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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
DECEMBER 18, 2024

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Meeting commenced at 6:30pm.

**PRESENT:**

Councillor T. Kennedy (Mayor) Councillor J. Hickey (Deputy Mayor),  
Councillors M. Boland, A Byrne, D. Gallagher, E Gillett and  
H. Jewitt.

General Manager, Acting Director Corporate and Community, Director  
Infrastructure and Environment, Manager Communications and Marketing,  
Executive Officer and Executive Assistants.

Media (2), Members of the Public (8)

**APOLOGIES:**

Councillor A. Chandler

**RESOLUTION**

Minute No. 47710 – Procedural Motion

Councillor Gallagher moved ) That the apology submitted on behalf of  
seconded Councillor Byrne ) Councillor Chandler be accepted.

CARRIED UNANIMOUSLY

**LEAVE OF ABSENCE**

**APPLICATIONS:**

1. Councillor Bob Algate submitted a Leave of Absence Application for this meeting and provided the reason "Annual Leave".
2. Councillor Darriea Turley submitted a Leave of Absence Application for this meeting and provided the reason "Family issues in Brisbane".

**RESOLUTION**

Minute No. 47711 - Procedural Motion

Councillor A Byrne moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

That the applications received from Councillors  
Algate and Turley be accepted and a Leave of  
Absence granted 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 Jewitt delivered the Acknowledgment of Broken Hill's Mining History.

## PUBLIC FORUM

### Development Application 59/2024 – Change Hours of Operation - Attard's Transport Service at 117 Rakow Street, Broken Hill

*Ms Ayla Wright (lives adjacent to Attard's Transport Service in Rakow Street) addressed Council to advise of her strong opposition to the Development Application for the change of hours of operation of Attard's Transport Service advising:*

- Her opposition is based on evidence of a history of con-compliance by the business to ashere to their current Council approvals.*
- That Ms Wright has documented repeated breaches of the businesses operating hours outside of their currently approved operating hours of 7am to 6pm Monday to Friday and 7am to 12noon Saturdays with no operations on Sundays and public holiday, as trucks are arriving after house and are left idling, which is affecting the quality of life of the residents in the vicinity of the business.*
- There have been more than 20 incidents logged with Council since October 2024 of trucks arriving at the business after their approved operating hours with some truck movement well after 10:00pm at night which is disturbing neighbours.*
- As recently as last week and this week there is video evidence of trucks arriving after 10:00pm and as late as 11:00pm at night.*
- Referred to Council's Local Environmental Plan 2013 which restricts industrial operations of businesses to the hours of 6:00am to 6:00pm to protect residential amenity.*
- The impact on the whole community if Council approves the DA to extend operating hours Council is prioritising commercial convenience over residential welfare.*
- The NSW Noise Policy for Industry 2017 requires strict noise limits during night-time hours to protect community wellbeing; and Council's Developmental Control Plan emphasises mitigating adverse effects on residential areas with the introduction of sound and light barriers and without measures such as sound and light barriers the impact to residential areas will worsen.*
- The increase in truck activity has worsened dust levels in the area which is impacting the resident's health and breaching the NSW Protections of Environmental Operations Clean Air Act 2022 which regulates measures to minimise air pollution from industrial sites.*
- Requested that if Council approves the DA, Council adds mandatory conditions for the installation of sound and light barriers, although given Attard's Transport's repeated breaches of their current DA conditions, Ms Wright urged Council to reject the DA in the interest of community welfare.*

The General Manager responded to the matter of complaints made to Council regarding the operating hours of Attard's Transport Service and advised that:

- Council's complaint management process regarding development applications requires complaints to be investigated by Council's Planning Team.*
- Council has spoken to both the applicant and the complainants regarding these matters which has resulted in letters to the applicant regarding their current DA conditions and operating hours which prompted the applicant to submit a DA for modifications to their business hours.*
- The proposed changes to the business hours that Council staff advised Attard's Transport Service was significantly less than the hours that the business has applied for. The hours that*

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Council staff proposed was to find a compromise between the applicant and the complainants.

