
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
DECEMBER 09, 2020

Due to the COVID-19 pandemic and the government's protocol for social distancing and indoor gatherings, the meeting was closed to the public. The meeting was held via videoconference and livestreamed.

Meeting commenced at 6:30 p.m.

PRESENT:

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

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

APOLOGIES:

Nil.

PRAYER

Councillor Adams delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 46407

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 November
25, 2020 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Nil.

MAYORAL MINUTES

ITEM 1 - MAYORAL MINUTE NO. 13/20 - DATED DECEMBER 04, 2020 - BROKEN HILL TO ADELAIDE AND MILDURA COACH SERVICE

11/291

RESOLUTION

Minute No. 46408

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

Resolved

1. That Mayoral Minute No. 13/20 dated December 4, 2020, be received.
2. That Council writes to the Minister for Transport, Minister for Regional NSW and the State and Local Member advocating for the Broken Hill to Mildura and Broken Hill to Adelaide coach service to be made permanent.

CARRIED UNANIMOUSLY

NOTICES OF MOTION

Nil.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

ITEM 2 - REPORTS FROM DELEGATES NO. 1/20 - DATED DECEMBER 01, 2020 - ATTENDANCE AT THE MINING AND ENERGY RELATED COUNCILS ORDINARY AND ANNUAL GENERAL MEETING HELD 27 NOVEMBER 2020

11/195

RESOLUTION

Minute No. 46409

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

Resolved

1. That Reports from Delegates No. 1/20 dated December 1, 2020, be received.
2. That Councillor Nolan's Delegates Report regarding his attendance at the Mining and Energy Related Councils Ordinary and Annual General Meetings held in Blayney NSW on 27 November 2020, be received and noted.

CARRIED UNANIMOUSLY

REPORTS

ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 171/20 - DATED NOVEMBER 25, 2020 - CORRESPONDENCE REPORT - 2021 LOCAL GOVERNMENT ELECTIONS

19/7

Motion

- Councillor M. Clark moved)
Councillor C. Adams seconded)
1. That Broken Hill City Council Report No. 171/20 dated November 25, 2020, be received.
 2. That correspondence from the Minister for Local Government, The Hon Shelley Hancock MP on 17 November 2020 regarding the conduct of the September 2021 Local Government Elections be received and noted.

Amendment

- Councillor T. Kennedy moved)
1. That Broken Hill City Council Report No. 171/20 dated November 25, 2020, be received.
 2. That correspondence from the Minister for Local Government, The Hon Shelley Hancock MP on 17 November 2020 regarding the conduct of the September 2021 Local Government Elections be received and noted
 3. That Council writes to the Minister for Local Government requesting that the Local Government Elections be brought forward to March 2021.

LAPSED
(for want of a Seconder)

The original motion was put.

RESOLUTION

Minute No. 46410

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

Resolved

1. That Broken Hill City Council Report No. 171/20 dated November 25, 2020, be received.
2. That correspondence from the Minister for Local Government, The Hon Shelley Hancock MP on 17 November 2020 regarding the conduct of the September 2021 Local Government Elections be received and noted.

CARRIED

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

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**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 169/20 - DATED NOVEMBER 24, 2020 -
CONSIDERATION OF THE RETURN OF COUNCIL MEETINGS HELD IN THE COUNCIL
CHAMBERS**

11/21

Motion

Councillor C. Adams moved
Councillor M. Browne seconded

-) 1. That Broken Hill City Council Report No. 169/20 dated November 24, 2020, be received.
-)
2. That the Public Forum Session and Council Meetings return to the Council Chambers commencing at the Ordinary Council Meeting held 24 February 2021 and that a COVID-19 Safety Plan ensuring compliance with all NSW Public Health Order requirements for social distancing, hand sanitisation and contact tracing etc. be implemented.
3. That the option of attendance at Council meetings either in person or via videoconference be noted.
4. That the temporary COVID-19 amendments to the Council's Code of Meeting Practice Policy which state that Council Meetings be held solely via videoconference, be replaced with an interim amendment to allow for hybrid style meetings whereby Councillors and staff, (and members of the public who may be presenting during Public Forum) have the option to attend either in person or via videoconference.

