



BUSINESS PAPER

Health and Building
Committee Meeting

Council Chambers
20 June 2023
5:30pm

BROKEN HILL

CITY COUNCIL

**AUSTRALIA'S FIRST
HERITAGE LISTED CITY**

MEMBERS OF THE HEALTH & BUILDING COMMITTEE:

Mayor Kennedy, Deputy Mayor Hickey (Chairperson), Councillor Chandler, Councillor Jewitt, Councillor Gallagher and Councillor Turley

Notice is hereby given, in accordance with the provisions of the *Local Government Act 1993*, that the Health and Building Standing Committee of the Broken Hill City Council will be held in the Council Chambers on **Tuesday 20 June, 2023 at 5:30pm** to consider the following business:

| AGENDA | |
|---------------|---|
| 1 | Opening the Meeting |
| 2 | Apologies |
| 3 | Leave of Absence Applications |
| 4 | Prayer |
| 5 | Acknowledgement of Country |
| 6 | Acknowledgement of Broken Hill's Mining History |
| 7 | Minutes for Confirmation |
| 8 | Disclosure of Interest |
| 9 | Reports |
| 10 | Confidential Matters |
| 11 | Conclusion of the Meeting |

STATEMENT OF ETHICAL OBLIGATIONS

All Councillors undertook an Oath or Affirmation at the beginning of their term of office and declared to undertake the duties of the office of Councillor in the best interests of the people of the Broken Hill Local Government Area and the City of Broken Hill; and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act to the best of their ability and judgment.

LIVE STREAMING OF COUNCIL MEETINGS

This Council meeting is being streamed live, recorded, and broadcast online via Facebook. To those present in the gallery today, by attending or participating in this public meeting you are consenting to your image, voice and comments being recorded and published. The Mayor and/or General Manager have the authority to pause or terminate the stream if comments or debate are considered defamatory or otherwise inappropriate for publishing. Attendees are advised that they may be subject to legal action if they engage in unlawful behaviour or commentary.

JAY NANKIVELL
GENERAL MANAGER

MINUTES FOR CONFIRMATION

Minutes of the Health and Building Committee of the City of Broken Hill held Monday, May 22, 2023.

**MINUTES OF THE HEALTH AND BUILDING COMMITTEE MEETING HELD
MONDAY, MAY 22, 2023 (FOLLOWING THE CONCLUSION OF THE WORKS
COMMITTEE MEETING)**

Due to the absence of the Chairperson, Councillor J Hickey, the Mayor called for a motion to appoint a member of the Committee as Chairperson for this meeting.

Procedural Motion

Moved Councillor Alan Chandler, Seconded Mayor Tom Kennedy

That Councillor D Gallagher be appointed as Chairperson for the meeting.

CARRIED UNANIMOUSLY

Councillor Gallagher assumed the Chair.

PRESENT:

Councillor T Kennedy (Mayor), Councillor D Gallagher (Chairperson)
Councillor A Chandler.

Councillors B Algate and M Boland.

General Manager, Chief Financial Officer, Chief Assets and Project Officer,
Chief Corporate and Community Officer, Manager Communications and
Marketing, Executive Officer and Executive Assistant.

Media (nil), Members of the Public (nil).

APOLOGIES:

Councillor D Turley.

Procedural Motion

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

That the apology submitted on behalf of Councillor Turley be accepted.

CARRIED UNANIMOUSLY

LEAVE OF ABSENCE

APPLICATIONS:

Councillor J Hickey (Deputy Mayor) submitted an a leave of absence application with the reason "*recreational leave and Council duties Friday 26 May in Sydney*".

Procedural Motion

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

That the application submitted by Councillor Hickey be accepted and leave of absence granted for this meeting.

CARRIED UNANIMOUSLY

ABSENT:

Councillor H Jewitt

PRAYER

Mayor Kennedy delivered the Prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgement of Country.

ACKNOWLEDGEMENT OF BROKEN HILL'S MINING HISTORY

Councillor Chandler delivered the Acknowledgement of Broken Hill's Mining History.

