



Broken Hill City Council

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

June 22, 2016

ORDINARY MONTHLY MEETING

TO BE HELD

WEDNESDAY, JUNE 29, 2016

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
Website: 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, June 29, 2016** commencing at 6:30 p.m. to consider the following business:

- 1) Apologies
- 2) Prayer
- 3) Acknowledgement of Country
- 4) Public Forum
- 5) Address by Member for Barwon, The Hon. Kevin Humphries, M.P.
- 6) Minutes for Confirmation
- 7) Disclosure of Interest
- 8) Mayoral Minute
- 9) Notice of Motion
- 10) Notices of Rescission
- 11) Reports from Delegates
- 12) Reports
- 13) Committee Reports
- 14) Questions on Notice
- 15) Questions for Next Meeting
- 16) Closed

JAMES RONCON
GENERAL MANAGER

MINUTES FOR CONFIRMATION

Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held Wednesday, May 25, 2016.

Minutes of the Extraordinary Meeting of the Council of the City of Broken Hill held Wednesday, June 15, 2016.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 25, 2016

Meeting commenced at 6:30p.m.

Due to apologies from the Mayor and Deputy Mayor, the General Manager called on Council to elect a Chairperson from those Councillors present, and called for nominations.

Councillor Turley was nominated by Councillor Browne.

No other nominations were received.

RESOLUTION

Minute No. 45262

Councillor M. Browne moved) That Councillor Turley be elected as Chairperson
Councillor B. Licul seconded) to Chair the meeting.

CARRIED

Councillor Turley assumed the Chair.

PRESENT:

Councillors C. Adams, B. Algate, P. Black, M. Browne, B. Licul, J. Nolan,
J. Richards and D. Turley.

General Manager, Manager Planning Development and Compliance,
Manager Economic Development and Culture, Division Manager Corporate
and Human Services, Finance Manager and Governance Officer.

Media (3), Members of the Public (14).

APOLOGIES:

Councillor W. Cuy (Mayor) and Councillor D. Gallagher (Deputy Mayor)

RESOLUTION

Minute No. 45263

Councillor M. Browne moved) That the apologies submitted on behalf of Mayor
Councillor J. Richards seconded) Cuy and Deputy Mayor Gallagher be accepted
and leave of absence granted

CARRIED

PRAYER

Councillor Richards delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Richards delivered the Acknowledgment of Country.

PUBLIC FORUM

Nil.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 45264

Councillor B. Algate moved)

Councillor C. Adams seconded)

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held April 27, 2016 be confirmed.

CARRIED

The General Manager took a question on notice from Councillor Nolan regarding clarification of the tendered cost of painting of the Broken Hill Regional Aquatic Centre (confidential report to April 27, 2016 Council Meeting).

DISCLOSURE OF INTEREST

Councillor Browne declared:

- a conflict of interest in report 104/16 as she is the Chairperson of the organisation making the request, and advised that she will leave the Council Chambers whilst the item is considered.

Councillor Adams declared:

- a conflict of interest in report 104/16 as she is a board member of HACC, and advised that she will leave the Council Chambers whilst the item is considered.

MAYORAL MINUTES

Nil.

NOTICES OF MOTION

Nil.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Nil.

REPORTS

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 94/16 - DATED MAY 11, 2016 -
CORRESPONDENCE REPORT - SECURING PART OF THE MILTON LAVERS COLLECTION FOR
BROKEN HILL** 13/155

RESOLUTION

Minute No. 45265

Councillor P. Black moved) That Broken Hill City Council Report No. 94/16
Councillor C. Adams seconded) dated May 11, 2016, be received.

That correspondence from the Milton Lavers Collection Action Group dated May 10, 2016 seeking a donation from Council to purchase the remainder of a part of the Milton Lavers Mineral Collection, be received.

That Council votes funding of \$5,670.35 to the Milton Lavers Collection Action Group towards the purchase of mineral specimens that are currently on loan and on display at the Albert Kersten Mining and Minerals Museum, in order for the mineral specimens to remain in Broken Hill.

That the mineral specimens will remain in the ownership of the community, with Council as the custodian and will remain on display at the Albert Kersten Mining and Minerals Museum.

CARRIED

The General Manager took the following questions on notice from Councillor Black regarding matters at the Albert Kersten Mining and Minerals Museum:

- 1. Will part of the mineral collection at the Albert Kersten Mining and Minerals Museum be removed and placed on display at the Civic Centre once it is upgraded, and at the Archives when it is relocated to the Administration Building? If not, then where are these minerals being sourced from?*

Councillor Black stated that a consultant Architect visited the Albert Kersten Mining and Minerals Museum requesting to look at minerals to go into proposed display cabinets at the Civic Centre and Archives once relocated to the Administration Building.

- 2. Councillor Black enquired as to whether the Cultural Facilities Officer position advertised in today's Barrier Daily Truth is the position that will replace Angela Bailey's current role of Mineral Museum Manager?*
- 3. Council Black asked whether the Museum will be managed by unqualified staff? Raising concerns regarding the security of the mineral collection housed at the Museum.*

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 96/16 - DATED MAY 12, 2016 -
CORRESPONDENCE REPORT - FINANCIAL ASSISTANCE TOWARDS LEGAL FEES -
BATHURST CITY COUNCIL**

11/304

RESOLUTION

Minute No. 45266

Councillor M. Browne moved)
Councillor J. Nolan seconded)

That Broken Hill City Council Report No. 96/16 dated May 12, 2016, be received.

That correspondence received from Local Government New South Wales dated May 6, 2016 requesting financial assistance to the Bathurst Regional Council for legal costs incurred in a Supreme Court matter regarding the ability of Councils to enter into contracts with landowners that include fees for service, be received.

That Council provides legal assistance to Bathurst Regional Council in the amount of \$773.47 towards legal costs incurred in the matter.

CARRIED

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 97/16 - DATED MAY 10, 2016 -
QUARTERLY BUDGET REVIEW STATEMENT FOR PERIOD ENDING MARCH 2016**

12/160

Recommendation

That Broken Hill City Council Report No. 97/16 dated May 10, 2016, be received.

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

RESOLUTION

Minute No. 45267

Councillor J. Richards moved)
Councillor B. Algate seconded)

That the recommendation of item 3 be adopted.

CARRIED

The General Manager took a question on notice from Councillor Black regarding why works at the Memorial Oval are taking precedence over works that were schedule at Queen Elizabeth Park, Duff Street Park and Patton Park?

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 98/16 - DATED MAY 05, 2016 -
INVESTMENT REPORT FOR APRIL 2016**

11/48

Recommendation

That Broken Hill City Council Report No. 98/16 dated May 5, 2016, be received.

RESOLUTION

Minute No. 45268

Councillor P. Black moved)

Councillor B. Algate seconded)

That the recommendation of item 4 be adopted.

CARRIED

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 99/16 - DATED APRIL 14, 2016 - BROKEN
HILL LIVING MUSEUM + PERFECT LIGHT PROJECT**

14/123

RESOLUTION

Minute No. 45269

Councillor C. Adams moved)

Councillor B. Algate seconded)

That Broken Hill City Council Report No. 99/16
dated April 14, 2016, be received.

That Council adopts the Broken Hill Living
Museum + Perfect Light Project Working Group –
Terms of Reference.

That Council be represented by the Mayor and
Councillors Turley, Adams and Nolan on the
Broken Hill Living Museum + Perfect Light Project
Steering Group.

That the Terms of Reference of the Broken Hill
Living Museum + Perfect Light Project Steering
Group be amended to include representation by
the Mayor and three Councillors.

That Council endorses a public call for
nominations seeking seven (7) representatives
with specialised experience as detailed in the
Terms of Reference.

CARRIED

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 100/16 - DATED APRIL 13, 2016 -
ADOPTION OF DRAFT SPONSORSHIP POLICY**

12/14

Recommendation

That Broken Hill City Council Report No. 100/16 dated April 13, 2016, be received.

That Council adopts the Draft Sponsorship Policy as a Policy of Council.

That adoption of the Draft Sponsorship Policy supersedes the existing Sponsorship Policy and
renders the Event Sponsorship Policy obsolete.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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RESOLUTION

Minute No. 45270

Councillor B. Algate moved) That the recommendation of item 6 be adopted.
Councillor C. Adams seconded)

CARRIED

ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 101/16 - DATED MAY 04, 2016 - LIVING WELL - AGEING STRATEGY 2016-2021 11/432

Recommendation

That Broken Hill City Council Report No. 101/16 dated May 4, 2016, be received.

That Council endorse the Draft Living Well Ageing Strategy 2016 -2021 for public comment for a period of 28 days.

RESOLUTION

Minute No. 45271

Councillor C. Adams moved) That the recommendation of item 7 be adopted.
Councillor J. Richards seconded)

CARRIED

ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 102/16 - DATED APRIL 13, 2016 - APPOINTMENT OF INDEPENDENT MEMBER TO THE COMMUNITY ASSISTANCE GRANTS PANEL 16/44

Recommendation

That Broken Hill City Council Report No. 102/16 dated April 13, 2016, be received.

That Council appoints Ms. Kristina Janjic and Mr. Chris Dougherty as independent panel members on the Community Assistance Grants Panel.

That the Community Assistance Grants Policy be amended to allow for appointment of up to two independent panel members.

RESOLUTION

Minute No. 45272

Councillor J. Richards moved) That the recommendation of item 8 be adopted.
Councillor C. Adams seconded)

CARRIED

ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 103/16 - DATED MAY 13, 2016 - PREFERRED LOCATION FOR NEW COUNCIL POUND 11/141

Recommendation

That Broken Hill City Council Report No. 103/16 dated May 13, 2016, be received.

That Council proceed with the preliminary design and planning approval for a new pound facility near the office of the Airport Reporting Officer.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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RESOLUTION

Minute No. 45273

Councillor P. Black moved) That the recommendation of item 9 be adopted.
Councillor J. Nolan seconded)

CARRIED

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 104/16 - DATED MAY 12, 2016 - LEASE
NORTH MINE HALL** 13/17

Councillors Brown and Adams each declared an interest in item 10 and left the Council Chambers at 6:57p.m.

Recommendation

That Broken Hill City Council Report No. 104/16 dated May 12, 2016, be received.

That the General Manager negotiates a reasonable lease arrangement with FWHACC for a period of 12 months, in accordance with Councils adopted Leasing and Licensing Policy.

RESOLUTION

Minute No. 45274

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

CARRIED

Councillors Brown and Adams returned to the Council Chambers at 6:58p.m. The Chairperson advised Councillors Brown and Adams that Council had adopted the report recommendation of item 10.

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 105/16 - DATED MAY 10, 2016 -
DISPOSAL OF SURPLUS EQUIPMENT - SHORTY O'NEIL VILLAGE AND OTHER SURPLUS
EQUIPMENT** 15/7

Recommendation

That Broken Hill City Council Report No. 105/16 dated May 10, 2016, be received.

That Council donate surplus equipment to Lifeline Broken Hill to sell at their upcoming auction and that any proceeds made at the auction be retained by Lifeline.

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 106/16 - DATED MAY 16, 2016 - REVIEW
AND AMENDMENT OF SECTION 94A LEVY CONTRIBUTIONS PLAN** 11/467

Recommendation

That Broken Hill City Council Report No. 106/16 dated May 16, 2016, be received.

That amended Broken Hill Section 94a Levy Contributions Plan be publicly exhibited for a period of a minimum 28 days.

RESOLUTION

Minute No. 45275

Councillor P. Black moved) That the recommendations of items 11 to 12 be
Councillor J. Nolan seconded) adopted.

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 107/16 - DATED MAY 16, 2016 - DEED OF SURRENDER AND TRANSFER - AIR SERVICES AUSTRALIA 11/141

Recommendation

That Broken Hill City Council Report No. 107/16 dated May 16, 2016, be received.

That Council authorises the General Manager and Mayor to affix Council's seal to the "Deed of Surrender and Transfer" to terminate aforementioned lease arrangement.

RESOLUTION

Minute No. 45276

Councillor P. Black moved) That the recommendation of item 13 be adopted.
Councillor C. Adams seconded)

CARRIED

ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 108/16 - DATED MAY 11, 2016 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO.359, HELD 3 MAY 2016 11/397

Recommendation

That Broken Hill City Council Report No. 108/16 dated May 11, 2016, be received.

That the Minutes for the Local Traffic Committee Meeting No.359, held May 3, 2016 be received.

RESOLUTION

Minute No. 45277

Councillor B. Algate moved) That the recommendation of item 14 be adopted.
Councillor B. Licul seconded)

CARRIED

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 109/16 - DATED MAY 13, 2016 - INFRASTRUCTURE STRATEGY ACTIVITIES - APRIL 2016 11/514

Recommendation

That Broken Hill City Council Report No. 109/16 dated May 13, 2016, be received.

RESOLUTION

Minute No. 45278

Councillor B. Algate moved) That the recommendation of item 15 be adopted.
Councillor M. Browne seconded)

CARRIED

The General Manager took a question on notice from Councillor Nolan regarding the accuracy of the REX total figures on page 153, stating that the REX January monthly comparison total shows that passenger numbers have decreased with a figure of -90.6% and that this figure should actually be -19.2%. Council Nolan requested confirmation of the accuracy of the figure in the report before the minutes are confirmed at the June Council Meeting.

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**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 110/16 - DATED MAY 16, 2016 -
DEVELOPMENT STATUS REPORT - APRIL 2016** 11/467

Recommendation

That Broken Hill City Council Report No. 110/16 dated May 16, 2016, be received.

RESOLUTION

Minute No. 45279

Councillor J. Nolan moved) That the recommendation of item 16 be adopted.
Councillor J. Richards seconded)

CARRIED

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 111/16 - DATED MAY 13, 2016 - ACTION
LIST REPORT - MAY** 11/25

Recommendation

That Broken Hill City Council Report No. 111/16 dated May 13, 2016, be received.

RESOLUTION

Minute No. 45280

Councillor B. Algate moved) That the recommendation of item 17 be adopted.
Councillor B. Licul seconded)

CARRIED

COMMITTEE REPORTS

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 112/16 - DATED MAY 11, 2016 -
NOMINATION FOR MEMBERSHIP ON THE BIU BAND HALL COMMUNITY COMMITTEE** 16/8

Recommendation

That Broken Hill City Council Report No. 112/16 dated May 11, 2016, be received.

That Council appoints Ms. Loene Crowley and Mr. Ethan Mercer as community representatives on the BIU Band Hall Community Committee.

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 113/16 - DATED MAY 03, 2016 - MINUTES
OF THE BROKEN HILL REGIONAL ART GALLERY ADVISORY COMMITTEE MEETING HELD
DEC, FEB, APRIL 2016** 12/46

Recommendation

That Broken Hill City Council Report No. 113/16 dated May 3, 2016, be received.

That the minutes of the 8/12/2015, 17/02/2016, 14/04/2016 Broken Hill Regional Art Gallery Advisory Committee meeting be endorsed.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 114/16 - DATED MAY 10, 2016 - MINUTES OF THE BIU BAND HALL COMMUNITY COMMITTEE MEETING HELD MAY 4, 2016 16/8

Recommendation

That Broken Hill City Council Report No. 114/16 dated May 10, 2016, be received.

That minutes of the BIU Band Hall Community Committee Annual General Meeting held May 4, 2016 be received.

ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 115/16 - DATED MAY 17, 2016 - MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD MAY 3, 2016 12/52

Recommendation

That Broken Hill City Council Report No. 115/16 dated May 17, 2016, be received.

That minutes of the Memorial Oval Community Committee meeting held May 3, 2016 be received.

ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 116/16 - DATED MAY 11, 2016 - MINUTES OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD APRIL 19, 2016 12/51

Recommendation

That Broken Hill City Council Report No. 116/16 dated May 11, 2016, be received.

That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held April 19, 2016 be received.

RESOLUTION

Minute No. 45281

Councillor B. Algate moved
Councillor B. Licul seconded

)
)

That the recommendations of items 18 to 22 be adopted.

CARRIED

QUESTIONS ON NOTICE

ITEM 23 - QUESTIONS ON NOTICE NO. 2/16 - DATED APRIL 29, 2016 - COUNCILLORS QUESTIONS TAKEN ON NOTICE AT THE APRIL 2016 COUNCIL MEETING 11/338, 11/432, 11/514,13/19

Recommendation

That Questions On Notice No. 2/16 dated April 29, 2016, be received.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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RESOLUTION

Minute No. 45282

Councillor M. Browne moved) That the recommendation of item 23 be adopted.
Councillor J. Richards seconded)

CARRIED

QUESTIONS FOR NEXT MEETING

From Minute for Confirmation – Tender T16/4 Buildings Painting and Maintenance T16/4

The General Manager took a question on notice from Councillor Nolan regarding clarification of the tendered cost of painting of the Broken Hill Regional Aquatic Centre (confidential report to April 27, 2016 Council Meeting).

From Item 1 - Securing Part Of The Milton Lavers Collection For Broken Hill 13/155

The General Manager took the following questions on notice from Councillor Black regarding matters at the Albert Kersten Mining and Minerals Museum:

1. *Will part of the mineral collection at the Albert Kersten Mining and Minerals Museum be removed and placed on display at the Civic Centre once it is upgraded, and at the Archives when it is relocated to the Administration Building? If not, then where are these minerals being sourced from?*

Councillor Black stated that a consultant Architect visited the Albert Kersten Mining and Minerals Museum requesting to look at minerals to go into proposed display cabinets at the Civic Centre and Archives once relocated to the Administration Building.

2. *Councillor Black enquired as to whether the Cultural Facilities Officer position advertised in today's Barrier Daily Truth is the position that will replace Angela Bailey's current role of Mineral Museum Manager?*
3. *Council Black asked whether the Museum will be managed by unqualified staff? Raising concerns regarding the security of the mineral collection housed at the Museum.*

From Item 3 - Quarterly Budget Review Statement for period ending March 2016 12/160

The General Manager took a question on notice from Councillor Black regarding why works at the Memorial Oval are taking precedence over works that were schedule at Queen Elizabeth Park, Duff Street Park and Patton Park?

From Item 15 – Infrastructure Activities – April 2016 11/514

The General Manager took a question on notice from Councillor Nolan regarding the accuracy of the REX total figures on page 153, stating that the REX January monthly comparison total shows that passenger numbers have decreased with a figure of -90.6% and that this figure should actually be -19.2%. Council Nolan requested confirmation of the accuracy of the figure in the report before the minutes are confirmed at the June Council Meeting.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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New Street Signs

11/296

Councillor Licul referred to new street signs that are being stored at the Warnock Street Works Depot and asked when these new signs will be erected?

Welcome to Broken Hill Signs

12/118

Councillor Nolan requested that staff investigate with the Roads and Maritime Service whether "Welcome to Broken Hill Heritage City" signs could be erected on the highway entrances into the City.

RESOLUTION

Minute No. 45283

Councillor P. Black moved) That the meeting be closed to the public in
Councillor M. Browne seconded) accordance with Section 10A of the Local
Government Act 1993 whilst the confidential
matters are considered.

CARRIED

Members of the media and public left the Council Chambers at 7:06p.m.

CONFIDENTIAL MATTERS

ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 117/16 - DATED MAY 10, 2016 -

CONFIDENTIAL

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

RESOLUTION

Minute No. 45284

Councillor C. Adams moved) That Broken Hill City Council Report No. 117/16
Councillor J. Richards seconded) dated May 10, 2016, be received.

That Council rescinds minute number 42408 of June 30, 2010 in favour of the following motion:

That the Broken Hill Family Day Care Committee Inc. provide Council with its financial records for examination to ascertain whether the Committee has the financial capacity to continue to operate from the building once they have taken ownership.

That Council transfer property at 55-59 Gypsum Street, the former Railwaytown Community Centre (being Lot A of DP 349204, Lot 1 of DP 926696 and Lot 1 of DP 1135911), to Broken Hill Family Day Care Committee Inc. for the sum of \$1.00 if demanded.

That the property be accepted as is.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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That the Committee be liable for all costs relating to insurance, rates if applicable, garbage collection, water, electricity and the like.

That each party be liable for their own legal fees.

That documents relating to this matter be executed under Council's Common Seal.

CARRIED

ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 118/16 - DATED MAY 12, 2016 - 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).

Councillor P. Black moved

) That Broken Hill City Council Report No. 118/16
) dated May 12, 2016, be received.

That YMCA NSW be awarded the contract for the management and operation of Broken Hill Regional Aquatic Centre.

That the General Manager negotiates the best outcome with YMCA NSW.

That Broken Hill City Council engage legal representation in establishing and facilitating signing of a legally binding contract between YMCA NSW and Broken Hill City Council.

NOT PUT
(for want of a Secunder)

Councillor Algate withdrew as Secunder of the motion.

RESOLUTION

Minute No. 45285

Councillor M. Browne moved)
Councillor J. Nolan seconded)

That the matter be deferred in order for the General Manager to hold discussions with the preferred tenderer regarding the profit/cost sharing ratios.

That past financial statements of the operations of the Broken Hill Regional Aquatic Centre be investigated in relation to the profit/cost sharing.

That a further report be presented to the June Council Meeting.

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 119/16 - DATED MAY 17, 2016 -

CONFIDENTIAL

(General Manager's Note: This report considers a staffing matter and is deemed confidential under Section 10A(2) (a) of the Local Government Act, 1993 which contains matters that will involve the discussion of personnel matters concerning a particular individual).

Recommendation

That Broken Hill City Council Report No. 119/16 dated May 17, 2016, be received.

RESOLUTION

Minute No. 45286

Councillor P. Black moved) That the recommendation of item 26 be adopted.
Councillor J. Nolan seconded)

CARRIED

RESOLUTION

Minute No. 45287

Councillor B. Licul moved) That the meeting resume in open session.
Councillor M. Browne seconded)

CARRIED

Media and members of the public returned to the Council Chambers at 7:31p.m.

The Chairperson asked the General Manager to report on the items considered in closed session. The General Manager advised that Council had resolved in respect of:

Item 24 - Broken Hill City Council Report No. 117/16 - dated May 10, 2016 - Transfer of Land - Former Railwaytown Community Centre to Broken Hill Family Day Care Committee Inc. -

Confidential

- That Broken Hill City Council Report No. 117/16 dated May 10, 2016, be received.
- That Council rescinds minute number 42408 of June 30, 2010 in favour of the following motion:
 - That the Broken Hill Day Care Committee Inc. provide Council with its financial record for examination to ascertain whether the Committee has the financial capacity to continue to operate from the building once they have taken ownership.
 - That Council transfer property at 55-59 Gypsum Street, the former Railwaytown Community Centre (being Lot A of DP 349204, Lot 1 of DP 926696 and Lot 1 of DP 1135911), to Broken Hill Family Day Care Committee Inc. for the sum of \$1.00 if demanded.
 - That the property be accepted as is.
 - That the Committee be liable for all costs relating to insurance, rates if applicable, garbage collection, water, electricity and the like.
 - That each party be liable for their own legal fees.
 - That documents relating to this matter be executed under Council's Common Seal.

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**Item 25 - Broken Hill City Council Report No. 118/16 - dated May 12, 2016 - Tender T16/1 -
Management and Operation of Broken Hill Regional Aquatic Centre - Confidential**

- That the matter be deferred in order for the General Manager to hold discussions with the preferred tenderer regarding the profit/cost sharing ratios.
- That past financial statements of the operations of the Broken Hill Regional Aquatic Centre be investigated in relation to the profit/cost sharing.
- That a further report be presented to the June Council Meeting.

**Item 26 - Broken Hill City Council Report No. 119/16 - dated May 17, 2016 - Review of 2014
Organisational Restructure - Confidential**

- That Broken Hill City Council Report No. 119/16 dated May 17, 2016, be received.

There being no further business the Chairperson closed the meeting at 7:34p.m.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON JUNE 29, 2016.)

CHAIRPERSON

MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
JUNE 15, 2016

Meeting commenced at 5:00 p.m.

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, Acting Deputy General Manager, Finance Manager,
Governance Officer and Executive Support Officer.

Media (3), Members of the Public (3).

APOLOGIES: Nil.

PURPOSE OF THE MEETING

To consider the following matters:

1. Broken Hill City Council Report No. 120/16 - dated January 19, 2016 – Adoption of Draft Broken Hill City Council Operational Plan 2016/17 and Schedule of Fees and Charges 2016/2017.
2. Broken Hill City Council Report No. 121/16 – dated May 03, 2016 – Adoption of Draft Long Term Financial Plan 2017/2026.
3. Broken Hill City Council Report No. 122/16 – dated June 08, 2016 – Tender T16/1 Management and Operation of the Broken Hill Regional Aquatic Centre – **CONFIDENTIAL**.

DISCLOSURE OF INTEREST

Nil.

REPORTS

Draft Operational Plan 2016/17

Council received a registration from Mr. Gerald Muscat to address Council regarding the draft Operational Plan 2016/17. The Mayor advised that provisions for a Public Forum Session are not on the Agenda for an Extraordinary Meeting, but as Mr. Muscat had forwarded a submission to Council regarding the Draft Operational Plan during the public exhibition period, the Mayor read Mr. Muscat's public forum registration to Council, which reads:

Name: Gerald Muscat

Subject: Airport Landing Fees

Recommendation: Reduce Landing Fees to \$12.00 + GST for ultralights until the Operational Review of the management of the Airport is completed.

ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 120/16 - DATED JANUARY 19, 2016 - ADOPTION OF DRAFT BROKEN HILL CITY COUNCIL OPERATIONAL PLAN 2016/2017 AND SCHEDULE OF FEES AND CHARGES 2016/2017

15/142

RESOLUTION

Minute No. 45288

Moved Councillor P. Black

Seconded Councillor J. Richards

)

That Broken Hill City Council Report No.

)

120/16 dated January 19, 2016, be received.

That Council note and acknowledge the submissions made by members of the public.

MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
JUNE 15, 2016

That the Operational Plan for the period 1 July 2016 to 30 June 2017, including the Revenue Policy, Annual Budget and the Schedule of Fees and Charges 2016/17 be adopted with the amendments set out in this report; and including an amendment to the Schedule of Fees and Charges 2016/2017 for fees at the Albert Kersten Mining and Minerals Museum (GeoCentre) to include a family entry fee of \$16.00 and a gold coin donation entry fee for Broken Hill residents.

That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2016/17 year:

- i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.0% base rate of \$459.00 and a rate in the dollar on land value of 1.944265 cents;
- ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$420.00 and a rate in the dollar on land value of 0.559533 cents;
- iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.0% base rate of \$164.00 and a rate in the dollar on land value of 1.519816 cents;
- iv. A general farmland rate under Sections 535 and 537 on all land categorised as farmland and consisting of a 30.0% base rate of \$618.00 and a rate in the dollar on land value of 0.703407 cents;
- v. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$845 and a rate in the dollar on land value of 7.795358 cents;
- vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed

MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
JUNE 15, 2016

- development business and consisting of a 32.00% base rate of \$845 and a rate in the dollar on land value of 7.795358 cents;
- vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 62.0% base rate of \$459.00 and a rate in the dollar on land value of 1.944265 cents;
- viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 8.713559 cents;
- ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$43.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$252.00 per annum payable quarterly (one mobile garbage container only).
- x. A commercial waste user charge under Section 502 of \$374.00 per annum payable quarterly (3 x MGB containers),
- xi. A commercial waste user charge under Section 502 of \$343.00 per annum payable quarterly (1x600l bin only).
- xii. An additional MGB service user charge under Section 502 of \$131.00 per annum payable quarterly.
- xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts an 8.0% rate of interest charge payable on overdue rates and charges during the 2016/17 financial year

CARRIED

MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
JUNE 15, 2016

**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 121/16 - DATED MAY 03, 2016 -
ADOPTION OF DRAFT LONG TERM FINANCIAL PLAN 2017/2026**

15/14;

RESOLUTION

Minute No. 45289

Moved Councillor B. Algate

Seconded Councillor J. Nolan

)

)

That Broken Hill City Council Report No.
121/16 dated May 3, 2016, be received.

That Council adopts the Draft Long Term
Financial Plan 2017 -2026 as a Plan of
Council.

CARRIED

CONFIDENTIAL MATTERS

RESOLUTION:

Minute No. 45290

Moved Councillor B. Algate

Seconded Councillor M. Browne

)

)

That the meeting be closed to the public in
accordance with Section 10A(2) of the Local
Government Act 1993.

CARRIED

Members of the media and public left the Council Chambers at 5:09 p.m.

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 122/16 - DATED JUNE 08, 2016 – TENDER
16/1 MANAGEMENT AND OPERATION OF THE BROKEN HILL REGIONAL AQUATIC CENTRE-
CONFIDENTIAL**

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

RESOLUTION

Minute No. 45291

Moved Councillor C. Adams

Seconded Councillor D. Gallagher

)

)

That Broken Hill City Council Report No.
122/16 dated June 8, 2016, be received.

That Council awards the tender for the
management and operation of the Broken Hill
Regional Aquatic Centre to the YMCA NSW for
a period of five years commencing July 1,
2016.

That Council engages legal representation in
establishing and facilitating signing of a legally
binding contract between YMCA NSW and
Broken Hill City Council.

MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
JUNE 15, 2016

That the Mayor and General Manager be authorised to sign the contract and affix Council's Seal if required.

CARRIED

Members of the media and public returned to the Council Chambers at 5:23 p.m.

The Mayor asked the General Manager to report on the resolution made in closed session. The General Manager advised that in respect of:

Item 3 – Broken Hill City Council Report No. 122/16 dated June 8, 2016 – Tender T16/1 Management and Operation of the Broken Hill Regional Aquatic Centre – Confidential

- That Broken Hill City Council Report No. 122/16 dated June 8, 2016 be received.
- That Council awards the tender for the management and operation of the Broken Hill Regional Aquatic Centre to the YMCA NSW for a period of five years commencing July 1, 2016.
- That Council engages legal representation in establishing and facilitating signing of a legally binding contract between YMCA NSW and Broken Hill City Council.
- That the Mayor and General Manager be authorised to sign the contract and affix Council's Seal if required.

There being no further business the Mayor closed the meeting at 5:23 p.m.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON JUNE 29, 2016)

CHAIRPERSON

REPORTS FROM DELEGATES

1. REPORTS FROM DELEGATES NO. 2/16 - DATED JUNE 16, 2016 - COUNCILLOR NOLAN'S ATTENDANCE AT THE MINING RELATED COUNCIL'S MEETING HELD MAY 13, 2016 (11/363) 24

ORDINARY MEETING OF THE COUNCIL

June 16, 2016

REPORTS FROM DELEGATES NO. 2/16

SUBJECT: COUNCILLOR NOLAN'S ATTENDANCE AT THE MINING
RELATED COUNCIL'S MEETING HELD MAY 13, 2016 11/363

Summary

Council has received a Delegate's Report from Councillor Nolan regarding his attendance at the Mining Related Council's Meeting held May 13, 2016 at Narromine (see attachments 1-4).

Council has also received correspondence from the Association of Mining Related Council seeking Council's support for the development of the draft Planning Agreement Timeline and the draft Memorandum of Understanding for Negotiation of Voluntary Planning Agreements for NSW Mining Development. (see attachment 5)

Recommendation

1. That Reports from Delegates No. 2/16 dated June 16, 2016, be received.
2. That Council endorses the actions of the Association of Mining Related Council in developing the draft Planning Agreement Timeline and draft Memorandum of Understanding for Negotiation of Voluntary Planning Agreements for NSW Mining Development, to allow further negotiations with the NSW Minerals Council to continue in relation to Voluntary Planning Agreements.

Attachments

- | | |
|--|-------------|
| 1. Councillor Nolan's Delegate's Reports | 5 Pages |
| 2. Draft Planning Agreement Timeline | 1 Page |
| 3. Memorandum of Understanding for Voluntary Planning Agreements | 2 Pages |
| 4. Minutes of the Meeting of the Association of Mining Related Council held
Febraury 19, 2016 | 12
Pages |
| 5. Email and correspondence from the Association of Mining Related Councils | 3 Pages |

J. NOLAN
COUNCILLOR NOLAN

Association of Mining Related Councils Report

The AMRC represents the interests of City and Shire Councils which are affected by mining in their areas.

The Association meets four times per year, currently twice in Sydney to coincide with NSW State Parliament sittings and twice in the regions, hosted on a rotating basis by member Councils.

The Association currently represents 23 member Councils who have either Metalliferous (hard rock) mining or Coal/Coal seam gas mining.

Councillor Jim Nolan from Broken Hill and Councillor Dennis Bradie from Condoblin have been tasked with amending the Association's Constitution to include Councils with Solar and Wind Farm developments in order to increase the Association's coverage and lobbying strength. This will occur in August 2016.

It is envisaged that later this year the Association will become 'The Association of Mining and Energy Related Councils of NSW'.

May 13 2016 Meeting held at Narromine Aerodrome Auditorium Tom Perry Drive, Narromine Aerodrome

The draft minutes of the 13th May 2016 meeting will be circulated prior to the 4th August 2016 meeting and endorsed at that upcoming meeting. However, an overview of the meeting and points of interest follows:

Proceedings commenced at 9:30 am with a welcome to Narromine by their Acting Mayor. The Acting Mayor spoke of their vision for future of Narromine and their recent achievements including the opening of the Tomingily Goldmine and its benefit to the local economy and employment. The Acting Mayor was also pleased with the success of the recently installed Heavy Vehicle bypass at a cost of \$4M. Benefits of this bypass include noise reduction, less wear and tear on the Main Street and a reduction in vehicle accident risk.

Special Meeting

A brief special meeting followed to **amend Clause 12 of the Constitution to read as follows: "At a general meeting, a quorum shall exist when the majority of member councils are represented"**. The present clause 12 reads "a quorum shall exist when the majority of delegates are represented". Some member councils' delegates do not attend meetings and often other delegates are apologies due to local commitments on meeting days.

To ensure a quorum, it is necessary to change the clause to "member councils". The amendment was passed unanimously.

Ordinary Meeting

1. The minutes of the February meeting were adopted and are attached herewith.

2. Recommendations from Executive Committee Meeting held on Friday 22nd April 2016

a) Review of Discussions between Association and NSW Minerals Council on Planning Agreements (Formerly Known as Voluntary Planning Agreements). Historically, The NSW Minerals Councils has largely ignored the position and opinions of City and Shire Councils. From Councils' perspective the NSW Minerals Council has often been seen as arrogant and impatient.

Through the work of the AMRC with the Department of Planning and Infrastructure on Voluntary Planning agreements, we have shown the AMRC to be a serious force to be reckoned with. VPAs from now on will always be essential in the Development Consent. Considerable progress has been made toward the consistency and enforceability of VPAs and our relationship with both the NSW Minerals Council and the Department of Planning and Infrastructure.

b) Budget: Continuation of Employment of Consultant OzEnvironmental for review of VPA guidelines.

After appointment in November 2015, the Consultant OzEnvironmental Pty Ltd (Mr Warwick Giblin, Managing Director) has been working with the Association's appointed Panel and the NSW Minerals Council to develop various documents for an acceptable planning agreement process. These documents can then be adopted by councils and the mining industry to reflect adequate financial contributions towards local physical and social infrastructure development and maintenance when mining projects are established in local areas.

After an initial budget allocation in November 2015 of \$13,000 a further allocation of \$7,000 was approved at the last meeting (February 2016) for engagement of the consultant. The process of developing the documents has now progressed to a point where two documents (the MOU and the Timeline) are being recommended to this meeting for approval to be put out to Member Councils for endorsement.

There is however further work to be completed between the NSW Minerals Council and the Association's Panel which will require assistance and input by the appointed consultant. After consideration of this task, the Executive Committee has recommending that a further \$20,000 be allocated from the Association's financial reserves to complete this important project which will assist local government in its dealings with the mining industry in the coming years.

The meeting endorsed the VPA project to progress to conclusion and allocated an additional \$20k for this purpose. This means that a total of \$40,000 of Association funds have been committed to develop common, clear, fair and enforceable Planning Agreements for the benefit of Councils and Communities across NSW.

c) Memorandum of understanding on Planning Agreements and Planning Agreement Timeline draft documents approved by the Association to go to Member Councils for feedback and endorsement.

The Memorandum of Understanding (MOU) and Timeline documents were approved for adoption at the Association's meeting on 13th May 2016 to report to all Member Councils for endorsement of the MOU and timeline documents. Executive Committee members can make themselves available to attend member council meetings if invited for the discussions.

Member Councils are invited to contribute towards a road contributions model be developed from member councils' asset management systems. A sub group of member council technical officers in association with the Association's consultant could provide a recommendation on a roads contribution model for the Planning Agreements for the Executive Committee meeting to be held on 29th July 2016 if they would like to attend.

d) Withdrawal of Narrabri Shire Council from the Association. With regret the Association accepts the withdrawal of Narrabri Shire from the Association. The Association has provided support for past issues raised by Narrabri Shire Council including dust monitoring in the Gunnedah Coal Basin and provided support for its notice of motion (mining rates) at the May 2015 meeting held in Quirindi. The Association is happy to welcome Narrabri back at any time in the future should Narrabri wish to re-join.

On a brighter note, two new potential member Councils, Dubbo City Council and Bogan Shire Council were invited to the May meeting and did attend. It is anticipated that these Councils will join the Association. Following the September 2016 elections, the development of an information pack on the Association's activities for distribution to NSW councils be investigated to encourage other Councils to join the organisation.

3. 10:00am – 10:30am, Meeting with Mr David Coulton, Mining and CSG Communications Officer, NSW Farmers. Collaboration and Information Sharing with NSW Farmers Organisation – **The Mining and CSG Communications Project.** David gave a PowerPoint session on the project explaining the purpose of the project in improving the capacity of landholders to engage and negotiate with Mining and Exploration companies in general. The Project is funded through the NSW Dept. of Planning and Infrastructure.

This information project is putting together a 'Landholder guide to Mining and Coal Seam Gas in NSW' which will be launched by June 2016. This will be a 250-page book available in print and as an online searchable document. The project has expended a budget of \$500K in 2012/14 and is continuing with another \$500K in 2014/16.

Councillor Jim Nolan confirmed with David that as well as Coal Mining and Coal Seam Gas projects, the project encompasses all other forms of mining including metalliferous, hard rock open cut and underground. David said that the project brief also covered all forms of mineral

processing including conventional processing, heap leaching and also 'In Situ' leaching of Uranium, should Uranium Mining go ahead in NSW.

Councillor Jim Nolan asked David if the project covers all of NSW. David said yes and said that he has had a stall at 'all' Agricultural Field days but when questioned he said 'No, not Agfair yet'. David said he has visited Crystal Mining at Ginko near Wentworth but not Broken Hill or with it's Mineral Separation plant or any of the other mines, farmers or landholders in Far West NSW.

Councillor Jim Nolan suggested that in view of the size (\$1M), the scope of the project (whole of NSW) and the length of the project (4 years) that David should prioritise a visit to the Far West and Broken Hill stakeholders.

4. Trade Display

There will be a Trade Display at the Local Government NSW Annual Conference Wollongong 16th – 18th October 2016. The conference organisers have contacted the Association and provided preliminary details on opportunities to participate in this year's conference.

5. Executive Officer's Report - For Information

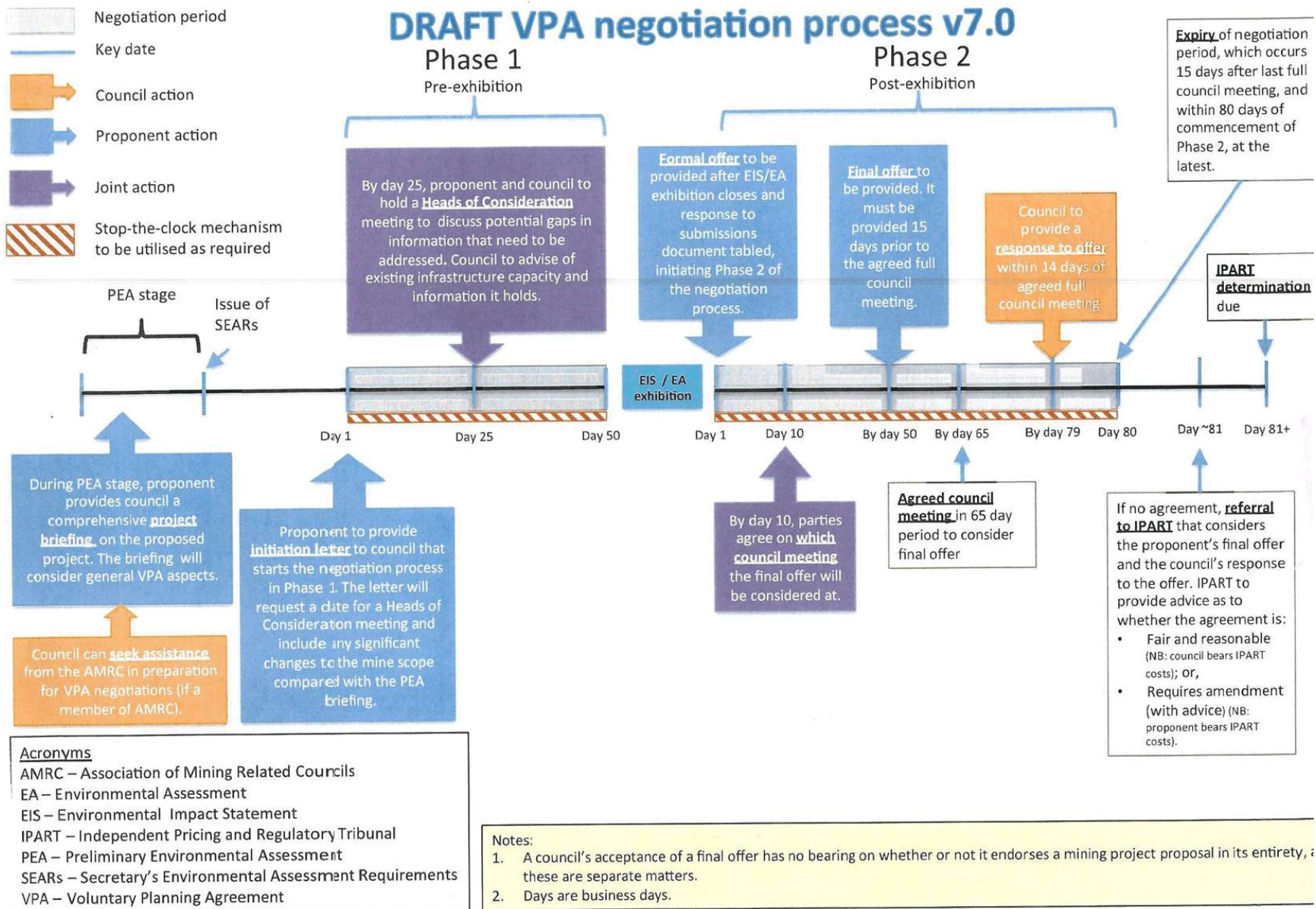
1. Invitation to Treasurer and Minister for Industrial Relations that the Honourable Gladys Berejiklian MP to attend Association's August meeting.
2. Letter to Premier regarding lack of consultation with external stakeholders by the Land Use Taskforce.
3. Letter to M/S Alison McGaffin, Regional Coordinator, 24th February 2016, advising the Association has resolved to apply for membership of the Western NSW Mining and Resources Taskforce.
4. Letter to The Honourable Anthony Roberts MP, Minister for Industry Energy and Resources Inviting him to attend the Association's August Meeting.
5. Letter to The Honourable Rob Stokes MP, Minister for Planning inviting him to attend the August meeting.
6. Letter to The Honourable Darren Chester MP, Commonwealth Minister for Infrastructure and Transport- asking that he or a senior officer from his office attend a future meeting of the Association to discuss FIFO/DIDO issues.
7. Letter to the Mayor, Muswellbrook Shire Council, Cr Martin Rush inviting him to make a presentation on his experiences with mining issues at either of the Association's meetings to be held on 4th August 2016 or 4th November 2016.

6. General Business

Discussion Document Local Government Rates

Life Member and General Manager, Armidale Dumaresq Council Mr Glenn Wilcox, has provided the Association with a discussion document on current local government rating issues including mining rates. A copy of the document has been included with the business paper. The matters raised were to be considered in the Association's submission to IPART sent prior to the meeting. This is because the close off for IPART submissions is Friday 13th May 2016, the same day as this meeting.

The 21-page discussion paper has been provided to the Broken Hill City Council General Manager for reference and is available on request. At this stage it is recommended that we await the findings of the IPART report.



Version 5

Memorandum of Understanding

Negotiating Voluntary Planning Agreements for NSW Mining Development

Preamble

This memorandum of understanding documents an agreement of the parties to work collaboratively to develop a mutually acceptable framework for the negotiation of voluntary planning agreements (VPA) for Mining Development in New South Wales.

In the past, negotiation of VPAs by mining proponents and local governments has been characterised by a lack of a robust, transparent process which in turn has sometimes generated uncertainty, delay, distrust and ad hoc and variable outcomes. The parties to this agreement share a belief that the process by which VPAs are negotiated can be improved to the mutual benefit of all parties involved. It is therefore the intention of the parties to work together collaboratively and in good faith to see if a better process can be agreed upon.

Nothing in this MoU obliges either Party to enter a final agreement regarding a framework for VPA negotiations nor about any of the component parts (e.g economic impacts calculator and road contribution calculator) of the framework.

Date	X April 2016 (to be inserted upon execution)
NSWMC	NSW Minerals Council on behalf of its members.
AMRC	Association of Mining Related Councils on behalf of its member Councils.
Parties	Together the NSWMC and AMRC.
Additional parties	[Insert any other non AMRC councils that agree to this memorandum of understanding]
Voluntary Planning Agreement Negotiation Framework	<p>The Parties agree to:</p> <ul style="list-style-type: none"> (a) work collaboratively and constructively to establish an agreed framework for the negotiation of VPAs for <i>Mining Development</i>¹ in NSW; (b) seek to develop a framework which is mutually beneficial to, and better addresses the interests of the Parties' members; (c) approach and undertake negotiations in good faith; (d) establish respective VPA working groups that: <ul style="list-style-type: none"> (i) shall meet on a regular basis; (ii) will be adequately resourced; and (iii) authorise the respective secretariats to take steps to progress the negotiations out of session.

¹ For the purposes of this agreement, '**Mining Development**' means a mining related project which is of a scale or nature that will have an impact on infrastructure demands within the relevant Local Government Area (LGA) and:

- (a) for which development consent is being sought for State Significant Development under Part 4 of the Environmental Planning and Assessment Act 1979 (NSW) (EP&A Act); or
- (b) an application has been made for the modification of a development consent in respect of a State Significant Development; or
- (c) an application has been made for the modification of a transitional Part 3A project pursuant to section 75W of the EP&A Act.

Methodology to calculate demands on local infrastructure	The Parties agree to work cooperatively together over the next 9 months to develop a tool that can be used by the Parties to assess the potential impact of a <i>Mining Development</i> on local government infrastructure and to calculate an appropriate contribution to be offered by the proponent to offset the potential impacts.
Methodology for calculating road upgrade and maintenance contributions	The Parties agree to work cooperatively together over the next 9 months to develop a tool that can be used by the Parties to: <ul style="list-style-type: none"> (a) assess the likely impact of a Mining Development on council roads within a local government area and to identify which roads will require upgrading and maintenance; (b) determine the standard to which a road should be upgraded and maintained; (c) develop a formula that can be used to calculate the cost of any necessary road upgrades and maintenance, using agreed industry guidelines; and (d) use the above information to apportion the cost of the necessary road upgrades and maintenance to a particular Mining Development.

EXECUTED as an agreement

Executed by
New South Wales Minerals Council
on / /20 by:

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Full name of

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Full name of

Executed by
Association of Mining Related Councils
on / /20 by:

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Full name of

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Full name of



**Minutes of
NSW Association of Mining Related Councils Inc.
Ordinary Meeting
Friday 19th February 2016
Parkes Room, Level 47
MLC Centre, Martin Place
Sydney**

The meeting commenced at 9.30 am

Attendance

Cr Peter Shinton	Warrumbungle Shire Council (Chair)
Cr Chris Connor	Wollongong City Council (Deputy Chair)
Cr Lilliane Brady (OAM)	Cobar Shire Council (Deputy Chair)
Cr Peter Abbott	Cobar Shire Council
Mr Ron Zwicker	Wollongong City Council
Cr Liz McGlynn	Bland Shire Council
Mr Robert Hunt	Lachlan Shire Council
Cr Dennis Brady	Lachlan Shire Council
Cr Owen Hasler	Gunnedah Shire Council
Mr Michael Silver	Gunnedah Shire Council
Mr Andrew Spooner	Campbelltown City Council
Cr Tony Ellis	Narromine Shire Council
Cr Holee Jenkins	Singleton Council
Cr John Martin (OAM)	Singleton Council
Cr Scott Ferguson	Blayney Shire Council
Cr Nuatali Nelmes	Newcastle City Council
M/S Donna Ausling	Liverpool Plains Shire Council
Cr Robert Webster	Liverpool Plains Shire Council
Cr Jim Nolan	Broken Hill City Council
Cr Michael Greenwood	Parkes Shire Council
Cr Bob Wheeldon	Wentworth Shire Council

Staff

Mr Don Tydd	Executive Officer
M/S Julie Goodwin	Accounts Administrator

Apologies

Cr Gordon Bradbery OAM	Wollongong City Council
Cr Col Mitchell	Wollondilly Shire Council



Mr David Henry
Cr Michael Banasik
Mr Greg Lamont
Cr Neil Pokoney
Cr Catherine Collyer
Cr Robyn Faber
Cr Conrad Bolton
Cr Paul Hawker
Cr Peter Bishop
Mr Brad Cam
Cr Rebecca Ryan
Mr Steve Loane
Cr Bob Pynsent
M/S Rebecca Ryan
Cr Sharon Wilcox
M/S Heather Nicholls

Wollondilly Shire Council
Wollondilly Shire Council
Narromine Shire Council
Bland Shire Council
Narrabri Shire Council
Narrabri Shire Council
Narrabri Shire Council
Campbelltown City Council
Upper Hunter Shire Council
Mid Western Regional Council
Gunnedah Shire Council
Warrumbungle Shire Council
Cessnock City Council
Blayney Shire Council
Cabonne Shire Council
Cabonne Shire Council

1. Apologies

01/2016 Resolved that the apologies be received and noted.
(Cr L. Brady/ Cr Jenkins)

2. Disclosures of Pecuniary Interests

02 /2016 Resolved delegates now disclose any pecuniary interests and reasons for declaring such interests in the matters under consideration at the meeting.

Ron Zwicker declared an interest through holding AGL shares.

3. Adoption of Minutes, Ordinary Meeting held Friday 13th November 2015, Cabonne Shire Council Chambers, 99-101 Bank Street Molong.

03/2016 Resolved that minutes of the Association's Ordinary meeting held in the Cabonne Shire Council Chambers, 99-101 Bank Street Molong, Friday 13th November 2015 be received and noted.
(Cr Hasler/ Cr Jenkins)

4. Matters Arising From The Minutes

Cr Ellis asked what progress had been made with Item 15-1 the Association's strategic planning document.



The Chairperson, Councillor Shinton advised the matter would be dealt with under recommendation 7 from the recent meeting of the Executive Committee.

5. Recommendations- Executive Committee meeting held Thursday 2015

04/2016 Resolved that the meeting consider recommendations from the Executive Committee meeting held 5th February 2016.
(Cr L. Brady/ Cr Conner)

5.1. Invitation to Parliamentarians to Attend Meetings

05/2016 Resolved the Treasurer and Minister for Industrial Relations, The Honourable Gladys Berejiklian be invited to the Association's August 2016 meeting.

(Cr Hasler/ Cr Conner)

5.2. Western NSW Mining and Resource Development Taskforce

Note Item 5.2

Prior to consideration of this matter it was duly advised by the mover of this recommendation at the Executive Committee meeting (Cr Hasler) that the organisation referred to was the Land Use Conflict Taskforce and not the Western NSW Mining and Resource Development Taskforce as stated in the original recommendation. There had not been consultation with the Councils, community groups or, expert groups when the Taskforce visited the North West of NSW. This amendment was noted by meeting delegates and the recommendation changed to reflect Councillor Hasler's advice on this matter.

5.2. 06/2016 (1) Resolved a letter be forwarded to the NSW Premier advising that Association member Gunnedah Shire Council with an interest in the establishment of the Land Use Conflict Taskforce through its geographical location, was not advised of the establishment of the organisation and there appeared to be a lack of consultation with external stakeholders when the Taskforce visited the North West region. This was contrary to advice received from the Head of Premier and Cabinet in 2015 at a meeting of Namoi Councils where it was stated there would be consultation and,



(2) The Association apply for membership of the Western NSW Mining and Resources Taskforce.

(Cr Hasler/ Cr L. Brady)

5.3. Commonwealth Government's Response to FIFO-DIDO Enquiry

07/2017 Resolved that a further letter be forwarded to The Honourable Darren Chester MP, Minister for Infrastructure and Transport asking that if he cannot attend a future meeting of the Association to discuss FIFO/DIDO Enquiry issues, he be asked to approach another Government Minister or, a senior representative of his Department to attend.

(Cr Hasler/Cr D. Brady)

5.4. Quorums At Meetings

07/2016 Resolved the Association hold a Special Meeting to amend clause 12 of its constitution to read:

"At a general meeting, a quorum shall exist when the majority of member councils are represented".

(Cr Martin / Cr Jenkins)

5.5. Renewable Energy

08/1016 that renewable energy becomes part of the Association's charter and consideration be given to an amendment to the organisation's constitution to reflect the inclusion of this energy source.

(Cr Ferguson/ Cr Hasler)

5.6. Financial Statements

09/11016 Resolved cash journal for the period 1st October 2015- 31st December 2015 and financial statements for the period 1st October 2015 to 31st December 2015 be received and noted.

(Cr Connor/Cr Jenkins)

5.7. 2013-2016 Strategy Document

10/2016 Resolved the Association appoint a panel with Councillor Chris Connor as Chair and invite three (3) other delegates to be members, they



being Councillor Jim Noland, Councillor Owen Hasler and Councillor Dennis Brady.

The Panel to review all aspects of the Association's current strategy document, formulate a new document and to bring it up to date with current technologies and frameworks. A review of the organisation's web site framework and content also to be included in the Panel's brief.

(Cr Connor/Cr Hasler)

Standing Orders

11/2016 Resolved Standing Orders be suspended at 10 00am to allow the presentation from Mr Warwick Giblin

(Cr Nolan/Cr Connor)

Presentation by Mr Warwick Giblin, Progress Report on Discussions with NSW Minerals Council on Planning Agreements (Formerly Known as VPAS)

Cr Shinton welcomed Mr Giblin to the meeting.

Mr Giblin advised the discussions with the NSW Minerals Council (MC) so far were an encouraging start to resolving this issue. He spoke to his presentation and highlighted some flaws in the MC's approach and there was still a lot of work to be done.

The MC's document relating to a Ministerial direction for any adopted proposals to apply to all NSW councils had been placed on the "back burner" for the time being. There was a need for the Association to know more on the role that IPART could play in this matter. In reference to the proposed MOU, this would be discussed at a meeting to be held on Monday 22nd February 2016 where he expected a softening of the MC's approach on this matter.

Any future planning agreement/template would need to be a standard document with issues such as commencing dates, payment of costs and CPI considerations which needed consistency.

The discussions with the MC were a good opportunity to solving the issues.

Delegates Questions/Comments

Cr Halser referred to a recent meeting of the Namoi Joint Organisation of Councils where a delegate had made a comment that there had been a deal done between the Association and the MC on this matter which was not true. He wondered if member councils were receiving the current information on this matter through their delegates. This did not seem the case with the recent comments by the delegate at the Joint Organisation meeting.



He was also concerned that this matter could drag on and take up to a year to resolve. The Department of Planning and Environment was keen to progress this matter and there was a need for a quicker solution.

Mr Giblin in response to this comment advised the appointed Association Panel was making progress with this matter. In relation to the time frame, the MC was keen to move this matter on.

Cr Martin commented on the basis that he was independently chairing the Panel/MC meetings. In his opinion there was a lot of information to consider in the discussions on the planning agreements (VPAS). He was concerned as to the complicated process required to get results many of which were long term issues. He also had concerns on the process as laid out in the draft documents. He used an example from Singleton Shire Council where the process had taken five years. Mining companies had their own priorities with such agreements. Future socio –economic effects from mining in NSW are very broad particularly the issue of “who pays”.

Mr Giblin commented the Umwelt model could be written into the negotiations to address some of these issues. There was a need for Panel members to understand these matters.

In relation to road contributions the template could not cover all situations.

Cr Wheeldon commented that a template was a good idea and it should reduce conflict between the parties.

Cr Nolan believed a template was a good idea but should be able to be varied.

Cr Hasler further commented that VPAs get to a point where companies could agree on some things e.g. timeframes.

Cr Abbott commented that if Council staff were involved in the negotiations they needed more expertise.

Mr Silver observed that the socio economic details in EIS's were improving. He was concerned that the Department of Planning and Environment was not taking a lead on this matter and there was a need to put pressure on the Department for this matter to be resolved at that level.

He mentioned the REM plan. Gunnedah Shire Council, Liverpool Plains Shire Council and Narrabri Shire Council had used this model, however its accuracy depended upon how the information was utilised with the model particularly road costings.

Mr Giblin commented the Umwelt model was economic but was not good on social costings.



Cr Lilliane Brady asked what mines would be involved?

Mr Giblin advised he had no details but would find out this information.

Cr Wheeldon asked what processes would be included if IPART was involved?

Mr Giblin made comment on where IPART would be involved.

Cr Martin commented that companies and councils should not get to a "deadlocked "situation.

Cr Hasler reported on Gunnedah Shire Council's experience with IPART. He commented someone has to make a decision if there is an impasse and the Department of Planning and Environment will not.

Cr Noland commented on the situation of renewable energy involving wind and solar farms and the developments in the Broken Hill area where there were no VPAS involved. One proposed wind farm had 100 turbines and this would have socio economic impacts. He asked Mr Giblin what he thought would happen when future remediation was necessary.

Mr Giblin advised he believed the incorporation of renewable energy into the Association's charter was a good idea and VPAS would be needed for these developments.

Robert Hunt questioned Mr Giblin on his opinion on the worker location model in some agreement formulas.

Mr Giblin advised he does not like this type of model as it can favour the adjoining council over the council where the development is.

This concluded Mr Giblin's presentation and he left the meeting after being thanked by the Chair, Councillor Shinton.

Standing Orders

12/1016 Resolved the meeting resume at 10 35am –recommendations from Executive Committee meeting 5th February 2016.

(Cr Martin/Cr Nolan)



5.8. Review of Discussions between Association and NSW Minerals Council on Planning Agreements (Formerly Known as Voluntary Planning Agreements)

13/2016 Resolved that the Executive Committee note the progress being made with discussions between the Association and the NSW Minerals Council on Voluntary Planning Agreements (VPAS). Further, Mr Warwick Giblin, Consultant appointed to review this matter be invited to address the next meeting of the Association to be held on Friday 19th February 2016 and that a further \$7,000 be allocated from the Association's cash reserves to cover costs for anticipated finalisation of the discussions.

(Cr Hasler/ Cr Jenkins)

5.9. Post Mining Issues and Mining Rates

14/2016 Resolved the Muswellbrook Shire Council Mayor, Councillor Martin Rush be invited to address the Association at its meeting to be held on the 4th August 2016 or, the 4th November 2016 on post mining and mine rating issues. Further, a representative of the NSW Minerals Council also be invited to attend one of the indicated meetings.

(Cr Martin/Cr Jenkins)

6. Executive Officers Report (For Information)

Councillor Hasler made comment on **Item 6.6 Dust Monitoring Gunnedah Coal Basin**. He thanked the Association for its support and lobbying of the State government, its departments and agencies on the issue. He pointed out the reporting was different to the Hunter Valley monitoring (real time) and was a delayed time model. There were four sites in the Gunnedah coal basin using mining company equipment. There was a question as to the accuracy of the data. It was possible a real time system may be installed in the future. Residents in the Gunnedah area were being asked to provide feedback on the new system. There had been some headway over the past three years with this matter and it was essential for the Basin to have an effective system in place prior to the ramp up of mining.

15/2016 Resolved the Executive Officer's report (for information) be received and noted.

(Cr L Brady/ Cr Connor)



7. Presentation by the Honourable Mick Veitch MLC, Shadow Minister for Primary Industries, Shadow Minister for Lands & Shadow Minister for Western NSW

The Executive Officer advised delegates that prior to the meeting commencing he had received a telephone message from Mr Veitch's office advising he had to return to his home as a matter of urgency due to a family member's illness. He therefore would not be attending today's meeting and sent his apologies.

8. General Business

8.1 Resources for Regions Grant Program

Councillor Hasler raised the matter of the recent announcement of a new round of funding under the program (\$32m) and expressed his concern given the previous grants had totalled approximately \$208m. He was also concerned there had been a change in the guidelines with a total emphasis on applications being encouraged from regional organisations meaning fewer funds to go round. It appeared there was more justification of regional applications over local council applications.

Cr Lilliane Brady commented in some cases there was some value in the government's latest approach especially for regional road funding applications.

Councillor Hasler further commented on local priorities as compared to regional priorities.

Cr Wheeldon and Cr Connor made comment on this matter.

Robert Hunt advised that Lachlan Shire Council had already been approached by CENTROC to participate in a joint regional approach.

Cr Greenwood commented that it is important to know what happens after this round of funding.

8.2 Association's Panel for discussions of Planning Agreement matters With NSW Minerals Council

Councillor Jenkins questioned delegates in relation to the Panel currently having two Singleton Councillors involved and their thoughts on this matter. Councillor Martin commented he was the independent Chair appointed for meetings and this was his only role at this stage.

By consensus, it was agreed that Councillor Jenkins should continue as a Panel member.



8.3 Continuance of Operations- North Parkes Mine

Councillor Greenwood advised under a recent announcement, the North Parkes Mine would continue its operations until 2042.

8.4 Effect on The Association from Proposed Council Mergers

Councillor Greenwood asked what effects the current proposed mergers of some NSW Councils may have on the Association. The Executive Officer advised (at this stage) if the present proposals go ahead, the Association may lose two shire councils, Cabonne and Blayney. Financially this would mean that the Association may from 2017-2018, be in a "balanced "budget situation rather than the present surplus. He was continuing to investigate any opportunities for new members. Councillor Hasler commented the merger proposals could affect other local government organisations particularly Local Government NSW.

Meeting Adjournment

The meeting was adjourned at 11 04am and resumed at 11 48am.

9.0 Presentation by Mr David Kitto, Department of Planning and Environment on Proposed Changes to the Operation of Community Consultative Committees (CCCS).

Councillor Shinton introduced Mr Kitto. Mr Kitto explained his role in the Department and the areas of NSW he is responsible for. Industries include mining, CSG and renewable energy projects.

Mr Kitto advised the meeting the draft CCC guidelines went on display on Thursday 18th February 2016 and were open to comment until 31st March 2016. Some consultation with major stakeholders had already taken place. CCCS had been operating for fifteen years with the mining industry and the results had been mixed. The new guidelines were designed to make the committees work more effectively.

CCCS had been set up previously following mining exploration. It was apparent that a lot more consultation was needed prior to the approval of the development.

It was necessary for expansion of the CCC concept to all major developments and also their establishment in the post development phase. It was apparent that to avoid problems after development there was a need for early introduction of a CCC. Flexibility would be a key factor in the operations of future CCCS.



Mr Kitto explained the process for the appointment of a CCC Chair and members of the committee. There would be a more formal appointment process and an independent review of appointees. There would be a new toolkit for the committees' operations. The Departmental Secretary would have the ability to intervene if any committee was found not to be working effectively.

Delegates Questions and Comments

Cr Martin explained that CCCS had been operating in the Singleton Council area for thirty five years. Their operations had been fairly successful. Independent Chairs had helped resolve some of the problems. He believed that taking away the responsibility from councils for committee nominations would be helpful. There had been good community representation on the committees in the Singleton area but often problems occurred when representatives from mining areas expressed personal views on some matters. He was supportive of the new guidelines.

Mr Kitto advised the Chair could be from Council but the Department was flexible on these issues.

Ron Zwicker raised the matter of the lack of Departmental representation on the committees. He had the experience of having to defend Departmental policies as a council representative which resulted in some problems.

Mr Kitto advised Departmental Compliance Officers will attend some CCC meetings under the revised guidelines.

Cr Hasler advised he had been a CCC member and he saw the new draft guidelines as a positive move. However, there was a need to change some of the wording in the document.

Cr Connor supported the changes in the guidelines and asked Mr Kitto what triggers the setting up of a CCC?

Mr Kitto explained that the local council is a useful mechanism for flagging the setting up with then due advice to the Department. The CCC should be in operation from the beginning of the development.

Mike Silver expressed the view that some CCCS benefited from members coming from outside the local government area where the development was taking place.

Mr Kitto commented the local council will have considerable input into the appointment of the CCC Chairperson.



Cr Wheeldon raised his concerns as to the Department not having the same obligations as the local council and other organisations.

Mr Kitto advised this issue was a problem in western areas of the state. Often there were few submissions and the Department realised that a CCC was often not the best vehicle to resolving such local matters. It was a case by case review process. He observed that there was a need for more consultation between the Department and Councils. He advised VPAS should be utilised as a tool (if possible) for financial contributions and should be in the consent.

Cr Lilliane Brady raised the problem of Councils negotiating/dealing with mining companies operating underground mines.

Mr Kitto advised Council can negotiate a VPA with a company and set up a CCC for the development.

Councillor Wheeldon raised the matter of contributions. Wentworth Shire had a problem with this issue.

Mr Kitto commented that this was a local problem and should be dealt with through discussions between Council and the Department.

Cr Ferguson asked what projects should have CCCS?

Mr Kitto advised the CCC should be in place when development commences not when EIS is in place – it needed to be a long process.

Cr Ferguson gave the example of Arcadia Mines as a company which had a successful relationship with the local CCC. He complimented the company on its attitude.

At the conclusion of Mr Kitto's presentation, the Chair thanked him for his attendance at today meeting.

Additional General Business

Some delegates asked that the remaining meeting dates be confirmed. The Executive Officer verbally advised the dates but confirmed he would forward related details by e mail in the near future.

There being no further business the meeting concluded at 12 23pm.

The Minutes (Pages 1- 12) were confirmed at a meeting held on Friday 19th February 2016 and are a true and accurate record of proceedings of the meeting held on Friday 13th May 2016.

.....
Cr Peter Shinton
Chairperson

Bartlett, Leisa

From: Don Tydd <info@miningrelatedcouncils.asn.au>
Sent: Friday, 20 May 2016 10:27 AM
To: Bland Shire Council; 'Blayney Shire Council'; Internet Mail; Cabonne Shire Council; Campbelltown City Council; Cessnock City Council; Cobar Shire Council; Gunnedah Shire Council; Lachlan Shire Council; Lithgow Council; Liverpool Plains Shire Council; Mid Western Regional Council; Narromine Shire Council; Newcastle City Council; Orange City Council; Parkes Shire Council; Singleton Shire Council; Upper Hunter Shire Council; Warrumbungle Shire Council; Wentworth Shire Council; Wollondilly Shire Council; Wollongong City Council
Subject: Memorandum of Understanding with NSW Minerals Council and Timeline for completion of Voluntary Planning Agreements
Attachments: Scan103.pdf; Scan104.pdf; Resolution Document MOU and Time Line -2.docx

For the Attention of General Managers and/or Senior Administration Officers/ Town Planners

Attached are two documents recently approved by the Association together with a background document as to their origin.

The Association would appreciate if your council (or its Planning Committee), as a member of the Association could also endorse this organisation's actions in developing the two documents to allow further negotiations with the NSW Minerals Council to continue in relation to Voluntary Planning Agreements.

It would be appreciated if your council's reply could be forwarded to me by no later than the **22nd July 2016**

Yours sincerely

Don Tydd
Executive Officer
Association of Mining Related Councils Inc.
P O Box 1418 Armidale NSW 2350
Tel. (02) 6775 3844
Mob. 0418 681 320

This communication is confidential and may contain privileged information. It is intended for use by the named recipient/s and any unauthorised use, review, alteration, disclosure or distribution is prohibited. Opinions, conclusions and other information in this message shall be understood as neither given or endorsed by the Association.



**Resolution Passed at Association of Mining Related Councils
Meeting Held 13th May 2016-- Memorandum of Understanding with
NSW Minerals Council and Timeline for Completion of Voluntary
Planning Agreements.**

Moved Councillor John Martin, Singleton Council **Seconded** Councillor Chris Connor, Wollongong City Council

29/2016 The member councils be asked to advise the Association by no later than 22nd July 2016 of their acceptance or, rejection of these documents.

Carried

Background

In November 2015, The Association resolved to enter discussions with the NSW Minerals Council to see if there were opportunities to develop a closer working relationship on behalf of members of both organisations particularly in relation to Voluntary Planning Agreements (VPAS) and related contribution methodology. VPAS for some member councils in past years had become expensive and time consuming matters.

The Association approached the discussions by the appointment in November 2015 of a small advisory Panel with two Councillors and two General Managers as members. This Panel has now been increased to three Councillors and two General Managers. All meetings with the NSW Minerals Council are chaired by an independent Association member council delegate. The Association in November 2015 also appointed a consultant to assist the Panel in its negotiations. He is Mr Warwick Giblin, Managing Director, OZ Environmental Pty Ltd who has considerable experience in assisting Councils with their VPA negotiations with mining companies. The consultancy is being paid for from the Association's cash reserves built up over past years and set aside for projects such as the VPA negotiations.

Between November 2015 and May 2016, the Panel has been able to debate and negotiate a draft Memorandum of Understanding with the NSW Minerals Council to a point where the Association has resolved it is ready for signing by both organisations.



Another outcome has been the Panel's successful negotiations with the NSW Minerals Council of a Time Line document which sets out an acceptable framework and methodology for the negotiation of a VPA. The Association has also resolved to accept this document as a fair and reasonable solution to past problems with negotiations on this important local issue.

The negotiation process with the NSW Minerals Council is ongoing for the time being, with the need for an acceptable model for contributions to local social and physical infrastructure particularly roads. This matter will take some time. In the meantime, The Association wishes to gain member Council's support to sign the Memorandum of Understanding and approval of the time line. The Association by resolving to accept both documents believes the agreements contained therein are in the best interests of member councils and the adopted processes will assist with future VPA negotiations.

As per a resolution at the recent meeting of the Association (13th May 2016) it is the intention of the Association to authorise the Chairperson to sign the Memorandum of understanding if there is positive agreement in returned responses (in writing) by a majority of member councils (50% plus one).

The Association trusts your Council will be supportive of the actions taken so far to assist member councils with this important matter.

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ORDINARY MEETING OF THE COUNCIL

May 3, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 123/16SUBJECT: ADOPTION OF DRAFT ASSET ACCOUNTING POLICY 12/14**Recommendation**

1. That Broken Hill City Council Report No. 24/16 dated April 14, 2016, be received.
2. That Council adopts the Draft Asset Accounting Policy as a policy of Council.
3. This adoption of the Draft Asset Accounting Policy will render the Asset Capitalisation Policy obsolete.

Executive Summary:

Council considered the Draft Asset Accounting Policy at its Ordinary Council Meeting held April 27, 2016 and resolved (Minute No. 45242) to place the draft policy on public exhibition as per Section 160 of the *Local Government Act 1993 (the Act)*.

The draft policy was placed on public exhibition concluding on Tuesday, May 31, 2016.

During the public exhibition period Council received zero written submissions regarding the Draft Policy.

Report:

In order to facilitate improved financial management and reporting, and to comply with both the *Local Government Act 1993* and the Australian Accounting Standards the asset capitalisation policy has been reviewed.

From this review the Finance Accounting Department recommend a more robust asset accounting policy be implemented that not only applies to the capitalisation process but is expanded to include all asset accounting functions.

In accordance with the *Local Government Act 1993* the reviewed policy was placed on public exhibition for a period no less than 28 days during which time no submissions were received.

The Finance Accounting Department have reviewed the asset capitalisation policy, and have recommended a more encompassing policy that relates to all asset accounting functions. This policy has the ability to influence financial control using the approach that improvements made to the policy will result in improvement to the financial management of the organisation whilst ensuring that compliance with relevant legislation and accounting standards is paramount.

The asset accounting policy is a governing document that guides the entire process of asset accounting and communicates:

- The material thresholds above which assets will be capitalised
- Recommended useful lives
- The required revaluation cycle

- The depreciation method

In relation to the capitalisation thresholds, minor amendments have been made reducing the thresholds to more accurately recognise council's assets and to more closely align the threshold limits with other regional councils of comparable size.

Strategic Direction:

Key Direction: 4. Our Leadership
 Objective: 4.2 Our Leaders Make Smart Decisions
 Function: Financial Management
 DP Action: 4.2.1.3 Implement strategies to address Council's financial stability

Relevant Legislation:

- *Local Government Act 1993*

Australian Accounting Standards Board (AASB) Standards:

- AASB 116 Property, Plant and Equipment;
- AASB 1041 Revaluation of Non-Current Assets;
- AASB 136 Impairment of Assets;
- AASB 1051 Land Under Roads;
- AASB 138 Intangible Assets
- AASB 5 Non-current Assets Held for Sale and Discontinued Operations
- AASB 1049 Whole of Government and General Government Sector Financial Reporting

Financial Implications:

A robust asset accounting policy that supersedes and expands upon Council's existing asset capitalisation policy demonstrates strong commitment to improved performance and sustainability.

Attachments

1. Draft Asset Accounting Policy 13 Pages

JAMES RONCON
GENERAL MANAGER

DRAFT ASSET ACCOUNTING POLICY



QUALITY CONTROL

COUNCIL POLICY			
TRIM REFERENCES	12/14 D16/13782		
RESPONSIBLE POSITION	CHIEF FINANCIAL OFFICER		
APPROVED BY			
REVIEW DATE	1 st July 2018	REVISION NO.	1
EFFECTIVE DATE	ACTION	MINUTE NO.	
June 2016			

1. INTRODUCTION

The asset accounting policy dictates the required accounting treatment of non-current assets that provide future economic benefits to Broken Hill City Council and the community.

2. POLICY OBJECTIVE

To ensure that there is a standardised approach used by Broken Hill City Council when accounting for non-current assets. Also, to ensure that the accounting treatment for such assets are in compliance with International and Australian Accounting Standards and relevant legislation.

3. POLICY SCOPE

This policy applies to all of Broken Hill City Councils non-current assets in relation to their treatment for financial purposes.

This policy does not apply to receivables, inventory or investments.

4. POLICY STATEMENT

Definition of an Asset

An asset is a physical resource controlled by the entity as a result of past events and from which future economic benefits are expected to flow to the entity for more than 12 months. An asset is recognised in the Statement of Financial Position (Balance Sheet).

Any item which has a useful life of less than 12 months is recognised in the income statement and is classed as an expense under the operational or maintenance budget. It cannot be classed as an asset.

Recognition of Assets and Measurement at Recognition

Australian accounting standard AASB 116 paragraph 7 states that the cost of an item property, plant and equipment be recognised as an asset if and only if:

- *it is probable the future economic benefits associated with the item will flow to the entity; and*

- *the cost of the item can be measured reliably*

Paragraph 15 of AASB 116 requires an item of property, plant and equipment that qualifies for recognition as an asset to be measured initially at cost. Notwithstanding paragraph 15, where an asset is acquired at no cost, or for a nominal cost (as the case with developer and other contributed assets), the cost is its fair value as at the date of acquisition.

According to paragraph 16 of AASB, the cost of an item of property, plant and equipment is to comprise:

- *its purchase price, including import duties and non-refundable purchase taxes, after deducting trade discounts and rebates;*
- *any costs directly attributable to bringing the asset to the location and condition necessary for it to be capable of operating in the manner intended by management;*

According to paragraph 17 of AASB 116 'directly attributable costs' include:

- *costs of employee benefits arising directly from the construction or acquisition of the item of property, plant and equipment;*
- *costs of site preparation;*
- *initial delivery and handling costs;*
- *installation and assembly costs;*
- *professional fees;*
- *costs of testing whether the asset is functioning properly, after deducting the net proceeds from selling any items produced while bringing the asset to that location and condition*
- *the initial estimate of the costs of dismantling and removing the item and restoring the site on which it is located, the obligation for which an entity incurs either when the item is acquired or as a consequence of having used the item during a particular period for purposes other than to produce inventories during that period*

Purchase costs that are excluded from the cost of an asset as outlines in Paragraph 19 of AASB 116 include:

- *costs of opening a new facility*
- *costs of introducing a new product or service (including costs of advertising and promotional activities)*
- *costs of conducting business in a new location or with a new class of customer*
- *administration and other general overhead costs*

These accumulated costs represent the value of the asset at cost as at the date in which the asset is deemed to be complete and available for use. Not-for-profit entities may acquire assets at zero or at a nominal value, the asset is deemed to be valued at its fair value at date of acquisition. This initial valuation does not constitute a revaluation, a revaluation will only occur when it is the expressed decision of management to revalue a class of assets due to a change in the future economic benefits of that class.

Derecognition of Assets

Australian Accounting Standard AASB 116 paragraph 67 states that the carrying amount of an item shall be de-recognised:

- on disposal or;*
- when no future benefits are expected to arise out of its use or disposal.*

AASB 116, paragraph 68, provides that:

- The gain or loss arising from the derecognition of an item of property, plant and equipment shall be included in profit or loss when the item is derecognised (unless AASB 117 requires otherwise on a sale and leaseback).

Rules for Recognition of project cost elements:

Activity	Recurrent Expenditure	Capital Expenditure
Activities prior to decision made to proceed with investment include: <ul style="list-style-type: none"> • Strategic planning reports • Project scoping and investigation, valuation reports, planning approvals 	x	
Activities directly associated with investment include: <ul style="list-style-type: none"> • Survey and design • Professional fees • Site preparation • Construction • Contract payments • Council direct costs, wages, salaries, plant hire, materials, on-costs • Supervision • Transport, installation, assembly and testing • Project management • Future dismantling and removing item and site restoration (where applicable) 		x

Asset Revaluation

As all assets are to be recorded at their 'Replacement Cost' (Fair Value), Broken Hill City Council are required to revalue all assets on a regular basis, not being more than 5 year intervals, to assess the assets carrying value against the assets fair value at reporting date.

Materiality

Information is material if its omission, misstatement or nondisclosure has the potential, individually or collectively, to influence the economic decisions made by users on the basis of the financial statements.

In the context of materiality it is not necessary to recognise every non-current asset in the balance sheet. For example, a calculator may have a useful life greater than 12 months but its value is small and does not warrant the cost of recording in the asset register, so it is simpler to expense it.

Minor Assets

Minor assets are those items acquired for a cost less than the capital threshold for that applicable category. The acquisition of minor assets is treated as an expense.

Useful Lives

The useful life of an asset is defined as the period of time over which an asset is expected to be available for use by the entity. Over this period the useful life will be reviewed on a regular basis taking into account new information about future economic value, any adjustments resulting from this review will be made prospectively as changes in accounting estimates.

Componentisation

Some types of assets need to be componentised into the parts that make up that asset to allow for condition assessment and determination of depreciation expense. Each component should:

- Be significant in cost

- Have a different useful life or depreciation pattern
- Separately identify short-life and long-life parts consistent with the AASB decision of May 2015

Broken Hill City Council componentises its assets as per OLG guidance for infrastructure property, plant and equipment.

Depreciation & Impairment

The depreciation method used by Broken Hill City Council for all depreciating assets is the Straight-Line Depreciation approach where the consumption of benefits is in a uniform manner over the useful life of an asset, calculated on asset fair value less residual value.

When impairment for an asset is found (the carrying amount is greater than the recoverable amount), the asset is then deemed to have been consumed at a faster rate than original estimates, resulting in the expected useful life being shorter. This change in expected useful life may be as a result of an event such as a flood, or a higher than expected natural rate of deterioration. This may result in expense.

AASB paragraph 60 states:

- *An impairment loss shall be recognised immediately in profit or loss, unless the asset is carried at revalued amount in accordance with another Standard. Any impairment loss of a revalued asset shall be treated as a revaluation decrease in accordance with that other standard.*

If an asset has been revalued, the impairment loss will be recognised by reducing the balance of the revaluation surplus as it pertains to a previous revaluation. Otherwise the impairment loss is recognised by recognising an expense directly.

Capital Expenditure Thresholds

The capital expenditure threshold is the new, upgrade or renewal value of an asset, below which the project cost, is normally expensed and above which it is normally capitalised. Broken Hill City Council's capital thresholds for assets are outlined as follows. To aid clarity, examples of expenditures that will be considered operating or maintenance/repair are also provided.

