



BUSINESS PAPER

Health and Building
Committee Meeting

Council Chambers
17 October 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 17 October, 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 Tuesday, September 19, 2023.

**MINUTES OF THE HEALTH AND BUILDING COMMITTEE MEETING HELD
TUESDAY, SEPTEMBER 19, 2023 (5.30PM)**

Due to the Chairperson of the Committee (Deputy Mayor Hickey) submitting a Leave of Absence Application for this meeting, the Mayor called for Councillors to nominate a Chairperson.

Procedural Motion

Moved Councillor Alan Chandler, Seconded Councillor Hayley Jewitt

That Councillor Gallagher to appointed Chairperson for this meeting.

CARRIED UNANIMOUSLY

Councillor Gallagher assumed the Chair.

PRESENT:

Councillor T Kennedy (Mayor), Councillor D Gallagher (Chairperson),
Councillors A Chandler and H Jewitt.

General Manager, Director Corporate and Community, Director
Finance and Commercial, Director Infrastructure and Environment,
Executive Manager People and Culture, Manager Communications
and Marketing, Executive Officer and Executive Assistant.

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

APOLOGIES:

**LEAVE OF ABSENCE
APPLICATIONS:**

- 1) Deputy Mayor Hickey submitted a Leave of Absence Application and provided the reason "*recreational leave 14 September 2023 to 5 October 2023*".
- 2) Councillor Turley submitted a Leave of Absence Application and provided the reason "*due to unforeseen circumstances*".

Procedural Motion

Moved Mayor Tom Kennedy, Seconded Councillor Hayley Jewitt

That the applications be received and a Leave of Absence for this meeting be granted to Deputy Mayor Hickey and Councillor Turley.

CARRIED UNANIMOUSLY

PRAYER

Councillor Jewitt 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 Councillor Hayley Jewitt, Seconded Councillor Alan Chandler

That the Minutes of the Health and Building Committee meeting held Tuesday August 22, 2023 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Nil

REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 168/23 - DATED AUGUST 28, 2023 - RESCISSION OF MINUTE NUMBER 45808 (WARNOCK STREET ACQUISITION) D23/45763

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

1. That Broken Hill City Council Report No. 168/23 dated August 28, 2023, be received.
2. That Council rescind Minute No. 45808 (of the Council Meeting held 26 April 2018), being the proposed acquisition of Crown Land identified as Lot 7469 in Deposited Plan 1182254.

CARRIED UNANIMOUSLY

2. BROKEN HILL CITY COUNCIL REPORT NO. 169/23 - DATED SEPTEMBER 06, 2023 - PROPOSED SECTION 3.22 AMENDMENT OF THE BROKEN HILL LOCAL ENVIRONMENTAL PLAN 2013 - REZONING OF PART LOT 5 DEPOSITED PLAN 1175135 (336A MCCULLOCH STREET) D23/48261

Recommendation

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

1. That Broken Hill City Council Report No. 169/23 dated September 6, 2023, be received.
2. That Council submit a request to the Minister for Planning and Public Spaces under Section 3.22 of the *Environmental Planning & Assessment Act 1979* to amend the *Broken Hill Local Environmental Plan 2013*, rezoning part of 336A McCulloch Street (Lot 5 Deposited Plan 1175135 and associated adjoining road from RE1 Public Recreation to R1 General Residential.
3. That the General Manager be delegated to sign any documents relating to the submission.

CARRIED UNANIMOUSLY

CONFIDENTIAL REPORTS

Procedural Motion

Moved Mayor Tom Kennedy, Seconded Councillor Alan Chandler

That the confidential reports be considered in open session.

CARRIED UNANIMOUSLY

3. BROKEN HILL CITY COUNCIL REPORT NO. 170/23 - DATED AUGUST 29, 2023 - PROPOSED LICENCE OF 100 SULPHIDE STREET (PART RESERVE 1003026) TO BCH FITNESS - 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. 170/23 dated August 29, 2023, be received.
2. That Council issue a six-month licence for use of 100 Sulphide Street (Crown Reserve 1003026 Lot 702 DP 1096296) with the purpose of 'sporting and organised recreational activities'.
3. That the rent be set at the Crown Lands minimum rental (currently \$579 per annum) and be calculated on a pro-rata basis.

4. That the licence is able to be renewed for a further six months, should the agreement continue to suit all parties.
5. That the Mayor and General Manager be authorised by sign and execute any licence documents under the Common Seal of Council.

CARRIED UNANIMOUSLY

4. BROKEN HILL CITY COUNCIL REPORT NO. 171/23 - DATED SEPTEMBER 05, 2023 - PROPOSED LICENCE TO CARSCONNECTION 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 Councillor Alan Chandler, Seconded Councillor Hayley Jewitt

1. That Broken Hill City Council Report No. 171/23 dated September 5, 2023, be received.
2. That Council grants a new licence to Carsconnection Pty Ltd for use of a car hire counter and parking spaces at the Broken Hill Airport Terminal
3. That the licence term be five (5) years.
4. That the licence fee be based on a market rent and adjusted by 3% each year.
5. That the Mayor and General Manager be authorised to sign and execute the licence under the Common Seal of Council.

