
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
APRIL 26, 2017

Meeting commenced at 6:30p.m.

PRESENT:

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

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

Media (2), Members of the Public (23).

APOLOGIES:

Nil.

PRAYER

Councillor Adams delivered the prayer

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country

PUBLIC FORUM

The Mayor advised that Council had received one application for a member of the public to address Council. This relates to a confidential item on the agenda and therefore will be held over until the confidential section at this meeting.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 45514

Councillor C. Adams moved
Councillor M. Clark seconded

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)

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held March 29, 2017 be confirmed.

CARRIED

DISCLOSURE OF INTEREST

Councillor Browne declared:

- a pecuniary interest in Confidential Report Number 77/17 as the matter relates to an issue involving herself and advised that she will leave the Council Chambers whilst the item is considered.

MAYORAL MINUTES

Nil.

NOTICES OF MOTION

Nil.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Nil.

REPORTS

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 63/17 - DATED APRIL 11, 2017 -
CORRESPONDENCE REPORT - MENINDEE LAKES WATER PROPOSAL**

12/11

RESOLUTION

Minute No. 45515

Councillor T. Kennedy moved)

Councillor D. Gallagher seconded)

1. That Broken Hill City Council Report No. 63/17 dated April 11, 2017, be received.
2. That correspondence dated April 10, 2017 from the Member for Barwon, the Hon Kevin Humphries MP, be received.
3. That Council sends correspondence to the Member for Barwon, Mr. Jeremy Buckingham MLC, the Premier of NSW, Minister for Water and the Shadow Minister for Water stating that Council rejects the NSW Government's water proposal and that Council supports, in principal, the Member for Barwon's water proposal that Cawndilla be managed by the Murray Darling Basin Authority with the removal of the trigger point levels and NSW to retain 80% of flows that enter Lakes Menindee, Pamamaroo and Wetherell.
4. That Council invites the Member for Barwon to deliver a presentation of his proposal to Council at the next Council meeting or at a time convenient to all parties.

CARRIED

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ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 64/17 - DATED APRIL 13, 2017 - DELIVERY PROGRAM - KEY PERFORMANCE INDICATORS PROGRESS REPORT AT 31 DECEMBER 2016

13/79

Recommendation

1. That Broken Hill City Council Report No. 64/17 dated April 13, 2017, be received.
2. That Council adopt the Delivery Program – Key Performance Indicators Report July – December 2016 inclusive of Operational Plan 2016-2017 outcomes.

Motion

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

Amendment

- Councillor T. Kennedy moved)
Councillor B. Algate seconded)
1. That Broken Hill City Council Report No. 64/17 dated April 13, 2017, be received.
 2. That Council adopts the Delivery Program – Key Performance Indicators Report July – December 2016 inclusive of Operational Plan 2016-2017 outcomes with the following amendments:
 - a) That Green Waste collection be suspended due to the Delivery Program indicators revealing that green waste is making its way to the landfill.
 - b) That the redistribution of mine rates to residential properties be suspended until the End of Life Mine Plan is completed.

LOST

The original motion was put.

RESOLUTION

Minute No. 45516

- Councillor D. Gallagher moved)
Councillor C. Adams seconded)
1. That Broken Hill City Council Report No. 64/17 dated April 13, 2017, be received.
 2. That Council adopt the Delivery Program – Key Performance Indicators Report July – December 2016 inclusive of Operational Plan 2016-2017 outcomes.

CARRIED

Councillors Page and Algate requested that their names be recorded as voting against the resolution of item 2.

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**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 65/17 - DATED APRIL 13, 2017 - DRAFT
COMMUNITY STRATEGIC PLAN - 2017 REVISION**

11/89

Recommendation

1. That Broken Hill City Council Report No. 65/17 dated April 13, 2017, be received.
2. That the draft Broken Hill 2033 Community Strategic Plan be adopted.