Asset Categories

- Land
- Plant and Equipment
- Buildings and Other Structures
- Transport Infrastructure
- Strom Water Network
- Furniture & Fittings and Office Equipment
- Other Assets

a) Land

Land assets are recognised as the following:

- Community land
- Operational land
- Easements
- Land under Roads (acquired after 1/7/2008)
- Crown Land with Council as the custodian

All land assets are capitalised on acquisition.

b) Plant and Equipment

Plant and Equipment assets are recognised as the following:

- Earthmoving and other major plant– Trucks, loaders, graders, tractors, machinery, trailers, forklifts etc. – Useful Life 5-20 yrs
- Light Vehicles – Passenger vehicles, motorbikes etc. – Useful life 5-10 yrs
- Minor Plant - Pumps, pool mechanical and filtration equipment, computers and electronic devices, other minor plant (generators, chainsaws, whipper-snippers etc.) – Useful life 2-20 yrs

Work Activity – Plant and Equipment				
Operating Expenditure		Capital Expenditure		
Operations	Maintenance and Repair	Capital Renewal	Capital Upgrade	Capital New
<ul style="list-style-type: none"> • Fuel, consumables, Registration • Supervision • Service delivery management 	<ul style="list-style-type: none"> • Reactive maintenance to plant and equipment assets • Programmed servicing • Replacement of major components (engine, transmission) • Upgrade asset (adding air-conditioning) • Purchase and replacement of items • <\$5,000 	<ul style="list-style-type: none"> • Replacement of plant and equipment asset with the same standard • >\$5,000 	<ul style="list-style-type: none"> • Upgrade/ replacement of existing plant and equipment to a higher standard • >\$5,000 	<ul style="list-style-type: none"> • New assets • >\$5,000

c) Buildings and Other Structures

Building assets comprise of:

- Buildings
 - Structure – Useful life 50-150 yrs
 - Roof – Useful life 20-60 yrs
 - Mechanical Services - Useful life 20-40 yrs
 - Floor Coverings – Useful life 20-40 yrs
 - Fire Services – Useful life 20 -40 yrs
 - Transportation Services – useful life 20-40 yrs

(Broken Hill City Council will only componentise buildings that exceed a fair value of \$1,000,000.00)
- Other Structures – Fencing, picnic shelters, gazeboes, bus shelters etc.- Useful life 10-100 yrs

Work Activity – Buildings and Other Structures				
Operating Expenditure		Capital Expenditure		
Operations	Maintenance and Repair	Capital Renewal	Capital Upgrade	Capital New
<ul style="list-style-type: none"> • Service delivery and property management • Safety inspections • Security • Cleaning 	<ul style="list-style-type: none"> • Reactive maintenance and repair • Programmed servicing • Component replacement (carpet) • <\$5,000 	<ul style="list-style-type: none"> • Replacement of whole building asset with same standard • Component renewal/replace (rewiring, fit-out etc.) • >\$5,000 	<ul style="list-style-type: none"> • Structure extensions • Structure enhancements at a higher level of service • >\$5,000 	<ul style="list-style-type: none"> • New assets • >\$5,000

d) Transport Infrastructure -

Transportation Infrastructure assets are recognised as the following:

- Sealed Roads
 - Formation – Useful life indefinite
 - Pavement – Useful life 40-80 yrs
 - Seal – Useful life 15-25 yrs
- Unsealed Roads
 - Formation - Useful life indefinite
 - Pavement – Useful life 40-80 yrs
- Carpark
 - Sealed Surfaces – Useful life 15-25 yrs
 - Sealed Pavement – Useful life 40-80 yrs
 - Unsealed Pavement – Useful life 7-10 yrs
- Kerb and Gutter – Useful life 40-80 yrs
- Footpaths
 - Paved surfaces – Useful life 20-50 yrs
 - Unpaved Surfaces – Useful life 7-10 yrs
- Airport Runway
 - Formation- Useful life indefinite
 - Pavement – Useful life 40-80 yrs
 - Seal – Useful life 15-25 yrs

Work Activity – Sealed Roads				
Operating Expenditure		Capital Expenditure		
Operations	Maintenance and Repair	Capital Renewal	Capital Upgrade	Capital New
<ul style="list-style-type: none"> Supervision Service delivery management Line markings Road hazard/ defect inspections Condition inspections 	<ul style="list-style-type: none"> Reactive maintenance to sealed roads Programmed servicing Sealed pavement partial renewal/ rehabilitation <\$2,000 	<ul style="list-style-type: none"> Pavement replacement/ renewal of asset with the same standard Resurfacing with the same standard >\$2,000 	<ul style="list-style-type: none"> Pavement replacement/ renewal of asset at a higher standard Resurfacing at a higher standard Road Widening >\$2,000 	<ul style="list-style-type: none"> New assets >\$2,000
Work Activity – Unsealed Roads				
Operating Expenditure		Capital Expenditure		
Operations	Maintenance and Repair	Capital Renewal	Capital Upgrade	Capital New
<ul style="list-style-type: none"> Supervision Service delivery management Road hazard/ defect inspections Condition inspections 	<ul style="list-style-type: none"> Reactive maintenance to unsealed roads Programmed servicing Grading <\$5,000 	<ul style="list-style-type: none"> >\$5,000 	<ul style="list-style-type: none"> Widening of pavement >\$5,000 	<ul style="list-style-type: none"> New assets >\$5,000
Work Activity – Carparks				
Operating Expenditure		Capital Expenditure		
Operations	Maintenance and Repair	Capital Renewal	Capital Upgrade	Capital New
<ul style="list-style-type: none"> Supervision Service delivery management Pavement markings 	<ul style="list-style-type: none"> Reactive maintenance to carparks Programmed servicing Sealed pavement renewal/ rehabilitation <\$2,000 	<ul style="list-style-type: none"> Pavement replacement/ renewal with the same standard Resurfacing with the same standard >\$2,000 	<ul style="list-style-type: none"> Pavement replacement/ renewal at a higher standard Resurfacing at a higher standard >\$2,000 	<ul style="list-style-type: none"> New assets >\$2,000

Work Activity – Kerb and Gutter				
Operating Expenditure		Capital Expenditure		
Operations	Maintenance and Repair	Capital Renewal	Capital Upgrade	Capital New
<ul style="list-style-type: none"> Supervision Service delivery management Clearing drains and pits Sweeping Hazard and condition inspections 	<ul style="list-style-type: none"> Reactive maintenance to kerbs and gutters Programmed servicing <\$5,000 	<ul style="list-style-type: none"> Replacement of whole asset length of kerb and gutter at same standard >\$5,000 	<ul style="list-style-type: none"> Replacement of whole asset length of kerb and gutter at a higher standard >\$5,000 	<ul style="list-style-type: none"> New assets >\$5,000
Work Activity – Footpaths				
Operating Expenditure		Capital Expenditure		
Operations	Maintenance and Repair	Capital Renewal	Capital Upgrade	Capital New
<ul style="list-style-type: none"> Supervision Service delivery management Landscaping maintenance Footpath Cleaning Hazard inspections 	<ul style="list-style-type: none"> Reactive maintenance to footpaths Programmed servicing <\$5,000 	<ul style="list-style-type: none"> Resurfacing with the same standard Replacement of whole asset length of paved footpath at same standard >\$5,000 	<ul style="list-style-type: none"> Resurfacing to a higher standard Replacement of whole asset length of paved footpath to a higher standard >\$5,000 	<ul style="list-style-type: none"> New assets >\$5,000
Work Activity – Airway Runway				
Operating Expenditure		Capital Expenditure		
Operations	Maintenance and Repair	Capital Renewal	Capital Upgrade	Capital New
<ul style="list-style-type: none"> Supervision Service delivery management Hazard/ defect inspections Condition inspections 	<ul style="list-style-type: none"> Reactive maintenance to airway runway Programmed servicing <\$2,000 	<ul style="list-style-type: none"> Pavement replacement/ renewal of asset with the same standard Resurfacing with the same standard >\$2,000 	<ul style="list-style-type: none"> Pavement replacement/ renewal of asset at a higher standard Resurfacing at a higher standard Road Widening >\$2,000 	<ul style="list-style-type: none"> New assets >\$2,000

e) Stormwater Drainage

Stormwater drainage assets can be recognised as the following:

- Pipes – Useful life 80-100 yrs
- Pits/ access point – Useful life 30 yrs
- Drainage Structure – Useful life 50 yrs
- Lined and Unlined Open Drains – Useful life 80 yrs
- Dams/ Retention Basins – Useful life 80-120 yrs
- Pumps/ Bores – Useful life 20-40 yrs
- Facilities and Other Structures – Useful life 10 yrs

Work Activity – All Stormwater Drainage				
Operating Expenditure		Capital Expenditure		
Operations	Maintenance and Repair	Capital Renewal	Capital Upgrade	Capital New
<ul style="list-style-type: none"> • Service delivery management • Supervision • Clearing drains and pits • Street sweeping • Condition assessment • Defect inspection 	<ul style="list-style-type: none"> • Reactive maintenance • Programmed maintenance • Replacement of drainage assets • <\$5,000 	<ul style="list-style-type: none"> • Replacement/ renewal of drainage assets with the same standard • >\$5,000 	<ul style="list-style-type: none"> • Replacement/ renewal of drainage assets at a higher standard • >\$5,000 	<ul style="list-style-type: none"> • New assets • >\$5,000

f) Furniture & Fittings and Office Equipment

Furniture & fittings and office equipment assets can be recognised as the following:

- Office Equipment - Useful life 3-20 yrs
- Furniture - Useful life 3-20 yrs
- Fittings – Useful life 3-40 yrs

Work Activity – Furniture & Fittings and Office Equipment				
Operating Expenditure		Capital Expenditure		
Operations	Maintenance and Repair	Capital Renewal	Capital Upgrade	Capital New

<ul style="list-style-type: none"> • Cleaning • Storage • Transport • Valuations 	<ul style="list-style-type: none"> • Reactive maintenance and repair • Programmed servicing • Partial replacement of furniture & fittings and office equipment • Replacement of furniture & fittings and office equipment to the same standard • <\$5,000* 	<ul style="list-style-type: none"> • Replacement of furniture & fittings and office equipment to the same standard • >\$5,000* 	<ul style="list-style-type: none"> • Upgrade of existing furniture & fittings and office equipment to a higher standard • Replacement of furniture & fittings and office equipment to a higher standard • >\$5,000* 	<ul style="list-style-type: none"> • New assets • >\$5,000*
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* for individual items (not pooled)

g) Other Assets

Other assets are recognised at the following levels:

- Library Books - are recognised as having immaterial costs and will not be capitalised.
- Visual and Audio assets - are recognised as having immaterial costs and will not be capitalised.
- Artworks – are all capitalised
- Statues - are all capitalised
- Sculptures - are all capitalised
- Monuments - are all capitalised
- Other Assets

Assets that are recognised as "Other Assets" include those that cannot be clearly put into any other asset group due to their unique nature.

Work Activity – Other Assets				
Operating Expenditure		Capital Expenditure		
Operations	Maintenance and Repair	Capital Renewal	Capital Upgrade	Capital New
<ul style="list-style-type: none"> • Cleaning • Storage • Transport 	<ul style="list-style-type: none"> • Reactive maintenance and repair • Programmed servicing • <\$5,000 	<ul style="list-style-type: none"> • Replacement of asset with the same standard • >\$5,000 	<ul style="list-style-type: none"> • Replacement of asset at a higher standard • >\$5,000 	<ul style="list-style-type: none"> • New assets • >\$5,000

5. IMPLEMENTATION

5.1. Roles and Responsibilities

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

- General Manager
- Deputy General Manager
- Chief Financial Officer
- Manager Infrastructure & Strategy
- Financial Accountant
- Management Accountant

5.2. Communication

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

5.3. Associated Documents

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

- Code of Conduct Policy
- Asset Management policy
- Procurement Policy
- Capital project expenditure policy

6. REVIEW

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

The standard review period will be every two years from the effective date, however may occur sooner if there is a change in legislation, accounting standards or other relevant guidelines. The responsible Council officer will be notified of the review requirements three (3) months prior to the expiry of this policy.

The Chief Financial Officer is responsible for the review of this policy.

7. LEGISLATIVE AND LEGAL FRAMEWORK

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

- Local Government Act 1993

Australian Accounting Standards Board (AASB) Standards:

- AASB 116 Property, Plant and Equipment;
- AASB 1041 Revaluation of Non-Current Assets;
- AASB 136 Impairment of Assets;
- AASB 1051 Land Under Roads;
- AASB 138 Intangible Assets
- AASB 5 Non-current Assets Held for Sale and Discontinued Operations
- AASB 1049 Whole of Government and General Government Sector Financial Reporting

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

8. DEFINITIONS

Assets: are physical resources controlled by the entity as a result of past events and from which future economic benefits

Assets - Current: are assets that are expected to be consumed, realised, sold or otherwise disposed of within one financial year

Assets - Non-Current: are assets that are not expected to be fully consumed, realised, sold or otherwise disposed of within one financial year

Capitalisation Threshold: when the value of a new, upgraded or renewed asset reaches a determined cost it is capitalised, below this cost and the value is expensed

Capital Expenditure: expenditure on assets that are above the capitalisation threshold. A relatively large (material) expenditure, which has benefits (service potential), expected to last for more than 12 months. Capital expenditure includes new assets, renewal/replacement and expansion/upgrade of existing assets.

- Capital renewal/replacement is expenditure on an existing asset, which restores the service potential and extends the life of the asset beyond that which it had originally. As it extends the life of the asset any income generated from it will likewise be extended. Future operating and maintenance expenditure may be reduced if completed at the optimum time, e.g. resurfacing or re-sheeting part of a road network, replacing a section of a drainage network with pipes of the same capacity, resurfacing an oval.
- Capital upgrade/expansion is expenditure, which enhances an existing asset to provide a higher level of service. Upgrade expenditure is discretionary and may not result in additional revenue unless direct user charges apply. It will increase operating and maintenance expenditure, including depreciation, in the future because of the increase in the council's asset base, e.g. widening the sealed area of an existing road, replacing drainage pipes with pipes of a greater capacity, enlarging a grandstand at a sporting facility, building extension etc.

Componentisation: the segmentation of complex assets into identifiable components that have varying useful lives

Land Under Roads: is land under roadways and road reserves as defined under the Road Management Act 2004, including the land under the road itself, footpaths, nature strips and median strips. It does not include land under unused roads which is declared under Section 400 of the Land

Act 1958 as not required for public traffic or under 'paper roads' which do not meet the Common Law definition of a public highway

Maintenance expenditure: is a component of operating expenditure, specifically on an asset, which is periodically required as part of the anticipated schedule of works needed to ensure that the asset achieves its estimated useful life, and is normally relatively low cost compared to the asset value. Maintenance expenditure includes reactive maintenance and repair, or planned maintenance

Materiality: Information is material if its omission, misstatement or nondisclosure has the potential, individually or collectively, to influence the economic decisions made by users on the basis of the financial statements

Minor Assets: are those items acquired for a cost less than the capital threshold for that applicable category

Operating Expenditure: is recurrent expenditure such as power, fuel, telephone, employee costs, materials, cleaning, minor equipment, overheads, maintenance and depreciation. These costs are the day to day expenses associated with providing the service during a year of operations.

Recognition: the decision to include an asset as capitalised expenditure

Recurrent Expenditure: relatively small expenditure which has benefits that will be expected to last less than 12 months; including operating and maintenance expenditure

Useful life: the time period in which an asset is expected to be available for use

ORDINARY MEETING OF THE COUNCIL

December 2, 2015

BROKEN HILL CITY COUNCIL REPORT NO. 124/16

SUBJECT: DRAFT BUSINESS CONTINUITY POLICY FOR PUBLIC EXHIBITION

15/22

Recommendation

1. That Broken Hill City Council Report No. 124/16 dated December 2, 2015, be received.
2. That Council endorse the Draft Business Continuity Policy for the purposes of public consultation.
3. That the Draft Business Continuity Policy be exhibited for public comment for a 28 day period.
4. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the Draft Business Continuity Policy.

Executive Summary:

The objective of this policy is to ensure implementation of the integrated planning and management processes that are designed to minimise disruption related risks at Council.

The policy is required to ensure Council can maintain uninterrupted availability of key business resources necessary to meet Council's strategic and operational objectives and legal obligations.

This policy was endorsed by the Audit Committee on June 16, 2016.

Report:

Broken Hill City Council is committed to developing business resilience and securing long term performance and sustainability of its operations. Business Continuity Management is an integral part of business risk management, corporate governance and quality management.

In order for Council to minimise the impact of an emergency or adverse event in its activities, it must consider a range of actions and measures that it can take to prevent and prepare for, respond and recover from the emergency.

The purpose of this Policy is to ensure that Council is well equipped to respond to a wide variety of disruptions in order to support the continuing availability of processes and resources to achieve its business objectives

The Business Continuity Policy is an integral part of good governance and an important element in Council's Risk Management framework for resilience and response capability in order to safeguard people and operations as well as to uphold confidence in the organisation.

This Policy is supported by the Business Continuity Plan which is an operational plan for the implementation of this Business Continuity Policy into Council operations. The Business Continuity Plan (consisting of 2 parts; 1 – Manual and 2- Procedure) is an operational best practice guide and is attached for Council's information.

Report:

Strategic Direction:

Key Direction: 4. Our Leadership
 Objective: 4.1 Openness and transparency in decision making
 Function: Leadership & Governance
 DP Action: 4.1.3 Decision-makers provide accountability through planning and reporting frameworks

Relevant Legislation:

There is no current legislative requirement for the implementation of Business Continuity Management. However, there is an expectation that Council undertakes business continuity planning as part of its overall Governance responsibilities.

AS/NZS ISO 31000:2009 - Risk Management Principles and Guidelines.
 AS 5050:2010 Business Continuity – Managing Disruption-related Risks

Financial Implications:

The development of the Business Continuity Plan and Critical Function Sub Plans were provided for as a special project in the Financial Year 2015 budget.

There will be no costs associated with implementation of the Critical Function Sub Plans until Financial Year 2018 as per the Manual.

Attachments

- 1. Draft Business Continuity Policy 0 Pages
- 2. Business Continuity Plan - Manual 25 Pages
- 3. Business Continuity Plan - Procedures 33 Pages

RAZIJA NU'MAN
DIVISION MANAGER CORPORATE AND HUMAN SERVICES

JAMES RONCON
GENERAL MANAGER



DRAFT BUSINESS CONTINUITY POLICY

QUALITY CONTROL

COUNCIL POLICY			
TRIM REFERENCES	12/14 – D15/1951		
RESPONSIBLE POSITION	Division Manager Corporate and Human Services		
APPROVED BY			
REVIEW DATE	October 2016	REVISION NO.	
EFFECTIVE DATE	ACTION	MINUTE NO.	

1. INTRODUCTION

Broken Hill City Council is committed to developing business resilience and securing long term performance and sustainability of its operations. Business Continuity management and planning is an integral part of good governance and an important element in Council's Risk Management Framework.

2. POLICY OBJECTIVE

The purpose of this policy is to ensure implementation of the integrated planning and management processes that are designed to minimise disruption related risks at Council.

The policy is required to ensure Council can define what infrastructure and resources are required to achieve minimum operating performance and maintain uninterrupted availability of key business resources necessary to meet Council's strategic and operational objectives and legal obligations.

3. POLICY SCOPE

This policy covers Disruptive Incidents (Incidents) of such a scale as to otherwise be beyond the coping capability of an organisation's normal management system.

The General Manager will undertake appropriate action(s) necessary to assess, evaluate and respond to and recover from disruptive incidents.

This policy is subordinate to the Risk Management Policy.

4. POLICY STATEMENT

Through the establishment of Business Continuity Plans (BCP) this policy will provide a mechanism that enables Council and its officers to:

- Build resilience within Council's operations
- Manage business interruption risks in accordance with AS/NZS 5050:2010 Business Continuity – Managing Disruption Related Risk
- Develop resumption plans based on criticality of business functions rather than geographic location
- Identify and document roles and responsibilities for key staff positions to plan, review and implement the Business Continuity Plan
- Minimise the impact of function loss on Council's stakeholders and the community
- Minimise the impact of function loss on Council's reputation
- Minimise any risks associated with public health, safety and/or welfare
- Ensure Council considers regulatory requirements and/or compliance with legally enforceable contracts during outages
- Maintain control of expenditure and minimise extraordinary costs resulting from incidents

5. IMPLEMENTATION

5.1. Roles and Responsibilities

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

- The Broken Hill City Council BCP is developed under the authority of the Executive Team. Prior to implementation the plan is reviewed and approved by that body.
- The General Manager or delegated Council Officer holds the authority to develop, assess, evaluate, and activate Council Business Continuity arrangements and procedures in response to incidents.
- A standing authority is given to the Sub-Plan owners by the Executive Team to implement the actions identified within the sub plans.

5.2. Communication

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

5.3. Associated Documents

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

Risk Management Framework

Risk Management Policy

Draft Business Continuity Plan – Manual; Procedure and Critical Function sub-plans

Emergency Plan & Procedures

Contractors Engagement Policy 2014

Broken Hill City Council Consent Award 2015

6. REVIEW

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

The Division Manager – Corporate and Human Services is responsible for the review of this policy.

This policy will be reviewed annually. The General Manager will report to Council and/or Audit Committee on the outcome of the review and make recommendations for amendment or alteration if required.

7. LEGISLATIVE AND LEGAL FRAMEWORK

There is no current legislative requirement for the implementation of Business Continuity Management. However, there is an expectation that Council undertakes business continuity planning as part of its overall Governance responsibilities.

This policy is to be read with reference to with the following:

Local Government Act 1993
The Business Continuity Institutes "Good Practice Guidelines 2010"
AS/NZS 5050:2010 Business Continuity – Managing Disruption Related Risk
Australian National Audit Office (ANAO) Guide: Business Continuity-Building Resilience in Public Sector Entities
ISO 31000:2009 Risk Management - Principles and Guidelines
ISO Guide 73:2009 – Risk Management – Vocabulary
NSW Public Health Act 1991 & Associated 2002 Regulations
Environmental Planning & Assessment Act 1979
Civil Aviation Act 1988
Broken Hill City Council Consent Award 2015

Council employees will refrain from personal activities that conflict with proper execution and management of Council's Business Continuity Policy. Council's Code of Conduct provides guidance for recognising and disclosing any conflicts of interest.

8. DEFINITIONS

Authorised representative is the General Manager or any delegated or authorised Council Officer to develop, assess, evaluate, and activate of Council policies and procedures in response to incidents.

Accountable Person is the Manager of the critical function/s that are the subject of a BCP. The Manager owns the Business Continuity Plan that covers the respective critical function/s in their branch.

Business Continuity Management is the holistic management process that identifies potential threats to an organisation and the impacts to business operations those threats, if realised, might cause, and which provides a framework for building organisational resilience with the capability of an effective response that safeguards the interests of its key stakeholders, reputation, brand and value-creating activities. (*ISO 22301 Societal security – Business continuity managements systems – Requirements*)

Business Interruption is any event, whether anticipated (i.e. public service strike) or unanticipated (i.e. blackout) which disrupts the normal course of business operations at an organisation location.

Examples of Business Disruptive Incidents

- Natural,(fire, flood, earthquake)
- Deliberate acts of arson, sabotage, theft, terrorism
- Industrial action

- Workplace Safety Incidents
- Major Traffic Accidents
- Closure of business of third party suppliers

Business Continuity Plan is documented procedures that guide organisations to respond, recover, resume and restore to a pre-defined level of operation following disruption. *(ISO 22301 Societal security – Business continuity managements systems – Requirements)*

Incident Management is the strategic management of the response to an emergency or business disruption event. *(Australian National Audit Office 2009 – Business Continuity Management)*

Critical Objectives are objectives that must be achieved during a period of disruption. *(AS/NZ 5050 – 2010 – Business Continuity – Managing disruption-related risk)*

Critical Operations are a business function or part thereof identified as essential for survival of an organisation and achievement of its critical objectives. *(AS/NZ 5050 – 2010 – Business Continuity – Managing disruption-related risk)*

Risk is the effect of uncertainty on objectives *(AS/NZS ISO 31000 – 2009 Risk Management – Principles and Guidelines)*



Broken Hill City Council
Business Continuity Plan

Part 1 - Manual

Prepared by Echelon Australia Pty Ltd



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Title	Doc No	Version	Accountability	Date	Next Review
BCP – Part 1 - Manual	Final	V3		03-11-2015	

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Document Review

Whenever this document is reviewed and or amended, details must be recorded on this page

Date	Review Summary	Approved Date
October 2015	Development of original document	

NOTE: this document must be kept current at all times in accordance with the Monitoring and Review schedule included within this, the Overarching BCP Manual – refer to page 8.

Responsibility

Responsibility for review of this document rests with the **Risk Officer**

Related documents:

This document is part of a suite of BCP documents comprising:

- BCP – Pt 1 -Manual (this document)
- BCP – Pt 2 - Procedure (including Forms and Templates)
- BCP – Contacts List and BCCC Locations
- Divisional Guidelines including identified Critical Business Functions Sub Plans:
 - Executive
 - Core Services
 - Corporate and Human Services
 - Finance

All documents work together to form the Business Continuity planning arrangement for Council.

Title	Doc No	Version	Accountability	Date	Next Review
BCP – Part 1 - Manual	Final	V3		03-11-2015	

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Distribution

The Broken Hill City Council Business Continuity Plan is to be distributed to all staff and managers involved in the process of development, implementation and reviewing of this document. This includes those staff nominated as alternate to a key position. The following is the current list of personnel to whom a copy of this document has been distributed:

Issue No.	Member Role	Council Position (Key & Alternate)
1	CMT Chief	General Manager; Deputy General Manager
2	CMT Member - Executive	Manager Information Services; Executive Support Officer
3	CMT Member – Core Services	Deputy General Manager; Manager Planning Development and Compliance
4	CMT Member – Corporate & Human Services	Division Manager Corporate and Human Services; Manager Human Resources
5	CMT Member – Infrastructure Strategy	Manager – Infrastructure Strategy Infrastructure Projects Engineer
6	CMT Member - Finance	Chief Financial Officer; Financial Accountant
7	CMT Support Group Member – Human Resources	Manager Human Resources; Snr Human Resources Advisor
8	CMT Support Group Member – Media	Communication Specialist; Digital Officer
9	CMT Support Group Member - Property	Asset Planner – Buildings and Open Space;
10	CMT Support Group Member - IT	Manager Information Services; Senior IT Officer

The plan is also available to elected members of Council and to all Managers and staff via Council's intranet. For information relating to this document refer to the relevant personnel listed above.

Title	Doc No	Version	Accountability	Date	Next Review
BCP – Part 1 - Manual	Final	V3		03-11-2015	

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1. Policy

1.1. Purpose

Broken Hill City Council is committed to developing business resilience and securing long term performance and sustainability of its operations. Business Continuity planning is an integral part of good governance and an important element in Council's Risk Management Framework.

The purpose of this policy is to ensure implementation of the integrated planning and management processes that are designed to minimise disruption related risks at Council.

The policy is required to ensure Council can maintain uninterrupted availability of key business resources necessary to meet Council's strategic and operational objectives and legal obligations.

1.2. Scope

Council's policy covers Disruptive Incidents (Incidents) of such a scale as to otherwise be beyond the coping capability of an organisations normal management system.

This Policy authorises the General Manager to undertake appropriate action(s) necessary to assess, evaluate and respond to and recover from disruptive incidents.

1.3. Objectives

Broken Hill City Council has adopted a comprehensive and integrated approach to the development of a Business Continuity Plan. The purpose of this plan is to build organisational capabilities to support the continued achievements of critical business objectives in the face of uncertainty or disruption.

Council recognises that this, the Business Continuity Plan (BCP) in isolation does not build capability; it provides the approach to establish effective capability. Whilst the plan is important, it is an outcome of the more important planning and analysis process, and is a blueprint to initiate the response to a business interruption event by effectively implementing the activities outlined in this Plan.

The BCP identifies the required actions, facilities, technical infrastructure, key responsibilities, and processes that will be required to allow Council to effectively respond and recover from a business interruption event.

The objective of the Broken Hill City Council's Business Continuity framework is to provide a mechanism that enables Council and its officers to:

- Identify business functions that are critical to Council in meeting its business objectives
- Develop resumption plans based on criticality of business functions rather than geographic location
- Build resilience within Council's operational framework
- Identify and document roles and responsibilities for key staff positions
- Minimise the impact of function loss on stakeholders and the community.

The BCP provides Council with a framework to enable management and staff to implement an agreed response process.

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1.4. General Principles

Through the establishment of a Business Continuity Plan, Council aims to:

- meet best practice in Business Continuity Planning in accordance with Standards Australia AS/NZS 5050:2010 Business Continuity – Managing Disruption related risk (as revised from time to time)
- define the minimal level of acceptable operating performance of the organisation, business unit, and/or services as a result of business related disruption(s) and in turn understand what the organisation absolutely must achieve (critical objectives)
- define the maximum timeframe a function/system/facility can be inoperable until it starts to effect business operations of Council or the relevant service
- define what infrastructure and resources are required to achieve minimum operating performance
- minimise any risks to public health, safety and welfare
- minimise any risks to Council's reputation
- minimise any risks associated with decline in consumer and/or stakeholder confidence
- minimise any risks to our employees' health, safety and wellbeing
- ensure observance of regulatory requirements and/or compliance with legally enforceable contracts
- maintain control of expenditure and minimise extraordinary costs resulting from the incident
- expedite return to normal and full recovery
- capitalise on any opportunities created by the incident
- assume any additional risks with confidence
- define roles and responsibilities of stakeholders

1.5. Implementation

- Council undertakes to develop business continuity plans for each business and service based on a priority schedule including the general principles above
- Council will document for the organisation a list of appropriately authorised personnel that are responsible for owning and communicating these plans and ensuring their employees and other stakeholders understand and can implement the plan(s)
- Council will test/audit these plans on a regular basis as defined in each of the business continuity plans
- Council will review this policy annually.

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1.6. Authority

- The Broken Hill City Council BCP is developed under the authority of the Executive Team. Prior to implementation the plan is reviewed and approved by that body.
- The General Manager or delegated Council Officer holds the authority to develop, assess, evaluate, and activate Council Business Continuity arrangements and procedures in response to incidents.
- A standing authority is given to the Sub-Plan owners by the Executive Team to implement the actions identified within the sub plans.

1.7. Use of the Business Continuity Plan

This plan should be used in the event of a business interruption event that may impact on the ability of Council to deliver business objectives for an extended period that exceeds the maximum allowable timeframe.

Managers and staff with responsibility for the affected areas of the business should be guided by this Plan and the relevant sub plans included herein ensuring a consistent and agreed course of action is implemented.

1.8. Assumptions

The Business Continuity Plan is intended to provide guidance to Council officers to assist continuity of service for critical functions, where those officers are not normally responsible for managing the specific function affected.

Where the Council officer who is normally responsible for managing the specific function is available, it is assumed that this document will serve as a check document to reduce the possibility for omission of important actions.

1.9. Monitoring & Review

Monitoring and review is an integral component of the BCP process. Council recognises and is committed to ensure the following monitoring and review strategy is implemented.

	Activity for Review	Accountability	Timeframe
1	Business Continuity Plan (Manual, Procedure and Forms and Templates)	Risk Officer	Annually and action as required
2	Business Continuity – training of key and alternate delegates	Risk Officer	Annual
3	Business Continuity Plan Exercise (including key personnel and alternates)	Risk Officer	Annual desk top exercise Simulation exercise every 2yrs
4	BCP Divisional Guidelines - Executive	Manager Information Services	Annual Review
5	BCP Divisional Guidelines - Core Services	Deputy General Manager	Annual Review

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	Activity for Review	Accountability	Timeframe
6	BCP Divisional Guidelines - Corporate & Human Services	Division Manager Corporate & Human Services	Annual Review
7	BCP Divisional Guidelines - Finance	Chief Financial Officer	Annual Review
8	Maintenance of (confidential) Emergency Contacts list	Risk Officer	Annual and as required
9	Non Critical Functions monitoring	Relevant Supervisor	Annual Review

1.10. Abbreviations and Definitions

Term	Definition	Abbreviation
Business Continuity	Is the uninterrupted availability of all key resources supporting essential business functions	BC
Business Continuity Control Centre	A central base to co-ordinate the response to a business interruption event. To be established at the discretion of the CMT Chief.	BCCC
Business Continuity Management	Provides for the availability of processes and resources in order to ensure the continued achievement of critical objectives.	BCM
Business Continuity Plan(s)	A collection of procedures and information that is developed, compiled and maintained in readiness for use in the event of an emergency or disaster.	BCP
Business Impact Analysis	A management level analysis that identifies the impacts of function loss on the organisation. The BIA provides management with data upon which to base risk mitigation and continuity planning decisions.	BIA
Business Process Assessment	A management tool designed to assist in the identification and assessment of criticality of business processes and functions	BPA
Business Interruption Event	An event that by its duration exceeds the Maximum Acceptable Outage and / or has an adverse impact on business objectives and requires the implementation of the BCP or sub plans.	BIE
Business Disruptive Incident	Is a situation that has the potential to cause total or partial disruption to business operations and/ or total or partial loss to business resources. The time frame for such an outage could be acute, creeping, or sustained. Examples include: Natural,(fire, flood, earthquake); Deliberate acts of arson, sabotage, theft, terrorism; Industrial action; Workplace Safety Incidents; Major Traffic Accidents; Closure of business of third party suppliers	BDI
Continuity Management Team	An assembly of executive management representatives and other seconded staff formed for the express purpose of responding to an organisational crisis. CMT management structure will overlay all normal management structures during the response process.	CMT
Corporate Governance	A system by which the organisation is directed and controlled. Corporate Governance activities are represented as four principal components: direction, executive action, supervision and accountability.	CG

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Term	Definition	Abbreviation
Critical Function Sub Plan	An agreed documented course of actions to be taken in the event of business function loss. Plan describes the key actions required under preparation, response and recovery phases.	CFSP
Emergency Event	An event due to an actual or imminent occurrence (such as a fire, earthquake, or epidemic which: <ul style="list-style-type: none"> • Endangers or threatens to endanger the safety or health of staff or visitors to the organisation • Destroys or damages, or threatens to destroy or damage, property of the organisation • Has the capacity to disrupt operations to the extent that it impacts on business objectives. 	Emergency Event
Executive Leadership Team	Council's highest management group, consisting of the General Manager and Managers of Infrastructure, Planning & Sustainability Services and Community & Corporate Outcomes	ELT
Maximum Acceptable/ Allowable Outage	The maximum period of time that Council can tolerate the loss of capability of a critical business function, process, asset or IT application.	MAO
Risk Management	The culture, processes and structures that are directed towards realising potential opportunities whilst managing adverse effects.	RM

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2. Background

The object of Business Continuity Planning is to ensure that appropriate resources, structures and protocols are in place to enable for the effective response to a business interruption event that can potentially impact on Council’s objectives. The suite of BCP documents is a record of the development processes, implementation arrangements and resources identified as required by Council to ensure the continued delivery of its critical business objectives.

Identifying and managing business continuity risks is key to Council building resilience and response capabilities within business functions that have been identified as critical by the organisation.

The BCP does not cover requirements associated with a workplace emergency (safety) situation. A separate workplace emergency plan that is the responsibility of the Manager Human Resources is to be implemented. In all cases of activation of the workplace emergency plan the Chief Warden will brief the General Manager/ Chief of the Continuity Management Team of any implications for business continuity as a result of the emergency plan activation.

2.1. Business Function Criticality

Clause 1.3.13 of AS 5050:2010 Business Continuity – Managing disruption-related risks defines a Critical business function as “a business function or part thereof identified as essential for survival of the organisation and achievement of its critical objectives.”

To determine and prioritise the organisation’s critical functions, each area is asked to conduct a Business Process Assessment (BPA) followed by a Business Impact Analysis (BIA). These processes assist to establish the Maximum Acceptable Outage (MAO) of a particular business function.

This stage is integral to the BCP. The loss of a critical business function for a period greater than the MAO generally leads the Continuity Management Team to direct, oversee and support the development of emergency, continuity and recovery response arrangement in a prioritised manner.

A list of critical functions with established maximum acceptable outage (MAO) timeframes and resources requirements for resumption is included in the Business Continuity Plan; Part 2 – Procedure document.

2.2. Non-Critical Business Functions

For the purpose of this Plan, a non-critical function is a function that has a greater tolerance to “downtime”. This is not to say that these functions are not important. This classification is simply providing a mechanism for prioritising better managing the business during a significant interruption event.

It is important to recognise that, should a significant interruption event occur and any of the non-critical functions become or be deemed as critical at the time, that a Sub Plan should developed and included in the BCP as a critical function.

There is provision for non-critical functions to be reviewed on a regular cycle and as such, have been listed and included within each BCP Division Guideline Document for appropriate review and action during and after a business interruption event.

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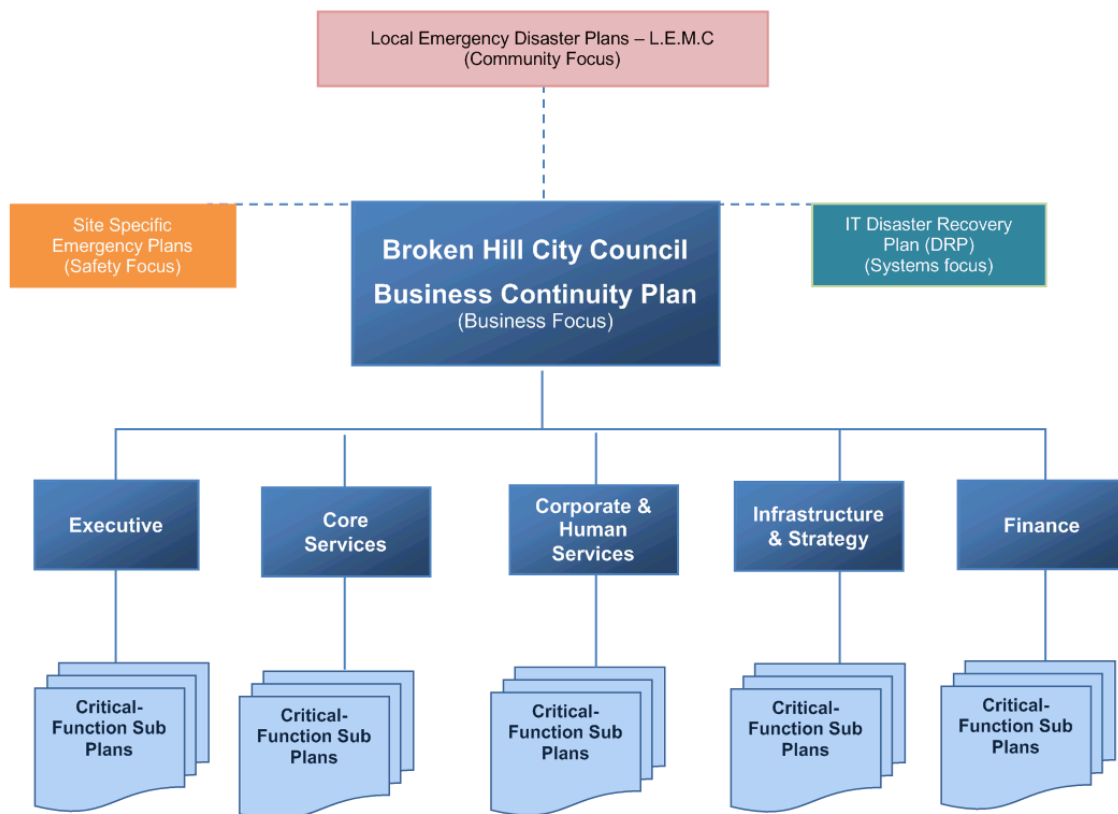
3. Business Continuity – The Process

Business continuity encompasses the identification and risk management of Council's business processes. It involves a staged process that seeks to identify, assess, control and monitor Council's business functions.

The plan was developed with consideration given to Standards Australia – AS/NZS 5050:2010 Business Continuity – Managing disruption-related risk, AS/NZS ISO 31000:2009 Risk Management – Principles & Guidelines, the ANAO Business Continuity Management guidelines – “Keep the wheels in motion”, and Societal Security –continuity management systems (ISO 22301: 2012). Reference to these key documents resulted in the development of a robust strategy to effectively manage a business interruption event.

3.1. Business Continuity Management Framework

The diagram outlines the relationship of the Business Continuity arrangements in respect of other relevant arrangements.



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4. Business Continuity Plan - Methodology

To develop the Business Continuity Plan, the following steps were involved:

4.1. Business Process Assessment (BPA)

This is the identification of Council's business processes and functions within each individual business unit/section/division. Once the functions were identified, an analysis at a whole of organisation level was conducted to determine which functions are considered 'critical' and require further planning to ensure Council has the ability and capability to respond in the face of a continuity interruption event.

4.2. Business Impact and Vulnerability Analysis (BIA)

The Business Impact analysis (BIA) is the process that identifies the impacts of function loss on the organisation. The analysis provides management with the data that will assist and inform planning decisions targeted at risk mitigation and continuity of business.

The BIA is conducted on those functions identified as critical at the business process assessment stage. The BIA is intended to identify the impacts of the function loss on the business including functional interdependencies, organisational ownership and statutory penalties for non-delivery of that function, it also looks at the resources currently required to support the functions and assesses the Maximum Acceptable Outage (MAO).

4.3. Response Strategies

4.3.1. Critical Function Sub Plan (CFSP)

The CFSP is the agreed documented course of action to be taken in the event of business function loss affecting Council's critical functions. It identifies the agreed actions that a business process owner will undertake to manage the loss of the function through the emergency, continuity and recovery phases. The sub plan also identifies ownership, failure scenarios, criteria for invoking the plan, and actions to consider for emergency, continuity and recovery phases of an event. The CFSP also allows for communications channels to be implemented for specific function loss.

4.3.2. Non-Critical Function Action Plans

The Working Group participating in the workshops above will agree on which functions are determined as non-critical. As such sub plans are not developed for these activities. However, it is the individual Manager's responsibility to determine the most appropriate course of action, should a business interruption event impact on the delivery of these functions. A list of the non-critical functions will be included in the Business Continuity Plan – Part 2 Procedure document.

4.4. Overarching Business Continuity Plan (BCP)

The overarching BCP comprises three main key documents:

- BCP – Part 1 – Manual;
- BCP – Part 2 - Procedure; and
- BCP - Contact lists and BCCC Locations.

These documents identify the key organisation-wide strategies that will ensure the smooth implementation of the plan. It identifies such elements as the responsibilities of key Managers, with

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particular emphasis on the coordinated direction and effective and timely communication with stakeholders at an organisational level.

It is important to recognise that these documents provide a flexible framework in which the organisation can plan for the potential disruption of its critical functions. It does not attempt to identify and plan for every contingency or outage that could occur. However, it provides a flexible framework for the critical function, Sub Plan owners to identify, plan and develop redundancy for their business processes.

4.5. Testing and Maintaining the BCP

The BCP must be continually reviewed and tested to ensure it remains relevant and accurate.

The review also serves to reacquaint the relevant staff and managers with the process and to be ready to implement in a confident and effective manner and that it reflects the current practices of the organisation.

Testing should also be conducted in conjunction with any other emergency arrangement/ plan as well as the IT Services and New Technology Business Continuity arrangements and Disaster Recovery Plan (DRP) to ensure there is a smooth synergy with those plans and arrangements.

Business Continuity Management is a process, not an event. With the BCP, there needs to be active commitment to a pre-planned:

- annual desktop exercise
- simulation exercise every two years and
- an annual maintenance program

by Council to ensure BCP arrangements remain viable into the future.

The exercise should include all aspects of the BCP, but not necessarily all in one exercise. Major components (Sub Plans) should be reviewed at least annually. Volatile information such as contact lists, or areas that are constantly undergoing changes, should be validated more frequently.

Testing of the Critical Function Sub plans and Overarching Plan will provide management with the assurance that the plan(s) are effective.

Testing of the BCP can be based on any or all of the following methods:

- **Paper Audit**- to ensure that the appropriate documents are available, current and known and accessible by all relevant parties, including personnel nominated as alternate for a role
- **Desktop exercise** - to ensure that the appropriate documents are available, current and understood by all parties that may be required to implement a response. This includes personnel nominated as alternate for a role. This process tests the knowledge and readiness of personnel to access and apply the process outlined within their relevant Sub Plan/s and overarching BCP.
- **Scenario Based exercise** – a structured “walk through” of the BCP where a business interruption scenario event is played out through a mock response strategy; at a divisional or whole of organisation level.

In addition to the exercise and review of the BCP, any significant changes in Council's operations should also trigger a review of the BCP.

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Version control of the BCP is co-ordinated through the various positions assigned as part of the Business Continuity Management arrangements. Refer to Page 7 of this document.

5. Training and Communication

5.1. Training

A key objective of the BCP is to increase the awareness within Council of potential business interruption events that could have a significantly impact on Council. The Plan outlines the response / recovery protocols associated with such an event. Training and communication will play a key role in achieving this objective.

The first level of awareness occurs at the introduction stages of the development process; through the workshops. This initial awareness was provided by the process facilitator to all the participants. Participation in the development stages also has the benefit of engagement of the key staff in the process and generating ownership of the BCP at the business unit level.

It is the responsibility of the various Senior Management, Managers and Supervisors to ensure that the requirements and strategies of the BCP are clearly communicated to all staff. This should occur in the following way:

- Through an information awareness session held by each manager/ supervisor with their staff to explain the purpose of the BCP their own role in the implementation and what is require by the staff at each stage of a response strategy, i.e.

“Go home and wait to be contacted; main point of contact is (provide a phone number, etc)

- Through staff induction / training programs, include reference to business continuity in the context of sound risk management practices.
- Through an agreed information protocol in respect of notifying elected members to avoid confusion.

5.2. Communication

Managers and Supervisors need to be familiar with key deliverables as detailed in the Critical Function Sub Plans and Business Impact Analysis and ensure that staff are aware of their roles and responsibilities in the event of a business interruption event.

A critical aspect of managing a business interruption is to have **strict protocols** in relation to communication to and from Council/ staff/ managers/ elected members. There are a myriad of ways people can communicate and the wrong message during a significant event can have serious consequences.

People can be easily tempted to share information through the many channels available through social media.

These strict protocols set by Council must be constantly reinforced and monitored to ensure all staff understand and comply.

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5.2.1. Communication with Staff

- Once the Business Continuity event is declared by the CMT Chief, arrangements will be made to contact all staff as a matter of priority;
- Staff are to wait until contacted and instructed before taking any action. That means:
 - For staff onsite of the affected area, following the emergency procedures, they are to wait for their Manager of HR to provide instructions as to what to do (i.e. *go home, stay, relocate, etc.*)
 - For staff that are not affected by the event, are on leave or are located elsewhere, HR will communicate the situation as soon as practicable on a priority basis.
- A main point of contact (name and phone/email) is to be provided to all staff should they need to communicate with Council. This should be a different person to that who is making the staff contacts.

5.2.2. Release of Information - Media Protocols

First of all, Council is to:

- Ensure Council's Media Officer is prepared to undertake the preparation of media and public communication;
- Confirm that authority to approve any communication rests with the CMT Chief;
- Confirm that the official spokesperson is only the CMT Chief or official appointed Alternate;
- Prepare appropriate and regular information releases.

Rules about information disclosure and Social Media

No person should give information to the media other than the CMT Chief, their Alternate or a member of staff with delegated authority to speak to the media who has been given permission by the CMT Chief to do so. The CMT Chief or appointed Alternate will determine the appropriate communication strategy.

The rules governing communication with the media contained in Council's **Media Relations Policy** will apply.

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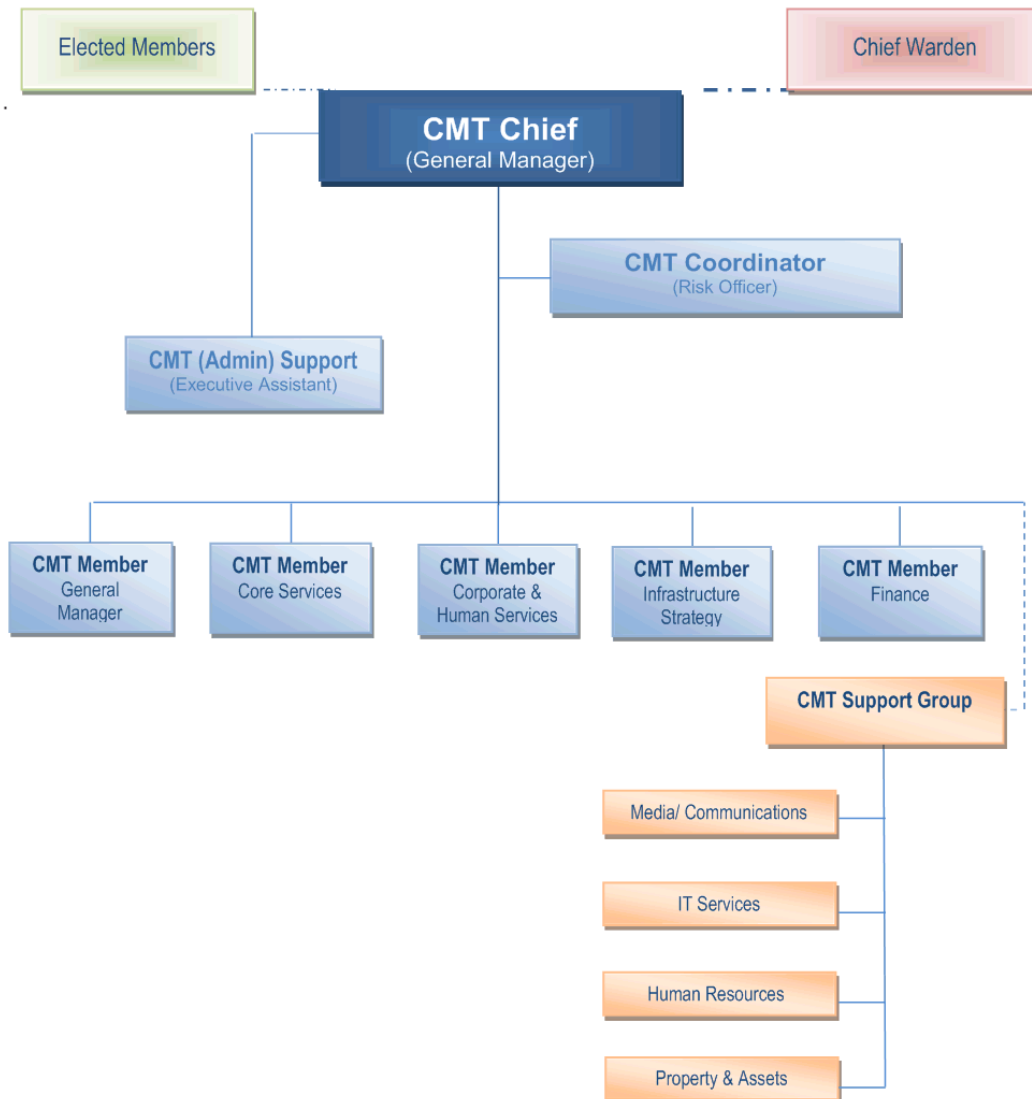
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6. Continuity Management Team (CMT)

6.1. CMT – Structure

The following is the a Continuity Management Team



Note: the Chief warden and elected members are acknowledged in this diagram but are not part of the official CMT Structure

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6.2. Roles and Responsibilities of the CMT

A successful Continuity Management Team (CMT) relies on expertise from within the organisation, as they are the people that understand the business processes and related risks. Accordingly, the Executive Team is the designated members of the CMT.

The CMT is established to provide a management mechanism that can ensure reporting lines and responsibilities are clear when the BCP is activated. The focus of the CMT is to manage the business interruption event from a corporate perspective while providing guidance and support to the Managers on site. This process is facilitated by the development of pre-determined courses of actions (Sub plans) thus allowing the CMT to focus on the strategic or whole of business response to the business interruption event.

Resilience within the CMT is the responsibility of the CMT. Each position is to have an alternate member identified and trained in the role.

The designated members of the CMT and charged with implementing the whole of organisation response. However, they still maintain responsibility for the continuity and recovery actions of their individual Business Units.

Responsibility Statements for each position in the CMT ensure there are clear and unambiguous directions available for each of the members of the CMT.

All responsibility statements are to be approved by the CMT and this action is to be recorded on the statement. On activation of the BCP these statements come into effect. These Statements are listed in Section 7 of this document.

6.3. CMT Support Group Responsibilities

CMT support group is made up of senior manager and staff positions that have been identified within individual sub plans or are identified given the prevailing situation. Typically they would only be required if their sub plan has been activated or to give specific advice to the CMT. These Statements are listed in Section 8 of this document.

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7. CMT Member - Responsibility Statements

CMT Chief					
Continuity Management Team Member Responsibility Statement					
Staff Position	General Manager				
Alternate during absence	Deputy General Manager				
Position Statement	<ul style="list-style-type: none"> The CMT Chief position by definition is assumed to be the General Manager. However, the General Manager does have the discretion to appoint an alternate CMT Chief where the nature or location of the event warrants such action. The CMT Chief is responsible for declaring a Business Continuity Event and invoking the Business Continuity Plan. The CMT Chief is required to oversee and manage all resumption activities. During a workplace emergency (evacuation) the Chief Warden has authority until the workplace emergency is resolved and control is returned to the GM or CMT Chief if the BCP is to be activated. The CMT Chief must make decisions as to the best strategy for business resumption based on information received by other CMT members. This strategy is then translated into an action plan by the supporting teams. 				
Knowledge Requirements	<ol style="list-style-type: none"> High level knowledge of organisation activities and service delivery priorities Community, Business and Regulatory contacts 				
Responsibilities	Responsibilities include:				
Approved CMT: (Date) by	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="color: #003366;">Non- Activation period:</th> <th style="color: #cc0000;">On Activation:</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> Maintain working knowledge of BCP & relevant Critical Function Sub Plans Participate in monitor and review activities Participate in and ensure appropriate levels of training is undertaken </td> <td style="vertical-align: top;"> <ul style="list-style-type: none"> Activate the BCP Notifying and liaising with stakeholders Provide the focal point in communication to the staff, media and public Establish and chair all CMT meetings (may delegate) Authorise any detailed restoration plan Delegate tasks and overseeing resumption activities Monitor the gathering of business interruption event information Promote the wellbeing and safety of all staff </td> </tr> </tbody> </table>	Non- Activation period:	On Activation:	<ul style="list-style-type: none"> Maintain working knowledge of BCP & relevant Critical Function Sub Plans Participate in monitor and review activities Participate in and ensure appropriate levels of training is undertaken 	<ul style="list-style-type: none"> Activate the BCP Notifying and liaising with stakeholders Provide the focal point in communication to the staff, media and public Establish and chair all CMT meetings (may delegate) Authorise any detailed restoration plan Delegate tasks and overseeing resumption activities Monitor the gathering of business interruption event information Promote the wellbeing and safety of all staff
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CMT Coordinator					
Continuity Management Team Member Responsibility Statement					
Staff Position	Risk Officer				
Alternate during absence	Business Analyst				
Position Statement	<p>The CMT Co-ordinator is required to:</p> <ul style="list-style-type: none"> assist the CMT Chief in the management of the business resumption activities; be familiar with the Business Continuity Plan, Critical Function Sub Plans and team responsibilities report to the CMT on the currency of individual and business level continuity plans and activities 				
Knowledge Requirements	<ol style="list-style-type: none"> High level knowledge of overarching BCP Understanding of organisation activities and service delivery priorities High level of internal key contacts and accountabilities 				
Responsibilities	<p>Responsibilities include:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="color: #003366;">Non- Activation period:</th> <th style="color: #cc0000;">On Activation:</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> Pre-event co-ordination of BCP and Sub plans with relevant owners Co-ordination of training for CMT & CMT SG members Co-ordination of testing for the Business Continuity Plan Liaising with Support Group member – Property & Assets in respect of resourcing of Business Continuity Control Centre (BCCC) </td> <td style="vertical-align: top;"> <ul style="list-style-type: none"> Set up and Open BCCC on direction of CMT Chief Notify Insurer and manage the insurance requirements Set up Display Board and keep information up to date Assist CMT Chief as required Monitor operation of CMT and ensure CMT members have access to water, food and breaks as needed May need to run errands for CMT </td> </tr> </tbody> </table>	Non- Activation period:	On Activation:	<ul style="list-style-type: none"> Pre-event co-ordination of BCP and Sub plans with relevant owners Co-ordination of training for CMT & CMT SG members Co-ordination of testing for the Business Continuity Plan Liaising with Support Group member – Property & Assets in respect of resourcing of Business Continuity Control Centre (BCCC) 	<ul style="list-style-type: none"> Set up and Open BCCC on direction of CMT Chief Notify Insurer and manage the insurance requirements Set up Display Board and keep information up to date Assist CMT Chief as required Monitor operation of CMT and ensure CMT members have access to water, food and breaks as needed May need to run errands for CMT
Non- Activation period:	On Activation:				
<ul style="list-style-type: none"> Pre-event co-ordination of BCP and Sub plans with relevant owners Co-ordination of training for CMT & CMT SG members Co-ordination of testing for the Business Continuity Plan Liaising with Support Group member – Property & Assets in respect of resourcing of Business Continuity Control Centre (BCCC) 	<ul style="list-style-type: none"> Set up and Open BCCC on direction of CMT Chief Notify Insurer and manage the insurance requirements Set up Display Board and keep information up to date Assist CMT Chief as required Monitor operation of CMT and ensure CMT members have access to water, food and breaks as needed May need to run errands for CMT 				
Approved by CMT: (Date)					

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CMT (Admin) Support		
Continuity Management Team Member Responsibility Statement		
Staff Position	Executive Support Officer	
Alternate during absence	Governance Officer	
Position Statement	The CMT Support is responsible for the smooth functioning of the Control Centre (if established) and the administrative need of the CMT Chief.	
Knowledge Requirements	High level knowledge of internal key contacts and resource knowledge High level knowledge of administrative functions and arrangements	
Responsibilities	Responsibilities include:	
Approved by CMT: (Date)	<p>Non- Activation period:</p> <ul style="list-style-type: none"> Maintain working knowledge of BCP & relevant Critical Function Sub Plans 	<p>On Activation:</p> <ul style="list-style-type: none"> Provide general administrative support to the CMT Chief (including log of all events and actions, resumption status, CMT members' movements etc). If needed, assist with the set-up of the Business Continuity Control Centre (BCCC) and arrange stationery, equipment etc. Arrange resources to assist CMT members (if required) Making arrangements for all CMT meetings Create and maintain a chronological log of meetings and decisions made.

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CMT Member – Division			
Continuity Management Team Member Responsibility Statement			
Staff Position	<i>Refer to Divisional Guidelines for each key Division</i>		
Alternate absence during	<i>Refer to Divisional Guidelines for each key Division – each Division to assign an Alternate to this role.</i>		
Position Statement	<ul style="list-style-type: none"> The Executive Team members are the designated members of the CMT and charged with implementing the whole of organisation response. The Alternate Representative of the Division is assigned the same authority and delegations as all other CMT Members. However they still maintain responsibility for the continuity and recovery actions of their individual business units. The Alternate position must have the same level of knowledge, expertise and authority in order to perform the same role. The CMT Member relies on the up to date information provided by Critical Function Sub Plan Owners to inform the CMT and assist for appropriate decisions being made by the CMT Chief. <p>The business unit activities are to be managed by the Critical Function Sub Plan owners in accordance with agreed Critical Function Sub Plans.</p>		
Knowledge Requirements	<ol style="list-style-type: none"> High level knowledge of the Division activities and service delivery priorities High level knowledge of Division critical function sub plans High level knowledge of overarching BCP. 		
Responsibilities	Responsibilities include:		
Approved by CMT: (Date)	<table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> <p>Non- Activation period:</p> <ul style="list-style-type: none"> Maintain working knowledge of BCP & relevant Critical Function Sub Plans Participate in monitor and review activities as required Participate in and ensure appropriate levels of training are undertaken with Critical Function Sub Plan Managers </td> <td style="vertical-align: top; width: 50%;"> <p>On Activation:</p> <ul style="list-style-type: none"> Operate as a member of the CMT Ascertain the impact on business unit activities and report to CMT Co-ordinate/ oversee business unit Critical Function Sub Plan implementation as required Monitor implementation against the Business Continuity Plan Maintain information and report on costs to CMT Maintain communications with staff </td> </tr> </table>	<p>Non- Activation period:</p> <ul style="list-style-type: none"> Maintain working knowledge of BCP & relevant Critical Function Sub Plans Participate in monitor and review activities as required Participate in and ensure appropriate levels of training are undertaken with Critical Function Sub Plan Managers 	<p>On Activation:</p> <ul style="list-style-type: none"> Operate as a member of the CMT Ascertain the impact on business unit activities and report to CMT Co-ordinate/ oversee business unit Critical Function Sub Plan implementation as required Monitor implementation against the Business Continuity Plan Maintain information and report on costs to CMT Maintain communications with staff
<p>Non- Activation period:</p> <ul style="list-style-type: none"> Maintain working knowledge of BCP & relevant Critical Function Sub Plans Participate in monitor and review activities as required Participate in and ensure appropriate levels of training are undertaken with Critical Function Sub Plan Managers 	<p>On Activation:</p> <ul style="list-style-type: none"> Operate as a member of the CMT Ascertain the impact on business unit activities and report to CMT Co-ordinate/ oversee business unit Critical Function Sub Plan implementation as required Monitor implementation against the Business Continuity Plan Maintain information and report on costs to CMT Maintain communications with staff 		

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8. CMT Support Group - Responsibility Statements

Human Resources			
CMT Support Group			
Staff Position	Manager Human Resources		
Alternate during absence	Senior Human Resources Advisor		
Position Statement	<p>This position is required to establish effective communication, protocols and channels with all Staff and relevant stakeholders to provide appropriate information and assistance in a timely manner.</p> <p>All staff communication arrangements must be approved by the CMT Chief.</p> <p>You are also required to communicate any temporary measures during a business interruption event.</p> <p>Maintain a close overview on staff needs impact etc. and report to CMT as required.</p> <p>This position is also required to maintain the CMT informed of the progress of resumption activities and ongoing impacts on staff in relation to the Critical Function activities and non-critical function activities.</p>		
Knowledge Requirements	<ol style="list-style-type: none"> 1. High level knowledge of the HR processes and procedures and service delivery priorities 2. Efficiently manage staff matters and responsibilities to minimise impact due to disruption 3. High level knowledge of communication protocols. 		
Responsibilities	<p>Responsibilities include:</p> <table border="1"> <tr> <td> <p>Non- Activation period:</p> <ul style="list-style-type: none"> • Develop and maintain current protocols to access contact details of all staff. • Ensure appropriate staff training is identified and undertaken as appropriate in relation to BCP arrangements for both key and alternate personnel. • Coordinate arrangements for training for new staff with assigned roles in the BCP arrangements </td> <td> <p>On Activation:</p> <ul style="list-style-type: none"> • Ensure the effective management of the state of staff during a business interruption event. • Act as part of CMT Support Group and provide advice to the CMT in relation to the capabilities and capacities of the staff affected by the interruption event • Make available appropriate staff to assist in the response process if required. • Assess the needs of staff during a business interruption event (ie: do they need counselling, a break, replacement, etc) and effect actions as required. • Implement communications protocol. </td> </tr> </table>	<p>Non- Activation period:</p> <ul style="list-style-type: none"> • Develop and maintain current protocols to access contact details of all staff. • Ensure appropriate staff training is identified and undertaken as appropriate in relation to BCP arrangements for both key and alternate personnel. • Coordinate arrangements for training for new staff with assigned roles in the BCP arrangements 	<p>On Activation:</p> <ul style="list-style-type: none"> • Ensure the effective management of the state of staff during a business interruption event. • Act as part of CMT Support Group and provide advice to the CMT in relation to the capabilities and capacities of the staff affected by the interruption event • Make available appropriate staff to assist in the response process if required. • Assess the needs of staff during a business interruption event (ie: do they need counselling, a break, replacement, etc) and effect actions as required. • Implement communications protocol.
<p>Non- Activation period:</p> <ul style="list-style-type: none"> • Develop and maintain current protocols to access contact details of all staff. • Ensure appropriate staff training is identified and undertaken as appropriate in relation to BCP arrangements for both key and alternate personnel. • Coordinate arrangements for training for new staff with assigned roles in the BCP arrangements 	<p>On Activation:</p> <ul style="list-style-type: none"> • Ensure the effective management of the state of staff during a business interruption event. • Act as part of CMT Support Group and provide advice to the CMT in relation to the capabilities and capacities of the staff affected by the interruption event • Make available appropriate staff to assist in the response process if required. • Assess the needs of staff during a business interruption event (ie: do they need counselling, a break, replacement, etc) and effect actions as required. • Implement communications protocol. 		
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Property & Assets			
CMT Support Group			
Staff Position	Asset Planner –Parks and Gardens		
Alternate during absence	Infrastructure Project Engineer		
Position Statement	<p>The PC Support Officer is required to manage the resumption activities relating to a business interruption event that impacts on the use or occupation of a Council owned building.</p> <p>Activities include sourcing appropriate location for the establishment of the BCCC and arrange for its appropriate fit out.</p> <p>Activities may also include sourcing appropriate alternative accommodation for the Critical Business Functions if required, in accordance with the Critical function established priorities and MAO limits after an interruption event.</p> <p>This position is also required to maintain the CMT informed of the progress of resumption and ongoing impacts to the Critical Function activities.</p>		
Knowledge Requirements	<ol style="list-style-type: none"> 1. High level knowledge of Property management processes and procedures 2. Knowledge of Critical Functions MAO and minimum resources requirements in accordance with Sub Plans protocols and service delivery priorities 3. Efficiently manage responsibilities to minimise impact due to disruption 4. High level knowledge of communication protocols. 		
Responsibilities	Responsibilities include:		
Approved by CMT: (Date)	<table border="0"> <tr> <td style="vertical-align: top;"> <p>Non- Activation period:</p> <ul style="list-style-type: none"> • Maintain Critical Function Sub Plans to ensure they reflect operational requirements • Ensure appropriate levels of staff training required for Critical Function Sub Plans is identified and undertaken as appropriate. • Ensure resources identified within Critical Function Sub Plan are available to enable the plan to be implemented. </td> <td style="vertical-align: top;"> <p>On Activation:</p> <ul style="list-style-type: none"> • Investigate on behalf of and liaise with the CMT any building / contents damage Consult with the emergency services • Organising clearing of material from affected area • Ensure insurer is advised of any restoration plans • Evaluate / advise alternate accommodation options where building is unsuitable for occupation and arrange fit-out if necessary • Liaise with security providers to secure the site and safeguard property. </td> </tr> </table>	<p>Non- Activation period:</p> <ul style="list-style-type: none"> • Maintain Critical Function Sub Plans to ensure they reflect operational requirements • Ensure appropriate levels of staff training required for Critical Function Sub Plans is identified and undertaken as appropriate. • Ensure resources identified within Critical Function Sub Plan are available to enable the plan to be implemented. 	<p>On Activation:</p> <ul style="list-style-type: none"> • Investigate on behalf of and liaise with the CMT any building / contents damage Consult with the emergency services • Organising clearing of material from affected area • Ensure insurer is advised of any restoration plans • Evaluate / advise alternate accommodation options where building is unsuitable for occupation and arrange fit-out if necessary • Liaise with security providers to secure the site and safeguard property.
<p>Non- Activation period:</p> <ul style="list-style-type: none"> • Maintain Critical Function Sub Plans to ensure they reflect operational requirements • Ensure appropriate levels of staff training required for Critical Function Sub Plans is identified and undertaken as appropriate. • Ensure resources identified within Critical Function Sub Plan are available to enable the plan to be implemented. 	<p>On Activation:</p> <ul style="list-style-type: none"> • Investigate on behalf of and liaise with the CMT any building / contents damage Consult with the emergency services • Organising clearing of material from affected area • Ensure insurer is advised of any restoration plans • Evaluate / advise alternate accommodation options where building is unsuitable for occupation and arrange fit-out if necessary • Liaise with security providers to secure the site and safeguard property. 		

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Information Technology			
CMT Support Group			
Staff Position	Manager Information Services		
Alternate during absence	Senior IT Officer		
Position Statement	<p>The PC Support Officer is required to provide IT and telecommunications restoration support for the business functions impacted by a business interruption event.</p> <p>The PC Support Officer is responsible for providing the business functions with an IT platform as soon as possible, in accordance with established priorities and MAO limits after the interruption event.</p> <p>This position is also required to maintain the CMT informed of the progress of resumption and ongoing impacts to the Critical Function activities.</p>		
Knowledge Requirements	<ol style="list-style-type: none"> 1. High level knowledge of the IT processes and procedures and DRP 2. Knowledge of Critical Functions MAO and minimum resources requirements in accordance with Sub Plans protocols and service delivery priorities 3. Efficiently manage responsibilities to minimise impact due to disruption 4. High level knowledge of communication protocols. 		
Responsibilities	Responsibilities include:		
Approved by CMT: (Date)	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Non- Activation period:</p> <ul style="list-style-type: none"> • Maintain Critical Function Sub Plans to ensure they reflect operational requirements • Ensure appropriate levels of staff training required for Critical Function Sub Plans is identified and undertaken as appropriate. • Ensure resources identified within Critical Function Sub Plan are available to enable the plan to be implemented. </td> <td style="width: 50%; vertical-align: top;"> <p>On Activation:</p> <ul style="list-style-type: none"> • Activation and management of the Disaster Recovery Plan (IT) • Regularly advise CMT of disaster recovery response and systems availability • Supervise the supply and installation of equipment to restore normal services • Providing guidance and assistance to IT users. </td> </tr> </table>	<p>Non- Activation period:</p> <ul style="list-style-type: none"> • Maintain Critical Function Sub Plans to ensure they reflect operational requirements • Ensure appropriate levels of staff training required for Critical Function Sub Plans is identified and undertaken as appropriate. • Ensure resources identified within Critical Function Sub Plan are available to enable the plan to be implemented. 	<p>On Activation:</p> <ul style="list-style-type: none"> • Activation and management of the Disaster Recovery Plan (IT) • Regularly advise CMT of disaster recovery response and systems availability • Supervise the supply and installation of equipment to restore normal services • Providing guidance and assistance to IT users.
<p>Non- Activation period:</p> <ul style="list-style-type: none"> • Maintain Critical Function Sub Plans to ensure they reflect operational requirements • Ensure appropriate levels of staff training required for Critical Function Sub Plans is identified and undertaken as appropriate. • Ensure resources identified within Critical Function Sub Plan are available to enable the plan to be implemented. 	<p>On Activation:</p> <ul style="list-style-type: none"> • Activation and management of the Disaster Recovery Plan (IT) • Regularly advise CMT of disaster recovery response and systems availability • Supervise the supply and installation of equipment to restore normal services • Providing guidance and assistance to IT users. 		

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Media and Communications			
CMT Support Group			
Staff Position	Communication Specialist		
Alternate during absence	Digital Officer		
Position Statement	<p>The Communications Specialist (CS) is required to establish effective communication protocols and channels with the Staff, stakeholders and media to provide appropriate information in a timely manner.</p> <p>All communication must be approved by the CMT Chief.</p> <p>The CS is also required to communicate any temporary measures in the event of a business interruption event.</p> <p>This position is also required to maintain the CMT informed of the progress of resumption and ongoing impacts to the Critical Function activities.</p>		
Knowledge Requirements	<ol style="list-style-type: none"> 1. High level knowledge of the Council's Media and communications processes and procedures and service delivery priorities 2. Efficiently manage and maintain control of communications and media matters to minimise impact 3. High level knowledge of communication protocols. 		
Responsibilities	<p>Responsibilities include:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Non- Activation period:</p> <ul style="list-style-type: none"> • Maintain current all media protocols to ensure they reflect operational requirements • Ensure appropriate levels of staff training is identified and undertaken as appropriate for both key and alternate personnel. • Ensure resources identified within the Communications Protocols are available to enable the arrangements to be implemented. </td> <td style="width: 50%; vertical-align: top;"> <p>On Activation:</p> <ul style="list-style-type: none"> • Providing advice to the CMT in relation to the Communication channels still available • As directed by the CMT Chief, coordinate communications, media releases and liaison with relevant stakeholders in an organised manner • Establish a frequency for the issue of information through agreed channels • Bring any serious issues to the attention of the CMT Chief as soon as practicable • Manage media enquiries • Keep a documented record of all media releases on a record as well as a display board for easy reference by CMT </td> </tr> </table>	<p>Non- Activation period:</p> <ul style="list-style-type: none"> • Maintain current all media protocols to ensure they reflect operational requirements • Ensure appropriate levels of staff training is identified and undertaken as appropriate for both key and alternate personnel. • Ensure resources identified within the Communications Protocols are available to enable the arrangements to be implemented. 	<p>On Activation:</p> <ul style="list-style-type: none"> • Providing advice to the CMT in relation to the Communication channels still available • As directed by the CMT Chief, coordinate communications, media releases and liaison with relevant stakeholders in an organised manner • Establish a frequency for the issue of information through agreed channels • Bring any serious issues to the attention of the CMT Chief as soon as practicable • Manage media enquiries • Keep a documented record of all media releases on a record as well as a display board for easy reference by CMT
<p>Non- Activation period:</p> <ul style="list-style-type: none"> • Maintain current all media protocols to ensure they reflect operational requirements • Ensure appropriate levels of staff training is identified and undertaken as appropriate for both key and alternate personnel. • Ensure resources identified within the Communications Protocols are available to enable the arrangements to be implemented. 	<p>On Activation:</p> <ul style="list-style-type: none"> • Providing advice to the CMT in relation to the Communication channels still available • As directed by the CMT Chief, coordinate communications, media releases and liaison with relevant stakeholders in an organised manner • Establish a frequency for the issue of information through agreed channels • Bring any serious issues to the attention of the CMT Chief as soon as practicable • Manage media enquiries • Keep a documented record of all media releases on a record as well as a display board for easy reference by CMT 		
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Broken Hill City Council
Business Continuity Plan

Part 2 - Procedure

Prepared by Echelon Australia Pty Ltd



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Document Review

Whenever this document is reviewed and or amended, details must be recorded on this page

Date	Review Summary	Approved Date
October 2015	Development and endorsement of original document	

NOTE: this document must be kept current at all times in accordance with the Monitoring and Review schedule outlined in section 6 of the Overarching BCP Part 1 - Manual.

Responsibility

Responsibility for review of this document rests with the **Risk Officer**

Related documents:

This document is part of a suite of BCP documents comprising:

- BCP Part 1 - Manual
- BCP Part 2 – Procedure (including Forms & Templates) (this document)
- BCP Contacts Lists and BCCC Location (CONFIDENTIAL)
- Divisional Sub Plans for each Division with identified Critical Business Functions and developed Sub Plans:
 - Executive
 - Core Services
 - Corporate and Human Services
 - Finance

All documents work together to form the Business Continuity planning arrangement for Council.

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Distribution

The Broken Hill City Council Business Continuity Plan is to be distributed to all staff and managers involved in the process of development, implementation and reviewing of this document. This includes those staff nominated as alternate to a key position. The following is the current list of personnel to whom a copy of this document has been distributed:

Issue No.	Member Role	Council Position (Key & Alternate)
1	CMT Chief	General Manager; Deputy General Manager
2	CMT Member - Executive	Manager Information Services; Executive Support Officer
3	CMT Member – Core Services	Deputy General Manager; Manager Planning Development and Compliance
4	CMT Member – Corporate & Human Services	Division Manager Corporate and Human Services; Manager Human Resources
5	CMT Member – Infrastructure Strategy	Manager – Infrastructure Strategy Infrastructure Projects Engineer
6	CMT Member - Finance	Chief Financial Officer; Financial Accountant
7	CMT Support Group Member – Human Resources	Manager Human Resources; Snr Human Resources Advisor
8	CMT Support Group Member – Media	Communication Specialist; Digital Officer
9	CMT Support Group Member - Property	Asset Planner – Buildings and Open Space;
10	CMT Support Group Member - IT	Manager Information Services; Senior IT Officer

The plan is also available to elected members of Council and to all Managers and staff via Council's intranet. For information relating to this document refer to the relevant personnel listed above.

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1. Business Continuity – The Process

Broken Hill City Council has adopted this Business Continuity Procedure and associated documents with a view to anticipate and be better prepared to face the challenges of a significant business interruption event that could impact on Council's key business objectives and ability to continue to provide the services to its customers.

The development of this procedure involved a staged process that sought to identify, assess, control and manage Council's critical business functions immediately following an event that gives rise to the activation of the Business Continuity arrangements.

This document serves to provide clear guidance to the Continuity Management Team (CMT) in the event that a Business Continuity event is declared.

The key personnel assigned to a specific role within this arrangement are required to be fully aware of and understand the requirements in such an event. Key personnel include assigned alternates.

This document is to be used in conjunction with the Divisional sub Plans for each Division as follows:

- Finance
- Core Services
- Corporate & Human Services
- Infrastructure Strategy
- Executive,

Reference must also be made to the BCP - Contacts Lists and BCCC Locations (CONFIDENTIAL) where necessary.

The Divisional Sub Plans include all the Sub Plans developed for each Function of Council identified as 'critical' for the purpose of achieving Council's objectives. These Sub Plans provide a guide for the management of these functions in the event of significant disruption.

The overarching document, the Business Continuity Manual contains the overall process and framework of the arrangements. The Manual is to be used as the learning tool.

The BCP Procedure document, this document, together with the Divisional Guidelines is the key documents that will guide actual implementation.

Whilst this is a practical and step by step document, it is a requirement that key personnel are fully familiar with the process and required actions, using this document only as a support.

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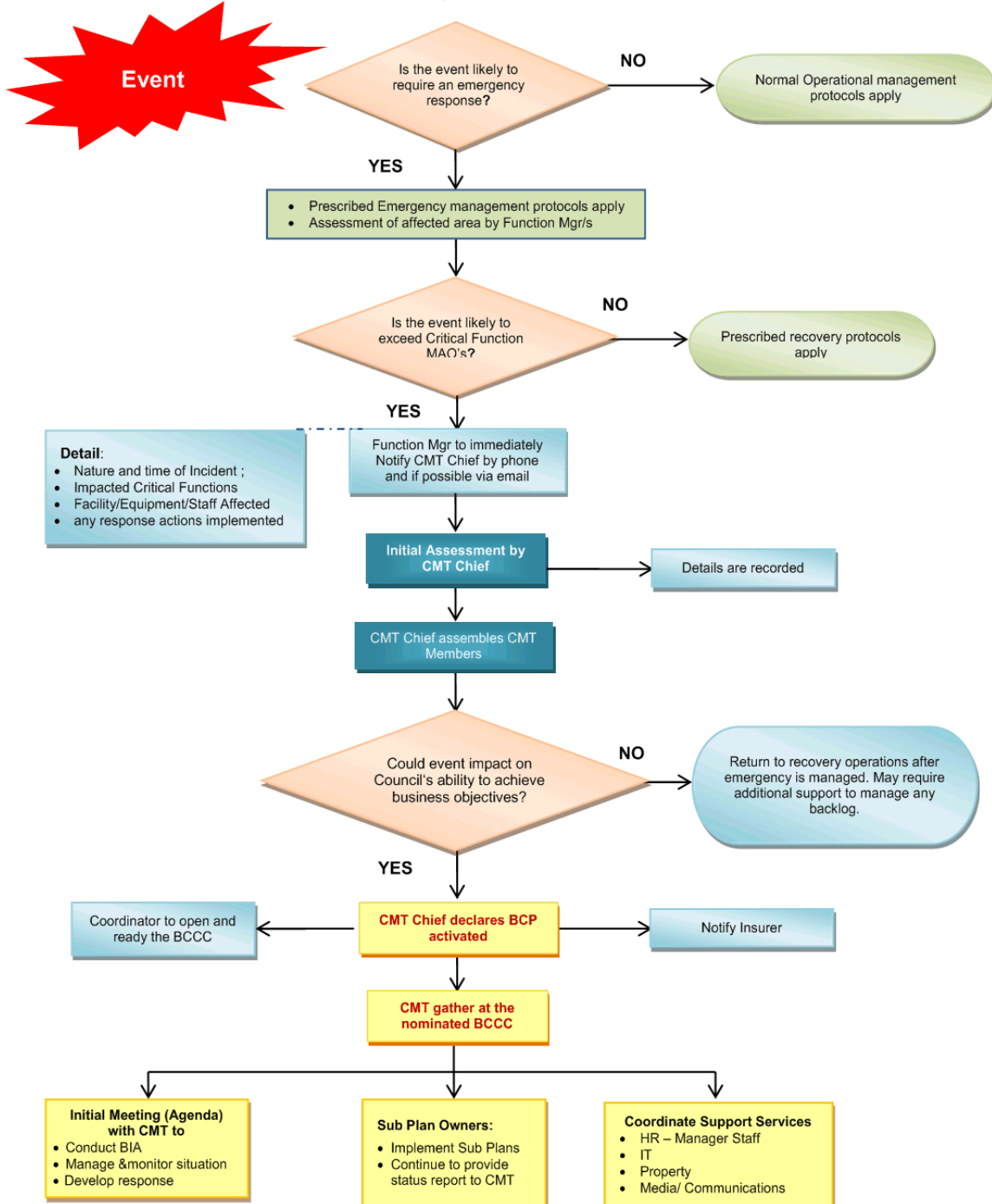
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1.1. Business Continuity Process flowchart

The implementation process is a practical step-by-step



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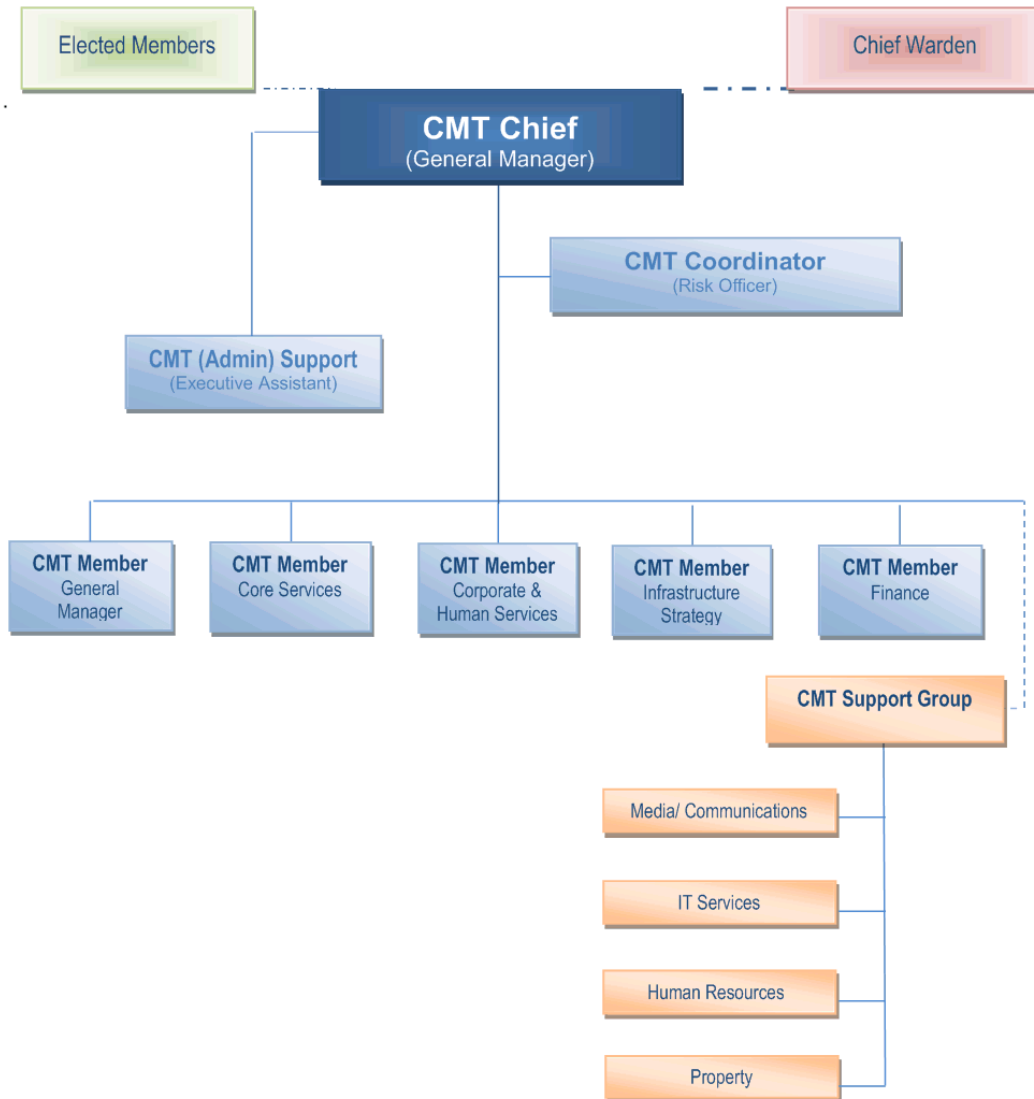
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2. Continuity Management Team (CMT)

2.1. CMT – Structure

The following is the adopted Continuity Management Team



Note: the Chief Warden and Elected members are acknowledged in this diagram but are not part of the official CMT Structure

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3. Business Continuity Plan Implementation

“The Plan in Action”

3.1. Notification of an Event

On first becoming aware of a possible Business Interruption Event, the **relevant** function Manager is to assess the situation and determine if the event is likely to exceed the agreed “MAO timeframe”. If so, immediately notify the **CMT Chief** by phone and where possible, with a follow-up email or personal briefing detailing the key issues including:

- Nature of the incident – time informed etc
- Describe business elements impacted (Critical Functions and non-critical functions)
- Staff impact
- Facility / equipment impacted
- Any response action/s implemented (Critical Function Sub Plan)
- Any media involvement / interest
- Any immediate support requirements.

