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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
MARCH 25, 2020

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The Minutes of the Ordinary Council Meeting held March 25, 2020 have been amended as per the below resolution made by Council at the Ordinary Council Meeting held 29 April 2020 during the Minutes for Confirmation Section.

**MINUTES FOR CONFIRMATION**

**RESOLUTION**

**Minute No. 46232**

**Councillor C. Adams moved**

**Councillor M. Browne seconded**

)  
)

**Resolved**

**That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held March 25, 2020 be confirmed with an amendment to the voting of resolution 46219 to show voting for: Councillors Adams, Browne, Clark, Licul, Nolan and Turley and voting against: Councillors Kennedy and Page.**

**That the Minutes of the Extraordinary Meeting of the Council of the City of Broken Hill held April 08, 2020 be confirmed.**

**CARRIED**

**FOR: Councillors Adams, Algate, Browne, Clark, Kennedy, Licul, Nolan, Page, Turley**  
**AGAINST: Councillor Kennedy**

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Meeting commenced at 6:30p.m.

**PRESENT:**

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

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

Media – nil, Members of the Public – nil.

*Due to the COVID-19 pandemic and the government's protocol for social distancing and indoor gatherings, the meeting was closed to the public and media. Council advertised prior to the meeting to encourage members of the public and media to watch the livestreaming of the meeting on Council's Facebook page.*

**APOLOGIES:**

Councillors B. Algate and D. Gallagher.

**RESOLUTION**

Minute No. 46206

Councillor R. Page moved  
Councillor M. Clark seconded

) That the apologies submitted on behalf of  
) Councillors Algate and Gallagher be accepted  
and leave of absence granted.

CARRIED UNANIMOUSLY

**PRAYER**

Councillor Adams delivered the prayer.

**ACKNOWLEDGEMENT OF COUNTRY**

Councillor Adams delivered the Acknowledgment of Country.

**MINUTES FOR CONFIRMATION**

**RESOLUTION**

Minute No. 46207

Councillor M. Browne moved  
Councillor J. Nolan seconded

) That the Minutes of the Ordinary Meeting of the  
) Council of the City of Broken Hill held February  
26, 2020 be confirmed.

CARRIED UNANIMOUSLY

## DISCLOSURE OF INTEREST

Councillor Kennedy declared:

- a conflict of interest in Item 2 of confidential matters and advised that he will leave the Council Chambers whilst the item is considered.

## MAYORAL MINUTES

### ITEM 1 - MAYORAL MINUTE NO. 4/20 - DATED MARCH 20, 2020 - CALL FOR ECONOMIC STIMULUS PACKAGE FOR NSW COUNCILS

11/175

#### Motion

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

1. That Mayoral Minute No. 4/20 dated March 20, 2020, be received.
2. That Council supports Local Government NSW's efforts in calling for Federal and State Governments to direct economic stimulus packages to local governments; and writes to its State and Federal Members and relevant State and Federal Ministers advocating for same.
3. That a media release be distributed outlining Council's support of Local Government NSW's initiative to seek government stimulus packages for local Councils in response to the global COVID-19 pandemic.

#### Amendment

Councillor T. Kennedy moved )  
Councillor R. Page seconded )

1. That Mayoral Minute No. 4/20 dated March 20, 2020, be received.
2. That Council supports Local Government NSW's efforts in calling for Federal and State Governments to direct economic stimulus packages to local governments; and writes to its State and Federal Members and relevant State and Federal Ministers emphasising the impact of the COVID-19 pandemic on local businesses and their ability to pay Council rates, and the need for Council's to receive the same stimulus packages that are being given to private businesses.

LOST

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FOR: Councillors Kennedy and Page

AGAINST: Councillors Adams, Browne, Clark, Licul, Nolan and Turley

The original motion was put.

