
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
APRIL 26, 2018

Meeting commenced at 6:30 p.m.

PRESENT:

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

General Manager, Chief Financial Officer, Director Corporate,
Communication and Community Engagement Coordinator, Governance
Officer and Executive Support Officer.

Media (3), Members of the Public (16).

APOLOGIES:

Nil.

PRAYER

Councillor Adams delivered the prayer

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country

PUBLIC FORUM

Nil.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 45792

Councillor D. Gallagher moved)
Councillor C. Adams seconded)

That the Minutes of the Ordinary Meeting of the
Council of the City of Broken Hill held March 28,
2018 be confirmed.

CARRIED

DISCLOSURE OF INTEREST

Mayor Turley declared:

- a non-pecuniary interest in Report No. 7/18 as the matter relates to the Mayor and advised that she will leave the Council Chambers whilst the item is considered.

Councillor Browne declared:

- a non-pecuniary interest in Report No. 68/18 as she is the Chairperson of West State Training who operates Hertz in Broken Hill on behalf of the applicant and advised that she will leave the Council Chambers whilst the item is considered.

MAYORAL MINUTES

ITEM 1 - MAYORAL MINUTE NO. 4/18 - DATED APRIL 26, 2018 - HAWSONS MINING PROJECT - MAJOR PROJECT STATUS ANNOUNCED 11/192

Resolved:

1. That Mayoral Minute No. 4/18 dated April 26, 2018, be received.
2. That the Mayor chair the working group/committee, that 2-3 Councillors be invited to take part, with relevant council staff, and that the appropriate community and public sector representatives be invited.

RESOLUTION

Minute No. 45793

Councillor D. Turley moved)
Councillor M. Browne seconded)

CARRIED

NOTICES OF MOTION

ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 7/18 - DATED APRIL 20, 2018 - STANDING COMMITTEES OF COUNCIL 11/249

Mayor Turley left the Council Chamber at 6:47p.m.

Deputy Mayor Browne assumed the Chair.

During discussion of item 2 Councillor Clark foreshadowed a motion.

Notice of Motion

1. That Motions of Which Notice has been Given No. 7/18 dated April 20, 2018, be received.
2. That the Council pass a motion of no confidence in Mayor Darriea Turley, on the grounds that she did not honour her election promise to introduce the standing committees of Council.

LOST

Councillor Nolan entered the meeting at 7:11 p.m

Councillor Kennedy called a point of order in the Deputy Mayor's ruling to allow for the foreshadowed motion to be heard. Councillor Kennedy stated that by allowing a foreshadowed motion to be heard once an item has been dealt with and whilst the Mayor is absent from the Chambers will contravene the *Local Government Act 1993* and Council's Code of Meeting Practice.

The Deputy Mayor ruled that the foreshadowed motion be put.

RESOLUTION

Minute No. 45794

Councillor M. Clark moved)
Councillor B. Licul seconded)

1. That this meeting of the Broken Hill City Council on April 26, 2018 affirms its full confidence in, and support of, Mayor Turley as the civic leader of this City.

CARRIED

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Mayor Turley returned to the Council Chamber at 7:18 p.m. and resumed the Chair.

Deputy Mayor Browne advised Mayor Turley that the Notice of Motion was lost and that the foreshadowed motion was carried that Council affirms its full confidence in, and support of, Mayor Turley as the civic leader of this City.

ITEM 3 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 8/18 - DATED APRIL 20, 2018 - FUNDING FOR PUBLIC ART WORKS 16/58

Resolved:

1. That Motions of Which Notice has been Given No. 8/18 dated April 20, 2018, be received.
2. That the Council investigates available grants that would encourage and promote the expansion of approved public art project works as our town needs a proud mural program to encourage and promote the expansion of public art projects which help highlight the lifestyle and cultural identity of our city.

RESOLUTION

Minute No. 45795

Councillor R. Page moved)

Councillor D. Gallagher seconded)

CARRIED

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Nil.

REPORTS

ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 50/18 - DATED APRIL 13, 2018 - OFFICE OF LOCAL GOVERNMENT - FIT FOR THE FUTURE ASSESSMENT 11/304

Resolved:

1. That Broken Hill City Council Report No. 50/18 dated April 13, 2018, be received.
2. That a Councillor Briefing be held to address progress of the items in the Fit for the Future Assessment.

