
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
DECEMBER 11, 2019

Meeting commenced at 6:30pm.

PRESENT:

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

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

Media (3), Members of the Public (14).

APOLOGIES:

Councillor B. Licul.

Minute No. 46143

Councillor M. Browne moved
Councillor J. Nolan seconded

) That the apology submitted on behalf of
) Councillor Licul be accepted and leave of
absence granted.

CARRIED

PRAYER

Councillor Adams delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

PRESENTATION OF AWARDS

Deputy Mayor Adams presented Council with the following awards from the 2019 Keep Australia Beautiful NSW Tidy Towns Awards:

- Community Spirit and Inclusion Award
- Broken Hill Heritage Festival 2019 - *Highly Commended*
- Heritage and Culture Award
- Johns Bros Joyland – *Highly Commended*
- Environmental Communication Award
- Riddiford Arboretum Conservation Park – *Winner*
- Don't Be a Tosser! Litter Action Award
- Smart Thinking, Broken Hill – *Winner*
- Heritage and Culture Award
- Broken Hill Mosque: The Surviving "Ghan Town" Mosque in Australia – *Winner*
- Overall Sustainable Communities Tidy Towns Award
- Broken Hill - *Finalist*

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The Mayor accepted the awards on behalf of Council and congratulated all Councillors, Council staff and the community organisations involved in working on these projects.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 46144

Councillor C. Adams moved
Councillor M. Clark seconded

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That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held November 27, 2019 be confirmed.

CARRIED

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

DISCLOSURE OF INTEREST

Councillor Browne declared:

- A non-pecuniary conflict of interest in Mayoral Minute No. 10/19 as she is a member of the Lead Steering Committee and advised that she will leave the Council Chambers whilst the item is considered.
- A non-pecuniary conflict of interest in Confidential Report No. 217/19 as she is a member of the auspicing body and advised that she will leave the Council Chambers whilst the item is considered.

MAYORAL MINUTES

ITEM 1 – MAYORAL MINUTE NO. 10/19 – DATED NOVEMBER 29, 2019 – ONGOING FUNDING OF THE BROKEN HILL ENVIRONMENTAL LEAD PROGRAM 12/177

Councillor Browne declared a non-pecuniary interest in Item 1 and left the Council Chambers at 6:35p.m.

Councillor D. Turley moved
Councillor M. Clark seconded

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1. That Mayoral Minute No. 10/19 dated November 29, 2019, be received.
2. That Council support ongoing funding of the Broken Hill Environmental Lead Program once the current program funding ceases on 30 June 2020.
3. That Council writes to New South Wales Environmental Protection Authority supporting its request for representations to the NSW Government to commit further funding.

Amendment

Councillor T. Kennedy moved

)
)

1. That Mayoral Minute No. 10/19 dated November 29, 2019, be received.

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2. That Council support ongoing funding of the Broken Hill Environmental Lead Program once the current program funding ceases on 30 June 2020.
3. That Council writes to New South Wales Environmental Protection Authority supporting its request for representations to the NSW Government to commit further funding.
4. That Council's correspondence to the State Government also requests additional funding for Greening of the City programs (for the City's ovals, parks and verges) given the drought and its effect in our region especially with regards to lead levels due to raised dust.

A seconder was not sought as the Mayor accepted Councillor Kennedy's amendment as part of the Mayoral Minute.

The Mayoral Minute was put.

RESOLUTION

Minute No. 46145

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

1. That Mayoral Minute No. 10/19 dated November 29, 2019, be received.
2. That Council support ongoing funding of the Broken Hill Environmental Lead Program once the current program funding ceases on 30 June 2020.
3. That Council writes to New South Wales Environmental Protection Authority supporting its request for representations to the NSW Government to commit further funding.
4. That Council's correspondence to the State Government also requests additional funding for Greening of the City programs (for the City's ovals, parks and verges) given the drought and its effect in our region especially with regards to lead levels due to raised dust.

CARRIED UNANIMOUSLY

Councillor Browne returned to the Council Chamber at 6:39p.m. The Mayor advised Councillor Browne of Council's resolution of the Mayoral Minute.