**RESOLUTION**

Minute No. 46208

Councillor D. Turley moved

Councillor M. Browne seconded

)

)

1. That Mayoral Minute No. 4/20 dated March 20, 2020, be received.
2. That Council supports Local Government NSW's efforts in calling for Federal and State Governments to direct economic stimulus packages to local governments; and writes to its State and Federal Members and relevant State and Federal Ministers advocating for same.
3. That a media release be distributed outlining Council's support of Local Government NSW's initiative to seek government stimulus packages for local Councils in response to the global COVID-19 pandemic.

CARRIED UNANIMOUSLY

**ITEM 2 - MAYORAL MINUTE NO. 5/20 - DATED MARCH 25, 2020 - ENACTMENT OF COUNCIL'S BUSINESS CONTINUITY PLAN DUE TO THE COVID-19 PANDEMIC**

16/165, 11/264

Motion

Councillor D. Turley moved

Councillor C. Adams seconded

)

)

1. That Mayoral Minute No. 5/20 dated March 25, 2020, be received.
2. That Council note the actions of the General Manager to enact the Business Continuity Plan and stand up the Continuity Management Team.
3. That Council make amendments to the Procurement Policy to allow for all purchases below \$5,000 to be purchased directly from local suppliers, where practicable.
4. That all purchases above \$5,000 will be awarded to local suppliers if they are the most competitive in monetary terms and/or if they fall within 10% of the most competitive quotation.
5. That Council updates its Statement of Business terms to reduce payment terms

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from 30 days to seven (7) days, to allow timely payments to businesses.

6. That Council amend its Debt Recovery Policy to freeze all debt recovery action on unpaid rates.
7. That Council amend its Statement of Revenue to reduce the overdue interest rate on unpaid rates from 7.5% to 0%.
8. That resolution three, four, five and six be in place until 30 June 2020, with the view to review again as part of the 2020/21 Operational Plan.
9. That Council note the devastating impacts to Council's financial position due to COVID-19.

Amendment

Councillor T. Kennedy moved

)

1. That Mayoral Minute No. 5/20 dated March 25, 2020, be received.
2. That Council note the actions of the General Manager to enact the Business Continuity Plan and stand up the Continuity Management Team.
3. That Council make amendments to the Procurement Policy to allow for all purchases below \$5,000 to be purchased directly from local suppliers, where practicable.
4. That all purchases above \$5,000 will be awarded to local suppliers if they are the most competitive in monetary terms and/or if they fall within 10% of the most competitive quotation.
5. That Council updates its Statement of Business terms to reduce payment terms from 30 days to seven (7) days, to allow timely payments to businesses.
6. That Council amend its Debt Recovery Policy to freeze all debt recovery action on unpaid rates.
7. That Council amend its Statement of Revenue to reduce the overdue interest rate on unpaid rates from 7.5% to 0%.
8. That resolution three, four, five, six and ten be in place until 30 June 2020, with the view to review again as part of the 2020/21 Operational Plan.

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9. That Council note the devastating impacts to Council's financial position due to COVID-19.
10. That Council defer business rates for businesses who have closed or been severely affected due to the COVID-19 pandemic and Council writes to the State and Federal Member and State and Federal Ministers to supply our Council with interest free loans or low interest loans to cover the short term cash flow problems caused by enacting the deferral of business rates.
11. That Council writes to the State and Federal Member and State and Federal Ministers requesting that Council receives the same economic stimulus packages that are being offered to small and medium businesses in Australia, to protect Council's employees.

LAPSED  
For want of a Seconder

The original motion was put.

