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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
JANUARY 25, 2012

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Meeting commenced at 6:30 p.m.

**PRESENT:** Councillor W. Cuy (Mayor), Councillor D. Turley (Deputy Mayor) Councillors C. Adams, B. Algate, M. Browne, D. Gallagher, N. Gasmier and J. Groenendijk.

General Manager, Group Manager Business Improvement and Corporate Services, Group Manager Sustainability, Group Manager Infrastructure and Administration Officer.

Media (5), Members of the Public (11).

**APOLOGIES:** Councillors T. Kennedy and R. Steer.

**RESOLUTION**

Minute No. 43136

Councillor N. Gasmier moved ) That the apologies as submitted on behalf of  
Councillor D. Gallagher seconded ) Councillor Kennedy and Steer be accepted and  
leave of absence granted.

CARRIED

**PRAYER**

Councillor Gallagher delivered the Prayer.

**ACKNOWLEDGEMENT OF COUNTRY**

Councillor Gallagher delivered the Acknowledgement of Country.

**MINUTES FOR CONFIRMATION**

**RESOLUTION**

Minute No. 43137

Councillor B. Algate moved ) That the Minutes of the Ordinary Meeting of the  
Councillor J. Groenendijk seconded ) Council of the City of Broken Hill held December  
14, 2011 be confirmed.

That the Minutes of the Extraordinary Meeting of  
the Council of the City of Broken Hill held  
December 14, 2011 be confirmed.

CARRIED

**PUBLIC FORUM**

Nil.

**MAYORAL MINUTES**

**ITEM 1 - MAYORAL MINUTE NO. 1/12 - DATED DECEMBER 19, 2011 - APPOINTMENT OF DELEGATES TO COMMITTEES**

11/22

**RESOLUTION**

Minute No. 43138

Councillor B. Algate moved )

Councillor N. Gasmier seconded )

That Mayoral Minute No. 1/12 dated December 19, 2011, be received.

That Council's delegates to the various committees and organisations listed in this Mayoral Minute, be as follows:

**Standing Committees**

**Policy and General Committee**

Mayor Cuy (Chairperson)

All Councillors

**Environmental Services Committee**

Mayor Cuy (Chairperson)

All Councillors

**Technical Services Committee**

Mayor Cuy (Chairperson)

All Councillors

**Corporate Services Committee**

Mayor Cuy (Chairperson)

All Councillors

**Section 355 Committees**

**Alma Oval Community Committee (2 Councillors)**

Councillor Gallagher

Councillor Kennedy

**Broken Hill Regional Art Gallery Advisory Committee (5 Councillors)**

Councillor Groenendijk

Councillor Browne

Councillor Turley

Councillor Algate

Councillor Adams

**Broken Hill Sister City Committee (3 Councillors)**

Councillor Steer  
Councillor Gallagher  
Councillor Turley  
Councillor Adams

That the Constitution of the Broken Hill Sister City Committee be amended to include a total of 4 Councillor representatives.

**Broken Hill Tidy Towns Community Committee (2 Councillors)**

Councillor Groenendijk  
Councillor Turley

**Broken Hill Tourism Advisory Group (1 Councillor)**

Councillor Kennedy

**Bill Renfrew Sportsground Community Committee (2 Councillors)**

2 vacant positions

**BIU Band Hall/Soccer Complex Community Committee (1 Councillor)**

Councillor Gasmier  
Councillor Gallagher

That the Constitution of the BIU Band Hall/Soccer Complex Community Committee be amended to include a total of two Councillor representatives.

**E.T. Lamb Memorial Oval Community Committee (2 Councillors)**

Councillor Gallagher  
Councillor Kennedy

**Film Broken Hill Advisory Group (4 Councillors)**

Councillor Groenendijk  
Councillor Turley  
Councillor Adams  
Councillor Browne

**Friends of the Flora and Fauna of the Barrier Ranges Committee (2 Councillors)**

Councillor Browne  
Councillor Turley  
Councillor Gallagher

That the Constitution of the Friends of the Flora and Fauna of the Barrier Ranges Committee be amended to include a total of three Councillor representatives.

**Memorial Oval Community Committee (2 Councillors)**

Councillor Steer  
Councillor Kennedy

**Norm Fox Sportsground Community Committee (2 Councillors)**

Councillor Gallagher  
Councillor Algate

**Picton Sportsground Community Committee (2 Councillors)**

Councillor Adams  
Councillor Kennedy

**Riddiford Arboretum Community Committee (1 Councillor)**

Councillor Browne

**Other Committees and Organisations**

**Active Broken Hill (1 Councillor)**

- pending outcome of Council's request to Active Broken Hill for the provision of a Councillor representative.

**Association of Mining Related Councils (1 Councillor)**

Councillor Algate  
Councillor Gasmier (alternate)

**Audit and Finance Committee (5 Councillors)**

Mayor Cuy (Chair)  
Councillor Algate  
Councillor Gasmier  
Councillor Kennedy,  
Councillor Groenendijk  
Councillor Gallagher  
(membership as per Council resolution -  
December 14, 2011)

**Broken Hill City Council Constitutional Recognition of Local Government Committee (Mayor + 5 Councillors)**

Mayor Cuy  
Councillor Browne  
Councillor Turley (Chair)  
Councillor Adams  
2 vacant positions

**Broken Hill City Council Disability Access Committee (1 Councillor)**

Councillor Turley

**Broken Hill Community Foundation (Mayor)**

Mayor Cuy

**Broken Hill Lead Reference Group  
(1 Councillor)**

Councillor Browne

**Broken Hill Liquor Accord (1 Councillor)**

Councillor Gallagher

**Broken Hill Regional Aquatic Centre – Naming  
of the Facilities (5 Councillors)**

Councillor Turley

Councillor Adams

Councillor Kennedy

Councillor Algate

Councillor Gallagher

**Broken Hill Traffic Committee (1 observer)**

Councillor Gasmier

**CDSE (Community Development Support  
Expenditure Scheme) Committee  
(2 Councillors)**

Councillor Browne

Councillor Gasmier

**Community Development Grants Assessment  
Panel (Community Assistance Policy) (1  
Councillor)**

Councillor Turley

**Department of the Environment, Water,  
Heritage and the Arts (DEWHA) proposed  
National Heritage Listing (2 Councillors)**

Councillor Browne

Councillor Adams

**General Manager's Performance Review  
Committee (Mayor, Deputy Mayor + 3  
Councillors)**

Councillor Browne

Councillor Groenendijk

Councillor Turley

Councillor Algate

That the Constitution of the General Manager's Performance Review Committee be amended to include a total of four Councillor representatives (in addition to the Mayor and Deputy Mayor).

**Integrated Waste Management Working Group  
(Mayor + 3 Councillors)**

Councillor Browne

Councillor Turley

Councillor Gallagher

**Menindee Lakes Wetlands Project – RAMSAR  
Interim Steering Committee (1 Councillor)**

Councillor Browne

**Murray Darling Association (2 Councillors)**

Councillor Browne  
Councillor Gallagher

**National Broadband Network Working Group  
(2 Councillors)**

Councillor Groenendijk  
Councillor Gasmier

**National Parks and Wildlife Service Far West  
Regional Consultative Committee  
(1 Councillor)**

- no provision for a Local Government  
representative on the Consultative Committee at  
this point in time. A Local Government  
Representative may be reinstated in the future.

