

October 19, 2016

ORDINARY MONTHLY MEETING

TO BE HELD

WEDNESDAY, OCTOBER 26, 2016

Please address all communications to:
The General Manager
240 Blende Street
PO Box 448
Broken Hill NSW 2880
Phone 08 8080 3300
Fax 08 8080 3424
council@brokenhill.nsw.gov.au
www.brokenhill.nsw.gov.au

ABN 84 873 116 132

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, October 26, 2016** commencing at 6:30 p.m. to consider the following business:

- 1) Apologies
- 2) Prayer
- 3) Acknowledgement of Country
- 4) Public Forum
- 5) Presentation of the Audited Financial Statements 2015/2016 by Council's External Auditors UHY Haines Norton
- 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



ANDREW BRUGGY
ACTING GENERAL MANAGER

MINUTES FOR CONFIRMATION

Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held Wednesday, September 28, 2016.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

Prior to the commencement of the meeting the following Councillors made the Oath/Affirmation of Office in the presence of the General Manager, Mr. James Roncon:

Mayor Turley(Affirmation), Councillor Adams (Oath), Councillor Algate (Affirmation), Councillor Browne (Affirmation), Councillor Clarke (Affirmation), Councillor Gallagher (Oath), Councillor Licul (Affirmation), Councillor Kennedy (Affirmation), Councillor Nolan (Oath), Councillor Page (Oath).

Meeting commenced at 6:42 p.m.

PRESENT:

Councillor D. Turley (Mayor) Councillors C. Adams, B. Algate, M. Browne, M. Clark, D. Gallagher, T. Kennedy, B. Licul, J. Nolan and R. Page.

General Manager, Manager Economic Development and Culture, Division Manager Corporate and Human Services, Finance Manager, Governance Officer, Executive Support Officer and Communication and Community Engagement Coordinator.

Media (3), Members of the Public (48).

APOLOGIES:

Nil.

PRAYER

Councillor Adams delivered the prayer

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country

PUBLIC FORUM

Nil.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 45330

Councillor J. Nolan moved
Councillor M. Browne seconded

)
)

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held August 31, 2016 be confirmed.

CARRIED

DISCLOSURE OF INTEREST

Nil

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

MAYORAL MINUTES

ITEM 1 - MAYORAL MINUTE NO. 5/16 - DATED SEPTEMBER 20, 2016 - PRIORITIES FOR COUNCIL

12/82

Recommendation

1. That Mayoral Minute No. 5/16 dated September 20, 2016, be received.
2. That standing committees be established by December 2016 and will be aligned to our key strategic areas.
3. Resource our community based Heritage committee to drive recognition of Broken Hill as Australia's first Heritage City. And invite the Broken Hill City Council Heritage Advisor to be a part of the committee.
4. Lobby state government to reveal details of the business case for the proposed Wentworth-Broken Hill water pipeline, including projected water cost to the people of Broken Hill
5. That Council agree to lobby state government for the return of TAFE College opportunities, upgrade of airport to jet service standards, and for a second weekly Outback Explorer rail service.
6. That Council continues to take an active role in negotiations around the establishment of the proposed 'Far West Initiative' to ensure Council's and the Broken Hill community's interests are protected.
7. Maintaining our 'Greening of the City' and our local heritage programmes.
8. Support the shop local campaign.
9. That the Ordinary Council Meeting for January 2017 not be held.

RESOLUTION

Minute No. 45331

Mayor D. Turley moved) That the recommendation of item 1 be adopted.
Councillor M. Browne seconded)

CARRIED

NOTICES OF MOTION

ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 9/16 - DATED SEPTEMBER 23, 2016 - COST TO THE COMMUNITY OF THE MURRAY PIPELINE

11/426

Notice of Motion

1. That the Broken Hill City Council send correspondence to the Local Member Kevin Humphries, NSW Water Minister, the NSW Premier, opposition leader and opposition water minister requesting that the NSW government provide the Broken Hill community with how much the Broken Hill community is expected to contribute to the pipeline and what water bills will rise to in Broken Hill if IPART decides to pass all costs onto water users. Also what will the iron ore company Carpentaria be contributing to the cost of the pipeline and what will their user charges be?

Motion

Councillor T. Kennedy moved)
Councillor B. Algate seconded) That the recommendation be adopted.

LOST

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

ITEM 3 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 10/16 - DATED SEPTEMBER 23, 2016 - PROPOSED LIBRARY RELOCATION 14/181

Notice of Motion

1. That the proposed move of the Library and the signing of the lease of a privately owned building to house the Library be deferred until the following are investigated and answered and new councillors are presented with the details of the move and the cost to Council. Also, the answers are to be reported back to the next Ordinary Council Meeting for Councillors.
 - a) What effect moving the Library will have on parking in Argent Street and what strategies Council has to manage any negative effect on parking that may occur?
 - b) What work the landlord will carry out on the very old building to bring it up to a modern standard?
 - c) What will the utilities costs be for the building considering the building is twice the size of the existing Library?
 - d) What heating/cooling system was used to calculate a cost of \$800,000, how much of the \$800,000 is labour, where quotes sought and how many?
 - e) How does the heating/cooling of the proposed rented building compare to the planned \$800,000 system for the existing Library?
 - f) What will happen with the existing Library and what associated costs are expected?
 - g) What other possible options are there for the library relocation, options should include the building of a new purpose build library that could utilise BHP funding by incorporating the archives in the plan?
 - h) What effect will the Library move have on user numbers for those that currently use the Library?
 - i) What contingencies are in place if the move to a rented building has a negative impact on Library usage numbers, parking and costs to Council?

Motion

Councillor T. Kennedy moved) That the recommendation of item 3 be adopted.
Councillor B. Algate seconded)

LOST

ITEM 4 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 11/16 - DATED SEPTEMBER 23, 2016 - AMENDMENT TO CODE OF MEETING PRACTICE 12/14

Notice of Motion

1. That Broken Hill City Council amend the Council Code of Meeting Practice to allow questions without notice during the public forum agenda item and to introduce the same at the end of Council Meetings.

Motion

Councillor T. Kennedy moved) That the recommendation of item 4 be adopted.
Councillor B. Algate seconded)

LOST

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

ITEM 5 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 12/16 - DATED SEPTEMBER 23, 2016 - SALE OF FILM STUDIO EO16/3

Notice of Motion

1. That Broken Hill City Council defers the planned sale of the film studio and new councillors to be briefed on the pros and cons of selling the studio.

Motion

Councillor T. Kennedy moved) That the recommendation of item 5 be adopted.
Councillor B. Algate seconded)

LOST

The Mayor took a question on notice from Councillor Kennedy regarding the annual overhead and maintenance costs to Council of the Broken Hill Film Studio.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Nil.

REPORTS

ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 191/16 - DATED AUGUST 29, 2016 - ELECTION OF DEPUTY MAYOR 11/18

Recommendation

1. That Broken Hill City Council Report No. 191/16 dated August 29, 2016, be received.
2. That Council elect the Deputy Mayor at this meeting.
3. That the Deputy Mayor be elected for a 12 month term concluding at the September 2017 Council Meeting.
4. That voting for the Deputy Mayor Election be open voting, this is "show of hands".

RESOLUTION

Minute No. 45332

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

CARRIED

The Mayor appointed the General Manager as Returning Officer for the Election of Deputy Mayor.

The Returning Officer advised that two (2) nominations had been received for the position of Deputy Mayor. The nominations are as follows:

1. *Councillor Gallagher (nominated by Councillor Page and Councillor Adams – nomination received 28/09/2016 at 9:30am)*
2. *Councillor Kennedy (nominated by Councillor Page and Councillor Algate – nomination received 28/09/2016 at 6:15pm)*

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

The Returning Officer advised that voting would take place in order of the nominations received and called for a show of hands for votes for Councillor Gallagher as Deputy Mayor for the twelve month term September 2016 to September 2017.

Voting for Councillor Gallagher as Deputy Mayor

Votes For – 7

Votes Against – 3

Given the number of votes received for Councillor Gallagher as Deputy Mayor, the Returning Officer declared Councillor Gallagher as Deputy Mayor elect for the twelve month term from September 2016 to September 2017.

Councillor Gallagher assumed the chair of Deputy Mayor for the remainder of the meeting.

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 193/16 - DATED AUGUST 29, 2016 -
APPOINTMENT OF DELEGATES TO COMMITTEES - SEPTEMBER 2016 TO SEPTEMBER 2017**

11/9

RESOLUTION

Minute No. 45333

Councillor C. Adams moved)

Councillor D. Gallagher seconded)

That Broken Hill City Council Report No. 193/16 dated August 29, 2016, be received.

2. That Council accepts the nominations received from Councillors as delegates to its Section 355 Committees and various other Committees.
3. That all Councillor membership be for a twelve month period commencing immediately and ceases at the September 2017 Council Meeting, with the exception of the Broken Hill Heritage Committee.
4. That Councillor membership on the Broken Hill Heritage Committee commences October 10, 2016 to the September 2017 Council Meeting; and that the current delegates remain on the Committee until October 10, 2016 to ensure the success of the inaugural Miners' Memorial Day on October 9, 2016.
5. That Council advertises for community representation on the various Section 355 Committees in accordance with their respective constitutions.

CARRIED

Councillors will be sent a request to nominate for any vacancies left on Committees.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 194/16 - DATED JULY 20, 2016 - PUBLIC
INTEREST DISCLOSURES ANNUAL REPORT 2015/2016** 12/67

Recommendation

1. That Broken Hill City Council Report No. 194/16 dated July 20, 2016, be received.
2. That the Broken Hill City Council Public Interest Disclosures Annual Report be forwarded to the Minister for Local Government and the NSW Ombudsman by 30 October 2016.

RESOLUTION

Minute No. 45334

Councillor D. Gallagher moved) That the recommendation of item 8 be adopted.
Councillor B. Licul seconded)

CARRIED

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 195/16 - DATED SEPTEMBER 06, 2016 -
DELEGATION OF FUNCTIONS** 11/264

Recommendation

1. That Broken Hill City Council Report No. 195/16 dated September 6, 2016, be received.
2. That Council notes the Schedule of Delegable Functions for the Broken Hill City Council attached to this report at Attachment 1.
3. That Broken Hill City Council delegate to the Mayor of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachment 2.
4. That Broken Hill City Council delegate to the Deputy Mayor of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachment 3.
5. That Broken Hill City Council delegate to the General Manager of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachment 4.
6. That the Chief Operating Officer (Deputy General Manager) be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave, such appointment to cease upon the return to work of the General Manager; and that such person acting as General Manager pursuant to this resolution has all the functions, delegations, and sub-delegations given to the General Manager by the Council.
7. That Broken Hill City Council delegate to staff who hold the positions of Chief Operating Officer (Deputy General Manager), Manager Engineering Services, Manager Planning Development and Compliance, Asset Planner Buildings, Asset Planner Parks and Open Spaces, Roads and Parks Coordinator, Waste Management Coordinator, Trades Coordinator, Team Leader Parks and Open Spaces, Team Leader Roads, Labourer/Plant Operator, Works Operator, Ranger Living Desert and Finance Operations Coordinator, Senior Airport Reporting Officer, Airport Reporting Officer and Cemetery Services Coordinator of the Broken Hill City Council the relevant Functions under the *Noxious Weeds Act 1993* as indicated in the table attached to this report at Attachment 5.
8. That in accordance with the Local Government's Promoting Better Practice Review, the Delegations of Functions be reviewed in two years' time (September 2018).
9. That Council noted that the *Local Government Amendment (Governance and Planning) Bill 2016* will be presented to a future Council Meeting, once the commencement date has been proclaimed, explaining the amendments to the *Local Government Act 1993* and whether any amendments are required to the Delegations of Functions.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

RESOLUTION

Minute No. 45335

Councillor M. Browne moved) That the recommendation of item 9 be adopted.
Councillor B. Licul seconded)

CARRIED

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 196/16 - DATED SEPTEMBER 19, 2016 -
DISCLOSURE OF INTEREST RETURNS** 11/265, 11/646

Recommendation

1. That Broken Hill City Council Report No. 196/16 dated September 19, 2016, be received.
2. That Council note the submission of the required returns by the Councillors and Designated Persons of Council.
3. That access to Council's Register of Returns of Disclosures by Councillors and Designated Persons be in accordance with the provisions of the *Local Government Act 1993* and other relevant legislation.

RESOLUTION

Minute No. 45336

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

CARRIED

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 197/16 - DATED AUGUST 01, 2016 -
DRAFT 2016/2017 COUNCILLOR SUPPORT POLICY FOR PUBLIC EXHIBITION** 12/114

Recommendation

1. That Broken Hill City Council Report No. 197/16 dated August 1, 2016, be received.
2. That Council adopt the draft 2016/2017 Councillor Support Policy for the purpose of public exhibition.
3. That the draft 2016/2017 Councillor Support Policy be placed on public exhibition for a twenty eight day period.
4. That Council receives a further report at the conclusion of this exhibition, detailing submissions received and any recommended changes arising, with a view to adopting the draft 2016/2017 Councillor Support Policy; and the policy be forwarded to the Deputy Director General of Local Government within twenty eight days of adoption.

RESOLUTION

Minute No. 45337

Councillor D. Gallagher moved) That the recommendation of item 11 be adopted.
Councillor C. Adams seconded)

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 198/16 - DATED SEPTEMBER 14, 2016 -
CORRESPONDENCE REPORT - OFFICE OF LOCAL GOVERNMENT COUNCILLOR WORKSHOP**

11/355

Recommendation

1. That Broken Hill City Council Report No. 198/16 dated September 14, 2016, be received.
2. That Councillors confirm their attendance with the General Manager's Office for the Office of Local Government Councillor Workshop "Hit the Ground Running" in Broken Hill on Thursday November 3, 2016.

RESOLUTION

Minute No. 45338

Councillor C. Adams moved) That the recommendation of item 12 be adopted.
Councillor M. Browne seconded)

CARRIED

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 199/16 - DATED SEPTEMBER 14, 2016 -
CORRESPONDENCE REPORT - RELEASE OF IPART ISSUES PAPER FOR THE REVIEW OF
PRICES FOR WATERNSW TO APPLY FROM JULY 1, 2017**

11/426

RESOLUTION

Minute No. 45339

- Councillor M. Browne moved)
Councillor R. Page seconded)
1. That Broken Hill City Council Report No. 199/16 dated September 14, 2016, be received.
 2. That Councillors provide their feedback regarding the IPART Issues Paper into WaterNSW's Rural Bulk Water Pricing Proposal to the General Manager's Office by October 7, 2016 in order for a submission to be formulated and lodged by October 17, 2016.
 3. That a Councillor Workshop be held with Essential Water representatives (prior to lodging a submission) to seek their views on the matter.

CARRIED

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 200/16 - DATED SEPTEMBER 13, 2016 -
INVESTMENT REPORT FOR AUGUST 2016**

11/48

Recommendation

1. That Broken Hill City Council Report No. 200/16 dated September 13, 2016, be received.

RESOLUTION

Minute No. 45340

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

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 201/16 - DATED AUGUST 01, 2016 -
ADOPTION OF DRAFT LOCAL APPROVALS POLICY**

12/14

Recommendation

1. That Broken Hill City Council Report No. 201/16 dated August 1, 2016, be received.
2. That Council adopts the Draft Local Approvals Policy as a policy of Council.

RESOLUTION

Minute No. 45341

Councillor J. Nolan moved) That the recommendation of item 15 be adopted.
Councillor C. Adams seconded)

CARRIED

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 202/16 - DATED SEPTEMBER 05, 2016 -
ADOPTION OF COUNCIL BUSINESS CONTINUITY POLICY**

12/14

Recommendation

1. That Broken Hill City Council Report No. 202/16 dated September 5, 2016, be received.
2. That Council adopt the Draft Business Continuity Policy as a Policy of Council.

RESOLUTION

Minute No. 45342

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

CARRIED

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 203/16 - DATED SEPTEMBER 12, 2016 -
PLANNING AND DEVELOPMENT STATUS REPORT - AUGUST 2016**

11/467

Recommendation

1. That Broken Hill City Council Report No. 203/16 dated September 12, 2016, be received.

RESOLUTION

Minute No. 45343

Councillor D. Gallagher moved) That the recommendation of item 17 be adopted.
Councillor M. Browne seconded)

CARRIED

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 204/16 - DATED SEPTEMBER 12, 2016 -
S355 COMMITTEE TERM REPORTS 2012-2016 AND ANNUAL REPORTS 2015-2016**

16/94

Recommendation

1. That Broken Hill City Council Report No. 204/16 dated September 12, 2016, be received.
2. That the Annual Report 2015/16 and Term Report 2012-2016 received from Section 355 Committees be received and noted.

RESOLUTION

Minute No. 45344

Councillor C. Adams moved) That the recommendation of item 18 be adopted.
Councillor M. Browne seconded)

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 205/16 - DATED SEPTEMBER 16, 2016 -
AUDIT, RISK AND IMPROVEMENT COMMITTEE - INDEPENDENT MEMBERS APPOINTMENT**

13/19

Recommendation

1. That Broken Hill City Council Report No. 205/16 dated September 16, 2016, be received.
2. That Council appoint Mr. James Mitchell and Mr. Damian Pulgies as the two (2) independent members of the Broken Hill City Council Audit, Risk and Improvement Committee.

RESOLUTION

Minute No. 45345

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

CARRIED

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 206/16 - DATED SEPTEMBER 16, 2016 -
SAFE HAVEN ENTERPRISE VISA SCHEME**

11/161

.

RESOLUTION

Minute No. 45346

Councillor C. Adams moved) That Broken Hill City Council Report No. 206/16
Councillor D. Gallagher seconded) dated September 16, 2016 be received.

CARRIED

**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 207/16 - DATED SEPTEMBER 16, 2016 -
MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 363 HELD TUESDAY
SEPTEMBER 6, 2016**

11/397

Recommendation

1. That Broken Hill City Council Report No. 207/16 dated September 16, 2016, be received.
2. That the minutes for the Local Traffic Committee Meeting No. 363, held 6 September 2016, be received.
3. That Council adopt the recommendation of the Traffic Committee meeting held September 6, 2016.
 - a. 363.8.2 - That Council write to Mr Regan Edgecumbe thanking him for his comments and advising Mr Edgecumbe that Council has held extensive community consultation regarding the Parking Strategy and have recommended a review of the Parking Strategy after a trial period of 12 months; his comments will be considered as part of this process.
 - b. 363.8.3 - That Council write to Ms Pauline Jones thanking her for her comments and advising Ms Jones that Council has held extensive community consultation regarding the Parking Strategy and have recommended a review of the Parking Strategy after a trial period of 12 months; her comments will be considered as part of this process.

RESOLUTION

Minute No. 45347

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

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

**ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 208/16 - DATED SEPTEMBER 20, 2016 -
ACTION LIST REPORT - SEPTEMBER** 11/25
Recommendation

1. That Broken Hill City Council Report No. 208/16 dated September 20, 2016, be received.

RESOLUTION

Minute No. 45348

Councillor J. Nolan moved) That the recommendation of item 22 be adopted.
Councillor M. Clark seconded)

CARRIED

COMMITTEE REPORTS

**ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 209/16 - DATED SEPTEMBER 13, 2016 -
MINUTES OF THE PICTON OVAL COMMUNITY COMMITTEE MEETING HELD SEPTEMBER 12,
2016** 12/54
Recommendation

1. That Broken Hill City Council Report No. 209/16 dated September 13, 2016, be received.
2. That minutes of the Picton Oval Community Committee meeting held September 12, 2016 be received.

RESOLUTION

Minute No. 45349

Councillor C. Adams moved) That the recommendation of item 23 be adopted.
Councillor B. Licul seconded)

CARRIED

**ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 210/16 - DATED SEPTEMBER 20, 2016 -
MINUTES OF THE BROKEN HILL HERITAGE ADVISORY COMMITTEE MEETING HELD AUGUST
11, 2016 AND SEPTEMBER 17, 2016** 15/87
Recommendation

1. That Broken Hill City Council Report No. 210/16 dated September 20, 2016, be received.
2. That minutes of the Broken Hill Heritage Advisory Committee meetings held August 11, 2016 and September 17, 2016 be received.

RESOLUTION

Minute No. 45350

Councillor C. Adams moved) That the recommendation of item 24 be adopted.
Councillor M. Browne seconded)

CARRIED

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

QUESTIONS ON NOTICE

**ITEM 25 - QUESTIONS ON NOTICE NO. 6/16 - DATED AUGUST 23, 2016 - COUNCILLORS
QUESTION TAKEN ON NOTICE AT JULY AND AUGUST COUNCIL MEETINGS**

11/214

Recommendation

1. That Questions On Notice No. 6/16 dated August 23, 2016, be received.

RESOLUTION

Minute No. 45351

Councillor B. Algate moved) That the recommendation of item 25 be adopted.
Councillor C. Adams seconded)

CARRIED

QUESTIONS FOR NEXT MEETING

From Item 5 – Notice of Motion – Sale of Film Studio

EOI16/3

The Mayor took a question on notice from Councillor Kennedy regarding the annual overhead and maintenance costs to Council of the Broken Hill Film Studio.

CONFIDENTIAL MATTERS

**ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 211/16 - DATED AUGUST 23, 2016 -
HERITAGE VERANDAH REVIVAL LOAN - 350 ARGENT STREET, BROKEN HILL -**

CONFIDENTIAL

11/467

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

Recommendation

1. That Broken Hill City Council Report No. 211/16 dated August 23, 2016, be received.
2. That funding of \$12,540.00 (combination of loan and grant) be approved for maintenance work to the existing verandah at 350 Argent Street subject to the owner meeting the required loan conditions.

**ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 212/16 - DATED SEPTEMBER 15, 2016 -
EXPRESSION OF INTEREST 16/4 - SALE OF LAND AT THE BROKEN HILL REGIONAL AIRPORT
- CONFIDENTIAL**

EOI16/4

(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).

Recommendation

1. That Broken Hill City Council Report No. 212/16 dated September 15, 2016, be received.
2. That Council accepts the offer of \$8,500.00 from Mr Phillip Cvirn for purchase of land at the Broken Hill Regional Airport being part Lot 1 in DP1162606 (Lot 52 in DP876533 on Council's

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

internal mapping system).

3. That each party be liable for their own legal costs incurred.
4. That the Mayor and General Manager be delegated to sign the sale of land contract under the Common Seal of Council.

**ITEM 28 - BROKEN HILL CITY COUNCIL REPORT NO. 213/16 - DATED AUGUST 16, 2016 -
TRANSFER OF OWNERSHIP OF 55-59 GYPSUM STREET TO BROKEN HILL FAMILY DAY CARE
COMMITTEE INC. - CONFIDENTIAL** 11/197

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

Recommendation

1. That Broken Hill City Council Report No. 213/16 dated August 16, 2016, be received.
2. That Council rescinds minute number 45284 of May 25, 2016 (transfer ownership of 55-59 Gypsum Street to Broken Hill Family Day Care Committee Inc.) in favour of the following motion:
 - a. That due to Family Day Care Committee Inc.'s current financial position, Council offers the Committee a lease arrangement for 12 months (all terms as per current lease) for occupation of 55-59 Gypsum Street.
 - b. That the Family Day Care Committee Inc. be responsible for all legal costs, including Council's, incurred in the drawing of the lease.
 - c. That the Mayor and General Manager be delegated authority to execute the lease under the Common Seal of Council.
 - d. That at the expiration of the 12 month lease, Council's Finance staff re-inspects the Committee's financial statements and a further report be presented to Council regarding the option of transferring the ownership of 55-59 Gypsum Street (formerly the Railwaytown Community Centre) to the Broken Hill Family Day Care Committee Inc.

