



BUSINESS PAPER

Works Committee Meeting

Council Chambers
12 December 2022

5.30pm

BROKEN HILL
CITY COUNCIL

AUSTRALIA'S FIRST
HERITAGE LISTED CITY

MEMBERS OF THE WORKS COMMITTEE

Mayor Kennedy, Councillor Boland (Chairperson) Councillor Algate, Councillor Chandler, Councillor Page

Notice is hereby given, in accordance with the provisions of the *Local Government Act 1993*, that the Works Committee of the Broken Hill City Council will be held in the Council Chambers on **Monday 12 December, 2022** commencing at **5:30pm** to consider the following business:

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

STATEMENT OF ETHICAL OBLIGATIONS

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

LIVE STREAMING OF COUNCIL MEETINGS

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

JAY NANKIVELL
GENERAL MANAGER

MINUTES FOR CONFIRMATION

Minutes of the Works Committee of the City of Broken Hill held Monday, November 21, 2022.

**MINUTES OF THE WORKS COMMITTEE MEETING HELD
MONDAY, NOVEMBER 21, 2022 (5:30PM)**

PRESENT:

Councillor T Kennedy (Mayor), Councillor M Boland (Chairperson), Councillors B Algate and R Page.

Councillor M Browne

Chief Assets and Project Officer, Chief Corporate and Community Officer, Manager Communications and Marketing, and Executive Assistant.

Media - nil, Members of the Public - nil

APOLOGIES:

Councillor A Chandler

Motion

Moved Mayor Tom Kennedy, Seconded Councillor Bob Algate

That the apology as submitted on behalf of Councillor Chandler be accepted.

CARRIED UNANIMOUSLY

LEAVE OF ABSENCE APPLICATIONS: Nil

PRAYER

Mayor Kennedy delivered the Prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Page delivered the Acknowledgement of Country.

ACKNOWLEDGEMENT OF BROKEN HILL'S MINING HISTORY

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

MINUTES FOR CONFIRMATION

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Ron Page

That the Minutes of the Works Committee meeting held Monday October 17, 2022 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Nil.

REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 246/22 - DATED NOVEMBER 11, 2022 - RENEWABLE ENERGY ACTION PLAN STAGE 2 D22/59944

Recommendation

Moved Councillor Bob Algate, Seconded Councillor Ron Page

1. That Broken Hill City Council Report No. 246/22 dated November 11, 2022, be received.
2. That Council adopt and proceed with Stage II of the Renewable Energy Action Plan incorporating the pre-feasibility stage of a Mid-Scale Solar Array.
3. That subject to recommendation two, Council notes the General Manager will identify budgetary adjustments and impacts in the September Quarterly Budget Review.
4. That subject to recommendation two, Council commence the process with Crown Lands to either lease or acquire the land and obtain Ministerial Consent dependent on the most financially feasible and time appropriate process.

CARRIED UNANIMOUSLY

2. BROKEN HILL CITY COUNCIL REPORT NO. 247/22 - DATED NOVEMBER 03, 2022 - MINUTES OF THE E.P. O'NEILL MEMORIAL PARK REDEVELOPMENT PROJECT STEERING GROUP MEETING HELD 28 OCTOBER 2022 D22/58155

Recommendation

Moved Councillor Bob Algate, Seconded Mayor Tom Kennedy

1. That Broken Hill City Council Report No. 247/22 dated November 3, 2022, be received.
2. That the minutes of the E.P. O'Neill Memorial Park Project Steering Group meeting held on 28 October 2022 be noted

CARRIED UNANIMOUSLY

3. BROKEN HILL CITY COUNCIL REPORT NO. 248/22 - DATED OCTOBER 31, 2022 - MINUTES OF THE PICTON OVAL SPORTSGROUND COMMUNITY COMMITTEE MEETINGS HELD 12 SEPTEMBER 2022 AND 17 OCTOBER 2022 D22/57343

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Bob Algate

1. That Broken Hill City Council Report No. 248/22 dated October 31, 2022, be received.

2. That minutes of the Picton Oval Sportsground Community Committee meeting held 12 September 2022 be received.
3. That minutes of the Picton Oval Sportsground Community Committee meeting held 17 October 2022 be received.

CARRIE UNANIMOUSLY

4. BROKEN HILL CITY COUNCIL REPORT NO. 249/22 - DATED NOVEMBER 03, 2022 - MINUTES OF THE GATEWAY SIGNAGE ADVISORY GROUP PROJECT STEERING GROUP MEETING HELD 20 OCTOBER 2022 D22/58341

Recommendation

Moved Councillor Ron Page, Seconded Councillor Bob Algate

1. That Broken Hill City Council Report No. 249/22 dated November 3, 2022, be received.
2. That minutes of the Gateway Signage Advisory Group Project Steering Group meeting held on 29 August 2022 be noted.
3. That minutes of the Gateway Signage Advisory Group Project Steering Group meeting held on 20 October 2022 be noted.

