
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
FEBRUARY 24, 2016

PLEASE NOTE

The Public Forum Section of these minutes were amended when the minutes were confirmed at the Council Meeting held March 30, 2016 as follows:

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 45208

Councillor M. Browne moved)
Councillor C. Adams seconded)

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held February 24, 2016 be confirmed with an amendment to the Mayor's response to the Public Forum Item – Proposed Relocation of the Library and Archives to read "The Mayor advised that a report regarding this matter would be considered later in the meeting".

That the Minutes of the Extraordinary Meeting of the Council of the City of Broken Hill held March 16, 2016 be confirmed.

CARRIED



MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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Meeting commenced at 6:30 p.m.

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

Acting General Manager, Acting Deputy General Manager, Manager
Economic Development and Culture, Finance Manager, Governance Officer
and Communication Specialist.

Media (4), Members of the Public (42).

APOLOGIES: Councillor D. Turley.

RESOLUTION

Minute No. 45168

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

CARRIED

PRAYER

Councillor Richards delivered the prayer

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country

PUBLIC FORUM

Council Branding

Mr. Rodney Angell referred to Broken Hill City Council Report No. 8/16 – Council Vision, Mission, Values and Identity, and explained to Council what a logo embodies, its uses and the importance of its design. Mr. Angell called for community consultation regarding the design of a new logo which must reflect Broken Hill's heritage given the city's National Heritage Listing in January 2015; and stated that there are many talented members of the community who could have input into the design (schools, Broken Hill Art Exchange, members of the community) and Destination Far West could also be consulted.

The proposed logo does not reflect Council's heritage status, and urged Council to place Report No. 8/16 on public exhibition.

Proposed Relocation of the Library and Archives

Ms. Marvis Sofield referred to an article in the Barrier Daily Truth and asked that Council informs the community of its plans for the relocation of the Library and Archives and what consultative processes will be implemented before any relocation is acted upon.

The Mayor advised that this matter will be considered in closed session at this meeting, and Council's decision will be advised to members of the public when the meeting resumes in open session.

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Reinstatement of Rail Concessions

Mr. Lee Hermansson asked what the outcome was regarding Council's representations for the reinstatement of rail concessions.

The Mayor advised that correspondence had been sent to Great Southern Rail, Local and State Members and relevant Ministers and that correspondence received by Council indicates at this point in time, that the rail concessions won't be reinstated unless the Federal Government reinstates their component, then the NSW government may reconsider if they will also support the reinstatement of rail concessions.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 45169

Councillor B. Algate moved)
Councillor C. Adams seconded)

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held December 16, 2015 be confirmed.

That the Minutes of the Extraordinary Meeting of the Council of the City of Broken Hill held February 10, 2016 be confirmed.

CARRIED

DISCLOSURE OF INTEREST

Nil

MAYORAL MINUTES

The Mayor advised that there are two Mayoral Minutes to be considered at this meeting, one will be considered in the Supplementary Agenda section and the other Mayoral Minute will be considered in closed session.

NOTICES OF MOTION

ITEM 1 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 1/16 - DATED FEBRUARY 17, 2016 - PARLIAMENTARY INQUIRY INTO THE MANAGEMENT OF THE DARLING RIVER, ITS FEEDER RIVERS IN NSW AND THE MENINDEE LAKES 11/426

RESOLUTION

Minute No. 45170

Councillor M. Browne moved)
Councillor B. Algate seconded)

That Motions of Which Notice has been Given No. 1/16 dated February 17, 2016, be received.

That the Council urge the State Government to support a parliamentary inquiry into the

management of the Darling River, its feeder rivers in NSW and the Menindee Lakes with particular emphasis on the rationale for the excessive release from the lakes in December 2013 and the contribution to the present state of the lakes of extraction levels and floodplain retention in the Upper Darling and catchment.

That a late motion regarding a parliamentary inquiry into the management of the Darling River, its feeder rivers in NSW and the Menindee Lakes be submitted to the Western Division Conference before the closing date of March 2, 2016.

That Council sends a delegation to present Council's case to all relevant Federal and State Ministers and Shadow Ministers .

CARRIED

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Nil.

REPORTS

ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 2/16 - DATED DECEMBER 15, 2015 -
CORRESPONDENCE REPORT - FINANCIAL ASSISTANCE GRANT PROGRAMME 11/175

Recommendation

That Broken Hill City Council Report No. 2/16 dated December 15, 2015, be received.

That correspondence dated November 24, 2015 from the Minister for Territories, Local Government and Major Project the Hon. Paul Fletcher, M.P. be received.

ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 3/16 - DATED FEBRUARY 03, 2016 -
CORRESPONDENCE REPORT - REINSTATEMENT OF NSW RAIL CONCESSIONS 11/291

Recommendation

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

That correspondence dated January 11, 2016 from the Member for Barwon, the Hon. Kevin Humphries, M.P., in response to Council's further representations for the reinstatement of NSW rail concessions, be received.

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ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 4/16 - DATED FEBRUARY 03, 2016 -
CORRESPONDENCE REPORT - BROKEN HILL OFFICE OF THE NSW TRUSTEE AND
GUARDIAN 11/161

Recommendation

That Broken Hill City Council Report No. 4/16 dated February 3, 2016, be received.

That correspondence from Kevin Humphries MP, Member for Barwon dated January 13, 2016, in reply to Council's further representations regarding the Broken Hill office of the NSW Trustee and Guardian, be received.

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 5/16 - DATED FEBRUARY 05, 2016 -
CORRESPONDENCE REPORT - REINSTATEMENT OF A MINISTER FOR RURAL AND
REIGONAL NSW 11/161

Recommendation

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

That correspondence received from the Parliamentary Secretary to the Premier, the Hon. Catherine Cusack, M.L.C. in reply to Council's correspondence to the Premier, regarding the reinstatement of a Minister for Rural and Regional NSW.

ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 6/16 - DATED FEBRUARY 11, 2016 -
CORRESPONDENCE REPORT - BROKEN HILL'S LONG TERM WATER SUPPLY 11/426

Recommendation

That Broken Hill City Council Report No. 6/16 dated February 11, 2016, be received.

That correspondence from the Hon. Niall Blair, M.P. Minister for Lands and Water dated January 8, 2016 enclosing a copy of the reply from the Department of Primary Industries dated December 4 2015, in reply to Council's correspondence, be received.

Minute No. 45171

Councillor P. Black moved) That the recommendations of items 2 to 6 be
Councillor B. Licul seconded) adopted.

CARRIED

ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 7/16 - DATED JANUARY 05, 2016 - DRAFT
CODE OF CONDUCT FOR PUBLIC EXHIBITION 11/171

Recommendation

That Broken Hill City Council Report No. 7/16 dated January 5, 2016, be received.

That Council endorse the Draft Amended 2015 Model Code of Conduct for Local Councils in NSW as the Broken Hill Code of Conduct for the purposes of public consultation.

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That the Draft Broken Hill Code of Conduct be exhibited for public comment for a 28 day period.

That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the Draft Broken Hill Code of Conduct.

RESOLUTION

Minute No. 45172

Councillor B. Algate moved) That the recommendation of item 7 be adopted.
Councillor D. Gallagher seconded)

CARRIED

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 8/16 - DATED DECEMBER 04, 2015 -
COUNCIL VISION, MISSION, VALUES AND IDENTITY** 13/160

RESOLUTION

Minute No. 45173

Councillor B. Algate moved) That Broken Hill City Council Report No. 8/16
Councillor C. Adams seconded) dated December 4, 2015, be received.

That Council adopts the Vision for Broken Hill City Council:
Broken Hill is a vibrant, prosperous and culturally rich Heritage City shared with visitors from around the world.

That Council adopts an amended Mission for Broken Hill City Council:
Council provides responsive community leadership to enhance community living and facilitate a prosperous economy.

That Council adopts the Values for Broken Hill City Council:
Inspiring, Open, Original, Human, Fearless

That Council adopts the new corporate logo for Broken Hill City Council to incorporate the lozenge and brand architecture that will strengthen alignment between the Council identity and the Broken Hill brand.

That Council adopts the adjustment to the Broken Hill brand and lock-up to incorporate the words 'Heritage City' and 'Australia's First Heritage Listed City'.

CARRIED

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 9/16 - DATED JANUARY 19, 2016 - REVIEW
OF DELIVERY PROGRAM - SIX MONTHLY PERFORMANCE INDICATOR REPORTING AS AT
DECEMBER 31, 2015** 13/79

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Recommendation

That Broken Hill City Council Report No. 9/16 dated January 19, 2016, be received.

RESOLUTION

Minute No. 45174

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

CARRIED

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 10/16 - DATED FEBRUARY 05, 2016 -
QUARTERLY BUDGET REVIEW STATEMENT FOR PERIOD ENDING DECEMBER 2015** 12/160

Recommendation

That Broken Hill City Council Report No. 10/16 dated February 5, 2016, be received.

That the 2nd Quarterly Budget Review Statement and recommendations contained within be adopted and income and expenditure adjustments be voted.

RESOLUTION

Minute No. 45175

Councillor P. Black moved) That the recommendation of item 10 be adopted.
Councillor D. Gallagher seconded)

CARRIED

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 11/16 - DATED FEBRUARY 04, 2016 -
CAPITAL WORKS CARRY FORWARDS 2015/16** 14/175

Recommendation

That Broken Hill City Council Report No. 11/16 dated February 4, 2016, be received.