Development Application 59/2024 – Change Hours of Operation - Attard’s Transport Service at 117 Rakow Street, Broken Hill

*Rowan of Attard’s Transport Service addressed Council regarding Development Application 59/2024 for an extension of business hours and advised that:*

- *The reason Attard’s Transport Service is applying for an extension of business hours is because sometime there is freight arriving into the depot which needs urgent attention such as urgent medical supplies or urgent mine supplies to keep the mine operating.*
- *Truck drivers are aware that there are neighbours in the area and to keep noise to a minimum*
- *Attard’s Transport Service is operating within an industrial zone and do respect their neighbours. If unloading is required in the evenings then noise is minimised and they also try and minimised noise throughout the day also.*
- *Attard’s Transport have recently upgraded their fleet of trucks to newer model trucks that are a lot quieter than older trucks with their newest trucks having an idling time of 10 minutes before the engine automatically cuts out.*
- *During the day there may be a loaded trailer that needs to be idled for 10 minutes to build up pressure in the trailer so that it can be driven.*
- *Their staff have been instructed not to idle trucks for an extended period of time.*

Development Application 59/2024 – Change Hours of Operation - Attard’s Transport Service at 117 Rakow Street, Broken Hill

*Ms Ayla Wright (lives adjacent to Attard’s Transport Service in Rakow Street) responded to the applicant’s comments, advising that:*

- *The applicant’s Development Application stipulated that the arrival of trucks after-hours would only be occasionally but that only last week (when the application was put into Council) and again last night and that these instances do not happen “occasionally” that it is much more regular with trucks arriving between 10pm and 11pm every night, with last night having two trucks arrive after 11pm.*
- *These after-hours truck movements are affecting her wellbeing and they should not have to be tolerated as Attard’s Transport needs to comply with its current DA conditions.*

The Mayor advised Councillors and those present in the gallery that trucks entering the premises at night beyond their hours of operation to access their property cannot be controlled by Council’s consent orders on their Development Application. Any owner has the ability to access their property and all Council can do is restrict the business’s operating hours. Council does not have the authority to restrict the hours in which an owner can access their property.

Councillor Gallagher advised that Rakow Street is part of the Barrier Highway and that apart from Highway road stops, Rakow Street is an area where heavy vehicle trucks can stop for the driver to rest.

The Mayor reiterated to Councillors to keep in mind all relevant information that is provided when making their decision regarding the Attard’s Transport Service Development Application.

### MINUTES FOR CONFIRMATION

**RESOLUTION**

Minute No. 47712

Councillor A Byrne moved  
Councillor E Gillett seconded

**Resolved**

) That the Minutes of the Ordinary Meeting of the  
) Council of the City of Broken Hill held November  
27, 2024 be confirmed.

CARRIED UNANIMOUSLY

## DISCLOSURE OF INTEREST

Councillor Boland declared:

- a non-pecuniary interest in Item 1 of the Infrastructure and Environment Committee (Report No. 190/24) as he has a business relationship with the applicants and advised that he will leave the Council Chambers whilst the item is considered.

Councillor Byrne declared

- a non-pecuniary interest in Item 1 of the Infrastructure and Environment Committee (report No. 190.24) as he works for a company that uses the applicants services and advised that he will leave the Council Chambers whilst the item is considered.

## MAYORAL MINUTES

**ITEM 1 - MAYORAL MINUTE NO. 21/24 - DATED DECEMBER 12, 2024 - SUPPORT TO NSW PREMIER THE HON CHRIS MINNS MP REGARDING ICAC INVESTIGATION** D24/60378

**RESOLUTION**

Minute No. 47713

Mayor T Kennedy moved )

Councillor E Gillett seconded )

**Resolved**

1. That Mayoral Minute No. 21/24 dated December 12, 2024, be received.
2. That Council provides public support to NSW Premier The Hon Chris Minns MP regarding the ICAC investigation brought against him by a parliamentary committee inquiring into the development of Rosehill Racecourse for new housing and an additional train station for the Metro-West line from Sydney City to Westmead which is currently under construction; which appears to be nothing more than a frivolous and vexatious political attack to discredit the Premier.
3. That Council acknowledges and values the role of ICAC in upholding public trust and supports its ongoing work in ensuring transparency and fairness in public administration and reiterates the importance of ensuring ICAC referrals are not used as political tools to undermine trust in public office.

CARRIED UNANIMOUSLY

**ITEM 2 - MAYORAL MINUTE NO. 22/24 - DATED DECEMBER 17, 2024 - QUARANTINE OF FUNDS FOR COBALT BLUE HOLDINGS LTD TRANSITION PROJECT** D24/61180

**RESOLUTION**

Minute No. 47714

Mayor T Kennedy moved )

Deputy Mayor J Hickey seconded )

**Resolved**

1. That Mayoral Minute No. 22/24 dated December 17, 2024, be received.
2. That correspondence be sent to the Member for Barwon Mr Roy Butler, Member For

Parke The Hon Mark Coulton MP, and Minister for Regional New South Wales The Hon Tara Moriarty MLC, requesting that funds from the Regional Development Trust Fund be quarantined to support the transition of Cobalt Blue's Broken Hill Technology Development Centre to a commercial-scale facility to process and recover critical minerals.