RESOLUTION

Minute No. 45517

Councillor C. Adams moved) That the recommendation of item 3 be adopted.
Councillor J. Nolan seconded)

CARRIED

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 66/17 - DATED APRIL 12, 2017 - DRAFT
DELIVERY PROGRAM 2017/2021 AND DRAFT OPERATIONAL PLAN 2017/2018 INCLUSIVE OF
THE STATEMENT OF REVENUE POLICY AND DRAFT SCHEDULE OF FEES AND CHARGES
2017/2018**

16/165

Recommendation

1. That Broken Hill City Council Report No. 66/17 dated April 12, 2017, be received.
2. That the Draft Delivery Program 2017-2021 be endorsed for the purpose of public exhibition for community comment for a 28 day period.
3. That the Draft Operational Plan 2017/2018 inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2017/2018 be endorsed for the purpose of public exhibition for community comment for a 28 day period.

Motion

Councillor M. Clark moved) That the recommendation of item 4 be adopted.
Councillor D. Gallagher seconded)

Amendment

Councillor T. Kennedy moved) That the Draft Delivery Program 2017-2021 and
Councillor B. Algate seconded) the Draft Operational Plan 2017/2018 inclusive of
the Statement of Revenue Policy and the Draft
Schedule of Fees and Charges 2017/2018 be
amended to remove all reference to the
redistribution of mine rates to residential
properties and all rates across all rate levels be
increased by rate pegging.

LOST

The original motion was put.

RESOLUTION

Minute No. 45518

- Councillor M. Clark moved)
Councillor D. Gallagher seconded)
1. That Broken Hill City Council Report No. 66/17 dated April 12, 2017, be received.
 2. That the Draft Delivery Program 2017-2021 be endorsed for the purpose of public

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exhibition for community comment for a 28 day period.

3. That the Draft Operational Plan 2017/2018 inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2017/2018 be endorsed for the purpose of public exhibition for community comment for a 28 day period.

CARRIED

Councillors Kennedy, Algate and Page requested that their names be recorded as voting against the resolution of item 4.

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 67/17 - DATED APRIL 07, 2017 - DRAFT
DISABILITY INCLUSION ACTION PLAN 2017-2021**

16/82

Recommendation

1. That Broken Hill City Council Report No. 67/17 dated April 7, 2017, be received.
2. That Council endorse the Draft Disability Inclusion Action Plan for the purpose of public consultation.
3. That the Draft Disability Inclusion Action Plan be exhibited for public comment for 28 days.
4. 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 Disability Inclusion Action Plan.
5. That Council write and thank the members of the Disability Inclusion Action Plan Working Party for their assistance in the development of the Draft Disability Inclusion Action Plan.
6. The Disability Inclusion Action Plan Working Party be re-tasked to form a new Disability Inclusion Plan Monitoring Group and call for additional nominations to the Monitoring Group.
7. That membership of the newly formed Monitoring Group be determined by the General Manager and include the "Our Leadership" Portfolio Councillors.
8. That the Terms of Reference of the Disability Inclusion Action Plan Monitoring Group be endorsed.

RESOLUTION

Minute No. 45519

Councillor T. Kennedy moved
Councillor M. Clark seconded

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That the recommendation of item 5 be adopted.

CARRIED

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**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 68/17 - DATED APRIL 13, 2017 -
WORKFORCE MANAGEMENT PLAN - REPORT - 2017**

16/160

RESOLUTION

Minute No. 45520

Councillor T. Kennedy moved)

Councillor D. Gallagher seconded)

1. That Broken Hill City Council Report No. 68/17 dated April 13, 2017, be received.
2. That Council endorse the Draft Workforce Management Plan – report – 2017 for consultation and public exhibition for a period of 28 days.
3. That Council receive a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising.
4. That Council management be congratulated for offering traineeships and apprenticeships.

CARRIED

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 69/17 - DATED APRIL 13, 2017 - DRAFT
LONG TERM FINANCIAL PLAN 2018-2027**

16/157

Recommendation

1. That Broken Hill City Council Report No. 69/17 dated April 13, 2017, be received.
2. That Council endorse the Draft Long Term Financial Plan 2018-2027 for public exhibition.
3. That that Draft Long Term Financial Plan 2018-2027 be placed on public display for 28 days in accordance with legislation.

