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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
OCTOBER 30, 2024

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Meeting commenced at 6:30pm.

**SWEARING IN OF THE NEWLY ELECTED COUNCIL**

The Mayor advised that Councillor Boland took the Oath of Office before the General Manager on 18 October 2024 and Councillor Turley made the Affirmation of Office before the General Manager on 21 October 2024, with now completes the swearing in of the new Council as per Section 233A of the *Local Government Act 1993*.

**PRESENT:** Councillor T. Kennedy (Mayor) Councillor J. Hickey (Deputy Mayor),  
Councillors B. Algate, M. Boland, A. Byrne, A. Chandler, D. Gallagher,  
E. Gillett 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 Assistants.

Media (2), Members of the Public (9)

**APOLOGIES:** NIL

**LEAVE OF ABSENCE APPLICATIONS:**

Councillor Turley submitted a Leave of Absence Request for this meeting and provided the reason "Attending to a family event that can't be avoided".

**RESOLUTION**

Minute No. 47659

Councillor A Chandler moved )  
Councillor E Gillett seconded )

**Resolved**

That the application be accepted and a Leave of Absence granted to Councillor Turley for this meeting.

CARRIED UNANIMOUSLY

**PRAYER**

Councillor Boland delivered the prayer.

**ACKNOWLEDGEMENT OF COUNTRY**

Councillor Gallagher delivered the Acknowledgment of Country.

**ACKNOWLEDGEMENT OF BROKEN HILL'S MINING HISTORY**

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

**PRESENTATION TO FORMER COUNCILLOR, MR RON PAGE**

The Mayor acknowledged outgoing Councillor, Mr Ron Page, and presented him with a certificate and gift in recognition of his two periods as an Elected Member from September 1995 – January 2007 and from September 2016 - September 2024 and in particular his time as Mayor.

## PUBLIC FORUM

1. Broken Hill Tram Carriage

*Mrs Christine Adams of the Sulphide Street Railway and Historical Museum spoke in support of the report recommendation regarding the gifting of the tram carriage to the Museum. Mrs Adams advised that the Museum had approached four previous Council General Managers regarding acquiring the carriage, and thanked current General Manager, Mr Jay Nankivell, for recommending to Council that this finally happens.*

*Mrs Adams advised that the tram carriage has deteriorated to a condition where it is now beyond repair and the Museum plans to preserve parts of the tram (a carriage seat, curved section of frame and hardware) which will be showcased in the Museum's Transport Pavilion along with their current display of photos, published articles and a model of the City's trams.*

2. Fruit Fly Management Workshop

*Deputy Mayor Hickey advised that there will be a public workshop facilitated by Local Land Services held on 6 November 2024 commencing at 5:30pm at the Civic Centre. The workshop will be led by renowned entomologists Andrew Jessup and Dr Salman Quddus and is aimed for people interested in learning how to eradicate fruit fly from backyard fruit trees. Deputy Mayor Hickey encouraged the community to attend.*

## MINUTES FOR CONFIRMATION

### RESOLUTION

Minute No. 47660

Deputy Mayor J Hickey moved )  
Councillor R Algate seconded )

### Resolved

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held August 28, 2024 be confirmed.

That the Minutes of the Extraordinary Meeting of the Council of the City of Broken Hill held October 09, 2024 be confirmed.

CARRIED UNANIMOUSLY

## DISCLOSURE OF INTEREST

Council's Executive Officer, Leisa Bartlett, declared:

- A significant non-pecuniary interest in Item 18 of Reports (Report No. 165/24) as her son owns a vacant block at 81 Wyman Street adjacent to the said development and advised that she will leave the Council Chambers whilst the item is considered.

## MAYORAL MINUTES

ITEM 1 - MAYORAL MINUTE NO. 17/24 - DATED OCTOBER 25, 2024 - LOSS OF POWER TO THE CITY DUE TO STORM EVENT ON 16 OCTOBER 2024 D24/51566

**RESOLUTION**

Minute No. 47661

Mayor T Kennedy moved )  
Councillor R Algate seconded )