CARRIED UNANIMOUSLY

**ITEM 3 - MAYORAL MINUTE NO. 23/24 - DATED DECEMBER 19, 2024 - VERBAL MAYORAL MINUTE - SUPPORT TO REGIONAL EXPRESS AIRLINES** D24/61810

**RESOLUTION**

Minute No. 47715

Mayor T Kennedy moved )

Councillor D Gallagher seconded )

**Resolved**

1. That Mayoral Minute No. 23/24 dated December 19, 2024, be received.
2. That correspondence be sent to the Federal Minister for Infrastructure, Transport, Regional Development and Local Government, The Hon Catherine King MP; NSW Minister for Transport, The Hon Jo Haylen MP; Federal Minister for Regional Development, Local Government and Territories, The Hon Kristy McBain, Local Federal Member and Local State Member requesting that they investigate the provision of further support to Regional Express Airlines to ensure continuity of service to regional NSW, given the recent frequency of last minute cancellations of REX flights from capital centres to regional NSW due to the unavailability of aircraft. These cancellations of flights are affecting the delivery of specialist medical services to the community due to disruptions with the fly-in-fly-out nature of specialist doctors to the City.

CARRIED UNANIMOUSLY

**NOTICES OF MOTION**

Nil.

**RESCISSION MOTIONS**

Nil.

**REPORTS FROM DELEGATES**

Nil.

## COMMITTEE REPORTS

### INFRASTRUCTURE AND ENVIRONMENT COMMITTEE

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 190/24 - DATED NOVEMBER 26, 2024 - DEVELOPMENT APPLICATION 59/2024 - CHANGE HOURS OF OPERATION (ATTARDS TRANSPORT SERVICE) - 117 RAKOW STREET, BROKEN HILL** D24/57175

*Councillors Boland and Byrne declared an interest in item 4 and left the Council Chambers at 6:54pm.*

*Due to a lack of a quorum being present, the Mayor advised that the matter will be held over to the January 2025 Ordinary Council Meeting unless an Extraordinary Meeting can be held earlier in January 2025 with a quorum present.*

*Councillors Boland and Byrne returned to the Council Chambers at 6:55pm.*

*The Mayor advised Councillors Boland and Byrne that the matter was not considered due to lack of a quorum and would be considered at a Council Meeting held in January.*

### FINANCE AND GOVERNANCE COMMITTEE

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 186/24 - DATED OCTOBER 18, 2024 - ADOPTION OF THE DRAFT CODE OF MEETING PRACTICE POLICY** D24/50645

**RESOLUTION**

Minute No. 47716

Councillor M Boland moved )

Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 186/24 dated October 18, 2024, be received.
2. That Council notes that the draft Code of Meeting Practice Policy was placed on public exhibition until 16 November 2024 as per the *Local Government Act 1993 Division 1 section 360-363*, and accepts submissions for a period of 42 days from the 1<sup>st</sup> day of public exhibition closing 29 November 2024, during which time Council received nil submissions from the public.
3. That Council adopts the draft Code of Meeting Practice Policy as a Policy of Council whilst the Office of Local Government consults with the industry regarding amendments to the Model Code of Meeting Practice for Local Councils in NSW and issues a new Model Code.

CARRIED UNANIMOUSLY

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**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 187/24 - DATED OCTOBER 07, 2024 -  
BROKEN HILL ADVOCACY STRATEGY - REVISED DECEMBER 2024** D24/32552

**RESOLUTION**

Minute No. 47717

Councillor A Byrne moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 187/24 dated October 7, 2024, be received.
2. That Council adopt the refreshed Advocacy Strategy which will become the centrepiece of Broken Hill City Council's advocacy initiatives for the 2025 Calendar Year and upcoming Federal Election.

CARRIED UNANIMOUSLY

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 189/24 - DATED DECEMBER 02, 2024 -  
DRAFT COMMUNITY ENGAGEMENT STRATEGY 2025 FOR THE COMMUNITY STRATEGIC  
PLAN - YOUR BROKEN HILL 2040 REVIEW** D24/58399

**RESOLUTION**

Minute No. 47718

Councillor D Gallagher moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 189/24 dated December 2, 2024, be received.
2. That Council adopt the Draft Community Strategic Plan Engagement Strategy 2025 for the review of the Broken Hill Community Strategic Plan – Your Broken Hill 2040.

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 188/24 - DATED NOVEMBER 22, 2024 -  
DRAFT AGENCY INFORMATION GUIDE** D24/56734

**RESOLUTION**

Minute No. 47719

Councillor M Boland moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 188/24 dated November 22, 2024, be received.
2. That Council endorse the reviewed Draft Agency Information Guide for release to the Information Commissioner for its review and comment.

