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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
AUGUST 29, 2018

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Meeting commenced at 6:30p.m.

**PRESENT:** Councillor M. Browne (Acting Mayor) Councillors C. Adams, B. Algate (part of meeting), M. Clark, D. Gallagher, T. Kennedy, B. Licul, J. Nolan and R. Page.

General Manager, Chief Operations Officer, Chief Financial Officer, Manager Communications, Governance Officer and Executive Support Officer.

Media (3), Members of the Public (18).

**APOLOGIES:** Councillor D. Turley (Mayor).

**RESOLUTION**

Minute No. 45868

Councillor B. Licul moved ) That the apology submitted on behalf of Mayor  
Councillor J. Nolan seconded ) Turley be accepted and leave of absence  
granted.

CARRIED

**ACKNOWLEDGEMENT**

*A moment of silence was observed to honour the late Gordon Langbine, a former Councillor who was first elected Councillor in 1983 and served four concurrent terms on Council. Mr Langbine passed away earlier this week and Councillors acknowledged his commitment to serving the community of Broken Hill and reflected on his passion for the City.*

**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. 45869

Councillor M. Clark moved  
Councillor C. Adams seconded

)  
)

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held July 25, 2018 be confirmed.

CARRIED

### DISCLOSURE OF INTEREST

Nil

### MAYORAL MINUTES

*The Acting Mayor advised that the Mayoral Minute listed for the meeting was confidential and would be dealt with in closed session at this meeting.*

#### RESOLUTION

Minute No. 45870

Councillor B. Algate moved  
Councillor R. Page seconded

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)

That the Mayoral Minute be dealt with in closed session.

CARRIED

### NOTICES OF MOTION

**ITEM 1 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 9/18 - DATED JULY 31, 2018 - CIVIC CENTRE REDEVELOPMENT**

17/114

Resolved

1. That Motions of Which Notice has been Given No. 9/18 dated July 31, 2018, be deferred to be dealt with in the Confidential Section in conjunction with the confidential report regarding an update on the take-over works associated with the Broken Hill Civic Centre.

#### RESOLUTION

Minute No. 45871

Councillor T. Kennedy moved  
Councillor M. Clark seconded

)  
)

CARRIED

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**ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 10/18 - DATED AUGUST 24, 2018**  
**- PROTEST AND DAY OF ACTION - DARLING RIVER AND MENINDEE LAKES** 11/427

Resolved

1. That Motions of Which Notice has been Given No. 10/18 dated August 24, 2018, be received.
2. That Broken Hill City Council led by Mayor Turley organize a protest and day of action in relation to the negligent handling of the Darling River and Menindee Lakes.
3. That other communities be invited to be part of the protest which should include a march along Argent Street to the Sturt Park.

**RESOLUTION**

Minute No. 45872

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

CARRIED

**ITEM 3 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 11/18 - DATED AUGUST 24, 2018**  
**- COMMERCIAL WASTE FEES** 17/206

Motion

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

1. That Motions of Which Notice has been Given No. 11/18 dated August 24, 2018, be received.
2. That Broken Hill City Council prepares a report on why Council is charging businesses the commercial waste dumping charge for the removal of rubble from residential properties and that the charges are suspended until the report has been submitted and voted on by Council.
3. That Council notes this has resulted in a number of businesses risking closure and is indirectly charging residential residents additional waste disposal costs.

Amendment

Councillor B. Licul moved )  
Councillor D. Gallagher seconded )

1. That Motions of Which Notice has been Given No. 11/18 dated August 24, 2018, be deferred and considered with a report regarding waste fees and charges in the report section of this meeting.

CARRIED

A Division on the amendment was called which resulted in:

FOR: Crs Nolan, Clark, Licul, Adams, Gallagher and Browne  
AGAINST: Crs Kennedy, Algate and Page

The amendment becomes the motion.

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**RESOLUTION**

Minute No. 45873

Councillor B. Licul moved )

Councillor D. Gallagher seconded )

1. That Motions of Which Notice has been Given No. 11/18 dated August 24, 2018, be deferred and considered with a report regarding waste fees and charges in the report section of this meeting.

CARRIED

A Division was called which resulted in:

FOR: Crs Adams, Browne, Gallagher, Licul, Clark and Nolan

AGAINST: Crs Algate, Kennedy and Page

**ITEM 4 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 12/18 - DATED AUGUST 24, 2018**  
**- COUNCIL'S CODE OF MEETING PRACTICE** 12/14

Motion

Councillor T. Kennedy moved )

Councillor B. Algate seconded )

1. That Motions of Which Notice has been Given No. 12/18 dated August 24, 2018, be received.
2. That Broken Hill City Council re-establishes question time at the beginning and end of Council meetings and that question time at the beginning of meetings is open to any lawful question and advanced notice not to be required to ask a question.

