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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
FEBRUARY 22, 2017

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Meeting commenced at 6:30 p.m.

**PRESENT:**

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

General Manager, Finance Manager, Corporate Responsibility Officer,  
Executive Manager City Strategic Development, Manager Planning  
Development and Compliance, Manager Infrastructure, Governance Officer,  
Executive Support Officer and Communication and Community Engagement  
Coordinator.

Media (2), Members of the Public (45).

**APOLOGIES:**

Councillor C. Adams.

**RESOLUTION**

Minute No. 45453

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

CARRIED

**PRAYER**

Councillor Gallagher delivered the prayer

**ACKNOWLEDGEMENT OF COUNTRY**

Councillor Gallagher delivered the Acknowledgment of Country

**PUBLIC FORUM**

Lions Club of Broken Hill – Skin Cancer Mobile Screening Unit

*Mr. Barry Hancock, Lions Club of Broken Hill advised that they will be conducting a Skin Cancer Screening Clinic on 5-6 August 2017 and requested permission from Council to park the mobile unit adjacent to the Council Chamber and also the use of the Council Chamber for serving morning and afternoon tea. Mr. Barry Hancock said that he had contacted Council on several occasions over the past few months and has received no reply to their request.*

The Mayor invited Mr Hancock to speak with her after the meeting regarding Council's support.

Item 13 – Development Application 448/2004 – Modification to consent to allow for modified transportation route and use of A-Double Road Trains from Potosi to Southern Operations

*Mrs. Lindsay Baldwin advised that residents and businesses along Argent Street were under the impression that the transportation route was to be modified for mine trucks to turn left off Argent Street at Bagot Street and then left into Crystal Street. Mrs. Baldwin asked that residents and businesses along the route be given the opportunity to object to the Development Application now*

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*that they are aware that the route will not be changing and the Development Application is for the use of A-Double road trains instead of B-Double.*

The Mayor took the comments on board and advised that the matter will be considered by Council later in the meeting agenda.

### MINUTES FOR CONFIRMATION

#### RESOLUTION

Minute No. 45454

Councillor M. Clark moved  
Councillor J. Nolan seconded

)  
)

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held December 14, 2016 be confirmed.

CARRIED

### DISCLOSURE OF INTEREST

Councillor Kennedy declared:

- a non-pecuniary conflict of interest in Item 16 as he is a member of the Broken Hill Soccer Committee 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.

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**REPORTS**

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 1/17 - DATED FEBRUARY 14, 2017 - CODE  
OF CONDUCT - PUBLIC APOLOGIES** BHC160401

*The General Manager took a question on notice from Councillor Kennedy as to whether Councillors can make comment at Council Meetings in the future if matters of this nature arise and the reports are open reports.*

**Recommendation**

1. That Broken Hill City Council Report No. 1/17 dated February 14, 2017, be received.
2. That Councillor Algate be invited to make his public apologies, at the Council Meeting held February 22, 2017, in accordance with Council's resolution of December 14, 2016 (Minute Number 45421, items 6 and 7).

**RESOLUTION**

**Minute No. 45455**

Councillor T. Kennedy moved ) That the recommendation of item 1 be adopted.  
Councillor D. Gallagher seconded )

CARRIED

**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 2/17 - DATED JANUARY 30, 2017 -  
CORRESPONDENCE REPORT - TELSTRA'S PIT REPLACEMENT PROGRAM** 11/262

**Recommendation**

1. That Broken Hill City Council Report No. 2/17 dated January 30, 2017, be received.
2. That correspondence from Telstra dated December 16, 2016 advising of its Pit Replacement Program be received.
3. That Council notes that Telstra's contact details for reporting damaged pits has been distributed to Council's Infrastructure Department, placed on Council's website and a media release issued.

**RESOLUTION**

**Minute No. 45456**

Councillor T. Kennedy moved ) That the recommendation of item 2 be adopted.  
Councillor J. Nolan seconded )

CARRIED

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 3/17 - DATED FEBRUARY 08, 2017 -  
CORRESPONDENCE REPORT - WATER RELEASES FROM THE MENINDEE LAKES SYSTEM** 11/426

**RESOLUTION**

**Minute No. 45457**

Councillor T. Kennedy moved )  
Councillor M. Browne seconded )  
1. That Broken Hill City Council Report No. 3/17 dated February 8, 2017, be received.  
2. That correspondence dated January 31, 2017

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from the Hon. Barnaby Joyce, M.P., Deputy Prime Minister and Minister for Agriculture and Water Resources in reply to Council's correspondence regarding the release of water from the Menindee Lakes System, be received.