Amendment

Councillor T. Kennedy moved

-) 1. That Broken Hill City Council Report No. 169/20 dated November 24, 2020, be received.
2. That the Public Forum Session and Council Meetings return to the Council Chambers commencing at the first Council Meeting to be held after 9 December 2020 and that a COVID-19 Safety Plan ensuring compliance with all NSW Public Health Order requirements for social distancing, hand sanitisation and contact tracing etc. be implemented.
3. That the option of attendance at Council meetings either in person or via videoconference be noted.

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4. That the temporary COVID-19 amendments to the Council's Code of Meeting Practice Policy which state that Council Meetings be held solely via videoconference, be replaced with an interim amendment to allow for hybrid style meetings whereby Councillors and staff, (and members of the public who may be presenting during Public Forum) have the option to attend either in person or via videoconference.

LAPSED
(for want of a Seconder)

The original motion was put.

RESOLUTION

Minute No. 46411

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

Resolved

1. That Broken Hill City Council Report No. 169/20 dated November 24, 2020, be received.
2. That the Public Forum Session and Council Meetings return to the Council Chambers commencing at the Ordinary Council Meeting held 24 February 2021 and that a COVID-19 Safety Plan ensuring compliance with all NSW Public Health Order requirements for social distancing, hand sanitisation and contact tracing etc. be implemented.
3. That the option of attendance at Council meetings either in person or via videoconference be noted.
4. That the temporary COVID-19 amendments to the Council's Code of Meeting Practice Policy which state that Council Meetings be held solely via videoconference, be replaced with an interim amendment to allow for hybrid style meetings whereby Councillors and staff, (and members of the public who may be presenting during Public Forum) have the option to attend either in person or via videoconference.

CARRIED

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

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**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 170/20 - DATED NOVEMBER 16, 2020 -
COUNCILLOR ATTENDANCE AT THE AUSTRALIAN LOCAL GOVERNMENT WOMEN'S
ASSOCIATION CONFERENCE (NSW BRANCH) 2021**

11/174

RESOLUTION

Minute No. 46412

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

Resolved

1. That Broken Hill City Council Report No. 170/20 dated November 16, 2020, be received.
2. That Council considers Councillor representation to the 2021 NSW Branch Annual Conference of the Australian Local Government Women's Association to be held in Shellharbour, 18-20 March 2021.
3. That interested Councillors provide completed travel forms to the Executive Support Officer by the close of business Friday, 29 January 2021.

CARRIED

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

Councillor Algate joined the meeting during the consideration of Item 6 (at 6:57 p.m.).

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 168/20 - DATED NOVEMBER 27, 2020 -
DRAFT AGENCY INFORMATION GUIDE**

11/118

RESOLUTION

Minute No. 46413

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

Resolved

1. That Broken Hill City Council Report No. 168/20 dated November 27, 2020, be received.
2. That Council endorse the reviewed and Draft Agency Information Guide for release to the Information Commissioner for its review and comment.

CARRIED UNANIMOUSLY

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 173/20 - DATED DECEMBER 01, 2020 -
MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETINGS HELD 12
NOVEMBER 2020 AND 19 NOVEMBER 2020**

13/19

RESOLUTION

Minute No. 46414

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

Resolved

1. That Broken Hill City Council Report No. 173/20 dated December 1, 2020, be received.

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2. That minutes of the Audit, Risk and Improvement Committee meetings held 12 November 2020 and 19 November 2020 be received.
3. That Council endorses the recommendations of the Audit, Risk and Improvement Committee Meetings held 12 November 2020 and 19 November 2020.

