(715)</b>	<b>(2,243)</b>	<b>-</b>	<b>6,289</b>		<b>-</b>		<b>6,289</b>	<b>6,289</b>

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 31/03/2015 and should be read in conjunction with the total QBRS report

Broken Hill City Council

**Quarterly Budget Review Statement**  
for the period 01/01/15 to 31/03/15

**Cash & Investments Budget Review Statement**

**Comment on Cash & Investments Position**

Unrestricted cash is declining due to the delay for taking out \$1m restructure loan. We are monitoring the cashflow and taking the loan when it is necessary.

**Investments**

Investments have been invested in accordance with Council's Investment Policy.

**Cash**

The Cash at Bank figure included in the Cash & Investment Statement totals \$8,432

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.  
The date of completion of this bank reconciliation is 31/03/15

**Reconciliation Status**

The YTD Cash & Investment figure reconciles to the actual balances held as follows:		<b>\$ 000's</b>
Cash at Bank (as per bank statements)		1,932
Investments on Hand		6,500
less: Unpresented Cheques	(Timing Difference)	
add: Undeposited Funds	(Timing Difference)	
less: Identified Deposits (not yet accounted in Ledger)	(Require Actioning)	
add: Identified Outflows (not yet accounted in Ledger)	(Require Actioning)	(2,143)
less: Unidentified Deposits (not yet actioned)	(Require Investigation)	
add: Unidentified Outflows (not yet actioned)	(Require Investigation)	
<b>Reconciled Cash at Bank &amp; Investments</b>		<b>6,289</b>
<b>Balance as per Review Statement:</b>		<b>6,289</b>
Difference: Nil		*

**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

**Notes   Details**

1

2

3

Broken Hill City Council

**Quarterly Budget Review Statement**  
for the period 01/01/15 to 31/03/15

**Key Performance Indicators Budget Review Statement**

Budget review for the quarter ended 31 March 2015

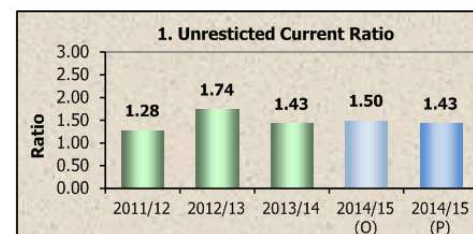
(\$000's)	Current Projection		Original Budget 14/15	Actuals Prior Periods	
	Amounts 14/15	Indicator 14/15		13/14	12/13

The Council monitors the following Key Performance Indicators:

**1. Unrestricted Current Ratio**

Unrestricted Current Assets	8312	1.43	1.50	1.43	1.74
Unrestricted Current Liabilities	5811				

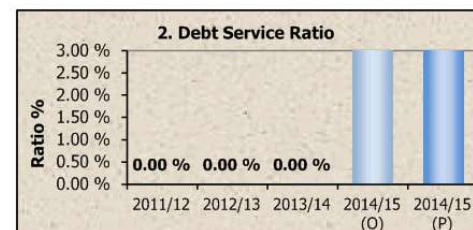
To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of council.



**2. Debt Service Ratio**

Interest Expense	546	3.41 %	5.00 %	N/A	N/A
Unrestricted, Non-Capital Income	16014				

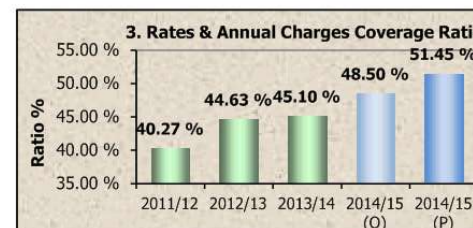
To assess the impact of loan interest repayments on the discretionary revenue of council.



**3. Rates & Annual Charges Coverage Ratio**

Rates & Annual Charges	16014	51.45 %	48.50 %	45.10 %	44.63 %
Income from Continuing Operations	31126				

To assess the degree of Council's dependence upon revenue from rates and annual charges and to assess the security of Council's income.



Broken Hill City Council

**Quarterly Budget Review Statement**  
for the period 01/01/15 to 31/03/15

**Key Performance Indicators Budget Review Statement**

Budget review for the quarter ended 31 March 2015

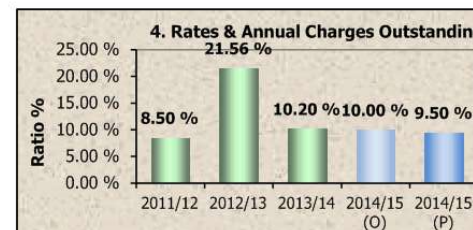
(\$000's)	Current Projection		Original Budget 14/15	Actuals Prior Periods	
	Amounts	Indicator		13/14	12/13
	14/15	14/15			

The Council monitors the following Key Performance Indicators:

**4. Rates & Annual Charges Outstanding**

Rates, Annual & Extra Charges Outstanding	0.095	9.50 %	10.00 %	10.20 %	21.56 %
Rates, Annual & Extra Charges Collectible	1				

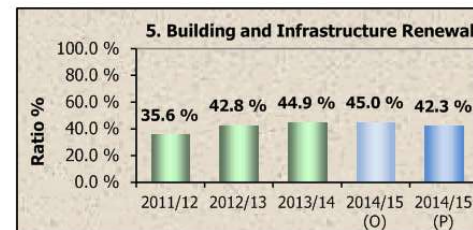
To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.



**5. Building and Infrastructure Renewals**

Asset Renewals	0.4232	42.3 %	45.0 %	44.9 %	42.8 %
Depreciation and Impairment	1				

To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating.



Broken Hill City Council

**Quarterly Budget Review Statement**  
for the period 01/01/15 to 31/03/15

**Contracts Budget Review Statement**

Budget review for the quarter ended 31 March 2015

**Part A - Contracts Listing** - contracts entered into during the quarter

Contractor	Contract detail & purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)	Notes

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or **\$50,000** - whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 31/03/2015 and should be read in conjunction with the total QBRS report

Broken Hill City Council

**Quarterly Budget Review Statement**  
for the period 01/01/15 to 31/03/15

**Contracts Budget Review Statement**  
**Comments & Explanations relating to Contractors Listing**

**Notes   Details**

Not Applicable.



Broken Hill City Council

**Quarterly Budget Review Statement**  
for the period 01/01/15 to 31/03/15

**Consultancy & Legal Expenses Budget Review Statement**

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	424,945	Y
Legal Fees	111,059	Y

**Definition of a consultant:**

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

**Comments**

Expenditure included in the above YTD figure but not budgeted includes:

**Details**

N/A

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ORDINARY MEETING OF THE COUNCIL

May 12, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 112/15

SUBJECT: COMMUNITY ASSISTANCE REQUESTS - APRIL 2015 11/117

**Recommendation**

That Broken Hill City Council Report No. 112/15 dated May 12, 2015, be received.

That Council approves a Rates Subsidy of \$1635.00 to the Broken Hill Repertory Society Inc. at their principal facility at 189 Wills Street, Broken Hill for the 2014/2015 financial year (being the difference between the business rate and the residential rate as per Clause 7.2 of the Community Assistance Policy).

**Executive Summary:**

Council has received requests for Community Assistance from:

1. Request for a Discretionary Rates Subsidy for the Broken Hill Repertory Society Inc. principal facility at 189 Wills Street.

**Report:**

The Broken Hill City Council has developed and adopted the "Community Assistance Policy" ("the Policy"), which provides the framework for Council to contribute money or otherwise grant financial assistance to community based organisations through:

- Rate Subsidies;
- Rental Subsidies;
- Community Donations Program;
- Community Grant Program; and
- REX Corporate Flyer Program.

Under this Policy, Council does not make donations to:

- Individuals – although requests from individuals will be considered on merit
- Profit making businesses
- Organisations or groups that are not incorporated
- Political parties or lobby groups
- Recipients of any other financial or other type of assistance from Council in that financial year with the exception of rates or rental subsidies
- Individual projects that have received funding from the Federal or State Government
- Organisations raising funds on behalf of another group which is itself a recipient of financial assistance from Council or is a Federal or State Government funded initiative
- Organisations based outside the city boundary of Broken Hill, unless the demonstrated benefits are primarily to the Broken Hill community
- Sporting organisations may be eligible for funding if they can demonstrate that their project or program will benefit the community of Broken Hill e.g. increase visitation rates, provide training or knowledge opportunities not available in the City. Each project will be considered on merit.

The Policy also states that Council will not retrospectively approve assistance for applications made under the Community Donations Program and the Community Assistance Policy.

The Community Assistance Policy is currently under review to provide a more appropriate and equitable framework for determining financial assistance to be provided to the community of Broken Hill. Unfortunately given other priorities, this review has not been completed.

The available balance of the discretionary Community Assistance Policy budget for 2014/2015 is \$18,720.00.

Requests received since the April 2015 Council Meeting, which are deemed necessary to be dealt with by Council include:

Community Donations Program:

Nil

Discretionary Rates Subsidies

**Broken Hill Repertory Society Inc.**

Council has received an application from the Broken Hill Repertory Society Inc. for a discretionary rates subsidy on their principal facility at 189 Will Street for the 2014/2015 financial year.

Under the Community Assistance Policy clause 7.2, rates subsidies are available to non-profit community organisations to the equivalent value of 100% difference between the applied Business Rate and the Residential Rate for the same property, subject to the availability of Council funds.

For the Broken Hill Repertory Society Inc's premises at 189 Wills Street, this is calculated as follows:

Business Rates	\$2,518.00
Residential Rates	<u>\$883.00</u>
<b>Difference</b>	<b>\$1,635.00</b>

As the request meets the Eligibility Criteria of the Community Assistance Policy, it is recommended that a Rates Subsidy of \$1635.00 for the Broken Hill Repertory Society Inc. be approved.

**Strategic Direction:**

Council's adopted Community Assistance Policy.

**Relevant Legislation:**

Local Government Act 1993 (Section 356).

**Financial Implications:**

The available balance of the discretionary Community Assistance Policy budget for 2014/2015 is \$18,720.00.

**Attachments**

1. Community Assistance Application from Broken Hill Repertory Society Inc. 10 Pages

THERESE MANNS  
GENERAL MANAGER

**BROKEN HILL CITY COUNCIL****Broken Hill City Council****Application for Financial Assistance for the  
Financial Year** 2015

<b>Name of Organisation:</b>	Broken Hill Repertory Society Incorporated
<b>Address:</b>	1 South St Broken Hill
<b>Contact Person</b>	Marilyn Harris
<b>Position:</b>	Secretary
<b>Phone No. Mobile:</b>	08 80879585 0413 905048

**PART A****APPLICATION FOR FINANCIAL ASSISTANCE (please read Council's  
Community Assistance Policy before filling in this application)**

- What is the total cash amount of your request (exclusive of GST)? \$2,500
- Do you require in-kind support Yes/No
- Is your group/organisation registered for GST? Yes/No
- Does your group/organisation have an ABN?  
(Australian Business Number) Yes/No  
If yes, please quote your ABN..... 74 397 607 892.....
- Does your group/organisation have Public Liability Insurance Yes/No  
If yes please attach a Certificate of Currency
- Is your group incorporated? Yes/No

**Please Note: Successful applications do not need to be registered for GST or have an ABN to receive a donation as classified as untied. However, should your organisation be registered for GST and/or hold an ABN, please complete the above information.**

**AUTHORISATION TO APPLY**

I, John Harris, (Print Name) certify that the attached application for funding was approved by the management Committee of this Organisation 30.4.15 (insert date).

Signed: Date: 7.5.15

**BROKEN HILL CITY COUNCIL****PART B****INFORMATION REGARDING YOUR ORGANISATION**

Please supply a brief history of your organisation and its current activities.

The Society started in 1944 to promote repertory theatre in Broken Hill.  
Theatre 44, 189 Wills St, is the only dedicated live theatre in the city and was  
built in 1963. Whereas the Society produced up to 5 plays per year until 1985,  
in recent years the society has depended on musical shows produced by Marilyn  
Harris and runs Moxie drama club for primary & REACT drama for secondary students.  
A ukulele group also meets fortnightly.  
Do you require in-kind support? Please list.  
We would like to apply for refund of Rates.

Is the organisation based in Broken Hill? yes

What is the number of current members of your organisation? 30

What contributions do volunteers make to your organisation?

Produce & direct plays and musicals, operate the canteen, sell tickets,  
Treasurer, run Moxie and REACT groups, run ukulele group, act  
in plays & musicals

Please attach your Organisation's most recent Profit & Loss Statement and Balance Sheet to your application.

Please provide details of how your Organisation intends to expend the funds:

The Society is finding it is beyond our means to cover the  
rates, insurance, and upkeep of the Theatre. We do our best to  
raise money through concerts, raffles, canteen sales etc but are  
running at a loss each year. A refund of our rates would help  
to keep us afloat.

How will the community of Broken Hill benefit from your Organisation's activities:

Broken Hill Community has benefitted from the Theatre since 1944,  
with entertainment, opportunities for young and old to appear  
on stage and gain skills and confidence



## **GENERAL CONDITIONS**

### **Council does not make donations to:**

- Individuals
- Profit making businesses (Council may request the submission of the most recent annual financial report)
- Organisations or groups that are unincorporated
- Political parties, lobby groups or religious groups
- Recipients of any other financial or other type of assistance from Council in that financial year
- Federal or state government funded initiatives
- Organisations raising funds on behalf of another group which is itself a recipient of financial assistance from Council or is a federal or state government funded initiative
- Organisations who have not successfully acquitted funds for previous donations from BHCC.
- Sporting/cultural groups/teams or individuals looking to further their professional careers, either in Australia or overseas.
- Sporting groups (Sporting groups should contact the Sports Council with any financial assistance requests.)
- Organisations based outside the city boundaries of Broken Hill (unless the demonstrated benefits are primarily to the Broken Hill community).

### **Acknowledgement**

All grant recipients must agree to acknowledge Council's contribution in all publicity relating to the events or activity. This includes logos and statements in all advertising and promotional material, media releases and in other promotional contexts. Full details of this condition, including appropriate logos, is to be provided with each grant.

Further inquiries relating to Council's Community Assistance Policy can be directed to Council's Customer Services team on 8080 3300.



**SUCCESSFUL APPLICANTS – REQUIREMENTS:****TAX INVOICE**

In the event that your group/organisation is successful in receiving financial assistance and is registered for GST, you will be required to provide a Tax Invoice before payment is received. Details of group/organisation's ABN and GST component must also be provided on the Tax Invoice.

**FUNDS ACQUITTAL**

Groups and organisations receiving funds from Broken Hill City Council are required to submit an acquittal on the outcome of the funding Broken Hill City Council within thirty (30) days of the conclusion of the project or activity, or the end of the financial year, whichever falls first. Information to be provided will include:-

- 1. A Statement of actual and budgeted expenditure in relation to the financial assistance provided.
- 2. Copies of supporting documentation such as a summary of receipts, accounts and financial statements.
- 3. Commentary on performance including achievement of outcomes identified, public presentations and attendance, involvement of volunteers and acknowledgement of the contribution from Broken Hill City Council.

**RETURN OF UNSPENT FUNDS**

Funds which are unspent at the conclusion of the funding period must be returned to Council within thirty (30) days of the completion of the project or activity, or prior to the end of the financial year, whichever occurs first.

**FINANCIAL CENTRE**

ABN 77 003 256 273

ACN 003 256 273

AFS Licence Number 245648

215 ARGENT STREET  
BROKEN HILL  
NSW 2880PO BOX 720  
BROKEN HILL NSW 2880Tel: 08-80875086  
Fax: 08-80874224Email: [brenda@financialcentre.com.au](mailto:brenda@financialcentre.com.au)**Attention:** Michael**CERTIFICATE OF  
CURRENCY****From:** General Office Account (No Account Manager)

We hereby confirm that we have arranged the insurance cover mentioned below:

BROKEN HILL REPERTORY SOCIETY  
C/- MRS M HARRIS  
1 SOUTH STREET  
BROKEN HILL NSW 2880**Date:** 7/05/2015  
**Our Reference:** BHREPERSOC  
**RENEWAL**

Page 1 of 7

**Class of Policy:** TRC - BUSINESS POLICIES**Insurer:** CGU  
80 FLINDERS ST ADELAIDE SA 5000  
ABN: 27 004 478 371**The Insured:** BROKEN HILL REPERTORY SOCIETY**Policy No:** 15T0105453**Invoice No:** 79625**Period of Cover:**From 23/04/2015  
to 23/04/2016 at 4:00 pm**Details:**See attached schedule for a  
description of the risk insured**IMPORTANT INFORMATION**

The Proposal/Declaration:

- ☐ is to be received and accepted  
by the Insurer
- ☒ has been received and accepted  
by the Insurer

The total premium as at the  
above date is:

- ☐ to be paid by the Insured
- ☐ part paid by the Insured
- ☐ paid in full by the Insured
- ☒ paid by Monthly Direct Debit

Premium Funding

- ☐ This policy is Premium Funded

Please note that the policy defined above is subject to the receipt of the Proposal  
Declaration and acceptance by the Insurer (if not already completed and accepted)  
and subject to the full receipt and clearance of the total premium payable by the insured.

**Schedule of Insurance**

Page 2 of 7

**Class of Policy:** TRC - BUSINESS POLICIES  
**The Insured:** BROKEN HILL REPERTORY SOCIETY

**Policy No:** 15T0105453  
**Invoice No:** 79625  
**Our Ref:** BHREPERSOC

## BUSINESS INSURANCE

Insured Name - BROKEN HILL REPERTORY SOCIETY

\*\*\*PREMIUM PAYABLE MONTHLY DIRECT TO UNDERWRITER\*\*

## POLICY PREMIUM SUMMARY BY INSURANCE CLASS

Section	Total Premium
1 Property	TAKEN
2 Business Interruption	Not Insured
3 Part A Theft of Property	Not Insured
Part B Money	Not Insured
4 Glass	Not Insured
5 <b>Public Liability</b>	<b>TAKEN</b>
<b>Products Liability</b>	<b>TAKEN</b>
6 Employee Dishonesty	Not Insured
7 Machinery	Not Insured
Pressure Equipment	Not Insured
Goods in Cold Chambers	Not Insured
8 Part A Computer Systems /	
Electronic Equipment	Not Insured
Part B Business Interruption	Not Insured
9 General Property	Not Insured
10 Taxation Investigation	Not Insured

## COVER DETAILS

## SECTION 1 - PROPERTY

Situation 1 - 189-191 WILLS STREET, BROKEN HILL NSW 2880  
 Premises 1 - Building 1

Occupied As - AMATEUR THEATRE GROUP

	SUM INSURED
Building	TAKEN
Contents (excluding stock)	TAKEN
Excess	
Accidental Damage	\$400
Earthquake	As per Policy Wording
All Other Claims	\$400

Variations and Extensions (refer to  
 policy wording for cover details)

Replacement costs  
 Extra cost of replacement

The policy wording indicates whether you have automatic  
 cover for Accidental Damage. If an amount is specified here  
 for Additional Accidental Damage this amount is provided in  
 addition to any automatic Accidental Damage cover provided  
 in the wording.

## SECTION 5 - LIABILITY

LIMIT OF

**Schedule of Insurance**

Page 3 of 7

**Class of Policy:** TRC - BUSINESS POLICIES  
**The Insured:** BROKEN HILL REPERTORY SOCIETY

**Policy No:** 15T0105453  
**Invoice No:** 79625  
**Our Ref:** BHREPERSOC

## INDEMNITY

**Public Liability**

The Business - AMATEUR THEATRE GROUP  
 Limit of Indemnity **\$20,000,000**  
 Property in Physical or Legal Control \$100,000

**Products Liability**

Limit of Indemnity **\$20,000,000**  
 Property Damage Excess \$500  
 Property in Physical or Legal Control Excess \$500

Variations and Extensions (refer to "Policy  
 Variations and Extensions" section of this  
 Document)

- LE17 Club members
- LE31 Exclusion - Participants
- LE40 Exclusion - Molestation

## POLICY VARIATIONS AND EXTENSIONS

## Policy notation

IT IS NOTED AND AGREED THAT THIS POLICY EXTENDS TO INDEMNIFY AS JOINT INSURED THE BROKEN HILL CITY COUNCIL FOR LIABILITY ARISING OUT OF THE NEGLIGENCE OF THE BROKEN HILL REPERTORY SOCIETY. IT IS FURTHER NOTED AND AGREED THAT THE COMPANY WAIVES ANY RIGHTS OF SUBROGATION AGAINST ANY INSURED WHERE THEY ARE ENTITLED TO INDEMNITY UNDER THE POLICY. SUBJECT ALWAYS TO THE TERMS, CONDITIONS AND EXCLUSIONS (INCLUDING THE CROSS LIABILITY CLAUSE) OF THE POLICY.

## LE17 Club members

Additional Benefit 2(b) is extended to include the members of the club that is named as the Insured.

## LE31 Exclusion - Participants

We will not indemnify You against liability for: 1. Personal Injury to; 2. Damage to Property owned by; or 3. Injury to animals owned by; any person who is participating in any performance, sport, game, contest, display, event or practice.

## LE40 Exclusion - Molestation

We will not indemnify You against liability for Personal Injury in connection with the molestation of any person by: (a) You; (b) Your employee; or (c) any person whose actions for which You may be liable. 2. We will not pay Your Legal Costs, and We will not have any duty to defend any suit against You seeking damages on account of any such Personal Injury.

## IMPORTANT NOTICES

## Policy Amendments

These amendments should be read in conjunction with your policy booklet as the terms described now form part of your policy.

## THE WAY WE HANDLE YOUR PERSONAL INFORMATION

Financial Report Broken Hill Repertory Society for the financial  
year 2014

<b>Profit &amp; Loss Statement</b>	<b>2014</b>
<b>Revenue/ Sales</b>	
Membership	\$ 144.00
Theatre Hire Rehearsal	\$ -
Theatre Hire Performance	\$ 505.00
Theatre Hire Other	\$ 28.80
Equipment Hire	\$ -
Ticket Sales Pre Sold	\$ 352.00
Ticket Sales Door	\$ 5,374.95
10% ticket sales (Theatre Hire)	\$ -
Other Group Fees	\$ 2,250.20
Canteen Sales	\$ 1,899.70
Floats (Credit) (redeposit)	\$ 400.00
Grants	\$ 2,920.00
Donation	\$ 278.70
Raffle Ticket sales	\$ 657.75
interest	\$ 3.28
Miscellaneous	\$ 1,067.00
<b>Total Revenue</b>	<b>\$15,881.38</b>
<b>Cost of Goods Sold</b>	
Reimbursement Performance	0.00
Advertising performance	1,313.80
Theatre cleaning	140.00
Equipment hire	0.00
Copyright Expense	324.50
Canteen Expenses	528.98
Float (Debit)	400.00
Props	0.00
Miscellaneous (Expense)	3,700.10
<b>Total Cost</b>	<b>6,407.38</b>
<b>Gross Profit</b>	<b>9,474.00</b>
<b>Expenses</b>	
Water rates	1,289.10
Insurance	3,162.29
Advertising General	49.90
Maintenance	140.60
Electricity	2,042.47

**Financial Report Broken Hill Repertory Society for the financial  
year 2014**

Annual fire service inspection	211.20
BHCC Rates	2,474.40
Department of fair trading annual fee	52.00
interest Payments	0.00
reimbursement General	73.00
A P R A Licence Fee	148.53
General Purchases	772.05
<b>Total Cost</b>	<b>10,415.54</b>
<b>Net Loss</b>	<b>\$ (941.54)</b>

## ORDINARY MEETING OF THE COUNCIL

May 12, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 101/15SUBJECT: SUSTAINABILITY GROUP ACTIVITIES - APRIL 2015 11/514**Recommendation**

That Broken Hill City Council Report No. 101/15 dated May 12, 2015, be received.