Elements of the BCP Sub Plans can be implemented at the local level, where appropriate to address an immediate response requirement even if the event is expected to be resolved within an acceptable period.

3.2. Initial Situational Analysis

When notified of a Business Interruption Event, the **CMT Chief** is to:

- a) Formally record details (Admin Support)
- b) Assemble the Continuity Management Team (CMT) Members
- c) Confirm the details of the incident
- d) Conduct preliminary impact assessment (staff, facility and technology infrastructure).

Declaration of a Business Continuity Event

Is this a Business Interruption Event? YES NO

The **CMT Chief** is to:

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- Review the preliminary information and if considered necessary, **officially declare** a Business Interruption Event.
- Direct the preliminary communications, both internal and external, for discussion at the initial CMT meeting.

CMT Admin Support now remains with the CMT Chief to provide administrative assistance and recording all discussions and decisions being made in the process.

CMT Coordinator is to ensure all items listed in the BCP Form – 1 Business Continuity (Interruption) Event Checklist (see **Forms and Templates**) are actioned.

3.3. Business Continuity Control Centre (BCCC)

Following the declaration of a Business Interruption Event, the Business Continuity Control Centre BCCC will be opened at the appropriate location.

Depending on the nature and location of the Business Interruption Event, the CMT Chief will nominate the appropriate BCCC to be used by the CMT.

Locations are listed in the Confidential Contact list document.

The CMT Coordinator will coordinate the setting up of the BCCC.

The BCP Form – 2 Business Continuity Coordination Centre Checklist (page 25 in this document) outlines the requirements of the BCCC and the resources that need to be available.

3.4. Initial CMT Meeting as the BCCC

The **CMT Chief** is to call the initial CMT meeting to obtain more detailed information from the relevant business areas impacted.

BCP Form 3 – Initial Meeting Agenda template can be found on page 26 in the Forms and Templates section of this document.

CMT Members present information that will have been gathered to develop the Situational awareness an evaluation of the disruption event.

CMT Admin Support role is to make a formal record of the meeting, with particular emphasis on items to be actioned. This record needs is regularly reviewed and updated as additional information comes to hand.

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3.5. Business Impact Analysis (BIA)

Using the information being gathered, The **CMT** begins to assess the situation and to conduct an impact analysis of the areas affected and overall impact on the organisation's ability to continue to deliver services with focus on the critical business functions.

If relevant, the **Chief Warden** is to provide intelligence to the CMT Chief in relation to the impact of the event and potential long term impact.

Managers/ supervisors from each of the affected areas begin to assess and determine the level of loss and or damage to their premises and functions in terms of potential 'down time' and the MAO for each area. They then communicate this information to their respective CMT Member.

CMT Members collect information from their Managers for discussion and analysis at CMT meeting.

HR initiates communication protocol with staff and advice CMT of the status.

3.6. Communication – Staff and Media

Upon declaration of a business interruption event the following instructions have been developed to provide assistance. However, any restoration plan developed by the CMT will take precedence over the respective instruction.

3.6.1. Communication with Staff

- Contact all staff as a matter of priority implementing Council's communication protocol;
- Respective Managers are to direct their staff in accordance with the requirements of the Sub Plans and HR staff protocols;
- Staff are to wait until contacted and instructed before taking any action. That means:
 - For staff onsite of the affected area, following the emergency procedures, they are to wait for their Manager or HR to provide instructions as to what to do (i.e.: go home, stay, relocate, etc.)
 - For staff who are not affected by the event, are on leave or are located elsewhere, HR will communicate the situation as soon as practicable on a priority basis.
- A main point of contact (name and phone/email) is to be provided to all staff should they need to communicate with Council. This should be a different person to that who is making the staff contacts.

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Rules about information disclosure and Social Media

- The following are rules regarding the disclosure of information: **No person** other than the CMT Chief (or designated alternate with delegated authority by the General Manager) may divulge any information to the media.
- This restriction extends to contractors and other service providers and agencies and should be communicated in any site contractor agreements.
- It is **Prohibited** for any staff, managers, contractors, agents, volunteers or anyone engaged under Council to disclose any information via any means (this includes; phone, email, verbal and all social media channels).
- In the event of a major incident, particularly after-hours, there may be a delay in responding to media enquiries.
- Should any staff member be approached by media representatives for a comment they are only authorised to make the following statement:

"I am sorry, but I am not authorised to make any statement at this time. The appropriate personnel are currently being briefed on the situation and a spokesperson will be available to talk to you shortly"

- There is no such thing as an "off the record" comment.
- If you are approached by a journalist, please complete the Media Enquiry Record Form as per above.
- Let the journalist know that someone will return their call promptly.
- Provide the journalist's details to the Communications Officer as soon as possible, including how the journalist came to contact you.
- The rules governing communication with the media contained in **Council's Media Policy** will apply.

3.6.2. Release of Information - Media Protocols

Authority to approve all communication and media releases rests with the CMT Chief.

First of all Council is to:

- Ensure Council's Media Officer is prepared to undertake the preparation of media and public communication;
- Confirm that authority to approve any communication rests with the CMT Chief;
- Confirm that the official spokesperson is only the CMT Chief or official appointed Alternate;
- Prepare appropriate and regular information releases.

A sample of an immediate release is found in **BCP Form 4 - Media Release**; Council Service Disruption (page 28).

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Emergency Contacts

A list of Emergency Contacts has been prepared including all nominated members of the CMT, their designated deputies as well as key external services – refer Business Continuity Plan - Emergency Contacts and BCCC Locations which is available by selected key staff given the sensitivity and privacy of the information.

A copy of this listing should be held off premises by respective CMT & CMT Support Group members and identified alternates to enable the listing to be referenced in the event that access is denied to the premises.

3.7. Response Strategies

Section 3.6 above provides the basis of information gathered and analysed by the CMT and the CMT Chief to make a determination on the appropriate actions. These are called Response Strategies.

Sub Plans

The Sub Plans developed for each Critical Business Function provide initial guidance for each area affected to begin to put measures in place in accordance with their requirements and priorities.

Other Response Strategies

The CMT now begins to formulate a strategy to begin reinstating critical functions in line with and beyond the Sub Plans.

Some of the strategies include (but are not limited to):

- Ensuring each Critical Function Sub Plans of the areas impacted have been initiated successfully by each Sub Plan Owner;
 - If not, why not; what is the alternative;

CMT Members are to maintain communication at regular agreed intervals with respective Sub Plan Owners that have been affected and monitor and provide support of actions in line with agreed strategies
- Establishing the length of time Council may be in BC Mode;
- Management of staff;
- Management of media;
- Management of information to Elected members;
- Establishment of communication lines with Sub Plan Owners. Other Managers, CMT Members (i.e. mode of communication, frequency, etc.)
- Monitor impact on non-critical functions and maintain informed.

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3.7.1. Business Continuity Critical Functions Sub Plans

Upon discussion with and instruction from CMT, Critical Function Sub Plan (CFSP) Owners, begin to implement the relevant Sub Plan strategies.

CMT Support Group Members for Assets and IT to initiate identification and availability of resources as per the priority list and affected Critical Function areas.

For each Critical Business Function, the minimum resource requirement (including staff, premises, equipment etc.), are to be confirmed and established.

Staff within those affected areas to be notified of situation and deployed as necessary.

3.7.2. Critical Functions Resource Requirements

Functional areas identified as Critical that have been impacted by the interruption event will be seeking assistance with required minimum resources.

A list of identified resources in the event of a business interruption is detailed below. Sub Plan owners of the relevant functions will be requiring assistance from IT and Assets to source the following:

Should there be limited resources available the distribution will be made in accordance with the priority as listed in line with the MAO period.

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List of Critical Functions Resource Requirements

Priority	Maximum Allowable Outage	Critical Function	Division	Premises Office/ workshop space	IT resources PCs/laptops	Phones (fixed/ mob)	Vehicles (type)
1	Situational	Communications – Media	Executive	Can operate across range of environments, Media point (optional)	Laptop; Printer	-	-
1	½ day	Industrial Relations	Corporate & Human Services	Office space; 1 x workstations; area to keep confidential records	1 x PCs/ laptops; IT access to network and internet	2 x Phones	-
1	1 day	Airport	Core Services	Infrastructure; runway and airport facility	VHF/ HF aerals	Phone	-
1	1 day	Commercial Trade Waste	Core Services	Yard	-	Phone	1x front Lift Truck
1	1 day	Data Centre – (Storage; Processing; Applications; Document mgt; security; Internet access)	Finance	Secure office space with adequate power, temperature control, security and internet/network connectivity	Tape drive; database server; email server; file server; power; data storage device; Information Services Business Continuity response kit (documentation)	Access to mob phone;	-
1	1 day	Communications / Voice	Finance	-	-	Mobile network & appropriate handsets	-
1	1 day	Communications / Data	Finance	-	Secure reliable telstra cabling and associated switches from data centre or alternative site if required due to nature of scenario.	Access to mob phone;	-
1	1 day	Customer Services	Corporate & Human Services	Office space; counter;; 2 x workstations; 2 x lockable cash boxes; 1 x cash float; 1 x manual merchant machine	2 x PCs; IT access to network; multifunction copier	1 x Phones	-

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Priority	Maximum Allowable Outage	Critical Function	Division	Premises Office/ workshop space	IT resources PCs/laptops	Phones (fixed/ mob)	Vehicles (type)
				and vouchers; 1 x manual receipt book			
1	1 day	Community Care Coordination	Corporate & Human Services	Alternate office area; 4 workstations	4 x PCs; IT assess	4 x Phones	1 x Sedans
2	2 days	Incident and Injury Management Reporting	Corporate & Human Services	Alternate Council site with computer access; 1 x workstation; 1 chair;	1 x PC/Laptop; IT access to network	1 x Phone	-
2	2 days	Building Certification & Compliance Services	Core Services	Office space; work from home ; 1 x workstations; chairs	1 x PCs; IT; access to internet and Civica, Exponare	1 x Phones	1 x vehicles (shared with Health)
3	3 days	Community Services Operations	Corporate & Human Services	Office area, 3 x workstations or work from home	3 x PCs; IT access	3 x Mob phones	1 x vehicle
3	3 days	Administration	Corporate & Human Services	Office space; 1 x workstations; rotation of staff	1 x PC/Laptop with local logon; IT access to network; 1 x new USB for back-up purposes	1 x Phone	-
3	3 days	Landfill Operations	Core Services	Land; property to collect temporary waste if required	-	1 x Phone	-
3	3 days	Payroll	Corporate & Human Services	Alternate Council building with computer access; 1 desk	1 x Laptop; Access to Civica	1 x Phone	-
4	1 wk	Cemetery	Core Services	-	plot allocation map	Mob phone	Backhoe; bobcat; utility
4	1 wk	Domestic Waste Collection	Core Services	Contractors if required	-	Phone	2x Waste Trucks – sidelifts/contract side lift waste trucks

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Priority	Maximum Allowable Outage	Critical Function	Division	Premises Office/ workshop space	IT resources PCs/laptops	Phones (fixed/ mob)	Vehicles (type)
4	1 wk	Planning	Core Services	Work from home; Office space 1x workstation; chair	PC; IT access	Phone	-
4	1 wk	Public Health	Core Services	Work from home; Office space 1x workstation; chair	PC; IT access	Phone	-
4	1 wk	Ranger Services	Core Services	Work from Home; 1x workstation; chair	PC; IT access	Phone	1x vehicle
4	1 wk	Day Activity Centre	Corporate & Human Services	Office space; Alternate facility – Robinson College ; 1x desk, chair	1 x PCs; IT access	1 x Phones	1 x buses
4	1 wk	Cash flow & Bank Reconciliation	Finance	Work from Home – VPN	Access to server; laptop & internet	Phone	-
4	1 wk	Mail Delivery	Finance	Dedicated office space; 1 x workstation; desk, chair	1x PC; IT access to network; scanner; copier	Phone	-
4	1 wk	Rates & Debtors	Finance	Work from Home – VPN	Access to server; laptop & internet	Phone	-
5	2 wks	Accounts Payable	Finance	Work from Home – VPN	Access to server; laptop & internet	Phone	-

Total 25 Critical Functions

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3.8. Implementing Response Strategies

Once identified, evaluated and agreed to be the best most effective course of action, the CMT Chief will authorise the CMT members to begin the implementation of the response strategies.

Consideration should be given to the priority levels assigned for each critical function and ensure they are observed and met.

The implementation stage may also require the authorisation of resources to be deployed as well as expenditures to be approved. The CMT Chief or Alternate must have full delegation as required.

During implementation it is important to allocate a time frequency and accountability to monitor and review the implementation of the agreed strategies and be ready to amend as required.

Depending on the severity of the disruption this stage may be as short as hours or as long as months. Appropriate human resources and relief systems must be implemented to ensure staff are not over worked during this period.

This stage will last until all is in place to return to business as usual and move into the Stand Down is declared and the Transition Phase begins.

3.9. Stand Down Phase

CMT Chief (or officially nominated alternate) is the **only** role with the authority to declare the end of the Business Continuity Phase.

This Phase is used to conduct a Debrief. The CMT Chief meets with the CMT Members and Support Group Members to discuss the performance of the Team, Support Group and Sub Plan owners in view of the resultant outcome of the event.

Each CMT Member is to meet with their respective Supervisors/ Coordinators and seek feedback to discuss at debrief.

Matters to consider include:

- Timeliness of response
- the positives,
- the negatives
- any resourcing issues (HR; equipment, etc)
- skills of the Teams
- the effect on staff and management
- communications
- response times
- any improvements to be made/ lessons to be learned.

All discussions must be recorded and actions acted upon within a reasonable timeframe.

BCP documentation and arrangements should then reviewed and amended in accordance with the outcome of debrief. Remember to version control.

3.10. Transition Phase

The Transition Stage serves to begin reinstating all business processes back to normal.

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At the Transition Phase, Managers/ supervisors from all affected areas begin preparations to return to business as usual mode. This may mean relocation to a newly built facility or return to existing premises.

The CMT meet to discuss:

- The appropriate structure (Team) to manage the transition phase;
- New reporting and communication arrangements;
- Regular monitoring;
- Need for additional resources, etc

Sub Plan Owners are to:

- Establish arrangements to restore operations from workaround mode to electronic mode. Resources may need to be allowed for this to occur.
- Recall all staff, conduct debrief and set a plan of action to restore operations. Liaise with HR if there any staff needs counselling or other support.
- Ensure all workaround activities and records are recaptured into Council's official system and a critical check conducted to prevent any omissions and errors.
- Once the transition plan has been completed, reconvene with all staff to make sure all issues have been dealt with and effectively managed

Sub Plan owners are also to arrange a meeting with their respective Manager/ CMT Member to discuss:

- The outcomes of the event
- Any issues with resources, limitations
- Were there any compliance breaches due to the interruptions
- Any longer term impacts
- Review of identified Critical and Non-Critical Functions and if any changes need to occur
- Any proactive actions that could be taken now to prevent the severity of future impacts.

ALL debrief meetings MUST be RECORDED and any actions implemented within appropriate timeframes.

Finally, Review all BCP Documentation to ensure it reflects any identified improvements.

3.11. Non-Critical Business Functions

A Sub Plan has not been developed for those functions of Council identified as Non-critical.

Upon declaration of a business interruption event and instructions from the CMT Chief, the relevant Critical Function Sub-Plans are activated.

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Those business functions considered Non-critical and for which sub plans have not been developed, are to be suspended during the period of the business interruption and business continuity arrangements.

Managers responsible for Non-critical Business Functions are to monitor the effect on these and inform the CMT as and when requested.

Depending on the length of the interruption, Non-critical may at some point require some action. Regular reporting to the CMT on the needs will ensure that strategies are implemented when necessary.

The classification of these functions as non-critical needs to be reviewed on a regular basis and particularly during and following a business interruption event. If considered that they should be classified as 'Critical', then the responsible Manager is to develop a Sub Plan for this Function.

The list of Council business functions identified as Non- critical is as follows:

List of Council Functions identified as Non Critical in respect of Business Continuity Priorities

Department	Section	Function
Executive		
General Manager's Office	General Functions	Executive Support
Core Services		
Infrastructure Strategy	Project and Asset Planning	Asset Planning
Infrastructure Strategy	Project and Asset Planning	Aquatic Centre
Infrastructure Strategy	Waste & Recycling	Energy & Water
Infrastructure Strategy	Waste & Recycling	Green Waste Collection
Infrastructure Strategy	Operations	Plant & Equipment
Infrastructure Strategy	Operations	Public Toilets
Infrastructure Strategy	Operations	Emergency Services
Infrastructure Strategy	Operations	Parks and Gardens
Infrastructure Strategy	Operations	Street Cleaning
Infrastructure Strategy	Operations	Roads
Economic Development & Culture	Facility	Art Gallery
Economic Development & Culture	Facility	Geo Centre
Economic Development & Culture	Facility	Living Desert
Economic Development & Culture	Operations	Business Planning
Economic Development & Culture	Operations	Leases & Licenses
Economic Development & Culture	Tourism Strategy	Civic Centre/ Film Studio
Economic Development & Culture	Tourism Strategy	Show
Economic Development & Culture	Tourism Strategy	Visitors Centre
Economic Development & Culture	Tourism Strategy	Community Engagement
Economic Development & Culture	Tourism Strategy	Event Management Planning
Library	Facility	Library
Library	Library Service	Outback

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Department	Section	Function
Planning Development & Compliance	Strategic Land Use Planning	Heritage Services
Corporate & Human Services		
Human Resources	HR - Operations	Recruitment
Human Resources	HR – Operations	Training
Human Resources	HR - Operations	Performance Management
Human Resources	HR - Operations	Termination
Community Services	Community Services	Social Support
Community Services	Community Services	Sector Development
Corporate Services	Corporate Services	Governance/Strategic
Finance		
None		

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4. Forms and Templates



Business Continuity Procedure Forms and templates

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BCP Form - 1 Business Continuity Event Checklist

The following checklist may assist to ensure the processes identified throughout the **Business Continuity Plan - Response Procedure** are dealt with when responding to a significant business interruption event.

Business Interruption Event Checklist			
Item	Action Required	Action Responsibility	Action Completed
1. Incident Notification	Initial assessment of incident and assessment of whether impact likely to exceed MAO	Manager of affected Critical Function area	Yes <input type="checkbox"/> No <input type="checkbox"/>
2. Situation Assessment	Assess situation following emergency and determine whether to declare a Business Interruption Event, based on available information	CMT Chief	Yes <input type="checkbox"/> No <input type="checkbox"/>
3. Control Centre	Determine appropriate Control Centre location and necessary resources required, subject to incident and premises fit out requirements	CMT Chief; CMT Coordinator	Yes <input type="checkbox"/> No <input type="checkbox"/>
4. Emergency Liaison	Liaise with emergency services initially subject to emergency procedures and plans. Emergency Services contacts	CMT Chief and CMT Member for affected Critical Function area	Yes <input type="checkbox"/> No <input type="checkbox"/>
5. Initial CMT Meeting	Initial CMT meeting to obtain further incident detail regarding staff, emergency services, buildings & other property, public relations / media strategy, security, salvage, delegation / review of duties	CMT Chief and CMT Members	Yes <input type="checkbox"/> No <input type="checkbox"/>
6. Media Liaison	Establish procedure and identify responsible officer for conduct of media contact	CMT Chief	Yes <input type="checkbox"/> No <input type="checkbox"/>
7. Staffing Impacts	Determine requirements and scope for deployment of staff – refer Sub-Plans	CMT Member for affected Critical Function area	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Consider personal impacts of incident on staff and implement Employee Assistance Program measures as appropriate	CMT Member for affected Critical Function area / HR Manager	Yes <input type="checkbox"/> No <input type="checkbox"/>
8. Property Impacts	Determine capacity for physical relocation of staff/ establishment of alternative work spaces / facilities, etc.	CMT Member for affected Critical Function area / Property Manager	Yes <input type="checkbox"/> No <input type="checkbox"/>
9. Technological Impacts	Determine IT impacts and measures to provide temporary services as required – refer Sub-Plans and IT Business Continuity Instructions	CMT Members for affected Critical Function area & Corporate Information Officer	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Arrange redirection of telephone services, if required	Manager Information Services	Yes <input type="checkbox"/> No <input type="checkbox"/>

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BCP Form - 2 Business Continuity Coordination Centre Checklist

Business Continuity Coordination Centre		
Element	Issues to be addressed	Actions Required
Location of BCCC	The primary location of the BCCC is Council's Administration building – 2 nd floor Meeting Room <i>(providing that the office is not subject to the interruption event)</i>	Nil
Alternate Location of BCCC	1. Council's Administration building – ground floor training Room <i>(if business interruption event does not impact these offices)</i> 2. The Civic Centre	Further assessment of nominated sites to be undertaken by Council
Provisions of telecommunications facilities	Existing infrastructure to be utilised	Nil <i>Note that Civic Centre is to be upgraded</i>
Provision of internet facilities	Existing infrastructure to be utilised	Nil
Emergency power requirements for BCCC	No alternate source of power available at nominated sites.	Options to be discussed and determined by Council
Management and Staffing	See Responsibility Statements for nominated positions CMT Chief CMT Admin Support to Chief CMT Members CMT Coordinator CMT Support Group members,	Nil
Media	Dedicated Media Officer as part of Support Group Media are not permitted in the BCCC. The media briefing centre will be determined subject to which site is in operation as BCCC.	CMT Coordinator and Media Officer to establish location for media separate from BCCC
Initial level of activation	BCCC is activated on the authority of the CMT Chief only The CMT Coordinator is responsible for the initial set up of the BCCC	Nil
Standby Stage	At this stage the BCCC is to be brought to a minimal operational capacity with required equipment and staffing as determined by the situation	Action to be undertaken by Council
Full Activation	Information Boards required in BCCC • Current Operations Display Board , showing all tasks currently being carried out	CMT Coordinator to arrange

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Business Continuity Coordination Centre		
Element	Issues to be addressed	Actions Required
	<ul style="list-style-type: none"> • Contacts Display Board Used to display important contact telephone and fax numbers in regular use • Resources Allocation Board Showing resources location, resources committed and resources available • Staff Rosters for longer or protracted use of the BCCC • Timing Details recording of Briefing, meetings Situation Report etc • Media Releases Copies of publicly released materials 	
	<p>Plans and Documents Hard and soft copies of BCP, including Critical Function Sub Plans</p>	CMT Coordinator to arrange
	<p>Administration Stationery & Equipment list to be developed by the CMT coordinator</p>	CMT Coordinator to arrange
	<p>Extended Operations Staff Roster to be developed if protracted use of the BCCC is expected</p>	CMT Coordinator to arrange
	<p>Briefing Sessions Suitable briefing timing sessions to be identified by the CMT</p> <ol style="list-style-type: none"> 1. Staff 2. Media 3. Community 4. Elected Members 	CMT Coordinator to arrange notification of briefing sessions
Stand Down	Stand down of the BCCC will be at the discretion of the CMT Chief	Nil
	A stand down of the coordination centre may be a gradual phasing down over a period of time or it may be immediate cessation of the operation	

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BCP Form - 3 CMT - Initial Meeting Agenda

AGENDA

The CMT Chief is to call the initial CMT meeting to obtain more detailed information from the relevant business areas impacted, including:

This is the standard agenda for the Initial CMT Meeting:

- Staff
- Insurer
- Any associated Emergency Services issues
- Building facilities
- Public relations/media
- Damage/security, and
- Salvage of building and/or IT equipment.
- Ensure all team members understand their responsibilities and their assigned tasks.

During the meeting, information will have been gathered by the various CMT members to produce an evaluation of the incident.

A formal record of the meeting is to be made by CMT Support person with particular emphasis on items to be actioned. This record needs to be regularly reviewed and updated as additional information comes to hand.

Other Issues for consideration include

- Scheduling of site visit
- Identification of affected departments
- Public notification
- Schedule of staff meetings
- Development of initial plan for operations (short term)
- Allocation of temporary work locations.

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Sample Form to capture initial information

Information required	Response
Nature of the incident – Date, time	
Who informed?	
Describe business elements impacted (Critical Functions)	
Facility / equipment impacted	
Staff affected (yes/ no/ who/ how bad)	
Any response actions implemented (Critical Function Sub Plan)	
Any media involvement / interest	
Any immediate support requirements.	

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BCP Form - 4 Media Release Template – Council Service Disruption



XXXX Emergency Bulletin 1

<insert date>

This bulletin should not be released without the consent of the Continuity Management Team Chief (CMT Chief)

Broken Hill City Council is currently assisting with XXXX.

GM/ Mayor said the current situation was:

What we know: author to provide details of emergency or crisis situation, provide details on who is impacted, damage, deaths, injuries (in a broad sense, you can say that we believe there are deaths and injuries in the first instance and develop numbers as the emergency comes under control or progresses).

What we do not know: It is important to be upfront: we do not know when the crisis will end, we do not know how many people affected, we do not know damage etc

What we want people to do: This is the most important part of this information: Do we strongly advise them to evacuate, do we say stay in your homes, stock up on food, give emergency broadcast details, tell them to assemble etc, importantly tell them to remain calm.

What we are doing: Who we are working with, what we have done to ease a situation (sandbagging, graders to create breaks), who people can contact, emergency relief centres and where they are operating etc.

As more information comes to hand, it will be provided to residents via XXXX. The next bulletin will be released on or about XXXX

This bulletin should not be released without the consent of the Continuity Management Team Chief (CMT Chief)

Media Contact: <insert name, title, number here>

Administrative Centre, 240 Blende Street, P.O. Box 448, Broken Hill, N.S.W. 2880
www.brokenhill.nsw.gov.au
Telephone: (08) 8080 3300 Fax: (08) 8080 3424,
Email: council@brokenhill.nsw.gov.au

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BCP Form - 5 Telephone Redirection Authorisation

(Note that telephone redirection is NOT setup by Echelon Australia)

- Only Authorised Council account holders (IT Manager and Network Administrator) are able to authorise for redirection to take effect.
- Emergency Redirections can be obtained by calling 13 22 55 Telstra Corporate Faults.
- The following communiqué sample may be used to confirm your requirements with your phone services provider:

(Date)
(Council)
(Address)
(Town State Post Code)

ABN

The Manager

Telephone Redirections

Dear Sir/Madam

[Name] Council is in the process of activating its Business Continuity Plan in response to a business interruption event.

This fax is to request in writing Telstra immediately redirect the current [Name] Council's number (insert phone) to (insert alternate site name and number).

Council will inform Telstra again in writing when a change to this arrangement is required.

If you need clarification or to speak to a Council Representative please call (insert Mobile Number of CMT member).

Issued by

(NB: Only IT Manager and Network Administrator are currently authorised to arrange telephone redirection)

Time: _____

Date: _____

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5. Supplementary Information

5.1. Pandemic Response Information Guide

If a pandemic of any description was to eventuate within any local government area, it is probable that the Local Emergency Management Committee (LEMC) for that LGA would be activated and the Emergency Operations Centre would be opened. This would be under the control of the Local Emergency Controller (LEOCON) NSW Police, and the State Emergency Management Committee (SEMC) would have a coordination role or watching brief. Councils are required to supply a secretariat role to the LEMC, and a representative that has the authority of Council to deploy Council resources as needed by the LEMC, this is normally a dual role filled by an engineer and is known as the Local Emergency Management Officer (LEMO)

It is the responsibility the LEMC to plan for events of this nature occurring within their LGA. The LEMC is made up of members of all 5 combat agencies in NSW (Police, Fire, Ambulance, SES and RFS) and functional groups such as Docs, NSW infrastructure (public works) Dept. Primary Industries, etc. There are pandemic plans in existence at a National level, State level and at a local level (DISPLAN). The Displan is the disaster plan of the LEMC and within that they are required to build contingencies for Pandemic.

The BCP model places the importance on identifying what functions are critical to the business in delivering it objectives, identifying likely failure scenarios (Pandemic, loss of IT etc.) for those critical business functions and then developing plans to ensure the continuity of those critical functions.

A pandemic event occurring may result in a failure scenario that leads to “loss of critical staff”. It is the impact of that loss scenario that the business continuity plan is design to respond to. The Displan is designed to respond to the Community wide event.

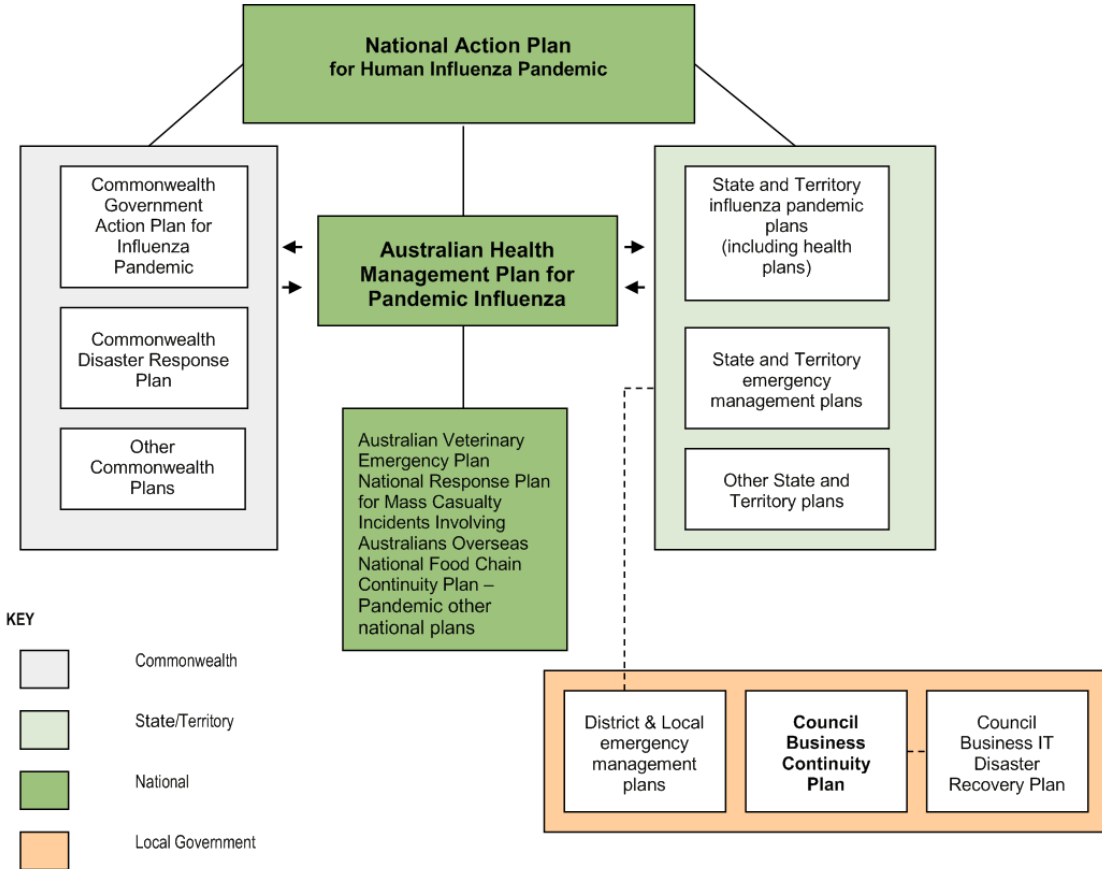
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National, State & Local Pandemic Planning Matrix



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Phases of Human Influenza Pandemic

	Global phase	Australian phase	Description of phase	AHMPPPI 2008	
PREVENTION AND PREPAREDNESS	AUS 0		No circulating animal influenza subtypes in Australia that have caused human disease	Australian phases	
	1	Overseas 1	Animal infection overseas: the risk of human infection or disease is considered low		
		AUS 1	Animal infection in Australia: the risk of human infection or disease is considered low		
	2	Overseas 2	Animal infection overseas: substantial risk of human disease		
		AUS 2	Animal infection in Australia: substantial risk of human disease		
	3	Overseas 3	Human infection overseas with new subtype/s but no human to human spread or at most rare instances of spread to a close contact	ALERT	
		AUS 3	Human infection in Australia with new subtype/s but no human to human spread or at most rare instances of spread to a close contact		
	RECOVERY	4	Overseas 4	Human infection overseas: small cluster/s consistent with limited human to human transmission, spread highly localised, suggesting the virus is not well adapted to humans	DELAY
			AUS 4	Human infection in Australia: small cluster/s consistent with limited human to human transmission, spread highly localised, suggesting the virus is not well adapted to humans	
		5	Overseas 5	Human infection overseas: larger cluster/s but human to human transmission still localised, suggesting the virus is becoming increasingly better adapted to humans, but may not yet be fully adapted (substantial pandemic risk)	DELAY
AUS 5			Human infection in Australia: larger cluster/s but human to human transmission still localised, suggesting the virus is becoming increasingly better adapted to humans, but may not yet be fully adapted (substantial pandemic risk)		
6		Overseas 6	Pandemic overseas: increased and sustained transmission in general population	DELAY	
		AUS 6a	Pandemic in Australia: localised (one area of country)	CONTAIN	
		AUS 6b	Pandemic in Australia: widespread	SUSTAIN	
		AUS 6c	Pandemic in Australia: subsiding	CONTROL	
RECOVER		AUS 6d	Pandemic in Australia: next wave	RECOVER	
RECOVERY					

Source: National Action Plan April 2009

Title	Doc No	Version	Accountability	Date	Next Review
BCP – Part 2 - Procedure	Final	V3		03-11-2015	

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Recommended Actions for Australian Businesses

Aus Phase	Description of phase	Recommended Actions for Australian Businesses
Aus 4	Human infection in Australia: Smaller cluster(s) consistent with limited human to human transmission, spread highly localised, suggesting the virus is not well adapted to humans	<ul style="list-style-type: none"> Consider implementing remote work arrangements Consider suspending all overseas/interstate travel Purchase health and safety consumables such as disinfectant, gloves and face masks Distribute hard copies of staff contact and supplier contact list Educate staff that if they get sick and recover, they should return to work as they will be immune to the disease. If they believe they are unwell, they should not go to work. Prepare rosters that have no overlaps and include sufficient time for disinfecting the area before the new shift arrives Encourage staff to eat at their desks and stagger breaks to prevent groups meeting in the break rooms Provide staff with details of the location of fever clinics, designated influenza hospitals, infection control guidelines, the hotline for influenza and other relevant information Exercise the Business Continuity Plan examine how continuity will be affected in an environment of high absenteeism including up to 50% absenteeism, when regions are quarantined, preventing staff and goods from leaving or arriving, and when schools are closed and other social distancing is introduced. Plan to allow staff to work from home Plan for ways to increase social distancing in the workplace, e.g. video conferencing Identify the conditions where all but the critical functions would be suspended Update company succession plans in case the key staff succumb Review insurance policies for pandemic coverage
Aus 5	Human infection in Australia: larger cluster(s) but human to human transmission still localised, suggesting the virus is becoming increasingly better adapted to humans, but may not yet be fully adapted	<ul style="list-style-type: none"> Activate remote work arrangements Implement social distancing at work Cancel all non-essential work Activate rosters that have no overlaps and include sufficient time for disinfecting the area before the new shift arrives Maximise building ventilation Require staff to wear surgical masks, introduce cough etiquette and other hygiene measures Undertake daily temperature checks of staff Clean phones and all touched surfaces between shifts
Aus 6a	Pandemic in Australia: localised (one area of country)	<ul style="list-style-type: none"> Maintain a register of staff who get sick but recover, as they are immune to the disease.
Aus 6b	Pandemic in Australia: Widespread	<ul style="list-style-type: none"> Encourage immune staff to return to work Maintain contact with all employees and provide situational updates
Aus 6c	Pandemic in Australia: Subsided	<ul style="list-style-type: none"> When vaccine becomes available, organise for all non-immune staff to be vaccinated as early as practical Implement plan for the restoration of operations

Adapted from: National Security Briefing Notes May 2009

Title	Doc No	Version	Accountability	Date	Next Review
BCP – Part 2 - Procedure	Final	V3		03-11-2015	

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ORDINARY MEETING OF THE COUNCIL

June 2, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 125/16

SUBJECT: DRAFT DEVELOPMENT CONTROL PLAN FOR PUBLIC EXHIBITION 11/126

Recommendation

1. That Broken Hill City Council Report No. 125/16 dated June 2, 2016, be received.
2. That Council proceed with the public exhibition of the draft *Broken Hill Development Control Plan 2016* for a period of 28 days.
3. That details of submissions received be reported back to Council after the exhibition period.

Executive Summary:

The purpose of this report is to advise Council that a draft development control plan (DCP) has been prepared to consolidate and replace current DCPs. In accordance with Council's resolution of 26 August 2015, the draft DCP is presented to Council for the purpose of public exhibition.

Report:

Broken Hill City Council currently has the following DCPs in-force:

- DCP No 1 Residential Development,
- DCP No 2 Commercial Development,
- DCP No 3 Heritage Development,
- DCP No 4 Industrial Development,
- DCP No 5 Notification,
- DCP No 6 Outdoor Advertising,
- DCP No 7 Keeping of Horses,
- DCP No 8 Rural Small Holdings,
- DCP No 9 Exempt Development, and
- DCP No 10 Contaminated Lands,
- DCP No 11 Management of Lead Contamination, and
- DCP No 12 Storm water Collection, Usage and Disposal.

Council has engaged Zenith Town Planning to review these plans to ensure consistency with provisions and land use definitions that have been incorporated in *Broken Hill LEP 2013*, and to consolidate these plans into a single DCP.

The objective of preparing draft *Broken Hill DCP 2016* is to ensure that statutory obligations are met by carrying out an administrative transfer of the controls contained in current DCPs. The new DCP compliments the new LEP by using the same standard definitions and provides necessary additional detail to development standards that are included in the LEP.

All current DCPs are to be repealed from the date that *Broken Hill DCP 2016* takes effect. It is noted that the controls of *DCP Exempt and Complying Development* are now replaced by the *SEPP (Exempt and Complying Development Codes)* or are included within schedules of the *Broken Hill LEP 2013*.

Issues

The consolidation of the provisions of current DCPs into *draft Broken Hill DCP 2016* will involve:

- Updating all references to *Broken Hill LEP 1996* and land use zones,
- Ensuring all definitions are consistent with the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000* and *Broken Hill LEP 2013*,
- Deleting any references to floor space ratios, plot ratios and building heights as these cannot be included in a DCP regardless of whether they are in the LEP. Site coverage and numbers of storey controls may be retained,
- Adding any requirements for notification of development applications that are in the current DCPs and *Broken Hill LEP 2013*,
- Updating references to NSW government agencies,
- Ensuring consistency of controls with State Environmental Planning Policies, and
- Reviewing all text to clarify controls, to assist interpretation and ensure consistency of language.

It is necessary for Council to prepare the new DCP to ensure that current controls remain in force and are not able to be misinterpreted in relation to *Broken Hill LEP 2013*.

Generally, there are no changes to controls that are in place under current DCPs. However, the provisions of draft DCPs that have been in preparation have been incorporated into the consolidated DCP. These relate to fencing, contaminated lands, car parking and heritage conservation.

In relation to car parking, requirements for all types of land uses have been included. These have been sourced from the *RTA Guide to Traffic Generating Developments* although requirements that apply through current DCPs have been brought forward.

A separate chapter has also been included for tree preservation on public and private land. This makes reference to a preferred species list.

Conclusion

The draft DCP will consolidate the provisions of all current DCPs into a single plan. This will satisfy Council's statutory obligations with respect to development controls to be consistent with *Broken Hill LEP 2013*. It is recommended that Council exhibit the draft plan for comment for 28 days.

Strategic Direction:

Key Direction:	Our Community
Objective:	1.4 Our built environment supports our quality of life
Function:	1.4.1 Maintain the character of our historic City through good design
DP Action:	1.4.1.2 Develop, plan and implement a Development Control Plan for the City

Relevant Legislation:

Environmental Planning and Assessment Act, 1979 as amended with subordinate regulations.

Financial Implications:

Council has allocated funding for this project in the *Delivery Program 2015-2017*.

Attachments

1. Draft Broken Hill DCP 2016 108 Pages

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER

draft 30 May 2016



BROKEN HILL

DRAFT DEVELOPMENT CONTROL PLAN 2016

draft 30 May 2016

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Document history

Original	
Council resolved to prepare draft DCP	
Notice of intention to prepare & exhibit issued	
Draft DCP exhibited	
Draft DCP adopted	
Became effective (notice given)	
Amendment No. 1	
Council resolved to prepare draft DCP	
Notice of intention to prepare & exhibit issued	
Draft DCP exhibited	
Draft DCP adopted	
Became effective (notice given)	

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1. INTRODUCTION

1.1 Preface

This plan is called the *Broken Hill Development Control Plan (DCP) 2016* and is referred to as the Plan in this document.

1.1.1 Application

This plan applies to all land subject to *Broken Hill Local Environmental Plan (LEP) 2013* and zoned:

- RU2 Rural Landscape
- R1 General Residential
- B1 Neighbourhood Centre
- B2 Local Centre
- B4 Mixed Use
- IN1 General Industrial
- IN2 Light Industrial
- SP1 Special Activities
- SP2 Infrastructure
- SP3 Tourist
- RE1 Public Recreation
- RE2 Private Recreation
- E2 Environmental Conservation
- E4 Environmental Living

1.1.2 Purpose

The purpose of this plan is to guide development within Broken Hill local government area (LGA) consistent with the aims and objectives of *Broken Hill LEP 2013*. It contains objectives and development controls that expand upon the requirements of *Broken Hill LEP 2013* and that are to be considered in addition to the LEP when preparing a proposal to develop land in Broken Hill LGA.

Broken Hill DCP 2016 has been prepared by Broken Hill City Council in accordance with the *Environmental Planning and Assessment Act 1979* and was adopted by Council on xxxx. Upon taking effect this plan repeals the following DCPs:

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- DCP No. 1 Residential Development
- DCP No.2 Commercial Development
- DCP No. 3 Heritage Development
- DCP No. 4 Industrial Development
- DCP No. 5 Notification
- DCP No. 6 Outdoor Advertising
- DCP No. 7 Keeping of Horses
- DCP No. 8 Rural Small Holdings
- DCP No. 10 Contaminated Lands (other than lead contamination)
- DCP No. 11 Management of Lead Contamination
- DCP No 12 Stormwater Collection, Usage and Disposal

1.1.3 Savings provisions

This Plan does not apply to any development application or application for a modification to a development application submitted under section 96 of the *Environmental Planning and Assessment Act (EP&A Act) 1979* that was lodged prior to the date of commencement of this Plan. Any application lodged before the commencement of this plan will be assessed in accordance with the development control plan(s) or policy(s) which applied to the site at the time the application was lodged.

1.1.4 How to use this Plan

The Plan consists of this written document and includes all sketches, diagrams, illustrations and maps. It comprises an introduction with separate chapters covering subdivision, building, car parking and access, and outdoor advertising. The code is structured so that each design consideration is addressed by objectives and controls.

The **objectives** are goals for what should eventuate on the ground as the final product of the land development process. It is an essential consideration when designing a subdivision or building to ensure that new development is appropriate to a site and neighbourhood.

Design guidance is given for some types of development. This is intended to assist site planning, building design and other considerations when planning new development.

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Controls are the specific requirements of Council that are to be fulfilled in development plans. They may be varied on merit where it can be clearly demonstrated that the statement of intent for the design element is still being achieved, where site constraints are such that compliance with controls is not possible or where extenuating circumstances exist. See 1.3.3 *Requests to vary acceptable solutions* for procedures to follow when seeking to vary the controls of this Plan. Council may accept other solutions where the objectives are satisfied.

1.1.5 Format

The plan comprises the following chapters:

Chapter 1 – Introduction. This chapter provides information about the application of the Plan, how to use the plan, and matters of governance relating to assessment procedures and the notification of development applications.

Chapter 2 – Subdivision. This chapter contains guidance for the subdivision of land for rural living.

Chapter 3 – Building. This chapter contains zone-based guidance for new buildings in rural, residential, business and industrial areas, and alterations and additions to existing buildings.

Chapter 4 – Parking and access. This chapter contains guidance for access arrangements and the provision of car parking. This chapter applies to all development in Broken Hill LGA.

Chapter 5 – Outdoor advertising. This chapter contains guidance for the design and placement of signage.

Chapter 6 – Land contamination.

Chapter 7 – Tree preservation.

Chapter 8 – Heritage conservation.

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1.1.6 Definitions

This plan adopts all definitions contained in the Dictionary to *Broken Hill LEP 2013*. In addition, definitions relating to specific aspects of development are included where necessary throughout this plan.

1.2 The planning context

1.2.1 The hierarchy of plans and policies

Planning in NSW is governed by the *Environmental Planning and Assessment Act 1979*. Provisions of the Act establish a hierarchy of environmental planning instruments and policies. These are State Environmental Planning Policies (SEPP), Local Environmental Plans (LEP) and Development Control Plans (DCP). SEPPs and LEPs are known as environmental planning instruments.

A SEPP is a legal document that generally deals with a specific type of development, such as infrastructure, or exempt and complying development, or applies to a specified area of land, such as the coastal zone.

An LEP is a legal document that sets the planning framework at a local level by specifying land use zones, the uses that are permitted or prohibited in those zones, certain development standards and provisions relating to heritage conservation, environmental protection and the like. *Broken Hill LEP 2013* is the plan that is in force in Broken Hill LGA.

A DCP is Council policy that provides further guidance to the provisions of the LEP. It contains objectives and controls for subdivision, building design, engineering matters and the like. It is not a statutory plan but is a legal consideration in the assessment of a development application.

The Department of Planning & Environment has also issued regional strategies for some areas of NSW to give high level guidance to planning and development. At the time of adoption of the Plan a regional strategy had not been prepared for Broken Hill LGA.

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1.2.2 The assessment process

A development application is required to be lodged for development that is permitted with consent under *Broken Hill LEP 2013*. This is known as local development. Other types of development are exempt (where an approval is not required), complying (where the proposal complies with set standards and approval by Council or a private certifier is provided within 10 days), designated development (which must be accompanied by an environmental impact statement) and integrated development (where the approval of another statutory authority is required in addition to approval by Council or a Joint Regional Planning Panel). Any consent issued under integrated development also includes the general terms of approval from those other agencies.

Council is required to assess a development application in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979*. Section 79C of the Act requires Council to consider the provisions of any environmental planning instruments that apply to the land, including State Environmental Planning Policies (SEPP) and the *Broken Hill LEP 2013*, as well as any potential economic, social and ecological impacts, the suitability of the site for the proposed development, submissions made by interested persons and the public interest.

The provisions of all SEPPs and *Broken Hill LEP 2013* prevail over this plan. In the event that a SEPP (e.g. *SEPP (Infrastructure) 2008* or *SEPP (Exempt and Complying Development Codes) 2008*) or the LEP applies to a certain land use and enables that use as either exempt or complying development subject to specified development standards, then that environmental planning instrument enables that land use to proceed without the need for the consent of Council.

The controls contained in this Plan only apply where a development application is lodged with Broken Hill City Council for a particular land use and where those controls do not conflict with the provisions of an environmental planning instrument. Council reserves the right to refuse a development application or to require modification of the development being proposed, even where it complies with acceptable solutions, if Council considers that the proposed development will conflict with or lead to an inconsistency with the desired outcomes as expressed in the relevant statement of intent.

Broken Hill City Council encourages a flexible approach to land development so that new development is innovative and adaptive without causing any adverse effect on the amenity of residents or the local environment.

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Council recommends that independent legal or town planning advice should always be sought prior to making a property purchase or an investment decision. The information in this plan should not be solely relied upon in reaching a decision to purchase a property or to embark on a development project.

1.2.3 Ecologically sustainable development

Ecologically Sustainable Development is defined as:-

"using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased."

Broken Hill City Council, as part of its charter, has responsibilities to ensure that all of its functions and decision-making processes take account of the principles of ESD. This means that Council must consider the following principles prior to carrying out any of the functions for which it has responsibility:

- **Precautionary Principle** - *"This principle requires that lack of scientific certainty is not used as a reason for postponing measures to prevent environmental degradation."*
- **Inter-generational Equity** - *"Requires that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations."*
- **Conservation of Biological Diversity and Ecological Integrity** - *"is the fundamental consideration of ESD to promote human well-being through the maintenance of ecological services and the protection of intrinsic environmental values."*
- **Improved Valuation, Pricing and Incentive Mechanisms** - *"Requires that environmental factors be included in the valuation of assets and services such that the principles of - user pays, payment for full lifecycle of goods – including disposal of wastes, and the cost effective achievement of environmental goals."*

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1.3 Making a development application

It is important that a meeting be held with Council staff in the first instance and before preparing development plans to identify the level of information that is to be submitted with a development application. Missing or incomplete documentation may cause delays in the assessment of a development application.

Depending on the type and scale of the development being proposed and the nature of the property, specific assessments may be required to be submitted with the development application that address potential impacts of the proposed development. These may be required to address:

- Traffic management and car parking,
- Noise and other emissions,
- Flora and fauna,
- Bushfire protection,
- Indigenous or non-indigenous heritage,
- Geotechnical features,
- Overshadowing,
- Visual and scenic values,
- Soil Contamination, and
- Waste Management.

1.3.1 Documentation

Information to be submitted with a development application is specified in Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*. As a minimum a development application is to be accompanied by a site plan and building plans drawn to a scale of 1:100 or 1:200, and a statement of environmental effects.

The site plan is to show:

- (a) the location, boundary dimensions, site area and north point of the land,
- (b) existing vegetation and trees on the land,
- (c) the location and uses of existing buildings on the land,
- (d) existing levels of the land in relation to buildings and roads, and
- (e) the location and uses of buildings on sites adjoining the land.

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Building plans are to show:

- (a) the location of any proposed buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development,
- (b) floor plans of any proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building,
- (c) elevations and sections showing proposed external finishes and heights of any proposed buildings. For temporary structures elevations and sections showing heights and building materials,
- (d) proposed finished levels of the land in relation to existing and proposed buildings and roads,
- (e) proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate),
- (f) proposed landscaping and treatment of the land (indicating plant types and their height and maturity),
- (g) the proposed location, dimensions and contents of advertising and signage,
- (h) proposed methods of draining the land, and
- (i) a BASIX certificate if required (see 1.3.2 BASIX).

The statement of environmental effects is to address:

- (a) the environmental impacts of the development,
- (b) how the environmental impacts of the development have been identified,
- (c) the steps to be taken to protect the environment or to lessen the expected harm to the environment,
- (d) any matters required to be indicated by any guidelines issued by the Director-General of the Department of Planning and Infrastructure.

In the case of subdivision, a proposed plan of subdivision and preliminary engineering drawings of the work to be carried out are to be submitted with the development application.

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If an application for a construction certificate is made at the same time as a development application then detailed construction plans and building specifications are also required to be submitted with a report indicating compliance with the Building Code of Australia and relevant Australian Standards. Alternatively, compliance may be shown on plans and specifications.

1.3.2 BASIX

BASIX is an on-line program that assesses dwelling design against energy and water reduction targets. If these targets are satisfied a BASIX Certificate is issued. The BASIX Certificate is required to be submitted with a development application for all developments which contain new residential dwellings or alterations and additions to a dwelling.

BASIX uses information such as site location, house size, type of building materials and fittings for hot water, cooling and heating. 'Commitments' that are made to achieving energy and water reduction targets are shown on the BASIX certificate and must be marked on building plans that accompany the DA. These commitments are to be adhered to during the building process. Any changes made to the dwelling design means another BASIX assessment must be completed and a new BASIX Certificate submitted to Council.

The BASIX Certificate should also be attached to an application for a construction certificate and ensure all BASIX commitments are shown on the plans. It should also be attached to an application for an occupation certificate. Council will only issue an occupation certificate when satisfied that the project has been built as described on the BASIX Certificate.

To obtain a BASIX assessment go to www.basix.nsw.gov.au and enter details of your building plans.

1.3.3 Requests to vary acceptable solutions

Development proposals that comply with controls are generally processed without delay, minimising costs to the applicant. However, Council may consider varying acceptable solutions where the proposed development still satisfies the relevant statement of intent and performance criteria, or site conditions make compliance difficult.

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A request to vary an acceptable solution must be in writing and specify the control to be varied and details in support of the variation that demonstrate how the relevant statement of intent and performance criteria will still be achieved.

In some circumstances, such as where the acceptable solution makes reference to a requirement of legislation, State policy or an environmental planning instrument (SEPP or LEP), it is not possible for Council to vary the acceptable solution.

1.4 Advertising and notification

1.4.1 Notification policy

For certain development proposals Broken Hill City Council notifies the owners of land that is adjoining and adjacent to the site where an application for development has been received. Council gives notice of development applications where the proposed development has the potential to adversely affect surrounding properties, the amenity of the neighbourhood, or the natural environment. Council determines the circumstances where notification takes place having regard to the relevant land use zone, the proposed development and consistency with the zone objectives. Examples of such development are:

- keeping of animals other than companion animals,
- professional consulting rooms in a residential area,
- development of an industrial or commercial nature within an area which, in the opinion of Council, has the potential for detrimental impacts upon the surrounding neighbourhood,
- a building that is two or more storeys in height above natural ground level in a residential zone,
- non-residential use within a residential zone that is likely to interfere with the amenity of the neighbourhood.

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- residential dwellings and class 10 structures within 500 mm of a side or rear boundary,
- integrated development that requires the approval and/or licencing from other agencies, and
- a public monument or memorial located in a public space.

1.4.2 Notification procedures

Certain development types are classified as 'advertised development' or 'designated development' in the *Environmental Planning and Assessment Regulation 2000*. The procedures for the notification of a development application for these types of development are specified in the Regulation.

Applications for all other types of developments will be available for viewing at Council's offices for a minimum period of between 14 and 28 days as advised by letter or notice published in newspaper or a notice placed on-site (depending on the relevant form of notification undertaken by Council).

Submissions will be received during the exhibition period, and up until the submission closing date as advised by letter or notice published in newspaper or a notice placed on-site (depending on the relevant form of notification undertaken by Council). Council maintains discretion to extend the notification period if considered necessary. Council will also place an advertisement in local newspapers if the development is of a scale that may warrant broader community input due to the potential effects of that development.

The extent and form of notification is carried out in accordance with the table below.

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Type Of Development	Notification
Where, in Council's opinion, it is believed the likelihood of nuisance from the proposed development to the surrounding neighbourhood is low	Council will notify by letter, the owners of properties within a 25-50 metre radius
Where there is a greater risk of nuisance from the proposed development to the surrounding neighbours	Council will notify by letter, the owners of properties within a 100 metre radius
Residential 1 (a) & Class 10 (a) buildings. Buildings within 500 mm of side or rear boundaries	Council will notify by letter, the owners of the adjoining property. Neighbours separated by laneways and streets will not be notified
Keeping of animals other than companion animals	Council will notify by letter, the owners of properties within a 200 metre radius
Public Monuments and Memorials located on a public space Any development where, in the opinion of Council, a development because of its size, scale or location, is believed that it is in the public interest to do so	<ul style="list-style-type: none"> • A notice will be placed on-site (In the event that the notice is accidentally removed or displaced prior to the expiry of the exhibition period, the notice is taken to have been erected in accordance with this Plan), • Notice published in a local newspaper (The notification period commences from the day after which the notice is first published in the newspaper), and • Letters will be sent to the owners of adjoining properties and other owners of land the enjoyment of which (in Council's opinion) may be detrimentally affected if the development is carried out.
Complying development	Not required

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1.4.3 Making a submission

Submissions are letters, petitions or similar written representations from individuals or groups of people regarding a particular development application. Submissions should be in writing and may support or object to a development application, or suggest changes or alternatives to the proposal. All submissions received by the Council shall be in writing, and include the following information as a minimum:

- The location of the proposed development (and the Development Application number where known)
- The address of the person making the submission (so notice of the determination of the application can be sent by Council)
- The grounds of the submission, including how the development would detrimentally affect the enjoyment of land

Council's assessment of an application involves considering the merits of all relevant matters raised in submissions. However, Council is not bound to adopt a suggestion or support an objection when making its determination on the application.

Submissions may be made up until the close of Council offices on the last day of the notification period as specified in the letter or advertisement. Submissions can be sent to the following addresses:

- By mail to: The General Manager
Broken Hill City Council
P.O. Box 448
Broken Hill NSW 2880
- By facsimile to (08) 8080 3424
- By email to council@brokenhill.nsw.gov.au

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2. SUBDIVISION

2.1 Subdivision for rural living

Objectives

- to enable development for the purposes of rural living to be carried out on the land,
- to maintain a high degree of environmental quality and minimum conflict between rural living land use and the rural activities and amenity within the area,
- to prevent land degradation and ensure that development is carried out in a manner which protects, enhances and does not adversely affect the environmental qualities of the land or adjoining land,
- to ensure that rural living development is well designed and located,
- to ensure that development is adequately serviced and not placing a strain on public services or those of other service providers,
- to ensure rural living development meets the relevant objectives of *Broken Hill LEP 2013*,
- to provide land suitable for the cohabitation of rural living land use with the use of land for stables and the keeping of horses generally,
- to provide a wide range of rural living choices,
- to ensure that allotments created in a rural living subdivision provide potential building sites with minimal risk of damage by bush fires or flooding, and

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- to ensure that developments comply with the provisions of the Threatened Species Conservation Act, 1995.

Controls

- An application for rural living subdivision should include a site analysis that considers:
 - drainage - areas which are flat and/or low lying may sometimes have poor drainage which, in times of high rainfall, could affect access to properties and/or onsite disposal of sewage.
 - slope - excessive slopes should be avoided as they are potentially unstable and increase the cost of housing,
 - landscape/habitat significance – rural living development should not be located in areas of habitat or landscape significance. The applicant must take into account the impact of the proposal and in particular the provisions of the Threatened Species Conservation Act 1995,
 - provision of services - the adequacy of existing services and the feasibility of extending services to the proposed development if necessary, and
 - compatibility with adjoining land uses - buffer zones may be required due to the practice of spraying of agricultural chemicals as part of rural land uses.
- The subdivision layout should provide for:
 - proper spacing of access points to an existing road to allow for appropriate visibility setbacks. Spacing between access points would generally be in the order of 90 metres. Subdivision design should encourage joint use of access points to eliminate an excessive number of intersections

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- design geometry of access ways both vertical and horizontal alignment that will ensure the safety of pedestrian cyclists and vehicular traffic
- the provisions of *Broken Hill LEP 2013* including the minimum lot size of allotments.
- A soil assessment is to be carried out and submitted to Council that demonstrates that the land is capable of safe on-site effluent treatment and disposal
- A landscape plan is required to be prepared and submitted to Council that shows:
 - the outline of proposed buildings,
 - existing trees (species, height and spread) with an indication of those trees likely to be adversely affected by the development, and
 - proposed tree planting, including buffer areas where Council considers necessary, using quality species of mature height and spread.

When preparing the landscape plan consideration should be given to topography, the purpose of the trees (windbreaks, shade, aesthetics, etc), the choice of an appropriate type of tree (shade, wood type, evergreen or deciduous) and the choice of species which is suited to the locality (having regard to soils, rainfall and the purpose of planting).

- no earth or gravel may be removed or excavated from the subject land without the approval of Council, except where such removal and excavation is necessary for the erection of a pre approved building structure or for the safety of the occupants or prospective occupants of the land;
- no temporary dwelling, other than those approved pursuant to the Environmental Planning & Assessment Act, 1979 as amended and the Building Code of Australia 1996 shall be erected on the subject land;

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3. BUILDING

3.1 General provisions – all zones

This section applies to all new development that involves building or structures, including alterations and additions, in residential, business, industrial and rural zones in Broken Hill that are subject to Broken Hill LEP 2013.

Controls

- A surveyors report is to be submitted with a development application for any permanent structure that requires the consent of Council that is located within 500mm of an adjoining property boundary (other than to a Council lane or footpath reserve), or in any case where in the opinion of Council that the boundary of the site is uncertain.

3.2 Development in residential zones

Application

This section applies to residential and non-residential development that is permitted with or without consent in zone R1 General Residential.

3.2.1 All dwellings

Controls

- A concrete driveway is to be provided as access to all new dwellings, dual occupancies, multi dwelling housing and residential flat buildings.
- The applicant shall obtain a floor height for the building from Council's Technical Services Department prior to excavating the

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site.

- All stormwater drainage is to be disposed of in such a manner so as not to cause nuisance.

3.2.2 Single detached dwellings

Objectives

- To permit flexibility in the siting of buildings;
- To minimise adverse impact on adjacent and adjoining properties.

Design guidance

- Setbacks - the location of the dwelling on the allotment should include a setback from the road reserve which considers the streetscape and adjacent structures.
- Consent is required for alterations, additions or renovations to dwelling houses listed in *Schedule 5 Environmental Heritage of Broken Hill LEP 2013*. Any building work undertaken on residential properties in Broken Hill must be carefully undertaken so that the identified character is retained:
 - Alterations and additions to existing houses should respect the character of the building in question and not detract from the character of the residential area as a whole.
 - Any new buildings should be carefully designed to fit in with the character of the area but not pretend to be historic buildings themselves.

Refer to Chapter 8 Heritage Conservation for design guidance and controls that apply to heritage listed properties and land within heritage conservation areas.

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- Site Drainage - the primary source of run-off in residential areas is the individual building lot where numerous opportunities exist to 'hold and use the rain where it falls'. Two basic ways to limit run-off are the provision of rainwater tanks and the construction of paving to drain to grassed areas.
- Buildings should be designed to achieve a reasonable degree of internal privacy in the main habitable rooms.
- Materials - external materials of development should be sympathetic in colour, texture and range to achieve a harmonious composition. The number of materials used within a group of dwellings or an individual building should be kept to a minimum. In the event of extending an existing building, the new materials should be selected to match in texture and colour the materials used in the existing development.
- Windows - New buildings should be designed to accommodate windows which are in proportion with each other and with adjacent buildings. Toilet and bathroom windows should not be placed facing the street of the main entry to the building.
- Roof form should be sympathetic to the natural ground slope and/or to neighbouring buildings. Individual buildings forming a group or cluster should be designed to provide a sense of visual diversity between the individual dwelling units whilst not detracting from the unity of the whole. These forms should be coordinated to ensure overall visual harmony.

3.2.3 Dual Occupancy

Objectives

- to provide guidelines for applicants seeking approval to construct a building for use as a dual occupancy on an allotment
- to ensure that dual occupancies are sited and constructed in such a manner that they are compatible with surrounding development
- to ensure that dual occupancies do not adversely affect the amenity of adjacent buildings and the general area where

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they are located

Design guidance

- Maintain the quality of the streetscape.
 - Maintain streetscape character so that buildings visible from the street have similarities with those that exist.
 - Building setbacks from the street alignment should not vary dramatically from those in the rest of the street.
 - Preserve established trees and gardens where possible.
 - Match existing roof forms and materials and keep to the scale of surrounding buildings.
 - Limit the number of garages on the street boundary, and keep driveway crossings to a minimum.
- Maximise views, respect privacy.
 - Use screens, planting and walls, to maintain visual privacy of dwellings and neighbours and to reduce noise.
 - To maintain privacy avoid placing new windows opposite the windows of existing buildings. The effective location of windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.
 - Balconies and first floor windows of living rooms should not overlook neighbouring living areas, courtyard areas and swimming pools
- Create clear address and access.
 - Minimise area of site devoted to driveways. Make sure parking is workable.
 - Provide identifiable elements such as gates, letterboxes and house numbers for each dwelling so that they are clearly visible to visitors.
- Protect the heritage.
 - Seek the advice of Council's Heritage Adviser or Council's planning and building professionals.
 - Use related building forms, matching materials and window and door proportions to complement existing heritage buildings.
 - New work should not dominate the streetscape.

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- Use your site's attributes to advantage.
 - Try to combine neighbouring gardens to maintain the landscape character of the area.
 - Open up living areas directly onto courtyards and gardens, and set them out to benefit from good sunlight.
 - Keep the floor area of the new building to a minimum through efficient planning. Retain as much of the existing backyard and gardens as possible.
- Minimise site coverage and setbacks from the boundaries.
 - Pergolas, verandahs, fences and open carports may be permitted within the setback zone.
 - Preserve as much of an existing mature garden area as possible.
 - Where possible co-ordinate development with neighbours to ensure parking and driveways are shared.
- Preserve landscape qualities.
 - Amalgamate neighbouring open spaces to create large, consolidated landscaped areas even where still divided by a fence.
 - Where it is unavoidable to remove big trees, replace them with new trees.
 - Use hedges, vines, pergolas or other landscape elements to give privacy between dwellings.

3.2.4 Multi dwelling housing and residential flat buildings

Design guidance

- New buildings should be designed to create a well-proportioned building form. Buildings, particularly when viewed from the street, should be compatible with the character of neighbouring buildings.
- The number of external building materials used within a group of dwellings or an individual building should be kept to a minimum.
- Council regards the provision of quality landscape work to be of very high importance. The objective in specifying requirements is to ensure that an environment is created in which nature is not unduly dominated by man-made forms. The landscape

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setting of residential buildings is a critical factor in softening the relatively hard aspect of most medium density residential developments. The following landscaping principles apply:

- the landscape design/plan should be simple and functional.
 - trees should be the major element throughout the development.
 - planting is to be in scale with the proposed buildings in the development.
 - aim for low maintenance landscape areas.
 - retain existing trees where possible.
 - consider the impact of the development on neighbours – examples views, shade, noise.
 - lessen the visual impact of driveways and car parking areas by use of different paving, screen planting, curving driveways.
- careful thought to the design of the combination of the planting in private courtyards can add to the quality of medium density developments. Courtyards should be suitable for outdoor living and contain a flat area of sufficient size to take tables and chairs.
 - Vehicles need to be physically restricted from landscape areas and this can be achieved by use of raised kerbs along driveways which will protect lawns and shrubs from damage. Long straight driveways should be avoided. Curving driveways provide relief.
 - adequate provision should be made for control, collection and disposal of excess stormwater by way of easements, on-site storage or directed to the street.
 - Use screens, planting and walls, to maintain visual privacy of dwellings and neighbours and to reduce noise. To maintain privacy avoid placing new windows opposite the windows of existing buildings. The effective location of windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass. Balconies and first floor windows of living rooms should not overlook neighbouring living areas, courtyard areas and swimming pools. (see sketches under privacy in dual occupancies section of this DCP)

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3.2.5 Non-residential development

Objectives

The objectives concerning non-residential development in residential areas are 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;
- involve exposure to view from any public place of any unsightly matter;
- give rise to traffic levels out of keeping with those of the surrounding area.

3.3 Development in business zones

Application

This section applies to commercial development in zones B1 Neighbourhood Centre, B2 Local Centre and B4 Mixed Use.

Objectives

- to encourage comprehensive development and expansion of business activities which will contribute to economic growth and employment opportunities within the City
- to ensure the conservation and enhancement of the historic, architectural and aesthetic character of the City, particularly the City Centre Commercial Precinct
- to identify a number of commercial precincts in the City and encourage commercial development in these areas
- to ensure commercial development meets the relevant objectives of the Broken Hill LEP 2013.

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Controls

- The texture and colour of materials proposed to be used are to be shown on plans submitted with the development application with a statement of their expected performance under likely environmental conditions.
- Buildings fronting Oxide Street, Patton Street, Brookfield Avenue/Thomas Street, Gypsum Street, McCulloch Street, and between Duff Street and Knox Lane shall not exceed one (1) storey in height.

3.4 Development in industrial zones

Application

This section applies to development in zones IN1 General Industrial and IN2 Light Industrial.

Objectives

- to promote and encourage industrial development in appropriate locations within the City of Broken Hill;
- to encourage industrial development without creating environmental problems or adversely affecting existing services and infrastructure;
- to ensure industrial development:
 - is generally related to the scale, bulk and height of existing development and landscape in its locality,
 - is attractive and functional,
 - retains existing worthwhile vegetation wherever possible, and
 - has adequate on-site parking.

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- to ensure industrial development meets the relevant objectives of the Broken Hill LEP 2013.
- in the Kanandah Road/Pinnacles Place Precinct to encourage appropriate heavy industrial development within the precinct.
- in the Rakow Street and Eyre Street Precincts, to encourage appropriate light industrial development within the precincts and to ensure industrial developments do not have an adverse environmental impact on nearby residential land use

Controls

- Generally a site coverage not exceeding 50% can be used as a guide, however, where it can be demonstrated to Council's satisfaction that the requirements for setbacks, parking, access, loading/unloading, and landscaping can be met, a variation to this may be permitted.
- Landscaping should be designed to complement and enhance the development, and where applicable, screen such features as open storage areas, carparks, loading docks, garbage storage areas etc.
- security fencing is considered desirable for most industrial sites. Security fencing should be preferably shall be located on or behind the building line and behind the front landscaped area.
- The siting and design of an industrial development shall be of suitable scale, colour, height and position to that of its surrounding environment.
- Access, parking and setbacks should be considered in relation to the building size and function.
- Building materials should be non-reflective. Large unrelieved expanses of wall are not favoured.
- Council encourages the provision of employee facilities such as canteens, child minding centres etc., particularly in larger

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developments employing more than twenty (20) persons. Amenities and toilet facilities are to be provided to Council's satisfaction in accordance with the requirements of the Workcover Authority of NSW under the Factories, Shops and Industries Act, 1962.

- Goods may only be displayed outdoors if they are manufactured, processed or sold on site. Display areas shall form an integral part of the landscaped area.
- The design of buildings as well as being functional is to be visually acceptable and compatible with development on adjoining land when viewed from the public road.
- All open areas for the storage of plant, goods materials, and/or wastes shall be screened from public view by means of a suitable screen wall of face brick, masonry or like construction.
- Suitable provisions shall be made for the storage and disposal of all trade wastes, refuse etc. in such a manner as to insure that it does not interfere with the amenity of the area and that it is not exposed to public view. For this purpose Council administers a Waste Volume, Storage and Removal Requisites Code which is available at Council's Administrative Centre.
- Consideration should also be given to the use of suitable screening either in conjunction with or in certain cases, in place of landscaping.
- All buildings shall be designed to effectively prevent the emission of noise and evidence will be required that any machinery to be housed or installed on the premises shall not emit noise in excess of a noise level of 5dB (A) above background noise when measured adjacent to surrounding residential areas. All industrial activity is to be conducted to avoid unnecessary or unreasonable noise, particularly at night.
- All machinery shall be so bedded to ensure that no vibration is transmitted outside the limits of the subject land.
- The use of the premises shall be conducted and where necessary control equipment shall be installed so as to ensure that

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there are no adverse discharges of gas, dust or other material to the atmosphere and that any emissions are within the limits set by regulation under the Clean Air Act. On-site incineration shall not be permitted.

- in the Kanandah Road/Pinnacles Place Precinct the setback from the street frontage to the building line should generally be no less than 6 metres, however setbacks shall also be determined on the following criteria:
 - (i) building height, bulk and layout
 - (ii) the nature and needs of the industrial activity
 - (iii) the general streetscape.

3.5 Rural development

Application

This section applies to development within zone RU2 Rural Landscape.

3.5.1 Dwellings

Design guidance

- Energy conservation: to achieve the maximum benefit from the sun's energy the house should be sited with its longest sides facing north/south. The use of pergolas on the northern side shade summer sun but permit winter sun to penetrate inside the house. Appropriate tree planting can also protect the house from the elements.
- Vegetation: plants can be used to protect the house from undesirable winds, screen the house and surrounds from the road and neighboring properties, to stabilize fragile soils and to assist in the absorption of effluent. Deciduous plants can be used to shade windows and areas in summer whilst permitting winter sunlight.

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- **Materials:** the relationship of the house to the colours and textures of the landscape in which it is sited, should be a major influence on the selection of materials and colours. Materials should also be chosen which contribute to the energy efficiency of the house. The use of fiber cement sheets or planks should generally be avoided as the material has low insulation and heat storage properties. However where used, fiber cement cladding should be painted in browns, gray-greens or other natural earth colours suited to the region and used with stained timber frames to blend with the landscape.
- **Finishes:** roof and wall finishes of all rural buildings should comprise low reflective surface materials and colours in natural earth shades (fawns, mid-browns, silver-gray, gray blues and greens) to blend with the rural setting. Galvanized iron or steel deck, preferably colour-bonded or painted in colours mentioned above, is a good match for simple timber or brick structures.
- **Roofs:** roof pitch (slope) should relate to the surrounding landform in flat areas; the most suitable roofs are low-pitched. For more undulating land hip roofs and split gable roofs are more appropriate. Verandahs and pergolas should relate to the main rooflines. Galvanized iron or steel sheeting makes suitable roofing material in rural areas (being relatively inexpensive and flexible to use).
- **Access:** the point of entry to the property should be clearly visible for a considerable distance, either side of the entrance along the road, to maximize road safety.
- **Siting:** of houses may require the provision of buffer zones to ensure that suitable separation distances are maintained from existing rural lands where spraying of chemicals occurs as part of the normal activities associated with rural production.

Controls

- New dwellings shall:
 - be constructed wholly of new materials or pre-used bricks,

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- be of an area of not less than 90 square metres assessed from plans and specifications not including verandahs, carports or ancillary buildings,
- contain an approved waste water treatment system and no exterior toilets or water closet out buildings shall be erected

3.5.2 Keeping of horses

Objectives

- To provide clear and specific guidelines for people wishing to construct horse stables within the City of Broken Hill.
- To allow for the high level of demand existing within Broken Hill for developments of this nature.
- To provide a mechanism whereby people may apply to Council for variations in the methods and materials used in construction of stables and associated structures.
- To allow for the construction of stables in areas where the potential for conflict exists, i.e. in residential areas.
- To encourage the location of stables, especially those of a large and or intense nature, into areas specifically designed to cater for such activities. Council may need to provide areas specifically for that purpose within its planning instruments.
- To provide a suitable environment for the keeping of horses in such a manner whereby the suffering of horses will be prevented from occurring. Note: all matters pertaining to animal welfare are the responsibility of the RSPCA.
- To encourage development to be sympathetic to the topography of the land, character, and scale of the surrounding development, and minimise impact on the environment
- To encourage a high standard of design, both functionally and aesthetically, which will have due regard to the needs of occupants, neighbors and local amenity
- To allow for the keeping of horses within a residential precinct without limiting consideration of normal residential uses
- To ensure stables development meets the relevant objectives of the Broken Hill LEP 2013.

Controls

- Number of Horses - The number of horses to be kept depends on a number of factors including the area of land available, distances to shops, schools and residences etc. and the potential for nuisance. The following areas are suggested as

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minimums for specific uses:

- Holding Yards – (standing area only) = 40m² (not including area of stables).
- Working Yards = 100m² (not including the area for stables and a holding yard). It is not recommended that working areas be incorporated into stable complexes within residential areas due to potential problems with dust and noise. Stables in these areas should be passive with the exercising of the horses being carried out off site, however a minimum passive exercise area of 40m² should be provided in addition to holding yards;
- Stables – (not including tack sheds or feed sheds) = 16m² per horse

Note: It is the owner's responsibility to ensure that the animals are supplied with suitable accommodation. Failure to supply the basic requirements could result in actions by the RSPCA under the Cruelty to Animals Act.

- Owner Occupied Sites - Stables for non-commercial uses will only be considered when in conjunction with an existing residence or an application for a new residence lodged at the same time as the application for stables. This is to ensure that the applicant is in a position to act with speed and efficiency in the event that a nuisance does occur. Applications for commercial horse keeping establishments will need to satisfy Council of their ability to respond to nuisances as part of an ongoing management and maintenance plan.
- Minimum site area - The minimum allowable lot size with regard to a residence and stables within a residential area is 2100 m².
- Distances from other buildings - Under the provisions of this Development Control Plan and schedule 5 of the Local Government Act, 1993, there are minimum distances from certain buildings and public places which must be complied with. Such distances apply to any part of the stables or yards. Distances stated by this Development Control Plan are in excess of the minimum distances provided under the Local Government Act and are 25 metres to a Dwelling, School, Shop, Office, Workshop, Church or other place of public worship, public hall or premises used for the preparation and or sale of food

In addition, a local requirement is that no structure, yard or the like is to be within three metres of a side or rear boundary. This

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provision is to ensure that horses are not able to damage existing fences or shrubbery. This distance is included within the 25 metre distance referred to above.

Note: Council may need to take account of the likely impact upon known or likely future development, e.g. If an area is planned for a school or residential uses etc.

- Construction & Materials

- The floor shall be constructed of concrete, 100mm thick and suitably reinforced. All junctions between floors and walls are to be coved. Floors shall be graded at a minimum fall of 2 degrees to a discharge point, presumably the door. A concrete apron one-(1) metre in width is to be placed in front of the door. Use of materials such as straw and rice hulls is permitted provided they are changed on a regular basis. As a minimum, such material should be changed once a week, however in warm weather or where a nuisance exists, the frequency of changing may need to be increased to remove any nuisance. The applicant should monitor this situation closely and take appropriate action.

Council may also approve other suitable flooring such as hard masonry or pavers, provided such floors are properly constructed with sufficient falls to drain all wastes to a given point external to the stable. Council may in some circumstances require such drainage to be connected to the Country Energy sewer.

- Are to be of a solid construction, being masonry or concrete or a similar material to a height of 1200 mm. Alternative construction shall be allowed for construction above 1200 mm in height subject to compliance with normal building standards. Use of timber kick boards is allowed as a lining to solid construction but not as an alternative.
- A ceiling clearance of 2.75 metres should be maintained throughout. Construction shall be as for walls above 1200 mm. All roof waters are to be disposed of in a suitable manner so as not to create nuisance.
- All openings shall be of sufficient size to allow horses to enter and exit the structure in safety, however as a guide, openings for doors shall be 1200 mm in width and 2400 mm in height.
- Suitable ventilation should be provided in the form of openings between the roof and walls. Should the amount of

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- openings be less than 3 m², or alternative methods be proposed, then the approval of the Environmental Services Department should be sought prior to construction. Use of screens for cold weather is permitted subject to suitable design and the permission of Council.
- Are open sided structures to give shelter from the elements. They should not be enclosed without Council permission. They should comply with relevant building standards for the construction of structures and should be provided with paving for the floor area.
 - Shall be constructed in order to ensure the control of vermin. Containers with tight fitting lids shall be used for the storage of all feed material. Water supplies shall be designed to ensure that no nuisance occurs and that no provision is made whereby the breeding of mosquitoes is allowed to occur.
- Fences - Additional fences shall be erected a minimum of 3 metres inside of boundary fences in order to stop horses from damaging boundary fences and damaging trees and shrubs in neighboring properties.
 - Manure disposal - All manure, feed waste and damp bedding is to be collected daily and stored in suitable airtight storage bins.
 - Drainage - All yards, enclosures and stables are to be suitably drained to ensure that no ponding occurs. All waste waters, including water from hose down procedures shall be maintained on site. No waste is to be disposed of to the storm water system. In exceptional circumstances, Council may require wastes to be disposed of to Country Energy's sewer system. Approval of the Water Board may be required.
 - Nuisance Control - Even the most conscientious horse owner will have problems from time to time. The nuisance that arises will ultimately impact upon the neighborhood, but the degree of that impact can be minimised. As a guide, the following checklist can be used to determine possible reasons for the nuisance and is therefore a good starting point for resolving the problem.
 - Are there too many horses for the block?
 - Are the stables too close to the neighbors?
 - Are the stables being cleaned out daily?

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- Is there adequate fly and vermin control?
- Are the stables built to the current standards? If not, can they be brought up to standard?
- Fly Control
 - Keep all containers for manure and feed covered
 - Collect all manure and other wastes daily
 - Remove wastes at least once a week
 - Seal all cracks and potential breeding areas
 - Use knock down sprays, surface residual sprays, fly baits etc.
 - Keep premises clean at all times

Note: be careful with pesticides as they can poison animals and people.

Should approval be granted subject to conditions, Council will conduct ongoing surveillance and monitoring of the operation and the reactions of adjoining properties. This shall be conducted on a three monthly schedule for the first twelve months of operation. Failure to comply with conditions of approval may result in Council rescinding the approval.

Please be aware that keeping of horses is an emotive issue within residential areas and improper control of stables will lead to complaints. Council will be able to serve notices to require certain works to be carried out or in some cases, may even rescind approvals for keeping horses. It is in your interest to ensure that your stables are maintained in a clean and tidy condition and kept free from vermin and other nuisances.

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4. CAR PARKING

4.1 Car parking requirements

This chapter establishes and outlines the car parking requirements for various land uses and other requirements relating to the operation and embellishment of parking areas. Development proposals that significantly impact existing road systems or are traffic or service vehicle intensive (e.g. supermarkets or shopping developments, or major buildings on main roads) will require a traffic impact statement to be prepared by a qualified person and submitted to Council with the development application.