NOTICES OF MOTION

Nil.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

ITEM 2 - REPORTS FROM DELEGATES NO. 4/19 - DATED DECEMBER 02, 2019 - ATTENDANCE AT MURRAY DARLING ASSOCIATION NATIONAL CONFERENCE HELD IN TOOWOOMBA FROM 22-24 OCTOBER 2019 11/501

Motion

Councillor M. Browne moved) 1. That Reports from Delegates No. 4/19 dated
Councillor M. Clark seconded) December 2, 2019, be received.

Amendment

Councillor T. Kennedy moved) 1. That Reports from Delegates No. 4/19 dated
Councillor B. Algate seconded) December 2, 2019, be received.

2. That Council writes to the Premier of NSW, the NSW Water Minister and the Local Member regarding the Murray Darling Basin Plan and their proposal to include evaporation as an environmental asset. The correspondence advises that Council supports natural storages including Menindee Lakes and the Darling River as a natural storage; and that the evaporation losses be counted towards the 2700gl of environment water flow to return as part of the Murray Darling Basin Plan.

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

The motion was put.

RESOLUTION

Minute No. 46146
Councillor M. Browne moved) 1. That Reports from Delegates No. 4/19 dated
Councillor M. Clark seconded) December 2, 2019, be received.

2. That Council writes to the Premier of NSW, the NSW Water Minister and the Local Member regarding the Murray Darling Basin Plan and their proposal to include evaporation as an environmental asset. The correspondence advises that Council supports natural storages including Menindee Lakes and the Darling River as a

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natural storage; and that the evaporation losses be counted towards the 2700gl of environment water flow to return as part of the Murray Darling Basin Plan

CARRIED UNANIMOUSLY

ITEM 3 - REPORTS FROM DELEGATES NO. 5/19 - DATED DECEMBER 02, 2019 - ATTENDANCE AT THE 2019 NSW LOCAL GOVERNMENT CONFERENCE, HELD AT WARWICK FARM FROM 14-16 OCTOBER 2019 13/147

Resolved

1. That Reports from Delegates No. 5/19 dated December 2, 2019, be received.

RESOLUTION

Minute No. 46147

Councillor M. Browne moved)

Councillor C. Adams seconded)

CARRIED UNANIMOUSLY

ITEM 4 - REPORTS FROM DELEGATES NO. 6/19 - DATED DECEMBER 02, 2019 - ATTENDANCE AT ASSOCIATION OF MINING AND ENERGY RELATED COUNCILS (NSW) MEETINGS HELD 7-8 NOVEMBER 2019 11/195

Councillors congratulated Councillor Nolan for the vote of thanks that he received from the Association of Mining and Energy Related Councils, for seven years of service on the Association.

Resolved

1. That Reports from Delegates No. 6/19 dated December 2, 2019, be received.

RESOLUTION

Minute No. 46148

Councillor J. Nolan moved)

Councillor R. Page seconded)

CARRIED UNANIMOUSLY

REPORTS

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 206/19 - DATED OCTOBER 30, 2019 - ESTABLISHMENT OF PANEL OF CONDUCT REVIEWERS 13/100

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

1. That Broken Hill City Council Report No. 206/19 dated October 30, 2019, be received.
2. That the following thirteen organisations be appointed to serve on Council's Code of Conduct Review Panel for a period of four years from the date of resolution by Council.
 - a) Strategic Risk Solution
 - b) O'Connell Group
 - c) Centium Group Pty Ltd
 - d) VCA Services Pty Ltd

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- e) Nemisis Consultancy Group
- f) WEIR Consulting
- g) Australian Workplace Training & Investigation
- h) Train Reaction Pty Ltd
- i) Workdynamic Australia
- j) Winton Consulting
- k) Penulbury Workplace Law Solutions
- l) BAL Lawyers
- m) McCollough Robertson

Amendment

- Councillor T. Kennedy moved)
Councillor B. Algate seconded)
1. That Broken Hill City Council Report No. 206/19 dated October 30, 2019, be received.
 2. That Council writes to the NSW Government requesting that they invest a larger amount of funding to manage Code of Conduct Complaints to ensure that they are conducted effectively and efficiently and that Council does not adopt the establishment of a Code of Conduct Review Panel until Council receives a response; and the matter is presented again to Council.