**Outback Regional Tourism Organisation  
(ORTO) (1 Councillor)**

Councillor Groenendijk

**Reconciliation Action Plan (RAP)  
(3 Councillors)**

Councillor Browne  
Councillor Gallagher  
Councillor Turley

**Robinson College Board (1 Councillor)**

Councillor Gasmier

**S355 Committee Working Party  
(4 Councillors)**

Mayor Cuy  
Councillor Turley  
Councillor Gallagher  
Councillor Groenendijk

**University Partnership Working Party  
(1 Councillor)**

Councillor Browne

**West Darling Arts (1 Councillor)**

Councillor Adams

**Water Resources Working Group (Mayor + 4  
Councillors)**

- deferred pending resolution of Item 2 of Further  
Business at this meeting.

**Trust for Recreational Reserve (Broken Hill to  
Silverton Cycleway) (1 Councillor)**

Councillor Adams

That Councillors advise the General Manager of  
their interest to fill any vacant positions on  
various Committees as listed above.

CARRIED

## DISCLOSURE OF INTEREST

Councillor Groenendijk declared:

- A pecuniary conflict of interest in Correspondence Report No. 2/12 of the Policy and General Committee as his business operates an alfresco dining area, and advised that he will leave the Council Chamber whilst the item is considered.
- A pecuniary conflict of interest in General Manager Report No. 4/12 of the Policy and General Committee as he is a board member of ORTO and was involved in the application process, and advised that he will leave the Council Chamber whilst the item is considered.

Councillor Gasmier declared:

- A non-pecuniary conflict of interest in General Manager's Report No. 5/12 of the Policy and General Committee as he is the Chairperson of one of the applicants, and advised that he will leave the Council Chamber whilst the item is considered.

Councillor Gallagher declared:

- A non-pecuniary conflict of interest in General Manager's Report No. 5/12 of the Policy and General Committee as he is the Chairperson of Outback Rugby League, and advised that he will leave the Council Chamber whilst the item is considered.

Mayor Cuy declared:

- A non-pecuniary conflict of interest in Sustainability Report No. 4/12 of the Environmental Services Committee - item 164/2011, as his company is building the shed, and advised that he will leave the Council Chamber whilst the item is considered.

Councillor Browne declared:

- An insignificant conflict of interest in Sustainability Report No. 3/12 of the Environmental Services Committee as her property is mentioned in the report, and advised that she will remain in the Council Chamber, and will abstain from voting on the item.

General Manager declared:

- A pecuniary conflict of interest in Correspondence Report No. 2/12 of the Policy and General Committee as he is a partner in a business which operates an alfresco dining area, and advised that he will leave the Council Chamber whilst the item is considered.

Councillor Turley declared:

- A non-pecuniary conflict of interest in Correspondence Report No. 2/12 of the Policy and General Committee as she is employed by NSW Health, and advised that she will remain in the Council Chamber and will abstain from voting on the item.

Group Manager Infrastructure declared:

- A non-pecuniary conflict of interest in Correspondence Report No. 4/12 of the Technical Services Committee as he is a life member of the Alma Swimming Club and advised that he will remain in the Council Chamber whilst the item is considered, and answer questions from Councillors if invited.
- A non-pecuniary conflict of interest in Correspondence Report No. 4/12 of the Technical Services Committee as he is a life member of the Alma Swimming Club and his son is a casual employee at the Broken Hill Regional Aquatic Centre during the university vacation

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period, and advised that he will remain in the Council Chamber whilst the item is considered, and answer questions from Councillors if invited.

Group Manager Sustainability declared:

- A non-pecuniary conflict of interest in Correspondence Report No. 4/12 of the Technical Services Committee as he is the President of the Silver City Swim Club, and advised that he will remain in the Council Chamber whilst the item is considered.
- A non-pecuniary conflict of interest in Correspondence Report No. 4/12 of the Technical Services Committee as he is the President of the Silver City Swim Club, and advised that he will remain in the Council Chamber whilst the item is considered.

## CORRESPONDENCE REPORTS

**ITEM 2 - CORRESPONDENCE REPORT NO. 5/12 - DATED JANUARY 19, 2012 - ROADS TO RECOVERY PROGRAMME** 11/323

Recommendation

That correspondence from the Department of Infrastructure and Transport dated January 9, 2012 in reply to Council's correspondence, and advising of the Government's increased funding towards the Roads to Recovery Program over a five year period; and that the Government has no plans to withdraw funding from this program, be received.

That correspondence from the Federal Member for Farrer dated January 11, 2012 in reply to Council's correspondence, and advising the Coalition's support of the Roads to Recovery Program, be received.

**RESOLUTION**

Minute No. 43139

Councillor B. Algate moved ) That the recommendation of item 2 be adopted.  
Councillor J. Groenendijk seconded )

CARRIED

**ITEM 3 - CORRESPONDENCE REPORT NO. 6/12 - DATED JANUARY 19, 2012 - CARBON TAX - PROJECTED FINANCIAL IMPACT ON COUNCIL** 11/263

Councillor B. Algate moved ) That correspondence from the Federal Member  
Councillor J. Groenendijk seconded ) for Farrer dated January 12, 2012 in reply to  
Council's correspondence regarding the  
projected financial impact of carbon tax on  
Council's operation; and advising the Coalition's  
commitment to oppose the carbon tax in  
opposition and repeal it in government, be  
received.

That Broken Hill City Council supports such  
action of opposition to carbon tax.



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Amendment

Councillor N. Gasmier moved )  
Councillor M. Browne seconded )

That correspondence from the Federal Member for Farrer dated January 12, 2012 in reply to Council's correspondence regarding the projected financial impact of carbon tax on Council's operation; and advising the Coalition's commitment to oppose the carbon tax in opposition and repeal it in government, be received.

LOST  
(on casting vote of the Mayor)

The original motion was put.

**RESOLUTION**

Minute No. 43140

Councillor B. Algate moved )  
Councillor J. Groenendijk seconded )

That correspondence from the Federal Member for Farrer dated January 12, 2012 in reply to Council's correspondence regarding the projected financial impact of carbon tax on Council's operation; and advising the Coalition's commitment to oppose the carbon tax in opposition and repeal it in government, be received.

That Broken Hill City Council supports such action of opposition to carbon tax.

CARRIED  
(on the casting vote of the Mayor)

**POLICY AND GENERAL COMMITTEE**

**ITEM 4 - CORRESPONDENCE REPORT NO. 1/12 - DATED DECEMBER 21, 2011 - MOTIONS FROM THE 2011 LOCAL GOVERNMENT ASSOCIATION CONFERENCE** 11/185

*Councillor Gasmier urged Council to submit motions to the Conference in the future.*

Recommendation

That correspondence from the Local Government Association dated December 14, 2011 regarding the outcome of motions from the Local Government Association Conference being considered by the Executive on December 2, 2011 (due to a lack of a quorum at the Conference), be received.

**RESOLUTION**

Minute No. 43141

Councillor N. Gasmier moved )  
Councillor C. Adams seconded )

That the recommendation of item 4 be adopted.