CARRIED UNANIMOUSLY

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**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 185/24 - DATED NOVEMBER 27, 2024 -  
SECTION 355 ANNUAL AND FINANCIAL REPORTS 2022/2023** D23/58651

**RESOLUTION**

Minute No. 47720

Deputy Mayor J Hickey moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 185/24 dated November 27, 2024, be received.
2. That the 2022/2023 Alma Oval Community Committee Annual and Financial Reports be received and noted
3. That the 2022/2023 BIU Band Hall Community Committee Annual and Financial Reports be received and noted
4. That the 2022/2023 Friends of the Flora and Fauna of the Barrier Ranges Community Committee Annual Report be received and noted
5. That the 2022/2023 Memorial Oval Community Committee Annual and Financial Reports be received and noted
6. That the 2022/2023 Picton Sportsground Community Committee Financial Report be received and noted
7. That the 2022/2023 Riddiford Arboretum Community Committee Annual Report be received and noted
8. That the 2022/2023 Ageing Well Advisory Committee Annual Report be received and noted
9. That the 2022/2023 Youth Advisory Committee Annual Report be received and noted

CARRIED UNANIMOUSLY

**FURTHER REPORTS**

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 197/24 - DATED SEPTEMBER 06, 2024 -  
CORRESPONDENCE REPORT - SEALING OF THE DAYDREAM MINE ROAD** D24/43960

**RESOLUTION**

Minute No. 47721

Deputy Mayor J Hickey moved )  
Councillor A Byrne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 197/24 dated September 6, 2024, be received.



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2. That reply correspondence dated September 5, 2024 from the Minister for Western NSW be received and noted.
3. That reply correspondence dated September 11, 2024 from the Regional Director West, Transport for NSW, be received and noted.
4. That reply correspondence dated September 13, 2024 from the Local Member for Barwon, be received and noted.
5. That Council notes that reply correspondence dated November 28, 2024 from the Minister for Regional Transport and Roads advises:
  - a) that on 15 August 2024, Mr White met with Transport for NSW (TfNSW) District Works Manager Matt Perez along with Mr Damian Piasente, representing GE Vernova to reach an agreement on principles for the opening and closing of Day Dream Mine Road and also about the ongoing maintenance schedule;
  - b) that Council's proposal to repair the road following inclement weather is appreciated, however, due to the location of the Day Dream Mine Road being outside Council's Roads Maintenance Contract (and the inability to access funding from a ratepayer base to amend the contract to include roads outside city limits) the management, maintenance and decisions to open and close the road is the sole responsibility of TfNSW;
  - c) that Transport NSW's reactive maintenance was due to the number of significant weather events in 2023-24, and more proactive maintenance will now be conducted twice per financial year as well as continue any reactive maintenance as required; and that the proactive maintenance will include grading of the formation and filling of potholes with gravel and they have committed to sourcing and laying of material along a 200-300 metre long boggy section to improve the road quality;
  - d) That Council's request to seal the Daydream Mine has been provided to Transport for NSW's planning team to consider as part of the NSW Government's Far West Strategic

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Regional Integrated Transport Plans  
(SRITP) to be delivered in early 2026.

CARRIED UNANIMOUSLY

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 198/24 - DATED AUGUST 16, 2024 -  
CORRESPONDENCE REPORT - NSW WASTE SERVICES LEVY REVIEW** D24/40100

**RESOLUTION**

Minute No. 47722

Councillor M Boland moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 198/24 dated August 16, 2024, be received.
2. That reply correspondence from State Member for Barwon dated 14 August 2024 be received and noted,
3. That email reply from LGNSW's CEO Mr David Reynolds dated 25 November 2024 advising that the delay in responding to Council's correspondence was to allow for the completion of the election period and LGNSW's 2024 Annual Conference held in November; Following the conference, correspondence has been forwarded to the relevant ministers re-confirming LGNSW's opposition to the expansion of the Waste Levy area; LGNSW's correspondence also addressed that should the waste levy area be expanded, all levy-paying councils should have the same funding opportunities as current levy-paying councils and new funding from the government should be provided to new levy-paying areas to enable infrastructure to "catch-up" with existing levied areas, be received and noted.
4. That formal correspondence from LGNSW's CEO Mr David Reynolds dated 9 December 2024 further explaining LGNSW's action to support Council's advocacy that the Waste Levy boundary should not be expanded to include NetWaste Councils, be received and noted.
5. That Council notes that it is awaiting reply correspondence from the NSW Treasurer The Hon Daniel Mookhey MLC, Minister for Energy and Climate Change and Minister for Environment and Heritage, The Hon Penny Sharpe MLC, Minister for Finance The Hon Courtney Houssos MLC, and the Shadow Minister for the Environment, The Hon James Griffin MP.