RESOLUTION

Minute No. 45521

Councillor C. Adams moved)

Councillor B. Licul seconded)

- That the recommendation of item 7 be adopted.

CARRIED

Councillor Page and Kennedy requested that their names be recorded as voted against the resolution of item 7.

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 70/17 - DATED APRIL 05, 2017 -
INVESTMENT REPORT FOR MARCH 2017**

11/48

Recommendation

1. That Broken Hill City Council Report No. 70/17 dated April 5, 2017, be received.

RESOLUTION

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Minute No. 45522

Councillor M. Browne moved) That the recommendation of item 8 be adopted.
Councillor M. Clark seconded)

CARRIED

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 71/17 - DATED APRIL 07, 2017 -
ADOPTION OF THE DRAFT AGENCY INFORMATION GUIDE**

11/118

Recommendation

1. That Broken Hill City Council Report No. 71/17 dated April 7, 2017, be received.
2. That Council adopt the Draft Agency Information Guide.
3. That the previous Publication Guide be removed from Council's website

RESOLUTION

Minute No. 45523

Councillor J. Nolan moved) That the recommendation of item 9 be adopted.
Councillor C. Adams seconded)

CARRIED

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 72/17 - DATED APRIL 13, 2017 -
ADOPTION OF DRAFT COMMUNITY ASSISTANCE GRANTS POLICY AND DRAFT HERITAGE
ASSISTANCE GRANTS POLICY**

12/114

Recommendation

1. That Broken Hill City Council Report No. 72/17 dated April 13, 2017, be received.
2. That the draft Community Assistance Grants Policy be adopted as a Policy of Council.
3. That the draft Heritage Assistance Grants Policy be adopted as a Policy of Council.
4. That the "Our Community" Portfolio Councillor (currently Councillor Kennedy) be appointed to the Community Assistance Grants Panel in lieu of the General Manager.

RESOLUTION

Minute No. 45524

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. 73/17 - DATED APRIL 10, 2017 - ACTION
LIST REPORT**

11/25

Recommendation

1. That Broken Hill City Council Report No. 73/17 dated April 10, 2017, be received.

RESOLUTION

Minute No. 45525

Councillor T. Kennedy moved) That the recommendation of item 11 be adopted.
Councillor B. Licul seconded)

CARRIED

COMMITTEE REPORTS

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 74/17 - DATED APRIL 12, 2017 -
NOMINATIONS FOR COMMUNITY MEMBERSHIP OF COUNCIL S355 COMMITTEES**

11/9

Recommendation

1. That Broken Hill City Council Report No. 74/17 dated April 12, 2017, be received.
2. That Peter Rawlins be appointed as a community representative on the Picton Oval Community Committee.
3. That Lyndon Pace be appointed as a community representative on the ET Lamb Memorial Oval Community Committee.
4. That Andrew Smith be appointed as a community representative on the Riddiford Arboretum Community Committee.

RESOLUTION

Minute No. 45526

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

CARRIED

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 75/17 - DATED APRIL 07, 2017 - MINUTES
OF THE BROKEN HILL HERITAGE COMMITTEE MEETINGS HELD OCTOBER 27, 2016 AND
MARCH 8, 2017**

15/87

Recommendation

1. That Broken Hill City Council Report No. 75/17 dated April 7, 2017, be received.
2. That the minutes of the Broken Hill Heritage Committee Meetings held October 27, 2016 and March 8, 2017 be received and noted.

RESOLUTION

Minute No. 45527

Councillor C. Adams moved) That the recommendation of item 13 be adopted.
Councillor M. Browne seconded)

CARRIED

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 76/17 - DATED APRIL 10, 2017 - MINUTES
OF THE PICTON OVAL COMMUNITY COMMITTEE MEETING HELD APRIL 3, 2017**

12/54

Recommendation

1. That Broken Hill City Council Report No. 76/17 dated April 10, 2017, be received.
2. That minutes of the Picton Oval Community Committee Meeting held April 3, 2017 be received.