Resolved

1. That Mayoral Minute No. 17/24 dated October 25, 2024, be received.
2. That Council thanks the Premier, Deputy Opposition Leader and the Member for Barwon for visiting Broken Hill on 24 October 2024 and for their support to the City with an Inquiry into Transgrid and also thanks the Minister for Energy Climate Change The Hon Penny Sharpe and Federal Minister for Emergencies The Hon Jenny McAlister for their support to the city.
3. That Council thanks Essential Energy and their workers for their ongoing and around the clock support along with Transgrid workers, Perilya workers and contractors, volunteers of the Rural Fire Service and the State Emergency Service.
4. That Council thanks the Regional Emergency Management Committee and Local Emergency Management Committee for their ongoing emergency planning for the City.
5. That Council welcomes the financial relief packages, but more needs to be given to ensure that it covers the real loss to residents and small businesses as well as the ongoing outages that we are experiencing.
6. That Council requests Transgrid make a public apology for letting the Far West Community and City of Broken Hill down.
7. That Council requests Transgrid compensate all businesses and employees as a result of the outages and their failure to maintain appropriate backup equipment.
8. That priority is given to ensure suitable backup generators and/or renewable storage is fast tracked to ensure that this is not repeated in the future.
9. That Council write to the Federal Minister for Infrastructure and Minister for Emergency Services, State Minister for Infrastructure and Minister for Emergency Services and our Local Member on the importance of

upgrading the Broken Hill Airport to support larger aircraft in times of emergency to cater for the delivery of heavy equipment and support services.

CARRIED UNANIMOUSLY

## MATTER OF URGENCY

### RESOLUTION

Minute No. 47662 - Procedural Motion  
Councillor R Algate moved )  
Councillor A Chandler seconded )

### Resolved

That a matter of urgency regarding the support provided by LGNSW to Council in relation to Council's submission in respect to the Waste Services Levy be heard at this meeting.

CARRIED UNANIMOUSLY

The Mayor advised that the matter will be dealt with after all reports listed for this meeting.

## NOTICES OF MOTION

Nil.

## REPORTS FROM DELEGATES

Nil.

## RESCISSION MOTIONS

Nil.

## REPORTS

ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 148/24 - DATED SEPTEMBER 19, 2024 - CORRESPONDENCE REPORT - COST SHIFTING ONTO LOCAL GOVERNMENT D24/41466

### RESOLUTION

Minute No. 47663  
Councillor R Algate moved )  
Councillor H Jewitt seconded )

### Resolved

1. That Broken Hill City Council Report No. 148/24 dated September 19, 2024, be received.
2. That reply correspondence dated 22 March 2024, from The Parliamentary Secretary to the Premier on behalf of the NSW Premier be received and noted.

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3. That reply correspondence dated 23 August 2024, from The Hon Ron Hoenig MP advising the purpose of the Government Inquiry into the ability of Local Government to fund infrastructure and services; changes to the rate peg methodology which commenced 1 July 2024; improved oversight of the industry by the Office of Local Government; the NSW Government's \$200M in grants available to Councils to address the housing crisis; and the NSW Government's \$252M Apprenticeship Scheme for Councils to employ 1,300 apprentices and trainees across the local government sector, be received and noted.

CARRIED UNANIMOUSLY

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 149/24 - DATED SEPTEMBER 06, 2024 -  
CORRESPONDENCE REPORT - NSW INTERMENT SERVICES LEVY** D24/43946

**RESOLUTION**

Minute No. 47664

Councillor R Algate moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

1. That Broken Hill City Council Report No. 149/24 dated September 6, 2024, be received.
2. That reply correspondence from the Minister for Lands and Property, The Hon Steve Kamper on behalf of NSW Deputy Premier, The Hon Prue Car MP. dated 2 September 2024 advising that the industry requires a strong proactive regulator to oversee the standards of the industry and a levy is the fairest way to fund the regulator and advising the core responsibilities of the regular, be received and noted.

CARRIED UNANIMOUSLY

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 150/24 - DATED SEPTEMBER 06, 2024 -  
CORRESPONDENCE REPORT - REGIONAL AIRLINES** D24/43933

**RESOLUTION**

Minute No. 47665

Deputy Mayor J Hickey moved )  
Councillor A Byrne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 150/24 dated September 6, 2024, be received.
2. That reply correspondence dated 5 September 2024, from The Hon Patrick Gorman MP, Assistant Minister for the Prime Minister on behalf of the Prime Minister, advising that the Federal Government has announced that it will guarantee regional

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flight bookings for Rex customers throughout the voluntary administration process and has referred Council's correspondence to the Federal Minister for Infrastructure, Transport, Regional Development and Local Government, The Hon Catherine King MP, be received and noted.

3. That reply correspondence dated 9 September 2024, from the Hon Kristy McBain MP, Federal Minister for Regional Development, Local Government and Territories on behalf of the Federal Minister for Infrastructure, Transport, Regional Development and Local Government, The Hon Catherine King MP advising that in addition to the Federal Government's guaranteed flight bookings for Rex customers, the recently released Aviation White Paper sets out the Federal Government's policies to promote the efficiency, safety, sustainability, productivity and competitiveness of the aviation sector to 2050, be received and noted.

