
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
JUNE 24, 2020

Meeting commenced at 6:26 p.m.

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. The meeting was held via videoconference.

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

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

Media - nil, Members of the Public - nil.

APOLOGIES: Nil

PRAYER

Councillor Adams delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 46275

Councillor C. Adams moved
Councillor M. Clark seconded

Resolved

) That the Minutes of the Ordinary Meeting of the
) Council of the City of Broken Hill held May 27,
2020 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Councillor Adams declared:

- a pecuniary conflict of interest in Item 9 (Report No. 82/20) as she is an Executive Member of the Sulphide Street Railway and Historical Museum who have been awarded a Community Assistance Grant and advised that she will leave the meeting whilst the item is considered.

MAYORAL MINUTES

Nil.

NOTICES OF MOTION

Nil.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Nil.

REPORTS

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 74/20 - DATED JUNE 17, 2020 -
CORRESPONDENCE REPORT - FEDERAL GOVERNMENT SUPPORT OF THE LOCAL
GOVERNMENT SECTOR**

11/175

RESOLUTION

Minute No. 46276

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

Resolved

1. That Broken Hill City Council Report No. 74/20 dated June 17, 2020, be received.
2. That correspondence dated 16 June 2020 from The Hon Ben Morton MP, Assistant Minister to the Prime Minister and Cabinet in reply to Council's letter to the Prime Minister seeking Federal Government support of the Local Government sector, be received.
3. That Council notes that its correspondence to the Prime Minister has been referred to the Minister for Regional Health, Regional Communications and Local Government, the Hon Mark Coulton MP.
4. That further correspondence be sent to relevant Ministers advocating for support of the Local Government sector through increased Financial Assistance Grants funding to assist Councils to recover from the impact of the COVID19 pandemic.

CARRIED UNANIMOUSLY

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**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 75/20 - DATED JUNE 17, 2020 -
CORRESPONDENCE REPORT - CONSTRUCTION OF THE WARRI GATE ROAD**

11/161

RESOLUTION

Minute No. 46277

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

Resolved

1. That Broken Hill City Council Report No. 75/20 dated June 17, 2020, be received.
2. That correspondence from the Mayor John Ferguson of Bulloo Shire Council dated 18 May 2020 advising of the progress of the construction and sealing of the Warri Gate Road and including Warri Gate Road Investing in the Bush Report, be received.
3. That Council provides its support to the Warri Gate Road Project and sends correspondence to the relevant Federal Ministers, advocating for the Federal Government to invest in the Warri Gate Road project to completion.

CARRIED UNANIMOUSLY

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 76/20 - DATED JUNE 02, 2020 - ANNUAL
FEES - MAYOR AND COUNCILLORS**

11/20

RESOLUTION

Minute No. 46278

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

Resolved

1. That Broken Hill City Council Report No. 76/20 dated June 2, 2020, be received.
2. That Council notes that the Local Government Remuneration Tribunal determined that there be no increase to the minimum and maximum fees applicable to Councillors and Mayor in each existing category for the financial year commencing 1 July 2020.
3. That Council also notes that the current annual fees paid to Broken Hill City Council's Mayor and Councillors is below the maximum fees determined for the category of "Regional Rural".
4. That Council declines an increase to the current fees for the Mayor and Councillors for 2020/2021 financial year.
5. That allocation of a fee for the Deputy Mayor when acting in the role as Mayor, being the daily fee based on the annual additional Mayoral fee; with the fee so payable deducted from the Mayor's fee, be reaffirmed.

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

Councillor Nolan joined the meeting after item 3 had been resolved and during discussion of item 4 (6:39pm).

ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 77/20 - DATED JUNE 05, 2020 - MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 29 MAY 2020 13/19

RESOLUTION

Minute No. 46279

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

Resolved

1. That Broken Hill City Council Report No. 77/20 dated June 5, 2020, be received.
2. That minutes of the Audit, Risk and Improvement Committee meeting held 29 May 2020 be received.
3. That Council endorses the recommendations of the Audit, Risk and Improvement Committee.