Amendment

Councillor D. Gallagher moved )

Councillor C. Adams seconded )

1. That Motions of Which Notice has been Given No. 12/18 dated August 24, 2018, be deferred until the Office of Local Government Model Code of Meeting Practice is presented to Council for adoption.

LOST

The original motion was put.

**RESOLUTION**

Minute No. 45874

Councillor T. Kennedy moved )

Councillor B. Algate seconded )

1. That Motions of Which Notice has been Given No. 12/18 dated August 24, 2018, be received.
2. That Broken Hill City Council re-establishes question time at the beginning and end of Council meetings and that question time at the beginning of meetings is open to any lawful question and advanced notice not to be required to ask a question.

CARRIED

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**ITEM 5 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 13/18 - DATED AUGUST 24, 2018**  
**- IMPERIAL LAKES** 11/161

Motion

- Councillor T. Kennedy moved )  
Councillor B. Algate seconded )
1. That Motions of Which Notice has been Given No. 13/18 dated August 24, 2018, be received.
  2. That Broken Hill City Council support Our Community Services Committee and chairman Tom Kennedy to reopen the Imperial Lakes for recreational purposes and the reopening be funded by Council and grants.

Amendment

- Councillor B. Licul moved )  
Councillor M. Clark seconded )
1. That Motions of Which Notice has been Given No. 13/18 dated August 24, 2018, be received.
  2. That Council supports the reopening of the Imperial Lakes in principle, but rejects the idea of Council taking on the long term open ended financial commitment when Council is in a deficit financial position; and that Council investigates other partners/sponsors or organisations to assist to fund the project.
  3. That a report is presented to Council, putting forward Council's options for opening the Imperial Lakes as a recreational facility for the City.

CARRIED

The amendment becomes the motion.

**RESOLUTION**

Minute No. 45875

- Councillor B. Licul moved )  
Councillor M. Clark seconded )
1. That Motions of Which Notice has been Given No. 13/18 dated August 24, 2018, be received.
  2. That Council supports the reopening of the Imperial Lakes in principle, but rejects the idea of Council taking on the long term open ended financial commitment when Council is in a deficit financial position; and that Council investigates other partners/sponsors or organisations to assist to fund the project.
  3. That a report is presented to Council, putting forward Council's options for opening the

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Imperial Lakes as a recreational facility for  
the City.

CARRIED

**ITEM 6 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 14/18 - DATED AUGUST 24, 2018**  
**- FURTHER RECOGNITION OF THE LATE PRO HART, MBE** 11/407

Motion

Councillor T. Kennedy moved )  
Councillor R. Page seconded )

1. That Motions of Which Notice has been Given No. 14/18 dated August 24, 2018, be received.
2. That Broken Hill City Council supports any community driven proposal, following due process, to recognise and acknowledge the late Pro Hart, MBE.

Amendment

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

1. That Motions of Which Notice has been Given No. 14/18 dated August 24, 2018, be received.
2. That should members of the public submit a request to Council to name a street/significant building/other asset after the late Pro Hart, MBE, then this request be referred to Council's Asset Naming Committee.

CARRIED

The amendment becomes the motion.

**RESOLUTION**

Minute No. 45876

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

1. That Motions of Which Notice has been Given No. 14/18 dated August 24, 2018, be received.
2. That should members of the public submit a request to Council to name a street/significant building/other asset after the late Pro Hart, MBE, then this request be referred to Council's Asset Naming Committee.

CARRIED

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**ITEM 7 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 15/18 - DATED AUGUST 24, 2018**  
**- CBD RUBBISH BINS** 12/118

Resolved

1. That Motions of Which Notice has been Given No. 15/18 dated August 24, 2018, be received.
2. That the General Manager issues a press release acknowledging that maintenance work is required to infrastructure in the Central Business District, and advising of Council's maintenance works program and opportunities under the Smart Communities Strategy to replace current bins in the Central Business District.

**RESOLUTION**

Minute No. 45877

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

CARRIED

**ITEM 8 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 16/18 - DATED AUGUST 24, 2018**  
**- ANNUAL HERITAGE FESTIVAL** 11/425

Motion

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

1. That Motions of Which Notice has been Given No. 16/18 dated August 24, 2018, be received.
2. That Broken Hill City Council pay costs to fund an annual festival which showcases our proud mining, minerals and family heritage and invite community groups to organize the event.

