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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
JUNE 29, 2016

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Meeting commenced at 6:30p.m.

*The Mayor welcomed to the meeting, the Member for Barwon, the Hon. Kevin Humphries, M.P. and advised the meeting that Mr. Humphries would address Council and answer any questions from Councillors.*

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

General Manager, Acting Deputy General Manager, Manager Planning  
Development and Compliance, Division Manager Corporate and Human  
Services, Finance Manager, Governance Officer and Executive Support  
Officer.

Member for Barwon, The Hon. Kevin Humphries, M.P.

Media (4), Members of the Public (16).

**APOLOGIES:** Nil

### **PRAYER**

Councillor Richards delivered the prayer

### **ACKNOWLEDGEMENT OF COUNTRY**

Councillor Gallagher delivered the Acknowledgment of Country

### **PUBLIC FORUM**

Nil.

### **ADDRESS BY MEMBER FOR BARWON, THE HON. KEVIN HUMPHRIES, M.P.**

An invitation was extended to the Member for Barwon to address an Ordinary Meeting of Council. Mr. Humphries attended and gave an overview of the important issues facing the Far West of NSW and took questions from Councillors.

### MINUTES FOR CONFIRMATION

#### RESOLUTION

##### Minute No. 45288

Councillor J. Nolan moved )

Councillor C. Adams seconded )

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held May 25, 2016 be confirmed and that Council notes that the REX figures in the Infrastructure Activities Report that was presented to the Council Meeting held May 25, 2016 (and queried by Councillor Nolan) were incorrect, and that the REX January monthly comparison total passenger numbers have decreased by -19.2% and not -90.6% as reported.

CARRIED

#### RESOLUTION

##### Minute No. 45289

Councillor C. Adams moved )

Councillor D. Gallagher seconded )

That the Minutes of the Extraordinary Meeting of the Council of the City of Broken Hill held June 15, 2016 be confirmed.

CARRIED

### DISCLOSURE OF INTEREST

Councillor Adams declared:

- a conflict of interest in Report No. 134/16 as she is the Secretary of U3A Broken Hill and Patron of the Broken Hill Philharmonic Society and advised that she will leave the Council Chambers whilst the item is considered.

Mayor Cuy declared:

- a conflict of interest in Report No. 134/16 as he is a Patron of the Broken Hill Philharmonic Society and advised that he will remain the Council Chambers whilst the item is considered.

Councillor Richards declared:

- a conflict of interest in Report No. 132/16 as his employer is in a licence agreement with the applicant and advised that he will leave the Council Chambers whilst the item is considered.
- A conflict of interest in Report No. 135/16 as his employer is in a licence agreement with a competitor of the applicant and advised that he will leave the Council Chambers whilst the item is considered.

Councillor Browne declared:

- a conflict of interest in Report No. 134/16 as she is a President of U3A Broken Hill and advised that she will leave the Council Chambers whilst the item is considered.

General Manager declared:

- a conflict of interest in Report No. 134/16 as he is a Patron of the Broken Hill Eisteddfod Society and advised that he will remain the Council Chambers whilst the item is considered.

**MAYORAL MINUTES**

Nil.

**NOTICES OF MOTION**

Nil.

**RESCISSION MOTIONS**

Nil.

**REPORTS FROM DELEGATES**

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

11/363

Recommendation

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

**RESOLUTION**

Minute No. 45290

Councillor J. Nolan moved ) That the recommendation of item 1 be adopted.  
Councillor B. Licul seconded )

CARRIED

**REPORTS**

**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 123/16 - DATED MAY 03, 2016 - ADOPTION  
OF DRAFT ASSET ACCOUNTING POLICY**

12/14

Recommendation

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

**RESOLUTION**

Minute No. 45291

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. 124/16 - DATED DECEMBER 02, 2015 -  
DRAFT BUSINESS CONTINUITY POLICY FOR PUBLIC EXHIBITION** 15/22

Recommendation

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

**RESOLUTION**

Minute No. 45292

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

CARRIED

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 125/16 - DATED JUNE 02, 2016 - DRAFT  
DEVELOPMENT CONTROL PLAN FOR PUBLIC EXHIBITION** 11/126

Recommendation

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

**RESOLUTION**

Minute No. 45293

Councillor B. Algate moved ) That the recommendation of item 4 be adopted.  
Councillor J. Richards seconded )

CARRIED

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 126/16 - DATED JUNE 22, 2016 -  
RECOMMENDATIONS AND MINUTES OF THE AUDIT COMMITTEE MEETING HELD JUNE 16,  
2016** 13/19

Recommendation

1. That Broken Hill City Council Report No. 126/16 dated June 22, 2016, be received.
2. That the minutes of the Audit Committee meeting held June 16, 2016 be adopted.