That Council revote the budget of \$264,000 expenditure for the reconstruction of the intersection of Creedon St/Rakow St., Roof gutter replacement at Aged Persons Rest Centre, Brookfield Avenue Footbridge, the purchase of the vehicle for airport and the purchase of message sign board for the 2015/16 year to enable these works to be out.

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 12/16 - DATED JANUARY 13, 2016 -
INVESTMENT REPORT FOR DECEMBER 2015** 11/48

Recommendation

That Broken Hill City Council Report No. 12/16 dated January 13, 2016, be received.

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 13/16 - DATED FEBRUARY 05, 2016 -
INVESTMENT REPORT FOR JANUARY 2016** 11/48

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Recommendation

That Broken Hill City Council Report No. 13/16 dated February 5, 2016, be received.

RESOLUTION

Minute No. 45176

Councillor P. Black moved) That the recommendations of items 11 to 13 be
Councillor B. Licul seconded) adopted.

CARRIED

ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 14/16 - DATED NOVEMBER 27, 2015 -
ADOPTION OF DRAFT PARKING STRATEGY 11/392

RESOLUTION

Minute No. 45177

Councillor B. Algate moved) That Broken Hill City Council Report No. 14/16
Councillor D. Gallagher seconded) dated November 27, 2015, be received.

That Council adopts the Draft Parking Strategy as
a Strategy of Council.

That work is undertaken to implement the Parking
Strategy; and a community awareness campaign
is undertaken.

That a report be presented to Council following a
twelve month review of the implementation and
effectiveness of the Parking Strategy.

CARRIED

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 15/16 - DATED DECEMBER 18, 2015 -
ADOPTION OF DRAFT WORKPLACE HEALTH AND SAFETY POLICY 12/14

Recommendation

That Broken Hill City Council Report No. 15/16 dated December 18, 2015, be received.

That Council adopts the Draft Workplace Health and Safety Policy as a policy of Council.

That Council adoption of the Workplace Health and Safety Policy renders the Occupational Health
and Safety Policy obsolete.

RESOLUTION

Minute No. 45178

Councillor B. Algate moved) That the recommendation of item 15 be adopted.
Councillor D. Gallagher seconded)

CARRIED

ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 16/16 - DATED DECEMBER 18, 2015 -
ADOPTION OF DRAFT RISK MANAGEMENT POLICY 12/14

Recommendation

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That Broken Hill City Council Report No. 16/16 dated December 18, 2015, be received.

That Council adopts the Draft Risk Management Policy.

That Council adoption of the Draft Risk Management Policy will supersede the Risk Management Policy 2013.

RESOLUTION

Minute No. 45179

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

CARRIED

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 17/16 - DATED NOVEMBER 27, 2015 -
ADOPTION OF DRAFT COMMUNITY ASSISTANCE GRANT POLICY** 11/117

Recommendation

RESOLUTION

Minute No. 45180

Councillor D. Gallagher moved) That Broken Hill City Council Report No. 17/16
Councillor B. Licul seconded) dated November 27, 2015, be received.

That Council adopts the attached Draft Community Assistance Grant policy as a policy of Council.

That Council adoption of the Draft Community Assistance Grant Policy renders the Community Assistance Policy adopted in 2003 and the Heritage Restoration Fund Loans Policy adopted in 2002 obsolete.

That Council's previously committed rates subsidy (Minute No. 37944 – 100% rates subsidy to Mr. C.J. Bright Lot 5940 DP725373 Land south of Airport that was incorporated as a result of the 2008 City Boundary review) be included in the new budget item for Annual Rates Subsidies, separate to the Community Assistance process, as per Minute No. 45123 of the November 27, 2015 Council Meeting.

That Council rescinds the following resolutions:
Minute Nos. 42465 - Barrier PSSA; 44956 – Broken Hill Repertory Society; 42153 – Aged and Invalid Pensioner's Association; 42135 – Active Broken Hill; 44694 – Broken Hill Eisteddfod Society; 43237 - Life Education NSW; 44482 – AFL Broken Hill; 44694 - NAIDOC Week Committee; 42560 – Child and Family Interagency; 44741 – Silver City Pastoral and Agricultural Association and 44821 - Carols by Candlelight Committee.

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That Council writes to each of the above organisations advising them of the adoption of the Draft Community Assistance Grant Policy and inviting them to apply to future competitive rounds for financial and/or in-kind assistance.

That the Draft Community Assistance Grant Policy will take effect from the 2016/2017 financial year due to the 2015/2016 budget being nearly exhausted.