Amendment

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

1. That Motions of Which Notice has been Given No. 16/18 dated August 24, 2018, be received.
2. That the convenor of a future community meeting be invited to advise the meeting that a successful 2 week heritage festival was held from 18 April to 14 May 2018; and to encourage community organisations and individuals wishing to participate in the 2019 Heritage Festival (April – May 2019) to contact Council's Heritage Committee.

CARRIED

The amendment becomes the motion.

**RESOLUTION**

Minute No. 45878

Councillor T. Kennedy moved )

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Councillor B. Algate seconded )

1. That Motions of Which Notice has been Given No. 16/18 dated August 24, 2018, be received.
2. That the convenor of a future community meeting be invited to advise the meeting that a successful 2 week heritage festival was held from 18 April to 14 May 2018; and to encourage community organisations and individuals wishing to participate in the 2019 Heritage Festival (April – May 2019) to contact Council's Heritage Committee.

CARRIED

**ITEM 9 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 17/18 - DATED AUGUST 24, 2018 - REFURBISHMENT COSTS OF THE BROKEN HILL CIVIC CENTRE** 16/92

Motion

1. That Motions of Which Notice has been Given No. 17/18 dated August 24, 2018, be received.
2. That Broken Hill City Council reports to the community the current and expected costs for the Civic Centre, this should include costs of legal charges to date.

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

LOST

A Division was called which resulted in:

FOR: Crs Algate, T Kennedy and R Page

AGAINST: Crs Adams, Browne, Gallagher, Licul, M Clark and Nolan

**ITEM 10 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 18/18 - DATED AUGUST 24, 2018 - COUNCIL'S USE OF CONSULTANTS** 11/161

Motion

1. That Motions of Which Notice has been Given No. 18/18 dated August 24, 2018, be received.
2. That Broken Hill City Council only use paid consultants when the required information or task cannot be sourced by the community for free.

Councillor T. Kennedy moved )  
Councillor R. Page seconded )

LOST



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**ITEM 11 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 19/18 - DATED AUGUST 24, 2018 - PROPOSED MURAL FOR THE BROKEN HILL REGIONAL ART GALLERY BUILDING 11/467**

Motion

1. That Motions of Which Notice has been Given No. 19/18 dated August 24, 2018, be received.
2. That Broken Hill City Council supports a mural on side of the Broken Hill Regional Art Gallery featuring the history of Broken Hill.
3. That Broken Hill City Council holds a competition for the public to design the best idea for the mural.

Councillor T. Kennedy moved )  
Councillor R. Page seconded )

LOST

**ITEM 12 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 20/18 - DATED AUGUST 24, 2018 - LOCAL GOVERNMENT ELECTIONS** 15/23

Motion

1. That Motions of Which Notice has been Given No. 20/18 dated August 24, 2018, be received.
2. That Broken Hill City Council writes to the Minister for Local Government that legislation be implemented for candidates to not run under political parties in Broken Hill elections.

Councillor T. Kennedy moved )  
Councillor R. Page seconded )

LOST

**ITEM 13 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 21/18 - DATED AUGUST 24, 2018 - REVIEW OF COUNCIL'S PUBLIC ART POLICY** 12/14

Motion

1. That Motions of Which Notice has been Given No. 21/18 dated August 24, 2018, be received.
2. That Broken Hill City Council reviews the Public Art Policy to encourage public art work that would not be considered offensive.

**RESOLUTION**

Minute No. 45879

Councillor T. Kennedy moved )  
Councillor R. Page seconded )

CARRIED

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**ITEM 14 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 22/18 - DATED AUGUST 24, 2018 - BROKEN HILL FUTURE FUND** 17/206

Motion

1. That Motions of Which Notice has been Given No. 22/18 dated August 24, 2018, be received.
2. That Broken Hill City Council prepares a report detailing how Council implement a future fund that contributes a portion of mine rates. The report should detail different scenarios including detailed information provided that Broken Hill City Council would be able to absorb \$1.7M in mine rate lost revenue and still meet a surplus budget five years later than planned.

Councillor T. Kennedy moved )  
Councillor R. Page seconded )

LOST

A Division was called which resulted in:

FOR: Crs Algate, Kennedy and Page

AGAINST: Crs Adams, Browne, Gallagher, Licul, M Clark and Nolan

**ITEM 15 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 23/18 - DATED AUGUST 24, 2018 - COUNCIL RATES DISTRIBUTION** 17/206

Resolved

1. That Motions of Which Notice has been Given No. 23/18 dated August 24, 2018, be received.
2. That Broken Hill City Council prepares a report on how the Council can return rates distribution percentages across residential, business and mining rate areas consistent with rating percentages prior to the 2012/2013 Council budget.
3. That this report be tabled before the February 2019 meeting of Council for consideration before preparations of the 2019/2020 budget begin.