<b>STATUS OF DEVELOPMENT APPLICATIONS RECEIVED</b>						
DA	DATE REC'D	APPLICANT	LOCATION	PROPOSAL	ACTION DATE	DECISION
<b>OUTSTANDING MATTERS</b>						
114/2014	19/08/14	C. Hucks	410 Piper Street	New dwelling	27/08/14	Awaiting further information.
191/2014	2/12/14	NSW Land and Housing Corporation	123 Creedon Street	Change of use to community house	25/03/15	Approved
3/2015	13/01/15	Mawsons & Sons Pty Ltd	Holten Drive	Continued use of site for extractive industries and increased production	15/04/15	Detailed Assessment. Referred to EPA as Integrated approval body – Terms of Approval provided. Submissions received from Government agencies. Registered with Joint Regional Planning Panel, as the determining body. Assessment report being prepared. JRPP determination date to be confirmed.
18/2015	13/02/15	M. Dexter	158 Argent Street	Change of use to use part of building for martial arts studio	15/05/15	Approved
182/2014	18/03/15	Telstra Corp c/o SK Planning	334 McCulloch Street	Modification of consent	15/05/15	Report to Council
39/2015	18/03/15	KenX Design	425 Argent Street	Refurbishment/fit-out for restaurant/cafe	29/04/15	Approved
<b>APRIL 2015</b>						
43/2015	1/04/15	J. Dynon	20 Gossan Street	New dwelling	7/05/15	Approved
44/2015	1/04/15	Barrier Social Democratic	220 Argent Street	Refurbishment of commercial	15/05/15	Approved

		Club		building – use as cafe and function areas		
45/2015	1/04/15	Barrier Social Democratic Club	218 Argent Street	Internal renovations and alterations to Club	15/05/15	Approved
47/2015	7/04/15	Curtis Family Funerals	179 Harris Street	Change of use to mortuary	20/05/15	Approved
49/2015	8/04/15	Mission Australia	146 Chloride Street	Signage	15/05/15	Assessment
51/2015	9/04/15	G.F. Howe	98 Bagot Street	Subdivision	28/04/15	Approved

**THE LIVING DESERT AND THE FLORA AND FAUNA SANCTUARY**

VISITATION	APRIL 2015	YTD 14/15	APRIL 2014	YTD 13/14
Number of Visitors (including children)	3,390	23,051	3,970	24,805
Number of annual passes purchased	7	77	5	67
<b>VIC - Number of Coach Passengers</b>	197	1,672	293	1,576
INCOME (incl. GST)	APRIL 2015	YTD 14/15	APRIL 2014	YTD 13/14
Income – pay station	15,449.00	102,545.65	15,842.25	96,074.65
VIC – Income	788.00	3,115.00	697.00	4,595.00
Income – annual passes	130.00	1,435.00	90.00	1,160.00
<b>Total</b>	<b>\$16,367.00</b>	<b>\$107,095.65</b>	<b>\$16,629.25</b>	<b>\$101,829.65</b>

**ALBERT KERSTEN MINING & MINERALS MUSEUM**

	APRIL 2015	YTD 14/15	APRIL 2014	YTD 13/14
Visitor Admissions:	1,183	7,105	1,356	9,316
Shop Visitors	92	1,083	169	1,162
<b>Total Visitors:</b>	<b>1,275</b>	<b>8,188</b>	<b>1,525</b>	<b>10,478</b>
	APRIL 2015	YTD 14/15	APRIL 2014	YTD 13/14
Income – Admissions:	4,793.00	29,686.00	3,709.00	30,881.00
Income – Souvenirs:	2,071.00	20,092	1,801.00	20,636.00
Commission Sales:	895.00	2,937	247.00	1,966.00
Public Programs	90.00	405.00		220.00
<b>Total Income</b>	<b>\$7,849.00</b>	<b>\$53,120.00</b>	<b>\$5,757.00</b>	<b>\$53,703.00</b>

**Public Programs**



The Education Officer conducted a children's workshop to compliment the "KIDMAN" exhibition that was on display during the month. Christo Reid, curator of the exhibition, has agreed to extend the loan of the exhibition for a month. It will now end June 20, 2015.

### Forthcoming Events

- June: In conjunction with Library – Magna Carta 800<sup>th</sup> Anniversary.
- July: Lifeline.
- Sept: GLI travelling exhibition
- Oct –Nov: Political Cartoons from BHRAG collection.

### ART GALLERY

<u>Activity / Visitation:</u>	<b>APRIL 2015</b>	<b>YTD 14/15</b>	<b>APRIL 2014</b>	<b>YTD 13/14</b>
Donations Box	1,490.00	11,988.00	718.00	10,153.65
Public Programs	1,260.00	12,493.00	235.00	10,080.00
Other income	0.00	0.00	1,644.00	12,074.00
Shop	2,584.55	20,298.72	1,830.39	18,034.60
Gallery Hire	0.00	900.00	n/a	n/a
Memberships	57.00	2,185.00	149.00	1,824.00
Outback Art Prize Entry Fee	490.00	630.00	n/a	n/a
Commission sales (includes 66% artist commission)	2,984.75	71,342.50	3,910.70	48,852.55
<b>Total income</b>	<b>\$8,866.30</b>	<b>\$119,837.22</b>	<b>\$8,487.09</b>	<b>\$101,018.80</b>
Visitors	1,903	15,953	1,296	14,276
Public Programs	61	858	44	560

### Exhibitions and Events – April 2015

#### Touring Gallery

##### *In Your Dreams*

The Willyama Art Society has worked with a theme of dreams for this, their 54<sup>th</sup> anniversary exhibition. The exhibition showcases the range of talent in the society and also interprets the theme in many different ways.

##### *Jimmy Pike's Artlines: You call we desert, we used to live there*

Jimmy Pike was an artist from the Kimberley region, and although well known for his large paintings and textile designs, his works on paper have never been shown publicly before this exhibition of the collection that belongs to the University of Western Australia. This exhibition also comes with very comprehensive education materials which have been enthusiastically received by the schools.

#### Access Gallery

##### *Sense of Place – the fibre art of Virginia Kaiser (1945-2012)*

Nationally renowned basket maker, Virginia Kaiser moved to Broken Hill in 2006. During her time here she was to have a great influence on the local community inspiring many

with her craft. This exhibition which displays the diversity of her practice, also has works by other basket makers whom she has influenced and also the tools and a documentary from the Sunday Arts program in which she featured. This exhibition was curated by Sturt Centre for Contemporary craft.

### *Silver City Dreams*

Melinda Young is a contemporary jeweller based in Sydney. Last year she spent two weeks in Broken Hill as an artist-in-residence with the support of a CASP grant from Regional Arts NSW. This exhibition is a result of that residence. The exhibition features works that can be worn, or in some cases, displayed on the wall. Works reflect Broken Hill's culture and history ranging from the Picnic Train massacre through to the landscape and even the roses that are so popular to grow in people's gardens.

### Upstairs Galleries

#### *From Rags to Pictures*

Phyllis Ragenovich has been practicing art for many years having learnt from Joyce Condon and Brian Martin at the Broken Hill Campus of TAFE. Phyllis has produced a series of paintings which show many different places including Broken Hill houses, the Mundi Mundi plains after the rain, Western Australia and Paris.

#### *A Relative Perspective*

This is Robyn Taylor's first solo exhibition. The series of paintings depict the bush especially rural life.

#### *Art in Menindee: A small remote town*

This is an exhibition of works, both paintings and cardboard constructions by students from Menindee Central School. It was previously exhibited at Maitland Regional Art Gallery.

### Wall Cabinet

7 x 5

Gaara Arts which is a collective of local women artists have been exhibiting at the gallery for several years now. This is their third cabinet exhibition. Works by members had to measure only 7 x 5 inches and include paintings, drawings, mixed media and textiles.

### School Holiday Art Works

A selection of artworks by participants in the school holiday workshop for children that is based on the Jimmy Pike exhibition and the permanent collection.

### Upstairs Lift Foyer (Maari Ma Gallery)

#### *Our Elders*

An exhibition by Aboriginal photographer Mervyn Bishop featuring elders from the Bankstown area, this exhibition is part of the Bankstown Sister City Cultural Exchange

### **Other Functions, Events and Workshops**

- 1 x Centa Care Young Carers Workshop 8 – 17 year olds
- 1 x School Holiday Workshop 5 -14 year olds
- 1 x Centre Care Adult Carers Workshop

- 1 x Far West Local Health District / Mental Health Drug and Alcohol Service Adult Workshop
- 1 x Disability Services Adult Workshop
- 1 x Thursday Children's Workshop 5 – 7 year olds

**Marketing**

- Art Guide, Art Almanac, Craft Arts International, Outback NSW Free Maps.
- Facebook, Art Gallery Website, Tourism Broken Hill Website, Museums and Galleries NSW website.

**Meetings and Reports:**

Next Art Gallery Advisory Committee meeting June 2015.

**Attachments**

There are no attachments for this report.

FRANCOIS VANDERBERG  
MANAGER PLANNING, DEVELOPMENT & COMPLIANCE

THERESE MANNS  
GENERAL MANAGER

## ORDINARY MEETING OF THE COUNCIL

May 12, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 102/15SUBJECT: HERITAGE STATUS REPORT - APRIL 201511/126**Recommendation**

That Broken Hill City Council Report No. 102/15 dated May 12, 2015, be received.

<b>STATUS OF RESIDENTIAL BUILDINGS CONSERVATION POLICY APPLICATIONS 2014/2015</b>							
<b>ADDRESS</b>	<b>DATE RECEIVED</b>	<b>ESTIMATED COST OF WORKS</b>	<b>GRANT REQUEST</b>	<b>LOAN REQUEST</b>	<b>GRANT APPROVED</b>	<b>LOAN APPROVED</b>	<b>ACTION DATE</b>
223 Rowe Street	03/03/2015	\$1,600.00	\$800.00	Nil	\$800.00	Nil	23/04/2015
717 Williams Street	16/03/2015	\$1192.75	\$596.38	Nil	\$600.00	Nil	23/04/2015
555 Lane Street	16/03/2015	\$3,200.00	\$1,500.00	Nil	\$1500.00	Nil	23/04/2015
195 Argent Street	17/03/2015	\$2,000.00	\$1,000.00	Nil	\$1000.00	Nil	23/04/2015
549 Radium Street	23/03/2015	\$3500.00	\$1500.00	Nil	\$1500.00	Nil	21/04/2015
330 Wyman Street	23/03/2015	\$5000.00	\$1500.00	Nil	\$1500.00	Nil	21/04/2015
<b>HERITAGE RESTORATION FUND AND ADVISORY SERVICE AND MUSEUM ADVISORY SERVICE 2014/2015</b>							
	<b>BUDGET ALLOCATION</b>		<b>YTD EXPENDITURE 2014/2015</b>		<b>AVAILABLE FUNDS 2014/2015</b>		
	<b>GOVERNMENT GRANT</b>	<b>COUNCIL FUNDS</b>					
<b>HERITAGE RESTORATION FUND</b>	\$8,500.00	\$17,000.00	\$19,700.00		\$5,800.00		
<b>HERITAGE ADVISORY SERVICE</b>	\$7,000.00	\$21,000.00	\$14,273.00		\$13,727.00		
<b>MUSEUM ADVISORY SERVICE</b>	\$12,000.00	\$7,000.00	\$15,353.09		\$3,646.91		

The Heritage Advisor visited Broken Hill on May 5, 2015 and provided advice and carried out inspections.

**Attachments**

There are no attachments for this report.

FRANCOIS VANDERBERG  
MANAGER PLANNING, DEVELOPMENT & COMPLIANCE

THERESE MANNS  
GENERAL MANAGER

## ORDINARY MEETING OF THE COUNCIL

May 12, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 113/15

SUBJECT: ECONOMIC DEVELOPMENT ACTIVITY REPORT FOR APRIL 2015  
11/514

**Recommendation**

That Broken Hill City Council Report No. 113/15 dated May 12, 2015, are received.

This report outlines activities conducted by the Economic Development department during April 2015 along with forward items as planned.

**1 TOURISM****1.1 Visitor Information Centre (VIC)**

Foot Traffic	April 2014	April 2015	% change
Total Visitors (month)	12,772	12,132	-5.01%
Total Visitors (YTD)	91,939	87,214	-5.14%

**1.2 Souvenirs****Souvenir Sales**

Apr 2014	Apr 2015	% change	YTD 2013/14	YTD 2014/15	% change
\$19,685.13	\$19,919.13	+1.19%	\$149,064.29	\$137,940.67	-7.46%

**1.3 www.brokenhillaustralia.com.au**

Website traffic	Apr 2014	Apr 2015	% change
Total Unique Visitors (month)	9,616	10,623	+10.47%
Total Unique Visitors (YTD)	74,609	92,978	+24.62%
Total Bookings (month)	\$10,208	\$10,848	+6.27%
Total Bookings (YTD)	\$79,749.40	\$88,876.5	+11.44%

**1.4 Broken Hill and Outback NSW Visitors Guide**

BHVIC DISTRIBUTION at December 2014	Target	Numbers YTD 201/15	%
	Over Counter	14,277	14.28%
	Mail Outs	527	0.53%
	Local Businesses	8,252	8.25%
	Event Organisers	64	0.06%
	BHCC Admin Centre	256	0.26%
EXTERNAL DISTRIBUTION	ACT	128	0.13%
	NSW	22772	22.77%
	VIC	9782	9.78%
	SA	5840	5.84%
	QLD	1740	1.74%

	NSW TrainLink	3840	3.84%
<b>BROCHURES IN RESERVE</b>		<b>32,522</b> Murray Media 9,738 Local 22,784	<b>32.52%</b>

BHVIC received 50,000 guides 9/9/14. Murray Media Distribution received 50,000 guides 10/9/14.

### 1.5 Fee for Service Partnership

Fee for Service – Categories	Total Income 2013/14	Total Income 2014/15 YTD	% change
Associate Member	\$310	\$318.00	+2.58%
Attraction	\$6,693.33	\$6,408.00	-4.26%
Caravan Park	\$2,547	\$2,273.35	-10.74%
Clubs	\$2,842.80	\$2,277.00	-19.90%
Conference & Event Services	\$735	\$215.00	-70.75%
Corporate Sponsor	\$0.00	\$1,350.00	n/a
Self Catering Accommodation	\$7,630	\$6,685.00	-12.39%
Hotels / Guesthouses	\$2,648.50	\$3,647.00	+37.70%
Motels	\$13,201	\$9,600.00	-27.28%
Outback Station	\$825	\$676.00	-18.06%
Personal Membership	\$35	-	n/a
Restaurants / Cafe / Takeaway	\$1,977.20	\$2,385.60	+20.66%
Retail / Consumer Service	\$1,275	\$1,050.00	-17.65%
Social Clubs – Non Profit	\$170	\$174.00	+2.35%
Tour/Charter Operators	\$2,822.25	\$3,182.80	+12.78%
Tourism Bodies	\$0.00	\$507.00	n/a
<b>TOTAL</b>	<b>\$43,712.08</b>	<b>\$40,748.75</b>	<b>-6.78%</b>

### 1.6 Industry Communication

The following communication items were delivered to industry via Email/Industry Facebook during April 2015:

- Melbourne Comedy Festival Roadshow tickets on sale
- Newsletter with updates on digital campaign & Inland Tourism Awards
- Newsletter - Inland Tourism Awards workshop, Queens of the City early bird tickets
- Inland NSW Tourism Awards tickets on sale
- Various news items on Facebook pages

### 1.7 Promotional Activity

The following promotions were conducted during April 2015:

- Promotional blogs on the FOR REAL facebook page
- Creation of promotional videos of Council and non-Council attractions by Broken Hill Productions
- The 'Broken Hill' Facebook page continued promotion of Broken Hill's story, including content related to heritage, the future and individuals of the city. During April, the campaign has delivered a Total Facebook Reach of 326,923 (i.e. individual people who have seen the page or post) and Total Facebook Engagement of 23,270 (i.e. individual people who have engaged with our content).

**2 EVENTS****2.1 Civic Centre**

Type	Bookings April 2014	Bookings April 2015	Attendance April 2014	Attendance April 2015	Days Booked April 2014	Days Booked April 2015
Conferences						
Seminars/Workshops						
Other (incl. rehearsals)		1		15		1
Fashion Parades						
Concerts/Performances		1		250		1
Balls/Cabarets/Dinners						
Wedding Receptions	3		460		3	
Council Functions	1		101		1	
Trade Shows/Exhibitions						
School Functions						
Luncheons/Cocktail Parties						
Eisteddfods						
<b>TOTAL</b>	<b>4</b>	<b>2</b>	<b>545</b>	<b>265</b>	<b>4</b>	<b>2</b>

Type	No. of Bookings YTD 2013/14	No. of Bookings YTD 2014/15	Attendance YTD 2013/14	Attendance YTD 2014/15	Days Booked YTD 2013/14	Days Booked YTD 2014/15
Conferences	3		685		7	
Seminars/Workshops	7	1	1,080	350	7	1
Other (incl. rehearsals)	14	14	3,150	2,251	17	15
Fashion Parades	1	1	360	400	1	1
Concerts/Performances	4	4	1,660	1,181	4	4
Balls/Cabarets/Dinners	8	11	1,770	2860	8	12
Wedding Receptions	7	3	1,530	381	7	3
Council Functions	5	3	1,220	510	9	3
Trade Shows/Exhibitions	1	1	1,510	150	4	1
School/TAFE Functions	10	10	6,300	4950	10	10
Luncheons/Cocktail Parties	1		140		1	
Eisteddfods	1	1	1,200	1131	6	6
<b>TOTAL</b>	<b>62</b>	<b>49</b>	<b>20,605</b>	<b>14,164</b>	<b>81</b>	<b>56</b>

Type	Income from April 2014	Income from Bookings April 2015	% Change	Total Income YTD 2013/14	Total Income YTD 2014/15	% Change
Conferences				\$7,618		-100%
Seminars/Workshops				\$4,521	\$541	-88.03%
Other (incl. rehearsals)		\$345		\$6,319	\$8,702.50	+37.72%
Fashion Parades				\$2,264	\$2,477.50	+9.43%
Concerts/Performances		\$10,390		\$11,206	\$16,747	+49.45%
Balls/Cabarets/Dinners				\$8,191	\$15,205	+85.63%
Wedding Receptions	\$3,114		-100%	\$7,538	\$3,555	-52.84%
Council Functions	\$541		-100%	\$2,032	\$827	-59.30%
Trade Shows/Exhibitions				\$3,423	\$1,140	-66.7%
School Functions				\$5,346	\$6,211	+16.18%
Luncheons/Cocktail Parties				\$623		-100%
Eisteddfods				\$4,327	\$4,868	+12.5%
<b>TOTAL</b>	<b>\$3,655</b>	<b>\$10,735</b>	<b>193.71%</b>	<b>\$63,408</b>	<b>\$60,274</b>	<b>-4.94%</b>

*During April, 2015, there were two bookings – a meeting and the Melbourne International Comedy Festival Roadshow*

## 2.2 Existing Leads and Opportunities in Development (for financial year 2014/2015)

- Conferences – 1
- Seminars/Workshops - 1
- Other (incl. rehearsals) - 2
- Concerts Performances – 1
- Balls/Cabarets/Dinners – 4
- Wedding Receptions - 0
- Council Functions - 1
- Trade Shows/Exhibitions – 0
- School/TAFE Functions – 1
- Luncheon Cocktail Parties – 0
- Eisteddfods – 0

## 2.3 Future Committed Events

Resources Investment Symposium – May 21-25, 2015

Queens in the City – May 31, 2015

Inland Tourism Awards Dinner - July 25, 2015

## 3 ECONOMIC DEVELOPMENT

During April 2015 there was activity against a number of projects, including:

The Implementation Committee (for tourism in the Far West) continued working in liaison with Inland NSW Tourism and Council to launch a structure aligning with the timing of the Inland NSW Tourism Awards (being held in Broken Hill on 25th July 2015). The structure will implement the Destination Management Plan (DMP) for the Far West region and provide the visitor economy with a peak industry body.



Council received notice (12 May 2015) from the Australian Government Department of Environment that the application to the Community Heritage and Icons Grants 2014–15 - for the project, *Broken Hill Heritage City Toolkit*- was successful. The project will provide information accessible to residents, businesses and schools concerning Broken Hill's National Heritage Listing.

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#### **Attachments**

There are no attachments for this report.

ANDREA ROBERTS  
MANAGER ECONOMIC DEVELOPMENT & CULTURE

THERESE MANNS  
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

May 13, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 103/15

SUBJECT: INFRASTRUCTURE MONTHLY ACTIVITIES FOR THE MONTH OF  
APRIL 2015 11/514

**Recommendation**

That Broken Hill City Council Report No. 103/15 dated May 13, 2015, be received.

**CREEDON AND RYAN STREETS INTERSECTION**

The reconstruction design plans, planning documentation, and preliminary work was complete during the month of April.

This project is partly funded by the Roads and Maritime Service (RMS) and incorporates reconstruction concrete works on Creedon and Ryan Streets intersection, which includes an area over 1250m<sup>2</sup>. These works will be completed in two stages and work is scheduled to commence May 4, 2015.

**COUNCIL WASTE MANAGEMENT FACILITY - WEIGHBRIDGE**

Works commenced on a new road and car park being constructed for the new weighbridge at Council's Waste Management Facility.

The area of the car park is approximately 2000m<sup>2</sup> with the road at 1100m<sup>2</sup>. Works on the weighbridge scheduled to commence on May 4, 2015.

**OPERATIONS**

- Nature strip repair works were completed during April for residents.
- Preparations were carried out for the Anzac Day Celebrations and traffic control was provided for the parade in Argent Street on Saturday April 25, 2015.
- Jet patching and sweeping continued on local roads.
- Guide posts were replaced along a section of the Barrier Highway (SH08).
- The Mulga Creek was cleared from Silver Street to Buck Street, Bonanza Street to Knox Street.
- Sheet patching work was completed on the Wilcannia Road (SH22) for the Roads and Maritime Service (RMS).
- Sections of concrete footpaths were replaced in Argent Street, Crystal Street and Williams Street where they were dangerously cracked and/or lifted.