Objectives

- To ensure that the provision of parking is appropriate for the proposed use or development of the land,
- To protect amenity, enhance streetscapes and provide shade,
- To maintain traffic flow efficiency, improve safety and protect the environment,
- To ensure convenient and safe provision of off street car parking for disadvantaged persons,
- To allocate adequate bicycle and motorcycle standing areas,
- To ensure convenient and safe space is provided for loading and unloading of goods, and
- To provide convenient and safe access to car parking areas, minimising disruption to traffic and maximising pedestrian safety.

Design guidance

All development proposals will, according to their size, have to consider some or all of the following matters:

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- The amount of traffic generated by the use
- The impact of traffic generation on surrounding road network
- Driveway location and service vehicle access
- Traffic circulation patterns and parking layout
- The safety of pedestrians and pedestrian circulation patterns

Controls

Design and safety

- Car parking areas shall be constructed to an all-weather hard stand surface and be graded and drained to Council's stormwater system.
- Motorists shall easily be able to locate the car parking area. Parking spaces shall be clearly marked and signposted where appropriate. Vehicles shall be able to enter and leave the site in a forward direction.
- All car parking and manoeuvring areas are to be located on the development site and clear of the footpath and verge.
- Access arrangements and parking area design, including parking space dimensions and car park layouts including for commercial and industrial development, shall be in accordance with the *RTA Guide to Traffic Generating Developments* Version 2.2 released in October 2002.

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Parking Spaces

- The number of parking spaces required for different land uses shall be provided on-site in accordance with Table 5.1 below.
- Parking spaces shall be designed in accordance with *Australian Standard 2890.1 Parking Facilities. Part 1: Off-street Car Parking* and *AS 2890.2 Off-street Parking. Part 2: Commercial Vehicle Facilities*. Alternative layouts are shown in *AS 2890.1*.
- Car parking for disabled persons shall be provided for developments where disabled access to the building is required. Parking spaces for disabled persons shall have a minimum dimension as per *AS 2890.6-2009 Off-street Parking for People with Disabilities* and located as close as practicable to the main entrance of the building.

Landscaping

- Development applications for parking areas shall be accompanied by a landscape plan demonstrating the means to provide shade and soften the visual impact of any parking structure or parking area.

Exemptions from meeting requirements in Schedule

- Inability to provide parking as per the schedule will not exclude a development and in such cases the Development Application will be considered on its merits.
- Council may exempt a development involving restoration and/or adaptive re-use of a building which is either listed as a heritage item in *Schedule 5 Environmental heritage of Broken Hill LEP 2013* or is within a Heritage Conservation Area, from part or all of the subject developments on-site parking requirement. In this instance, the applicant must provide details of expected parking demand and justification as to why an exemption should be given.

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Table 5.1 Car parking requirements

Land use	Parking requirements
Accommodation	
Dwelling houses	1 - 2 spaces
Secondary dwellings	No additional parking required
Dual occupancy	Minimum 2 spaces
Multi unit housing/Residential flat buildings	1 space per 1 bedroom unit or less than 75m ² GFA 1.5 spaces per 2 bedroom unit or 75m ² to 110m ² GFA 2 spaces per 3 or more bedrooms or greater than 110m ²
Seniors housing	<p><i>Resident funded developments</i></p> <p>Self-contained dwellings: 2 spaces per 3 units + 1 space per 5 units (visitor parking)</p> <p>Hostels and residential care facilities: 1 space per 10 beds (visitors) + 1 space per 2 employees + 1 space per ambulance</p> <p><i>Subsidised development</i></p> <p>Self-contained dwellings: 1 spaces per 10 units (residents) + 1 space per 10 units (visitor parking)</p> <p>Hostels and residential care facilities: 1 space per 10 beds (visitors) + 1 space per 2 employees + 1 space per ambulance</p>

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Land use	Parking requirements
Hotel or motel accommodation	<p>Motels: 1 space for each unit plus 1 space per 3 seats if a public restaurant and/or function room is provided</p> <p>Unlicensed hotels: 1 space per bedroom plus 1 space per 2 employees</p>
Caravan parks	In accordance with the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>
Commercial	
Pubs and registered clubs	<p>Licensed pubs: 1 space per 3m² of public bar plus 1 space per 6m² of public lounge and dining area plus 1 space per 2 employees</p> <p>Licensed clubs: 1 space per 6m² of public bar, lounge and dining room</p>
Office premises and all other commercial development	1 space per 40m ² GFA
Shops (floor areas and requirements are for leasable GFA for shops and video stores)	<p>0-10,000m² - 6.1 spaces per 100m² 10,000-20,000m² - 5.6 spaces per 100m² 20,000-30,000m² - 4.3 spaces per 100m² Over 30,000m² - 4.1 spaces per 100m²</p> <p>Video stores: 6.1 spaces per 100m²</p>

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Land use	Parking requirements
	<p>Car tyre stores: Whichever is the greater of 3 spaces per 100m² GFA or 3 spaces per work bay</p> <p>Drive-in liquor stores: 1 space per employee plus a minimum of 2 off-street parking spaces for "browse room" customers</p>
Service stations	6 spaces
Vehicles sales or hire premises	4 spaces per 1,000m ² site area plus 1 space per employee
Vehicle repair stations	0.75 spaces per 100m ² site area + 6 spaces per work bay
Roadside stalls	4 spaces
Markets	2 spaces per stall
Bulky goods premises	Surveys should be carried out of similar developments
Take-away food and drink premises	Drive-in: 30 spaces plus 1 space per employee
Restaurants	1 spaces per 6m ² of service area, or 1 space per 3 seats, whichever is the greater
Function centres	30 spaces plus 1 space for every 3 seats over 60 seats
Funeral chapels/funeral homes	1 space per 5 seats
Recreation	
Recreation facilities (indoor)	Squash and tennis courts: 3 spaces per court

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Land use	Parking requirements
	Bowling alleys: 3 spaces per alley Gymnasiums: 4.5 spaces per 100m ² GFA
Recreation facilities (outdoor)	Bowling greens: 30 spaces per green
Infrastructure	
Freight transport facilities	Surveys should be carried out of similar developments
Transport depots	Surveys should be carried out of similar developments
Industrial	
Industries and rural industries	1 spaces per 3 employees
Warehouses or distribution centres	1 space per 2 employees or 1 space per 90m ² , whichever is the greater
Waste management facilities (private)	Motor vehicle wreckers - minimum 5 spaces or 1 space per 750m ² of site area, whichever is the greater
Plant nurseries	0.5 spaces per 100m ² site area or a minimum 15 spaces, whichever is the greater
Community	
Health consulting rooms	1 space per practitioner plus 1 space per employee plus 2 spaces for patients of each practitioner
Medical centres	4 spaces per 100m ² GFA
Child care centres	1 space for every 4 children in attendance

Note – in this table the following definitions apply:

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“Gross floor area” (GFA) means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic, but excludes:
- (d) any area for common vertical circulation, such as lifts and stairs, and
- (e) any basement:
 - (i) storage, and
 - (ii) vehicular access, loading areas, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and
- (i) terraces and balconies with outer walls less than 1.4 metres high, and
- (j) voids above a floor at the level of a storey or storey above..

“Gross leasable floor area” (GLFA) means the sum of the area of each floor of a building where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts, corridors and other public areas but including stock storage area.

4.2 Industrial Development

Controls

- **Location of car parking**
 - Parking should preferably be located at the side or rear of the site behind the front building line.
 - If it is intended to locate the parking area in front of the building then the area is to be behind the building line and

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screened from view (dense planting, feature wall etc may be used). Small parking areas need not be totally screened from view but be behind the landscape set back.

- Loading facilities are considered to be an important part of any development, whether new or existing. Where ever possible, such facilities should be provided wholly within the site.

- **Vehicular Access**

By Main Roads

- all development which have direct vehicular access to a main road are subject to consultation with NSW Roads and Maritime Services, either direct or through the local Council's Traffic Committee.
- Generally, no vehicular access will be permitted to a main road if reasonable access is available from an alternative street.

By Local Streets

- not more than two (2) crossings will be permitted to any premises;
- where two (2) vehicular crossings are provided the crossing on the approach side will be constructed, signposted and used solely as an entrance and the other crossing will be constructed, signposted and used solely as an exit.

- **Access Driveways**

- Access driveways, parking loading/unloading and manoeuvring areas are to be constructed of sealed gravel pavement or equivalent standard which causes stormwater to be drained off the surface so as to be suitable for use in all weather conditions. Unsealed cracker dust or limestone will not be acceptable as an equivalent alternative.

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- A vehicular access driveway should be no less than six (6) metres wide at the property boundary. Driveway widths may be varied at Council's discretion to ensure that vehicles may exit the development without crossing the centre line of the public road.
- Driveways shall be located no less than six (6) metres from an intersection of a public road.
- Driveways shall be positioned at right angles to the kerb to ensure safe entry and exit from the site.
- All footpath and gutter crossings are to be located and constructed in accordance with Council's requirements at full cost to the developer.
- **Vehicular Movement**
 - Sufficient turning area shall be provided on the site for all vehicles to manoeuvre on and off the site in a forward direction at all times. The RTA Guidelines should be consulted with regard to dimensions, site distances, turning circles and other associated information for the design of vehicular movements on site.

4.3 Commercial Development

Controls

- Loading and delivery bays for properties in the Westside Plaza commercial precinct should be located on site and be designed to ensure that vehicles using these areas can enter and leave the site in a forward direction
- If buildings have access to a rear lane within the Patton Street commercial precinct, loading and unloading shall be provided from that lane, unless Council is satisfied that the laneway is inadequate for that purpose

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5. Outdoor advertising

5.1 General provisions – all zones

Application

This section applies to advertising and signage as defined in *State Environmental Planning Policy No 64 – Advertising and Signage* in all zones in Broken Hill that are subject to *Broken Hill LEP 2013*. SEPP No 64 regulates signage across NSW and *SEPP (Exempt and Complying Development Codes) 2008* provides for advertising and signage that may be carried out as exempt development. The provisions of this section provide design guidance and control the content of signage. Development applications for advertising and signage are assessed by Council in accordance with *Schedule 1 Assessment Criteria* of SEPP No 64.

Objectives

- To provide for good quality and well-maintained signage which is adequate and effective in promoting the City's tourist attractions and it's trade, commerce and services without being detrimental to the amenity and character of the area
- To provide for signage which is complementary in scale and form with the built environment and the streetscape as a whole
- To establish common criteria for the assessment of applications for outdoor advertising
- To achieve a gradual replacement of existing unwanted signs with new, good quality, well maintained signs through incentives balanced, by strong enforcement
- To provide for directional signs to meet the needs of visitors and residents in locating facilities, places and services

Design guidance

Size and Number - Signs should be in scale with their surroundings. The size of the sign should be appropriate to the relative size of

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both the building and the adjoining road or pedestrian way together with the speed of passing traffic. Signage should be attractively designed in style and colours which complement the amenity of the area. Where possible, signs should be integrated into the overall design of a building.

Content - Signs should be simple, clear and concise. In some instances, graphic symbols may be more effective than words.

Orderliness - The different components of an outdoor advertising campaign should be planned and integrated, to avoid the appearance of a clutter of "add-ons" or afterthoughts. Poorly maintained or constructed signs don't create a favourable image and may even work to the detriment of the advertiser. Where there is more than one shop or business within a building, signs should be coordinated in height, shape, size and colour

Fit - The design of signage should be appropriate to its surrounding and complementary to the building

Shape - Sign shapes can be varied to create a distinctive image, however, care is needed to ensure larger signs "fit" rather than dominate their surroundings.

Lettering and Layout - Lettering styles should be appropriate to the sign's purpose and its surroundings. It is always preferable to use qualified designers or signwriters to ensure a professional finish.

Resemblance to Road Signs - Signs should not resemble road signs in colour, shape, layout or wording to avoid confusing motorists.

Maintenance of Signs - Advertisements and advertising structures shall be maintained in good structural condition, kept clean, neatly painted and be of a professional standard of design and finish.

Removal of Signs - When a change of use takes place, the signs of the outgoing occupant are to be removed by the advertiser.

New Signs For Old - Council actively offers incentives to encourage a rationalisation of approved signs on individual premises. In this regard, Council will consider concessions in relation to new signage to achieve a "clean-up" of an existing cluttered site or where

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removal or reconstruction of a redundant or poorly maintained sign is proposed as an integral component of a beautification or restoration scheme. Council will consider all reasonable proposals on the merits of the individual case. However, it is necessary for the applicant to provide proof that the existing sign(s) was erected with approval from Council.

Illegal Signs - Council will be systematically seeking removal of an illegal, redundant and poorly maintained signs as an essential part of the total effort to achieve an orderly and interesting display of signage in the City. Council may order the advertiser to alter, obliterate, demolish or remove an advertisement and any associated advertising structure where:

- The advertisement is unsightly, objectionable or injurious to the amenity of any natural landscape, public reserve or public place at or near where the advertisement is displayed;
- An unauthorised advertisement is displayed;
- An unauthorised advertising structure is erected; or

Alternatively, where the condition of an advertising structure threatens the safety of the public, Council may order the advertiser to do whatever is considered necessary to remove the threat. Should the advertiser not comply with the order, Council will undertake the work and charge the advertiser for the cost of the work. In such cases Council will also seek to have fines imposed on the advertiser.

Controls

- The following types of signs are **not acceptable** in the City of Broken Hill:
 - Signs which project from the building façade and obscure the view of neighbouring buildings or interrupt the perspective view of the streetscape;
 - Signs fixed to trees, or light, telephone or power poles;
 - Signs which could reduce road safety by adversely interfering with the operation of traffic lights or authorised road signs;
 - Any sign which would, in the opinion of the Council, be unsightly, objectionable or injurious to the amenity of the locality, any natural landscape, public reserve or public place;
 - Signs on or attached to parked vehicles directing attention to a nearby business or goods for sale;
 - Portable signs on public footways and road reserves;

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- Numerous small signs and advertisements carrying duplicate information;
 - Overhead banners and bunting, except for:
 - Temporary signs related to local festivals, fairs or celebrations (See details on "special event signs"); or
 - The opening of a new business, for a duration not exceeding 2 weeks;
 - Signs on bus sheds, seats and waste bins unless for community related purposes approved by Council;
 - Any sign located over the footpath which is lower than 2.6m above the footpath.
 - Flashing signs.
 - Advertising signage in heritage conservation areas. Only business identification or building identification signage is acceptable in heritage conservation areas.
- **Special Event Signs** - Special events signs, temporary event signs and special promotional advertisements which require development consent shall:
 - only be displayed for a period of not more than 2 months prior to the event and shall be removed within 48 hours after the event;
 - comprise a maximum of 2 on-site temporary signs per event;
 - shall be securely fastened to an approved signage structure, fence or post supports;
 - shall not exceed 5.0m² in area;
 - shall not overhang a public road or footway;
 - the position of the sign shall not obstruct a driver's line of sight;
 - the consent shall be obtained from the property owner prior to the erection of any signage;
 - shall not be fixed or secured to public property, such as electricity poles, street signs or seating
 - **Murals and public art** - Murals and Public Art on private structures/buildings will be assessed on a case by case basis. Codes SEPP exemptions may apply. Murals and Public Art on Council owned or managed properties must comply with the Broken Hill Public Art Policy.

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5.2 Directional signage in rural zones

Application

This section applies to directional signage for a Place of Tourist Interest in zone RU2 Rural Landscape.

A Place of Tourist Interest:

- Is a place which would reasonably be expected to be predominantly utilised by tourists and is a place of scientific, historical or scenic interest
- May generally include galleries, museums, architectural/engineering structures, and wildlife or nature parks
- Does not include a place or building where the primary purpose is retail premises, tourist and visitor accommodation, caravan parks and the like

Design guidance

- The principle purpose of the advertisement is to direct the public to that building or place
- The size of the advertisement is not larger than would be reasonably required to direct passing public
- The advertisement will not be detrimental to the amenity and character of the surrounding area

Controls

- Applications should be accompanied by a statement or supporting documentation justifying that the place is of scientific, historical, or scenic interest
- In general, signs in rural areas should have a maximum area of 10 square metre

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- directional signage is to be limited to three (3) signs per tourist place
- A particular site should have no more than two (2) signs of this type erected upon it
- The sign can contain the name of the tourist place, attraction and directional information only
- The maximum size for a sign of this type is 5m² (area of advertising panel).

5.3 Signage in industrial zones

This section applies to building identification signs in zones IN1 General Industrial and IN2 Light Industrial.

Design guidance

- Only one business identification sign is permitted on industrial premises and no bunting or other advertising media may be displayed.
- The typical size of building identification signs for industrial premises are:
 - Above awning sign 1.4 metres
 - Business sign 5 metres

Illuminated signs:

- indirectly lit 3 metres
- internally lit 8 metres
- Neon 4 metres
- Pole or pylon sign 4 metres

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- Sky, roof, fin sign 8 metres
- Wall sign 15 metres

Consent may be granted for signs of greater size than that specified above depending on the location, site attributes, surrounding amenity and the like.

- If the site is occupied by a number of tenants, one index board may be constructed near the site entrance, detailing the unit number, tenant, and product of each occupant of the site.

5.4 Signage in heritage conservation areas and on heritage buildings

Application

This section applies to signage in heritage conservation areas and on heritage buildings that are listed in *Schedule 5 Environmental heritage of Broken Hill LEP 2013*.

Design guidance

- Signs on buildings within heritage conservation areas should be simple and clear. There are logical places for signs on buildings. A clutter of signs on buildings does not contribute to the streetscape and makes advertising ineffective.
- Original advertising signs were generally attractive and early photos of Argent Street show that bold advertising signs were commonly used. Referring to early photographs to determine appropriate locations and lettering on early buildings can be very useful.
- Signs above verandah level - Internally illuminated signs above verandah level are discouraged. Appropriate signs above verandahs include:

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- Sign writing in the advertising panel on the parapet with a simple clear lettering style
- Where carefully considered, on a hoarding above the verandah (as seen in early photographs).

Signs should not be erected which detract from the architectural elements of a building and dominate the streetscape. No signs should be erected if windows and decorative elements allow no space.

- Signs on a verandah - Appropriate signs on verandahs include:
 - Those erected perpendicular to the post on a bracket (appropriate for certain businesses and restaurants)
 - Sign writing on the verandah fascia board
 - Signs suspended on the end spandrel panel of verandah.
- Signs below the verandah - Painted signs on shopfronts are appropriate but should not dominate or clutter the shopfront window. Signs should only be fixed to the piers (dividing walls) of shops as these do not cover detailing and emphasis on the position of the lettering is appropriate.
- Lighting of signs - Signs should preferably be illuminated using external spotlights. Internally illuminated signs are discouraged.
- Lettering/typeface - Simple lettering appropriate to the period of the building is recommended. Generally upper case lettering should be encouraged – lower case letters were rarely used on commercial buildings and are less clear. Examples of typeface for Victorian buildings were generally simple. Fussy decorative lettering should be avoided - this does not read clearly and often detracts from the building. Later Art Deco buildings used typefaces typical for this period - examples are provided below.

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6. Land contamination

Development applications that involve contaminated land are assessed in accordance with SEPP No 55 and the *Managing Contaminated Land Planning Guidelines*. All definitions of SEPP No 55 and the Guidelines are adopted for the purposes of this chapter of the Plan.

6.1 Contamination other than lead

Application

This section establishes and outlines development guidelines relating to development on land which is known to be or is potentially contaminated (other than with lead) within the definitions of *State Environmental Planning Policy 55 – Remediation of Land* and associated *Managing Contaminated Land Planning Guidelines* and the *Contaminated Land Management Act 1997*.

Objectives

- establish appropriate guidelines for the remediation of contamination from materials, other than lead, as outlined by the *Managing Contaminated Land Planning Guidelines*
- identify sites known to be or likely to be contaminated as defined by State Environmental Planning Policy 55 and the Guidelines, by means of researching and identifying past uses of specific sites wherever possible
- Determine appropriate procedures for assessing applications for development that allow the continuing development of the City of Broken Hill whilst maintaining appropriate controls on land use within the boundaries of the City. Such procedures shall take into account the proposed use and the risks associated with that use given the presence of contaminants on the site

Design guidance

Use of property

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Wherever possible, a risk based analysis approach will be used to determine applications for the development of sites identified as potentially contaminated. This means that if a land use is similar to a previous land use, or would not impose a greater risk to human health and the environment, then that use may be permitted without the need for remediation works to be carried out. It should be noted however, that this would not prevent the owner of the land from being liable for remediation works at a future time should the contamination:-

- Become worse and or subject to migration from the site;
- Become subject to a further change of use which is incompatible with the levels of contamination;
- The EPA issue an order to investigate and or remediate the site.

In the event that one of the above circumstances occurs, it is the responsibility of the owner of the site to carry out any testing and or remedial works required to alleviate the problem.

Rezoning of the site to allow for residential purposes may require remediation of the site to a level suitable for such use. The degree of remediation will be dependent upon the type, location and extent of contamination for that particular site.

Risk

Managing contamination involves considering risk to human health and the environment. The Site Investigation Process may only need to be carried out in situations that are considered to present a risk to health or the environment.

Particular care should be taken in the following situations:

- The development, regardless of site history, will involve a sensitive use
- A vacant site is to be rezoned or redeveloped for residential purposes
- Redevelopment for industrial or commercial purposes

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- Industrial site to be rezoned or redeveloped for commercial or residential use
- Commercial site is to be rezoned or redeveloped for residential use

In determining the risk posed by contamination, the following issues should be considered:

- Whether the contamination of the site has already caused harm
- Whether the substances are toxic or present in large quantities or concentrations
- Whether there are routes whereby the substances may proceed from the source of the contamination to human beings or other aspects of the environment
- Whether the uses or approved uses to which the site and adjoining sites are currently being put are likely to increase the risk of harm
- Any guidelines made or approved by the EPA on contamination and remediation.

Controls

- Remediation methods, apart from existing residential allotments, will in most cases, be subject to an evaluation and recommendations from an accredited person under the Contaminated Land Management Act
- Remediation from contaminants, other than lead, will require an approach as outlined in the "Guidelines for Consultants Reporting on Contaminated Sites", produced by the Environmental Protection Authority NSW
- The four steps outlined therein are

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1. Preliminary Site Investigation
2. Detailed Site Investigation
3. Remediation (Remedial action plan)
4. Validation and Ongoing Site Monitoring

Depending upon the type and degree of contamination, the proposed course of action may require one or more of the above steps and in some more severe cases, may require all of the above steps. Remediation techniques and the degree of remediation required will also depend upon the proposed use of the land and the risks associated therein.

Stage 1 – Preliminary Site Investigation

The main objectives of a preliminary site investigation are to identify any past or present potentially contaminating activities, provide a preliminary assessment of any site contamination and, if required, provide a basis for a more detailed investigation.

Where contaminating activities are likely to have occurred, or where the site inspection does not conclude that no contamination has occurred, confirmation through sampling and analysis is required to support any conclusion reached from the history appraisal and inspection. The onus is on the applicant to provide information in sufficient detail for assessment by Council.

Where a preliminary site investigation indicates that the land is potentially contaminated or where Council is not satisfied that the site is suitable for the proposed use (due to contamination, or potential contamination) Council may request that the applicant conduct a Stage 2 – Detailed Site Investigation.

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Stage 2 – Detailed site investigation

A detailed investigation is only necessary when a preliminary investigation indicates that the land is contaminated or that it is, or was, formally used for an activity listed in Schedule 1 and a land use change is proposed that has the potential to increase the risk of exposure to contamination.

The objectives of a detailed investigation are to define the nature, extent and degree of contamination; to assess potential risk posed by contaminants to health and the environment.

The investigation should also determine whether remediation is necessary to reduce the levels of contamination in order for the proposed use to proceed.

What happens after a detailed site investigation?

After a detailed site investigation is completed, Council must be satisfied that it has enough information to determine the Development Application. The investigation should demonstrate and conclude that:

- a) the site is free from contamination and no remediation work is required for the proposed development to proceed; or
- b) the site has minor contamination, however, the extent and nature of that contamination is insignificant having regard to the proposed use, and the proposal can be determined without the need for remediation of the site; or
- c) the site is unsuitable for the proposed use (with regard to contamination) and will require remediation to reduce the level of contamination so that the site is suitable for the proposed use; or
- d) the site is unsuitable for the proposed use, even if remediation processes are undertaken, and the proposal should not proceed.

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Stage 3 – Remediation

SEPP55 - Remediation of Land identifies when remediation works require consent from the relevant consent authority.

These works are identified as Category 1 in the SEPP. Other remediation works (known as Category 2 in the SEPP) do not require the consent of Council, but compliance with the provisions of the SEPP, including notification to Council, is mandatory.

If it is identified that remediation works require development consent (ie. Category 1 remediation works), the applicant is required to submit a Development Application.

Development Applications for, or which include, site remediation works (Category 1) must be accompanied by a site Remedial Action Plan (RAP) in accordance with the provisions of State Environmental Planning Policy No. 55 - Remediation of Land.

The objectives of a site remedial action plan (RAP) are:-

- to set remediation goals that ensure the remediated site will be suitable for the proposed use and will pose no unacceptable risk to human health or to the environment; and
- to determine the most appropriate remedial strategy.

Stage 4 – Validation and Ongoing Site monitoring

Validation should determine whether the pre-determined clean-up objectives have been attained and whether any further remediation work or restrictions on land use are required. Ideally, validation should be conducted by the same consultant that conducted the rest of the site investigation and remediation process.

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Validation must confirm statistically that the remediated site complies with the predetermined clean-up criteria for the site. The relevant NSW EPA guidelines should be followed when validating the site. SEPP55 outlines the proponent's responsibilities for reporting notice of completion to the consent authority for Category 1 remediation works.

6.2 Lead contamination

Application

This section establishes and outlines development guidelines relating to development on land which is known to be or is potentially contaminated with lead within the definitions of *State Environmental Planning Policy 55 – Remediation of Land* and associated *Managing Contaminated Land Planning Guidelines* and the *Contaminated Land Management Act 1997*.

Development applications that involve contaminated land are assessed in accordance with SEPP No 55 and the *Managing Contaminated Land Planning Guidelines*. All definitions of SEPP No 55 and the Guidelines are adopted for the purposes of this section of the Plan.

Objectives

- to minimise lead exposure to the public, particularly young children and to minimise the impact of lead within the environment through lead safe work practices, controls and proper disposal procedures
- ensure that all development/activities, including exempt, complying, local and integrated development, complies with acceptable environmental planning practices and standards
- assist in achieving a consistent approach to the management of lead contamination
- minimise the overall environmental impacts of lead contamination
- minimise the effects of lead on the health of residents

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- provide advice to people and organisations on how to manage lead in their premises and the environment, matters that need to be considered and the actions to be carried out
- provide advice to applicants when assessing the effects of a variety of applications made under the *Environmental Planning and Assessment Act 1979*
- provide advice to intending applicants on how to reduce and handle waste during the demolition and construction phase
- provide for on-going control of lead in premises
- provide guidance for council in undertaking its infrastructure management and maintenance functions

Design guidance

As a result of the natural occurrence of lead in the soil, as well as mining activities over the last 100 years, most, if not all, of Broken Hill is potentially contaminated with lead. Lead has been distributed from the ore body through a combination of wind, and water erosion contaminating the soils, ceiling spaces, wall cavities and internal areas of homes within Broken Hill.

Lead levels of "old" soil are known to be generally well above the Health Investigation Lead level of 300 PPM in nearly all cases. It is necessary for Council to undertake the precautionary principle, ie. to assume that all land is contaminated unless proven otherwise.

Some of the following questions will provide additional insights into the degree of lead contamination present:-

- Is the soil and land around the building or structure likely to be contaminated with lead due to previous lead paint or protective coating use or industrial activities?
- Has fill which may have been sourced from lead contaminated land been used on the site?

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- Has the land been used for orchards, market gardens or other agricultural purpose in which lead arsenate could have been used?
- What was the previous use of the land/property? Could any of the activities contaminated the land with lead ie. previous petrol station, previous rifle range?
- Has the land been built on prior to 1970 and was there an unsafe demolition or renovation?
- Has there been fill or slag that may be contaminated used on the property?

It is acknowledged that there may be insufficient information to answer some of these questions. Where lack of knowledge exists, it is suggested that the precautionary principle be applied. I.e. it should be assumed that contamination may be present and consideration given to remediation works.

Renovation/demolition

As a result of over 100 years of wind erosion, lead dust has accumulated to varying degrees in all Broken Hill homes. During renovation and demolition works dust that has been accumulating in the ceiling space, wall cavities and floor space may be exposed and mobilized. This will result in a high health risk to occupants, workers and neighbours. Lead levels in ceiling dust are known to be very high. Paints used prior to 1970 contained high levels of lead. The lead levels in paint of most dwellings in Broken Hill is known to be well over the acceptable limit.

The following questions may help identify possible contamination issues as to the degree of contamination present on site:-

- Is there evidence that demolition or renovations have been carried out on the site which may have resulted in lead contamination?
- Did part of the building or structure contain lead paint or protective coatings or use lead products?

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- Has the building or structure been used in the manufacture or use of lead? (e.g. printing, pigment production or mixing, lead sinker production).

Lead management plan

In most cases, compliance with the controls of this Plan will be sufficient. Where Council has ascertained that an unacceptable risk applies it may require the preparation of a Lead Management Plan. The lead management plan must be prepared on behalf of the developer by an accredited contaminated site auditor or an appropriately qualified person experienced in lead assessment, and must provide the following details:-

- history of any relevant structures, buildings or land
- details regarding any testing which has been carried out to ascertain the extent of lead contamination
- type of lead contamination (*internal / external lead paint, lead dust in ceiling or wall cavities, contaminated soil, slag or fill*)
- how the lead is to be controlled or removed
- how the lead is to be disposed of
- a statement outlining the ways in which the lead related environmental and health effects of the proposal will be minimised
- Workplace Health & Safety procedures to be used.

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Remediation

There are many different ways to remediate an allotment of land. The purpose of remediation is to remove the cause of contamination, reduce, disperse or destroy the contamination, or eliminate or reduce the hazard arising from contamination. It is not always necessary or even possible to remove all contamination from a given parcel of land. As such, alternatives must be found to minimise risk.

Council, has prepared a number of policies and guidelines for the safe development of land as well as safe work practices when dealing with lead. This approach also revolves around dust suppression within the residence, which is a somewhat different approach to the land use approach of the planning system. This approach is considered to be the most suitable method of dealing with health issues arising from lead contamination in Broken Hill.

Remediation methods

Existing residential sites contaminated by lead may be dealt with by remediation techniques determined by Broken Hill City Council. Information regarding acceptable remediation techniques for lead contamination in existing residential allotments are available from Council. Remediation techniques and the degree of remediation required will also depend upon the proposed use of the land and the risks associated therein.

In the event that an investigation order or remediation order has been issued by the Environment Protection Authority and/or by Council subject to direction by the Environment Protection Authority, then appeal rights will be available against that order under the provisions of clause 6 of the Contaminated Land Management Act 1997.

Controls

- All works shall be undertaken in a lead safe manner. Council recommends that the tradesman is an accredited Lead Safe Tradesman

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- During works, the site shall be continually damped down with water to suppress dust. Water should not escape into the street as this will result in contaminated dust being washed into the street and mobilised by traffic

Demolition, alterations/ additions to existing buildings and minor structures

- Where necessary, cavities shall be vacuumed using an approved HEPA style Vacuum Cleaner and dust collected and disposed of in an approved method
- Works will be undertaken so as to minimise the escape of dust into the atmosphere. To achieve this, all internal linings shall be removed whilst the external fabric of the building is essentially intact. Dust should be vacuumed in an approved manner
- Works shall not be undertaken during periods of high winds, i.e. winds strong enough to raise dust
- The site is to be thoroughly cleaned prior to finishing by wet wiping all ledges, sills, benches, surfaces and wet mopping of floors to restore site to a "lead safe" environment that is safe to live in
- On completion, the site shall be stabilised with a 50 mm cover of clean material. In the event that further development is to take place unless Council is satisfied that works will commence within a reasonable period of time

Commercial, industrial and residential construction works

- Work areas should be sealed off from living areas and work areas regularly cleaned to minimise the risk if dust
- Wet mopping should be used wherever possible to remove dust
- Care should be taken to ensure that work clothes etc. do not transport dust into clean areas at the end of the day
- Care should also be taken not to contaminate external areas such as ground outside of the proposed work area

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Filling of land and subdivisions

- Works will be undertaken so as to minimise the escape of dust into the atmosphere. To achieve this, only necessary removal of vegetation shall be allowed
- Fill brought into the site shall be sourced from a lead free source. Excavated material from other locations within Broken Hill will not be accepted
- Works shall not be undertaken during periods of high winds, i.e. winds strong enough to raise dust
- Fill brought into the site shall be sourced from a lead free source. Excavated material from other locations within Broken Hill will not be accepted

Procedures for disposal of material

- Cover all trailer, truck and utility loads, including fill removed during earthworks to prevent their escape during transport
- Dispose of all fill and excavated material at a Council waste management facility
- Do not disturb materials unnecessarily
- Use a plastic membrane as a base when stacking materials in the trailer, truck or utility for transport and disposal

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7. Tree preservation

7.1 Trees on public land

Application

This section applies to trees and shrubs planted on land that is owned and/or managed by Council including community land, operational land, nature strips, road corridors and public reserves.

Objectives

- To promote the safety and beautification of streets, parks and reserves
- To maintain and protect trees and shrubs on public land

Design Guidance

- A combination of native and exotic trees will be maintained within the streetscapes and within developments, however, Council will encourage consistent vegetation themes that reduce the diversity of species selected so as to maintain street integrity and unity
- Residents are encouraged to promote the health of trees in the vicinity of their residences by watering newly planted and small trees when required, however, tree trimming and pruning may not be carried out without the prior written approval of Council
- Council may approve the removal of trees where a ratepayer is able to demonstrate a valid reason for the removal of the tree. In such circumstances, the cost for removal will be met by the ratepayer. Leaf debris or shading of solar panels are not

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considered valid reasons for the removal of street trees. The removal of trees and shrubs on Council controlled property shall be undertaken, where possible, by Council staff or a contracted arborist

- Should tree roots from a tree planted on public or Council owned land encroach into a private residence, the ratepayer will be required to submit a report of the alleged damage so that a Council Officer can assess the situation and determine an appropriate course of action. Such action may include tree root extraction or, where there is no other option, removal of the tree. Residents and ratepayers are responsible for preventing the encroachment of trees and other vegetation planted within their properties onto footpaths and nature strips
- Tree vandalism includes the unlawful destruction, damage or injury to trees and vegetation on public land. Examples include poisoning, mowing of young trees, pruning, ringbarking or removal. Council will investigate any instance of tree vandalism and will pursue reimbursement for any costs involved in investigation, removal and reinstatement of any tree that has been shown to have been vandalised.

Controls

- Trees are to be selected for planting based on their suitability for the particular location, expected performance, life expectancy and the risks that the tree might pose to people and infrastructure including underground and aboveground services
- Council will provide suitable trees to plant on nature strips and authorise residents to plant trees provided that:
 - a) a written application is made for such plantings containing an agreement from the applicant that the trees, once planted, will be watered and otherwise maintained by the applicant,
 - b) the trees provided shall be in accordance with Councils Tree Management Plan, and
 - c) the total number of trees on any section of nature strip (including existing trees) does not exceed two (2) for each property frontage, except where Council may determine that additional trees are warranted, where the property frontage is significantly longer than normal, or other unusual circumstances exist.

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Residents or land owners may provide and plant additional trees on nature strips at their own cost provided that the trees are listed on Council's "Preferred Species" list given below and provided that such plantings are located so as to minimise future problems in regard to Council's and other Utilities facilities (such as kerb and gutter, water mains, electrical mains, telecommunication etc.) or with the consideration of the safety of pedestrians and traffic.

- Council may direct the removal or relocation of any tree or shrub that may:
 - a) cause damage to water mains, sewer mains, drainage lines, footpaths, kerb and gutter or other Council facilities or utilities, or
 - b) cause fouling of power lines, or
 - c) cause a safety hazard to pedestrians or vehicular traffic.

Council reserves the right to remove such trees at the expense of the person who authorised the planting of those trees.

- Any development proposal that involves a conflict with or a need to remove a tree is subject to Council approval. Street trees impacted by the proposed development should be marked on plans that are submitted for development consent. Every attempt will be made to avoid conflict between the development and the existing tree(s). Where this is not possible Council will consider allowing the removal of the tree(s) to enable the development to occur at full cost to the proponent

7.2 Trees on private land

Application

This section applies to trees and shrubs planted on land that is privately-owned.

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Controls

- Council approval must be obtained to remove or prune any living native or exotic tree or plant that is equal to or greater than 5 metres in height
- Council approval must be obtained to remove or prune any dead native or exotic tree or plant with a trunk diameter greater than 50 centimetres measured at 1.4 metres above ground level
- All tree work must be carried out in accordance with the Australian Standard – ‘Pruning of Amenity Trees’ (AS 4373-2007) and Workcover Code of Practice – ‘Amenity Tree Industry’ (2007)
- Where replanting is a condition of consent, replacement tree(s) are to be maintained and protected in order to retain good health and allow the tree(s) to establish and reach their natural size and maturity
- Where a condition of consent is imposed for the protection of a tree(s) this shall be carried out in compliance with Australian Standard - Protection of Trees on Development Sites (AS 4970-2009)
- It is recommended that plants and shrubs planted on private land be selected from the following ‘Preferred Species’ list.

COMMON NAME	BOTANICAL NAME
Dundas Mahogany	Eucalyptus brockwayi
Silver-topped Gimlet	Eucalyptus campaspe
Dundas Blackbutt	Eucalyptus dundasii
Lindsay Gum	Eucalyptus erythronema (var marginate)

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Red Cap Gum	Eucalyptus erythrocorys
Western Australia Red Flowering Gum	Eucalyptus ficifolia
Summer Red	Corymbia ficifolia Grafted Gum
Fuchsia Gum	Eucalyptus forestiana
Gum-Barked Coolibah	Eucalyptus intertexta
Bimble Box or Poplar Gum	Eucalyptus populnea
Large Fruited S.A. Blue Gum	Eucalyptus leucoxylon
Jacaranda	Jacaranda mimosifolia
Crepe Myrtle	Lagerstroemia Indica x L
Claret Ash	Fraxinus oxycarpa "Raywoodii"
Mop Top	Robinia pseudoacacia
Weeping Bottlebrush	Callistemon viminalis
Laurestinus	Viburnum tinus
Golden Rain Tree	Koelreuteria paniculata
Melaleuca	Melaleuca quinquenervia

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8. Heritage conservation

The City of Broken Hill was included in the National Heritage List on 20 January 2015. The City of Broken Hill is of outstanding heritage value to the nation for its significant role in the development of Australia as a modern and prosperous country. This listing recognises the City of Broken Hill's mining operations, its contribution to technical developments in the field of mining, its pioneering role in the development of occupational health and safety standards, and its early practice of regenerating the environment in and around mining operations.

The *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) provides for the protection of the environment, especially matters of national environmental significance (NES) which includes places listed as National Heritage. Under the EPBC Act, a person must not take an action that has, will have, or is likely to have a significant impact on any of the matters of NES without approval from the Australian Government Environment Minister or the Minister's delegate. An action is a project, a development, an undertaking, an activity or a series of activities, or an alteration of any of these things.

If a proposed action is likely to have a significant impact on a matter of national environmental significance then the development application is to be referred to the Commonwealth Minister. **The responsibility for referring an action to the Commonwealth Environment Minister lies with the person proposing to take the action.** Council is only responsible for referring actions that the Council proposes to take itself. It is not responsible for referring the actions of other developers.

Statement of Significance

The City of Broken Hill has outstanding significance to the nation for its role in creating enormous wealth, for its long, enduring and continuing mining operations, and the community's deep and shared connection with Broken Hill as the isolated city in the desert, its outback landscape, the planned design and landscaping of the town, the regeneration areas and particularly the physical reminders of its mining origins such as the Line of Lode, the barren mullock heaps, tailings, skimps and slagheap escarpment and relict structures. It exhibits historic qualities in its ongoing mining operations since 1883, the current and relict mining infrastructure and its landscape setting. It is significant for its industrial past and the adoption of vanguard industrial relations and management policies, together with its role as a pioneer in setting occupational health and safety standards.

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It demonstrates the principal characteristics of a mining town in a remote location with extensive transport infrastructure and administrative connections to three state capitals and as a rare example of a place subject to Australia's complex Federal system where differing administrative, social and economic influences are expressed in both tangible and intangible forms. It has social significance for its residents as a place of community pride, endurance, and as a remote mining community resilient to major social and economic change. Broken Hill has strong social significance for all Australians as a place where great wealth was created, as well as strong group associations with the Barrier Industrial Council. It exhibits outstanding aesthetic characteristics as a city in an arid desert setting, as the subject of interest for Australian artists, poets, film makers, TV producers and photographers.

It has significance as a place where outstanding technical achievement has occurred in refining ore for its minerals including the froth flotation process and the computer controlled on-stream analysis of slurries. Broken Hill is also important as a place of research potential to reveal further information on mineral deposits with its range of complex minerals, It is associated with persons of great importance to Australia's history, including Albert Morris (arid land regeneration), Charles Rasp (discoverer), Herbert Hoover (mining engineer), WL Baillieu, WS Robinson and MAE Mawby (industrialists), GD Delprat (metallurgist), Percy Brookfield and Eugene O'Neill (unionists). Broken Hill's association with the Barrier Industrial Council as a group is also important.

The Broken Hill zinc-lead-silver ore deposit is one of the world's largest ore bodies and contains an extraordinary array of minerals. It is geologically complex and has national scientific significance. The Broken Hill operation is significant for its immense size and unrecorded mineral species continue to be found. It contributes to an understanding of the formation of the Australian continent and more than 2,300 million years of the earth's history.

8.1 All development

This section applies to properties that are listed as items of environmental heritage or located within a heritage conservation area listed in Schedule 5 of Broken Hill LEP 2013. It does not apply to the Broken Hill Mining Zone.

Objectives

- To conserve items of environmental heritage and maintain appropriate settings and views.

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- To retain evidence of historic themes of development evident in Broken Hill through the proper care and maintenance of individual items of environmental heritage and Heritage Conservation Areas.
- To provide guidelines for alterations and additions which complement and do not detract from the heritage significance of individually listed heritage items and Heritage Conservation Areas.
- To protect those items and areas of value to the local community.
- To encourage new development which complements existing heritage items and Conservation Areas in a current day context.

Design guidance

- Items of environmental heritage should be conserved and new development should not diminish the significance of the item.
- An experienced heritage architect or conservation specialist should be engaged for works to a significant heritage item.
- Significant internal and external features of heritage items must be maintained in their original form.
- Subdivision of a site containing a heritage item must leave an adequate curtilage to the heritage item.
- Before any changes to a heritage item are considered, the item should be fully understood. The applicant should examine its history, stages of development and its form and fabric. A statement of heritage significance encapsulating the findings, and a HIS must accompany any development application submitted to Council for a heritage item.
- New development need not seek to replicate period details of original buildings, but rather, demonstrate respect for the form and scale of the immediate area

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8.1.1 Alterations and Additions

Controls

- Alterations and additions must not adversely impact the significant features of the heritage item.
- Changes must maintain the significant form, proportion, scale, details and materials of the item.
- Extensions must not compete with the integrity, scale or character of the item. Extensions can best meet this requirement if separation from the original building is maximised and they are designed in a simple, unobtrusive style and size.
- Alterations and additions must be located so as to reduce their visibility and prominence from any point in the street or adjoining streets, and the height must not be seen above the main ridgeline of the building.
- New side additions may be permitted where:
 - They are sympathetic to the character and design of the existing building, having regard to the form, bulk, materials and details of the existing building without attempting to reproduce exactly those elements and decorative details in particular;
 - They are not in front of or obscuring the street elevation of the existing building;
 - They are set back a greater distance from the street than the existing building;
 - They are lower or equal to the height of the majority of the existing building; and
 - They are compatible with the existing building in terms of wall height proportions and roof form.

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- Ancillary buildings on the same site as an individual heritage item must be located in a place that does not obscure the significant elements.
- Alterations to alleviate aircraft, rail or road noise must not detract from the streetscape values of individual buildings by removing or covering significant building fabric or details.
- Solar water heater storage tanks, solar panels, ventilators, airconditioning units, satellite dishes and antennae and the like must not be located on the principal roof elevations of heritage items including on the roof or awning. *NB The installation of these items behind the ridgeline and out of view may be permissible as minor works.*
- Building Materials and Details
 - Any proposed changes to the external finishes (unless otherwise advised by Council) require development consent, including paint removal, re-skinning, painting unpainted brickwork or render of timber or of an unrendered surface.
 - Development should seek to reconstruct missing architectural detailing, such as bargeboards, finial trim, window awnings and front verandahs or balconies.
 - Re-painting of timber detailing and facades should be guided by the palette of original period colours. Avoid the use of single colour solutions and attempt a complementary colour combination. Contemporary colours are not discouraged, but must be combined in a complementary way.
 - Where mortar repointing and render repairs are proposed, gain a proper understanding of the different types of mortar and render and how it was used. Lime render was predominantly used in Broken Hill and cement render repairs are damaging to heritage buildings. Appropriate material must be consistent with the building form and style.
 - Do not paint or render face brick; the original wall treatment must be retained.
 - When new windows are to be inserted into the existing building, the proportion of these windows should respect the form and scale of the architectural style period.

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8.1.2 Archaeological Sites

Controls

- Where in the course of building works any archaeological resources are found or considered may be found, the proponent must inform the NSW Heritage Branch and obtain necessary approval.
- Where significant archaeological resources are found, alterations and additions in the vicinity must be designed to care for significant fabric and other features of the place.
- The depth and extent of excavations to the ground surface surrounding heritage items or a known archaeological site must be minimised.

8.1.3 Places of Aboriginal Heritage Significance

Controls

- Known and potential Aboriginal places and objects must be preserved and protected when development occurs.
- No excavation of ground surfaces can occur in areas surrounding a known or potential Aboriginal site.
- Building or landscaping works, paths and driveways must be located away from Aboriginal sites to allow for in-situ preservation of artefacts.

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8.1.4 Fencing**Design guidance**

In Broken Hill, galvanised iron (either standard corrugated or ripple iron) was often used because of economical cost and various different styles of fences were built out of the material. In the 1920's woven crimped wire was introduced. Stone fences were reserved for only the most substantial houses.

Early photographs of houses in Broken Hill can be referred to as a guide for restoration and upgrading of residential buildings. When erecting a new fence to an old house, select a fence appropriate to the period of the house. Early photos of the house may show the original fence or a house of a similar period could be located with an appropriate fence which could serve as a model. If early photos are not available, front fence details can be copied from a similar existing house which can serve as a guide.

Controls

- Front fences are to be
 - open in character unless a corrugated iron, ripple iron or stone fence, of maximum height 1400mm
 - constructed in crimp mesh, timber pickets, or metal pickets - with or without a masonry base
 - appropriate to the style and period of the house
 - not overly fussy in detail
- The following fencing styles are generally inappropriate
 - Solid metal cladding of non-custom orb or ripple iron profile
 - Height above 1500 and of solid nature– particularly masonry fencing
- When erecting a new fence for a new house in a street with predominantly old houses the front fence should not exceed 1200 - 1400 if of as solid nature. Open mesh fencing associated with landscaping can be effective as shown on the following new residential development.

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8.2 Residential development

Design guidance

- Broken Hill has a rich, varied and unique residential architectural heritage. The City grew rapidly after the commencement of mining in the 1880's and its origin as a mining town with early rapid growth has resulted in a distinctive character. The need for lightweight, easily transportable building materials resulted in the almost universal use of corrugated iron for roofing and walls. Corrugated iron was also widely used for fencing. The City developed a specific appearance with corrugated iron dominating as a building material.
- Broken Hill's residential character largely derives from the generally regular and consistent setback of houses from the street. Any building work undertaken in residential precincts of Broken Hill must be carefully undertaken so that this identified character is retained.
- Alterations and additions to existing houses should respect the character of the building in question and not detract from the character of the precinct as a whole.
- Any new buildings should be carefully designed to fit in with the character of the precinct but not pretend to be historic buildings themselves.
- The early development of Broken Hill was characterised by makeshift buildings of simple materials: timber and iron cottages were brought to the silver fields on jinkers drawn by bullocks, horses, camels or donkeys. By 1888 more substantial houses were erected with newfound mining wealth but the transportation has remained a critical factor in the choice of materials for residential buildings. Descriptions of the design elements of residential development styles are outlined below.

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Early Victorian Cottages 1887 - 1900

The earliest cottages incorporated a simple rectangular floor plan. Corrugated galvanised iron was used for roofing, iron cladding used horizontally for walls and often fences were also constructed of this material. Early photos show original cottages were built without verandahs, but these were soon added to provide protection against the heat. Interiors were lined with timber panelling up to dado height, hessian lined walls above dado height and pressed metal or ripple iron ceilings. Usually only the front and backs of the houses were painted, leaving the sides and the roofs in unpainted corrugated galvanised iron finishes.



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Stone Victorian Houses - Pre 1900

More substantial houses of this period were built in local stone (generally random coursed) and built in a similar vernacular to the South Australian house style. Stone walls were elaborated with red brick quoins. Villa-sized houses were also constructed in corrugated iron with verandahs across the frontage which sometimes returned down one or both sides. There are some examples of row cottages from this period constructed in stone which provided worker housing. More substantial fencing was used to these larger residences, and the use of stone with rendered posts is common.



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Houses 1900-1918

By the early 1900's the simple rectangular floor plan of Victorian cottages was modified with Gothic Revival and Federation influences. Front rooms were added breaking the line of the hip or gable roof. Roof gables were incorporated into much larger and higher hipped roof. Elaborated barge boards, timber finials, turned verandah posts and decorative fascia treatment became more common in this period. The use of iron roofing and cladding continued and the more substantial houses were also built of stone. The introduction of pressed tin sheeting which sometimes incorporated fake stone ashlar detailing was notable in this period. Side walls continued the tradition of using simpler construction materials, generally corrugated iron.



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Inter-War Housing

Houses built in Broken Hill between the Wars tended to adopt the styles of housing elsewhere in Australia, such as the Californian Bungalow and Tudor styles. The vast majority were built of corrugated iron with decorative facades of pressed metal. Stone housing was less common during this period.

The Bungalow style is characterised by a more solid building form. The Bungalow features a low pitched roof with extended eaves and large masonry piers as verandahs columns. In Broken Hill the skills of concrete fabricators are evidenced by the wide use of precast concrete front verandah posts on houses of this period.

The configuration of windows and doors altered with the wide use of triple front windows or in some cases casement windows. Leadlight panels were often incorporated into glazing and front doors were often three panelled or fully glazed.

Fencing matched the heavy bulk of the appearance of the Bungalow and was often constructed in masonry. The use of woven crimped wire and cyclone mesh fencing was also common.



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Controls

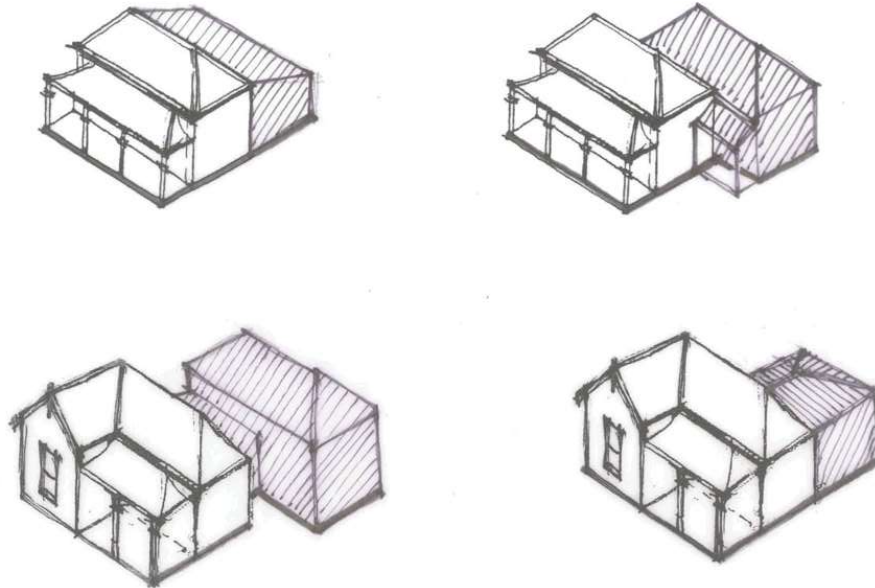
Alterations and Extensions

- If your house is similar in style to those described above, the house contributes to the heritage character of Broken Hill. The Broken Hill Council is committed to the retention of the existing residential character and demolition of these contributory houses is not encouraged.
- When planning alterations to your house, the design and appearance of the original house must be considered. The front facade should be restored and extensions and modifications reserved for the rear or side. The scale should be appropriate and new works should not dominate the old.
- Roof form and pitch should resemble or match the existing building and repeat eaves details. Similar windows and doors should be used, maintaining existing materials, proportions and rhythm. The existing verandah could be extended as an additional link. Original decorative features could be used in the addition (eg. finials to the roof, internal finishing details such as skirtings and architraves).
- Construction materials should reflect or match those of the original building. In most residences this is corrugated iron and well detailed, this material is a very attractive and functional building material. Use of the material is now becoming fashionable with many architectural awards being given to new houses erected in this material.

The following sketches indicate the preferred way of adding to existing houses in a manner which reinforces the original character of the house.

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Different extension concepts for typical Broken Hill houses. Extension profile shown shaded.

Siting of Structures

- Any permanent structure that requires the consent of Council, that is located within 500mm of a boundary, or in any other case where the assessing officer is of the opinion that the boundary of the site is uncertain, shall be subject to a Surveyors Report.

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Building Materials

- Galvanised iron: the most common building material, this occurs in many forms : standard corrugated custom orb profile, ripple form (close corrugations); pressed fake ashlar (usually reserved for the front facade only).
- Stonework and square-edged profile brick are less common. Stonework is reserved for the more substantial residences with brick quoins. Square-edged profile brick is generally rendered and occasionally as face brickwork (now often painted).

Maintenance

- Galvanised iron requires regular painting to prevent decay by rust. The temptation to reclad with fake brickwork or imitation weatherboard cladding should be avoided as corner and joint detailing is generally poor and deteriorates rapidly. Rebuilding with masonry is rarely successful as the residence always looks reclad. Repair work should be undertaken with material which matches the original.
- Re pointing of masonry walls is often required. The mortar type should be carefully selected to match the colour and mixture of the original.
- Sandblasting to expose brick or stonework is not recommended as this removes mortar and damages brickwork. Paint removal should be attempted only with care using appropriate chemicals and steam.
- Rising damp/salt damp is often the result of an ineffective damp course. An effective solution can be to improve underfloor ventilation; however it is often necessary to insert a new damp course (and where necessary under-set the wall with new masonry). This is a specialist maintenance job and requires experienced tradesmen. The installation of a concrete floor slab causes damp to travel up the walls and should be avoided at all costs. A timber floor allows the structure to breathe and if well ventilated will last in good condition. Guttering and downpipes should be regularly checked - if roof waters are not discharged well away from the foundations, rising damp and wall cracking will result.

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- Timber framing, rotting or pest infested timber should be regularly treated and where necessary replaced. Timber detailing or weatherboards should be retained where possible. Imitation weatherboards do not blend well with timber as the corner and joint details are lost.

Windows and Doors

- Most common to Victorian cottages and houses are simple double-hung sash windows and four panelled timber entrance doors. Later interwar housing introduced casement windows. Timber-framed windows are an integral part of the character of older houses and with repair and maintenance can perform equally as their modern day counterpart.
- Many people consider that renovating a house involves replacing "old" timber framed windows. This is not the case. Many fine cottages have been spoiled by the replacement of original windows with aluminium framed windows which generally also require a different sized opening to be provided in the wall.

Verandahs and Shade Devices

- The verandah has been used universally to cool houses in the hot desert climate in Australia and these are used on almost all Broken Hill houses. Verandahs break up the facade of the building and provide an outdoor living area protected from the elements. Many verandahs have been enclosed for the use as sleep outs, kitchens and playrooms. It is now generally recognised that an open verandah is necessary as a buffer zone against the heat and when reinstated or restored the original charm of the house is rediscovered and the house made more comfortable. Where possible, handrails, balustrades and verandah posts should be reinstated in the original way and timber and cast iron decoration repaired or re-erected to the original evidence. Verandah timber and cast iron work was always painted, iron verandah roofs were often painted in stripes which can greatly add to the appearance of the house. Window hoods were often effectively used on windows not protected by verandahs.

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Garages, Carports and Outbuildings

- Garages and carports should generally not be erected in front of a dwelling obliterating the view of the house. It is recommended that these be set at the side or towards the back of the house.
- Galvanised iron is an appropriate wall and roof material for garages and sheds, and a traditional pitched roof should be used. However, where a carport is proposed next to the house and well planted with creepers to minimise its impact. A flat roof should be avoided and lean-to skillion roof used where possible.

New Houses

- When erecting a new house in a street with predominantly old houses the following design aspects should be considered:
 - Roof form and material - a traditional pitched roof form (minimum 25 degrees) using custom orb profile galvanised steel should be used;
 - A verandah on the front elevation (preferably timber);
 - Windows of vertical proportions (preferably timber);
 - Wall materials - galvanised iron, brick (with flush uncoloured joints) of a neutral colour, rendered concrete or brick;
 - Simple detailing - mock historic elements (example iron lace) should not be used as these look out of place on a new building.

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Use of Early Photographs

- Early photographs of houses in Broken Hill can be referred to as a guide for restoration and upgrading of residential buildings. Photographs are held at the Charles Rasp Library. The reinstatement of architectural elements, such as verandahs is best undertaken with historical accuracy where possible. If early photos are not available, front facade details can be copied from a similar existing intact house which can serve as a guide.

Roofs and Chimneys

- The roof is one of the most important features which determines the overall appearance of houses. Corrugated galvanised iron was used in Broken Hill almost universally due to ease and economy of transportation and the ability of the material to span large widths (thus requiring less timber support). Ogee profile gutter and round downpipes were also used.
- Regular maintenance (spotting of rust spots, painting etc.) will prolong the life of an iron roof. If re-roofing is required, custom orb profile corrugated steel roofing should be used - the finish could be galvanised, zincalume or an appropriate Colorbond (beige, ferric red, slate grey, dark green).
- Roof features such as turned finials at gable ends, decorations at corners of gutters, should be restored as these contribute to the character of the roof.
- Chimneys are an important part of the roof and should not be removed. Regular maintenance of brickwork will prevent deterioration.

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Paint Schemes

- Paint schemes for early residential buildings were often bold and imaginative with strong colours (used to pick out details of joinery, verandah posts) contrasting against lighter painted wall colours.
- Paint companies have heritage colour charts which contain paint colours appropriate for use on heritage buildings. The following is a simplified summary of external paint finishes appropriate for early residential buildings in Broken Hill.

Walls	All brickwork and stonework should remain unpainted Paintwork to timber, galvanised iron wall cladding and painted brickwork to be in shades of creams, buffs, off whites, ochre shades.
Joinery Work	One or a combination of a range of colours (gloss finish) including Indian Red, Brunswick Green, Deep Brown, Light Brown, Light Stone.
Roofs	Unpainted corrugated galvanised iron or painted in Slate Grey, Light Stone, Ferric Red or Green.
Cast Iron Work	Deep iron colours such as Indian Red, Brunswick Green, Rich Brown or Light Stone. A different colour was sometimes used to pick out details on the iron work.
Fences	When erecting a new fence to an old house, select a fence appropriate to the period of the house. Early photos of the house may show the original fence or a house of a similar period could be located with an appropriate fence which could serve as a model. In Broken Hill, galvanised iron (either standard corrugated or ripple iron) was often used because of economical cost and various different styles of fences were built out of the material. In the 1920's woven crimped wire was introduced. Stone fences were reserved for only the most substantial houses.

draft 30 May 2016

Broken Hill Development Control Plan | 2016

8.3 Commercial development

Design guidance

Broken Hill has a rich, varied and unique commercial architectural heritage. Many architect designed buildings were erected reflecting the wealth of the early mining activities. These architectural styles originate from South Australian, Victorian and New South Wales influences, as typified in the civic block in Argent Street.



draft 30 May 2016

Broken Hill Development Control Plan | 2016

- Broken Hill's commercial character largely derives from the regular placement of the buildings. Shops, banks and hotels are almost all constructed to street alignment. Any building work undertaken in commercial precincts of Broken Hill must be carefully considered so that the identified historic character is retained.
- Alterations and additions to existing heritage buildings should respect the character of the building in question and not detract from the character of the precinct as a whole. *The Argent Street Urban Design Study* report should be referred to for buildings within the CBD precinct.
- Any new buildings should be carefully designed to fit in with the character of the precinct but not pretend to be historic buildings themselves. Commercial buildings should generally incorporate a verandah across the street front footpath.

Built Form and Materials*Roofs, Parapets and Chimneys*

- Corrugated iron is the universal roofing material in Broken Hill and most shops have street front parapets that serve to hide the roof behind. These parapets were generally erected in masonry and were often carefully designed with urns, balustrades and render detailing. In many cases, this decoration has been removed and the surfaces simplified. Roof configuration is usually steep in pitch and simple in form (either hips or gables or combination of both). Roofs in any additions should be carefully related to the existing roof in material, shape and pitch. Where the roof is visible this should be in a pitched form.

Walls

- Many of the early commercial buildings in Broken Hill were erected in local stone, often using render detailing. Late Victorian and Edwardian buildings predominate and by the turn of the century, brick was more commonly used (often with decorative cement render detailing). Less important buildings were erected using galvanised iron for walls and roof.

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Maintenance and Repair of Walls

- Rising damp in Broken Hill is common. Many early buildings did not incorporate damp proof courses or the existing ones may no longer be effective, often due to a raised ground height. The most effective solution is to lower the ground level, improve underfloor ventilation and where necessary, replace or insert a new damp course. Whilst, it is the most satisfactory long term solution and the advice of an experienced tradesman or architect is essential in this special maintenance job.
- Masonry walls often require repairs, even though the bricks and stones are still in place. When re mortaring or repairing brick work, the mortar type should be carefully selected to match the colour and mixture of the original. High cement content mortar should not be used as it is a different colour and too strong compared to the original. Strong cement mortar will break away from the masonry, often fracturing the brick or stone. Mortars with a high lime content are more flexible for re mortaring or re pointing.
- Deteriorated stone work needs careful assessment. Matching stone is the most suitable replacement for repair work. Original rendering on external walls should not be chipped or sandblasted away - the render was often a protective finish for second grade stone or brickwork and when removed can result in bad weathering of walls.

Shopfronts

- Most original shopfronts in Broken Hill have been removed, but there are many early shopfronts which still survive. Original shopfronts should generally be retained and restored.
- Intact shopfronts to existing Victorian buildings are characterised by the following elements:
 - Timber shop fitting
 - Paired or single entry doors
 - Masonry or timber stall board
 - Display shelf common
 - Splayed recessed entry
 - Dividing wall

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Broken Hill Development Control Plan | 2016

- Some shopfronts of a later period are also significant and are characterised by the following elements:
 - Metal shop fittings
 - Paired entry doors
 - Tiled stall board and dividing wall
 - Display shelf
 - Recessed entry
 - Transom with glazed area broken up



Verandahs

- Early photos of Broken Hill show that almost every building had a verandah for protection against the harsh sun. In many cases these have been removed and replaced by modern cantilevered awnings which are inappropriate to the original design of the building. Recent examples of verandah reconstruction in the City show what dramatic results can be achieved by verandah reinstatement.

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Broken Hill Development Control Plan | 2016

- Reinstatement of continuous post supported verandahs is a long term objective for commercial precincts in Broken Hill. New verandahs should be simple without elaborate decoration and the attached sketch outlines detail of a typical appropriate verandah.
- A new verandah should be:
 - Based on original evidence or modelled on an original verandah on an existing similar building.
 - Roof fall to be approximately 25-30 degrees and in corrugated galvanised iron (or select colourbond).
 - Related in height to the adjoining verandah, consideration should be given whether to continue the height of the adjacent verandah or whether the height should be different.



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Broken Hill Development Control Plan | 2016



New Commercial Development

- Consultation with the Heritage Adviser is recommended when contemplating a new commercial building within streetscape with significant historic character. When designing a new building to fit into an existing commercial street (example - Argent Street) the following principles should be considered.

Scale, Mass and Height

- The general scale of adjacent buildings should be considered. The height of new buildings should continue the predominant height of surrounding buildings. Consideration should be given to the lining up of parapets and string courses with new building elements. The height limit for the commercial precinct is three storeys.

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Streetscape Form and General Proportions

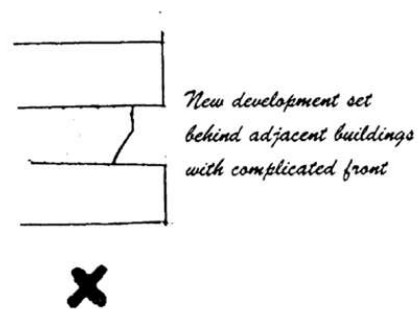
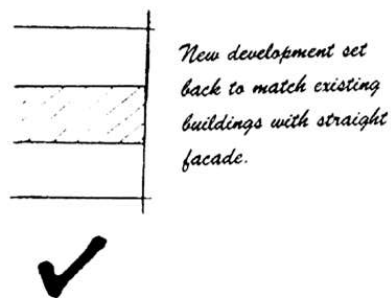
- Existing proportion and rhythm of architectural elements such as verandahs, parapets, windows, door and pilasters should be repeated in new development. Consideration should be given to continuing the alignment and form of the adjoining parapet.

Surface Decoration

- Large wall areas in new development should be broken up with surface decoration. Large areas of glass or unrelieved walls are generally not appropriate.

Siting and Setback

- All new buildings should be sited at right angles to the front and side boundaries. New commercial buildings should generally be erected to the footpath with a verandah over the footpath particularly where these are located within a consistent streetscape.



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Siting of Structures

- Any permanent structure that requires the consent of Council, that is located within 500mm of an adjoining property boundary (other than a Council lane or footpath reserve) or in any case where the assessing officer is of the opinion that the boundary of the site is uncertain, shall be subject to a Surveyors Report.

Shopfronts to New Buildings

- These should reflect elements of the traditional shopfronts and be simply detailed as follows:
 - Timber or metal shop fitting (with large glass area broken up by transoms or mullions).
 - Masonry or timber stall board or low plinth.
 - Entry doorway flush or splayed entry with paired or single door or side entry.

Roofs

- New buildings should have roofs which reflect the size, shape and pitch of existing roofs. Large roofs of mono pitch or low pitch do not fit in where these are visible. Where the roof is visible, this should be in a pitched form. The most suitable cladding is unpainted corrugated galvanised steel or an unobtrusive colour or colourbond.

Materials of New Development

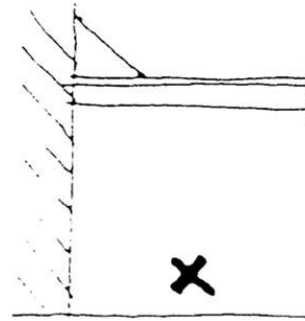
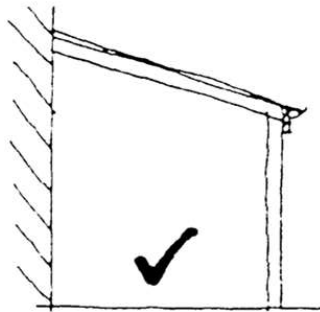
- These should be selected to blend with nearby heritage buildings. The following are considered appropriate:
 - Rendered masonry with smoothed or bagged finish - generally the most appropriate.
 - Face brickwork - clear red, traditional red or neutral coloured bricks.
- The use of mock historic detailing, such as tumbled bricks, brick quoining, heavy coloured grouting is not appropriate.

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Verandahs

- Consideration should be given to the use of the verandah in the design of a new building to provide protection for pedestrians. This should be based on design principles of early verandahs with sloping roofs of galvanised iron and regularly spaced columns.

**8.3.1 New Development in the Central Business District****Controls**

- Buildings facing Argent Street shall not exceed three (3) storeys in height. Buildings facing all other streets in the CBD shall not exceed two (2) storeys in height.
- The following types of street furniture should be installed:
 - Umbrellas - plain white canvas market umbrellas (preferred) or cafe umbrellas (incorporating advertising signs).

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Broken Hill Development Control Plan | 2016

- pots - rectangular or round concrete or terracotta pots. Preference given to sandy/biscuit coloured concrete finish. Pots to be positioned on footpath to create "outdoorroom" for cafe.
- tables and chairs - fixed or moveable tables; chairs for removal after hours. Preference given to non-plastic variety
- Summary of design principles for new development in the CBD:

Recommended	Not Recommended
Use of vertical elements	Large horizontal elements
Verandah	Bulky geometric skyline
Façade broken by detail	No verandah
Parapet to line up with adjoining parapet	Large unbroken areas of glass
Detailed shopfront built to street alignment	No use of detail Building at angle to street alignment

8.4 Development in the Mining Zone

Application

The Line of Lode in the Mining Zone is an integral part of the heritage value of the City of Broken Hill and represents the reason for the town's existence. Continuing use of the Line of Lode for mining purposes is a heritage value. The Line of Lode demonstrates a number of historical themes, significant at National, state and local levels, including mining, cultural landscapes and environment, technology and labour. The management of the Line of Lode should be undertaken in a way which will ensure that the area continues mining

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operations, is able to tell the story of Broken Hill and is interpreted for visitors to enhance their understanding of the place. An appropriate approach to ensure this is through the conservation of the identified important structures and settings, safe access for visitors and appropriate interpretation of identified highly significant elements and domains.

Conservation of the heritage qualities of the Line of Lode must be balanced against economic re-use and possible future development. With any new mining activity, a strategy for ongoing management and maintenance of the identified heritage items and sites must also be developed. The Line of Lode within the City of Broken Hill boundaries is divided into three sections: the northern, central and southern leases as shown in the map below. The section of DCP 2016 applies to the Line of Lode Mining Zone.

Objectives

- to retain and conserve the setting, context and views of the Line of Lode including all significant identified building and landscape elements
- to retain and conserve the identified heritage items of environmental heritage in the domains including significant building types
- to ensure that alterations and additions do not detract from the heritage significance identified heritage items and domains within the mining zone
- to encourage continued mining use, adaptive re-use and new development which complements existing heritage items and domains
- to identify suitable interpretation measures where adaptation and redevelopment for new use or for occupational health and safety reasons requires change.
- to conserve and manage all facets of the heritage value of the mining zone

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Broken Hill Development Control Plan | 2016

Design guidance

- When undertaking any development the above objectives should be incorporated as part of the proposed development.
- Identified heritage items, sites, elements and domains should be conserved and maintained
- An experienced heritage architect or conservation specialist should be engaged for works to a significant heritage item.
- Significant original external (and internal where relevant) elements of heritage items should be maintained. Replacement of deteriorated elements when required should be undertaken in matching profiles and materials.
- Alterations, adaptation, additions or redevelopment should not adversely impact the heritage values of the heritage item, unless all other alternatives have been exhausted.
- Changes should maintain the significant form, proportion, scale, details, colours and materials of the item.
- Changes to structures still in mining use (operational) should be undertaken carefully in light of the possible adaptation required in the future.
- Where items are already identified as ruins, stabilisation and passive decay is acceptable
- A Statement of Heritage Impact should be prepared and submitted with the development application which assess the impact of the proposed development

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Controls

New development

- New mining equipment and infrastructure proposed for sites within the Line of Lode will add a modern layer of processing technology and it is important that new and old buildings coexist appropriately where heritage items are retained.
- New development should not diminish the heritage significance of the item, site or domain.

In considering new development the following should be taken into account:

- The height and scale of the new building and how it relates to existing buildings
- Material and colours – these should be the same, or similar to existing predominant materials and colours
- Siting of new development – new development should not visually dominate or intrude into the curtilage of an existing heritage item

Adaptive reuse

Many buildings which are no longer required for mining operations still have the potential to be used for another purpose. The following should guide adaptive reuse of these buildings:

- Buildings and sections of the site to be adaptively reused should maintain identified original features of heritage value and no major changes should create adverse impact to the heritage values until and unless all prudent and feasible alternatives are exhausted.

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Broken Hill Development Control Plan | 2016

- New uses could be similar to original use, enhancing recognised heritage values, or an appropriate new use where the heritage values of the place are retained.
- In general, all internal and external changes should be reversible.

Ongoing maintenance and monitoring

- Identified heritage items should be regularly maintained to ensure that the structures do not deteriorate. Monitoring is required for all items and structures which are recommended for retention and mothballing. An appropriate reassessment of their condition every two years is necessary to determine their structural stability and required maintenance.

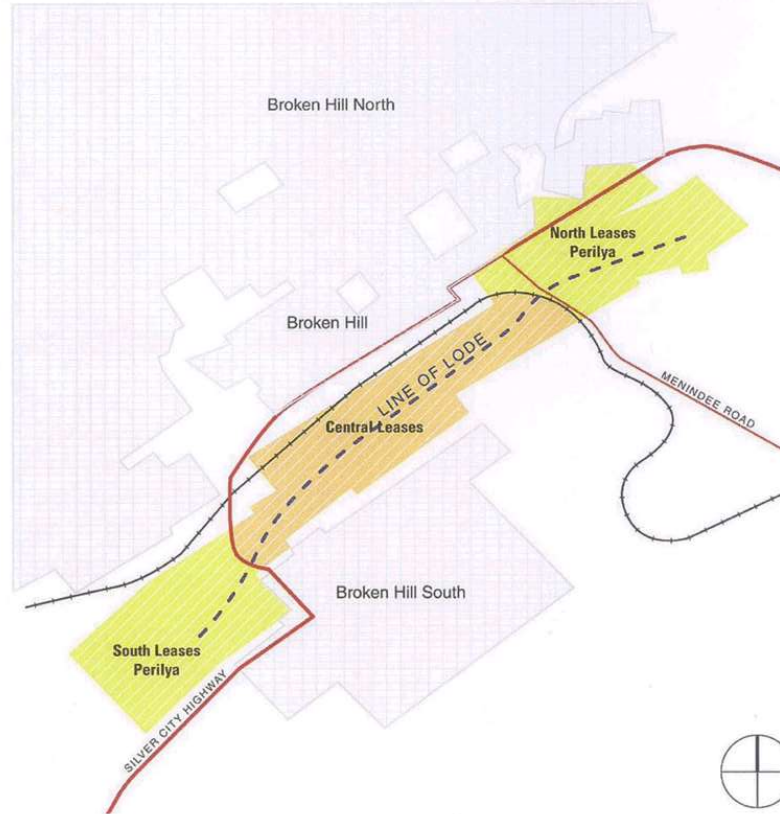
Moveable mining heritage

Moveable heritage refers to items or objects of heritage value which are not fixed to a particular site or place, they may have a strong association with that place or site which when broken can diminish the value of both. Within the Line of Lode there are a number of moveable heritage items which include machinery, furniture, maps and signs.

- Where moveable heritage items are identified, care should be taken to manage the retention *in situ*, or careful storage, of these elements so they are available for appropriate interpretation.

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Broken Hill Development Control Plan | 2016



The Broken Hill Line of Lode Mining Zone

ORDINARY MEETING OF THE COUNCIL

June 22, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 126/16

SUBJECT: RECOMMENDATIONS AND MINUTES OF THE AUDIT
COMMITTEE MEETING HELD JUNE 16, 2016

13/19

Recommendation

That Broken Hill City Council Report No. 126/16 dated June 22, 2016, be received.

That the minutes of the Audit Committee meeting held June 16, 2016 be adopted.

Executive Summary:

The Charter of the Broken Hill Audit Committee, as endorsed by Council at its meeting on 26 June 2013, requires the Audit Committee to refer the minutes and recommendations of the Audit Committee to the next scheduled Ordinary Council Meeting.

The Broken Hill City Council Audit Committee met on Thursday, June 16, 2016.

The minutes of this meeting are provided at Attachment 1 to this report.

Report:

The Audit Committee considered the following items:

- External Interim Audit Report
- Business Continuity Policy
- Risk Management Objective
- Level of Risk – Council Policies
- IT Governance Framework
- Audit Committee Action List

The next meeting of the Audit Committee will be held Thursday, October 20, 2016.

Strategic Direction:

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

Attachments

1. Minutes of the Audit Committee - June 16, 2016 5 Pages

JAMES RONCON
GENERAL MANAGER

AUDIT COMMITTEE

16 JUNE 2016

**MINUTES OF THE AUDIT COMMITTEE MEETING HELD
THURSDAY, JUNE 16, 2016 (10.00AM)**

PRESENT: Chairman, Mr. Chris. Nash,
Dr Phil Ross,
Councillors Bob Algate and Peter Black,
General Manager, James Roncon,
Management Accountant, Shane Nankivell
Executive Support Officer, Louise Schipanski.

APOLOGIES: Mayor Councillor W. Cuy

MINUTES FOR CONFIRMATION

That the Minutes of the Audit Committee meeting held Monday October 19, 2015 be confirmed with the following amendment.

That the minutes be amended to reflect that the Chairman suggested that the Audit Committee does not need to review the contents of the Annual Report, however, it would be appropriate to reference the role of the Audit Committee in the governance structure overview.

In relation to Item 5 of the minutes a revised table for clarification on outstanding loans in relation to the preparation of the 2015 / 16 Operational Plan be provided at the next meeting.

RECEIVED

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 1/16 - DATED APRIL 08, 2016 - AUDIT
COMMITTEE ACTION LIST REPORT FOR JUNE 2016** 13/19

Recommendation

That Broken Hill City Council Report No. 1/16 dated April 8, 2016, be received.

The Audit Committee acknowledged the missed meetings and agreed that revisions to the Audit Committee work plan needed as a result would be most appropriately considered by the new members of the Audit Committee, given the renewal of membership that may occur after Council elections.

Neither independent members of the Audit Committee will be seeking additional term, however, it has been agreed that both are willing to attend one additional meeting in October 2016 to enable knowledge transfer and a smooth transition.

Action: (Razija) - Cllr Black requested a copy of The Australian Standard (AS/NZ ISO31000:2009 - Risk Management)

Action: (Louise) - to provide to the Chairman examples of Action Sheet styles within InfoCouncil.

Action: (Shane) - A review of the Audit Committee's Work Plan to be included on the next

Page 1

AUDIT COMMITTEE

16 JUNE 2016

agenda.

RECEIVED

AUDIT COMMITTEE

16 JUNE 2016

ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 2/16 - DATED JUNE 09, 2016 - EXTERNAL
INTERIM AUDIT REPORT 11/26

Recommendation

That Broken Hill City Council Report No. 2/16 dated June 9, 2016, be received.

RECEIVED

ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 3/16 - DATED JANUARY 07, 2016 -
BUSINESS CONTINUITY POLICY 12/14

Recommendation

That Broken Hill City Council Report No. 3/16 dated January 7, 2016, be received.

That the Audit Committee endorses the Business Continuity Policy

PRESENTATION BY BONNIE FITZPATRICK.

The new Risk Officer will schedule desktop audits to be undertaken later this year.
Communication across the organisation has taken place and will be scheduling refresher
workshop with teams.

Action: (Razija) - A report to be prepared for the next meeting that articulates the Business
Continuity Policy test schedule and also a report back to the Audit Committee with the
results of the testings, when complete.

RECEIVED

AUDIT COMMITTEE

16 JUNE 2016

ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 4/16 - DATED APRIL 13, 2016 - RISK
MANAGEMENT OBJECTIVE

13/19

Recommendation

That Broken Hill City Council Report No. 4/16 dated April 13, 2016, be received.

That the presentation to the Audit Committee be received.

Clr Black advised that the Audit Committee has not reviewed the Risk Management Framework prior to it going to Council in February 2016 for approval.

Action: (Razija) - A copy of the Risk Management Framework to be circulated to members for review at the next meeting.

The Risk Management and Project Management Framework was presented at the October 19, 2015 Audit Committee meeting, and a copy circulated to all members following this meeting.

Action: (Razija) - Revision of selected Risk Treatment Plans to be a standing item on the agenda.

Action: (Razija) - Review of budget build process, but not of the budget itself, to be included on the risk register.

Action: (Razija) - The Manager Human Resources to look at making contact with Local Government Internal Auditors Network.

Councillor Black raised concerns about staffing at the Art Gallery and Geo Centre, the impact that this has on controls in place protecting councils assets.

Action: (James) - Management to define risk treatment plans to mitigate these risks and present to the Audit Committee.

RECEIVED

AUDIT COMMITTEE

16 JUNE 2016

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 5/16 - DATED APRIL 14, 2016 - LEVEL OF RISK - COUNCIL POLICIES 15/9

Recommendation

That Broken Hill City Council Report No. 5/16 dated April 14, 2016, be received.

- That Audit Committee endorse the identified List of Council Policies that have an element of risk that need to be reviewed by the Audit Committee.**

Action: (James) - The Senior Management Team to review policies and prioritise by risk level, then submit to the Audit Committee for endorsing prior to going to Council for approval.

Action: (James) - The General Manager investigate any further concerns with the procurement policy, which is due to be reviewed in June 2017.

11.32AM – The General Manager apologised and left the meeting.

RECEIVED

ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 6/16 - DATED APRIL 14, 2016 - IT GOVERNANCE FRAMEWORK 13/19

Recommendation

That Broken Hill City Council Report No. 6/16 dated April 14, 2016, be received.

That Audit Committee endorse the proposal to develop an IT Governance Framework for BHCC.

The Manager Information Services joined the meeting to present this report to the group.

The IT Technology Strategy is due to be reviewed. The IT Governance Framework to form part of this Strategy.

Action: (Gerald) - That the framework be developed, based on the Australian Standard and report back to the Audit Committee.

Action: (Gerald) - A timeline and progress update for developing the strategy and framework to be provided at the next meeting.

The Chairman noted that the Audit Committee had suggested sharing resources to understand how like councils addressed the need for an IT Governance Strategy, not a shared ICT services model as referred in the paper provided.

