

Meeting commenced at 6:30p.m.

PRESENT:

Councillor D. Turley (Mayor) Councillor M. Browne (Deputy Mayor)
Councillors C. Adams, B. Algate (part of the meeting), M. Clark,
D. Gallagher, T. Kennedy, B. Licul, J. Nolan and R. Page.

General Manager, Chief Operations Officer, Chief Financial Officer,
Director Corporate, Manager Communications, Governance Officer and
Executive Support Officer.

Media (3), Members of the Public (15).

APOLOGIES:

Nil.

PRAYER

Councillor Adams delivered the prayer

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 46023

Councillor C. Adams moved
Councillor B. Licul seconded

)
)

That the Minutes of the Ordinary Meeting of the
Council of the City of Broken Hill held June 26,
2019 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Councillor Gallagher declared:

- a non-pecuniary interest in Confidential Report No. 126/19 as he is employed by the applicant and advised that he will remain in the Council Chambers whilst the item is considered and will exercise his vote.

MAYORAL MINUTES

ITEM 1 - MAYORAL MINUTE NO. 3/19 - DATED JULY 24, 2019 - LANDCARE BROKEN HILL
PARTNERSHIP PROPOSAL TO BROKEN HILL CITY COUNCIL

12/29

Councillor D. Turley moved
Councillor M. Browne seconded

)
)

1. That Mayoral Minute No. 3/19 dated July 24, 2019, be received.
2. That Broken Hill City Council enters into a partnership with Landcare Broken Hill for the

Greening the Hill Mk.2 community wide initiative.

3. That any funding requests be considered on their merits, through the quarterly budget review process.

Amendment

Councillor T. Kennedy moved)
Councillor B. Algate seconded)

1. That Mayoral Minute No. 3/19 dated July 24, 2019, be received.
2. That Broken Hill City Council enters into a partnership with Landcare Broken Hill for the Greening the Hill Mk.2 community wide initiative.
3. That Council not only enters into a partnership agreement with Landcare, but also implements a number of the assessment items identified in the report.

NOT PUT

The Mayor accepted Councillor Kennedy's amendment as an addendum to the motion.

RESOLUTION

Minute No. 46024

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

1. That Mayoral Minute No. 3/19 dated July 24, 2019, be received.
2. That Broken Hill City Council enters into a partnership with Landcare Broken Hill for the Greening the Hill Mk.2 community wide initiative.
3. That any funding requests be considered on their merits, through the quarterly budget review process.
4. That Council not only enters into a partnership agreement with Landcare, but also implements a number of the assessment items identified in the report.

CARRIED UNANIMOUSLY

NOTICES OF MOTION

**ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 13/19 - DATED JULY 19, 2019 -
2020/2021 BUDGET CONSIDERATION - UPGRADES TO EP O'NEILL PARK SPORTING
COMPLEX NETBALL COURTS**

19/84

Councillor T. Kennedy moved)
Councillor B. Algate seconded)

1. That Motions of Which Notice has been Given No. 13/19 dated July 19, 2019, be received.
2. That Broken Hill City Council includes in the 2020/2021 budget \$200,000 for lights upgrade and court resurfacing of netball association grounds.
3. That Council liaise with the netball association about surface required and lighting upgrades.
4. That Council apply for grant funding from State and Federal Governments to match funding.

Amendment

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

1. That Motions of Which Notice has been Given No. 13/19 dated July 19, 2019, be received.
2. That Broken Hill City Council includes a budget consideration in the 2020/2021 budget \$200,000 for lights upgrade and court resurfacing of netball association grounds.
3. That Council liaise with the netball association about surface required and lighting upgrades.
4. That Council apply for grant funding from State and Federal Governments to match funding.

CARRIED

A Division was called in the amendment which resulted in:

FOR: Crs Adams, Browne, Gallagher, Licul, Turley, Clark, Page and Nolan
AGAINST: Crs Algate and Kennedy

The amendment becomes the motion.

RESOLUTION

Minute No. 46025

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

1. That Motions of Which Notice has been Given No. 13/19 dated July 19, 2019, be received.
2. That Broken Hill City Council includes a budget consideration in the 2020/2021 budget \$200,000 for lights upgrade and court resurfacing of netball association grounds.
3. That Council liaise with the netball association about surface required and lighting upgrades.
4. That Council apply for grant funding from State and Federal Governments to match funding.