**RESOLUTION**

Minute No. 46209

Councillor D. Turley moved  
Councillor C. Adams seconded

- ) 1. That Mayoral Minute No. 5/20 dated March 25, 2020, be received.
- ) 2. That Council note the actions of the General Manager to enact the Business Continuity Plan and stand up the Continuity Management Team.
3. That Council make amendments to the Procurement Policy to allow for all purchases below \$5,000 to be purchased directly from local suppliers, where practicable.
4. That all purchases above \$5,000 will be awarded to local suppliers if they are the most competitive in monetary terms and/or if they fall within 10% of the most competitive quotation.
5. That Council updates its Statement of Business terms to reduce payment terms from 30 days to seven (7) days, to allow timely payments to businesses.
6. That Council amend its Debt Recovery Policy to freeze all debt recovery action on unpaid rates.

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7. That Council amend its Statement of Revenue to reduce the overdue interest rate on unpaid rates from 7.5% to 0%.
8. That resolution three, four, five and six be in place until 30 June 2020, with the view to review again as part of the 2020/21 Operational Plan.
9. That Council note the devastating impacts to Council's financial position due to COVID-19.

CARRIED

FOR: Councillors Adams, Browne, Clark, Licul, Nolan, Page and Turley  
AGAINST: Councillor Kennedy

### NOTICES OF MOTION

Nil.

### RESCISSION MOTIONS

Nil.

### REPORTS FROM DELEGATES

Nil.

### REPORTS

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 31/20 - DATED MARCH 04, 2020 - OFFICE OF LOCAL GOVERNMENT DISCUSSION PAPER - COUNCILLOR SUPERANNUATION** 11/20

Motion

Councillor M. Browne moved )  
Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 31/20 dated March 4, 2020, be received.
2. That Council notes Office of Local Government Circular 20-05 and Office of Local Government Discussion Paper – Councillor Superannuation.
3. That a media release be issued to the community and the community be encouraged to make submissions directly to the Office of Local Government prior to 8 May 2020.
4. That the General Manager seeks comments from staff to be included in Council's submission.

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5. That Councillors be invited to forward their comments to the General Manager's Office by 5 May 2020 to be included in Council's submission to the Office of Local Government prior to 8 May 2020.
6. That a Councillor Workshop be held during April to explore the implications of the various options outlined in the Local Government Discussion Paper – Councillor Superannuation.

Amendment

Councillor T. Kennedy moved

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1. That consideration of the report be deferred pending a Councillor Workshop on the matter.

LAPSED

For want of a Seconder

The original motion was put.

Motion

Councillor M. Browne moved

)

Councillor M. Clark seconded

)

1. That Broken Hill City Council Report No. 31/20 dated March 4, 2020, be received.
2. That Council notes Office of Local Government Circular 20-05 and Office of Local Government Discussion Paper – Councillor Superannuation.
3. That a media release be issued to the community and the community be encouraged to make submissions directly to the Office of Local Government prior to 8 May 2020.
4. That the General Manager seeks comments from staff to be included in Council's submission.
5. That Councillors be invited to forward their comments to the General Manager's Office by 5 May 2020 to be included in Council's submission to the Office of Local Government prior to 8 May 2020.
6. That a Councillor Workshop be held during April to explore the implications of the various options outlined in the Local Government Discussion Paper – Councillor Superannuation.



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Amendment

Councillor C. Adams moved ) 1. That consideration of the report be deferred  
Councillor T. Kennedy seconded ) indefinitely.

LOST

FOR: Councillors Adams and Kennedy  
AGAINST: Councillors Browne, Clark, Licul, Nolan, Page and Turley

The original motion was put.

Motion

Councillor M. Browne moved ) 1. That Broken Hill City Council Report No.  
Councillor M. Clark seconded ) 31/20 dated March 4, 2020, be received.

2. That Council notes Office of Local  
Government Circular 20-05 and Office of  
Local Government Discussion Paper –  
Councillor Superannuation.

3. That a media release be issued to the  
community and the community be  
encouraged to make submissions directly to  
the Office of Local Government prior to 8 May  
2020.

4. That the General Manager seeks comments  
from staff to be included in Council's  
submission.

5. That Councillors be invited to forward their  
comments to the General Manager's Office  
by 5 May 2020 to be included in Council's  
submission to the Office of Local Government  
prior to 8 May 2020.