RESOLUTION

Minute No. 45352

Councillor B. Algate moved
Councillor D. Gallagher seconded

) That the confidential matters be considered in
) open session.

That the recommendations of confidential items
26 to 28 be adopted.

CARRIED

The Mayor requested that the General Manager report on the confidential items. The General Manager advised that Council had resolved in respect of:

Item 26 - Broken Hill City Council Report No. 211/16 - dated August 23, 2016 - Heritage Verandah
Revival Loan - 350 Argent Street, Broken Hill - Confidential

- That Broken Hill City Council Report No. 211/16 dated August 23, 2016, be received.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 28, 2016

- That funding of \$12,540.00 (combination of loan and grant) be approved for maintenance work to the existing verandah at 350 Argent Street subject to the owner meeting the required loan conditions.

Item 27 - Broken Hill City Council Report No. 212/16 - dated September 15, 2016 - Expression of Interest 16/4 - Sale of Land at the Broken Hill Regional Airport - **Confidential**

- That Broken Hill City Council Report No. 212/16 dated September 15, 2016, be received.
- That Council accepts the offer of \$8,500.00 from Mr Phillip Cvirn for purchase of land at the Broken Hill Regional Airport being part Lot 1 in DP1162606 (Lot 52 in DP876533 on Council's internal mapping system).
- That each party be liable for their own legal costs incurred.
- That the Mayor and General Manager be delegated to sign the sale of land contract under the Common Seal of Council.

Item 28 - Broken Hill City Council Report No. 213/16 - dated August 16, 2016 - Transfer of Ownership of 55-59 Gypsum Street to Broken Hill Family Day Care Committee Inc. - **Confidential**

- That Broken Hill City Council Report No. 213/16 dated August 16, 2016, be received.
- That Council rescinds minute number 45284 of May 25, 2016 (transfer ownership of 55-59 Gypsum Street to Broken Hill Family Day Care Committee Inc.) in favour of the following motion:
 - That due to Family Day Care Committee Inc.'s current financial position, Council offers the Committee a lease arrangement for 12 months (all terms as per current lease) for occupation of 55-59 Gypsum Street.
 - That the Family Day Care Committee Inc. be responsible for all legal costs, including Council's, incurred in the drawing of the lease.
 - That the Mayor and General Manager be delegated authority to execute the lease under the Common Seal of Council.
 - That at the expiration of the 12 month lease, Council's Finance staff re-inspects the Committee's financial statements and a further report be presented to Council regarding the option of transferring the ownership of 55-59 Gypsum Street (formerly the Railwaytown Community Centre) to the Broken Hill Family Day Care Committee Inc.

There being no further business the Mayor closed the meeting at 7:45 p.m.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON OCTOBER 26, 2016)

CHAIRPERSON

REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 214/16 - DATED OCTOBER 14, 2016 - APPOINTMENT OF DELEGATES TO COMMITTEES - SEPTEMBER 2016 TO SEPTEMBER 2017 (11/9)..... 18
2. BROKEN HILL CITY COUNCIL REPORT NO. 178/16 - DATED JULY 04, 2016 - ADOPTION OF THE DRAFT DEVELOPMENT CONTROL PLAN 2016 (11/126)..... 24
3. BROKEN HILL CITY COUNCIL REPORT NO. 215/16 - DATED SEPTEMBER 07, 2016 - ADOPTION OF DRAFT SCORES ON DOORS POLICY (12/14)..... 99
4. BROKEN HILL CITY COUNCIL REPORT NO. 216/16 - DATED OCTOBER 06, 2016 - INVESTMENT REPORT FOR SEPTEMBER 2016 (11/48) 109
5. BROKEN HILL CITY COUNCIL REPORT NO. 217/16 - DATED SEPTEMBER 26, 2016 - S355 COMMITTEE TERM REPORTS 2012-2016 AND ANNUAL REPORTS 2015-2016 (16/94) 122
6. BROKEN HILL CITY COUNCIL REPORT NO. 218/16 - DATED OCTOBER 12, 2016 - RECOMMENDATIONS AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD OCTOBER 6, 2016 (13/19) 131
7. BROKEN HILL CITY COUNCIL REPORT NO. 219/16 - DATED OCTOBER 14, 2016 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 364 HELD TUESDAY OCTOBER 4, 2016 (11/397) 137
8. BROKEN HILL CITY COUNCIL REPORT NO. 220/16 - DATED OCTOBER 13, 2016 - ACTION LIST REPORT - OCTOBER (11/25)..... 174

ORDINARY MEETING OF THE COUNCIL

October 14, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 214/16

SUBJECT: APPOINTMENT OF DELEGATES TO COMMITTEES -
SEPTEMBER 2016 TO SEPTEMBER 2017

11/9

Recommendation

1. That Broken Hill City Council Report No. 214/16 dated October 14, 2016, be received.
2. That Council determines, at this Council Meeting, its Councillor delegates to fill vacant delegate positions on Section 355 Committees and various other Committees/Working Groups as follows:
 - a. Key Direction Portfolio – Our Community (1 alternate position)
 - b. Key Direction Portfolio – Our Environment (1 alternate position)
 - c. Australia Day Advisory Group – 1 position
 - d. Asset Naming Committee – 1 position
 - e. Integrated Waste Management Working Group – 1 position
 - f. Sister City Working Group – 2 positions
 - g. Tidy Towns Working Group – 1 position
 - h. Volunteer Working Group – 1 position
3. That all Councillor membership ceases at the September 2017 Council Meeting.

Executive Summary:

Council is required to determine its representation on the Section 355 Committees of Council and also its delegates to various other organisations and committees. These machinery matters are usually considered by Council annually at the September Council Meeting.

Council resolved to adopt the report presented to the September Council Meeting which contained preferences from Councillors. A number of vacancies in Councillor representation still remains, and this report is presented to Council for the purpose of filling all vacant positions to ensure that the various committees are able to operate effectively and efficiently.

Report:

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

- (a) by the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities

or by any other means, or

- (b) by a committee of the council, or
- (c) partly or jointly by the council and another person or persons, or
- (d) jointly by the council and another council or councils, or
- (e) by a delegate of the council.

Council's current Schedule of Delegates as adopted at the September, 2016 Council Meeting is attached (Attachment 1). This Schedule indicates the vacancies on the various Section 355 Committees and internal and external working groups/organisations where Council is also represented by elected Councillors.

Strategic Direction:

Key Direction:	4	Our Leadership
Objective:	4.3	We Unite to Succeed
Function:		Leadership and Governance
DP Action:	4.3.1.2	Support Council's Section 355 Committees in undertaking their duties with Council

Relevant Legislation:

Local Government Act 1993 (Section 355)

Financial Implications:

Council's current Operational Plan includes provision for travel and related expenses for Council delegates to represent Council outside of Broken Hill.

Attachments

1. Schedule of Council Delegates on Committees showing vacant positions 4 Pages

ANDREW BRUGGY
ACTING GENERAL MANAGER



COUNCIL DELEGATES TO SECTION 355 COMMITTEES AND OTHER COMMITTEES

Sept 2016 to Sept 2017

COUNCIL S355 COMMITTEES	
COMMITTEE NAME	DELEGATES REQUIRED
<p>Community Strategic Plan Round Table Mayor 3 Key Direction Portfolio Councillors + Alternates</p> <p><u>Our Leadership</u> Mayor Turley 1 Alternate</p> <p><u>Our Community</u> 1 Councillor 1 Alternate</p> <p><u>Our Economy</u> 1 Councillor 1 Alternate</p> <p><u>Our Environment</u> 1 Councillor 1 Alternate</p>	<p><u>Our Leadership</u> Mayor Turley Deputy Mayor Gallagher (Alternate)</p> <p><u>Our Community</u> Councillor Kennedy 1 Alternate position - vacant</p> <p><u>Our Economy</u> Councillor Licul Councillor Nolan (Alternate)</p> <p><u>Our Environment</u> Councillor Browne 1 Alternate position - vacant</p>
<p>Alma Oval Community Committee At least 1 Councillor</p>	<p>Councillor Algate Deputy Mayor Gallagher</p>
<p>Broken Hill Heritage Committee 3 Councillors</p>	<p>Mayor Turley Councillor Browne Councillor Adams Councillor Clark (Alternate)</p>
<p>Broken Hill Regional Art Gallery Advisory Committee 3 Councillors</p>	<p>Councillor Page Councillor Licul Councillor Clark</p>

BIU Band Hall Community Committee At least 1 Councillor	Councillor Licul
ET Lamb Memorial Oval Community Committee At least 1 Councillor	Deputy Mayor Gallagher
Friends of the Flora and Fauna of the Barrier Ranges Community Committee At least 1 Councillor	Councillor Browne
Memorial Oval Community Committee At least 1 Councillor	Deputy Mayor Gallagher
Norm Fox Sportsground Community Committee At least 1 Councillor	Councillor Algate Deputy Mayor Gallagher
Picton Sportsground Community Committee At least 1 Councillor	Councillor Adams Councillor Licul
Riddiford Arboretum Community Committee At least 1 Councillor	Councillor Browne
OTHER COMMITTEES	
COMMITTEE NAME	DELEGATES REQUIRED
Association of Mining Related Councils 1 Councillor	Councillor Nolan Councillor Page (Alternate)
Australia Day Advisory Group 4 Councillors	Councillor Browne Deputy Mayor Gallagher Councillor Adams 1 x vacant position
Audit, Risk & Improvement Committee 2 Councillors	Councillor Nolan Deputy Mayor Gallagher
Asset Naming Committee 5 Councillors	Councillor Browne Councillor Licul Councillor Algate Councillor Adams 1 x vacant position
Broken Hill Lead Reference Group 1 Councillor	Councillor Browne

Broken Hill Living Museum and Perfect Light Project Steering Group Mayor + 3 Councillors	Mayor Turley Councillor Nolan Councillor Clark Councillor Adams
Broken Hill Liquor Accord 1 Councillor	Deputy Mayor Gallagher
Broken Hill Solar Plant Community Consultative Committee 1 Councillor	Councillor Nolan
Broken Hill Traffic Committee 1 Councillor (observer only)	Councillor Browne
Broken Hill ClubGRANTS Committee 2 Councillors	Councillor Nolan Councillor Kennedy
Community Assistance Grants Panel Mayor + 1 Councillor	Deputy Mayor Gallagher Councillor Clark
Disability Inclusion Action Plan Working Group 2 Councillors	Mayor Turley Councillor Adams
Essential Water Customer Council 1 Councillor	Councillor Browne
General Manager's Performance Review Committee Mayor, Deputy Mayor + 3 Councillors	Mayor Turley Deputy Mayor Gallagher Councillor Browne Councillor Adams Councillor Algate
Integrated Waste Management Working Group Mayor + 4 Councillors	Mayor Turley Councillor Browne Councillor Algate Councillor Nolan 1 x vacant position
Local Government Fit for the Future – Far West Initiative Advisory Committee Mayor	Mayor Turley
Murray Darling Association 2 Councillors	Councillor Browne Councillor Page
Reconciliation Action Plan (RAP) 3 Councillors	Mayor Turley Councillor Browne Councillor Adams
Silverton Wind Farm Community Consultative Committee 1 Councillor	Councillor Browne Councillor Nolan (Alternate)

Sister City Working Group 4 Councillors	Councillor Adams Deputy Mayor Gallagher 2 x vacant positions
Tidy Towns Working Group 2 Councillors	Councillor Adams 1 x vacant position
Trust for Recreational Reserve (Broken Hill to Silverton Cycleway) 1 Councillor	Councillor Adams
University Partnership Working Party Mayor 1 Councillor	Mayor Turley Councillor Browne
Western Division Councils 2 Councillors	Mayor Turley Deputy Mayor Gallagher
Western NSW Mining and Resource Development Taskforce Mayor	Mayor Turley
Volunteer Working Group 4 Councillors	Councillor Browne Councillor Page Councillor Adams 1 x vacant position

QUALITY CONTROL TABLE

MINUTE NO.	DATE	RESOLUTION
45333	September 28, 2016	Appointment of Delegates to Committees

ORDINARY MEETING OF THE COUNCIL

July 4, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 178/16

SUBJECT: ADOPTION OF THE DRAFT DEVELOPMENT CONTROL PLAN
2016 11/126

Recommendation

1. That Broken Hill City Council Report No. 178/16 dated July 4, 2016, be received.
2. That Council adopts the draft Broken Hill Development Control Plan 2016 to take effect from the date of notification being placed in local print media.
3. That Council implement a permit system to assess and approve the removal, pruning or lopping of branches of exotic plants on private property in accordance with the Broken Hill Development Control Plan 2016 on a cost recovery basis.

Executive Summary:

Council considered adoption of the draft Broken Hill Development Control Plan 2016 at the Ordinary Meeting held August 31, 2016 and resolved that the matter be deferred to the new Council for adoption.

This report provides the history associated with the preparation and public display of the draft Broken Hill Development Control Plan 2016.

Report:

Council resolved on August 26, 2015 to prepare a draft development control plan (DCP) to consolidate and replace current DCPs. Zenith Town Planning was engaged to review current DCPs 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.

Draft Broken Hill DCP 2016 was presented to Council on June 29, 2016 and Council resolved (Minute No. 45293) to exhibit the draft plan for comment.

The draft Plan was placed on public exhibition for a period of 28 days, in accordance with section 18 of the *Environmental Planning and Assessment Regulation 2000*, concluding on August 2, 2016.

During the public exhibition period Council received two (2) written submissions regarding the draft DCP. Details of the points raised in these submissions and recommended changes to the draft plan are summarised in the table below.

Issue	Response
<i>Chapter 1 Introduction, section 1.4 Advertising and notification, section 1.1.1 Notification policy</i> – include building line variations as a circumstance where Council will notify adjoining owners	There are no prescribed setbacks to the road frontage which would define the building line. Setbacks are assessed on merit having regard to streetscape and adjacent structures. No change recommended to the draft DCP
<i>Chapter 3 Building, section 3.2 Development in Residential Zones, section 3.2.1 All dwellings</i> – require surveyors report with an application for a construction certificate rather than with a development application	A surveyors report is required to be submitted with the development application to avoid the need to amend approved plans where a discrepancy in boundaries is identified. No change recommended to the draft DCP
<i>Chapter 4 Car Parking, section 4.3 Commercial Development</i> – require loading and unloading to business premises from rear lane in all commercial precincts	The section of the draft DCP has been amended to require loading and unloading to business premises from rear lane in all commercial precincts where practical
<i>Chapter 7 Tree Preservation, section 7.2 Trees on private land</i> – provide clarity about approval paths, i.e. where development consent or a permit is required to carry out works. For example, a permit is required to lop branches whilst consent is required for tree removal. Preservation of trees is usually restricted to natural vegetation and significant trees and generally there are no restrictions on exotic and planted trees unless they are significant. The application of the clause to all trees on the nominated size is not relevant and it is suggested that it be applied only to identified significant trees	It is considered that to require consent to be issued for removal, pruning and lopping native and exotic trees would place onerous demands on Council's resources. <i>Chapter 7 Tree Preservation, section 7.2 Trees on private land</i> – has been amended to require development consent to remove, prune or lop native trees over a specified size unless permitted by legislation or the plant is within 3 metres of an existing or approved dwelling. A permit is required to remove, prune or lop exotic trees over a specified size unless permitted by legislation or the plant is within 3 metres of an existing or approved dwelling. This latter process will require Council to establish a permit approval system whereby an arborist is engaged by Council to assess an application and make a recommendation to Council on a cost recovery basis
Stormwater requirements – suggest that <i>section 7.11.1 Principles of development control</i> of the Council's <i>Urban Stormwater Management Plan</i> be included	<i>Chapter 3 Building, section 3.1 General provisions</i> – all zones of the draft DCP has been amended to include these principles as controls relating to all new development in residential, business, industrial and rural zones
<i>Chapter 6 Land Contamination, section 6.2 Lead contamination</i> – changes to text suggested to clarify the extent of potential contamination and to clarify remediation controls	This section of the draft DCP has been amended to incorporate the suggested changes

Under section 74C of the *Environmental Planning and Assessment Act 1979* only one DCP is permitted to apply to any allotment of land. Therefore all current DCPs are to be repealed from the date that Broken Hill DCP 2016 takes effect. DCPs to be repealed are:

- 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.

It is noted that the controls of *DCP Exempt and Complying Development* are now replaced by *SEPP (Exempt and Complying Development Codes)* or are included within schedules of *Broken Hill LEP 2013*.

Issues

The consolidation of the provisions of current DCPs into draft Broken Hill DCP 2016 has involved:

- 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.

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. Controls in the plan require consent to be obtained to remove, prune or lop native plants over a specified size whereas a permit is required to remove, prune or lop exotic plants over a specified size. It is recommended that Council establish a permit system with the assistance of a qualified arborist to assess applications to remove, prune or lop exotic trees and to make recommendations to Council

regarding permission. The system should operate on a cost-recovery basis whereby a fee is required to make an application to Council that offsets the cost of engaging the arborist.

Conclusion

The draft DCP consolidates the provisions of all current DCPs into a single plan. This satisfies Council's statutory obligations with respect to development controls to be consistent with Broken Hill LEP 2013 and to apply only one DCP to any parcel of land. It is recommended that Council adopt the draft plan to become effective from the date that notification is made in local print media.

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.

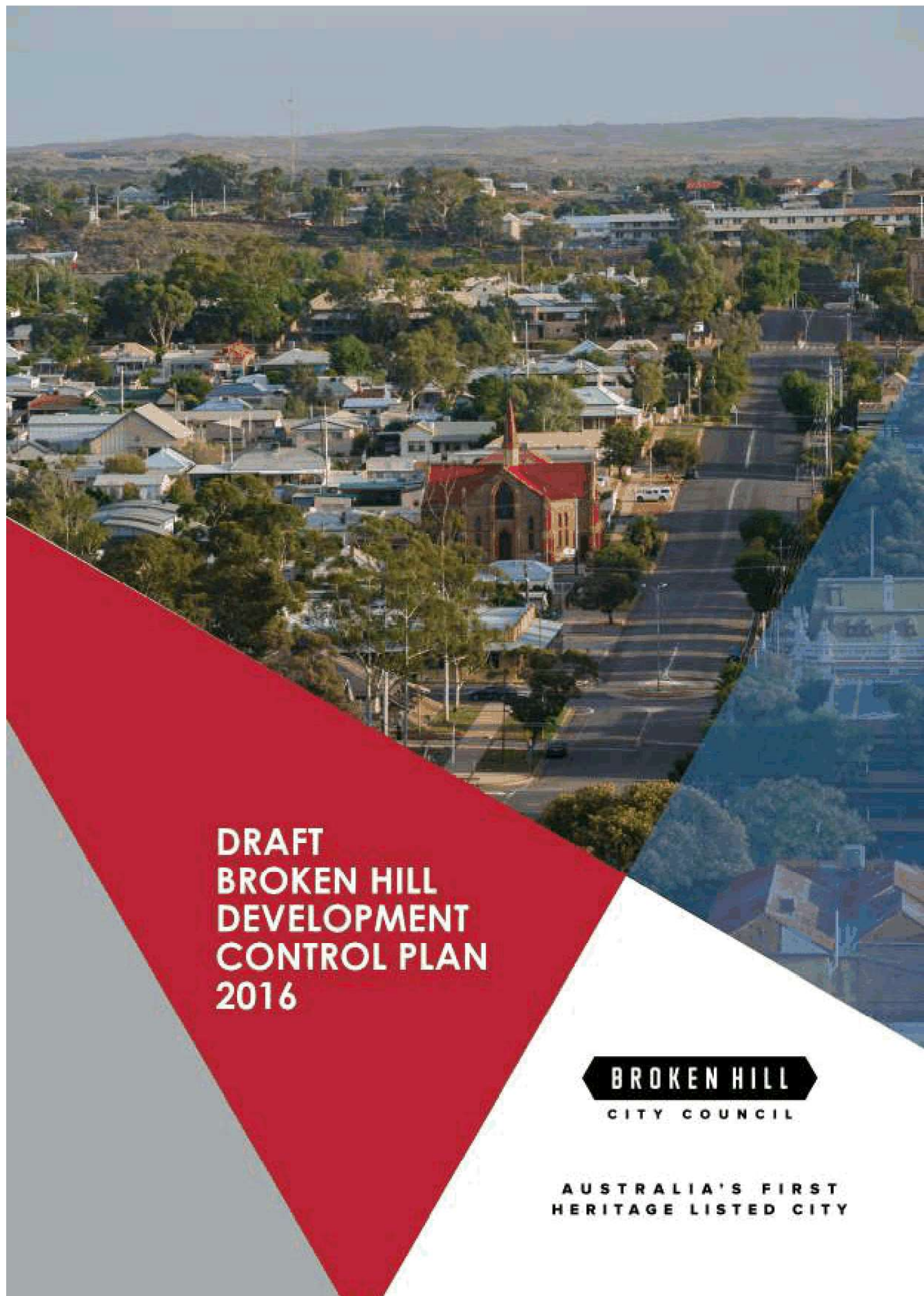
Financial Implications:

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

Attachments

1. Draft Development Control Plan 2016 71 Pages

ANDREW BRUGGY
ACTING GENERAL MANAGER



**DRAFT
BROKEN HILL
DEVELOPMENT
CONTROL PLAN
2016**

BROKEN HILL
CITY COUNCIL

**AUSTRALIA'S FIRST
HERITAGE LISTED CITY**

BROKEN HILL
CITY COUNCIL

QUALITY CONTROL			
KEY DIRECTION	Our Community		
OBJECTIVE	1.4 Our built environment supports our quality of life		
FUNCTION	Built Environment		
STRATEGY	1.4.1 Maintain the character of our historic City through good design		
FILE REFERENCE No	11/126	TRIM No	D16/
RESPONSIBLE OFFICER	Manager Planning, Development and Compliance		
REVIEW DATE	July 2021		
DOUMENT HISTORY	ACTION	DATE	
Council resolved to prepare draft DCP	Resolution	26 August 2015	
Notice of intent to exhibit issued	Notice issued	29 June 2016	
Draft DCP exhibited	Exhibited	6 July 2016 – 2 August 2016	
DATE	ACTION	MINUTE No	
2016	Public Exhibition		
28 September 2016		45292	

This Plan was compiled by Broken Hill City Council and Zenith Town Planning Consultants.

Images were sourced from Council's image library.