CARRIED

A Division was called which resulted in:

FOR: Crs Adams, Browne, Gallagher, Licul, Turley, Clark, Page and Nolan
AGAINST: Crs Algate and Kennedy

The Mayor took a question on notice from Councillor Kennedy regarding whether the mover of an original motion has the right of reply if their motion is lost due to an amendment to their motion being successful.

ITEM 3 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 14/19 - DATED JULY 19, 2019 -
ESSENTIAL ENERGY OPERATIONS BROKEN HILL 12/29

RESOLUTION

Minute No. 46026

Councillor T. Kennedy moved)
Councillor B. Algate seconded)

1. That Motions of Which Notice has been Given No. 14/19 dated July 19, 2019, be received.
2. That Broken Hill City Council sends correspondence to the appropriate State Minister, Local Member Roy Butler and Leader of the Opposition objecting to any loss of positions in the Essential Energy employment structure and the importance of those positions to the Broken Hill community; and that the correspondence also seeks clarification on the number of local jobs that will be affected.
3. That they be reminded of the commitment from the government that the sale of poles and wires would not result in any loss of employees from Essential Energy operations in Broken Hill.

CARRIED UNANIMOUSLY

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Nil.

REPORTS

ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 106/19 - DATED JULY 15, 2019 - MOTIONS TO THE LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 14-16 OCTOBER 2019 11/364

RESOLUTION

Minute No. 46027

Councillor C. Adams moved)
Councillor D. Gallagher seconded)

1. That Broken Hill City Council Report No. 106/19 dated July 15, 2019, be received.
2. That the following motions be submitted to the NSW Local Government Annual Conference:
 - Restoration and Remediation of Local Cemeteries:
That NSW Government consider financially supporting councils for the restoration and remediation of local cemeteries that have been severely damaged from climatic conditions and drought.
 - Support for Local Organisations that depend on Volunteering:
That LGNSW establish a Local Government Volunteer Strategy that can support requests for government funding assistance to regional and rural communities in their efforts to encourage greater volunteer labour participation through offsetting the costs incurred by local organisations who provide those volunteer services.
 - Museum Strategy for NSW:
That LGNSW lobby the NSW State Government to devise a Museum Strategy for NSW with sufficient resources to ensure cultural heritage led vibrancy, collection care and local storytelling initiatives are supported, developed and maintained for communities throughout the State.

3. That the motions along with the accompanying Council Resolution be submitted prior to the closing date of 19 August 2019.

CARRIED UNANIMOUSLY

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 107/19 - DATED JULY 16, 2019 -
BACKGROUND ON BROKEN HILL REGIONAL TOURIST ASSOCIATION AND TOURISM IN
BROKEN HILL**

11/407

Resolved

1. That Broken Hill City Council Report No. 107/19 dated July 16, 2019, be received.
2. That Council notes that:
 - a) That the current collaboration between Council, Destination NSW (DNSW) and Destination Country and Outback (DCO) and the relationships between DNSW and DCO with the industry are successfully building a collaborative approach to build brand awareness and increase visitors to the city and region.
 - b) That Council elect not move to form a Regional Tourism Organisation at this time but will monitor the success of the development of Destination Broken Hill and the outcomes of current collaborative activities with a report to be presented to the February 2020 meeting of Council.
 - c) That Council note the Tourism Taskforce of 2014 resulted in unanimous support from tourism operators for the development of an industry driven tourism organisation for the Far West NSW region.
 - d) That Destination Broken Hill, formed in 2018, is the current industry-led tourism body representing Broken Hill and the surrounding region.
 - e) That Council note that the delegations set out in the Constitution of the Broken Hill Regional Tourism Association formed in 2002 did not meet the legislative requirements outlined in the *Local Government Act, 1993*.

RESOLUTION

Minute No. 46028

Councillor B. Algate moved)
Councillor M. Browne seconded)

CARRIED UNANIMOUSLY

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 108/19 - DATED JUNE 03, 2019 -
ADOPTION OF DRAFT SECTION 7.12 DEVELOPER CONTRIBUTIONS PLAN**

11/467

Resolved

1. That Broken Hill City Council Report No. 108/19 dated June 3, 2019, be received.
2. That the draft Section 7.12 Developer Contributions Plan be adopted as a Plan of Council.