CARRIED UNANIMOUSLY

5. BROKEN HILL CITY COUNCIL REPORT NO. 250/22 - DATED NOVEMBER 03, 2022 - MINUTES OF THE PROJECT CONSULTATIVE GROUP PROJECT STEERING GROUP MEETING HELD 29 SEPTEMBER 2022 D22/58319

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Bob Algate

1. That Broken Hill City Council Report No. 250/22 dated November 3, 2022, be received.
2. That the minutes of the Project Consultative Group Project Steering Group from 29 September 2022 be noted

CARRIED UNANIMOUSLY

There being no further business to consider, the meeting was declared closed at 5.50pm.

The foregoing minutes were read and confirmed at the Works Committee meeting held on 12 December 2022.

Chairperson

REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 280/22 - DATED
DECEMBER 06, 2022 - GYPSUM STREET TREE HEALTH ARBORIST
REPORT (D22/64997) 8

WORKS COMMITTEE

December 6, 2022

ITEM 1BROKEN HILL CITY COUNCIL REPORT NO. 280/22SUBJECT: GYPSUM STREET TREE HEALTH ARBORIST REPORT D22/64997**Recommendation**

1. That Broken Hill City Council Report No. 280/22 dated December 6, 2022, be received.
2. That Council approve the removal and replacement of five (5) street trees located in Gypsum Street due to tree health concerns.

Executive Summary:

In April 2022, while completing road reconstructive works in Gypsum Street from Mercury Street to Pell Lane, which included replacing the kern and guttering, it was identified that the health of the trees in the work area and their respective roots were in such a high-risk state that immediate removal was required.

Following the removal, new trees were then planted as part of Council's spring tree planting program for 2022.

To ensure due diligence, Council engaged the services of Tertiary Tree Consulting Pty Ltd, a level eight qualified Arborist to risk assess and evaluate the remaining trees in Gypsum Street from Mercury Street to Ryan Street, being a total of fifty (50) trees.

Tertiary Tree Consulting Pty Ltd have completed their report of the requested trees and presented to Council staff the findings that have identified five (5) trees that should be removed/ replaced due to poor or declining health. Additional to these trees thirteen (13) trees were identified as needing immediate pruning work and assessment annually, twenty-three (23) require minor pruning, and nine (9) require no action.

This report seeks the approval of Council to remove five (5) trees of poor or declining health and replace with new suitable street trees as per Council's preferred tree species identified in Council's Tree Management Plan.

Report:

In April 2022, while completing road reconstructive works in Gypsum Street from Mercury Street to Pell Lane, which included replacing the kern and guttering, it was identified that the health of the trees in the work area and their respective roots were in such a high-risk state that immediate removal was required.

New dwarf *Corymbia ficifolia* (dwarf red gum) trees were then planted as part of Council's spring tree planting program for 2022.

To ensure due diligence, Council engaged the services of Tertiary Tree Consulting Pty Ltd, a level eight qualified Arborist to risk assess and evaluate the remaining trees in Gypsum Street from Mercury Street to Ryan Street, to a total of fifty (50) trees.

The trees were assessed noting the species, size, and general condition as well as the trees positions in relation to areas frequented by people, structures, and hardscapes.

Tertiary Tree Consulting Pty Ltd used the following methodology to complete their audit report.

1. The trees were assessed from the ground for this report using the standard Visual Tree Assessment technique (VTA)
2. The health of the trees was assessed and rated either good, average, below average, poor or dead
3. The structure of the trees was assessed and rated good, average, below average or poor
4. All audited trees were given a number-tag
5. The height and spread of the trees were estimated
6. The age of the trees was rated as juvenile, young, semi mature, mature, and over mature
7. The risk the trees pose is quantified using Quantified Tree Risk Assessment (QTRA) Advanced

Quantified Tree Risk Assessment (QTRA) is a tree safety management that entails limiting the risk of harm from tree failure while maintaining the benefits that trees provide. QTRA does not classify trees as safe or unsafe, it instead quantifies the risk of significant harm from tree failure in a way that enables tree managers to balance safety with tree values and operate to predetermined limits of tolerable or acceptable risk. Using the QTRA method, the risk of the inspected trees ranges from 1:5000 to < 1:1,000,000, with the lower the number determining a higher risk.