Copies of this plan/document can be viewed on-line at www.brokenhill.nsw.gov.au

© Copyright Broken Hill City Council 2016

TABLE OF CONTENTS

1. INTRODUCTION	5
1.1 Preface	5
1.1.1 Application	5
1.1.2 Purpose	5
1.1.3 Savings provisions	6
1.1.4 How to use this Plan	6
1.1.5 Format	6
1.1.6 Definitions	7
1.2 The Planning Context	7
1.2.1 The hierarchy of plans and policies	7
1.2.2 The assessment process	7
1.2.3 Ecologically sustainable development	8
1.3 Making A Development Application	8
1.3.1 Documentation	9
1.3.2 BASIX	10
1.3.3 Requests to vary acceptable solutions	11
1.4 Advertising And Notification	11
1.4.1 Notification policy	11
1.4.2 Notification procedures	11
1.4.3 Making a submission	12
2. SUBDIVISION	13
2.1 Subdivision For Rural Living	13
3. BUILDING	15
3.1 General Provisions – All Zones	15
3.2 Development In Residential Zones	15
3.2.1 All dwellings	16
3.2.2 Single detached dwellings	16
3.2.3 Dual Occupancy	17
3.2.4 Multi dwelling housing and residential flat buildings	18
3.2.5 Non-residential development	19
3.3 Development in business zones	20
3.4 Development in industrial zones	20

3.5	Rural development.....	22
3.5.1	Dwellings.....	22
3.5.2	Keeping of horses.....	23
4.	CAR PARKING.....	27
4.1	Car parking requirements.....	27
4.2	Industrial Development.....	32
4.3	Commercial Development.....	33
5.	OUTDOOR ADVERTISING.....	33
5.1	General provisions – all zones.....	33
5.2	Directional signage in rural zones.....	36
5.3	Signage in industrial zones.....	37
5.4	Signage in heritage conservation areas and on heritage buildings.....	37
6.	LAND CONTAMINATION.....	39
6.1	Contamination other than lead.....	39
6.2	Lead contamination.....	42
7.	TREE PRESERVATION.....	46
7.1	Trees on public land.....	46
7.2	Trees on private land.....	48
8.	HERITAGE CONSERVATION.....	49
8.1	All development.....	50
8.1.1	Alterations and Additions.....	51
8.1.2	Archaeological Sites.....	53
8.1.3	Places of Aboriginal Heritage Significance.....	53
8.1.4	Fencing.....	53
8.2	Residential development.....	54
8.3	Commercial development.....	62
8.3.1	New Development in the Central Business District.....	67
8.4	Development in the Mining Zone.....	68

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:

- 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.

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.

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.

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.

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."*

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.

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.

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.

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,
- 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.

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 500mm 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

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

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
- 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
 - 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.

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.
- **Stormwater management**
 - New development and associated works must not adversely affect the level of floodwaters on adjoining properties.
 - A building floor level must be determined for the site to minimise the risk and hazard of inundation.
 - Where the proposed development site is not located in close proximity to a major overland flow path or creek, floor levels must be a minimum of 300mm above the adjacent top of kerb level.
 - Where the proposed development site is adjacent to a major overland flow path or creek as defined by this report, floor levels must be a minimum of 300 mm above the 100 year ARI flood level.
 - New development must include Water Sensitive Urban Design (WSUD) features allowing for the retention and re-use of stormwater, and in particular the collection, storage and reuse of runoff from rooves, and treatment of runoff from paved and carpark areas using swales or other appropriate devices.
 - Where new development will result in an increase in impervious site coverage, on-site stormwater detention structures/techniques must be provided to limit the post-development peak discharge rate of stormwater from the site (including roof and ground surface runoff) to the predevelopment peak flow rate during both the 5 year and 100 year ARI events.
 - New development should ensure that all roof areas are directly connected to the street water table, and where practicable should not contribute ground surface runoff to adjoining properties.
 - New development should, where possible, minimise impervious ground surfaces and direct runoff to landscaped areas, soakage trenches, or possible aquifer recharge.

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 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.
- 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 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.
- 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 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)

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.

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.
- 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 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 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.
- 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,
 - 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 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 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 openings be less than 3 m^2 , 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?
 - 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.

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:

- 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.

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.

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

Land use	Parking requirements
Seniors housing	<p><i>Resident funded developments</i></p> <p>Self-contained dwellings:</p> <ul style="list-style-type: none"> • 2 spaces per 3 units • + 1 space per 5 units (visitor parking) <p>Hostels and residential care facilities:</p> <ul style="list-style-type: none"> • 1 space per 10 beds (visitors) • + 1 space per 2 employees • + 1 space per ambulance <p><i>Subsidised development</i></p> <p>Self-contained dwellings:</p> <ul style="list-style-type: none"> • 1 spaces per 10 units (residents) • + 1 space per 10 units (visitor parking) <p>Hostels and residential care facilities:</p> <ul style="list-style-type: none"> • 1 space per 10 beds (visitors) • + 1 space per 2 employees • + 1 space per ambulance
Hotel or motel accommodation	<p>Motels:</p> <ul style="list-style-type: none"> • 1 space for each unit plus • 1 space per 3 seats if a public restaurant and/or function room is provided <p>Unlicensed hotels:</p> <ul style="list-style-type: none"> • 1 space per bedroom plus • 1 space per 2 employees
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:</p> <ul style="list-style-type: none"> • 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>Licensed clubs:</p> <ul style="list-style-type: none"> • 1 space per 6m² of public bar, lounge and dining room
Office premises and all other commercial development	<ul style="list-style-type: none"> • 1 space per 40m² GFA

Land use	Parking requirements
Shops (floor areas and requirements are for leasable GFA for shops and video stores)	<ul style="list-style-type: none"> 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>Video stores:</p> <ul style="list-style-type: none"> **spaces per 100m² <p>Car tyre stores:</p> <ul style="list-style-type: none"> Whichever is the greater of 3 spaces per 100m² GFA or 3 spaces per work bay <p>Drive-in liquor stores:</p> <ul style="list-style-type: none"> 1 space per employee plus a minimum of 2 off-street parking spaces for "browse room" customers
Service stations	<ul style="list-style-type: none"> 6 spaces
Vehicles sales or hire premises	<ul style="list-style-type: none"> spaces per 1,000m² site area plus 1 space per employee
Vehicle repair stations	<ul style="list-style-type: none"> 0.75 spaces per 100m² site area + 6 spaces per work bay
Roadside stalls	<ul style="list-style-type: none"> 4 spaces
Markets	<ul style="list-style-type: none"> 2 spaces per stall
Bulky goods premises	Surveys should be carried out of similar developments
Take-away food and drink premises	<p>Drive-in:</p> <ul style="list-style-type: none"> 30 spaces plus 1 space per employee
Restaurants	<ul style="list-style-type: none"> 1 spaces per 6m² of service area, or 1 space per 3 seats, whichever is the greater
Function centres	<ul style="list-style-type: none"> 30 spaces plus 1 space for every 3 seats over 60 seats
Funeral chapels/funeral homes	<ul style="list-style-type: none"> 1 space per 5 seats
Recreation	
Recreation facilities (indoor)	<p>Squash and tennis courts:</p> <ul style="list-style-type: none"> 3 spaces per court <p>Bowling alleys:</p> <ul style="list-style-type: none"> 3 spaces per alley <p>Gymnasiums:</p> <ul style="list-style-type: none"> 4.5 spaces per 100m² GFA
Recreation facilities (outdoor)	<p>Bowling greens:</p> <ul style="list-style-type: none"> 30 spaces per green

Land use	Parking requirements
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	<ul style="list-style-type: none"> 1 spaces per 3 employees
Warehouses or distribution centres	<ul style="list-style-type: none"> 1 space per 2 employees or 1 space per 90m², 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	<ul style="list-style-type: none"> 1 space per practitioner plus 1 space per employee plus 2 spaces for patients of each practitioner
Medical centres	<ul style="list-style-type: none"> 4 spaces per 100m² GFA
Child care centres	<ul style="list-style-type: none"> space for every 4 children in attendance

Note – in this table the following definitions apply:

"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:
- (f) storage, and
- (g) (ii) vehicular access, loading areas, garbage and services, and
- (h) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (i) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (j) any space used for the loading or unloading of goods (including access to it), and
- (k) terraces and balconies with outer walls less than 1.4 metres high, and
- (l) 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 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.
- 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~~ any commercial precinct, where practical loading and unloading shall be provided from that lane, unless Council is satisfied that the laneway is inadequate for that purpose

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 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 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;
 - 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.

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
- 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
- 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:
 - 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.

**BCDEFGHIJKLMNO
UVWXYZ**

BCDEFGHIJKLMNOQRSTUVWXYZ

ABCDEFGHIJKLMNOPQRSTUVWXYZ

BCDEFGHIJKLMNOQRSTUVWXYZ

ABCDEFGHIJKLMNOPQRSTUVWXYZ

BCDEFGHIJKLMNOQRSTUVWXYZ

ABCDEFGHIJKLMNOPQRSTUVWXYZ

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

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
- 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
 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.

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.

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 (i.e. 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.

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
- 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 mining activities over the last 100 years and erosion from the ore body, much 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, with the greatest deposition within 0.4 km north of the Line of Lode and 0.8 km south of the Line of Lode. Additionally, wide-spread use of lead-based paint has potentially caused localised contamination of soil and building interiors due to the paint flaking or peeling off, being removed with unsafe techniques (heat gun, dry sanding or water blasting) or from painted wood having been burnt.

Lead levels of "old" soil are known to be generally well above the Health Investigation Lead level of 300 PPM, particularly in areas within 0.4 km north of the Line of Lode and 0.8 km south of the Line of Lode. A small number of properties have been remediated through the Broken Hill Environmental Lead Program and these are likely to have substantially lower soil lead levels than would otherwise be expected. 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?
- 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. Ie. 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 most** 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 **pre-1970s** 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?
- 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.

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
- 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 using appropriate high-phosphate detergents (e.g. sugar soap) to restore site to a "lead safe" environment that is safe to live in (high phosphate detergents are more effective in binding lead)
- On completion, unless the site can be shown not to have been contaminated by the works 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 of 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

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

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 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 Council's 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.

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.

Controls

- Council approval. Development consent must be obtained to remove, prune or lop branches from any living or dead native plant that is equal to or greater than 5 metres in height or has a trunk diameter greater than 50 centimetres measured at 1.4 metres above ground level, unless the removal, pruning or lopping is permitted by legislation or the plant is within 3 metres of an existing dwelling or the footprint of an approved dwelling
- A permit must be obtained from Council to remove, prune or lop branches from any exotic tree or plant that is equal to or greater than 5 metres in height or has a trunk diameter greater than 50 centimetres measured at 1.4 metres above ground level, unless the removal, pruning or lopping is permitted by legislation or the plant is within 3 metres of an existing dwelling or the footprint of an approved dwelling
- 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	<i>Eucalyptus brockwayi</i>
Silver-topped Gimlet	<i>Eucalyptus campaspe</i>
Dundas Blackbutt	<i>Eucalyptus dundasii</i>
Lindsay Gum	<i>Eucalyptus erythronema (var marginate)</i>
Red Cap Gum	<i>Eucalyptus erythrocorys</i>
Western Australia Red Flowering Gum	<i>Eucalyptus ficifolia</i>
Summer Red	<i>Corymbia ficifolia</i> Grafted Gum
Fuchsia Gum	<i>Eucalyptus forestiana</i>
Gum-Barked Coolibah	<i>Eucalyptus intertexta</i>
Bimble Box or Poplar Gum	<i>Eucalyptus populnea</i>
Large Fruited S.A. Blue Gum	<i>Eucalyptus leucoxylon</i>
Jacaranda	<i>Jacaranda mimosifolia</i>
Crepe Myrtle	<i>Lagerstroemia Indica</i> x <i>L</i>
Claret Ash	<i>Fraxinus oxycarpa</i> "Raywoodii"
Mop Top	<i>Robinia pseudoacacia</i>
Weeping Bottlebrush	<i>Callistemon viminalis</i>
Laurestinus	<i>Viburnum tinus</i>
Golden Rain Tree	<i>Koelreuteria paniculata</i>
Melaleuca	<i>Melaleuca quinquenervia</i>

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.

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.
- 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.

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.
- 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.

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.

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 a solid nature. Open mesh fencing associated with landscaping can be effective as shown on the following new residential development.

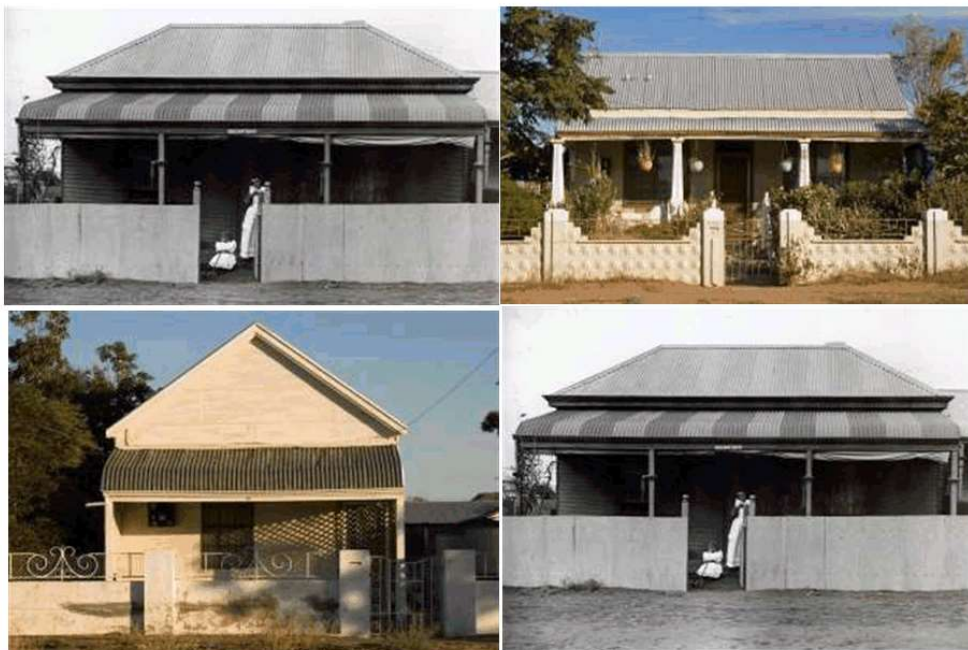
8.2 Residential development

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.

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.



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.



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.



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.

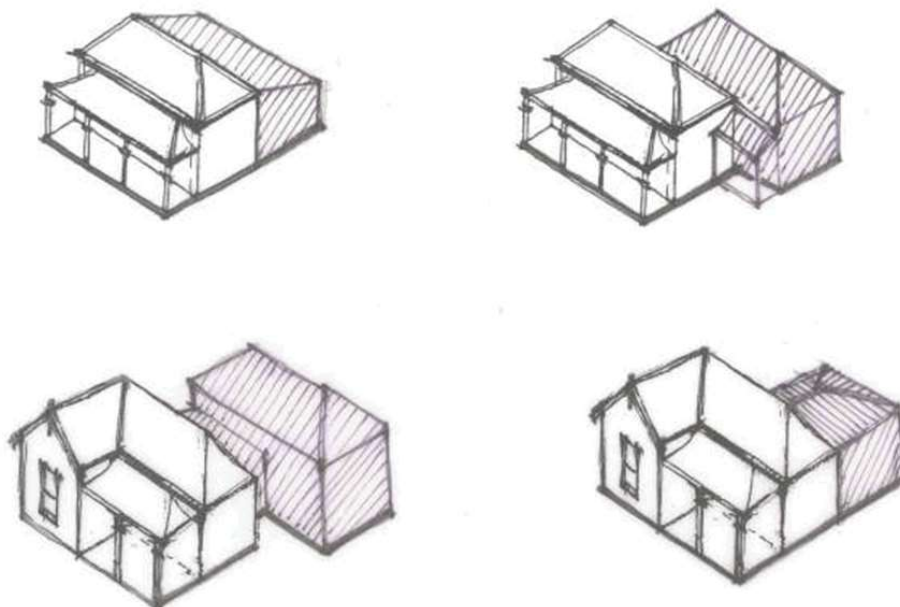


Controls

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.



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.

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.
- 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.

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.

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.

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.

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.



- 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.

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
- 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.
- 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.



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.

Streetscape Form and General Proportions

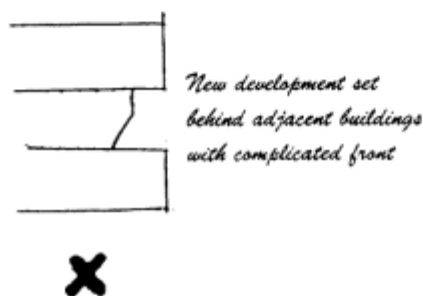
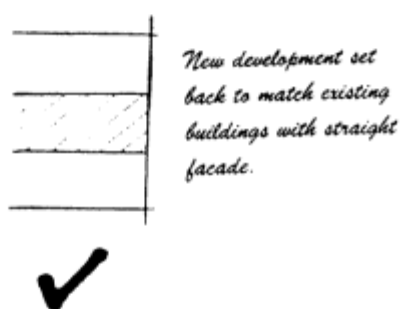
- Existing proportion and rhythm of architectural elements such as verandahs, parapets, windows, door and pilasters should be repeated in new development. Consideration should be given to continuing the alignment and form of the adjoining parapet.

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.



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.

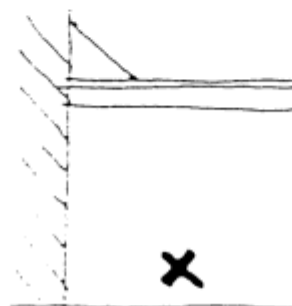
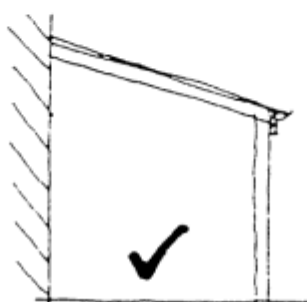
Materials of New Development

- 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.

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.

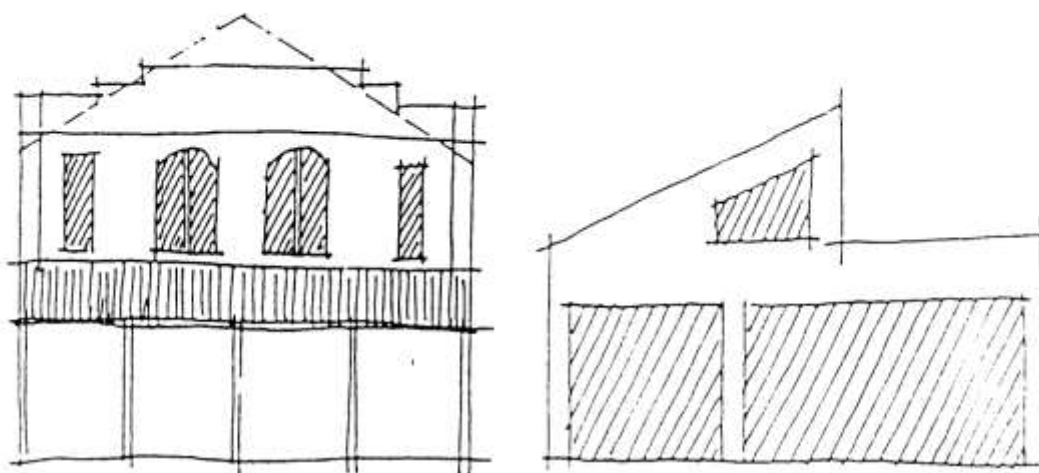


8.3.1 New Development in the Central Business District

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).
 - pots - rectangular or round concrete or terracotta pots. Preference given to sandy/biscuit coloured concrete finish. Pots to be positioned on footpath to create "outdoor room" 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 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.

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.

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.
- 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.

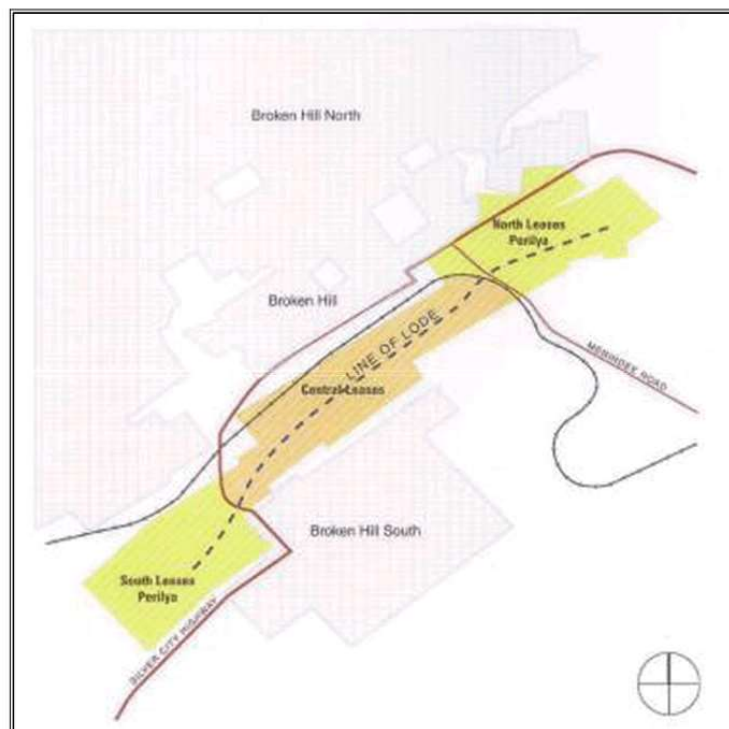
Ongoing maintenance and monitoring

- 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.



The Broken Hill Line of Lode Mining Zone



www.brokenhill.nsw.gov.au

ORDINARY MEETING OF THE COUNCIL

September 7, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 215/16SUBJECT: ADOPTION OF DRAFT SCORES ON DOORS POLICY 12/14**Recommendation**

1. That Broken Hill City Council Report No. 215/16 dated September 7, 2016, be received.
2. That the Draft Scores on Doors Policy be adopted as a Policy of Council.

Executive Summary:

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

In support of aforementioned program, a draft policy document was developed to promote and enhance transparency of the program and to inform all participants on the fundamentals of the "Scores on Doors" program.

Council resolved at its meeting held August 31, 2016 to place the draft Scores on Doors Policy on public exhibition for a period of twenty eight days ending September 30, 2016, at which time Council received 1 submission. The details of the submission (and Council staff response) is as follows:

- Whilst I have no doubt that there is a belief that public pressure will eventually lead to most food handling businesses complying with the scheme on a voluntary basis, it would be of benefit to the community to immediately ensure the policy is mandatory. The scheme has the advantage of being transparent in its rating, and would allow consumers to immediately determine where they wanted to eat based on hygiene and cleanliness standards. Mandatory engagement in the policy would be of benefit to consumers in Broken Hill. Food hygiene and handling is a serious issue and health concern. Improving consumer confidence in food handling businesses would encourage consumers to eat in businesses in Broken Hill, which would have economic benefits for the town. Certainly the scheme seems no more rigorous than the current mandatory and unscheduled health inspections that businesses are currently subjected to, so disruption to business would be minimal.

Council comment: Scores On Doors is a NSW Food Authority program.

Several participating councils have requested that legislation be introduced to make the Scores On Doors program mandatory, however, the NSW Food Authority and the NSW government have not indicated a willingness to impose the mandatory requirement.