MINUTES FOR CONFIRMATION

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

That the Minutes of the Health and Building Committee meeting held Tuesday April 18, 2023 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Nil

REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 79/23 - DATED MAY 08, 2023 - CORRESPONDENCE REPORT - ACCESS TO THE AUSTRALIAN NATIONAL DATABASE AND ARCHIVES - TROVE D23/23285

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

1. That Broken Hill City Council Report No. 79/23 dated May 8, 2023, be received.
2. That reply correspondence dated 2 May 2023 from The Hon Mark Coulton MP regarding access to the Australian National Database and Archives – Trove, be received and noted.
3. That Council thanks the State Member, The Hon Mark Coulton MP, for his reply correspondence.

CARRIED UNANIMOUSLY

2. BROKEN HILL CITY COUNCIL REPORT NO. 80/23 - DATED MAY 08, 2023 - CORRESPONDENCE REPORT - FUNDING TO MAINTAIN AND UPGRADE HISTORICAL GRAVES AT LOCAL CEMETERIES D23/23327

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

1. That Broken Hill City Council Report No. 80/23 dated May 8, 2023, be received.
2. That reply correspondence dated 27 April 2023 from The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government regarding funding to maintain and upgrade historical graves at local cemeteries, be received and noted.
3. That Council thanks the Minister for Infrastructure, Transport, Regional Development and Local Government, The Hon Catherine King MP, for her reply correspondence.

CARRIED UNANIMOUSLY

Motion

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

That the meeting be closed to the public in accordance with Section 10A(2) of the *Local Government Act 1993* in order for the Committee to consider the confidential report in closed session.

CARRIED UNANIMOUSLY

There were no members of the media or public present.

The livestream of the meeting ceased at 5:55pm

CONFIDENTIAL MATTERS

3. BROKEN HILL CITY COUNCIL REPORT NO. 81/23 - DATED APRIL 27, 2023 - PROPOSED WILLYAMA COMMON ACCESS LICENCE TO A-CAES NSW PTY LTD - CONFIDENTIAL

(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).

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

1. That Broken Hill City Council Report No. 81/23 dated April 27, 2023, be received.
2. That Council (as Trust Manager of the Willyama Common Trust) provide consent for an access licence to be granted to A-CAES NSW Pty Ltd for the purpose of geotechnical site investigation on Part Lot 7320 DP 1201053.
3. That the licence be issued for a period of twelve (12) months and the annual rent be \$574 (current Crown Lands minimum rent).
4. That the Mayor and General Manager be authorised to sign and execute the licence documents under the Common Seal of Council.

CARRIED UNANIMOUSLY

Procedural Motion

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

That the meeting resumes in open session.

CARRIED UNANIMOUSLY

The livestream of the meeting resumed at 5:58pm.

The General Manager advised that the resolution of the confidential matter will be advised to the public at the May Ordinary Council Meeting.

CONCLUSION OF THE MEETING

As there was no further business for the Committee to consider the Health and Building Committee meeting was declared closed at 5:59pm.

The foregoing minutes were read and confirmed at the Health and Building Committee meeting held on 20 June 2023.

Chairperson

REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 111/23 - DATED MAY 23, 2023 - MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 11 APRIL 2023 (D23/25937) 9
2. BROKEN HILL CITY COUNCIL REPORT NO. 112/23 - DATED MAY 23, 2023 - MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 8 MAY 2023 (D23/25941).....13

HEALTH AND BUILDING COMMITTEE

May 23, 2023

ITEM 1**BROKEN HILL CITY COUNCIL REPORT NO. 111/23**

SUBJECT: MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 11 APRIL 2023 D23/25937

Recommendation

1. That Broken Hill City Council Report No. 111/23 dated May 23, 2023, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 11 April 2023 be received.

Executive Summary:

Council has received minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 11 April 2023 for endorsement by Council.

Report:

As per Council's Section 355 Asset Committee Framework Manual and the Constitution of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee (both adopted March 2022), the Committee is required to provide Council with a copy of their meeting minutes following each Committee meeting.

Community Engagement:

Minutes provided to Section 355 Friends of the Flora and Fauna of the Barrier Ranges Community Committee members.

Strategic Direction:

| | | |
|----------------|-------|--|
| Key Direction: | 4. | Our Leadership |
| Objective: | 4.1 | Openness and transparency in decision making |
| Strategy: | 4.1.5 | Support the organisation to operate within its legal framework |

Relevant Legislation:

The Friends of the Flora and Fauna of the Barrier Ranges Community Committee operates under Council's Section 355 Asset Committee Constitution and the *Local Government Act 1993* (Section 355).