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RESOLUTION

Minute No. 45528

Councillor C. Adams moved
Councillor M. Clark seconded

) That the recommendation of item 14 be adopted.
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CARRIED

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 15 - QUESTIONS ON NOTICE NO. 4/17 - DATED APRIL 06, 2017 - COUNCILLORS

QUESTIONS TAKEN ON NOTICE AT THE MARCH 2017 COUNCIL MEETING 13/94, 16/94, 11/9,
11/391

Recommendation

1. That Questions On Notice No. 4/17 dated April 6, 2017, be received.

RESOLUTION

Minute No. 45529

Councillor T. Kennedy moved
Councillor D. Gallagher seconded

) That the recommendation of item 15 be adopted.
)

CARRIED

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

The following questions from Councillors were taken on notice at this meeting:

Green Waste Management (Item 2)

Councillor Kennedy requested the percentage of the amount of green waste collected that is going to landfill.

Adoption of Draft Community Strategic Plan (Item 3)

Councillor Kennedy requested that the swear words be removed from page 10 of the Draft Community Strategic Plan prior to it being published on Council's website.

Public Exhibition of Long Term Financial Plan (Item 7)

Councillor Kennedy requested that the population figures for Broken Hill which are referenced in the plan require reviewing prior to it being placed on public exhibition.

Heritage Signage (Item 13)

Councillor Licul asked how Council was progressing with the installation of heritage signage at the entrances to the City announcing Broken Hill as the First National Heritage Listed City?

Code of Conduct complaints (Item 16)

Councillor Algate requested to be provided with the final cost of the four Code of Conduct complaints in 2016 inclusive of legal fees.

CONFIDENTIAL MATTERS

RESOLUTION

Minute No. 45530

Councillor D. Gallagher moved
Councillor M. Clark 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 7:45p.m.

Three members of the public remained in the Council Chambers and addressed Council regarding one of the confidential matters.

The three members of the public left the Council Chambers at 7:54p.m.

ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 77/17 - DATED APRIL 10, 2017 - CODE OF CONDUCT NO. BHC160201 - CONFIDENTIAL

BHC160201

(General Manager's Note: This report considers a Code of Conduct matter and is deemed confidential under Section 10A(2) (h) of the Local Government Act, 1993 which contains information regarding alleged contraventions of any Code of Conduct requirements applicable under section 440).

Councillor Browne declared an interest in item 16 and left the Council Chambers at 7:54p.m.

RESOLUTION

Minute No. 45531

Councillor T. Kennedy moved
Councillor B. Licul seconded

-) 1. That Broken Hill City Council Report No.
) 77/17 dated April 10, 2017, be received.
2. That correspondence dated March 22,
2017 from the Office of Local
Government advising of their review of
Code of Conduct matter BHC160201, be
received.
3. That Council note the advice from the
Office of Local Government that no
further action be taken.
4. That Council reimbursement legal costs
incurred in the sum of \$21,474.75 to the
subject person.

CARRIED

Councillor Browne returned to the Council Chamber at 7:58 p.m.

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ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 78/17 - DATED APRIL 06, 2017 - UNITS 1-12/14 BLENDE STREET - PROPOSED TRANSFER TO LEGACY - CONFIDENTIAL 11/333

(General Manager's Note: This report considers Legal advice and is deemed confidential under Section 10A(2) (g) of the Local Government Act, 1993 which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).

Recommendation

1. That Broken Hill City Council Report No. 78/17 dated April 6, 2017, be received.
2. That Council authorize the General Manager to sign the Deed of Agreement with Legacy and forward to Adelaide Legacy
3. That the seal of the Council be applied to the document
4. That upon Legacy signing of the Deed that Council authorize the General Manager to undertake all necessary negotiations and steps to finalise transfer of title to Adelaide Legacy Inc. the governing body for Legacy in South Australia and Broken Hill.