3. That Council sends correspondence to the Hon. Barnaby Joyce, M.P., Deputy Prime Minister and Minister for Agriculture and Water Resources advising of:
  - a) the substantial draw down of water from the Menindee Lakes since September 2016;
  - b) the document titled "Achieving sustainability of the Darling River downriver of Bourke" written by Geoff Wise, for information.

CARRIED

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 4/17 - DATED DECEMBER 23, 2016 -  
DRAFT COMMUNITY STRATEGIC PLAN - 2017 REVISION**

11/89

*The Mayor took a question on notice from Councillor Kennedy regarding clarification of the number of occupied and unoccupied dwellings in Broken Hill (page 61).*

**Recommendation**

1. That Broken Hill City Council Report No. 4/17 dated December 23, 2016, be received.
2. That Council endorse the Draft Community Strategic Plan 2033 for public exhibition.
3. That the Draft Community Strategic Plan 2033 be placed on public display for 28 days in accordance with legislation.

**RESOLUTION**

Minute No. 45458

Councillor D. Gallagher moved

Councillor J. Nolan seconded

)

)

That the recommendation of item 4 be adopted.

CARRIED

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 5/17 - DATED FEBRUARY 10, 2017 -  
QUARTERLY BUDGET REVIEW STATEMENT FOR PERIOD ENDING DECEMBER 2016**

12/160

**Recommendation**

1. That Broken Hill City Council Report No. 5/17 dated February 10, 2017, be received.
2. That the 2nd Quarterly Budget Review Statement and recommendations contained within, be adopted.

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**RESOLUTION**

Minute No. 45459

Councillor B. Algate moved ) That the recommendation of item 5 be adopted.  
Councillor D. Gallagher seconded )

CARRIED

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 6/17 - DATED DECEMBER 06, 2016 -  
ADOPTION OF FINANCIAL MANAGEMENT POLICIES**

12/144

**RESOLUTION**

Minute No. 45460

Councillor T. Kennedy moved )  
Councillor M. Browne seconded )

1. That Broken Hill City Council Report No. 6/17 dated December 6, 2016, be received.
2. That Council adopts the Draft Investment Policy as a policy of Council.
3. That Council adopts the Draft Debt Recovery Policy as a policy of Council.
4. That Council adopts the Draft Hardship Policy as a policy of Council.
5. That Council prepare a media release regarding Council's Hardship Policy.

CARRIED

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 7/17 - DATED FEBRUARY 08, 2017 -  
PROPOSED AMENDMENTS TO COMMUNITY ASSISTANCE GRANTS POLICY**

12/114

**Recommendation**

1. That Broken Hill City Council Report No. 7/17 dated February 8, 2017, be received.
2. That the Community Assistance Grants Policy be amended by removing "Stream 2 – Verandah Restoration" and "Stream 3 – Painting and minor restoration for residential and commercial buildings" from the Policy.
3. That a draft Heritage Assistance Grants Policy be developed to deal with heritage assistance grants and loans specifically.
4. That the draft Community Assistance Grants Policy and draft Heritage Assistance Grants Policy be exhibited for public comment for a 28 day period.
5. That 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 Community Assistance Grants Policy and the draft Heritage Assistance Grants Policy.

**RESOLUTION**

Minute No. 45461

Councillor M. Browne moved )  
Councillor J. Nolan seconded )

1. That Broken Hill City Council Report No. 7/17 dated February 8, 2017, be received.
2. That the Community Assistance Grants Policy be amended by removing "Stream 2 – Verandah Restoration" and "Stream 3 –

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Painting and minor restoration for residential and commercial buildings" from the Policy.

3. That a draft Heritage Assistance Grants Policy be developed to deal with heritage assistance grants and loans specifically.
4. That prior to the draft policies being placed on public display, the paint grant eligibility criteria of the draft Heritage Assistance Grants Policy be amended to include all properties in Broken Hill.
5. That the draft Community Assistance Grants Policy and draft Heritage Assistance Grants Policy be exhibited for public comment for a 28 day period.
6. That 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 Community Assistance Grants Policy and the draft Heritage Assistance Grants Policy.
7. That, whilst the draft policies are on public display, the General Manager investigates whether it is a requirement for this type of grant funding to be approved by Council; and if so that the draft policy be amended prior to it being re-presented to Council for adoption.