That all applications received by Council after the 2015/2016 budget is exhausted be referred to the first competitive round of 2016/2017 Community Assistance funding; and if a request does not meet the eligibility criteria as set out in the Draft Community Assistance Grant Policy or the event is to be held before the first round, they be referred to other external funding opportunities.

That Council notes that the membership on the Community Assistance Grant Panel will consist of:

- The Mayor (or nominee)
- The Our Community Portfolio Councillor (or alternate)
- The General Manager (or nominee)
- The Broken Hill Australia Day Citizen of the Year
- One independent person

That Council advertises for the one (1) vacant independent position on the Committee prior to the 2016/2017 financial year.

That the Community Assistance Grant Policy be amended to reflect that recommendations from the Community Assistance Grant Panel are reported to Council for formal adoption.

CARRIED

ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 18/16 - DATED JANUARY 27, 2016 - ESTABLISHMENT OF A POLICY FOR THE EMPLOYMENT OF APPRENTICES IN 2016 11/370

RESOLUTION
Minute No. 45181

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Councillor P. Black moved) That Item 18 not be considered and the meeting
Councillor J. Nolan seconded) proceeds to Item 19.
CARRIED

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 19/16 - DATED FEBRUARY 12, 2016 -
HEALTHY BROKEN HILL -PARTNERSHIP PROPOSAL** 13/145

Recommendation

That Broken Hill City Council Report No. 19/16 dated February 12, 2016, be received.

That the following roles proposed for Broken Hill City Council be adopted:

1. To be the partnership leader, reflecting the critical role of community leadership in the initiative, and ensure the voices of Broken Hill underpin how this partnership evolves and operates and the relevance and acceptability of strategies to be implemented and evaluated.
2. To facilitate meetings of key stakeholders to ensure strategic, operational and governance structures that support the initiative align to community contexts and meet community expectations.
3. To promote and publicise the initiative, activities to be undertaken and intent of these activities.
4. To support community engagement and consultation approaches that may include individual, group and whole of community strategies.
5. To work collaboratively in the establishment of a proposed 'Forum of Forty' that will bring together 10 representatives from each of the following sectors: government, non-government, business and community, to work strategically and collaboratively on the initiative, further enhancing the leadership and governance roles of Broken Hill and collaboration across key local stakeholders.

RESOLUTION

Minute No. 45182

Councillor B. Algate moved) That the recommendation of item 19 be adopted.
Councillor C. Adams seconded)
CARRIED

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 20/16 - DATED JANUARY 15, 2016 -
ACQUISITION OF LAND FOR DRAINAGE OF STORMWATER - COUNCIL MINUTE NUMBER
42504. COUNCIL MEETING SEPTEMBER 21, 2010** 13/163

Recommendation

That Broken Hill City Council Report No. 20/16 dated January 15, 2016, be received.

That Council rescind Minute Number 42504 of September 21, 2010, for acquisition of land as documented in Group Manager Sustainability Report No. 77/10 dated September 14, 2010; due to the land being a natural watercourse, acquisition of land is not required.

That Council seeks a formal agreement from the current owner of land over which the Cemetery Creek flows (between Brookfield Avenue and the Broken Hill Cemetery) in order for Council to continue to clear the creek bed (when required) of debris and vegetation to allow the free flow of stormwater.

RESOLUTION

Minute No. 45183

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Councillor C. Adams moved) That the recommendation of item 20 be adopted.
Councillor B. Algate seconded)
CARRIED

**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 21/16 - DATED FEBRUARY 02, 2016 -
LGNSW TOURISM CONFERENCE FOR 2016 - BYRON AND BALLINA HELD MARCH 9-11, 2016**
11/214

RESOLUTION

Minute No. 45184

Councillor C. Adams moved)
Councillor M. Browne seconded) That Broken Hill City Council Report No. 21/16
dated February 2, 2016, be received.

That Broken Hill City Council does not send
Councillor representation to the 2016 LGNSW
Tourism Conference to be held in Byron and
Ballina, March 9-11, 2016.

CARRIED

**ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 22/16 - DATED FEBRUARY 02, 2016 -
2016 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION CONFERENCE, 10-12
MARCH 2016, GUNNEDAH**
11/174

RESOLUTION

Minute No. 45185

Councillor M. Browne moved)
Councillor C. Adams seconded) That Broken Hill City Council Report No. 22/16
dated February 2, 2016, be received.

That Council does not send Councillor
representation to the 2016 Australian Local
Government Women's Association Conference to
be held in Gunnedah 10-12 March, 2016.

CARRIED

**ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 25/16 - DATED JANUARY 14, 2016 -
CHANGES TO OPERATING HOURS FOR THE BROKEN HILL WASTE MANAGEMENT FACILITY**
11/200

Recommendation

That Broken Hill City Council Report No. 25/16 dated January 14, 2016, be received.