LOST

Councillor Browne foreshadowed a motion (report recommendation).

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

- Councillor M. Browne moved)
Councillor C. Adams seconded)
1. That Broken Hill City Council Report No. 206/19 dated October 30, 2019, be received.
 2. That the following thirteen organisations be appointed to serve on Council's Code of Conduct Review Panel for a period of four years from the date of resolution by Council.
 - a) Strategic Risk Solution
 - b) O'Connell Group
 - c) Centium Group Pty Ltd
 - d) VCA Services Pty Ltd
 - e) Nemisis Consultancy Group
 - f) WEIR Consulting
 - g) Australian Workplace Training & Investigation
 - h) Train Reaction Pty Ltd
 - i) Workdynamic Australia
 - j) Winton Consulting
 - k) Penulbury Workplace Law Solutions
 - l) BAL Lawyers
 - m) McCollough Robertson

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Amendment

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

1. That Broken Hill City Council Report No. 206/19 dated October 30, 2019, be received.
2. That the two organisations whose previous determinations of Council's Code of Conduct matters which were proven incorrect by the Office of Local Government, not be included on Council's Code of Conduct Review Panel.
3. That the following eleven organisations be appointed to serve on Council's Code of Conduct Review Panel for a period of four years from the date of resolution by Council.
 - a) Centium Group Pty Ltd
 - b) VCA Services Pty Ltd
 - c) Nemesis Consultancy Group
 - d) WEIR Consulting
 - e) Australian Workplace Training & Investigation
 - f) Train Reaction Pty Ltd
 - g) Workdynamic Australia
 - h) Winton Consulting
 - i) Penulbury Workplace Law Solutions
 - j) BAL Lawyers
 - k) McCollough Robertson.

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

The motion was put.

RESOLUTION

Minute No. 46149

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

1. That Broken Hill City Council Report No. 206/19 dated October 30, 2019, be received.
2. That the two organisations whose previous determinations of Council's Code of Conduct matters which were proven incorrect by the Office of Local Government, not be included on Council's Code of Conduct Review Panel.
3. That the following eleven organisations be appointed to serve on Council's Code of Conduct Review Panel for a period of four years from the date of resolution by Council.
 - a) Centium Group Pty Ltd
 - b) VCA Services Pty Ltd
 - c) Nemesis Consultancy Group
 - d) WEIR Consulting
 - e) Australian Workplace Training & Investigation
 - f) Train Reaction Pty Ltd
 - g) Workdynamic Australia
 - h) Winton Consulting
 - i) Penulbury Workplace Law Solutions

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- j) BAL Lawyers
- k) McCollough Robertson.

CARRIED UNANIMOUSLY

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 207/19 - DATED NOVEMBER 11, 2019 -
DRAFT PRIVACY MANAGEMENT PLAN AND DRAFT ACCESS TO INFORMATION POLICY FOR
PUBLIC EXHIBITION** 11/371, 12/14

Resolved

1. That Broken Hill City Council Report No. 207/19 dated November 11, 2019, be received.
2. That the Draft Privacy Management Plan be exhibited for public comment for a 28-day period.
3. That the Draft Access to Information Policy be exhibited for public comment for a 28-day period.
4. That 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 Privacy Management Plan and the Draft Access to Information Policy.
5. That Council note the development of a draft Privacy Management Framework.