CARRIED UNANIMOUSLY

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 151/24 - DATED AUGUST 16, 2024 -  
CORRESPONDENCE REPORT - SUPPORT FOR SILVERLEA EARLY CHILDHOOD SERVICES**

D24/40127

**RESOLUTION**

Minute No. 47666

Councillor M Boland moved )  
Councillor A Bryne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 151/24 dated August 16, 2024, be received.
2. That reply correspondence from the Federal Minister for Education has not been received
3. That reply correspondence dated 14 October 2024, from the NSW Minister for Education and Early Learning, addressed to the Local Member for Barwon (forwarded to Council by the Local Member), advising:
  - a) that the NSW Department of Education's NSW Workforce Activation Plan has been put in place for eligible early childhood education and care providers (ECEC) in Bourke Shire, Broken Hill and Cobar Shire to access funding to address workforce shortages, upgrade their services, professional development, mentoring and pre-employment programs;
  - b) that the NSW Government has committed up to \$29.4 million for the ECEC

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scholarship program that is accessible to regional and remote students;

- c) that the NSW Government's partnership with the University of Wollongong and the Early Learning and Care Council of Australia to provide an accelerated degree program;
- d) and that the NSW Government's Regional Development's welcome experience to support people moving to regional areas, be received and noted.

- 4. That reply correspondence from the NSW Shadow Minister has not been received.
- 5. That reply correspondence from the Federal Member for Parkes, dated 15 August 2024 be received and that Council notes that this correspondence was forwarded to Silverlea Early Childhood Services on 21 August 2024.
- 6. That reply correspondence from the Local Member for Barwon dated 16 October 2024, advising of his correspondence sent to the Minister for Education in August and her response provided, be received and noted.

CARRIED UNANIMOUSLY

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 152/24 - DATED SEPTEMBER 27, 2024 - CORRESPONDENCE REPORT - BROKEN HILL FRUIT FLY ZONING** D24/47372

**RESOLUTION**

Minute No. 47667

Deputy Mayor J Hickey moved )  
Councillor H Jewitt seconded )

**Resolved**

- 1. That Broken Hill City Council Report No. 152/24 dated September 27, 2024, be received.
- 2. That reply correspondence dated 2 August 2024 from Member for Barwon, be received and noted.
- 3. That reply correspondence dated 24 September 2024 from the Minister for Agriculture, Minister for Regional NSW and Minister for Western NSW regarding the reintroduction of a Fruit Fly Exclusion Zone around Broken Hill advising:
  - a) the whole of NSW is currently a "Pest Free Area";
  - b) The Department of Primary Industries and Regional Development (the Department) are no longer funding the management of

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Queensland Fruit Fly as the pest is endemic, however, as part of the National Fruit Fly Strategy, research around the management (including prevention and eradication) of existing fruit flies continues;

c) Sentinel Medfly Traps will be established in Broken Hill to ensure prompt eradication measures should incursion be detected, be received and noted.

CARRIED UNANIMOUSLY

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 153/24 - DATED SEPTEMBER 06, 2024 - OFFICE OF LOCAL GOVERNMENT COUNCILLOR CONDUCT AND MEETING PRACTICE REVIEW** D24/43992

**RESOLUTION**

Minute No. 47668

Councillor R Algate moved )  
Councillor A Chandler seconded )

**Resolved**

1. That Broken Hill City Council Report No. 153/24 dated September 6, 2024, be received.
2. That the Office of Local Government Discussion Paper – Councillor Conduct Framework, be received.
3. That it be noted that a Councillor Workshop was held on Wednesday 23 October 2024 for Councillors to consider the Office of Local Government Discussion Paper – Councillor Conduct and Meeting Practices.
4. That Council endorses the draft submission to the Office of Local Government (attached to the report), and that Council forwards its submission prior to the deadline of 15 November 2024.
5. That Council sends correspondence to the Minister for Local Government thanking him for honouring his pledge to make amendments to improve the Model Code of Conduct and the Model Code of Meeting Practice for Local Government in NSW.

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 154/24 - DATED OCTOBER 03, 2024 - CODE OF CONDUCT COMPLAINT STATISTICS ANNUAL REPORT 2023/24** D24/48346

**RESOLUTION**

Minute No. 47669

Councillor M Boland moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

1. That Broken Hill City Council Report No. 154/24 dated October 3, 2024, be received.
2. That the Code of Conduct Complaints Statistics Annual Report for the Broken Hill



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City Council for the period of 1 September  
2023 – 31 August 2024 be forwarded to the  
Office of Local Government.