CARRIED UNANIMOUSLY

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**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 199/24 - DATED NOVEMBER 14, 2024 -  
CORRESPONDENCE REPORT - LOSS OF POWER TO THE CITY DUE TO STORM EVENT IN  
OCTOBER 2024**

D24/40138

**RESOLUTION**

Minute No. 47723

Councillor A Byrne moved )  
Councillor E Gillett seconded )

**Resolved**

1. That Broken Hill City Council Report No. 199/24 dated November 14, 2024, be received.
2. That reply correspondence dated 27 November 2024 from Transgrid CEO, Brett Redman advising that Transgrid are looking into improving the reliability of power supply to Broken Hill and the Far West Region, including ensuring the backup generators are operational and exploring the integration of renewable energy storage solutions to enhance the resilience of the power system, while they work with the NSW Independent Pricing Regulation Tribunal (IPART) and the Australian Energy Regulator (AER) as part of the Inquiry into the outages to gain a thorough understanding of what occurred; be received and noted.

CARRIED UNANIMOUSLY

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 200/24 - DATED DECEMBER 10, 2024 -  
DISCLOSURE OF INTEREST RETURNS**

D24/44686

**RESOLUTION**

Minute No. 47724

Councillor A Byrne moved )  
Councillor E Gillett seconded )

**Resolved**

1. That Broken Hill City Council Report No. 200/24 dated December 10, 2024, be received.
2. That Council notes the submission of the required Disclosures by Councillors and Designated Persons Returns by the newly elected Councillors, Councillor Elaine Gillett and Councillor Ashley Byrne.
3. That Councillor Gillett and Councillor Byrne's Disclosure Returns be included in Council's Register of Returns of Disclosures by Councillors and Designated Persons and access to the Returns be in accordance with the provisions of the *Local Government Act 1993* and other relevant legislation.

CARRIED UNANIMOUSLY

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**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 212/24 - DATED DECEMBER 13, 2024 -  
APPROVAL OF THE GENERAL MANAGER'S TRAVEL ARRANGEMENT TO ATTEND THE  
AUSTRALIAN AND NEW ZEALAND LOCAL GOVERNMENT CHIEF OFFICER'S GROUP FORUM**

D24/60617

**RESOLUTION**

Minute No. 47725

Councillor D Gallagher moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

1. That Broken Hill City Council Report No. 212/24 dated December 13, 2024, be received.
2. That, as per Council's adopted outcomes of the General Manager's Performance Review Agreement (visits a high performing Council) and clause 4.4 of Council's Employee Travel Policy; Council approves General Manager, Jay Nankivell's, travel arrangements and attendance at the Local Government Chief Officer's Group Forum 2024 to be held in Tauranga, New Zealand on 26-28 February 2025.

CARRIED UNANIMOUSLY

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 201/24 - DATED NOVEMBER 14, 2024 -  
ADOPTION OF THE DRAFT DEVELOPMENT CONFLICTS OF INTEREST POLICY**

D24/55332

**RESOLUTION**

Minute No. 47726

Councillor M Boland moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 201/24 dated November 14, 2024, be received.
2. That Council notes that 1 submission was received during the public exhibition of the Draft Development Conflicts of Interest Policy.
3. That Council adopts the Draft Development Conflicts of Interest Policy.

CARRIED UNANIMOUSLY

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 202/24 - DATED NOVEMBER 14, 2024 -  
ADOPTION OF DRAFT VOLUNTARY PLANNING AGREEMENT WITH A-CAES AUSTRALIA NSW  
PTY LTD**

D24/55338

**RESOLUTION**

Minute No. 47727

Councillor M Boland moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

1. That Broken Hill City Council Report No. 202/24 dated November 14, 2024, be received.
2. That Council notes that one submission was received during the public exhibition of the draft Voluntary Planning Agreement (VPA)

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with A-CAES Australia NSW Pty Ltd; as a result the VPA has not changed.

3. That Council adopts the draft Voluntary Planning Agreement (VPA) with A-CAES Australia NSW Pty Ltd.

CARRIED UNANIMOUSLY

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 203/24 - DATED DECEMBER 11, 2024 -  
ADOPTION OF DRAFT ASSET MANAGEMENT PLANS** D24/60157

**RESOLUTION**

Minute No. 47728

Councillor A Byrne moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 203/24 dated December 11, 2024, be received.
2. That Council adopts the Draft Asset Management Plans for Buildings, Transport and Open Spaces.