RECEIVED

AUDIT COMMITTEE

16 JUNE 2016

Meeting closed at ...11.55am.

The foregoing minutes were read and confirmed at the Audit Committee meeting held on
Thursday, October 20, 2016.

Chairperson

ORDINARY MEETING OF THE COUNCIL

June 22, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 127/16SUBJECT: SENIOR STAFF CONTRACTURAL CONDITIONS 12/155**Recommendation**

1. That Broken Hill City Council Report No. 127/16 dated June 22, 2016, be received.

Executive Summary:

Section 339 of the *Local Government Act 1993* ("the Act") requires the General Manager, at least once annually to report to Council on the contractual conditions of senior staff.

This report is provided for Council's information and relates to the financial year 2015/2016.

Report:

"Senior Staff" are defined in the Act to mean the General Manager of the Council and the holders of all other positions identified in the Council's Organisational Structure as Senior Staff positions.

The last report in relation to Senior Staff was made to Council in June 2015.

Discussion:

As per Council's organisational structure there are currently three (3) Senior Staff positions; the General Manager, Deputy General Manager and Chief Financial Officer.

The position of Chief Financial Officer is currently vacant, and Council's Manager Infrastructure Strategy is currently acting in the position of Deputy General Manager. Both the Deputy General Manager and Manager Infrastructure Strategy acted in the position of General Manager during the period whilst recruiting for a new General Manager (October 1, 2015 and April 4, 2016).

Senior Contractual conditions for these positions were:

Position & Incumbent Name	Contract Type	Contract Term	Commencement Date	Expiry Date
General Manager James Roncon	Fixed	5 years	04/04/2016	02/04/2021
General Manager Therese Manns	Fixed	5 years	01/08/2013	Resigned 30/09/2015
Deputy General Manager Andrew Bruggy (Acting)	Manager Infrastructure Strategy currently acting in this position.			
Deputy General Manager Sharon Hutch	Fixed	5 years	29/09/2014	Resigned 15/03/2016
Chief Financial Officer	Position currently vacant			
Chief Financial Officer Harry Stamboulidis	Fixed	5 years	27/07/2015	Resigned 09/02/2016

Strategic Direction:

Key Direction: Our Leadership
Objective: 4.1 - Openness and Transparency in Decision Making
Function: Leadership and Governance
DP Action: 4.1.1.3 – The Council leadership group works well together to serve the community.

Relevant Legislation:

Section 339 of the *Local Government Act 1993*.

Financial Implications:

Nil – reporting requirement only.

Attachments

There are no attachments for this report.

JAMES RONCON
General Manager

ORDINARY MEETING OF THE COUNCIL

June 9, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 128/16

SUBJECT: INVESTMENT REPORT FOR MAY 2016

11/48

Recommendation

1. That Broken Hill City Council Report No. 128/16 dated June 9, 2016, 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 31st May 2016 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 semi-annual global assessment, the OECD bluntly stated that the major world economies are “stuck in a low-growth trap” with “weak trade growth, sluggish investment, subdued wages and slower economic activity”. The organisation has predicted US growth of 1.8% & 2.2% in 2016 & 2017 and European growth of only 1.6% & 1.7% for the next two years.

Meanwhile, US new home sales in April were the highest in over eight years. The housing data has added to the case for an interest rate increase by the US Federal Reserve within the next two months, despite the OECD's pessimistic outlook.

Domestic issues

GDP for Q1 2016 came in above expectations at +1.1% qtr/qtr, resulting in a 3.1% annual growth. The largest component of growth came from exports, up 1.2% for the quarter. Meanwhile, domestic consumption was weak at only +0.2% and non-dwelling construction was the main detractor in the numbers, down 0.5% for the quarter.

Employment data was better than expected with the unemployment rate remaining unchanged at 5.7% (a small increase was widely anticipated). Nearly 11,000 new jobs were created in April, albeit mostly part-time positions.

While the labour numbers were good, there remains a lack of wage pressure in the market – wage inflation hit a 20 year low – leaving open the possibility of another interest rate cut by the RBA in the coming months.

Interest rates

At its May meeting, the RBA lowered the cash rate by 25 basis points to 1.75%.

Short term interest rates fell in May following the rate cut with 3 month TDs from Australian majors down 15-20 basis points to the 2.80%-2.90% area. Meanwhile, the best indicative 12 month rate from a major declined by another 10 basis points over the month to 2.85%.

Council's Portfolio by Source of Funds – May 2016

As at 31st May 2016, Council's Investment Portfolio had a current market valuation of \$20,633,041 or principal value (face value) of \$20,549,702 with the source of these funds being detailed in the table below.

	Source of Funds	Principal Amount
GENERAL FUND	Operating Capital & Internal Restrictions	11,284,702
	Accommodation Bonds Reserve	45,000
	Royalties Reserve	397,000
	Domestic Waste Management Reserve	3,177,000
	Grants	5,180,000
	Developer Contributions	466,000
	TOTAL PORTFOLIO	\$20,549,702

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 May 2016 10 Pages

JAMES RONCON
GENERAL MANAGER



**Investment Summary Report
May 2016**



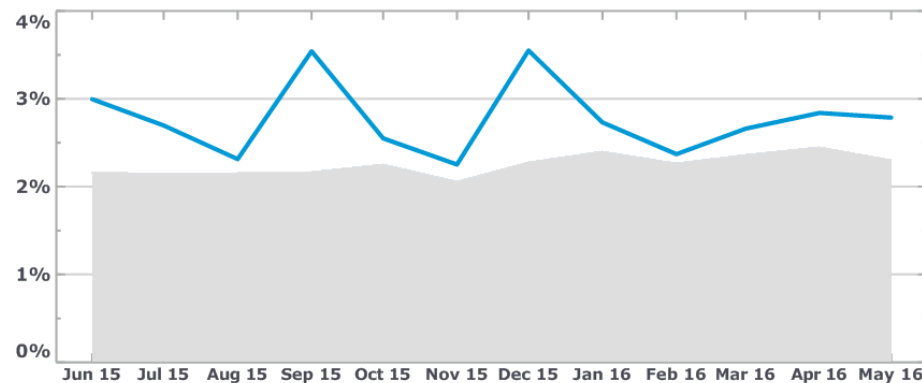
Broken Hill City Council
Executive Summary



Investment Holdings

	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	3,049,701.99	3,049,701.99	1.37
Term Deposit	17,500,000.00	17,583,339.05	3.01
	20,549,701.99	20,633,041.04	2.77

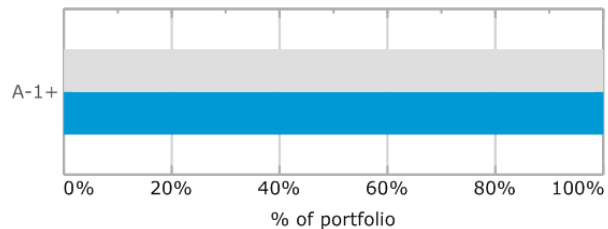
Investment Performance



■ Portfolio Annualised Return ■ Ausbond BB Index Annualised Return

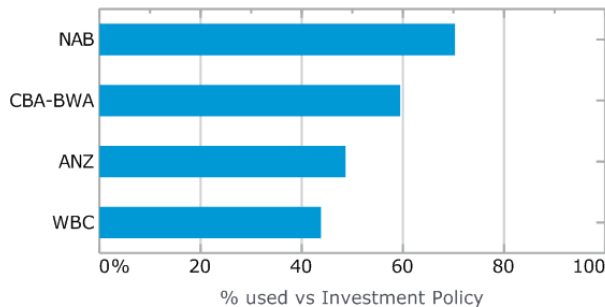
Investment Policy Compliance

Total Credit Exposure



■ Portfolio Exposure ■ Investment Policy Limit

Highest Individual Exposures



Term to Maturities

Maturity Profile	Face Value (\$)	Policy Max
Between 0 and 1 Year	20,549,702	100% 100%
	20,549,702	

Broken Hill City Council
Investment Holdings Report



Cash Accounts						
Face Value (\$)	Current Yield	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
2,975,091.72	1.3700%	Westpac Group	A-1+	2,975,091.72	473409	Cheque
74,610.27	1.3000%	Westpac Group	A-1+	74,610.27	473410	Maxi
3,049,701.99	1.3683%			3,049,701.99		

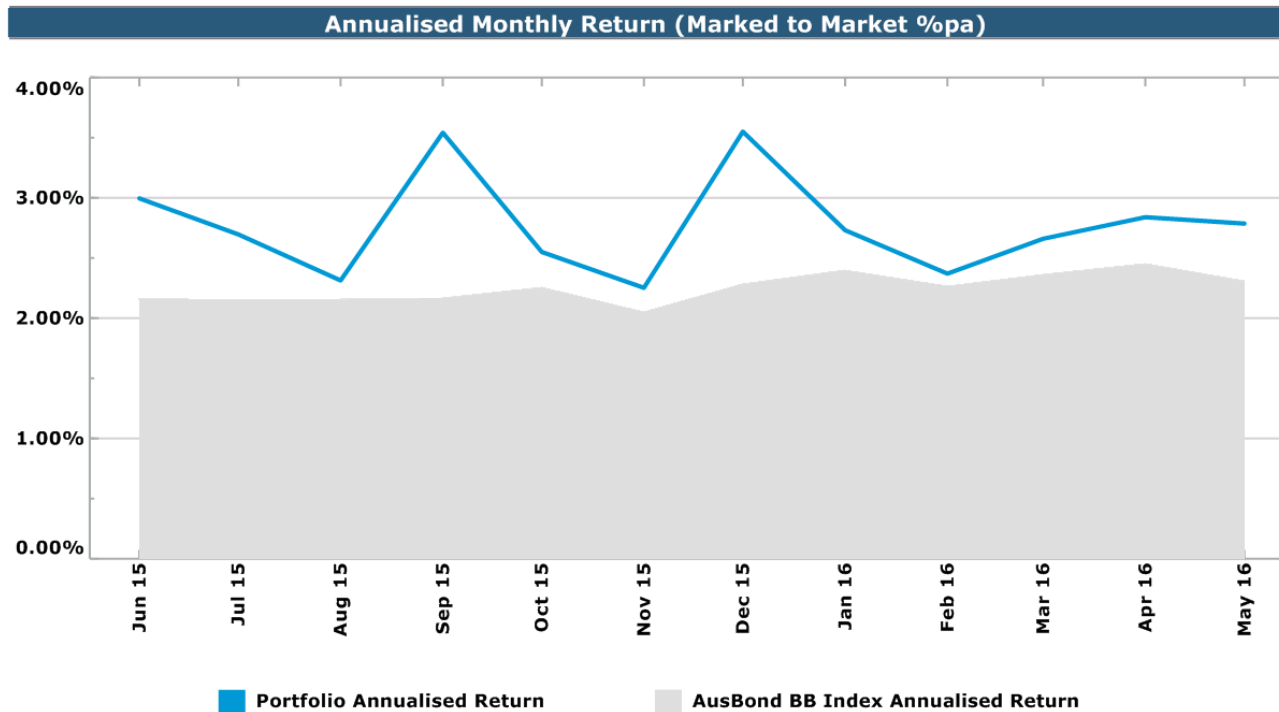
Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
1-Jun-16	1,500,000.00	3.0000%	Bankwest	A-1+	1,500,000.00	2-Mar-16	1,511,219.18	533380	11,219.18	AtMaturity	
1-Jun-16	500,000.00	3.0000%	Bankwest	A-1+	500,000.00	2-Mar-16	503,739.73	533381	3,739.73	AtMaturity	
1-Jun-16	2,000,000.00	3.1000%	ANZ Banking Group	A-1+	2,000,000.00	2-Mar-16	2,015,457.53	533383	15,457.53	AtMaturity	
1-Jun-16	500,000.00	3.1000%	ANZ Banking Group	A-1+	500,000.00	2-Mar-16	503,864.38	533384	3,864.38	AtMaturity	
8-Jun-16	2,000,000.00	3.1000%	ANZ Banking Group	A-1+	2,000,000.00	9-Mar-16	2,014,268.49	533385	14,268.49	AtMaturity	
15-Jun-16	1,000,000.00	3.0500%	National Australia Bank	A-1+	1,000,000.00	16-Mar-16	1,006,434.25	533386	6,434.25	AtMaturity	
22-Jun-16	1,000,000.00	3.0500%	National Australia Bank	A-1+	1,000,000.00	23-Mar-16	1,005,849.32	533387	5,849.32	AtMaturity	
6-Jul-16	500,000.00	3.0500%	National Australia Bank	A-1+	500,000.00	6-Apr-16	502,339.73	533507	2,339.73	AtMaturity	
13-Jul-16	1,000,000.00	3.0500%	Bankwest	A-1+	1,000,000.00	16-Mar-16	1,006,434.25	533382	6,434.25	AtMaturity	
13-Jul-16	1,000,000.00	3.0500%	National Australia Bank	A-1+	1,000,000.00	13-Apr-16	1,004,094.52	533506	4,094.52	AtMaturity	
27-Jul-16	500,000.00	3.0500%	National Australia Bank	A-1+	500,000.00	27-Apr-16	501,462.33	533508	1,462.33	AtMaturity	
27-Jul-16	1,000,000.00	2.9800%	Westpac Group	A-1+	1,000,000.00	27-Apr-16	1,002,857.53	533509	2,857.53	AtMaturity	
10-Aug-16	1,000,000.00	2.8000%	Bankwest	A-1+	1,000,000.00	11-May-16	1,001,610.96	533751	1,610.96	AtMaturity	
10-Aug-16	500,000.00	2.8000%	Bankwest	A-1+	500,000.00	19-May-16	500,498.63	533750	498.63	AtMaturity	
24-Aug-16	1,000,000.00	2.8000%	Bankwest	A-1+	1,000,000.00	25-May-16	1,000,536.99	533749	536.99	AtMaturity	
14-Sep-16	2,500,000.00	3.0000%	National Australia Bank	A-1+	2,500,000.00	19-May-16	2,502,671.23	533748	2,671.23	AtMaturity	
	17,500,000.00	3.0103%			17,500,000.00		17,583,339.05		83,339.05		

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	2,975,091.72	1-May-16	1-Jun-16		31		
Westpac Group	473410	74,610.27	1-May-16	1-Jun-16	78.81	31	78.81	1.30%
Cash					78.81		78.81	1.30%
Bankwest	533317	1,000,000.00	10-Feb-16	11-May-16	7,354.79	10	808.22	2.95%
Bankwest	533318	1,000,000.00	24-Feb-16	25-May-16	7,479.45	24	1,972.60	3.00%
Bankwest	533380	1,500,000.00	2-Mar-16	1-Jun-16	0.00	31	3,821.92	3.00%
Bankwest	533381	500,000.00	2-Mar-16	1-Jun-16	0.00	31	1,273.97	3.00%
ANZ Banking Group	533383	2,000,000.00	2-Mar-16	1-Jun-16	0.00	31	5,265.75	3.10%
ANZ Banking Group	533384	500,000.00	2-Mar-16	1-Jun-16	0.00	31	1,316.44	3.10%
ANZ Banking Group	533385	2,000,000.00	9-Mar-16	8-Jun-16	0.00	31	5,265.75	3.10%
National Australia Bank	533386	1,000,000.00	16-Mar-16	15-Jun-16	0.00	31	2,590.41	3.05%
National Australia Bank	533387	1,000,000.00	23-Mar-16	22-Jun-16	0.00	31	2,590.41	3.05%
National Australia Bank	533507	500,000.00	6-Apr-16	6-Jul-16	0.00	31	1,295.21	3.05%
Bankwest	533382	1,000,000.00	16-Mar-16	13-Jul-16	0.00	31	2,590.41	3.05%
National Australia Bank	533506	1,000,000.00	13-Apr-16	13-Jul-16	0.00	31	2,590.41	3.05%
National Australia Bank	533508	500,000.00	27-Apr-16	27-Jul-16	0.00	31	1,295.21	3.05%
Westpac Group	533509	1,000,000.00	27-Apr-16	27-Jul-16	0.00	31	2,530.96	2.98%
Bankwest	533750	500,000.00	19-May-16	10-Aug-16	0.00	13	498.63	2.80%
Bankwest	533751	1,000,000.00	11-May-16	10-Aug-16	0.00	21	1,610.96	2.80%
Bankwest	533749	1,000,000.00	25-May-16	24-Aug-16	0.00	7	536.99	2.80%
National Australia Bank	533748	2,500,000.00	19-May-16	14-Sep-16	0.00	13	2,671.23	3.00%
Term Deposit					14,834.25		40,525.48	3.03%
					14,913.06		40,604.29	3.02%

Broken Hill City Council
Investment Performance Report

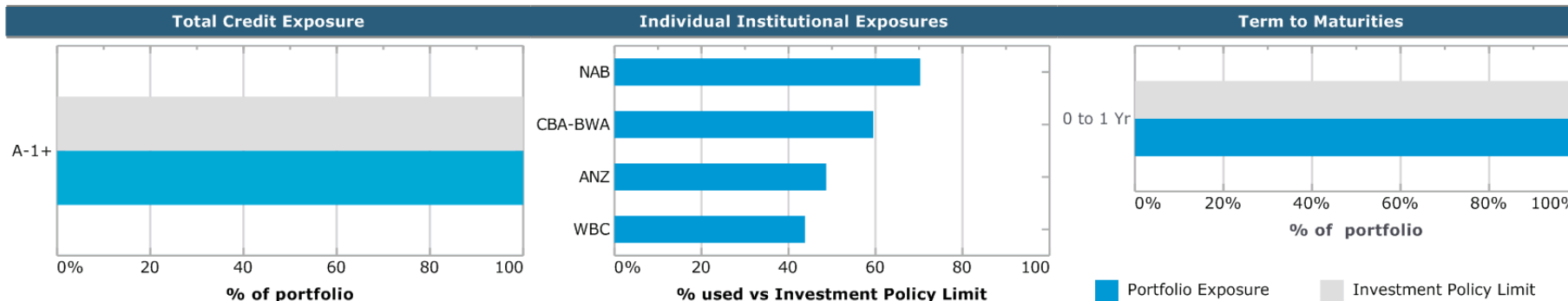


Historical Performance Summary

	Portfolio	AusBond BB Index	Outperformance
May 2016	2.79%	2.30%	0.48%
Last 3 Months	2.77%	2.37%	0.39%
Last 6 Months	2.83%	2.35%	0.49%
Financial Year to Date	2.75%	2.25%	0.50%
Last 12 months	2.78%	2.25%	0.53%



Broken Hill City Council Investment Policy Compliance Report



	Credit Rating	Face Value (\$)	Policy Max
Short Term	A-1+	20,549,702	
		20,549,702	100%
		20,549,702	100%

✓ = compliant
X = non-compliant

	% used vs Investment Policy Limit
National Australia Bank (A-1+, AA-)	70% ✓
Commonwealth Bank of Australia (A-1+, AA-)	59% ✓
ANZ Group (A-1+, AA-)	49% ✓
Westpac Group (A-1+, AA-)	44% ✓

	Face Value (\$)	Policy Max
Between 0 and 1 Year	20,549,702	100% 100% ✓
	20,549,702	

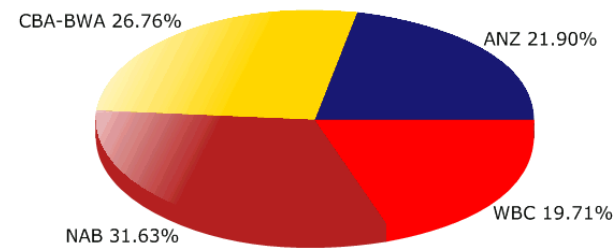
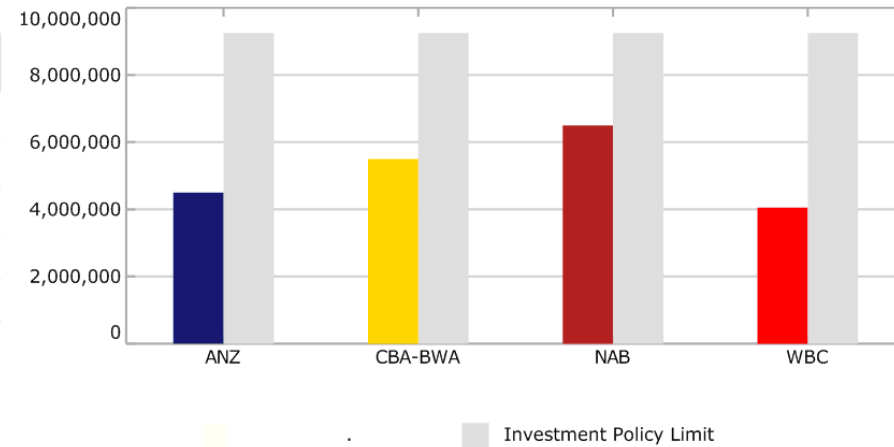
Detailed Maturity Profile	Face Value (\$)	
00. Cash	3,049,702	15%
01. Less Than 30 Days	8,500,000	41%
02. Between 30 Days and 60 Days	4,000,000	19%
03. Between 60 Days and 90 Days	2,500,000	12%
04. Between 90 Days and 180 Days	2,500,000	12%
	20,549,702	

Broken Hill City Council
Individual Institutional Exposures Report



Individual Institutional Exposures **Individual Institutional Exposure Charts**

Parent Group	Credit Rating	Portfolio Exposure (\$)	Investment Policy Limit (\$)
ANZ Group	A-1+, AA-	4,500,000	9,247,366
Commonwealth Bank of Australia	A-1+, AA-	5,500,000	9,247,366
National Australia Bank	A-1+, AA-	6,500,000	9,247,366
Westpac Group	A-1+, AA-	4,049,702	9,247,366
		20,549,702	



Broken Hill City Council

Cash Flows Report



Current Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>	
11-May-16	533317	Bankwest	Term Deposits	Interest - Received	7,354.79	
		Bankwest	Term Deposits	Maturity Face Value - Received	1,000,000.00	
					<u>Deal Total</u>	<u>1,007,354.79</u>
	533751	Bankwest	Term Deposits	Settlement Face Value - Paid	-1,000,000.00	
					Day Total	7,354.79
19-May-16	533748	National Australia Bank	Term Deposits	Settlement Face Value - Paid	-2,500,000.00	
	533750	Bankwest	Term Deposits	Settlement Face Value - Paid	-500,000.00	
					Day Total	-3,000,000.00
25-May-16	533318	Bankwest	Term Deposits	Interest - Received	7,479.45	
		Bankwest	Term Deposits	Maturity Face Value - Received	1,000,000.00	
					<u>Deal Total</u>	<u>1,007,479.45</u>
	533749	Bankwest	Term Deposits	Settlement Face Value - Paid	-1,000,000.00	
					Day Total	7,479.45
					Net Cash Movement for Period	-2,985,165.75

Next Month Cashflows

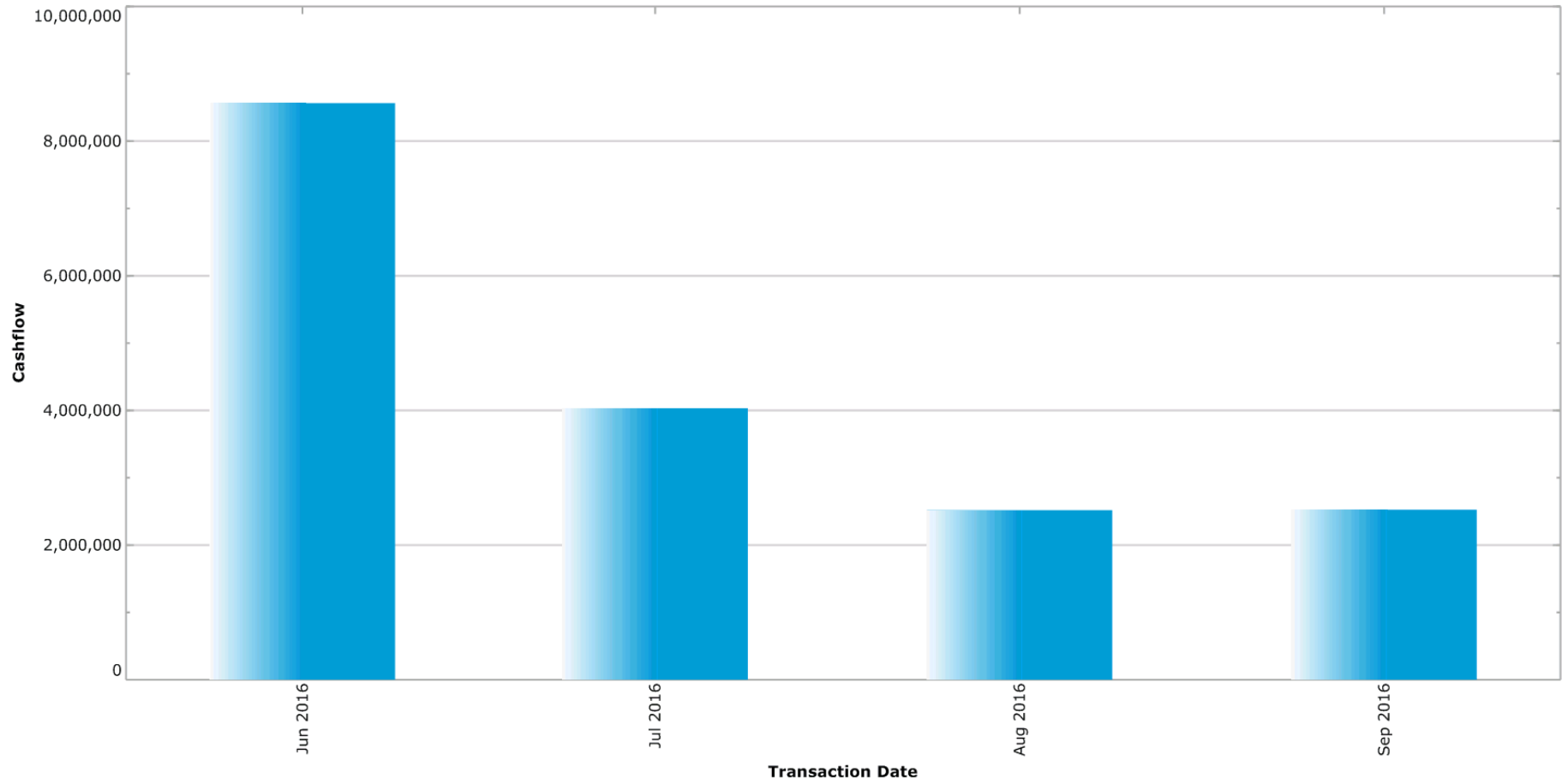
<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Due</u>	
1-Jun-16	533380	Bankwest	Term Deposit	Interest - Received	11,219.18	
		Bankwest	Term Deposit	Maturity Face Value - Received	1,500,000.00	
					<u>Deal Total</u>	<u>1,511,219.18</u>
	533381	Bankwest	Term Deposit	Interest - Received	3,739.73	
		Bankwest	Term Deposit	Maturity Face Value - Received	500,000.00	
					<u>Deal Total</u>	<u>503,739.73</u>
	533383	ANZ Banking Group	Term Deposit	Interest - Received	15,457.53	

Broken Hill City Council
Cash Flows Report



Next Month Cashflows					
<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Due</u>
		ANZ Banking Group	Term Deposit	Maturity Face Value - Received	2,000,000.00
				<u>Deal Total</u>	<u>2,015,457.53</u>
	533384	ANZ Banking Group	Term Deposit	Interest - Received	3,864.38
		ANZ Banking Group	Term Deposit	Maturity Face Value - Received	500,000.00
				<u>Deal Total</u>	<u>503,864.38</u>
				Day Total	4,534,280.82
8-Jun-16	533385	ANZ Banking Group	Term Deposit	Interest - Received	15,457.53
		ANZ Banking Group	Term Deposit	Maturity Face Value - Received	2,000,000.00
				<u>Deal Total</u>	<u>2,015,457.53</u>
				Day Total	2,015,457.53
15-Jun-16	533386	National Australia Bank	Term Deposit	Interest - Received	7,604.11
		National Australia Bank	Term Deposit	Maturity Face Value - Received	1,000,000.00
				<u>Deal Total</u>	<u>1,007,604.11</u>
				Day Total	1,007,604.11
22-Jun-16	533387	National Australia Bank	Term Deposit	Interest - Received	7,604.11
		National Australia Bank	Term Deposit	Maturity Face Value - Received	1,000,000.00
				<u>Deal Total</u>	<u>1,007,604.11</u>
				Day Total	1,007,604.11
				Net Cash Movement for Period	8,564,946.58

Broken Hill City Council Cash Flows Report



ORDINARY MEETING OF THE COUNCIL

June 3, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 129/16SUBJECT: DISABILITY INCLUSION ACT - ACTION PLAN 11/432**Recommendation**

1. That Broken Hill City Council Report No. 129/16 dated June 3, 2016, be received.
2. That the Disability Access Committee be re - tasked to form a new Disability Inclusion Action Plan Working Group to support the Plan's development and implementation.
3. That membership of the newly formed Working Group be determined by the General Manager

Executive Summary:

The *Disability Discrimination Act 1992* has now been superseded by the *Disability Inclusion Act 2014* (DIA). *The Disability Inclusion Act 2014* requires all Councils to implement a Disability Inclusion Action Plan (DIAP) by July 2017.

The development of a Disability Inclusion Action Plan requires a whole of Council approach. An 'Inclusive' approach to Council planning is also required to be demonstrated throughout Council's integrated planning documents, from the Strategic Plan through to the Operational Plan.

Report:

LGNSW and NSW Family and Community Services have released NSW Disability Inclusion Action Planning Guidelines in support of the new legislation to assist Councils in their approach.

The Guidelines outline the focus areas of the Act as: attitudes and behaviours, liveable communities, diversity in employment and systems and processes.

The *Disability Inclusion Act 2014* – identifies the role for Local Government as an 'Advocate for Inclusion', with key areas to be addressed:

Website design and information
Employment and
Accessibility – Council buildings, events and facilities.

The Act promotes people with disabilities the right to quality services and facilities.

Consultation and Reporting

The requirements under the new legislation are qualitatively different with increased reporting mandated.

Section 14 of the DIA requires council to review their disability action planning process every four years.

Section 12 of the DIA mandates that disability inclusion actions must be readily available to the public.

Section 12 of the DIA mandates that councils must give a copy of their disability inclusion actions to the Disability Council of NSW.

Section 12 of the DIA mandates that in preparing the Plan, Councils must consult with people with a disability and have regard for the guidelines (attached)

Section 13 of the DIA stipulates that councils in NSW must include reporting on their disability inclusion action planning their Annual Reports and as soon as is practicable forward a copy of the relevant part of the Annual Report to the Minister.

Proposed Disability Inclusion Action Plan Working Group

The re-tasking of Council's Disability Access Committee to form a new Disability Inclusion Action Plan Working Group will work within the requirements of the Act and relevant Guidelines.

Strategic Direction:

Key Direction:	Our Community
Objective:	1.4 Our built environment supports our quality of life
Function:	1.5 Our health and wellbeing ensures that we live life to the full
DP Action:	4.2.1.12 Monitor potential changes to government policy and legislation and make submission where considered important for the local community.

Relevant Legislation:

Disability Discrimination Act 1992 (Superseded)

Disability Inclusion Act 2014

Financial Implications:

Expert advice will be sought to support the development of the Disability Inclusion Action Plan and funded from the current budget.

Attachments

1. NSW Disability Inclusion Action Planning Guidelines November 2015 46 Pages

RAZIJA NU'MAN
DIVISION MANAGER CORPORATE AND HUMAN SERVICES

JAMES RONCON
GENERAL MANAGER



Annual
Report

November 2015

NSW Disability Inclusion

Action Planning Guidelines



This project was funded by NSW Family and Community Services, Carers, Ageing and Disability Inclusion.

Acknowledgments

These guidelines are the result of collaboration between the NSW Department of Family and Community Services (FACS) and Local Government NSW (LGNSW). The original [NSW Disability Inclusion Action Planning Guidelines](#) have been adapted and supplemented by Elton Consulting through consultation with NSW councils, the Office of Local Government NSW and the NSW Disability Council to provide a resource that supports Local Government disability inclusion action planning.

Thanks go to all those who have contributed to the development of these guidelines including steering committee representatives. Quotes and practice examples provided in these guidelines have been captured from participants at various consultations.

Funding for the development of the NSW Disability Inclusion Action Planning Guideline versions was provided by FACS.



LGNSW.ORG.AU
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Bottom left image - courtesy of FACS

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Purpose of these guidelines

Purpose

The purpose of these guidelines is to assist Local Government to effectively plan for and deliver on the diverse needs of people with disability in their community.

Local Government is required by the [NSW Disability Inclusion Act 2014](#) (DIA) to undertake disability inclusion action planning by 1 July 2017. These guidelines provide Local Government with the necessary tools to develop a stand-alone Disability Inclusion Action Plan or to undertake a disability inclusion action planning process that is delivered through their Integrated Planning and Reporting (IP&R) framework. Whatever the choice, councils must show that people with disability have been regularly engaged and that inclusion is effectively delivered.

While there have been many major successes in disability action planning over the years, there remains significant scope for improvement. These guidelines acknowledge and seek to build on these successes and encourage improved consultation and involvement of people with disability throughout the planning and implementation process.

Disability inclusion action planning guidelines for Local Government

These guidelines have been adapted from the [NSW Disability Inclusion Action Planning Guidelines](#) developed by the NSW Department of Family and Community Services (FACS). While these guidelines reflect the same underlying principles of inclusion and engagement, they have been prepared to include additional material to practically address the implementation of disability inclusion action planning by NSW councils. These guidelines have been developed in consultation with FACS, Local Government NSW (LGNSW), the Office of Local Government and a Steering Group including representatives from councils, the NSW Disability Council and COTA NSW.

These guidelines apply to all NSW councils.

Key elements incorporated in these guidelines for Local Government:

- Alignment with the IP&R framework
- The business case for inclusion of people with disability in our communities
- Consideration of strategic regional partnerships to support inclusion of people with disability
- Description of a range of Local Government case studies to reflect the disability inclusion key outcome areas and inclusion planning process
- Identification of key performance indicators to support annual reporting of disability inclusion action planning.

Disability inclusion action planning should be positioned as core business and integrated with the IP&R cycle, so that elected members and council staff at every level consider inclusion of people with disability in their business.

Format

These guidelines have been arranged into sections as follows:

Section 1: Provides an overview of disability inclusion action planning including the current legislative context, the business case for inclusion and key changes to the disability inclusion action planning process.

Section 2: Summarises the disability inclusion focus areas and identifies how these apply to Local Government.

Section 3: Outlines the disability inclusion action planning process for Local Government with a focus on integration with the IP&R framework.

Section 4: Details the planning and implementation steps of a disability inclusion action planning process including addressing the legislated requirements for Local Government.

Section 5: Identifies additional resources and support available to councils, including information on performance indicators.

For additional support or information:

Local Government NSW

Key contact: Senior Policy Officer – Ageing and Disability

Phone: 02 9242 4000

Email: lgnsw@lgnsw.org.au

Webpage: www.lgnsw.org.au

NSW Office of Local Government

Phone: 02 4428 4100

Email: olg@olg.nsw.gov.au

Webpage: www.olg.nsw.gov.au

NSW Family and Community Services

Disability Inclusion line on 1800 782 306

Email: nswdip@facs.nsw.gov.au

Webpage: www.facs.nsw.gov.au/diap

1 Overview

The NSW Government is committed to disability inclusion to build a strong and equitable community.

They support the fundamental right of choice for people with disability in our society. People with disability must have the same right to choose how they live their lives, to access opportunities and enjoy the benefits of living and working in our society as all residents do. This belief underpins disability inclusion planning in the NSW Local Government sector and the objective to ensure that local services, facilities and programs provided by councils are inclusive.



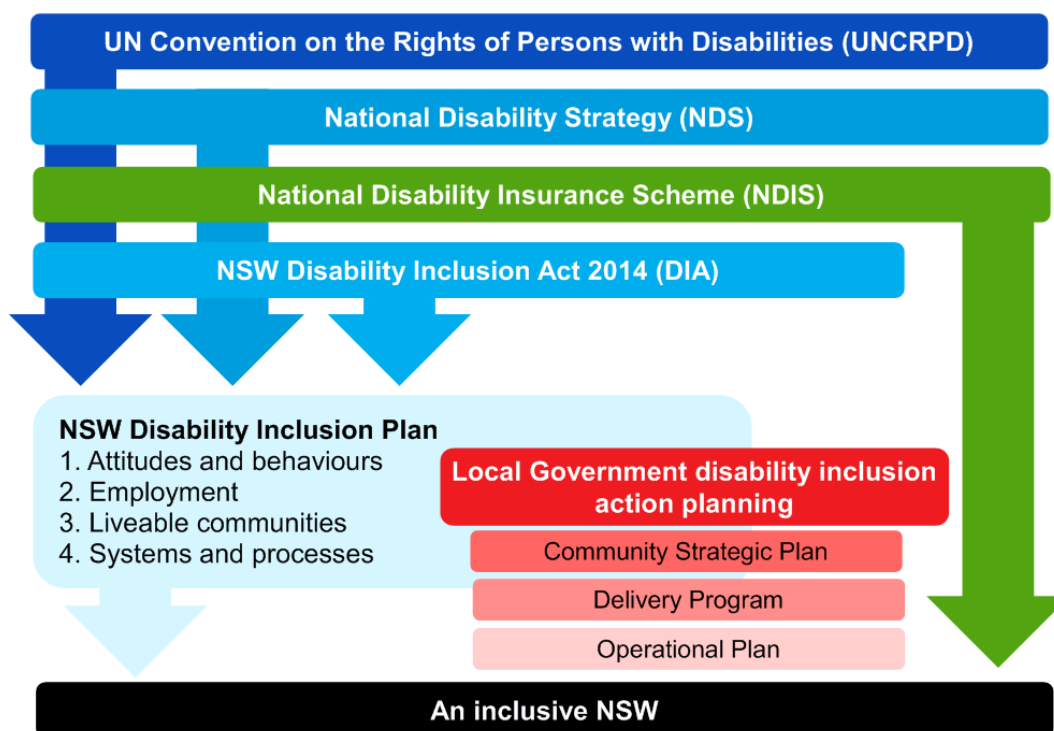
In twenty years, men may be able to live on the moon. In forty years we may get to Mars. In the next 200 years we may leave the solar system and head for the stars. But meanwhile, we would like to get to the supermarket, the cinema, restaurants.”

Stephen Hawking

1.1 Policy and legislative framework

NSW is currently undergoing a period of major reform in the disability sector. Within this, there is an on-going commitment to improving inclusion for people with disability.

Figure 1 The relationships between the relevant policy and legislative instruments



Disability inclusion action planning should reflect the unique legislative and policy responsibilities of Local Government.

United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

The UNCRPD, ratified by Australia in 2008, acknowledges that people with disability have the same human rights as those without disability. This commits participating governments to ensure these rights can be exercised and that barriers are removed. The UNCRPD supports the social model of disability. This recognises that attitudes, practices and structures are disabling and can create barriers to people with disability from enjoying economic participation, social inclusion and equality which are not an inevitable outcome of their disability.



Ideally, we want to live in a dignified and simplified society where we have the confidence and self-esteem to speak our mind and have the opportunities that everyone has.”¹

National Disability Strategy 2010-2020 (NDS)

The NDS 2010-2020, developed in partnership by the Commonwealth, State, Territory and Local Governments, sets out a national plan for improving life for Australians with disability, their families and carers, to support the commitment made to the UNCRPD.

The NDS NSW Implementation Plan 2012-2014 was the NSW Government’s initial two-year strategy to promote the principles of the NDS.

Actions in the Implementation Plan that involve councils include:

- Implementing Web Content Accessibility Guidelines 2.0 Level AA
- Implementing local strategic plans and delivery programs
- Integrating NSW guidelines on universal design principles and *Disability (Access to Premises - Buildings) Standards 2010*
- Improving the availability of accessible toilets
- Supporting access to sports and recreation facilities
- Identifying measures to encourage people with disability to stand for election to Local Government
- Increasing internal workforce diversity.

The majority of these actions have now been aligned with the aims and objectives of the *NSW Disability Inclusion Act 2014* and NSW Disability Inclusion Plan.

National Disability Insurance Scheme

The National Disability Insurance Scheme (NDIS) is a major reform that will deliver a national system of disability support focused on the individual needs and choices of people with disability. The NDIS gives participants more choice and control over how, when and where supports are provided. Funding is allocated to each eligible individual, rather than block

¹ Submission to Shut Out: The Experience of People with Disabilities and their Families in Australia (2009) Australian Government Department of Families, Housing, Community Services and Indigenous Affairs and the National People with Disabilities and Carer Council, 2009

funding being allocated to service providers. The NDIS will roll out across the whole of NSW by 2018.

The role of councils in the NDIS will vary depending on their community, their relationship with local disability interests, and role within disability service provision. While the NDIS presents a new method of funding services required by people with disability, the role of Local Government in delivering inclusion is much broader than simply service provision. Disability inclusion action planning is complementary to the NDIS, and will assist councils in breaking down local barriers to full participation by people with disability in the community.

NSW Disability Inclusion Act 2014

The [Disability Inclusion Act 2014 \(DIA\)](#) defines disability as:



The long-term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder the full and effective participation in society on an equal basis with others.”

This definition reinforces the importance of the social model of disability which focuses on the interaction between people living with a range of impairments and their physical and social environment. Disability is not just about the individual or their impairment. The onus to break down barriers rests with the whole community.

The DIA's person-centred approach provides the legal foundation for regulating supports, services, and funding to people with disability until full transition to the National Disability Insurance Scheme (NDIS). The DIA mandates the development of the NSW Disability Inclusion Plan and individual State Government agency disability inclusion action plans to support people with disability beyond the NDIS.

The DIA also encourages planning and coordination across state and Local Government to reduce barriers for people with disability. It mandates Local Government to undertake disability inclusion action planning while recognising that disability action planning is not a new approach for some councils. A number of NSW councils have an existing disability action plan as a consequence of the federal *Disability Discrimination Act (1992)* and subsequent associated court cases.

The DIA also builds on existing social equity requirements within the IP&R framework to strengthen Local Government commitment to inclusion, consultation and rights for people with disability.

Under the [Disability Inclusion Regulation 2014](#), councils must prepare a disability inclusion action plan by 1 July 2017. This plan can be addressed through the Local Government integrated planning process.

This timing is designed to fit the current Community Strategic Planning and Delivery Program cycle. Disability inclusion action planning plays a critical role in identifying and delivering on practical measures to transform intent into action by Local Government.

It is essential to consider the diversity of people with disability in action planning for inclusion. 'People with disability' does not refer to a readily identifiable group, but to a wider community who may need support to fully participate in society, whether temporarily or throughout their lives. This might include, for instance, people with changing abilities due to ageing, people with a temporary illness or injury that affects their ability to participate, children with disability, Aboriginal and Torres Strait Islander people with disability, or people with disability from culturally and linguistically diverse backgrounds.

Other legislation, which has relevance to the delivery of disability inclusion action planning for Local Government, includes:

- [Commonwealth Disability Discrimination Act 1992 \(DDA\)](#)
- [Commonwealth Disability \(Access to Premises — Buildings\) Standards 2010](#)
- [NSW Anti-Discrimination Act 1977 \(ADA\)](#)
- [Local Government Act 1993](#) and [Local Government \(General\) Regulation 2005](#).

1.2 The case for inclusion

Personal choice and control is only possible when communities are inclusive for all people with disability, including those with physical, intellectual, cognitive, sensory disabilities and those with mental health conditions. Real diversity cannot be realised unless people with disability are provided with the opportunities inherent in truly inclusive communities. Local Government plays a key role in both protecting the rights of people with disability and in promoting the value of diversity and inclusion across the community.

There is an underlying social responsibility for Local Government to work to remove barriers to people with disability fully participating in society. There are also sound economic reasons to increase inclusiveness such as reduced reliance by people with disability on others or on specialist services.

In addition to the human rights imperative the case for an inclusive community is strong:

- As a community, we are poorer without a diverse range of viewpoints and individual perspectives
- Exclusion leads to disadvantage and discrimination, which have far reaching negative impacts across all aspects of life, including health, welfare, education and employment. These impacts are felt beyond the individual, with families and the broader community being negatively impacted by a non-inclusive community
- There is a strong economic imperative for increasing the inclusiveness of our society. Employment can provide independence, reduce reliance on government income support and improve the living standards of people with disability. This can also have positive health impacts and contribute to a greater sense of self-worth
- Providing physical access to businesses benefits not only people with disability, but older people, parents with prams and business owners by expanding their business reach
- With an ageing population there is a growing need to not simply create places for older people but ensure that all places are designed to support people regardless of age.

There are a number of factors contributing to the case for an inclusive community in the Local Government context:

- Disability inclusion action planning presents an opportunity for councils to work towards meeting the objectives of their community strategic plans, which generally align with the principles of inclusion and social justice

- Removing barriers for people with disability supports the inclusion of members of the local community who may otherwise fall outside of identified definitions of disadvantage
- Early planning and intervention presents an opportunity for long-term savings to the community, reducing the need for retrospective action such as retrofits. This is a particularly important consideration given that Australia's ageing population is also likely to increase the number of people with disability in the community
- Inclusion improves opportunities for participation in the local economy, with the potential to increase economic activity within the Local Government Area.

Each council will have a unique business case for supporting inclusion of people with disability. This rationale should be explored and documented in the disability inclusion action planning process.

1.3 Delivering on inclusion

These guidelines outline the planning requirements and propose a pathway for Local Government to work towards an inclusive community.

Some councils may already have plans in place that meet the criteria of a disability inclusion action plan. They will not be required to deliver a new plan or action planning process but will need to meet the ongoing legislative requirements as directed by DIA (see Local Government Disability Inclusion Checklist Section 4.2). This includes ensuring that their existing plan is reflected in their Delivery Program and Resourcing Strategy.

Action Planning or an Action Plan

Under the new legislation, a disability inclusion action plan may be a separate document, or part of a document prepared for another purpose if this fulfils the same requirements as outlined in the DIA. This means that councils are not required to prepare a standalone disability inclusion action plan, but that disability inclusion action planning can be incorporated into the IP&R framework.

Councils can either develop a disability inclusion action plan that will inform the IP&R process, or directly integrate disability inclusion action planning requirements throughout their IP&R framework. This choice recognises the importance of the existing IP&R framework as a driver of decision-making in Local Government.

Each council needs to determine how best to address the needs of people with disability in their community through their action planning process. The approach should reflect local characteristics, strengths and governance structures as well as identify, collate and coordinate specific actions for inclusion that inform IP&R outcomes.

While the guidelines are aligned with the areas of focus of the NSW Disability Inclusion Plan, councils will need to operate within their own legislative and compliance framework, particularly the IP&R framework as well as ensure compliance with Commonwealth legislation (DDA).

It is recognised that councils work under multiple regulatory and compliance frameworks which impact delivery of, for example, housing, transport and employment. These frameworks do not necessarily support inclusion objectives and can present challenges to the development and delivery of disability inclusion actions. Inclusion planning provides an opportunity for a concerted whole of council approach that supports cross-departmental

collaboration and on-going dialogue to overcome any conflicts in existing planning and delivery frameworks.

Key changes to disability inclusion action planning under the DIA include:

- **Name** – Previously known as Disability Action Plans, the DIA now requires NSW public authorities to have Disability Inclusion Action Plans (DIAPs)
- **Legislative basis** – The *Disability Services Act 1993* has been replaced by the *Disability Inclusion Act 2014*, which requires all government departments and certain public authorities, including councils, in NSW to have a Disability Inclusion Action Plan
- **Key focus areas** – The four areas (attitudes and behaviours, liveable communities, employment, and systems and processes) are aligned to the NSW Disability Inclusion Plan priority areas, identified by people with disability as the focus for concerted and sustained attention
- **Consultation** – A greater emphasis on consultation at all stages of planning, implementation and monitoring and direction on how to conduct inclusive consultation with stakeholders, staff and the community have been included
- **Reporting** – New public monitoring and reporting requirements through Local Government Annual Reports and dissemination of reports to the Minister
- **Governance** – Highlighting the importance of leadership, governance and accountability being in place at the outset and effective arrangements are agreed to support implementation.

2 Disability inclusion focus areas

The NSW Disability Inclusion Plan provides a strategy to implement the DIA and address the National Disability Strategy 2010-2020 principles across government and the community.

It sets out:

1. The whole of government goals that support the inclusion of people with disability in the community and improve access to services and community facilities by people with disability; and
2. Provides for collaboration and co-ordination among public authorities, including Local Government, in the provision of supports and services.

The NSW Disability Inclusion Plan identifies four key focus areas, nominated by people with disability, as being of primary importance in creating an inclusive community.

These are:

- Developing positive community **attitudes and behaviours**
- Creating **liveable communities**
- Supporting access to **meaningful employment**
- Improving access to services through better **systems and processes**.

Each focus area is summarised below.

2.1 Attitudes and behaviour

The attitudes and behaviours of the general community towards people with disability have been described as the single greatest barrier to full access and inclusion. Consultation to date has identified that attitudes towards people with disability are often determined by ignorance, fear, or lack of opportunity to interact. It is important that council staff and councillors display a positive attitude to people with disability and focus on measures to support positive and inclusive attitudes and behaviours across the community.

Examples of actions by Local Government might include:

- Integrating training on access and inclusion into staff induction practices
- Including images of people with disability in mainstream publications and in promotion of mainstream events, not just for disability specific areas
- Reviewing and adjusting funding agreements and contracts to specify delivery of accessible and inclusive services and programs by third parties or contractors
- Developing public messages and campaigns that highlight inclusion and recognise the rights and contribution of people with disability in the community
- Involving people with disability in the development of communication campaigns regarding inclusion.

Practice examples – attitudes and behaviour

Ku-ring-gai Council is developing a workforce training program to up-skill Council staff with access and disability knowledge relevant to their area of work. Council staff will attend conferences, forums, workshops, field placements, active engagement and access walks as appropriate.

Tweed Shire Council, since 2013 has celebrated achievement and innovation in building an accessible community through its annual Access and Inclusion Awards. They recognise and acknowledge action by individuals, community groups, organisations and businesses that build and promote an accessible and inclusive community for everyone in the Tweed. They include the Belonging Award, to encourage social inclusion of children with a disability and My Choice Matters short film making project.

Canterbury Council provides disability awareness training as part of their three day induction course for new staff.

2.2 Liveable Communities

Liveable communities are important for all people in the community and are achieved by applying the principles of universal design. Attention and resources should be focussed on the elements of community life that are of highest importance to people with disability. Creating liveable communities is more than modifying the physical environment; it covers areas such as universal housing design, access to transport, community recreation, council policies and social engagement.

Universal design

Universal design is defined by UNCRPD as the design of products, environments, programs and services to be usable by all people of different ages and abilities over time, to the greatest extent possible, without the need for adaptation or specialised design.

Seven principles of universal design were established by a working group of architects, product designers, engineers and environmental design researchers to guide design disciplines. [<http://universaldesign.ie/What-is-Universal-Design/The-7-Principles>]

Examples of actions might include:

- Providing accessible toilets in all public buildings
- Providing change tables (including adult change tables and hoists) in appropriate locations
- Providing continuous accessible paths of travel (CAPT) between facilities and services in town centres
- Going beyond access standards to apply the principles of universal design in the planning of new housing, infrastructure and buildings
- Ensuring community events are accessible through early consideration of venues, transport, toilets, parking and accessibility

- Engaging people with disability in the design and planning phases of new infrastructure and buildings to support truly accessible and inclusive assets (especially as current building standards can be inadequate)
- Conducting audits of buildings owned or leased by council to assess compliance with Australian standards for access and mobility (AS1428 parts 1 to 5)
- Ensuring all community recreation, cultural and social programs are inclusive and accessible.

Practice examples – liveable communities

Marrickville Council's Access Committee provides recommendations on matters relating to access for people with disabilities to Council facilities and services and within the community generally. Council is currently reviewing its Access and Mobility Kit and preparing a set of guidelines to support implementation of the recently introduced Commonwealth Disability (Access to Premises – Buildings) Standards 2010.

Armidale Dumaresq Council has been supporting the identification and mapping of accessible toilets through the National Public Toilet Map Project. In NSW this project involves a partnership between the Department of Family and Community Services and Spinal Cord Injuries Australia. Council has offered a \$100 gift voucher for anyone willing to volunteer as an Access Officer.

Penrith City Council's Disability Access Improvement Program provides \$35,000 annually to improve access to Council facilities and services. The budget covers the cost of making older Council buildings compliant with Australian building codes and other access requirements. This includes tactile ground surface indicators, adaptive equipment and technologies for Council libraries, sliding doors, hearing loops in Council Chambers, ramps, handrails adult change tables, and accessible toilet facilities.

2.3 Employment

Employment and economic security for most people are closely related. Employment contributes to independence and feelings of self-worth, social interaction and mental health, and increases opportunities to support individual choice and control. Employment rates for people with disability are significantly lower than those without disability across all sectors. People with disability experience multiple barriers at all stages of the employment process, ranging from inaccessible interview venues, lack of reasonable adjustments to the work environment, poor career planning opportunities, rigid role descriptions and online testing that may place applicants at a disadvantage. These factors reduce their opportunities to gain and retain or improve employment. Organisational commitment to workforce diversity and inclusion is also closely linked to strong business performance.

Examples of actions might include:

- Designing all work as flexibly as possible, with a focus on achieving the desired outcomes rather than starting from required work methods, location, hours and so on
- Actively developing a respectful and welcoming work culture including flexibility and accountability for all staff in the way that they work as well as specific attraction and retention strategies

- Making diversity and inclusion a key consideration for strategic workforce planning and develop position advertisements that welcome disability
- Designing role specifications and recruitment processes to optimise the opportunities given to all applicants to demonstrate their merits against the job requirements
- Incorporating strategies and plans into learning and development opportunities as well as career planning
- Making equity and access key criteria for decisions about physical infrastructure, and information and communications technology
- Keeping inclusion front-of-mind when designing workforce management processes and practices
- Reasonable adjustment to the workplace to change a work process, practice, procedure or environment to support an employee with disability to perform their job (see www.and.org.au for further information on 'reasonable adjustment to a workplace').

Many people with disability do not wish to identify as having a disability when applying for a job as they fear a negative consequence. People with disability are more likely to respond to job advertisements that actively demonstrate a culture that is inclusive and disability conscious.

Practice examples – employment

Shoalhaven City Council is working to facilitate work opportunities for people with disability within council by developing targeted mentoring and work experience programs.

Penrith City Council has engaged with local disability employment providers to identify strategies to enhance opportunities for employment of people with disability. There are identified people with disability across and at all levels of Council's workforce.

Byron Shire Council has reviewed its recruitment procedures to support non-discrimination of people with disability. Council has also identified specific training needs and resources required to support current and future employees with disability.

Holroyd City Council has prepared a Reasonable Adjustment Policy and procedures to support an inclusive and flexible work environment that supports and values diversity. It identifies adjustments to the workplace environment or working arrangements such as an agreement to provide flexible work practices, work area or job design, alternative duties or improved access and ensuring people with disability are not disadvantaged by restructuring or relocation of services.

2.4 Systems and processes

A common issue for people with disability is the difficulty in navigating systems and processes to access the services and supports they need in the community. Some of these difficulties stem from the quality of service and training of front line personnel, the systems and processes required to access services, and the lack of accessible options for communicating, accessing information or providing input or feedback. There can be confusion and significant differences in which services are provided by Local Government.

A number of communication formats should be considered to provide accessibility for people with a range of disabilities. For example:

Vision impairments – audio, audio description, Braille, Moon², telephone

Learning disabilities and literacy difficulties – audio, audio description, easy read, easy access, subtitles

Hearing – Auslan, subtitling, textphone, SMS

Co-ordination difficulties – large print, audio, audio description, telephone.

Web Content Accessibility Guidelines 2.0 (WCAG 2.0)

WCAG 2.0 is an international technical standard to make web content more accessible to people with disabilities. It relates to the information in a web page or application including:

- Natural information such as text, images and sounds
- Code or mark-up that defines structure and presentation.

There are three levels of conformance from Level 'A' (lowest) to Level AAA (highest) based on meeting the principles of web accessibility.

Federal and NSW Government agencies are required to be compliant with WCAG 2.0 AA by 2014. The *Disability Discrimination Act 2014* requires equal access for people with disability to information and online services through the web. There is a strong mandate on Local Government to work towards achieving compliance with WCAG 2.0 AA.

Examples of actions to support improvements in this area might include:

- Ensuring all service information is available in a range of formats to support different needs and capabilities
- Ensuring service users have access to communications supports such as hearing loops, touch screens and translation services
- Ensuring feedback and complaint mechanisms can be accessed by people with a range of disabilities
- Ensuring web content is compliant with at least conformance level AA in the W3Cs Web Content Accessibility Guidelines
- Providing a mechanism for feedback on access and inclusion in the council area.
- Ensuring internal systems and processes are designed to allow for inclusion of staff with a range of disabilities

² Moon is a simplified raised line version of the Roman print alphabet particularly useful for young blind children with additional learning or motor difficulties or people who have lost their vision later in life.

- Using non-technology reliant communications methods such as local newspapers, letterbox drops and library information boards.

Practice examples – systems and processes

Singleton Council ensures that community consultation events are held in accessible venues and use a range of formats that consider the needs of people with hearing or vision limitations. Council's Community Engagement Strategy will also incorporate principles around the inclusion of people with disability.

City of Auburn is reviewing and implementing changes to make Council's provision of information more accessible, including providing news items and information in a range of accessible formats and providing a range of assistive technology facilities through its library services.

3 Disability inclusion action planning

3.1 Alignment with Local Government planning and reporting

Councils are encouraged to integrate disability inclusion within their IP&R process including ensuring that the disability inclusion action planning process and associated funding allocations are directly linked to their Delivery Program and Resourcing Strategy.

The IP&R framework requires councils to draw their various plans together, to understand how they interact and to get the maximum leverage from their efforts by planning holistically for the future. It recognises that council plans and policies should not exist in isolation but are connected and coordinated. Planning for inclusion and access needs to be considered a core component of this framework.

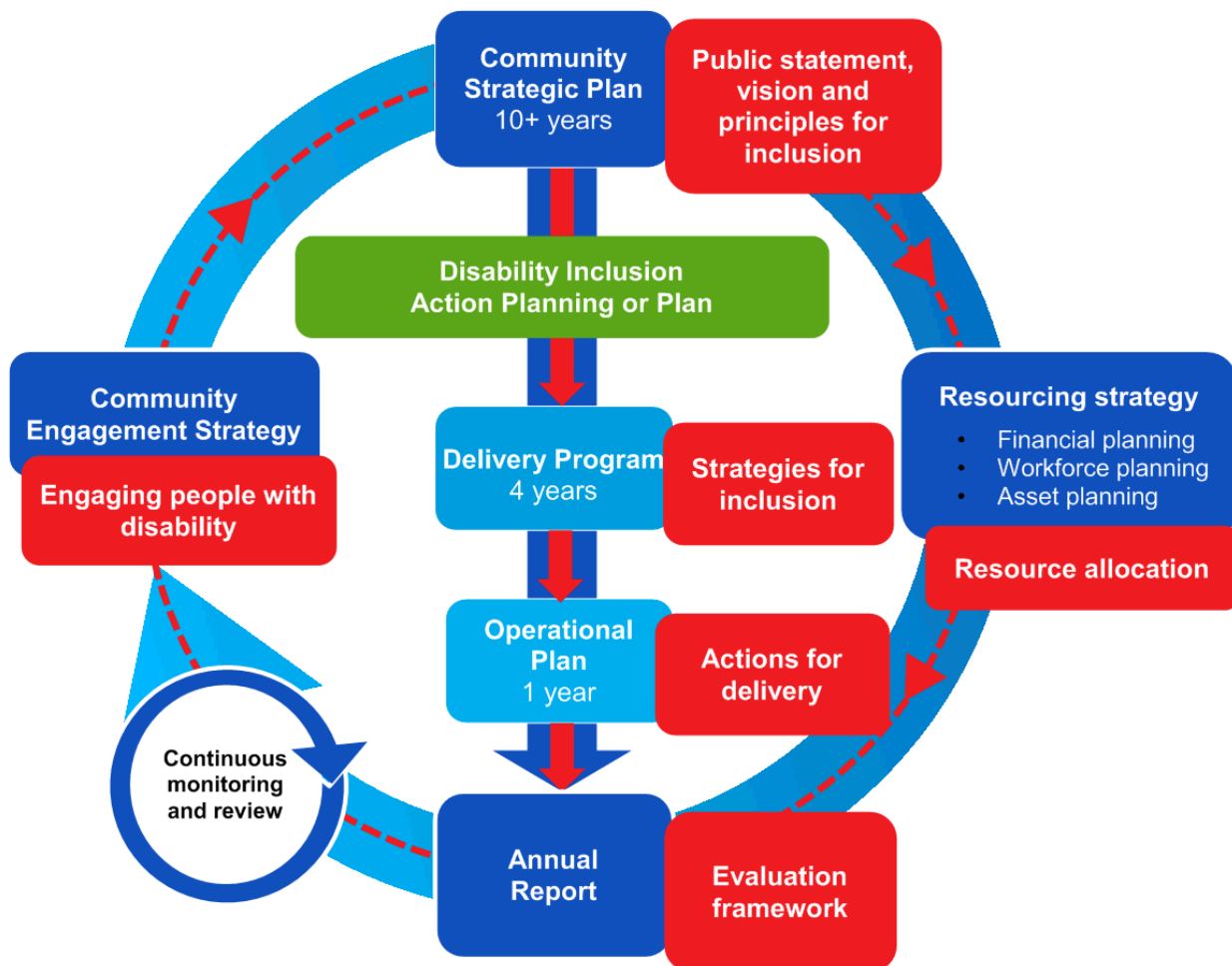
This table identifies how the elements of disability inclusion action planning could be reflected in IP&R documentation (councils may wish, however, to incorporate additional steps to address specific local conditions and priorities).

Table 1 Linking disability inclusion action planning to IP&R

Disability inclusion action planning element	IP&R documentation
Public statement of commitment to accessibility and inclusion promoting equal rights for all	Mayoral message/ Introduction - Community Strategic Plan
Vision for inclusion to be communicated across council, for councillors, staff, stakeholders and the broader community	Vision, mission and values - Community Strategic Plan
Principles of inclusion that outline council's specific approach given its operating environment, local community and staff profile. Principles are an important education tool to staff across council. They should clearly outline the intent of the organisation in regards to disability inclusion as well as the responsibility to consider disability inclusion in all operational and planning matters.	Strategic goals – Community Strategic Plan / Delivery Program / Community Engagement Strategy
Community and staff disability profile to demonstrate inclusion as well as identify priority areas and population groups.	Community and staff profile – Annual Report / Workforce Strategy (Resourcing Strategy)

Disability inclusion action planning element	IP&R documentation
Policy and legislative context including provisions and standards for people with disability that apply to council	Legal framework – DIAP guidelines and Delivery Program
Inclusive consultation strategy that directly engages with the disability community of all ages to identify real life solutions for inclusion	Community Engagement Strategy as part of the Community Strategic Plan
Strategies and actions for inclusion of people with disability that address each of the four focus areas of the NSW Disability Inclusion Plan.	Strategies and actions – Community Strategic Plan / Delivery Program/ Annual Operational Plan
Resourcing for actions including responsibility and budget allocation	Responsibility and budget – Resourcing Strategy, including Long-Term Financial Plan, Workforce Strategy and Asset Management Strategy and Plans
Evaluation framework (monitoring, reviewing and reporting) that addresses key performance indicators to assess actions within each plan	Measures (key performance indicators), targets, progress – Annual Report and End of Term Report

Figure 2 Relationship between the IP&R framework and Disability Inclusion Action Planning



3.2 Action planning example

The table below provides a suggested approach for how issues associated with disability inclusion can be addressed within the IP&R framework.

Table 2 Examples of embedding disability inclusion within an IP&R framework

1: Key Focus Area – Attitudes and behaviours				
Community Strategic Plan - Goal	Disability inclusion related principle	Delivery Program strategy – 4 years	Operational Plan action – 1 year	Performance measure
1.1. An active cultural life	1.2. Council and community programs, events and facilities encourage participation of people of all abilities, and celebrate and value diversity	1.3. Work with local disability organisations and the community to make events, activities and facilities accessible and inclusive	1.4. Prepare inclusion and access guidelines for cultural and community events	1.5. Participation rates of people with disability in council programs and events (Data: event feedback)
1.6. A welcoming community	1.7. Council information and service represents best practice disability inclusion and social justice service provision	1.8. Investigate and provide training in best practice inclusion service for front-line and customer service staff such as BS 18477: Inclusive Service Provision	1.9. Develop specific training for front line and customer service staff to demonstrate competency in inclusive practice and service provision	1.10. Percentage of staff completed accredited inclusive service provision. (Data: Internal)
1.11. Key indicator: Percentage of residents with disability who are satisfied with council's customer service and ability to participate in council programs and events. (Data: Community survey)				

2: Key Focus Area – Liveable communities				
Community Strategic Plan - Goal	Disability inclusion related principle	Delivery Program strategy – 4 years	Operational Plan action – 1 year	Performance measure
2.1. An accessible community	2.2. The built environment is inclusive and accessible for people of all abilities	2.3. Progressively upgrade council owned assets to meet Access to Premises Standards or relevant best practice approach	2.4. Review and upgrade council's sub-district libraries to meet Standards.	2.5. Percentage of council owned assets meeting Access to Premises Standards (Data: building asset audit)
2.1. An accessible community	2.6. Essential public infrastructure meets the needs of people of all abilities	2.7. Review and progressively upgrade key designated accessible toilets.	2.8. Provide adult change facilities in at least three key destination public toilets within the LGA.	2.9. Percentage of public toilets that are accessible (Data: public facilities audit)
2.10. A mobile community	2.11. Ease of movement is available for people of all abilities	2.12. Review Continuous Accessible Path of travel (CAPT) in major shopping precinct of LGA	2.13. Conduct an Access Audit of shopping precinct and work plans to upgrade footpaths	2.14. Percentage of key destination footpaths that achieve CAPT standards.
<p>2.15. Key indicator: Percentage of residents with disability who are satisfied with the accessibility of council owned assets and / or the wider physical environment Data: Community survey</p>				

3: Key Focus Area – Employment				
Community Strategic Plan - Goal	Disability inclusion related principle	Delivery Program strategy – 4 years	Operational Plan action – 1 year	Performance measure
3.1. A community where people can work locally	3.2. Support employment opportunities and economic security for residents of all abilities	3.3. Employ and maintain a diverse workforce by making diversity and inclusion key to strategic	3.4. Work with local disability employment providers to identify and remove barriers to council employment for	3.5. Proportion of council staff (self-identifying) as living with disability at each level of the organisation (Data: internal

3: Key Focus Area – Employment				
		workforce planning	people with disability	council staff audit)
3.6. A community that supports life-long learning	3.7. Support education and training opportunities for residents of all abilities	3.8. Identify and encourage pathways from education to employment, for people with disability	3.9. Host a youth, disability and employment information session for young people with disability who are about to leave school and enter the workforce	3.10. Proportion of school leavers with disability that have accessed council information or services (Data: community survey)
3.11. Key indicator: Employment rates of people with disability in the council Data: demographic data				

4: Key Focus Area – Systems and processes				
Community Strategic Plan - Goal	Disability inclusion related principle	Delivery Program strategy – 4 years	Operational Plan action – 1 year	Performance measure
4.1. An informed community	4.2. Council information is accessible to people of all abilities in the community	4.3. Provide council information in a range of formats that provides best practice accessibility to services and support for people with disability.	4.4. Audit and revise council's website to be compliant with WCAG 2.0 AA.	4.5. Accessibility of council's website against WCAG 2.0 AA (Data: web audit)
4.1. An informed community	4.2. Council information is accessible to people of all abilities in the community	4.3. Provide council information in a range of formats that provides best practice accessibility to services and support for	4.6. Publicly produce significant documents in a range of formats.	4.7. Percentage of council documents that are accessible.

4: Key Focus Area – Systems and processes				
		people with disability.		
4.8. A participatory community	4.9. People of all abilities have the opportunity to participate in democratic and community processes	4.10. Progressively upgrade council provided community meeting spaces	4.11. All major meeting rooms and council's chamber fitted with a hearing loop.	4.12. Percentage of council provided community meeting rooms fitted with a hearing loop.
4.13. An engaged community	4.14. People of all abilities can share their views on local issues by participating in council's consultations and committees	4.15. Ensure council's community engagement program is accessible and inclusive	4.16. Provide training for council staff on inclusive community engagement 4.17. Advertise meetings and consultations in a range of formats and hold events in accessible venues	4.18. Participation / attendance rates of people with disability in consultations and committees (Data: consultation feedback)
4.19. Key Indicator: Percentage of people with disability who are satisfied with the level of access to council services and information. (Data: Community survey)				

3.3 Regional cooperation

Establishing relationships and partnerships across Local Government Areas provides an opportunity to share learnings and build a community of knowledge.

Councils have identified limited resources, such as dedicated and professional disability inclusion staff, and funding shortfalls as one of the major barriers to the effective implementation of disability inclusion action planning. This is particularly the case in regional and rural communities, where distances and a scattered disability community impact on the effectiveness of a business case for inclusion of people with disability. Opportunities should be explored for efficiencies through sharing information as well as human and financial resources across Local Government Areas. There are also a number of grant and funding opportunities which prioritise regional Local Government cooperation.

Regional cooperation between councils has involved a wide range of external and internal organisational functions such as research, service delivery, information exchange and political advocacy. All of these activities should incorporate disability inclusion, including sharing the services of a dedicated officer with expertise in inclusion planning across a number of Local Government regions.

Joint Organisations

Joint Organisations (JOs), part of the NSW Government's endeavour to strengthen Local Government across the State, are intended to provide a forum for councils and the State to work together on issues that cut across traditional council boundaries – such as jobs, education, housing, roads and transport.

It is envisaged that JOs will help to connect local priorities from council Community Strategic Plans with regional planning for growth, infrastructure and economic development. Joint Organisations will have three core functions:

- Regional strategic planning
- Working with State Government
- Regional leadership and advocacy.

While the disability inclusion action planning process needs to take place at the council level, it will be useful for councils to consider the potential of strategic planning and delivery at a regional level as the JO model matures. Particularly important will be the likely role of JOs in working with the State government and connecting councils' priorities for their communities to wider regional and sub-regional strategic plans.

There are other avenues for increased regional and state cooperation to drive service and planning issues related to inclusion of people with disability. This includes working with FACS district officers to drive coordinated regional approaches between councils and the state government in respect to a number of joint issues such as accommodation, health and carer support. Implementation of the NDIS is also likely to increase coordination of service delivery across Local Government boundaries, as well as between councils, state and national government and disability peak organisations.

4 Planning and implementation

This section outlines a step-by-step approach to assist councils with the disability inclusion action planning and implementation process.

Each council needs to consider their specific operating context, existing planning cycles and objectives and adjust this approach for development and implementation accordingly.



4.1 Disability inclusion action planning and implementation process

Step 1: Allocate ownership and responsibility

Before allocating specific responsibilities in development and implementation, at least one executive level sponsor should be identified within council. This might be the Mayor, Councillor, General Manager or another staff member at the executive level. The sponsor(s) will champion the importance of inclusion planning for people with disability throughout council, assume overall accountability for resourcing and planning decisions, and commit to driving the disability inclusion action planning process.

Disability inclusion action planning should be sponsored and championed at the executive level to position inclusion planning as integral to all actions and processes.

A lead officer or project manager should be identified to lead development and implementation of the action planning process. They will act as a coordinator and primary resource for the process. Whether acting within a multi-disciplinary working group or as a sole project officer, it is important they clearly map out the proposed disability inclusion action planning process and gain sign off from the Executive.

Disability inclusion action planning requires a range of skills and expertise across council's service areas such as community consultation, strategic and operational planning, engineering and organisational change. Whether the action planning process is managed by a single officer or a team it will require input and carriage from staff across council. It is therefore essential that an internal and on-going education and communication strategy is designed and delivered in parallel with the action planning process to build understanding and support for inclusion.

Councils should identify how they will provide a multi-disciplinary, cross-organisation approach to support the disability inclusion action planning process.

Multi-disciplinary input

There are a range of options that councils could use to incorporate cross-council feedback into its disability inclusion action planning process, such as:

- Multi-disciplinary project steering group
- Initial cross-council planning workshop
- Regular cross-council consultation activities (one-on-one meetings / staff surveys and feedback mechanisms)
- Cross-departmental presentations.

Council could also consider bringing in outside expertise to assist in the disability inclusion action planning process where appropriate. This could include people with disability, representatives of disability organisations, or members of council's access committee.

Step 2: Map your functions, facilities, services and information sources

For an effective disability inclusion action planning process, a clear picture of council's overall operating environment and opportunities for improved inclusion should be identified.

Prepare a list of each service area's operations, including programs, facilities, public information sources and services. In addition, typical service user pathways should be identified.

Once each service area is documented:

- Identify any existing barriers and opportunities for improved inclusion
- Prepare actions, resources, strategies and approaches to improve inclusion
- Review through consultation with staff or community members with disability and the disability sector.

Resources must be allocated for disability inclusion action planning development and implementation.

Step 3: Establish governance and accountability arrangements

In order for disability inclusion action planning to be successfully implemented and drive real and lasting change, the governance and accountability arrangements must be established early and communicated clearly. This will involve articulating the disability inclusion action planning process and management responsibility for delivery to council's executive and the community. Clarifying how disability inclusion action planning will be integrated with implementation and reporting of the IP&R framework is also important, including whether a disability inclusion action plan or action planning process will be undertaken.

Governance and accountability arrangements may involve specific processes such as:

- Incorporating inclusion outcomes (e.g. percentage of employees with disability, in senior management contracts and performance documents)
- Allocating responsibility for action delivery within job descriptions
- Including quarterly updates of disability inclusion action planning implementation and progress as a standing item of council
- Providing a clear feedback and response mechanism for the disability community to review and comment on the development and implementation of the disability inclusion action planning process.

Governance and accountability structures should link disability inclusion planning, implementation and reporting directly to the executive level of council and to people with disability in the community.

Step 4: Consultation and co-design with customers, staff and the community

An essential element in the disability inclusion action planning process is community consultation and engagement. This ensures the plan is focused on the needs of staff, customers and the community. Councils already have a good knowledge of their community and its characteristics, which can be used as a starting point for consultation. When done well, consultation will respect the lived experience of people with disability, empower people to influence the direction of their lives and encourage full participation to enable the identification of barriers and propose solutions.

Section 12 of the DIA mandates that disability inclusion planning should be done in consultation with people with disability.

Consultation and engagement takes time and skill to do well. Consultation with communities and staff with disability is essential in the disability inclusion action planning process, and when considered carefully and included in the early planning stages it adds great value to the process.

It is important to ensure that engagement is not tokenistic or one-off but part of a broader strategy to include people with disability on a range of issues within the community. The rights of people with disability should be respected to be involved in decision making that affects their lives, as well as their right to not participate.

Council can establish engagement guidelines to address inclusion of people with disability within the broader Community Engagement Strategy or develop a separate detailed consultation plan.

When considering any consultation, the following principles should be considered:

- Always make the purpose and scope of consultation clear, including the level of engagement (IAP2 spectrum³ from inform to empower)
- Create a stakeholder matrix to clarify who should be engaged and the priority issues. The audience for consultation will include internal stakeholders, (including staff, managers and executives), people with disability and carers/ families, service providers and peak organisations
- Take into account a variety of access and communication requirements to address the needs of all disability groups, including people with intellectual or cognitive disability or changing abilities due to ageing (see Links and resources: [Section 5.1.3](#) physical access and [Section 5.1.4](#) accessible communication)
- Be mindful that people with disability may require a longer lead time in which to organise transportation to the consultation or may require additional support to attend events
- Acknowledge the cost and value the participation of people with disability including providing reimbursement if possible
- Ensure participants are informed at consultations how their information will be used and report back to participants regarding the results and next steps of engagement
- Report on feedback of received throughout consultation process with details of whether they are included in the final plan and if not, why not.

The consultation strategy should be signed off by the executive level sponsor, to ensure support and encourage participation across all levels of council.

The appropriate consultation methods will vary across NSW councils, depending on size, location, nature of services and service users and the purpose of the consultation. Consultation can be through formal or informal networks, however consider partnering with organisations such as Ability links and FACS District Officers to build on council processes.

³ The IAP2 Public Participation Spectrum sets out the level of participation in any engagement program. It assists organisations in clarifying the level of involvement and commitment to participation in decision-making for each element of the consultation strategy. Further information on the IAP2 spectrum is available at: www.iap2.org.au.

The focus needs to be on the quality of information being received rather than the type of consultation.

Seek additional advice on engagement with people with disability if required. FACS Disability Access and Inclusion and the Disability Council NSW can direct agencies to resources and contacts within key organisations.

See also **Links and resources:** [Section 5.1.5. Engagement](#)

Disability consultative committees

A number of councils utilise a disability advisory group or access committee. These can either be structured with a Councillor chair, requiring a formal process of membership and organisation or more informally structured with no commitment required of Councillors but open to the general public to attend.

Formal committees provide a direct link to council's executive but may have limited scope to address issues outside their specific focus i.e. building accessibility. More casual forum processes are highly democratic and can address a wide range of issues but outcomes may not be considered by council.

Consultative committees can form an important part of the consultation process as they support long term relationship building and informed input from the community. Committees and forums however should be considered as one aspect of a broader approach to support the wider disability community engaging directly in action planning.

Section 12 of the DIA mandates that consultation with people with disability as part of the action planning process is documented. Engagement with people with disability is an essential and ongoing action that should be embedded into disability inclusion action planning. Ongoing engagement supports active involvement of people with disability and provides a mechanism for checking progress and providing feedback

The consultation summary should outline:

- Audiences/organisations involved in the consultation
- The methods utilised in the consultation process
- Brief description of the timeline, from start to finish
- A summary of the influence the consultation had on the content and structure of the disability actions within the IP&R framework or separate Action Plan
- Plans for ongoing consultation
- Accessible mechanisms for people with disability to provide feedback and suggestions over the life of the plan.

Step 5: Develop a risk mitigation strategy

Undertaking risk assessment and developing a risk mitigation strategy provides an opportunity to highlight and draft strategies to address disability inclusion priorities which require most attention and consideration by council. This includes consideration of risks to the design and implementation of the action planning process. This risk assessment in no

way replaces specific project and operational review of activities and service delivery which should be undertaken as a standard approach to action planning.

The first step in risk assessment and mitigation is to determine the level of management response required to address identified issues based on the potential impact of an incident and the likelihood of it occurring. In respect to disability the following consequences of failing to address a disability inclusion issue could be considered.

Table 3 Rating of severity based on the potential consequences of an incident

Rating	Description	Safety	Assets	Services	Reputation	Liability
1 Rare	Minor	Minor injury – first aid or minimal medical treatment	Minor alterations required	Minimal skills, capacity or technical upgrades required	Slight impact	Potential for minor regulatory fines
2 Unlikely	Moderate	Serious injury – hospitalisation	Significant alterations required across multiple assets	Significant skills, capacity or technical changes required	Local impact - local media/ visitor attention	Potential for significant legal/ regulatory fines
3 Possible	Major	Long-term illness or fatality	Major retrofit/ renovations required across multiple assets	Major skills, capacity or technical changes required – across a range of departments	State impact – State media/ government attention	Potential for major legal/ regulatory fines
4 Likely	Catastrophic	Multiple fatalities	Extensive retrofit/ renovations required across multiple assets	Extensive skills, capacity or technical changes required across council	National impact and media attention	Potential for criminal liability

Consideration of likelihood is based on whether the issue identified is likely to cause an incident. Ratings range from 'rare' (has never happened and is unlikely to take place) to 'likely' (have happened in the past and are highly likely to occur again).

These results are then cross-tabulated across a range of likely scenarios to determine priorities for management and mitigation.

Table 4 Example of management response matrix

Rating and impact	Response
<p>Low priority: Minimal risk to council operations or services</p> <p><i>E.g. Non WCAG 2.0 compliant website (Reputational/ services)</i></p>	<p>Review mitigation measures. No additional formal management response required.</p> <p><i>E.g. Identify timeline for audit and rectification of website compliance</i></p>
<p>Moderate priority: Moderate risk to council operations or services</p> <p><i>E.g. Major CAPT issues with local shopping centre due to outdoor dining provisions (Safety/ liability)</i></p>	<p>Address mitigation measures and management steps required.</p> <p><i>E.g. Review compliance with Australian standards and issue notices for rectification if required</i></p>
<p>High priority: Significant risk to council operations or services</p> <p><i>E.g. Major council assets non-accessible to people with disability (Safety/ assets/ liability)</i></p>	<p>Address and provide regular updates of mitigation measures.</p> <p><i>E.g. Develop asset audit and building retrofit program</i></p>
<p>Highest response priority: Severe risk to council operations or services</p> <p><i>E.g. Legal case based on DDA due to council non-compliance (Reputational/ liability)</i></p>	<p>Review and update of mitigation measures – Report to the Executive of vulnerability.</p> <p><i>E.g. Identify compliance issue/ work with peak organisations to establish solutions and seek settlement of legal issue.</i></p>

Staff and communities involved in the development of the Action Plan should be informed of the risk mitigation strategy, and asked to provide input before finalising. The risk mitigation strategy should be overseen by the disability inclusion action planning lead officer or executive level sponsor to promote an objective appraisal of risks.

Risk mitigation provides a process to develop options and actions to enhance opportunities and reduce threats to council.

Step 6: Develop strategies and actions for inclusion

Specific actions are to be determined based on the consultation process, the map of council functions, attention to whole of government actions and in consideration of council-specific priorities and strategic plans. Inclusion action planning must also demonstrate support for the goals of the NSW Disability Inclusion Plan.

For councils, it will be particularly important that inclusion objectives and actions link to the objectives of the Community Strategic Plan as well as the NSW Disability Action Plan focus areas (refer to [Section 2](#)).

For each action, the disability inclusion action planning process should identify the:

- Outcome area
- Action title and description
- Aim and expected outcome

- Target population or audience
- Timeframe for action to be commenced/achieved
- Individual/or area responsible
- Resources
- Specific and measurable indicators to assess performance
- Reporting requirements.

