
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
JUNE 28, 2017

Meeting commenced at 6:30 p.m.

PRESENT:

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

Acting General Manager (Chief Operating Officer), Finance Manager,
Corporate Responsibility Officer, Executive Manager Strategic City
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 (13).

APOLOGIES:

Nil

PRAYER

Councillor Adams delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

PUBLIC FORUM

Broken Hill Rocks Proposal

Mrs Anne TeKawa presented Council with a proposal for a children's activity called "Broken Hill Rocks" whereby hand painted pebbles are hidden in local parks for children to discover and re-hide or keep. Local businesses or emergency services departments may get on-board and offer prizes when children find their painted rocks.

Mrs TeKawa referred to Palmerston North in New Zealand where the project became very popular with the local Police and Fire Services participating and offering children a ride in their police car/fire truck when children found their painted rocks. Mrs TeKawa asked for Council's permission to commence the project as children would be hiding their painted rocks in the local parks in Broken Hill.

The Mayor thanked Mrs TeKawa for her presentation and advised that Council staff would contact her regarding the project.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 45559

Councillor C. Adams moved
Councillor D. Gallagher seconded

)
)

That the Minutes of the Ordinary Meeting of the
Council of the City of Broken Hill held May 31,
2017 be confirmed.

CARRIED

DISCLOSURE OF INTEREST

Councillor Adams declared:

- a pecuniary interest in Confidential Report No. 117/17 as she is the Secretary of the HACC Board and advised that she will leave the Council Chambers whilst the item is considered.

Councillor Browne declared:

- a pecuniary interest in Confidential Report No. 117/17 as she is the Chairperson of the HACC Board 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. 101/17 - DATED JUNE 16, 2017 - ADOPTION OF DRAFT DELIVERY PROGRAM 2017/21

16/165

Recommendation

1. That Broken Hill City Council Report No. 101/17 dated June 16, 2017, be received.
2. That the Draft Delivery Program 2017-2021 be adopted.

RESOLUTION

Minute No. 45560

Councillor J. Nolan moved
Councillor M. Clark seconded

) That the recommendation of item 1 be adopted.
)

CARRIED

ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 108/17 - DATED JUNE 09, 2017 - ADOPTION OF DRAFT BROKEN HILL CITY COUNCIL OPERATIONAL PLAN 2017/2018 INCLUSIVE OF THE STATEMENT OF REVENUE POLICY AND SCHEDULE OF FEES AND CHARGES 2017/2018

16/157

Recommendation

1. That Broken Hill City Council Report No. 108/17 dated June 9, 2017, be received.

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2. That Council note and acknowledge submissions made during the public exhibition period.
3. That the Draft Operational Plan for the period 1 July 2017 to 30 June 2018, including the Revenue Policy, Annual Budget and the Schedule of Fees and Charges 2017/2018 be adopted with the amendments set out in this report.
4. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2017/2018 year.
 - i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.0% base rate of \$480.00 and a rate in the dollar on land value of 2.441994 cents;
 - ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a 49.00% base rate of \$430.00 and a rate in the dollar on land value of 0.493560 cents;
 - iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.0% base rate of \$409.00 and a rate in the dollar on land value of 1.643039 cents;
 - iv. A general farmland rate under Sections 535 and 537 on all land categorised as farmland and consisting of a 30.0% base rate of \$631.00 and a rate in the dollar on land value of 0.509232 cents;
 - v. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$816 and a rate in the dollar on land value of 7.427613 cents;
 - vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 32.00% base rate of \$816 and a rate in the dollar on land value of 7.427613 cents;
 - vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 32.0% base rate of \$480.00 and a rate in the dollar on land value of 2.441994 cents;
 - viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 11.425888 cents;
 - ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$44.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$258.00 per annum payable quarterly (one mobile garbage container only).
 - x. A commercial waste user charge under Section 502 of \$383.00 per annum payable quarterly (3 x MGB containers),
 - xi. A commercial waste user charge under Section 502 of \$352.00 per annum payable quarterly (1x600l bin only),
 - xii. An additional MGB service user charge under Section 502 of \$136.00 per annum payable quarterly.
 - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts an 7.5% rate of interest charge payable on overdue rates and charges during the 2017/18 financial year.
 - xiv. That Council delegate to the General Manager to organise a \$10M Loan for the purpose of additional Infrastructure Renewal as outlined in the 2017/2018 Operational Plan and 2018-2027 Long Term Financial Plan.