CARRIED UNANIMOUSLY

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 204/24 - DATED DECEMBER 10, 2024 -  
ADOPTION OF THE DRAFT FUEL CARD POLICY** D24/59939

**RESOLUTION**

Minute No. 47729

Deputy Mayor J Hickey moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 204/24 dated December 10, 2024, be received.
2. That Council adopts the draft Fuel Card Policy.

CARRIED UNANIMOUSLY

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 191/24 - DATED NOVEMBER 19, 2024 -  
DRAFT EVENT MANAGEMENT POLICY FOR PUBLIC EXHIBITION** D24/55910

**RESOLUTION**

Minute No. 47730

Councillor D Gallagher moved )  
Councillor A Byrne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 191/24 dated November 19, 2024, be received.
2. That Council endorses the Event Management Policy for the purpose of public exhibition.
3. That the Draft Event Management Policy be placed on public exhibition for submissions to be received for a period of 28 days.
4. That Council receives a further report at the conclusion of the exhibition period, detailing

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submissions and any recommended changes arising, with a view to adopting the Event Management Policy.

CARRIED UNANIMOUSLY

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 192/24 - DATED OCTOBER 16, 2024 -  
DRAFT OUTBACK ARCHIVE COLLECTION MANAGEMENT POLICY FOR PUBLIC EXHIBITION**  
D24/50314

**RESOLUTION**

Minute No. 47731

Councillor M Boland moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 192/24 dated October 16, 2024, be received.
2. That That Council endorse the Draft Outback Archive Collection Management Policy for the purpose of public exhibition.
3. That the Draft Outback Archive Collection Management 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 Outback Archive Collection Management Policy. If adopted the previous Outback Archive Collection Management Policy will be rendered obsolete.

CARRIED UNANIMOUSLY

**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 205/24 - DATED DECEMBER 11, 2024 -  
2024/2025 EVENT SPONSORSHIP**  
D24/60190

**RESOLUTION**

Minute No. 47732

Deputy Mayor J Hickey moved )  
Councillor A Byrne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 205/24 dated December 11, 2024, be received.
2. That Council provides \$7,000 cash sponsorship to the Broken Hill Speedway Club Inc to host the 2025 NSW State Sidecar Championships.

CARRIED UNANIMOUSLY

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**ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 206/24 - DATED DECEMBER 05, 2024 - INVESTMENT REPORT FOR NOVEMBER 2024** D24/59124

**RESOLUTION**

Minute No. 47733

Councillor M Boland moved )  
Councillor A Byrne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 206/24 dated December 5, 2024, be received.

CARRIED UNANIMOUSLY

**ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 207/24 - DATED DECEMBER 12, 2024 - VOLUNTEER HERITAGE WALK TOUR DONATIONS 2024** D24/60398

**RESOLUTION**

Minute No. 47734

Deputy Mayor J Hickey moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 207/24 dated December 12, 2024, be received.
2. That Council approves the donation of surplus funds of \$24,000.00 held in Council's Heritage Walk Tour Fund (donations collected by the Heritage Walk Tour volunteers), to the following local charities:
  - \$4,000.00 donation to the Far West Local Health Service Palliative Care Unit
  - \$4,000.00 donation to Silverlea Early Childhood Services
  - \$4,000.00 donation to the Bishop Fox Memorial Meal Centre
  - \$4,000.00 donation to the RSPCA Broken Hill
  - \$4,000.00 donation to the RFDS Broken Hill Women's Auxiliary
  - \$4,000.00 donation to the Broken Hill Uniting Church Flying Patrol (Flying Padre)
3. That Council sends correspondence to members of the Volunteer Heritage Walking Group thanking them for operating the Heritage Walk Tours and raising money for local charities.

CARRIED UNANIMOUSLY

**ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 208/24 - DATED DECEMBER 05, 2024 - MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 21 NOVEMBER 2024** D24/58971

**RESOLUTION**

Minute No. 47735

**Resolved**

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
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Councillor H Jewitt moved )  
Councillor D Gallagher seconded )

1. That Broken Hill City Council Report No. 208/24 dated December 5, 2024, be received.
2. That minutes of the Audit, Risk and Improvement Committee meeting held 21 November 2024 be endorsed.
3. That Council formally thanks Mr Jim Mitchell for his term as Chairperson (from September 2017 to November 2024) in overseeing the work of the Audit, Risk and Improvement Committee and the achievements of the Committee during his tenure.