CARRIED UNANIMOUSLY

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 155/24 - DATED OCTOBER 17, 2024 -  
APPOINTMENT OF DELEGATES TO COMMITTEES - OCTOBER 2024 TO SEPTEMBER 2025**

D24/50356

**MOTION**

Deputy Mayor J Hickey moved )  
Councillor E Gillett seconded )

Recommendation

1. That Broken Hill City Council Report No. 155/24 dated October 17, 2024, be received.
2. That Council notes the Councillors appointed to S355 Committees and other Committees and Working Group at the Extraordinary Council Meeting held 9 October 2024, in the schedule attached to the report.
3. That the Library Consultative Precinct Project Steering Group be removed from the schedule as it was previously merged with the Project Steering Group for the Project Consultative Group to receive updates on all of Council's major projects including the Library Development and Cultural Precinct Project.
4. That the Code of Meeting Practice Policy be amended to increase the number of Councillor Delegates on the Infrastructure and Environment Committee to be five Councillors.
5. That Councillor Chandler be appointed to the Infrastructure and Environment Committee.
6. That Councillor Boland replaces Councillor Chandler as a member of the Community Development Committee.
7. That Council appoints:
  - a) Deputy Mayor Hickey as Chairperson of the Infrastructure and Environment Committee.
  - b) Councillor Boland as Chairperson of the Community Development Committee.
  - c) Councillor Algate as Chairperson of the Finance and Governance Committee.
8. That Council appoints:
  - a) Councillor Turley as a member of the

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Finance and Governance Standing Committee; and a member of the Youth Advisory Committee.

b) Councillor Boland as a member of the Australia Day Advisory Group; and a member of the Broken Hill Lead Reference Group.

c) Councillor Chandler as a member of the Tidy Towns Working Group.

9. That Councillor Turley's request for membership of further Committees/Working Groups be declined as they have all reached full membership.

Amendment

Councillor A Byrne moved  
Mayor T Kennedy seconded

)  
)

Recommendation

1. That Broken Hill City Council Report No. 155/24 dated October 17, 2024, be received.
2. That Council notes the Councillors appointed to S355 Committees and other Committees and Working Group at the Extraordinary Council Meeting held 9 October 2024, in the schedule attached to the report.
3. That the Library Consultative Precinct Project Steering Group be removed from the schedule as it was previously merged with the Project Steering Group for the Project Consultative Group to receive updates on all of Council's major projects including the Library Development and Cultural Precinct Project.
4. That the Code of Meeting Practice Policy be amended to increase the number of Councillor Delegates on the Infrastructure and Environment Committee to be five Councillors.
5. That Councillor Chandler be appointed to the Infrastructure and Environment Committee.
6. That Councillor Boland replaces Councillor Chandler as a member of the Community Development Committee.
7. That Council appoints:
  - a) Deputy Mayor Hickey as Chairperson of the Infrastructure and Environment Committee.

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b) Councillor Boland as Chairperson of the Community Development Committee.

c) Councillor Algate as Chairperson of the Finance and Governance Committee.

8. That Council appoints:

a) Councillor Turley as a member of the Finance and Governance Standing Committee; and a member of the Youth Advisory Committee.

b) Councillor Boland as a member of the Australia Day Advisory Group; and a member of the Broken Hill Lead Reference Group.

c) Councillor Chandler as a member of the Tidy Towns Working Group.

9. That Councillor Turley be appointed as a member of the following Committees, and given that these Committees already have full membership, the associated Terms of Reference be amended to include an additional Councillor representative:

- Infrastructure and Environment Standing Committee
- Broken Hill City Art Gallery Committee
- Disability Inclusion Action Plan Working Group
- Murray Darling Association Region 4
- Project Steering Group for the Project Consultative Group

LOST

FOR: Councillor Byrne.

AGAINST: Councillors Gallagher, Boland, Algate, Jewitt, Chandler, Gillett, Deputy Mayor Hickey and Mayor Kennedy.

The substantive motion was put.

**RESOLUTION**

Minute No. 47670

Deputy Mayor J Hickey moved )  
Councillor E. Gillett seconded )

**Resolved**

1. That Broken Hill City Council Report No. 155/24 dated October 17, 2024, be received.
2. That Council notes the Councillors appointed to S355 Committees and other Committees and Working Group at the Extraordinary Council Meeting held 9 October 2024, in the schedule attached to the report.