CARRIED

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

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 78/20 - DATED JUNE 12, 2020 - PROCUREMENT FRAMEWORK AND POLICY REVIEW 11/663

RESOLUTION

Minute No. 46280

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

Resolved

1. That Broken Hill City Council Report No. 78/20 dated June 12, 2020, be received.
2. That Council endorse the Draft Procurement Framework & Policy for public exhibition.
3. That that Draft Procurement Framework and Policy be placed on public display for 28 days in accordance with legislation.

CARRIED

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

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**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 79/20 - DATED MAY 13, 2020 - DRAFT
BROKEN HILL LOCAL STRATEGIC PLANNING STATEMENT** 19/75

RESOLUTION

Minute No. 46281

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

Resolved

1. That Broken Hill City Council Report No. 79/20 dated May 13, 2020, be received.
2. That Council endorse the draft Broken Hill Local Strategic Planning Statement for the purpose of public exhibition.
3. That Council publicly exhibits the draft Local Strategic Planning Statement and accepts submissions from the public for a period of 28 days.

CARRIED

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

Councillor Kennedy left the meeting at 7:05pm.

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 80/20 - DATED JUNE 04, 2020 - ADOPTION
OF DRAFT QUEEN ELIZABETH PARK PLAN OF MANAGEMENT** 20/103

RESOLUTION

Minute No. 46282

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

Resolved

1. That Broken Hill City Council Report No. 80/20 dated June 4, 2020, be received.
2. That Council refer the Draft Plan of Management for Queen Elizabeth Park to the Minister administering the *Crown Land Management Act 2016*
3. That following consent from the Minister, Council publicly exhibit the Draft Plan of Management for a period of no less than 28 days, in accordance with the *Local Government Act 1993*.
4. That the General Manager be authorised to sign any documents required to notify the Minister.

CARRIED UNANIMOUSLY

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**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 81/20 - DATED JUNE 10, 2020 -
INVESTMENT REPORT FOR MAY 2020**

17/82

RESOLUTION

Minute No. 46283 -

Councillor J. Nolan moved)

Councillor D. Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 81/20 dated June 10, 2020, be received.

CARRIED UNANIMOUSLY

Councillor Adams declared an interest in Item 9 and left the meeting at 7:08pm.

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 82/20 - DATED JUNE 05, 2020 -
COMMUNITY ASSISTANCE GRANTS AWARDED FOR ROUND 1 OF 2020/2021 AND
AMENDMENT OF THE COMMUNITY ASSISTANCE GRANTS POLICY FOR PUBLIC EXHIBITION**

20/44

RESOLUTION

Minute No. 46284

Councillor M. Clark moved)

Councillor D. Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 82/20 dated June 5, 2020, be received.
2. That Council notes the Community Assistance Grants awarded for Round One of 2020/2021 which were recommended by the Panel on 4 June 2020 and approved by the Acting General Manager.
3. That the unspent grant money of \$2,006.00 from Round 1 be rolled over to Round 2 of 2020/2021.
4. That the Assessment Criteria of the Community Assistance Grants Policy be amended at Clause 4.5.2(a) to remove the words "*in the fields of arts, culture or environment*" to allow applications from all eligible registered not-for-profit community organisations to be assessed equally.

CARRIED UNANIMOUSLY

Councillor Adams returned to the meeting at 7:10pm. The Mayor advised Councillor Adams that the report recommendation of item 9 had been adopted.

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ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 83/20 - DATED JUNE 15, 2020 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 403 HELD TUESDAY, 9 JUNE 2020 11/397

RESOLUTION

Minute No. 46285

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

Resolved

1. That Broken Hill City Council Report No. 83/20 dated June 15, 2020, be received.
2. That the minutes for the Local Traffic Committee Meeting No.403 held Tuesday, 9 June 2020 be received.
3. That the following Item 403.6.5 – RV Friendly Signage, be approved to install 'RV Friendly Signage' at locations included in the attached map.

CARRIED UNANIMOUSLY

ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 84/20 - DATED JUNE 12, 2020 - ACTION LIST REPORT 11/21

RESOLUTION

Minute No. 46286

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

Resolved

1. That Broken Hill City Council Report No. 84/20 dated June 12, 2020, be received.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 85/20 - DATED JUNE 15, 2020 - MEMBERSHIP OF SECTION 355 COMMITTEES 11/9

RESOLUTION

Minute No. 46287

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

Resolved

1. That Broken Hill City Council Report No. 85/20 dated June 15, 2020, be received.
2. That Council accepts the resignation from Ms. Tracy Fraser as a community representative on the Broken Hill Regional Art Gallery Advisory Committee and sends a letter of appreciation to Ms. Fraser for her service on the Committee.