RESOLUTION

Minute No. 46150

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

CARRIED

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

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 208/19 - DATED NOVEMBER 22, 2019 -
DRAFT BROKEN HILL REGIONAL ART GALLERY POLICIES FOR PUBLIC EXHIBITION** 12/14

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

1. That Broken Hill City Council Report No. 208/19 dated December 2, 2019 be received.
2. That Council endorses the draft Broken Hill Regional Art Gallery Exhibition Policy and draft Broken Hill Regional Art Gallery Collection Management Policy for the purpose of public exhibition.
3. That Council publicly exhibits the draft Broken Hill Regional Art Gallery Exhibition Policy and the Broken Hill Regional Art Gallery Collection Management 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 Broken Hill Regional Art Gallery Exhibition

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Policy and the Broken Hill Regional Art Gallery Collection Management Policy, as Policies of Council.

Amendment

Councillor R. Page moved)
Councillor B. Algate seconded)

1. That consideration of Broken Hill City Council Report No. 208/19 dated December 2, 2019 be deferred and the draft Broken Hill Regional Art Gallery Collection Management Policy and the draft Broken Hill Regional Art Gallery Exhibition Policy be referred back to staff to revise the policies with regards to the processes for the disposal of art works.

Motion of Dissent

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

1. That the Mayor make a Code of Conduct ruling on Councillor Clark's comments that other Councillors had implied that illegal practices had occurred with the selling of art works.

LOST

FOR: Crs Algate, Kennedy and Page

AGAINST: Crs Adams, Browne, Clark, Gallagher, Nolan and Turley

Amendment

Councillor R. Page moved)
Councillor B. Algate seconded)

1. That consideration of Broken Hill City Council Report No. 208/19 dated December 2, 2019 be deferred and the draft Broken Hill Regional Art Gallery Collection Management Policy and the draft Broken Hill Regional Art Gallery Exhibition Policy for staff to revise the policies with regards to the accessioning and de-accessioning of art works.

LOST

FOR: Cr Page

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

The original motion was put.

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

1. That Broken Hill City Council Report No. 208/19 dated December 2, 2019 be received.
2. That Council endorses the draft Broken Hill Regional Art Gallery Exhibition Policy and draft Broken Hill Regional Art Gallery Collection Management Policy for the purpose of public exhibition.
3. That Council publicly exhibits the draft Broken Hill Regional Art Gallery Exhibition

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Policy and the Broken Hill Regional Art Gallery Collection Management 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 Broken Hill Regional Art Gallery Exhibition Policy and the Broken Hill Regional Art Gallery Collection Management Policy, as Policies of Council.

Amendment

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

1. That Broken Hill City Council Report No. 208/19 dated December 2, 2019 be received.

2. That Council endorses the draft Broken Hill Regional Art Gallery Exhibition Policy and the draft Broken Hill Regional Art Gallery Collection Management Policy (with the following amendments) for the purpose of public exhibition:

- page 3, clause 7, paragraph 5 to read: "All proposed Acquisitions with a purchase price over the Gallery and Museum Manager's delegation must be approved by a Council resolution (with exception of the Pro Hart Outback Art Prize acquisition)."

- page 6, clause 10.3, paragraph 1 to read: "Disposal of an artwork shall be undertaken in a manner considered most appropriate to the collection and to the future of the work. Works identified for disposal will be valued by a recognised valuer and offered for sale, exchange or donation (limited to art works that do not exceed \$500.00 in value otherwise if the said artwork exceeds \$500.00 in value then a Council resolution will be required for its disposal), in the following priority order:"

3. That Council publicly exhibits the draft Broken Hill Regional Art Gallery Exhibition Policy and the Broken Hill Regional Art Gallery Collection Management Policy (once amended) 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

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Broken Hill Regional Art Gallery Exhibition
Policy and the Broken Hill Regional Art
Gallery Collection Management Policy, as
Policies of Council.

LOST

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

Councillor Gallagher foreshadowed an amendment.

Amendment

Councillor D. Gallagher moved)
Councillor R. Page seconded)

1. That consideration of Broken Hill City Council Report No. 208/19 dated December 2, 2019 be deferred.
2. That the draft Broken Hill Regional Art Gallery Exhibition Policy and the Broken Hill Regional Art Gallery Collection Management Policy be referred to the Broken Hill Regional Art Gallery Advisory Group and the Our Community Key Direction Working Group to review the draft policies with regards to accessioning and de-accessioning of artworks and provides a report to the February 2020 Council Meeting.