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- xv. That if the terms and conditions of the loan as well as the forecasted impacts vary materially from those set out in the plans, a report to Council outlining this and recommendations going forward will be tabled at the next Ordinary Council Meeting.
- xvi. That Council authorise the Mayor and General Manager to sign loan documents and apply the Common Seal of Council to loan documents as necessary.

Motion

Councillor M. Browne moved) That the recommendation of item 2 be adopted.
Councillor D. Gallagher seconded)

Amendment

Councillor T. Kennedy moved) That Council spreads the 1% rate transfer over
Councillor B. Algate seconded) the three categories (mine, business and residential rates) and not transfer a percentage of the mine rates to residential.

That the \$10M loan borrowings be retained in the bank and only be drawn on by Council Resolution for use on specific infrastructure projects.

LOST

The original motion was put.

RESOLUTION

Minute No. 45561

- Councillor M. Browne moved)
Councillor D. Gallagher seconded)
1. That Broken Hill City Council Report No. 108/17 dated June 9, 2017, be received.
 2. That Council note and acknowledge submissions made during the public exhibition period.
 3. That the Draft Operational Plan for the period 1 July 2017 to 30 June 2018, including the Revenue Policy, Annual Budget and the Schedule of Fees and Charges 2017/2018 be adopted with the amendments set out in this report.
 4. That Council make and levy the following rates and charges under the Local Government Act 1993 for the 2017/2018 year.
 - i. A general residential rate under Sections 535 and 537 on all land categorised as residential and consisting of a 49.0% base rate of \$480.00 and a rate in the dollar on land value of 2.441994 cents;
 - ii. A rural-residential rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as rural-residential and consisting of a

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- 49.00% base rate of \$430.00 and a rate in the dollar on land value of 0.493560 cents;
- iii. A residential-1(a) rate, being a sub-category of the general residential rate, under Sections 535 and 537 on all land categorised as residential-1(a) and consisting of a 49.0% base rate of \$409.00 and a rate in the dollar on land value of 1.643039 cents;
- iv. A general farmland rate under Sections 535 and 537 on all land categorised as farmland and consisting of a 30.0% base rate of \$631.00 and a rate in the dollar on land value of 0.509232 cents;
- v. A general business rate under Sections 535 and 537 on all land categorised as business and consisting of a 15.00% base rate of \$816 and a rate in the dollar on land value of 7.427613 cents;
- vi. A mixed development business rate under Sections 535 and 537 on all land categorised as mixed development business and consisting of a 32.00% base rate of \$816 and a rate in the dollar on land value of 7.427613 cents;
- vii. A mixed development residual rate under Sections 535 and 537 on all land categorised as mixed development residual and consisting of a 32.0% base rate of \$480.00 and a rate in the dollar on land value of 2.441994 cents;
- viii. A general mine rate under Sections 535 and 537 on all land categorised as mining and consisting of a nil base rate and a rate in the dollar on land value of 11.425888 cents;
- ix. A domestic waste management charge under Section 496 on each parcel of rateable residential land of \$44.00 per annum payable quarterly for domestic waste service available plus a user charge under Section 502 of \$258.00 per annum payable quarterly (one mobile garbage container only).
- x. A commercial waste user charge under Section 502 of \$383.00 per

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- annum payable quarterly (3 x MGB containers),
- xi. A commercial waste user charge under Section 502 of \$352.00 per annum payable quarterly (1x600l bin only),
 - xii. An additional MGB service user charge under Section 502 of \$136.00 per annum payable quarterly.
 - xiii. That in accordance with Section 566(3) of the Local Government Act, 1993, Council adopts an 7.5% rate of interest charge payable on overdue rates and charges during the 2017/18 financial year.
 - xiv. That Council delegate to the General Manager to organise a \$10M Loan for the purpose of additional Infrastructure Renewal as outlined in the 2017/2018 Operational Plan and 2018-2027 Long Term Financial Plan.
 - xv. That if the terms and conditions of the loan as well as the forecasted impacts vary materially from those set out in the plans, a report to Council outlining this and recommendations going forward will be tabled at the next Ordinary Council Meeting.
 - xvi. That Council authorise the Mayor and General Manager to sign loan documents and apply the Common Seal of Council to loan documents as necessary.