RESOLUTION

Minute No. 46029

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

CARRIED

A Division was called which resulted in:

FOR: Crs Adams, Algate, Browne, Gallagher, Licul, Turley, M Clark, R Page and Nolan
AGAINST: Cr T Kennedy

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 109/19 - DATED JULY 07, 2019 - NSW
GOVERNMENT MUSEUM STRATEGY** 11/238

Resolved

1. That Broken Hill City Council Report No. 109/19 dated July 7, 2019, be received.
2. That the following proposed resolution be forwarded to LGNSW for consideration at the next LGNSW Conference:

“That LGNSW lobby the NSW State Government to devise a Museum Strategy for NSW with sufficient resources to ensure cultural heritage led vibrancy, collection care and local storytelling initiatives are supported, developed and maintained for communities throughout the State.”

RESOLUTION

Minute No. 46030

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

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 110/19 - DATED JULY 01, 2019 - DRAFT
REPORTING OF PUBLIC INTEREST DISCLOSURES POLICY FOR PUBLIC EXHIBITION** 12/14

Resolved

1. That Broken Hill City Council Report No. 110/19 dated July 1, 2019, be received.
2. That Council endorse the Draft Reporting of Public Interest Disclosures Policy for the purposes of public consultation.
3. That the Draft Reporting of Public Interest Disclosures Policy be exhibited for public comment for a 28-day period.
4. That the Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the Draft Reporting of Public Interest Disclosures Policy.

RESOLUTION

Minute No. 46031

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

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 111/19 - DATED JUNE 25, 2019 - DRAFT
VOLUNTARY PLANNING AGREEMENT POLICY** 11/192

Resolved

1. That Broken Hill City Council Report No. 111/19 dated June 25, 2019, be received.
2. That the draft Voluntary Planning Agreement Policy be publicly exhibited for a period of not less than 28 days.

3. That a further report be presented to Council following the public exhibition for Council's consideration and adoption.

RESOLUTION

Minute No. 46032

Councillor M. Browne moved)
Councillor D. Gallagher seconded) CARRIED UNANIMOUSLY

ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 112/19 - DATED JULY 17, 2019 - DRAFT GIFTS AND BENEFITS POLICY 12/14

Resolved

1. That Broken Hill City Council Report No. 112/19 dated July 17, 2019, be received.
2. That Council endorses the draft Gifts and Benefits Policy for the purpose of public exhibition.
3. That Council publicly exhibits the draft Gifts and Benefits Policy and accepts submissions from the public for a period of 28 days.
4. That Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the draft Gifts and Benefits Policy as a Policy of Council.

RESOLUTION

Minute No. 46033

Councillor D. Gallagher moved)
Councillor B. Licul seconded) CARRIED UNANIMOUSLY

ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 113/19 - DATED JULY 02, 2019 - DECEMBER AND JANUARY COUNCIL MEETING ARRANGEMENTS AND CHRISTMAS SHUT DOWN PERIOD 11/21

Resolved

1. That Broken Hill City Council Report No. 113/19 dated July 2, 2019, be received.
2. That Council's Ordinary Monthly Meeting for December 2019 be held Wednesday, December 11, 2019.
3. That should an urgent matter arise in January, an Extraordinary Council Meeting will be arranged.
4. That the Council shutdown period for the Administrative Centre and the Warnock Street Works Depot be from 5:00pm Friday December 20, 2019 and reopening Monday January 6, 2020.
5. That Council advertise the shutdown period for the Administrative Centre and the Warnock Street Works Depot and that this advertisement also includes the operating hours for all other Council facilities during this period.

RESOLUTION

Minute No. 46034

Councillor C. Adams moved)
Councillor M. Clark seconded) CARRIED UNANIMOUSLY

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 114/19 - DATED JULY 04, 2019 -
CHILDRENS SPORTS AND ACTIVITY VOUCHER**

18/44

Resolved

1. That Broken Hill City Council Report No. 114/19 dated July 4, 2019, be received.
2. That Council notes the progress of the Broken Hill Children's Sport and Activity Voucher Pilot Program.