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3. That the Library Consultative Precinct Project Steering Group be removed from the schedule as it was previously merged with the Project Steering Group for the Project Consultative Group to receive updates on all of Council's major projects including the Library Development and Cultural Precinct Project.
4. That the Code of Meeting Practice Policy be amended to increase the number of Councillor Delegates on the Infrastructure and Environment Committee to be five Councillors.
5. That Councillor Chandler be appointed to the Infrastructure and Environment Committee.
6. That Councillor Boland replaces Councillor Chandler as a member of the Community Development Committee.
7. That Council appoints:
  - a) Deputy Mayor Hickey as Chairperson of the Infrastructure and Environment Committee.
  - b) Councillor Boland as Chairperson of the Community Development Committee.
  - c) Councillor Algate as Chairperson of the Finance and Governance Committee.
8. That Council appoints:
  - a) Councillor Turley as a member of the Finance and Governance Standing Committee; and a member of the Youth Advisory Committee.
  - b) Councillor Boland as a member of the Australia Day Advisory Group; and a member of the Broken Hill Lead Reference Group.
  - c) Councillor Chandler as a member of the Tidy Towns Working Group.
9. That Councillor Turley's request for membership of further Committees/Working Groups be declined as they have all reached full membership.

CARRIED UNANIMOUSLY

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**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 156/24 - DATED OCTOBER 23, 2024 -  
AUDIT, RISK AND IMPROVEMENT COMMITTEE - INDEPENDENT MEMBERS APPOINTMENT**

D24/51115

**RESOLUTION**

Minute No. 47671

Councillor M Boland moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 156/24 dated October 23, 2024, be received.
2. That Council resolves to appoint three (3) independent members on the Broken Hill City Council Audit, Risk and Improvement Committee.
3. That Council appoints (Mr Charbel Abouraad) as independent member and Chair of the Broken Hill City Council Audit, Risk and Improvement Committee.
4. That Council reappoints (James Mathers) as an independent member on the Broken Hill City Council Audit, Risk and Improvement Committee.
5. That Council reappoints (Mr Nunzio De Lisio) as an independent member on the Broken Hill City Council Audit, Risk and Improvement Committee.

CARRIED UNANIMOUSLY

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 157/24 - DATED AUGUST 05, 2024 -  
ADOPTION OF THE DRAFT VOLUNTEER MANAGEMENT POLICY**

D24/38132

**RESOLUTION**

Minute No. 47672

Councillor E. Gillett moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 157/24 dated August 5, 2024, be received.
2. That Council notes that nil submissions were received during the public exhibition of the Draft Volunteer Management Policy.
3. That Council adopts the Draft Volunteer Management Policy and notes that its adoption will render the current Volunteers Policy obsolete.

CARRIED UNANIMOUSLY

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 158/24 - DATED OCTOBER 16, 2024 -  
DRAFT DEVELOPMENT CONFLICT OF INTEREST POLICY FOR PUBLIC EXHIBITION**

D24/50146

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**RESOLUTION**

Minute No. 47673

Councillor R Algate moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 158/24 dated October 16, 2024, be received.
2. That Council endorse the Draft Development Conflict of Interest Policy for the purpose of public exhibition.
3. That the Draft Development Conflict of Interest Policy be exhibited for public comment for a period of 28 days.
4. That a report be presented to Council at the conclusion of the public exhibition period, detailing submissions and any recommended amendments arising, with a view to adopting the Draft Development Conflict of Interest Policy.

CARRIED UNANIMOUSLY

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 159/24 - DATED OCTOBER 02, 2024 - SECTION 355 ADVISORY AND ASSET COMMITTEE FRAMEWORK**

D24/48279

**RESOLUTION**

Minute No. 47674

Councillor M Boland moved )  
Councillor A Byrne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 159/24 dated October 2, 2024, be received.
2. That Council adopt the Section 355 Asset Committee Manual.
3. That Council adopt the Section 355 Advisory Committee Manual.
4. That Council adopt the Constitutions for the following Section 355 Committees – Ageing Well Advisory Committee, Broken Hill City Art Gallery Advisory Committee, E.T. Lamb Memorial Oval Community Committee, Memorial Oval Community Committee, Norm Fox Sporting Complex Community Committee, Picton Sports Ground Community Committee and Youth Advisory Committee.
5. That Council invite nominations for committee membership on the inactive Alma Oval Community Committee, from the following user groups: AFL Broken Hill, South Broken Hill Football Club, Barrier District Cricket League, South Broken Hill Cricket Club, and Alma Public School, in order to consider reestablishment in accordance with the draft S355 Asset Manual and draft Constitution of the Alma Oval Community.