CARRIED UNANIMOUSLY

The amendment becomes the motion.

RESOLUTION

Minute No. 46151

Councillor D. Gallagher moved)
Councillor R. Page seconded)

1. That consideration of Broken Hill City Council Report No. 208/19 dated December 2, 2019 be deferred.
2. That the draft Broken Hill Regional Art Gallery Exhibition Policy and the Broken Hill Regional Art Gallery Collection Management Policy be referred to the Broken Hill Regional Art Gallery Advisory Group and the Our Community Key Direction Working Group to review the draft policies with regards to accessioning and de-accessioning of artworks and provides a report to the February 2020 Council Meeting.

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 209/19 - DATED NOVEMBER 26, 2019 -
DRAFT ENTERPRISE RISK MANAGEMENT POLICY AND FRAMEWORK REVIEW PROJECT
REPORT**

13/19

Councillor J. Nolan moved)
Councillor D. Gallagher seconded)

1. That Broken Hill City Council Report No. 209/19 dated November 26, 2019 be received.

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2. That Council endorses the draft Enterprise Risk Management Policy for the purpose of public exhibition.
3. That Council publicly exhibits the draft Enterprise Risk Management Policy and accepts submissions from the public for a period of 28 days.
4. That Council received a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the draft Enterprise Risk Management Policy.

Amendment

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

1. That Broken Hill City Council Report No. 209/19 dated November 26, 2019, be received.
2. That Council endorses the draft Enterprise Risk Management Policy for the purpose of public exhibition with the following amendments to Clause 4.1 Target Levels of Risk – Risk Appetite on page 2 of the draft policy to read:
 - first dot point, change “no or low appetite” to “no appetite”.
 - second dot point, change “no or low appetite” to “no appetite”
 - third dot point change “no or low appetite” to “no appetite”.
 - fourth dot point, change “moderate appetite” to “low appetite”.
 - fifth dot point, change “cautious or moderate approach” to “cautious or low approach”.
 - sixth dot point, change “moderate appetite” to “low appetite”.
3. That Council publicly exhibits the draft Enterprise Risk Management Policy (once amended) 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 Enterprise Risk Management Policy.

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LOST

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

The motion was put.

- Councillor J. Nolan moved)
Councillor D. Gallagher seconded)
1. That Broken Hill City Council Report No. 209/19 dated November 26, 2019 be received.
 2. That Council endorses the draft Enterprise Risk Management Policy for the purpose of public exhibition.
 3. That Council publicly exhibits the draft Enterprise Risk Management 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 Enterprise Risk Management Policy.

Motion of Dissent

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

On the Mayor's ruling not to accept Councillor Kennedy's question after the mover has used their right of reply.

LOST

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

The motion was put.

RESOLUTION

Minute No. 46152

- Councillor J. Nolan moved)
Councillor D. Gallagher seconded)
1. That Broken Hill City Council Report No. 209/19 dated November 26, 2019 be received.
 2. That Council endorses the draft Enterprise Risk Management Policy for the purpose of public exhibition.
 3. That Council publicly exhibits the draft Enterprise Risk Management Policy and accepts submissions from the public for a period of 28 days.
 5. 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

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Enterprise Risk Management Policy.

CARRIED

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

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 210/19 - DATED NOVEMBER 01, 2019 -
ADOPTION OF NEW AND AMENDED FEES AND CHARGES FOR THE NEW ANIMAL SHELTER
(ANIMAL POUND)** 11/660

Resolved

1. That Broken Hill City Council Report No. 210/19 dated November 1, 2019, be received.
2. That Council adopts the proposed fees and charges for the new Council Animal Shelter and Council's adopted Schedule of Fees and Charges for 2019/2020 be amended accordingly.
3. That the new and amended fees and charges become effective on the day of commencement of operations at the Council Animal Shelter.