CARRIED UNANIMOUSLY

**ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 209/24 - DATED DECEMBER 06, 2024 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO.453, HELD ON TUESDAY, 3 DECEMBER 2024** D24/59434

**RESOLUTION**

Minute No. 47736

Councillor D Gallagher moved )  
Councillor A Byrne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 209/24 dated December 6, 2024, be received.
2. That the minutes of the Local Traffic Committee – Meeting No.453, held on Tuesday, 3 December 2024 be endorsed.
3. That Item No.453.10.1 recommendation be received:
  - That the timed parking adjacent to the shopping complex on Oxide Street, between Chapple Street and Chapple Lane, be removed making the area unrestricted parking.
4. That Item No.453.10.2 recommendation be received:
  - That the Local Traffic Committee review the traffic management plan for the Development Application following consultation between Transport for NSW, Council and the developer.
5. That Item No.452.8.1 recommendations be received:
  - The Committee recommend maintaining the current 'Loading Zone' while advising Palace Hotel management to enhance its



unloading procedures to protect pavers from damage.

- The Local Traffic Committee agreed that the previous recommendation for the 'Loading Zone' on the Argent Street side of the Palace Hotel to remain unchanged and not be relocated to the Sulphide Street side.

6. That Item No.452.8.4 recommendations be received:

- That approval be provided for the commencement of line marking for parking spaces at Alma Public School on Comstock Street and a section of Boughtman Street.
- That prior to the line marking, Council's Engineer develop a concept plan for the required disability parking space to be installed at the school entrance on Comstock Street and provide to the Committee for approval.

7. That Item No. 452.10.1 recommendation be received:

- That the parking arrangement on Oxide Street, between Argent Street and Gawler Place remain unchanged and the complainant be advised of the Committee's decision.

8. That Item No.453.8.1 recommendations be received

- That the request to open one side of Oxide Street, between Lane and Wolfram Streets, during the Christmas Pageant to allow vehicle access to businesses in the area be denied.
- That the business owner be advised that the decision is based on pedestrian safety concerns, due to the congestion of pedestrians in the area during the Christmas Pageant.
- That two parking spaces, adjacent to the shops at 176 Oxide Street be changed to ½-hour timed parking limit, with the parking times being changed to 9.30am to 9.30pm, seven days a week.

CARRIED UNANIMOUSLY

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**ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 193/24 - DATED NOVEMBER 28, 2024 -  
MINUTES OF THE S355 YOUTH ADVISORY COMMITTEE MEETING HELD 14 NOVEMBER 2024**

D24/57750

**RESOLUTION**

Minute No. 47737

Councillor H Jewitt moved )  
Councillor E Gillett seconded )

**Resolved**

1. That Broken Hill City Council Report No. 193/24 dated November 28, 2024, be received.
2. That the minutes of the S355 Youth Advisory Committee meeting held on 14 November 2024 be received.

CARRIED UNANIMOUSLY

**ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 194/24 - DATED NOVEMBER 28, 2024 -  
MINUTES OF THE S355 AGEING WELL ADVISORY COMMITTEE MEETING HELD 7 NOVEMBER  
2024**

D24/57745

**RESOLUTION**

Minute No. 47738

Councillor D Gallagher moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 194/24 dated November 28, 2024, be received.
2. That the minutes of the S355 Ageing Well Advisory Committee meeting held 7 November 2024 be received.

CARRIED UNANIMOUSLY

**ITEM 28 - BROKEN HILL CITY COUNCIL REPORT NO. 210/24 - DATED DECEMBER 10, 2024 -  
ACTION LIST REPORT**

D24/59751

**RESOLUTION**

Minute No. 47739

Councillor D Gallagher moved )  
Councillor A Byrne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 210/24 dated December 10, 2024, be received.

CARRIED UNANIMOUSLY

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

**ITEM 29 - QUESTIONS ON NOTICE NO. 13/24 - DATED DECEMBER 04, 2024 - COUNCILLOR  
QUESTIONS ON NOTICE TAKEN AT THE NOVEMBER COUNCIL MEETING AND DECEMBER  
STANDING COMMITTEE MEETINGS**

D24/58748

**RESOLUTION**

Minute No. 47740

Councillor D Gallagher moved )  
Councillor A Byrne seconded )

**Resolved**

1. That Questions On Notice No. 13/24 dated December 4, 2024, be received.

CARRIED UNANIMOUSLY

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

### Item 25 – Taxi Rank

The General Manager took a Question on Notice regarding the Taxi rank in Oxide Street near the Argent Street intersection and asked for the Traffic Committee to investigate alterations to the size of the Taxi rank to allow for the use of the Accessible Taxi's loading ramp.