CARRIED UNANIMOUSLY

CONCLUSION OF THE MEETING

There being no further business to consider, the meeting was declared closed at 5:40pm.

The foregoing minutes were read and confirmed at the Health and Building Committee meeting held on 17 October 2023.

Chairperson

REPORTS

1. BROKEN HILL CITY COUNCIL REPORT NO. 195/23 - DATED OCTOBER 05, 2023 - CORRESPONDENCE REPORT - BROKEN HILL ENVIRONMENTAL LEAD PROGRAM (D23/54602) 9
2. BROKEN HILL CITY COUNCIL REPORT NO. 196/23 - DATED SEPTEMBER 22, 2023 - MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 12 SEPTEMBER 2023 (D23/51709)13

HEALTH AND BUILDING COMMITTEE

October 5, 2023

ITEM 1BROKEN HILL CITY COUNCIL REPORT NO. 195/23

SUBJECT: CORRESPONDENCE REPORT - BROKEN HILL
ENVIRONMENTAL LEAD PROGRAM

D23/54602**Recommendation**

1. That Broken Hill City Council Report No. 195/23 dated October 5, 2023, be received.
2. That correspondence dated 3 October 2023 from the Premier of NSW, the Hon Chris Minns MP providing an update on the Broken Hill Environmental Lead Response Group and funding of lead monitoring and remediation program be received and noted.
3. That Council notes that acknowledgement correspondence was received from the Minister for Health and Minister for Regional Health who advised that the correspondence was referred to the Premier of NSW for a response.
4. That correspondence dated 1 October 2023, from the NSW EPA regarding funding of lead monitoring and remediation program be received and noted.

Executive Summary:

Council, at its meeting held 26 July 2023, considered a Broken Hill City Council Report No 121/23 regarding the Broken Hill Lead Reference Group Minutes and resolved as follows:

ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 121/23 - DATED JUNE 27, 2023 -
BROKEN HILL LEAD REFERENCE GROUP MINUTES OF MEETING HELD 25 MAY 2023

D23/33141

RESOLUTIONMinute No. 47256

Councillor M Browne moved)
Councillor D Turley seconded)

Resolved

1. That Broken Hill City Council Report No. 121/23 dated June 27, 2023, be received.
2. That Council sends correspondence to the Minister for Health, the EPA and NSW Department of Premier and Cabinet regarding the need for continued funding of the Broken Hill Lead program.

CARRIED UNANIMOUSLY

Report:

As per the Council resolution, Minute No. 47256, Mayoral correspondence was forwarded on 8 August 2023 to the NSW Department of Premier and Cabinet, the Minister for Health and the NSW Environmental Protection Authority.

Council has received reply correspondence dated 3 October 2023 from the Premier of NSW and correspondence dated 1 October 2023, from the NSW EPA providing an update on the Broken Hill Environmental Lead Response Group and funding of the lead monitoring and remediation program.

The correspondence is attached to this report.

Attachments

1. Correspondence - Funding for the Broken Hill Lead Program - The Hon Chris Minns



2. Funding for the Broken Hill Lead Program - NSW EPA



LEISA BARTLETT
EXECUTIVE OFFICER

JAY NANKIVELL
GENERAL MANAGER

The Hon Chris Minns MP

Premier of New South Wales

03 OCT 2023

03 SEP 2023



Ref: A5832191

Your Ref: L23/1912 – 11/147

Tom Kennedy
Mayor
Broken Hill City Council
PO BOX 448
BROKEN HILL NSW 2880

Re: Broken Hill Environmental Lead Program

Dear Councillor Kennedy,

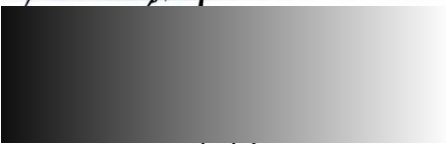
Thank you for your letter of 8 August 2023 regarding progress of the Broken Hill Environmental Lead Response Group and funding of lead monitoring and remediation programs.

In June my government approved funding for the critical work of the Broken Hill Environmental Lead Program for FY23/24 and 24/25. This provides blood lead screening, case management for impacted children, remediation of affected housing, dust monitoring, and health promotion campaigns.

Future measures deemed necessary by the Response Group to deliver long term solutions will be presented for consideration in future Budgets, in line with the long-term Whole of Government strategy to address the environmental lead issues in Broken Hill.

I am glad that the Council will be represented on the Response Group forum and look forward to receiving updates on the group's progress through the Premier's Department representative Deputy Secretary Shane Hamilton.

Sincerely,


Chris Minns MP
Premier of New South Wales

25/9/23

52 Martin Place Sydney NSW 2000
GPO Box 5341 Sydney NSW 2001

02 7225 6000
nsw.gov.au/premier



Your ref: L23/1913-11/147
Our ref: DW23/390

Cr Tom Kennedy
Mayor
Broken Hill City Council

By email: council@brokenhill.nsw.gov.au

Dear Mr Kennedy

Thank you for your letter dated 8 August 2023 regarding ongoing funding for Broken Hill lead prevention programs.