It is important strategies and actions are developed based on a practical assessment of resourcing capabilities and the needs of the community. Clarity around council's legislative and regulatory requirements will also assist in determining priorities for action.

Councils should look to regional cooperation and partnering with external organisations to support mutual objectives as well as identify potential grants and external funding opportunities. Working collaboratively with organisations and the community to develop strategies and actions will support an integrated approach to disability inclusion as well as a united commitment to implementation. This includes knowledge sharing across councils through case studies and provision of policy and program resources to support identification of disability inclusion best practice.

Step 7: Prepare an evaluation framework

A robust reporting and monitoring process that aligns with the IP&R framework is key to implementing the action planning process. It is suggested that councils identify four-yearly key performance indicators that can be integrated into the delivery program monitoring and reporting process as well as performance measures to be reported on annually.

Section 13 of the DIA stipulates that councils in NSW must include reporting on their disability inclusion action planning in their Annual Reports, and as soon as is practicable forward a copy of the relevant part of the Annual Report to the Minister.

Annual reports by council will be part of a report tabled by the Minister on the implementation of disability inclusion action planning to Parliament. This report will be prepared as soon as practical at the end of each financial year.

Regular monitoring of disability inclusion actions will enable councils to:

- Amend their objectives and actions to reflect achievements and adapt and respond to new inclusion challenges
- Redirect attention and resources to areas where changes prove difficult to achieve
- Provide accurate and timely reporting
- Meet their obligations under the DIA including how disability inclusion action planning supports the goals of the NSW Disability Inclusion Plan.

Action Plans should include specific and measurable indicators of success for every action or group of actions and avoid the use of ambiguous timeframes, targets, indicators and responsibilities.

Monitoring and evaluation should be considered during the action planning process, to ensure actions are specific and measureable and appropriate data is collected.

In preparing the monitoring and evaluation strategy, working groups should:

- Identify appropriate key performance indicators for every action

- Identify all data sources required to regularly report the progress against each action, including developing strategies for additional data collection as required
- Determine the responsibility for reporting on the indicators against each action and the arrangements for collating data
- Seek executive level approval and sign-off on the incorporation of key performance indicators and monitoring / reporting arrangements within the Annual Report (and across the IP&R framework as required), to encourage support and commitment across council.

Ongoing engagement with those who are impacted by or benefit from actions provides a mechanism and valuable source of data by which to judge effectiveness.

Section 14 of the DIA requires councils to review their disability inclusion action planning process every four years.

For councils, this has been designed to align with the IP&R framework and four-yearly review of the Community Strategic Plan.

Disability Inclusion Action Planning is dynamic process that should be regularly reviewed and improved, not a standalone document that is developed and shelved.

It is recommended at minimum, council conduct quarterly reviews to monitor progress, as well as a bi-annual internal review to adjust actions as required. An annual review including elements of staff and community consultation to reassess actions and risk mitigation is also recommended. In addition, it is suggested that staff should revisit actions and monitor progress as a standing item on management agendas.

Step 8: Publish your disability inclusion action planning process

Section 12 of the DIA mandates that disability inclusion actions must be readily available to the public.

Councils should publish their disability inclusion action plans in an accessible format and have in place strategies to provide information to those in the community who may have specific access or communication needs. Details of how to produce accessible documents are available in the accompanying fact sheet or on the [FACS website](#).

Section 12 of the DIA mandates that councils must give a copy of their disability inclusion actions to the Disability Council NSW.

For those councils that integrate their Disability Inclusion Action Plan into their IP&R framework this will mean ensuring they can identify and extract relevant objectives and actions from their Community Strategic Plan, Delivery Program and Operational Plan, as part of their disability inclusion action planning process, for submission to the Disability Council NSW and Annual Reports.

Whilst not mandatory, councils are also encouraged to lodge their disability inclusion action plans with the Australian Human Rights Commission as they list and provide links to all plans registered on their website. Over time this will create a community resource that councils will be able to access to inform future planning.

Step 9: Promote disability inclusion action planning to staff and the community

An investment should be made into raising awareness of key principles, strategies and actions within the plans (or the Action Plan) to councillors, staff and the broader community. These methods might include:

- Intranet
- Newsletters, local newspaper articles
- Awards recognising individuals involved in achieving disability inclusion targets
- Integration of disability inclusion action planning in induction processes.

Councils may also consider having a summary format of specific disability inclusion actions and processes for distribution to wider audiences. Summary documents should be in plain English and available in accessible formats.

Disability awareness is at the core of disability inclusion. Training, particularly for frontline service delivery staff, regarding the importance of, and practical steps toward disability inclusion is crucial.

Maintaining a focus on disability inclusion should also be addressed by councils. This may be incorporated into regular updates of implementation of the Community Strategic Plan or associated with a directed internal disability inclusion promotion and information strategy. Suggestions for ongoing performance reporting include:

- Preparation of a disability inclusion education and communication strategy (see Step 1) to run parallel to development and implementation of the action planning process
- Development of a dashboard to report on high level progress against actions and key outcome areas
- Case studies in print or through internal media, to communicate the impact actions are having on staff and residents
- Including a regular standing item within internal communications or council minutes regarding progress.

All of these items are potential actions which can be included in disability inclusion action plans.

Step 10: Implementation of actions

Effective implementation of inclusion planning involves cross-council accountability for delivery of actions. Incorporating strategies and actions into individual business and work programs will ensure staff are clear about roles and responsibilities to deliver on inclusion. This includes the staff member or staff members with the responsibility to track overall progress and outcomes of actions.

Promoting and reinforcing the principles of inclusion to staff members will also support on-going commitment and motivation to implementing actions. Council should seek an adaptive management approach to address any issues with delivering strategies and actions in a timely manner.

Maintaining executive level focus on implementation of disability inclusion actions is key to the on-going success of the action planning process.

Section 13 of the DIA states councils must provide a report on the implementation of the disability inclusion action planning approach in their Annual Report.

Successful implementation of disability inclusion action planning will require on-going collaboration and communication with the disability community and service organisations along with Federal, State and Local Government.

4.2 Compliance checklist

The following table provides a checklist of the mandatory requirements under DIA legislation for councils as part of disability inclusion action planning or a Disability Inclusion Action Plan.

Table 5 Disability inclusion action planning mandatory compliance checklist

Legislative requirements	Tick
Planning	
Have people with disability been consulted in the disability inclusion action planning process?	
Are there strategies and actions to provide access to buildings, events and facilities?	
Are there strategies and actions to provide access to information?	
Are there strategies and actions to support employment of people with disability?	
Are there strategies and actions to encourage and create opportunities for people with disability to access the full range of services and activities available in the community?	
Have you provided a report on your disability inclusion action planning consultation with people with disability to the Disability Council NSW?	
Do actions and strategies support the goals of the NSW Disability Inclusion Act?	
Has a copy of the disability inclusion action planning documentation been given to the Disability Council NSW?	
Is the disability inclusion action planning documentation publicly available?	
Reporting	
Is progress towards achievement of the action planning goals included in the Annual Report?	
Have FACS and the Minister for Disability Services been provided with a copy of the section of the Annual Report that details implementation of disability inclusion action planning?	

5 Additional resources

5.1 Links and resources

5.1.1 Disability inclusion action planning

Department of Family and Community Services have developed a range of resources to assist in disability inclusion action planning. They can be found here:

www.facs.nsw.gov.au/reforms/developing-the-nsw-disability-inclusion-plan/disability-inclusion-action-plans

www.facs.nsw.gov.au/DIAP-Resources

Disability Network Forum has produced a resource to support disability inclusion action planning: www.ncoss.org.au/resources/DNF/forum/141203-NSWDFN-Disability-Inclusion-Action-Plan-Project.pdf

5.1.2 Evidence base for disability inclusion

Australian Bureau of Statistics collections on disability data are available www.abs.gov.au/ausstats/abs@.nsf/Lookup/4430.0Chapter2002012

The NSW Public Service Commission has released a report detailing the employment situation of people with disability in the NSW public sector, *Disabling the Barriers*. www.psc.nsw.gov.au/sector-support/equity-and-diversity/people-with-a-disability

The Australian Human Rights Commission overview of the history and aims of the Commonwealth Disability Discrimination Act 1992. www.humanrights.gov.au/our-work/disability-rights/guides/brief-guide-disability-discrimination-act

It also has publications on disability discrimination www.humanrights.gov.au/publications/disability-rights

5.1.3 Physical access

Standards Australia has written the following standards for disability access to buildings:

- **AS 1428.1-2009** Design for access and mobility - General requirements for access to buildings
- **AS 1428.2-1992** Design for access and mobility - Enhanced and additional requirements - Buildings and facilities
- **AS 1428.3-1992** Design for access and mobility - Requirements for children and adolescents with physical disabilities
- **AS/NZS 1428.4.1:2009** Design for access and mobility - Means to assist the orientation of people with vision impairment - Tactile ground surface indicators
- **AS 1428.5-2010** Design for access and mobility - Communication for people who are deaf or hearing impaired

The Australian Human Rights Commission provides a range of resources on disability and access issues, including information about access to premises and other resources www.humanrights.gov.au

Vision Australia has developed a set of guidelines to improve access to public buildings by people with vision impairment which can be accessed www.visionaustralia.org/business-and-professionals/creating-an-accessible-environment/accessible-design-for-public-buildings

The Australian Network on Disability website has information about evacuation procedures for people with disability which can be accessed www.and.org.au/pages/evacuation-procedures.html

5.1.4 Accessible communication

The UK Government has provided an overview of accessible communication formats www.gov.uk/government/publications/inclusive-communication/accessible-communication-formats

The W3C Guidelines for website design are available www.w3.org/standards/

The Australian Human Rights Commission also provides guidelines on accessible websites: www.humanrights.gov.au

Vision Australia has produced a guide to adaptive technologies for people with vision impairment, which can be accessed www.visionaustralia.org

Media Access Australia has produced a guide to show organisations how they can adjust and adapt their existing office systems, programs and equipment to make information accessible to people with disability www.mediaaccess.org.au/research-policy/guides/disabilitycare-service-providers-accessibility-guide

5.1.5 Engagement

The Australian Government has produced a guide to inclusive consultation for people with disability, **Inclusive Consultation: A practical guide to involving people with disabilities.**

Meetings and Events Australia has produced a guide to organising accessible events, **Accessible Events: A guide for meeting and event organisers**

The International Association for Public Participation provides several resources regarding public participation at the Resources section of their website: www.iap2.org.au

Privacy NSW has produced advice regarding privacy and people with decision making disabilities, **Best practice guide: Privacy and people with decision making disabilities**

The New South Wales Council of Social Services has produced a research report on improving public participation in NSW: **Have your say – but how?**

Urbis has prepared an accessible consultations guide, Accessibility considerations in hosting consultations see www.urbis.com.au/accessible-consultations

The Victorian Department of Human Services has produced a **guide Inclusive consultation and communication with people with a disability** on their website: www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community

5.1.6 Language

People with Disability Australia guide to language relating to disability which can be accessed www.pwd.org.au/library/guide-to-reporting-disability.html

5.1.7 Employment

The Australian Public Service Commission has produced a guide to including people with disability in the workplace: ***Ability at Work, tapping the talent of people with disability***

The NSW Department of Family and Community Services publishes information about employing people with disability which can be accessed at:

www.adhc.nsw.gov.au/individuals/inclusion_and_participation/in_the_workplace/employing_people_with_disability

JobAccess supports the employment of people with disability by providing information and advice for people with disability and their employers, which can be accessed at:

www.jobaccess.gov.au/

Disability Employment Australia has collated resources about how to ensure that a workplace is an inclusive and supportive environment for people with disability, which can be accessed at: www.disabilityemployment.org.au

The Australian Network on Disability (AND) is a not-for-profit organisation resourced by its members to advance the inclusion of people with disability in all aspects of business: www.and.org.au

5.2 Performance indicators

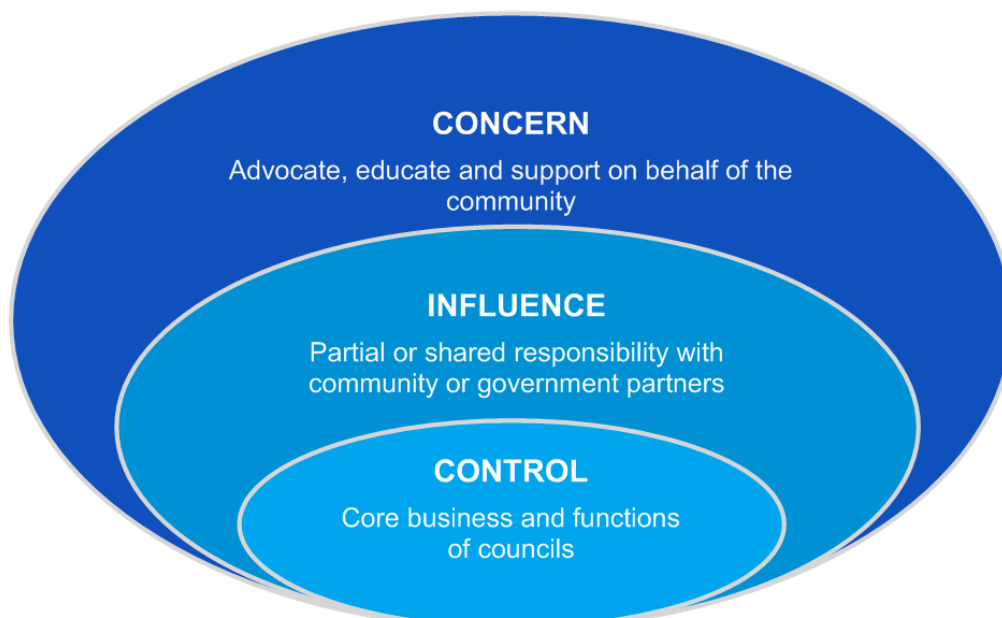
Key performance indicators should be developed to support disability inclusion action planning based on the following criteria:

- **Suitability** - does the target provide a clear assessment of desired performance outcomes?
- **Availability** - can data for the target be readily and cost-effectively collected?
- **Reliability** - is the data easy to interpret and resistant to bias?
- **Replicability** - is the data consistent over a period of time?

One of the difficulties in collecting data on achieving disability inclusion outcomes is that people may not choose to identify themselves as having a disability. This may be for cultural, professional or personal reasons. Creating an inclusive community should provide a level of confidence and comfort in being able to request support due to disability. Providing the mechanisms by which a person can access services and contribute to the community without being singled out is integral. Nevertheless, indicators are an important tool in ascertaining the progress in implementing the disability inclusion action planning as well as in maintaining the profile and commitment to disability inclusion within council.

Another challenge for Local Government is that issues may be important and have a significant impact on people with disability but be outside of the direct control of council. It may still however be important to monitor these issues either as information for support and advocacy or as a broader reading of the wellbeing and inclusion of people with disability in the community.

Figure 3 Spheres of Council Influence



The **Draft Baseline Outcome Indicators for the National Disability Strategy NSW Implementation Plan** provides a useful resource for council to report on its performance. This can be accessed at: www.adhc.nsw.gov.au/

Table 6 Example performance indicators for Local Government

Focus Area	Measure	Data	Council role
Liveable Communities	Percentage of adults with disability who express satisfaction with accessibility of public areas.	Community satisfaction survey	Control
Liveable communities	People who experienced transport limitations in the last 12 Months: expressed as a percentage of the adult population	Community satisfaction survey	Influence
Liveable communities	Percentage of people with disabilities who are satisfied with local roads and footpaths.	Community satisfaction survey	Control
Employment	Percentage of people with disability employed (fulltime/ part-time/ casual)	Labour force data	Control/ Concern
Services and processes	Percentage of people with disability satisfied with level of consultation on local issues of importance	Community satisfaction survey	Control
Services and processes/ Attitudes and behaviour	Percentage of people with disability who participated in a community consultation activity	Consultation records	Control
Liveable communities/ Attitudes and behaviour	Percentage of people with disability who feel they have the opportunity to or have participated in arts and related activities in the local area	Community satisfaction survey	Influence/ concern
Liveable communities/ Attitudes and behaviour	Percentage of people with disability who feel they have the opportunity to or have participated in sports and recreational activities in the local area.	Community survey/ Sporting club records	Influence/ concern
Liveable communities/ Attitudes and behaviour	Percentage of people with disability who feel 'part of the community'	Community survey	Concern

Focus Area	Measure	Data	Council role
Liveable communities/ employment	Percentage of people with disability who report having been provided options about where to live and work	Community survey	Concern
Liveable communities	Percentage of people with disability who are able to see their families and friends when they want	Community survey	Concern
Attitudes and behaviour	Percentage of people with disability who can get help from friends, family or neighbours when needed	Community survey	Concern
Liveable communities	Percentage of residents with disability that have access to, and are satisfied with: a) Recreational facilities b) Community halls/ centres c) Libraries	Community survey	Control
Liveable communities	Percentage of households that contain at least one member with a disability that have housing costs 30% or more of gross income	ABS Census data	Concern
Liveable communities	Percentage of households that contain at least one member with a disability in the lowest 40% of household income range with housing costs of 30% or more of gross income	ABS Census data	Concern
Services and processes	Percentage of residents' with a disability who experience difficulty in accessing service providers	ABS social survey data	Influence/ concern

Appendices

- A. [Abbreviations](#)
- B. [Additional legislation](#)

A. Abbreviations

Abbreviation	Definition
ADA	<i>Anti-Discrimination Act 1977</i> (NSW)
AND	Australian Network on Disability
CSP	Community Strategic Plan
DAP	Disability Action Plan
DDA	<i>Disability Discrimination Act 1992</i> (Commonwealth)
DIA	<i>Disability Inclusion Act 2014</i> (NSW)
DIAP	Disability Inclusion Action Plans
DSA	<i>Disability Services Act 1993</i> (NSW)
FACS	Department of Family and Community Services
GSE	<i>Government Sector Employment Act 2013</i> (NSW)
ICT	Information and communications technology
IP&R	Integrated Planning and Reporting
KPI	Key performance indicator
LGNSW	Local Government NSW
NDIS	National Disability Insurance Scheme
NDS	National Disability Strategy 2010-2020
NIIC	NSW Interdepartmental Implementation Committee
OLG	NSW Office of Local Government
SDAC	Survey of Disability, Ageing and Carers
UNCRPD	United Nations Convention on the Rights of Persons with Disability

B. Additional Legislation

Commonwealth Disability Discrimination Act 1992 (DDA)

The *Commonwealth Disability Discrimination Act 1992* (DDA) recognises the rights of people with disability to equality before the law and makes discrimination based on disability unlawful. The DDA covers many areas of life including employment, education, access to premises and provision of goods, services and facilities. DDA sections 60 and 61 set out the provisions for completing an action plan that fulfils the intent of the DDA and sets measurable and accountable goals.

Councils should deliver their disability inclusion action planning process under the DIA in such a way as to comply with both the DIA and the DDA.

Commonwealth Disability (Access to Premises — Buildings) Standards 2010

The Disability (Access to Premises-Buildings) Standards 2010 (Premises Standards) aim to ensure greater and dignified access to and use of buildings by people with disability as well as to provide certainty to the building industry in meeting its obligations under the *Disability Discrimination Act 1992*.

These Standards should be reviewed every five years to ensure their effectiveness in meeting their objectives and to identify any necessary amendments.

NSW Anti-Discrimination Act 1977 (ADA)

Under the *NSW Anti-Discrimination Act 1977* (ADA) it is unlawful to discriminate against someone or harass them, because of their own or their friends', relatives' or associates' past, present, future or presumed disability.

The law applies to:

- the types of services and facilities council provides and the way in which they are provided;
- Council meetings and decisions, including the way councillors treat each other; and
- Council's employment practices.

Local Government Act 1993

The *Local Government Act 1993* has Equal Employment Opportunity provisions that give councils specific responsibilities to plan for and achieve a diverse workplace. It also states that councils must adopt a code of conduct that incorporates the provisions of the Model Code of Conduct for Local Councils in NSW. Each council's code of conduct addresses minimum standards of behaviour for council officials (councillors, members of staff of councils, administrators, members of council committees, conduct reviewers and delegates of council) in carrying out their functions.

The Local Government Act 1993 and the Local Government (General) Regulation 2005 also sets out how Local Government is required to undertake its planning and reporting activities through the IP&R framework (see Figure 1). Social justice principles of equity, access, participation and rights are intrinsic to the delivery of the Community Strategic Plan.

Links to Government legislation and standards:**Local Government**

- Model Code of Conduct can be accessed from the Office of Local Government
- IP&R framework is also accessed from the [Office of Local Government](#)

NSW

All NSW legislation including the *Local Government Act 1993* and *Local Government (General) Regulation 2005* can be accessed at: www.legislation.nsw.gov.au

Other important NSW Acts for assisting with action planning are:

- [NSW Disability Inclusion Act 2014](#)
- [NSW Anti-Discrimination Act 1977](#)

Commonwealth

All Commonwealth legislation can be accessed at: www.comlaw.gov.au

- [Disability \(Access to Premises - Buildings\) Standards 2010](#)
- [Disability Discrimination Act 1992](#)

Other useful links

- [Web Content Accessibility Guidelines 2.0](#)
- [Universal Design Principles](#)
- [NSW Disability Inclusion Plan](#)
- [NSW Disability Action Planning](#)
- [National Disability Strategy](#)

ORDINARY MEETING OF THE COUNCIL

June 14, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 130/16

SUBJECT: PROPOSED AMENDMENT TO BROKEN HILL LOCAL ENVIRONMENTAL PLAN 2013 - SITE SPECIFIC PLANNING PROPOSAL TO ALLOW FOR ADDITIONAL PERMITTED USE AT BROKEN HILL AIRPORT PRECINCT 11/529

Recommendation

1. That Broken Hill City Council Report No. 130/16 dated June 14, 2016, be received.
2. 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 "Council Animal Pound Facility") on Lot 1 DP 1162606 known as 86 Airport Road, Broken Hill,
3. 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*.
4. That Council request to exercise its delegations under Section 59 of the *Environmental Planning and Assessment Act 1979*.
5. That Council undertake community consultation in accordance with the Gateway Determination and requirements of the Department of Planning and Environment, and legislative requirements.

Executive Summary:

The purpose of this report is to seek support from Council for a Planning Proposal for land at the Broken Hill Airport Precinct. The Proposal seeks to list the subject site in Schedule 1 of Broken Hill Local Environmental Plan 2013 (LEP) to permit "Council Animal Pound Facility" as an additional permitted use on the site. The site is zoned SP1 – Special Activities. This amendment is required to allow for consideration to be able to be given for possible development as a Council Animal Pound Facility.

The proposal does not seek to amend the zoning of the subject site but seeks to include the additional land use on the site.

Report:

Broken Hill City Council resolved at the May 2016 Council meeting that "*Council proceed with the preliminary design and planning approval for a new pound facility near the office of the Airport Reporting Officer.*"

Council's Planning section consulted with the Department of Planning and Environment re the probability to develop a Council animal pound facility at the Airport Precinct. The Department advised that Council seeks a legal opinion on the matter due to the ambiguity that exists re permissible land uses that apply to the land.

Legal advice is of the opinion that an animal pound facility would be considered as prohibited development on aforementioned land, but advised that Council prepare a planning proposal to amend Schedule 1 of the Local Environmental Plan 2013 to add an additional permitted use to Lot 1 DP 1162606 in lieu of rezoning the land.

Lot 1 DP 1162606 is zoned as SP1 – Special Activities. The purpose of this zone is shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose. The purpose shown on the Zoning Map is Air Transport Facility, Light industry, Tourist and Visitor Accommodation, Transport Depot.

The land use table for Light Industry prohibits “Animal Boarding or training establishments”. In the definitions to the BHLEP 2013 an animal boarding facility is defined as “*a building or place used for the breeding, boarding, training, keeping or caring of animals for **commercial purposes** (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.*” A Council Animal Pound is not included into this definition as it is not operated for Commercial Purposes.

A Council Animal Pound Facility is unfortunately not defined in the dictionary of BHLEP 2013. Though a Council Animal Pound is not operated for Commercial Purposes, a pound facility presently does not meet the objectives of Light Industry, hence is considered as a prohibited use in the SP 1 - Special Activity Zone.

To address this situation, it is considered that the most appropriate way of amending Council’s LEP is by allowing for an “additional permitted use” on the specific site. Schedule 1 of the LEP would need to be amended for this purpose.

This also therefore would not involve a rezoning of the land, but rather would allow only for consideration of “Council Animal Pound Facility” to be developed.

The use of Schedule 1 – additional permitted uses – allows flexibility for this site, without having to “spot” rezone the area to a zone, which would open up the possibility of a large range of uses.

Existing provisions in the LEP outline the following:

Additional permitted uses for particular land

(1) Development on particular land that is described or referred to in Schedule 1 may be carried out:

- (a) with development consent, or
- (b) if the Schedule so provides—without development consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.

(2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.

In this situation, it is considered most appropriate that the additional permitted use may only be carried out with development consent. Lodging of a Development Application allows for Council to then assess the proposal further and should approval be given allow opportunity for conditions to be imposed (such as hours of use of the site, providing of a certain number of parking spaces etc.).

Should Council decide to proceed with this matter, a planning proposal will be prepared by Council staff and submitted to the Department of Planning and Environment for gateway determination. The determination will likely provide an indication as to whether or not the proposal is likely to be supported. The determination will also indicate if the plan making

powers are delegated to Council (as Council will request to occur in this case). Upon receiving this determination, Council will place the proposal and subsequent LEP amendment on exhibition for community consultation. It is anticipated that the consultation period will be between 14 and 28 days.

Upon completion of the consultation period and consideration of any submissions, if Council considers it appropriate to proceed, then it will request that Parliamentary Counsel give an opinion as to whether the Plan can be legally made. The matter will then be reported back to Council to adopt and delegate the General Manager to legally make the plan.

Strategic Direction:

Broken Hill Local Environmental Plan 2013 sets out a number of overall objectives. Among these objectives are:

- (a) to encourage sustainable economic growth and development in Broken Hill,
- (b) to encourage and provide opportunities for local employment growth, and the retention of the population, in Broken Hill,
- (c) to encourage the retention of mining and acknowledge that industry's heritage and regional significance.
- (d) to allow for the equitable provision of services and facilities for the community.

It is considered that the amendment is consistent with these objectives.

Relevant Legislation:

Environmental Planning and Assessment Act 1979.

Financial Implications:

Operational costs (staff time etc.)

Attachments

There are no attachments for this report.

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

May 30, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 131/16

SUBJECT: BROKEN HILL LIVING MUSEUM + PERFECT LIGHT PROJECT
STEERING GROUP - COMMUNITY REPRESENTATION 14/181

Recommendation

1. That Broken Hill City Council Report No. 131/16 dated May 30, 2016, be received.
2. That the Terms of Reference of the Broken Hill Living Museum + Perfect Light Project Steering Group be amended to include representation by eight (8) community representatives.
3. That Council appoints the following community members on the *Broken Hill Living Museum + Perfect Light Project Steering Group*:

Mandy Nelson
 Paula Williams
 Sarah Martin
 Helene Power
 Professor Simon Molesworth
 Rick Ball
 Zeta Bennett
 Karen Nash
 Foundation Broken Hill Representative – Chris Dougherty
 Regional Development Australia Far West Representative – Michael Williams
 Broken Hill Chamber of Commerce – Paul Thomas

4. That correspondence be forwarded to the successful candidates for the positions of community representatives on the *Broken Hill Living Museum + Perfect Light Project Steering Group*.

Executive Summary:

This report related to previous reports to Council regarding the Broken Hill Living Museum + Perfect Light Project Steering Group and the community representation associated with this Group.

Report:

The *Broken Hill Living Museum and Perfect Light Project* was adopted by Council at its meeting held June 24, 2015 following an extensive community consultation process. The holistic Project now draws together the *Broken Hill Living Museum and Perfect Light CBD Plan* with other aligned strategies to deliver a holistic and ongoing legacy for the Broken Hill community - directly impacting on local wellbeing and job creation, establishing a foundation for a re-purposed future as this community nears end-of-mine life.

At its meeting held May 25, 2016, Council adopted the Terms of Reference for the *Broken Hill Living Museum + Perfect Light Project Steering Group* and Councillor representatives to the group and resolved the following:

“That Council adopts the Broken Hill Living Museum + Perfect Light Project Working Group – Terms of Reference.

That Council be represented by the Mayor and Councillors Turley, Adams and Nolan on the Broken Hill Living Museum + Perfect Light Project Steering Group.

That the Terms of Reference of the Broken Hill Living Museum + Perfect Light Project Steering Group be amended to include representation by the Mayor and three Councillors.

That Council endorses a public call for nominations seeking seven (7) representatives with specialised experience as detailed in the Terms of Reference.”

Extensive advertising was conducted seeking nominations from interested members of the community with significant specialised experience who will assist in driving the vision of the Project forward, to nominate at community representatives.

A total of eight (8) nominations were received and the selection panel comprising of the Mayor, General Manager, Acting Deputy General Manager and Economic Development and Culture Officer met on June 17 to discuss the nominations and selection matrix results.

Below is a detailed table of the nominations received:

Name	Representative Sector
Mandy Nelson	Heritage, Tourism
Paula Williams	Heritage, Tourism, Arts, Health
Sarah Martin	Heritage, Tourism, Arts, Indigenous Community
Helene Power	Tourism, Arts, Health
Professor Simon Molesworth	Heritage
Rick Ball	Arts
Zeta Bennett	Heritage, Tourism
Karen Nash	Health & Disability, Indigenous Community

Based on the information provided and extensive discussion by the selection panel, the panel recommends that the Terms of Reference be amended to include all eight (8) of the applications by community members to be appointed to the Broken Hill Living Museum + Perfect Light Project Steering Group as Community Representatives.

Further to the above, correspondence was forwarded to the Chamber of Commerce, Foundation Broken Hill and Regional Development Australia Far West NSW to confirm a representative from these organisations driving and supporting the Broken Hill community. The following representatives have been appointed by their associated organisations:

Chamber of Commerce Representative – Paul Thomas
 Foundation Representative – Chris Dougherty
 Regional Development Australia Far West Representative – Michael Williams

Strategic Direction:

- Key Direction: 2. Our Economy
- Objective: 2.1 Our economy is strong and diversified and attracts people to work and live
- Function: Leadership & Governance
- DP Action: 2.1.1.17 Develop a Main Street strategy for Argent Street with an aim to revitalise the precinct as an iconic heritage destination for locals and visitors

Relevant Legislation:

Nil

Financial Implications:

There are no financial implications directly related to the establishment of the Project Steering Group, however Council will continue to liaise with various opportunities that will support the implementation of infrastructure and activation as contained within the *Broken Hill Living Museum + Perfect Light* project.

Attachments

There are no attachments for this report.

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

June 14, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 132/16

SUBJECT: DEVELOPMENT APPLICATION 32/2016 - PROPOSED
TELECOMMUNICATIONS FACILITY - 25 CUMMINS STREET
(ROCKY HILL), BROKEN HILL 11/467

Recommendation

1. That Broken Hill City Council Report No. 132/16 dated June 14, 2016, be received.
2. That Development Application 32/2016 for telecommunications facility comprising of:
 - a) a 30 metre tall monopole,
 - b) nine (9) panel antennas mounted on a head frame around the top of the monopole,
 - c) six (6) remote radio units mounted on the monopole just below the antennas,
 - d) a pre-fabricated equipment shelter (3.28m x 2.28m x 3.0m) to house necessary base-station equipment,
 - e) a 600 mm wide overhead cable tray connecting the equipment shelter to the monopole, and
 - f) a 2.4 metre tall security fence with an access gate;

at Lot 922 DP 757298 (25 Cummins Street, Broken Hill) be approved subject to conditions (as attached to report).

Executive Summary:

This report is provided to allow Council to consider Development Application 32/2016 for a telecommunications facility at Lot 922 DP 757298, 25 Cummins Street ("Rocky Hill"), Broken Hill.

Report:***Proposed development***

On 11th April 2016, a development application (DA 32/2016) was lodged with Council by SK Planning Pty Ltd on behalf of Telstra Corporation Ltd as the applicant. The proposal is for a telecommunications facility, in the form of a mobile telephone base station, to be constructed on land at 25 Cummins Street (Rocky Hill).

The specific components of the facility are:

- a 30 metre tall monopole,
- nine (9) panel antennas mounted on a head frame around the top of the monopole,
- six (6) remote radio units mounted on the monopole just below the antennas,
- a pre-fabricated equipment shelter (3.28m x 2.28m x 3.0m) to house necessary base-station equipment,
- a 600 mm wide overhead cable tray connecting the equipment shelter to the monopole, and

- a 2.4 metre tall security fence with an access gate.

The following documents were lodged with the DA:

- Statement of Environmental Effects prepared by SK Planning Pty Ltd dated 5th April 2016 describing the subject land, the proposed development and justification for the facility,
- Drawing N109923 Sheet 1 Site Layout and Access,
- Drawing N109923 Sheet S3-1 Antenna Configuration Table,
- Drawing N109923 Sheet 3 South-east Elevation, and
- Environmental EME Report dated July 2015
- Photomontages.

Additional information

A response by SK Planning to points raised in submissions was received on 7th June 2016. This response has been considered in the assessment of submissions under section 79c below.

The site

The site is described as Lot 922 DP 757298) being 25 Cummins Street, Broken Hill (known locally as “Rocky Hill”). The site upon which the Monopole and associated infrastructure will be located is owned by Essential Energy. The proposed location is to the south-east of the existing water storage tank on top of the hill. Access to the proposed telecommunication facility will be via an existing road up to the water tank and then via a new track.

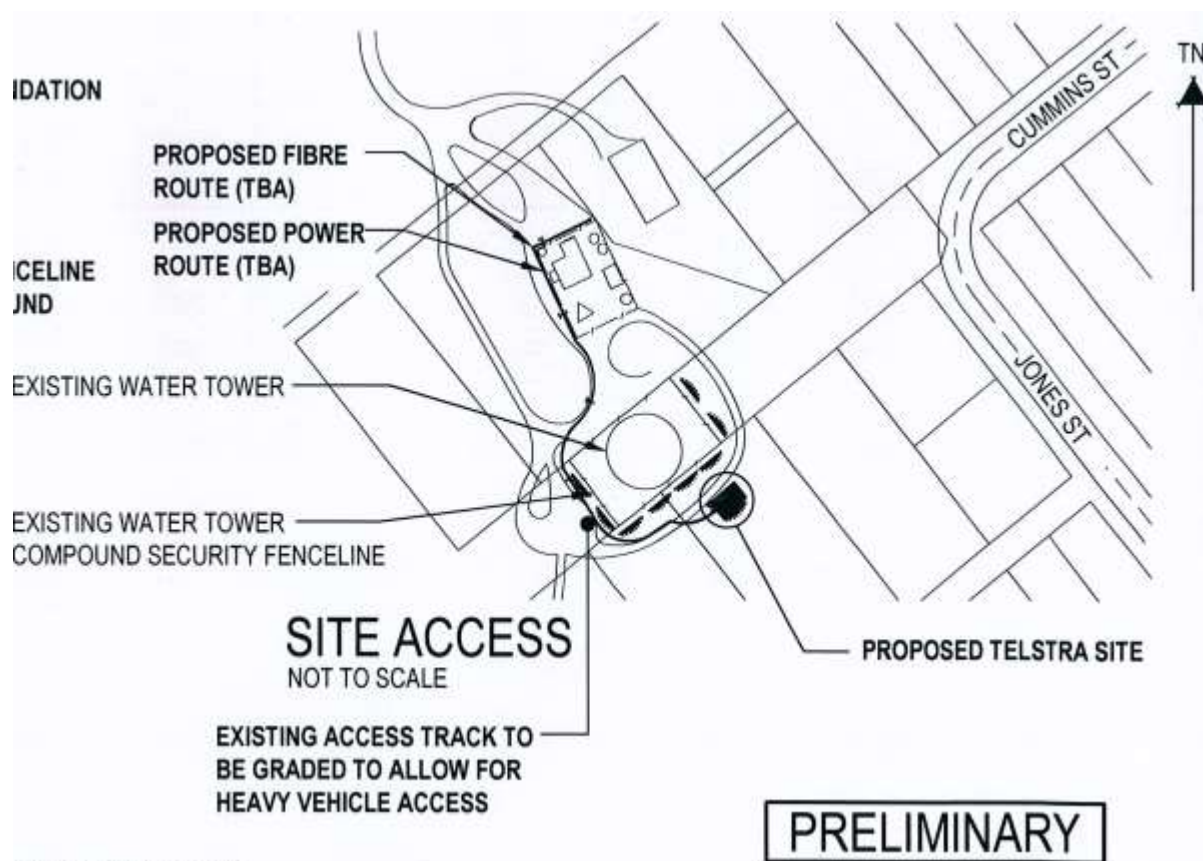


Figure 1: Site location



Figure 2: Aerial photography showing proposed location in relation to nearest structures

Although on top of a steep hill, the land where the tower is proposed is relatively flat and cleared of much vegetation. There is other low-level vegetation across the site but given the rocky nature of the land there are no large trees.

Justification for the proposed development

Information prepared by SK Planning was submitted with the DA that provides justification for the proposed development. Additional network capacity is required due to the continuing growth in demand for data services such as mobile internet and the dramatic increase in devices which use more data such as smart phones, tablets and internet dongles. Additional network capacity can be achieved through augmenting existing facilities and constructing new facilities, and also reducing the size of the area being serviced by each facility thereby decreasing the distance between the facility and the end user.

Currently Broken Hill is served by two existing telecommunications facilities - one at the Telstra exchange building at the corner of Chloride and Argent Streets, and one on the Waste Rock Emplacement (Line of Lode) near the intersection of Gypsum Street and the Silver City Highway. A third site is planned at 334 McCulloch Street, near the Broken Hill Aquatic Centre (to be constructed during the 2016-17 financial year).

Both of the existing sites have undergone substantial augmentation to increase capacity. Despite the upgrades, each site can only serve a finite number of users, which decreases when users are more distant from the base station as more signal is required to provide that service.

In regards to this particular location, the Line of Lode site is also responsible for servicing the road to Silverton which due to the distance involved, consumes much of the capacity of that facility in that direction. SK Planning and Telstra state that the construction of a new facility at Rocky Hill will allow the existing Line of Lode tower to better serve the western side of the city, whilst the new facility takes over the responsibility for Silverton Road.

It is stated that the new proposed site will result in a faster, more robust overall network able to handle more subscribers simultaneously and with greater efficiency.

Planning considerations

As a telecommunications carrier, Telstra must operate under the provisions of the *Telecommunications Act 1997* and the *Telecommunications Code of Practice 1997*. The legislative framework governing the placement and management of telecommunications facilities includes the *Telecommunications (Low-impact Facilities) Determination 1997*, *Radiocommunications (Electromagnetic Radiation – Human Exposure) Standard 2003*, *Environmental Planning and Assessment Act 1979*, *NSW Telecommunications Facilities Guideline Including Broadband July 2010*, *State Environmental Planning Policy (Infrastructure)* and *Broken Hill Local Environmental Plan 2013*. These instruments and guidelines are considered below noting that all except the *Telecommunications (Low-impact Facilities) Determination 1997* are addressed within the section 79C assessment of the *Environmental Planning and Assessment Act 1979*.

Telecommunications (Low-impact Facilities) Determination 1997

The Commonwealth *Telecommunications (Low-impact Facilities) Determination 1997* made under the *Telecommunications Act 1997* applies to NSW and provides for the carrying out of certain “low impact” telecommunication facilities without the need to obtain development consent. Such low impact facilities include small antennae and dishes that are erected on existing towers and buildings and underground and overhead optical fibre installations. Facilities such as the proposed monopole and mobile base station at 25 Cummins Street are not classified as low-impact and development consent is required to be obtained.

Environmental Planning and Assessment Act 1979 - Section 79C assessment

The development application has been lodged under Part 4 of the *Environmental Planning and Assessment Act 1979*. An assessment of the proposed development under section 79C(1) of the Act is given below.

(a) *the provisions of:*

(i) *any environmental planning instrument*

State Environmental Planning Policy No 55 – Remediation of Land

Under Clause 7 of *SEPP 55*, a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. In this regard, an initial evaluation of the subject land indicates that:

- A potentially contaminating activity has not been previously conducted on the property;
- No records exist at Council to indicate or identify that the subject land is contaminated; and
- There are no land use restrictions relating to possible contamination affecting the land.

On this basis, it is considered that the land is not potentially contaminated and is suitable for the proposed development.

State Environmental Planning Policy (SEPP) (Infrastructure)

The proposed development does not qualify as development permitted without consent or exempt development under the *Infrastructure SEPP*. The proposal is development that is permitted with consent. 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. These guidelines and the four principles for the location and design of telecommunications facilities are considered below.

Principle 1 - A telecommunications facility is to be designed and sited to minimise visual impact

It is proposed to erect the facility on a steep rocky hill which already features a TV transmission tower of approximately 48 metres height, and a water storage tank.

Broken Hill is a city characterised by tall vertical elements associated with mining operations and communications as witnessed on approach by air and from vantage points around the city. A telecommunications monopole with an array of antenna is an accepted part of the modern built environment, necessary to provide telecommunications services to surrounding residences and businesses. Adequate telecommunications services are becoming even more critical as an increasing number of home businesses and home industries operate within residential zones, thereby aiding the diversification of business opportunities.

It should be noted that the facility would be 85 metres to the nearest dwelling. The three next closest dwellings are 96 metres, 130 metres and 150 metres in distance from the proposed facility. The nearest dwellings are at much lower elevation.

Council questioned the applicant as to whether the height of the proposed monopole could be reduced. The applicant noted:

“Despite the elevated location of the monopole, the structure still requires a certain height to ensure the signals from the panel antennas can be adequately controlled and directed into the areas they are required. In this location, that height is between 25 and 30 metres. A lower structure requires its antennas to be pointed more towards the horizon to cover the same area, which has undesirable consequences in terms of creating interference with existing sites. Both 3G and 4G services use the same frequency on all base stations and as such managing and minimising interference is a vital part of optimising the network's performance and the customer experience.

It is also necessary to have a sufficient height to ensure there is no shadowing created by topography - in other words so the antennas can see as much of the coverage area as possible. In particular, coverage towards Silverton would suffer as the height of the monopole is lowered.

Lastly, it is also necessary to ensure the structure elevates the antennas to a sufficient height that they do not create an EME hazard on other buildings - in this case on the roof of the adjacent water tank. The height currently proposed would ensure compliance and would allow work to occur on the roof of the tank with no need for the Telstra facility to be powered down.

Given the exposed nature of the location and the inability to reduce the height of the monopole to 20 metres for technical reasons, there is little point in preparing a photomontage of a 20 metre tall structure. In reality, it will be about as prominent and its reduced impact would be unlikely to be perceived by the casual observer”.

Principle 2 - Telecommunications facilities should be co-located wherever practical

The proposed development is a new facility. Information provided by SK Planning relating to whether the proposed infrastructure could be co-located with the existing TV Tower:

“First, the tower is primarily for broadcast purposes - ie. TV and radio. This means the transmitting power levels are very high (kilowatts) compared with the power levels of mobile phones and mobile phone towers. Broadcast antennas do not need to receive any signals back from customers - they simply direct all their energy outwards, often at high power

levels, in order to cover the largest amount of area possible. If another similar transmission tower is located within the area the broadcast services from that tower can be placed on another frequency to avoid interference.

These high power levels, which create strong EME fields in the vicinity of the antennas, have a high probability of introducing *passive intermodulation* or PIM. The PIM can be generated in the antenna itself but can also occur in mounts, feeders and sometimes even the structure. Due to the sensitivity to interference and the low power levels employed, mobile phone base station antennas are very susceptible to PIM problems. Remote radio units, which are typically mounted near the panel antennas and used extensively for 3G and 4G services, are also heavily impacted by high EME fields and to date Telstra has avoided deploying them in broadcast situations.

The practical outcome of such interference is the degradation of service to customers - in severe cases there is total service disruption. The interference is so great (and at such high power levels) that transmissions back to the base station from mobile handsets and other devices (which are at comparatively very low power levels) are overwhelmed by the interference and simply cannot overcome it. In reality, this means the device cannot properly communicate with the base station because the base station can't 'hear' the device clearly. When such PIM issues occur, Telstra needs to investigate to find the cause, which can sometimes be very difficult and time-consuming as the source of the PIM is not always immediately evident.

Servicing and maintaining a mobile facility on a broadcast tower is also very difficult, particularly when faults occur. The high EME fields often means the broadcast antennas need to be shut down (resulting in disruptions to TV and radio services) and sometimes the only working windows are available during the night, which causes safety issues.

A standalone structure to accommodate the required base station where Telstra can control all of these technical factors overcomes these issues noted above, meaning there is no disruption to broadcast services and a higher quality and more reliable mobile service”.

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

As a licensed telecommunications carrier, Telstra must operate under the provisions of the *Telecommunications Act 1997* and the *Telecommunications Code of Practice 1997*. Telstra is required to adhere to limits defined in the *Radiocommunications (Electromagnetic Radiation – Human Exposure) Standard 2003* prepared by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) in terms of the electromagnetic radiation emitted from facilities. ARPANSA is the Commonwealth agency charged with the responsibility for protecting the health and safety of people and the environment from the harmful effects of radiation. Compliance with the Electro Magnetic Energy (EME) limits, as set by ARPANSA, is administered by the Australian Communications and Media Authority (ACMA).

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. A typical value of 1% means that total EME generated from all wireless network transmitters at a facility, all operating at maximum power, would be no more than 1/100 of the limit set by ARPANSA. Typically, the maximum EME level at ground level will occur between 75 metres and 200 metres from the base of the antenna.

ARPANSA has undertaken a number of surveys of environmental radiofrequency EME levels arising from mobile phone base station antennas. The most recent ARPANSA coordinated survey was undertaken in 2007–08. Results show that actual measured values, including ‘cumulative’ effect were much lower than levels permitted by the Radiation Protection Standard.

The EME Report predicts that the maximum levels of radiofrequency EME to be omitted from the proposed facility, once it is operational, will be 0.8% 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.

It is noted that the EME value rises from the site of the proposed facility to a maximum of 0.8% at a distance of 179.81 metres from the facility and then falls with increasing distance from the facility.

Principle 4 – Minimise disturbance and risk, and maximise compliance

The siting and height of the proposed development will not penetrate any obstacle limitation surface and will not interfere with any airport or Commonwealth Defence navigational or communications equipment. Site operations will be subject to an apparatus licence issued by ACMA and will therefore not impact on any other licensed RF operator.

Construction of the proposed facility will be carried out in accordance with relevant installation specifications and the relevant regulations of the “Blue Book”- ‘Managing Urban Stormwater Soils and Construction’ (Landcom 2004).

Broken Hill Local Environmental Plan 2013

The site is zoned R1 General Residential under *Broken Hill LEP 2013*. 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 proposed development is defined as a *telecommunications facility* which means:

- any part of the infrastructure of a telecommunications network, or*
- any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or*
- any other thing used in or in connection with a telecommunications network.*

Telecommunications facilities are permitted with consent in zone R1. 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.

There are no heritage items or heritage conservation areas in the vicinity of the site.

(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)

There are no draft environmental planning instruments that are being exhibited or have been placed on public exhibition that apply to the land or the type of development being proposed.

(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.

The objectives concerning non-residential development in residential areas are 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;*
- *involve exposure to view from any public place of any unsightly matter;*
- *give rise to traffic levels out of keeping with those of the surrounding area.*

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.*

The DCP specifically references homes occupations, home industries, professional consulting rooms, plant nurseries and stables as types of non-residential development permitted in residential zones. It is noted in the DCP that these uses '*are not necessarily the only compatible uses in residential areas*'.

It is considered that the telecommunications facility would not interfere with the amenity of the locality. The facility would be visible from surrounding land however, any visual impact is considered acceptable given the benefits that improved mobile and internet coverage will bring to residents, and considering the existing structures on Rocky Hill.

Decisions of the NSW Land and Environment Court have been referenced throughout this assessment report. Heads of consideration under section 79C of the *Environmental Planning and Assessment Act 1979* are the subject of this assessment report.

(iiia) 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

No planning agreement or draft planning agreement has been entered into relating to the proposed development or the land.

(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

Section 92 of the *Environmental Planning & Assessment Regulation 2000* prescribes additional matters that a consent authority must take into consideration in determining a development application. These considerations relate to development in the coastal zone, development involving demolition of a building and development the subject of a subdivision order/development plan.

Broken Hill LGA is not located in the coastal zone, no demolition of any structures is proposed and the development is not on land that is subject to a subdivision order or development plan.

(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

The site is not located within the coastal zone. There is no coastal zone management plan that applies to the subject land.

(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 environmental impacts of the proposed facility have been discussed above in section 79C(1)(a)(i) in relation to the principles of the *NSW Telecommunications Facilities Guideline*. The visual impact of the facility on the surrounding built environment is considered acceptable given distances from dwellings, its location within a large area of land that already accommodates structures such as a Tower and water tank and the need to provide improved mobile phone and internet coverage.

There are no known threatened species, endangered ecological communities or critical habitats on the site.

The social and economic impacts are likely to be positive as improved services support communications needs of small business and residents, noting that any impacts on property values are not a planning consideration.

(c) the suitability of the site for the development

The suitability of the site is adequately summarised in the Statement of Environmental Effects as follows:

- *The facility has been placed within the existing network to improve the capacity of the existing Next G® network, which has been identified as requiring improvement in this area, thereby meeting the communications needs of the community;*
- *The facility is proposed in conjunction with an existing and similar non-residential use (ie. an existing transmission tower and other public infrastructure) of a reasonable scale;*
- *The location is not located on a main thoroughfare and is not directly opposite residential uses;*
- *The facility has been designed and sited to minimise the visual impact on the locality;*
- *There are no existing structures in the wider area on which the facility could be collocated and the network objectives for the site met including the existing TV tower); and*
- *There are no heritage items or areas affected by the proposal*

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

Council exhibited DA 32/2016 for public comment between 27th April 2016 and 16th May 2016. An advertisement was placed in the *Barrier Daily Truth* on three occasions. A letter was also mailed to adjoining land owners and residents within a 250 metre radius of the site of the proposed development advising of the DA and notifying of the exhibition period.

A total of 4 submissions were received during the exhibition period comprising 3 objections and 1 letter of support. One of the letters of objection was from a Member of Parliament on behalf of a neighbour who did also lodge a written submission themselves. Therefore, in essence, there were 2 objectors.

Relevant issues as raised in submissions are summarised below.

Property values

- Reduction in the values of residential properties in close proximity to the telecommunications facility.

Comment: The Land and Environment Court has found that any impacts on the value of property are not a consideration in the assessment of a development application. Land valuations are affected by a range of factors and as the Court has found the planning system should not consider or can realistically assess.

Visual impact

- Negative visual impacts on residential properties in the neighbourhood
- The tower if built will be there for many decades and will have a significant, persistent and long term negative effect on the residential area
- The area where they are proposing to build the tower has been used for decades by children to play in and explore the surrounding bush areas.

Comment: Visual impact is considered acceptable given the distance from dwellings, the abundance of vertical intrusions in Broken Hill generally and the need to ensure that telecommunications services are adequate for residents and businesses in Broken Hill and along Silverton Road. In particular the proposed monopole will be much less intrusive than the existing TV tower at the site. Additional antennas and equipment may be installed in the future which may or may not require development consent.

In information provided as response to the concerns, the applicant states "Given infrastructure such as that proposed is expected to have a visual impact on its surrounds, placing it with other like (but much larger) infrastructure will allow for a much reduced impact than would be the case if there was no infrastructure currently located on the hill".

SK Planning provided photomontages from the east, south and west to illustrate the proposed appearance of the monopole at the site. The photomontages following are those provided in the Application:



**Proposed view from east – Cummins Street – 320m distance to the structure.
Proposed monopole shown to the left of existing water tank.**



**Proposed view from south – near corner of Morgan and O'Farrell Streets –
165m distance to the structure.**

Proposed monopole and existing TV Tower in view.



**Proposed view from west – Allendale Street – 335m distance to the structure.
Proposed monopole shown to the right of existing water tank.**

Electromagnetic emissions

- Potential health risks from the placement of telecommunication towers
- Joint transmitting power levels of the existing tower and proposed tower. Objector finds it difficult to understand why they would want to add to the EME levels in building the new tower.

- Reference made to cluster of breast cancers at ABC Toowong. The objector has referenced a document about the Toowong cluster matter, and quoted the document “the factor weighing most heavily on the womens minds was electromagnetic fields; given their concern, the available data warrant consideration. Low-frequency electromagnetic fields cannot be dismissed as a trivial consideration due to several studies indicating that risk of childhood leukaemia is related to the strength of these fields”.

Comment: The proposed development complies with regulations for radio frequency EME emissions, with the predicted EME values being significantly below the mandated standards. The process employed to calculate these values is in accordance with national standards. There are no known differences in effects on children or adults and emissions are calculated at 1.5 metres as the average height of a human. As such, it is considered that the development application cannot be refused on the grounds of electromagnetic energy generated by the facility or any perceived health impacts by members of the community.

The NSW Land and Environment Court has determined that the standards are scientifically robust and that it is not appropriate to set aside existing safety standards on the basis of community concern. The Court has found that to make an arbitrary decision on the effects of radio frequency EME emissions would be a greater disservice to the community than making a rational one, raising unnecessarily the fears of the community. ARPANSA states that incorporation of additional safety factors beyond the exposure limits of the standard is not supported. Community concerns are best corrected by proper application of adopted standards. (Cited in Telstra Corporation Limited v Bathurst Regional Council [2011]). From a planning perspective, imposing conditions that require compliance with the standard is all that is required, and able, to be considered.

In information provided as response to the concerns, the applicant states:

“All radio communications facilities, including the one proposed and those already in place on Rocky Hill, emit EME in order to operate. Such facilities include AM and FM radio, television, paging services, emergency services systems and CB Radio, many of which have been in use for decades.

Telecommunications facilities emit and receive EME to transmit and receive the necessary information associated with mobile handsets operating within that part of the network, but at power levels much less than any of the systems mentioned above”.

The applicant also stated “At the levels mandated by the ACMA, which have also been adopted in about 25 countries around the world including the European Union, there is no scientifically substantiated evidence to suggest that EME cause adverse health effects. It should be noted that the standard incorporates a significant margin (about 50 times) to ensure potentially sensitive groups in the community, such as children, pregnant women and people who may be suffering health problems, are adequately protected.

It is also important to note that Telstra is not involved in the methodology of determining the appropriate exposure limits, but can assure Council that this proposal and all existing Next G[®] facilities adhere to the applicable limits – usually by a factor of many hundreds or even thousands of times”.

In regards to the Toowong cancer cluster case – the ABC Toowong studios in Brisbane were closed in 2006 after a number female employees in the building had been diagnosed with breast cancer over a 12 year period. At the time the building was closed, a report had revealed that the likelihood of the breast cancer cluster occurring by chance in the building was a million to one. There were over 500 employees (men and women) in the building. In May 2016 (10 years since the closure) it was reported in the Courier-Mail there had been up to 18 employees diagnosed with breast cancer.

The building had a roof mounted radio transmission antenna tower. The building has since been demolished.

The cluster uncovered at Toowong in 2006 was a world-first. Clusters are notoriously difficult both to define and to definitively confirm because cancers in groups can also occur randomly. The Courier Mail reported that it seems likely that former employees and indeed the public, may never know the cause, or causes, of the cluster. Queensland Health confirms “epidemiological and environmental assessments often result in inconclusive evidence”.

Possible disruption to TV reception and interference to electronic keys

The applicant has advised that the proposed facility does not interfere at all on existing antennas at Rocky Hill. The existing TV and radio broadcast antennas will continue to function as they do now.

Mobile telecommunication facilities use different frequency to those used for radio and TV. The new facility will have no impact, positive or negative, on TV reception or other radio-frequency interference currently experienced in the area.

(e) the public interest.

It is considered that the granting of consent to the development application for a telecommunications facility at 25 Cummins Street, Broken Hill is in the overall public interest. The proposal is permitted in zone R1 General Residential and is satisfactory to the zone objectives and the provisions of relevant legislation, guidelines and policy.

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:

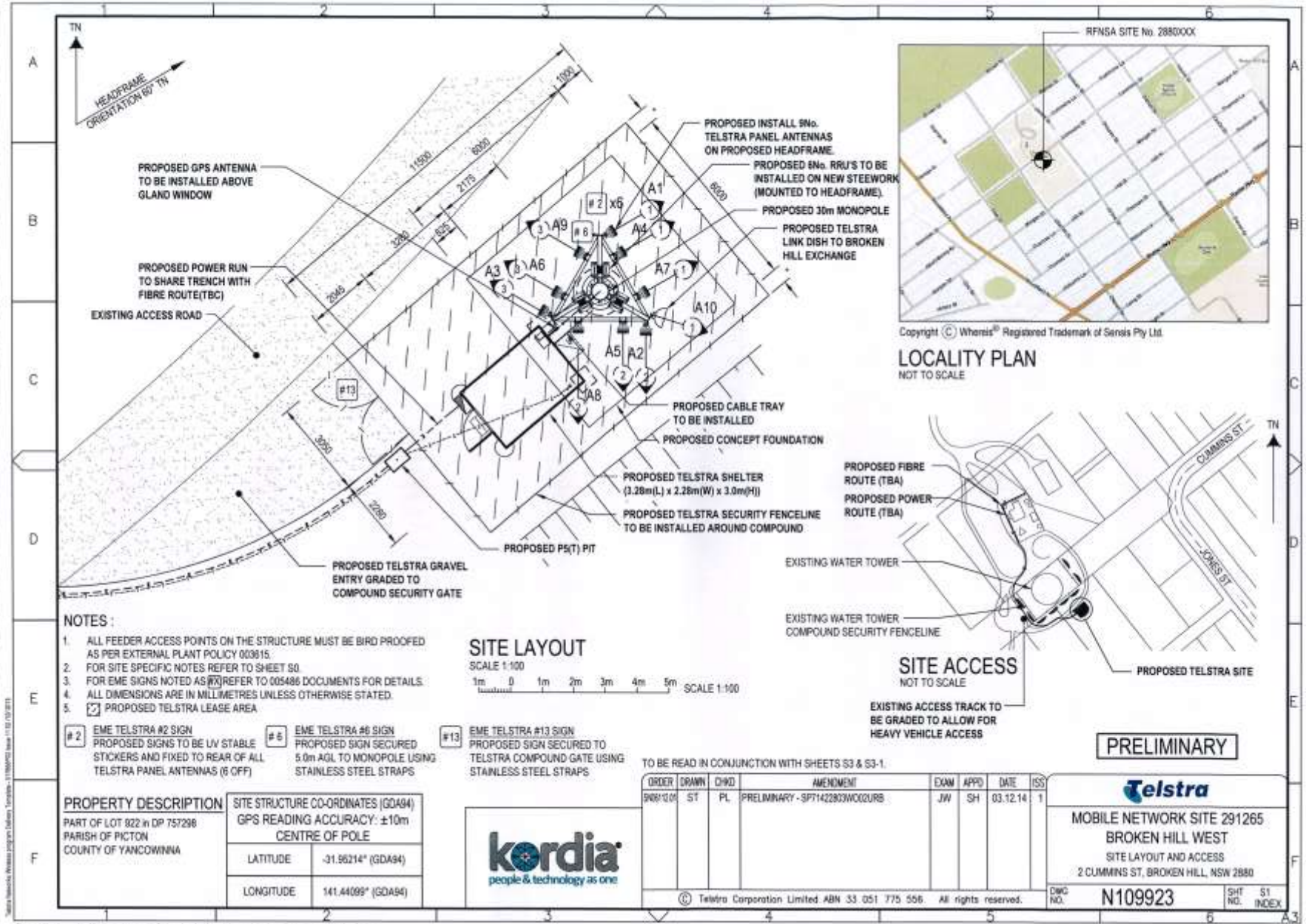
There are no financial implications that should be taken into consideration in determining this Development Applications.

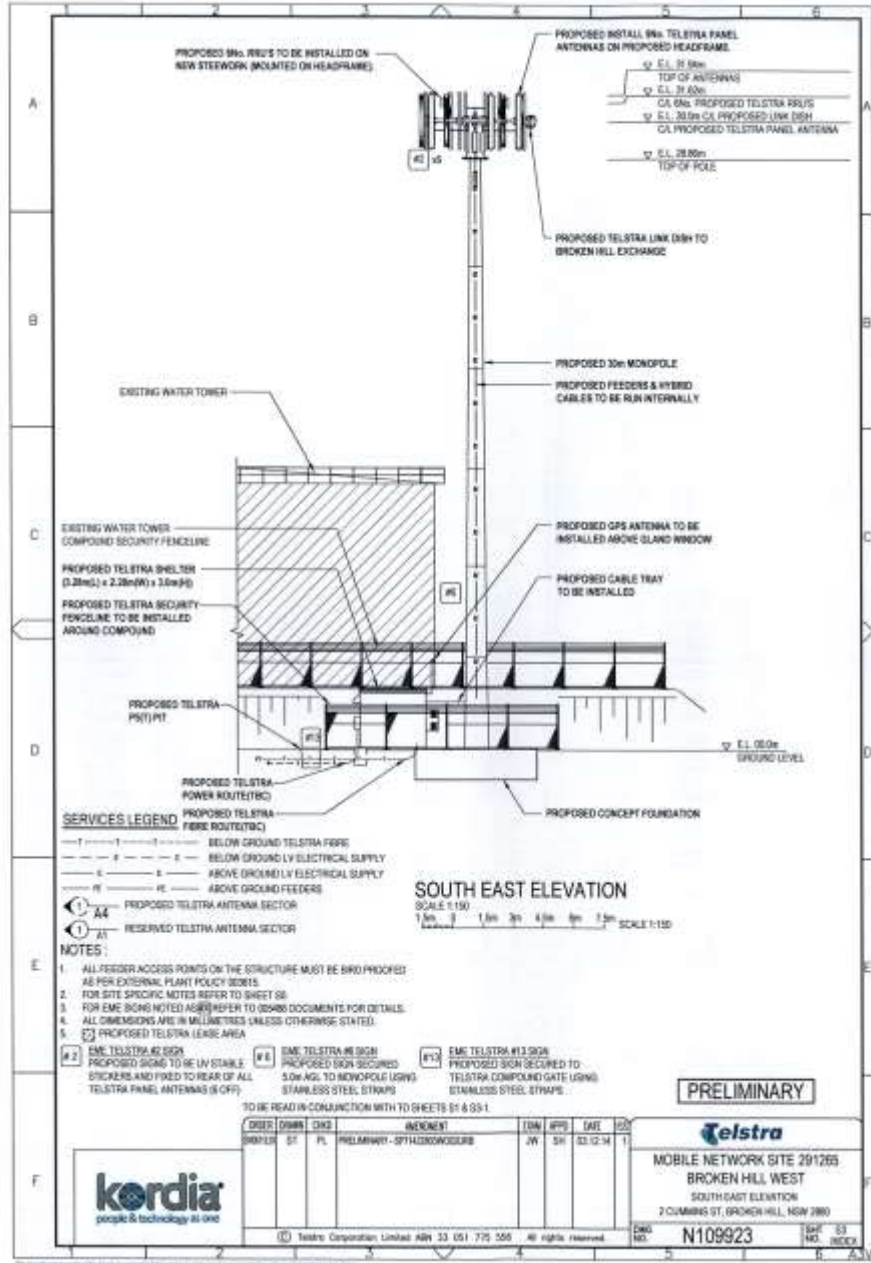
Attachments

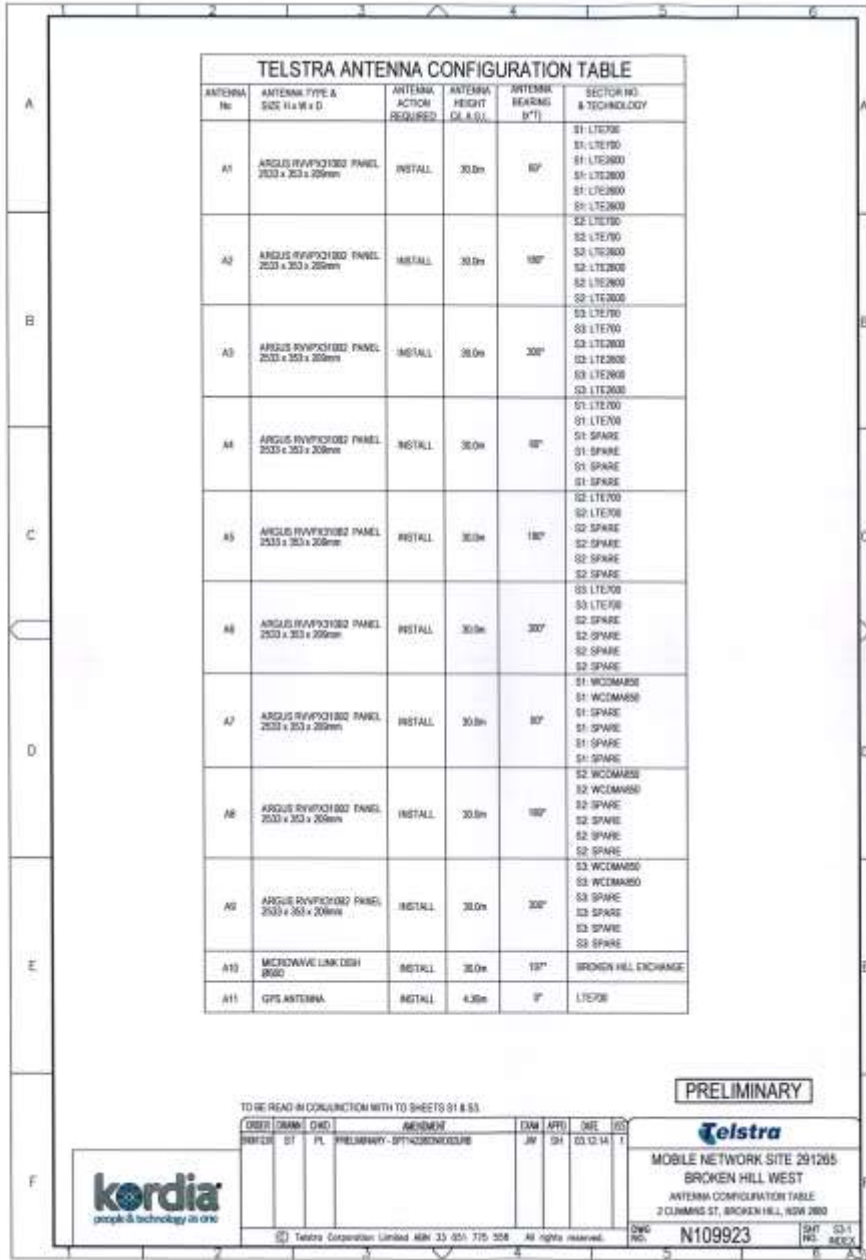
1. Site Plans 3 Pages
2. EME 3 Pages
3. Proposed conditions of consent 9 Pages

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER









Environmental EME Report 2 Cummins Street, BROKEN HILL NSW 2880

This report provides a summary of Calculated RF EME Levels around the wireless base station

Date 21/7/2015

RFNSA Site No. 2880056

Introduction

The purpose of this report is to provide calculations of EME levels from the existing facilities at the site and any proposed additional facilities.

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at 2 Cummins Street BROKEN HILL NSW 2880 . These levels have been calculated by Telstra using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

The maximum EME level calculated for the proposed systems at this site is 0.8% of the public exposure limit.

The ARPANSA Standard

ARPANSA, an Australian Government agency in the Health and Ageing portfolio, has established a Radiation Protection Standard specifying limits for general public exposure to RF transmissions at frequencies used by wireless base stations. The Australian Communications and Media Authority (ACMA) mandates the exposure limits of the ARPANSA Standard.

How the EME is calculated in this report

The procedure used for these calculations is documented in the ARPANSA Technical Report "Radio Frequency EME Exposure Levels - Prediction Methodologies" which is available at <http://www.arpansa.gov.au>.

RF EME values are calculated at 1.5m above ground at various distances from the base station, assuming level ground.

The estimate is based on worst-case scenario, including:

- wireless base station transmitters for mobile and broadband data operating at maximum power
- simultaneous telephone calls and data transmission
- an unobstructed line of sight view to the antennas.

In practice, exposures are usually lower because:

- the presence of buildings, trees and other features of the environment reduces signal strength
- the base station automatically adjusts transmit power to the minimum required.

Maximum EME levels are estimated in 360° circular bands out to 500m from the base station.

These levels are cumulative and take into account emissions from all mobile phone antennas at this site.

The EME levels are presented in three different units:

- volts per metre (V/m) – the electric field component of the RF wave
- milliwatts per square metre (mW/m²) – the power density (or rate of flow of RF energy per unit area)
- percentage (%) of the ARPANSA Standard public exposure limit (the public exposure limit = 100%).

Results

The maximum EME level calculated for the proposed systems at this site is 3.9 V/m; equivalent to 40.35 mW/m² or 0.8% of the public exposure limit.

Radio Systems at the Site

There are currently no existing radio systems for this site.

It is proposed that this base station will have equipment for transmitting the following services:

Carrier	Radio Systems
Telstra	LTE2600 (proposed), LTE700 (proposed), WCDMA850 (proposed)

Calculated EME Levels

This table provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined.

Distance from the antennas at 2 Cummins Street in 360° circular bands	Maximum Cumulative EME Level – All carriers at this site					
	Existing Equipment			Proposed Equipment		
	Electric Field V/m	Power Density mW/m ²	% ARPANSA exposure limits	Electric Field V/m	Power Density mW/m ²	% ARPANSA exposure limits
0m to 50m				1.8	8.56	0.14%
50m to 100m				1.63	7.075	0.13%
100m to 200m				3.89	40.18	0.8%
200m to 300m				3.9	40.35	0.79%
300m to 400m				2.96	23.23	0.43%
400m to 500m				2.23	13.23	0.24%
Maximum EME level				3.9	40.35	0.8
	179.81 m from the antennas at 2 Cummins Street					

Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest that have been identified through the consultation requirements of the Communications Alliance Ltd Deployment Code C564:2011 or via any other means. The calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

Additional Locations	Height / Scan relative to location ground level	Maximum Cumulative EME Level All Carriers at this site Existing and Proposed Equipment		
		Electric Field V/m	Power Density mW/m ²	% of ARPANSA exposure limits
Closest dwelling	0m to 3m	0.57	0.88	0.02%
Dwelling to the south	0m to 3m	1.36	4.94	0.12%
Dwelling to the west	0m to 3m	1.0077	2.69	0.061%
Reserve	0m to 2m	1.58	6.62	0.13%

RF EME Exposure Standard

The calculated EME levels in this report have been expressed as percentages of the ARPANSA RF Standard and this table shows the actual RF EME limits used for the frequency bands available. At frequencies below 2000 MHz the limits vary across the band and the limit has been determined at the Assessment Frequency indicated. The four exposure limit figures quoted are equivalent values expressed in different units – volts per metre (V/m), watts per square metre (W/m²), microwatts per square centimetre (μW/cm²) and milliwatts per square metre (mW/m²). Note: 1 W/m² = 100 μW/cm² = 1000 mW/m².

Radio Systems	Frequency Band	Assessment Frequency	ARPANSA Exposure Limit (100% of Standard)
LTE 700	758 – 803 MHz	750 MHz	37.6 V/m = 3.75 W/m ² = 375 μW/cm ² = 3750 mW/m ²
WCDMA850	870 – 890 MHz	900 MHz	41.1 V/m = 4.50 W/m ² = 450 μW/cm ² = 4500 mW/m ²
GSM900, LTE900, WCDMA900	935 – 960 MHz	900 MHz	41.1 V/m = 4.50 W/m ² = 450 μW/cm ² = 4500 mW/m ²
GSM1800, LTE1800	1805 – 1880 MHz	1800 MHz	58.1 V/m = 9.00 W/m ² = 900 μW/cm ² = 9000 mW/m ²
LTE2100, WCDMA2100	2110 – 2170 MHz	2100 MHz	61.4 V/m = 10.00 W/m ² = 1000 μW/cm ² = 10000 mW/m ²
LTE2300	2302 – 2400 MHz	2300 MHz	61.4 V/m = 10.00 W/m ² = 1000 μW/cm ² = 10000 mW/m ²
LTE2600	2620 – 2690 MHz	2600 MHz	61.4 V/m = 10.00 W/m ² = 1000 μW/cm ² = 10000 mW/m ²
LTE3500	3425 – 3575 MHz	3500 MHz	61.4 V/m = 10.00 W/m ² = 1000 μW/cm ² = 10000 mW/m ²

Further Information

The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is a Federal Government agency incorporated under the Health and Ageing portfolio. ARPANSA is charged with responsibility for protecting the health and safety of people, and the environment, from the harmful effects of radiation (ionising and non-ionising).

Information about RF EME can be accessed at the ARPANSA website, <http://www.arpansa.gov.au>, including:

- Further explanation of this report in the document "Understanding the ARPANSA Environmental EME Report"
- The procedure used for the calculations in this report is documented in the ARPANSA Technical Report; "Radio Frequency EME Exposure Levels - Prediction Methodologies"
- the current RF EME exposure standard
Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), 2002, 'Radiation Protection Standard: Maximum Exposure Levels to Radiofrequency Fields — 3 kHz to 300 GHz', Radiation Protection Series Publication No. 3, ARPANSA, Yallambie Australia.
[Printed version: ISBN 0-642-79400-6 ISSN 1445-9760] [Web version: ISBN 0-642-79402-2 ISSN 1445-9760]

The Australian Communications and Media Authority (ACMA) is responsible for the regulation of broadcasting, radiocommunications, telecommunications and online content. Information on EME is available at <http://emr.acma.gov.au>

The Communications Alliance Ltd Industry Code C564:2011 'Mobile Phone Base Station Deployment' is available from the Communications Alliance Ltd website, <http://commsalliance.com.au>.

Contact details for the Carriers (mobile phone companies) present at this site and the most recent version of this document are available online at the Radio Frequency National Site Archive, <http://www.rfnsa.com.au>.

PROPOSED CONDITIONS OF CONSENT

DA 32/2016

TELECOMMUNICATIONS FACILITY

General

1. This consent relates to a Telecommunications Facility at Lot 922 DP 757298, No 25 Cummins Street, Broken Hill, comprising:
 - a 30 metre tall monopole,
 - nine (9) panel antennas mounted on a head frame around the top of the monopole,
 - six (6) remote radio units mounted on the monopole just below the antennas,
 - a pre-fabricated equipment shelter (3.28m x 2.28m x 3.0m) to house necessary base-station equipment,
 - a 600 mm wide overhead cable tray connecting the equipment shelter to the monopole, and
 - a 2.4 metre tall security fence with an access gate.

And as described and shown on the following documents submitted with the development application:

- Statement of Environmental Effects prepared by SK Planning Pty Ltd dated 5th April 6, 2016 describing the subject land, the proposed development and justification for the facility,
- Drawing N109923 Sheet 1 Site Layout and Access,
- Drawing N109923 Sheet S3-1 Antenna Configuration Table,
- Drawing N109923 Sheet 3 South-east Elevation, and
- Environmental EME Report dated July 21, 2015
- Photomontages.

Notes:

Any alteration to the plans and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act, or a fresh development application. No works, other than those approved under this consent, shall be carried out without the prior approval of Council.

CONDITIONS THAT MUST BE COMPLIED WITH BEFORE WORK CAN COMMENCE

2. Notice of Commencement

Notice must be given to Council at least two (2) days prior to the commencement of building work.

3. Principal Certifying Authority/Construction Certificate

The following must be undertaken before any building works can commence:

- (a) A Principal Certifying Authority (PCA) must be appointed; and
- (b) A Construction Certificate must be obtained from either Council or an accredited certifier.

4. Existing services and damage to public assets

Prior to the commencement of any work(s) associated with this development:

- (a) The developer or his agent shall undertake a site inspection of any adjacent kerbs, gutters, carriageway, reserves and the like and document evidence of any damage to existing assets. Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense. Any damage to the adjacent kerb, gutter, footpath/road reserve area, carriageway and the like that occurs during development works shall be repaired by the applicant; and
- (b) The developer or his agent must check that the proposed works are not affected by any Council, energy utility, telecommunications, gas service or other services. Any required alterations to services will be at the developer's expense.

5. Supervision of works

Prior to the commencement of any works, Council shall be advised in writing of the name of the person/company nominated by Telstra to be responsible for construction works including erosion and sediment control measures.

6. Sign – Supervisor Contact Details

The person/company responsible for the construction of site works must erect a sign at the site in a visible position with that person/company's name, license number, site address and contact number, and the name of the Principal Certifying Authority, accreditation number and telephone number, where the Principal Certifying Authority is not the Council.

**CONDITIONS THAT MUST BE COMPLIED WITH BEFORE A CONSTRUCTION
CERTIFICATE CAN BE ISSUED**

7. Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan and accompanying specifications for the construction phase of the works based on the Landcom manual "*Soils and Construction, Managing Urban Stormwater, Vol 14th Edition, March 2004*", shall be lodged for approval with the application for a Construction Certificate. All controls must be implemented, inspected and approved prior to the commencement of any site works.

8. Waste Minimisation and Management

A Waste Management Plan must be prepared that complies with the NSW DECC *Environmental Guidelines: Classification and Management of Liquid and Non-liquid Wastes* and lodged for approval with the application for a Construction Certificate. A copy of the approved plan shall be lodged with Council prior to the issue of the Construction Certificate.

CONDITIONS RELATING TO THE APPROVED WORK AND SITE MANAGEMENT

9. Soil and Water Management

All site works shall be undertaken in accordance with the Erosion and Sediment Control Plan and measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur.

10. Waste Management

All waste must be contained within the site during construction and then be recycled in accordance with the approved Waste Management Plan or removed to an authorised waste disposal facility. No waste shall be placed in any location or in any manner that would allow it to fall, descend, blow, wash, percolate or otherwise escape from the site.

11. Construction hours/storage

To limit the impact of the development on nearby residences, the following must be complied with:

- (a) All construction work shall be restricted to the hours of 7:00am to 6:00pm Monday to Friday and 8:00am to 4:00pm Saturdays. No construction work shall take place on Sundays or Public Holidays.

12. Building Code of Australia

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

**CONDITIONS THAT MUST BE COMPLIED WITH BEFORE AN OCCUPATION
CERTIFICATE CAN BE ISSUED**

13. Occupation Certificate

An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) before the building is used or occupied. If Council is the appointed PCA for this project, a minimum of twenty four (24) hours' notice must be given to Council to make an inspection of the work.

**CONDITIONS THAT RELATE TO ONGOING MANAGEMENT OF THE PROPOSED
DEVELOPMENT**

14. Site Management and Maintenance

The proprietor shall at all times be responsible for on-going site management and maintenance in accordance with the following:

- (a) The use of the approved development must not:
 - (i) cause transmission of vibration to any place of different occupancy,
 - (ii) cause 'Offensive Noise' as defined in the *Protection of the Environment Operations Act 1997*, or
 - (iii) Impact upon the amenity of any adjoining property or tenancy by reason of the emission of noise, dust, fumes, odour, vibration, electrical interference or otherwise.

- (b) Telstra must, at all times, maintain the facility in order to ensure the required operation and connection to the network. This maintenance must include the alteration, removal or repair of the facility, as well as the monitoring the function of the facility. Telstra must provide all material and information required to establish and maintain the facility.

15. Within two weeks of commissioning the facility, the applicant is to submit to Council, a site compliance certificate prepared by a qualified NATA EME signatory, which certifies that the facility complies with the maximum electromagnetic energy levels as required under the ARPANSA Radiation Standard RPS3.

16. Electro Magnetic Energy Monitoring

That the facility is to be operated below the maximum exposure limits specified in the ARPANSA RPS3 Standard at all times in accordance with the ACMA's Radiocommunications Licence conditions (Apparatus Licence) Determination 2015.

REASONS FOR CONDITIONS

Conditions of consent have been imposed to ensure that:

1. the proposed development achieves the objects of the *Environmental Planning and Assessment Act 1979* and complies with the provisions of relevant environmental planning instruments
2. the relevant public authorities have been consulted and their requirements met or arrangements made for the provision of services to the satisfaction of those authorities
3. the protection of the amenity and character of land adjoining and in the locality of the proposed development
4. any potential adverse environmental, social or economic impacts of the proposed development are minimised or mitigated
5. all traffic, car parking and access requirements arising from the development are addressed
6. the development does not conflict with the public interest

ADVICE ABOUT RIGHTS OF REVIEW AND APPEAL

Under section 82A of the *Environmental Planning and Assessment Act 1979* an applicant may request the council to review its determination except where it relates to a complying development certificate, designated development or integrated development.

Section 97 of the *Environmental Planning and Assessment Act 1979* confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court which can be exercised within six (6) months after receipt of this notice.

ADVICE ABOUT RIGHTS OF REVIEW AND APPEAL

This consent is valid for five years from the date hereon.

In accordance with Section 95 of the *Act*, development consent of the erection of a building does not lapse if building, engineering or construction work relating to the building or work is physically commenced on the land to which the consent applies before the lapse date.

SCHEDULE 2: PRESCRIBED CONDITIONS

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000
PART 6 – DIVISION 8A: Prescribed Conditions of Development Consent

98 Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

(cf clauses 78 and 78A of EP&A Regulation 1994)

- (1) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:
 - (a) that the work must be carried out in accordance with the requirements of the *Building Code of Australia*,
 - (b) in the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
- (1A) For the purposes of section 80A (11) of the Act, it is prescribed as a condition of a development consent for a temporary structure that is used as an entertainment venue, that the temporary structure must comply with Part B1 and NSW Part H102 of Volume One of the *Building Code of Australia*.
- (2) This clause does not apply:
 - (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
 - (b) to the erection of a temporary building, other than a temporary structure to which subclause (1A) applies.
- (3) In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application is made for the relevant:
 - (a) development consent, in the case of a temporary structure that is an entertainment venue, or
 - (b) construction certificate, in every other case.

Note. There are no relevant provisions in the *Building Code of Australia* in respect of temporary structures that are not entertainment venues.