6. That a Councillor Workshop be held during  
April to explore the implications of the various  
options outlined in the Local Government  
Discussion Paper – Councillor  
Superannuation.

Amendment

Councillor T. Kennedy moved ) 1. That consideration of the report be deferred  
Councillor C. Adams seconded ) until the COVID-19 crisis has passed.

LOST

FOR: Councillors Adams and Kennedy  
AGAINST: Councillors Browne, Clark, Licul, Nolan, Page and Turley

The original motion was put.

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**RESOLUTION**

Minute No. 46210

Councillor M. Browne moved  
Councillor M. Clark seconded

- ) 1. That Broken Hill City Council Report No.  
) 31/20 dated March 4, 2020, be received.
2. That Council notes Office of Local  
Government Circular 20-05 and Office of  
Local Government Discussion Paper –  
Councillor Superannuation.
3. That a media release be issued to the  
community and the community be  
encouraged to make submissions directly to  
the Office of Local Government prior to 8 May  
2020.
4. That the General Manager seeks comments  
from staff to be included in Council's  
submission.
5. That Councillors be invited to forward their  
comments to the General Manager's Office  
by 5 May 2020 to be included in Council's  
submission to the Office of Local Government  
prior to 8 May 2020.
6. That a Councillor Workshop be held during  
April to explore the implications of the various  
options outlined in the Local Government  
Discussion Paper – Councillor  
Superannuation.

CARRIED

FOR: Councillors Browne, Clark, Licul, Nolan, Page and Turley  
AGAINST: Councillors Adams and Kennedy

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 32/20 - DATED MARCH 06, 2020 - 2020**  
**NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - CALL FOR MOTIONS**

11/304

**RESOLUTION**

Minute No. 46211

Councillor M. Clark moved  
Councillor J. Nolan seconded

- ) 1. That Broken Hill City Council Report No.  
) 32/20 dated March 6, 2020, be received.
2. That the Federal Government investigate and  
prepare a public report into the need for the  
urgent approval and development of new  
long distance, multi-gigawatt transmission  
lines and a redesigned grid to cope with the  
rapid expansion of renewable energy sources  
feeding into it. The approval process for new  
transmission lines can average a decade and

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severely lags behind solar and wind developments which may take one to two years to be finalised. Such development is essential for Australia to reach its zero emission targets by 2050 and to significantly lower energy costs for Australian households and industry.

CARRIED UNANIMOUSLY

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 33/20 - DATED FEBRUARY 28, 2020 -  
ADOPTION OF DRAFT ASSET MANAGEMENT POLICY, ASSET MANAGEMENT STRATEGY AND  
BENCHMARKS FOR BUILDING ASSETS RATIONALISATION** 13/163

Motion

Councillor M. Browne moved )  
Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 33/20 dated February 28, 2020, be received.
2. That Council adopts the draft Asset Management Policy, draft Asset Management Strategy and draft Benchmarks for Building Asset Rationalisation, as strategic documents of Council.

Amendment

Councillor T. Kennedy moved )

1. That Broken Hill City Council Report No. 33/20 dated February 28, 2020, be received.
2. That Council adopts the draft Asset Management Policy, draft Asset Management Strategy and draft Benchmarks for Building Asset Rationalisation, as strategic documents of Council.
3. That Council, at a time convenient, assess and determine the National Assessment Framework targets.

LAPSED  
For want of a Seconder

The original motion was put.

**RESOLUTION**

Minute No. 46212

Councillor M. Browne moved )  
Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 33/20 dated February 28, 2020, be received.
2. That Council adopts the draft Asset Management Policy, draft Asset Management Strategy and draft Benchmarks for Building Asset Rationalisation, as strategic documents of Council.