CARRIED

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**ITEM 5 - CORRESPONDENCE REPORT NO. 2/12 - DATED DECEMBER 22, 2011 - COUNCIL OPPORTUNITY - JOIN THE CAMPAIGN FOR STATE WIDE SMOKE FREE LAWS** 11/161

*Councillor Groenendijk declared a pecuniary interest, Councillor Turley declared a non-pecuniary interest and the General Manager declared a pecuniary interest in item 5 and left the Council Chamber at 7:08 p.m.*

**RESOLUTION**

Minute No. 43142

Councillor D. Gallagher moved ) That correspondence received from the Cancer  
Councillor B. Algate seconded ) Council NSW dated December 5, 2011 seeking  
councils support for legislation for smoke free  
outdoor areas be received and noted.

That Council not support the campaign for  
legislation for smoke free outdoor areas at this  
stage.

CARRIED

*Councillors Groenendijk and Turley and the General Manager returned to the Council Chamber at 7:011 p.m.*

*The Mayor advised Councillors Groenendijk and Turley and the General Manager that the report recommendation was adopted with the addition of the words "at this stage" to the end of the recommendation.*

**ITEM 6 - CORRESPONDENCE REPORT NO. 3/12 - DATED DECEMBER 21, 2011 - WESTERN DIVISION COUNCILS OF NSW - NEWSLETTER** 11/173

**RESOLUTION**

Minute No. 43143

Councillor B. Algate moved ) That Correspondence Report No. 3/12 dated  
Councillor D. Turley seconded ) December 21, 2011, be received.

That the Mayor and Deputy Mayor are Council's  
voting delegates for the Western Division  
Councils of NSW Conference to be held in  
Broken Hill from the 26-28 February 2012.

That Council's observers at the Conference be  
Councillors Adams, Browne, Gasmier and  
Groenendijk.

That Council submit a motion to the Western  
Division Councils of NSW Conference regarding  
Council's position on Swimming Pool Legislation;  
and any further motions be submitted to the  
General Manager by January 27, 2012.

CARRIED

**ITEM 7 - GENERAL MANAGER'S REPORT NO. 1/12 - DATED DECEMBER 21, 2011 - LOCAL GOVERNMENT & SHIRES ASSOCIATIONS OF NSW - TOURISM CONFERENCE 2012** 11/407

**RESOLUTION**

Minute No. 43144

Councillor B. Algate moved ) That General Manager's Report No. 1/12 dated  
Councillor D. Gallagher seconded ) December 21, 2011, be received.

That Councillors Groenendijk and Gallagher attend the 2012 Local Government and Shires Associations of NSW Tourism Conference to be held in Gunnedah, March 12-14, 2012, as a Councillor representative.

That the General Manager determines employee representation at the Conference.

CARRIED

**ITEM 8 - GENERAL MANAGER'S REPORT NO. 2/12 - DATED DECEMBER 15, 2011 - AMENDED MEDIA RELATIONS POLICY** 11/57

*The General Manager took a question on notice for action, from Councillor Gasmier regarding the ramifications if a person breaches the Media Relations Policy.*

Councillor D. Turley moved ) That General Manager's Report No. 2/12 dated  
Councillor M. Browne seconded ) December 15, 2011, be received.

That the Draft Revised Media Policy, be further amended to include the following clause:

- That Councillors also be alerted by email prior any person speaking on behalf of Council except in the case of emergencies or matters of urgency.

That the Draft Revised Media Policy be placed on exhibition for public comment for a twenty eight day period, prior to presentation to Council for formal adoption.

Amendment

Councillor B. Algate moved ) That General Manager's Report No. 2/12 dated  
Councillor D. Gallagher seconded ) December 15, 2011, be received.

That the Draft Revised Media Policy, be further amended to include the following clauses:

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- That all media releases should be distributed and approved by a majority of Councillors via email prior to the publication or release so that Councillors comments may be incorporate where appropriate; if no responses are obtained by a Councillor within the 24 hour period they will be taken as being in support of the media release, this being the processes except in the case of emergency media release which will not require circulation to Councillors prior to submission.
- That Councillors also be alerted by email prior any person speaking on behalf of Council except in the case of emergencies or matters of urgency.

That the Draft Revised Media Policy be placed on exhibition for public comment for a twenty eight day period, prior to presentation to Council for formal adoption.

LOST  
(2 to 6)

**RESOLUTION**

Minute No. 43145

Councillor D. Turley moved )

Councillor M. Browne seconded )

That General Manager's Report No. 2/12 dated December 15, 2011, be received.

That the Draft Revised Media Policy, be further amended to include the following clause:

- That Councillors also be alerted by email prior any person speaking on behalf of Council except in the case of emergencies or matters of urgency.

That the Draft Revised Media Policy be placed on exhibition for public comment for a twenty eight day period, prior to presentation to Council for formal adoption.

CARRIED

**ITEM 9 - BUSINESS IMPROVEMENT & CORPORATE SERVICES REPORT NO. 1/12 - DATED JANUARY 05, 2012 - ADOPTION OF COUNCIL POLICIES - COUNCILLOR SUPPORT POLICY**

11/468

Recommendation

That Business Improvement & Corporate Services Report No. 1/12 dated January 5, 2012, be received.

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That Council formally adopt the Councillor Support Policy attached to this report, with a minor amendment to clause 9.7 to replace the word "ipad" with "tablet computer".

**RESOLUTION**

Minute No. 43146

Councillor J. Groenendijk moved ) That the recommendation of item 9 be adopted.  
Councillor D. Turley seconded )

CARRIED

**ITEM 10 - BUSINESS IMPROVEMENT & CORPORATE SERVICES REPORT NO. 2/12 - DATED  
DECEMBER 15, 2011 - RE-ESTABLISHMENT OF ALCOHOL FREE ZONE - CREEDON STREET  
ZONE** 11/307

Recommendation

That Business Improvement & Corporate Services Report No. 2/12 dated December 15, 2011, be received.

That Council endorse the re-establishment of the Alcohol Free Zone area Creedon Street, generally bounded by Rakow and Wills Streets.

That Council replace the existing signage (dates of operation of the zone proposed to be February 16, 2012 to November 8, 2015).

**RESOLUTION**

Minute No. 43147

Councillor D. Gallagher moved ) That the resolution of item 10 be adopted.  
Councillor N. Gasmier seconded )

CARRIED

**ITEM 11 - GENERAL MANAGER'S REPORT NO. 4/12 - DATED DECEMBER 22, 2011 - EVENT  
SPONSORSHIP APPLICATION - THE OUTBACK SYMPOSIUM 2012** 11/514

*Councillor Groenendijk declared a pecuniary interest in Item 11 and left the Council Chamber at 7:35 p.m.*

Councillor D. Turley moved ) That General Manager's Report No. 4/12 dated  
Councillor C. Adams seconded ) December 22, 2011, be received.

That Council support the event to the value of \$2,500 under its Event Sponsorship Policy, subject to ORTO providing a budget, Public Liability certificate of currency and written evidence of local business support at least matching the total Council allocation.

Amendment

Councillor B. Algate moved ) That General Manager's Report No. 4/12 dated  
December 22, 2011, be received.