**BROKEN HILL AIRPORT**

<b>MONTH</b>	<b>REX Adelaide/ Broken Hill Passengers</b>	<b>REX Sydney/ Broken Hill Passengers</b>	<b>REX Dubbo/ Broken Hill Passengers</b>	<b>REX Mildura/ Broken Hill Passengers</b>	<b>REX Melbourne/ Broken Hill Passengers</b>	<b>REX Total Passengers</b>
<b>July</b>	2393	1796	426	147	262	5024
Increase over 13/14	136	-233	49	-71	-66	-185
Monthly Comparison	6.0%	-11.5%	13.0%	-32.6%	-20.1%	-3.6%
<b>August</b>	2216	1773	448	177	222	4836
Increase over 13/14	-49	-230	6	-30	-106	-409
Monthly Comparison	-2.2%	-11.5%	1.4%	-14.5%	-32.3%	-7.8%
<b>September</b>	2336	1685	423	194	269	4907
Increase over 13/14	74	-499	95	-114	124	-320
Monthly Comparison	3.3%	-22.8%	29.0%	-37.0%	85.5%	-6.1%
<b>October</b>	2386	2051	448	191	260	5336
Increase over 13/14	-175	-57	86	5	-48	-189
Monthly Comparison	-6.8%	-2.7%	23.8%	2.7%	-15.6%	-3.4%
<b>November</b>	2119	1981	338	163	254	4855
Increase over 13/14	-313	-177	-59	-9	-42	-600
Monthly Comparison	-12.9%	-8.2%	-14.9%	-5.2%	-14.2%	-11.0%
<b>December</b>	1974	1562	289	201	282	4308
Increase over 13/14	-325	-60	35	42	17	-291
Monthly Comparison	-14.1%	-3.7%	13.8%	26.4%	6.4%	-6.3%
<b>January</b>	1619	1171	200	164	220	3374
Increase over 13/14	-140	38	10	70	-62	-84
Monthly Comparison	-8.0%	3.4%	5.3%	74.5%	-22.0%	-2.4%
<b>February</b>	1882	1557	249	186	210	4084
Increase over 13/14	-100	-84	-118	38	-8	-272
Monthly Comparison	-5.0%	-5.1%	-32.2%	25.7%	-3.7%	-6.2%
<b>March</b>	2322	2145	366	205	288	5326
Increase over 13/14	-30	10	-134	55	-8	-107
Monthly Comparison	-1.3%	0.5%	-26.8%	36.7%	-2.7%	-2.0%
<b>April</b>	2135	1847	262	161	226	4631
Increase over 13/14	-137	72	-35	-3	-51	-154
Monthly Comparison	-6.0%	4.1%	-11.8%	-1.8%	-18.4%	-3.2%
<b>YTD</b>	<b>21382</b>	<b>17568</b>	<b>3449</b>	<b>1789</b>	<b>2493</b>	<b>46681</b>
<b>YTD Comparison</b>	<b>-1059</b>	<b>-1220</b>	<b>-65</b>	<b>-17</b>	<b>-250</b>	<b>-2611</b>
<b>YTD % Comparison</b>	<b>-5%</b>	<b>-6%</b>	<b>-2%</b>	<b>-1%</b>	<b>-9%</b>	<b>-5.5%</b>

**CEMETERY**

	Exclusive Rights for Old Graves	Exclusive Rights	Work Permits	Interments			Enquiries			
				Casket	Ashes	Total	Office	On Site	Total	Web Hits
July	0	1	0	12	8	20	37	21	58	26911
August	1	6	0	6	10	16	29	25	54	27373
September	0	5	0	5	6	11	31	22	53	28270
October	1	14	0	10	10	20	35	18	53	28430
November	0	11	0	5	10	15	25	17	42	26209
December	1	12	0	9	6	15	22	20	42	27647
January	1	4	0	6	6	12	15	10	25	33249
February	0	9	0	7	14	21	15	19	34	31424
March	0	4	0	5	5	10	17	10	27	34045
April	0	10	0	7	11	18	26	21	47	38118
<b>Year to Date Total (14/15)</b>	<b>4</b>	<b>76</b>	<b>0</b>	<b>72</b>	<b>86</b>	<b>158</b>	<b>252</b>	<b>183</b>	<b>435</b>	<b>301676</b>

**BROKEN HILL REGIONAL AQUATIC CENTRE**

<b>ATTENDANCES</b>							
<b>Month</b>	<b>2008/09</b>	<b>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>
July	619	755	605	NA	2937	5471	6228
August	335	728	668	NA	3590	6062	6731
September	1598	1201	1603	NA	4458	8538	8923
October	4490	4433	4065	NA	7530	11,353	11,482
November	7774	8161	6908	NA	10475	13,661	14,934
December	11623	9295	7485	1001	10442	14,390	15,680
January	18325	13347	NA	15109	17272	17,842	15,314
February	12737	8148	NA	10892	15090	17,160	18,193
March	6255	4740	NA	13386	11790	13148	12,552
April	2187	1940	NA	4429	6906	7509	7,336
<b>Year to Date Total (14/15)</b>	<b>68049</b>	<b>54848</b>	<b>21334</b>	<b>51466</b>	<b>101329</b>	<b>128280</b>	<b>117373</b>

**Extract from YMCA Executive Summary of Monthly Report for April 2015:**

YMCA NSW

**1. Executive Summary**

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The YMCA is pleased to submit the April Operations Report for the Aquatic Centre.

A total 7,336 attendances were reported for the month which are comparable to those experienced in April 2014.

Despite the cooler weather that is upon us, the centre experienced growth in health and fitness memberships. A slight decline in the number of students enrolled in swimming lessons was reported, however, the current enrolment figures are pleasing.

The centre continued with the 10 days for \$10 promotion which has attracted new members that have converted onto a direct debit membership.

Discussions commenced with Maari Ma Aboriginal Health on an exciting swimming lessons program which will see 45 students commence lessons in the coming weeks. This program is part of a broader healthy lifestyles initiative that involves a range of fitness services.

April saw the wrapping up of Morgan Street Primary School P.E Swimming Lessons. Around 240 students per week participated in this program.

April 26 saw the closure of the outdoor pool. The 7 month season was hugely successful and we are currently planning an exciting suite of innovative activities for summer 2015/16. The upgrade of the existing pool heater which has been confirmed will provide warmer water in the shoulder periods for a wide range of users.

Energy savings were again realised in April with a 10% reduction when compared to 2014 and a staggering 40% on 2013.

A new cleaning contract was entered into with My Maid with very pleasing results and positive customer feedback.

Staff training for all departments has shifted from bi monthly to monthly with one to one sessions being coordinated by each department leader. The results of this has led to better informed and engaged staff. The total number of FTE employees at the Aquatic Centre is now 8 with over 25 casual employees.

Finally, the Senior Leadership Team spent April 17 business planning for the upcoming financial year. The day was extremely successful with a strong vision for 2015/16 mainly around connection, compliance and customer care. We will continue to invest in new and innovative services with a central focus on staff development and retention.

Regards,

Shane Simmons  
Centre Manager  
YMCA of NSW

**Attachments**

There are no attachments for this report.

ANDREW BRUGGY  
MANAGER INFRASTRUCTURE STRATEGY

THERESE MANNS  
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

May 15, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 114/15

SUBJECT:                    ACTION LIST REPORT

11/25

**Recommendation**

That Broken Hill City Council Report No. 114/15 dated May 15, 2015, be received.

**Executive Summary:**

The purpose of the report is to ensure that Council and the community are informed on the status of actions required by previous decisions of Council.

**Report:**

The Action List attached to this report is for information only and will be provided to Council on a monthly basis.

The report covers Council's decision for the period September 2, 2009 to April 29, 2015.

**Strategic Direction:**

Delivery Program Key Direction 5: Our Leadership

Objective 2 Principal Activity 1:1 To give effect to Council policies, decisions and relevant legislation – Decisions of Council will be initiated within 30 days.

**Relevant Legislation:**

Nil

**Financial Implications:**

Nil

**Attachments**

1. Action List Report for May 51 Pages

THERESE MANNS  
GENERAL MANAGER

Overdue Actions For Action	Division: Committee: Ordinary Meeting of the Council Officer: Further Report Required: Including Further Reports	Date From: 2/09/2009 Date To: 1/05/2015 Printed: Tuesday, 19 May 2015 8:46:37 AM
Action Sheets Report		

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 02 September 2009	Frederick Docking Therese Manns	Further Business	LEASE OF LAND AT GLADSTONE PARK TO ALMA SWIMMING CLUB INC
<b>ITEM 1 - GROUP MANAGER GOVERNANCE &amp; COMMUNITY REPORT NO. 75/09 - DATED AUGUST 11, 2009 - LEASE OF LAND AT GLADSTONE PARK TO ALMA SWIMMING CLUB INC</b> B7/12			
<u>Recommendation</u>			
That Group Manager Governance & Community Report No. 75/09 dated August 11, 2009, be received.			
That Council, in its appointed capacity to manage the affairs of the Gladstone Park Reserve Trust, lease as much land is necessary fronting Morish Street to formalise the existing occupation together with an additional 4 metres along the entire south eastern side of the site, for swimming club purposes.			
That the term of the lease be 20 years commencing at a date to be determined upon registration of a plan of survey currently being prepared.			
That rental at commencement be \$250 per annum and that this rental be reviewed every 5 years on the anniversary of the commencement date.			
That public liability insurance in the sum of \$20 million be provided noting the rights and interests of Council as Trustee and the Minister administering the Crown Lands Act 1989, and that this amount be increased from time to time as required by Council's insurers.			
That the Alma Swimming Club insure it's assets and contents for replacement value as determined in conjunction with it's insurer.			
That all other standard leasing requirements be complied with.			
That the Alma Swimming Club be liable for Council's reasonable legal fees incurred in this matter.			
That documents relating to this matter be signed in the absence of a Trust Seal under Council's Common Seal as required.			
<b>RESOLUTION</b>			
<u>Minute No 42106</u>			
It was resolved on the motion of the Administrator:		)	That the recommendation of item 20 be adopted.
		)	
			CARRIED
01 Jul 2013 - 12:01 PM - Andrea Roberts Lease documents have been prepared. Waiting completion of site survey. 22 Oct 2013 - 12:01 PM - Leisa Bartlett No change in status. 15 Nov 2013 - 10:48 AM - Michelle Rolton			

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

Plan completed November 2013  
 13 Feb 2014 - 12:01 PM - Michelle Rolton  
 No change - latest status still current.  
 15 Apr 2014 - 1:51 PM - Michelle Rolton  
 Surveyor advised that plan is due by April 25th. This will allow lease to be registered.  
 14 May 2014 - 10:38 AM - Michelle Rolton  
 Plan now due May 16th 2014 - then lease to be registered.  
 11 Jun 2014 - 2:29 PM - Louine Hille  
 Plan received, examined and redrafted. Development Application required and in process. When plan consented to and signed by Council it will be forwarded to Trades and Investment, Crown Lands for their endorsement and lodgement with L.P.I.  
 08 Sep 2014 - 1:17 PM - Lacey Butcher  
 No change in status  
 13 Oct 2014 - 1:48 PM - Frederick Docking  
 Action reassigned to Sharon Hutch by: Leisa Bartlett  
 05 Dec 2014 - 5:09 PM - Frederick Docking  
 Action reassigned to Andrea Roberts by: Leisa Bartlett  
 11 Dec 2014 - 3:15 PM - Frederick Docking  
 GM to review and sign DA application and return to Tracy Stephens. Once consented and signed by council forward to trades and investment Crown Lands for their endorsement and lodge with LPI  
 12 Feb 2015 - 10:10 AM - Frederick Docking  
 Subdivision required for lease purposes only before lease can be finalised  
 13 Mar 2015 - 9:20 AM - Frederick Docking  
 Subdivision required for lease purposes only before lease can be finalised  
 17 Apr 2015 - 3:26 PM - Frederick Docking  
 Pending Sub Division for lease purposes  
 06 May 2015 - 4:55 PM - Frederick Docking  
 Pending Sub Division for lease purposes

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 27 January 2010	Andrew Bruggy Therese Manns	Infrastructure and Sustainability Committee	SUBDIVISION OF CROWN LAND AT RYAN AND CREEDON STREETS TO CREATE A DRAINAGE RESERVE

**ITEM 2 - GROUP MANAGER SUSTAINABILITY REPORT NO. 5/10 - DATED JANUARY 12, 2010 - SUBDIVISION OF CROWN LAND AT RYAN AND CREEDON STREETS TO CREATE A DRAINAGE RESERVE**  
R8/245

Recommendation

That Group Manager Sustainability Report No. 5/10 dated January 12, 2010, be received.

That Council co-ordinate the subdivision of Crown Land, on behalf of the State of New South Wales at the corner of Ryan and Creedon Streets to permit the creation of a Drainage Reserve in Council's name and to rectify other land issues.

That documents relating to this matter be executed under Council's Common Seal if required.

01 May 2013 - 1:52 PM - Leisa Bartlett



Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

Adjoining owner has changed mind due to changed family circumstances. Proceeding with minor changes - Plan to be redrafted by Council initially for Crown Approval prior to formal survey.

15 Nov 2013 - 10:58 AM - Michelle Rolton

Status unchanged.

13 Feb 2014 - 12:02 PM - Michelle Rolton

No Change - Latest status remains current.

15 Apr 2014 - 1:55 PM - Michelle Rolton

Subdivision to be addressed when Surveyor completes survey work in April 2014.

11 Jun 2014 - 2:34 PM - Louine Hille

No change in status.

13 Oct 2014 - 1:50 PM - Andrew Bruggy

Action reassigned to Sharon Hutch by: Leisa Bartlett

05 Dec 2014 - 5:09 PM - Andrew Bruggy

Action reassigned to Francois VanDerBerg by: Leisa Bartlett

21 Jan 2015 - 9:23 AM - Andrew Bruggy

Action reassigned to Andrew Bruggy by: Leisa Bartlett

17 Feb 2015 - 10:39 AM - Leisa Bartlett

Survey Commissioned.

20 Apr 2015 - 4:15 PM - Leisa Bartlett

Awaiting Survey.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 30 June 2010	Frederick Docking Therese Manns	Infrastructure and Sustainability Committee	MINUTES AND FINANCIAL REPORTS OF THE MEMORIAL OVAL COMMUNITY COMMITTEE

**ITEM 3 - CORRESPONDENCE REPORT NO. 45/10 - DATED JUNE 03, 2010 - MINUTES AND FINANCIAL REPORTS OF THE MEMORIAL OVAL COMMUNITY COMMITTEE**  
P10/1

Recommendation

That minutes of the Memorial Oval Community Committee Meetings held May 4, 2010, and June 1, 2010 (incorporating the financial reports for April and May, 2010 and attachments) be received; and the motions contained therein endorsed.

That a report be prepared for the July Infrastructure and Sustainability Committee Meeting regarding upgrading the hot water systems at the Memorial Oval Amenities Block to more efficient gas hot water systems; and the possibility of relocating 1 hot water system from the E.T. Lamb Oval Amenities Block to the Memorial Oval Amenities Block.

That Council undertake a Business Case Study to develop a Business Plan for the Memorial Oval; and that members of the Memorial Oval Community Committee be included in the development of the Business Plan.

That correspondence be sent to the Memorial Oval Community Committee advising of Council's decision.

Minute No.42374

Councillor T. Kennedy moved )

Councillor R. Steer seconded )

That the recommendations of items 5 to 7 be adopted.

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

CARRIED

05 Sep 2013 - 12:41 PM - Rebecca Flowers

Format of business case study under consideration. The outline of the plan was being presented to the S355 Committee by Group Manager Infrastructure for consideration at the March 6, 2012 Meeting. GMI will await feedback from the Committee.

New hot water system now installed.

Dec 2012 - Awaiting feedback from Committee regarding how they wish to proceed.

Aug 2013 Awaiting feedback from Committee

Jan 2014 The 355 Committee are to be approach to determine how they wish to progress this item

June 2014 - GMI and 355 Committee still to discuss.

02 Sep 2014 - 12:36 PM - Rebecca Flowers

September 2014 - no updates available at this stage. Will discuss with new Asset Manager once new structure implemented.

13 Oct 2014 - 1:50 PM - Frederick Docking

Action reassigned to Sharon Hutch by: Leisa Bartlett

05 Dec 2014 - 5:10 PM - Frederick Docking

Action reassigned to Andrew Bruggy by: Leisa Bartlett

06 May 2015 - 4:56 PM - Frederick Docking

Further enquires to be made - in progress

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 30 June 2010	Andrew Bruggy Therese Manns	Infrastructure and Sustainability Committee	ADOPTION OF AIRPORT MASTER PLAN
<b>ITEM 4 - GROUP MANAGER INFRASTRUCTURE REPORT NO. 16/10 - DATED JUNE 16, 2010 - ADOPTION OF AIRPORT MASTER PLAN</b> M3/76			
<u>Recommendation</u>			
That Group Manager Infrastructure Report No. 16/10 dated June 16, 2010, be received.			
That the Draft Airport Master Plan be formally adopted.			
That Council establish an Airport Working Group to assist to progress and drive the implementation of Airport Master Plan framework and recommendations.			
That terms of reference and membership of the Working Group be the subject of a further report to Council.			
<b>RESOLUTION</b>			
<u>Minute No.42379</u>			
Councillor B. Algate moved	)	That the recommendation of item 11 be adopted.	
Councillor J. Groenendijk seconded	)		

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

CARRIED

10 Jan 2013 - 2:43 PM - Leisa Bartlett

Now that the visit to Mildura Airport has been undertaken, establishment of working group to be progressed with guidelines and makeup of the working group to be determined. This will be incorporated into the Section 355 Committee Report to the November Council Meeting.

This item will be progressed as resources allow.

16 Jan 2014 - 2:08 PM - Rebecca Flowers

Jan 2014 Mkeup of working group still to be determined

June 2014 - No update as yet, working group still being reviewed.

02 Sep 2014 - 12:35 PM - Rebecca Flowers

September 2014 - No update as yet, working group still being reviewed. Will discuss with new Asset Manager once structure implemented.

13 Oct 2014 - 1:50 PM - Andrew Bruggy

Action reassigned to Sharon Hutch by: Leisa Bartlett

05 Dec 2014 - 5:10 PM - Andrew Bruggy

Action reassigned to Andrew Bruggy by: Leisa Bartlett

19 Dec 2014 - 3:09 PM - Rebecca McLaughlin

Item has not progressed as at December 2014. Manager Infrastructure Strategy to review.

17 Feb 2015 - 10:39 AM - Leisa Bartlett

Business Plan proposal submitted. this will underpin the EOI for grant funding under the Resources for Regions funding.

20 Apr 2015 - 4:15 PM - Leisa Bartlett

EOI submitted. Results not anticipated to be received until June 30, 2015.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 September 2010	Andrew Bruggy Therese Manns	Infrastructure and Sustainability Committee	ACQUISITION OF LAND FOR DRAINAGE OF STORMWATER
<b>ITEM 5 - GROUP MANAGER SUSTAINABILITY REPORT NO. 77/10 - DATED SEPTEMBER 14, 2010 - ACQUISITION OF LAND FOR DRAINAGE OF STORMWATER</b>			
L6/2/1, R8/245			

#### Recommendation

That Group Manager Sustainability Report No. 77/10 dated September 14, 2010, be received.

That Council acquire land, as shown edged in black in the attached diagram, for the purpose of stormwater drainage.

That the acquisition be under the terms of the Local Government Act 1993.

That the consent of the Minister and Governor be sought to proceed with the acquisition.

That upon acquisition the land be classified as operational land and that the land be described as a drainage reserve on title.

That Minerals be excluded from the acquisition.

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

That Council seek a native title opinion in relation to that land shown "B" in the diagram being part of Reserve 72211 for Public School Purposes.

That Council negotiate with the owner of the parts shown "A" & "C" in the diagram firstly to seek agreement to the acquisition and secondly as to the amount of compensation to be paid.

That Council obtain the consent of the Crown in relation to the acquisition of the land marked "B" and also consult with the current occupant.

That compensation for the part marked "B" be determined as at the date of acquisition by the Acquisitions Valuation Branch by the Land and Property Management Authority.

That the final dimensions of the land be subject to survey.

That documents relating to this matter be executed under Council's Common Seal as required.

#### RESOLUTION

Minute No.42504

Councillor B. Algate moved )

That the recommendation of Item 12 be adopted.

Councillor J. Groenendijk seconded )

CARRIED

12 Jun 2013 - 10:06 AM - Lacey Butcher

Awaiting surveyor - work priority list sent to Surveyor (September 2012) Also waiting responses from landowners/occupiers June 6 2013

01 Aug 2013 - 12:52 PM - Leisa Bartlett

Survey expedited by surveyor August 2013.

22 Oct 2013 - 1:54 PM - Louine Hille

No responses from either party.

13 Feb 2014 - 12:06 PM - Michelle Rolton

No change - latest status remains current.

15 Apr 2014 - 1:58 PM - Michelle Rolton

Further contact to be made for required consents to proceed.

11 Jun 2014 - 2:42 PM - Louine Hille

No change in status.

13 Oct 2014 - 1:50 PM - Andrew Bruggy

Action reassigned to Sharon Hutch by: Leisa Bartlett

05 Dec 2014 - 5:22 PM - Andrew Bruggy

Action reassigned to Francois VanDerBerg by: Leisa Bartlett

21 Jan 2015 - 9:30 AM - Andrew Bruggy

Action reassigned to Andrew Bruggy by: Lacey Butcher

17 Mar 2015 - 9:37 AM - Leisa Bartlett

Commissioning of survey about to commence.

20 Apr 2015 - 4:34 PM - Leisa Bartlett

Further report to be presented to Council as acquisition of land may not be necessary due to natural water course.

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

Meeting	Officer/Director	Section	Subject
Confidential Matters of the Council 29 June 2011	Sharon Hutch Therese Manns	Confidential Matters	TRANSFER OF LAND TO COUNCIL IN CONSIDERATION FOR OVERDUE RATES
<b>ITEM 6 – (Item 41 in open minutes) - GROUP MANAGER SUSTAINABILITY REPORT NO. 43/11 - DATED JUNE 07, 2011 - - CONFIDENTIAL</b>			11/472
<u>Recommendation</u>			
That Group Manager Sustainability Report No. 43/11 dated June 7, 2011, be received.			
That Council accept ownership of land in consideration for overdue rates as outlined in the body of this report.			
That documents relating to the transfer be executed under Council's Common Seal as required.			
<i>12 Jun 2013 - 12:02 PM - Leisa Bartlett</i> June 20 2012 - Letter sent confirming acceptance of ownership. Copy of Title, Caveat, Plan and Search sent for action			
<i>12 Aug 2013 - 3:00 PM - Leisa Bartlett</i> Land flagged for sale at auction of land for unpaid rates. Council should purchase land at this sale to expedite matters as no response to current proceedings as at September 2013.			
<i>06 Dec 2013 - 3:48 PM - Michelle Rolton</i> Sale scheduled for 2014.			
<i>13 Feb 2014 - 12:09 PM - Michelle Rolton</i> No change - Latest status remains current.			
<i>15 Apr 2014 - 1:59 PM - Michelle Rolton</i> Flagged for purchase at upcoming sale for unpaid rates.			
<i>11 Jun 2014 - 2:54 PM - Louine Hille</i> [337A Cummins Street used as access to rear of adjacent properties]. Status remains unchanged.			
<i>13 Oct 2014 - 1:51 PM - Sharon Hutch</i> Action reassigned to Sharon Hutch by: Leisa Bartlett			
<i>05 Dec 2014 - 5:23 PM - Leisa Bartlett</i> List of eligible properties for sale of land being prepared for presentation to Council early 2015.			
Meeting	Officer/Director	Section	Subject
Confidential Matters of the Council 29 June 2011	Frederick Docking Therese Manns	Confidential Matters	TERMINATION OF LEASE AND LICENCE A.E. & A.I. SWEET PTY LTD - LICENCE TO HERTZ AUSTRALIA PTY LIMITED AND RELICENCE TO HERTZ
<b>ITEM 7 – (Item 45 in open minutes) - GROUP MANAGER SUSTAINABILITY REPORT NO. 44/11 - DATED JUNE 28, 2011 - - CONFIDENTIAL</b>			11/239, 11/221
<u>Recommendation</u>			
That Group Manager Sustainability Report No. 44/11 dated June 28, 2011, be received.			

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

That A.E. & A.I. Sweet Pty. Ltd. be released from Lease and Licence obligations as detailed in the body of this report.

That Hertz Australia Pty Limited (ACN 004 407 087) be granted a month to month Licence over the Licence area relinquished by A.E. & A.I. Sweet in terms outlined in the body of this report.

That documents relating to this matter be executed under Council's Common Seal if required.

That upon appointment of a new "Hertz Licensee" a Licence be granted to that Licensee by Council under the same terms as proposed for Hertz Australia Pty Limited, other than the term of the Licence.