**RESOLUTION**

Minute No. 45294

Councillor P. Black moved ) That the recommendation of item 5 be adopted.  
Councillor B. Algate seconded )

CARRIED

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*In moving the motion of item 5, Councillor Black announced his resignation as a Councillor effective July 13, 2016 which was due in part to recent events of the Audit Committee where the previous two meetings had been cancelled and that he had become disillusioned with the function of the Audit Committee. The resignation was also due to recent Code of Conduct charges that had been lodged against him, and Councillor Black stated that he did not have the finances nor the inclination to fight them. He also referred to the sacking of Council on February 11, 2007 stating that the sacking was due to concerns with Council's administration and the Mayor and not the activities of the Councillors.*

*Councillor Black wished all Councillors well and stated that there has been no "in-fighting" in this Council who have worked well together.*

*Councillor Black congratulated the new General Manager for forming the senior executive of four, and for his decision to further review the effectiveness of the organisational restructure after the new Council is elected in September. Councillor Black said that he hoped for a return of a Labor alliance in the newly elected Council.*

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 127/16 - DATED JUNE 22, 2016 - SENIOR STAFF CONTRACTURAL CONDITIONS** 12/155

Recommendation

1. That Broken Hill City Council Report No. 127/16 dated June 22, 2016, be received.

**RESOLUTION**

Minute No. 45295

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

CARRIED

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 128/16 - DATED JUNE 09, 2016 - INVESTMENT REPORT FOR MAY 2016** 11/48

Recommendation

1. That Broken Hill City Council Report No. 128/16 dated June 9, 2016, be received.

**RESOLUTION**

Minute No. 45296

Councillor B. Algate 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. 129/16 - DATED JUNE 03, 2016 -  
DISABILITY INCLUSION ACT - ACTION PLAN**

11/432

**RESOLUTION**

Minute No. 45297

- Councillor M. Browne moved )  
Councillor D. Turley seconded )
1. That Broken Hill City Council Report No. 129/16 dated June 3, 2016, be received.
  2. That the Disability Access Committee be re-tasked to form a new Disability Inclusion Action Plan Working Group to support the Plan's development and implementation.
  3. That membership of the newly formed Working Group be determined by the General Manager and include the current Councillor delegate (Councillor Turley) and the "Our Community" Portfolio Councillor and alternate (Councillors Gallagher and Adams).

CARRIED

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 130/16 - DATED JUNE 14, 2016 -  
PROPOSED AMENDMENT TO BROKEN HILL LOCAL ENVIRONMENTAL PLAN 2013 - SITE  
SPECIFIC PLANNING PROPOSAL TO ALLOW FOR ADDITIONAL PERMITTED USE AT BROKEN  
HILL AIRPORT PRECINCT**

11/529

Recommendation

1. That Broken Hill City Council Report No. 130/16 dated June 14, 2016, be received.
2. That Council support preparing a site specific Planning Proposal to amend Schedule 1 of Broken Hill Local Environmental Plan 2013 to allow for an additional permitted use (being "Council Animal Pound Facility") on Lot 1 DP 1162606 known as 86 Airport Road, Broken Hill,
3. That the planning proposal be submitted to the Department of Planning and Environment for consideration in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*.
4. That Council request to exercise its delegations under Section 59 of the *Environmental Planning and Assessment Act 1979*.
5. That Council undertake community consultation in accordance with the Gateway Determination and requirements of the Department of Planning and Environment, and legislative requirements.

**RESOLUTION**

Minute No. 45298

- Councillor B. Algate moved )  
Councillor J. Nolan seconded )
- That the recommendation of item 9 be adopted.

CARRIED

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**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 131/16 - DATED MAY 30, 2016 - BROKEN HILL LIVING MUSEUM + PERFECT LIGHT PROJECT STEERING GROUP - COMMUNITY REPRESENTATION**

14/181

Recommendation

1. That Broken Hill City Council Report No. 131/16 dated May 30, 2016, be received.
2. That the Terms of Reference of the Broken Hill Living Museum + Perfect Light Project Steering Group be amended to include representation by eight (8) community representatives.
3. That Council appoints the following community members on the *Broken Hill Living Museum + Perfect Light Project Steering Group*:

Mandy Nelson  
Paula Williams  
Sarah Martin  
Helene Power  
Professor Simon Molesworth  
Rick Ball  
Zeta Bennett  
Karen Nash  
Foundation Broken Hill Representative – Chris Dougherty  
Regional Development Australia Far West Representative – Michael Williams  
Broken Hill Chamber of Commerce – Paul Thomas

4. That correspondence be forwarded to the successful candidates for the positions of community representatives on the *Broken Hill Living Museum + Perfect Light Project Steering Group*.