**RESOLUTION**

Minute No. 45880

Councillor T. Kennedy moved )  
Councillor R. Page seconded )

CARRIED

**ITEM 16 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 24/18 - DATED AUGUST 24, 2018 - LIBRARY OPERATING HOURS** 11/544

Motion

1. That Motions of Which Notice has been Given No. 24/18 dated August 24, 2018, be received.
2. That Broken Hill City Council better explain the decision for reducing Library hours.

Councillor T. Kennedy moved )  
Councillor R. Page seconded )

LOST

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**ITEM 17 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 25/18 - DATED AUGUST 24, 2018 - MINUTES OF COMMUNITY MEETING HELD JULY 31, 2018**

11/161

Resolved

1. That Motions of Which Notice has been Given No. 25/18 dated August 24, 2018, be received.
2. That Broken Hill City Council receive the minutes of a public meeting of the Broken Hill community held on July 31, 2018.

**RESOLUTION**

Minute No. 45881

Councillor T. Kennedy moved )  
Councillor R. Page seconded )

CARRIED

**ITEM 18 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 26/18 - DATED AUGUST 24, 2018 - DA34/2018 PAINTING OF A MURAL ON A HERITAGE BUILDING IN A HERITAGE PRECINCT**

11/467

*At this point in the meeting, Councillor Kennedy put forward a Rescission Motion to rescind Minute Number 45861 and replace it with his Notice of Motion. That is: "That Broken Hill City Council Councillors and Mayor meet with the owner of DA34/2018 known as the mural on Dr Nachiappan's surgery to come up with alterations to the mural that is acceptable and meets Councillors heritage requirements".*

The Chair noted the Rescission Motion, but ruled that it could not be dealt with until the September Council Meeting. On that basis Cr Kennedy moved his Notice of Motion. Given that both the Notice of Motion and the rescission motion are identical, it is understood the rescission motion was so withdrawn.

Motion

1. That Motions of Which Notice has been Given No. 26/18 dated August 24, 2018, be received.
2. That Broken Hill City Council Councillors and Mayor meet and work with the owner of DA34/2018 known as the mural on Dr Nachiappan's surgery to come up with alterations to the mural that is acceptable and meets Councillors heritage requirements.

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

LOST

A Division was called which resulted in:

FOR: Crs Algate, T Kennedy and R Page

AGAINST: Crs Adams, Browne, Gallagher, Licul, M Clark and Nolan

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**ITEM 19 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 27/18 - DATED AUGUST 24, 2018 - TOURISM FIGURES**

11/407

**Resolved**

1. That Motions of Which Notice has been Given No. 27/18 dated August 24, 2018, be received.
2. That Broken Hill City Council prepares a report about tourism numbers to Broken Hill and region for the past 12 years and compares this to levels of water in the Menindee Lakes, this report to be submitted to the October Council Meeting.

**RESOLUTION**

**Minute No. 45882**

Councillor T. Kennedy moved )

Councillor R. Page seconded )

CARRIED

**RESCISSION MOTIONS**

Nil.

**REPORTS FROM DELEGATES**

Nil.

**REPORTS**

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 118/18 - DATED AUGUST 16, 2018 - 2017/2018 DRAFT ANNUAL FINANCIAL STATEMENTS**

17/77

**Resolved**

1. That Broken Hill City Council Report No. 118/18 dated August 16, 2018, be received.
2. That the 2017/2018 Draft Primary Financial Statements as attached be received.
3. That the 2017/2018 Draft Primary Financial Statements as attached be referred to audit.
4. That Council adopt the attached Statements of Opinion on the 2017/18 General Purpose and Special Purpose Financial Statements and the Mayor, the Acting Mayor, the General Manager and the Responsible Accounting Officer sign the Statements in accordance with Section 413(2)(c) of the *Local Government Act 1993*.
5. That Council delegate to the General Manager the authority to finalise the date at which the auditor's report and financial statements are to be presented to the public.
6. That Council delegate the General Manager the authority to authorise the 2017/18 General Purpose and Special Purpose Financial Statements and associated Special Schedules for issue immediately upon receipt of the auditors reports subject to there being no material audit changes or audit issues, in accordance with AASB 110.