- It would seem that after appeal, there is no mechanism for a failing business to request immediate reassessment of their compliance and thus a star rating. Certainly, there

would be existing procedures in place regarding same, but these do not seem to form part of this policy. This is an oversight, and should be addressed.

Council comment: A certificate will only be issued in response to a satisfactory “unannounced inspection”. In regards to a reinspection of a premises that has failed to achieve a certificate; Item 4.3 of the Draft Policy states:

It is recommended that Council conduct an unannounced inspection within three months to re-determine the rating.

Council comment: Council feels that it would defeat the intention of the Scores On Doors program, that is to instill an ongoing food safety and hygiene culture, if we were to reinspect a premises via appointment, and issue a certificate based on the outcome of the announced inspection.

As is stated in 4.4 of the Policy,

Council may choose to allow a further additional unannounced inspection to regrade a food business where the business is dissatisfied with their score, and all issues have been rectified.

The inspection will be conducted within three months of accepting a request for a reinspection.

Report:

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

The opportunity exists for Council to be proactive in providing transparency around aforementioned inspections, as well as presenting an additional incentive for businesses to maintain and increase their inspection results, thereby improving the quality of local food premises.

A draft policy document was developed to inform all participants of the fundamentals of the program so as to increase transparency and knowledge of the program.

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

Strategic Direction:

Key Direction:	Our Environment
Objective:	Proactive and responsible planning supports the community and the environment
Function:	Public Health
DP Action:	Implement a voluntary food safety ‘Scores on Doors’ program within the Broken Hill LGA.

Relevant Legislation:

- Local Government Act 1993
- Food Act 2003
- Food Standards Code

Financial Implications:

Nil

Attachments

1. Draft Scores on Doors Policy 7 Pages

ANDREW BRUGGY
ACTING GENERAL MANAGER



DRAFT SCORES ON DOORS POLICY

QUALITY CONTROL			
TRIM REFERENCES	D16/29766 – 12/14		
RESPONSIBLE POSITION	Manager Planning Development and Compliance		
APPROVED BY	Council		
REVIEW DATE	September 2018	REVISION NUMBER	1
EFFECTIVE DATE	ACTION	MINUTE NUMBER	

1. INTRODUCTION

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

2. POLICY OBJECTIVE

This Policy aims to:

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

3. POLICY SCOPE

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

4. POLICY STATEMENT

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

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

The following areas are examined during the assessment:

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

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

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

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

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

These businesses include:

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

Low risk premises include:

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

4.1. 'Scores on Doors'

- Council has adopted the NSW Food Authority's Scores on Doors voluntary food business rating scheme to reward existing high performing medium and high risk food premises, and encourage lower performing high and medium risk premises to strive toward ongoing improvement in their food safety and hygiene practices.
- Council's Environmental Health Officer uses the standard FPAR score to assign a star rating to the completed inspection result. The participating food business will receive from Council a certificate with the star rating prominently displayed.

- The certificate is designed to be displayed on the door, or other visually prominent location within the premises.
- The displayed certificate allows consumers to compare the scores achieved from the food businesses, and make informed choices about the places where they eat out, or from which they purchase food.
- This practice will apply 'market pressure' and provide incentives for food businesses to strive towards improved operational standards in order to gain a higher inspection score outcome.
- Participation in the Scores on Doors program is only offered to medium and high risk retail food businesses.
- The scheme is not intended for delicatessens, low risk food premises or those serving pre-packaged food, e.g. service stations, butchers, green grocers, temporary markets, mobile food vending vehicles, or premises licensed by the NSW Food Authority.

4.2. Operating procedure

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

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

Points Rating Definition

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

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

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

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

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

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

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

- a) The 'Authorised Officer' takes enforcement action through issuing an:
 - Improvement Notice, or
 - Penalty Notice, or
 - Prohibition Order, or
 - Seizure Notice, or
 - Prosecution.
- b) The 'Authorised Officer' assigns a 'critical' breach (breach score of 8)
- c) The inspection that is undertaken is only a 'part' inspection (i.e. completion of the full FPAR is not undertaken).

- d) A food business is inspected due to a complaint and the complaint is substantiated or proven.
- e) The Council officer becomes aware of a significant change in the food safety standards at a premises.

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

4.4. Scores on Doors certificate

- Businesses that achieve the required star rating will receive the certificate from Council within seven (7) days of the inspection, or may be issued the certificate on the spot.
- The certificate includes an expiry date, and the certificate must be displayed until the next routine inspection by council, unless the business is deemed ineligible to display the certificate.
- The certificate may be displayed at each public entrance to the food business and remains the joint property of the NSW Food Authority and Council. Only the official Scores on Doors certificate may be displayed. Businesses should not display a false Certificate or one that is not the most recent.
- When a business receives a new certificate, the inspecting officer will stamp the expired certificate, so that it may not be displayed but may be kept with the business as a historical record.
- The expiry date of the certificate should be set based on Councils expected minimum inspection frequency, which takes into consideration the businesses' food safety risk profile and compliance history. Where compliance history is considered it should be based on the results of at least two inspection cycles.
- For most businesses eligible to participate in the program, the expiry period will usually be the end of the next six month inspection period. For medium risk businesses that achieve an 'Excellent (five star)' score in two consecutive inspections, expiry dates may be set on a 12 month inspection period.
- A complaint investigation of a food premises that identifies a critical food safety breach, may result in the removal of a current Scores on Doors certificate.
- Results from follow up reinspections or enforcement activity, further to an unannounced routine inspection, will not be used to generate or amend Scores on Doors rating.
- Council is not obliged to carry out any additional inspections solely for the purpose of the Scheme.
- Council may choose to allow a further additional unannounced inspection to regrade a food business where the business is dissatisfied with their score, and all issues have been rectified. The inspection will be conducted within three months of accepting a request for a reinspection.
- A new star rating can only be issued on the results of a complete unannounced inspection. Part inspections do not qualify.
- Councils may display information about the businesses that participate in the Scores on Doors program, and their corresponding scores, consistent with relevant legislation. A score rating should not be published if a review of it is underway and not yet concluded.

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

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

The appeal must be made in writing to Council. In the appeal the proprietor(s) must specify what non-compliance item/s they wish to appeal and the mitigating circumstances that may have resulted in the non-compliance. Council must determine the appeal within 14 days of it being

received. The review can be an internal review by the relevant Manager in conjunction with the inspector who conducted the initial assessment. A further inspection of the premises will not be required in the review process.

Examples of circumstances that may be considered in an appeal:

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

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

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

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

5. IMPLEMENTATION

5.1. Roles and Responsibilities

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

- General Manager
- Manager Planning, Development and Compliance
- Environmental Health Officer

5.2. Communication

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

5.3. Associated Documents

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

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

6. REVIEW

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

The standard review period will be every two years from the effective date. The responsible Council officer will be notified of the review requirements three months prior to the expiry of this policy.

Council's Manager Planning, Development and Compliance is responsible for the review of this policy.

7. LEGISLATIVE AND LEGAL FRAMEWORK

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

- Food Act 2003
- Food Regulation Partnership (NSW Food Authority)
- Council employees shall refrain from personal activities that would conflict with proper execution and management of Council's Local Approvals Policy. Council's Code of Conduct provides guidance for recognising and disclosing any conflicts of interest.

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

8. DEFINITIONS

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

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

"Enforcement Agency" means:

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

"Equipment" means the whole or part of:

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

"Food" has the meaning given by section 5.

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

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

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

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

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

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

"Premises" includes:

- a) land (whether or not vacant), or
- b) the whole or any part of a building, tent, stall or other structure (whether of a permanent or temporary nature), or
- c) a pontoon, or

d) a vehicle (other than a food transport vehicle while it is engaged in the transport of food).

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

"Proprietor of a Food Business" means:

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

"Unsafe" has the meaning given by section 8.

"Unsuitable" has the meaning given by section 9.

ORDINARY MEETING OF THE COUNCIL

October 6, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 216/16SUBJECT: INVESTMENT REPORT FOR SEPTEMBER 201611/48**Recommendation**

1. That Broken Hill City Council Report No. 216/16 dated October 6, 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 30th September 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**

International financial markets were on edge during the month with the prospect of Germany's largest bank, Deutsche Bank, being levied fines by US regulators of US\$14billion relating to GFC actions. The bank is in negotiations to reduce what would be a crippling fine which could have widespread ramifications.

In the US, interest rates were left unchanged. Economists now expect the US Federal Reserve to raise rates at its December meeting. Meanwhile, the Bank of Japan is injecting money into its economy in an attempt to spur inflation to 2%pa.

Domestic issues

Australia's latest GDP release revealed a weaker than expected result for the June quarter: up just +0.5% qtr/qtr. The largest contributor to growth over the quarter came from government investment (+0.7%) while non-dwelling construction and mining both declined sharply. The annual growth rate is a healthy 3.3%.

Latest employment data showed a loss of 4000 jobs nationally (+15,000 expected) during the month of August, sharply lower than the +26,000 in July. On the positive, both consumer and business confidence surveys reported modest gains.

Interest rates

The RBA's official cash rate remains at 1.50% following the central bank's 25bps cut in early August. The money market is pricing in another cut by late-2017.

Term deposit rates across most maturities ended largely unchanged for the month. Three month TDs from Australian majors closed August in the 2.50%- 2.65% area and the best indicative 12 month rate from a four major was at 2.70%.

Council's Portfolio by Source of Funds – September 2016

As at 30th September 2016, Council's Investment Portfolio had a current market valuation of \$20,290,540 or principal value (face value) of \$20,361,310 with the source of these funds being detailed in the table below.

	Source of Funds	Principal Amount
GENERAL FUND	Operating Capital & Internal Restrictions	9,650,310
	Accommodation Bonds Reserve	45,000
	Royalties Reserve	424,000
	Domestic Waste Management Reserve	5,308,000
	Grants	4,459,000
	Developer Contributions	475,000
	TOTAL PORTFOLIO	\$20,361,310

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 - September 2016 10 Pages

JAY NANKIVELL
FINANCE MANAGER

ANDREW BRUGGY
ACTING GENERAL MANAGER



**Investment Summary Report
September 2016**



Broken Hill City Council

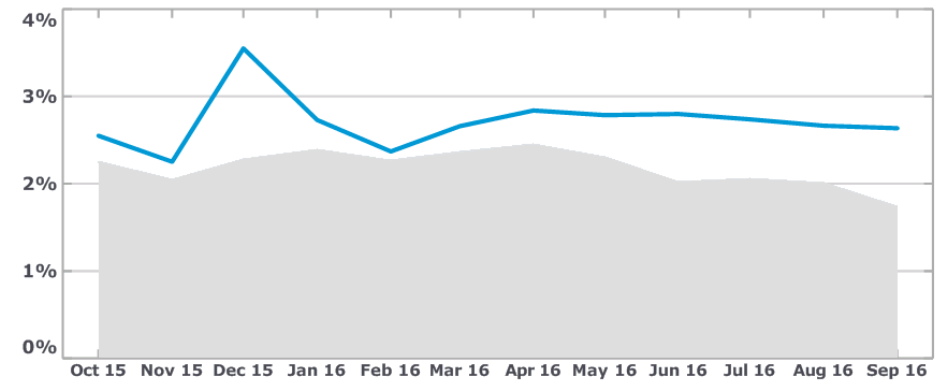
Executive Summary



Investment Holdings

	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	1,790,540.02	1,790,540.02	1.14
Term Deposit	18,500,000.00	18,570,770.26	2.75
	20,290,540.02	20,361,310.28	2.61

Investment Performance

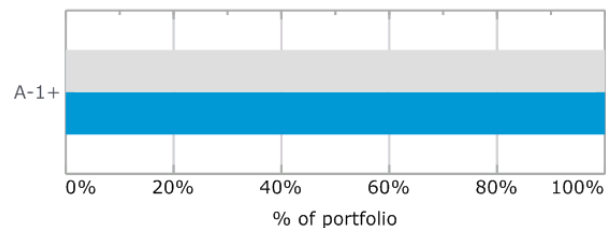


Portfolio Annualised Return

Ausbond BB Index Annualised Return

Investment Policy Compliance

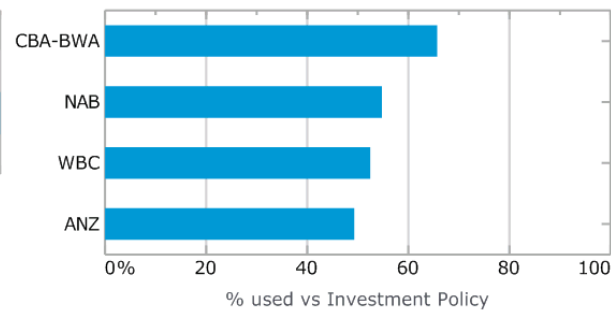
Total Credit Exposure



Portfolio Exposure

Investment Policy Limit

Highest Individual Exposures



Term to Maturities

Maturity Profile	Face Value (\$)	Policy Max
Between 0 and 1 Year	20,290,540	100%
	20,290,540	

Broken Hill City Council

Investment Holdings Report



Cash Accounts											
	Face Value (\$)	Current Yield	Institution	Credit Rating		Current Value (\$)	Deal No.	Reference			
	1,715,705.69	1.1400%	Westpac Group	A-1+		1,715,705.69	473409	Cheque			
	74,834.33	1.0500%	Westpac Group	A-1+		74,834.33	473410	Maxi			
	1,790,540.02	1.1362%				1,790,540.02					

Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
10-Oct-16	500,000.00	2.6000%	Bankwest	A-1+	500,000.00	10-Aug-16	501,852.05	534262	1,852.05	AtMaturity	
10-Oct-16	1,000,000.00	2.6000%	Bankwest	A-1+	1,000,000.00	10-Aug-16	1,003,704.11	534264	3,704.11	AtMaturity	
12-Oct-16	2,000,000.00	2.8500%	ANZ Banking Group	A-1+	2,000,000.00	8-Jun-16	2,017,958.90	534003	17,958.90	AtMaturity	
24-Oct-16	1,000,000.00	2.6000%	Bankwest	A-1+	1,000,000.00	24-Aug-16	1,002,706.85	534265	2,706.85	AtMaturity	
26-Oct-16	1,000,000.00	2.9500%	Westpac Group	A-1+	1,000,000.00	27-Jul-16	1,005,334.25	534072	5,334.25	AtMaturity	
2-Nov-16	2,000,000.00	2.6000%	Bankwest	A-1+	2,000,000.00	3-Aug-16	2,008,405.48	534258	8,405.48	AtMaturity	
2-Nov-16	500,000.00	2.6000%	Bankwest	A-1+	500,000.00	3-Aug-16	502,101.37	534260	2,101.37	AtMaturity	
9-Nov-16	500,000.00	2.9500%	National Australia Bank	A-1+	500,000.00	6-Jul-16	503,515.75	534071	3,515.75	AtMaturity	
16-Nov-16	1,000,000.00	2.9500%	National Australia Bank	A-1+	1,000,000.00	13-Jul-16	1,006,465.75	534073	6,465.75	AtMaturity	
16-Nov-16	1,000,000.00	2.7000%	Westpac Group	A-1+	1,000,000.00	17-Aug-16	1,003,328.77	534259	3,328.77	AtMaturity	
16-Nov-16	1,000,000.00	2.6800%	National Australia Bank	A-1+	1,000,000.00	31-Aug-16	1,002,276.16	534266	2,276.16	AtMaturity	
23-Nov-16	1,000,000.00	2.6500%	Westpac Group	A-1+	1,000,000.00	24-Aug-16	1,002,758.90	534261	2,758.90	AtMaturity	
30-Nov-16	2,500,000.00	2.6800%	ANZ Banking Group	A-1+	2,500,000.00	31-Aug-16	2,505,690.41	534263	5,690.41	AtMaturity	
14-Dec-16	1,000,000.00	2.5300%	Bankwest	A-1+	1,000,000.00	14-Sep-16	1,001,178.36	534400	1,178.36	AtMaturity	
14-Dec-16	2,500,000.00	3.0000%	National Australia Bank	A-1+	2,500,000.00	14-Sep-16	2,503,493.15	534401	3,493.15	AtMaturity	
	18,500,000.00	2.7478%			18,500,000.00		18,570,770.26		70,770.26		

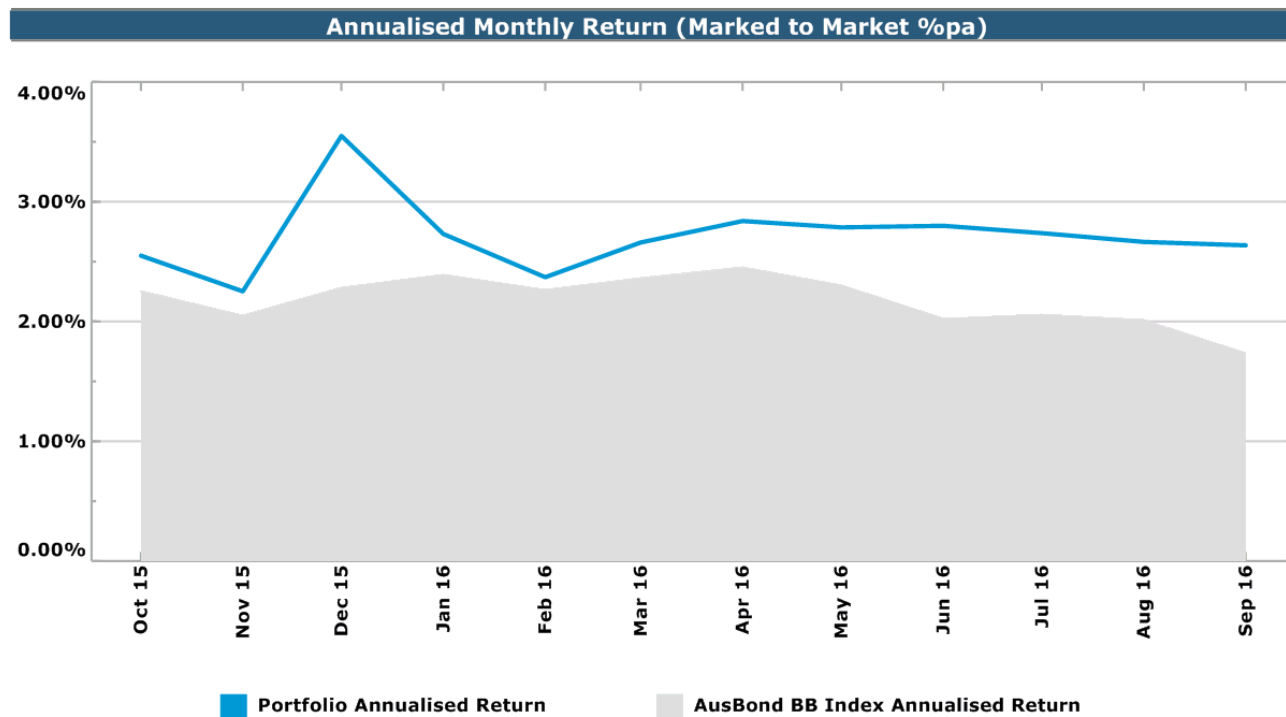
Broken Hill City Council Accrued Interest Report



Accrued Interest Report								
Asset Type	Deal Number	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return
Westpac Group	473409	1,715,705.69				31		
Westpac Group	473410	74,834.33				31		
Cash								
National Australia Bank	533748	2,500,000.00	19-May-16	14-Sep-16	24,246.58	13	2,671.23	3.00%
Bankwest	534070	1,000,000.00	13-Jul-16	14-Sep-16	4,746.58	13	979.45	2.75%
Bankwest	534262	500,000.00	10-Aug-16	10-Oct-16	0.00	30	1,068.49	2.60%
Bankwest	534264	1,000,000.00	10-Aug-16	10-Oct-16	0.00	30	2,136.99	2.60%
ANZ Banking Group	534003	2,000,000.00	8-Jun-16	12-Oct-16	0.00	30	4,684.93	2.85%
Bankwest	534265	1,000,000.00	24-Aug-16	24-Oct-16	0.00	30	2,136.99	2.60%
Westpac Group	534072	1,000,000.00	27-Jul-16	26-Oct-16	0.00	30	2,424.66	2.95%
Bankwest	534258	2,000,000.00	3-Aug-16	2-Nov-16	0.00	30	4,273.97	2.60%
Bankwest	534260	500,000.00	3-Aug-16	2-Nov-16	0.00	30	1,068.49	2.60%
National Australia Bank	534071	500,000.00	6-Jul-16	9-Nov-16	0.00	30	1,212.33	2.95%
National Australia Bank	534073	1,000,000.00	13-Jul-16	16-Nov-16	0.00	30	2,424.66	2.95%
Westpac Group	534259	1,000,000.00	17-Aug-16	16-Nov-16	0.00	30	2,219.18	2.70%
National Australia Bank	534266	1,000,000.00	31-Aug-16	16-Nov-16	0.00	30	2,202.74	2.68%
Westpac Group	534261	1,000,000.00	24-Aug-16	23-Nov-16	0.00	30	2,178.08	2.65%
ANZ Banking Group	534263	2,500,000.00	31-Aug-16	30-Nov-16	0.00	30	5,506.85	2.68%
Bankwest	534400	1,000,000.00	14-Sep-16	14-Dec-16	0.00	17	1,178.36	2.53%
National Australia Bank	534401	2,500,000.00	14-Sep-16	14-Dec-16	0.00	17	3,493.15	3.00%
Term Deposit					28,993.15		41,860.55	2.75%
					28,993.15		41,860.55	<u>2.75%</u>