CARRIED

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 8/17 - DATED FEBRUARY 14, 2017 -  
REVIEW OF MANAGEMENT OF THE BROKEN HILL AIRPORT**

11/214

Councillor J. Nolan moved )  
Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 8/17 dated February 14, 2017, be received.
2. That Council advertises for Expressions of Interest (EOI) for the Management or Lease of the Broken Hill Airport which includes the proponents to indicate the following:
  - a) Ability to deliver operational efficiency and revenue growth
  - b) Capacity to increase visitor numbers
  - c) Improved financial returns to Council
  - d) Capacity to fund capital expenditure for required landside and airside infrastructure and potential land

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development

- e) Political considerations i.e. community acceptance
  - f) Regulatory framework CASA safety regulation compliance
  - g) State Government PPP guidelines compliance
3. That a further report be presented to Council for consideration following the receiving of the EOI's.

Amendment

Councillor T. Kennedy moved )  
Councillor B. Algate seconded )

- 1. That Broken Hill City Council Report No. 8/17 dated February 14, 2017, be received.
- 2. That calling for expressions of interest be deferred pending a report to the May Council Meeting that investigates the following factors which may increase the current level of revenue being generated from activities at the Airport (leases/licences) by:
  - a) Charging for parking for hire cars
  - b) Charging lessees for water and electricity charges
  - c) Reducing the landing charges to encourage more aircraft to land at the Broken Hill Airport as aircraft are boycotting Broken Hill and landing elsewhere due to our landing charges increasing from \$8.00 to \$20.00.
  - d) cost of maintenance at the Airport
  - e) employment numbers at the Airport
  - f) Council investigates other options and activities to increase revenue e.g. conducting flight training schools, etc.

CARRIED

The amendment becomes the motion. The motion was put.

**RESOLUTION**

Minute No. 45462

Councillor T. Kennedy moved )  
Councillor B. Algate seconded )

- 1. That Broken Hill City Council Report No. 8/17 dated February 14, 2017, be received.
- 2. That calling for expressions of interest be deferred pending a report to the May Council Meeting that investigates the following factors which may increase the current amount of revenue being generated from activities at the Airport (leases/licences) by:

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- g) Charging for parking for hire cars
- h) Charging lessees for water and electricity charges
- i) Reducing the landing charges to encourage more aircraft to land at the Broken Hill Airport as aircraft are boycotting Broken Hill and landing elsewhere due to our landing charges increasing from \$8.00 to \$20.00.
- j) cost of maintenance at the Airport
- k) employment numbers at the Airport
- l) Council investigates other options and activities to increase revenue e.g. conducting flight training schools, etc.

CARRIED

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 9/17 - DATED FEBRUARY 08, 2017 -  
SMART COMMUNITIES FRAMEWORK**

11/73

**Recommendation**

1. That Broken Hill City Council Report No. 9/17 dated February 8, 2017, be received.
2. That Council adopt the Smart Communities Framework as presented.
3. That Council note the pilot projects currently underway with the main focus being on free public Wi-Fi in Argent Street (Oxide Street to Bromide Street), Patton Street (Comstock Street to South Street) and at the Broken Hill Airport and smart security options on Council assets.
4. That Council note the Federal Governments Digital Transformation \$50m Grant and staff pursuit of this funding.

**RESOLUTION**

**Minute No. 45463**

Councillor D. Gallagher moved ) That the recommendation of item 9 be adopted.  
Councillor M. Browne seconded )

CARRIED

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 10/17 - DATED JANUARY 11, 2017 -  
INVESTMENT REPORT FOR DECEMBER 2016**

11/48

**Recommendation**

1. That Broken Hill City Council Report No. 10/17 dated January 11, 2017, be received.

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 11/17 - DATED FEBRUARY 06, 2017 -  
INVESTMENT REPORT FOR JANUARY 2017**

11/48

**Recommendation**



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1. That Broken Hill City Council Report No. 11/17 dated February 6, 2017, be received.