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That Council not support event sponsorship of \$2,500 to ORTO towards the conduct of the 2012 Outback Symposium to be held March 1-2, 2012.

NOT PUT

The Mayor ruled the Amendment invalid (contrary to the motion).

*Discussions took place regarding Council's annual \$10,000 membership of ORTO, the benefits to the Broken Hill Community from the conduct of the 2012 Outback Symposium and the proposed recommendation for event sponsorship is dependent upon evidence of local business support to at least the same amount (\$2500).*

*Councillor Gasmier requested that all documentation be in place before future reports are presented to Council.*

*Councillor Turley advised that sponsorship to bring guest speakers to the Conference will in turn be beneficial in tourism promotion of the City through articles in magazines/newspapers following their visit to Broken Hill.*

*The Mayor took on notice for action, a question from Councillor Algate regarding Councillor Turley's comments and asked if Council's lack of support to past events has contributed to the declining tourism figures at the Visitor Information Centre.*

**RESOLUTION**

Minute No. 43148

Councillor D. Turley moved ) That General Manager's Report No. 4/12 dated  
Councillor C. Adams seconded ) December 22, 2011, be received.

That Council support the event to the value of \$2,500 under its Event Sponsorship Policy, subject to ORTO providing a budget, Public Liability certificate of currency and written evidence of local business support at least matching the total Council allocation.

CARRIED

**ITEM 12 - GENERAL MANAGER'S REPORT NO. 5/12 - DATED JANUARY 09, 2012 - COMMUNITY DEVELOPMENT GRANTS 2011/12 ROUND ONE** 11/84

*Councillors Gasmier and Gallagher both declared a non-pecuniary interest in item 12 and left the Council Chamber at 7:44 p.m.*

**RESOLUTION**

Minute No. 43149

Councillor B. Algate moved ) That General Manager's Report No. 5/12 dated  
Councillor D. Turley seconded ) January 9, 2012, be received.

That Council endorses \$7,300.00 from the Community Assistance Program budget for the following 2011/2012 Round One Community Development Grants applications:

- Outback Rugby League (Juniors)  
\$3,000.00 - Establishment of junior rugby league program, provide uniforms and

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equipment for competition.

- Broken Hill Mountain Bike Club \$3,000.00 - Permanent sign posting and upgrading of existing bike trails around Broken Hill.
- Broken Hill Model Flying Club \$1,300.00 - Purchase of materials for erection of club shelter on the Wilyama Common.

CARRIED

*Councillors Gasmier and Gallagher returned to the Council Chamber at 7:46 p.m.*

*The Mayor advised Councillor Gasmier that Council adopted the report recommendation.*

**ITEM 13 - GENERAL MANAGER'S REPORT NO. 3/12 - DATED DECEMBER 19, 2011 - RE-SUBMITTED - MINUTES OF THE FILM BROKEN HILL ADVISORY GROUP MEETING HELD NOVEMBER 9, 2011**

11/9

**RESOLUTION**

Minute No. 43150

Councillor J. Groenendijk moved  
Councillor N. Gasmier seconded

)  
)

That General Manager's Report No. 3/12 dated December 19, 2011, be received.

That the minutes of the Film Broken Hill Advisory Group Meeting held November 9, 2011 be referred back to the Committee for the inclusion of the names of movers and seconders of motions in the minutes, and for further information regarding the decision process in relation to the Broken Hill Community Foundation being the interim organisation to act as the Trust for the Broken Hill Film Studio Precinct.

CARRIED

**ITEM 14 - GENERAL MANAGER'S REPORT NO. 6/12 - DATED JANUARY 05, 2012 - ECONOMIC DEVELOPMENT REPORT FOR DECEMBER 2011**

11/514

Recommendation

That General Manager's Report No. 6/12 dated January 5, 2012, be received.

That Council approach local hotels and pubs who do not operate poker machines to seek expressions of interest for the Two-Up lease.

**RESOLUTION**

Minute No. 43151

Councillor B. Algate moved  
Councillor D. Gallagher seconded

)  
)

That the recommendation of item 14 be adopted.

CARRIED

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**ITEM 15 - GENERAL MANAGER'S REPORT NO. 7/12 - DATED JANUARY 09, 2012 - COMMUNITY SERVICES ACTIVITY REPORT FOR DECEMBER 2011** 11/514

*The General Manager advised that the Operational Review Report of the Shorty O'Neil Village will be presented to the February Policy and General Committee, with a Councillor briefing prior.*

*The Mayor took a question on notice for action, from Councillor Gasmier regarding more details to be included in the Community Services Activity Report instead of using the word "progressing".*

Recommendation

That General Manager's Report No. 7/12 dated January 9, 2012, be received.

**RESOLUTION**

Minute No. 43152

Councillor N. Gasmier moved ) That the recommendation of item 15 be adopted.  
Councillor B. Algate seconded )

CARRIED

**ITEM 16 - GENERAL MANAGER'S REPORT NO. 8/12 - DATED JANUARY 05, 2012 - COUNCIL DECISIONS - ACTION LIST - POLICY AND GENERAL** 11/25

Recommendation

That General Manager's Report No. 8/12 dated January 5, 2012, be received.

**RESOLUTION**

Minute No. 43153

Councillor B. Algate moved ) That the recommendation of item 16 be adopted.  
Councillor C. Adams seconded )

CARRIED

**ITEM 17 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 1/12 - DATED DECEMBER 22, 2011 - ALCOHOL FREE ZONE FOOTPATH SIGNAGE** 11/307

Recommendation

That Motions of Which Notice has been Given No. 1/12 dated December 22, 2011, be received.

That Council immediately commence the footpath signage of the Alcohol Free Zones in the central and south Broken Hill areas, as request was made by the Barrier Liquor Accord in 2010.

**RESOLUTION**

Minute No. 43154

Councillor D. Gallagher moved ) That the recommendation of item 17 be adopted.  
Councillor J. Groenendijk seconded )

CARRIED



**ENVIRONMENTAL SERVICES COMMITTEE**

**ITEM 18 - SUSTAINABILITY REPORT NO. 1/12 - DATED JANUARY 10, 2012 - AMENDED  
DEVELOPMENT APPLICATION NO. 93/2010 - USE OF PART PREMISES AT 228-232 ARGENT  
STREET - CAFE, EXTENSION OF TRADING HOURS** 11/467

Recommendation

That Sustainability Report No. 1/12 dated January 10, 2012, be received.

That Amended Development Application No. 93/2010 to extend trading hours of TJ's Cafe (228-232 Argent Street) be approved subject to conditions of consent.

**RESOLUTION**

Minute No. 43155

Councillor B. Algate moved ) That the recommendation of item 18 be adopted.  
Councillor C. Adams seconded )

CARRIED

**ITEM 19 - SUSTAINABILITY REPORT NO. 2/12 - DATED NOVEMBER 30, 2011 - SWIMMING  
POOL INSTALLATIONS** 11/130

**RESOLUTION**

Minute No. 43156

Councillor N. Gasmier moved )  
Councillor D. Gallagher seconded )

That Sustainability Report No. 2/12 dated  
November 30, 2011, be received.