RESOLUTION

Minute No. 45532

Councillor B. Algate moved) That the recommendation of item 17 be adopted.
Councillor C. Adams seconded)

CARRIED

ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 79/17 - DATED APRIL 10, 2017 - LEASE AT AIRPORT TO AIRSERVICES AUSTRALIA - PART OF LOT 1 IN DP1162606 AND LOT 3 IN DP1162606 - CONFIDENTIAL 11/197

(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).

Recommendation

1. That Broken Hill City Council Report No. 79/17 dated April 10, 2017, be received.
2. That Council enters a lease arrangement with AirServices Australia for use of land at the Airport for aviation control services being Part of Lot 1 in DP1162606 and Lot 3 in DP1162606.
3. That the initial term of the lease be 10 years with 2 x 10 year options of renewal.
4. That the rental be \$1.00 per annum.
5. That AirServices Australia be liable for all legal fees in the set up and renewal of the lease.
6. That the Mayor and General Manager be authorised to execute the lease documents under the Common Seal of Council.

RESOLUTION

Minute No. 45533

Councillor B. Licul moved) That the recommendation of item 18 be adopted.
Councillor M. Clark seconded)

CARRIED

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**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 80/17 - DATED MARCH 31, 2017 -
CONTAMINATED ASBESTOS WASTE - CONFIDENTIAL**

11/478

(General Manager's Note: This report considers a matter of ongoing non-compliance which may result in legal action and is deemed confidential under Section 10A(2) (a) (b) (g) of the Local Government Act, 1993 which contains matters that will involve the discussion of personnel matters concerning a particular individual; AND which contains matters that will involve the discussion of the personal hardship of any resident or rate payer; AND which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).

Motion

Councillor C. Adams moved
Councillor B. Licul seconded

-) 1. That Broken Hill City Council Report No.
) 80/17 dated March 31, 2017, be received.
2. That Council endorses the Schedule of Fees
and Charges 2016/2017 as adopted on July
15, 2016 (Minute No. 45288).
3. That Council endorses action undertaken by
the General Manager to ensure that
development in the City is compliant with the
*Environmental Planning and Assessment Act
1979* and Council's adopted *Broken Hill Local
Environmental Plan 2013* and the *Broken Hill
Development Control Plan 2016*.

Amendment

Councillor M. Browne moved
Councillor B. Licul seconded

-) That Council reduces the contaminated asbestos
) waste disposal fee to \$200.00 per tonne for the
owner of the said property, and develops a
payment plan for the owner to pay the fees within
an agreed timeframe.

WITHDRAWN

Amendment

Councillor D. Gallagher moved
Councillor R. Page seconded

-) That the matter be deferred until the owner
) notifies Council in writing of the correct volume of
contaminated asbestos waste requiring disposal
at Council's waste facility in order for Council to
consider their request.

CARRIED

The amendment becomes the motion.

RESOLUTION

Minute No. 45534

Councillor D. Gallagher moved
Councillor R. Page seconded

-) That the matter be deferred until the owner
) notifies Council in writing of the correct volume of
contaminated asbestos waste requiring disposal
at Council's waste facility in order for Council to
consider their request.

CARRIED

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**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 81/17 - DATED APRIL 06, 2017 - T17/3 -
CONCRETE RECONSTRUCTION OF EYRE AND COMSTOCK STREETS INTERSECTIONS AND
PATTON AND COMSTOCK STREET INTERSECTION - TENDER SUBMISSIONS - CONFIDENTIAL**

T17/3

(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

1. That Broken Hill City Council Report No. 81/17 dated April 6, 2017, be received.
2. That GBM Consulting Services be awarded the Contract for Tender T17/3
3. That Council accept the lump sum fee of \$828,290 ex. GST for all tendered works under T17/3.

RESOLUTION

Minute No. 45535

Councillor T. Kennedy moved) That the recommendation of item 20 be adopted.
Councillor C. Adams seconded)

CARRIED

**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 82/17 - DATED MARCH 31, 2017 -
STORMWATER DRAINAGE - PURCHASE OF LAND - CONFIDENTIAL**

11/308

(General Manager's Note: This report considers acquisition 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. 82/17 dated March 31, 2017, be received.
2. That Council purchase land at Lot 2 DP 337391 for Stormwater drainage purposes for the amount of \$15,000.
3. That Council authorises the Mayor and General Manager to execute the sale of land contract under the Common Seal of Council.