CARRIED

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

ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 172/20 - DATED NOVEMBER 27, 2020 - ACTION LIST REPORT 11/21

RESOLUTION

Minute No. 46415

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

Resolved

1. That Broken Hill City Council Report No. 172/20 dated November 27, 2020, be received.

CARRIED UNANIMOUSLY

ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 178/20 - DATED DECEMBER 03, 2020 - CORRESPONDENCE REPORT - GOVERNMENT COVID-19 STIMULUS PACKAGES 11/175

RESOLUTION

Minute No. 46416

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

Resolved

1. That Broken Hill City Council Report No. 178/20 dated December 3, 2020, be received.
2. That correspondence dated 26 November 2020 from The Hon Mark Coulton MP, Minister for Regional Health, Regional Communications and Local Government and Federal Member for Parkes, in reply to Council's correspondence regarding the financial impact of the COVID-19 pandemic on Broken Hill City Council, be received.

CARRIED UNANIMOUSLY

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ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 179/20 - DATED DECEMBER 03, 2020 - INVESTMENT REPORT FOR NOVEMBER 2020

17/82

RESOLUTION

Minute No. 46417

Councillor J. Nolan moved)

Councillor M. Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 179/20 dated December 3, 2020, be received.

CARRIED UNANIMOUSLY

ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 180/20 - DATED DECEMBER 04, 2020 - 2021 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - CALL FOR MOTIONS 11/304

RESOLUTION

Minute No. 46418

Councillor C. Adams moved)

Councillor M. Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 180/20 dated December 4, 2020, be received.
2. That Council determine motions to the 2021 National General Assembly of Local Government in line with the Assembly's eligibility principles; at either the December 2020 Council Meeting or the February 2021 Council Meeting and such motions be submitted to the Australian Local Government Association by March 26, 2021 along with a copy of the supporting Council resolution.

CARRIED UNANIMOUSLY

ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 181/20 - DATED DECEMBER 04, 2020 - ATTENDANCE AT THE 2021 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT TO BE HELD IN CANBERRA ON 20-23 JUNE 2021.

11/304

RESOLUTION

Minute No. 46419

Councillor C. Adams moved)

Councillor M. Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 181/20 dated December 4, 2020, be received.
2. That Council be represented at the 2021 National General Assembly of Local Government in Canberra, June 20-23, 2021 by the Mayor, Deputy Mayor and General Manager and any interested Councillors.
3. That interested Councillors submit a completed Travel Form to the Executive Support Officer by 19 March 2021.

CARRIED

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

COMMITTEE REPORTS

ITEM13 - BROKEN HILL CITY COUNCIL REPORT NO. 174/20 - DATED NOVEMBER 25, 2020 - MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETINGS HELD TUESDAY, 17 NOVEMBER 2020

12/51

RESOLUTION

Minute No. 46420

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

Resolved

1. That Broken Hill City Council Report No. 174/20 dated November 25, 2020, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held Tuesday, 17 November 2020 be received.
3. That Council accepts the resignation of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Member Ms Lindy Molesworth.
4. That Council forward a letter of appreciation and gratitude to Ms Lindy Molesworth for her contribution to the committee and community.

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 14 - QUESTIONS ON NOTICE NO. 12/20 - DATED NOVEMBER 27, 2020 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE NOVEMBER 2020 ORDINARY COUNCIL MEETING

12/160

RESOLUTION

Minute No. 46421

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

Resolved

1. That Questions On Notice No. 12/20 dated November 27, 2020, be received.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

From Item 8 - Action List– North Mine Hall Lease

11/121

Councillor Nolan asked for an update on the status of the lease of North Mine Hall to LiveBetter Services.

From Item 8 – Action List – Burke Ward Oval

11/21

Councillor Kennedy referred to the weeds on the Burke Ward Oval and raised concerns regarding the potential fire hazard.

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From Item 8 – Action List – Silverton Road Traffic Signs 11/392
Councillor Nolan advised that the 90km speed signs are missing on the Silverton Road near the outskirts of town.

From Item 8 – Action List – Street Signs 11/392
Councillor Adams referred to the street signs on the roundabout at Kaolin and Williams Streets and that they are continually being damaged by motorists and asked that they be relocated closer to the centre of the roundabout.