That Council's draft policy be developed in  
accordance with the best practice model  
developed by the NSW Water Safety Taskforce  
for the management and compliance of domestic  
swimming pools.

That Council note the required additional  
employee resources for this particular policy and  
program implementation and include those  
resources in the next budget.

That Council make representations to the NSW  
Government to support proactive changes to  
NSW legislation for mandatory provisions to  
apply at the time of conveyance of a property that  
a Swimming Pool Compliance Certificate is  
provided to the new purchaser by the vendor as a  
condition of contract of sale.

CARRIED

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**ITEM 20 - SUSTAINABILITY REPORT NO. 3/12 - DATED JANUARY 10, 2012 - HERITAGE  
STATUS REPORT - DECEMBER 2011**

11/126

*Councillor Browne declared an insignificant conflict of interest in item 20, and remained in the Council Chamber.*

Recommendation

That Sustainability Report No. 3/12 dated January 10, 2012, be received.

**RESOLUTION**

Minute No. 43157

Councillor J. Groenendijk moved ) That the recommendation of item 20 be adopted.  
Councillor C. Adams seconded )

CARRIED

**ITEM 21 - SUSTAINABILITY REPORT NO. 4/12 - DATED JANUARY 10, 2012 - SUSTAINABILITY  
GROUP ACTIVITIES - DECEMBER 2011**

11/514

*Councillor Turley (Deputy Mayor) declared a pecuniary interest in item 21 – items 5/211 and 52/2011 as her husband is employed by Perilya and owns shares in the Company, and advised that she will leave the Council Chamber whilst the item is considered.*

*Mayor Cuy declared a pecuniary interest in item 21 and advised that he will leave the Council Chamber whilst the item is considered.*

The Mayor called for a motion for an alternate Councillor to Chair the Council Meeting for the duration of item 21, whilst himself and the Deputy Mayor vacate the Council Chamber.

**RESOLUTION**

Minute No. 43158

Councillor D. Turley moved ) That Councillor Browne chair the meeting for the  
Councillor C. Adams seconded ) duration of item 21 whilst the Mayor and Deputy  
Mayor are absent from the Council Chambers  
due to their declaration of interest.

CARRIED

*Mayor Cuy and Councillor Turley (Deputy Mayor) left the Council Chamber at 8:02 p.m.*

*Councillor Browne assumed the Chair.*

Recommendation

That Sustainability Report No. 4/12 dated January 10, 2012, be received.

**RESOLUTION**

Minute No. 43159

Councillor J. Groenendijk moved ) That the recommendation of item 21 be adopted.  
Councillor B. Algate seconded )

CARRIED

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*Mayor Cuy and Councillor Turley (Deputy Mayor) returned to the Council Chamber at 8:03 p.m.*

*The Mayor resumed the Chair.*

*The General Manager advised the Mayor and Deputy Mayor that Council had adopted the report recommendation.*

**ITEM 22 - GENERAL MANAGER'S REPORT NO. 9/12 - DATED JANUARY 05, 2012 - COUNCIL DECISIONS - ACTION LIST - ENVIRONMENTAL SERVICES** 11/25

**RESOLUTION**

Minute No. 43160

Councillor B. Algate moved )  
Councillor J. Groenendijk seconded ) That General Manager's Report No. 9/12 dated January 5, 2012, be received.

That a confidential report be presented to the February Environmental Services Committee Meeting regarding the current status of the legal action for matters of non-compliance to various Acts, by the Late Night Kebab Shop.

CARRIED

**TECHNICAL SERVICES COMMITTEE**

**ITEM 23 - CORRESPONDENCE REPORT NO. 4/12 - DATED JANUARY 05, 2012 - PETITION FOR ADDITIONAL ACCESS TO THE 50M POOL FOR LAP SWIMMING AND GENERAL RECREATIONAL USE** 11/257

*The Group Manager Infrastructure and Group Manager Sustainability each declared a non-pecuniary interest in item 23 and remain in the Council Chamber.*

Recommendation

That Correspondence Report No. 4/12 dated January 5, 2012, be received.

That the current arrangement allowing for lap swimming and recreational swimming in the 50m pool at all times that the 50m pool is available for use apart from 6 hours per week (5:30pm to 7:00pm Monday to Thursday) be continued; and the arrangements be monitored on an on-going basis, and reported to Council.

**RESOLUTION**

Minute No. 43161

Councillor B. Algate moved )  
Councillor C. Adams seconded ) That the recommendation of item 23 be adopted.

CARRIED

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**ITEM 24 - INFRASTRUCTURE REPORT NO. 3/12 - DATED JANUARY 08, 2012 - BROKEN HILL REGIONAL AQUATIC CENTRE: FEES AND CHARGES** 11/257

*The Mayor took a question on notice for action, from Councillor Gasmier to investigate the provision of a change machine in the foyer at the Broken Hill Regional Aquatic Centre.*

*The Group Manager Infrastructure spoke to his report and explained the range of proposed admission fees and charges at the Centre.*

Councillor J. Groenendijk moved )  
Councillor C. Adams seconded ) That Infrastructure Report No. 3/12 dated January 8, 2012, be received.

That the proposed Schedule of Admission Fees and Charges to the Broken Hill Regional Aquatic Centre be placed on display for public comment for a period of twenty eight days.

Amendment

Councillor M. Browne moved )  
Councillor D. Turley seconded ) That Infrastructure Report No. 3/12 dated January 8, 2012, be received.

That the proposed Schedule of Admission Fees and Charges to the Broken Hill Regional Aquatic Centre be amended to include the provision for scheduled free days, to allow disadvantaged members of the public and children to access the pool; and that Council advertise the requirement for good behaviour from patrons on free days, and the need for parents/carers to supervise young children at the Aquatic Centre.

That no provision be made for exclusive use of the entire Centre in the proposed Schedule of Admission Fees and Charges.

That the amended proposed Schedule of Admission Fees and Charges to the Broken Hill Regional Aquatic Centre be placed on display for public comment for a period of twenty eight days.

CARRIED

Councillor Algate foreshadowed a further amendment.

The amendment becomes the motion.

Councillor M. Browne moved )  
Councillor D. Turley seconded ) That Infrastructure Report No. 3/12 dated January 8, 2012, be received.

That the proposed Schedule of Admission Fees and Charges to the Broken Hill Regional Aquatic Centre be amended to include the provision for scheduled free days, to allow disadvantaged members of the public and children to access the

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pool; and that Council advertise the requirement for good behaviour from patrons on free days, and the need for parents/carers to supervise young children at the Aquatic Centre.

That no provision be made for exclusive use of the entire Centre in the proposed Schedule of Admission Fees and Charges.

That the amended proposed Schedule of Admission Fees and Charges to the Broken Hill Regional Aquatic Centre be placed on display for public comment for a period of twenty eight days.

Amendment

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

That Infrastructure Report No. 3/12 dated January 8, 2012, be received.

That the status quo remain, that is, that the \$2.00 per person admission fee at the Broken Hill Regional Aquatic Centre remain for the first twelve months of operation.

That the provision for scheduled free days be withdrawn.

That admission fees be reviewed following twelve months of operation.

LOST

**RESOLUTION**

Minute No. 43162

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

That Infrastructure Report No. 3/12 dated January 8, 2012, be received.