**Minute No.42912**

Councillor T. Kennedy moved )

Councillor J. Groenendijk seconded )

That the recommendations of items 1 to 5 be adopted.

CARRIED

*12 Jun 2013 - 12:06 PM - Andrea Roberts*

Awaiting details of Hertz Licensee. New Licence details being negotiated.

*15 Nov 2013 - 11:05 AM - Michelle Rolton*

Status unchanged.

*06 Dec 2013 - 3:49 PM - Michelle Rolton*

Hertz continuing to make payments on a monthly basis.

*13 Feb 2014 - 12:09 PM - Michelle Rolton*

No Change - Latest status remains current.

*14 Mar 2014 - 9:25 AM - Michelle Rolton*

New licence agreement being developed.

*15 Apr 2014 - 2:00 PM - Michelle Rolton*

Draft Licence to Hertz for comment and/or execution.

*11 Jun 2014 - 2:56 PM - Louine Hille*

Draft Licence prepared as far as can be. Awaiting determination of rental payment split details.

*17 Jul 2014 - 5:22 PM - Michelle Rolton*

Draft licence sent to Hertz for perusal and agreement

*14 Aug 2014 - 3:20 PM - Michelle Rolton*

Revised copy sent for perusal and agreement.

*08 Sep 2014 - 1:18 PM - Lacey Butcher*

Further enquires to be made

*13 Oct 2014 - 1:51 PM - Frederick Docking*

Action reassigned to Sharon Hutch by: Leisa Bartlett

*13 Nov 2014 - 1:55 PM - Rebecca McLaughlin*

New lease agreement has been signed by Hertz and is being reviewed by DGM awaiting Council signature and stamp.

*05 Dec 2014 - 5:24 PM - Frederick Docking*

Action reassigned to Andrea Roberts by: Leisa Bartlett

*11 Dec 2014 - 3:45 PM - Frederick Docking*

Information requested by GM submitted and awaiting return of signed document. Requested lease amounts for: Thrifty \$329.93 per month and Avis \$340.50 per month.

*12 Feb 2015 - 11:45 AM - Frederick Docking*

Further enquires to be made

Overdue Actions For Action	Division: Committee: Officer: Further Report Required:	Ordinary Meeting of the Council   Including Further Reports	Date From: Date To:  Printed: Tuesday, 19 May 2015 8:46:37 AM
<div> <div>Action Sheets Report</div> <div> 13 Mar 2015 - 9:20 AM - Frederick Docking  Further enquires to be made  13 Mar 2015 - 3:09 PM - Frederick Docking  Action reassigned to Frederick Docking by: Andrea Roberts  17 Apr 2015 - 3:25 PM - Andrea Roberts  Further enquires to be made - in progress  06 May 2015 - 4:56 PM - Frederick Docking  Further enquires to be made - in progress </div> </div>			
Meeting	Officer/Director	Section	Subject
Confidential Matters of the Council 31 August 2011	Frederick Docking Therese Manns	Confidential Matters	LEASE OF PART FLIGHT SERVICE BUILDING AT AIRPORT TO THE RFDS
<div> <div> ITEM 8 - GROUP MANAGER SUSTAINABILITY REPORT NO. 58/11 - DATED AUGUST 21, 2011 – LEASE OF PART FLIGHT SERVICE BUILDING AT AIRPORT TO THE RFDS - <b>CONFIDENTIAL</b> </div> <div>11/231</div> </div>			
<div> <div>Recommendation</div> <div> <p>That Group Manager Sustainability Report No. 58/11 dated August 21, 2011, be received.</p> <p>That the General Manager negotiates a commercial rental amount for the Flight Services Building lease with the RFDS.</p> <p>That lease documents, when prepared, be executed under Council's Common Seal as required.</p> </div> <div>RESOLUTION</div> <div> <div>Minute No.42983</div> <div> <div>Councillor J. Groenendijk moved</div> <div>Councillor R. Steer seconded</div> <div>)</div> <div>)</div> <div>That the recommendation of item 1 be adopted.</div> </div> </div> <div>CARRIED</div> </div>			
<div> <div> 12 Aug 2013 - 3:35 PM - Leisa Bartlett  Lease executed in duplicate. One copy returned to RFDS. Registration copies awaiting completion of new lease lot survey of Airport.  15 Nov 2013 - 11:05 AM - Michelle Rolton  Plan due November 2013  17 Jan 2014 - 11:56 AM - Louine Hille  Draft Plan received for examination and approval.  13 Feb 2014 - 12:10 PM - Michelle Rolton  Lot numbering determined, awaiting final plan.  11 Jun 2014 - 3:23 PM - Louine Hille  Plan requires minor amendment to stop it being requisitioned. Development Consent to subdivision for lease purposes required. Development Application being compiled.  08 Sep 2014 - 1:19 PM - Lacey Butcher  No change in status  13 Oct 2014 - 1:51 PM - Frederick Docking  Action reassigned to Sharon Hutch by: Leisa Bartlett  05 Dec 2014 - 5:24 PM - Frederick Docking  Action reassigned to Andrea Roberts by: Leisa Bartlett </div> </div>			



Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

11 Dec 2014 - 3:37 PM - Frederick Docking  
 Receipt of Payment for land recieved. Lease signed. GM to sign DA for subdivision approval and return to Tracy Stephens.  
 18 Dec 2014 - 10:31 AM - Frederick Docking  
 Made contact with ABB to find out why the subdivision was needed and if lease can be signed off without it.  
 18 Dec 2014 - 12:07 PM - Frederick Docking  
 Made contact with ABB, spoke with Andrew, no subdivision required. Andrew will execute final lease and submit in January.  
 12 Feb 2015 - 1:12 PM - Frederick Docking  
 Waiting on Sub Division for lease purposes  
 13 Mar 2015 - 3:09 PM - Frederick Docking  
 Action reassigned to Frederick Docking by: Andrea Roberts  
 13 Mar 2015 - 3:53 PM - Frederick Docking  
 Waiting on Sub Division for lease purposes  
 17 Apr 2015 - 3:26 PM - Andrea Roberts  
 Pending Sub Division for lease purposes  
 06 May 2015 - 4:34 PM - Frederick Docking  
 Lease completed, signed and returned to Council  
 COMPLETE

Meeting	Officer/Director	Section	Subject
Confidential Matters of the Council 29 February 2012	Frederick Docking Therese Manns	Confidential Matters	Renewal of Lease to The Aero Club of Broken Hill Inc. at Airport
<b><u>ITEM 9 (Item 45 in open minutes) - SUSTAINABILITY REPORT NO. 8/12 - DATED JANUARY 13, 2012 – RENEWAL OF LEASE TO THE AERO CLUB OF BROKEN HILL INC. AT AIRPORT - CONFIDENTIAL</u></b>			
			11/232
<u>Recommendation</u>			
That Sustainability Report No. 8/12 dated January 13, 2012 be received.			
That Council renew its lease with The Aero Club of Broken Hill Inc. for a period of five (5) years being the first option to renew the lease.			
That the lease be amended as outlined in the body of this report to address water charges.			
That documents relating to this matter be executed under Council's Common Seal as required.			
<b>RESOLUTION</b>			
<u>Minute No.43222</u>			
Councillor B. Algate moved		)	That the recommendation of item 1 be adopted.
Councillor N. Gasmier seconded		)	
CARRIED			
03 May 2012 - 3:23 PM - Leisa Bartlett Documents with Lessee for execution. 02 Aug 2012 - 3:25 PM - Leisa Bartlett			



Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
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Reminder to return documents sent.  
 07 Feb 2013 - 3:26 PM - Leisa Bartlett  
 Lease with Council's Solicitor for registration. Lease has been requisitioned twice due to plan reference - LPI have changed rules. Further advice to be sought from Council's Solicitor.  
 06 Jun 2013 - 3:28 PM - Leisa Bartlett  
 LPI have rejected registration due to change in Airport Title descriptions. Further survey work required prior to re-lodgement of Lease.  
 22 Oct 2013 - 2:18 PM - Louine Hille  
 New plan of subdivision for Lease purposes being prepared. Due 30 October 2013.  
 15 Nov 2013 - 11:06 AM - Michelle Rolton  
 Plan now due November 2013, as additional survey works were required.  
 17 Jan 2014 - 12:14 PM - Louine Hille  
 Draft Plan received for examination and approval.  
 13 Feb 2014 - 12:10 PM - Michelle Rolton  
 Lot numbering determined, awaiting final plan.  
 11 Jun 2014 - 3:29 PM - Louine Hille  
 Plan requires minor amendment to stop it being requisitioned. Development Consent to subdivision for lease purposes required. Development Application being compiled.  
 08 Sep 2014 - 1:19 PM - Lacey Butcher  
 No change in status  
 13 Oct 2014 - 1:51 PM - Frederick Docking  
 Action reassigned to Sharon Hutch by: Leisa Bartlett  
 05 Dec 2014 - 5:24 PM - Frederick Docking  
 Action reassigned to Andrea Roberts by: Leisa Bartlett  
 11 Dec 2014 - 4:42 PM - Frederick Docking  
 Amendment for water charges to lease draft signed and returned. GM to sign off DA and return to Tracey Stephens for consent for lease purposes.  
 12 Feb 2015 - 11:46 AM - Frederick Docking  
 Waiting for subdivision for lease purposes only  
 13 Mar 2015 - 9:21 AM - Frederick Docking  
 Waiting on Sub Division for lease purposes  
 13 Mar 2015 - 3:09 PM - Frederick Docking  
 Action reassigned to Frederick Docking by: Andrea Roberts  
 17 Apr 2015 - 3:26 PM - Andrea Roberts  
 Pending Sub Division for lease purposes  
 06 May 2015 - 4:56 PM - Frederick Docking  
 Pending Sub Division for lease purposes

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 19 December 2012	Andrew Bruggy Therese Manns	Further Business	NAMING OF ROADS AT BROKEN HILL REGIONAL AQUATIC CENTRE AND ENVIRONS
<b>ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 120/12 - DATED DECEMBER 11, 2012 - NAMING OF ROADS AT BROKEN HILL REGIONAL AQUATIC CENTRE AND ENVIRONS</b>			11/299

#### Recommendation

That Broken Hill City Council Report No. 120/12 dated December 11, 2012 be received.

That Lot 8 in DP 1175135, the former cul-de-sac used to access the Aquatic Centre be named Rasp Place.

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

That Council seek consent to the name from the Geographical Name Board (GNB).

That, if the name is acceptable to the GNB, it be advertised for public and official comment as required by the Roads Act 1993 and Roads Regulation 2008.

That the name be published in the Government Gazette should no objections to its adoption be received.

# **RESOLUTION**

Minute No.44190

Councillor B. Algate moved )

That the recommendation of item 14 be adopted.

Councillor D. Gallagher seconded )

CARRIED

*12 Jun 2013 - 9:37 AM - Lacey Butcher*

Procedure commenced May 7 2013. Geographical Name Board notified May 16 2013. LPI letter of objection received - names too similar to existing June 3 2013. Response being prepared June 6 2013

*12 Sep 2013 - 1:40 PM - Leisa Bartlett*

Response sent to GNB 5th July 2013. Awaiting reply.

*15 Nov 2013 - 11:09 AM - Michelle Rolton*

Status unchanged.

*13 Feb 2014 - 12:35 PM - Michelle Rolton*

No change - Status remains current.

*11 Jun 2014 - 3:35 PM - Louine Hille*

Geographical Names Board to be contacted regarding lack of response to Council's last letter.

*08 Sep 2014 - 1:20 PM - Lacey Butcher*

No change in status

*17 Feb 2015 - 9:46 AM - Andrew Bruggy*

Action reassigned to Andrew Bruggy by: Leisa Bartlett

*17 Feb 2015 - 9:47 AM - Leisa Bartlett*

Letter sent to Geographical Names Board enquiring on progress of the naming of the cul-de-sac at the Aquatic centre.

*17 Mar 2015 - 9:38 AM - Leisa Bartlett*

No reply received to letter to Council's letter.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 24 April 2013	Andrew Bruggy	Further Business	PIPELINE FOR EFFLUENT FROM WILLS STREET WASTE WATER TREATMENT PLANT TO WHITE LEEDS - PARTS WITHIN KANANDAH ROAD AND SILVER CITY HIGHWAY ADJACENT LGA BOUNDARY
	Therese Manns		

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 118/13 - DATED APRIL 17, 2013 - PIPELINE FOR EFFLUENT FROM WILLS STREET WASTE WATER TREATMENT PLANT TO WHITE LEEDS - PARTS WITHIN KANANDAH ROAD AND SILVER CITY HIGHWAY ADJACENT LGA BOUNDARY 11/298**

## Recommendation

That Broken Hill City Council Report No. 118/13 dated April 17, 2013, be received.

That Council consent be given under a Deed of Consent (or licence) issued under section 139 of the Roads Act 1993 for the construction of a pipeline within the Kanandah

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

Road and Silver City Highway corridors to provide treated effluent water to White Leeds and Thorndale. The necessary consent under Section 138 of the Roads Act 1993 be granted and be included if required.

That documents relating to this matter be executed under Council's Common Seal as required.

#### RESOLUTION

Minute No.44306

Councillor M. Browne moved )

Councillor D. Gallagher seconded )

That the recommendation of item 9 be adopted.

CARRIED

12 Jun 2013 - 3:25 PM - Lacey Butcher

Action memo received May 1 2013. Action pending

12 Aug 2013 - 2:01 PM - Leisa Bartlett

Draft Licence for pipeline for White Leeds sent to Essential Energy July 3, 2013. Norton Rose to prepare Roads Act documents.

15 Nov 2013 - 11:12 AM - Michelle Rolton

Status unchanged.

13 Feb 2014 - 12:35 PM - Michelle Rolton

No Change - Latest status remains current.

15 Apr 2014 - 2:04 PM - Michelle Rolton

Reminder to be sent to Essential Energy/Water.

14 May 2014 - 10:45 AM - Michelle Rolton

No response to date. further contact to be made re: status

11 Jun 2014 - 3:38 PM - Louine Hille

No change in status.

13 Oct 2014 - 1:54 PM - Andrew Bruggy

Action reassigned to Sharon Hutch by: Leisa Bartlett

05 Dec 2014 - 5:36 PM - Andrew Bruggy

Action reassigned to Andrew Bruggy by: Leisa Bartlett

17 Feb 2015 - 10:42 AM - Leisa Bartlett

Current status of action taken being investigated.

Meeting	Officer/Director	Section	Subject
Extraordinary Confidential Matters of the Council 24 April 2013	Andrew Bruggy Therese Manns	Confidential Matters	(WILLYAMA COMMON REPORT) PIPELINES FOR EFFLUENT FROM WILLS STREET AND SOUTH WASTE WATER TREATMENT PLANTS TO WHITE LEEDS AND THORNDALE AND ACQUISITION OF LAND AT THE SOUTH WASTE WATER TREATMENT PLANT

#### ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 120/13 - DATED APRIL 17, 2013 - - CONFIDENTIAL 11/63

#### Recommendation

That Broken Hill City Council Report No. 120/13 dated April 17, 2013, be received.

That Council as Trustee of the Willyama Common, grant consent to the installation of pipelines and the acquisition of land as detailed in the body of this report as Further Recommendations.

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

That documents relating to these matters be executed under Council's Common Seal in the absence of a Trust Seal.

#### RESOLUTION

Minute No.44314

Councillor B. Algate moved )

Councillor D. Gallagher seconded )

That the recommendation of item 1 be adopted.

CARRIED

12 Jun 2013 - 3:17 PM - Lacey Butcher

Action memo received May 1 2013. Action pending

12 Aug 2013 - 2:04 PM - Leisa Bartlett

Draft Licence for pipeline to White Leeds sent to Essential Energy July 3, 2013.

15 Nov 2013 - 11:15 AM - Michelle Rolton

Status unchanged.

13 Feb 2014 - 12:36 PM - Michelle Rolton

No change - Latest status remains current.

14 May 2014 - 11:37 AM - Michelle Rolton

Further contact to be made re: status

13 Oct 2014 - 1:55 PM - Andrew Bruggy

Action reassigned to Sharon Hutch by: Leisa Bartlett

05 Dec 2014 - 5:37 PM - Andrew Bruggy

Action reassigned to Andrew Bruggy by: Leisa Bartlett

17 Mar 2015 - 9:39 AM - Leisa Bartlett

Undertaking the process to complete.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 26 June 2013	Sharon Hutch Therese Manns	Our Community Reports	OPERATION OF SOUTH COMMUNITY CENTRE LIBRARY

**THE ITEM WAS NOT FOUND (BOOKMARK: PDF2\_ReportName\_6785)**

**CHECK THE INTEGRITY OF THE ITEM IN THE MINUTES DOCUMENT**

**DOCUMENT: O:\BUSINESSPAPERS\CM PAPERS\CM\_26062013\_MIN.DOC**

25 Jul 2013 - 2:28 PM - Leisa Bartlett

Meeting to be arranged between 13-16 August 2013.

10 Sep 2013 - 3:31 PM - Leisa Bartlett

Meeting held. Matters raised to be given further consideration.

15 Nov 2013 - 11:19 AM - Michelle Rolton

Status unchanged.

15 Apr 2014 - 2:35 PM - Michelle Rolton

Correspondence to Patton Village Committee to be prepared, requesting business plan for the use of the Centre to be provided to Council.

14 May 2014 - 11:38 AM - Michelle Rolton

Correspondence sent - awaiting response.

11 Jun 2014 - 3:43 PM - Louine Hille

Still awaiting response.

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
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17 Jul 2014 - 5:25 PM - Michelle Rolton  
Response under consideration.  
14 Aug 2014 - 3:22 PM - Michelle Rolton  
Resolved at July Council Meeting to hand over to Patton Village Committee.  
14 Aug 2014 - 3:23 PM - Michelle Rolton  
Correspondence to be prepared and documents executed.  
08 Sep 2014 - 1:24 PM - Lacey Butcher  
No change in status -  
Note: South CommunityCentre being added to same Reserve South Mechanics Institute. Crown Lease/licence will be required  
13 Oct 2014 - 1:55 PM - Sharon Hutch  
Action reassigned to Sharon Hutch by: Leisa Bartlett

Meeting	Officer/Director	Section	Subject
Confidential Matters of the Council 27 July 2011	Frederick Docking Therese Manns	Confidential Matters	RENEWAL OF LEASE TO BP AUSTRALIA PTY LTD AT BROKEN HILL AIRPORT, LOT 5 DP 1162606

**ITEM 13 - SUSTAINABILITY REPORT NO. 48/11 - DATED JULY 05, 2011 - - CONFIDENTIAL**M3/76/52

### Recommendation

**Moved Councillor B. Algate, Seconded Councillor R. Steer**

**That Group Manager Sustainability Report No. 48/11 dated July 5, 2011, be received.**

**That Council renew its lease with BP Australia Pty Ltd for a period of five (5) years with three (3) options to renew of five (5) years each.**

**That the terms of the lease, as set out in the body of this report, be adopted.**

**That documents relating to this matter be executed under Councils Common Seal as required.**

01 May 2013 - 4:44 PM - Leisa Bartlett  
Proceeded on month by month basis until May 2013.  
12 Aug 2013 - 4:45 PM - Leisa Bartlett  
Correspondence received with BP requesting amendments. Solicitors information received. Some clauses to be checked by Council's insurers August, 2013.  
10 Sep 2013 - 1:51 PM - Leisa Bartlett  
Awaiting response from Insurers.  
15 Nov 2013 - 11:20 AM - Michelle Rolton  
Reviewed clauses; sent to BP for consideration on October 8, 2013. No response to date.  
13 Feb 2014 - 12:38 PM - Michelle Rolton  
BP again contacted - January 2014. Response due February 2014.  
15 Apr 2014 - 2:07 PM - Michelle Rolton  
Response received and being considered.  
12 Jun 2014 - 10:55 AM - Louine Hille  
Lease clauses to be forwarded to Solicitors for final draft of lease to be compiled.  
17 Jul 2014 - 5:26 PM - Michelle Rolton  
Lease with solicitors for final preparation.

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

14 Aug 2014 - 3:24 PM - Michelle Rolton  
Lease with BP for execution.  
08 Sep 2014 - 1:26 PM - Lacey Butcher  
Awaiting return of executed lease  
13 Oct 2014 - 1:55 PM - Frederick Docking  
Action reassigned to Sharon Hutch by: Leisa Bartlett  
05 Dec 2014 - 5:38 PM - Frederick Docking  
Action reassigned to Andrea Roberts by: Leisa Bartlett  
15 Dec 2014 - 3:22 PM - Frederick Docking

BP have received Lease and are making an amendment before returning to BHCC. When received send to ABB to approval amendments and finalised document.

12 Feb 2015 - 10:14 AM - Frederick Docking  
ABB Still waiting on return on signed lease from BP  
13 Mar 2015 - 9:21 AM - Frederick Docking  
ABB Still waiting on return on signed lease from BP  
13 Mar 2015 - 3:09 PM - Frederick Docking  
Action reassigned to Frederick Docking by: Andrea Roberts  
17 Apr 2015 - 3:26 PM - Andrea Roberts  
Waiting on return on signed lease from BP  
06 May 2015 - 4:57 PM - Frederick Docking  
Waiting on return on signed lease from BP

Meeting	Officer/Director	Section	Subject
Confidential Matters of the Council 27 July 2011	Frederick Docking Therese Manns	Confidential Matters	LEASE TO AIRSERVICES AUSTRALIA AT BROKEN HILL AIRPORT

**ITEM 14 - SUSTAINABILITY REPORT NO. 49/11 - DATED JULY 06, 2011 - - CONFIDENTIAL**M3/76/33

#### Recommendation

That Group Manager Sustainability Report No. 49/11 dated July 6, 2011, be received.

That Council lease land at the Broken Hill Airport to Airservices Australia ABN 59 698 720 886 as it relates to navigation, communication and emergency power facilities as outlined in the body of this report.

That the Lessee be liable for all legal costs relating to this matter.

That documents relating to this matter be executed under Councils Common Seal as required.

12 Aug 2013 - 4:46 PM - Leisa Bartlett  
With Lessee for execution. Air Services reviewing operations at Airpot, recent Register General's direction will affect registration until further survey works completed.  
15 Nov 2013 - 11:21 AM - Michelle Rolton  
New survey plan due November 2013.  
17 Jan 2014 - 12:41 PM - Louine Hille  
Air Services yet to notify Council of their final requirements.

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
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13 Feb 2014 - 12:39 PM - Michelle Rolton  
No change - latest status remains current.  
14 May 2014 - 11:39 AM - Michelle Rolton  
Local operations somewhat connected to works at Ceduna Airport, when finished at Ceduna, Airservices will address Broken Hill issues.  
12 Jun 2014 - 11:17 AM - Louine Hille  
No change in status.  
13 Oct 2014 - 1:55 PM - Frederick Docking  
Action reassigned to Sharon Hutch by: Leisa Bartlett  
05 Dec 2014 - 5:39 PM - Frederick Docking  
Action reassigned to Andrea Roberts by: Leisa Bartlett  
21 Jan 2015 - 9:31 AM - Frederick Docking  
Action reassigned to Frederick Docking by: Lacey Butcher  
12 Feb 2015 - 9:02 AM - Frederick Docking  
Awaiting Airservices to update facilities as requirement of new lease  
09 Mar 2015 - 8:53 AM - Frederick Docking  
Awaiting Airservices to update facilities as requirement of new lease  
17 Apr 2015 - 3:27 PM - Frederick Docking  
Awaiting Airservices to update facilities as requirement of new lease  
06 May 2015 - 4:29 PM - Frederick Docking  
Air Services Australia Lease Signed  
06 May 2015 - 4:32 PM - Frederick Docking  
Lease completed, signed and returned to Council  
COMPLETE

Meeting	Officer/Director	Section	Subject
Extraordinary Meeting of the Council 30 October 2013	Andrew Bruggy Therese Manns	Further Business	WILLYAMA COMMON - COMPULSORY ACQUISITION OF CROWN LAND AT BROKEN HILL AIRPORT
<b><u>ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 269/13 - DATED OCTOBER 17, 2013 - WILLYAMA COMMON - COMPULSORY ACQUISITION OF CROWN LAND AT BROKEN HILL AIRPORT</u></b>			
11/89, 11/214			
<b><u>Recommendation</u></b>			
That Broken Hill City Council Report No. 269/13 dated October 17, 2013, be received.			
That Council compulsorily acquire Crown Land being Lots 5938 and 5939 in DP 725373 as shown in the attached diagram for "Airport Purposes" to formalise existing occupation.			
That the acquisition be under the Terms of the Local Government Act 1993.			
That the consent of the Minister and Governor be sought for the acquisition.			
That Council seek agreement from Trade and Investment, Crown Lands Western Division for the acquisition.			



Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
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That Minerals be excluded from the acquisition.

That Council obtain a Native Title opinion in relation to Lot 5939 in DP 725373, formerly part of Western Lands Lease 1060.

That if necessary, Council liaise with other parties that may have an interest in Lot 5939 in DP 725373 should Native Title issues require to be addressed.

That upon acquisition the land be classified as Operational Land.

That compensation be determined as at the date of acquisition by the Acquisition Valuation Branch of the Land and Property Management Authority.

That the consent of the Crown (Trade and Investment, Crown Lands Western Division) and the Division of Local Government be sought should all matters be agreed upon to dispense with pre-acquisition requirements given that the compensation as determined at the date of acquisition will be the purchase price.

That documents relating to this matter be executed under Council's Common Seal if required.

#### RESOLUTION

Minute No.44468

Councillor D. Gallagher moved )

Councillor C. Adams seconded )

That the recommendation of item 1 be adopted.

CARRIED

15 Nov 2013 - 12:24 PM - Michelle Rolton

Not yet commenced.

13 Feb 2014 - 12:40 PM - Michelle Rolton

No Change - Latest status remains current.

14 May 2014 - 11:41 AM - Michelle Rolton

Native Title status of one remainiing lot to be determined.

12 Jun 2014 - 11:37 AM - Louine Hille

History of site being compiled for submission to Barrister.

08 Sep 2014 - 1:28 PM - Lacey Butcher

No change in status

13 Oct 2014 - 1:56 PM - Andrew Bruggy

Action reassigned to Sharon Hutch by: Leisa Bartlett

05 Dec 2014 - 5:39 PM - Andrew Bruggy

Action reassigned to Francois VanDerBerg by: Leisa Bartlett

21 Jan 2015 - 9:32 AM - Andrew Bruggy

Action reassigned to Andrew Bruggy by: Lacey Butcher

17 Mar 2015 - 9:39 AM - Leisa Bartlett

Undertaking process to commence.

20 Apr 2015 - 4:18 PM - Leisa Bartlett

With impending EOI outcome - no further action at this stage with report to future Council Meeting.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 27	Sharon Hutch	Further Business	PROPOSAL TO CALL FOR TENDERS FOR SALE OF LOT 4 DP 1175135 BEING 331 MURTON



Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed: Tuesday, 19 May 2015 8:46:37 AM</b>
<b>Action Sheets Report</b>		

November 2013

STREET, BROKEN HILL - RESIDUE OF LAND ACQUIRED FOR PUBLIC RECREATION, SUBDIVISION AND RESALE

Therese Manns

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 315/13 - DATED NOVEMBER 14, 2013 - PROPOSAL TO CALL FOR TENDERS FOR SALE OF LOT 4 DP 1175135 BEING 331 MURTON STREET, BROKEN HILL - RESIDUE OF LAND ACQUIRED FOR PUBLIC RECREATION, SUBDIVISION AND RESALE 11/257, 11/189**

Recommendation

That Broken Hill City Council Report No. 315/13 dated November 14, 2013, be received.

That Council call Tenders for the sale of 331 Murton Street, Broken Hill (Lot 4 DP 1175135).

That documents relating to the sale be executed under Council's Common Seal as required.

**RESOLUTION**

Minute No.44506

Councillor P. Black moved )

Councillor D. Gallagher seconded )

That the recommendation of item 10 be adopted.

CARRIED

06 Dec 2013 - 4:37 PM - Michelle Rolton

Tender documentation being prepared.

17 Jan 2014 - 12:54 PM - Louine Hille

Contract prepared.

13 Feb 2014 - 12:43 PM - Michelle Rolton

Tender to be advertised in February/March 2014. T14/1

14 Mar 2014 - 9:15 AM - Michelle Rolton

Tender closes March 20, 2014.

15 Apr 2014 - 2:15 PM - Michelle Rolton

No tenders received. Report to Council.

14 May 2014 - 11:43 AM - Michelle Rolton

To be included in auction in conjunction with sale for unpaid rates.

13 Oct 2014 - 1:57 PM - Sharon Hutch

Action reassigned to Sharon Hutch by: Leisa Bartlett

05 Dec 2014 - 5:41 PM - Leisa Bartlett

List of eligible properties for sale of land being prepared for presentation to Council in early 2015.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 January 2014	Andrew Bruggy	Reports	EASEMENT TO DRAIN WATER FROM WILLS STREET WASTE WATER TREATMENT PLANT OVER PART WILLYAMA COMMON TO RAILWAY CORRIDOR
	Therese Manns		
<b>ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 7/14 - DATED JANUARY 15, 2014 - EASEMENT TO DRAIN WATER FROM WILLS STREET WASTE WATER TREATMENT PLANT OVER PART WILLYAMA COMMON TO RAILWAY CORRIDOR 11/63</b>			

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

### Recommendation

That Broken Hill City Council Report No. 7/14 dated January 15, 2014, be received.

That Broken Hill City Council in its appointed capacity as Trust Manager of Willyama Common Trust:

1. Consent to Essential Energy/Water replacing the existing pipeline with the replacement to be offset from the current alignment;
2. Consent to a new easement being created over the pipelines, both existing and new, as located;
3. Consent to the extinguishment of the existing easement;
4. Require that all costs relating to this matter be borne by Essential Energy/Water;
5. Require that the proposed new location be examined for Aboriginal archaeological relics and that should any be discovered the replacement pipeline route be relocated to as not to disturb the relic/relics;
6. That, if required, documents relating to this matter be executed under Council's Common Seal in the absence of a Trust Seal.

### **RESOLUTION**

Minute No.44557

Councillor J. Richards moved )

Councillor B. Algate seconded )

That the recommendation of item 8 be adopted.

CARRIED

*13 Feb 2014 - 12:54 PM - Michelle Rolton*

Essential Energy/Water notified of Council's resolutions 6/2/2014.

*15 Apr 2014 - 2:16 PM - Michelle Rolton*

Awaiting plan of amended easement.

*12 Jun 2014 - 12:02 PM - Louine Hille*

No change in status.

*13 Oct 2014 - 1:57 PM - Andrew Bruggy*

Action reassigned to Sharon Hutch by: Leisa Bartlett

*05 Dec 2014 - 5:42 PM - Andrew Bruggy*

Action reassigned to Francois VanDerBerg by: Leisa Bartlett

*21 Jan 2015 - 9:32 AM - Andrew Bruggy*

Action reassigned to Andrew Bruggy by: Lacey Butcher

*17 Mar 2015 - 9:40 AM - Leisa Bartlett*

Undertaking process to commence.

*20 Apr 2015 - 4:19 PM - Leisa Bartlett*

Easement should not be required and report will be provided to future Council Meeting.

Meeting	Officer/Director	Section	Subject
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Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

Ordinary Meeting of the Council 29 January 2014	Frederick Docking Therese Manns	Reports	RENEWAL OF LICENCE TO OCCUPY ENCROACHMENT ONTO RESERVE 66816 AT CEMETERY
<b>ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 8/14 - DATED JANUARY 16, 2014 - RENEWAL OF LICENCE TO OCCUPY ENCROACHMENT ONTO RESERVE 66816 AT CEMETERY</b>			
11/50			

Recommendation

That Broken Hill City Council Report No. 8/14 dated January 16, 2014, be received.

That Council take up the offer of the grant of a new Licence over part of the current encroachment onto Lot 7317 DP 1183447 being part of Reserve 66816.

That Council subdivide Lot 7317 DP 1883447 and add the current encroached area to the cemetery reserves.

That Council identify other areas of Lot 7317 DP 1183447 that are suitable for cemetery expansion and seek Crown consent to add this land to the cemetery reserves.

That documents relating to this matter be executed under Council's Common Seal as required.

**RESOLUTION**

Minute No.44558

Councillor C. Adams moved )  
Councillor B. Algate seconded )

That the recommendation of item 9 be adopted.

CARRIED

*13 Feb 2014 - 12:54 PM - Michelle Rolton*

Not yet commenced.

*14 Mar 2014 - 9:12 AM - Michelle Rolton*

Awaiting confirmation from Infrastructure Group.

*15 Apr 2014 - 2:17 PM - Michelle Rolton*

Confirming email sent to Crown Lands that Council would take up the licence.

*14 May 2014 - 12:00 PM - Michelle Rolton*

Licence application received completed and being returned to Crown Lands for processing.

*12 Jun 2014 - 12:04 PM - Louine Hille*

Awaiting return of Licence from Crown Lands for execution.

*17 Apr 2015 - 3:27 PM - Andrea Roberts*

Made contact with Crown Lands to request progress up-date on the applicaiton for licence.

*06 May 2015 - 4:57 PM - Frederick Docking*

Made contact with Crown Lands to request progress up-date on the applicaiton for licence.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 30 April 2014	Peter Oldsen Therese Manns	Reports	TENDER T14/1 SALE OF 331 MURTON ST

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 82/14 - DATED APRIL 08, 2014 - TENDER T14/1 SALE OF 331 MURTON ST T14/1**

Recommendation

That Broken Hill City Council Report No. 82/14 dated April 8, 2014, be received.

That the subject land being Lot 4 in DP 1175135 known as 331 Murton St be offered for sale by Auction in conjunction with the Sale of Land for Unpaid Rates.

That a reserve price be set in accordance with the independent valuation of the land.

That the General Manager or nominee be authorised to negotiate the sale of the land on the day of the auction.

**RESOLUTION**

Minute No.44637

Councillor P. Black moved )

Councillor C. Adams seconded )

That the recommendation of item 12 be adopted.

CARRIED

14 May 2014 - 12:03 PM - Michelle Rolton

Pending - Auction.

17 Jul 2014 - 5:33 PM - Michelle Rolton

Sale pending - Auction (unpaid rates).

17 Feb 2015 - 10:43 AM - Leisa Bartlett

Included in sale for unpaid rates 2015.

Meeting	Officer/Director	Section	Subject
Confidential Matters of the Council 30 April 2014	Frederick Docking Therese Manns	Confidential Matters	LEASES AT THE BROKEN HILL AIRPORT AND EXPRESSION OF INTEREST TO LEASE

**ITEM 31 - BROKEN HILL CITY COUNCIL REPORT NO. 99/14 - DATED APRIL 10, 2014 - - CONFIDENTIAL 11/233**

Recommendation

That Broken Hill City Council Report No. 99/14 dated April 10, 2014, be received.

That Council release Kamachlo Pty Ltd from its obligations under lease of property at the Airport.

That Council call for public expressions of interest to lease

1. The workshop on land currently described as Lot 2 DP 641460 and

Overdue Actions For Action	Division: Committee: Ordinary Meeting of the Council Officer: Further Report Required: Including Further Reports	Date From: 2/09/2009 Date To: 1/05/2015 Printed: Tuesday, 19 May 2015 8:46:37 AM
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## 2. The former Tank Farm site on land currently described as Lot 14 DP 641460

That documents relating to these matters be executed under Councils Common Seal as required.

That Council commence actions against the Guarantor to recover the outstanding debt.

### RESOLUTION

Minute No.44656

Councillor M. Browne moved )  
Councillor J. Richards seconded )

That the recommendation of item 31 be adopted.

CARRIED

14 May 2014 - 12:04 PM - Michelle Rolton

Process commenced.

11 Sep 2014 - 9:47 AM - Lacey Butcher

Awaiting debt recovery

16 Feb 2015 - 3:57 PM - Frederick Docking

Action reassigned to Andrea Roberts by: Leisa Bartlett

17 Feb 2015 - 10:44 AM - Leisa Bartlett

Awaiting further investigation.

13 Mar 2015 - 3:08 PM - Frederick Docking

Action reassigned to Frederick Docking by: Andrea Roberts

17 Apr 2015 - 10:07 AM - Andrea Roberts

Further investigation required

06 May 2015 - 4:58 PM - Frederick Docking

Further investigation required

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 30 July 2014	Frederick Docking Therese Manns	Reports	TRANSFER OF OPERATION OF SOUTH COMMUNITY CENTRE LIBRARY FROM RIVERINA DIOCESAN TRUST TO PATTON VILLAGE COMMITTEE
<b>ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 183/14 - DATED JULY 15, 2014 - TRANSFER OF OPERATION OF SOUTH COMMUNITY CENTRE LIBRARY FROM RIVERINA DIOCESAN TRUST TO PATTON VILLAGE COMMITTEE</b>			
11/209			

### Recommendation

That Broken Hill City Council Report No. 183/14 dated July 15, 2014, be received.

That Patton Village Committee Inc. be appointed to operate the South Community Centre Library under the same terms as the current operator, the Riverina Diocesan Trust.

That Council congratulate the Patton Village Committee Inc on their commitment to the residents of South Broken Hill through this initiative.

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

That documents relating to this matter be executed under Councils Common Seal as required.

14 Aug 2014 - 3:30 PM - Michelle Rolton

Action pending.

08 Sep 2014 - 1:40 PM - Lacey Butcher

No change

Note: South Community Centre being added to same Diocesan as Alma Institute - Crown Licence will be required.

Ann Rogers advised of resolution by telephone and email

13 Oct 2014 - 2:05 PM - Frederick Docking

Action reassigned to Sharon Hutch by: Leisa Bartlett

05 Dec 2014 - 5:45 PM - Frederick Docking

Action reassigned to Andrea Roberts by: Leisa Bartlett

12 Feb 2015 - 11:46 AM - Frederick Docking

Further enquiries into services required. Waiting on service costs to building for electricity and water.

13 Mar 2015 - 9:23 AM - Frederick Docking

Further enquiries into services required. Waiting on service costs to building for electricity and water.

13 Mar 2015 - 3:08 PM - Frederick Docking

Action reassigned to Frederick Docking by: Andrea Roberts

17 Apr 2015 - 9:35 AM - Andrea Roberts

Lease complete and cleaning clause added. Pending final review.

06 May 2015 - 4:58 PM - Frederick Docking

Lease complete and cleaning clause added. Pending final review.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 30 July 2014	Andrew Bruggy Therese Manns	Reports	CHANGE OF NAME OF RESERVE TRUST RESPONSIBLE FOR CIVIC CENTRE
<b>ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 184/14 - DATED JULY 15, 2014 - CHANGE OF NAME OF RESERVE TRUST RESPONSIBLE FOR CIVIC CENTRE</b>			11/65

#### Recommendation

That Broken Hill City Council Report No. 184/14 dated July 15, 2014, be received.

That the name of the Reserve Trust be changed from Broken Hill Entertainment Centre Reserve Trust to Broken Hill Civic Centre Reserve Trust.

That Trade & Investment, Crown Lands be notified of the change.

#### **RESOLUTION**

Minute No.44719

Councillor P. Black moved )

Councillor C. Adams seconded )

That the recommendations of items 13 to 16 be adopted.

CARRIED

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

14 Aug 2014 - 3:32 PM - Michelle Rolton  
Action pending.  
08 Sep 2014 - 1:42 PM - Lacey Butcher  
Trade and Investments Crown Lands advised of resolution. Awaiting Gazettal  
13 Oct 2014 - 2:05 PM - Andrew Bruggy  
Action reassigned to Sharon Hutch by: Leisa Bartlett  
05 Dec 2014 - 5:45 PM - Andrew Bruggy  
Action reassigned to Francois VanDerBerg by: Leisa Bartlett  
21 Jan 2015 - 9:34 AM - Andrew Bruggy  
Action reassigned to Andrew Bruggy by: Lacey Butcher  
17 Mar 2015 - 9:46 AM - Leisa Bartlett  
No change in status

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 30 July 2014	Andrew Bruggy Therese Manns	Reports	ESSENTIAL ENERGY BRANCH PICK UP SERVICE
<b>ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 185/14 - DATED JULY 15, 2014 - ESSENTIAL ENERGY BRANCH PICK UP SERVICE 11/317</b>			
<u>Recommendation</u>			
That Broken Hill City Council Report No. 185/14 dated July 15, 2014, be received.			
That Council confirm its intention to withdraw from the existing informal arrangement whereby Council pick up, at no cost to Essential Energy, debris generated by Essential Energy's vegetation management program in the Broken Hill Local Government area.			
That Council offer to enter into a formal contract with Essential Energy to pick up debris generated by Essential Energy's vegetation management program on terms acceptable to both Essential Energy and Council.			
<b>RESOLUTION</b>			
Minute No.44720			
Councillor B. Algate moved	)	That the recommendation of item 17 be adopted.	
Councillor J. Richards seconded	)		
			CARRIED
05 Aug 2014 - 9:03 AM - N P (Paul) De Lisio Essential Energy have been notified of Council's resolution. 02 Sep 2014 - 12:39 PM - Rebecca Flowers Formal correspondence was emailed to Pat.Kelleher@essentialenergy.com.au on 6th August 2014 - TRIM reference D14/16155. No response received from Essential Energy. 13 Oct 2014 - 2:05 PM - Andrew Bruggy Action reassigned to Sharon Hutch by: Leisa Bartlett 13 Nov 2014 - 2:06 PM - Rebecca McLaughlin No response received from Essential Energy. 05 Dec 2014 - 5:45 PM - Andrew Bruggy			



Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

Action reassigned to Andrew Bruggy by: Leisa Bartlett  
 19 Dec 2014 - 3:10 PM - Rebecca McLaughlin  
 No response received from Essential Energy as at December 2014.  
 17 Feb 2015 - 10:45 AM - Leisa Bartlett  
 Preliminary discussions held with Essential Energy Area Manager to formalise procedure.  
 20 Apr 2015 - 4:21 PM - Leisa Bartlett  
 No change

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 30 July 2014	Francois VanDerBerg Therese Manns	Reports	HERITAGE STATUS REPORT - JUNE - JULY 2014
<b>ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 190/14 - DATED JULY 15, 2014 - HERITAGE STATUS REPORT - JUNE - JULY 2014 11/126</b>			

#### Recommendation

That Broken Hill City Council Report No. 190/14 dated July 15, 2014, be received.

That \$10,000 of the 2014/15 Heritage Restoration Funding be allocated to the No. 4 Headframe Stabilisation Project.

#### **RESOLUTION**

Minute No.44724

Councillor B. Algate moved )  
 Councillor J. Richards seconded )

That the recommendation of item 22 be adopted.

CARRIED

14 Aug 2014 - 3:33 PM - Michelle Rolton  
 Funds transfer pending.  
 08 Sep 2014 - 1:43 PM - Lacey Butcher  
 Correspondence sent awaiting response  
 13 Oct 2014 - 2:06 PM - Francois VanDerBerg  
 Action reassigned to Sharon Hutch by: Leisa Bartlett  
 05 Dec 2014 - 5:47 PM - Francois VanDerBerg  
 Action reassigned to Francois VanDerBerg by: Leisa Bartlett  
 20 Jan 2015 - 9:59 AM - Lacey Butcher  
 Funds allocated. Project on hold awaiting feedback from CBH  
 16 Feb 2015 - 9:50 AM - Francois VanDerBerg  
 A meeting is scheduled for 17 February 2015 with CBH to investigate other funding/grant options to fund the restoration of Number 4 Headframe.  
 13 Mar 2015 - 11:44 AM - Tracy Stephens  
 Consideration being given to seek further funding.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 27 August 2014	Therese Manns Therese Manns	Reports	BUSINESS IMPROVEMENT AND CORPORATE SERVICES ACTIVITY REPORT FOR JULY 2014



Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 209/14 - DATED AUGUST 05, 2014 - BUSINESS IMPROVEMENT AND CORPORATE SERVICES ACTIVITY REPORT FOR JULY 2014** 11/658

**RESOLUTION**

Minute No.44744

Councillor P. Black moved )  
Councillor B. Licul seconded )

That Broken Hill City Council Report No. 209/14 dated August 5, 2014, be received.

That clarification be sought regarding the next hearing date in the Land and Environment Court for the Perilya Land Valuation dispute.

CARRIED

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 24 September 2014	Frederick Docking Therese Manns	Reports	REAPPOINTMENT OF TRUST MANAGER - WILLYAMA COMMON

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 229/14 - DATED SEPTEMBER 02, 2014 - REAPPOINTMENT OF TRUST MANAGER - WILLYAMA COMMON** 11/63

Recommendation

That Broken Hill City Council Report No. 229/14 dated September 2, 2014, be received.

That Council notify NSW Trade & Investment, Crown Lands that it wishes to be reappointed as Trust Manager of the Willyama Common for a further 3 year period, in accordance with the terms of the Commons Management Act 1989, at the expiry of the current term.

Minute No.44766

Councillor P. Black moved )  
Councillor C. Adams seconded )

That the recommendations of items 11 to 12 be adopted.

CARRIED

21 Jan 2015 - 9:35 AM - Frederick Docking  
Action reassigned to Andrew Bruggy by: Lacey Butcher  
17 Mar 2015 - 9:43 AM - Frederick Docking  
Action reassigned to Andrea Roberts by: Leisa Bartlett  
02 Apr 2015 - 10:37 AM - Frederick Docking  
Action reassigned to Frederick Docking by: Leisa Bartlett  
02 Apr 2015 - 10:37 AM - Louise Schipanski  
All actions complete to notify NSW Trade and Investment of Council's request to be reappointed as Trust Manager.

22 Apr 2015 - 1:41 PM - Louise Schipanski  
Appointment of Council to Manage Reserve Trust - Willyama Common Trust - NSW Government Gazette No 31 of 10 April 2015  
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 24 September 2014	Frederick Docking Therese Manns	Reports	LEASE PART NORTH FAMILY PLAY CENTRE TO TELSTRA FOR TELECOMMUNICATIONS TOWER
<b>ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 230/14 - DATED SEPTEMBER 05, 2014 - LEASE PART NORTH FAMILY PLAY CENTRE TO TELSTRA FOR TELECOMMUNICATIONS TOWER</b>			
			11/257

Recommendation

That Broken Hill City Council Report No. 230/14 dated September 5, 2014, be received.

That Council lease land at the North Family Play Centre to Telstra for the purpose of erecting a telecommunications tower, subject to Development Consent firstly being granted.

That the terms of the lease be those as offered by Telstra in the Heads of Agreement for proposed lease and that Telstra's standard lease document be used.

That Council subdivide Lot 2 DP 1175135 to provide a lot for Telstra's use given that the term of the lease will exceed five (5) years.

That, in addition to Council's legal costs for the negotiation and execution of the lease and reasonable disbursements as noted in the Heads of Agreement for proposed lease, Telstra be liable for all survey, plan lodgement and legal fees relating to the required subdivision.

That Telstra be notified of Council's requirements.

That documents relating to this matter be executed under Council's Common Seal as required.