RESOLUTION

Minute No. 46153

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

CARRIED

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

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 211/19 - DATED NOVEMBER 26, 2019 -
COMMUNITY ASSISTANCE GRANTS AWARDED FOR ROUND 2 OF 2019/2020** 19/44

Resolved

1. That Broken Hill City Council Report No. 211/19 dated November 26, 2019, be received.
2. That Council notes the Community Assistance Grants awarded for Round Two of 2019/2020 which were recommended by the Panel on 21 November 2019 and endorsed by the General Manager on 25 November 2019.

RESOLUTION

Minute No. 46154

Councillor C. Adams moved)
Councillor J. Nolan seconded)

CARRIED UNANIMOUSLY

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**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 218/19 - DATED DECEMBER 04, 2019 -
INVESTMENT REPORT FOR NOVEMBER 2019** 17/82

Resolved

1. That Broken Hill City Council Report No. 218/19 dated December 4, 2019, be received.

RESOLUTION

Minute No. 46155

Councillor T. Kennedy moved)
Councillor M. Browne seconded) CARRIED UNANIMOUSLY

COMMITTEE REPORTS

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 212/19 - DATED NOVEMBER 27, 2019 -
S355 COMMUNITY COMMITTEE - NORM FOX SPORTING COMPLEX** 12/53

Resolved

1. That Broken Hill City Council Report No. 212/19 dated November 27, 2019, be received.
2. That Council accepts the resignation of S355 Norm Fox Sporting Complex Community Committee members Mr Don Campbell, Mr Fred Billing and Mr Denis Watts.
3. That Council forward letters of appreciation and gratitude to the outgoing members of the S355 Norm Fox Sporting Complex Community Committee for their contribution to the committee and community and request that the Chairperson return all relevant records and funds to Council.
4. That Council support a BBQ be held at the Norm Fox Sporting Complex as a gesture of appreciation for longstanding S355 Norm Fox Sporting Complex Community Committee members, Mr. Don Campbell, Mr. Fred Billing and Mr. Denis Watts as well as to welcome the incoming Committee.
5. That Council accepts the nomination of Ms Sonja McEvoy as a community representative on the S355 Norm Fox Sporting Complex Community Committee, subject to meeting constitutional structure and membership criteria.
6. That Council accepts the nomination of Broken Hill Cricket League members, Peter Johnston, Ben Franklyn, Peter McDonald, Ashley Bates, Paul Attard, Mackenzie Attard, Shane Dalby and Trent Schaefer to form the S355 Norm Fox Sporting Complex Community Committee, subject to meeting constitutional structure and membership criteria.

RESOLUTION

Minute No. 46156

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

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 213/19 - DATED NOVEMBER 21, 2019 -
MINUTES OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE
MEETINGS HELD NOVEMBER 19, 2019** 12/51

Resolved

1. That Broken Hill City Council Report No. 213/19 dated November 21, 2019, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held October 15, 2019 be received.

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RESOLUTION

Minute No. 46157

Councillor M. Browne moved)

Councillor M. Clark seconded)

CARRIED UNANIMOUSLY

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 214/19 - DATED NOVEMBER 28, 2019 -
MINUTES OF THE BROKEN HILL COMMUNITY STRATEGIC PLAN ROUND TABLE COMMITTEE
MEETING HELD 21 AUGUST 2019**

13/145

Resolved

1. That Broken Hill City Council Report No. 214/19 dated November 28, 2019, be received.
2. That the minutes of the Broken Hill Community Strategic Plan Round Table committee meeting held 21 August 2019 be received.

RESOLUTION

Minute No. 46158

Councillor C. Adams moved)

Councillor M. Clark seconded)

CARRIED UNANIMOUSLY

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 215/19 - DATED DECEMBER 02, 2019 -
MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD 5 NOVEMBER
2019**

12/52

Resolved

1. That Broken Hill City Council Report No. 215/19 dated December 2, 2019, be received.
2. That minutes of the Memorial Oval Community Committee Meeting held 5 November 2019 be received.

RESOLUTION

Minute No. 46159

Councillor D. Gallagher moved)

Councillor C. Adams seconded)

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

Nil.