98A Erection of signs

- (1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.
- (2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and

- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.
- (3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
 - (4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.
 - (5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.
 - (6) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note. Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

98B Notification of Home Building Act 1989 requirements

- (1) For the purposes of section 80A (11) of the Act, the requirements of this clause are prescribed as conditions of a development consent for development that involves any residential building work within the meaning of the Home Building Act 1989.
- (2) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
 - (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
 - (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
- (3) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.
- (4) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

98C Conditions relating to entertainment venues

For the purposes of section 80A (11) of the Act, the requirements set out in Schedule 3A are prescribed as conditions of development consent for the use of a building as an entertainment venue.

98D Condition relating to maximum capacity signage

- (1) For the purposes of section 80A (11) of the Act, the requirement set out in subclause (2) is prescribed as a condition of development consent (including an existing development consent) for the following uses of a building, if the development consent for the use contains a condition specifying the maximum number of persons permitted in the building:
 - (a) entertainment venue,
 - (b) function centre,
 - (c) pub,
 - (d) registered club,
 - (e) restaurant.
- (2) From 26 January 2010, a sign must be displayed in a prominent position in the building stating the maximum number of persons, as specified in the development consent, that are permitted in the building.
- (3) Words and expressions used in this clause have the same meanings as they have in the standard instrument set out in the *Standard Instrument (Local Environmental Plans) Order 2006*.

98E Condition relating to shoring and adequacy of adjoining property

- (1) For the purposes of section 80A (11) of the Act, it is a prescribed condition of development consent that if the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (a) protect and support the adjoining premises from possible damage from the excavation, and
 - (b) where necessary, underpin the adjoining premises to prevent any such damage.
- (2) The condition referred to in subclause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

ORDINARY MEETING OF THE COUNCIL

June 8, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 133/16

SUBJECT: PROPOSED EASEMENT FOR ACCESS THROUGH PART OF THE WILLYAMA COMMON 11/63

Recommendation

1. That Broken Hill City Council Report No. 133/16 dated June 8, 2016, be received.
2. That Council under the Common Seal of Broken Hill City Council in its capacity as Trust Manager of Willyama Common consent to the development of an easement to the subject property (Lot 5844 DP757298 –Western Lands Lease) to legalise access, with the condition that the road cannot be widened given its location adjacent to the Old South Landfill.

Executive Summary:

A request for the development of an easement over the Willyama Common has been received from Department of Primary Industries (Lands) to provide legal access to a landlocked Westerns Land lease.

Report:

Council has received a proposal from the Department of Primary Industries (Lands) as part of the Legal Roads Network Project, which has the task of providing legal access to all landlocked properties in the Western Division.

In this instance the project has identified an existing access that crosses the Willyama Common which will require an easement. The subject easement will provide legal access to Lot 5844 DP757298, a western lands lease.

The identified proposed easement already has an existing road in place accessing the property. Given the access is already in place it is deemed that there will be no negative affect on the Common by granting this easement, as long as the road is not widened as it is located adjacent to the Old South Depot.

Strategic Direction:

- | | |
|----------------|--|
| Key Direction: | Our Environment |
| Objective: | Natural flora and fauna environments are enhanced and protected |
| Function: | Natural Environment |
| DP Action: | Implement the actions included in the plans of management for: <ol style="list-style-type: none"> 1. Living Desert 2. Regeneration Areas 3. The Willyama Common |

Relevant Legislation:

Commons Management Act 1989
Commons Management Regulation 2001
Management Plan for Willyama Common 2003

Financial Implications:

Nil

Attachments

1. Proposed Easement for Access Through Part of "Willyama Common" 2 Pages

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER



Department of
Primary Industries
Lands

Our Ref: 15/09757 Plan 64

The Secretary
Willyama Common Trust
Broken Hill City Council
PO Box 448
BROKEN HILL NSW 2880

Dear Sir/Madam

PROPOSED EASEMENT FOR ACCESS THROUGH PART OF "WILLYAMA COMMON"

I am writing to advise that the Legal Roads Network Project has the task of providing legal access to all landlocked properties in the Western Division.

As you are aware, the project is very large and will entail the identification, opening and dedication of some 20,000 kilometres of existing road as public road as well creating numerous easements for access to landlocked properties.

As part of this process the project will occasionally cross lands subject to Commons.

In this instance the project has identified an existing access that crosses Willyama Common which will require an easement. The subject easement provides legal access to Lot 5844 DP 757298 being Western Lands Lease 3359 owned by Richard Anderson.

Please find herewith Sheet 8 of DP 1218408 which indicates (highlighted yellow) the location of the proposed easement.

Any comment on this proposal should be addressed to me at the address or my email below or on phone number 02 6883 5417 within 30 days of the date of this letter.

Yours faithfully

A handwritten signature in black ink, appearing to read "M. Cenzato".

Maurice Cenzato
Senior Property Management Officer
Legal Roads Network Project
Land and Natural Resources (West Region)
maurice.cenzato@crownland.nsw.gov.au

6 May 2016

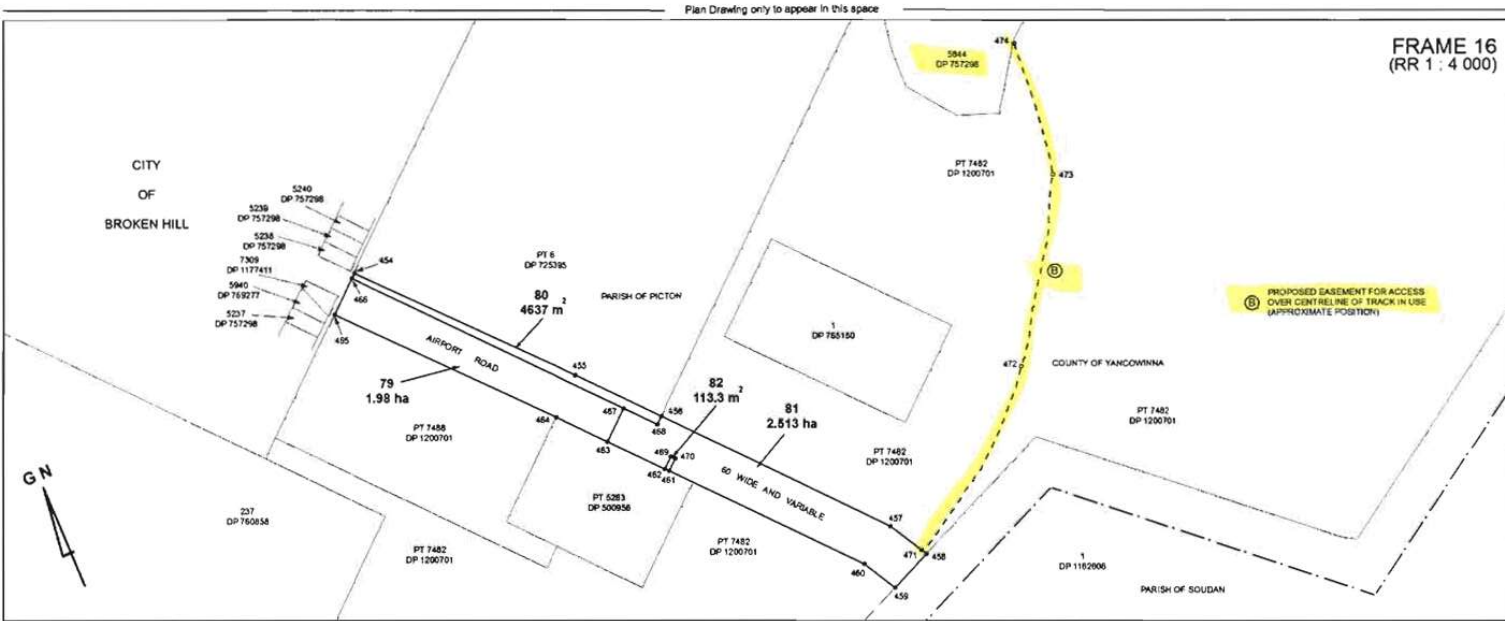
PLAN FORM 2

FRAME 16
(RR 1 : 4 000)

DP

Registered:

This is sheet 8 of 8 sheets



MGA ZONE 54 (SOUTH)

NUMBER	EASTING	NORTHING	NUMBER	EASTING	NORTHING	NUMBER	EASTING	NORTHING	NUMBER	EASTING	NORTHING	NUMBER	EASTING	NORTHING	NUMBER	EASTING	NORTHING	NUMBER	EASTING	NORTHING	NUMBER	EASTING	NORTHING	NUMBER	EASTING	NORTHING	NUMBER	EASTING	NORTHING	NUMBER	EASTING	NORTHING	NUMBER	EASTING	NORTHING																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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ORDINARY MEETING OF THE COUNCIL

June 9, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 134/16

SUBJECT: RECOMMENDATIONS OF THE COMMUNITY ASSISTANCE
GRANTS PANEL FOR ROUND 1 OF 2016/2017 16/44

Recommendation

1. That Broken Hill City Council Report No. 134/16 dated June 9, 2016, be received.
2. That Council adopts the recommendations of the Community Assistance Grants Panel for applications received for Round 1 of 2016/2017, being:
3. General Community Assistance:
 - a) Grant of \$1,000.00 to Life Education NSW towards providing drug education programme to Broken Hill school students (subsidy to participants).
 - b) Grant of \$1,000.00 to Barrier Primary School Sports Association towards subsidising travel costs for students to travel to represent Broken Hill at sporting carnivals.
 - c) Grant of \$5,000.00 to South Broken Hill Golf Club towards replacing floor coverings at the South Golf Club.
 - d) Grant of \$2,335.00 to Broken Hill Philharmonic Society towards payment of rates at their principal premises.
 - e) Grant of \$2,500.00 to U3A Broken Hill towards rental costs of a meeting space for 2016/2017 financial year.
 - f) Grant of \$3,000.00 to Broken Hill Eisteddfod Society towards Adjudicator costs for 2016 Eisteddfod.
 - g) Grant of \$1,200.00 to Quota International of Broken Hill for payment of hire of the Civic Centre for 10cent Auction.
 - h) Grant of \$1,000.00 to Broken Hill Repertory Society towards payment of rates at their principal premises.
 - i) That Council declines the request from Neve Robins for a grant towards costs associated with her attendance at the United Space School in Texas as the request does not comply with the eligibility or assessment criteria of the Community Assistance Grants Policy.
 - j) Grant of \$1,795.00 to Burke Ward P&C Association for payment of waste services fees for their Continental Fete.
 - k) Grant of \$1,795.00 to Silver City Racing Club for payment of waste services fees for the Silver City Cup Race Meeting.

- l) Grant of \$3,000.00 to Broken Hill Swimming Club towards the refurbishment/modification of an old caravan into a mobile catering/service van.
4. Painting and Minor Restoration Works:
 - a) Grant of \$500.00 to Katrina Watt of the Mackenzie Business Centre towards the external painting of the McKenzie Business Centre at 41-47 Crystal Street, Broken Hill.
 - b) Grant of \$500.00 to Sergio Bressanelli of Hande Pty. Ltd. towards the external painting of the Hande Electrics Store at 197-199 Argent Street, Broken Hill.
 5. That the draft Grant Agreement be adopted and the Mayor be authorised to sign the Grants Agreements associated with Round 1 of 2016/2017, on behalf of Council.

Executive Summary:

Council has received twelve (12) applications for Stream 1 – General Community Assistance and two (2) applications for Stream 3 – Painting and Minor Restoration works, prior to the closing date of April 30, 2016.

Report:

Council at its Ordinary Meeting held February 24, 2016 adopted the Draft Community Assistance Grants Policy, this policy replaced the Community Assistance Policy and the Heritage Restoration Grant Funds Policy.

The purpose of the Community Assistance Grants Policy is to provide a framework for Council to provide grants for community events, projects, services or activities known as Community Assistance Grants that align with the objectives of Broken Hill's Community Strategic Plan.

The framework aims to ensure that the allocation of Council's limited resources is undertaken in a fair, transparent, accountable and ethical manner. Council recognises that there can be difficulties in meeting community expectations with the increasingly limited financial resources available. Council also recognises that it is accountable to the community for the management and disbursement of its funds and that it must be done in a manner that maximises the benefits to the community and is seen as fair and equitable.

The policy covers the following streams of funding:

- Stream 1 – General Community Assistance (assessed by the Panel)
- Stream 2 – Verandah Restoration (assessed by Council all year round)
- Stream 3 – Painting and Minor Restoration Works (assessed by the Panel)

A Panel was established comprising, the Mayor, Our Community Portfolio Councillors, General Manager, Broken Hill Australia Day Citizen of the Year and two independent members to assess applications received in two rounds of funding opportunities for each financial year.

Council received twelve (12) applications for Stream 1 – General Community Assistance and two (2) applications for Stream 3 – Painting and Minor Restoration works, prior to the closing date of April 30, 2016 and the Panel met on Monday June 6, 2016 to assess the following applications:

1. Life Education NSW

Life Education NSW have made application for a grant of \$500.00 to provide a subsidy to local primary school children to participate in Life Education NSW's educational drug prevention programs (Healthy Harold Mobile Learning Centre). A donation of \$500.00 will mean a subsidy of 50 cents per student (estimated 1000 school students will participate in 2016/2017).

2. Barrier Primary Schools Sports Association

The Barrier Primary Schools Sports Association have made application for a grant of \$1,000.00 towards subsidising travel expenses for primary school aged students to travel to represent Broken Hill at the following Sporting Carnivals:

- Girls Basketball (Tamworth)
- Boys Basketball (Terrigal)
- AFL (Tomaree)
- Boys Soccer (Glenwood)
- Netball (Albury)
- Boys Cricket (Sutherland Shire)
- Swimming (Sydney)
- Athletics (Sydney)
- Cross Country (Sydney)

3. South Broken Hill Golf Club

The South Broken Hill Golf Club have made application for a grant of \$10,000.00 for new floor covering at the Club. The Club provides a facility for the golfing enthusiast at a more affordable cost; a meeting place for two local football (rugby) clubs who do not have their own facility; a venue for free exercises classes run by volunteers of the Far West Local Health District; home of the South Broken Hill Darts teams; Sunday raffles and Melbourne Cup Day events; wedding receptions, parties and celebrations. The Club also welcomes a group of disabled community members each week to their weekly activities.

4. Broken Hill Philharmonic Society

The Broken Hill Philharmonic Society have made application for a grant of \$2,335.00 for a rates subsidy for their premises at 200 Crystal Street for the 2016/2017 financial year.

The Philharmonic Society is run by volunteers and the premises is used weekly for Choir practice. The Choir performs concerts throughout the year at various venues. The Society is seeking a rates subsidy to enable them to continue to operate from the premises.

5. U3A Broken Hill

U3A Broken Hill have made application for a grant of \$2,500.00 towards the rental cost of a meeting space (estimated at \$30.00 per hour for 2 hours per week) for the 2016/2017 financial year.

U3A Broken Hill is a newly established programme that offers social, intellectual and cultural activities for seniors to encourage them to be involved in the community. Some of these activities include philosophy, knitting, book club, film club, creative writing, ethics discussions etc.

6. Broken Hill Eisteddfod Society Inc.

The Broken Hill Eisteddfod Society Inc. have made application for a grant of \$3,000.00 towards the travel costs to bring an Adjudicator to Broken Hill for the 2016 Eisteddfod (estimated at \$2000.00 for Adjudicator fees, \$817.00 for accommodation and \$885.00 in air fares). The Eisteddfod has historically been held at the Civic Centre, but due to the redevelopment of the Civic Centre, the Eisteddfod will be held at the Musicians Club this year.

7. Quota International of Broken Hill Inc.

Quota International of Broken Hill Inc. have made application for a grant of \$1,200.00 for waiver of fees towards the hire cost of the Civic Centre on October 21, 2016 to hold their biggest annual fundraiser, the 10cent Auction. Council has provided a waiver of fees for many years for Quota to hold this event at the Civic Centre.

8. Broken Hill Repertory Society Inc.

The Broken Hill Repertory Society Inc. have made application for a grant of \$1,000.00 as a rates subsidy toward the rates on the premises in Wills Street. The Repertory Society was founded in 1944 and Theatre 44 was built in 1973 with loan assistance from the mining companies. The Repertory Society provides an opportunity for Broken Hill actors and musicians to perform on stage. The Society produces three to four musical events each year, a weekly primary school drama group, and a ukulele group utilise the theatre every fortnight. The Theatre is run by a group of volunteers.

Council has provided a rates subsidy to the Society for many years. The Society is seeking a rates subsidy to enable them to continue to operate from the premises.

9. Neve Robins

Neve Robins has made application for a grant of \$1,000.00 towards the cost to attend the United Space School in Houston Texas. Neve will be attending as Australia's only female participant and as the eighth Broken Hill participant arranged by the Rural Health University. The two week program commences July 17, 2016 and concludes with graduation on August 1, 2016.

Although the application states that it is being made by the United Space School, the answers to the questions indicates that Neve has made the application (contact details, details about the organisation, number of members, insurances, financial statements etc).

Eligibility

The Community Assistance Grants Policy states that *"applicants must be an incorporated association, not for profit group, and/or a registered organisation with an ABN (or CAN). Applications will not be accepted from individuals, government agencies, political parties or lobby groups"*.

The request therefore does not meet the eligibility criteria.

10. Burke Ward P&C Association

The Burke Ward P&C Association have made application for a grant of \$4,000 and in-kind support of waste services for their 2016 Continental Fete. The grant will be used to purchase the ingredients for foods stalls, items for show bags, entertainment such as a jumpy castle and advertising costs.

Proceeds of the Fete will assist the P&C Association to implement stages of the "Healthy Kids" NSW government initiative, by providing quality drinking water, cold storage for children lunches and quality food at the school canteen.

11. Silver City Racing Club Inc.

The Silver City Racing Club Inc. have made application for a grant of \$1,500.00 towards the cost of waste services for their 2016 Silver City Cup Race Day on Saturday 22nd October 2016.

The Silver City Racing club commenced in 1899 and have been hosting a thoroughbred horse race meeting annually. This race meeting is one of the major events on the social calendar and is an event for the whole family to enjoy.

12. Broken Hill Swimming Club Inc.

The Broken Hill Swimming Club Inc. have made application for a grant of \$6,000.00 towards the refurbishment and modification of an old caravan into a catering/service van. This van will enable the Club to provide a catering service to community events and sporting carnivals in an effort to raise more funds itself to bring elite/Olympic swimmers and coaches to Broken Hill to provide expertise training sessions and to improve the level of experience of its members.

The Broken Hill Swimming Club was formed in 1954 and provides structured swimming programmes for the Broken Hill community. The club's volunteers provide coaching and mentoring and also support the swimmers by travelling to swimming competitions.

13. Mackenzie Business Centre, 41-79 Crystal Street

Ms. Katrina Watt of the Mackenzie Business Centre has made application for a grant of \$500.00 for external painting of the premises.

14. Hande Pty. Ltd., 197-199 Argent Street

Mr. Sergio Bressanelli of Hande Pty. Ltd. has made application for a grant of \$500.00 for external painting of the premises.

The Meeting Evaluation Form is attached to the report which outlines the recommendations of the Panel.

This report is presented to Council to seek adoption of the Panel's recommendations.

Strategic Direction:

Key Direction: 4. - Our Leadership
 Objective: 4.3 - We Unite to Succeed
 Function: Leadership and Governance
 DP Action: 4.3.1.7 - Gain a better understanding of possible alignments between Council and community groups, local associations and volunteers to ensure opportunities to work together are identified.

Relevant Legislation:

Local Government Act 1993 – Section 356

Financial Implications:

Council's budget for General Community Assistance Donations for 2016/2017 is \$97,000.00. Of this \$3,500.00 is committed funds under the Community Assistance Grants Policy (David Bowler Scholarship (\$2,500.00) and \$100.00 to each local school towards their Annual Presentation Night (total \$1,000.00). Leaving a balance of \$93,500.00 for 2 rounds of funding.

Attachments

- | | |
|--|------------|
| 1. Meeting Evaluation Form - Community Assistance Grants Panel Meeting
06/06/2016 | 5
Pages |
| 2. Draft Community Assistance Grants Agreement | 1 Page |

JAMES RONCON
GENERAL MANAGER

COMMUNITY ASSISTANCE GRANTS 2016/2017

ROUND 1 2016/2017 - PANEL MEETING – JUNE 6, 2016

Meeting commenced 10:00am

1. ATTENDANCE:

Mayor Wincen Cuy	Present
Deputy Mayor Dave Gallagher	Apology
Councillor Christine Adams	Present
General Manager James Roncon	Present
Mrs. Josephine Peters	Apology
Ms. Kristina Janjic	Apology
Mr. Chris Dougherty	Present

2. DISCLOSURES OF INTEREST:

NAME	APPLICATION DETAILS	REASON
Councillor Christine Adams	U3A Broken Hill	Secretary
Councillor Christine Adams	Broken Hill Philharmonic Society	Patron
Mayor Wincen Cuy	Broken Hill Philharmonic Society	Patron
James Roncon	Broken Hill Eisteddfod Society	Patron
Chris Dougherty	Broken Hill Swimming Club	Member

3. REPORT - STREAM 1 – GENERAL COMMUNITY ASSISTANCE GRANTS

Name	Details	Amount Requested	Meets Eligibility Criteria	Meets Assessment Criteria A	Meets Assessment Criteria B	Amount Recommended by Panel	Panel Comments
Life Education NSW	Grant towards providing drug education programme to Broken Hill school students.	\$500.00	Yes	Yes	Yes	\$1,000.00	Great initiative, happy to increase requested amount.
Barrier Primary Schools Sports Assoc.	Grant towards subsidising travel costs for students to travel to represent Broken Hill at sporting carnivals.	\$1,000.00	Yes	Yes	Yes	\$1,000.00	Acknowledge that Sister City program not currently supporting sport; Council happy to support initiative.
South Broken Hill Golf Club	Grant towards replacing floor coverings at the South Golf Club.	\$10,000.00	Yes	Yes	Yes	\$5,000.00	Council prepared to donate \$5,000 based on Club making premises available to community.
Broken Hill Philharmonic Society	Grant towards payment of rates at principal premises	\$2,335.00	Yes	Yes	Yes	\$2,335.00	Great institution, very worthy of support.
U3A Broken Hill	Grants towards rental costs of a meeting space for 2016/2017 financial year	\$2,500.00	Yes	Yes	Yes	\$2,500.00	Very happy to support as part of ageing community to encourage ongoing learning.
Broken Hill Eisteddfod Society	Grants towards cost of Adjudicator for 2016 Eisteddfod	\$3,000.00	Yes	Yes	Yes	\$3,000.00	Proud to support ongoing assistance to talented youth.
Quota International of Broken Hill	Grant for waiver of Civic Centre fees for 10cent Auction	\$1,200.00	Yes	Yes	Yes	\$1,200.00	Happy to assist.
Broken Hill Repertory Society	Grant towards payment of rates at principal premises	\$1,000.00	Yes	Yes	Yes	\$1,000.00	Happy to support ongoing assistance to group.
Neve Robins	Grant towards costs to attend United Space School in Texas	\$1,000.00	No	-	-	-	-

Name	Details	Amount Requested	Meets Eligibility Criteria	Meets Assessment Criteria A	Meets Assessment Criteria B	Amount Recommended by Panel	Panel Comments
Burke Ward P&C Association	Grant towards costs associated with Continental Fete	\$4,000.00	Yes	Yes	Yes	\$1,795.00	Waiver of Council's waste services fees.
Silver City Racing Club	Grant to waiver waste services fees at Silver City Cup Races	\$1,500.00	Yes	Yes	Yes	\$1,795.00	Waiver of Council's waste services fees.
Broken Hill Swimming Club	Grant to refurbish old caravan into a mobile catering/service van	\$6,000.00	Yes	Yes	Yes	\$3,000.00	Council to provide 50% of requested amount. Applauds innovation and ingenuity to sustain Club.

4. REPORT - STREAM 3 – PAINTING AND MINOR RESTORATION WORKS GRANTS

Name	Details	Amount Requested	Meets Eligibility Criteria	Meets Assessment Criteria - Heritage Adviser	Amount Recommended by Panel	Panel Comments
Mackenzie Business Centre, 41-47 Crystal Street	Grant towards external painting of premises.	\$500.00	Yes	Yes	\$500.00	-
Hande Pty. Ltd. 197-199 Argent Street	Grant towards external painting of premises.	\$500.00	Yes	Yes	\$500.00	-



5. DRAFT GRANT AGREEMENT



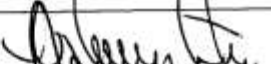
Panel approves use of draft Agreement.

6. GENERAL BUSINESS

Nil

7. MEETING CONCLUDED – (TIME) 10.53am

SIGNED BY PANEL MEMBERS PRESENT

NAME	SIGNATURE
Mayor Wincen Cuy	
General Manager, James Roncon	
Councillor Dave Gallagher	Arologus
Councillor Christine Adams	Christine Adams
Mr. Chris Dougherty	
Mrs. Josephine Peters APOLOGY	—
Ms. Kristina Janjic APOLOGY	—



COMMUNITY ASSISTANCE GRANT 2016/2017

GRANT DETAILS

Name of organisation:	
Contact Person:	
Address:	
Email:	
Total Amount of Grant:	
Cash/in-kind assistance:	
Activity/Event/Program:	
Approved at Council Meeting held:	
Minute Number:	

AGREEMENT

I, _____

On behalf of _____

Accept a 2016/2017 Community Assistance Grant of \$XXX being cash/in-kind assistance of XXX, and agree to abide by Council's terms and conditions as follows:

1. That all information contained in the organisation/group's application for a Community Assistance Grant is true and correct.
2. That the Community Assistance Grant will only be expended on the activity/event/project nominated in the organisation/group's application.
3. That Council's contribution will be acknowledged in all publicity relating to the activity/event/project for which the grant was approved. This includes print and electronic advertising, media releases, posters, etc. and with the use of Council's logo on all promotional material.
4. That the organisation/group provides Council with budget acquittal information, within two months of the activity/event/project being held, with any unspent grant monies being reimbursed to Council at that time.
5. That the acquittal information also contain evidence of adherence to clause 3 of this Agreement (acknowledgement of Council's contribution).
6. That the organisation notes that the success of any future applications will be dependent on adherence with all of the clauses of this Agreement.

Signature of Applicant

Wincen Cuy
Mayor Broken Hill City Council

Name

Position Held in Organisation

Date

ORDINARY MEETING OF THE COUNCIL

June 15, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 135/16SUBJECT: OPTUS LEASE PROPOSAL - 334 MCCULLOCH STREET 11/467**Recommendation**

1. That Broken Hill City Council Report No. 135/16 dated June 15, 2016, be received.
2. That Council lease part of Lot 22 DP 1211288 to Optus for the co-location of telecommunication equipment, subject to the following conditions:
 - a) That an equipment shelter and associated infrastructure be installed underground, no aboveground structures inclusive of fencing will be permissible;
 - b) That Optus carry out a subdivision for lease purposes to create a 24 m² parcel of land;
 - c) That the lease term be 10 years (2 x 5 year leases);
 - d) That, in addition to Council's legal costs for the negotiation and execution of the lease and reasonable disbursements, Optus be liable for all survey, plan lodgement and legal fees relating to the required subdivision.

Executive Summary:

Council is in receipt of correspondence from Optus seeking approval to lease land, for the constructing of a small compound to house telecommunication infrastructure, adjacent to the planned Telstra compound at 334 McCulloch Street.

Report:

Optus is proposing to co-locate mobile infrastructure consisting of antennas, equipment shelter and associated infrastructure to land adjacent to the planned Telstra compound. Optus seeks approval to lease approx. 24 m² of land from Council for a 10 year term, consisting of 2 x 5 year leases.

Optus is the first mobile carrier to approach Council to lease land in this location for co-location purposes. It is envisaged that other carriers will follow suit.

It is important to note that the co-location of telecommunication infrastructure is Exempt Development pursuant to the provisions of Schedule 3A of the Infrastructure SEPP 2007, hence Council do not have planning powers to regulate the proposed development.

Due to the fact that a development application will not be lodged, Council will have no opportunity to impose conditions under the *Environmental Planning and Assessment Act 1979*, regulating visual aspects of the new development. Visual impacts on the amenity of this location is of high priority due to its close proximity to North Family Play Centre, Aquatic Centre and residential precinct.



11 May 2016

General Manager
Broken Hill City Council
PO Box 448
Broken Hill NSW 2880

Dear Mr Roncon,

Re: Optus proposal at Broken Hill - 334 McCulloch Street BROKEN HILL NSW 2880 (Lot 22 and 21, DP1211288) -

Further to previous discussions with Council and an inspection of the property, we write to Council in relation to the potential development of an Optus telecommunications facility on the land for the Optus telecommunications network. CommPlan Pty Ltd has been appointed to assist with the property, town planning and design activities and act on behalf of Optus for the development of the telecommunications facility in the Broken Hill area.

Following our research of the area and in order to satisfy the obligations of the Federal Telecommunications Act 1997, Optus considered the most appropriate proposal is to share the planned Telstra facility that has been approved on the property. The Optus proposed telecommunications facility will use the planned Telstra tower and will involve the installation of antennas and associated equipment on the Telstra monopole as well as the installation of an equipment shelter on the ground. We would like to request Council's consideration of a proposal to use the a small area of land approximately 4m x 6 metres adjacent to the Telstra compound and a proposal to enter into a lease or license agreement with Optus. Please find some further information below for your review.

In terms of what is physically required on the land, Optus would be looking to lease a small area of land approximately 24 square metres in size that will house an Optus equipment shelter and associated infrastructure. The small fenced compound will house an outdoor equipment shelter that is approximately 3m long by 2.5 metres wide. All costs associated with the installation, operation and maintenance of this facility would be at the expense of Optus. Please refer to the preliminary site layout plan at the end of this letter for an indicative position of the Optus compound.

Please find below more information about the basic terms of a lease agreement.

Leasing Proposal

The terms of the proposed lease are outlined below and these terms will form the basis of a lease or license agreement between Council and Optus. We will propose to use the Optus standard lease document as it is specifically written for telecommunications facilities and includes all of the terms and conditions necessary for the development, operation and maintenance of wireless telecommunications infrastructure. A copy of Optus' standard lease document can be provided at any stage should you wish to review it.

optus.com.au

SingTel Optus Pty Ltd
ABN 90 052 833 208

1 Lyonpark Road, Macquarie
Park, NSW 2113 Australia

PO Box 888, North Ryde,
NSW 1670 Australia

Telephone +61 2 8082 7800
Facsimile +61 2 8082 7100



The terms of this proposed lease are as follows:

Lessor:	Broken Hill City Council
Lessee:	Optus Mobile Pty Ltd - ABN: 65 054 365 696
Premises:	Part of the property described as 334 McCulloch Street BROKEN HILL NSW 2880 (Lot 22 and 21, DP1211288)
Permitted Use:	For the purpose of constructing, maintaining and operating a telecommunications network and telecommunications service now and in the future consistent with the evolving nature of telecommunications services.
Equipment:	Any and all equipment and ancillary installations required to conduct the Permitted Use initially the use of a 4m x 6m area on the ground adjacent to the Telstra compound for the housing of an Optus equipment shelter and associated infrastructure. A set of cables and antennas will be installed on the planned Telstra monopole. The proposal will be illustrated in a set of design plans that will be presented to Council once the basic terms of the lease agreement and a location for the equipment has been agreed.
Access:	The Lessor consents to the Lessee and persons authorised by the Lessee without the need for prior notice and with or without materials, plant and other apparatus and vehicles entering the Land for the purpose of using the Premises and exercising its rights under the lease at all times of the day and night during the Term.
Commencement Date of Lease:	To be the day the Lessee commences the construction and installation work for the telecommunications facility.
Term of Lease:	From the Commencement date to 30/9/2025 and 2 x 5 year options (Dates may change to be consistent with Telstra lease.
Rent:	\$6,500 (plus GST) per annum paid in advance by electronic funds transfer. The rent is a gross amount and includes all rates, taxes and outgoings in respect of the land and Premises. The Lessee will issue recipient created tax invoices (RCTI's) for all payments.
Rent Reviews:	3% fixed increase annually on the anniversary of the commencement date of the lease. Including commencement of any further term
Electricity:	If possible, the Lessee will install a separately metered power and enter into a supply agreement with the power supply authority for the area.
Assignment and Subletting:	The Lessee may from time to time assign the Lease to a related Body Corporate of the Lessee or to a carrier without the consent of the Lessor.

optus.com.au

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	The Lessee may assign, sublet, part with or share its right to possession of the Premises upon written notice to the Lessor.
Telecommunications Act 1997 (Cth):	This letter and any proposed lease is to be without prejudice to the Lessee's rights pursuant to Schedule 3 of the <i>Telecommunications Act 1997 (Cth)</i> .

Note that entering into this proposal on the above terms and conditions is subject to:

1. Approval by Optus' financial delegate.
2. Lessor's approval of plans.
3. Obtaining the necessary Town Planning Approval.
4. Obtaining a suitable position on the Telstra monopoly and a suitable approval from Telstra.

We would kindly ask that Council provide their response to the proposal and Council's agreement to the basic terms of the lease outlined above. Should you have any questions or require any further information, please do not hesitate to contact us at any time by phone or by email on the details provided below.

Yours sincerely,

Mark Byrnes
CommPlan Pty Ltd
 For **Optus**
 PO Box 267, Edgecliff NSW 2027
 Ph: 0419977826
 Fax: (02) 8580 4885
 E-mail: markb@commplan.com.au

optus.com.au

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ORDINARY MEETING OF THE COUNCIL

May 25, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 136/16

SUBJECT: MINUTES OF THE BROKEN HILL LEAD REFERENCE GROUP
MEETING HELD MAY 10, 2016 12/177

Recommendation

1. That Broken Hill City Council Report No. 136/16 dated May 25, 2016, be received.
2. That the minutes of the Broken Hill Lead Reference Group Meeting held May 10, 2016 be received.

Executive Summary:

Council has received minutes of the Broken Hill Lead Reference Group Meeting held May 10, 2016 for endorsement by Council

Report:

The Broken Hill Lead Reference Group (BHLRG), chaired by Broken Hill City Council, is a collaborative of the many companies, organisations and community representatives that work with, have an interest in and contribute to the lead management in the local community.

The BHLRG has developed the Broken Hill Lead Reference Group Integrated Strategy to provide a forum for information exchange and to guide activity relating to lead issues for Broken Hill.

Strategic Direction:

Key Direction: Our Environment
Objective: Our Environmental Footprint is minimised
Function: Participation at stakeholder group meetings
DP Action: Participate in stakeholder reference groups in relation to Annual Environmental Management Reviews (AEMR's) of mining operations in the city – Lead Reference Group

Relevant Legislation:

Nil

Financial Implications:

Nil

Attachments

1. Minutes of the Broken Hill Lead Reference Group Meeting held May 10, 2016 3 Pages

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER



Broken Hill Lead Reference Group

Meeting held Tuesday May 10 2016

Attendees: Therese Jones (FW & WNSW LHD), Leanne Hastwell (FWLHD), David Lyle (FWLHD), Lacey Butcher (BHCC) Libby Guest (BHCC), Marion Browne (Councillor Representative), Pamela Tucker (Com Rep), Craig Bertherton (EPA – phone link), Len Sharp (CBH), Cathy Dyer (Maari Ma – via phone) Peter Oldsen (BHELP), Frances Boreland (BHELP), Melanie (Compass Housing)

Apologies: Margaret Lesjak (FWLHD), Peter Lean (Perilya), Bruce Byrne (Perilya) John Coffee (Essential Water), Michelle Pitt (Medicare Local), Peter Macbeth and Bob Dyson (Department of Education), Kevin Humphries (member of Barwon), Michelle Pitt (WNSW Primary Health Network), Lesley Black (Community Rep), Mark Taylor (Macquarie University)

Libby Guest chaired the meeting

Previous Meeting Notes

Minutes from the previous meeting held February 24, 2016 were adopted

Matters Arising

Nil

Correspondence In and Out

Nil

Presentations – Lead Health Report

The Lead Report for 2015 will be released later in the month of May. In summary: The 2011 census data was used at the baseline population for reporting Results for 2015 are:

679 children were tested, down from 719 in 2014

Of the 679, 178 were indigenous, down from 183 in 2014

Average overall blood level for children aged 1-4 was 5.8ug/dL

Cord blood average was 1.1ug/dL (177 babies tested)

Average of indigenous children was 9.3ug/dL (what is influencing this is hard to determine – is it number of children tested, aspects of housing, the measuring or technical data issues)

53% of children are less than 5ug/dl

25% are above 10 ug/dl

120% of Aboriginal children have been tested (based on no. Aboriginal children identified in the census), Health do believe that they are capturing most of the children, numbers have improved through extending the program and also linking the testing to immunisation.

Indigenous children have 21% less than 5ug/dl, 79% over 5ug/dl, and 50% above 10ug/dl, majority of readings are sitting between 5-15ug/dL

Average readings above 5ug/dl

All children – 47%

Indigenous children – 79%

Non-indigenous children – 35%

Quarterly Reports

Refer to reports submitted prior to the meeting

Only addition to reports submitted was some discussion about including midwife data as part of the annual report from Health, it was thought the extra data may assist in determining if some babies are starting with a higher blood lead level than others. A distinction between indigenous and non-indigenous was also discussed.

CBH Community Lead Management Plan V2

CBH had received good feedback from the group prior to the meeting. Areas discussed further with the group included:

Human Health Risk assessment – this was updated in May 2015 with actual data, as the original was based on predictive levels. This is available on the website and CBH will send the link through to all the members to view. The risk assessment identified the Perilya housing (Proprietary Square) as the most affected receptor. CBH have provided the report to Perilya, not many of the houses are occupied.

Dust Management – the whole profile of the tailings storage facility is kept wet/damp at all times to reduce dust from this area. TSF1 is a historic tailings dam, capped with slag rock, currently not in use, video will be set up to monitor the site. Dust monitoring is reported monthly on the website, for everyone to access. Sediment contained in the vehicle wash down bays is buried underground on site.

General Business

Mawson's Quarry – the question was raised in regard to what dust monitoring Mawson's quarry is required to do, as the company also have an environmental licence. This was in regard to the possible effect that their works may have on CBH monitoring. An EIS was completed several years ago for the quarry. It may be appropriate that a representative from Mawson's be invited to attend the Lead Reference Group in the future.

Matters for Next Meeting

Presentations:
BHELP Lead Engagement Strategy
BHELP XRF Verification Study – tentative

Action List

Action	Who
1. Letter to BHELP on behalf of BHLRG to request funding support for Chenyin's dust project work	Libby Guest
2. Check Mawson's EIS – submitted to Council several years ago in regard to monitoring of dust requirements	Libby Guest

Meeting Closed – 11:20 am

Next Meeting – Wednesday 24, August 2016, First Floor Meeting Room, Council Administration Building.

ORDINARY MEETING OF THE COUNCIL

June 16, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 137/16

SUBJECT: MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
NO.360, HELD 7 JUNE 2016 11/397

Recommendation

1. That Broken Hill City Council Report No. 137/16 dated June 16, 2016, be received.
2. That the Minutes for the Local Traffic Committee Meeting No.360, held June 7, 2016 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 5, 2016. The committee made a number of recommendations of which, all were general operations related.

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 LOCAL TRAFFIC COMMITTEE MEETING NO 360 - June 2016 | 6 Pages |
| 2. | Action List - Local Traffic Committee - June Meeting 2016 | 10 Pages |

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER

The Minutes of the Local Traffic Committee Meeting No. 359 have been approved by voting members on line:

All in favour: RMS, BHCC & Local Member
Yet to vote: Police
Against: Nil

MINUTES OF LOCAL TRAFFIC COMMITTEE MEETING NO. 360
HELD TUESDAY JUNE 5, 2016
COMMENCING AT 9.30 AM
SECOND FLOOR COUNCIL ADMINISTRATION BUILDING

MEETING OPEN: 9:33 am

Welcome to all present

360.1 PRESENT:

Andrew Bruggy (Chair)	Acting Deputy General Manager, Broken Hill City Council
Joe Sulicich	Roads and Maritime Services Representative
James Druitt	Asset Planner Transport - observer
Marion Browne	Councillor
Penny Robinson	BHCC Minute Secretary
Peter Beven	Local Member Representative

360.2 APOLOGIES: Nil received

ABSENT: Sergeant Kerri Lane - Broken Hill Police Representative

360.3 DISCLOSURE OF INTEREST: - NIL

360.4 REPRESENTATIONS: - NIL

360.5 ADOPTION OF PREVIOUS MINUTES:

It was noted that the previous minutes of meeting No. 359 held April 7, 2016 were confirmed via online voting as follows:

All in favour: RMS, BHCC, Local Member
Yet to vote: Police
Against: Nil

360.6 COUNCIL RESOLUTIONS ON TRAFFIC COMMITTEE MATTERS:

The following Committee Recommendations were endorsed by Council at their meeting held April 27, 2016.

<p>ITEM 14 -- BROKEN HILL CITY COUNCIL REPORT NO. 108/16 -- DATED MAY 11, 2016 -- MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO. 359, HELD 3 MAY 2016 -- 11/397</p>	
<p>Recommendation</p> <p>That Broken Hill City Council Report No. 108/16 dated May 11, 2016, be received.</p> <p>That the Minutes for the Local Traffic Committee Meeting No. 359, held May 3, 2016 be received.</p>	
<p>RESOLUTION</p> <p>Minute No. 4527</p> <p>Councillor B. Algate moved →)</p> <p>Councillor B. Licul seconded →)</p> <p>That the recommendation of item 14 be adopted.</p> <p style="text-align: right;">CARRIED</p>	

360.7 MATTERS ARISING FROM THE PREVIOUS MEETING or FROM COUNCIL RESOLUTIONS:

359.9.1 - Tree Trimming Wickes and Bromide Street corner

Councillor Browne was approached by a member of the public regarding sight impediment at the Wicks/Bromide Street intersection. Tree on the right hand side requires trimming.

Recommendation:

That a site inspection of the tree be conducted and that required works be undertaken to improve motorist visibility at the intersection.

Agreed Action:

That a site inspection of the tree be conducted and that required works be undertaken to improve motorist visibility at the intersection.

All in favour: RMS, BHCC, & Local Member

Yet to vote: Police

Against: Nil

Update to Committee:

CRM entered for trimming request.

Update to Committee:

CRM action still pending

359.9.2 – Line marking Bromide Street and other areas in Broken Hill

The committee members raised issues of adequate line marking through Broken Hill and in particular Bromide Street.

Recommendation:

That Andrew Bruggy is to seek quotes for cost of the updating of through broken Hill and Bromide Street area and report back to the committee.

Agreed Action:

That Andrew Bruggy is to seek quotes for cost of line marking in Bromide Street area as well as enquire into the costing for general line marking maintenance around Broken Hill and report back to the committee.

Update to Committee:

Quotes have been obtained and line marking to commence 29 June 2016

All in favour: RMS, BHCC, Local Member

Yet to vote: Police

Against: Nil

359.9.3 – Marking of Traffic Lanes at Argent Street Traffic Lights Intersection

Line Marking has not been replaced since the road was previously sealed when Council conducted previous works. Request in general discussion from the committee relating to re-spraying the line marking.

Recommendation:

That Mr Joe Sulicich, RMS representative provide a copy of the original line marking plans to Council for reference, noting that modifications to the original plans will be required due to changes of traffic conditions.

It is recommended that directional arrows be marked within each lane to indicate traffic flow.

Agreed Action:

That Mr Joe Sulicich, RMS representative provide a copy of the original line marking plans to Council for reference, noting that modifications to the original plans will be required due to changes of traffic conditions.

It is recommended that lane lines be marked.

Update to Committee:

Original Plans provided to secretary from Joe Sulicich RMS at the May meeting these have been scanned and provided to David Zhao/James Druitt for information.

Update to Committee:

Item remains pending.

All in favour: RMS, BHCC, Local Member

Yet to vote: Police

Against: Nil

360.8 CORRESPONDENCE:

360.8.1 *-Mr Geoff Smith 274 Kaolin Street - Request for re-sealing, installation of speed signs/speed-hump and review of 50km speed zone in access lane between Bowen and Williams Streets (Cross Street being Kaolin and Bromide Streets)*

Recommendation:

The Committee notes this correspondence received and have identified that it is not a matter for the Committee in the first instance.

Agreed Action:

The Committee notes this correspondence received. A letter is to be provide to Mr Smith advising that this matter is to be referred to the Police on first instance. Letter to also not that Council may consider road works in next financial year's schedule of works.

All in favour: RMS, BHCC, Local Member
Yet to vote: Police
Against: Nil

360.8.2 - Ms Barbara Kavanagh – Gough, Caledonian Bed and Breakfast, 140 Chloride Street - Request for review of 60 degree parking lines at the corner of Mica/Chloride Streets and request for short term parking bay area.

Recommendation:

The Committee notes this correspondence received and agree that parking should be returned to 45 degree parking and a Council Officer is to make appointment for review of requirement for short term parking bay. Amending the angled parking may result in loss of 1 parking space.

Agreed Action:

Parking should be returned to 45 degree parking and a Council Officer is to make appointment for review of requirement for short term parking bay. Amending the angled parking may result in loss of 1 parking space.

All in favour: RMS, BHCC, Local Member
Yet to vote: Police
Against: Nil

360.8.3 - Mr Andy Ngo, NSW Government - Property NSW, 32 Sulphide Street. Request for Disability Access Parking near frontage of 32 Sulphide Street

Recommendation:

The Committee notes this correspondence received and agree that a Disability Accessible Parking space should be marked as requested.

Agreed Action:

A Disability Accessible Parking space should be marked as requested. RMS are to query is able to provide funding towards this works. Council Officer to make formal funding request to RMS.

All in favour: RMS, BHCC, Local Member
Yet to vote: Police
Against: Nil

360.8.4 - Mr Geoff Webb, Broken Hill High School - Request for Garnet Street Disability Access Parking and Garnet Street/Kaolin Street Pedestrian Crossings

Recommendation:

The Committee notes this correspondence received and a Council Officer will be required to inspect the areas relating to the request to make further report back to the committee on recommended action.

Agreed Action:

Council Officer will be required to inspect the areas relating to the request to make further report back to the committee on recommended action. Council Officer to make formal funding request to RMS to request financial assistance if possible for works if required.

All in favour: RMS, BHCC, Local Member
Yet to vote: Police
Against: Nil

360.9 GENERAL BUSINESS:

360.9.1 Broken Heel Festival - Request for comment from the Committee relating to the request to lift the Alcohol free zone for the September 2016 event.

Recommendation:

Committee is to provide a response as per 2015 - Committee identifies no issues at this time pending the provision of Traffic Control Plan to be provided to the July meeting for review and comment.

Agreed Action:

*Committee is to provide a response as per 2015.
Committee to review Traffic Control Plan in July meeting.*

All in favour: RMS, BHCC, Local Member
Yet to vote: Police
Against: Nil

360.9.2 Correspondence received from Dario Licul - requesting review of angle parking in front of Broken Hill Supplies

Recommendation:

Council Officer to review and report to committee recommendations.

Agreed Action:

Council Officer to review and report to committee recommendations

All in favour: RMS, BHCC, Local Member
Yet to vote: Police
Against: Nil

360.9.3 RMS representative advised committee that "No Fuel for 200km" signs are to be installed at the Adelaide Road by the Mine Shaft/Poppet Head to advise travellers.

360.9.4 General discussion amongst committee members identified noticed increase of residents parking vehicles on footpath. Andrew Bruggy to request Council Ranger be more vigilant in this matter to increase public awareness when in the community.

360.10 ITEMS FOR NEXT MEETING: Nil noted.

360.11 NEXT MEETING DATE: July 5, 2016

MEETING CLOSED: 10:39 am

Trim – 11/397

Action List - Local Traffic Committee

Updated: June 2016

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date	
346.8.3	<p>Fran Mckinnon</p> <p>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:</p> <p>Cnr of Brookfield Avenue and Morgan Street and the Cnr of Doe & Hynes Streets with the following wording:</p> <p>"Ambush Site – Picnic Train Attack"</p>	D15/5750	10 March 2015	Agreed Action: <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>		
			Kath	On approval from Council Meeting arrange invoice for payment of available funds and send with acceptance letter.		
			15 April 2015 CRM 21449/2015	Enter CRM for Himan and David Zaho requesting submission of application for signage through TASC0.		
			Kath	Printing of Tax Invoice requested and to be attached to letter for payment. COMPLETED		
			2 June 2015	Application has been submitted to TASC0 waiting response.		
			2 September 2015	Andrew to follow up response to application with David Zhao and advise committee of update.		
		14 April 2015				
		October 7 2015	Mr Joe Sulicich advised that signage for this area does not require approval from TASC0 as the signs will not be erected on a State RMS designated Road. There is a possibility that funding may be available through the RMS.			
		4 November 2015	Letter to be sent to Fran McKinnon requesting wording to be used on the signs.	1 April 2015		
		D15/48358	13 November	Letter sent.		7 July 2015
		February 2016	Agreed Action: <i>That Council order signs with the wording advised by Fran McKinnon being "Ambush Site – Picnic Train Attack 1km" and "Ambush Site – Picnic Train Attack and install at the corner of Brookfield Avenue and Morgan Street and Doe and Hynes Street.</i>	October 2015		
		CRM 23968/2016	CRM entered to have directional signage ordered and installed at the location.	Pending as of June 2016		
		8 March 2016	David Zhao advised that one quote has been received, still waiting on further quotes to be submitted.			
D16/9966	8 March 2016 Kath	Letter issued to Fran requesting payment of funds to assist with the cost of producing signs.				
5 April 2016	Councillor Browne to follow up date of payment and advise secretary for confirmation of funds received with Finance Operations Team.					
	Councillor Brown advise funds have not yet been paid, as they are waiting for the funds to be received from head office in Sydney.					

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			14 April 2016 D16/17865	Email received by Councillor Browne advising that discussion with Fran McKinnon regarding the funds - Fran advised issue with Sydney office and she will follow up.	
			5/6/2016	Penny Robinson to check if Council have received funds and advised Marion Browne if further follow up is required.	
350.7.1	<p>Railway Town P&C Association</p> <p>Request to convert current "No Stopping" zone located in Wills Lane to a "Bus Zone" and extend the zone to the small school gate to provide a safe drop off and pick up zone for the students who utilise the bus service.</p> <p>In addition the P&C will be approaching Murton's City Bus to make a slight change in their morning route to deliver the children to the School gate should the Bus Zone be granted.</p>	D15/23142		<p>Agreed Action:</p> <p><i>Mr Andrew Bruggy, Manager Infrastructure Strategy and Mr Joe Sulicich conducted an inspection of the site to determine the impact on parent and student safety should the current "No Stopping" zone be converted to a "Bus Zone" and on their advice the committee has agreed on the following:</i></p> <p><i>That the current "No Stopping" zone be converted to a "Bus Zone" subject to Murton's Bus agreeing to alter their current bus route when dropping off and collecting students from Railway Town Public School.</i></p> <p><i>That the "Bus Zone" operates between 8.00am – 9.30am and 2.30pm – 4.00pm Monday to Friday.</i></p> <p><i>That the school provide a Gate Monitor to ensure student safety prior to the Bus delivering and collecting students from the school.</i></p> <p>Recommendation:</p> <p><i>That the current "No Stopping" zone be converted to a "Bus Zone" subject to Murton's Bus agreeing to alter their current bus route when dropping off and collecting students from Railway Town Public School.</i></p> <p><i>That the "Bus Zone" operates between 8.00am – 9.30am and 2.30pm – 4.00pm Monday to Friday.</i></p> <p><i>That the school provides a Gate Monitor to ensure student safety prior to the Bus delivering and collecting students from the school.</i></p>	
		D15/32357	August 5 – Kath	Letter advising the committee's recommendation issued and to advise Council if Murton's Bus have agreed to a route change.	
			2 September 2015	Mr Andrew Bruggy to follow-up with School to clarify if Murton's Bus company have agreed to route change and advise outcome to next meeting scheduled for October 6, 2015.	October 2015
			7 October 2015	Letter to be sent to Murton's Bus Company for clarification that route change has been agreed too.	Advised action is now Complete - June 2016
			1 February 2016 – Kath	<p>Agreed Action:</p> <p>Phone call to be made to Murton's Bus Company to clarify if an agreement has been reached to change the bus route.</p>	

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			8 March 2016	<p>Recommendation:</p> <p>That the current "No Stopping" zone located in Wills Lane be converted to a "Bus Zone" and extend from the corner of Wills Lane to Harris Street. Extending the "Bus Zone" along the whole section will allow adequate parking for two medium/large buses and one small/mini disable bus.</p> <p>That the "Bus Zone" be signed as followings: Monday to Friday 8am – 9am and 2.30pm to 3.30pm.</p> <p>Agreed Action:</p> <p>That the current "No Stopping" zone located in Wills Lane be converted to a "Bus Zone" and extend from the corner of Wills Lane to Harris Street. Extending the "Bus Zone" along the whole section will allow adequate parking for two medium/large buses and one small/mini disable bus.</p> <p>That the "Bus Zone" be signed as followings: Monday to Friday 8am – 9am and 2.30pm to 3.30pm.</p>	
			Kath	CRM to be entered once approval of committee minutes endorsed by Council at the March Council meeting to be received.	
			CRM 24235/2016	CRM entered for actioning	
			3 May 2016	Signs have been ordered and once received will be installed.	
			5 June 2016	Signs have been installed - this action is now completed.	
352.8.5	<p>Hocko's Chicken Shop</p> <p>Mr Hocking has requested the removal of the 3 current angle parking spaces lines in the front of his business located at 453 Argent Street. Customer and employees of local business within this area are parking in the angle parking spaces abstracting entry and exit to his business.</p>	D15/36450 16 October CRM 22839/2015	28 October 2015	<p>Agreed action:</p> <p>The committee approved the request form Mr Hocking to have the angle parking spaces removed from in front of his premises located at 453 Argent Street.</p> <p>Recommendation:</p> <p>That the current angle parking line markings be removed and "No Parking" signs be installed.</p> <p>Works still to be undertaken</p> <p>David Zhao to look into and arrange for works to be undertaken.</p> <p>Follow-up with David Zhao to determine when works will be completed.</p> <p>Advised line markings have been removed. Signs to be installed.</p> <p>Signs have been ordered and once received will be installed.</p>	Advised action is now Complete - June 2016

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date	
			5 June 2016	Signs have been installed - this action is now completed.		
353.7.1	<p>Thomas Street Speed Counters – Broken Hill Hospital & GP Super Clinic</p> <p>Original request received July 2014 from the Far West Local Health District to consider reducing the speed limit within the vicinity of the Hospital and the GP Super Clinic. Concerns were raised that pedestrian traffic has increase since the Super Clinic has opened.</p>	CRM 22603/2015		<p>Counters where placed in the area in December 2014, but the results from these counters are unable to be located.</p> <p>Counters have been requested to be relayed again for a two week period and the results will be reported back to the Committee.</p> <p>September 30 Spoke with David Zhao who advised the tubes will be installed within the next few weeks.</p> <p>28 October 2015 Action undertaken, David to obtain results and submit to committee at the December meeting.</p> <p>2 December 2015 Kath Draft letter committee's recommendation from its meeting held December 2015.</p> <p>Recommendation:</p> <p><i>That no Zebra Crossing be installed at this location due to the fact that it would not met the Australian Standards for the volume of foot and vehicular traffic within the area.</i></p> <p><i>That alternatives for traffic calming devise options be investigated and reported back to the committee for further discussion.</i></p> <p>Letter issued advising Committee's recommendation.</p> <p>1 February 2016 Follow up with James Druitt to clarify if speed counters have been installed.</p> <p>8 March 2016 Discussion held with David Zhao and James Druitt that the current information supplied to the committee does not provide an accurate indication of speed within this area.</p> <p>Recommendation:</p> <p>That the tubes be re-instated for two weeks to capture speeds limit between 40km and 60km.</p> <p>That a report be prepared of the results and be submitted back to the Committee at the April committee meeting.</p> <p>5 April 2016 Advised by James Druitt that counters are being installed this week for a two week period.</p> <p>Joe RMS recommended that the Vulnerable Pedestrian Standards be considered in the report back to the committee.</p> <p>3 May 2016 Speed counter results are back. Used over date of 6 – 15 April 2016 - indicates that 90% of drivers are driving under the speed limit in this zone. LTC committee note that there is no current issue in this zone.</p>	December 2015	April 2016 Advised action is now Complete - June 2016
		D15/53866				

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
		CRM 23428/2015 D15/53833	18 December 2015 Kath 1 February 2016 8 March 2016 5 April 2016 3 May 2016 5 June 2016	CRM entered for quote to be prepared. Letter issued advising Committee's recommendation. Follow-up with David Zhao to determine when works will be completed. Advised by James Druitt the he is working on the quotes. Quote provided and works to be undertaken in April. Waiting on quotes – pending. Andrew Bruggy advised that the quotes provided to The Palace were rejected at this time. The Palace is now sourcing independent quotes.	Action is now Complete - June 2016
356.8.1	Increase Disability Spaces Broken Hill Aquatic Centre Request received from Shane Simmons requesting consideration be given to increasing the number of disability parking spaces at the Aquatic Centre. Consideration has also been requested for the installation of a pedestrian crossing between the Aquatic Centre and North Family Play Centre Park.		1 February 2016 8 March 2016 D16/10172 Kath CRM 24236/2016 3 May 2016 5 June 2016	Agreed action: <i>That the current "No Parking" zone be removed and replaced with parallel parking for 1 x Taxi Stand, 2 x Disability Spaces plus ramp if required by the Australian Standards, and 1 x drop off park if space permits.</i> <i>That negotiations be held with the YMCA to jointly cover the costs for the installation of a disability ramp if required.</i> <i>That a pedestrian crossing is not approved as it does not meet the Australian Standards for the volume of foot or vehicular traffic within this area.</i> <i>Letter issued to advise Shane of the Committee's decision.</i> CRM entered for actioning Waiting on signs and line marking All works have now been completed relating to this item.	March 2016 Advised action is now Complete - June 2016
356.8.2	Speeding Motorist along Argent Lane Request received from James Bourne requesting consideration be given to install two speed humps along Argent Lane to reduce the speed of motorists using this lane as a short-cut to the Coles Shopping Centre Complex.		1 February 2016 CRM 23971/2016 Kath D16/9267 5 April 2016 3 May 2016	Agreed action: <i>That stop signs be installed at the intersection of Argent Lane and Gossan Street with hold line markings.</i> <i>That one pre-cast speed hump be installed to elevate the issue of excessive speeds within the Lane by motorists.</i> CRM entered to have works undertaken. Letter issued to James to advise the committee's decision. Costing for works being prepared by James Druitt and Daniel Morris Speed-hump has been ordered and will be installed	March 2016 Advised action is now Complete - June 2016

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			5 June 2016	James Druitt advised that the speed hump should be installed in the following week.	
356.9.1	<p>Wright and Warnock Street Intersection</p> <p>Councillor Browne has been approached by a resident for the Committee to consider alternative options to reduce speeds of motorists in this area as the current measures in place are not adequate.</p>		<p>1 February 2016</p> <p>8 March 2016</p> <p>30 May 2016 CRM 24806/2016</p> <p>5 June 2016</p>	<p>Agreed action:</p> <p><i>That Mr Andrew Bruggy, Acting Deputy General Manager write to residents within Wright street area for their consultation of installing a Col-de-sac at the intersection of Wright and Warnock Streets.</i></p> <p><i>David Zhao advised he will commence the consultation with residents.</i></p> <p><i>CRM entered requesting that David Zhao to commence consultation and report back to committee.</i></p> <p>Pending as letter box drop to go out to residents in this area for comment.</p>	Pending as of June 2016
357.8.2	<p>Review of Speed Zone from Creedon Street/ Barrier Highway Intersection to Waste Depot Turn-off</p> <p>Currently the speed zone of 80km commences just past the Creedon Street and Barrier Highway intersection, and then requiring motorists to slow down to 60km within a short distant to ensure a safe left hand turn onto the Depot Road.</p> <p>It has been proposed that the speed limit be decreased to 60km until after the turn-off onto Depot Road to alleviate the need to slow suddenly.</p>	CRM 23805/2016	<p>Kath D16/15165</p> <p>Kath D16/15171</p> <p>3 May 2016</p> <p>5 June 2016</p>	<p>Agreed Action:</p> <p><i>This request is outside of the Committee's scope, a letter is to be issued to the RMS to conduct a review of the current traffic speed zone and report back to the committee of their findings.</i></p> <p><i>Letter advising the next course of action issued to Rebecca McLaughlin outlining the committee's recommendation.</i></p> <p><i>Letter issued to RMS requesting a review to be undertaken and findings to be reported back to the LTC committee.</i></p> <p>Clarify with RMS in June meeting progress on review.</p> <p>Joe Sulicich - RMS Representative advised that he is to undertake the review.</p>	Pending as of June 2016
357.8.3	<p>Parking Issues 181 Newton Lane</p> <p>Complaint received from resident Mrs Hall of 181 Newton Lane, regarding parking issues and damages to her fence caused from parents dropping off and picking up children from Burke Ward Public School.</p> <p>The initial investigation into this matter was dealt with by Council's Ranger, Mr Geoff Creed and a report with suggested recommendation was submitted prior to the meeting for the Committee's consideration.</p>	D16/6235	<p>Kath</p> <p>CRM 24265/2016</p> <p>Penny D16/15178</p> <p>CRM 24265/2016 Response</p>	<p>Agreed Action:</p> <p><i>That Council source wooden Stopper Blocks to be installed in front of Mrs Hall's fence at 181 Newton Lane to prevent further damage to her fence.</i></p> <p><i>That "No Stopping" signs be installed along the whole lane between Gypsum Street and Harvy Street being on the opposite side to the Burke Ward Primary School grounds</i></p> <p>Letter to be drafted once approval of committee minutes endorsed by Council at the March Council meeting is received.</p> <p>CRM entered for actioning.</p> <p>Letter sent to Mrs Hall advising of the committee's recommendation</p> <p>Response to CRM received from David Zhao - Recommended to Purchase heavy duty plastic car stops which will cost around</p>	Pending as of June 2016

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			Received 3 May 2016 10 June 2016 CRM 24893/2016	\$400.00 for purchase and install. – Response included for May meeting. CRM required pending response from May Council Meeting. CRM entered for works to commence.	
357.9.1	<p>Galena & Wright Street Intersection</p> <p>Senior Constable Chaff advised the Committee that the Police have had incidents recently where motorists are cutting across the centre line when turning left from Galena Street into Wright Street posing a danger to oncoming motorist in Wright Street.</p>		<p>Kath</p> <p>CRM 24237/2016</p> <p>Report D16/17693</p> <p>3 May 2016</p> <p>10 June 2016 CRM 24894/2016</p>	<p>Agreed Action:</p> <p><i>That Council undertakes a cost analyse to paint a blister onto the road on the left hand side of Wright Street before making a left hand turn into Galena Street and place yellow rumble strips in the middle of the blister.</i></p> <p><i>That a centre island be painted in the middle of the road at the corner of Wright Street at the intersection of Wright and Galena Streets with yellow rumble stripes to force motorists to turn at the middle of the intersection.</i></p> <p><i>That the cost analyst and plan be submitted to the next Committee meeting scheduled for April 5, 2016 for consideration by the Committee.</i></p> <p>CRM to be entered once approval of committee minutes endorsed by Council at the March Council meeting is received.</p> <p>CRM entered for actioning</p> <p>Report provided by David Zhao - included in Agenda for May meeting.</p> <p>CRM required pending response from May Council Meeting.</p> <p>CRM entered for works to commence</p>	<p>May 2016</p> <p>Pending as of June 2016</p>
357.9.2	<p>Morgan Street and Brookfield Avenue Intersection</p> <p>Senior Constable Chaff advised the Committee that the Police have had incidents recently where motorists are cutting across the centre line when turning left into Morgan Street from Brookfield Avenue posing a danger to oncoming motorist in Morgan Street.</p>		<p>Kath</p> <p>CRM 24238/2016</p> <p>Report D16/17693</p>	<p>Agreed Action:</p> <p><i>That Council undertakes a cost analyse to paint a blister onto the road on the left hand side of Morgan Street before making a left hand turn into Brookfield Avenue and place yellow rumble strips in the middle of the blister.</i></p> <p><i>That a centre island be painted in the middle of the road at the corner of Morgan Street at the Brookfield Avenue intersection with yellow rumble strips to force motorists to turn left into Morgan Street at the middle of the intersection.</i></p> <p><i>That the cost analyst and plan of be submitted to the next Committee meeting scheduled for April 5, 2016 for consideration by the Committee.</i></p> <p>CRM to be entered once approval of committee minutes endorsed by Council at the March Council meeting is received.</p> <p>CRM entered for actioning</p> <p>Report provided by David Zhao - included in Agenda for May</p>	<p>May 2016</p> <p>Pending as of June 2016</p>

Item No.	Recommendation	CRM /Trim No.	Responsible Officer	Status/Review Date	Target Date
			3 May 2016 10 June 2016 CRM 24895/2016	meeting. CRM required pending response from may Council Meeting - proposing that Council action works of line marking only, Council are not recommended by LTC to install barriers. CRM entered for works to commence	May 2016
359.9.1	Tree Trimming - Wickes/Bromide Street Corner		3 May 2016 30 May 2016 CRM 24807/2016 5 June 2016	CRM required for trimming of tree blocking vision on the corner of Wickes and Bromide Street corner. CRM request entered for tree trimming. Action pending as Council require clarification of location of the issue.	May 2016 Pending as of June 2016
358.9.2	Ramp Issue - Argent Street - In front of the Democratic Club		5 April 2016 3 May 2016 CRM 24557/2016 5 June 2016	Recommendation: That the Disability Access ramp be inspected and required works undertaken to remove any obstructions that may be causing issues when using the ramp. Agreed Action: That the Disability Access ramp be inspected and required works undertaken to remove any obstructions that may be causing issues when using the ramp. CRM entered attention to James Druitt Works have been completed.	May 2016 Advised action is now Complete - June 2016
359.9.2	Line marking Bromide Street and other areas in Broken Hill		3 May 2016 5 June 2016	Recommendation: Andrew Bruggy us to seek quotes for line marking in the Bromide Street area as well as enquire into costing for general line marking maintenance around Broken Hill. Agreed action: Andrew Bruggy us to seek quotes for line marking in the Bromide Street area as well as enquire into costing for general line marking maintenance around Broken Hill and report back to LTC. Andrew Bruggy advised LTC that the line marking to commence as of 29 June 2016	May 2016 Works to commence in June 2016
359.9.3	Marking of Traffic Lanes at Argent Street Traffic Light Intersections		3 May 2016	Recommendation: That Mr Joe Sulicich, RMS representative provide a copy of the original line marking plans to Council for reference, noting that modifications to the original plans will be required due to changes of traffic conditions. It is recommended that directional arrows be marked within each lane to indicate traffic flow.	Works to commence in June 2016

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				<p>Agreed Action:</p> <p>That Mr Joe Sulicich, RMS representative provide a copy of the original line marking plans to Council for reference, noting that modifications to the original plans will be required due to changes of traffic conditions.</p> <p>It is recommended that directional arrows be marked within each lane to indicate traffic flow.</p> <p>3 May 2016 Original Plans provided to secretary - have been copied and work flowed to David Zhao for their information. David to return to Joe - RMS.</p> <p>5 June 2016 Council to continue to investigate line marking. RMS are continuing to investigate sensor/detectors.</p>	
358.7.1	Traffic Light Signals Argent/Chloride intersection		5 April 2016	<p>Recommendation:</p> <p><i>Identified that Traffic Lights on the Argent/Chloride Street Intersection are not functioning correctly in that they are not sensing vehicles queuing at the red light.</i></p> <p><i>Joe Sulicich advised LTC that RMS are aware and are going to send a team to further investigate.</i></p> <p>Agreed Action:</p> <p>Joe Sulicich to report back to LTC from outcome of the investigation.</p> <p>CRM to be actioned to David Zhao/Andrew Bruggy to query who is responsible for engaging maintenance relating to traffic lights.</p> <p>Letter to be issued. Letter D16/23426</p> <p>Letter to be issued to Rebecca McLaughlin as she had also entered CRM noting this issue – CRM 240855/2016.</p>	Pending as of June 2016

ORDINARY MEETING OF THE COUNCIL

June 15, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 138/16

SUBJECT: PLANNING AND DEVELOPMENT STATUS REPORT - MAY 2016
11/467

Recommendation

1. That Broken Hill City Council Report No. 138/16 dated June 15, 2016, be received.

Executive Summary:

STATUS OF DEVELOPMENT APPLICATIONS RECEIVED						
DA	DATE REC'D	APPLICANT	LOCATION	PROPOSAL	ACTION DATE	DECISION
OUTSTANDING MATTERS						
109/2015	20/8/15	M. Bromson	50 Crystal Street	New commercial building	5/4/2016	Awaiting amendment to Plan. Information not received from applicant. Final request for information – if not received by end June, DA will be refused.
140/2015	22/10/15	T. Hicks	21-23 Pinnacles Place	Cremator and shed with small chapel	1/6/2016	Withdrawn by applicant
28/2016	15/3/16	Southern Cross Care	168 Thomas Street	26 Carports	15/3/2016	Awaiting further information
32/2016	5/4/16	SK Planning on behalf of Telstra Corporation	25 Cummins Street ("Rocky Hill")	Telecommunications facility	26/4/2016	Report to June Council meeting for determination.
36/2016	14/4/16	D. Charnock	23a Bonanza Street	Home industry (mechanic)	18/4/2016	Further information requested from applicant.
39/2016	19/4/16	D. Trinder	393 Argent Street (Astra)	Extension to liquor licence boundary to include footpath area on Argent Street frontage	2/5/2016	Referred to local Police for comment. Still awaiting Police comments.
MAY 2016						
49/2016	6/5/16	Barrier Social Democratic Club	218 Argent Street	Conversion to temporary office	6/5/2016	Approved

73/2012	10/5/16	Graham F. Howe	295-299 Sulphide Street, 179-181 Thomas Street, 182 Williams Lane	Modification to consent – modify condition relating to consolidation of lots	16/6/2016	Approved

Attachments

There are no attachments for this report.

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER

ORDINARY MEETING OF THE COUNCIL

June 8, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 139/16

SUBJECT: INFRASTRUCTURE STRATEGY ACTIVITIES - MAY 2016 11/514

Recommendation

1. That Broken Hill City Council Report No. 139/16 dated June 8, 2016, be received.

ASSETS

- McCulloch Street Reconstruction works completed.
- The Burke Street storm water bridge was removed due to corrosion and safety concerns. The footpath and nature strip adjacent was cleared and boxed out in preparation for the installation of a new bridge, scheduled for installation during June 2016.

WASTE AND ENVIRONMENT

- Works commenced on the Queen Street Lead Remediation Project.
- Living Desert hosted several group visits from the MLC Girls School in Sydney.
- An additional 113 aboriginal land claims in the Broken Hill Area were received., These claims are currently being mapped and legal advice is being sought in regard to impacts imposed. Native title searches have been completed on previous claims received.

BROKEN HILL REGIONAL AIRPORT

MONTH	REX Adelaide/ Broken Hill Passengers	REX Sydney/ Broken Hill Passengers	REX Dubbo/ Broken Hill Passengers	REX Mildura/ Broken Hill Passengers	REX Melbourne/ Broken Hill Passengers	REX Total Passengers
July 15/16	1980	1981	331	236	288	4816
Difference from 14/15	-413	185	-95	89	26	-208
Monthly Comparison	-17.3%	10.3%	-22.3%	60.5%	9.9%	-4.1%
August 15/16	2062	1851	383	164	244	4704
Difference from 14/15	-154	78	-65	-13	22	-132
Monthly Comparison	-6.9%	4.4%	-14.5%	-7.3%	9.9%	-2.7%
September 15/16	2124	1937	327	166	245	4799
Difference from 14/15	-212	252	-96	-28	-24	-108
Monthly Comparison	-9.1%	15.0%	-22.7%	-14.4%	-8.9%	-2.2%
October 15/16	2093	2044	315	203	278	4933
Difference from 14/15	-293	-7	-133	12	18	-403
Monthly Comparison	-12.3%	-0.3%	-29.7%	6.3%	6.9%	-7.6%
November 15/16	2084	2008	332	203	245	4872
Difference from 14/15	-35	27	-6	40	-9	17
Monthly Comparison	-1.7%	1.4%	-1.8%	24.5%	-3.5%	0.4%
December 15/16	1816	1398	216	155	202	3787
Difference from 14/15	-158	-164	-73	-46	-80	-521
Monthly Comparison	-8.0%	-10.5%	-25.3%	-22.9%	-28.4%	-12.1%
January 15/16	1297	949	166	151	161	2724
Difference from 14/15	-322	-222	-34	-13	-59	-650
Monthly Comparison	-19.9%	-19.0%	-17.0%	-7.9%	-26.8%	-19.3%
February 15/16	1676	1553	324	144	177	3874
Difference from 14/15	-206	-4	75	-42	-33	-210
Monthly Comparison	-10.9%	-0.3%	30.1%	-22.6%	-15.7%	-5.1%
March 15/16	2021	1758	362	158	218	4517
Difference from 14/15	-301	-387	-4	-47	-70	-809
Monthly Comparison	-13.0%	-18.0%	-1.1%	-22.9%	-24.3%	-15.2%
April 15/16	1921	1843	303	186	210	4463
Difference from 14/15	-214	-4	41	25	-16	-168
Monthly Comparison	-10.0%	-0.2%	15.6%	15.5%	-7.1%	-3.6%
May 15/16	2076	1958	399	184	225	4842
Difference from 14/15	-60	-128	34	-69	22	-201
Monthly Comparison	-2.8%	-6.1%	9.3%	-27.3%	10.8%	-4.0%
YTD 15/16	21150	19280	3458	1950	2493	48331
YTD Difference from 14/15	-2368	-374	-356	-92	-203	-3393
YTD % Comparison	-10%	-2%	-9%	-5%	-8%	-7%

BROKEN HILL CEMETERY

	EXCLUSIVE RIGHTS & WORK PERMITS			INTERMENTS			ENQUIRIES				
	Old Graves	Exclusive Rights	Work Permits	Casket	Ashes	Total	Office	On Site	Total	Web Hits	Total
Jul-15	2	3	0	9	11	20	25	23	48	34390	34486
Aug-15	0	10	0	8	10	18	19	17	36	34111	34183
Sep-15	0	4	0	2	10	12	9	15	24	32177	32225
Oct-15	0	5	0	3	6	9	11	13	24	21972	22020
Nov-15	1	8	0	7	5	12	13	18	31	28811	28873
Dec-15	0	10	0	6	16	22	12	23	35	26739	26809
Jan-16	0	5	0	7	2	9	10	11	21	31778	31820
Feb-16	0	10	0	3	9	12	8	20	28	29515	29571
Mar-16	0	4	0	4	3	7	16	23	39	34706	34784
Apr-16	0	9	0	4	9	13	14	19	33	30168	30201
May-16	3	12	0	6	11	17	17	21	38	32812	32850
Year to Date	6	80	0	59	92	151	154	203	357	337179	337822

BROKEN HILL REGIONAL AQUATIC CENTRE

MONTHLY ATTENDANCES AND CARD SALES		
Month	2014/15	2015/16
Jul-15	6,228	5,864
Aug-15	6,731	6,861
Sep-15	8,923	9,176
Oct-15	11,482	14,313
Nov-15	14,934	15,312
Dec-15	15,680	15,943
Jan-16	15,314	15,909
Feb-16	18,193	16,907
Mar-16	12,552	14,993
Apr-16	7,336	8,578
May-16	6,548	8,710
Year to Date	123,921	132,566



YMCA NSW

1. Executive Summary

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

The centre saw 8,710 visitations for May and for the **third** consecutive month, the figures are the highest recorded in many years (or at least available to the YMCA)

The May 2016 attendance figures are 33% higher than those seen in 2015.

Contributing factors to this result include:

- One of the warmest May months on record
- Higher than average learn to swim enrolments
- Higher than average fitness memberships
- Higher than average casual and recreational swimming

The YTD figures are a 6.5% increase in overall utilisation of the aquatic centre compared to the same period in 2014/15 with projected annual figures of between 130,000 to 140,000 annual visits.

The YMCA commenced a new program with the Far West Local Health District (FWLHD) in supporting cancer patients in returning the light and gentle exercise.

A new partnership was also commenced with Neami National on supporting consumers with mental health conditions accessing YMCA programs and services.

Utility usage fell 1% from the same period last year and represents a 31% saving compared to data provided before YMCA commenced management at BHRAC.

Regards,

A handwritten signature in blue ink that reads 'Shane Simmons'.

Shane Simmons
Centre Manager
YMCA of NSW

Attachments

There are no attachments for this report.

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
General Manager

ORDINARY MEETING OF THE COUNCIL

June 16, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 140/16

SUBJECT: ACTION LIST REPORT - JUNE

11/25

Recommendation

1. That Broken Hill City Council Report No. 140/16 dated June 16, 2016, 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 decisions at Ordinary and Extraordinary Council Meetings for the period September 2, 2009 to May 25, 2016.

Discussions have been held with staff regarding the long outstanding items on the Action List, most of which are leasing/licencing matters. Staff will be working to finalise these items as a priority and/or request Council to rescind resolutions where circumstances have changed.

Strategic Direction:

Key Direction: 4 - Our Leadership
Objective: 4.2 – Our Leaders Make Smart Decisions
Function: Leadership and Governance
DP Action: 4.2.1.1 - Decisions are made in a timely manner to ensure effective delivery.