That the proposed Schedule of Admission Fees and Charges to the Broken Hill Regional Aquatic Centre be amended to include the provision for scheduled free days, to allow disadvantaged members of the public and children to access the pool; and that Council advertise the requirement for good behaviour from patrons on free days, and the need for parents/carers to supervise young children at the Aquatic Centre.

That no provision be made for exclusive use of the entire Centre in the proposed Schedule of Admission Fees and Charges.

That the amended proposed Schedule of Admission Fees and Charges to the Broken Hill Regional Aquatic Centre be placed on display for public comment for a period of twenty eight days.

CARRIED

*Councillors Algate and Gallagher requested their names be recorded as voting against the motion.*

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**ITEM 25 - INFRASTRUCTURE REPORT NO. 2/12 - DATED OCTOBER 03, 2011 -  
STRENGTHENING BASIN COMMUNITIES: FINAL REPORT - STRENGTHENING BROKEN HILL,  
CLIMATE PROOFING FUTURE WATER SUPPLY - BROKEN HILL SOCIOECONOMICS WATER  
SHORTAGES STUDY**

11/497

Recommendation

That Infrastructure Report No. 2/12 dated October 3, 2011, be received.

That Council consider grant funding opportunities that relate to the potential impact that climate change may have on communities as they arise.

**RESOLUTION**

Minute No. 43163

Councillor C. Adams moved ) That the recommendation of item 25 be adopted.  
Councillor B. Algate seconded )

CARRIED

**ITEM 26 - INFRASTRUCTURE REPORT NO. 1/12 - DATED DECEMBER 08, 2011 - BROKEN HILL  
CEMETERY - MOHAMMEDAN SECTION**

11/50

*The General Manager advised that Council could not locate evidence to support the claim that exclusive right burial fees has previously been paid for the entire lots in the Mohammedan section of the Cemetery.*

Councillor B. Algate moved ) That Infrastructure Report No. 1/12 dated  
Councillor D. Gallagher seconded ) December 8, 2011, be received.

That Exclusive Rights charges be waived for burials in the Mohammedan Section of the Cemetery.

Amendment

Councillor M. Browne moved ) That Infrastructure Report No. 1/12 dated  
Councillor N. Gasmier seconded ) December 8, 2011, be received.

That Exclusive Rights charges be waived for burials in the Mohammedan Section of the Cemetery, and apply to this section of the Cemetery only, and no precedence be set for waiver of fees for burials in other sections of the Cemetery.

WITHDRAWN

*Councillor Browne withdrew her motion following advice from the General Manager regarding setting a precedence for waiving of fees at the Cemetery.*

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**RESOLUTION**

Minute No. 43164

Councillor N. Gasmier moved ) That Infrastructure Report No. 1/12 dated  
Councillor B. Algate seconded ) December 8, 2011, be received.

That the matter be deferred for further  
investigation and a further report to Council.

CARRIED

**ITEM 27 - INFRASTRUCTURE REPORT NO. 4/12 - DATED DECEMBER 15, 2011 - MINUTES OF  
THE E.T. LAMB MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD NOVEMBER 8,  
2011** 11/9

Recommendation

That Infrastructure Report No. 4/12 dated December 15, 2011, be received.

That the minutes of the E.T. Lamb Memorial Oval Community Committee meeting held November 8,  
2011 be received and noted.

**RESOLUTION**

Minute No. 43165

Councillor D. Turley moved ) That the recommendation of item 27 be adopted.  
Councillor J. Groenendijk seconded )

CARRIED

**ITEM 28 - INFRASTRUCTURE REPORT NO. 5/12 - DATED DECEMBER 19, 2011 - MINUTES OF  
THE MEMORIAL OVAL MANAGEMENT COMMITTEE MEETINGS HELD DECEMBER 6 2011** 11/9

Recommendation

That Infrastructure Report No. 5/12 dated December 19, 2011, be received.

That the minutes of the Memorial Oval Management Committee meeting held December 6, 2011 be  
received and noted.

That the minutes of the Memorial Oval Management Committee Annual General Meeting held  
December 6, 2011 be received and noted.

**RESOLUTION**

Minute No. 43166

Councillor B. Algate moved ) That the recommendation of item 28 be adopted.  
Councillor J. Groenendijk seconded )

CARRIED

**ITEM 29 - INFRASTRUCTURE REPORT NO. 6/12 - DATED DECEMBER 22, 2011 - MINUTES OF  
THE ALMA OVAL COMMUNITY COMMITTEE** 11/434

Recommendation

That Infrastructure Report No. 6/12 dated December 22, 2011, be received.

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**RESOLUTION**

Minute No. 43167

Councillor J. Groenendijk moved ) That the recommendation of item 29 be adopted.  
Councillor D. Gallagher seconded )

CARRIED

**ITEM 30 - INFRASTRUCTURE REPORT NO. 7/12 - DATED JANUARY 03, 2012 -  
INFRASTRUCTURE GROUP MONTHLY ACTIVITIES - DECEMBER 2011**

11/514

Recommendation

That Infrastructure Report No. 7/12 dated January 3, 2012, be received.

**ITEM 31 - GENERAL MANAGER'S REPORT NO. 10/12 - DATED JANUARY 05, 2012 - COUNCIL  
DECISIONS - ACTION LIST - TECHNICAL SERVICES**

11/25

Recommendation

That General Manager's Report No. 10/12 dated January 5, 2012, be received.

Minute No. 43168

Councillor B. Algate moved ) That the recommendations of items 30 and 31 be  
Councillor J. Groenendijk seconded ) adopted.

CARRIED

**ITEM 32 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 3/12 - DATED DECEMBER 22,  
2011 - NAMING A FACILITY AT PATTON PARK AFTER THE LATE FORMER COUNCILLOR JAMIE  
MITCHELL**

11/444

Councillor D. Gallagher moved ) That Motions of Which Notice has been Given  
Councillor B. Algate seconded ) No. 3/12 dated December 22, 2011, be received.

That an area or item in Patton Park be named in  
the memory of the late former Councillor Jamie  
Mitchell.

Amendment

Councillor M. Browne moved ) That Motions of Which Notice has been Given  
Councillor N. Gasmier seconded ) No. 3/12 dated December 22, 2011, be received.

That the motion:

That an area or item in Patton Park be  
named in the memory of the late former  
Councillor Jamie Mitchell, due to the work  
he completed in South Broken Hill and  
due to the fact he was a serving member



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(Councillor) when he died on December  
25, 2010.

be referred to Council's Naming of Facilities  
Working Group to consider at its inaugural  
meeting.

CARRIED

*The amendment becomes the motion.*

**RESOLUTION**

Minute No. 43169

Councillor M. Browne moved )

Councillor N. Gasmier seconded )

That Motions of Which Notice has been Given  
No. 3/12 dated December 22, 2011, be received.

That the motion:

That an area or item in Patton Park be  
named in the memory of the late former  
Councillor Jamie Mitchell, due to the work  
he completed in South Broken Hill and  
due to the fact he was a serving member  
(Councillor) when he died on December  
25, 2010.

be referred to Council's Naming of Facilities  
Working Group to consider at its inaugural  
meeting.