Minute No. 45464

Councillor J. Nolan moved ) That the recommendations of items 10 and 11 be  
Councillor M. Clark seconded ) adopted.

CARRIED

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 12/17 - DATED FEBRUARY 06, 2017 -  
DEVELOPMENT APPLICATION 124/2016 - KEEPING OF HORSES AT 112 MURTON STREET,  
BROKEN HILL** 11/467

Recommendation

1. That Broken Hill City Council Report No. 12/17 dated February 6, 2017, be received.
2. That Development Application 124/2016 be refused due to the following reasons:
  - a) The proposal being inconsistent with Section 79 C (1)(c) matter for consideration as the location is considered not suitable because of its close proximity to other surrounding residential property.
  - b) The proposal being inconsistent with Section 79 C (1)(b) matter for consideration as the proposal has the potential to create an adverse impact on the surrounding residential neighbourhood by way of potential dust generation, odour and vermin.
  - c) The proposal being inconsistent with Section 79 C (1)(e) matter for consideration in that it is not in the public interest to construct horse stables and keep horses in a predominately residential neighbourhood.

**RESOLUTION**

Minute No. 45465

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

CARRIED

A Division was called which resulted in:

FOR: Councillors Algate, Browne, Gallagher, Licul, Turley, Kennedy, Clark, Page and Nolan

AGAINST: Nil

ABSENT: Councillor Adams

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 13/17 - DATED FEBRUARY 07, 2017 -  
DEVELOPMENT APPLICATION 448/2004 MODIFICATION TO CONSENT TO ALLOW FOR  
MODIFIED TRANSPORTATION ROUTE AND USE OF A-DOUBLE ROAD TRAINS - ORE  
TRANSPORTATION FROM POTOSI TO SOUTHERN OPERATIONS** 11/467

**RESOLUTION**

Minute No. 45466

- Councillor J. Nolan moved )  
Councillor M. Browne seconded )
1. That Broken Hill City Council Report No. 13/17 dated February 7, 2017, be received.
  2. That the Development Application 448/2004

modification be approved to allow for the use of A-double road trains for the transportation of ore from Potosi mine site to Southern mine operations following existing approved routes.

3. That the original Development Consent No. 448/2004 be modified as follows:
  - a) Delete conditions 11 (d) (ii) and condition 11 (m) and insert instead.
    - ii. Sealed roadway construction over the total area traversed by A Double road trains turning into and from the access road, extending between the northern edge of Kanandah Rd to the Southern Operations property boundary.
    - The maximum size vehicle permitted to transport ore material from Potosi Mine to Southern operations is an A-Double road train of standard configuration.
  - b) Insert new condition - In accordance with clause 16(1) of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007, prior to the commencement of haulage operations, a driver code of conduct for the task of transporting materials on public roads is to be prepared and implemented.
  - c) Insert new condition - That rigid framed covers shall be placed and used on all vehicles transporting ore from the Potosi Mine. This shall be in effect by 31 March 2017.
4. That Perilya investigates a more effective truck wash to include washing of the sides and tops of mudguards as well as the wheels.
5. That Council hold discussions with Perilya regarding the possibility of an alternate truck route through the City from the Potosi Mine to their southern operations.

CARRIED

ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 14/17 - DATED JANUARY 30, 2017 -  
WESTERN DIVISION COUNCILS OF NSW ANNUAL CONFERENCE, 26-28 FEBRUARY 2017,  
DARETON

11/173

Recommendation

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1. That Broken Hill City Council Report No. 14/17 dated January 30, 2017, be received.
2. That Council endorses that its two (2) Western Division Councillor Delegates (Mayor Turley and Deputy Mayor Gallagher) and Councillor Browne be Council's representatives to attend the 2017 Western Division Councils of NSW Annual Conference sponsored by Wentworth Shire Council and held in Dareton, 26-28 February 2017.

**RESOLUTION**

Minute No. 45467

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

CARRIED

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 15/17 - DATED FEBRUARY 01, 2017 -  
LOCAL GOVERNMENT NSW TOURISM CONFERENCE** 11/304

**RESOLUTION**

Minute No. 45468

- Councillor M. Clark moved )  
Councillor D. Gallagher seconded )
1. That Broken Hill City Council Report No. 15/17 dated February 1, 2017, be received.
  2. That Councillors advise the General Manager's Office of their interest in attending the LGNSW Tourism Conference to be held 12-14 March 2017 in Taree and Manning Valley.