Broken Hill City Council

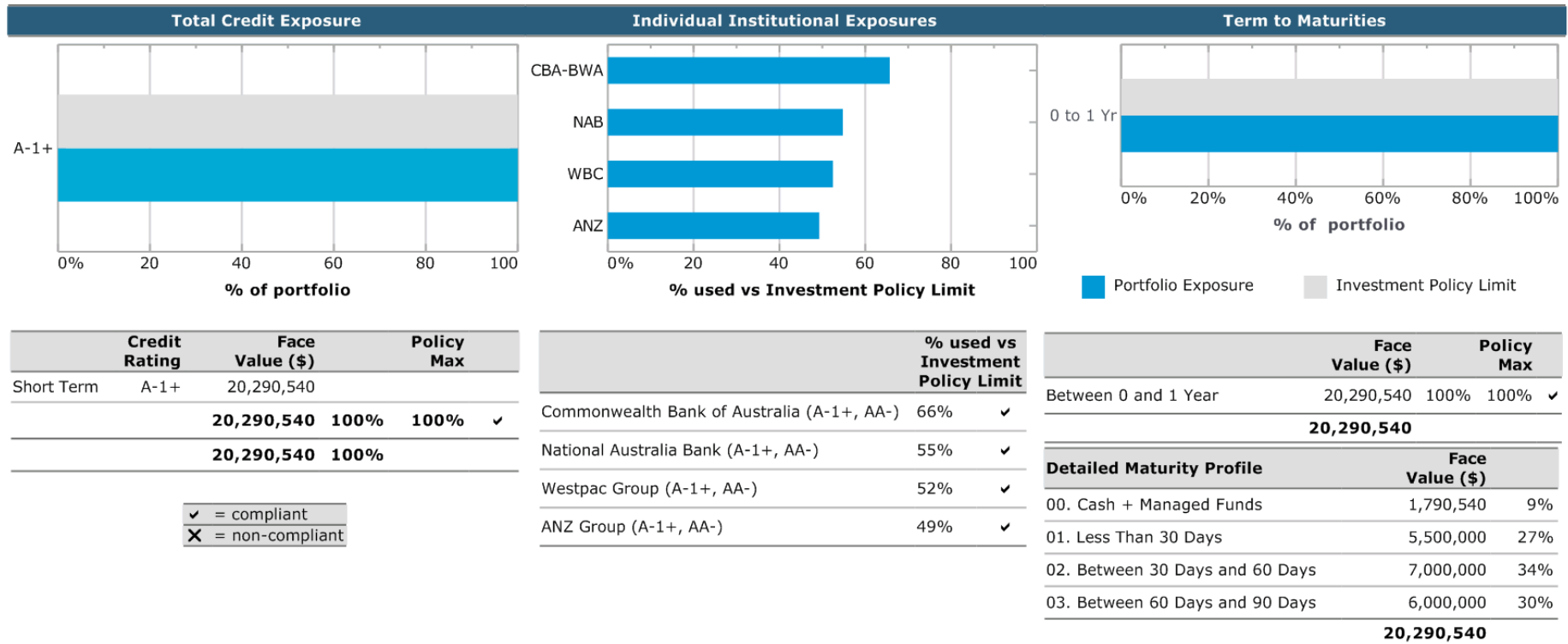
Investment Performance Report



Historical Performance Summary			
	Portfolio	AusBond BB Index	Outperformance
Sep 2016	2.64%	1.74%	0.90%
Last 3 Months	2.68%	1.94%	0.74%
Last 6 Months	2.75%	2.10%	0.65%
Financial Year to Date	2.68%	1.94%	0.74%
Last 12 months	2.72%	2.19%	0.54%

Broken Hill City Council

Investment Policy Compliance Report



Broken Hill City Council

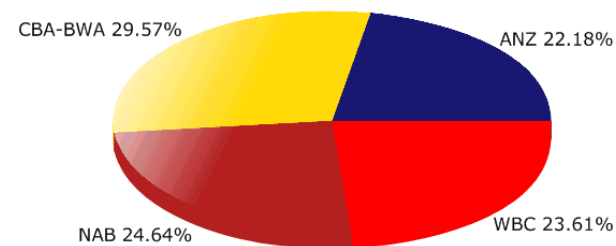
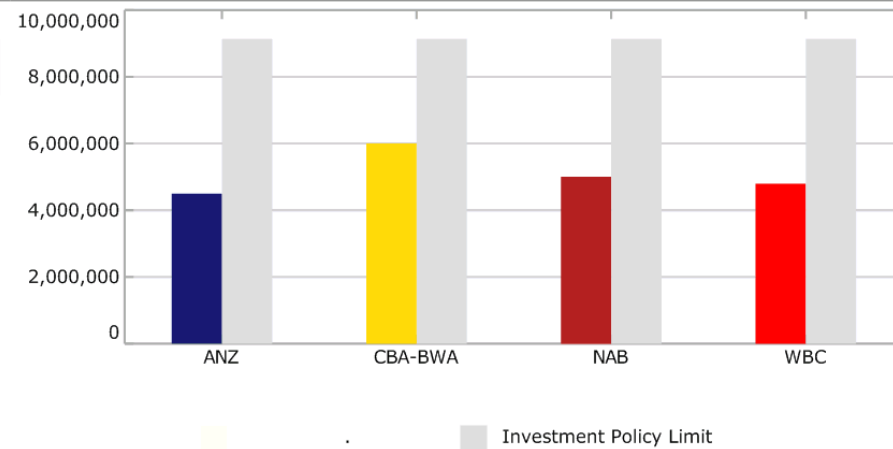
Individual Institutional Exposures Report



Individual Institutional Exposures

Parent Group	Credit Rating	Portfolio Exposure (\$)	Investment Policy Limit (\$)
ANZ Group	A-1+, AA-	4,500,000	9,130,743
Commonwealth Bank of Australia	A-1+, AA-	6,000,000	9,130,743
National Australia Bank	A-1+, AA-	5,000,000	9,130,743
Westpac Group	A-1+, AA-	4,790,540	9,130,743
		20,290,540	

Individual Institutional Exposure Charts



Broken Hill City Council

Cash Flows Report



Current Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Received
14-Sep-16	533748	National Australia Bank	Term Deposits	Interest - Received	24,246.58
		National Australia Bank	Term Deposits	Maturity Face Value - Received	2,500,000.00
				Deal Total	2,524,246.58
	534070	Bankwest	Term Deposits	Interest - Received	4,746.58
		Bankwest	Term Deposits	Maturity Face Value - Received	1,000,000.00
				Deal Total	1,004,746.58
	534400	Bankwest	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
					Deal Total
	534401	National Australia Bank	Term Deposits	Settlement Face Value - Paid	-2,500,000.00
					Deal Total
Day Total					28,993.15
Net Cash Movement for Period					28,993.15

Next Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Due
10-Oct-16	534262	Bankwest	Term Deposit	Interest - Received	2,172.60
		Bankwest	Term Deposit	Maturity Face Value - Received	500,000.00
		Deal Total			502,172.60
	534264	Bankwest	Term Deposit	Interest - Received	4,345.21
		Bankwest	Term Deposit	Maturity Face Value - Received	1,000,000.00
		Deal Total			1,004,345.21
Day Total					1,506,517.81
12-Oct-16	534003	ANZ Banking Group	Term Deposit	Interest - Received	19,676.71
		ANZ Banking Group	Term Deposit	Maturity Face Value - Received	2,000,000.00
		Deal Total			2,019,676.71
Day Total					2,019,676.71
24-Oct-16	534265	Bankwest	Term Deposit	Interest - Received	4,345.21
		Bankwest	Term Deposit	Maturity Face Value - Received	1,000,000.00
		Deal Total			1,004,345.21

Broken Hill City Council

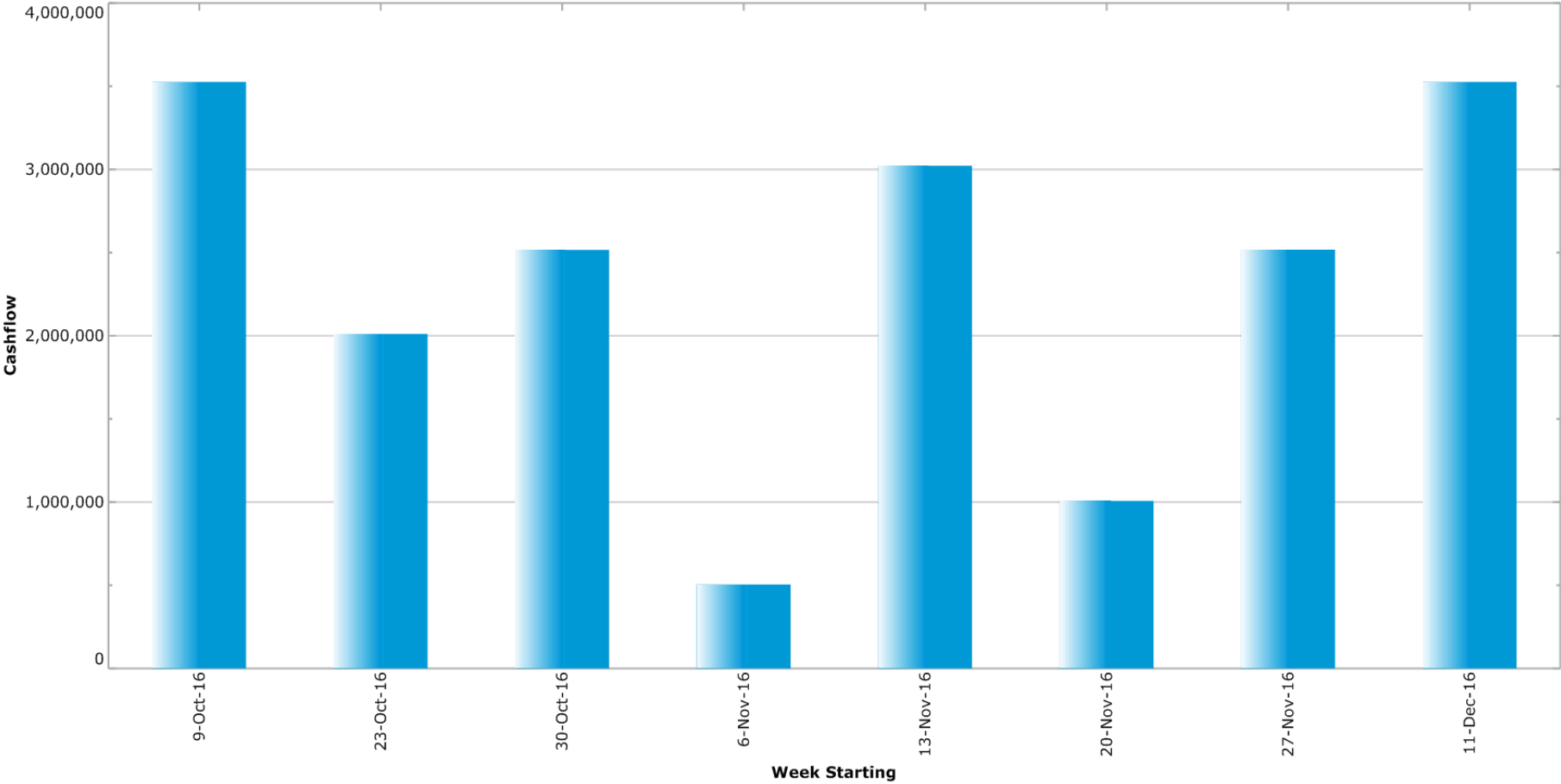
Cash Flows Report



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>
Day Total					1,004,345.21
26-Oct-16	534072	Westpac Group	Term Deposit	Interest - Received	7,354.79
		Westpac Group	Term Deposit	Maturity Face Value - Received	1,000,000.00
<u>Deal Total</u>					<u>1,007,354.79</u>
Day Total					1,007,354.79
<u>Net Cash Movement for Period</u>					<u>5,537,894.52</u>

Broken Hill City Council
Cash Flows Report



ORDINARY MEETING OF THE COUNCIL

September 26, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 217/16

SUBJECT: S355 COMMITTEE TERM REPORTS 2012-2016 AND ANNUAL
REPORTS 2015-2016 16/94

Recommendation

1. That Broken Hill City Council Report No. 217/16 dated September 26, 2016, be received.
2. That the Annual Report 2015/16 and Term Report 2012-2016 received from Section 355 Committees be received and noted

Executive Summary:

In accordance with Section 355 of the *Local Government Act 1993* (the Act), Council has the ability to delegate some of its functions to a Committee of Council by way of appointment of community members to manage or advise on particular Council assets or functions. The committees are commonly known and referred to as Section 355 Committees.

Report:

Council's Section 355 Advisory and Asset Committee Frameworks state that all committees are for the term of the current Council (four years). As Broken Hill held a Local Government Election in September 2016, all committees were issued correspondence in August and September advising of the Local Government Election and subsequent reporting requirements, to align with the committees pending end of term.

Both the Section 355 Advisory and Asset Committee Frameworks state that committees are required to submit reports to Council, specifically for the current term of Council being an Annual Report for period 2015-2016; a Financial Report for period 2015-2016, if relevant; and a Term Report for period 2012-2016. All reports were to be submitted to Council prior to 30 August 2016, for presentation to Council at the September Council meeting. An Annual Report and Term Report template were provided to Committees.

Reports were returned by the following committees and presented to Council at the September Council meeting:

- BIU Band Hall Community Committee
- Broken Hill Regional Art Gallery Advisory Committee
- Friends of the Flora and Fauna of the Barrier Ranges Committee
- Norm Fox Sporting Complex Community Committee

The following committees have since submitted reports to Council, and they are attached for Council's information:

- Broken Hill Heritage Committee
- Riddiford Arboretum Community Committee

Reports remain outstanding for the following committees:

- Alma Oval Community Committee
- Community Strategic Plan Round Table
- ET Lamb Memorial Oval Community Committee
- Memorial Oval Community Committee
- Picton Sportsground Community Committee

Strategic Direction:

Key Direction: 4. Our Leadership
Objective: 4.3 We Unite to Succeed
Function: Leadership & Governance
DP Action: 4.3.1.2 Support Council's section 355 Committees in undertaking their duties with Council

Relevant Legislation:

Local Government Act 1993 - Section 355 'How does a council exercise its functions?' and Section 377 'General power of the council to delegate'.

Financial Implications:

There are no financial implications arising from the recommendations of this report. Where relevant, a Financial Report for period 2015-2016 has been included.

Attachments

- | | |
|--|---------|
| 1. Annual Report 2015-2016 - Broken Hill Heritage Committee | 2 Pages |
| 2. Term Report 2012-2016 - Broken Hill Heritage Committee | 1 Page |
| 3. Annual Report 2015-2016 - Riddiford Arboretum Community Committee | 3 Pages |
| 4. Term Report 2012-2016 - Riddiford Arboretum Community Committee | 1 Page |

RAZIJA NU'MAN
DIVISION MANAGER CORPORATE AND HUMAN SERVICES

ANDREW BRUGGY
ACTING GENERAL MANAGER

BROKEN HILL
CITY COUNCIL

355 COMMITTEE ANNUAL REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 355 COMMITTEE

Name of Committee: Broken Hill Heritage Committee

Annual Report
Period: October 2015-September 2016

ANNUAL REPORT

	Date of Meeting	Meeting conducted	No quorum, meeting not held
1. Number of meetings conducted and dates of meetings	1 October 2015	yes	
	3 November 2015	yes	
	16 February 2016	yes	
	17 March 2016	yes	

	Member Name	Date	Date	Date	Date
2. Attendance by Members	W Cuy	1 Oct	1 Oct	16 Februa	
	M Browne	1 October	3 Novemb	16 Februa	17 March
	C Adams	1 October	3 Novemb	16 Februa	17 March
	F McKinnon	1 October			17 March
	A Gosling	1 October	3 Novemb		
	S Olsen	1 october	3 Novemb	16 Februa	17 March
	P Chancellor	1 october	3 Novemb		

M Nelson attended 1 meeting only in October
Anne Andrews BHCC Events attended most meetings

- 3. Activities / Projects / Achievements** meetings also held on 19/4; 9/6; 14/7; 11/8.
leading the community in the Miners' Memorial Day to be held on 9 October 2016

Approach Council re budget for this committee in the future.

4. Ongoing Issues

n/a

**5. Completed
Maintenance**

n/a

6. Financial Report

Please detail any other
relevant information:

PRIVACY STATEMENT

Council is collecting your personal information in accordance with the Privacy and Personal Information Protection Act 1998. The purpose for collecting your personal information is to obtain and record contact details and to assess your suitability for appointment to a S355 Committee.

The intended recipients of the personal information collected includes Council officers, S355 Committee members and contractors or other agents contracted by Council. If appointed to a committee, your name and contact details may be included on Council's website and in Council's Business Papers.

The supply of the information is voluntary. If you cannot provide or do not wish to provide the information sought, Council may not be able to process your application.

You may make application for access or amendment to information held by Council. Council will consider any such application in accordance with the Act. Enquiries concerning this matter can be directed to the Public Officer council@brokenhill.nsw.gov.au or addressed to Broken Hill City 240 Blende Street. Broken Hill is the agency that holds the information collected.

Signature

Date: 12 September 2016

Printed Name

Christine Adams

Position

Secretary

BROKEN HILL
CITY COUNCIL

355 COMMITTEE TERM REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 355 COMMITTEE

Name of Committee: Broken Hill Heritage Committee

Term Report Period: October 2015-September 2016

TERM REPORT

1. **The Committee** – provide an overview of the responsibilities of the Committee
- Determine relevant events
 - Identify partners and stakeholders
 - Attract volunteers and other interested stakeholders to run events
 - Generate funding for the running of events

2. **Activities / Projects / Achievements / Highlights**

The first meeting was convened in October 2015 and has from that meeting dedicated its time and effort on encouraging and assisting the Broken Hill community to 'take ownership' of the 2016 Miners' Memorial Commemoration/ Community Heritage Picnic that will take place at the Miners' Memorial and Sturt Park respectively. This has been achieved.

3. **Ongoing Issues**

it is hoped this event will become a significant annual event on the city's calendar. This will be achieved if the community support the concept and contribute to its success.

Please detail any other relevant information:

The committee needs to promote itself more to the community by widening the scope of activities. Council approved the change of committee name from Broken Hill Heritage City Events Committee to Broken Hill Heritage Committee to assist in this endeavour.

PRIVACY STATEMENT

Council is collecting your personal information in accordance with the Privacy and Personal Information Protection Act 1998. The purpose for collecting your personal information is to obtain and record contact details and to assess your suitability for appointment to a S355 Committee.

The intended recipients of the personal information collected includes Council officers, S355 Committee members and contractors or other agents contracted by Council. If appointed to a committee, your name and contact details may be included on Council's website and in Council's Business Papers.

The supply of the information is voluntary. If you cannot provide or do not wish to provide the information sought, Council may not be able to process your application.

You may make application for access or amendment to information held by Council. Council will consider any such application in accordance with the Act. Enquiries concerning this matter can be directed to the Public Officer council@brokenhill.nsw.gov.au or addressed to Broken Hill City 240 Blende Street. Broken Hill is the agency that holds the information collected.

Signature

Date: 12 September 2016

Printed Name

Christine Adams

Position

Secretary

BROKEN HILL
CITY COUNCIL

355 COMMITTEE ANNUAL REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 355 COMMITTEE

Name of Committee: RIDDIFORD ARBORETUM COMMITTEE

Annual Report
Period: 2015-2016

ANNUAL REPORT

	Date of Meeting	Meeting conducted	No quorum, meeting not held
1. Number of meetings conducted and dates of meetings	4/7/15, 1/8/15,	5/9/15, 3/10/15	7/11/15, 6/2/16
	5/3/16, 2/4/16	7/5/16, 4/6/16	
	10 meetings, all with quorum		

Member Name	Date	Date	Date	Date
-------------	------	------	------	------

SEE ATTACHED

2. Attendance by Members

LIST

3. Activities / Projects / Achievements

Much effort has gone into clearing saltbush along fence line. Plans made for replanting of central area. Weed clearing and maintaining a clean and tidy environment. Preparing a plan for future improvements for arboretum.

4. Ongoing Issues

Lack of budget. continuing small-scale vandalism and damage to watering system, arboretum furniture and facilities.

AUSTRALIA'S FIRST HERITAGE LISTED CITY

As detailed above

**5. Completed
Maintenance**

No budget allocation

6. Financial Report

Please detail any other
relevant information:

PRIVACY STATEMENT

Council is collecting your personal information in accordance with the Privacy and Personal Information Protection Act 1998. The purpose for collecting your personal information is to obtain and record contact details and to assess your suitability for appointment to a S355 Committee.

The intended recipients of the personal information collected includes Council officers, S355 Committee members and contractors or other agents contracted by Council. If appointed to a committee, your name and contact details may be included on Council's website and in Council's Business Papers.

The supply of the information is voluntary. If you cannot provide or do not wish to provide the information sought, Council may not be able to process your application.

You may make application for access or amendment to information held by Council. Council will consider any such application in accordance with the Act. Enquiries concerning this matter can be directed to the Public Officer council@brokenhill.nsw.gov.au or addressed to Broken Hill City 240 Blende Street. Broken Hill is the agency that holds the information collected.

Signature

Date:

Printed Name

MARION BROWNE

Position

SECRETARY, RIDDIFORD ARBORETUM 355 COMMITTEE

	4/7/15	1/8/15	5/9/15	3/10/15	7/11/15	6/2/16	5/3/16	2/4/16	7/5/16	4/6/16
Wayne Lovis	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Marion Browne	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Fay Whitfield	Y	Y	Y	Y		Y	Y	Y	Y	Y
Bob Pascoe	Y	Y	Y	Y	Y	Y		Y	Y	Y
Hans Noorman	Y	Y	Y	Y	Y		Y	Y	Y	Y
Helen Semmens			Y		Y			Y		
Anne Leorke					Y					
Fallon Lawn			Y			Y				
Paul Burton										

BROKEN HILL
CITY COUNCIL

355 COMMITTEE TERM REPORT

Please complete this form as accurately as possible and return to council@brokenhill.nsw.gov.au

SECTION 355 COMMITTEE

Name of Committee: Riddiford Arboretum Management Committee

Term Report Period: September 2012-June 30 2016

TERM REPORT

- 1. The Committee –**
provide an overview
of the responsibilities of
the Committee

To keep the Arboretum well-maintained and free from rubbish. To undertake necessary pruning of vegetation and to organise planting. To inspect for damage either deliberate or accidental and report to relevant council officers. To ensure Arboretum is watered.

- 2. Activities / Projects /
Achievements /
Highlights**

Maintaining a regular program of pruning and removal of dead trees and shrubs. Clearing of saltbush along fence line. Planning Work for Dole project.

- 3. Ongoing Issues**

No budget allocation means making small purchases can be a lengthy process.

Please detail any other
relevant information:

PRIVACY STATEMENT

Council is collecting your personal information in accordance with the Privacy and Personal Information Protection Act 1998. The purpose for collecting your personal information is to obtain and record contact details and to assess your suitability for appointment to a S355 Committee.

The intended recipients of the personal information collected includes Council officers, S355 Committee members and contractors or other agents contracted by Council. If appointed to a committee, your name and contact details may be included on Council's website and in Council's Business Papers.

The supply of the information is voluntary. If you cannot provide or do not wish to provide the information sought, Council may not be able to process your application.

You may make application for access or amendment to information held by Council. Council will consider any such application in accordance with the Act. Enquiries concerning this matter can be directed to the Public Officer council@brokenhill.nsw.gov.au or addressed to Broken Hill City 240 Blende Street. Broken Hill is the agency that holds the information collected.

Signature

Date:

Printed Name

MARION BROWNE

Position

SECRETARY

AUSTRALIA'S FIRST HERITAGE LISTED CITY

ORDINARY MEETING OF THE COUNCIL

October 12, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 218/16

SUBJECT: RECOMMENDATIONS AND MINUTES OF THE AUDIT
COMMITTEE MEETING HELD OCTOBER 6, 2016 13/19

Recommendation

That Broken Hill City Council Report No. 218/16 dated October 12, 2016, be received.

That the minutes of the Audit Committee meeting held October 6, 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, Risk and Improvement Committee met on Thursday, October 6, 2016.

The minutes of this meeting are provided at Attachment 1 to this report.