**RESOLUTION**

**Minute No. 45883**

Councillor B. Algate moved )

Councillor B. Licul seconded )

CARRIED

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**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 119/18 - DATED JUNE 13, 2018 - 2017-2021 DELIVERY PROGRAM – KEY PERFORMANCE INDICATORS PROGRESS REPORT FROM 1 JULY 2017 TO 30 JUNE 2018, INCLUSIVE OF OPERATIONAL PLAN 2017/2018 OUTCOMES**

16/165

Resolved

1. That Broken Hill City Council Report No. 119/18 dated June 13, 2018, be received.
2. That Council adopt the 2017-2021 Delivery Program – Key Performance Indicators Progress Report from 1 July 2017 to 30 June 2018, inclusive of Operational Plan 2017/2018 outcomes.

**RESOLUTION**

Minute No. 45884

Councillor B. Algate moved )

Councillor C. Adams seconded )

CARRIED

**ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 120/18 - DATED AUGUST 14, 2018 - 2017-2021 DISABILITY INCLUSION ACTION PLAN KEY PERFORMANCE INDICATORS PROGRESS REPORT - 1 JULY 2017 - 30 JUNE 2018**

16/82

Resolved

1. That Broken Hill City Council Report No. 120/18 dated August 14, 2018, be received.
2. That Council adopt the Disability Inclusion Action Plan 2017-2021 – Key Performance Indicators for the reporting period 1 July 2017 and ending 30 June 2018.
3. That Council call a meeting of the Disability Inclusion Action Plan Monitoring Group to assess the progress report.

**RESOLUTION**

Minute No. 45885

Councillor C. Adams moved )

Councillor B. Algate seconded )

CARRIED

**ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 121/18 - DATED AUGUST 16, 2018 - WASTE FEES AND CHARGES**

14/197

Resolved

1. That Broken Hill City Council Report No. 121/18 dated August 16, 2018, be received.
2. That Council note the report for information purposes.
3. That Council note that past Waste Facility management practices under the direction and control of former senior management has resulted in an increased corporate risk to Council, substantial loss of revenue and resources wastage and potential financial implications if the current practice is allowed to continue.
4. That Council note the Executive Leadership Team through the implementation of service reviews and ongoing reviews of Council's operations are establishing operational processes to mitigate the current risks and ensure best practice is achieved going forward.
5. That a further report around waste and fee charges at the waste facility be presented to Council.

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**RESOLUTION**

Minute No. 45886

Councillor B. Licul moved )

Councillor M. Clark seconded )

CARRIED

**ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 122/18 - DATED AUGUST 15, 2018 -  
COMMUNITY SATISFACTION SURVEY**

Q18/4

Motion

Councillor D. Gallagher moved )

Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 122/18 dated August 15, 2018, be received.

Amendment

Councillor T. Kennedy moved )

Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 122/18 dated August 15, 2018, be received.
2. That a further report be presented to Council explaining how much data from 18-34 year old age group is included in the survey results, and how this affected the survey results.

CARRIED

The amendment becomes the motion.

**RESOLUTION**

Minute No. 45887

Councillor T. Kennedy moved )

Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 122/18 dated August 15, 2018, be received.
2. That a further report be presented to Council explaining how much data from 18-34 year old age group is included in the survey results, and how this affected the survey results.

CARRIED

**ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 123/18 - DATED AUGUST 14, 2018 -  
INVESTMENT REPORT FOR JULY 2018**

17/82

Resolved

1. That Broken Hill City Council Report No. 123/18 dated August 14, 2018, be received.

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**ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 124/18 - DATED JULY 24, 2018 - PUBLIC INTEREST DISCLOSURE ANNUAL REPORT 2017/18** 12/67

Resolved

1. That Broken Hill City Council Report No. 124/18 dated July 24, 2018, be received.
2. That the Broken Hill City Council Public Interest Disclosures Annual Report 2017/18 be forwarded to the Minister for Local Government and the NSW Ombudsman by 30 October 2018.

Minute No. 45888

Councillor J. Nolan moved ) That the recommendations of items 25 and 26 be  
Councillor B. Algate seconded ) adopted.

CARRIED

**ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 125/18 - DATED JULY 11, 2018 - DRAFT LOAN BORROWING POLICY** 12/14

Resolved

1. That Broken Hill City Council Report No. 125/18 dated July 11, 2018, be received.
2. That Council endorse the draft Loan Borrowing Policy for the purpose of public exhibition.
3. That the draft Loan Borrowing Policy 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 the draft Loan Borrowing Policy.