Financial Implications:

Nil

Attachments

1. MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE - 11 April 2023
[↓](#)

RAZIJA NU'MAN
DIRECTOR CORPORATE AND COMMUNITY

JAY NANKIVELL
GENERAL MANAGER

**MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE
BARRIER RANGES COMMUNITY COMMITTEE S355 MEETING
11 APRIL 2023 AT 6PM – GROUND FLOOR MEETING ROOM,
COUNCIL ADMINISTRATIVE CENTRE, 248 BLENDE STREET** 12/51

1. Present:

Darrell Ford (BHCC), Jasmine Fryer (BHCC), Gaylene Ford, Jeff Crase, Merran Coombe, Marion Brown, Karen Ford, Michael Ford, John Rogers, Paul Reed.

2. Apologies:

David Spielvogel, Jill Spielvogel, Geoffrey Hoare, Kellie Scott, Evan Scott, Jamie Scott, Emily Scott, Sue Spangler, Nick King (BHCC).

3. Confirmation of Minutes from Previous Meeting: Meeting held 14.3.23

Minutes Passed By: Paul Reed, Karen Ford

4. Business arising from Previous Minutes:

Nil

5. Correspondence:

Volunteer dinner (awards) High tea to be held on Tuesday 23 May 2023 at 4pm to 6pm, at the Civic Centre. If you wish to attend, please let Darrell ford know by the 12 May 2023.

6. Update on Action List Items:

6.1 Wheelchair path – from the carpark to the information bay (Picnic area carpark to Flora Site)

6.2 Police Checks

6.3 Cement Paths

6.4 Improve roadworks

6.5 Infrastructure Improvements

- Boardwalk from info bay to shelter
- Viewing platforms at the scenic lookout
- Tables and chairs
- Concrete the picnic area allowing for easy wheelchair access
- Concrete two paths in Starview campsite to the star viewing seats
- Sculptures path to be replaced to improve wheelchair accessibility
- New ranger's office to be built before the pay bay
- Working office to be built in the sanctuary
- Aerial for to improve internet access at the ranger's office
- Sculptures carpark to be sealed
- Bend to be removed from the Sculptures Road
- S-Bend to be straightened on the picnic area road
- Replacement of the large barbeque in the picnic area
- Upgrades to the Bilby and Yellow footed rock wallaby enclosure
- Paving paths on trail

7. General Business:

- 7.1 Campsite full the last fortnight over Easter and currently still going well, All positive feedback on campsite stays.
- 7.2 FC/FB Holden car club brought their cars and lined up along Nine Mile Road to get photos taken of their cars next to the Living Desert main gate sign.
- 7.3 Visitation down compared to same time last year.
- 7.4 Plenty of birdlife still hanging around.
- 7.5 Aboriginal Culture day to be held on Monday, 24 April 2023 at the living desert with 30 people from across all schools in Broken Hill.
- 7.6 Working bee on Saturday, 22 April 2023 at 9am. Volunteers to meet at the rangers hut, Mistletoe to be cut off and paving.

Action List:

| ACTION | WHO |
|--------------------------------------|--------------------|
| 1. Identification Cards – Continuing | Customer Relations |
| 2. Police Checks | Darrell Ford |
| 3. Cement paths | Darrell Ford |
| 4. Improve Roadworks | Darrell Ford |
| 5. Infrastructure Improvements | Darrell Ford |

- 8. **Next Meeting:** 6pm Tuesday, 9 May 2023 at Ground Floor Meeting Room
- 9. **Meeting Closed:** 6.16pm

HEALTH AND BUILDING COMMITTEE

May 23, 2023

ITEM 2**BROKEN HILL CITY COUNCIL REPORT NO. 112/23**

SUBJECT: MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 8 MAY 2023 D23/25941

Recommendation

1. That Broken Hill City Council Report No. 112/23 dated May 23, 2023, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 8 May 2023 be received.

Executive Summary:

Council has received minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 8 May 2023 for endorsement by Council.

Report:

As per Council's Section 355 Asset Committee Framework Manual and the Constitution of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee (both adopted March 2022), the Committee is required to provide Council with a copy of their meeting minutes following each Committee meeting.

Community Engagement:

Minutes provided to Section 355 Friends of the Flora and Fauna of the Barrier Ranges Community Committee members.