CARRIED UNANIMOUSLY

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**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 34/20 - DATED MARCH 11, 2020 - 2019-2021 DELIVERY PROGRAM KEY PERFORMANCE INDICATORS PROGRESS REPORT FOR PERIOD ENDING 31 DECEMBER 2019, INCLUSIVE OF OPERATIONAL PLAN 2019/2020 OUTCOMES**

16/165

**Resolved**

1. That Broken Hill City Council Report No. 34/20 dated March 11, 2020, be received.
2. That Council adopt the 2019-2021 Delivery Program Key Performance Indicators Progress Report for period ending 31 December 2019, inclusive of Operational Plan 2019/2020 outcomes.

**RESOLUTION**

Minute No. 46213

Councillor T. Kennedy moved )

Councillor M. Clark seconded )

CARRIED UNANIMOUSLY

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 35/20 - DATED MARCH 05, 2020 - CORRESPONDENCE REPORT - SAVE OUR RECYCLING CAMPAIGN**

11/199

**Resolved**

1. That Broken Hill City Council Report No. 35/20 dated March 5, 2020, be received.
2. That reply correspondence dated 25 February 2020 from the Premier of NSW, The Hon Gladys Berejiklian MP, be received.
3. That reply correspondence dated 24 February 2020 from the Shadow Minister for Environment and Heritage, Kate Washington MP, be received.

**RESOLUTION**

Minute No. 46214

Councillor C. Adams moved )

Councillor M. Clark seconded )

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 36/20 - DATED MARCH 09, 2020 - MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 18 OCTOBER 2019**

13/19

**Resolved**

1. That Broken Hill City Council Report No. 36/20 dated March 9, 2020, be received.
2. That minutes of the Audit, Risk and Improvement Committee meeting held 20 February 2020 be received.

**RESOLUTION**

Minute No. 46215

Councillor J. Nolan moved )

Councillor M. Clark seconded )

CARRIED UNANIMOUSLY

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**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 37/20 - DATED MARCH 05, 2020 - INVESTMENT REPORT FOR FEBRUARY 2020**

17/82

Resolved

1. That Broken Hill City Council Report No. 37/20 dated March 5, 2020, be received.

**RESOLUTION**

Minute No. 46216

Councillor T. Kennedy moved )

Councillor C. Adams seconded )

CARRIED UNANIMOUSLY

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 38/20 - DATED MARCH 13, 2020 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 400 HELD TUESDAY, 10 MARCH 2020**

11/397

Resolved

1. That Broken Hill City Council Report No. 38/20 dated March 13, 2020, be received.
2. That the minutes for the Local Traffic Committee Meeting No.400 held Tuesday, 10 March 2020 be received.
3. That the following Item 400.6.1 – 158 Argent Street – Request to change parking times – Sufi Books & Bakery, be approved that the 3 parallel parks in Bromide Street be changed to 15-minute parking during business hours only.
4. That the following Item 400.8.1 – New Information signs for the Animal Shelter – Airport Road, be approved as per attached design with frangible poles.
5. That the following Item 399.6.1 – Additional disabled parking request in Argent Street – Demo Club, be approved that the current disabled parking sign is moved and an additional sign installed as per attached design.

**RESOLUTION**

Minute No. 46217

Councillor M. Browne moved )

Councillor R. Page seconded )

CARRIED UNANIMOUSLY

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 39/20 - DATED MARCH 13, 2020 - ACTION LIST REPORT**

11/21

Resolved

1. That Broken Hill City Council Report No. 39/20 dated March 13, 2020, be received.

**RESOLUTION**

Minute No. 46218

Councillor C. Adams moved )

Councillor B. Licul seconded )

CARRIED UNANIMOUSLY

## COMMITTEE REPORTS

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 1/20 - DATED MARCH 12, 2020 -  
SECTION 355 ET LAMB MEMORIAL OVAL COMMUNITY COMMITTEE - PROPOSED  
DISBANDING**

12/50

Motion

Councillor T. Kennedy moved ) 1. That Broken Hill City Council Report No. 1/20  
Councillor R. Page seconded ) dated March 12, 2020, be received.