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

**ITEM 13 - QUESTIONS ON NOTICE NO. 7/20 - DATED JUNE 05, 2020 - COUNCILLOR
QUESTIONS TAKEN ON NOTICE AT THE MAY 2020 ORDINARY COUNCIL MEETING** 11/407

RESOLUTION

Minute No. 46288

Councillor B. Licul moved)

Councillor D. Gallagher seconded)

Resolved

1. That Questions On Notice No. 7/20 dated June 5, 2020, be received.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

Council Meetings

11/21

Mayor Turley requested that a report be presented to the July Council Meeting outlining a plan for how Council can return to holding Council Meetings in the Council Chambers given that the Council Chambers does not have facilities to be able to have a combination of Councillors joining by videoconference and Councillors attending in person.

Bird Wildlife

20/368, 20/388, 18/117

Councillors Licul, Adams and Nolan asked if a report can be presented to Council outlining any options that Council may have to deter cockatoos from stripping the gum trees of new growth and the associated mess that they make in Sturt Park; at the Picton Oval; Council's Administrative Building and at the Civic Centre.

CONFIDENTIAL MATTERS

RESOLUTION

Minute No. 46289

Councillor M. Clark moved)

Councillor J. Nolan seconded)

- That the meeting be closed to the public in accordance with Section 10A(2) of the Local Government Act 1993 whilst the confidential matters are being considered.

CARRIED UNANIMOUSLY

The meeting recording for publication ceased at 7:18pm.

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 86/20 - DATED JUNE 05, 2020 –
CONFIDENTIAL MINUTES FOR CONFIRMATION – ORDINARY COUNCIL MEETING HELD 27
MAY 2020 - CONFIDENTIAL** 20/82

(General Manager's Note: This report considers confidential minutes for confirmation that relate to various confidential matters and is deemed confidential under Section 10A(2) (a) (c) (d) (e) (g) 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 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; AND which provides for information that would, if disclosed, prejudice the maintenance of law; AND which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).

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RESOLUTION

Minute No. 46290

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

Resolved

1. That Broken Hill City Council Report No. 86/20 dated June 5, 2020, be received.
2. That the confidential minutes of the Ordinary Council Meeting held 27 May 2020 be confirmed.

CARRIED UNANIMOUSLY

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 87/20 - DATED JUNE 16, 2020 – 331 MURTON STREET - CONFIDENTIAL T14/1

(General Manager's Note: This report considers Sale of Land at 331 Murton Street and is deemed confidential under Section 10A(2) (c) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).

RESOLUTION

Minute No. 46291

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

Resolved

1. That Broken Hill City Council Report No. 87/20 dated June 16, 2020, be received.
2. That Broken Hill City Council issue an expression of interest to partner with a not-for-profit community housing provider(s) to develop 331 Murton Street as a social and affordable housing project.
3. That a site inspection of 331 Murton Street be arranged for Councillors prior to the results of the Expression of Interest process being reported to Council.

CARRIED UNANIMOUSLY

ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 88/20 - DATED JUNE 17, 2020 – LEGAL EXPENSES – CIVIC CENTRE REDEVELOPMENT PROJECT - CONFIDENTIAL 13/152

(General Manager's Note: This report considers detailed legal expenses and is deemed confidential under Section 10A(2) (e) (g) of the Local Government Act, 1993 which provides for information that would, if disclosed, prejudice the maintenance of law; AND which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).

RESOLUTION

Minute No. 46292

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

Resolved

1. That Broken Hill City Council Report No. 88/20 dated June 17, 2020, be received.

CARRIED

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

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RESOLUTION

Minute No. 46293

Councillor D. Gallagher moved) That the meeting resume in open session.
Councillor C. Adams seconded)

CARRIED

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

The meeting resumed in open session at 7:28 p.m.

At the Mayor's request, the General Manager read the resolutions of Council made during closed session.

There being no further business the Mayor closed the meeting at 7:29 p.m.

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

CHAIRPERSON