**RESOLUTION**  
Minute No44767  
Councillor B. Algate moved  
Councillor D. Gallagher seconded

)  
)

That the report recommendation of item 13 be adopted.

CARRIED

19 Nov 2014 - 11:36 AM - Leisa Bartlett  
Currently negotiating lease agreement with Telstra.  
05 Dec 2014 - 5:48 PM - Frederick Docking  
Action reassigned to Andrea Roberts by: Leisa Bartlett  
16 Feb 2015 - 4:33 PM - Frederick Docking  
Awaiting on DA outcome of Council Meeting on 18/02/15  
19 Feb 2015 - 5:02 PM - Frederick Docking  
Auste Brown Boog Solicitors have been informed of Council resolution to accept the terms of the Telstra standard lease and to send the lease to Telstra to sign and return to Council.

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

DA for subdivision has been submitted by Council  
*09 Mar 2015 - 9:23 AM - Frederick Docking*  
 Auste Brown Boog Solicitors have been informed of Council resolution to accept the terms of the Telstra standard lease and to send the lease to Telstra to sign and return to Council.

DA for subdivision has been submitted by Council  
*13 Mar 2015 - 3:08 PM - Frederick Docking*  
 Action reassigned to Frederick Docking by: Andrea Roberts  
*13 Mar 2015 - 4:41 PM - Frederick Docking*  
 Lease received, waiting on confirmation of subdivision of land  
*17 Apr 2015 - 9:32 AM - Frederick Docking*  
 Lease signed and sealed. Lease returned to ABB to finalise with Telstra  
*06 May 2015 - 4:58 PM - Frederick Docking*  
 Lease signed and sealed. Lease returned to ABB to finalise with Telstra

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 24 September 2014	Frederick Docking Therese Manns	Reports	LICENCE PART LIVING DESERT STATE PARK ADJACENT 376 NINE MILE ROAD TO FORMALISE ADVERSE POSSESSION
<b>ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 231/14 - DATED SEPTEMBER 04, 2014 - LICENCE PART LIVING DESERT STATE PARK ADJACENT 376 NINE MILE ROAD TO FORMALISE ADVERSE POSSESSION</b>			11/411

#### Recommendation

That Broken Hill City Council Report No. 231/14 dated September 4, 2014, be received.

That Council, in its appointed capacity of Trust Manager of the Living Desert State Park Trust grant a Licence, with Ministerial consent, to Cristal-Lee White and Mathew Joseph Dempster for the purpose of "Environmental Protection and Access".

That documents relating to this matter be executed under Council's Common Seal in the absence of a Trust Seal.

#### **RESOLUTION**

##### Minute No.44768

Councillor P. Black moved	)	That the recommendation of item 14 be adopted.
Councillor C. Adams seconded	)	

CARRIED

*05 Dec 2014 - 5:48 PM - Frederick Docking*  
 Action reassigned to Francois VanDerBerg by: Leisa Bartlett  
*21 Jan 2015 - 9:36 AM - Frederick Docking*  
 Action reassigned to Andrew Bruggy by: Lacey Butcher  
*17 Mar 2015 - 9:43 AM - Frederick Docking*  
 Action reassigned to Andrea Roberts by: Leisa Bartlett  
*02 Apr 2015 - 10:40 AM - Frederick Docking*  
 Action reassigned to Frederick Docking by: Leisa Bartlett

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

<p>17 Apr 2015 - 9:31 AM - Andrea Roberts Further investigation required into obtaining Ministerial Consent for Licence. Have made contact with Crown Lands. 06 May 2015 - 4:59 PM - Frederick Docking Further investigation required into obtaining Ministerial Consent for Licence. Have made contact with Crown Lands.</p>			
Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 October 2014	Therese Manns Therese Manns	Reports from Delegates	ATTENDANCE AT THE MURRAY DARLING ASSOCIATION NATIONAL CONFERENCE 2014 HELD IN TUMUT, OCTOBER 14-16, 2014
<b>ITEM 2 - REPORTS FROM DELEGATES NO. 3/14 - DATED OCTOBER 20, 2014 - ATTENDANCE AT THE MURRAY DARLING ASSOCIATION NATIONAL CONFERENCE 2014 HELD IN TUMUT, OCTOBER 14-16, 2014</b>			11/426
<u>Recommendation</u>			
That			
<b>RESOLUTION</b>			
<u>Minute No.44782</u>			
Councillor M. Browne moved	)	That Reports from Delegates No. 3/14 dated October 20, 2014, be received.	
Councillor D. Turley seconded	)	That contact be made with the Local Engagement Officer based in Mildura.	
			That the Murray Darling Basin Authority be requested to hold a community meeting in Broken Hill.
			CARRIED
<p>17 Feb 2015 - 10:47 AM - Louise Schipanski Letter sent requesting a Community Meeting be held in Broken Hill.</p> <p>17 Apr 2015 - 3:06 PM - Louise Schipanski Letter sent on 6 March 2015 to Megan Lancaster, Director of Stakeholder Engagement, Murray-Darling Basin Authority requesting to hold a community meeting in Broken Hill. Awaiting response.</p>			
Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 26 November 2014	Francois VanDerBerg Therese Manns	Reports	PROPOSED AMENDMENT TO BROKEN HILL LOCAL ENVIRONMENTAL PLAN 2013 - SITE SPECIFIC PLANNING PROPOSAL TO ALLOW FOR ADDITIONAL PERMITTED USE AT 39 MORGAN STREET, BROKEN HILL
<b>ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 283/14 - DATED NOVEMBER 14, 2014 - PROPOSED AMENDMENT TO BROKEN HILL LOCAL ENVIRONMENTAL PLAN 2013 - SITE SPECIFIC PLANNING PROPOSAL TO ALLOW FOR ADDITIONAL PERMITTED USE AT 39 MORGAN STREET, BROKEN HILL</b>			11/529

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

### Recommendation

That Broken Hill City Council Report No. 283/14 dated November 14, 2014, be received.

That Council support preparing a site specific Planning Proposal to amend Schedule 1 of Broken Hill Local Environmental Plan 2013 to allow for an additional permitted use (being "funeral home") on Lots 954 and 4233 DP 757298 known as 39 Morgan Street, Broken Hill,

That the planning proposal be submitted to the Department of Planning and Environment for consideration in accordance with Section 56 of the Environmental Planning and Assessment Act 1979.

That Council request to exercise its delegations under Section 59 of the Environmental Planning and Assessment Act 1979.

That Council undertake community consultation in accordance with the Gateway Determination and requirements of the Department of Planning and Environment, and legislative requirements.

That costs associated with this procedure to prepare the planning proposal and amend Broken Hill Local Environmental Plan 2013 are to be met by the landowner.

### **RESOLUTION**

#### Minute No.44818

Councillor C. Adams moved )

Councillor M. Browne seconded )

That the recommendation of item 9 be adopted.

CARRIED

*08 Dec 2014 - 1:33 PM - Leisa Bartlett*

Processes have commenced to adopt amendment to Plan.

*20 Jan 2015 - 10:03 AM - Lacey Butcher*

In progress - Planning proposal currently being developed.

*16 Feb 2015 - 9:54 AM - Francois VanDerBerg*

In progress, Council currently in consultation with applicant and Department of Planning. Planning proposal is currently being formulated.

*13 Mar 2015 - 11:39 AM - Tracy Stephens*

Planning proposal forwarded to Department of Planning for initial consideration.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 17 December 2014	Frederick Docking Therese Manns	Reports	LEASE - 72 GYPSUM STREET

### **ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 304/14 - DATED DECEMBER 10, 2014 - LEASE - 72 GYPSUM STREET 11/121**

### Recommendation

That Broken Hill City Council Report No. 304/14 dated December 10, 2014, be received.

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

That Council enter into a lease for the property identified as Part 6098/46199 being building E and file room, HACC Centre, 72 Gypsum Street Broken Hill to Government Property NSW (representing Ageing, Disability and Home care (ADHC) in the Department of Human Services).

That the lease commences 1 November 2015 for a term of one (1) year with an option to renew for a further one (1) year.

That the annual lease amount charged by Council be determined by the General Manager having regard to current rental and market conditions.

That documents relating to this matter be executed under Council's Common Seal.

#### RESOLUTION

Minute No.44835

Councillor B. Algate moved )  
Councillor J. Richards seconded )

That the recommendation of item 5 be adopted.

CARRIED

21 Jan 2015 - 9:38 AM - Frederick Docking

Action reassigned to Frederick Docking by: Lacey Butcher

12 Feb 2015 - 11:43 AM - Frederick Docking

No further action at this time. Robyn Kent is on leave at this time. I will contact on 0268163853 to arrange lease when she returns.

09 Mar 2015 - 9:18 AM - Frederick Docking

Have made contact with HACC services. Awaiting new lease to be received by ABB Solicitors.

17 Apr 2015 - 9:24 AM - Andrea Roberts

Draft lease received, pending final adjustments.

06 May 2015 - 4:59 PM - Frederick Docking

Draft lease received, pending final adjustments.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 28 January 2015	Anne Andrews Therese Manns	Mayoral Minute	BROKEN HILL - AUSTRALIA'S FIRST NATIONAL HERITAGE LISTED CITY
<b>ITEM 1 - MAYORAL MINUTE NO. 1/15 - DATED JANUARY 21, 2015 - BROKEN HILL - AUSTRALIA'S FIRST NATIONAL HERITAGE LISTED CITY</b>			11/126

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#### RESOLUTION

Minute No.44846

Councillor W. Cuy moved )  
)

That Mayoral Minute No. 1/15 dated January 21, 2015, be received.

That Council acknowledge the declaration made 20<sup>th</sup> January 2015 confirming Broken Hill in its rightful place as Australia's first entire City to be included on the National Heritage List.

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
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That a committee/working group be formed to develop a calendar of events to celebrate Broken Hill's many significant achievements, starting in 2015 with those which occurred in 1915 and continuing in each future year to focus on those of a hundred years before.

That a special Council Meeting (open to the public) be held following formation of the committee/working group in order to consider the calendar of events.

CARRIED

16 Feb 2015 - 3:29 PM - Anne Andrews

Manager Tourism and Events currently working on event strategy which will include formation of a committee/working to develop a calendar of events to celebrate Broken Hill's achievements, starting with those which occurred in 1915 and continuing in each future year to focus on those of a hundred years before.

Currently progressing with Council's new events team to determine suitable date.

13 Mar 2015 - 3:07 PM - Anne Andrews

Action reassigned to Anne Andrews by: Andrea Roberts

13 Mar 2015 - 3:43 PM - Anne Andrews

In progress. To discuss with new Product Development Officer.

10 Apr 2015 - 8:53 AM - Anne Andrews

For Council April 2015

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 28 January 2015	Therese Manns	Reports	CORRESPONDENCE REPORT FOR THE MONTH OF JANUARY
	Therese Manns		
<b>ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 1/15 - DATED JANUARY 14, 2015 - CORRESPONDENCE REPORT FOR THE MONTH OF JANUARY</b> 11/426			

#### RESOLUTION

Minute No.44848

Councillor P. Black moved )  
Councillor B. Algate seconded )

That Broken Hill City Council Report No. 1/15 dated January 14, 2015, be received.

That correspondence from the Department of Primary Industries Office of Water received January 13, 2015, regarding Broken Hill water security be received and noted.

That further urgent representations be made to the Minister for Water demanding a start date for the engineering works for the recovering of water from the residual pools of Lake Cawndilla (as per Minute No. 44830 December 17, 2014 Council Meeting)



Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

CARRIED

16 Feb 2015 - 1:33 PM - Leisa Bartlett

**RESOLUTION:**

Minute Number 44848:

That Correspondence from the Department of Primary Industries Office of Water received January 13, 2015, regarding Broken Hill water security be received and noted.

That further urgent representations be made to the Minister for Water demanding a start date for the engineering works for the recovery of water from the residual pools of Lake Cawndilla (as per Minute No. 44830 December 17, 204 Council Meeting).

17 Feb 2015 - 9:43 AM - Leisa Bartlett

The Mayor advised that he will speak directly to the Minister for Water regarding this matter, and advise Council of the outcome.

COMPLETE

COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 28 January 2015	Razija Nu'man Therese Manns	Reports	LOCAL GOVERNMENT ELECTIONS 2016
<b><u>ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 2/15 - DATED JANUARY 21, 2015 - LOCAL GOVERNMENT ELECTIONS 2016</u></b> 12/9			
<u>Recommendation</u>			
That Broken Hill City Council Report No. 2/15 dated January 21, 2015, be received.			
That Broken Hill City Council enter into an arrangement with the Electoral Commissioner by contract or otherwise, for the Electoral Commissioner to administer the 2016 Ordinary election of the council as provided by section 296 of the Local Government Act.			
<b>RESOLUTION</b>			
Minute No.44849			
Councillor B. Algate moved		)	That the recommendation of item 4 be adopted.
Councillor J. Richards seconded		)	
CARRIED			
12 Feb 2015 - 10:02 AM - Razija Nu'man			
Letter sent to NSW Electoral Commission 4 February 2015 as follow up of Council Meeting. Written acknowledgement arrived 11 February 2015.			



Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

Recommendation

That Broken Hill City Council Report No. 4/15 dated December 19, 2014, be received.

That Council adopts the Draft Albert Kersten Mining and Minerals Museum Deductible Gifts Recipient (DRG) Fund Policy as a policy of Council.

That the Australian Taxation Office be notified of Council's resolution of adopt Draft Albert Kersten Mining and Minerals Museum Deductible Gifts Recipient (DRG) Fund Policy as a policy of Council.

**RESOLUTION**Minute No.44851

Councillor B. Algate moved )  
Councillor J. Nolan seconded )

That the recommendation of item 6 be adopted.

CARRIED

12 Feb 2015 - 1:13 PM - Frederick Docking

Adopted policy and application form sent to the ATO. Confirmed and signed minutes of the January Council meeting will be forwarded to the ATO following the February Council meeting.

09 Mar 2015 - 11:04 AM - Andrea Roberts

The application and meeting minutes for DGR Status have been forward to the ATO, now awaiting their response.

13 Mar 2015 - 3:07 PM - Catherine Farry

Action reassigned to Frederick Docking by: Andrea Roberts

13 Mar 2015 - 4:06 PM - Catherine Farry

Action reassigned to Catherine Farry by: Andrea Roberts

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 28 January 2015	Sharon Hutch Therese Manns	Council Resolution	Council Resolution P. Black/B. Algate
<b>THE ITEM WAS NOT FOUND (BOOKMARK: PDF2_Resolution_N_2)</b> <b>CHECK THE INTEGRITY OF THE ITEM IN THE MINUTES DOCUMENT</b>			
<b>DOCUMENT: O:\BUSINESSPAPERS\CM\PAPERS\CM_28012015_MIN.DOC</b>			
12 Feb 2015 - 11:56 AM - Leisa Bartlett	RESOLUTION		
	Minute No. 44866		
	Councillor B. Algate moved )		
	Councillor D. Gallagher seconded )		
	That the recommendation of item 21B be adopted.		
	That Councillor Algate's question regarding the total cost of the Organisational Restructure be answered.		
	CARRIED		
12 Mar 2015 - 9:26 AM - Leisa Bartlett	Councillor Algate's question was answered in the February Business Paper (Quarterly Budget Review Report).		

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
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COMPLETE			
Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 25 February 2015	Razija Nu'man Therese Manns	Reports	COUNCIL ELECTIONS 2016
<b>ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 22/15 - DATED FEBRUARY 09, 2015 - COUNCIL ELECTIONS 2016</b>			15/23
<u>Recommendation</u>			
That Broken Hill City Council Report No. 22/15 dated February 9, 2015, be received. That the Broken Hill City Council ("the Council") resolves:			
1. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council for the 2016 election year.			
2. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council for the 2016 election year.			
<b>RESOLUTION</b> Minute No.44876 Councillor B. Algate moved ) Councillor J. Nolan seconded )			
That the recommendation of item 4 be adopted.			CARRIED
13 Mar 2015 - 12:21 PM - Razija Nu'man Letter and email of Council resolution sent to NSW Electoral Commissioner 27 February 2015. Email acknowledgement received from Steve Robb, Commercial Services Manager, Electoral Commission on 27 February 2015. Election Contract signed by GM and emailed on 18/05/2015.			
Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 25 February 2015	Razija Nu'man Therese Manns	Reports	SHORTY O'NEIL VILLAGE UPDATE
<b>ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 44/15 - DATED FEBRUARY 16, 2015 - SHORTY O'NEIL VILLAGE UPDATE</b>			11/333
<b>RESOLUTION</b> Minute No.44877 Councillor B. Algate moved ) Councillor D. Gallagher seconded )			
That Broken Hill City Council Report No. 44/15 dated February 16, 2015, be received.			

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

That Council authorise the General Manager to:

1. Progress with the subdivision of the cluster of 12 units at the Gossan Street end of the Village for the purpose of securing residency for residents,
2. Enter negotiations with Legacy in relation to transfer of title of these 12 units,
3. Enter negotiations with suitable local providers and the Department of Social Services for the transfer of the 40 bed licences, and
4. Develop and progress with Expressions of Interest for real estate agency services including specifically, sale by auction and lease value estimates for the property known as Shorty O'Neil Village less the cluster of 12 units at Gossan Street, and report back to Council for a decision on the sale or lease of same.

CARRIED

13 Mar 2015 - 12:01 PM - Razija Nu'man

Item 1 - further discussion to be undertaken with NSW Dept of Land and Property regarding options related to lifting of caveat. Preliminary plan for subdivision prepared and included in Valuation Report undertaken by Herron Todd White. Report provided by email to Council 12 March 2015.

Item 2 - Letter advising of Council resolution regarding entering negotiation with Legacy forwarded on 7 March 2015.

Item 3 - EOI currently being prepared with regard to hostel bed licences. Local agencies will be contacted.

Item 4 - EOI currently in preparation for real estate services for auction and lease value estimates

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 25 February 2015	Francois VanDerBerg Therese Manns	Reports	BUDGET ADJUSTMENT - PURCHASE OF THREE HANDHELD TICKETING DEVICES
<b>ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 24/15 - DATED JANUARY 28, 2015 - BUDGET ADJUSTMENT - PURCHASE OF THREE HANDHELD TICKETING DEVICES</b>			147/175

#### Recommendation

That Broken Hill City Council Report No. 24/15 dated January 28, 2015, be received.

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

That Broken Hill City Council approves a budget adjustment of \$25,110 to allow for the purchase of three handheld ticketing devices.

13 Mar 2015 - 11:41 AM - Tracy Stephens

Process commenced to order and purchase hand held devices.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 25 February 2015	Razija Nu'man Therese Manns	Reports	DRAFT BUSINESS CONTINUITY POLICY
<b>ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 26/15 - DATED FEBRUARY 10, 2015 - DRAFT BUSINESS CONTINUITY POLICY</b>			12/114
<b>RESOLUTION</b>			
Minute No.44881			
Councillor P. Black moved	)		That Broken Hill City Council Report No. 26/15 dated February 10, 2015, be received.
Councillor J. Nolan seconded	)		
			That the Policy be re-drafted and re-presented to Council so as to reflect the previous motion regarding the non-engagement of contractors whilst employees are undertaking Industrial Action.
			CARRIED
13 Mar 2015 - 12:00 PM - Razija Nu'man			
Council resolution noted. Council report will be prepared.			
Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 25 February 2015	Therese Manns Therese Manns	Reports	ATTENDANCE AT THE AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION NATIONAL CONFERENCE, BAROSSA VALLEY, MARCH 25-28, 2015
<b>ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 31/15 - DATED FEBRUARY 12, 2015 - ATTENDANCE AT THE AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION NATIONAL CONFERENCE, BAROSSA VALLEY, MARCH 25-28, 2015</b>			11/174
<b>RESOLUTION</b>			
Minute No.44886			
Councillor B. Algate moved	)		That Broken Hill City Council Report No. 31/15 dated February 12, 2015, be received.
Councillor J. Richards seconded	)		
			That Councillors advise their interest to the General Manager should they wish to attend the Australian Local Government Women's Association National Conference

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

to be held in the Barossa Valley, March 25-28, 2015.

That the General Manager deliver a presentation at the Conference (as per invitation from ALGWA).

That the General Manager determines staff attendance at the Conference.

CARRIED

18 Mar 2015 - 1:36 PM - Leisa Bartlett  
Councillors are unable to attend. Council's Events and Partnership Co-Ordinator will attend and will deliver a presentation.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 25 February 2015	Razija Nu'man Therese Manns	Reports	MINUTES OF THE TIDY TOWNS ADVISORY COMMITTEE MEETING HELD 3 FEBRUARY 2015
<b>ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 32/15 - DATED FEBRUARY 09, 2015 - MINUTES OF THE TIDY TOWNS ADVISORY COMMITTEE MEETING HELD 3 FEBRUARY 2015</b>			12/55

Recommendation

That Broken Hill City Council Report No. 32/15 dated February 9, 2015, be received.

That the Tidy Towns Advisory Committee be dissolved as a S355 committee of Council to facilitate the establishment of the Tidy Towns Volunteer Group.

13 Mar 2015 - 11:55 AM - Razija Nu'man  
Follow up letter advising of Council resolution sent to Chair of Committee, Crl D.Turley including name of liaison officer as per content of report on 2 March 2015.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 25 March 2015	Therese Manns Therese Manns	Reports	RUGBY LEAGUE
<b>GENERAL BUSINESS NO. 2/15 - DATED MARCH 26, 2015 - RUGBY LEAGUE TELEVISION COVERAGE</b>			13/183

**RESOLUTION**  
Minute No.44895

Councillor P. Black moved	)	That Council makes representations to the National Rugby League, Country Rugby League and the Nine Network regarding the reinstatement of live coverage of Rugby League matches for Southern Cross Television viewers.
Councillor D. Gallagher seconded	)	

CARRIED

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
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Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 25 March 2015	Therese Manns Therese Manns	Mayoral Minute	FAR WEST COMMUNITY LEGAL CENTRE FUNDING CRISIS
<b>ITEM 1 - MAYORAL MINUTE NO. 2/15 - DATED MARCH 23, 2015 - FAR WEST COMMUNITY LEGAL CENTRE FUNDING CRISIS</b>			11/161
<u>Recommendation</u>			
That Mayoral Minute No. 2/15 dated March 23, 2015, be received.			
That Council supports the Far West Community Legal Centre's endeavours to gain funding.			
<b>RESOLUTION</b>			
<u>Minute No.44896</u>			
Councillor W. Cuy moved	)	That the recommendation of item 1 be adopted.	
	)		
CARRIED			
18 May 2015 - 11:32 AM - Therese Manns			
Funding announcement made following Council decision, FWCLS will contact if any further support is needed.			
COMPLETE			
Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 25 March 2015	Therese Manns Therese Manns	Reports	COUNCILOR ATTENDANCE AT THE NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT, CANBERRA 14-17 JUNE, 2015
<b>ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 47/15 - DATED MARCH 11, 2015 - COUNCILOR ATTENDANCE AT THE NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT, CANBERRA 14-17 JUNE, 2015</b>			11/304
<b>RESOLUTION</b>			
<u>Minute No.44898</u>			
Councillor P. Black moved	)	That Broken Hill City Council Report No. 47/15 dated March 11, 2015, be received.	
Councillor C. Adams seconded	)	That Council be represented by the Mayor and Deputy Mayor at the 2015 National General Assembly of Local Government in Canberra 14-17 June 2015.	
That motions to the 2015 National General Assembly of Local Government be in line with the Assembly's eligibility principles; and such motions be submitted by Sunday, April 17, 2015.			