CARRIED

**CORPORATE SERVICES COMMITTEE**

**ITEM 33 - GENERAL MANAGER'S REPORT NO. 11/12 - DATED NOVEMBER 24, 2011 -  
REQUEST FOR IN-KIND ASSISTANCE - WAIVER OF HIRE FEE OF CIVIC CENTRE FOR THE  
BROKEN HILL HOSPITAL REUNION** 11/117

*Councillor Turley (Deputy Mayor) declared a pecuniary interest in item 33 as she is employed by the  
NSW Far West Health District and advised that should would leave the Council Chamber whilst the  
item is considered.*

*Councillor Turley left the Council Chamber at 8:47 p.m.*

Recommendation

That General Manager's Report No. 11/12 dated November 24, 2011, be received.

That Council provide in-kind support for the conduct of the Broken Hill Hospital Reunion on July 21,  
2012 by way of waiver of Civic Centre hire fees and associated bar fees only, totalling approximately  
\$1750.00.

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**RESOLUTION**

Minute No. 43170

Councillor J. Groenendijk moved ) That the recommendation of item 33 be adopted.  
Councillor B. Algate seconded )

CARRIED

*Councillor Turley returned to the Council Chamber at 8:48 p.m.*

*The Mayor advised Councillor Turley that Council adopted the report recommendation.*

**ITEM 34 - BUSINESS IMPROVEMENT & CORPORATE SERVICES REPORT NO. 3/12 - DATED  
DECEMBER 19, 2011 - MINUTES OF THE SISTER CITY COMMITTEE MEETING HELD DECEMBER  
5, 2011** 11/401

Recommendation

That Business Improvement & Corporate Services Report No. 3/12 dated December 19, 2011, be received.

That the Minutes of the Sister City Committee Meeting held December 5, 2011 be received and noted.

That the Financial Statements for the Sister City Committee period ending October 31, 2011 and November 30, 2011 be received and noted.

**RESOLUTION**

Minute No. 43171

Councillor C. Adams moved ) That the recommendation of item 34 be adopted.  
Councillor D. Turley seconded )

CARRIED

**ITEM 35 - BUSINESS IMPROVEMENT & CORPORATE SERVICES REPORT NO. 4/12 - DATED  
JANUARY 11, 2012 - BUSINESS IMPROVEMENT AND CORPORATE SERVICES ACTIVITY  
REPORT DECEMBER 2011** 11/514

**RESOLUTION**

Minute No. 43172

Councillor N. Gasmier moved ) That Business Improvement & Corporate  
Councillor B. Algate seconded ) Services Report No. 4/12 dated January 11,  
2012, be received.

That monthly financial reports be produced in simple format showing actual as well as budget amount for each budget line item.

CARRIED

**ITEM 36 - GENERAL MANAGER'S REPORT NO. 12/12 - DATED JANUARY 05, 2012 - COUNCIL DECISIONS - ACTION LIST - CORPORATE SERVICES** 11/25

Recommendation

That General Manager's Report No. 12/12 dated January 5, 2012, be received.

That Council send correspondence to Active Broken Hill Inc. requesting consideration of membership for a Council representative; and also requesting Active Broken Hill Inc. to make a presentation to Councillors regarding recent Council funding for signage around Broken Hill, as previously requested by Council.

**RESOLUTION**

Minute No. 43173

Councillor B. Algate moved ) That the recommendation of item 36 be adopted.  
Councillor D. Gallagher seconded ) CARRIED

**REPORTS FROM DELEGATES**

Nil.

**FURTHER BUSINESS**

**ITEM 37 - GENERAL MANAGER'S REPORT NO. 13/12 - DATED JANUARY 17, 2012 - ELECTION OF DEPUTY MAYOR** 11/463

*The Mayor appointed the General Manager as Returning Officer for the Election of Deputy Mayor.*

*The General Manager, advised that two nominations had been received for the position of Deputy Mayor. The nominations are as follows:*

- *Councillor Algate (nominated by Councillors Kennedy and Gasmier). Councillor Algate accepted the nomination.*
- *Councillor Groenendijk (nominated by Councillors Adams and Cuy). Councillor Groenendijk accepted the nomination.*

**RESOLUTION**

Minute No. 43174

Councillor B. Algate moved ) That General Manager's Report No. 13/12 dated  
Councillor N. Gasmier seconded ) January 17, 2012, be received.

That Council elect the Deputy Mayor at this meeting.

That the Deputy Mayor be elected for the period January 25, 2012 to September 8, 2012.

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That the election for the position of Deputy Mayor  
be by open voting (show of hands).

CARRIED

*The Mayor extended an invitation to both candidates to address the meeting; Councillor Algate and Councillor Groenendijk both addressed the meeting in support of their nominations as Deputy Mayor.*

*As no further nomination were received, the Returning Officer (General Manager) conducted the election; calling first for votes:*

*for Councillor Algate – 5 votes received; and then  
for Councillor Groenendijk – 3 votes received.*

*Nil Councillors declared they had abstained from voting.*

*The General Manager, as Returning Officer, declared Councillor Algate elected Deputy Mayor, for the period January 25, 2011 to September 8, 2012.*

*The Mayor congratulated Councillor Algate on his appointment as Deputy Mayor and thanked Councillor Turley for her term as Deputy Mayor.*

**ITEM 38 - GENERAL MANAGER'S REPORT NO. 16/12 - DATED JANUARY 04, 2012 - WATER  
RESOURCES WORKING GROUP** 11/429

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

That General Manager's Report No. 16/12 dated  
January 4, 2012, be received.

That the Water Resources Working Group be  
disbanded.

That Council elect a representative on the Lower  
Murray Darling Catchment Management Authority  
and the Western Catchment Management  
Authority.

WITHDRAWN

*Councillor Algate withdrew his motion following advice from the General Manager that both Catchment Management Authorities are separate entities which call for nominations on a three or four yearly basis; this has recently occurred and Council does not have a representative position on either Authorities. The General Manager suggested one of Council's standing Committees (Environmental Services Committee) could consider matters previously considered by the Water Resources Working Group and Council invites a representative from both Catchment Management Authorities address Council on a regular basis.*

**RESOLUTION**

Minute No. 43175

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

That General Manager's Report No. 16/12 dated  
January 4, 2012, be received.

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That the Water Resources Working Group be disbanded.

That the Terms of Reference of the Water Resources Working Group be incorporated into Council's Standing Committee – Environmental Services Committee.

CARRIED

**ITEM 39 - GENERAL MANAGER'S REPORT NO. 14/12 - DATED JANUARY 19, 2012 - REQUEST FOR IN-KIND ASSISTANCE - FAR WEST LOCAL HEALTH NETWORK** 11/117

*Councillor Turley declared a pecuniary interest in item 39 as she is employed by the Far West Local Health District, and advised that she would leave the Council Chamber whilst the item is considered.*

*Councillor Turley left the Council Chamber at 9:04 p.m.*

Recommendation

That General Manager's Report No. 14/12 dated January 19, 2012, be received.

That Council support the request from the Broken Hill Cancer Service for in-kind support under Council's Community Assistance Policy for the use of the Cancer Council shade tent, trestle tables and chairs for a health promotional day at the Town Square on January 31, 2012.