CARRIED

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 16/17 - DATED FEBRUARY 13, 2017 -  
BROKEN HILL SOCCER ASSOCIATION - GRANT PROPOSAL** 12/48

*Councillor Kennedy declared an interest in item 16 and left the Council Chambers at 7:26pm*

**Recommendation**

1. That Broken Hill City Council Report No. 16/17 dated February 13, 2017, be received.
2. That as landowner, Council supports the Broken Hill Soccer Association's (BHSA) grant application which will allow them to submit their proposal for NSW Sport & Recreation funding.
3. That it be clearly noted that Council provides its in-principle support only to this project, with no commitment to a financial contribution at this time.
4. That a further report be considered by Council to review the Association's Business Plan.

**RESOLUTION**

Minute No. 45469

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

CARRIED

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*Councillor Kennedy returned to the Council Chambers at 7:27pm.*

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 17/17 - DATED FEBRUARY 06, 2017 -  
MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 366 HELD TUESDAY  
DECEMBER 6, 2016**

11/397

**Recommendation**

1. That Broken Hill City Council Report No. 17/17 dated February 6, 2017, be received.
2. That the minutes for the Local Traffic Committee Meeting No. 366, held December 6, 2016, be received and recommendations within minutes be adopted.

**RESOLUTION**

Minute No. 45470

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

CARRIED

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 18/17 - DATED JANUARY 09, 2017 -  
MINUTES OF THE BROKEN HILL LEAD REFERENCE GROUP MEETING HELD 23 NOVEMBER  
2016**

12/177

**Recommendation**

1. That Broken Hill City Council Report No. 18/17 dated January 9, 2017, be received.
2. That the agenda and minutes of the Broken Hill Lead Reference Group Meeting held 23 November 2016 be received and noted.

**RESOLUTION**

Minute No. 45471

Councillor B. Algate moved ) That the recommendation of item 18 be adopted.  
Councillor M. Browne seconded )

CARRIED

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 19/17 - DATED FEBRUARY 09, 2017 -  
ACTION LIST REPORT**

11/25

**Recommendation**

1. That Broken Hill City Council Report No. 19/17 dated February 9, 2017, be received.

**RESOLUTION**

Minute No. 45472

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

CARRIED

**COMMITTEE REPORTS**

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 20/17 - DATED FEBRUARY 02, 2017 -  
NOMINATIONS FOR COMMUNITY MEMBERSHIP OF COUNCIL S355 COMMITTEES**

11/9

**RESOLUTION**

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Minute No. 45473

Councillor B. Algate moved  
Councillor B. Licul seconded

- )  
)
1. That Broken Hill City Council Report No. 20/17 dated February 2, 2017, be received.
  2. That the Constitution of the Broken Hill Regional Art Gallery Advisory Committee be amended to include three additional community representatives.
  3. That Susanne Olsen, John Sloane and Rick Ball be appointed as community representatives on the Broken Hill Regional Art Gallery Advisory Committee.
  4. That Ann Evers, Kellie Scott and Jamie Scott be appointed as community representatives on the Friends of the Flora and Fauna of the Barrier Ranges Community Committee.
  5. That Alison Sutton and Wayne Lovis be appointed as community representatives on the Riddiford Arboretum Community Committee.
  6. That John O'Neill, Paul Adams, Neil Davey and Trevor Rynne be appointed as community representatives on the Picton Oval Sportsground Community Committee.
  7. That information be placed on Council's website to encourage further nominations; and that media articles explaining the purpose and activities of each Committee also be distributed to encourage further nominations.

CARRIED

**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 21/17 - DATED JANUARY 30, 2017 -  
MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD 6 DECEMBER  
2017** 12/52

Recommendation

1. That Broken Hill City Council Report No. 21/17 dated January 30, 2017, be received.
2. That the minutes of the Memorial Oval Community Committee meeting held December 6, 2016 be received.

**RESOLUTION**

Minute No. 45474

Councillor B. Algate moved  
Councillor B. Licul seconded

- )  
)
- That the recommendation of item 21 be adopted.