CARRIED

A Division was called for Item 2 which resulted in:

FOR: Crs Adams, Browne, Gallagher, Licul, Turley, M Clark and Nolan
AGAINST: Crs Algate, T Kennedy and R Page

The Acting General Manager took a question on notice from Councillor Kennedy regarding whether there is a plan for the infrastructure projects to be funded by the \$10M loan.

The Mayor took on-board Councillor Page's comments regarding the decline in Broken Hill's population figures and how this may affect Council's Financial Assistance Grant funding in the future. The Mayor undertook to meet with Councillor Page to discuss lobbying the Minister for Local Government and the NSW Premier to develop a fairer system of awarding the Financial Assistance Grant funding.

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**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 109/17 - DATED MAY 02, 2017 - ADOPTION
OF DRAFT LONG TERM FINANCIAL PLAN 2018-2027** 16/157

RESOLUTION

Minute No. 45562

Councillor J. Nolan moved)

Councillor D. Gallagher seconded)

1. That Broken Hill City Council Report No. 109/17 dated May 2, 2017, be received.
2. That Council adopts the Draft Long Term Financial Plan 2018-2027 with a correction to the Executive Summary of the report to reflect the 2016 Census figures shows Broken Hill's population as being 17,814.
3. That Council notes as per the reported financial implications within the report, the adverse impact on the 2016/2017 financial results and 2017/2018 budgeted financials from receiving half of the 2017/2018 allocated Financial Assistance Grant prior to June 30 2017.

CARRIED

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 110/17 - DATED JUNE 16, 2017 -
ADOPTION OF DRAFT DISABILITY INCLUSION ACTION PLAN 2017-2021** 16/82

Recommendation

1. That Broken Hill City Council Report No. 110/17 dated June 16, 2017, be received.
2. That Council adopts the Draft Disability Inclusion Action Plan.
3. That Council issue a copy of the adopted Disability Inclusion Action Plan to the Disability Council.
4. That a copy of the adopted Disability Inclusion Action Plan be placed on Council's website.
5. That the Terms of Reference of the Disability Inclusion Action Plan Monitoring Group be endorsed.

RESOLUTION

Minute No. 45563

Councillor C. Adams moved)

Councillor M. Browne seconded)

- That the recommendation of item 4 be adopted.

CARRIED

The Acting General Manager took a question on notice from Councillor Clark as to whether there will be any additional government funding provided to Council to implement the Disability Inclusion Action Plan.

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**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 111/17 - DATED MAY 02, 2017 - ADOPTION
OF DRAFT WORKFORCE MANAGEMENT PLAN - REPORT - 2017** 16/160

Recommendation

1. That Broken Hill City Council Report No. 111/17 dated May 2, 2017, be received.
2. That Council adopts the Draft Workforce Management Plan and Report – 2017.

RESOLUTION

Minute No. 45564

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

CARRIED

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 102/17 - DATED JUNE 05, 2017 - DRAFT
COMPLAINTS MANAGEMENT POLICY FOR PUBLIC EXHIBITION** D12/11853

Recommendation

1. That Broken Hill City Council Report No. 102/17 dated June 5, 2017, be received.
2. That Council endorses the draft revised Complaints Management Policy.
3. That the draft revised Complaints Management Policy be exhibited for public comment for a 28 day period.
4. That Council receives a further report at the conclusion of its exhibition detailing submissions and any recommended changes arising, with a view to adopting the Draft Complaints Management Policy.