LOST

*Councillor Adams foreshadowed a motion (report recommendation) should the motion be lost.*

FOR: Councillor Kennedy

AGAINST: Councillors Adams, Browne, Clark, Licul, Nolan, Page and Turley

The foreshadowed motion was put.

Motion

Councillor C. Adams moved ) 1. That Broken Hill City Council Report No. 1/20  
Councillor M. Browne seconded ) dated March 12, 2020, be received.

2. That Council adopt to disband the Section 355 ET Lamb Memorial Oval Committee and brings its care, maintenance and management under the control of Council operations.

3. That Council write to the Chairperson and request that all relevant records and funds be returned to Council.

4. That major user groups of the ET Lamb Memorial Oval be encouraged to consider an interest in joining the community committee to allow the Section 355 Community Committee to be reestablished in accordance with Section 355 Asset Manual and Section 355 ET Lamb Oval Community Committee Constitution.

5. That the three committee members and Council delegate be notified in writing of Council's decision and acknowledge the important role Section 355 Community Committees play in the Broken Hill community and express Council's appreciation and gratitude for their contribution to the committee and the community.

6. That the recent nominee for membership of the Section 355 ET Lamb Memorial Oval

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Community Committee, Mr Wayne Turley be advised that his nomination has been placed on hold subject to the determination of future management of the ET Lamb Memorial Oval Community Committee; due to the committee failing to meet the required membership quota and governance requirements.

Amendment

Councillor T. Kennedy moved  
Councillor R. Page seconded

)  
)

1. That the report be deferred until Council's Delegate on the ET Lamb Oval Community Committee (Councillor Gallagher) can advise Council on the Committee's issues and solutions to assist the Committee to meet the governance requirements.

LOST

FOR: Councillors Kennedy and Page

AGAINST: Councillors Adams, Browne, Clark, Licul, Nolan and Turley

The foreshadowed motion was put.

**RESOLUTION**

Minute No. 46219

Councillor C. Adams moved  
Councillor M. Browne seconded

)  
)

1. That Broken Hill City Council Report No. 1/20 dated March 12, 2020, be received.
2. That Council adopt to disband the Section 355 ET Lamb Memorial Oval Committee and brings its care, maintenance and management under the control of Council operations.
3. That Council write to the Chairperson and request that all relevant records and funds be returned to Council.
4. That major user groups of the ET Lamb Memorial Oval be encouraged to consider an interest in joining the community committee to allow the Section 355 Community Committee to be reestablished in accordance with Section 355 Asset Manual and Section 355 ET Lamb Oval Community Committee Constitution.
5. That the three committee members and Council delegate be notified in writing of Council's decision and acknowledge the important role Section 355 Community Committees play in the Broken Hill community and express Council's appreciation and gratitude for their contribution to the committee and the community.

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6. That the recent nominee for membership of the Section 355 ET Lamb Memorial Oval Community Committee, Mr Wayne Turley be advised that his nomination has been placed on hold subject to the determination of future management of the ET Lamb Memorial Oval Community Committee; due to the committee failing to meet the required membership quota and governance requirements.

CARRIED

FOR: Councillors Adams, Browne, Clark, Licul, Nolan and Turley  
AGAINST: Councillors Kennedy and Page

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 41/20 - DATED MARCH 10, 2020 - MINUTES OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETINGS HELD TUESDAY, 18 FEBRUARY 2020** 12/51

Resolved

1. That Broken Hill City Council Report No. 41/20 dated March 10, 2020, 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.

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 40/20 - DATED MARCH 17, 2020 - MINUTES OF THE PICTON OVAL COMMUNITY COMMITTEE MEETING HELD 16 MARCH 2020** 11/53

Resolved

1. That Broken Hill City Council Report No. 40/20 dated March 17, 2020, be received.
2. That minutes of the Picton Oval Community Committee meeting held 16 March 2020 be received.