RESOLUTION

Minute No. 45796

Councillor M. Browne moved)

Councillor C. Adams seconded)

CARRIED

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ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 51/18 - DATED MARCH 28, 2018 - DRAFT OPERATIONAL PLAN 2018/2019 INCLUSIVE OF THE STATEMENT OF REVENUE POLICY AND DRAFT SCHEDULE OF FEES AND CHARGES 2018/2019 17/206

Resolved:

1. That Broken Hill City Council Report No. 51/18 dated March 28, 2018, be received.
2. That the Draft Operational Plan 2018/2019 inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2018/2019 be endorsed for the purpose of public exhibition for community comment for a 28 day period.

RESOLUTION

Minute No. 45797

Councillor J. Nolan moved)

Councillor M. Clark seconded)

CARRIED

The Mayor took a question on notice from Councillor Kennedy regarding the Draft Operational Plan 2018/2019 – whether an explanation of the \$4M “other expenses” could be included in the draft Operational Plan that is placed on public exhibition.

The Mayor also took a question on notice from Councillor Algate who asked if the Schedule of Fees and Charges could be amended to include a column showing the current year's fees.

ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 52/18 - DATED APRIL 17, 2018 - DRAFT LONG TERM FINANCIAL PLAN 2019-2028 16/157

Resolved:

1. That Broken Hill City Council Report No. 52/18 dated April 17, 2018, be received.
2. That Council endorse the Draft Long Term Financial Plan 2019-2028 for public exhibition.
3. That that Draft Long Term Financial Plan 2019-2028 be placed on public display for 28 days in accordance with legislation.

RESOLUTION

Minute No. 45798

Councillor D. Gallagher moved)

Councillor M. Browne seconded)

CARRIED

ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 53/18 - DATED MARCH 27, 2018 - DRAFT AGENCY INFORMATION GUIDE 2018 11/118

Resolved:

1. That Broken Hill City Council Report No. 53/18 dated March 27, 2018, be received.
2. That Council review the Draft Agency Information Guide 2018.
3. That Council endorse the Draft Agency Information Guide for release to the Information Commissioner for review and potential guidance on the Draft Agency Information Guide.

RESOLUTION

Minute No. 45799

Councillor M. Browne moved)

Councillor C. Adams seconded)

CARRIED

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**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 54/18 - DATED MARCH 02, 2018 -
ADOPTION OF DRAFT SOCIAL MEDIA POLICY**

12/14

- Councillor T. Kennedy moved)
Councillor B. Algate seconded)
1. That Broken Hill City Council Report No. 54/18 dated March 2, 2018, be received.
 2. That Council adopts the draft Social Media Policy as a policy of Council with an amendment to delete Clause 4.4 which reads: "4.4 Council representatives must not use personal accounts in a manner that is likely to bring Council or its representatives into disrepute".
 3. That Council notes that adoption of the draft Social Media Policy will render Council's Social Networking and Online Media Policy obsolete.

Amendment

- Councillor M. Browne moved)
Councillor C. Adams seconded)
1. That Broken Hill City Council Report No. 54/18 dated March 2, 2018, be received.
 2. That Council adopts the draft Social Media Policy as a policy of Council.
 3. That Council notes that adoption of the draft Social Media Policy will render Council's Social Networking and Online Media Policy obsolete.

CARRIED

The amendment becomes the motion.

RESOLUTION

Minute No. 45800

- Councillor M. Browne moved)
Councillor C. Adams seconded)
1. That Broken Hill City Council Report No. 54/18 dated March 2, 2018, be received.
 2. That Council adopts the draft Social Media Policy as a policy of Council.
 3. That Council notes that adoption of the draft Social Media Policy will render Council's Social Networking and Online Media Policy obsolete.

CARRIED

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**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 55/18 - DATED MARCH 02, 2018 -
ADOPTION OF DRAFT DIGITAL STRATEGY**

12/14

Resolved:

1. That Broken Hill City Council Report No. 55/18 dated March 2, 2018, be received.
2. That Council adopts the draft Digital Strategy as a Strategy of Council.

RESOLUTION

Minute No. 45801

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

CARRIED

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 56/18 - DATED APRIL 17, 2018 - DRAFT
COMMUNICATIONS AND ENGAGEMENT STRATEGY AND DRAFT SOCIAL MEDIA STRATEGY
FOR PUBLIC EXHIBITION**

12/14

Resolved:

1. That Broken Hill City Council Report No. 56/18 dated April 17, 2018, be received.
2. That Council endorse the draft Communications and Engagement Strategy and draft Social Media Strategy for the purpose of public exhibition.
3. That both Strategies be exhibited for public comment for a 28 day period.
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 both Strategies.