Report:

The Audit Committee considered the following items:

- The Audit, Risk and Improvement Committee meeting schedule and work plan
- 2015/16 Annual Financial Statement
- Financial Management Policy Review
- Appointment of Audit, Risk and Improvement Committee Chair
- Audit, Risk and Improvement Committee Action List

The next meeting of the Audit Committee will be held Thursday, February 9, 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 Risk and Improvement Committee - 6 October 2016 4 Pages

ANDREW BRUGGY
ACTING GENERAL MANAGER

AUDIT COMMITTEE

6 OCTOBER 2016

MINUTES OF THE AUDIT COMMITTEE MEETING HELD THURSDAY, 6 OCTOBER, 2016 (10.00AM)

PRESENT: Dr Phil Ross, M. Chris Nash (Chairman), Councillors Dave Gallagher, Councillor Jim Nolan, Independent Auditor's James Mitchell and Damian Pulgies, General Manager James Roncon, Management Accountant Jay Nankivell and Executive Support Officer Louise Schipanski

APOLOGIES: Nil

ACTION: The General Manager to look at training for new members that includes the purpose / role of the Audit Committee and committee members.

ACTION: The General Manager to arrange an induction for new members

MINUTES FOR CONFIRMATION

That the Minutes of the Audit Committee meeting held Thursday June 16, 2016 be confirmed.

CONFIRM

ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 7/16 - DATED SEPTEMBER 28, 2016 - AUDIT COMMITTEE MEETING SCHEDULE AND WORK PLAN 13/19

Recommendation

That Broken Hill City Council Report No. 7/16 dated September 28, 2016, be received.

That the Work Plan be reviewed at each meeting for determination of relevance of reports listed for next meeting and the inclusion of additional reports as requested by the Committee.

That the review of the performance of the Committee initiated by the Chair be rescheduled for February 2017 and that the review of the Audit, Risk & Improvement Committee Charter also be undertaken in February 2017.

ACTION: Management Team to review the amendments to relevant legislation, in relation to reviewing the charter to include what powers are delegated to the Audit, Risk and Improvement Committee and then make recommendations to the committee at its February meeting.

ACTION: A presentation to the committee at the February meeting by the Risk Officer.

ACTION: Standing items on agenda to review selected risk treatment plans.

RECEIVED

AUDIT COMMITTEE

6 OCTOBER 2016

ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 8/16 - DATED SEPTEMBER 28, 2016 - 2015/2016
ANNUAL FINANCIAL STATEMENTS

13/19

Recommendation

That Broken Hill City Council Report No. 8/16 dated September 28, 2016, be received.

That the 2015/2016 Annual Financial Statements be received.

RECEIVED

Time: 11.14am - Teleconference with Hardik Shukla, Audit and Assurance and Martin Sabanos, Senior Manager of UHy Haines Norton, Chartered Accountant.

UHy Haines Norton anticipate that they will be issuing an unqualified audit report at this stage. They don't anticipate any changes that will change this view and are expecting to have issued on 15 October. They advised that they weren't expecting to make material additions to the interim management letter.

The Committee asked a number of questions to the Auditors and were satisfied with the responses received.

ACTION: Review to employee numbers, the trend from current year to prior year does not look correct.

ACTION: Access to the HUB be gives to new members. Upload of previous meeting agendas.

ACTION: A copy of the Interim Management Letter to be circulated to members.

ACTION: The Audit Committee acknowledged the work of the finance team and UHy Haines Norton in preparing the draft financial statements..

Adoption of Related Party Transaction, disclosures became effective from 1 July 2016 and will need to be reported. The Finance Manager advised that the process is in place, but needs to be formalised.

AUDIT COMMITTEE

6 OCTOBER 2016

ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 9/16 - DATED SEPTEMBER 28, 2016 -
FINANCIAL MANAGEMENT POLICY REVIEW

12/114

Recommendation

That Broken Hill City Council Report No. 9/16 dated September 28, 2016, be received.

That the Audit Committee endorse the Draft Investment Policy, the Draft Debt Recovery Policy and the Draft Hardship Policy.

ACTION: Effective date on policies to be updated.

ACTION: Reference is made to Chief Financial Officer as the responsible officer – title change.

RECEIVED

ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 10/16 - DATED SEPTEMBER 28, 2016 -
APPOINTMENT OF AUDIT, RISK & IMPROVEMENT COMMITTEE CHAIR

13/19

Recommendation

1. That Broken Hill City Council Report No. 10/16 dated September 28, 2016, be received.
2. That the Audit Committee acknowledged and welcomed the appointment of Mr James Mitchell as the Chairperson of the Broken Hill City Council Audit, Risk & Improvement Committee based on his professional experience / knowledge and Local Government Audit Committee experience.

The General Manager acknowledge the high calibre of candidates that applied for a position of the committee and thanked the independent members that accepted the position. The General Manager also acknowledged the great work over the last four years of the outgoing independent members.

RECEIVED

AUDIT COMMITTEE

6 OCTOBER 2016

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 11/16 - DATED SEPTEMBER 29, 2016 - AUDIT
COMMITTEE ACTION LIST REPORT FOR JUNE 2016 13/19

Recommendation

1. That Broken Hill City Council Report No. 11/16 dated September 29, 2016, be received.

ACTION: Treatment Plans for Art Gallery and Geo Centre to be provided to the next meeting.

ACTION: The Committee noted and anticipated the 12 month delay in initiating the BCP testing. General Manager will follow up with Human Resources Manager and Risk Officer and endeavour to accommodate an earlier test.

RECEIVED

Meeting closed at 12.03pm.

The foregoing minutes were read and confirmed at the Audit, Risk & Improvement Committee meeting held on 9 February 2017.


Chairperson

ORDINARY MEETING OF THE COUNCIL

October 14, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 219/16

SUBJECT: MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO
364 HELD TUESDAY OCTOBER 4, 2016 11/397

Recommendation

1. That Broken Hill City Council Report No. 219/16 dated October 14, 2016, be received.
2. That the minutes for the Local Traffic Committee Meeting No. 364, held 4 October 2016, be received and recommendations within minutes be adopted.

Executive Summary:

Guidelines published in March 2009 by the Roads and Traffic Authority (now known as the Roads and Maritime Services), titled '*A guide to the delegation to councils for the regulation of traffic*' states: "The Local Traffic Committee (LTC) has no decision-making powers and is primarily a technical review committee. It only advises the Council on matters for which the Council has delegated authority, being certain prescribed traffic control devices and traffic control facilities.

The Council must refer all traffic related matters to the LTC prior to exercising its delegated functions. Matters related to State Roads or functions that have not been delegated to the elected Council must be referred directly to Roads and Maritime Services or relevant organisation. Such matters must not be referred to the LTC.

Council is not bound by the advice given by its LTC. However if Council does wish to act contrary to the unanimous advice of the LTC or when the advice is not unanimous, it must notify Roads and Maritime Services & the NSW Police and wait 14 days before proceeding."

Report:

This report is to provide Council with the minutes and action list of the Local Traffic Committee meeting held 6 September 2016, which details recommendations to Council for consideration and adoption.

Strategic Direction:

Key Direction:	4. Our Leadership
Objective:	4.3 United We Stand
Function:	Leadership & Governance
DP Action:	4.3.1.1 Develop committees and/or workgroups for key issues and projects impacting Council and the City

Relevant Legislation:

- Road Transport (Safety and Traffic Management) Regulation 1999, and
- Road Rules 2008
- A guide to the delegation to councils for the regulation of traffic (guidelines)

Financial Implications:

Financial implications for any of the recommendations to Council will be detailed in the LTC minutes, if relevant.

Attachments

1. Minutes of Local Traffic Committee, Meeting No. 364 35 Pages

ANDREW BRUGGY
ACTING GENERAL MANAGER

LOCAL TRAFFIC COMMITTEE MINUTES OF MEETING NO 364

Held 9.30am Tuesday 4 October 2016

First Floor Meeting Room - Council Administration Building

The Chairperson, Acting Deputy General Manager, Andrew Bruggy opened the meeting at 9.37am and welcomed all representatives present.

364.1 Present

Andrew Bruggy	Chairperson Acting Deputy General Manager, Broken Hill City Council
Joe Sulicich	Roads and Maritime Services Representative
Senior Constable Chaff	Broken Hill Police Representative
Peter Beven	Local Member Representative
Marion Browne	Councillor
James Druitt	Observer, Asset Planner Transport, Broken Hill City Council
Penny Robinson	Minute Secretary Administration Officer, Broken Hill City Council

364.2 Apologies Nil

364.3 Disclosure of interest Nil

364.4 Adoption of previous minutes

Previous minutes of meeting No. 363 held 6 September 2016 were confirmed via online voting as follows:

All in favour: RMS, Police, Local Member Representative, BHCC

Yet to vote:

Against:

364.5 Council Resolutions

The following Committee recommendations were adopted by Council at its meeting held 6 September 2016.

ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 207/16 - DATED SEPTEMBER 16, 2016 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 363 HELD TUESDAY SEPTEMBER 6, 2016 11/397

Recommendation

1. That Broken Hill City Council Report No. 207/16 dated September 16, 2016, be received.
2. That the minutes for the Local Traffic Committee Meeting No. 363, held 6 September 2016, be received.
3. That Council adopt the recommendation of the Traffic Committee meeting held September 6, 2016.
 - a. 363.8.2 - That Council write to Mr Regan Edgecumbe thanking him for his comments and advising Mr Edgecumbe that Council has held extensive community consultation regarding the Parking Strategy and have recommended a review of the Parking Strategy after a trial period of 12 months; his comments will be considered as part of this process.
 - b. 363.8.3 - That Council write to Ms Pauline Jones thanking her for her comments and advising Ms Jones that Council has held extensive community consultation regarding the Parking Strategy and have recommended a review of the Parking Strategy after a trial period of 12 months; her comments will be considered as part of this process.

RESOLUTION

Minute No. 1

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

CARRIED

364.6 Matters Arising from the Previous Meeting - Nil

364.7 Correspondence In

Item No.	TRIM No.	Details
364.7.1	D16/39934	Request for consideration to extend the length of the disabled parking area and add an extra disabled ramp in Garnet Street. (Also query to follow up previous request action item 360.8.4.)
Discussion Notes		2 existing pram ramps 1 existing disabled parking space Council can provide quote for ramp and line marking Does consultation need to occur first
Recommendation		Council and RMS to discuss with Mr Webb the above in relation to the associated costs to install additional disabled park and ramp. Also to further advise the effect of installing a pedestrian crossing on parking.
Moved		RMS, Joe Sulicich
Seconded		Local Member Representative, Peter Beven
All For		4
Against		0

Item No.	TRIM No.	Details
364.7.2	D16/44787	Request to review angle parking in front of 399 Mica Street.
Discussion Notes		Committee discussed letter received and parking has been changed from parallel to angle parking to allow for additional parks in the area.
Recommendation		Police be requested to have discussion with the inquirer of this request relating to parking requirements for the area in front of 399 Mica Street. Police to report outcome back to committee for November meeting.
Moved		Police, Senior Constable Chaff
Seconded		RMS, Joe Sulicich
All For		4
Against		0
Item No.	TRIM No.	Details
364.7.3	D16/44786	15 and 16 October 2016 Silver City 750 Desert Race - Broken Hill.
Discussion Notes		No requests for formal for traffic closure requirements. Council's Asset Planner Transport, James Druitt to contact event organiser to clarify details. Noted by committee. No recommendation or further action required.
Recommendation		Nil
Moved		N/A
Seconded		N/A
All For		N/A
Against		N/A

Item No.	TRIM No.	Details
363.7.1	D16/34202	Request to review of Motorbike parking bays in front of 207 Argent Street, Broken Hill. (This issue previously raised in August LTC)
Discussion Notes		As related to Item No. 362.9.3 – page 34
Recommendation		Once recommendation from 362.9.3 is adopted by Council to issue correspondence to inquirer advising of action to be taken, if any.
Moved		Local Member Representative, Peter Beven
Seconded		RMS, Joe Sulicich
All For		4
Against		0
Item No.	TRIM No.	Details
363.7.2	D16/35558	Request for review of 4 hour parking zone located in the vicinity of 7 Oxide Street, Broken Hill
Discussion Notes		Recommendation adopted from September Council meeting. Minute Secretary to arrange correspondence as per recommendation.
Recommendation		Nil
Moved		N/A
Seconded		N/A
All For		N/A
Against		N/A

Item No.	TRIM No.	Details
363.7.3	D16/36094	Request for review of 4 hour parking zone located in front of 5 and 7 Oxide Street, Broken Hill
Discussion Notes		Recommendation adopted from September Council meeting. Minute Secretary to arrange correspondence as per recommendation.
Recommendation		Nil
Moved		N/A
Seconded		N/A
All For		N/A
Against		N/A
Item No.	TRIM No.	Details
357.8.2	D16/37262	Speed zone review request - Barrier Highway HW8 west of Broken Hill (response to action list item no. 357.8.2)
Discussion Notes		Please refer to action item list, pages 16-17 for further details.
Recommendation		Nil
Moved		N/A
Seconded		N/A
All For		N/A
Against		N/A

364.8 Correspondence Out - Nil

364.9 General Business

Item No.	TRIM No.	Details
364.9.1		Road Verges and vegetation/Reflective Signs
Discussion Notes		Local Member Representative, Peter Bevan made comment that since the Menindee verge has been cleared it has improved vision for drivers as can see wildlife that may be close to the road. Silver City Highway area scheduled for next few weeks. Other areas were queried relating to verge clearing, Chairperson advised that this is outside of the Committee's scope.
Recommendation		Nil
Moved		N/A
Seconded		N/A
All For		N/A
Against		N/A
Item No.	TRIM No.	Details
364.9.2		Street Sign damaged
Discussion Notes		A street sign has been damaged out the front of the Dental Centre. CRM to be entered as per normal works request for maintenance.
Recommendation		Nil
Moved		N/A
Seconded		N/A
All For		N/A
Against		N/A

Item No.	TRIM No.	Details
364.9.3		Gray Street signage.
Discussion Notes		Gray Street currently does not have street signage. It is an unformed road located at the end of Chapple Street. CRM to be entered as per normal works request for sign to be ordered when next order placed.
Recommendation		Nil
Moved		N/A
Seconded		N/A
All For		N/A
Against		N/A
Item No.	TRIM No.	Details
364.9.4		Signage located on grounds of the Far West Local Health District.
Discussion Notes		Query signage on hospital ground – committee advised that this signage is the hospitals responsibility.
Recommendation		Nil
Moved		N/A
Seconded		N/A
All For		N/A
Against		N/A

Item No.	TRIM No.	Details
364.9.5		Mica Lane - One Way sign.
Discussion Notes		Police advised that complaints have been noted to them stating that there is inadequate signage for the one way zone the lane itself to indicate when residents come out of driveways that it is still a one way zone. Committee advised Police representative that sufficient consultation previously undertaken relating to this area.
Recommendation		Nil
Moved		N/A
Seconded		N/A
All For		N/A
Against		N/A

Item No.	TRIM No.	Details
364.9.6		Wright Street - Stop sign
Discussion Notes		Query if the Wright Street Stop sign meets RMS standard for requiring a Stop sign or would a give way sign be more appropriate to the RMS standard?
Recommendation		Council's Asset Planner Transport, James Druitt to investigate and provide a report to the Committee advising of standard/appropriateness of the Stop Sign located in Wright Street.
Moved		Local Member Representative, Peter Beven
Seconded		RMS Joe Sulicich
All For		4
Against		0

364.10 Action Item List

Item No.	346.8.3
TRIM No.	D15/5750, D15/48358, D16/9966, D16/17865
CRM No.	21449/2015, 23968/2016
Responsible Officer	Minute Secretary
Current Status	Pending - Minute Secretary to check if payment received by Council prior to next meeting.
Date	Item Details
March 2015	<p>Request from National Trust of Australia, Broken Hill and District Branch (Fran McKinnon) to establish directional signs to the site of the "Ambush train/ore truck" in the following locations:</p> <ul style="list-style-type: none"> • Cnr of Brookfield Avenue and Morgan Street; and • Cnr of Doe and Hynes Streets <p>with the following wording:</p> <p>"Ambush Site – Picnic Train Attack"</p>
Date	Committee Recommendation/s
	<p>That Council invoice The National Trust of Australia, Broken Hill and District Branch for the funds they have available and that Council submit an application through the Tourist Attraction Signposting Assessment Committee for approval to erect tourist signs.</p> <p>On approval from Council meeting arrange invoice for payment of available funds and send with acceptance letter.</p>
April 2015	Enter CRM for Himan and David Zhao requesting submission of application for signage through TASCO.
Action Date	Running Actions
	Printing of Tax Invoice requested and to be attached to letter for payment. - Completed
June 2016	Application has been submitted to TASCO waiting response.
September 2016	Andrew to follow up response to application with David Zhao and advise committee of update.

	<p>Mr Joe Sulicich advised that signage for this area does not require approval from TASCO as the signs will not be erected on a State or RMS designated Road. There is a possibility that funding may be available through the RMS.</p> <p>Letter to be sent to National Trust requesting wording to be used on the signs. - Letter sent.</p>
October 2016	<p>David to obtain quotes for signs.</p> <p>Agreed Action:</p> <p>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 Streets.</p>
November 2016	
February 2016	<p>CRM entered to have directional signage ordered and installed at the location.</p> <p>David Zhao advised that one quote has been received, still waiting on further quotes to be submitted.</p> <p>Letter issued to Fran requesting payment of funds to assist with the cost of producing signs.</p>
March 2016	<p>Councillor Browne to follow up date of payment and advise secretary for confirmation of funds received with Finance Operations team.</p>
March 2016	<p>Councillor Browne advised funds have not yet been paid, as they are waiting for the funds to be received from head office in Sydney.</p>
March 2016	<p>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.</p> <p>Minute Secretary to check if Council has received funds and advise Councillor Browne if further follow up is required.</p> <p>Minute Secretary sent email to Councillor Browne advising funds are still outstanding.</p>
April 2016	<p>Councillor Browne advised the committee that the funds are now arranged and should be received by Council in the near future.</p>
June 2016	
June 2016	
July 2016	

As of 25 July 2016, funds remain outstanding.

August 2016

Councillor Browne advised that as per the last update, the advice she has received is that funds are now arranged and should be received by Council in the near future.

Target Date	Action can be completed when payment is received
Item No.	353.7.1
TRIM No.	D15/53866
CRM No.	22603/2015
Responsible Officer	RMS Joe Sulicich
Current Status	Pending – RMS, Joe Sulicich to investigate if figures met the Vulnerable Persons requirements and if Council could approach RMS to seek funding assistance.
Date	Item Details

Thomas Street Speed Counters – Broken Hill Hospital and GP Super Clinic

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.

Counters where placed in the area in December 2014, but the results from these counters are unable to be located.

Counters have been requested to be relayed again for a two week period and the results will be reported back to the Committee.

September 2015

Spoke with David Zhao who advised the tubes will be installed within the next few weeks.

October 2015

Action undertaken, David to obtain results and submit to committee at the December meeting.

December 2015

Draft letter committee's recommendation from its meeting held December 2015.

Date	Committee Recommendation/s
-------------	-----------------------------------

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.

	That alternatives for traffic calming device options be investigated and reported back to the committee for further discussion.
February 2016	Letter issued advising Committee's recommendation.
March 2016	Follow up with James Druitt to clarify if speed counters have been installed.
	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.
	That the tubes be re-instated for two weeks to capture speeds limit between 40km and 60km.
April 2016	That a report be prepared of the results and be submitted back to the Committee at the April committee meeting.
	Advised by James Druitt that counters are being installed this week for a two week period.
May 2016	Joe RMS recommended that the Vulnerable Pedestrian Standards be considered in the report back to the committee.

Action Date	Running Actions
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.
June 2016	Letter drafted in response to the Hospital attention to Noni Inglis, and this action item to be removed once issued. - Letter issued.
July 2016	This action item is to remain pending at this stage as James Druitt and Joe Sulicich to clarify requirements of Vulnerable Person Standards relating to this area.
	Further follow up undertaken by RMS, Joe Sulicich will provide an update to the August meeting.
August 2016	RMS, Joe Sulicich provided the committee with information on the standards for the Vulnerable Persons requirements for implementing a zebra crossing and advised that a raised crossing is preferable for this area. A traffic count is needed to make this determination.
	Council Officer, James Druitt is to arrange traffic count and report back to the committee the outcome.
	Joe Sulicich also advised that if this was eligible under the Vulnerable Persons requirements that Council could approach RMs to seek funding assistance.

September 2016	Council Officer, James Druitt reported a 400 per day pedestrian count between 7:30am – 3:15pm. Joe Sulicich to investigate if figures met the Vulnerable Persons requirements and if Council could approach RMS to seek funding assistance.
October 2016	Numbers meet the requirements for Vulnerable Persons crossing. Council to investigate estimate of cost as RMS do not have available funding. Council and RMS to investigate standards relating to design.
Target Date	November 2016

Item No.	356.9.1
TRIM No.	D16/32609
CRM No.	24806/2016
Responsible Officer	Asset Planner Transport, James Druitt
Current Status	Pending - Design plan to be provided to Committee.
Date	Item Details
February 2016	<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>
Date	Committee Recommendation/s
July 2016	<p>Two week trial to commence of a temporary closure of the areas.</p> <p>Advertising in BDT to occur, letter box drop arranged for local residents by James Druitt and secretary to advise via email the local emergency services.</p>
August 2016	James Druitt to report the outcome and feedback to the committee for further review.
September 2016	Andrew Bruggy and James Druitt to investigate the installation of speed humps in Wright Street.
Action Date	Running Actions
October 2016	James Druitt has costed speed humps awaiting advice on installation. Design plan to be provided to next meeting.
Target Date	Not Determined

Item No.	357.8.2
TRIM No.	D16/15165, D16/15171
CRM No.	23805/2016
Responsible Officer	Minute Secretary, Penny Robinson
Current Status	Pending – Minute Secretary to issue correspondence to the inquirer advising of the outcome.
Date	Item Details
	<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 distance 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>
Date	Committee Recommendation/s
	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.
Action Date	Running Actions
	Letter advising the next course of action issued to Rebecca McLaughlin outlining the committee's recommendation.
May 2016	Letter issued to RMS requesting a review to be undertaken and findings to be reported back to the LTC committee.
	Clarify with RMS in June meeting progress on review.
June 2016	Joe Sulicich - RMS Representative advised that he is to undertake the review.
July 2016	Review has been completed and Joe Sulicich - RMS Representative will provide and update to the committee in August meeting.
August 2016	Joe Sulicich - RMS Representative advised outcome remains pending with RMS Parkes head office and he will advise the committee of outcome when possible.
October 2016	Committee received advice from RMS advising that after a review of

the area, that the current speed zone is appropriate and will remain unchanged.

Minute Secretary to issue correspondence to the inquirer advising of the outcome.

No further action to be taken as outside of the committee's scope.

Target Date	Not determined
--------------------	----------------

Item No.	357.8.3
TRIM No.	D16/6235, D16/15178
CRM No.	24265/2016, 24893/2016
Responsible Officer	Council's Asset Planner Transport, James Druitt
Current Status	Completed September 2016
Date	Item Details

May 2016

Completed - Parking Issues 181 Newton Lane

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.

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.

Date	Committee Recommendation/s
	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.
	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.
	Letter to be drafted once approval of committee minutes endorsed by Council at the March Council meeting is received.

Action Date	Running Actions
	CRM entered for actioning.