Strategic Direction:

| | | |
|----------------|-------|--|
| Key Direction: | 4. | Our Leadership |
| Objective: | 4.1 | Openness and transparency in decision making |
| Strategy: | 4.1.5 | Support the organisation to operate within its legal framework |

Relevant Legislation:

The Friends of the Flora and Fauna of the Barrier Ranges Community Committee operates under Council's Section 355 Asset Committee Constitution and the *Local Government Act 1993* (Section 355).

Financial Implications:

Nil

Attachments

1. [↓](#) MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE - 08 May 2023

RAZIJA NU'MAN
DIRECTOR CORPORATE AND COMMUNITY

JAY NANKIVELL
GENERAL MANAGER

**MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE
BARRIER RANGES COMMUNITY COMMITTEE S355 MEETING
8 MAY 2023 AT 6PM – GROUND FLOOR MEETING ROOM, COUNCIL
ADMINISTRATIVE CENTRE, 248 BLENDE STREET**

12/51

1. Present:

Darrell Ford (BHCC), Jasmine Fryer (BHCC), Gaylene Ford, Jeff Crase, Michael Ford, Paul Reed, Ann Evers, Sue Spangler, Geoffrey Hoare

2. Apologies:

Merran Coombe, Marion Browne, David Spielvogel, Jill Spielvogel, John Rogers, Kellie Scott, Evan Scott, Jamie Scott, Emily Scott, Sue Spangler, Nick King (BHCC).

3. Confirmation of Minutes from Previous Meeting: Meeting held 11.4.23

Minutes Passed By: Gaylene Ford, Sue Spangler

4. Business arising from Previous Minutes:

Nil

5. Correspondence:

Volunteer dinner (awards) High tea to be held on Tuesday 23 May 2023 at 4pm to 6pm, at the Civic Centre. If you wish to attend, please let Darrell ford know if you have an special Dietary requirements if attending.

6. Update on Action List Items:

6.1 Police Checks

6.2 Cement Paths

6.3 Improve roadworks

6.4 Infrastructure Improvements

- Boardwalk from info bay to shelter
- Viewing platforms at the scenic lookout
- Tables and chairs
- Concrete the picnic area allowing for easy wheelchair access
- Concrete two paths in Starview campsite to the star viewing seats
- Sculptures path to be replaced to improve wheelchair accessibility
- New ranger's office to be built before the pay bay
- Working office to be built in the sanctuary
- Aerial for to improve internet access at the ranger's office
- Sculptures carpark to be sealed
- Bend to be removed from the Sculptures Road
- S-Bend to be straightened on the picnic area road
- Replacement of the large barbeque in the picnic area
- Upgrades to the Bilby and Yellow footed rock wallaby enclosure
- Paving paths on trail
- Wheelchair path – from the carpark to the information bay (Picnic area carpark to Flora Site)

7. General Business:

- 7.1 Campsite fully booked out.
- 7.2 Aboriginal Culture day held on Monday, 24 April 2023 at the living desert with 40 Teachers, from alma school.
- 7.3 Great work at working bee on Saturday, 22 April 2023. Mistletoe cut off and paving laid, thank you to all that attended.
- 7.4 New switch for main gate has been installed.
- 7.5 New roster working well.
- 7.6 Working be to be held on Saturday, 27 May 2023. Meet at 9am up top at the office.

Action List:

| ACTION | WHO |
|--------------------------------------|--------------------|
| 1. Identification Cards – Continuing | Customer Relations |
| 2. Police Checks | Darrell Ford |
| 3. Cement paths | Darrell Ford |
| 4. Improve Roadworks | Darrell Ford |
| 5. Infrastructure Improvements | Darrell Ford |

- 8. **Next Meeting:** 6pm Tuesday, 13 June 2023 at Ground Floor Meeting Room
- 9. **Meeting Closed:** 6.20pm

CONFIDENTIAL MATTERS

1. BROKEN HILL CITY COUNCIL REPORT NO. 113/23 - DATED JUNE 13, 2023 - PROPOSED LICENCE OF PART 86, PRO HART WAY TO THE ROYAL FLYING DOCTOR SERVICE OF AUSTRALIA-SOUTH EASTERN SECTION - CONFIDENTIAL

(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).



CITY COUNCIL

www.brokenhill.nsw.gov.au