RESOLUTION

Minute No. 46035

Councillor T. Kennedy moved)

Councillor J. Nolan seconded)

CARRIED UNANIMOUSLY

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 115/19 - DATED JULY 11, 2019 -
DEVELOPMENT APPLICATION 38/2019 - DEMOLITION OF EXISTING OUTBUILDINGS AND
CONSTRUCTION OF NEW 3 CAR GARAGE AT 89 PIPER STREET, BROKEN HILL**

11/467

Resolved

1. That Broken Hill City Council Report No. 115/19 dated July 11, 2019, be received.
2. That Development Application 38/2019 for demolition of existing outbuildings (being a shed, incinerator enclosure and toilet block) and construction of new 3 car garage be subject to the following conditions:

- 1) Compliance with Building Code of Australia

That all building work must be out in accordance with the provisions of the Building Code of Australia.

Reason for Imposition of Condition: Statutory condition being clause 98(1)a & 145 of the Environmental Planning and Assessment Act, Regulations.

- 2) Stormwater

That all roof water be collected by a system of guttering and sufficient downpipes to divert the water away from the building and footings without nuisance to the adjoining properties.

Reason for Imposition of Condition: To minimise damage to the building and footings and prevent stormwater nuisance to adjoining properties.

- 3) Materials

That the wall cladding on the garage shall be vertical corrugated profile iron (being either colorbond Classic Cream, or galvanised iron). If galvanised iron is used, then it is permitted to be painted in Classic Cream colour.

Reason for Imposition of Condition: To ensure that the materials used for new work at a heritage listed property is appropriate.

- 4) Demolition Waste

That all general demolition waste be disposed of at Council's Waste Depot.

Reason for imposition of condition: The need to ensure that waste materials are disposed of properly.

5) Dust Suppression

That dust suppression measures are employed during demolition. Demolition works must not be out on excessively windy days.

Reason for imposition of condition: The need to ensure that the impact of nuisance and lead containing dusts is minimised.

6) Removal of Asbestos

That any asbestos cement sheeting, if present onsite, be removed, handled and disposed of in accordance with the requirements of the Work Cover Authority of NSW.

Reason for imposition of condition: Statutory requirement of the Occupational Health & Safety Act, 2000.

7) Amended details

That prior to a Construction Certificate being issued for the work, amended details and amended site plan shall be submitted. Amendments required include setback of 3.25 metres from Piper Street frontage, and also wall sheeting of the garage to be corrugated profile iron (either colorbond or galvanised).

RESOLUTION

Minute No. 46036

Councillor R. Page moved)

Councillor B. Algate seconded)

CARRIED UNANIMOUSLY

A Division was called which resulted in:

FOR: Crs Adams, Algate, Browne, Gallagher, Licul, Turley, T Kennedy, M Clark, R Page and Nolan

AGAINST: Nil

ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 116/19 - DATED JULY 09, 2019 - INVESTMENT REPORT FOR JUNE 2019

17/82

Resolved

1. That Broken Hill City Council Report No. 116/19 dated July 9, 2019, be received.

RESOLUTION

Minute No. 46037

Councillor D. Gallagher moved)

Councillor M. Browne seconded)

CARRIED UNANIMOUSLY

The Mayor took a question on notice from Cr Kennedy requesting information on the effect on Council's investment portfolio should a negative global crisis event happen.

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 117/19 - DATED JULY 05, 2019 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 394 HELD WEDNESDAY JULY 2, 2019

11/397

Resolved

1. That Broken Hill City Council Report No. 117/19 dated July 5, 2019, be received.
2. That the minutes for the Local Traffic Committee Meeting No.393 held June 4, 2019 be received.

RESOLUTION

Minute No. 46038

Councillor M. Browne moved)

Councillor M. Clark seconded)

CARRIED UNANIMOUSLY

ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 118/19 - DATED JULY 18, 2019 - ACTION LIST REPORT

11/21

Resolved

1. That Broken Hill City Council Report No. 118/19 dated July 18, 2019, be received.

RESOLUTION

Minute No. 46039

Councillor M. Clark moved)

Councillor M. Browne seconded)

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 119/19 - DATED MARCH 01, 2019 - MEMBERSHIP OF THE COMMUNITY STRATEGIC PLAN ROUND TABLE ADVISORY COMMITTEE

13/145

Resolved

1. That Broken Hill City Council Report No. 119/19 dated March 1, 2019, be received.
2. That the Constitution of the Community Strategic Plan Round Table Advisory Committee be amended to include a representative from the Broken Hill Local Aboriginal Land Council and NSW Primary Health Network; and that Council sends correspondence to the Broken Hill Local Aboriginal Land Council and NSW Primary Health Network accordingly.

ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 120/19 - DATED JUNE 21, 2019 - MINUTES OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETINGS HELD JUNE 18, 2019

12/51

Resolved

1. That Broken Hill City Council Report No. 120/19 dated June 21, 2019, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held June 18, 2019 be received.

ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 121/19 - DATED JULY 15, 2019 - MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD 2 JULY 2019 12/52

Resolved

1. That Broken Hill City Council Report No. 121/19 dated July 15, 2019, be received.
2. That minutes of the Memorial Oval Community Committee Meeting held 2 July 2019 be received.

Minute No. 46040

Councillor C. Adams moved) That the recommendations of items 17 to 19 be
Councillor M. Clark seconded) adopted.

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 20 - QUESTIONS ON NOTICE NO. 7/19 - DATED JULY 01, 2019 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE JUNE 2019 COUNCIL MEETING 16/89

Resolved

1. That Questions On Notice No. 7/19 dated July 1, 2019, be received.

RESOLUTION

Minute No. 46041

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

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

Bobos Engineering "Broken Hill" Sign

The Mayor took a question on notice from Councillor Kennedy whether Council is able to invite a development application for erection of the "Broken Hill" sign from Mr Bobos and waive the Development Application fees?

Sister City Relationships

The Mayor took a question on notice from Councillor Licul requesting an update on the status of Council's sister city relationships.

Clarification on Code of Meeting Practice (from item 2)

The Mayor took a question on notice from Councillor Kennedy regarding whether the mover of a motion has the right of reply if their motion is lost due to an amendment to their motion being successful.

Information on Council's Investment Portfolio (from item 14)

The Mayor took a question on notice from Cr Kennedy requesting information on the effect on Council's investment portfolio should a negative global crisis event happen.

CONFIDENTIAL MATTERS

RESOLUTION

Minute No. 46042

Councillor B. Licul moved) That the meeting be closed to the public in
Councillor B. Algate seconded) accordance with the *Local Government Act*
1993 *clause 10A(2)*, whilst the confidential
matters are considered.

CARRIED UNANIMOUSLY

Members of the media and public left the Council Chambers at 7:12pm

The subject person gave a verbal presentation to Council.

The subject person left the Council Chamber at 7:28p.m.

**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 122/19 - DATED JULY 23, 2019 - CODE
OF CONDUCT NO BHC20190528 - CONFIDENTIAL** CC19/1

(General Manager's Note: This report is deemed confidential under Section 10A(2) (i) of the Local Government Act, 1993 which contains information regarding alleged contraventions of any Code of Conduct requirements applicable under section 440).

RESOLUTION

Minute No. 46043

Councillor M. Browne moved) 1. That Broken Hill City Council Report No.
Councillor J. Nolan seconded) 122/19 dated July 23, 2019, be received.
2. That Code of Conduct No. BHC20190528 be
referred to the Office of Local Government
for determination.

CARRIED

A Division was called which resulted in:

FOR: Crs Adams, Browne, Gallagher, Licul, Turley, M Clark, R Page and Nolan
AGAINST: Cr Algate

The subject person returned to the Council Chambers at 7:32p.m.

The subject person gave a verbal presentation to Council.

The subject person left the Council Chambers at 7:55p.m.

**ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 123/19 - DATED JULY 23, 2019 - CODE
OF CONDUCT NO BHC20190628 - CONFIDENTIAL** CC19/1

(General Manager's Note: This report is deemed confidential under Section 10A(2) (i) of the Local Government Act, 1993 which contains information regarding alleged contraventions of any Code of Conduct requirements applicable under section 440).