**RESOLUTION**

Minute No. 45299

Councillor C. Adams moved ) That the recommendation of item 10 be adopted.  
Councillor D. Gallagher seconded )

CARRIED

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 132/16 - DATED JUNE 14, 2016 - DEVELOPMENT APPLICATION 32/2016 - PROPOSED TELECOMMUNICATIONS FACILITY - 25 CUMMINS STREET (ROCKY HILL), BROKEN HILL**

11/467

*Councillor Richards declared an interest in Item 11 and left the Council Chambers at 7:35 p.m.*

Recommendation

1. That Broken Hill City Council Report No. 132/16 dated June 14, 2016, be received.
2. That Development Application 32/2016 for telecommunications facility comprising of:
  - a) a 30 metre tall monopole,
  - b) nine (9) panel antennas mounted on a head frame around the top of the monopole,
  - c) six (6) remote radio units mounted on the monopole just below the antennas,
  - d) a pre-fabricated equipment shelter (3.28m x 2.28m x 3.0m) to house necessary base-station equipment,
  - e) a 600 mm wide overhead cable tray connecting the equipment shelter to the monopole, and
  - f) a 2.4 metre tall security fence with an access gate;

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at Lot 922 DP 757298 (25 Cummins Street, Broken Hill) be approved subject to conditions (as attached to report).

**RESOLUTION**

Minute No. 45300

Councillor B. Algate moved ) That the recommendation of item 11 be adopted.  
Councillor M. Browne seconded )

CARRIED

*Councillor Richards returned to the Council Chambers at 7:36 p.m. The Mayor advised Councillor Richards that Council had adopted the recommendation of item 11.*

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 133/16 - DATED JUNE 08, 2016 -  
PROPOSED EASEMENT FOR ACCESS THROUGH PART OF THE WILLYAMA COMMON** 11/63

Recommendation

1. That Broken Hill City Council Report No. 133/16 dated June 8, 2016, be received.
2. That Council under the Common Seal of Broken Hill City Council in its capacity as Trust Manager of Willyama Common consent to the development of an easement to the subject property (Lot 5844 DP757298 –Western Lands Lease) to legalise access, with the condition that the road cannot be widened given its location adjacent to the Old South Landfill.

**RESOLUTION**

Minute No. 45301

Councillor B. Algate moved ) That the recommendation of item 12 be adopted.  
Councillor J. Nolan seconded )

CARRIED

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 134/16 - DATED JUNE 09, 2016 -  
RECOMMENDATIONS OF THE COMMUNITY ASSISTANCE GRANTS PANEL FOR ROUND 1 OF  
2016/2017** 16/44

*Councillors Browne and Adams declared an interest in Item 13 and left the Council Chambers at 7:36 p.m.*

*The Mayor and General Manager also declared an interest in Item 13 and remained in the Council Chambers, and the Mayor exercised his vote.*

**RESOLUTION**

Minute No. 45302

- Councillor J. Nolan moved )  
Councillor J. Richards seconded )
1. That Broken Hill City Council Report No. 134/16 dated June 9, 2016, be received.
  2. That Council adopts the recommendations of the Community Assistance Grants Panel for applications received for Round 1 of 2016/2017, being:
  3. General Community Assistance:



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- a) Grant of \$1,000.00 to Life Education NSW towards providing drug education programme to Broken Hill school students (subsidy to participants).
- b) Grant of \$1,000.00 to Barrier Primary School Sports Association towards subsidising travel costs for students to travel to represent Broken Hill at sporting carnivals.
- c) Grant of \$5,000.00 to South Broken Hill Golf Club towards replacing floor coverings at the South Golf Club.
- d) Grant of \$2,335.00 to Broken Hill Philharmonic Society towards payment of rates at their principal premises.
- e) Grant of \$2,500.00 to U3A Broken Hill towards rental costs of a meeting space for 2016/2017 financial year.
- f) Grant of \$3,000.00 to Broken Hill Eisteddfod Society towards Adjudicator costs for 2016 Eisteddfod.
- g) Grant of \$1,200.00 to Quota International of Broken Hill for payment of hire of the Civic Centre for 10cent Auction.
- h) Grant of \$1,000.00 to Broken Hill Repertory Society towards payment of rates at their principal premises.
- i) That Council declines the request from Neve Robins for a grant towards costs associated with her attendance at the United Space School in Texas as the request does not comply with the eligibility or assessment criteria of the Community Assistance Grants Policy.
- j) Grant of \$1,795.00 to Burke Ward P&C Association for payment of waste services fees for their Continental Fete.
- k) Grant of \$1,795.00 to Silver City Racing Club for payment of waste services fees for the Silver City Cup Race Meeting.
- l) Grant of \$3,000.00 to Broken Hill Swimming Club towards the refurbishment/modification of an old caravan into a mobile catering/service van.

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4. That the draft Grant Agreement be adopted and the Mayor be authorised to sign the Grants Agreements associated with Round 1 of 2016/2017, on behalf of Council.
5. That approval be deferred for Painting and Minor Restoration Works:
  - (a. Grant of \$500.00 to Katrina Watt of the Mackenzie Business Centre towards the external painting of the McKenzie Business Centre at 41-47 Crystal Street, Broken Hill; and
  - b. Grant of \$500.00 to Sergio Bressanelli of Hande Pty. Ltd. towards the external painting of the Hande Electrics Store at 197-199 Argent Street, Broken Hill.) pending a report to the July Council Meeting outlining the requirements for approval, in particular:
    - Whether it is a requirement that the building be of heritage design and construction.
    - Whether the Heritage Adviser has approved the applications, and
    - Whether the colour scheme has to be heritage colours.

CARRIED

*Councillors Browne and Adams returned to the Council Chambers at 7:40 p.m. The Mayor advised Councillors Browne and Adams that Council had adopted the report recommendation with the exception of the Painting and Minor Restoration Works grants pending clarification of heritage aspects of the grant process.*

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 135/16 - DATED JUNE 15, 2016 - OPTUS LEASE PROPOSAL - 334 MCCULLOCH STREET** 11/467

*Councillor Richards declared an interest in Item 14 and left the Council Chamber at 7:41 p.m.*

**Recommendation**

1. That Broken Hill City Council Report No. 135/16 dated June 15, 2016, be received.
2. That Council lease part of Lot 22 DP 1211288 to Optus for the co-location of telecommunication equipment, subject to the following conditions:
  - a) That an equipment shelter and associated infrastructure be installed underground, no aboveground structures inclusive of fencing will be permissible;
  - b) That Optus carry out a subdivision for lease purposes to create a 24 m2 parcel of land;
  - c) That the lease term be 10 years ( 2 x 5 year leases);

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- d) That, in addition to Council's legal costs for the negotiation and execution of the lease and reasonable disbursements, Optus be liable for all survey, plan lodgement and legal fees relating to the required subdivision.

**RESOLUTION**

Minute No. 45303

Councillor D. Gallagher moved ) That the recommendation of item 14 be adopted.  
Councillor M. Browne seconded )

CARRIED

*Councillor Richards returned to the Council Chamber at 7:42 p.m. The Mayor advised Councillor Richards that Council had adopted the recommendation of item 14.*

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 136/16 - DATED MAY 25, 2016 - MINUTES OF THE BROKEN HILL LEAD REFERENCE GROUP MEETING HELD MAY 10, 2016** 12/177

Recommendation

1. That Broken Hill City Council Report No. 136/16 dated May 25, 2016, be received.
2. That the minutes of the Broken Hill Lead Reference Group Meeting held May 10, 2016 be received.

**RESOLUTION**

Minute No. 45304

Councillor M. Browne moved ) That the recommendation of item 15 be adopted.  
Councillor C. Adams seconded )

CARRIED

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 137/16 - DATED JUNE 16, 2016 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO.360, HELD 7 JUNE 2016** 11/397

Recommendation

1. That Broken Hill City Council Report No. 137/16 dated June 16, 2016, be received.
2. That the Minutes for the Local Traffic Committee Meeting No.360, held June 7, 2016 be received.