CARRIED

**ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 22/17 - DATED FEBRUARY 14, 2017 -  
MINUTES OF THE BROKEN HILL LIVING MUSEUM + PERFECT LIGHT PROJECT STEERING**

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GROUP MEETINGS HELD AUGUST 23, 2016, OCTOBER 31, 2016 AND DECEMBER 15, 2016

14/181

Recommendation

1. That Broken Hill City Council Report No. 22/17 dated February 14, 2017, be received.
2. That minutes of the Broken Hill Living Museum + Perfect Light Project Steering Group Meeting held August 23, 2016 be received.
3. That minutes of the Broken Hill Living Museum + Perfect Light Project Steering Group Meeting held October 31, 2016 be received.
4. That minutes of the Broken Hill Living Museum + Perfect Light Project Steering Group Meeting held December 15, 2016 be received

**RESOLUTION**

Minute No. 45475

Councillor T. Kennedy moved )

Councillor D. Gallagher seconded )

That the recommendation of item 22 be adopted.

CARRIED

**SUPPLEMENTARY REPORTS**

ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 27/17 - DATED FEBRUARY 22, 2017 -  
CORRESPONDENCE REPORT - AUSTRALIAN SENATE INQUIRY INTO THE RELOCATION OF  
GOVERNMENT BODIES TO REGIONAL AREAS

17/30

Recommendation

1. That Broken Hill City Council Report No. 27/17 dated February 22, 2017, be received.
2. That joint correspondence received February 20, 2017 from the Deputy Prime Minister, the Hon. Barnaby Joyce MP and the Minister for Regional Development Senator the Hon Fiona Nash seeking Council's input into an Australian Senate Inquiry into the Relocation of Government Bodies to Regional Areas be received.
3. That Council provides a submissions to this Inquiry and Councillors provide input to the General Manager by close of business March 3, 2017.

**RESOLUTION**

Minute No. 45476

Councillor M. Browne moved )

Councillor M. Clark seconded )

That the recommendation of item 23 be adopted.

CARRIED

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**ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 28/17 - DATED FEBRUARY 22, 2017 -  
COUNCIL SUBMISSION INTO MURRAY DARLING BASIN AUTHORITY - INQUIRY INTO  
NORTHERN BASIN PLAN**

11/426

**RESOLUTION**

Minute No. 45477

Councillor M. Browne moved )

Councillor T. Kennedy seconded )

1. That Broken Hill City Council Report No. 28/17 dated February 22, 2017, be received.
2. That Council endorse the Broken Hill City Council submission into the Murray Darling Basin Review of the Northern Basin Plan and submit by the due date of Friday 24 February 2017; with the addition of matters raised in the Murray Darling Basin Authority's newly released business plan "Achieving Sustainability of the Darling River downriver of Bourke".

CARRIED

**QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING**

**ITEM 25 - QUESTIONS ON NOTICE NO. 1/17 - DATED DECEMBER 23, 2016 - COUNCILLORS  
QUESTIONS TAKEN ON NOTICE AT THE DECEMBER 2016 COUNCIL MEETING** 12/174, 11/407,  
13/135

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**RESOLUTION**

Minute No. 45478

Councillor M. Clark moved )

Councillor B. Licul seconded )

1. That Questions On Notice No. 1/17 dated December 23, 2016, be received.
2. That further information regarding the reason for the hold-up in the formation of a S355 Soccer Committee be provided to Councillors.

CARRIED

**QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA**

**Item 1 – Code of Conduct – Public Apologies**

*The General Manager took a question on notice from Councillor Kennedy as to whether Councillors can make comment at the Council Meeting if future matters of this nature arise.*

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
FEBRUARY 22, 2017

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Item – Draft Community Strategic Plan – Rail Services to Broken Hill

*Councillor Browne requested a report on the progress of a second rail service to Broken Hill.*

The Mayor advised that herself and staff have held meetings with a rail transport provider regarding a second rail service to the City; and that a report will be presented to Council.

**CONFIDENTIAL MATTERS**

**RESOLUTION**

Minute No. 45479

Councillor B. Algate moved  
Councillor B. Licul seconded

- ) That the meeting be closed to the public in  
) accordance with Section 10A(2) of the Local  
Government Act, 1993 whilst the confidential  
matters are considered.