**RESOLUTION**

Minute No. 43176

Councillor N. Gasmier moved ) That the recommendation of item 39 be adopted.  
Councillor J. Groenendijk seconded )

CARRIED

*Councillor Turley returned to the Council Chamber at 9:05 p.m.*

*The Mayor advised Councillor Turley that Council had adopted the report recommendation.*

**ITEM 40 - BUSINESS IMPROVEMENT & CORPORATE SERVICES REPORT NO. 6/12 - DATED DECEMBER 19, 2011 - ADOPTION OF COUNCIL POLICIES - REPORTING OF PUBLIC INTEREST DISCLOSURES** 11/249

Recommendation

That Business Improvement & Corporate Services Report No. 6/12 dated December 19, 2011, be received.

That the Draft Reporting of Public Interest Disclosures Policy be formally adopted as a policy of Council.

**RESOLUTION**

Minute No. 43177

Councillor J. Groenendijk moved ) That the recommendation of item 40 be adopted.  
Councillor C. Adams seconded )

CARRIED

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**ITEM 41 - BUSINESS IMPROVEMENT & CORPORATE SERVICES REPORT NO. 5/12 - DATED  
JANUARY 12, 2012 - FEEDBACK ON THE DRAFT DESTINATION 2036 ACTION PLAN** 11/171

Recommendation

That the Business Improvement & Corporate Services Report No. 5/12 dated January 12, 2012, be received.

That Council endorse the "Feedback Form Destination 2036 Action Plan" at Attachment B of this report for submission to the Project Manager – Destination 2036 by Wednesday, 15 February 2012.

**RESOLUTION**

Minute No. 43178

Councillor J. Groenendijk moved ) That the recommendation of item 41 be adopted.  
Councillor C. Adams seconded )

CARRIED

**ITEM 42 - INFRASTRUCTURE REPORT NO. 8/12 - DATED JANUARY 19, 2012 - REGIONAL  
AIRPORT DEVELOPMENT CONFERENCE 2012** 11/214

*Councillor Browne indicated her interest in attending the Airport Development Conference but advised that she has another conference to attend on 24-26 February.*

**RESOLUTION**

Minute No. 43179

Councillor N. Gasmier moved ) That Infrastructure Report No. 8/12 dated  
Councillor B. Algate seconded ) January 19, 2012, be received.

That Councillor Browne attend the Regional Airport Development Conference and/or Workshop to be held in Sydney from 22-24 February, 2012 as Council's representative or if unavailable then Councillors nominate their interest in attending to the General Manager.

CARRIED

**RESCISSION MOTIONS**

Nil.

**NOTICES OF MOTION**

Nil.

**QUESTIONS ON NOTICE**

Nil.

### QUESTIONS FOR NEXT MEETING

Reseal of Airport Runway 11/214

*Councillor Algate requested a report on the recent reseal of the Airport runway, associated problems and the cost to rectify.*

ICAC Enquiry – September, 2011 11/5

*Councillor Algate requested a report regarding the status of the ICAC Enquiry of September, 2011 regarding the Council employee receiving gifts/benefits.*

*The General Manager advised that the enquiry is proceeding and a Confidential report will be provided to Council once the matter is finalised.*

Election of Chairpersons for Standing Committees 11/249

*Following a question from Councillor Turley, the Mayor advised that he, as per Council's Code of Meeting Practice, he will retain his right to Chair all Standing Committee Meetings.*

### PUBLIC FORUM

GP Super Clinic 11/49

*Mr. Peter Bevan enquired when the new GP Super Clinic will be erected.*

*The General Manager advised that Council had approved the Development Application some time ago and the applicant had received funding, and advised that it is up to the applicant when they commence construction of the new GP Super Clinic.*

Naming an area or facility in Patton Park in memory of the late former Councillor Jamie Mitchell 11/444

*Mr. Damien Fisher spoke in support of naming an area or facility in Patton Park after the late former Councillor Jamie Mitchell. Following a question from Mr. Fisher the Mayor advised that the Naming of Facilities Working Group has just been formed and was yet to meet.*

Memorial Oval Business Plan 11/256

*Mr. Damien Fisher also referred to Council's decision on June 30, 2010, that a business case study and business plan be established for the Memorial Oval and asked will this Committee be formed and meet before September Council elections.*

*The Mayor took the question on notice.*

Questions Taken on Notice at Council Meetings by the Mayor and General Manager 11/249

*Following a question from Mr. Fisher regarding previous questions that he had asked and were taken on notice at Council Meetings, the General Manager advised that his questions had been answered*

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*and appeared in the Economic Development report of the follow month's Business Paper; and that this is the usual process for matters raised during the Public Forum Session at a Council Meeting.*

Thomas Street Reconstruction

11/326

*Mr. Damien Fisher referred to the Infrastructure Committee Action List, page 285, item 28 and enquired when the media release would be issued regarding the factors contributing to the failure of sections of the Thomas Street Reconstruction.*

*The General Manager advised that the media release had been issued after that Council Meeting; and further advised that a report will be presented to next month's Council Meeting regarding the estimated remediation costs.*

Questions Taken on Notice at Council Meetings by the Mayor and General Manager

11/249

*Councillor Gasmier sought clarification of Council's policy regarding responding to matters raised during the Public Forum Session at a Council Meeting.*

*The General Manager advised that the responses to verbal questions raised during the Public Forum Session at a Council Meeting is reported back to Council in the relevant Group Manager's Activity Reports, and that this information is publicly available.*

*Alternatively, if written correspondence is tabled at a meeting, or verbal questions during the Public Forum Session are followed up by written correspondence sent to Council; then a response will be sent to the addressee of the correspondence.*

**RESOLUTION**

Minute No. 43180

Councillor B. Algate moved	)	That the meeting be closed to the public in
Councillor N. Gasmier seconded	)	accordance with Section 10A(2) of the Local
		Government Act 1993 whilst the confidential
		matters are considered

CARRIED

*The members of the public and media left the Council Chambers at 9:13 p.m.*

**CONFIDENTIAL MATTERS**

**ITEM 43 - GENERAL MANAGER'S REPORT NO. 15/12 - DATED JANUARY 16, 2012 -**

**CONFIDENTIAL**

**(General Manager's Note:** This report considers collection acquisition negotiations 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

**Minute No. 43181 records Council decision.**

The Mayor invited the General Manager to report on the item considered by Council in closed session.



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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
JANUARY 25, 2012

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The General Manager advised that in respect of:

Item 1 – General Manager’s Report No. 15/12 – dated January 16, 2012 - Confidential

- That General Manager's Report No. 15/12 dated January 16, 2012, be received.
- That Council continue with the current acquisition facilitation process as previously resolved.
- That if the acquisition facilitation process is not successful by 30 June 2012, Council request the owner permit Council a first right of refusal prior to any direct external sale of the mineral collection.
- That Councillors be provided with regular updates on the progress of the acquisition process.

There being no further business the Mayor closed the meeting at 9:26 p.m.

THE FOREGOING MINUTES WERE READ )  
AND CONFIRMED AT THE ORDINARY )  
MEETING OF THE BROKEN HILL CITY )  
COUNCIL HELD ON FEBRUARY 29, 2012. )

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CHAIRPERSON