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6. That the Section 355 Alma Oval Community Committee be re-established subject to meeting committee management requirements as outlined in the Committee Constitution and that a Councillor representative be nominated.
7. That should insufficient nominations be received for committee management of the Alma Oval Community Committee, then the Committee be formally disbanded and the care, maintenance and management remain under the control of Council operations.
8. That the draft Constitution of the Alma Oval Community Committee be adopted for use, in the event that a management committee can be formed.
9. That as per Council's Extraordinary Meeting held 09 October 2024 Minute No. 1 the Constitution of Section 355 Broken Hill Heritage Committee remain under review, with recommendations to be provided to Council at a later date.
10. That all previous Frameworks and Constitutions become obsolete and removed from Council's website.
11. That all adopted S355 Manuals and Constitutions be uploaded to Council's website.
12. That Council invite applications for Committee membership in accordance with all adopted Constitutions.
13. That Council write and express its gratitude to all existing Committee members for their contributions to Council and the community over the previous term and invite them to re-nominate for the new term of Council.

CARRIED UNANIMOUSLY

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 160/24 - DATED OCTOBER 16, 2024 - EXHIBITION OF DRAFT VOLUNTARY PLANNING AGREEMENT WITH A-CAES AUSTRALIA NSW PTY LTD** D24/50244

**RESOLUTION**

Minute No. 47675

Deputy Mayor J Hickey moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 160/24 dated October 16, 2024, be received.
2. That the attached draft Voluntary Planning Agreement (VPA) with A-CAES NSW Pty Ltd

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be publicly exhibited for a period of not less than 28 days.

3. That following the exhibition period a further report be provided to Council, outlining any of the submissions received with the view to either amend or adopt the VPA.

CARRIED UNANIMOUSLY

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 161/24 - DATED SEPTEMBER 17, 2024 - BUDGET CARRYOVER'S 2023/24** D24/45639

**RESOLUTION**

Minute No. 47676

Councillor R Algate moved )  
Councillor A Chandler seconded )

**Resolved**

1. That Broken Hill City Council Broken Hill City Council Report No. 161/24 dated September 17, 2024, be received.
2. That Council revoke the budget items as listed below in *Table 1* for the amount of \$206,705.
3. That Council note the carryover budget items as listed below in *Table 2* for the amount of \$45,435,050.

CARRIED UNANIMOUSLY

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 162/24 - DATED OCTOBER 16, 2024 - INVESTMENT REPORT FOR AUGUST 2024** D24/50234

**RESOLUTION**

Minute No. 47677

Councillor M Boland moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 162/24 dated October 16, 2024, be received.

CARRIED UNANIMOUSLY

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 163/24 - DATED OCTOBER 11, 2024 - INVESTMENT REPORT FOR SEPTEMBER 2024** D24/49513

**RESOLUTION**

Minute No. 47678

Councillor M Boland moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 163/24 dated October 11, 2024, be received.

CARRIED UNANIMOUSLY

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 164/24 - DATED OCTOBER 23, 2024 - PROPOSED EXPANSION OF PLAYTIME PRESCHOOL AND RELOCATION OF CWA TO ALMA INSTITUTE** D24/51148

**RESOLUTION**

Minute No. 47679

Councillor A Chandler moved )  
Councillor A Byrne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 164/24 dated October 23, 2024, be received.



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2. That Council approve, for the purposes of public exhibition, the granting of a 12-month license for the Alma Institute to the Broken Hill CWA with the view to obtaining ministerial consent for a longer-term lease.
3. That the proposed license of the Alma institute be placed on public exhibition for a period of 28 days for public comment.
4. That Council approve Playtime Preschool occupying the whole of the Fred Jobson Community Centre site
5. That the General Manager be authorised to negotiate Lease arrangements with Playtime Preschool.

CARRIED UNANIMOUSLY

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 165/24 - DATED OCTOBER 14, 2024 - DEVELOPMENT APPLICATION 56/2024 - PROPOSED TRANSITIONAL GROUP HOMES - 79 WYMAN STREET AND 80 CUMMINS LANE, BROKEN HILL** D24/49688

*Council's Executive Officer, Leisa Bartlett, declared an interest in Item 19 and left the Council Chambers at 7:41pm.*

**RESOLUTION**

Minute No. 47680

Councillor A Chandler moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 165/24 dated October 14, 2024, be received.
2. That Development Application 56/2024, for the construction of a transitional group home (consisting of 6 units), core/administration building, staff carpark and a communal outdoor area with children's playground and barbeque, at 79 Wyman Street and 80 Cummins Lane, Broken Hill, be approved subject to conditions (outlined in Attachment to this report).

CARRIED UNANIMOUSLY

FOR: Councillors Gallagher, Byrne, Boland, Algate, Jewitt, Chandler, Gillett, Deputy Mayor Hickey and Mayor Kennedy.