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

CARRIED

18 May 2015 - 11:33 AM - Therese Manns  
Arrangements made for attendance.  
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 25 March 2015	Sharon Hutch Therese Manns	Reports	REGIONAL EXPRESS PARTNERSHIP AGREEMENT
<b>ITEM 4 – BROKEN HILL CITY COUNCIL REPORT NO. 48/15 – DATED MARCH 16, 2015 – REGIONAL EXPRESS PARTNERSHIP AGREEMENT</b>			11/1

Recommendation

That Broken Hill City Council Report No. 48/15 dated March 16, 2015, be received.

That Broken Hill City Council reaffirm its partnership agreement made with Regional Express Airlines and commenced 1 July 2014.

**RESOLUTION**

Minute No.44899

Councillor J. Richards moved )  
Councillor D. Turley seconded )

That the recommendation of item 4 be adopted.

CARRIED UNANIMOUSLY

18 May 2015 - 11:33 AM - Therese Manns  
Partnership reaffirmed.  
COMPLETE.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 25 March 2015	Francois VanDerBerg Therese Manns	Reports	DEVELOPMENT APPLICATION 191/2014 - USE OF PREMISES FOR COMMUNITY HOUSE AT 123 CREEDON STREET
<b>ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 52/15 - DATED FEBRUARY 27, 2015 - DEVELOPMENT APPLICATION 191/2014 - USE OF PREMISES FOR COMMUNITY HOUSE AT 123 CREEDON STREET</b>			11/467

Recommendation

That Broken Hill City Council Report No. 52/15 dated February 27, 2015, be received.

That Development Application 191/2014 be approved for use of a community house and associated works including disabled access, rear decking and shed, at 123  
Creedon Street, subject to conditions.



Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
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**RESOLUTION**

Minute No.44903

Councillor M. Browne moved )

Councillor J. Richards seconded )

That the recommendation of item 8 be adopted.

CARRIED

17 Apr 2015 - 3:02 PM - Francois VanDerBerg  
Approval issued subject to conditions.  
FINAL

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 25 March 2015	Andrew Bruggy Therese Manns	Reports	MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO.346, HELD 10 MARCH 2015
<b>ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 56/15 - DATED MARCH 11, 2015 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO.346, HELD 10 MARCH 2015</b>			
11/397			

Recommendation

That Broken Hill City Council Report No. 56/15 dated March 11, 2015, be received.

That the Minutes for the Local Traffic Committee Meeting No.346, held March 10, 2015 be received.

That the current Bus Zone in front of the Happy Day Preschool be removed.

That new fluoro yellow/green signs specific to Preschools be erected as soon as possible to replace existing signs at Happy Day Preschool.

That the current location of the Disability Parking space located at Foodland, Beryl Street be removed and relocated adjacent to the bottom of the ramp.

Minute No.44906

Councillor P. Black moved )

Councillor D. Gallagher seconded )

That the recommendations of items 11 and 12 be adopted.

CARRIED

20 Apr 2015 - 4:23 PM - Leisa Bartlett  
Disability Parking adjacent to the ramp has been schedule in operations program.  
Discussions being held with RMS regarding timeframe and funding.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 25 March 2015	Sharon Hutch Therese Manns	Reports	REQUEST FOR ACCESS TO WILLYAMA RESERVE FUNDS TO ADDRESS ASBESTOS ISSUE



Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
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**ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 68/15 - DATED MARCH 25, 2015 - REQUEST FOR ACCESS TO WILLYAMA RESERVE FUNDS TO ADDRESS ASBESTOS ISSUE** 11/263

Recommendation

That Broken Hill City Council Report No. 68/15 dated March 25, 2015, be received.

That Council as Trustee of the Willyama Common authorise the General Manager to expend the required funding for emergency fencing and signage for the old South Landfill from the Willyama Common Reserve Fund.

**RESOLUTION**

Minute No44915

Councillor P. Black moved )  
Councillor C. Adams seconded )

That Council accepts the late report; and that the recommendation of item 23 be adopted.

CARRIED

Meeting	Officer/Director	Section	Subject
Confidential Matters of the Council 25 March 2015	Razija Nu'man Therese Manns	Confidential Matters	SHORTY O'NEIL VILLAGE BED LICENCES
<b>ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 66/15 - DATED MARCH 18, 2015 - - <b>CONFIDENTIAL</b></b> 11/333			
<u>Recommendation</u>			
That Broken Hill City Council Report No. 66/15 dated March 18, 2015, be received.			
That Council authorise the General Manager to proceed to sell the 40 bed licences into the aged care market place by way of use of brokerage firms specialising in this field.			
<b>RESOLUTION</b>			
Minute No.44917			
Councillor M. Browne moved ) Councillor C. Adams seconded )			
That the recommendation be adopted.			
CARRIED			
10 Apr 2015 - 10:59 AM - Razija Nu'man Three firms have supplied proposals to act as brokers for sale of bed licences. Proposals currently under evaluation.			
Meeting	Officer/Director	Section	Subject

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed: Tuesday, 19 May 2015 8:46:37 AM</b>
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Confidential Matters of the Council 25 March 2015	Andrew Bruggy Therese Manns	Confidential Matters	TENDER FOR THE SUPPLY AND INSTALLATION OF WEIGHBRIDGE AND GATEHOUSE AT THE BROKEN HILL WASTE MANAGEMENT FACILITY
<b>ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 67/15 - DATED MARCH 11, 2015 - - <u>CONFIDENTIAL</u></b> T15/1			
.			
<b>RESOLUTION</b>			
<u>Minute No.44918</u>			
Councillor J. Nolan moved	)	That Broken Hill City Council Report No. 67/15 dated March 11, 2015, be received.	
Councillor C. Adams seconded	)	That Council award the Tender to Fusco Construction for Tender Items 1, 2, 4 and 9-14 inclusive for the amount of \$280,155.50 exclusive of GST and that Council manages the remaining works internally.	
			CARRIED
20 Apr 2015 - 4:27 PM - Leisa Bartlett Tender has been awarded and work commences prior to next Council Meeting.			
<b>Meeting</b>	<b>Officer/Director</b>	<b>Section</b>	<b>Subject</b>
Ordinary Meeting of the Council 29 April 2015	Sharon Hutch Therese Manns	Reports	RECOMMENDATIONS AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD APRIL 16, 2015
<b>ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 75/15 - DATED APRIL 17, 2015 - RECOMMENDATIONS AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD APRIL 16, 2015</b>			
			13/19
<u>Recommendation</u>			
That Broken Hill City Council Report No. 75/15 dated April 17, 2015, be received.			
That the minutes of the Audit Committee meeting held April 16, 2015 be adopted.			
<b>RESOLUTION</b>			
<u>Minute No.44923</u>			
Councillor B. Algate moved	)	That the recommendation of item 1 be adopted.	
Councillor J. Richards seconded	)		
			CARRIED
18 May 2015 - 11:27 AM - Therese Manns received and noted			
COMPLETE			

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
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Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 April 2015	Louise Schipanski Therese Manns	Reports	DELEGATIONS OF FUNCTIONS
<b>ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 76/15 - DATED APRIL 17, 2015 - DELEGATIONS OF FUNCTIONS</b>			11/264
<u>Recommendation</u>			
That Broken Hill City Council Report No. 76/15 dated April 17, 2015, be received.			
That Council notes the Schedule of Delegable Functions for the Broken Hill City Council attached to this report at Attachment 7.			
That Broken Hill City Council delegate to the Mayor of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachments 4.			
That Broken Hill City Council delegate to the Deputy Mayor of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachments 5.			
That Broken Hill City Council delegate to the General Manager of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachments 6.			
That for the period April 29, 2015 to October 31, 2016, the Deputy General Manager be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave, such appointment to cease upon the return to work of the General Manager; and that such person acting as General Manager pursuant to this resolution has all the functions, delegations, and sub-delegations given to the General Manager by the Council.			
That Broken Hill City Council resolves to delegate to the Deputy General Manager, Manager Infrastructure Strategy, Manager Planning Development and Compliance, Asset Planner Buildings and Open Spaces, Roads and Parks Coordinator, Waste Management Coordinator, Trades Coordinator, Team Leader Parks and Open Spaces, Team Leader Roads, Labourer/Plant Operator, Ranger Living Desert and Finance Operations Coordinator of the Broken Hill City Council the relevant Functions under the Noxious Weeds Act 1993 in accordance with the Instruments of Delegation attached to this report at Attachment 8.			
<b>RESOLUTION</b>			
Minute No.44924			
Councillor C. Adams moved		)	That the recommendation of item 2 be adopted.
Councillor D. Gallagher seconded		)	
			CARRIED
18 May 2015 - 11:10 AM - Therese Manns Delegations register updated to reflect Council decision. COMPLETE			
Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 April 2015	Andrew Bruggy	Reports	ADOPTION OF THE DRAFT ASSET MANAGEMENT POLICY

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

Therese Manns

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 77/15 - DATED FEBRUARY 27, 2015 - ADOPTION OF THE DRAFT ASSET MANAGEMENT POLICY** 12/14

Recommendation

That Broken Hill City Council Report No. 77/15 dated February 27, 2015, be received.

That Council adopts the Draft Asset Management Policy as a policy of Council.

**RESOLUTION**

Minute No.44925

Councillor B. Algate moved )

Councillor M. Browne seconded )

That the recommendation of item 3 be adopted.

CARRIED

18 May 2015 - 11:12 AM - Therese Manns

Policy version control updated and policy secured in Councils records system and uploaded to website for public information.

COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 April 2015	Louise Schipanski Therese Manns	Reports	DRAFT INTELLECTUAL PROPERTY POLICY FOR PUBLIC EXHIBITION
<b>ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 78/15 - DATED MARCH 27, 2015 - DRAFT INTELLECTUAL PROPERTY POLICY FOR PUBLIC EXHIBITION</b> 12/114			
.			
<b>RESOLUTION</b>			
<u>Minute No.44926</u>			
Councillor P. Black moved		)	That the Draft Intellectual Property Policy be redrafted and re-presented to Council to ensure that personal records of former Mayors and Aldermen are not included as Council property and that this reference is removed from the policy.
Councillor B. Algate seconded		)	
CARRIED			
18 May 2015 - 11:13 AM - Therese Manns			
Draft intellectual policy amended as per Council resolution and presented to May meeting for endorsement to commence public display.			
COMPLETE			
Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 April 2015	Sharon Hutch	Reports	DRAFT PROCUREMENT POLICY FOR PUBLIC EXHIBITION

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

Therese Manns

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 79/15 - DATED APRIL 20, 2015 - DRAFT PROCUREMENT POLICY FOR PUBLIC EXHIBITION 11/663**

That Broken Hill City Council Report 79/15 dated, April 20, 2015 be received.

That Council endorse the Draft Procurement Policy for the purposes of public consultation.

That the Draft Procurement Policy be exhibited for public comment for a 28 day period.

That the Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the Draft Procurement Policy for use. If adopted the "Purchasing Policy" will be rendered obsolete.

**RESOLUTION**

Minute No.44927

Councillor C. Adams moved )

That the recommendation of item 5 be adopted.

Councillor D. Gallagher seconded )

CARRIED

18 May 2015 - 11:15 AM - Therese Manns

Draft policy placed on public exhibition for 28 days.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 April 2015	Razija Nu'man	Reports	SHORTY O'NEIL VILLAGE UPDATE
Therese Manns			
<b>ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 80/15 - DATED APRIL 22, 2015 - SHORTY O'NEIL VILLAGE UPDATE 11/333</b>			
<u>Recommendation</u>			
That Broken Hill City Council Report No. 80/15 dated April 22, 2015, be received.			
That Council write to Adelaide Legacy offering transfer of title for the 12 Gossan Street units on the basis that:			
<ol style="list-style-type: none"> <li>Council undertake the cost and project management of installation of separate water and electricity metering.</li> <li>Council undertake the cost and project management of the installation of hot water system units as the present units are shared between each two units of the twelve unit cluster.</li> <li>Council undertake the costs of subdivision and transfer of title.</li> <li>The transfer of title of all twelve units is subject to acceptance of tenancy of the current residents of Gossan Street units alongside Legacy residents until such time as</li> </ol>			

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

vacancies occur. When vacancies occur among the six non-Legacy residents, Legacy will apply Legacy criteria for future residents.

5. Any caveat remaining on the Shorty O'Neil Village site is transferred to the Gossan Street property parcel.

#### RESOLUTION

Minute No.44928

Councillor D. Turley moved )

Councillor C. Adams seconded )

That the recommendation of item 6 be adopted.

CARRIED

01 May 2015 - 4:32 PM - Razija Nu'man  
Letter to Adelaide Legacy posted 1 May 2015.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 April 2015	Andrea Roberts Therese Manns	Reports	RESOURCES FOR REGIONS CIVIC CENTRE GRANT - DEED OF AGREEMENT
<b>ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 82/15 - DATED APRIL 09, 2015 - RESOURCES FOR REGIONS CIVIC CENTRE GRANT - DEED OF AGREEMENT</b> 14/123			
<u>Recommendation</u>  That Broken Hill City Council Report No. 82/15 dated April 9, 2015, be received.  That Council authorise the General Manager to execute the Restart NSW Funding Deed for the Broken Hill Civic Centre Project and affix the common seal as necessary.			
<b>RESOLUTION</b> Minute No.44930 Councillor D. Turley moved ) Councillor B. Algate seconded )  That the recommendation of item 8 be adopted.			
CARRIED			
18 May 2015 - 11:15 AM - Therese Manns The General Manager has executed the Restart NSW Funding Deed for the Broken Hill Civic Centre Project. COMPLETE			
Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 April 2015	Andrea Roberts Therese Manns	Reports	ESTABLISHMENT OF A BROKEN HILL HERITAGE CITY EVENT ADVISORY COMMITTEE
<b>ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 83/15 - DATED MARCH 27, 2015 - ESTABLISHMENT OF A BROKEN HILL HERITAGE CITY EVENT ADVISORY COMMITTEE</b> 11/117			

Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

# RESOLUTION

Minute No44931

Councillor C. Adams moved )

Councillor J. Richards seconded )

That Broken Hill City Council Report No. 83/15 dated March 27, 2015, be received.

That Council adopts the inclusion of the Broken Hill Heritage City Event Advisory Committee within the Section 355 Advisory Committee Standard Constitution.

That Mayor Cuy and Councillor Adams be Council's representatives on the Broken Hill Heritage City Event Advisory Committee.

That Council endorses a public call for nominations seeking four (4) community representatives with demonstrated expertise in heritage, arts, culture and/or event planning.

That a special Council Meeting (as per Council Minute 44846) be held once the Broken Hill Heritage City Event Advisory Committee has been formed and held sufficient meetings to formulate a calendar of events.

CARRIED

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 April 2015	Razija Nu'man Therese Manns	Reports	ALCOHOL FREE ZONES
<b>ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 84/15 - DATED APRIL 17, 2015 - ALCOHOL FREE ZONES</b>			11/307
<b>Recommendation</b>			
That Broken Hill City Council Report No. 84/15 dated April 17, 2015, be received.			
That Council endorse the draft proposal to re-establish the Alcohol Free Zone in the CBD area as attached.			
That Council refer the Draft Proposal for comment in accordance with the provisions of the <i>Local Government Act 1993</i> and Ministerial Guidelines (2009) to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area and all affected licensed premises and registered clubs that border on, adjoin or are adjacent to the proposed alcohol free zone, for response within thirty days of public notice.			
That Council invite public comment on the proposal through an advertisement in local newspaper with time for response within thirty days.			



Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

That a further report be submitted to Council upon completion of the consultative process.

#### RESOLUTION

Minute No.44932

Councillor D. Gallagher moved )  
Councillor J. Richards seconded )

That the recommendation of item 10 be adopted.

CARRIED

01 May 2015 - 4:30 PM - Razija Nu'man

Advertisement placed Saturday 2/05/15. Letters posted as per consultation requirements. Proposal placed at Customer Service counter and Library and arrangements made for placement on Council website.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 April 2015	Louise Schipanski Therese Manns	Reports	COMMUNITY ASSISTANCE REQUESTS - APRIL 2015
<b>ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 85/15 - DATED APRIL 07, 2015 - COMMUNITY ASSISTANCE REQUESTS - APRIL 2015</b>			11/117

#### RESOLUTION

Minute No.44933

Councillor P. Black moved )  
Councillor B. Algate seconded )

That Broken Hill City Council Report No. 85/15 dated April 7, 2015, be received.

That Council endorses the General Manager's approval of waiver of hire fees at the Joe Keenan Lookout for the conduct of the Combined Churches Easter Sunrise Service on Easter Sunday, April 5, 2015.

That Council declines financial support to the coach, Kate Balman, of the Under 14 Broken Hill Basketball Broncos Girls representative team to travel to Adelaide to attend the South Australian Junior Championships in May 2015.

CARRIED

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 April 2015	Louise Schipanski Therese Manns	Reports	MINUTES OF THE BROKEN HILL COMMUNITY ROUND TABLE COMMITTEE MEETING HELD MARCH 11, 2015
<b>ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 86/15 - DATED APRIL 20, 2015 - MINUTES OF THE BROKEN HILL COMMUNITY ROUND TABLE COMMITTEE MEETING HELD MARCH 11, 2015</b>			13/145

Recommendation



Overdue Actions For Action	<b>Division:</b> <b>Committee:</b> Ordinary Meeting of the Council <b>Officer:</b> <b>Further Report Required:</b> Including Further Reports	<b>Date From:</b> 2/09/2009 <b>Date To:</b> 1/05/2015 <b>Printed:</b> Tuesday, 19 May 2015 8:46:37 AM
<b>Action Sheets Report</b>		

That Broken Hill City Council Report No. 86/15 dated April 20, 2015, be received.

That minutes of the Broken Hill Community Round Table Community Committee meeting held March 11, 2015 be received.

# **RESOLUTION**

Minute No.44934

Councillor D. Gallagher moved )

Councillor M. Browne seconded )

That the recommendation of item 12 be adopted.

CARRIED

18 May 2015 - 11:29 AM - Therese Manns  
COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting of the Council 29 April 2015	Louise Schipanski Therese Manns	Reports	LGNSW RURAL/REGIONAL FORUM
<b>ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 95/15 - DATED APRIL 29, 2015 - LGNSW RURAL/REGIONAL FORUM 11/364</b>			
.			
<b>RESOLUTION</b>			
Minute No.44944			
Councillor B. Algate moved )		That Broken Hill City Council Report No. 95/15 dated April 29, 2015, be received.	
Councillor D. Turley seconded )		That Councillors advise the General Manager of their availability to attend the Regional/Rural workshop on Thursday 4 June 2015.	
			CARRIED
18 May 2015 - 11:17 AM - Therese Manns Councillors Turley and Gallagher to attend. COMPLETE			

# ORDINARY MEETING OF THE COUNCIL

May 11, 2015

## BROKEN HILL CITY COUNCIL REPORT NO. 104/15

SUBJECT: MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING  
NO.348, HELD 5 MAY 2015 11/397

### **Recommendation**

That Broken Hill City Council Report No. 104/15 dated May 11, 2015, be received.

That the Minutes for the Local Traffic Committee Meeting No.348, held May 5, 2015 be received.

### **Executive Summary:**

The Local Traffic Committee has no decision making power. The Broken Hill City Council Local Traffic Committee is primarily a technical review committee, which is required to advise the Council on matters referred to it by the Council.

### **Report:**

The purpose of this report is to advise Council of the outcome of the Local Traffic Committee Meeting held April 14, 2015. The committee made a number of recommendations of which, all were operational.

### **Strategic Direction:**

Recommendations made by the Local Traffic Committee accord with Council's Delivery Plan, Key Direction 4: *Our Leadership*; Objective 4.3: We unite to succeed; Strategy 4.3.1.1: *Identify issues and projects which may benefit from the creation of a committee or workgroup.*

### **Relevant Legislation:**

- *Road Transport (Safety and Traffic Management) Regulation 1999, and*
- *Road Rules 2008*

Council has been delegated certain powers, from the Roads and Maritime Services, with regard to traffic matters upon its local roads (but not state highways). A condition of these delegations is that Council must take into account the Local Traffic Committee recommendations although it is not bound to accept them.

- The members are the **NSW Police Service, the Roads and Maritime Service, the Local State Member of Parliament (or their representative for the location of the issue to be voted upon) and Broken Hill City Council.**
- Broken Hill City Council may allow the public to attend and speak at its Local Traffic Committee on issues of concern for a maximum of five minutes.

- If either the Police or RMS representative on the Local Traffic Committee disagrees with any Local Traffic Committee recommendation or Council Resolution on any Local Traffic Committee recommendation, that member may lodge an appeal with the Sydney Regional Traffic Committee for determination. The appeal must be lodged in writing within 14 days of Council's resolution.
- Any action relative to any issue under appeal must cease until the matter is determined.
- The Sydney Regional Traffic Committee is chaired by an independent chairperson and submissions and representations are welcomed from all interested parties.

**Financial Implications:**

The financial implications are mentioned above for each of the recommendations made by the Local Traffic Committee.

**Attachments**

1. Minutes of the Local Traffic Committee Meeting 348 - May 2015 3 Pages
2. Local Traffic Committee Action List 6 Pages

ANDREW BRUGGY  
MANAGER INFRASTRUCTURE STRATEGY

THERESE MANNS  
GENERAL MANAGER

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The Minutes of the Local Traffic Committee Meeting No. 347 have been approved by voting members on line:

All in favour:	RMS, BHCC & Local Member, Police
Yet to vote	Nil
Against:	Nil

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**MINUTES OF LOCAL TRAFFIC COMMITTEE MEETING NO. 348**  
**HELD TUESDAY 5 May, 2015**  
**COMMENCING AT 9.30 AM**  
**SECOND FLOOR COUNCIL ADMINISTRATION BUILDING**

**MEETING OPEN:** 9:30 am

Welcome to all present

*Andrew Bruggy chaired the meeting.*

**348.1 PRESENT:**

Andrew Bruggy (Chair)	Manager Infrastructure Strategy
Joe Sulicich	Roads and Maritime Services Representative
Peter Beven	Local Member Representative
Scott Atkins	Broken Hill Police Representative
Kath Whitehead	BHCC Minute Secretary

**348.2 APOLOGIES:**

Inspector Michael Dawson	Broken Hill Police Representative
Sergeant Kerri Lane	Broken Hill Police Representative
Marion Browne	Councillor

**ABSENT: - NIL**

**348.3 DISCLOSURE OF INTEREST: - NIL**

**348.4 REPRESENTATIONS: - NIL**

**348.5 ADOPTION OF PREVIOUS MINUTES:**

It was noted that the previous minutes of meeting No. 347 held April 14, 2015 were confirmed via online voting as follows:

All in favour: RMS, BHCC, Local Member & Police  
Yet to vote: Nil  
Against: Nil

**348.6 COUNCIL RESOLUTIONS ON TRAFFIC COMMITTEE MATTERS:**

The following Committee Recommendations endorsed by Council at their meeting held April 27, 2015

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 56/15 - DATED MARCH 11, 2015 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO.346, HELD 10 MARCH 2015** 11/397

Recommendation

*That Broken Hill City Council Report No. 56/15 dated March 11, 2015, be received.*

*That the Minutes for the Local Traffic Committee Meeting No.346, held March 10, 2015 be received.*

*That the current Bus Zone in front of the Happy Day Preschool be removed.*

*That new fluoro yellow/green signs specific to Preschools be erected as soon as possible to replace existing signs at Happy Day Preschool.*

*That the current location of the Disability Parking space located at Foodland, Beryl Street be removed and relocated adjacent to the bottom of the ramp.*

Minute No. 44906

Councillor P. Black moved )

Councillor D. Gallagher seconded )

*That the recommendations of items 11 and 12 be adopted.*

CARRIED

**348.7 MATTERS ARISING FROM THE PREVIOUS MEETING or FROM COUNCIL RESOLUTIONS:**

NIL

**348.8 CORRESPONDENCE:**

348.8.1

D15/15169 – Correspondence received from Mrs Cakebread requesting that consideration be given to approve the installation of a “No Parking” in front of her property located at 243 Thomas Street, to eliminate clients attending the GP Super Clinic encroaching over her driveway.