**RESOLUTION**

Minute No. 45889

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

**ITEM 28 - BROKEN HILL CITY COUNCIL REPORT NO. 126/18 - DATED AUGUST 07, 2018 - ADOPTION OF SECTION 7.12 DEVELOPER CONTRIBUTIONS PLAN** 11/467

Resolved

1. That Broken Hill City Council Report No. 126/18 dated August 7, 2018, be received.
2. That Council adopts the Section 7.12 Developer Contributions Plan as a Planning and Development resource for Council.

**RESOLUTION**

Minute No. 45890

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

**ITEM 29 - BROKEN HILL CITY COUNCIL REPORT NO. 127/18 - DATED AUGUST 13, 2018 - DRAFT LIVING DESERT PLAN OF MANAGEMENT FOR PUBLIC EXHIBITION** 11/141

Resolved

1. That Broken Hill City Council Report No. 127/18 dated August 13, 2018, be received.

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2. That Council approves the Draft Living Desert Plan of Management for public exhibition.
3. That Council receives a further report at the conclusion of the 28 days public exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the Draft Living Desert Plan of Management.

**RESOLUTION**

Minute No. 45891

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

**ITEM 30 - BROKEN HILL CITY COUNCIL REPORT NO. 128/18 - DATED AUGUST 15, 2018 -  
LETTER OF SUPPORT - PROPOSED MODIFICATIONS TO ORE HAULAGE ROUTE AND  
EVAPORATION PONDS - NORTH MINE RECOMMENCEMENT PROJECT**

13/4

Resolved

1. That Broken Hill City Council Report No. 128/18 dated August 15, 2018, be received.
2. That Council supports Perilya's proposed modifications to development consent SSD 7538, which entails modifications to the approved ore haulage route and evaporation ponds, associated with the Broken Hill North Mine project.

**RESOLUTION**

Minute No. 45892

Councillor J. Nolan moved )  
Councillor B. Algate seconded ) CARRIED

**ITEM 31 - BROKEN HILL CITY COUNCIL REPORT NO. 129/18 - DATED AUGUST 15, 2018 -  
GATEWAY SIGNAGE**

17/133

Motion

- Councillor C. Adams moved )  
Councillor D. Gallagher seconded )
1. That Broken Hill City Council Report No. 129/18 dated August 15, 2018, be received.
  2. That a model of the proposed sign be made (with the wording "First National Heritage Listed City" made more prominent) and put in-situ at one of the entrances to the City in order for the community to get an understanding of what it represents; prior to the submission of a development application seeking approval, followed by procurement.

Amendment

- Councillor T. Kennedy moved )  
Councillor B. Algate seconded )
1. That Broken Hill City Council Report No. 129/18 dated August 15, 2018, be received.
  2. That Council holds a competition/public consultation for the design of gateway signage for the highway entrances into the City; and that once the preferred design is



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approved, the signs are installed quickly and efficiently.

CARRIED

The amendment becomes the motion.

**RESOLUTION**

Minute No. 45893

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

1. That Broken Hill City Council Report No. 129/18 dated August 15, 2018, be received.
2. That Council holds a competition/public consultation for the design of gateway signage for the highway entrances into the City; and that once the preferred design is approved, the signs are installed quickly and efficiently.

CARRIED

*Councillor Algate left the meeting at this point in proceedings, time being 9:29p.m..*

**ITEM 32 - BROKEN HILL CITY COUNCIL REPORT NO. 130/18 - DATED AUGUST 10, 2018 - 2018 ECONOMIC DATA UPDATE** 11/407

Resolved

1. That Broken Hill City Council Report No. 130/18 dated August 10, 2018, be noted.

**RESOLUTION**

Minute No. 45894

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

CARRIED

**ITEM 33 - BROKEN HILL CITY COUNCIL REPORT NO. 131/18 - DATED AUGUST 02, 2018 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 383 HELD TUESDAY JULY 3, 2018 AND NO 384 HELD TUESDAY AUGUST 7, 2018.** 11/397

Resolved

1. That Broken Hill City Council Report No. 131/18 dated August 2, 2018, be received.
2. That the minutes for the Local Traffic Committee Meeting No.383, held July 3, 2018 be received.
3. Item Number 383.6.3 - That Council will provide Variable Message Signs (VMS) to be used for traffic control for the duration of the 2018 Silver City Show and that Council will absorb this cost.
4. Item Number 383.6.4 - That the request for road closure as per The Palace Hotel's Traffic Control Plan:

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Author: Bradley Burcher.