I am pleased to advise that the Government has recognised the importance of the work being undertaken in Broken Hill to protect the health of children from the impacts of lead. The Government has committed to fund the Broken Hill Environmental Lead Program for a further two years, while the whole-of-Government Broken Hill Environmental Lead Response Group is undertaking its work.

This funding will ensure:

- Continued blood lead screening for approximately 200 Aboriginal children each year through Maari Ma Health Aboriginal Corporation
- Better case management for approximately 300 impacted Aboriginal and non-Aboriginal children each year through Maari Ma and the Far West Local Health District
- Remediation of approximately 40 homes of impacted children each year (triaged according to need)
- Continued operation of a lead dust monitoring network in Broken Hill
- Continued promotion of lead safe practices within the community, largely focused through school incursions

The EPA also continues to participate in Council's Lead Reference Group, as well as working closely with the Premier's Department in preparation for the formation of the Broken Hill Environmental Lead Response Group. The EPA takes the health outcomes of people in Broken Hill extremely seriously.

Your staff can contact Ms Jill Gallagher, EPA Manager Priority Programs, to discuss this matter further on 0499 688 059 or at jillian.gallagher@epa.nsw.gov.au.

Yours sincerely



JACQUELEINE MOORE
A/Chief Executive Officer

1 October 2023

Phone 131 555
Phone 02 9995 5555
(from outside NSW)

TTY 133 677, then
ask for 131 155

Locked Bag 5022
PARRAMATTA
NSW 2124

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HEALTH AND BUILDING COMMITTEE

September 22, 2023

ITEM 2BROKEN HILL CITY COUNCIL REPORT NO. 196/23

SUBJECT: MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE
BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD
12 SEPTEMBER 2023 D23/51709

Recommendation

1. That Broken Hill City Council Report No. 196/23 dated September 22, 2023, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 12 September 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 12 September 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 - 12 September 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
12 SEPTEMBER 2023 AT 6PM – GROUND FLOOR MEETING ROOM,
COUNCIL ADMINISTRATIVE CENTRE, 248 BLENDE STREET** 12/51

1. Present:

Darrell Ford	Living Desert Ranger (BHCC)
Gaylene Ford	Community Representative
Karen Ford	Community Representative
Michael Ford	Community Representative
Jeff Crase	Community Representative
Ann Evers	Community Representative
Patrick Kreitner	Visitor Services Coordinator (BHCC)
Rodney Squire	Workplace Health & Safety Coordinator (BHCC)

2. Apologies:

Councillor Marion Browne	Council Delegate
David Spielvogel	Community Representative
Merran Coombe	Community Representative
Paul Reed	Community Representative
Sue Spangler	Community Representative
Geoffrey Hoare	Community Representative
Jill Spielvogel	Community Representative
Kellie Scott	Community Representative
Evan Scott	Community Representative
Jamie Scott	Community Representative
John Rogers	Community Representative
Jasmin Fryer	Living Desert Ranger (BHCC)
Nick King	Living Desert Ranger (BHCC)

3. Confirmation of Minutes from Previous Meeting: 8 August 2023

Confirmed By: Karen Ford

Seconded By: Gaylene Ford

4. Business arising from Previous Minutes:

Nil

5. Correspondence:

Nil

6. Update on Action List Items:

6.1 Cement Paths

No Update

6.2 Improve roadworks

No Update

8.3 Infrastructure Improvements

Update: All infrastructure improvement projects currently awaiting funding

- Boardwalk from information 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 to be installed 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. Reports:

7.1 Visitors

Average 200 -300 visitors per day and the Campsite is near full most nights. Very busy over the 'Broken Heel Festival' Weekend.

8. General Business:

8.1 Work Experience

A year 10 work experience student has been with the Living Desert Team for 2 weeks.

8.2 Wheelchair access

Works to for wheelchair access for the Flora site have fallen through. Looking towards paving the entrance or seeking other grants.

8.3 Myer Myers

The Myer Myers (Aboriginal Huts) have been recovered.

8.4 Working Bee

Working bee will be held on 21 October 2023 for paving and woodchipping. Meet at the Rangers Hut at 9am.

9. Next Meeting:

6pm on Tuesday, 10 October 2023, Council Chambers, 240 Blende Street

10. Meeting Closed:

6.17pm

**MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF
THE BARRIER RANGES COMMUNITY COMMITTEE
MEETING HELD 12 SEPTEMBER 2023**

**Attachment 1
MINUTES OF THE FRIENDS OF THE
FLORA AND FAUNA OF THE
BARRIER RANGES COMMUNITY
MEETING HELD 12 SEPTEMBER 2023**

11. Action List.

ACTION	WHO
1. Identification Cards – Continuing	Customer Relations
2. Cement paths – Awaiting funding	Darrell Ford
3. Improve Roadworks – Awaiting Funding	Darrell Ford
4. Infrastructure Improvements – All Infrastructure improvement projects currently awaiting funding	Darrell Ford



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