That Council endorse the proposed operating hours of the Broken Hill Waste Management Facility to:

- 8am – 4pm seven days per week
- Public Holidays – 8am – 2pm
- Closed – Christmas Day, Anzac Day and Good Friday

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That the proposed hours for the Broken Hill Waste Management Facility be exhibited for public comment for a 28 day period.

That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the new hours for the Broken Hill Waste Management Facility.

RESOLUTION

Minute No. 45186

Councillor D. Gallagher moved) That the recommendation of item 23 be adopted.
Councillor C. Adams seconded)

CARRIED

**ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 26/16 - DATED FEBRUARY 10, 2016 -
CLEAN UP AUSTRALIA DAY MARCH 6, 2016** 11/199

Recommendation

That Broken Hill City Council Report No. 26/16 dated February 10, 2016, be received.

RESOLUTION

Minute No. 45187

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

CARRIED

**ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 27/16 - DATED FEBRUARY 10, 2016 -
NSW CONTAINER DEPOSIT SCHEME: DISCUSSION PAPER** 11/200

RESOLUTION

Minute No. 45188

Councillor D. Gallagher moved) That Broken Hill City Council Report No. 27/16
Councillor J. Richards seconded) dated February 10, 2016, be received.

That the action to prepare a submission to the EPA as attached to this report be endorsed.

That a late motion regarding the NSW Container Deposit Scheme be submitted to the Western Division Conference before the closing date of March 2, 2016.

CARRIED

**ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 28/16 - DATED NOVEMBER 10, 2015 -
ROYAL FLYING DOCTOR SERVICE - AIRPORT LANDING CHARGES** 12/22

Recommendation

That Broken Hill City Council Report No. 28/16 dated November 10, 2015, be received.

That the Landing Charge Agreement reflects the landing fees endorsed by Council for the class of aircraft used by the Royal Flying Doctor Service South East Section discounted by 50% to

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acknowledge the volume of landings and the nature of the service and set annually based on the previous years' number of movements.

RESOLUTION

Minute No. 45189

Councillor P. Black moved) That the recommendation of item 26 be adopted.
Councillor C. Adams seconded)

CARRIED

**ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 29/16 - DATED FEBRUARY 03, 2016 -
COMMUNITY ASSISTANCE REQUESTS FOR FEBRUARY** 11/117

RESOLUTION

Minute No. 45190

Councillor D. Gallagher moved) That Broken Hill City Council Report No. 29/16
Councillor M. Browne seconded) dated February 3, 2016, be received.

That Council declines the request from UN Youth South Australia Inc. for a donation towards travelling costs for students to attend the UN Youth SA Conference, Belair in April 2016 as the request does not meet the eligibility criteria of the Community Assistance Policy (already a recipient of Community Assistance in current financial year).

That Council declines the request from Bianca Johnstone for a donation towards travelling costs to participate in the Australian Junior Basketball Country Cup held in New Zealand in April 2016.

That Council approves the request from the West Darling Country Music Association Inc. for a donation of \$500.00 cash towards the conduct of their 25th Anniversary Country Music Muster to be held April 2016.

That Council approves the request from the YMCA for waiver of entry fees and other associated costs (\$2,300.00) at the Living Desert for the conduct of the YMCA 2016 Living Desert Dash Fun Run to be held March 13, 2016.

CARRIED

**ITEM 28 - BROKEN HILL CITY COUNCIL REPORT NO. 30/16 - DATED FEBRUARY 09, 2016 -
MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO.356, HELD 1 FEBRUARY 2016** 11/397

Recommendation

That Broken Hill City Council Report No. 30/16 dated February 9, 2016, be received.

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That the Minutes for the Local Traffic Committee Meeting No.356, held February 1, 2016 be received.

RESOLUTION

Minute No. 45191

Councillor B. Algate moved) That the recommendation of item 28 be adopted.
Councillor J. Richards seconded)

CARRIED

**ITEM 29 - BROKEN HILL CITY COUNCIL REPORT NO. 31/16 - DATED JANUARY 14, 2016 -
TOURISM AND CULTURAL ATTRACTIONS ACTIVITY REPORT FOR JULY TO DECEMBER 2015**

11/514

Recommendation

That Broken Hill City Council Report No. 31/16 dated January 14, 2016, be received.

RESOLUTION

Minute No. 45192

Councillor P. Black moved) That the recommendation of item 29 be adopted.
Councillor B. Licul seconded)

CARRIED

**ITEM 30 - BROKEN HILL CITY COUNCIL REPORT NO. 32/16 - DATED FEBRUARY 11, 2016 -
DEVELOPMENT AND HERITAGE ACTIVITIES - NOVEMBER AND DECEMBER 2015 - JANUARY
2016**

11/514

Recommendation

That Broken Hill City Council Report No. 32/16 dated February 11, 2016, be received.