Minute No. 46220

Councillor C. Adams moved	)	That the recommendations of items 13 to 14 be
Councillor M. Clark seconded	)	adopted.

CARRIED UNANIMOUSLY

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

**ITEM 15 - QUESTIONS ON NOTICE NO. 5/20 - DATED MARCH 04, 2020 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE FEBRUARY 2020 ORDINARY COUNCIL MEETING** 12/160, 11/141

Resolved

1. That Questions On Notice No. 5/20 dated March 4, 2020, be received.

## **RESOLUTION**



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Minute No. 46221

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

CARRIED UNANIMOUSLY

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

Council Chambers Public Toilets

*Councillor Kennedy asked if the public toilets at the Council Chambers could be opened for use by the people queuing outside Centrelink.*

Local Emergency Management Committee Meeting

*Councillor Kennedy asked where tomorrow's Local Emergency Management Committee Meeting was being held?*

*The Mayor advised that it was being held via videoconference.*

Councillor Kennedy indicated that he wished to move an urgent motion (of which he provided Councillors a hard copy just prior to the commencement of the meeting).

The Mayor ruled that the matter will be discussed at a meeting of Councillors to be held tomorrow (Thursday 26 March 2020) at 5:00pm.

Councillor Kennedy read his motion:

1. That Council supports effective isolation measures to protect from the Corona Virus for Broken Hill, Menindee, Wilcannia and all other population reliant on Broken Hill for services including health services.
2. That Council supports isolating the region under the same conditions that are currently in place in a number of states. This includes self-isolation for people entering the town, temperature testing at the airport and all access roads into Broken Hill including the Sydney road, before it reaches Wilcannia.
3. That the Mayor immediately contact via phone the State Health Minister Brad Hazzard, and the Federal Health Minister Greg Hunt informing them that we as a council and a community want to isolate using the same principles as a number of States.
4. That the Ministers be alerted to our unique circumstances. We have a high Aboriginal population in Broken Hill, Wilcannia and Menindee that will be gravely affected by an outbreak. The River communities will be particularly hard hit and this will quickly affect Broken Hill and the small number of ICU ventilators (maybe only five) and the health staff we have as a community. Broken Hill has a considerably older population than the rest of NSW and this will also impact the number of critically ill patients that will need ICU care.
5. That Council via the Mayor inform the appropriate NSW Minister that we need the Local Emergency Management Committee in consultation with the District Emergency Management Committee, the governing body of Council, the Central Darling Shire, the local health, the local education sector, business and all other key stakeholders to formulate a plan and to deliver that plan and effectively isolate the local region from the Corona Virus. And that the Mayor ensures once we have approval from the appropriate Minister to implement restrictions that the meeting with the above mentioned stakeholders and LEMC take place at the earliest possible time.

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6. That Council via the Mayor contact the District Emergency Management Officer Kel Wise for advice on managing city isolation.
7. That Council ask the Chair of the LEMC Mr James Roncon to facilitate a meeting with Council and key stakeholders including those stated above and for the General Manager Mr Roncon give an overview of the operations and the latest actions of the LEMC at this meeting or at the next available time.

Motion of Dissent

Councillor T. Kennedy moved ) On the ruling of the Mayor that this matter not  
Councillor R. Page seconded ) be dealt with at this meeting.

LOST

FOR: Councillors Kennedy and Page  
AGAINST: Councillors Adams, Browne, Clark, Licul, Nolan and Turley

**RESOLUTION**

Minute No. 46222 - Motion

Councillor M. Browne moved ) That Councillor Kennedy's late motion be  
Councillor M. Clark seconded ) referred to a meeting of Councillors to be held  
Thursday 26 March at 5:00pm.