## PUBLIC FORUM SESSION

### Development Application 59/2024 – Change Hours of Operation - Attard's Transport Service at 117 Rakow Street, Broken Hill

*Ms Ayla Wright (lives adjacent to Attard's Transport Service in Rakow Street) expressed her extreme disappointment that the Development Application was not considered at tonight's meeting as she has been bringing matters of non-compliance by Attard's Transport Service to their consent conditions to the awareness of Council for the past 12 months, and wanted Council to be aware that due to the consistent violation of the EPA Regulations that if an amicable outcome can't be reached at the January 2025 Council Meeting, Ms Wright will appeal to the NSW Land and Environment Court regarding to the EPA violations that appear not to be acknowledged by Council.*

The Mayor advised that everyone has the right to complain to an Authority if they believe that a regulation has been breached; and that they do not need to wait until after a Council Meeting to do so.

### **RESOLUTION**

#### Minute No. 47741 - Council Resolution

Councillor A Byrne moved )  
Councillor H Jewitt seconded )

### **Resolved**

That the meeting be closed to the public in accordance with section 10A (2) of the *Local Government Act 1993* whilst Council considers the confidential matters.

CARRIED UNANIMOUSLY

*The live stream of the meeting ceased at 7:20pm.*

*Members of the media, public and Council staff left the meeting at 7:20pm.*

## CONFIDENTIAL MATTERS

### ITEM 30 - BROKEN HILL CITY COUNCIL REPORT NO. 195/24 - DATED NOVEMBER 25, 2024 - T24/4 - REQUEST FOR TENDER FOR SUPPLY AND INSTALLATION OF FURNITURE AND SHELVING FOR BROKEN HILL LIBRARY - CONFIDENTIAL D24/56820

**(General Manager's Note:** This report considers Tender for Utility Vehicles and is deemed confidential under Section 10A(2) (c) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).

### **RESOLUTION**

#### Minute No. 47742

Councillor E Gillett moved )  
Deputy Mayor J Hickey seconded )

### **Resolved**

1. That Broken Hill City Council Report No. 195/24 dated November 25, 2024, be received.

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2. That Council, because of extenuating circumstances and remoteness of locality directly procure through Neeson Murcutt + Neille, Council's contracted architects for the Library Redevelopment Project, the required Furniture and Shelving for the new library as a satisfactory result was not achieved by inviting tenders; and additionally will ensure value for money along with the prescribed quantity of shelving and furniture.
3. That Council engage Neeson Murcutt + Neille Architects to undertake the procurement of furniture and shelving for the new library in accordance with the prescribed Furniture and Shelving Schedule and nominated budget of \$405,000 (ex GST).

CARRIED UNANIMOUSLY

**ITEM 31 - BROKEN HILL CITY COUNCIL REPORT NO. 211/24 - DATED DECEMBER 04, 2024 - WILLYAMA COMMON TRUST LICENCE AND EASEMENT TO ESSENTIAL ENERGY - CONFIDENTIAL**

D24/58747

**(General Manager's Note:** This report considers a licence and is deemed confidential under Section 10A(2) (c) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).

**RESOLUTION**

Minute No. 47743

Councillor D Gallagher moved )  
Councillor A Byrne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 211/24 dated December 4, 2024, be received.
2. That Council (as the Willyama Common Trust) consent to a licence over Lot 7302 DP 1181129 to Essential Energy, for the purpose of construction, operation, and maintenance of underground powerlines.
3. Council (as the Willyama Common Trust) consent to an easement for electricity infrastructure being registered over Lot 7302 DP 1181129.
4. That the annual rent be set at \$1,230 per annum.
5. That the General Manager be delegated to finalise the terms and conditions of the licence and easement.
6. That the Mayor and General Manager be authorised to sign and execute any

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documents related to the licence and  
easement under the Common Seal of  
Council.

CARRIED UNANIMOUSLY

**RESOLUTION**

Minute No. 47744 - Procedural Motion  
Councillor D Gallagher moved )  
Councillor E Gillett seconded )

**Resolved**

That the meeting resumes in open session.

CARRIED UNANIMOUSLY

Members of the public and the Media returned to the Chambers at 7:22pm.

At the Mayor's invitation, the General Manager reported on the items resolved in the confidential session.

**CONCLUSION OF THE MEETING**

There being no further business to consider, the Mayor closed the meeting at 7:25 p.m.

THE FOREGOING MINUTES WERE READ )  
AND CONFIRMED AT THE ORDINARY )  
MEETING OF THE BROKEN HILL CITY )  
COUNCIL HELD ON 29 JANUARY 2025. )

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CHAIRPERSON