AGAINST: Nil.

*The Executive Officer returned to the Council Chambers at 7:44pm. The Mayor advised that Council had adopted the report recommendation of Item 19.*

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 166/24 - DATED OCTOBER 16, 2024 - PROPOSED COMPULSORY ACQUISITION OF LOT 4444 IN DEPOSITED PLAN 757298 (123 BAGOT STREET)** D24/50140

**RESOLUTION**

Minute No. 47681

**Resolved**

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Deputy Mayor J Hickey moved )  
Councillor A Byrne seconded )

1. That Broken Hill City Council Report No. 166/24 dated October 16, 2024, be received.
2. That Council approve the compulsory acquisition of approximately 4048 square metres being Lot 4444 on DP 757298, known as 123 Bagot Street, Broken Hill, pursuant to the *Local Government Act 1993*, and upon acquisition, classify the land as operational land.
3. That Council register acquisition plans against Lot 4444 DP 757298.
4. That Council approve the making of an application to the Minister for Local Government to issue a Proposed Acquisition Notice under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) for Council to compulsorily acquire Lot 4444 DP 757298.
5. That Council approve the making of an application to the Governor of NSW for the publication of an Acquisition Notice in the NSW Government Gazette under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) for Council to compulsorily acquire Lot 4444 DP 757298.
6. That Council delegate to the General Manager the power to negotiate, finalise and execute any applications, notices, documents and compensation claims required to be executed as part of the process for Council to compulsorily acquire Lot 4444 DP 757298.
7. That any documents which may not be executed by the General Manager under delegation be executed under the Common Seal of Council.
8. That all documentation in relation to this matter remain confidential to Council.

CARRIED UNANIMOUSLY

**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 167/24 - DATED OCTOBER 11, 2024 -  
HISTORIC TRAM CARRIAGE** D24/49448

**RESOLUTION**

Minute No. 47682

Deputy Mayor J Hickey moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 167/24 dated October 11, 2024, be received.

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2. That the General Manager be authorised to undertake negotiations with relevant local parties for the transfer/loan of agreed components for the purpose of public exhibition.

CARRIED UNANIMOUSLY

**ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 168/24 - DATED OCTOBER 10, 2024 - MINUTES OF THE BROKEN HILL LEAD REFERENCE GROUP** D24/49391

**RESOLUTION**

Minute No. 47683

Councillor M Boland moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 168/24 dated October 10, 2024, be received.
2. That the Minutes of the Broken Hill Lead Reference Group Meeting held 22 August 2024 be received.

CARRIED UNANIMOUSLY

**ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 169/24 - DATED OCTOBER 11, 2024 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETINGS NO.450 AND NO.451** D24/49596

**RESOLUTION**

Minute No. 47684

Councillor R Algate moved )  
Councillor A Chandler seconded )

**Resolved**

1. That Broken Hill City Council Report No. 169/24 dated October 11, 2024, be received.
2. That the minutes of the Local Traffic Committee – Meeting No.450, held on Tuesday, 3 September 2024 be endorsed.
3. That the minutes of the Local Traffic Committee – Meeting No.451, held on Tuesday, 1 October 2024 be endorsed.
4. That Item No.450.10.1 recommendation be received:
  - The Committee recommends denying the request to install a pedestrian crossing on Oxide Street at the Chapple Street intersection. Oxide Street is a high traffic road with multiple lanes in the area, making it unsafe for such a measure.
5. That Item No.450.10.2 recommendation be received:
  - The Committee recommends denying the request to install permanent directional signage from Brookfield

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Avenue to the Silver City Highway.

6. That Item No.450.10.4 recommendation be received:
  - The Committee recommends denying the request for a pedestrian crossing at the Thomas Street entrance to the hospital. The existing safety measures, including a pedestrian refuge, are deemed sufficient.

CARRIED UNANIMOUSLY

**ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 170/24 - DATED SEPTEMBER 27, 2024 -  
MINUTES OF THE S355 YOUTH ADVISORY COMMITTEE MEETING HELD 13 AUGUST 2024**

D24/47371

**RESOLUTION**

Minute No. 47685

Councillor D Gallagher moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 170/24 dated September 27, 2024, be received.
2. That the minutes of the S355 Youth Advisory Committee meeting held on 13 August 2024 be received.