RESOLUTION

Minute No. 45802

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

CARRIED

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 57/18 - DATED APRIL 17, 2018 - LIBRARY
AND CULTURAL PRECINCT DEVELOPMENT - GOVERNANCE ARRANGEMENTS**

14/181

Resolved:

1. That Broken Hill City Council Report No. 57/18 dated April 17, 2018, be received.
2. That Council endorse the positions of Mayor and Deputy Mayor as Councils representatives to the Project Steering Group for the New Library and Cultural Precinct Project.
3. That advice of the Project Steering Group Meetings be circulated to Councillors to attend.

RESOLUTION

Minute No. 45803

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

CARRIED

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**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 58/18 - DATED APRIL 13, 2018 -
INVESTMENT REPORT FOR MARCH 2018**

17/82

Resolved:

1. That Broken Hill City Council Report No. 58/18 dated April 13, 2018, be received.

RESOLUTION

Minute No. 45804

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

CARRIED

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 59/18 - DATED APRIL 06, 2018 -
COMPULSORY ACQUISITION OF WARNOCK GOSSAN STREET ROAD RESERVE**

11/199

Resolved:

1. That Broken Hill City Council Report No. 59/18 dated April 6, 2018, be received.
2. That Council make an application to the Minister and Governor for approval to acquire the sections of Warnock and Gossan Street traversing Crown Land in Lot 7469 in Deposited Plan 1182254, under Section 177 of the *Roads Act 1993* and Section 186 of the *Local Government Act 1993*.
3. That the acquisition be undertaken in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
4. That upon acquisition, Council to undertake required actions to open the subject road by registration of a plan in accordance with Section 7 of the *Roads Act 1993*.

RESOLUTION

Minute No. 45805

Councillor C. Adams moved)
Councillor D. Gallagher seconded)

CARRIED

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 60/18 - DATED MARCH 28, 2018 -
MINUTES OF THE BROKEN HILL LEAD REFERENCE GROUP MEETING HELD MARCH 8, 2018**

12/177

Resolved:

1. That Broken Hill City Council Report No. 60/18 dated March 28, 2018, be received.
2. That the minutes of the Broken Hill Lead Reference Group Meeting held March 8, 2018 be received.
3. That Council seeks funding (by way of a water subsidy) from the State Government towards greening of the City's parks and ovals to assist in the reduction of lead levels in the City.

RESOLUTION

Minute No. 45806

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

CARRIED

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ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 61/18 - DATED APRIL 10, 2018 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 380 HELD TUESDAY APRIL 3, 2018. 11/397

Resolved:

1. That Broken Hill City Council Report No. 61/18 dated April 10, 2018, be received.
2. That the minutes for the Local Traffic Committee Meeting No.380, held April 3, 2018 be received.

RESOLUTION

Minute No. 45807

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

CARRIED

ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 62/18 - DATED APRIL 17, 2018 - ACTION LIST REPORT 11/21

Resolved:

1. That Broken Hill City Council Report No. 62/18 dated April 17, 2018, be received.

RESOLUTION

Minute No. 45808

Councillor D. Gallagher moved)
Councillor M. Browne seconded)

CARRIED

COMMITTEE REPORTS

ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 63/18 - DATED MARCH 13, 2018 - MINUTES OF THE PICTON OVAL COMMUNITY COMMITTEE MEETINGS HELD MARCH 12 AND APRIL 9 2018 12/54

Resolved:

1. That Broken Hill City Council Report No. 63/18 dated March 13, 2018, be received.
2. That minutes of the Picton Oval Community Committee Meetings held March 12 and April 9, 2018 be received.

ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 64/18 - DATED APRIL 06, 2018 - NOMINATION FOR MEMBERSHIP OF THE BROKEN HILL HERITAGE COMMITTEE 15/87

Resolved:

1. That Broken Hill City Council Report No. 64/18 dated April 6, 2018, be received.
2. That Council accepts the nomination from Mr Eric McCormick as a community representative on the Broken Hill Heritage Advisory Committee.

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ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 65/18 - DATED APRIL 09, 2018 - MINUTES OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETINGS HELD MARCH 20, 2018 12/51

Resolved:

1. That Broken Hill City Council Report No. 65/18 dated April 9, 2018, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held March 20, 2018 be received.
3. Item number 8.2 - That Council send correspondence to relevant Committee Member, requesting explanation of absences and seeking clarification in regard to continuation of membership on the Committee or declaring position vacant.

ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 66/18 - DATED APRIL 17, 2018 - MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD 10 APRIL 2018 12/52

Resolved:

1. That Broken Hill City Council Report No. 66/18 dated April 17, 2018, be received.
2. That minutes of the Memorial Oval Community Committee Meeting held 10 April 2018 be received.

