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

Meeting commenced at 6.30pm

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

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

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

APOLOGIES: Councillor J. Nolan

RESOLUTION

Minute No. 44920

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

CARRIED

PRAYER

Councillor Richards delivered the prayer

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country

Acknowledgement

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

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

RESOLUTION

Minute No. 44921

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

CARRIED

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

PUBLIC FORUM

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

DA2014/182

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

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 44922

Councillor P. Black moved
Councillor C. Adams seconded

)
)

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

CARRIED

DISCLOSURE OF INTEREST

Councillor Gallagher declared:

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

MAYORAL MINUTES

Nil.

NOTICES OF MOTION

Nil.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Nil.

REPORTS

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

Recommendation

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

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

RESOLUTION

Minute No. 44923

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

CARRIED

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

Recommendation

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

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

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

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

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

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

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

RESOLUTION

Minute No. 44924

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

CARRIED

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**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 77/15 - DATED FEBRUARY 27, 2015 -
ADOPTION OF THE DRAFT ASSET MANAGEMENT POLICY** 12/14

Recommendation

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

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

RESOLUTION

Minute No. 44925

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

Councillor M. Browne seconded)

CARRIED

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 78/15 - DATED MARCH 27, 2015 - DRAFT
INTELLECTUAL PROPERTY POLICY FOR PUBLIC EXHIBITION** 12/114

RESOLUTION

Minute No. 44926

Councillor P. Black moved)

Councillor B. Algate seconded)

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

CARRIED

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 79/15 - DATED APRIL 20, 2015 - DRAFT
PROCUREMENT POLICY FOR PUBLIC EXHIBITION** 11/663

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

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

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

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

RESOLUTION

Minute No. 44927

Councillor C. Adams moved)

Councillor D. Gallagher seconded)

That the recommendation of item 5 be adopted.

CARRIED

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ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 80/15 - DATED APRIL 22, 2015 - SHORTY O'NEIL VILLAGE UPDATE 11/333

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

Recommendation

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

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

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

RESOLUTION

Minute No. 44928

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

CARRIED

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

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

Recommendation

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

RESOLUTION

Minute No. 44929

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

CARRIED

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**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 82/15 - DATED APRIL 09, 2015 -
RESOURCES FOR REGIONS CIVIC CENTRE GRANT - DEED OF AGREEMENT** 14/123

Recommendation

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

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

RESOLUTION

Minute No. 44930

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

CARRIED

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 83/15 - DATED MARCH 27, 2015 -
ESTABLISHMENT OF A BROKEN HILL HERITAGE CITY EVENT ADVISORY COMMITTEE** 11/117

RESOLUTION

Minute No. 44931

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

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

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

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

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

CARRIED

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 84/15 - DATED APRIL 17, 2015 -
ALCOHOL FREE ZONES** 11/307

Recommendation

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

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

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

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

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

RESOLUTION

Minute No. 44932

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

CARRIED

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

11/117

RESOLUTION

Minute No. 44933

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

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

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

CARRIED

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

13/145

Recommendation

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

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

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RESOLUTION

Minute No. 44934

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

CARRIED

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

Recommendation

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

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

RESOLUTION

Minute No. 44935

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

CARRIED

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

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

Recommendation

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

RESOLUTION

Minute No. 44936

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

CARRIED

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

Recommendation

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

RESOLUTION

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Minute No. 44937

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

CARRIED

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

11/126

Recommendation

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

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

11/514

Recommendation

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

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

11/25

Recommendation

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

Minute No. 44938

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

CARRIED

COMMITTEE REPORTS

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

12/51

Recommendation

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

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

RESOLUTION

Minute No. 44939

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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. 94/15 - DATED APRIL 15, 2015 - MINUTES OF THE SPECIAL MEETING AND GENERAL MEETING OF THE BIU BAND HALL AND SOCCER COMPLEX COMMUNITY COMMITTEE HELD APRIL 1, 2015 12/48

Recommendation

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

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

RESOLUTION

Minute No. 44940

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

CARRIED

QUESTIONS ON NOTICE

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

Recommendation

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

RESOLUTION

Minute No. 44941

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

CARRIED

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

Recommendation

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

RESOLUTION

Minute No. 44942

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

CARRIED

SUPPLEMENTARY ITEM

RESOLUTION

Minute No. 44943

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

CARRIED

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

RESOLUTION

Minute No. 44944

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

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

CARRIED

QUESTIONS FOR NEXT MEETING

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

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

CONFIDENTIAL MATTERS

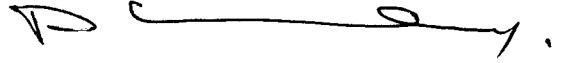
Nil.

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

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

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CHAIRPERSON