RESOLUTION

Minute No. 45193

Councillor C. Adams moved) That the recommendation of item 30 be adopted.
Councillor M. Browne seconded)

CARRIED

**ITEM 31 - BROKEN HILL CITY COUNCIL REPORT NO. 33/16 - DATED JANUARY 12, 2016 -
INFRASTRUCTURE STRATEGY ACTIVITIES - NOVEMBER 2015 AND DECEMBER 2015 -
JANUARY 2016**

11/514

Recommendation

That Broken Hill City Council Report No. 33/16 dated January 12, 2016, be received.

RESOLUTION

Minute No. 45194

Councillor M. Browne moved) That the recommendation of item 31 be adopted.
Councillor J. Richards seconded)

CARRIED

**ITEM 32 - BROKEN HILL CITY COUNCIL REPORT NO. 34/16 - DATED FEBRUARY 12, 2016 -
ACTION LIST REPORT - FEBRUARY**

11/25

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Recommendation

That Broken Hill City Council Report No. 34/16 dated February 12, 2016, be received.

RESOLUTION

Minute No. 45195

Councillor J. Nolan moved) That the recommendation of item 32 be adopted.
Councillor J. Richards seconded)

CARRIED

COMMITTEE REPORTS

ITEM 33 - BROKEN HILL CITY COUNCIL REPORT NO. 35/16 - DATED JANUARY 19, 2016 -
MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETINGS HELD DECEMBER
1, 2015, JANUARY 19, 2016 AND FEBRUARY 2, 2016 12/52

Recommendation

That Broken Hill City Council Report No. 35/16 dated January 19, 2016, be received.

That minutes of the Memorial Oval Community Committee meetings held December 1, 2015 January 19, 2016 and February 2, 2016 be received.

ITEM 34 - BROKEN HILL CITY COUNCIL REPORT NO. 36/16 - DATED FEBRUARY 09, 2016 -
MINUTES OF THE PICTON OVAL COMMUNITY COMMITTEE MEETING HELD FEBRUARY 8,
2016 12/54

Recommendation

That Broken Hill City Council Report No. 36/16 dated February 9, 2016, be received.

That minutes of the Picton Oval Community Committee meeting held February 8, 2016 be received.

ITEM 35 - BROKEN HILL CITY COUNCIL REPORT NO. 37/16 - DATED FEBRUARY 09, 2016 -
MINUTES OF THE BIU BAND HALL AND SOCCER COMPLEX COMMUNITY COMMITTEE
MEETING HELD FEBRUARY 3, 2016, BEING THE FINAL MEETING OF THE COMMITTEE 12/48

Recommendation

That Broken Hill City Council Report No. 37/16 dated February 9, 2016, be received.

That Minutes of the final meeting of the BIU Band Hall and Soccer Complex Community Committee was held February 3, 2016 and covering letter from the Committee be received.

That Council formally thanks members of the BIU Band Hall and Soccer Complex Community Committee for their dedication and hard work in overseeing the maintenance and operation of the Complex; and in particular the long serving members.

Minute No. 45196

Councillor P. Black moved) That the recommendations of items 33 to 35 be

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Councillor J. Richards seconded

)

adopted with an addendum to item 35:

That individual correspondence be forwarded to Mrs. Pauline Rauert in recognition of her dedication with regards to her role as Secretary/Treasurer of the BIU Band Hall and Soccer Complex Community Committee from 1995 to February 2016.

CARRIED

QUESTIONS ON NOTICE

ITEM 36 - QUESTIONS ON NOTICE NO. 1/16 - DATED DECEMBER 18, 2015 - COUNCILLORS QUESTIONS ON NOTICE TAKEN AT THE DECEMBER 2015 COUNCIL MEETING 11/478, 12/82, 11/161, 11/514, 12/66

Recommendation

That Questions On Notice No. 1/16 dated December 18, 2015, be received.

RESOLUTION

Minute No. 45197

Councillor P. Black moved

)

That the recommendation of item 36 be adopted.

Councillor B. Licul seconded

)

CARRIED

SUPPLEMENTARY AGENDA

ITEM 37 - MAYORAL MINUTE NO. 1/16 - DATED FEBRUARY 19, 2016 - APPOINTMENT OF ACTING GENERAL MANAGER 13/15

Recommendation

That Mayoral Minute No. 1/16 dated February 19, 2016, be received.

That Council receive and note the resignation letter from Acting General Manager, Sharon Hutch;

That pursuant to Section 336(1) of the Local Government Act, Mr Andrew Bruggy be appointed as Acting General Manager from 25 February 2016 until a new General Manager is appointed to the role;

That from 25 February 2016 and until a new General Manager is appointed, Ms Razija Nu'man (currently Division Manager Corporate and Human Services) be appointed to act as General Manager if the Acting General Manager is sick or otherwise absent from work on leave, such appointment to cease upon the return to work of the Acting 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.