Correspondence In was Received and Noted.

**Agreed Action:**

*That the request for the installation of “No Parking” signs be declined.*

*That Mr Andrew Bruggy, Manager Infrastructure Strategy, meets with Mrs Cakebread to discuss the possibility of remarking the existing parking lines so they end closer to her driveway to assist with eliminating people from encroaching across her driveway.*

All in favour: RMS, BHCC, Police & Local Member  
Yet to vote: Nil  
Against: Nil

**Recommendation:**

*That the parking lines be remarked should this be the outcome of meeting to be held with Mrs Cakebread.*

**348.10 GENERAL BUSINESS:**

- 348.10.1 Mr Joe Sulicich, RMS Representative recommended to the committee that the palm tree located off the corner of Argent and Bromide Streets near The Globe Building be removed as soon as possible. The reasoning behind this request, it has been brought to his attention that a gentleman has sustained an injury from the barbs that grow on the branches of the palm tree.

**Agreed Action:**

*That the palm tree be removed and a tree replanted as per Council's Tree Management Policy.*

All in favour: RMS, BHCC, Police & Local Member  
Yet to vote: Nil  
Against: Nil

**348.11 ITEMS FOR NEXT MEETING: NIL**

**348.12 NEXT MEETING DATE:** June 2, 2015

**MEETING CLOSED:** 10:00 am

### Action List - Local Traffic Committee

**Updated: April 16, 2015**

[illegible]

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
		D14/30563 & D14/30105	9 December 2014  3 February 2015 Andrew  4 March 2015  8 April 2015  5 May 2015	Committees recommendation and Council's approval to carry out these works.  Letters approved and issued.  <b>Agreed Action:</b> Andrew Bruggy, Manager Infrastructure Strategy to ensure that barriers used by Temptations have been removed and if not to contact owners of Temptations to arrange removal as this business has relocated.  Barriers have been removed.  Peter Ryan advised that he is rectifying line marking paint issue before undertaking works. Anticipated that this will be rectified in the near future.  Still to be completed due to staff leave and change to paint supplier. Peter advised once this has been completed.  Andrew to follow up and request works to be undertaken as soon as possible.	Completed.  10 March 2015  10 February 2015  7 April 2015  June 2015
337.8.2	Council at their meeting held March 26, 2014 requested that the Traffic Committee and Council further investigate the parking arrangements for the Car Park adjacent the Broken Hill Regional Art Gallery.		Report 337.8.2  Endorsed at Council's Meeting dated 28/5/2014  12 November 2014	<b>Recommendations:</b> (a) That 10 car parking spaces at the Art Gallery car park be designated as 2 hour parking. (b) That 10 car parking spaces at the Art Gallery car park be designated as 4 hour parking. (c) That the existing disabled and staff car parks in the Art Gallery car park remain in their current locations. (d) That the remaining car parks (20) be designated as permit parking with the applicable fee to be in accordance with Council's schedule of Fees and Charges.  That the change in parking arrangements at the Art Gallery Car Park be reviewed in six months, and the findings reported to Council.  These recommendations were carried and resolved by Council at their meeting held 30/7/2014.  Prior to the signs being changed in the car park a Policy for 'Permit Parking' will be developed by Council.  CRM 18809/2014 – Request for the signs to be changed.  That the committee review the current parking arrangements at their next scheduled committee meeting in December 2014 and a report be prepared on the results.  That the draft 'Permit Parking' Policy be reviewed at the February	



Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			2 December 2014 Vikram	2015 Meeting.  <b>Agreed Action:</b> <i>That the issuing of permit parking permits at the car park adjacent the Broken Hill Regional Art Gallery commence and be reviewed in six months by way of a report to the committee.</i>	
			3 February 2015 Andrew	<b>Agreed Action:</b> <i>Andrew Bruggy, Manager Infrastructure Strategy to prepare a draft policy for "Permit Parking" for consideration by the committee at the next meeting scheduled for March 10, 2015.</i>	10 March 2015
			10 March 2015 Andrew	<i>Andrew advised that he was still working on Policy and will submit to the next meeting scheduled for 14 April 2015</i>	14 April 2015
			14 April 2015	<i>Andrew advised that Policy is still being worked on and will be submitted to the Committee Meeting scheduled for June 2015.</i>	2 June 2015
343.11.1	Resident expressing concerns with speeding traffic along Kaolin Street before and after school hours. Request the LTC to consider modifying the 40km zone and possible include a pedestrian crossing in Kaolin Street.	D14/26420		<b>Agreed Actions:</b> <i>That the proponent be advised as follows:</i> a) <i>That the current school zone and signage will remain unchanged, pending further investigations. It should be noted that Pre Schools do not meet the criteria for a "School Zone" and associated signage and pavement marking.</i> b) <i>That the implementation of a pedestrian (zebra) crossing would not meet the Australia Standards criteria concerning the volume of vehicular and pedestrian traffic. Further should such a facility be implemented there would be a loss of about 40m of parking on each side of the road.</i> c) <i>There is a pedestrian refuge with newly constructed ramps at Cummins Street that could be utilised.</i>	Complete
		D14/30123	2 December 2014 Kath	<i>Draft letter to be issued advising the Committee's recommendation.</i>	
			9 December 2014	<i>Letter approved and issued.</i>	
			3 February 2015 RMS	<b>Agreed Action:</b> <i>RMS representative to invite Jenene Pout, Safety Around Schools Project Officer to Broken Hill to met with Happy Day Preschool representatives to discuss the 40km/h zone currently operating within the area. Council representative to also attend this meeting.</i>  <i>Jenene to be invited to attend the next committee meeting scheduled for 10 March 2015 to provide an update to the committee on this</i>	10 March 2015

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			10 March 2015	<p><i>matter.</i></p> <p>Representatives from Happy Day Preschool delivered presentation to committee and RMS representatives from Parkes to discuss the increase the zone times from 7.30am -6.00pm.</p> <p><b>Agreed Action:</b> That Jenene Pout, Safety Around Schools Project Officer liaise with Happy Day Preschool to discuss options available as Preschool's are not entitled to School Zone limits.</p> <p>That the current signage indicating a Preschool Zone are of poor quality requiring replacing at the cost of Council. RMS representative advised funding to replace the signs will be available in the new financial year.</p>	July 2015
		CRM 21627/2015	7 May 2015	Entered CRM to have Bus Zone signage removed.	
346.8.3	Request by Fran McKinnon, Nation Trust of Australia, Broken Hill and District Branch to establish directional signs to the site of the "Ambush train/ore truck" in the following locations:  Cnr of Brookfield Avenue and Morgan Street and the Cnr of Doe & Hynes Streets with the following wording:  "Ambush Site – Picnic Train Attack"	D15/5750	10 March 2015  Kath  15 April 2015 CRM 21449/2015  Kath	<p><b>Agreed Action:</b> <i>That Council invoice The National Trust of Australia, Broken Hill and District Branch for the funds they have available and that Council submits an application through the Tourist Attraction Signposting Assessment Committee for approval to erect tourist signs.</i></p> <p>On approval from Council Meeting arrange invoice for payment of available funds and send with acceptance letter.</p> <p>Enter CRM for Himan and David Zaho requesting submission of application for signage through TASCO.</p> <p>Printing of Tax Invoice requested and to be attached to letter for payment. COMPLETED</p>	14 April 2015     1 April 2015
346.8.4	Request received by Mrs Golding requesting additional Disability Parking in the following locations:  Foodlands, Beryl Street  Chloride Street next to Town Square  Outback Pharmacies in Patton Street	D15/5140  CRM 21446/2015  CRM 21444/2015	10 March 2015  15 April 2015 Kath  15 April 2015 Kath  8 May 2015	<p><b>Agreed Action:</b> <i>That the current location of the Disability Parking space located at Foodlands be removed (providing one additional park) and relocated adjacent to the bottom of the ramp. This will require the lost of two existing car parks.</i></p> <p><i>That the current Disability Parking in Chloride Street next to Town Square be monitored and policed. Upon several inspections it was evident that these existing parks where underutilised.</i></p> <p><i>That the request for the allocation of a Disability Parking space in front of Outback Pharmacies located in Patton Street be declined.</i></p> <p>Once approved by Council CRM works for moving of parking space at Foodlands. Advise Mrs Golding via letter of outcome to her request.</p>	14 April 2015          <b>COMPLETED</b>

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			Kath		
346.8.6	Request received from Mrs Gough for consideration of installing parallel parking in front of the following premises located in Chloride Street:  Mission Australia  New Caledonia B&B	CRM 19947/2014	10 March 2015  Andrew	<b>Agreed Action:</b>  <i>That the Manager Infrastructure Strategy, Mr Andrew Bruggy to investigate the required standards for angel parking, with the outcome to be submitted to the next Committee meeting.</i>  <i>Andrew still investigating matter.</i>	14 April 2015    June 2015
347.8.1	Fire & Rescue NSW – South Broken Hill Station 239  Request received to provide one additional parking space for Retained Firefighter.  That "No Stopping" be painted on the pavement in front of the Fire Station to deter people from parking in the driveway of the station.	D15/11766    CRM 21636/2015	14 April 2015    7 May 2015	<b>Agreed Action:</b>  <i>That one extra car space be granted for the use by Retained Firefighters.</i>  <i>That the marking of "No Stopping" on the pavement in front of the Fire Station be approved at the cost by Fire &amp; Rescue NSW.</i>  Request entered to move existing sign to include one extra parking space.  Draft letter advising outcome of requests sent to Andrew Bruggy for approval.	       June 2015
347.8.2	Harvey Norman  Requested a review of parking and loading zones within Gawler Place is undertaken to establish a better shared zone for the commercial business who utilise the lane.	D15/11778	14 April 2015  Andrew Bruggy	<b>Agreed Action:</b>  <i>That a proposed Gawler Place Rejuvenation Plan be issued to all property owners whose business has rear access to Gawler Place, for comments regarding the proposed changes.</i>  <i>Andrew to report back to the June Committee of any comments received regarding the proposed changes.</i>	    June 2015
347.8.3	Broken Hill Trades Hall Trust  Request to remove 2 hour parking signs in Blende Street between the Trades Hall and TAB, as the TAB is now closed.	D15/12236    CRM 21637/2015	14 April 2015  Kath CRM to have signs removed. Once approved by Council.  7 May 2015  8 May 2015	<b>Agreed Action:</b>  <i>That the 2 hour parking signs to be removed.</i>  Request entered to have signs removed.  Draft letter advising outcome of request sent to Andrew Bruggy for approval.	      May 2015
347.8.4	TAFE NSW Western  Request to remove 2 hour parking signs behind the TAFE College on the left hand side of Blende Street.	D15/13668	14 April 2015  Kath CRM to have signs removed. Once approved by	<b>Agreed Action:</b>  <i>That the 2 hour parking signs to be removed.</i>	    May 2015

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
		CRM 21638/2015	Council. 7 May 2015 8 May 2015	Request entered to have signs removed.  Draft letter advising outcome of request sent to Andrew Bruggy for approval.	
347.8.5	Joe Sulicich, RMS  Retain the "No Stopping" signs on a permanent basis on the southern side of Galena Street opposite the Plaza entry.	D15/13959  CRM 21651/2015	14 April 2015  Kath CRM to ensure signs are retained. Once approved by Council.  8 May 2015	<b>Agreed Action:</b>  <i>That the "No Stopping" signs are retained on a permanent basis.</i>  CRM entered to retain signs.	May 2015  <b>COMPLETED</b>
348.8.1	Mrs Cakebread  Requesting that consideration be given to approve the installation of a "No Parking" in front of her property located at 243 Thomas Street, to eliminate clients attending the GP Super Clinic encroaching over her driveway.	D15/15169	Andrew Bruggy	<b>Agreed Action:</b>  <i>That the request for the installation of "No Parking" signs be declined. That Mr Andrew Bruggy, Manager Infrastructure Strategy, meets with Mrs Cakebread to discuss the possibility of remarking the existing parking lines so they end closer to her driveway to assist with eliminating people from encroaching across her driveway.</i>	June 2015

## **COMMITTEE REPORTS**

1. BROKEN HILL CITY COUNCIL REPORT NO. 105/15 - DATED MAY 11, 2015 - MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES MEETING HELD 21 APRIL 2015 (12/51)..... 186
2. BROKEN HILL CITY COUNCIL REPORT NO. 106/15 - DATED MAY 14, 2015 - MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD MAY 5, 2015 (12/52)..... 189

ORDINARY MEETING OF THE COUNCIL

May 11, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 105/15

SUBJECT: MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE  
BARRIER RANGES MEETING HELD 21 APRIL 2015 12/51

**Recommendation**

That Broken Hill City Council Report No. 105/15 dated May 11, 2015, be received.

That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee meeting held April 21, 2015 be received.

**Executive Summary:**

Council has received minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held April 21, 2015 for endorsement by Council.

**Report:**

Council, at its meeting held April 28, 2010 considered Group Manager Governance & Community Report No. 19/10 and as part of that report's motion; resolved:

*"That Council's Section 355 Committee's be instructed to submit to Council a copy of the relevant Section 355 Committee's meeting minutes within five working days of each meeting, for endorsement." (Minute no. 42328).*

Accordingly, the Friends of the Flora and Fauna of the Barrier Ranges Community Committee has submitted minutes from its meeting held April 21, 2015 for Council's endorsement.

**Strategic Direction:**

Key Direction: *Our Community*; Objective 1.2.2: *Create opportunities for people to participate in active and healthy recreational activities.*

**Relevant Legislation:**

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

**Attachments**

- |  |            |
|--|------------|
| 1. Minutes of the Friends of the Flora and Fauna of the Barrier Ranges<br>Community Committee Meeting held 21 April 2015 | 2<br>Pages |
|--|------------|

ANDREA ROBERTS  
MANAGER ECONOMIC DEVELOPMENT & CULTURE

THERESE MANNS  
GENERAL MANAGER

**MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES  
355 COMMITTEE HELD 21 April 2015 AT 4.00PM – COUNCIL CHAMBER, 240 BLENDE  
STREET, BROKEN HILL** **12/51**

**Present:** John Rogers (Chairperson), Kellie Scott (Vice Chairperson), Darrell Ford (BHCC), Jill Speilvogel, Ronald Tumes, Dean Fletcher, Jeff Crase, Ray Allen, Lyn Campigli, Neville Bent and Darriea Turley.

**Apologies:** David Speilvogel, John Butler, Marion Browne, Sue Spangler, Megan Allen, Jamie Scott and Geoffrey Hoare

**Confirmation of Minutes of previous meeting:**

Previous minutes: March 17, 2015

Moved: Kellie Scott

Seconded: Ronald Tumes

**Business arising from previous minutes:**

Nil

**Correspondence:**

Nil

**Update on Action List:**

1. Ongoing Working Bee
2. Identification Cards – When required.
3. Paving Walk Way – Concrete Flora Site path entrance – pending.
4. Tree Planting – Inland dam – planned for forward working bee.
5. Paving – Geology Section - Completed
6. Cold Set – bitumen pouring over crushed paths
7. Maintenance of Pay But Hut

**Reports:**

- Nil

**Roster:**

**May 2015**

- |                    |                               |
|--------------------|-------------------------------|
| • May 2-3, 2015    | John Rogers Open, Lyn C Close |
| • May 9-10, 2015   | BHCC                          |
| • May 16-17, 2015  | BHCC                          |
| • May 23-24, 2015  | Kellie Scott                  |
| • May 30-31, 2015  | BHCC                          |
| • June 6-7, 2015   | BHCC                          |
| • June 13-14, 2015 | Kellie Scott                  |

**General Business:**

- Working Bee – Cementing Pavers – May 2, 2015 9am
- We have received 39mm of soaking rain but there has been no run off into the dam
- **Action List:**

ACTION	WHO
1. Working Bee – <i>progressive</i> and ongoing	D. Ford, Ranger
2. Identification Cards- ( <i>when required</i> )	Corp. Administration
3. Concrete Flora Path and Entrance	D. Ford, Ranger
4. Tree planting	D. Ford, Ranger
5. Cold Set – bitumen pouring over crushed paths	D. Ford, Ranger
6. Maintenance of Pay Bay Hut	D. Ford, Ranger

**Meeting Closed:** 4:30pm

**Next Meetings:** Tuesday May 19, 2015 – Council Chambers - 4.00pm



ORDINARY MEETING OF THE COUNCIL

May 14, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 106/15

SUBJECT: MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE  
MEETING HELD MAY 5, 2015 12/52

**Recommendation**

That Broken Hill City Council Report No. 106/15 dated May 14, 2015, be received.

That the minutes of the Memorial Oval Community Committee Meeting held May 5, 2015 be received.

**Executive Summary:**

Council has received minutes of the Memorial Oval Community Committee Meeting held May 5, 2015 for endorsement by Council.

**Report:**

Council, at its meeting held April 28, 2010 considered Group Manager Governance & Community Report No. 19/10 and as part of that report's motion; resolved:

*"That Council's Section 355 Committee's be instructed to submit to Council a copy of the relevant Section 355 Committee's meeting minutes within five working days of each meeting, for endorsement." (Minute no. 42328).*

Accordingly, the Memorial Oval Community Committee has submitted minutes from its meeting held May 5, 2015 for Council's endorsement.

**Strategic Direction:**

Key Direction: *Our Community*; Objective 1.2.2: *Create opportunities for people to participate in active and healthy recreational activities.*

**Relevant Legislation:**

The Memorial Oval Community Committee operates under Council's Section 355 Asset Committee Standard Constitution and the Local Government Act, 1993 (Section 355).

**Attachments**

- |  |            |
|--|------------|
| 1. Minutes of the Memorial Oval Community Committee Meeting held May 5, 2015 | 2<br>Pages |
|--|------------|

ANDREW BRUGGY  
MANAGER INFRASTRUCTURE STRATEGY

THERESE MANNS  
GENERAL MANAGER

## MEMORIAL OVAL COMMUNITY COMMITTEE. MINUTES: 5<sup>th</sup> MAY 2015

**OPENED:** 7.00pm

**APOLOGIES:** Tracey Robinson (BHHRC), Steve Trayhern (Citizen).

Be Accepted: **Lee-Anne Khan/Marion Kemp Carried.**

**ATTENDENCE:** Ray Steer (Chairman), Dennis Cetinich (Treasurer), Alan Tucker (Caretaker), Lee-Anne Khan (Dog Club), Tracey Robinson (BHHRC), Dinney Reardon CBHFC), Dave Gallagher (BHCC), John Ralph (Secretary-Show).

**MINUTES:** Nil.

**BUSINESS ARISING:** Nil.

**INWARD CORRESPONDENCE:** Nil.

**CBHFC:** Requesting to use the Oval on Monday Nights for the women to train, will require the lights for 1 hour, cost will be \$30.00

**BHCC:** The following have been accepted as delegates Marion Kemp (Citizen), Lee-Anne Khan (Dog Club),

New Watering Schedules as of 24<sup>th</sup> March 2015 for all irrigated areas, Council will monitor water usage at each site to ensure it is in line with its Watering Schedules.

**Maryanne Schultz:** Requesting to hire the Oval from 28/4/2015 to 11/5/2015 re the Loritz Circus.

**OUTWARD CORRESPONDENCE:**

Correspondence be Received: **Lee-Anne Khan/ Dennis Cetinich Carried.**

**FINANCIAL REPORT:**

**March 2015:** Bank Balance \$18,383.84.

**April 2015:** \$22,542.20

**Debtors 2015:** BHHRC \$7,543.50. CBHFC \$4,224.47.

**Debtors 2015:** \$9,934.02 \$3,874.47.

Report be accepted as read: **John Ralph/Dave Gallagher Carried.**

**LORITZ CIRCUS:**

The MOMC Secretary contacted the AFL-BH requesting changes to the 2015 Season Draw to create an opportunity for a Circus to set up at the Oval for two weeks in May, this Circus would be set up in the Showground area not on the Football Oval.

**The following information has been received from the AFL Chairman Peter Nash:**

After discussions with the MOMC & the CBHFC on site and follow up with Scott Dunn from the CMC I have been able to arrange our season draw so that no Club is impacted by the changes, all Clubs will play the same number of games at each venue and no changes impact on Old Timers Weekends etc.

**GENERAL BUSINESS:**

**BHCC:** Follow along with Council's request.

**CBHFC:** Curtains are required on the Showers in the Visitors Room, also lock on the inside of the door, Brackets and Hooks for Towels, Cage for storage in the Centrals Change room, it was decided to deduct \$500 from their account in appreciation for help and adjustments re the Circus.

**Ray Steer:** Donation of a Freezer for the Canteen.

**GENERAL BUSINESS CONT'D**

**BHHRC:** Require a full account of what is owing, Track gates will now be locked anyone wishes to use the Track must contact the Secretary, Certificate of Appreciation from them to Wade Sedunary for his help through the Season.

**AFL-BH:** Oval inspection at 10am Tuesday 16<sup>th</sup> May 2015. Letter of thanks re the Circus.

**TAFE:** No response re the Timekeepers box, no interest, Coaches Boxes will be picked up by Nino Schembri when advised they are ready, leave to Ray Steer.

**DOG CLUB:** Require Keys to Canteen, Coffee Machine will be attending, Vehicles enter Oval as previous.

**MEETING CLOSED: 8.00pm:**

**NEXT MEETING: TUESDAY 2<sup>nd</sup> JUNE 2015 AT 7PM.**

## **QUESTIONS ON NOTICE**

1. QUESTIONS ON NOTICE NO. 8/15 - DATED MAY 01, 2015 -  
COUNCILLORS QUESTIONS ON NOTICE FROM THE APRIL 2015  
COUNCIL MEETING (11/115)..... 193

ORDINARY MEETING OF THE COUNCIL

May 1, 2015

QUESTIONS ON NOTICE NO. 8/15

SUBJECT: COUNCILLORS QUESTIONS ON NOTICE FROM THE APRIL 2015  
COUNCIL MEETING 11/115

**Summary**

The following report provides responses to questions from Councillors which were taken on notice at the March 25, 2015 Council Meeting.

**Recommendation**

That Questions On Notice No. 8/15 dated May 1, 2015, be received.

**Background**

Following are responses to the questions from Councillors which were taken on notice.

**Question:**

**From Item 13:** Broken Hill City Council Report No. 87/15 - dated April 14, 2015 - Minutes of the Local Traffic Committee Meeting no.347, held 14 April 2015

Access to the Bus Stop adjacent to the Astra/Temptations Cafe 11/115  
The Mayor took a Question on Notice from Councillor Black regarding access to the bus stop and the removal of the bin adjacent to the Astra/Temptations Cafe and asked when it was going to be reinstated.

The Mayor took the question on notice.

**Response:**

The bin was removed as it was adjacent to a proposed alfresco dining area and its location was not conducive for dining. There are a number of bins in the vicinity; however Council staff will monitor the situation whilst the alfresco dining is implemented.

**Attachments**

There are no attachments for this report.

THERESE MANNS  
General Manager

## **CLOSED**

### **Council Meeting to be held** **Wednesday, May 27, 2015**

1. **BROKEN HILL CITY COUNCIL REPORT NO. 107/15 - DATED APRIL 21, 2015 - CONFIDENTIAL**

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

2. **BROKEN HILL CITY COUNCIL REPORT NO. 115/15 - DATED MAY 20, 2015 - CONFIDENTIAL**

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