RESOLUTION

Minute No. 45565

Councillor C. Adams moved) That the recommendation of item 6 be adopted.
Councillor M. Clark seconded)

CARRIED

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 103/17 - DATED JUNE 08, 2017 -
INVESTMENT REPORT FOR MAY 2017** 17/82

Recommendation

1. That Broken Hill City Council Report No. 103/17 dated June 8, 2017, be received.

RESOLUTION

Minute No. 45566

Councillor D. Gallagher 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. 104/17 - DATED JUNE 06, 2017 -
COMMUNITY ASSISTANCE GRANTS AWARDED FOR ROUND 1 OF 2017/2018**

17/44

Recommendation

1. That Broken Hill City Council Report No. 104/17 dated June 6, 2017, be received.
2. That Council notes the Community Assistance Grants Panel Evaluation for Round 1 of 2017/2018, approved by the General Manager.
3. That Council notes the proposal to increase the Community Assistance Grants budget by \$30,000 for the 2017/2018 financial year as detailed in the report to this Council Meeting as part of the adoption of Council's budget.

RESOLUTION

Minute No. 45567

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

CARRIED

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 105/17 - DATED JUNE 14, 2017 - LIVE
STREAMING - COMMUNICATIONS AUDIT**

16/6

Recommendation

1. That Broken Hill City Council Report No. 105/17 dated June 14, 2017, be received.
2. That Council supports a closed trial of live streaming for the July 2017 Council Meeting, with subsequent meetings to be streamed to the public from August 2017.
3. That Council note the communications audit being undertaken with Sauce Communications, and current data surrounding community engagement.

RESOLUTION

Minute No. 45568

Councillor D. Gallagher moved) That the recommendation of item 9 be adopted.
Councillor B. Licul seconded)

CARRIED

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 112/17 - DATED JUNE 13, 2017 -
MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 371 HELD TUESDAY JUNE 6,
2017.**

11/397

Recommendation

1. That Broken Hill City Council Report No. 112/17 dated June 13, 2017, be received.
2. That the minutes for the Local Traffic Committee Meeting No. 371, held June 6, 2017, be received.
3. Item number 371.7.1 - That the request for road closure as per The Palace Hotel's Traffic Control Plan for:

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Date: 5/24/2017
Author: D Morris
Project: Road Closure – Broken Heel Festival
Card Number 0033028816.

be endorsed by Council and that any costs associated with the road closure be covered by The Palace Hotel.

4. Item number 371.7.2 – That the loading zone located in Oxide Street in front of the Old Royal Tavern, 146-148 Oxide Street, be removed and replaced with parallel parking. A taxi zone to be placed in Mica Street near the vicinity of the Old Royal Tavern, 146-148 Oxide Street for the purpose of allowing a drop-off area with the aim to reduce the occurrence of double parking in the Oxide Street area
5. Item number 371.7.3 – That Council notes that the committee have no objections to the School of the Air, Motorcade Event that will be held on Tuesday, 1 August 2017
6. Item number 371.7.4 – That Council contact the businesses within Argent Lane from Bromide to Kaolin Streets in relation to the proposed installation of 'No Parking Signs'; and if there are no objections from this consultation, signage will be installed.
7. Item number 371.7.5 – That existing signage located in the vicinity of 130 – 136 Eyre Street be removed and replaced with two 'No Stopping' signs.

RESOLUTION

Minute No. 45569

Councillor M. Browne moved) That the recommendation of item 10 be adopted.
Councillor C. Adams seconded)

CARRIED

ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 106/17 - DATED JUNE 16, 2017 - ACTION LIST REPORT

11/25

RESOLUTION

Minute No. 45570

Councillor J. Nolan moved) 1. That Broken Hill City Council Report No.
Councillor M. Browne seconded) 106/17 dated June 16, 2017, be received.

2. That the Action List continues to be produced in its previous format with the addition of colour coding to distinguish items that are:
 - a) not yet commenced (shaded red)
 - b) in progress (shaded yellow)
 - c) complete (shaded green).Items completed to be removed from the list the following month.

CARRIED

COMMITTEE REPORTS

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 113/17 - DATED JUNE 13, 2017 -
MINUTES OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE
MEETINGS HELD MAY 16, 2017.** 12/51

Recommendation

1. That Broken Hill City Council Report No. 113/17 dated June 13, 2017, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held May 16, 2017 be received.