The Mayor advised that due to the short turn-around between the November and December Council Meetings, the questions taken on notice at the November 2019 Council Meeting will be reported to the February 2020 Council Meeting.

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

Councillor Training (from Item 8)

Councillor Kennedy requested that Councillor training be conducted early in the New Year on the Code of Meeting Practice and meeting procedures.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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Councillor Training (from Item 8)

The Mayor requested that Councillor training be conducted early in the New Year on Risk Management.

Investment Report for November 2019 (item 11)

Councillor Kennedy asked for clarification on the invested money (\$16M Operating Capital and Internal Restrictions, \$600K Royalties Reserve, \$4M Domestic Waste Management Reserve, \$2M Grants, \$400K Developer Contributions) how much of the \$10M loan is included in the \$16M.

Airport Kiosk Lease

Councillor Algate asked for an update to the February 2020 Council Meeting regarding the status of the Airport Kiosk Lease.

Christmas Lighting

Councillor Kennedy asked why Council is not celebrating the Festive Season and has not put up Christmas lighting around the City?

October 2019 Quarterly Budget Report

Councillor Kennedy referred to the Quarterly Budget Report which states an additional expenditure of \$440,000 for the upgrade of the Iodide/Argent Street intersection and that Council had received grant funding of \$300,000 and asked why Council contributed the additional funding of \$440,000 for the project? And where did this funding come from given that the intersection is part of a designated State Highway?

CONFIDENTIAL MATTERS

RESOLUTION

Minute No. 46160

Councillor J. Nolan moved) That the meeting be closed to the public in
Councillor D. Gallagher 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 8:19p.m.

ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 216/19 - DATED NOVEMBER 29, 2019 - TENDER 19/8 FOR THE SUPPLY OF BULK MATERIALS - TENDER SUBMISSIONS -

CONFIDENTIAL

T19/8

(General Manager's Note: This report considers a tender 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. 216/19 dated November 29, 2019, be received.
2. That E.B Mawson & Sons Pty Ltd be awarded the contract for supply of aggregate, road base, concrete, crusher dust and loam to Broken Hill City Council for a 12 month contract.
3. That Downer EDI Works Pty Ltd be awarded the contract for supply of bitumen, emulsion and cutter oil to Broken Hill City Council for a 12 month contract.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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RESOLUTION

Minute No. 46161

Councillor C. Adams moved)

Councillor M. Browne seconded)

CARRIED UNANIMOUSLY

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 217/19 - DATED DECEMBER 03, 2019 -
TENDER DIR19:2986 - FOR LEAD REMEDIATION TO SOUTH ROAD BLOCK 10 - CONFIDENTIAL**

11/147

(General Manager's Note: This report considers Request for tender for lead remediation works on South Road Block 10 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).

Councillor Browne declared a non-pecuniary interest in Item 17 and left the Council Chambers at 8:21p.m.

Resolved

1. That Broken Hill City Council Report No. 217/19 dated December 3, 2019, be received.
2. That Council awards Tender DIR19:2986 to the value of \$176,863.72 to Solcon Trading P/L to undertake the required lead remediation works on South Road Block 10.

RESOLUTION

Minute No. 46162

Councillor C. Adams moved)

Councillor J. Nolan seconded)

CARRIED UNANIMOUSLY

Councillor Browne returned to the Council Chambers at 8:22p.m. The Mayor advised Councillor Browne of Council's resolution regarding Item 17.

RESOLUTION

Minute No. 46163

Councillor D. Gallagher moved)

Councillor J. Nolan seconded)

That the meeting resume in open session.

CARRIED UNANIMOUSLY

Members of the media and public returned to the Council Chambers at 8:23p.m.

At the Mayor's invitation, the General Manager read the resolutions of the items considered in closed session.

The Mayor wished all Councillors, staff, media, members of the public present in the Gallery and on social media, a Merry Christmas and a safe and happy festive season.

There being no further business the Mayor closed the meeting at 8:24 p.m.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 26 FEBRUARY 2020.)

CHAIRPERSON