CARRIED UNANIMOUSLY

**ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 171/24 - DATED AUGUST 30, 2024 -  
MINUTES OF THE S355 AGEING WELL ADVISORY COMMITTEE MEETING HELD 7 AUGUST  
2024**

D24/42468

**RESOLUTION**

Minute No. 47686

Councillor R Algate moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 171/24 dated August 30, 2024, be received.
2. That the minutes of the S355 Ageing Well Advisory Committee meeting held 7 August 2024 be received.
3. That Council send correspondence former CEO of Southern Cross Care, Mr Bernard Nankivell, thanking him for his work and advocacy for aged care in the City and congratulating him on his retirement.
4. That Council continues to advocate for a review of Broken Hill's categorisation under the Modified Monash Model for aged care to truly reflect Broken Hill's characteristics of remoteness and distance to capital cities.

CARRIED UNANIMOUSLY

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**ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 172/24 - DATED AUGUST 27, 2024 -  
MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES  
COMMUNITY COMMITTEE MEETING HELD 13 AUGUST 2024**

D24/41698

**RESOLUTION**

Minute No. 47687

Councillor D Gallagher moved )  
Councillor A Chandler seconded )

**Resolved**

1. That Broken Hill City Council Report No. 172/24 dated August 27, 2024, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 13 August 2024 be received.
3. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 10 September 2024 be received.
4. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 8 October 2024 be received.

CARRIED UNANIMOUSLY

**ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 173/24 - DATED SEPTEMBER 17, 2024 -  
MINUTES OF THE BROKEN HILL EDUCATION WORKING GROUP MEETINGS HELD 24 JULY  
AND 4 SEPTEMBER 2024**

D24/45662

**RESOLUTION**

Minute No. 47688

Deputy Mayor J Hickey moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 173/24 dated September 17, 2024, be received.
2. That the minutes of the Broken Hill Education Working Group Meetings held 24 July 2024 and 4 September 2024 be received and noted.

CARRIED UNANIMOUSLY

**ITEM 28 - BROKEN HILL CITY COUNCIL REPORT NO. 174/24 - DATED SEPTEMBER 17, 2024 -  
ACTION LIST REPORT**

D24/45658

**RESOLUTION**

Minute No. 47689

Councillor D Gallagher moved )  
Councillor A Chandler seconded )

**Resolved**

1. That Broken Hill City Council Report No. 174/24 dated September 17, 2024, be received.

CARRIED UNANIMOUSLY

## QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

**ITEM 30 - QUESTIONS ON NOTICE NO. 11/24 - DATED AUGUST 30, 2024 - PUBLIC FORUM**  
**QUESTIONS ON NOTICE TAKEN AT THE AUGUST COUNCIL MEETING** D24/42378

**RESOLUTION**

Minute No. 47690

Councillor D Gallagher moved )

Councillor E Gillett seconded )

**Resolved**

1. That Questions On Notice No. 11/24 dated August 30, 2024, be received.

CARRIED UNANIMOUSLY

## MATTER OF URGENCY

**ITEM 29 - LATE BUSINESS NO. /24 - DATED OCTOBER 30, 2024 - WASTE SERVICES LEVY**  
D24/52541

**RESOLUTION**

Minute No. 47691

Councillor C Algate moved )

Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council invite the General Manager to prepare a report before the November Council Meeting detailing information and support provided by LGNSW to Council in relation to Council's submission in respect to the Waste Services Levy.

CARRIED UNANIMOUSLY

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

Patton Street Shopping Village Signage

*Councillor Byrne requested that Council installs directional signage to direct tourists to the Patton Street Shopping Village.*

The Mayor indicated that this would be completed.

## PUBLIC FORUM SESSION

Volunteer Framework and Policy

*Ms Margaret Pryor, a volunteer at the Far West Health Service Hospital Kiosk, spoke about the many checks that volunteers needed to go through to help at the Hospital which includes, a police check, a working with children check, copy of birth certificate, copy of marriage certificate, copy of Passport, and to be nominated by two people; and how this process is a main reason why people may be deterred from volunteering at the hospital. Ms Pryor said she hopes Council's processes are not as*

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*onerous as the Health Service's processes, and that therefore, Council will not deter people from volunteering to assist with Council's Committees and Working Groups.*

Broken Hill Netball Courts

*Ms Ros O'Connor thanked Council for their work thus far to redevelop the Broken Hill Netball Courts and looks forward to the project's completion in early 2025.*

**CONFIDENTIAL MATTERS**

Nil.

There being no further business for Council to consider, the Mayor closed the meeting at 8:08p.m.

THE FOREGOING MINUTES WERE READ )  
AND CONFIRMED AT THE ORDINARY )  
MEETING OF THE BROKEN HILL CITY )  
COUNCIL HELD ON 27 NOVEMBER 2024. )

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CHAIRPERSON