Traffic Management Plan Number 0033638263

Notes:

Broken Heel Festival Sulphide Street road closure start date Wednesday 5/9/18 from 3:00pm to Monday 10/9/18 finish 3:00pm Crystal Lane will close at midday Friday 7/9/18 and reopen on Monday 10/9/18.

Safety fencing will be placed at each end of road closure and half of footpath outside of hotel in Argent Street.

Access to Barrier Crash Repairs to be left open for Barrier Crash Repairs only at all times 3m out from kerb with safety fence.

Disruption to public to be put in paper for public notification.

All signs to be set out as plan set out.

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

5. Item Number 380.6.1 - The Committee recommend that Council order and install temporary speed humps at Wright and Warnock Streets Intersection for a trial period.
6. That the minutes for the Local Traffic Committee Meeting No.384, held August 7, 2018 be received.
7. Item Number 384.6.1 - That '30 minute parking, 8am to 3pm, Monday to Friday' signage be erected in front of the Far West HACC Services, 475 Argent Street.

**RESOLUTION**

Minute No. 45895

Councillor J. Nolan moved )

Councillor C. Adams seconded )

CARRIED

**ITEM 34 - BROKEN HILL CITY COUNCIL REPORT NO. 132/18 - DATED AUGUST 17, 2018 - ACTION LIST REPORT**

11/21

Resolved

1. That Broken Hill City Council Report No. 132/18 dated August 17, 2018, be received.

**RESOLUTION**

Minute No. 45896

Councillor D. Gallagher moved )

Councillor M. Clark seconded )

CARRIED

## COMMITTEE REPORTS

**ITEM 35 - BROKEN HILL CITY COUNCIL REPORT NO. 134/18 - DATED JULY 31, 2018 - MINUTES OF THE BROKEN HILL REGIONAL ART GALLERY ADVISORY COMMITTEE MEETING HELD 23 MAY 2018** 12/46

Resolved

1. That Broken Hill City Council Report No. 134/18 dated July 31, 2018, be received.
2. That minutes of the Broken Hill Regional Art Gallery Advisory Committee Meeting held 23 May 2018 be received.

**ITEM 36 - BROKEN HILL CITY COUNCIL REPORT NO. 135/18 - DATED AUGUST 03, 2018 - MINUTES OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 17 JULY 2018** 12/51

Resolved

1. That Broken Hill City Council Report No. 135/18 dated August 3, 2018, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held July 17, 2018 be received.

**ITEM 37 - BROKEN HILL CITY COUNCIL REPORT NO. 136/18 - DATED AUGUST 14, 2018 - MINUTES OF THE PICTON OVAL COMMUNITY COMMITTEE MEETING HELD AUGUST 13, 2018** 12/54

Resolved

1. That Broken Hill City Council Report No. 136/18 dated August 14, 2018, be received.
2. That minutes of the Picton Oval Community Committee Meeting held August 13, 2018 be received.

**ITEM 38 - BROKEN HILL CITY COUNCIL REPORT NO. 137/18 - DATED AUGUST 17, 2018 - MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD 7 AUGUST 2018** 12/52

Resolved

1. That Broken Hill City Council Report No. 137/18 dated August 17, 2018, be received.
2. That minutes of the Memorial Oval Community Committee Meeting held 7 August 2018 be received.

**ITEM 39 - BROKEN HILL CITY COUNCIL REPORT NO. 143/18 - DATED AUGUST 23, 2018 - MINUTES OF THE BROKEN HILL COMMUNITY STRATEGIC PLAN ROUND TABLE COMMITTEE MEETING HELD 22 AUGUST 2018** 13/145

Resolved

1. That Broken Hill City Council Report No. 143/18 dated August 23, 2018, be received.

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2. That the minutes of the Broken Hill Community Strategic Plan Round Table committee meeting held 22 August 2018 be received.

Minute No. 45897

Councillor C. Adams moved ) That the recommendations of items 35 to 39 be  
Councillor M. Clark seconded ) adopted.

CARRIED

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

**ITEM 40 - QUESTIONS ON NOTICE NO. 7/18 - DATED JULY 27, 2018 - COUNCILLORS  
QUESTIONS TAKEN ON NOTICE AT THE JULY 2018 COUNCIL MEETING**

17/114

Resolved

1. That Questions On Notice No. 7/18 dated July 27, 2018, be received.

**RESOLUTION**

Minute No. 45898

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

CARRIED

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

Nil

**CONFIDENTIAL MATTERS**

**RESOLUTION**

Minute No. 45899

Councillor D. Gallagher moved ) That the meeting be closed to the public in  
Councillor M. Clark seconded ) accordance with Section 10A of the Local  
Government Act 1993, whilst the confidential  
items are considered.