**RESOLUTION**

Minute No. 45305

Councillor P. Black moved ) That the recommendation of item 16 be adopted.  
Councillor B. Licul seconded )

CARRIED

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 138/16 - DATED JUNE 15, 2016 - PLANNING AND DEVELOPMENT STATUS REPORT - MAY 2016** 11/467

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Recommendation

1. That Broken Hill City Council Report No. 138/16 dated June 15, 2016, be received.

**RESOLUTION**

Minute No. 45306

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

CARRIED

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 139/16 - DATED JUNE 08, 2016 -  
INFRASTRUCTURE STRATEGY ACTIVITIES - MAY 2016** 11/514

Recommendation

1. That Broken Hill City Council Report No. 139/16 dated June 8, 2016, be received.

**RESOLUTION**

Minute No. 45307

Councillor J. Richards moved ) That the recommendation of item 18 be adopted.  
Councillor M. Browne seconded )

CARRIED

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 140/16 - DATED JUNE 16, 2016 - ACTION  
LIST REPORT - JUNE** 11/25

Recommendation

1. That Broken Hill City Council Report No. 140/16 dated June 16, 2016, be received.

**RESOLUTION**

Minute No. 45308

Councillor P. Black moved ) That the recommendation of item 19 be adopted.  
Councillor B. Licul seconded )

CARRIED

**COMMITTEE REPORTS**

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 141/16 - DATED MAY 23, 2016 - MINUTES  
OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING  
HELD MAY 17, 2016** 12/51

Recommendation

1. That Broken Hill City Council Report No. 141/16 dated May 23, 2016, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held May 17, 2016 be received.

**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 142/16 - DATED JUNE 16, 2016 -  
MINUTES OF THE BROKEN HILL REGIONAL ART GALLERY ADVISORY COMMITTEE MEETING  
HELD JUNE 2016** 12/46

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Recommendation

1. That Broken Hill City Council Report No. 142/16 dated June 16, 2016, be received.
2. That the minutes of the 1/06/2016 Broken Hill Regional Art Gallery Advisory Committee meeting be endorsed.

ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 143/16 - DATED JUNE 17, 2016 -  
MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD JUNE 6, 2016

12/52

Recommendation

1. That Broken Hill City Council Report No. 143/16 dated June 17, 2016, be received.
2. That minutes of the Memorial Oval Community Committee meeting held June 6, 2016 be received.

ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 144/16 - DATED JUNE 17, 2016 -  
MINUTES OF THE PICTON OVAL COMMUNITY COMMITTEE MEETING HELD MAY 9, 2016

12/54

Recommendation

1. That Broken Hill City Council Report No. 144/16 dated June 17, 2016, be received.
2. That minutes of the Picton Oval Community Committee meeting held May 9, 2016 be received.

ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 145/16 - DATED JUNE 22, 2016 -  
MINUTES OF THE BROKEN HILL HERITAGE CITY EVENTS ADVISORY COMMITTEE MEETING  
HELD JUNE 9, 2016

15/87

Recommendation

1. That Broken Hill City Council Report No. 145/16 dated June 22, 2016, be received.
2. That minutes of the Broken Hill Heritage City Events Advisory Committee meeting held June 9, 2016 be received.

Minute No. 45309

Councillor D. Turley moved ) That the recommendations of items 20 to 24 be  
Councillor M. Browne seconded ) adopted.

CARRIED

### QUESTIONS ON NOTICE

**ITEM 25 - QUESTIONS ON NOTICE NO. 3/16 - DATED MAY 31, 2016 - COUNCILLORS**  
**QUESTIONS TAKEN ON NOTICE AT THE MAY 2016 COUNCIL MEETING** 11/338, 11/432,  
11/514, 13/19

#### Recommendation

1. That Questions On Notice No. 3/16 dated May 31, 2016, be received.

#### **RESOLUTION**

Minute No. 45310

Councillor B. Licul moved ) That the recommendation of item 25 be adopted.  
Councillor J. Richards seconded )

CARRIED

### QUESTIONS FOR NEXT MEETING

#### Councillor Black

*Councillor Turley referred to Councillor Black's verbal resignation as a Councillor (effective July 13, 2016) which occurred earlier in the meeting proceedings, and stated that his resignation came as a shock to Councillors. Councillor Turley recognised Councillor Black's contribution to Council and to the community of Broken Hill during his term as Councillor.*

*Councillor Turley reflected on his outstanding career on Council which has now ended with an alleged breach of Code of Conduct; and stated that he is admired as an outstanding advocate for Broken Hill and will always be a "son" of Broken Hill. Councillor Turley moved the motion:*

#### **RESOLUTION**

Minute No. 45311

Councillor D. Turley moved ) That Council acknowledges Councillor Peter  
Councillor J. Nolan seconded ) Black's contribution to Council and the  
community of Broken Hill during his term as a  
Councillor.