RESOLUTION

Minute No. 46044

- Councillor M. Browne moved)
Councillor B. Licul seconded)
1. That Broken Hill City Council Report No. 123/19 dated July 23, 2019, be received.
 2. That Code of Conduct No. BHC20190628 be referred to the Office of Local Government for determination.

CARRIED

A Division was called which resulted in:

FOR: Crs Adams, Browne, Gallagher, Licul, Turley, M Clark, R Page and Nolan
AGAINST: Cr Kennedy

The subject person did not return to the Council Chambers for the remainder of the meeting

At this point in the meeting Councillor Kennedy declared a significant non-pecuniary interest in Item 23 and left the Council Chambers at 8:06p.m.

ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 124/19 - DATED JULY 08, 2019 - LICENCE OF PART MEMORIAL OVAL TO BROKEN HILL SOCCER ASSOCIATION - CONFIDENTIAL 12/52

(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).

Resolved

1. That Broken Hill City Council Report No. 124/19 dated July 8, 2019, be received.
2. That Council issue a licence to the Broken Hill Soccer Association, for the use of the Adkins Pavilion at the Memorial Oval.
3. That the licence be issued for a term of twelve (12) months with either party having the option to terminate the licence with 30 days' notice, and the licence fee be a peppercorn rental of \$1.
4. That the licence include a condition that the Adkins Pavilion be made available for use by the Silver City Show Committee for the Silver City Show each September.
5. That the Mayor and General Manager be authorised to sign and execute the licence agreement under the Common Seal of Council.

RESOLUTION

Minute No. 46045

- Councillor C. Adams moved)
Councillor B. Licul seconded)
- CARRIED UNANIMOUSLY

Councillor Kennedy returned to the Council Chambers at 8:07p.m.

ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 125/19 - DATED JULY 22, 2019 - LICENCE OF AIRPORT KIOSK AT THE BROKEN HILL AIRPORT - CONFIDENTIAL 11/229

(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).

Resolved

1. That Broken Hill City Council Report No. 125/19 dated July 22, 2019, be received.
2. That Council authorise the General Manger to draw up a licence agreement with the preferred applicant to operate the kiosk at the Broken Hill Airport.
3. That the licence be for twelve (12) months with the option for a further twelve (12) month renewal.
4. That the licence fee be the advertised fee of \$8,580 per annum, including GST.
5. That the General Manager be authorised to negotiate further terms and conditions in-conjunction with Council's Property Manager.
6. That the Mayor and General Manager be authorised to sign and execute any licence documents under the Common Seal of Council.

RESOLUTION

Minute No. 46046

Councillor M. Browne moved)

Councillor B. Licul seconded)

CARRIED UNANIMOUSLY

ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 126/19 - DATED JULY 19, 2019 - SALE OF PART LOT 5893 DEPOSITED PLAN 241855 OTHERWISE KNOWN AS PART 51 BROMIDE STREET. - CONFIDENTIAL

(General Manager's Note: This report considers Sale of Land and is deemed confidential under Section 10A(2) (c) (d) 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; AND which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

Resolved

1. That Broken Hill City Council Report No. 126/19 dated July 19, 2019, be received.
2. That Broken Hill City Council subdivide the land at 51 Bromide Street (Lot 5893 DP 241855) and prepare sale of land contracts.
3. That Broken Hill City Council authorise the General Manager to negotiate a final sale price with the preferred party, setting the reserve at the market value as detailed within the report.
4. That the Mayor and General Manager be authorised to sign the sale of land contracts and transfers under the Common Seal of Council.

RESOLUTION

Minute No. 46047

Councillor R. Page moved)

Councillor M. Browne seconded)

CARRIED

A Division was called which resulted in:

FOR: Crs Adams, Browne, Gallagher, Licul, Turley, Clark, Page and Nolan

AGAINST: Cr Kennedy

ABSENT: Cr Algate

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD JULY 31,
2019

RESOLUTION

Minute No. 46048

Councillor M. Browne moved) That the meeting resume in open session.
Councillor D. Gallagher seconded)

CARRIED UNANIMOUSLY

Members of the media and public returned to the Council chamber at 8:12p.m.

At the Mayor's invitation the General Manager read the resolutions of the Confidential Matters.

There being no further business the Mayor closed the meeting at 8:14p.m.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON AUGUST 28, 2019.)

CHAIRPERSON