CARRIED

*Members of the public and media along with the General Manager and staff (with the exception of the Governance Officer) left the Council Chambers at 9:30p.m..*

**ITEM 41 - MAYORAL MINUTE NO. 8/18 - DATED AUGUST 15, 2018 - GENERAL MANAGER'S  
PERFORMANCE REVIEW - CONFIDENTIAL**

16/156

**(General Manager's Note:** This report considers a staffing matter and is deemed confidential under Section 10A(2) (a) of the Local Government Act, 1993 which contains matters that will involve the discussion of personnel matters concerning a particular individual).

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Resolved

1. That Mayoral Minute No. 8/18 dated August 15, 2018, be received.
2. That Council note that the General Manager's Performance Appraisal Committee met on Monday 9 July 2018 to review the performance of the General Manager.
3. That the outcomes of the General Manager Performance review for the period 4 April 2017 to 30 June 2018 be affirmed as 'exceeding expectations, to outstanding' based on the assessment of the General Manager Performance Review Committee meeting held 9 July 2018.
4. That as per clause 8.3 of the General Manager Employment Contract and based on independent LGNSW Council data associated with other Local Government Authorities across NSW, the General Manager's salary package be increased by six percent (6%) to reflect market movement and peer relativity within the sector.
5. That the adjustment be backdated to the anniversary date of 4 April 2018 and General Manager Mr. James Roncon be formally advised of the outcome of his annual review

**RESOLUTION**

Minute No. 45900

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

CARRIED

*Councillor Kennedy requested that his name be recorded as voting against the motion.*

*The General Manager and Council staff returned to the Council Chambers at 9:41p.m.*

**ITEM 42 - BROKEN HILL CITY COUNCIL REPORT NO. 138/18 - DATED AUGUST 15, 2018 -  
UPDATE ON THE TAKE-OVER WORKS ASSOCIATED WITH THE BROKEN HILL CIVIC CENTRE -  
CONFIDENTIAL** 16/92

**(General Manager's Note:** This report considers legal proceedings and is deemed confidential under Section 10A(2) (e) of the Local Government Act, 1993 which provides for information that would, if disclosed, prejudice the maintenance of law).

Resolution

1. That Broken Hill City Council Report No. 138/18 dated August 15, 2018, be received.
2. That Council reaffirm its position to pursue the recovery of construction costs associated with completing the Civic Centre works abandoned by UUB and the legal costs incurred to date, along with all future costs.

**RESOLUTION**

Minute No. 45901

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

CARRIED

*Councillor Kennedy requested that his name be recorded as voting against the motion.*

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**ITEM 43 - BROKEN HILL CITY COUNCIL REPORT NO. 142/18 - DATED AUGUST 03, 2018 - LGP  
VENDORPANEL – PATTON PARK REFURBISHMENT PLAYGROUND AND AMENITIES BLOCK -  
CONFIDENTIAL** 18/85

**(General Manager's Note:** This report considers a quotation 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

1. That Broken Hill City Council Report No. 142/18 dated August 3, 2018, be received.
2. That Council awards the Quotation for Patton Park Playground Supply and Installation to Omnitech Playgrounds for a total project value of \$287,951 ex GST.
3. That Council awards the Quotation for Patton Park Amenities Block Supply and delivery to Exeloo Pty Ltd Intelligent Public Toilet Systems for \$240,000 ex GST

**RESOLUTION**

Minute No. 45902

Councillor C. Adams moved )

Councillor D. Gallagher seconded )

CARRIED

**RESOLUTION**

Minute No. 45903

Councillor J. Nolan moved )

Councillor D. Gallagher seconded )

That the meeting resume in open session.

CARRIED

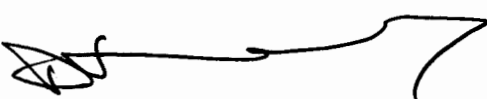
*Members of the media and public returned to the Council Chambers at 10:07 p.m.*

*The Acting Mayor read the resolution of the Confidential Mayoral Minute.*

*At the Acting Mayor's invitation, the General Manager read the resolutions of the two remaining Confidential Reports.*

There being no further business the Acting Mayor closed the meeting at 10.11 p.m.

THE FOREGOING MINUTES WERE READ  
AND CONFIRMED AT THE ORDINARY  
MEETING OF THE BROKEN HILL CITY  
COUNCIL HELD ON SEPTEMBER 26, 2018.

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CHAIRPERSON