RESOLUTION

Minute No. 45536

Councillor J. Nolan moved) That the recommendation of item 21 be adopted.
Councillor M. Browne seconded)

CARRIED

RESOLUTION

Minute No. 45537

Councillor J. Nolan moved) That the meeting resume in open session.
Councillor M. Browne seconded)

CARRIED

Members of the media and public returned at 8:35p.m.

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

Item 16 - Broken Hill City Council Report No. 77/17 - dated April 10, 2017 - Code of Conduct No. BHC160201 - Confidential

- That Broken Hill City Council Report No. 77/17 dated April 10, 2017, be received.
- That correspondence dated March 22, 2017 from the Office of Local Government advising of their review of Code of Conduct matter BHC160201, be received.
- That Council note the advice from the Office of Local Government that no further action be taken.
- That Council reimbursement legal costs incurred in the sum of \$21,474.75 to the subject person.

Item 17 - Broken Hill City Council Report No. 78/17 - dated April 06, 2017 - Units 1-12/14 Blende Street - Proposed Transfer to Legacy - Confidential

- That Broken Hill City Council Report No. 78/17 dated April 6, 2017, be received.
- That Council authorize the General Manager to sign the Deed of Agreement with Legacy and forward to Adelaide Legacy
- That the seal of the Council be applied to the document
- That upon Legacy signing of the Deed that Council authorize the General Manager to undertake all necessary negotiations and steps to finalise transfer of title to Adelaide Legacy Inc. the governing body for Legacy in South Australia and Broken Hill.

Item 18 - Broken Hill City Council Report No. 79/17 - dated April 10, 2017 - Lease at Airport to Airservices Australia - Part of Lot 1 in DP1162606 and Lot 3 in DP1162606 - Confidential

- That Broken Hill City Council Report No. 79/17 dated April 10, 2017, be received.
- That Council enters a lease arrangement with AirServices Australia for use of land at the Airport for aviation control services being Part of Lot 1 in DP1162606 and Lot 3 in DP1162606.
- That the initial term of the lease be 10 years with 2 x 10 year options of renewal.
- That the rental be \$1.00 per annum.
- That AirServices Australia be liable for all legal fees in the set up and renewal of the lease.
- That the Mayor and General Manager be authorised to execute the lease documents under the Common Seal of Council.

Item 19 - Broken Hill City Council Report No. 80/17 - dated March 31, 2017 - Contaminated Asbestos Waste - Confidential

- That the matter be deferred until the owner notifies Council in writing of the correct volume of contaminated asbestos waste requiring disposal at Council's waste facility in order for Council to consider their request.

Item 20 - Broken Hill City Council Report No. 81/17 - dated April 06, 2017 - T17/3 - Concrete Reconstruction of Eyre and Comstock Streets Intersections and Patton and Comstock Street Intersection - Tender Submissions - Confidential

- That Broken Hill City Council Report No. 81/17 dated April 6, 2017, be received.
- That GBM Consulting Services be awarded the Contract for Tender T17/3
- That Council accept the lump sum fee of \$828,290 ex. GST for all tendered works under T17/3.

Item 21 - Broken Hill City Council Report No. 82/17 - dated March 31, 2017 - Stormwater Drainage - Purchase of Land - Confidential

- That Broken Hill City Council Report No. 82/17 dated March 31, 2017, be received.

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- That Council purchase land at Lot 2 DP 337391 for Stormwater drainage purposes for the amount of \$15,000.
- That Council authorises the Mayor and General Manager to execute the sale of land contract under the Common Seal of Council.

There being no further business the Mayor closed the meeting at 8:41 p.m.

THE FOREGOING MINUTES WERE READ
AND CONFIRMED AT THE ORDINARY
MEETING OF THE BROKEN HILL CITY
COUNCIL HELD ON MAY 31, 2017

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CHAIRPERSON