CARRIED

FOR: Councillors Adams, Browne, Clark, Licul, Nolan and Turley  
AGAINST: Councillors Kennedy and Page

**RESOLUTION**

Minute No. 46223 - Motion

Councillor M. Clark moved ) That the meeting be closed to the public in  
Councillor C. Adams seconded ) accordance with Section 10(A)2 of the *Local  
Government Act 1993* whilst the confidential  
matters are considered.

CARRIED

*The livestreaming of the meeting ceased at 8:19pm.*

## CONFIDENTIAL MATTERS

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 42/20 - DATED FEBRUARY 28, 2020 -  
CONFIDENTIAL MINUTES FOR CONFIRMATION - ORDINARY COUNCIL MEETING HELD 26  
FEBRUARY 2020 - CONFIDENTIAL**

20/82

**(General Manager's Note:** This report considers confidential minutes for confirmation that relate to a matters and is deemed confidential under Section 10A(2) (a) (d) (i) of the Local Government Act, 1993 which contains matters that will involve the discussion of personnel matters concerning a particular individual; 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; AND which contains information regarding alleged contraventions of any Code of Conduct requirements applicable under section 440).

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Resolved

1. That Broken Hill City Council Report No. 42/20 dated February 28, 2020, be received.
2. That the confidential minutes of the Ordinary Council Meeting held 26 February 2020 be confirmed.

**RESOLUTION**

Minute No. 46224

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

CARRIED UNANIMOUSLY

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 43/20 - DATED MARCH 13, 2020 -  
CORRESPONDENCE REPORT - CODE OF CONDUCT NO. BHC20190528 AND 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. 46226

Councillor J. Nolan moved )  
Councillor M. Browne seconded )

1. That Broken Hill City Council Report No. 43/20 dated March 13, 2020, be received.
2. That correspondence received from the Office of Local Government regarding Code of Conduct matter BHC20190528 be received and noted

CARRIED UNANIMOUSLY

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 44/20 - DATED MARCH 13, 2020 - T19/9 -  
SUPPLY OF AN ARTICULATED LANDFILL COMPACTOR - CONFIDENTIAL**

T19/9

**(General Manager's Note:** This report considers Tender for an articulated landfill compactor 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. 44/20 dated March 13, 2020, be received.
2. That Cavpower CAT be awarded the contract for supply of an articulated landfill compactor, model 826K Compactor for \$838,027.19 Inc GST.

**RESOLUTION**

Minute No. 46227

Councillor B. Licul moved )  
Councillor J. Nolan seconded )

CARRIED UNANIMOUSLY

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 45/20 - DATED MARCH 24, 2020 -  
REDUCTION IN REGIONAL EXPRESS' (REX) HEAD TAX FROM 1 APRIL 2020 TO 31 DECEMBER  
2020 - CONFIDENTIAL**

19/69

**(General Manager's Note:** This report considers REX Head Tax Reduction and is deemed confidential under Section 10A(2) (d) of the Local Government Act, 1993 which provides for

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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. 45/20 dated March 24, 2020, be received.
2. That Council agree to the discounted head tax requested by REX for the period of 1 April 2020 to 31 December 2020 as detailed in the report.
3. That Council work with REX to reinstate the current 5 Year Partnership Agreement post 31 December 2020 or earlier as necessary.
4. That Council note the financial impacts this reduction will have on both the revised 2019/20 Budget and the upcoming 2020/21 Budget.

**RESOLUTION**

Minute No. 46228

Councillor C. Adams moved )

Councillor M. Clark seconded )

CARRIED UNANIMOUSLY

*The livestream was re-established at 8:31p.m.*

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

There being no further business the Mayor closed the meeting at 8:34p.m.

THE FOREGOING MINUTES WERE READ )  
AND CONFIRMED AT THE ORDINARY )  
MEETING OF THE BROKEN HILL CITY )  
COUNCIL HELD ON 29 APRIL 2020. )

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CHAIRPERSON