Relevant Legislation:

Nil

Financial Implications:

Nil

Attachments

1. Ordinary Council Meeting - Action List 33 Pages
2. Extraordinary Council Meeting - Action List 9 Pages

JAMES RONCON
GENERAL MANAGER

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 02 September 2009	False	Further Business
<p>ITEM 20 - GROUP MANAGER GOVERNANCE & COMMUNITY REPORT NO. 75/09 - DATED AUGUST 11, 2009 - LEASE OF LAND AT GLADSTONE PARK TO ALMA SWIMMING CLUB INC</p>		
<p style="text-align: right;">B7/12</p>		
<p><u>Recommendation</u></p>		
<p>That Group Manager Governance & Community Report No. 75/09 dated August 11, 2009, be received.</p>		
<p>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.</p>		
<p>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.</p>		
<p>That rental at commencement be \$250 per annum and that this rental be reviewed every 5 years on the anniversary of the commencement date.</p>		
<p>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.</p>		
<p>That the Alma Swimming Club insure it's assets and contents for replacement value as determined in conjunction with it's insurer.</p>		
<p>That all other standard leasing requirements be complied with.</p>		
<p>That the Alma Swimming Club be liable for Council's reasonable legal fees incurred in this matter.</p>		
<p>That documents relating to this matter be signed in the absence of a Trust Seal under Council's Common Seal as required.</p>		
<p>RESOLUTION</p>		
<p><u>Minute No. 42106</u></p>		
<p>It was resolved on the motion of the Administrator:</p>	<p>)</p>	<p>That the recommendation of item 20 be adopted.</p>
<p>)</p>	<p>)</p>	<p></p>
<p style="text-align: right;">CARRIED</p>		
<p><i>01 Jul 2013 - 12:01 PM - Andrea Roberts</i></p>		
<p>Lease documents have been prepared. Waiting completion of site survey.</p>		
<p><i>15 Nov 2013 - 10:48 AM - Michelle Rolton</i></p>		
<p>Plan completed November 2013</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>11 Jun 2014 - 2:29 PM - Louine Hille</p> <p>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.</p> <p>11 Dec 2014 - 3:15 PM - Frederick Docking</p> <p>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</p> <p>06 May 2015 - 4:55 PM - Frederick Docking</p> <p>Pending Sub Division for lease purposes</p> <p>14 Jan 2016 - 10:42 AM - Andrew Bruggy</p> <p>Action reassigned to Andrea Roberts by: Louise Schipanski</p> <p>14 Jan 2016 - 11:00 AM - Andrew Bruggy</p> <p>Action reassigned to Leisa Bartlett by: Louise Schipanski</p> <p>06 Apr 2016 - 1:10 PM - Andrew Bruggy</p> <p>Action reassigned to Tracy Stephens by: Louise Schipanski</p> <p>06 Jun 2016 - 3:46 PM - Andrew Bruggy</p> <p>Action reassigned to Andrew Bruggy by: Leisa Bartlett</p> <p>20 Jun 2016 - 4:33 PM - Leisa Bartlett</p>		<p>Investigating annual costs to maintain building with view to calling for EOI for sale of building rather than long term lease if lease income does not cover expenses and Council does not have any future need for the building.</p>
<p>Ordinary Meeting of the Council 27 January 2010</p>	<p>False</p>	<p>Infrastructure and Sustainability Committee</p> <p><u>ITEM 7 - 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</u> R8/245</p> <p><u>Recommendation</u></p> <p>That Group Manager Sustainability Report No. 5/10 dated January 12, 2010, be received.</p> <p>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.</p> <p>That documents relating to this matter be executed under Council's Common Seal if required.</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p><i>01 May 2013 - 1:52 PM - Leisa Bartlett</i> 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.</p> <p><i>15 Apr 2014 - 1:55 PM - Michelle Rolton</i> Subdivision to be addressed when Surveyor completes survey work in April 2014.</p> <p><i>17 Feb 2015 - 10:39 AM - Leisa Bartlett</i> Survey Commissioned.</p> <p><i>20 Apr 2015 - 4:15 PM - Leisa Bartlett</i> Awaiting Survey.</p>		
<p>Confidential Matters of the Council 29 February 2012</p> <p>ITEM 1 (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 - <u>CONFIDENTIAL</u></p> <p><u>Recommendation</u></p> <p>That Sustainability Report No. 8/12 dated January 13, 2012 be received.</p> <p>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.</p> <p>That the lease be amended as outlined in the body of this report to address water charges.</p> <p>That documents relating to this matter be executed under Council's Common Seal as required.</p> <p>RESOLUTION <u>Minute No. 43222</u> Councillor B. Algate moved) Councillor N. Gasmier seconded)</p> <p><i>03 May 2012 - 3:23 PM - Leisa Bartlett</i> Documents with Lessee for execution.</p> <p><i>02 Aug 2012 - 3:25 PM - Leisa Bartlett</i> Reminder to return documents sent.</p> <p><i>07 Feb 2013 - 3:26 PM - Leisa Bartlett</i> 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.</p>	<p>False</p> <p>Confidential Matters</p> <p>11/232</p>	<p>CARRIED</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p><i>06 Jun 2013 - 3:28 PM - Leisa Bartlett</i> LPI have rejected registration due to change in Airport Title descriptions. Further survey work required prior to re-lodgement of Lease.</p> <p><i>22 Oct 2013 - 2:18 PM - Louine Hille</i> New plan of subdivision for Lease purposes being prepared. Due 30 October 2013.</p> <p><i>15 Nov 2013 - 11:06 AM - Michelle Rolton</i> Plan now due November 2013, as additional survey works were required.</p> <p><i>17 Jan 2014 - 12:14 PM - Louine Hille</i> Draft Plan received for examination and approval.</p> <p><i>13 Feb 2014 - 12:10 PM - Michelle Rolton</i> Lot numbering determined, awaiting final plan.</p> <p><i>11 Jun 2014 - 3:29 PM - Louine Hille</i> Plan requires minor amendment to stop it being requisitioned. Development Consent to subdivision for lease purposes required. Development Application being compiled.</p> <p><i>11 Dec 2014 - 4:42 PM - Frederick Docking</i> 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.</p> <p><i>06 May 2015 - 4:56 PM - Frederick Docking</i> Pending Sub Division for lease purposes</p> <p><i>19 Jan 2016 - 2:59 PM - Leisa Bartlett</i> Sub-division plans being lodged with Dept. Lands Information. Once the plan is registered, the lease can be finalised.</p> <p><i>06 Jun 2016 - 3:46 PM - Andrew Bruggy</i> Action reassigned to Andrew Bruggy by: Leisa Bartlett</p>		
<p>Extraordinary Meeting of the Council 30 October 2013</p>	<p>False</p> <p>Further Business</p>	<p><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> 11/89, 11/214</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 269/13 dated October 17, 2013, be received.</p> <p>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.</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Confidential Matters of the Council 30 April 2014	False	Confidential Matters
<p>ITEM 31 - BROKEN HILL CITY COUNCIL REPORT NO. 99/14 - DATED APRIL 10, 2014 - - CONFIDENTIAL 11/233</p>		
<p><u>Recommendation</u> That Broken Hill City Council Report No. 99/14 dated April 10, 2014, be received.</p> <p>That Council release Kamachlo Pty Ltd from its obligations under lease of property at the Airport.</p> <p>That Council call for public expressions of interest to lease</p> <ol style="list-style-type: none"> 1. The workshop on land currently described as Lot 2 DP 641460 and 2. The former Tank Farm site on land currently described as Lot 14 DP 641460 <p>That documents relating to these matters be executed under Councils Common Seal as required.</p> <p>That Council commence actions against the Guarantor to recover the outstanding debt.</p>		
<p>RESOLUTION</p>		
<p><u>Minute No. 1</u></p>		
Councillor M. Browne moved)	That the recommendation of item 31 be adopted.
Councillor J. Richards seconded)	
<p>14 May 2014 - 12:04 PM - Michelle Rolton</p>		
<p>Process commenced.</p>		
<p>11 Sep 2014 - 9:47 AM - Lacey Butcher</p>		
<p>Awaiting debt recovery</p>		
<p>17 Feb 2015 - 10:44 AM - Leisa Bartlett</p>		
<p>Awaiting further investigation.</p>		
<p>13 Aug 2015 - 9:22 AM - Shane Nankivell</p>		
<p>Action reassigned to Harry Stamboulidis by: Leisa Bartlett</p>		
<p>15 Jan 2016 - 12:50 PM - Louise Schipanski</p>		
<p>Recovery of the outstanding debit is being processed through Executive Collections (debt collector)</p>		
<p>06 Jun 2016 - 3:47 PM - Shane Nankivell</p>		
<p>Action reassigned to Shane Nankivell by: Leisa Bartlett</p>		
<p style="text-align: right;">CARRIED</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 24 September 2014	False	Reports
<p><u>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</u> 11/411</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 231/14 dated September 4, 2014, be received.</p> <p>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".</p> <p>That documents relating to this matter be executed under Council's Common Seal in the absence of a Trust Seal.</p> <p>RESOLUTION Minute No. 44768 Councillor P. Black moved) Councillor C. Adams seconded)</p> <p style="text-align: right;">That the recommendation of item 14 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>06 May 2015 - 4:59 PM - Frederick Docking</i> Further investigation required into obtaining Ministerial Consent for Licence. Have made contact with Crown Lands.</p> <p><i>10 Dec 2015 - 9:39 AM - Andrew Bruggy</i> Action reassigned to Leisa Bartlett by: Leisa Bartlett</p> <p><i>06 Jun 2016 - 3:47 PM - Andrew Bruggy</i> Action reassigned to Andrew Bruggy by: Leisa Bartlett</p>		
Ordinary Meeting of the Council 29 October 2014	False	Reports from Delegates
<p><u>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</u> 11/426</p> <p>RESOLUTION Minute No. 44782 Councillor M. Browne moved) Councillor D. Turley seconded)</p> <p style="text-align: right;">That Reports from Delegates No. 3/14 dated October 20, 2014, be received.</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<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> <p>15 Oct 2015 - 9:38 AM - Lacey Butcher Discussion to be held between Councillor Browne and the Deputy General Manager</p> <p>14 Jan 2016 - 3:05 PM - James Roncon Action reassigned to Louise Schipanski by: Louise Schipanski</p> <p>05 Feb 2016 - 9:29 AM - Leisa Bartlett Letter sent to Chief Executive of Murray Darling Basin Authority on 28/1/16 seeking a community meeting in Broken Hill.</p> <p>06 Jun 2016 - 3:47 PM - James Roncon Action reassigned to James Roncon by: Leisa Bartlett</p> <p>21 Jun 2016 - 9:42 AM - Louise Schipanski GM & Mayor met with MDA in Wentworth on 15/6/2016 and have arranged to meet again with them and the MDBA in Canberra on 22/6/2016 to discuss holding a meeting in Broken Hill in the coming weeks. COMPLETE</p>		<p>That contact be made with the Local Engagement Officer based in Mildura.</p> <p>That the Murray Darling Basin Authority be requested to hold a community meeting in Broken Hill.</p> <p style="text-align: right;">CARRIED</p>
<p>Ordinary Meeting of the Council 24 June 2015</p>	<p>False</p>	<p>Reports</p>
<p>ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 127/15 - DATED MAY 28, 2015 - SECTION 355 COMMITTEE CONSTITUTIONS - ADVISORY COMMITTEES</p>		
<p style="text-align: center;">11/9</p>		
<p>RESOLUTION</p>		
<p>Minute No. 44981</p>		
<p>Councillor M. Browne moved) Councillor J. Richards seconded)</p>		<p>That Broken Hill City Council Report No. 127/15 dated May 28, 2015, be received.</p> <p>That Council adopt the revised Section 355 Advisory Committee Standard Constitution.</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>17 Jul 2015 - 10:13 AM - Lacey Butcher</p> <p>Further report to be presented to August meeting of Council in order for Council to review the Section 355 Advisory Committee Standard Constitution</p> <p>14 Jan 2016 - 3:13 PM - Louise Schipanski</p> <p>Further report to be presented to February 2016 meeting.</p>		<p>That Council adopt the inclusion of the Broken Hill Heritage City Event Advisory Committee at Schedule 1.</p> <p>That Council adopt the removal of the Broken Hill Tidy Towns Advisory Committee, Broken Hill Airport Advisory Committee and the Broken Hill Tourism Advisory Committee from the listing at Schedule 1.</p> <p>That a further report be presented to Council in order for Council to review the Section 355 Advisory Committee Standard Constitution.</p> <p style="text-align: right;">CARRIED</p>
<p>Ordinary Meeting of the Council 29 July 2015</p>	<p>False Reports</p>	<p><u>ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 159/15 - DATED JUNE 26, 2015 - LICENCE AGREEMENT FOR OCCUPATION OF LAND IN WILLYAMA COMMON FOR CONSTRUCTION OF BRINE DISPOSAL PIPELINE</u> 11/63</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 159/15 dated June 26, 2015, be received.</p> <p>That Council under the Common Seal of Broken Hill City Council in its capacity as Trust Manager of Willyama Common Trust authorise Essential Energy ABN 37 428 185 226 to perform pipeline construction works on Lot 7300 in DP1179131 and Lot 7302 in DP1181129 as defined in the License Agreement.</p> <p>RESOLUTION Minute No. 45014 Councillor B. Algate moved) Councillor B. Licul seconded)</p> <p>That the recommendation of item 17 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p>20 Jun 2016 - 2:42 PM - Leisa Bartlett</p> <p>All action taken. COMPLETE</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 26 August 2015	False Reports	<p>ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 185/15 - DATED AUGUST 12, 2015 - DEVELOPMENT OF A DRAFT CONSOLIDATED DEVELOPMENT CONTROL PLAN (DCP) FOR BROKEN HILL CITY COUNCIL 11/126</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 185/15 dated August 12, 2015, be received.</p> <p>That a draft Consolidated Development Control Plan be prepared to apply to all land within Broken Hill local government area that consolidates the provisions of current development control plans and the provisions of any draft development control plans into a single plan.</p> <p>That the draft Consolidated Development Control Plan be presented to a future Council Meeting for the purpose of public exhibition.</p> <p>RESOLUTION Minute No. 45048 Councillor C. Adams moved) Councillor D. Gallagher seconded)</p> <p style="text-align: right;">That the recommendation of item 11 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>22 Sep 2015 - 9:52 AM - Tracy Stephens</i> Consultant advised of Council resolution. Process commenced.</p> <p><i>16 Oct 2015 - 11:38 AM - Francois VanDerBerg</i> Consultant advised that a draft DCP will be available by mid Dec 2015</p> <p><i>04 Dec 2015 - 4:04 PM - Francois VanDerBerg</i> Draft instrument will be available in Dec 2015/Jan 2016. Further report to be prepared to commence public exhibition.</p> <p><i>14 Jan 2016 - 3:23 PM - Louise Schipanski</i> Draft Instrument will be available the first week of February 2016 and will be presented to the February Council meeting recommending to commence public exhibition.</p> <p><i>18 Mar 2016 - 10:48 AM - Tracy Stephens</i> Draft DCP provided for staff review. Expected to be considered at April Council meeting for public exhibition to commence.</p> <p><i>13 May 2016 - 1:57 PM - Leisa Bartlett</i> Foreshadowed for draft document to be presented to the June or July Council Meeting. Action reassigned to Andrew Bruggy by: Leisa Bartlett</p>
Ordinary Meeting of the Council 28 October 2015	False Reports	<p>ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 238/15 - DATED OCTOBER 14, 2015 - PORTFOLIO PROGRAMS 12/66</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>RESOLUTION Minute No. 45106 Councillor D. Gallagher moved) Councillor J. Richards seconded)</p> <p><i>19 Nov 2015 - 4:19 PM - Razija Nu'man</i> Action reassigned to Razija Nu'man by: Leisa Bartlett Discussion Paper prepared.</p> <p><i>01 Dec 2015 - 2:09 PM - Razija Nu'man</i> Due to late confirmation that a Council meeting will be held in December, a discussion paper will be prepared for a Councillor workshop on Council meeting arrangements.</p> <p><i>14 Jan 2016 - 3:53 PM - Louise Schipanski</i> Portfolio Programs to be workshop February 10 and presented to March Council meeting.</p>		<p>That Broken Hill City Council Report No. 238/15 dated October 14, 2015, be received.</p> <p>That a further more comprehensive report be presented to Council outlining options for the implementation of a standardised framework for all of Council's Portfolios.</p> <p style="text-align: right;">CARRIED</p>
<p>Ordinary Meeting of the Council 25 November 2015</p>	<p>False</p>	<p>Reports</p>
<p><u>ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 253/15 - DATED NOVEMBER 10, 2015 - RECOMMENDATIONS AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD OCTOBER 19, 2015</u></p>		
<p>RESOLUTION Minute No. 45129 Councillor P. Black moved) Councillor B. Algate seconded)</p>		<p>That Broken Hill City Council Report No. 253/15 dated November 10, 2015, be received.</p> <p>That the minutes of the Audit Committee meeting held October 19, 2015 be adopted.</p> <p>That the following matters contained in the minutes and raised by Councillor Black, be noted:</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>06 Jun 2016 - 3:48 PM - James Roncon Action reassigned to James Roncon by: Leisa Bartlett 21 Jun 2016 - 9:48 AM - Leisa Bartlett</p>		<p>Item 5 – the Airport loan revised forecast does not appear in the Quarterly Review. Item 10 – queried the recommendation regarding the Risk Policies. Item 12 – the Audit Committee did not receive the Annual Report.</p> <p style="text-align: right;">CARRIED</p>
<p>Confidential Matters of the Council 25 November 2015</p>	<p>False</p>	<p>Confidential Matters</p> <p>ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 268/15 - DATED OCTOBER 28, 2015 - - CONFIDENTIAL 11/63</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 268/15 dated October 28, 2015, be received.</p> <p>That Council, in its capacity as Trustees of the Willyama Common, grant three licenses to Anthony Schembri; John and Leanne Ray; and Mark Doyle for recreational purposes (a permissible use as described in the Management Plan of the Willyama Common) for the keeping of horses, horse riding and training).</p> <p>That the licenses be drawn subject to the three applicants agreeing to pay market rent for the land and associated legal/license set-up fees and that the granting of the licenses is also subject to the applicants abiding by the Management Plan for the Willyama Common and the Local Environmental Plan with regards to any development of the subject land.</p> <p>That the license terms be for four years, with the option to renew being first offered to the current licensees.</p> <p>That the common seal be affixed to the licences as required.</p> <p>That Karl Hahn be advised that a license is not available for the land indicated in his submission which encompasses the old south depot, south of Broken Hill in the</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>Willyama Common due to it being a restricted area which is subject to asbestos rehabilitation works.</p> <p>RESOLUTION Minute No. 45147 Councillor P. Black moved) Councillor B. Algate seconded)</p> <p style="text-align: right;">That the recommendation of item 27 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>07 Dec 2015 - 1:58 PM - Leisa Bartlett</i> Process commenced for issuing of licences. <i>13 Apr 2016 - 5:06 PM - Leisa Bartlett</i> Valuations received for market rent and 3 applicant advised of annual rent amount and terms of licence and requested to advise Council by May 13, 2016 if they wish Council to proceed to draw up licence agreements. <i>06 Jun 2016 - 12:26 PM - Leisa Bartlett</i> Two applicants have withdrawn due to valuation and recent Aboriginal Land Claim. seeking legal advice regarding issuing a licence due to Land Claim.</p>		
<p>Ordinary Meeting of the Council 16 December 2015</p>	<p>False Reports</p>	<p>ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 281/15 - DATED NOVEMBER 30, 2015 - SECTION 355 COMMITTEE - BIU BAND SOCCER COMPLEX 12/48</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 281/15 dated November 30, 2015, be received.</p> <p>That Council dissolves the S355 BIU Band Hall and Soccer Complex Community Committee following their January meeting.</p> <p>That Council advertises for community representatives on the newly formed BIU Band Hall Community Committee, in accordance with Sections 355 and 377 of the Local Government Act 1993, and Councils Asset Committee Framework.</p> <p>That a further report be presented to Council, upon receiving the Broken Hill Soccer Association's proposed business plan for the facility.</p> <p>RESOLUTION Minute No. 45159 Councillor C. Adams moved) Councillor D. Gallagher seconded)</p> <p style="text-align: right;">That the recommendation of item 10 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>18 Dec 2015 - 9:58 AM - Andrew Bruggy</i></p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>Razija, Andrew will do the report to Council once we have received the Business Plan.</p> <p>07 Jun 2016 - 2:15 PM - Andrew Bruggy</p> <p>Action reassigned to Andrew Bruggy by: Leisa Bartlett</p> <p>20 Jun 2016 - 2:45 PM - Leisa Bartlett</p> <p>Council will be managing the facility until the end of 2016. LG Elections in September will see Councillors nominate as representatives on all Section 355 Committees and Council will also advertise for community representatives.</p>		
Ordinary Meeting of the Council 24 February 2016	False	Notice of Motion
<p><u>ITEM 1 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 1/16 - DATED FEBRUARY 17, 2016 - PARLIAMENTARY INQUIRY INTO THE MANAGEMENT OF THE DARLING RIVER, ITS FEEDER RIVERS IN NSW AND THE MENINDEE LAKES</u> 11/426</p> <p>RESOLUTION Minute No. 45170</p> <p>Councillor M. Browne moved) Councillor B. Algate seconded)</p> <p>That Motions of Which Notice has been Given No. 1/16 dated February 17, 2016, be received.</p> <p>That the Council urge the State Government to support a parliamentary inquiry into the management of the Darling River, its feeder rivers in NSW and the Menindee Lakes with particular emphasis on the rationale for the excessive release from the lakes in December 2013 and the contribution to the present state of the lakes of extraction levels and floodplain retention in the Upper Darling and catchment.</p> <p>That a late motion regarding a parliamentary inquiry into the management of the Darling River, its feeder rivers in NSW and the Menindee Lakes be submitted to the Western Division Conference before the closing date of March 2, 2016.</p> <p>That Council sends a delegation to present Council's case to all relevant Federal and State Ministers and Shadow Ministers .</p> <p style="text-align: right;">CARRIED</p> <p>20 Jun 2016 - 2:48 PM - Leisa Bartlett</p> <p>Motion submitted to Western Division Conference and also to the National General Assembly of Local Government.</p>		
Ordinary Meeting of the Council 24 February 2016	False	Reports
<p><u>ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 19/16 - DATED FEBRUARY 12, 2016 - HEALTHY BROKEN HILL -PARTNERSHIP PROPOSAL</u> 13/145</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 19/16 dated February 12, 2016, be received.</p> <p>That the following roles proposed for Broken Hill City Council be adopted:</p> <ol style="list-style-type: none"> 1. To be the partnership leader, reflecting the critical role of community leadership in the initiative, and ensure the voices of Broken Hill underpin how this partnership evolves and operates and the relevance and acceptability of strategies to be implemented and evaluated. 2. To facilitate meetings of key stakeholders to ensure strategic, operational and governance structures that support the initiative align to community contexts and meet community expectations. 3. To promote and publicise the initiative, activities to be undertaken and intent of these activities. 4. To support community engagement and consultation approaches that may include individual, group and whole of community strategies. 5. To work collaboratively in the establishment of a proposed 'Forum of Forty' that will bring together 10 representatives from each of the following sectors: government, non-government, business and community, to work strategically and collaboratively on the initiative, further enhancing the leadership and governance roles of Broken Hill and collaboration across key local stakeholders. <p>RESOLUTION Minute No. 45182 Councillor B. Algate moved) Councillor C. Adams seconded)</p> <p style="text-align: right;">That the recommendation of item 19 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>20 Jun 2016 - 4:32 PM - Leisa Bartlett</i></p> <p>COMPLETE</p>		
<p>Ordinary Meeting of the Council 24 February 2016</p>	<p>False</p>	<p>Reports</p>
<p><u>ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 20/16 - DATED JANUARY 15, 2016 - ACQUISITION OF LAND FOR DRAINAGE OF STORMWATER - COUNCIL MINUTE NUMBER 42504, COUNCIL MEETING SEPTEMBER 21, 2010</u> 13/163</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 20/16 dated January 15, 2016, be received.</p> <p>That Council rescind Minute Number 42504 of September 21, 2010, for acquisition of land as documented in Group Manager Sustainability Report No. 77/10 dated September 14, 2010; due to the land being a natural watercourse, acquisition of land is not required.</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>That Council seeks a formal agreement from the current owner of land over which the Cemetery Creek flows (between Brookfield Avenue and the Broken Hill Cemetery) in order for Council to continue to clear the creek bed (when required) of debris and vegetation to allow the free flow of stormwater.</p> <p>RESOLUTION Minute No. 45183 Councillor C. Adams moved) Councillor B. Algate seconded)</p> <p><i>20 Jun 2016 - 2:51 PM - Leisa Bartlett</i> Agreements being sought from land owners.</p>		<p>That the recommendation of item 20 be adopted.</p> <p style="text-align: right;">CARRIED</p>
<p>Ordinary Meeting of the Council 24 February 2016</p> <p>ITEM 35 - BROKEN HILL CITY COUNCIL REPORT NO. 37/16 - DATED FEBRUARY 09, 2016 - MINUTES OF THE BIU BAND HALL AND SOCCER COMPLEX COMMUNITY COMMITTEE MEETING HELD FEBRUARY 3, 2016, BEING THE FINAL MEETING OF THE COMMITTEE 12/48</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 37/16 dated February 9, 2016, be received.</p> <p>That Minutes of the final meeting of the BIU Band Hall and Soccer Complex Community Committee was held February 3, 2016 and covering letter from the Committee be received.</p> <p>That Council formally thanks members of the BIU Band Hall and Soccer Complex Community Committee for their dedication and hard work in overseeing the maintenance and operation of the Complex; and in particular the long serving members.</p> <p>Minute No. 45196 Councillor P. Black moved) Councillor J. Richards seconded)</p> <p><i>06 Jun 2016 - 3:49 PM - James Roncon</i> Action reassigned to James Roncon by: Leisa Bartlett</p>	<p>False Committee Reports</p>	<p>That the recommendations of items 33 to 35 be adopted with an addendum to item 35:</p> <p>That individual correspondence be forwarded to Mrs. Pauline Rauert in recognition of her dedication with regards to her role as Secretary/Treasurer of the BIU Band Hall and Soccer Complex Community Committee from 1995 to February 2016.</p> <p style="text-align: right;">CARRIED</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p><i>21 Jun 2016 - 10:04 AM - Louise Schipanski</i></p> <p>Letter sent to all members of the former BIU Band Hall and Soccer Complex Community Committee on 7/3/2016, thanking them for their dedication and hard work in overseeing the maintenance and operation of the complex and special mention to Pauline Rauert for her contribution. COMPLETE</p>		
<p>Ordinary Meeting of the Council 30 March 2016</p>	<p>False</p>	<p>Notice of Motion</p> <p><u>ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 4/16 - DATED MARCH 02, 2016 - REVIEW OF IMPACT OF IMPLEMENTATION OF THE AUSTRALIAN BUSINESS EXCELLENCE FRAMEWORK</u> 11/665</p> <p><u>Recommendation</u></p> <p>That Motions of Which Notice has been Given No. 4/16 dated March 2, 2016, be received.</p> <p>That Broken Hill City Council review the implementation of the Australian Business Excellence Framework and report to Council by May 2016.</p> <p>RESOLUTION Minute No. 45210 Councillor D. Turley moved) Councillor J. Nolan seconded)</p> <p style="text-align: right;">CARRIED</p>
<p>Ordinary Meeting of the Council 30 March 2016</p>	<p>False</p>	<p>Notice of Motion</p> <p><u>ITEM 3 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 5/16 - DATED MARCH 02, 2016 - REVIEW OF IMPACT OF THE RESTRUCTURE</u> 14/6</p> <p>RESOLUTION Minute No. 45211 Councillor D. Turley moved) Councillor B. Licul seconded)</p> <p>That Motions of Which Notice has been Given No. 5/16 dated March 2, 2016, be received.</p> <p>That Broken Hill City Council review the impact of the Council's restructure to identify successes and challenges and report back to Council by May 2016.</p> <p style="text-align: right;">CARRIED</p> <p><i>21 Jun 2016 - 10:08 AM - Louise Schipanski</i></p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
The GM provided a confidential report to the May 2016 Ordinary Council meeting on the 2014 organisational restructure. COMPLETE		
Ordinary Meeting of the Council 30 March 2016	False	Notice of Motion
<p>ITEM 5 – MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 7/16 – DATED MARCH 22, 2016 – INVITATION TO FAR WEST HEALTH</p> <p>11/426</p> <p><u>Recommendation</u></p> <p>That Motions of Which Notice has been Given No. 7/16 dated March 22, 2016, be received.</p> <p>That Broken Hill City Council invites Far West Health to attend the next Council Meeting and inform members of Council and public of any health issues in relation to water that may affect this community. Also that this invitation remain as a standard item on the agenda.</p> <p>RESOLUTION Minute No. 45213 Councillor D. Gallagher moved) Councillor C. Adams seconded)</p> <p style="text-align: right;">That the recommendation of item 5 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>14 Apr 2016 - 11:01 AM - Leisa Bartlett</i> Invitation was sent following the March Council Meeting. Now awaiting reply.</p> <p><i>06 Jun 2016 - 3:49 PM - James Roncon</i> Action reassigned to James Roncon by: Leisa Bartlett</p> <p><i>21 Jun 2016 - 10:16 AM - Louise Schipanski</i> Follow up email was sent on 21/6/2016.</p>		
Ordinary Meeting of the Council 30 March 2016	False	Notice of Motion
<p>ITEM 6 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 8/16 - DATED MARCH 22, 2016 - INVITATION TO ESSENTIAL WATER</p> <p>11/426</p> <p>RESOLUTION Minute No. 45214 Councillor D. Gallagher moved) Councillor J. Richards seconded)</p> <p style="text-align: right;">That Motions of Which Notice has been Given No. 8/16 dated March 22, 2016, be received.</p> <p style="text-align: right;">That Broken Hill City Council invites Essential Water to attend the next Council</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 27 April 2016	False	Reports
<p>ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 73/16 - DATED APRIL 14, 2016 - DEED OF RELEASE - NEW SOUTH WALES LAND AND HOUSING CORPORATION AND SHORTY O'NEIL VILLAGE 11/333</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 73/16 dated April 14, 2016, be received.</p> <p>That the Mayor and General Manager be authorised to sign the Deed of Release on behalf of Council and apply the Common Seal of Council.</p> <p>RESOLUTION Minute No. 45244</p> <p>Councillor P. Black moved) Councillor J. Nolan seconded)</p> <p style="text-align: right;">That the recommendation of item 10 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>09 May 2016 - 5:05 PM - Leisa Bartlett</i></p> <p>Deed of Release has been signed by the Mayor and General Manager and forwarded back to Council's Solicitor for registration.</p> <p><i>02 Jun 2016 - 4:34 PM - Razija Nu'man</i></p> <p>Deed finalised by all signatories and received by e-mail 27 May 2016. Original placed in vault. COMPLETE</p>		
Ordinary Meeting of the Council 27 April 2016	False	Reports
<p>ITEM 11 – BROKEN HILL CITY COUNCIL REPORT NO. 74/16 – DATED APRIL 14, 2016 – REVIEW OF DISABILITY ACTION PLAN 2011-2015 11/432</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 74/16 dated April 14, 2016, be received.</p> <p>That Council receive the report on the Review of the Disability Action Plan 2011-2015 for information only.</p> <p>RESOLUTION Minute No. 45245</p> <p>Councillor P. Black moved) Councillor J. Nolan seconded)</p> <p style="text-align: right;">That the recommendation of item 11 be adopted.</p> <p style="text-align: right;">CARRIED</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>29 Apr 2016 - 2:52 PM - Andrew Bruggy</p> <p>Estimated Completion Date changed by: Leisa Bartlett From: 04 May 2016 To: 28 Apr 2016</p> <p>04 May 2016 - 10:39 AM - Elizabeth Guest</p> <p>James Druitt has been directed to install traffic Counter</p> <p>Signage showing the instructions on a larger scale will be installed as it may assist with the use of the machine.</p> <p>Data will be checked to ensure the right data has been downloaded and reported</p>		
<p>Confidential Matters of the Council 27 April 2016</p>	<p>False</p>	<p>Confidential Matters</p>
<p>ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 88/16 - DATED APRIL 13, 2016 - - CONFIDENTIAL 15/42</p>		
<p>RESOLUTION</p>		
<p><u>Minute No. 45255</u></p>		
<p>Councillor B. Algate moved) Councillor D. Gallagher seconded)</p>		<p>That Broken Hill City Council Report No. 88/16 dated April 13, 2016, be received.</p>
<p>That Council note the introduction of the National Disability Insurance Scheme (NDIS) from 1 July 2017 and the significant change in the funding model.</p>		
<p>That Council note that this change to a competitive market place will result in greater uncertainty for council around ongoing funding levels as part of the new operating environment.</p>		
<p>That Council note the inflexibility of Council's Consent Award, limits Council's ability to compete in this new environment, and the implementation of the new funding model, would require considerable subsidisation by ratepayers.</p>		
<p>That Council note that Broken Hill has a number of appropriately accredited specialist service providers operating within the city. These services have the economies of scale to maintain services to the Broken Hill community as the funding environment changes.</p>		
<p>That Council note transition to a specialist provider with an industry specific award, will allow for increased opportunities and more flexible service delivery e.g. overnight and weekend support, currently unavailable within Council's Consent</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
		<p>Award.</p> <p>That Council note that transitioning of services to a more specialist provider supports Council's agenda of strengthening the service sector rather than being a direct competitor.</p> <p>That the General Manager ensure all efforts are undertaken to achieve a seamless transition process and minimise the impact for both clients and staff. Where possible a new provider will be encouraged to engage current staff.</p> <p>That Council endorse the General Manager to inform the Department of Health (Commonwealth), Department of Social Services (Commonwealth), Family and Community services (State) and Community Options Australia, that Council will be withdrawing as a direct service provider by no later than 30 June 2017.</p> <p>That renewal of expiring contracts be renegotiated with the funding bodies to align with the transition out process for all services.</p> <p>That Council endorse the General Manager to enter negotiations to support the ongoing co-location of programs, and undertake required actions with relevant organisations in respect to the future use of the Home and Community Care (HACC) Centre and associated assets.</p> <p>That Council management make arrangements to formally brief representative unions, on all known aspects before the matter becomes public knowledge; and continue these briefings as information becomes available.</p> <p style="text-align: right;">CARRIED</p> <p><i>02 Jun 2016 - 4:40 PM - Razija Nu'man</i></p> <p>Staff and Unions advised. Meeting with Unions fortnightly. HR has met individually with effected staff. All funding bodies advised in writing. Expression of Interest prepared in order to create a fair process for agencies interested in Council community services transition. EOI closes on 8 June. Federal funders are seeking two or three agencies to be recommended through this process but will make their own determination. FACS have appointed a representative to participate in the evaluation panel but have similarly advised that they will make their own determination. The evaluation panel will meet late June. As Council was a sub-contractor of Community Options which holds the head lease for the ComPacks program and following a teleconference, Community Options was not in a position to extend the Agreement beyond June 30 on a rolling basis. Through its own internal processes, Community Options appointed HammondCare as the new provider of the program for Broken Hill. Nevertheless, Community Options would continue its responsibility for any clients still with the Council service beyond 30 June 2016.</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Confidential Matters of the Council 27 April 2016	False	Confidential Matters
<p>ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 89/16 - DATED APRIL 13, 2016 - - CONFIDENTIAL 11/63</p>		
<p><u>Recommendation</u></p>		
<p>That Broken Hill City Council Report No. 89/16 dated April 13, 2016, be received.</p>		
<p>That Council as Trustees of the Willyama Common, sign the Land Access Arrangement for Mineral Exploration and attached the Council Seal if required.</p>		
<p>That the Code of Environmental Practice for Mineral Exploration on Willyama Common be attached to the Agreement as Special Conditions under Annexure D.</p>		
<p>RESOLUTION</p>		
<p><u>Minute No. 45256</u></p>		
Councillor B. Algate moved)	That the recommendation of item 26 be adopted.
Councillor J. Richards seconded)	
<p>CARRIED</p>		
<p><i>04 May 2016 - 10:35 AM - Elizabeth Guest</i></p>		
<p>Access Arrangement has been passed over for signing by the Mayor as Chairperson of Willyama Common Committee and will be returned to Silver City Minerals Limited</p>		
<p><i>20 Jun 2016 - 2:55 PM - Leisa Bartlett</i></p>		
<p>All action taken. COMPLETE.</p>		
Confidential Matters of the Council 27 April 2016	False	Confidential Matters
<p>ITEM 30 - BROKEN HILL CITY COUNCIL REPORT NO. 93/16 - DATED APRIL 22, 2016 - - CONFIDENTIAL 11/214</p>		
<p><u>Recommendation</u></p>		
<p>That Broken Hill City Council Report No. 93/16 dated April 22, 2016, be received.</p>		
<p>That Council approves the sale of part of Lot 1 DP 1162606 at the Broken Hill Airport the Royal Flying Doctor Service South Eastern Section for the purchase price of \$5,500.00 inc.GST.</p>		
<p>That the Mayor and General Manager be authorised to sign the sale of land contract and affix the Council Seal if required.</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>RESOLUTION Minute No. 45260 Councillor D. Gallagher moved) Councillor J. Nolan seconded)</p> <p><i>20 Jun 2016 - 9:42 AM - Leisa Bartlett</i> Subdivision for sale purposes being carried out. Sale contract being drafted.</p>		<p>That the recommendation of item 30 be adopted.</p> <p style="text-align: right;">CARRIED</p>
<p>Ordinary Meeting of the Council 25 May 2016</p> <p>ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 94/16 - DATED MAY 11, 2016 - CORRESPONDENCE REPORT - SECURING PART OF THE MILTON LAVERS COLLECTION FOR BROKEN HILL</p> <p>RESOLUTION Minute No. 45265 Councillor P. Black moved) Councillor C. Adams seconded)</p> <p><i>20 Jun 2016 - 2:56 PM - Leisa Bartlett</i> Payment being arranged.</p>	<p>False Reports</p> <p style="text-align: center;">13/155</p>	<p>That Broken Hill City Council Report No. 94/16 dated May 11, 2016, be received.</p> <p>That correspondence from the Milton Lavers Collection Action Group dated May 10, 2016 seeking a donation from Council to purchase the remainder of a part of the Milton Lavers Mineral Collection, be received.</p> <p>That Council votes funding of \$5,670.35 to the Milton Lavers Collection Action Group towards the purchase of mineral specimens that are currently on loan and on display at the Albert Kersten Mining and Minerals Museum, in order for the mineral specimens to remain in Broken Hill.</p> <p>That the mineral specimens will remain in the ownership of the community, with Council as the custodian and will remain on display at the Albert Kersten Mining and Minerals Museum.</p> <p style="text-align: right;">CARRIED</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 25 May 2016	False	Reports
<p>ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 96/16 - DATED MAY 12, 2016 - CORRESPONDENCE REPORT - FINANCIAL ASSISTANCE TOWARDS LEGAL FEES - BATHURST CITY COUNCIL 11/304</p>		
<p>RESOLUTION Minute No. 45266 Councillor M. Browne moved) Councillor J. Nolan seconded)</p>		
		<p>That Broken Hill City Council Report No. 96/16 dated May 12, 2016, be received.</p> <p>That correspondence received from Local Government New South Wales dated May 6, 2016 requesting financial assistance to the Bathurst Regional Council for legal costs incurred in a Supreme Court matter regarding the ability of Councils to enter into contracts with landowners that include fees for service, be received.</p> <p>That Council provides legal assistance to Bathurst Regional Council in the amount of \$773.47 towards legal costs incurred in the matter.</p>
		CARRIED
<p>21 Jun 2016 - 10:35 AM - Louise Schipanski</p> <p>This payment was made in June 2016. COMPLETE</p>		
Ordinary Meeting of the Council 25 May 2016	False	Reports
<p>ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 99/16 - DATED APRIL 14, 2016 - BROKEN HILL LIVING MUSEUM + PERFECT LIGHT PROJECT 14/123</p>		
<p>RESOLUTION Minute No. 45269 Councillor C. Adams moved) Councillor B. Algate seconded)</p>		
		<p>That Broken Hill City Council Report No. 99/16 dated April 14, 2016, be received.</p> <p>That Council adopts the Broken Hill Living Museum + Perfect Light Project Working Group – Terms of Reference.</p> <p>That Council be represented by the Mayor and Councillors Turley, Adams and</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>30 May 2016 - 10:36 AM - Andrea Roberts</p> <p>Public call for nominations closes 15/6/16. COMPLETE</p>		<p>Nolan on the Broken Hill Living Museum + Perfect Light Project Steering Group.</p> <p>That the Terms of Reference of the Broken Hill Living Museum + Perfect Light Project Steering Group be amended to include representation by the Mayor and three Councillors.</p> <p>That Council endorses a public call for nominations seeking seven (7) representatives with specialised experience as detailed in the Terms of Reference.</p> <p style="text-align: right;">CARRIED</p>
<p>Ordinary Meeting of the Council 25 May 2016</p>	<p>False</p> <p>Reports</p>	<p>ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 100/16 - DATED APRIL 13, 2016 - ADOPTION OF DRAFT SPONSORSHIP POLICY 12/14</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 100/16 dated April 13, 2016, be received.</p> <p>That Council adopts the Draft Sponsorship Policy as a Policy of Council.</p> <p>That adoption of the Draft Sponsorship Policy supersedes the existing Sponsorship Policy and renders the Event Sponsorship Policy obsolete.</p> <p>RESOLUTION</p> <p><u>Minute No. 45270</u></p> <p>Councillor B. Algate moved) Councillor C. Adams seconded)</p> <p>That the recommendation of item 6 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p>06 Jun 2016 - 2:41 PM - Leisa Bartlett</p> <p>All action taken to adopt policy. COMPLETE</p>
<p>Ordinary Meeting of the Council 25 May 2016</p>	<p>False</p> <p>Reports</p>	<p>ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 101/16 - DATED MAY 04, 2016 - LIVING WELL - AGEING STRATEGY 2016-2021 11/432</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 101/16 dated May 4, 2016, be received.</p> <p>That Council endorse the Draft Living Well Ageing Strategy 2016 -2021 for public comment for a period of 28 days.</p> <p>RESOLUTION Minute No. 45271 Councillor C. Adams moved) Councillor J. Richards seconded)</p> <p><i>02 Jun 2016 - 4:36 PM - Leisa Bartlett</i> Advertised for public comment. COMPLETE</p>	<p>False</p> <p>Reports</p>	<p>That the recommendation of item 7 be adopted.</p> <p style="text-align: right;">CARRIED</p>
<p>Ordinary Meeting of the Council 25 May 2016</p> <p><u>ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 102/16 - DATED APRIL 13, 2016 - APPOINTMENT OF INDEPENDENT MEMBER TO THE COMMUNITY ASSISTANCE GRANTS PANEL</u></p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 102/16 dated April 13, 2016, be received.</p> <p>That Council appoints Ms. Kristina Janjic and Mr. Chris Dougherty as independent panel members on the Community Assistance Grants Panel.</p> <p>That the Community Assistance Grants Policy be amended to allow for appointment of up to two independent panel members.</p> <p>RESOLUTION Minute No. 45272 Councillor J. Richards moved) Councillor C. Adams seconded)</p> <p><i>06 Jun 2016 - 2:46 PM - Leisa Bartlett</i> Independent members appointed. Panel Meeting held 6/6/16. COMPLETE</p>	<p>False</p> <p>Reports</p> <p>16/44</p>	<p>That the recommendation of item 8 be adopted.</p> <p style="text-align: right;">CARRIED</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 25 May 2016	False	Reports
<p>ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 105/16 - DATED MAY 10, 2016 - DISPOSAL OF SURPLUS EQUIPMENT - SHORTY O'NEIL VILLAGE AND OTHER SURPLUS EQUIPMENT 15/7</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 105/16 dated May 10, 2016, be received.</p> <p>That Council donate surplus equipment to Lifeline Broken Hill to sell at their upcoming auction and that any proceeds made at the auction be retained by Lifeline.</p> <p><i>03 Jun 2016 - 12:11 PM - Razija Nu'man</i></p> <p>Letter advising of Council's resolution sent 2 June 2016. Testing and tagging arranged and ongoing liaison with Lifeline occurring for removal of items from the Film Studio.</p> <p>COMPLETE</p>		
Ordinary Meeting of the Council 25 May 2016	False	Reports
<p>ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 106/16 - DATED MAY 16, 2016 - REVIEW AND AMENDMENT OF SECTION 94A LEVY CONTRIBUTIONS PLAN 11/467</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 106/16 dated May 16, 2016, be received.</p> <p>That amended Broken Hill Section 94a Levy Contributions Plan be publicly exhibited for a period of a minimum 28 days.</p> <p>RESOLUTION</p> <p>Minute No. 45275) Councillor P. Black moved) Councillor J. Nolan seconded)</p> <p><i>06 Jun 2016 - 2:52 PM - Leisa Bartlett</i></p> <p>That the recommendations of items 11 to 12 be adopted.</p> <p>Draft Plan placed on public exhibition. Report to be presented to July Meeting.</p> <p>COMPLETE</p> <p style="text-align: right;">CARRIED</p>		
Ordinary Meeting of the Council 25 May 2016	False	Reports
<p>ITEM 13- BROKEN HILL CITY COUNCIL REPORT NO. 107/16 - DATED MAY 16, 2016 - DEED OF SURRENDER AND TRANSFER - AIR SERVICES AUSTRALIA</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>Recommendation</p> <p>That Broken Hill City Council Report No. 107/16 dated May 16, 2016, be received.</p> <p>That Council authorises the General Manager and Mayor to affix Council's seal to the "Deed of Surrender and Transfer" to terminate aforementioned lease arrangement.</p> <p>RESOLUTION Minute No. 45276 Councillor P. Black moved) Councillor C. Adams seconded)</p> <p>16 Jun 2016 - 1:42 PM - Leisa Bartlett</p> <p>Documents executed and sent to Air Services Australia for final execution.</p>	<p>11/141</p> <p>)</p> <p>)</p>	<p>That the recommendation of item 13 be adopted.</p> <p>CARRIED</p>
<p>Ordinary Meeting of the Council 25 May 2016</p> <p>ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 112/16 - DATED MAY 11, 2016 - NOMINATION FOR MEMBERSHIP ON THE BIU BAND HALL COMMUNITY COMMITTEE</p> <p>Recommendation</p> <p>That Broken Hill City Council Report No. 112/16 dated May 11, 2016, be received.</p> <p>That Council appoints Ms. Loene Crowley and Mr. Ethan Mercer as community representatives on the BIU Band Hall Community Committee.</p> <p>06 Jun 2016 - 2:50 PM - Leisa Bartlett</p> <p>Letters sent to new members and to the Committee Chairperson. COMPLETE</p>	<p>False</p> <p>Committee Reports</p> <p>16/8</p>	<p></p>
<p>Confidential Matters of the Council 25 May 2016</p> <p>ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 117/16 - DATED MAY 10, 2016 - TRANSFER OF LAND - FORMER RAILWAYTOWN COMMUNITY CENTRE TO BROKEN HILL FAMILY DAY CARE COMMITTEE INC. - CONFIDENTIAL</p>	<p>False</p> <p>Confidential Matters</p> <p>11/197</p>	<p></p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
RESOLUTION		
Minute No. 45284		
Councillor C. Adams moved)	That Broken Hill City Council Report No. 117/16 dated May 10, 2016, be received.
Councillor J. Richards seconded)	
<p>That Council rescinds minute number 42408 of June 30, 2010 in favour of the following motion:</p>		
<p>That the Broken Hill Day Care Committee Inc. provide Council with its financial record for examination to ascertain whether the Committee has the financial capacity to continue to operate from the building once they have taken ownership.</p>		
<p>That Council transfer property at 55-59 Gypsum Street, the former Railwaytown Community Centre (being Lot A of DP 349204, Lot 1 of DP 926696 and Lot 1 of DP 1135911), to Broken Hill Family Day Care Committee Inc. for the sum of \$1.00 if demanded.</p>		
<p>That the property be accepted as is.</p>		
<p>That the Committee be liable for all costs relating to insurance, rates if applicable, garbage collection, water, electricity and the like.</p>		
<p>That each party be liable for their own legal fees.</p>		
<p>That documents relating to this matter be executed under Council's Common Seal.</p>		
		CARRIED
<p><i>20 Jun 2016 - 2:57 PM - Leisa Bartlett</i></p>		
<p>Council staff are currently reviewing 3 years of the Committee's financial statements.</p>		
Confidential Matters of the Council 25 May 2016	False	Confidential Matters
<p>ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 118/16 - DATED MAY 12, 2016 - TENDER T16/1 - MANAGEMENT AND OPERATION OF BROKEN HILL REGIONAL AQUATIC CENTRE - CONFIDENTIAL</p>		
		T16/1
RESOLUTION		
Minute No. 45285		
Councillor M. Browne moved)	
Councillor J. Nolan seconded)	That the matter be deferred in order for the General Manager to hold discussions with the preferred tenderer regarding the profit/cost sharing ratios.

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>20 Jun 2016 - 2:58 PM - Leisa Bartlett</p> <p>Council resolved to award tender to YMCA. COMPLETE</p>		<p>That past financial statements of the operations of the Broken Hill Regional Aquatic Centre be investigated in relation to the profit/cost sharing.</p> <p>That a further report be presented to the June Council Meeting.</p> <p style="text-align: right;">CARRIED</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Extraordinary Meeting of the Council 18 February 2015	False	Reports
<p>ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 20/15 - DATED FEBRUARY 13, 2015 - DEVELOPMENT APPLICATION DA2014/182 – PROPOSED TELECOMMUNICATIONS FACILITY COMPRISING A 35 METRE TALL MONOPOLE, WITH SIX PANEL ANTENNAS, SIX REMOTE RADIO UNITS AND AN EQUIPMENT SHELTER AT LOT 2 DP1175135, BEING 344 MCCULLOCH STREET, BROKEN HILL DA2014/182</p> <p><u>Recommendation</u></p> <p>That Broken Hill City Council Report No. 20/15 dated February 13, 2015, be received.</p> <p>That consent be granted for Development Application 182/2014 for a telecommunications facility at Lot 2 DP 1175135, No. 334 McCulloch Street, Broken Hill subject to the conditions contained in Attachment 1.</p> <p>RESOLUTION <u>Minute No. 44870</u> Councillor C. Adams moved) Councillor D. Gallagher seconded)</p> <p style="text-align: right;">That the recommendation of item 1 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>13 Mar 2015 - 11:39 AM - Tracy Stephens</i> Development consent issued subject to conditions.</p> <p><i>12 Jun 2015 - 8:56 AM - Francois VanDerBerg</i> Application is currently subject to a Section 96 application seeking the modification of certain conditions. This matter will be determined at the June 2015 Council meeting.</p> <p><i>16 Oct 2015 - 11:31 AM - Francois VanDerBerg</i> Council refused application for modification of consent at June 2015 Council meeting. Applicant notified of determination in accordance with legal requirements</p> <p><i>16 Oct 2015 - 11:33 AM - Francois VanDerBerg</i> Finalised</p> <p><i>18 Mar 2016 - 10:49 AM - Tracy Stephens</i> COMPLETE</p>		
Confidential Matters of the Council 13 May 2015	False	Confidential Matters
<p>ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 98/15 - DATED MAY 13, 2015 - - CONFIDENTIAL 11/3</p> <p>RESOLUTION <u>Minute No. 44947</u></p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>Moved Councillor P. Black Seconded Councillor D. Gallagher</p> <p><i>18 May 2015 - 11:09 AM - Therese Manns</i> GM has signed the consent determination as per council resolution <i>16 Oct 2015 - 11:33 AM - Francois VanDerBerg</i> Native title consent dtermination made. Finalised <i>20 Jun 2016 - 4:22 PM - Andrew Bruggy</i> Complete</p>	<p>))</p>	<p>That Broken Hill City Council Report No. 98/15 dated May 13, 2015, be received.</p> <p>That Council advises the Federal Court of Australia that Council concurs with the draft Consent Determination for NSD 6084 of 1998.</p> <p>That Council delegate authority to the General Manager to sign the draft Consent Determination on Council's behalf.</p> <p style="text-align: right;">CARRIED</p> <p>ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 1/16 - DATED FEBRUARY 08, 2016 - - CONFIDENTIAL DA2015/88</p> <p><u>Recommendation</u> <u>Minute No. 45170</u></p> <p>Moved Councillor P. Black Seconded Councillor B. Licul</p> <p>That Broken Hill City Council Report No. 1/16 dated February 8, 2016, be received.</p> <p>That Council consider the legal advice provided and delegate the Mayor to negotiate a resolution to the matter.</p> <p style="text-align: right;">CARRIED</p> <p><i>20 Jun 2016 - 4:22 PM - Andrew Bruggy</i> Complete</p>
<p>Confidential Matters of the Council 10 February 2016</p>	<p>False</p>	<p>Confidential Matters</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Confidential Matters of the Council 16 March 2016	False	Confidential Matters
<p>ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 42/16 - DATED MARCH 10, 2016 - - CONFIDENTIAL t16/3</p>		
<p><u>Recommendation</u> <u>Minute No. 45206</u></p>		
<p>Moved Councillor J. Nolan) Seconded Councillor M. Browne)</p>		<p>That Broken Hill City Council Report No. 42/16 dated March 10, 2016, be received.</p>
<p>That Council accept the tender submitted by UNIQUE URBAN BUILT for \$2,607,025.16 inc. GST, for construction of Broken Hill Civic Centre upgrades (Tender T 16/3)</p>		
<p>That Council authorises the Acting General Manager to seek from the successful tenderer the option for variation of tendered price with inclusion of the following additional items including:</p>		
<p>-Furniture</p>		
<p>-New wayfinding signage</p>		
<p>-Equipment for plate up kitchen</p>		
<p>-Auditorium new stage and theatre lighting</p>		
<p>-Refurbish interior walls and ceiling to auditorium</p>		
<p>-New external lighting to Chloride Street entry</p>		
<p>-New external lighting to Blende Street entry</p>		
<p>-New floor tiles to kitchen for compliance</p>		
<p>-New exhaust fans for toilets</p>		
<p>-Landscaping</p>		
<p>-New lighting to landscape – Blende, Chloride, Beryl Streets</p>		
<p>-Cool rooms and to kitchen with shelving</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>20 Jun 2016 - 4:22 PM - Andrew Bruggy</p> <p>Awarded</p> <p>20 Jun 2016 - 4:22 PM - Andrew Bruggy</p> <p>Complete</p>	<ul style="list-style-type: none"> -Kitchen accessories -New storage spaces for kitchen -Pressure clean external façade -Lighting to facade -AV to foyer, lounge and bar -New smoke vent to stage -Three additional windows to Gallery Space -Potential BCA upgrades -Variable wall for first floor function room <p>That Council proceed with further additional items if within Civic Centre Upgrade Budget as defined in the signed Funding Agreement.</p>	<p style="text-align: right;">CARRIED</p>
<p>Confidential Matters of the Council 07 April 2016</p>	<p>False Confidential Matters</p>	<p>ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 64/16 - DATED MARCH 22, 2016 - - CONFIDENTIAL 15/99</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>Recommendation Minute No. 45235 Moved Councillor C. Adams) Seconded Councillor J. Richards)</p> <p>20 Jun 2016 - 4:22 PM - Andrew Bruggy Negotiations commenced with landlord</p>		<p>That Broken Hill City Council Report No. 64/16 dated March 22, 2016, be received.</p> <p>That Council implement the relocation of the library in line with the recommendation of the adopted Broken Hill Living Museum + Perfect Light Project considering the maintenance and repair issues of the current building.</p> <p>That Council implement the relocation of the Archives to the basement and ground floor of the administration building in line with the BHPB funding received, and proposal contained in the report considering the maintenance and repair issues of the current building.</p> <p>That the relocation of both the Library and the Archives be subject to all necessary compliance approvals.</p> <p>That the General Manager be authorised to negotiate possible Lease arrangement (20 years + 20 years) with the various property owner(s).</p> <p>That any costs associated with the move are considered as part of the 2016/17 budget process.</p> <p>CARRIED</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Extraordinary Meeting of the Council 15 June 2016	False Reports	
<p>ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 120/16 - DATED JANUARY 19, 2016 - ADOPTION OF DRAFT BROKEN HILL CITY COUNCIL OPERATIONAL PLAN 2016/2017 AND SCHEDULE OF FEES AND CHARGES 2016/2017 15/142</p>		
<p>RESOLUTION</p>		
<p>Minute No. 45288</p>		
Moved Councillor P. Black)	That Broken Hill City Council Report No. 120/16 dated January 19, 2016, be received.
Seconded Councillor J. Richards)	
<p>That Council note and acknowledge the submissions made by members of the public.</p>		
<p>That the Operational Plan for the period 1 July 2016 to 30 June 2017, including the Revenue Policy, Annual Budget and the Schedule of Fees and Charges 2016/17 be adopted with the amendments set out in this report; and including an amendment to the Schedule of Fees and Charges 2016/2017 for fees at the Albert Kersten Mining and Minerals Museum (GeoCentre) to include a family entry fee of \$16.00 and a gold coin donation entry fee for Broken Hill residents.</p>		
<p>That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2016/17 year:</p>		
<p>i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.0% base rate of \$459.00 and a rate in the dollar on land value of 1.944265 cents;</p>		
<p>ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$420.00 and a rate in the dollar on land value of 0.559533 cents;</p>		
<p>iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.0% base rate of \$164.00 and a rate in the dollar on land value of 1.519816</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
		cents;
	iv.	A general farmland rate under Sections 535 and 537 on all land categorised as farmland and consisting of a 30.0% base rate of \$618.00 and a rate in the dollar on land value of 0.703407 cents;
	v.	A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$845 and a rate in the dollar on land value of 7.795358 cents;
	vi.	A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 32.00% base rate of \$845 and a rate in the dollar on land value of 7.795358 cents;
	vii.	A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 62.0% base rate of \$459.00 and a rate in the dollar on land value of 1.944265 cents;
	viii.	A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 8.713559 cents;
	ix.	A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$43.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$252.00 per annum payable quarterly (one mobile garbage container only).
	x.	A commercial waste user charge under Section 502 of \$374.00 per annum payable quarterly (3 x MGB containers),
	xi.	A commercial waste user charge under Section 502 of \$343.00 per annum payable quarterly (1x600l bin only).
	xii.	An additional MGB service user charge under Section 502 of \$131.00 per annum payable quarterly.
	xiii.	That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts an 8.0% rate of interest charge payable on overdue rates and charges during the 2016/17 financial year

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>20 Jun 2016 - 4:31 PM - Razija Nu'man</p> <p>To be uploaded to Council website.</p> <p>COMPLETE</p>		CARRIED
<p>Extraordinary Meeting of the Council 15 June 2016</p>	False	Reports
<p><u>ITEM 2- BROKEN HILL CITY COUNCIL REPORT NO. 121/16 - DATED MAY 03, 2016 - ADOPTION OF DRAFT LONG TERM FINANCIAL PLAN 2017/2026</u></p>		15/142
<p><u>RESOLUTION</u> <u>Minute No. 45289</u> Moved Councillor B. Algate) Seconded Councillor J. Nolan)</p>		<p>That Broken Hill City Council Report No. 121/16 dated May 3, 2016, be received.</p> <p>That Council adopts the Draft Long Term Financial Plan 2017 -2026 as a Plan of Council.</p>
		CARRIED
<p>Confidential Matters of the Council 15 June 2016</p>	False	Confidential Matters
<p><u>ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 122/16 - DATED JUNE 08, 2016 - - CONFIDENTIAL</u></p>		T16/1
<p><u>Recommendation</u> <u>Minute No. 45291</u> Moved Councillor C. Adams, Seconded Councillor D. Gallagher</p>		<p>That Broken Hill City Council Report No. 122/16 dated June 8, 2016, be received.</p> <p>That Council awards the tender for the management and operation of the Broken Hill Regional Aquatic Centre to the YMCA NSW for a period of five years commencing July 1, 2016.</p> <p>That Council engages legal representation in establishing and facilitating signing of a legally binding contract between YMCA NSW and Broken Hill City Council.</p>

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>20 Jun 2016 - 4:23 PM - Andrew Bruggy</p> <p>Tender verbally awarded. Contract to be actioned</p>		<p>That the Mayor and General Manager be authorised to sign the contract and affix Council's Seal if required.</p> <p style="text-align: right;">CARRIED</p>

COMMITTEE REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 141/16 - DATED MAY 23, 2016 - MINUTES OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD MAY 17, 2016 (12/51)..... 440

2. BROKEN HILL CITY COUNCIL REPORT NO. 142/16 - DATED JUNE 16, 2016 - MINUTES OF THE BROKEN HILL REGIONAL ART GALLERY ADVISORY COMMITTEE MEETING HELD JUNE 2016 (12/46)..... 443

3. BROKEN HILL CITY COUNCIL REPORT NO. 143/16 - DATED JUNE 17, 2016 - MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD JUNE 6, 2016 (12/52) 447

4. BROKEN HILL CITY COUNCIL REPORT NO. 144/16 - DATED JUNE 17, 2016 - MINUTES OF THE PICTON OVAL COMMUNITY COMMITTEE MEETING HELD MAY 9, 2016 (12/54)..... 450

5. BROKEN HILL CITY COUNCIL REPORT NO. 145/16 - DATED JUNE 22, 2016 - MINUTES OF THE BROKEN HILL HERITAGE CITY EVENTS ADVISORY COMMITTEE MEETING HELD JUNE 9, 2016 (15/87) 453

ORDINARY MEETING OF THE COUNCIL

May 23, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 141/16

SUBJECT: MINUTES OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD MAY 17, 2016 12/51

Recommendation

1. That Broken Hill City Council Report No. 141/16 dated May 23, 2016, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held May 17, 2016 be received.

Executive Summary:

Council has received minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held May 17, 2016 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 May 17, 2016 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 Community Committee Meeting held May 17, 2016 2
Pages

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER

**MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES
S355 COMMITTEE HELD MAY 17, 2016 AT 4.00PM – COUNCIL CHAMBER,
240 BLENDE STREET, BROKEN HILL** 12/51

Present: John Rogers (Chairperson), Kellie Scott (Vice Chairperson), Lyn Campigli, David Spielvogel, Jill Spielvogel, Ronald Tumes, Dean Fletcher, Jeff Crase, Sue Spangler and Emily Scott

Apologies: Darrell Ford (BHCC), Darriea Turley, Marion Browne, Ray Allen, Neville Bent, Megan Allen, Jamie Scott, Geoffrey Hoare, Nevada Ford, Evan Scott, Hans Noorman, Sandra Havran, Alison Gander and Steven Quartermain

Confirmation of Minutes of Previous Meeting:

Previous minutes: April 19, 2016

Moved: S. Spangler

Seconded: R. Tumes

Business arising from Previous Minutes:

Nil

Correspondence:

Inwards - Correspondence dated April 21, 2016 from Council regarding three new community members to the committee, Ms Sandra Havran Ms Alison Gander and Mr Stephen Quartermain

Inwards Correspondence dated May 10, 2016 from Council regarding two new community members to the committee, Mr Paul Reed and Mr Ronald Fletcher

Update on Action List:

1. Ongoing Working Bee
2. Identification Cards – When required
3. Paving Walk Way – Concrete Flora Site path entrance – pending
4. Cold Set – bitumen pouring over crushed paths
5. Maintenance of Pay But Hut

Reports:

- All volunteers who attended the last working bee were thanked for their efforts painting the tables and chairs near the sculptures, general weeding and the fixing of tree guards.

Roster:

May 2016

- May 21 – 22, 2016 Dean Fletcher
- May 28 – 29, 2016 BHCC

June 2016

- June 4 -5 , 2016 Geoffrey Hoare
- June 11 – 12, 2016 John Rogers (open) Kellie Scott
- June 13, 2016 (Public Holiday) BHCC
- June 18 – 19, 2016 Jeff Crase
- June 25 – 26, 2016 BHCC

General Business:

Nil

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. Cold Set – bitumen pouring over crushed paths	D. Ford, Ranger
5. Maintenance of Pay Bay Hut	D. Ford, Ranger

Meeting Closed: 4.05pm

Next Meetings: Tuesday, June 21, 2016 – Council Chamber - 4.00pm

ORDINARY MEETING OF THE COUNCIL

June 16, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 142/16

SUBJECT: MINUTES OF THE BROKEN HILL REGIONAL ART GALLERY
ADVISORY COMMITTEE MEETING HELD JUNE 2016 12/46

Recommendation

1. That Broken Hill City Council Report No. 142/16 dated June 16, 2016, be received.
2. That the minutes of the 1/06/2016 Broken Hill Regional Art Gallery Advisory Committee meeting be endorsed.

Executive Summary:

Council has received minutes of the Broken Hill Regional Art Gallery Advisory Committee meeting held on 1 June 2016 for endorsement of 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 Broken Hill Regional Art Gallery Advisory Committee has submitted minutes from its meetings held 1 June 2016 for Council's endorsement.

Strategic Direction:

Key Direction:	2. Our Economy
Objective:	2.2 We are a destination of choice and provide a real experience that encourages increased visitation.
Function:	Tourism Development
DP Action:	2.2.1.9 Develop strategies to increase tourist visitation to the Regional Art Gallery

Relevant Legislation:

The Broken Hill Regional Art Gallery Advisory Committee operates under Council's Section 355 Advisory Committee Standard Constitution and the *Local Government Act 1993* (Section 355).

Financial Implications:

Nil

Attachments

- | | |
|--|------------|
| 1. Minutes of Broken Hill Regional Art Gallery Advisory Committee meeting 1
June 2016 | 2
Pages |
|--|------------|

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER



BROKEN HILL REGIONAL ART GALLERY ADVISORY COMMITTEE

Minutes 1 June, 2016

Number	Item
--------	------

1. **Meeting commenced:** 5.01pm
2. **Present:** Councillor Marion Browne (Deputy Chairperson), Councillor Christine Adams, Councillor Branko Licul, Rick Ball, Susan Thomas, Stan Dineen, Robyn Taylor, Iris Dobbin, Andrew Bruggy (Acting Deputy General Manager), Alex Price (Cultural Facilities Coordinator, BHCC, Secretary).

Apologies: Councillor Darriea Turley, Andrew Gosling. Cllr Licul moved. Susan Thomas seconded.

3. **Confirmation of minutes of previous meeting:** Confirmed. Cr Christine Adams moved. Stan Dineen seconded.

4. **Matters arising from previous meeting:**

Committee advised that a letter of thanks was sent to John Hart and Karrie Lannstrom.

5. **Business**

5.1 Improvement, presentation and general development of the Broken Hill Regional Art Gallery

Relocation of the Noel Counihan mural from the Civic Centre was discussed and will be considered by the Committee. Committee advised that the mural has to be removed from the Civic Centre due to the refurbishment and will be stored at the Broken Hill Regional Art Gallery. Interested members of the Committee were invited to view the mural on Friday 3 June at 4pm.

5.2 Public Art Submissions (Public Art Policy)

Rays of Rust by Deirdre Edwards was discussed and a decision will be deferred to the next meeting in August. Committee members are welcome to view the sculpture at her residence. There was some concerns regarding the safety of the sculpture as there may be rust and areas in which people could cut their fingers. It was thought that it was not suitable for display in a park and would need to be put up high to allay safety concerns.

Rick Ball felt that this sculpture would be suitable for a well-lit empty shopfront in Argent Street.

The Public Art Policy was distributed for feedback to be received at the next meeting.

5.3 Acquisitions, Donations and Gifts (Acquisitions Policy and Donations and Gifts Policy)

Deirdre Edwards' offer to donate painting – Wheels of Time. The painting is currently at West Darling Arts at the Town Hall Façade. Committee members can view the painting and a decision on the



acquisition was deferred to the next meeting. Christine Adams referred to the letter that the painting was based on and thought it may be suitable for the Railway Museum due to the historical link if the Council declined the offer.

Stephen Glassborow - bronze portraits of Sir Henry Parkes and Sir Edmund Barton. Committee declined. Correspondence to be sent to Mr Glassborow.

All BHRAG policies have been distributed to the committee for comment at the next meeting.

5.4 Broken Hill Regional Art Gallery Policies due for review

Policies have been distributed to committee members for review and comment at the next meeting.

6. General Business

Map of heritage areas that require a DA to be sent to committee members.

Clr Licul requested that a letter be sent by Broken Hill City Council to the owners of buildings and relevant artists regarding the wear and tear of murals to encourage the owners to revitalise the murals. It was discussed that the letter needs to be worded in a way that is supportive and encouraging. Murals referred to are located on Beryl Street at the Silver City Mint and the Broken Hill Centre for Community.

Committee to approach Council to request that:

Council contact building owners to raise as a matter of concern the deterioration of the murals.

Moved by Clr Licul and seconded by Robyn Taylor.

Rick Ball and Susan Thomas requested information on applying for the project control group for the Broken Hill Living Museum and Perfect Light Project.

Call-out for fundraising group will be in August 2016. Interested BHRAG Advisory Committee members are Clr Marion Browne, Clr Christine Adams, Robyn Taylor and Iris Dobbin.

Suggestion received regarding souvenirs – playing cards with BHRAG artworks on them.

7. Meeting Closed

There being no further items for business the meeting closed at 6.07pm.

ACTION LIST

ACTION	RESPONSIBLE
Correspondence to be sent to Stephen Glassborow declining offer to purchase sculptures	Alex
Soft copy of map of heritage areas requiring DA to be distributed to committee	Alex
Information on application process for the Broken Hill Living Museum and Perfect Light Project committee to be sent to all BHRAG Advisory Committee members.	Alex
Public call-out for interested parties in an art restoration fundraising group - August.	Alex

Next meeting: Wednesday 3 August, 5pm at the Broken Hill Regional Art Gallery

ORDINARY MEETING OF THE COUNCIL

June 17, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 143/16

SUBJECT: MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD JUNE 6, 2016 12/52

Recommendation

1. That Broken Hill City Council Report No. 143/16 dated June 17, 2016, be received.
2. That minutes of the Memorial Oval Community Committee meeting held June 6, 2016 be received.

Executive Summary:

Council has received minutes of the Memorial Oval Community Committee meeting held June 6, 2016 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 June 6, 2016 for Council's endorsement.

Strategic Direction:

Key Direction: 1. Our Community
Objective: 1.4 Our built environment supports our quality of life
Function: Open Spaces
DP Action: 1.4.1.7 Provide parks and open spaces for passive recreational activity

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).

Financial Implications:

Nil.

Attachments

1. Minutes of the Memorial Oval Community Committee Meeting 1 Page

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON

GENERAL MANAGER

Memorial Oval Management Committee. Minutes: 6th June 2016.

OPENED: 7.00pm.

APOLOGIES: Nil.

ABSENT: Tony Camilleri (BHHRC), Peter Nash (AFL-BH), Dave Gallagher (BHCC).

ATTENDANCE: Ray Steer (Chairman), Dennis Cetinich (Treasurer), Alan Tucker (Caretaker), Bruce McIntosh (Show), Tanya Martyn (Dogs), Lee-Anne Khan (Dogs), John Erskine (Soccer), Tristen Savage (CBHFC), John Ralph (Secretary).

MINUTES: Tuesday, 3rd May 2016.

Minutes be accepted: **Lee-Anne Khan/John Erskine Crd.**

BUSINESS ARISING: Nil.

CORRESPONDENCE:

BHCC: Work Request re War Memorial Area, Received CRM No:24670.

Be received: **Tanya Martyn/John Erskine Crd.**

FINANCIAL REPORT:

Cash Book Balance 30/04/2016: \$22,928.09

Income for May: 350.58

Expenditure for May: 5,626.11

Debtors for May: BHHRC: \$1,052.90. CBHFC: \$3,923.88. BHPSSA: \$119.00.

Balance Outstanding: \$5,905.78.

Bank Balance 31/05/2016: \$17,685.34

Report be accepted: **Lee-Anne Khan/Tanya Martyn Crd.**

GENERAL BUSINESS:

Score Board: Will arrive by the end of June. Store it at Council Yard.

Market Day: 31 Stalls have been booked to date.

Soccer: Could erupt again, maybe a return to the MO.

BHCC: Make an appointment to meet with the General Manager.

Canteen: Steve Zanon is in progress of cutting the Security Keys required, leave this matter in the hands of the Caretaker Alan Tucker.

Meeting Closed: 8.00pm:
Next Meeting: Tuesday 5th July 2016 at 7pm.

ORDINARY MEETING OF THE COUNCIL

June 17, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 144/16

SUBJECT: MINUTES OF THE PICTON OVAL COMMUNITY COMMITTEE
MEETING HELD MAY 9, 2016 12/54

Recommendation

1. That Broken Hill City Council Report No. 144/16 dated June 17, 2016, be received.
2. That minutes of the Picton Oval Community Committee meeting held May 9, 2016 be received.

Executive Summary:

Council has received minutes of the Picton Oval Community Committee meeting held May 9, 2016 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 Picton Oval Community Committee has submitted minutes from its meeting held May 9, 2016 for Council's endorsement.

Strategic Direction:

Key Direction: 1. Our Community
Objective: 1.4 Our built environment supports our quality of life
Function: Open Spaces
DP Action: 1.4.1.7 Provide parks and open spaces for passive recreational activity

Relevant Legislation:

The Picton Oval Community Committee operates under Council's Section 355 Asset Committee Standard Constitution and the Local Government Act, 1993 (Section 355).

Financial Implications:

Nil

Attachments

1. Minutes of the Picton Oval Community Committee meeting held May 9, 2016 1 Page

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON

GENERAL MANAGER

PICTON OVAL MANAGEMENT COMMITTEE MEETING
MINUTES

MONDAY, 9th MAY 2016

Present: N. Hannigan, T. Rynne, P. Adams, C. Adams (Councillor), J. O'Neill.

Apologies: N. Davey, G. Hogan.

Meeting Commenced: 7:30p.m.

Matters Arising:

1. Committee to make payment for sand and follow up with reimbursement.
2. Tree branches have been cut.
3. Oval inspection by Council took place on 17th March.

Correspondence In:

1. PSSA Committee re: Use of oval for Hockey Gala Day – Wednesday, 27th June
2. PSSA Committee re: Use of oval for schools Athletics Carnivals
3. Barrier PSSA Soccer re: Use of oval for training – Sunday, 15th May to Sunday, 29th May

Correspondence Out:

Financial Report:

Stihl Shop Broken Hill – Outstanding invoices. No Payment of invoices to be paid ASAP.
Tax Invoices to be sent to West Football Club, St. Joes Soccer Club & Broken Hill Hockey.

General Business:

1. Condition of oval is improving.
2. Fertilisation and spraying of weeds of oval has taken place, however marshmallow weed is still regenerating in many places.
3. Dogs on the oval is still a big concern. Users are not abiding by signs, however signs may be out of date. C. Adams to follow up with Council.
4. Some incidents of motor-bikes getting into oval area through gates and onto the oval. Committee to look at a way of preventing access.

Meeting closed: 8:02p.m.

Next Meeting: Monday, 13th June 2016

ORDINARY MEETING OF THE COUNCIL

June 22, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 145/16

SUBJECT: MINUTES OF THE BROKEN HILL HERITAGE CITY EVENTS
ADVISORY COMMITTEE MEETING HELD JUNE 9, 2016 15/87

Recommendation

1. That Broken Hill City Council Report No. 145/16 dated June 22, 2016, be received.
2. That minutes of the Broken Hill Heritage City Events Advisory Committee meeting held June 9, 2016 be received.

Executive Summary:

Council has received minutes of the Broken Hill Heritage City Events Advisory Committee meeting held June 9, 2016.

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, Council has received the minutes of the Broken Hill Heritage City Events Committee held on June 9, 2016 for endorsement.

Strategic Direction:

Key Direction: Our Economy
Objective: 2.2 We are a destination of choice and provide a real experience that encourages increased visitation
Function: Tourism Development
DP Action: 2.2.1.12 Investigate opportunities arising from Broken Hill's listing as a heritage city

Relevant Legislation:

Local Government Act 1993 (Section 355)

Council's adopted Section 355 Advisory Committee Constitution

Financial Implications:

Nil.

Attachments

1. Minutes of the Broken Hill Heritage City Events Advisory Committee meeting held 09/06/2016 3 Pages

ANDREW BRUGGY
ACTING DEPUTY GENERAL MANAGER

JAMES RONCON
GENERAL MANAGER

Broken Hill Heritage City Event Advisory Committee

Council Chambers

5.30pm Tuesday 9th June 2016

MINUTES

Welcome: meeting was opened by Chair Mayor Wincen Cuy

Present: Mayor Wincen Cuy (Chairperson, Councillor Marion Browne (Vice Chairperson)
Councillor Christine Adams (Secretary), Fran McKinnon OAM, Larry Angell.

Apologies: nil

Absent: Susan Olsen, Paula Chancellor, Andrew Gosling, Anne Andrews

Confirmation of Minutes from previous meeting: Moved: Marion Browne. Seconded: Larry Angell.

Business Arising from the Minutes:

1. **Non-attendance of meetings:** The constitution requires prior notice of non-attendance to monthly meetings. Secretary to follow up with members but the consensus of the committee is to allow some leeway as all members will be required to re-apply for committee membership after the September Local Government elections.
2. **Invitation for participation acceptance:**
 - BIU Band has accepted our invitation to play in Sturt Park. Secretary will discuss the possibility of Burke Ward band participating with Ethan Mercer.
 - Hash Harriers have taken ownership of the Wheelbarrow Race. Council will cover liability insurance for this event. All participants to sign an indemnity form.
 - YMCA (Activities): Secretary will refine programme with YMCA.
 - Quota will be responsible for a historical exhibit in the Trades Hall. Secretary has suggested Helen Buddle work with Susan and Paula if assistance is required.
 - Trades Hall: Secretary has contacted Ros and Therese. The Trades Hall is now booked (free) for that Quota exhibition and the Art Competition; the latter

under the supervision of WDA. The Trades Hall is booked for several days prior to the Sunday to allow exhibition and competition to be set up. Trades Hall Trust will charge a gold coin for entry, man a stall with union memorabilia for sale, hold a raffle and perhaps sell afternoon tea on the Saturday. Quite happy to have the art competition opened on an evening prior to the day if the committee deems this advantageous.

- 3 No reply as yet re the Sponsorships packs sent to:
Perilya Ltd
CBH Resources
Civil & Mining
Gary Radford OAM

- 4 Participation letters sent to all schools. Follow up will be required.

Schools

- 5 Invitations sent to all stall-holders (Christmas Party participants). Some verbal interest received.

- 6 Audit of BH Collectors to be addressed: This will be a long term project. What exactly are we expecting from this? A list of collections that already exist or a list of collectors/organisations that has the capacity to accept historical donations?

- 7 Passbook with tourism coins: Secretary in discussion with Events Team. The principle is a good one-cost will be an important factor.

- 8 Further Business.
 - Tourism & Signage. The Chairperson advised the committee that Council is considering temporary heritage signs on the outskirts of the city. More detailed signs will need funding. The erection of new street signs will begin on the 14 June.

- Heritage Tool Kit : Report from Council. This tool kit was grant funded and will be of great benefit to all interested in Broken Hill Heritage. Will be available to everybody either online or in hard copy.
- Veteran Cars: Michael Bruggy. On Line of Lode & Sturt Park? The committee welcomes the suggestion that the Vintage Car Club be participants in the Miners' Memorial Day. Committee consensus was they join activities at Sturt Park only but secretary to speak to Greg Braes for his thought on this.
- We now have a FB page: Broken Hill Miners' Memorial Day. In its infancy but getting plenty of interest.
- Webpage. Secretary to work with Council IT and get this set up.
- It is hoped that in future Heritage Weeks presentations of our history will be given to school students in the schools or in a historical place such as the Trades Hall.

The meeting closed at 6.15pm. **The next meeting will be at 5.30 pm
Thursday 5th July at Council Chambers.**

QUESTIONS ON NOTICE

1. QUESTIONS ON NOTICE NO. 3/16 - DATED MAY 31, 2016 -
COUNCILLORS QUESTIONS TAKEN ON NOTICE AT THE MAY 2016
COUNCIL MEETING (11/338, 11/432, 11/514,13/19) 459

ORDINARY MEETING OF THE COUNCIL

May 31, 2016

QUESTIONS ON NOTICE NO. 3/16

SUBJECT: COUNCILLORS QUESTIONS TAKEN ON NOTICE AT THE MAY
2016 COUNCIL MEETING 11/338, 11/432, 11/514,13/19

Summary

The following report provides responses to questions from Councillors which were taken on notice at the May 25, 2016 Council Meeting.

Recommendation

1. That Questions On Notice No. 3/16 dated May 31, 2016, be received.

Background

This report provides a response to the following questions raised at the May 25, 2016 Council Meeting:

Question:

From Minute for Confirmation – Tender T16/4 Buildings Painting and Maintenance T16/4

The General Manager took a question on notice from Councillor Nolan regarding clarification of the tendered cost of painting of the Broken Hill Regional Aquatic Centre (confidential report to April 27, 2016 Council Meeting).

Response:

Councils Acting Deputy General Manager confirmed that the costings provided were in fact correct and that there were no errors with them.

Question:

From Item 1 - Securing Part Of The Milton Lavers Collection For Broken Hill 13/155

The General Manager took the following questions on notice from Councillor Black regarding matters at the Albert Kersten Mining and Minerals Museum:

1. *Will part of the mineral collection at the Albert Kersten Mining and Minerals Museum be removed and placed on display at the Civic Centre once it is upgraded, and at the Archives when it is relocated to the Administration Building? If not, then where are these minerals being sourced from?*

Councillor Black stated that a consultant Architect visited the Albert Kersten Mining and Minerals Museum requesting to look at minerals to go into proposed display cabinets at the Civic Centre and Archives once relocated to the Administration Building.

2. *Councillor Black enquired as to whether the Cultural Facilities Officer position advertised in today's Barrier Daily Truth is the position that will replace Angela Bailey's current role of Mineral Museum Manager?*
3. *Council Black asked whether the Museum will be managed by unqualified staff? Raising concerns regarding the security of the mineral collection housed at the Museum.*

Response:

1. Allen Jack and Cottier are the Project Managers for the Civic Centre refurbishment and their designers have reviewed our film and performing heritage for design inspiration. Items contained within the stored collections (not part of the display) at the Broken Hill Regional Art Gallery and in the basement of the Albert Kersten Mining and Minerals Museum offer potential to be securely displayed for the enjoyment of locals and visiting conference delegates.

While the design for the Broken Hill Archives at the Broken Hill City Council administration building is yet to be developed, the design brief will be prepared with a view to incorporate curated displays of stored items related to our heritage as part of the customer interface.

This will reinforce a whole-of-destination attraction and interpretation approach; aiming to encourage broader interest in exploring and discovering other cultural venues and instilling community pride in heritage and collections.

2. Cultural Facility Assistant positions as advertised are casual roles to be utilised across the Cultural Facilities Group.
3. In accordance with procedure, all positions will be reviewed by the General Manager before advertising and staff will be appointed following a recruitment process and assessment against the requirements of the Position Description.

The security of the mineral collection has been addressed following the departure of the Senior Museum Officer as follows:

- Review/repair of camera monitoring equipment and establishment of a process for retrieving and reviewing footage.
- Reduction of people authorised to access the alarm - numbers now reduced from 36 people with access (as of 2/6/16) to 8 people with access (from 3/6/16).
- An internal Council team has been established to review a centralised approach to security across Council facilities overall.
- A review into obtaining secure collection management system software will be considered within the Broken Hill Archives project for the benefit of Council and community across heritage/art/cultural collections and archives.
- Risk to collections are assessed through a Risk Management process.

Question:

From Item 3 - Quarterly Budget Review Statement for period ending March 2016 12/160
The General Manager took a question on notice from Councillor Black regarding why works at the Memorial Oval are taking precedence over works that were scheduled at Queen Elizabeth Park, Duff Street Park and Patton Park?

Response:

The draft budget with the proposed inclusion of irrigation upgrades is a project that is ten years overdue. This project has been nominated every year for this period and as of now, have been precluded from consideration at the draft budget stage. These works are imperative to the ongoing use of the facility for such activities football training for the Central Football club, Broken Hill AFL competition and sports activities by schools. By delaying works at Queen Elizabeth, Duff Street and Patton Park do not hinder or interfere with any significant activities. Ultimately however, this is a Council decision through the budget process.

Question:

From Item 15 – Infrastructure Activities – April 2016

11/514

The General Manager took a question on notice from Councillor Nolan regarding the accuracy of the REX total figures on page 153, stating that the REX January monthly comparison total shows that passenger numbers have decreased with a figure of -90.6% and that this figure should actually be -19.2%. Council Nolan requested confirmation of the accuracy of the figure in the report before the minutes are confirmed at the June Council Meeting.

Response:

The figure of - 90.6% is incorrect. Councillor Nolan's calculation of -19.2% is correct. This shall be reflected in the minutes

Question:

New Street Signs

11/296

Councillor Licul referred to new street signs that are being stored at the Warnock Street Works Depot and asked when these new signs will be erected?

Response:

These works commenced Tuesday 15 June. Works could not proceed until all necessary administration works such as Dial before you dig, establishing associated works with Essential Water and Essential Energy, and installation of all new poles first.

Question:

Welcome to Broken Hill Signs

12/118

Councillor Nolan requested that staff investigate with the Roads and Maritime Service whether "Welcome to Broken Hill Heritage City" signs could be erected on the highway entrances into the City.

Response:

A whole-of-destination wayfinding solution for Broken Hill will require grant funds to conduct the research and design, including technology (apps etc.) and signage structures for interpretation of our built, natural and social heritage. Quotations will be sourced for this with a view to seeking grant funding to complete the project. A submission for funds to achieve this vision has been made to RDA Far West and is pending a response.

Meanwhile, as gateway signs have been escalated as a priority by Council, it is possible that a temporary solution could apply to gateway entrances (from Melbourne, Adelaide and Sydney) to welcome visitors and locals to Broken Hill Australia's First Heritage City. To that end, quotations will be called for design solutions that can work with the current structures with a view to seeking a Council budget variation in Quarter 1 of the 2016/17 financial year.

Attachments

There are no attachments for this report.

JAMES RONCON
GENERAL MANAGER

CLOSED

Council Meeting to be held **Wednesday, June 29, 2016**

1. **BROKEN HILL CITY COUNCIL REPORT NO. 146/16 - DATED JUNE 16, 2016 - REQUEST TO PURCHASE LAND AT BROKEN HILL AIRPORT - CONFIDENTIAL**

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

2. **BROKEN HILL CITY COUNCIL REPORT NO. 147/16 - DATED JUNE 15, 2016 - RENEWAL OF LICENCE AT BROKEN HILL REGIONAL AIRPORT TERMINAL TO KINGMILL PTY LTD TRADING AS THRIFTY RENT-A-CAR FOR CAR RENTAL DESK - CONFIDENTIAL**

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

3. **BROKEN HILL CITY COUNCIL REPORT NO. 148/16 - DATED JUNE 15, 2016 -RENEWAL OF LICENCE AT THE BROKEN HILL AIRPORT - BAUST AND JOHNSTONE FOR OPERATION OF THE KIOSK AND CLEANING OF THE TERMINAL BUIDING - CONFIDENTIAL**

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