Tertiary Tree Consulting Pty Ltd have completed their report of the requested trees and presented to Council staff the findings that have identified five (5) trees that should be removed/ replaced due to poor or declining health. Additional to these trees thirteen (13) trees were identified as needing immediate pruning work and assessment annually, twenty-three (23) require minor pruning, and nine (9) require no action.

Trees identified for removal:

119 Gypsum Street:

Tree: *Eucalyptus camaldulensis*

Height (m)/ Spread (m)/ Age: 14/ 8/ Semi-mature

Health/ Structure: Below Average

QTRA Risk: 1:100,000 (Medium Risk – remove due to vicinity to infrastructure, including kerb and guttering, footpath and root damaging sewer pipes)

**113 Gypsum Street:**

Tree: *Eucalyptus amplifolia*

Height (m)/ Spread (m)/ Age: 15/ 11/ Semi-mature

Health/ Structure: Below Average

QTRA Risk: 1:100,000 (Medium Risk – remove due to health of crown and prior poor pruning habits)

**64 Gypsum Street:**

Tree 1: *Callistemon viminalis*

Height (m)/ Spread (m)/ Age: 5/ 4/ Mature

Health/ Structure: Poor

QTRA Risk: 1:100,000,000 (Low Risk – remove and replace due to poor health, proximity to power pole and disability parking space.)

**55 - 59 Gypsum Street (three trees):**

Tree 1: *Eucalyptus camaldulensis*

Height (m)/ Spread (m)/ Age: 16/ 13/ Mature

Health/ Structure: Below Average

QTRA Risk: 1:5,000 (High Risk – remove due to poor health of tree and prior poor pruning habits)

Tree 2: *Eucalyptus amplifolia*

Height (m)/ Spread (m)/ Age: 13/ 9/ Mature

Health/ Structure: Below Average

QTRA Risk: 1:10,000 (High Risk – remove due to poor health of tree and prior poor pruning habits)

Tree 3: *Eucalyptus amplifolia*

Height (m)/ Spread (m)/ Age: 11/ 10/ Mature

Health/ Structure: Below Average

QTRA Risk: 1:5,000 (High Risk – remove due to poor health of tree and prior poor pruning habits)



Trees to be replaced:

All trees that are suggested for removal, will be replanted with new *Corymbia ficifolia* (dwarf red gum) trees in line with the trees that have been re-planted in Gypsum Street from Mercury Street to Pell lane.

As per Council's Tree Management Policy, each tree removed will be replaced with two (2) new trees to be planted within the city during the Autumn 2023 tree planting program.

Community Engagement:

Council has communicated directly with residents in Gypsum Street between Cornish Street and Pell Lane prior, during and after road reconstruction works have taken place. Council has been liaising with Essential Energy and their vegetation control officer, in identifying problem trees causing maintenance issues with the electricity network.

Strategic Direction:

Key Direction:	1	Our Community
Objective:	1.5	Our built environment supports our quality of life
Strategy:	1.5.3	Ensure service levels and asset conditions are commensurate with community expectations

Relevant Legislation:

Local Government Act 1993

Environment Protection and Biodiversity Conservation Act 1999

Biodiversity Conservation Act 2016 No 63

Biodiversity Conservation Regulation 2017

WHS Act 2017

NSW Work Health and Safety Act 2011

Financial Implications:

Cost of removal and replanting will be a part of the Parks and Open Spaces, routine maintenance budget for tree management.

Estimated costs of removal and replanting will be \$4,851 for labour and fleet use and \$1,470 for new trees and planting. Total cost being: \$6,321

There is currently no data available for Council to ascertain the financial value of these individual trees to allow for the true cost impact of tree (asset) removal. That being said, in any event the condition of the tree, high risk nature and impact to infrastructure in the vicinity must also be taken into account when making a decision.

In this case, because the trees are in poor health and any additional preventative measures to enhance their health or reduce the impact to infrastructure could not be guaranteed, it would be reasonable to determine that it is more economical for Council to remove these trees and replace with a more suitable species for future longevity and reduction in liability and/or infrastructure damage.

Attachments

There are no attachments for this report.

CODIE HOWARD

CHIEF ASSETS AND PROJECTS OFFICER

JAY NANKIVELL

GENERAL MANAGER

CONFIDENTIAL MATTERS

Works Committee Meeting to be held **Monday, December 12, 2022**

1. **BROKEN HILL CITY COUNCIL REPORT NO. 281/22 - DATED**
DECEMBER 07, 2022 - T22/12 REQUEST FOR TENDER - BROKEN HILL
LIBRARY AND ARCHIVES PROJECT - CONSTRUCTION -
CONFIDENTIAL

(General Manager's Note: This report considers a tender and is deemed confidential under Section 10A(2) (c) (d) 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; AND which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).



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