	Letter sent to Mrs Hall advising of the committee's recommendation
	Response to CRM received from David Zhao - Recommended to Purchase heavy duty plastic car stops which will cost around \$400.00 for purchase and install. – Response included for May meeting.
May 2016	CRM required pending response from May Council meeting.
June 2016	CRM entered for works to commence.
July 2016	James Druitt is to arrange works and materials.
August 2016	Council Officer, James Druitt has advised the committee that 20 x old railway sleepers have been donated to council by ARTC. The only cost to council was \$350.00 for delivery costs.
	Sleepers to be laid to complete this action item.
Target Date	Not determined

Item No.	357.9.1
TRIM No.	D16/17693
CRM No.	24237/2016, 24894/2016
Responsible Officer	Council's Asset Planner Transport, James Druitt
Current Status	Pending - Design plan to be provided to Committee.
Date	Item Details
May 2016	<p>Galena & Wright Street Intersection 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>
Date	Committee Recommendation/s
	<p>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.</p> <p>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.</p> <p>That the cost analyst and plan be submitted to the next Committee meeting scheduled for April 5, 2016 for consideration by the Committee.</p> <p>CRM to be entered once approval of committee minutes endorsed by Council at the March Council meeting is received.</p>
Action Date	Running Actions
	<p>CRM entered for actioning</p> <p>Report provided by David Zhao - included in Agenda for May meeting.</p>
May 2016	CRM required pending response from May Council Meeting.
June 2016	CRM entered for works to commence
July 2016	Pending quotes to be obtained by James Druitt prior to commencing works.
August 2016	Action pending with Council Officer Peter Ryan. Line marking has re-

	commenced and this action is due to be completed by September 2016. Rumble bars are also to be installed to complete this action list item.
September 2016	CRM to be entered to redesign the centre rumble bars and remove the left radius rumble bars at the intersection of Wright and Galena Street
October 2016	James Druitt has costed speed humps awaiting advice on installation. Design plan to be provided to next meeting.
Target Date	Not determined
Item No.	357.9.2
TRIM No.	D16/17693
CRM No.	24238/2016, 24895/2016
Responsible Officer	
Current Status	Pending
Date	Item Details
May 2016	<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>
Date	Committee Recommendation/s
	<p>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.</p> <p>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.</p> <p>That the cost analyst and plan of be submitted to the next Committee meeting scheduled for April 5, 2016 for consideration by the Committee.</p> <p>CRM to be entered once approval of committee minutes endorsed by Council at the March Council meeting is received.</p>

Action Date	Running Actions
	CRM entered for actioning
	Report provided by David Zhao - included in Agenda for May meeting.
May 2016	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.
June 2016	CRM entered for works to commence
July 2016	Pending quotes to be obtained by James Druitt prior to commencing works.
August 2016	Action pending with Council Officer Peter Ryan. Line marking has re-commenced and this action is due to be completed by September 2016. Rumble bars are also to be installed to complete this action list item.
September 2016	CRM to be entered to redesign the centre rumble bars and remove the left radius rumble bars at the intersection of Morgan Street and Brookfield Avenue
October 2016	Remains pending.
Target Date	Not determined

Item No.	358.7.1
TRIM No.	
CRM No.	240855/2016.
Responsible Officer	RMS Representative, Joe Sulicich
Current Status	Completed – maintenance undertaken by RMS.
Date	Item Details
April 2016	<p>Traffic Light Signals Argent/Chloride intersection</p> <p>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.</p> <p>Joe Sulicich advised LTC that RMS are aware and are going to send a team to further investigate.</p>
Date	Committee Recommendation/s
	<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>
Action Date	Running Actions
July 2016	Letter to be issued to Rebecca McLaughlin as she had also entered CRM noting this issue – CRM 240855/2016.
August 2016	<p>RMS Representative, Joe Sulicich has advised that RMD Regional Manager is investigating and Joe to advise the committee of outcome.</p> <p>Remains pending as of August committee meeting.</p>
October 2016	<p>Completed maintenance, allows pedestrians to walk across. Have also reduced noise of signals.</p> <p>Item is completed.</p>
Target Date	October 2016

Item No.	359.9.3
TRIM No.	
CRM No.	
Responsible Officer	Asset Planner Transport, James Druitt
Current Status	Pending – RMS, Joe Sulicich to arrange review with Parramatta Office relating to dedicated right turn arrow.
Date	Item Details
Marking of Traffic Lanes at Argent Street Traffic Light Intersections	
Date	Committee Recommendation/s
May 2016	<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>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.</p>
Action Date	Running Actions
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.
June 2016	Council to continue to investigate line marking. RMS are continuing to investigate sensor/detectors.
August 2016	<p>RMS representative - Joe Sulicich asked that the directive of "directional arrows be marked within each lane to indicate traffic flow." be removed and that lane lines are just marked – Police representative has queried why Joe has requested this? Committee to seek clarification from Joe at next committee meeting.</p> <p>RMS representative - Joe Sulicich advised that historically directional arrows have never been marked only the marking of the lane lines.</p> <p>RMS advice is that police can still book for traffic infringements without the directional arrows marked as long as the lane lines are marked. Council advised by RMS to seek a traffic engineer's advice prior to</p>

marking directional arrows.

Asset Planner Transport, James Druitt to make enquiries with RMS relating to this clarification and provide feedback to the committee.

October 2016

RMS, Joe Sulicich provided update, line marking was reinstated however not to original plans due to changed traffic conditions. Current line marking is sufficient. A review is required to see if there can be a designated right turn with a right turn dedicated arrow. RMS, Joe Sulicich to arrange review with Parramatta Office.

Target Date

Not determined

Item No.	360.9.2
TRIM No.	D16/24638, D16/29447
CRM No.	25037/2016
Responsible Officer	Asset Planner Transport, James Druitt
Current Status	Completed September 2016
Date	Item Details
	Review of angle parking in front of Broken Hill Supplies
June 2016	Correspondence received from Dario Licul - requesting review of angle parking in front of Broken Hill Supplies
Date	Committee Recommendation/s
June 2016	Council Officer to review and report to committee recommendations.
Action Date	Running Actions
July 2016	Response letter issued to Mr Licul.
August 2016	CRM entered to request Council's Asset Planner Transport, James Druitt undertake review of this request and report recommendation back to Committee.
Target Date	Completed

Item No.	360.8.2
TRIM No.	D16/19712, D16/23167
CRM No.	
Responsible Officer	Asset Planner Transport, James Druitt
Current Status	Pending – Discussions regarding delivery times for loading zone.
Date	Item Details
June 2016	Review of 60 degree parking lines at the corner of Mica/Chloride Streets and request for short term parking bay area. Request for review of 60 degree parking lines at the corner of Mica/Chloride Streets and request for short term parking bay area.
Date	Committee Recommendation/s
	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.
Action Date	Running Actions
	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.
September 2016	Asset Planner Transport, James Druitt to talk to the applicant regarding delivery times for loading zone.
Target Date	Not determined

Item No.	360.8.4
TRIM No.	
CRM No.	
Responsible Officer	Asset Planner Transport, James Druitt
Current Status	Pending - Council to undertake inspection and provide report to Committee with a recommended action. Council to make formal funding request to RMS.
Date	Item Details
July 2016	Mr Geoff Webb, Broken Hill High School - Request for Garnet Street Disability Access Parking and Garnet Street/Kaolin Street Pedestrian Crossings
Date	Committee Recommendation/s
	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
Action Date	Running Actions
July 2016	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
October 2016	Pending as above.
Target Date	Not determined
Item No.	361.9.1

TRIM No.	
CRM No.	25215/2016
Responsible Officer	Asset Planner Transport, James Druitt
Current Status	Completed September 2016
Date	Item Details
July 2016	<p>Completed - Heavy Vehicle Route at the Iodide/Crystal Street intersection</p> <p>Local Member Representative, Peter Beven raised issue of the Heavy Vehicle Route at the Iodide/Crystal Street intersection. Line marking has eroded with traffic.</p>
Date	Committee Recommendation/s
	<p>Chairperson requested that secretary enter a report in the Customer Request Management System (CRM) for a Council Officer to review.</p> <p>Agreed Action</p> <p>The secretary is to enter a report in the Customer Request Management System (CRM) for a Council Officer to review.</p> <p>All in favour: BHCC, Local Member and Police</p> <p>Yet to vote: RMS Against: Nil</p>
Action Date	Running Actions
	CRM entered requesting that findings/proposed action be reported back to the committee.
September 2016	James Druitt advised that works are part of Council's maintenance program and are funded by RMS.
Target Date	Completed

Item No.	361.9.3
TRIM No.	
CRM No.	
Responsible Officer	Asset Planner Transport, James Druitt
Current Status	Completed September 2016
Date	Item Details
July 2016	<p>Broken Hill Street Signage - Spelling of street names Councillor Browne queried the new street signs being replaced around the City and requested is it possible to find out the correct spelling of Harvey/Harvy Street and Wickes/Wicks Street.</p>
Date	Committee Recommendation/s
	<p>A Council Officer will investigate the spelling of Harvey/Harvy and Wickes/Wicks Streets and review spelling on street signs. The Council Officer will report back to the committee the findings.</p> <p>All in favour: BHCC, Local Member and Police</p> <p>Yet to vote: RMS</p> <p>Against: Nil</p>
Action Date	Running Actions
September 2016	<p>Council Officer, James Druitt to clarify spelling against gazette.</p> <p>James Druitt advised that the correct spelling is as follows:</p> <ul style="list-style-type: none"> • Harvy Street • Wickes Street
Target Date	Completed

Item No.	361.9.9
TRIM No.	
CRM No.	25216/2016
Responsible Officer	Minute Secretary, Penny Robinson
Current Status	Completed September 2016
Date	Item Details
July 2016	<p>Clearing of Verge - Silver City/Menindee Road</p> <p>Peter Beven requests Council clear what is on Council road/verge area on the Silver City/Menindee Road as right to road way, makes it difficult to see animals.</p>
Date	Committee Recommendation/s
	<p>Chairperson requested that secretary enter a report in the Customer Request Management System (CRM) for a Council to clear what Council can.</p> <p>The secretary is to enter a report in the Customer Request Management System (CRM) for action.</p> <p>All in favour: BHCC, Local Member and Police</p> <p>Yet to vote: RMS</p> <p>Against: Nil</p>
Action Date	Running Actions
August 2016	<p>CRM entered requesting clearing as described above.</p> <p>RMS Regional Roads funding is available for Council use and work proposed to be undertaken including slashing and shoulder grading in this area.</p>
Target Date	Completed

Item No.	362.9.1
TRIM No.	
CRM No.	
Responsible Officer	Acting Deputy General Manager, Andrew Bruggy
Current Status	Completed September 2016
Date	Item Details
August 2016	Miners Day Memorial October 9, 2016, query temporary road closure. Query from Christine Adams relating to closure of the four streets surrounding the Sturt Park for the period of 11am - 1.30pm on October 9, 2016 for the purpose of Wheelbarrow race as a part of activities for this event. Comment sought from Local Traffic Committee relating to this event.
Date	Committee Recommendation/s
	Council's Acting Deputy General Manager, Andrew Bruggy to attend the next Miners Day Memorial Committee to seek clarification of time required for temporary road closure and space required.
	Committee to suggest temporary closure of the inner traffic road, still allowing for parking around this area for the event goes.
	Agreed Action
September 2016	Council's Acting Deputy General Manager, Andrew Bruggy to attend the next Miners Day Memorial Committee to seek clarification of time required for temporary road closure, space required of road way and options preferable to the Committee as above.
	All in favour: BHCC, RMS
	Yet to vote: Police and Local Member Representative
	Against: Nil
Action Date	Running Actions
Target Date	Not determined

Item No.	362.9.2
TRIM No.	
CRM No.	
Responsible Officer	Asset Planner Transport, James Druitt
Current Status	Completed September 2016
Date	Item Details
August 2016	<p>Electoral Office Parking 178 Argent Street</p> <p>Parking options discussed for the Electoral Office for pre-polling at 178 Argent Street</p>
Date	Committee Recommendation/s
	<p>Committee recommend to remove the 15 minute short term parking bays in Blende Street (currently in front of the former Everybody's store) and implement the at the Electoral Office for pre polling, 3 x disability accessible parking bays for 15 minute parking. Proposed that this be implemented as of August 29 to September 9, 2016. To be removed after September 9, 2016.</p> <p>Committee also recommend that an accessible temporary ramp be installed at this area for the abovementioned period.</p> <p>Agreed Action:</p> <p>Remove 15 minute short term parking bays in Blende Street (currently in front of the former Everybody's store).</p> <p>Implement at the Electoral Office for pre polling, 3 x disability accessible parking bays for 15 minute parking.</p> <p>Implementation as of August 29 to September 9, 2016.</p> <p>To be removed after September 9, 2016.</p> <p>Temporary ramp be installed at this area for the abovementioned period.</p> <p>All in favour: BHCC, RMS</p> <p>Yet to vote: Police and Local Member Representative</p> <p>Against: Nil</p>

Action Date	Running Actions
	Council's Asset Planner Transport, James Druitt to investigate/action parking and ramp requirements as above-mentioned.
Target Date	Completed

Item No.	362.9.3
TRIM No.	
CRM No.	
Responsible Officer	Asset Planner Transport, James Druitt
Current Status	Pending - Report with recommendation to be provided to committee.
Date	Item Details
August 2016	Motorbike parking bays in front of 207 Argent Street Query from Committee member Councillor Browne if these motorbike parking bays are still required or can these be changed to car parks.
Date	Committee Recommendation/s
September 2016	Committee recommend the removal of motorbike parking bays and replace with car parking bays. Agreed Action Committee Secretary to enter request to remove the motorbike bays and replace with car parking bays. All in favour: BHCC, RMS Yet to vote: Police and Local Member Representative Against: Nil
Action Date	Running Actions
	Council's Asset Planner Transport, James Druitt to investigate if this area is a Council road area for the purpose of maintenance requests. The Chairperson requested that the Asset Planner Transport investigate removal of the motorbike bays and replacement with car parking bays and report back to the Committee for further recommendation to Council.
Target Date	Pending

Item No.	362.9.4
TRIM No.	
CRM No.	
Responsible Officer	Council's Asset Planner Transport
Current Status	Completed September 2016
Date	Item Details
August 2016	Duff Street Shopping Centre, car park area maintenance. Query from Committee member Councillor Browne regarding who is responsible for the maintenance of this car parking area for the purposed of general maintenance and sealing purposes.
Date	Committee Recommendation/s
	Council's Asset Planner Transport, James Druitt to investigate if this area is a Council road area for the purpose of maintenance requests. All in favour: BHCC, RMS Yet to vote: Police and Local Member Representative Against: Nil
Action Date	Running Actions
	Council's Asset Planner Transport, James Druitt to investigate if this area is a Council road area for the purpose of maintenance requests.
Target Date	Completed
364.12 Next Meeting Date	8 November 2016
364.13 Meeting Closed	10.58 pm

ORDINARY MEETING OF THE COUNCIL

October 13, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 220/16

SUBJECT: ACTION LIST REPORT - OCTOBER

11/25

Recommendation

1. That Broken Hill City Council Report No. 220/16 dated October 13, 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 February 29, 2012 to September 28, 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. Action List - Ordinary Council Meetings 19 Pages
2. Action List - Extraordinary Council Meetings 1 Page

ANDREW BRUGGY
ACTING GENERAL MANAGER

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Confidential Matters of the Council 29 February 2012	False	Confidential Matters
<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 - CONFIDENTIAL</p> <p style="text-align: right;">11/232</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 style="text-align: right;">That the recommendation of item 1 be adopted.</p> <p style="text-align: right;">CARRIED</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><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>		

Printed: Friday, 14 October 2016 5:30:02 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<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><i>17 Aug 2016 - 1:51 PM - Tracy Stephens</i> Awaiting new Administration Sheet for signing by GM and Mayor. Subdivision plans can then be registered with LPI.</p> <p><i>16 Sep 2016 - 1:25 PM - Leisa Bartlett</i> Awaiting documentation from Surveyor. Due to recent subdivision for sale of land to RFDS, the DP planning numbers will change and therefore will affect this subdivision for lease purposes, therefore it is necessary to wait until the DPI have processed the RFDS subdivision before this plan is lodged.</p>		
Extraordinary Meeting of the Council 30 October 2013	False	Further Business
<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> <p>That the acquisition be under the Terms of the Local Government Act 1993.</p> <p>That the consent of the Minister and Governor be sought for the acquisition.</p> <p>That Council seek agreement from Trade and Investment, Crown Lands Western Division for the acquisition.</p>		

CARRIED

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 24 September 2014	False	Reports
<p>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 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 <u>Minute No. 44768</u> Councillor P. Black moved) Councillor C. Adams seconded)</p> <p>That the recommendation of item 14 be adopted.</p> <p>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> <p><i>16 Sep 2016 - 1:34 PM - Leisa Bartlett</i> Due to Aboriginal Land Claim and native title implications, this matter needs to be referred to Crown Lands for review prior to proceeding. This may take several months before advice is received.</p>		
Confidential Matters of the Council 25 November 2015	False	Confidential Matters
<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>		

Page 5 of 19

MEETING	FURTHER REPORT REQUIRED	SUBJECT
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 11/141</p> <p><u>Recommendation</u></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</p> <p>Councillor P. Black moved) Councillor C. Adams seconded)</p> <p>That the recommendation of item 13 be adopted.</p> <p>CARRIED</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>04 Aug 2016 - 4:19 PM - Leisa Bartlett</p> <p>Awaiting Surrender of Lease form from Solicitors.</p> <p>16 Sep 2016 - 1:52 PM - Leisa Bartlett</p> <p>Process continuing, Council's Solicitor querying identifying numbers listed on form from AirServices Australia's solicitor.</p>		
Ordinary Meeting of the Council 27 July 2016	False	Reports
<p>ITEM 12- BROKEN HILL CITY COUNCIL REPORT NO. 160/16 - DATED JULY 12, 2016 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO.361, HELD 5 JULY 2016 11/397</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 160/16 dated July 12, 2016, be received. 2. That the Minutes for the Local Traffic Committee Meeting No.361, held July 5, 2016 be received. 3. That the request for road closure as per The Palace Hotel's updated Traffic Control Plan, Titled: "Road Closure – Broken Heel Festival", valid from Friday 9 September 2016 to Monday 12 September 2016", be endorsed by Council and that any costs associated with the road closure be covered by The Palace Hotel. 		

Page 7 of 19

Printed: Friday, 14 October 2016 5:30:02 PM

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Minute No. 45307 Councillor D. Gallagher moved Councillor M. Browne seconded))	That the confidential reports be considered in open session and the recommendations of items 20 to 21 be adopted.
16 Sep 2016 - 2:30 PM - Leisa Bartlett Lease with ARINC Rockwell Collins for execution and to then be sent to Council for execution under Seal.		CARRIED
Ordinary Meeting of the Council 31 August 2016	False	Reports
ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 169/16 - DATED AUGUST 10, 2016 - CORRESPONDENCE REPORT - LOCAL GOVERNMENT FIT FOR THE FUTURE REFORM		
11/304		
RESOLUTION		
Minute No. 45311 Councillor M. Browne moved Councillor J. Nolan seconded))	1. That Broken Hill City Council Report No. 169/16 dated August 10, 2016, be received. 2. That Council does not support the "Amalgamation No Thank You" campaign against the forced council amalgamations by the NSW Government.
16 Sep 2016 - 2:32 PM - Leisa Bartlett Letter to be sent to Marj Bollinger. 13 Oct 2016 - 4:21 PM - Leisa Bartlett Letter sent. COMPLETE		CARRIED