CARRIED

*The Mayor echoed Councillor Turley's recognition of Councillor Black, stating that although they may not have seen eye to eye all of the time, there is no question of his commitment to serving the community and to his passion for the future betterment of the City; and that no-one in Broken Hill could challenge his commitment since he arrived in 1969.*

*The Mayor thanked Councillor Black and wished him well in his future endeavours.*

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BIU Band Hall Committee

*Councillor Licul requested an update on the BIU Band Hall Committee in relation to the management and operation of the Soccer Grounds.*

*The General Manager took the question on notice.*

Library Relocation

*Councillor Algate enquired whether it was true that Centro Plaza management had put a proposition to Council (during the public exhibition period which was held recently regarding the proposed relocation of the Library to an Argent Street location) as an enticement for the Library to be relocated to the Plaza? And why this was not included in the report to Council following the public exhibition period.*

The Mayor and Council staff advised that Centro's submission was included along with all other submissions received and was presented in the report to Council following the public exhibition period.

The Mayor further advised that the proposed relocation of the Library to an Argent Street location was adopted as part of the Living Museum + Perfect Light Project in an endeavour to help to rejuvenate the Argent Street central business district and that although Centro's proposal would have been financially attractive for the first year, this was not the case for future years. Their proposal was also contrary to Council's aim of rejuvenating the Argent Street shopping precinct.

## CONFIDENTIAL MATTERS

**ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 146/16 - DATED JUNE 16, 2016 - REQUEST TO PURCHASE LAND AT BROKEN HILL AIRPORT - CONFIDENTIAL**

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

Recommendation

1. That Broken Hill City Council Report No. 146/16 dated June 16, 2016, be received.
2. That Council advertise for public consultation for a period of 28 days to receive Expressions of Interest in the purchase of land, being part of Lot 1 DP 1162606, at the Broken Hill Regional Airport.

**ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 147/16 - DATED JUNE 15, 2016 - RENEWAL OF LICENCE AT BROKEN HILL REGIONAL AIRPORT TERMINAL TO KINGMILL PTY LTD TRADING AS THRIFTY RENT-A-CAR FOR CAR RENTAL DESK - CONFIDENTIAL**

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

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
JUNE 29, 2016

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Recommendation

1. That Broken Hill City Council Report No. 147/16 dated June 15, 2016, be received.
2. That Council renews the licence agreement with Kingmill Pty Ltd trading as Thrifty Car Rentals for a Car Rental Desk and two (2) car parking spaces within the Licensor's lockup parking compound at the Broken Hill Regional Airport Terminal.
3. That the initial term of the licence be eleven (11) months with an option of an extension of four (4) years commencing August 1, 2015 and expiring June 30, 2020 (to align with other like licences at the Airport Terminal).
4. That Kingmill Pty. Ltd. trading as Thrifty Car Rentals will pay market fee for the licence in line with other similar airport desk licences; and that this fee is reviewed every twelve months on July 1<sup>st</sup> in line with the Consumer Price Index, and the licence fee adjusted accordingly.
5. That all other terms be in accordance with the previous licence.
6. That the Mayor and General Manager be authorised to sign the Licence Agreement and Council's Common Seal be affixed.

**ITEM 28 - BROKEN HILL CITY COUNCIL REPORT NO. 148/16 - DATED JUNE 15, 2016 - RENEWAL OF LICENCE AT THE BROKEN HILL AIRPORT - BAUST AND JOHNSTONE FOR OPERATION OF THE KIOSK AND CLEANING OF THE TERMINAL BUILDING - CONFIDENTIAL**  
**(General Manager's Note:** This report considers a Licence Agreement and is deemed confidential under Section 10A(2) (c) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).

Recommendation

1. That Broken Hill City Council Report No. 148/16 dated June 15, 2016, be received.
2. That Council approves a licence to the current operators (Baust and Johnstone) for operation of the Airport Kiosk and cleaning of the Airport Terminal Building on Council's behalf, for a twelve month period commencing July 1, 2016.
3. That Council pays the licensee the current licence amount with a 1.3% CPI increase.
4. That all other terms be in accordance with the previous licence agreement.
5. That the Mayor and General Manager be authorised to sign the licence agreement and affix Council's Seal.

Minute No 45286

Councillor P. Black moved ) That the confidential matters be considered in  
Councillor C. Adams seconded ) open session and that the recommendations of  
items 26 to 28 be adopted.

CARRIED



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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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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 JULY 27, 2016.

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CHAIRPERSON