RESOLUTION

Minute No. 45198

Councillor C. Adams moved

)

That the recommendation of item 37 be adopted.

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Councillor P. Black seconded) CARRIED

ITEM 38 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 2/16 - DATED FEBRUARY 17, 2016 - REVIEW OF IMPACT OF IMPLEMENTATION OF THE AUSTRALIAN BUSINESS EXCELLENCE FRAMEWORK 11/665

RESOLUTION

Minute No. 45199

Councillor D. Gallagher moved) That the report be deferred to the March 2016
Councillor J. Richards seconded) Council Meeting.

CARRIED

ITEM 39 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 3/16 - DATED FEBRUARY 18, 2016 - REVIEW OF IMPACT OF THE RESTRUCTURE 14/6

RESOLUTION

Minute No. 45200

Councillor D. Gallagher moved) That the report be deferred to the March 2016
Councillor J. Richards seconded) Council Meeting.

CARRIED

ITEM 40 - BROKEN HILL CITY COUNCIL REPORT NO. 23/16 - DATED FEBRUARY 02, 2016 - WESTERN DIVISION COUNCILS OF NSW 2016 ANNUAL CONFERENCE 6-8 MARCH, LIGHTNING RIDGE 11/173

Recommendation

RESOLUTION

Minute No. 45201

Councillor D. Gallagher moved) That Broken Hill City Council Report No. 23/16
Councillor B. Algate seconded) dated February 2, 2016, be received.

That Council be represented by Councillor Gallagher at the 2016 Western Division Councils of NSW Annual Conference to be held in Lightning Ridge, 6-8 March, 2016.

That Council submits two late motions to the conference as previously determined at this Council Meeting:

1. Councillor Browne's Notice of Motion regarding a Parliamentary Inquiry into the Management of the Darling River, its feeder

rivers in NSW and the Menindee Lakes.

2. NSW Container Deposit Scheme

That the late motions be submitted by the closing date of Wednesday March 2, 2016.

CARRIED

QUESTIONS FOR NEXT MEETING

Donation from BHP Billiton Foundation

Councillor Algate asked what the conditions are that BHP Billiton Foundation placed on the donation that they made to Council to coincide with the first anniversary of Broken Hill's National Heritage Listing.

The Mayor advised that there were \$5.7M work of projects (2) that were nominated to BHP Billiton, and after being presented to BHP Billiton they agreed to fund these projects. One of the projects had already been through the process of community consultation which had included a period of public exhibition and workshops. Council had also given this project its endorsement at a previous Council Meeting.

The second project is to be discussed in closed session at this meeting.

CONFIDENTIAL MATTERS

RESOLUTION

Minute No. 45202 - Council Resolution

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

CARRIED

Members of the public and media left the Council Chamber at 7:36p.m.

ITEM 41 - MAYORAL MINUTE NO. 2/16 - DATED FEBRUARY 23, 2016 - CONFIDENTIAL

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

Recommendation

That Mayoral Minute No. 2/16 dated February 23, 2016, be received.

That Council endorses the consensus (of Councillors present at the candidate presentation meeting on February 19, 2016) to appoint Mr. James Roncon to the position of General Manager.

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That Council endorses the action of the Mayor to commence verbal negotiations with the successful applicant to expedite the recruitment process and secure this candidate.

That Council delegates to the Mayor the role of negotiating the General Manager's contract as per Minute No. 45095 of October 28, 2015.

RESOLUTION

Minute No. 45203

Councillor P. Black moved) That recommendation of item 41 be adopted.
Councillor D. Gallagher seconded)

CARRIED

ITEM 42 - BROKEN HILL CITY COUNCIL REPORT NO. 38/16 - DATED NOVEMBER 16, 2015 -

CONFIDENTIAL

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

RESOLUTION

Minute No. 45204

Councillor P. Black moved) That the report be deferred and the matter be
Councillor B. Algate seconded) placed on public exhibition for twenty eight days
with a further report being presented to Council
following the exhibition period.

CARRIED

ITEM 43 - BROKEN HILL CITY COUNCIL REPORT NO. 39/16 - DATED DECEMBER 04, 2015 -

CONFIDENTIAL

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

Recommendation

That Broken Hill City Council Report No. 39/16 dated December 4, 2015, be received.

That Council accept the tender offer of Cavpower and purchase a Caterpillar 908K Wheel Loader with Forks, Broom Assay, Trencher and 2 x solid fill tyres for a purchase price of \$169,497.90.