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 31 August 2016	False	Reports
<p>ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 178/16 - DATED JULY 04, 2016 - ADOPTION OF THE DRAFT DEVELOPMENT CONTROL PLAN 2016 11/126</p> <p>.</p> <p>Minute No. 45318 Councillor M. Browne moved) Councillor C. Adams seconded)</p> <p>That items 10 and 11 be deferred; and the new Council be briefed on the two draft policies prior to them being re-presented to Council for adoption.</p> <p>CARRIED</p> <p>12 Sep 2016 - 4:26 PM - Leisa Bartlett Re-listed for September Council Meeting. COMPLETE</p>		
Ordinary Meeting of the Council 31 August 2016	False	Reports
<p>ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 182/16 - DATED AUGUST 15, 2016 - LEASE OF LAND AT GLADSTONE PARK TO ALMA SWIMMING CLUB INC. 11/197</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> That Broken Hill City Council Report No. 182/16 dated August 15, 2016, be received. That Council's previous resolution of September 2, 2009 (minute number 42106) be rescinded in favour of a new motion: <ol style="list-style-type: none"> That Council, in its appointed capacity to manage the affairs of the Gladstone Park Reserve Trust, lease as much land as is necessary fronting Morish Street to formalise the existing occupation by the Alma Swimming Club Inc. together with an additional four metres along the eastern side of the site, for swimming club purposes. That the term of the lease be five years and that during this term, Council investigates another Trust model for management of the Gladstone Park Reserve that is better suited to the usage of the Reserve and also acceptable to the Department of Crown Lands. That rental at commencement be \$250 per annum and that this rental be reviewed annually for CPI increases. That public liability insurance in the sum of \$20 million be provided noting the rights and interests of Council as Trustee and the Minister administering the Crown Lands Act 1989, and that this amount be increased from time to time as required by Council's insurers. That the Alma Swimming Club insure its assets and contents for replacement value as determined in conjunction with its insurer. 		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>f. That all other standard leasing requirements be complied with.</p> <p>g. That the Alma Swimming Club be liable for Council's legal fees incurred in this matter.</p> <p>h. That, in the absence of a Trust Seal, lease documents be signed by the Mayor and General Manger under Council's Common Seal.</p> <p>RESOLUTION Minute No. 45323 Councillor J. Nolan moved) That the recommendation of item 15 be adopted. Councillor J. Richards seconded)</p> <p style="text-align: right;">CARRIED</p> <p><i>16 Sep 2016 - 2:38 PM - Leisa Bartlett</i> Meeting to be arranged with Alma Swimming Club to discuss Council resolution and terms of lease.</p>		
Ordinary Meeting of the Council 28 September 2016	False	Mayoral Minute
<p>ITEM 1 - MAYORAL MINUTE NO. 5/16 - DATED SEPTEMBER 20, 2016 - PRIORITIES FOR COUNCIL 12/82</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> 1. That Mayoral Minute No. 5/16 dated September 20, 2016, be received. 2. That standing committees be established by December 2016 and will be aligned to our key strategic areas. 3. Resource our community based Heritage committee to drive recognition of Broken Hill as Australia's first Heritage City. And invite the Broken Hill City Council Heritage Advisor to be a part of the committee. 4. Lobby state government to reveal details of the business case for the proposed Wentworth-Broken Hill water pipeline, including projected water cost to the people of Broken Hill 5. That Council agree to lobby state government for the return of TAFE College opportunities, upgrade of airport to jet service standards, and for a second weekly Outback Explorer rail service. 6. That Council continues to take an active role in negotiations around the establishment of the proposed 'Far West Initiative' to ensure Council's and the Broken Hill community's interests are protected. 7. Maintaining our 'Greening of the City' and our local heritage programmes. 8. Support the shop local campaign. 9. That the Ordinary Council Meeting for January 2017 not be held. <p>RESOLUTION Minute No. 45331 Mayor D. Turley moved) That the recommendation of item 1 be adopted. Councillor M. Browne seconded)</p> <p style="text-align: right;">CARRIED</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Ordinary Meeting of the Council 28 September 2016	False	Reports
ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 191/16 - DATED AUGUST 29, 2016 - ELECTION OF DEPUTY MAYOR 11/18 <u>Recommendation</u> <ol style="list-style-type: none"> That Broken Hill City Council Report No. 191/16 dated August 29, 2016, be received. That Council elect the Deputy Mayor at this meeting. That the Deputy Mayor be elected for a 12 month term concluding at the September 2017 Council Meeting. That voting for the Deputy Mayor Election be open voting, this is "show of hands". RESOLUTION <u>Minute No. 45332</u> Councillor B. Algate moved) Councillor C. Adams seconded) <p style="text-align: right;">That the recommendation of item 6 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p>13 Oct 2016 - 4:45 PM - Leisa Bartlett</p> <p>Office of Local Government have been notified. COMPLETE</p>		
Ordinary Meeting of the Council 28 September 2016	False	Reports
ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 193/16 - DATED AUGUST 29, 2016 - APPOINTMENT OF DELEGATES TO COMMITTEES - SEPTEMBER 2016 TO SEPTEMBER 2017 11/9 RESOLUTION <u>Minute No. 45333</u> Councillor C. Adams moved) Councillor D. Gallagher seconded) <p style="text-align: right;">That Broken Hill City Council Report No. 193/16 dated August 29, 2016, be received.</p> <ol style="list-style-type: none"> That Council accepts the nominations received from Councillors as delegates to its Section 355 Committees and various other Committees. 		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>13 Oct 2016 - 4:46 PM - Leisa Bartlett</p> <p>The various Committees have been notified of their new Council Delegates. Advertising for Community Representatives is being prepared.</p>		
<p>3. That all Councillor membership be for a twelve month period commencing immediately and ceases at the September 2017 Council Meeting, with the exception of the Broken Hill Heritage Committee.</p> <p>4. That Councillor membership on the Broken Hill Heritage Committee commences October 10, 2016 to the September 2017 Council Meeting; and that the current delegates remain on the Committee until October 10, 2016 to ensure the success of the inaugural Miners' Memorial Day on October 9, 2016.</p> <p>5. That Council advertises for community representation on the various Section 355 Committees in accordance with their respective constitutions.</p> <p style="text-align: right;">CARRIED</p>		
Ordinary Meeting of the Council 28 September 2016	False	Reports
<p>ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 194/16 - DATED JULY 20, 2016 - PUBLIC INTEREST DISCLOSURES ANNUAL REPORT 2015/2016 12/67</p> <p><u>Recommendation</u></p> <p>1. That Broken Hill City Council Report No. 194/16 dated July 20, 2016, be received.</p> <p>2. That the Broken Hill City Council Public Interest Disclosures Annual Report be forwarded to the Minister for Local Government and the NSW Ombudsman by 30 October 2016.</p> <p>RESOLUTION</p> <p>Minute No. 45334</p> <p>Councillor D. Gallagher moved)</p> <p>Councillor B. Licul seconded)</p> <p style="text-align: center;">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 28 September 2016	False	Reports
ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 195/16 - DATED SEPTEMBER 06, 2016 - DELEGATION OF FUNCTIONS		11/264
<u>Recommendation</u>		
1. That Broken Hill City Council Report No. 195/16 dated September 6, 2016, be received.		
2. That Council notes the Schedule of Delegable Functions for the Broken Hill City Council attached to this report at Attachment 1.		
3. That Broken Hill City Council delegate to the Mayor of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachment 2.		
4. That Broken Hill City Council delegate to the Deputy Mayor of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachment 3.		
5. That Broken Hill City Council delegate to the General Manager of the Broken Hill City Council, the Functions in accordance with the Instruments of Delegation attached to this report at Attachment 4.		
6. That the Chief Operating Officer (Deputy General Manager) be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave, such appointment to cease upon the return to work of the General Manager; and that such person acting as General Manager pursuant to this resolution has all the functions, delegations, and sub-delegations given to the General Manager by the Council.		
7. That Broken Hill City Council delegate to staff who hold the positions of Chief Operating Officer (Deputy General Manager), Manager Engineering Services, Manager Planning Development and Compliance, Asset Planner Buildings, Asset Planner Parks and Open Spaces, Roads and Parks Coordinator, Waste Management Coordinator, Trades Coordinator, Team Leader Parks and Open Spaces, Team Leader Roads, Labourer/Plant Operator, Works Operator, Ranger Living Desert and Finance Operations Coordinator, Senior Airport Reporting Officer, Airport Reporting Officer and Cemetery Services Coordinator of the Broken Hill City Council the relevant Functions under the <i>Noxious Weeds Act 1993</i> as indicated in the table attached to this report at Attachment 5.		
8. That in accordance with the Local Government's Promoting Better Practice Review, the Delegations of Functions be reviewed in two years' time (September 2018).		
9. That Council noted that the <i>Local Government Amendment (Governance and Planning) Bill 2016</i> will be presented to a future Council Meeting, once the commencement date has been proclaimed, explaining the amendments to the <i>Local Government Act 1993</i> and whether any amendments are required to the Delegations of Functions.		
RESOLUTION		
<u>Minute No. 45335</u>		
Councillor M. Browne moved)	That the recommendation of item 9 be adopted.
Councillor B. Licul seconded)	

Page 14 of 19

MEETING	FURTHER REPORT REQUIRED	SUBJECT
RESOLUTION Minute No. 45338 Councillor C. Adams moved) Councillor M. Browne seconded) 13 Oct 2016 - 4:49 PM - Leisa Bartlett Councillor Workshop arranged for 3 November 2016 and Councillor notified. COMPLETE		
That the recommendation of item 12 be adopted.		
CARRIED		
Ordinary Meeting of the Council 28 September 2016	False	Reports
ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 199/16 - DATED SEPTEMBER 14, 2016 - CORRESPONDENCE REPORT - RELEASE OF IPART ISSUES PAPER FOR THE REVIEW OF PRICES FOR WATERNSW TO APPLY FROM JULY 1, 2017 11/426 RESOLUTION Minute No. 1 Councillor M. Browne moved) Councillor R. Page seconded)		
1. That Broken Hill City Council Report No. 199/16 dated September 14, 2016, be received. 2. That Councillors provide their feedback regarding the IPART Issues Paper into WaterNSW's Rural Bulk Water Pricing Proposal to the General Manager's Office by October 7, 2016 in order for a submission to be formulated and lodged by October 17, 2016. 3. That a Councillor Workshop be held with Essential Water representatives (prior to lodging a submission) to seek their views on the matter.		
CARRIED		
Ordinary Meeting of the Council 28 September 2016	False	Reports
ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 201/16 - DATED AUGUST 01, 2016 - ADOPTION OF DRAFT LOCAL APPROVALS POLICY 12/14 <u>Recommendation</u> 1. That Broken Hill City Council Report No. 201/16 dated August 1, 2016, be received.		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>2. That Council adopts the Draft Local Approvals Policy as a policy of Council.</p> <p>RESOLUTION <u>Minute No. 45341</u> Councillor J. Nolan moved) Councillor C. Adams seconded)</p> <p>That the recommendation of item 15 be adopted.</p> <p>CARRIED</p> <p><i>13 Oct 2016 - 4:50 PM - Leisa Bartlett</i> All action taken to adopt Policy. COMPLETE</p>		
Ordinary Meeting of the Council 28 September 2016	False	Reports
<p>ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 202/16 - DATED SEPTEMBER 05, 2016 - ADOPTION OF COUNCIL BUSINESS CONTINUITY POLICY 12/14</p> <p><u>Recommendation</u></p> <p>1. That Broken Hill City Council Report No. 202/16 dated September 5, 2016, be received.</p> <p>2. That Council adopt the Draft Business Continuity Policy as a Policy of Council.</p> <p>RESOLUTION <u>Minute No. 45342</u> Councillor J. Nolan moved) Councillor B. Licul seconded)</p> <p>That the recommendation of item 16 be adopted.</p> <p>CARRIED</p> <p><i>13 Oct 2016 - 4:51 PM - Leisa Bartlett</i> All action taken to adopt Business Continuity Policy. COMPLETE</p>		
Ordinary Meeting of the Council 28 September 2016	False	Reports
<p>ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 205/16 - DATED SEPTEMBER 16, 2016 - AUDIT, RISK AND IMPROVEMENT COMMITTEE - INDEPENDENT MEMBERS APPOINTMENT 13/19</p> <p><u>Recommendation</u></p> <p>1. That Broken Hill City Council Report No. 205/16 dated September 16, 2016, be received.</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
<p>2. That Council appoint Mr. James Mitchell and Mr. Damian Pulgies as the two (2) independent members of the Broken Hill City Council Audit, Risk and Improvement Committee.</p> <p>RESOLUTION Minute No. 45345 Councillor B. Algate moved) Councillor M. Browne seconded)</p> <p>That the recommendation of item 19 be adopted.</p> <p style="text-align: right;">CARRIED</p> <p><i>13 Oct 2016 - 4:52 PM - Leisa Bartlett</i> Council's new independent members, Mr. James Mitchell and Mr. Damien Pulgies attended the Audit, Risk and Improvement Committee Meeting held 6 October 2016 with Mr. Mitchell appointed as Chairperson. COMPLETE</p>		
Ordinary Meeting of the Council 28 September 2016	False	Reports
<p>ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 207/16 - DATED SEPTEMBER 16, 2016 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 363 HELD TUESDAY SEPTEMBER 6, 2016 11/397</p> <p><u>Recommendation</u></p> <p>1. That Broken Hill City Council Report No. 207/16 dated September 16, 2016, be received.</p> <p>2. That the minutes for the Local Traffic Committee Meeting No. 363, held 6 September 2016, be received.</p> <p>3. That Council adopt the recommendation of the Traffic Committee meeting held September 6, 2016.</p> <p style="padding-left: 40px;">a. 363.8.2 - That Council write to Mr Regan Edgecumbe thanking him for his comments and advising Mr Edgecumbe that Council has held extensive community consultation regarding the Parking Strategy and have recommended a review of the Parking Strategy after a trial period of 12 months; his comments will be considered as part of this process.</p> <p style="padding-left: 40px;">b. 363.8.3 - That Council write to Ms Pauline Jones thanking her for her comments and advising Ms Jones that Council has held extensive community consultation regarding the Parking Strategy and have recommended a review of the Parking Strategy after a trial period of 12 months; her comments will be considered as part of this process.</p> <p>RESOLUTION Minute No. 45347 Councillor B. Algate moved) Councillor M. Browne seconded)</p> <p>That the recommendation of item 21 be adopted.</p> <p style="text-align: right;">CARRIED</p>		

MEETING	FURTHER REPORT REQUIRED	SUBJECT
Confidential Matters of the Council 28 September 2016	False	Confidential Matters
<p>ITEM 26- BROKEN HILL CITY COUNCIL REPORT NO. 211/16 - DATED AUGUST 23, 2016 - HERITAGE VERANDAH REVIVAL LOAN - 350 ARGENT STREET, BROKEN HILL - CONFIDENTIAL 11/467</p> <p>(General Manager's Note: This report 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).</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 211/16 dated August 23, 2016, be received. 2. That funding of \$12,540.00 (combination of loan and grant) be approved for maintenance work to the existing verandah at 350 Argent Street subject to the owner meeting the required loan conditions. 		
Confidential Matters of the Council 28 September 2016	False	Confidential Matters
<p>ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 212/16 - DATED SEPTEMBER 15, 2016 - EXPRESSION OF INTEREST 16/4 - SALE OF LAND AT THE BROKEN HILL REGIONAL AIRPORT - CONFIDENTIAL EO16/4</p> <p>(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).</p> <p><u>Recommendation</u></p> <ol style="list-style-type: none"> 1. That Broken Hill City Council Report No. 212/16 dated September 15, 2016, be received. 2. That Council accepts the offer of \$8,500.00 from Mr Phillip Cvirn for purchase of land at the Broken Hill Regional Airport being part Lot 1 in DP1162606 (Lot 52 in DP876533 on Council's internal mapping system). 3. That each party be liable for their own legal costs incurred. 4. That the Mayor and General Manager be delegated to sign the sale of land contract under the Common Seal of Council. <p>13 Oct 2016 - 4:57 PM - Leisa Bartlett</p> <p>Letters sent to both applicants. Surveyor to be arranged to survey land for subdivision for sale purposes.</p>		

CARRIED

Page 1 of 1

COMMITTEE REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 221/16 - DATED OCTOBER 13, 2016 - MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETINGS HELD SEPTEMBER 7 AND OCTOBER 4, 2016 (12/52)..... 196
2. BROKEN HILL CITY COUNCIL REPORT NO. 222/16 - DATED OCTOBER 18, 2016 - MINUTES OF THE PICTON OVAL COMMUNITY COMMITTEE MEETING HELD OCTOBER 17, 2016 (12/54)..... 200

ORDINARY MEETING OF THE COUNCIL

October 13, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 221/16

SUBJECT: MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE
MEETINGS HELD SEPTEMBER 7 AND OCTOBER 4, 2016 12/52

Recommendation

1. That Broken Hill City Council Report No. 221/16 dated October 13, 2016, be received.
2. That minutes of the Memorial Oval Community Committee meetings held September 7 and October 4, 2016 be received.

Executive Summary:

Council has received minutes of the Memorial Oval Community Committee meetings held September 7 and October 4, 2016 for endorsement by Council.

Report:

As per the adopted Constitution of the Memorial Oval Community Committee (adopted July 2013), the Committee is required to provide Council with a copy of their meeting minutes following each Committee meeting.

Accordingly, the Memorial Oval Community Committee has submitted minutes from its meetings held September 7 and October 4, 2016 for Council's endorsement.

Council staff will investigate the Committee's concept to purchase a ute for their use. This may not be a straight forward process, however it will be determined either way.

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 held September 7, 2016 | 1
Page |
| 2. | Minutes of the Memorial Oval Community Committee Meeting held October 4, 2016 | 1
Page |

ANDREW BRUGGY
ACTING GENERAL MANAGER

Memorial Oval Management Committee. Minutes: Tuesday, 7th September 2016.

OPENED: 7.00pm.

APOLOGIES: Nil.

ABSENT: Dave Gallagher (BHCC), Tanya Martyn (Dogs), Lee-Anne Khan (Dogs),

ATTENDANCE: Ray Steer (Chairman), Dennis Cetinich (Treasurer), Bruce McIntosh (Caretaker), , John Erskine (Soccer), Tristen Savage (CBHFC), Peter Nash (AFL-BH), Tony Camilleri (BHHRC), John Ralph (Secretary).

MINUTES: Tuesday, 2nd August 2016.

Minutes be accepted: **Dennis Cetinich/John Erskine Crd.**

BUSINESS ARISING: Nil.

ALAN TUCKER: Letter of thanks to Alan for his service, forward him one weeks payment.
Tony Camilleri/Bruce McIntosh Crd.

CORRESPONDENCE:

Origin Energy; Has offered 30% off our account if it is paid due day.

Be received: **Bruce McIntosh/John Erskine Crd.**

FINANCIAL REPORT:

Cash Book Balance 31/07/2016: \$20,142.17

Income for August: 1,622.70

Expenditure for August: 1,693.62

Debtors for May: BHHRC: \$2,394.28. BHPSSA: \$119.00. Burke Ward: \$182.00

Balance Outstanding: \$2,695.28

Bank Balance 31/08/2016: \$20,071.25

Report be accepted: **Tony Camilleri/John Erskine Crd.**

GENERAL BUSINESS:

Score Board: Will be erected in October with the help of Jimmy Hinton, Mawsons & Jordon Slater.

Market Day: Dogs OK, Must be on a leash. Sign No Push bikes, must wear gloves when searving. No smoking. Make up another sign for the fence put it further down.

BHHRC: Requesting to know the start and completion dates for work being done on the Oval, inspection pending, Judges Box, Ladder and floor must be bought up to OH&S standard, repair broken window on Judges Box

CBHFC. Letter to BHCC requesting permission to place their Logos and Sponsors names on the back of the Grandstand.

Timekeepers Box: Will be built and paid for by Sureway at a cost of \$3,156.00.

Meeting Closed: 7.45pm:
Next Meeting: Tuesday 3rd October 2016 at 7pm.

Memorial Oval Management Committee. Minutes: Tuesday, 4th October 2016.

OPENED: 7.10pm.

APOLOGIES: Nil.

ABSENT: Peter Nash, Tristen Savage.

ATTENDANCE: Ray Steer, Dennis Cetinich, Bruce McIntosh, John Erskine, Tanya Martyn, Lee-Anne Khan, Dave Gallagher. John Ralph.

MINUTES: Tuesday, 7th September 2016.

Be accepted: **John Erskine/Dennis Cetinich Crd.**

BUSINESS ARISING: **Oval Repairs:** The Secretary informed the Committee that the repairs to the Oval will now be done by a Company from Mildura, All repairs will be completed in 12 days when the project commences, at this present time it is not known when the work will commence, Hayden has told the Secretary that he will be informed and so will the BHHRC as soon as he knows..

CORRESPONDENCE: Nil.

FINANCIAL REPORT:

Cash Book Balance 30/08/2016: \$20,071.25

Income for September: 3,254.99

Expenditure for September: 1,097.11

Debtors for July: BHHRC: 516.00. BHPSSA: 119.00. Burke Ward: 182.00. BHHS: 122.00

BHPS: 122.00 Balance Outstanding: 2,559.28.

Bank Balance 30/09/2016: \$22,399.13.

Report be accepted: **Tanya Martin/Dave Gallagher Crd.**

MOMC UTE:

Owing to the Show selling their Ute there is now no way of emptying the Trailer or the Wheely Bins, the Secretary informed the Committee that the Oval is now being by many hirers and owing to the cost of waste disposal it would be best to purchase a cheap Ute, if this is viable this Ute would be used by the Caretaker Bruce McIntosh, weekly petrol he is receiving would revert to the Ute, both Ute and Trailer would be garaged at hi premises.

Secretary was informed to look for something around \$5,00.00 but, first investigate what is viable such as sponsors etc.

Tony Camilleri/Dennis Cetinich Crd.

GENERAL BUSINESS:

Rugby: Dave Gallagher informed the Committee the Rugby Final was a great day.

Ladies Kennel Club: Show for 2017 will be 26,27,28 May, Lee-Anne Khan will resign as MOMC delegate at their coming AGM, new delegate will be David Hamilton Tanya Martyn will remain the Proxy.

Market Day: 30th October 2016, no coffee machine, no Pancakes, two young bands, Ray will be unavailable it will be run by John Erskine and Bruce McIntosh.

BHCC: Contact Andrew Bruggy re the CBHFC hire fees for 2016.

Meeting Closed: 8,00pm:

Next Meeting: Tuesday 1st November 2016 at 7pm.

ORDINARY MEETING OF THE COUNCIL

October 18, 2016

BROKEN HILL CITY COUNCIL REPORT NO. 222/16

SUBJECT: MINUTES OF THE PICTON OVAL COMMUNITY COMMITTEE
MEETING HELD OCTOBER 17, 2016 12/54

Recommendation

1. That Broken Hill City Council Report No. 222/16 dated October 18, 2016, be received.
2. That the minutes of the Picton Oval Community Committee Meeting held October 17, 2016 be received.

Executive Summary:

Council has received minutes of the Picton Oval Community Committee meeting held October 17, 2016 for endorsement by Council.

Report:

As per the adopted Constitution of the Picton Oval Community Committee (adopted July 2013), the Committee is required to provide Council with a copy of their meeting minutes following each Committee meeting.

Accordingly, the Picton Oval Community Committee has submitted minutes from its meeting held October 17, 2016 for Council's endorsement.

Staff have contacted the Committee to obtain a Treasurer's report of the Committee's financial position, as it was not included in the minutes.

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 Constitution operates under Council's Section 355 Asset Committee Standard Framework and the *Local Government Act, 1993 (Section 355)*.

Financial Implications:

Nil.

Attachments

1. Minutes of the Picton Oval Community Committee Meeting - 17/10/2016 1 Page

ANDREW BRUGGY
ACTING GENERAL MANAGER

PICTON OVAL MANAGEMENT COMMITTEE MEETING
MINUTES

MONDAY, 17th OCTOBER 2016

Present: N. Hannigan, T. Rynne, P. Adams, J. O'Neill, B. Licul (councillor rep.)

Apologies: G. Hogan, N. Davey, C. Adams (councillor rep.), C. Williams (Little A's)

Meeting Commenced: 7:30p.m.

Matters Arising:

1. Noel checked out ride on mowers suggestions from last meeting. Noel moved that we purchase a new ride on Mower (Husqvarna PZ29) \$16,799.
Seconded – P. Adams.
All in favour.

Correspondence In:

1. BHCC – Council Representation

Correspondence Out:

Nil

Financial Report:

1. Origin Energy Account: \$384.61
2. Noel meeting with Commonwealth Bank to set up direct debit for payments.

General Business:

1. With the rain there's been minimal watering of oval. P. Adams has restarted timer for watering. Tested and row 1 working fine.
2. Tall weeds along Morgan Street. Is Council able to slash grass with warmer weather and snake season approaching.
3. Opening access has been made near Happy Day Pre-School for easier access for caretakers

Next Meeting: Monday, 14th November 2016

QUESTIONS ON NOTICE

1. QUESTIONS ON NOTICE NO. 7/16 - DATED SEPTEMBER 30, 2016 -
QUESTIONS TAKEN FROM COUNCILLORS AT SEPTEMBER 2016
COUNCIL MEETING (EO16/3)..... 204

ORDINARY MEETING OF THE COUNCIL

September 30, 2016

QUESTIONS ON NOTICE NO. 7/16

SUBJECT: QUESTIONS TAKEN FROM COUNCILLORS AT SEPTEMBER
2016 COUNCIL MEETING EO116/3

Summary

The following report provides responses to questions from Councillors which were taken on notice at the Council Meeting held September 28, 2016 Council Meeting.

Recommendation

1. That Questions On Notice No. 7/16 dated September 30, 2016, be received.

Background

This report provides a response to the following question raised at the Council Meeting held September 28, 2016:

Question

From Item 5 – Notice of Motion – Sale of Film Studio

EO116/3

The Mayor took a question on notice from Councillor Kennedy regarding the annual overhead and maintenance costs to Council of the Broken Hill Film Studio.

Response

The ongoing annual overhead and reactive maintenance costs for the Broken Hill Film Studio in its current use and condition is: \$333,072 per annum.

Attachments

There are no attachments for this report.

ANDREW BRUGGY
ACTING GENERAL MANAGER

CLOSED

Council Meeting to be held **Wednesday, October 26, 2016**

1. **BROKEN HILL CITY COUNCIL REPORT NO. 223/16 - DATED AUGUST 19, 2016 - CONFIDENTIAL**

(General Manager's Note): This report considers the purchase 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. 224/16 - DATED OCTOBER 14, 2016 - CONFIDENTIAL**

(General Manager's Note): This report considers the write off of bad debt and is deemed confidential under Section 10A(2) (b) of the Local Government Act, 1993 which contains matters that will involve the discussion of the personal hardship of any resident or rate payer).