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 107/17 - DATED JUNE 15, 2017 -
MINUTES OF THE ART GALLERY ADVISORY COMMITTEE MEETING HELD 19 APRIL 2017** 12/46

Recommendation

1. That Broken Hill City Council Report No. 107/17 dated June 15, 2017, be received.
2. That minutes of the Broken Hill Regional Art Gallery Advisory Committee Meeting held 19 April 2017 be received.

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 114/17 - DATED JUNE 15, 2017 -
MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD 6 JUNE 2017** 12/52

Recommendation

1. That Broken Hill City Council Report No. 114/17 dated June 15, 2017, be received.
2. That minutes of the Memorial Oval Community Committee Meeting held 6 June 2017 be received.

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 115/17 - DATED JUNE 19, 2017 -
NOMINATIONS FOR COMMUNITY MEMBERSHIP OF COUNCIL S355 COMMITTEES** 11/9

Recommendation

1. That Broken Hill City Council Report No. 115/17 dated June 19, 2017, be received.
2. That Annette Northey be appointed as a community representative on the BIU Band Hall Community Committee.

Minute No. 45571

Councillor C. Adams moved)	That the recommendations of items 12 to 15 be
Councillor D. Gallagher seconded)	adopted.

CARRIED

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 16 - QUESTIONS ON NOTICE NO. 6/17 - DATED JUNE 02, 2017 - COUNCILLORS
QUESTIONS TAKEN ON NOTICE AT THE MAY 2017 COUNCIL MEETING 11/129, 13/140

Recommendation

1. That Questions On Notice No. 6/17 dated June 2, 2017, be received.

RESOLUTION

Minute No. 45572

Councillor T. Kennedy moved) That the recommendation of item 16 be adopted.
Councillor M. Clark seconded)

CARRIED

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

\$10M Loan for Infrastructure Projects (Item 2) 16/157

The Acting General Manager took a question on notice from Councillor Kennedy regarding whether there is a plan for the infrastructure projects to be funded by the \$10M loan.

Funding for Disability Inclusion Action Plan (Item 4) 16/82

The Acting General Manager took a question on notice from Councillor Clark as to whether there will be any additional government funding provided to Council to implement the Disability Inclusion Action Plan.

CONFIDENTIAL MATTERS

RESOLUTION

Minute No. 45573

Councillor C. Adams moved) That the meeting be closed to the public in
Councillor D. Gallagher seconded) accordance with Section 10A of the Local
Government Act 1993.

CARRIED

Members of the public and media left the Council Chambers at 7:28 p.m.

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 116/17 - DATED JUNE 06, 2017 - LICENCE
TO OPERATE KIOSK AND CLEANING OF THE TERMINAL BUILDING AT THE BROKEN HILL
AIRPORT - 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

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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. 116/17 dated June 6, 2017, 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, 2017.
3. That Council pays the licensee the current licence amount with a 2.39% 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 under the Common Seal of Council.

RESOLUTION

Minute No. 45574

Councillor C. Adams moved) That the recommendation of item 17 be adopted.
Councillor D. Gallagher seconded)

CARRIED

ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 117/17 - DATED JUNE 14, 2017 - LEASE OF NORTH MINE HALL TO FAR WEST HACC SERVICES INC - CONFIDENTIAL 13/17

(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).

Councillors Browne and Adams declared an interest in item 18 and left the Council Chambers at 7:35 p.m.

Recommendation

1. That Broken Hill City Council Report No. 117/17 dated June 14, 2017, be received.
2. That Council enters a new lease agreement with Far West HACC Services Inc for exclusive use of the North Mine Hall for an initial twelve (12) month period commencing 1 July 2017 and concluding 30 June 2018; with three options to renew of twelve (12) months duration.
3. That the rental fee be set at \$5,000.00 per year for the initial lease (which will be covered by a Community Assistance Grant) and the three (3) x twelve (12) month renewal options at a peppercorn rental fee of \$1.00 per annum.
4. That the lease include a clause to allow the Far West HACC Services Inc to terminate the lease with one month's notice should government funding not be approved for the operation of the Senior's Lounge.
5. That Far West HACC Services Inc makes the hall available as a polling place when required for Local, State and Federal Elections.
6. That each party is responsible for their respective legal fees.
7. That the Mayor and General Manager be authorised to sign the lease documents under the Common Seal of Council.