Minute No. 45809

Councillor C. Adams moved) That the motions of items 17 to 20 be adopted.
Councillor M. Clark seconded)

CARRIED

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 21 - QUESTIONS ON NOTICE NO. 4/18 - DATED APRIL 05, 2018 - COUNCILLORS QUESTIONS TAKEN ON NOTICE AT THE MARCH 2018 COUNCIL MEETING 11/467, 17/82 & 12/108

Resolved:

1. That Questions On Notice No. 4/18 dated April 5, 2018, be received.

RESOLUTION

Minute No. 45810

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

CARRIED

The Mayor took a question on notice from Councillor Kennedy who sought further clarification regarding his previous question whether there has been retrospective approval of murals and the location of these murals.

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

From Item 1 – Hawsons Mining Project – Major Project Status Announced 11/192

Councillor Kennedy asked if the working group being established to investigate available housing stock and housing issues within the City boundary can also investigate any infrastructure projects that may be of benefit to entice mining families to relocate to Broken Hill.

From Item 5 – Draft Operational Plan 2018/2019 including Schedule of Fees and Charges 17/206

The Mayor took a question on notice from Councillor Kennedy regarding the Draft Operational Plan 2018/2019 – whether an explanation of the \$4M “other expenses” could be included in the draft Operational Plan that is placed on public exhibition.

The Mayor also took a question on notice from Councillor Algate who asked if the Schedule of Fees and Charges could be amended to include a column showing the current year’s fees and charges.

From Item 21 – Councillor Question - Retrospective Approval of Murals 11/467

The Mayor took a question on notice from Councillor Kennedy who sought further clarification regarding his previous question whether there has been retrospective approval of murals and the location of these murals.

RESOLUTION

Minute No. 45811

Councillor B. Licul moved) That the questions for next meeting be
Councillor M. Clark seconded) accepted.

CARRIED

Prior to Council considering the confidential matters, the Mayor wished ABC Journalist, Sofie Wainwright well with her move to Townsville and thanked her for dedication and professionalism whilst working for ABC Broken Hill.

CONFIDENTIAL MATTERS

ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 67/18 - DATED MARCH 29, 2018 - VARIATION OF LEASE OPTION - LEASE OF PART OF THE HACC CENTRE TO LIVEBETTER SERVICES LIMITED - CONFIDENTIAL 11/121

(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).

Resolved:

1. That Broken Hill City Council Report No. 67/18 dated March 29, 2018, be received.

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2. That Council adopts a variation to the lease option (from one year to three years) for a current lease of the HACCC Centre for part 6098/46199 being part 72-74 Gypsum street, Broken Hill to LiveBetter Services Limited (formerly CareWest Ltd).
3. That the new lease option apply from 1 October 2018 and expire on 30 September 2021.
4. That the annual rent remain the same as per the original lease i.e. original commencement rent of \$178,839.00/annum with an annual CPI increase on 10 October each year.
5. That the Mayor and General Manager be authorised to execute the lease documents under the Common Seal of Council.

RESOLUTION

Minute No. 45812

Councillor C. Adams moved)
Councillor D. Gallagher seconded)

CARRIED

ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 68/18 - DATED APRIL 04, 2018 - DEED OF ASSIGNMENT OF AGREEMENT - JUSAIRE PTY LTD TO CARSCONNECTION PTY LTD FOR LICENCE AT BROKEN HILL AIRPORT TERMINAL - CONFIDENTIAL 11/214

(General Manager's Note: This report considers a licence 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).

Councillor Browne declared an interest in item 23 and left the Council Chambers at 8:10 p.m.

Resolved:

1. That Broken Hill City Council Report No. 68/18 dated April 4, 2018, be received.
2. That Council approves the transfer of the current licence agreement from Jusaire Pty Ltd to Carsconnection Pty Ltd for the Hertz Car Rental Desk at the Broken Hill Airport Terminal Building.
3. That all terms of the original ten year licence agreement expiring on 31 June 2021 remain unchanged.
4. That the Mayor and General Manager be authorised to signed the Deed of Assignment of Agreement under the Common Seal of Council to effect the transfer of the licence agreement.

RESOLUTION

Minute No. 45813

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

CARRIED

ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 69/18 - DATED MARCH 22, 2018 - SALE OF 331 MURTON STREET - CONFIDENTIAL T14/1

(General Manager's Note: This report considers Sale of Land at 331 Murton Street 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).

Resolved:

1. That Broken Hill City Council Report No. 69/18 dated March 22, 2018, be received.