RESOLUTION

Minute No. 45205

Councillor C. Adams moved) That the recommendation of item 43 be adopted.
Councillor M. Browne seconded)

CARRIED

ITEM 44 - BROKEN HILL CITY COUNCIL REPORT NO. 40/16 - DATED JANUARY 21, 2016 -

CONFIDENTIAL

(General Manager's Note: This report is deemed confidential under Section 10A(2) (d) of the Local

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Government Act, 1993 which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

RESOLUTION

Minute No. 45206

Councillor M. Browne moved) That Broken Hill City Council Report No. 40/16
Councillor D. Gallagher seconded) dated January 21, 2016, be received.

That the General Manager be authorised to set reserves on each of the properties to be sold for unpaid rates.

That the General Manager be authorised to negotiate the sale of the properties at the auctions and post auctions.

That the General Manager be authorised appoint a Council Officer to bid on Council's behalf for selected properties.

That Council purchases the nominated properties for lead remediation purposes.

CARRIED

ITEM 45 - BROKEN HILL CITY COUNCIL REPORT NO. 41/16 - DATED FEBRUARY 09, 2016 - CONFIDENTIAL

(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

That Broken Hill City Council Report No. 41/16 dated February 9, 2016, be received.

That funding of \$32600 (combination of loan and grant) be approved for the construction of a verandah at 158-160 Argent Street (Bromide Street frontage) subject to the owner meeting the required loan conditions.

RESOLUTION

Minute No 45207

Councillor M. Browne moved) That the recommendation of item 45 be adopted.
Councillor B. Licul seconded)

CARRIED

RESOLUTION

Minute No. 45203

Councillor P. Black moved) That the meeting resume in open session.
Councillor D. Gallagher seconded)

CARRIED

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Members of the media and public returned to the Council Chamber at 7:54 p.m.

Councillor Black left the meeting at 7:54 p.m.

The Mayor invited the Acting General Manager to report on items considered in closed session. The Acting General Manager advised that in respect of:

Item 41 – Mayoral Minute No. 2/16 dated February 23, 2016 - Confidential

- That Mayoral Minute No. 2/16 dated February 23, 2016, be received.
- That Council endorses the consensus (of Councillors present at the candidate presentation meeting on February 19, 2016) to appoint Mr. James Roncon to the position of General Manager.
- That Council endorses the action of the Mayor to commence verbal negotiations with the successful applicant to expedite the recruitment process and secure this candidate.
- That Council delegates to the Mayor the role of negotiating the General Manager's contract as per Minute No. 45095 of October 28, 2015.

Item 42 – Broken Hill City Council Report No. 38/16 dated November 16, 2015 - Confidential

- That the report be deferred and the matter be placed on public exhibition for twenty eight days with a further report being presented to Council following the exhibition period.

Item 43 – Broken Hill City Council Report No. 39/16 dated December 4, 2015 – Confidential

- That Broken Hill City Council Report No. 39/16 dated December 4, 2015, be received.
- That Council accept the tender offer of Cavpower and purchase a Caterpillar 908K Wheel Loader with Forks, Broom Assay, Trencher and 2 x solid fill tyres for a purchase price of \$169,497.90.

Item 44 – Broken Hill City Council Report No. 40/16 dated January 21, 2016 – Confidential

- That Broken Hill City Council Report No. 40/16 dated January 21, 2016, be received.
- That the General Manager be authorised to set reserves on each of the properties to be sold for unpaid rates.
- That the General Manager be authorised to negotiate the sale of the properties at the auctions and post auctions.
- That the General Manager be authorised appoint a Council Officer to bid on Council's behalf for selected properties.
- That Council purchases the nominated properties for lead remediation purposes.

Item 45 – Broken Hill City Council Report No. 41/16 dated February 9, 2016 – Confidential

- That Broken Hill City Council Report No. 41/16 dated February 9, 2016, be received.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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- That funding of \$32600 (combination of loan and grant) be approved for the construction of a verandah at 158-160 Argent Street (Bromide Street frontage) subject to the owner meeting the required loan conditions.

Farewell to the Acting General Manager, Sharon Hutch

The Mayor on behalf of Council, expressed his gratitude to the Acting General Manager, Sharon Hutch for her dedication to the positions that she has held as Finance Manager, Deputy General Manager and Acting General Manager with Council. The Mayor advised that Sharon was instrumental in instigating change at Council and that she is leaving Council in a better position; and wished her and her family all the best for the future.

There being no further business the Mayor closed the meeting at 7:58 p.m.

THE FOREGOING MINUTES WERE READ
AND CONFIRMED AT THE ORDINARY
MEETING OF THE BROKEN HILL CITY
COUNCIL HELD ON MARCH 30, 2016.

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CHAIRPERSON