CARRIED

*Members of the media and public left the Council Chambers at 7:45 p.m.*

**ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 23/17 - DATED FEBRUARY 09, 2017 -  
PROPOSED RELOCATION OF LIBRARY - CONFIDENTIAL**

14/181

**(General Manager's Note:** This report considers a proposed 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. 45480

Councillor J. Nolan moved  
Councillor D. Gallagher seconded

- ) 1. That Broken Hill City Council Report No.  
) 23/17 dated February 9, 2017, be received.
2. That Council place the Charles Rasp Library relocation to Argent Street, on hold, pending further analysis of the original business case that supported the April 2016 resolution of Council.
3. That Council note the significant increase in costs from those originally resolved and budgeted, as the catalyst for the decision.
4. That following further analysis, the General Manager present a report to the November 2017 Council meeting with a suggested pathway on which to move forward to establish the most practical and cost effective option to improving the library services.

CARRIED



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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
FEBRUARY 22, 2017

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**ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 24/17 - DATED JANUARY 20, 2017 -  
T16/12 - BROKEN HILL CITY COUNCIL BUILDINGS PAINTING AND MAINTENANCE - TENDER  
SUBMISSIONS - CONFIDENTIAL** T16/12

**(General Manager's Note:** This report considers a tender and is deemed confidential under Section 10A(2) (d) of the Local 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).

Recommendation

1. That Broken Hill City Council Report No. 24/17 dated January 20, 2017, be received.
2. That Vincent & Pritchard be awarded the Contract for the painting of Broken Hill Regional Aquatic Centre, Council Administration Building, Council Chamber, and Albert Kersten Mining & Minerals Museum for Lump Sum of \$174,898 ex. GST
3. That the Mayor and General Manager be authorised to execute any contract documents, if required, and affix Council's Common Seal.

**RESOLUTION**

Minute No. 45481

Councillor B. Algate moved ) That the recommendation of item 27 be adopted.  
Councillor M. Browne seconded )

CARRIED

**ITEM 28 - BROKEN HILL CITY COUNCIL REPORT NO. 25/17 - DATED FEBRUARY 09, 2017 -  
TENDER - INSURANCE BROKERAGE SERVICE AND INSURANCE COVERAGE - CONFIDENTIAL** 16/35

**(General Manager's Note:** This report considers a tender and is deemed confidential under Section 10A(2) (d) of the Local 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).

Recommendation

1. That Broken Hill City Council Report No. 25/17 dated February 9, 2017, be received.
2. That Council accept the offer from JLT to provide insurance brokerage services & insurance coverage to Council through the Statewide Mutual Scheme for the next three years, with an option to extend for a further two years.
3. That Council note the 2017/18 premium of \$325,216, a saving of \$456,713 pa or 58% on the 2016/17 financial year.
4. That Council note the intention to utilise the annual savings by investing \$200,000 in an insurance reserve, \$200,000 into operational areas of council businesses that represent the greatest risk and contribute to insurance claims against the council, and \$56,713 into staff training around risk prevention and identification.
5. That the Mayor and General Manager be authorised to execute any contract documents, if required, and affix Council's Common Seal.

**RESOLUTION**

Minute No. 45482

Councillor D. Gallagher moved ) That the recommendation of item 28 be adopted.  
Councillor B. Licul seconded )

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
FEBRUARY 22, 2017

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CARRIED

**ITEM 29 - BROKEN HILL CITY COUNCIL REPORT NO. 26/17 - DATED FEBRUARY 14, 2017 -  
LICENCE TO ROTARY CLUB OF SOUTH BROKEN HILL FOR USE OF LAND AT AIRPORT FOR  
STORAGE PURPOSES - CONFIDENTIAL** 11/197

**(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. 26/17 dated February 14, 2017, be received.
2. That Council enter a licence agreement with Rotary Club of South Broken Hill for use of a small compound on Lot 1, DP1162606 at the Airport for storage purposes.
3. That the licence agreement be for a period of 10 years.
4. That due to the Rotary Club of South Broken Hill being a non-profit community organisation, the licence fee for the site be set at a peppercorn rental of \$1.00 per year (no CPI increase to apply) with the total fee for the 10 year licence to be paid in advance.
5. That Council be responsible for all legal costs in the set-up of the licence up to the value of \$500.00 and Rotary Club of South Broken Hill be responsible for any additional costs over this amount.
6. That all other standard licence agreement terms apply.
7. That the Mayor and General Manager be authorised to execute the licence documents under the Common Seal of Council.