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RESOLUTION

Minute No. 45575

Councillor B. Algate moved) That the recommendation of item 18 be adopted.
Councillor D. Gallagher seconded)

CARRIED

Councillors Browne and returned to the Council Chambers at 7:36 p.m.

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 118/17 - DATED JUNE 13, 2017 - ACCESS
ARRANGEMENT FOR EXPLORATION LICENCE EL8457 WILLYAMA COMMON - CONFIDENTIAL**

11/63

(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. 118/17 dated June 13, 2017, be received.
2. That Council as Trustees of the Willyama Common, advise CBH Resources that EL 8457 is affected by Aboriginal Land Claim 40471, and that permission from the Claim Unit (in Crown Lands) will be required.
3. That the Code of Environmental Practice for Mineral Exploration on Willyama Common be attached to the Agreement as a special condition.
4. That Council as Trustees of the Willyama Common, sign the Land Access and Compensation Agreement for Mineral Exploration after receiving written advice that CBH Resources has dealt with the Aboriginal Land Claim that affects the area.

RESOLUTION

Minute No. 45576

Councillor B. Algate moved) That the recommendation of item 19 be adopted.
Councillor J. Nolan seconded)

CARRIED

RESOLUTION

Minute No. 45577

Councillor D. Gallagher moved) That the meeting resume in open session
Councillor R. Page seconded)

CARRIED

Members of the public and media returned to the Council Chambers at 7:37 p.m.

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

Item 17 – Broken Hill City Council Report No. 116/17 dated June 06, 2017 – Licence to Operate Kiosk and Cleaning of the Terminal Building at the Broken Hill Airport – CONFIDENTIAL

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- That Broken Hill City Council Report No. 116/17 dated June 6, 2017, be received.
- 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, 2017.
- That Council pays the licensee the current licence amount with a 2.39% CPI increase.
- That all other terms be in accordance with the previous licence agreement.
- That the Mayor and General Manager be authorised to sign the licence agreement under the Common Seal of Council.

Item 18 – Broken Hill City Council Report No. 117/17 dated June 14, 2017 – Lease of North Mine Hall to Far West HACC Services Inc. - CONFIDENTIAL

- That Broken Hill City Council Report No. 117/17 dated June 14, 2017, be received.
- That Council enters a new lease agreement with Far West HACC Services Inc for exclusive use of the North Mine Hall for an initial twelve (12) month period commencing 1 July 2017 and concluding 30 June 2018; with three options to renew of twelve (12) months duration.
- That the rental fee be set at \$5,000.00 per year for the initial lease (which will be covered by a Community Assistance Grant) and the three (3) x twelve (12) month renewal options at a peppercorn rental fee of \$1.00 per annum.
- That the lease include a clause to allow the Far West HACC Services Inc to terminate the lease with one month's notice should government funding not be approved for the operation of the Senior's Lounge.
- That Far West HACC Services Inc makes the hall available as a polling place when required for Local, State and Federal Elections.
- That each party is responsible for their respective legal fees.
- That the Mayor and General Manager be authorised to sign the lease documents under the Common Seal of Council.

Item 19 – Broken Hill City Council Report No. 118/17 dated June 13, 2017 – Access Arrangement for Exploration Licence EL8457 Willyama Common - CONFIDENTIAL

- That Broken Hill City Council Report No. 118/17 dated June 13, 2017, be received.
- That Council as Trustees of the Willyama Common, advise CBH Resources that EL 8457 is affected by Aboriginal Land Claim 40471, and that permission from the Claim Unit (in Crown Lands) will be required.
- That the Code of Environmental Practice for Mineral Exploration on Willyama Common be attached to the Agreement as a special condition.
- That Council as Trustees of the Willyama Common, sign the Land Access and Compensation Agreement for Mineral Exploration after receiving written advice that CBH Resources has dealt with the Aboriginal Land Claim that affects the area.

There being no further business, the Mayor declared the meeting closed at 7:41 p.m.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
JUNE 28, 2017

THE FOREGOING MINUTES WERE READ
AND CONFIRMED AT THE ORDINARY
MEETING OF THE BROKEN HILL CITY
COUNCIL HELD ON JULY 26, 2017.

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CHAIRPERSON