**RESOLUTION**

**Minute No. 45483**

Councillor J. Nolan moved )  
Councillor T. Kennedy seconded )

That the recommendation of item 29 be adopted.

CARRIED

**RESOLUTION**

**Minute No. 45484**

Councillor B. Licul moved )  
Councillor J. Nolan seconded )

That the meeting resume in open session.

CARRIED

*Members of the media and public returned to the meeting at 8:14 p.m.*

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

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
FEBRUARY 22, 2017

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Item 26 - Broken Hill City Council Report No. 23/17 – dated February 09, 2017 - Proposed Relocation of Library - **Confidential**

- That Broken Hill City Council Report No. 23/17 dated February 9, 2017, be received.
- That Council place the Charles Rasp Library relocation to Argent Street, on hold, pending further analysis of the original business case that supported the April 2016 resolution of Council.
- That Council note the significant increase in costs from those originally resolved and budgeted, as the catalyst for the decision.
- That following further analysis, the General Manager present a report to the November 2017 Council meeting with a suggested pathway on which to move forward to establish the most practical and cost effective option to improving the library services.

Item 27 - Broken Hill City Council Report No. 24/17 - dated January 20, 2017 - T16/12 - Broken Hill City Council Buildings Painting and Maintenance - Tender submissions – **Confidential**

- That Broken Hill City Council Report No. 24/17 dated January 20, 2017, be received.
- That Vincent & Pritchard be awarded the Contract for the painting of Broken Hill Regional Aquatic Centre, Council Administration Building, Council Chamber, and Albert Kersten Mining & Minerals Museum for Lump Sum of \$174,898 ex. GST
- That the Mayor and General Manager be authorised to execute any contract documents, if required, and affix Council's Common Seal.

Item 28 - - Broken Hill City Council Report No. 25/17 - dated February 09, 2017 - Tender - Insurance Brokerage Service and Insurance Coverage - **Confidential**

- That Broken Hill City Council Report No. 25/17 dated February 9, 2017, be received.
- That Council accept the offer from JLT to provide insurance brokerage services & insurance coverage to Council through the Statewide Mutual Scheme for the next three years, with an option to extend for a further two years.
- That Council note the 2017/18 premium of \$325,216, a saving of \$456,713 pa or 58% on the 2016/17 financial year.
- That Council note the intention to utilise the annual savings by investing \$200,000 in an insurance reserve, \$200,000 into operational areas of council businesses that represent the greatest risk and contribute to insurance claims against the council, and \$56,713 into staff training around risk prevention and identification.
- That the Mayor and General Manager be authorised to execute any contract documents, if required, and affix Council's Common Seal.

Item 29 - Broken Hill City Council Report No. 26/17 - dated February 14, 2017 - Licence to Rotary Club of South Broken Hill for Use of Land at the Airport for Storage Purposes - **Confidential**

- That Broken Hill City Council Report No. 26/17 dated February 14, 2017, be received.

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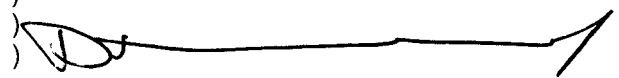
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
FEBRUARY 22, 2017

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- That Council enter a licence agreement with Rotary Club of South Broken Hill for use of a small compound on Lot 1, DP1162606 at the Airport for storage purposes.
- That the licence agreement be for a period of 10 years.
- That due to the Rotary Club of South Broken Hill being a non-profit community organisation, the licence fee for the site be set at a peppercorn rental of \$1.00 per year (no CPI increase to apply) with the total fee for the 10 year licence to be paid in advance.
- That Council be responsible for all legal costs in the set-up of the licence up to the value of \$500.00 and Rotary Club of South Broken Hill be responsible for any additional costs over this amount.
- That all other standard licence agreement terms apply.
- That the Mayor and General Manger be authorised to execute the licence documents under the Common Seal of Council.

There being no further business the Mayor closed the meeting at 8:19 p.m.

THE FOREGOING MINUTES WERE READ  
AND CONFIRMED AT THE ORDINARY  
MEETING OF THE BROKEN HILL CITY  
COUNCIL HELD ON 29 March 2017

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CHAIRPERSON