From Item 11 – National General Assembly Call for Motions 11/304
Councillor Clark referred to the motion that Council submitted to the 2020 National General Assembly regarding the need for the development of a redesigned grid and transmission lines to cope with the rapid expansion of renewable energy sources feeding into it; and that the Australian Local Government Association forwarded Council's motion to the relevant Minister. Councillor Clark asked when Council might receive a response from the Minister regarding the motion?

From Item 14 – Questions on Notice – Archives Digitisation Project 20/106
Councillor Nolan referred to a recent article in the Barrier Truth regarding the closure of the Library Archives and enquired as to when Council will be recruiting for an Archivist; when will the Library Archives open to the public; and when will Archive volunteers be allowed back into the Library?

Visitor Information Centre 11/407
Councillor Nolan referred to a recent resolution of Council to increase the budget to employ additional staff in order that the Visitor Information Centre can re-open on weekends. Councillor Nolan enquired as to when the Visitor Information Centre will re-open on weekends?

CONFIDENTIAL MATTERS

RESOLUTION

Minute No. 46422

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

Resolved

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

CARRIED UNANIMOUSLY

The Livestream of the meeting ceased at 7:20 p.m.

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 175/20 - DATED NOVEMBER 24, 2020 - WILLYAMA COMMON TRUST LICENCE TO NEXTGEN NETWORKS PTY LTD - CONFIDENTIAL

11/63

(General Manager's Note: This report considers a licence agreement 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. 46423

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

Resolved

1. That Broken Hill City Council Report No. 175/20 dated November 24, 2020, be received.

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2. That the Willyama Common Trust amend the existing licence to Nextgen Networks Pty Ltd in accordance with the attached plan, being part Lot 7302 DP 1181129.
3. That the Willyama Common Trust renew the amended licence for a further period of 10 years (in accordance with the existing renewal option) and rent be set at \$2500 per annum.
4. That the Mayor and General Manager be authorised to sign and execute any relevant documents under the Common Seal of Council, in the absence of a Trust Seal.

CARRIED UNANIMOUSLY

ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 176/20 - DATED NOVEMBER 26, 2020 - REQUEST FOR TENDER T20/2 FOR ACTIVE TRANSPORT PLAN - FOOTPATHS - VP213620 -
CONFIDENTIAL T20/2

(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).

RESOLUTION

Minute No. 46424

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

Resolved

1. That Broken Hill City Council Report No. 176/20 dated November 26, 2020, be received.
2. That Conex Group Pty Ltd be awarded a 12-month contract for Tender T20/2 with the provision of extension for a further 12 months.
3. That Gettin There Pty Ltd be awarded a 12-month contract for Tender T20/2 with the provision of extension for a further 12 months.
4. That Council accept an agreement from Conex Group Pty Ltd and Gettin There Pty Ltd for the works of infrastructure identified in the Active Transport Plan. These works include but are not limited to the general maintenance of road assets, footpaths, kerb and gutters, disability kerb ramps including general maintenance of concrete rigid pavements.

CARRIED

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

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ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 177/20 - DATED NOVEMBER 26, 2020 - REQUEST FOR TENDER - T20/4 FOR RECONSTRUCTION OF IODIDE STREET FROM MORGAN TO UNION STREETS, INCLUDING KERB AND GUTTER - VP 212729 - **CONFIDENTIAL** T20/4
(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).

RESOLUTION

Minute No. 46425

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

Resolved

1. That Broken Hill City Council Report No. 177/20 dated November 26, 2020, be received.
2. That Gettin There Pty Ltd be awarded the contract for T20/4 for reconstruction of Iodide Street from Morgan to Union Streets - Stage 1, including kerb and gutter and drainage structures for the amount of \$641,084.18 (Inc GST).

CARRIED

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

RESOLUTION

Minute No. 46426

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

Resolved

- That the meeting resume in open session.

CARRIED UNANIMOUSLY

Councillor Kennedy left the meeting prior to the reporting of the confidential matters in open session (7:28 p.m.)

The Livestream recommenced at 7:29 p.m.

At the request of the Mayor the General Manager read the resolutions of Council relating to the confidential matters.

Farewell to General Manager

Before closing the meeting the Mayor advised that this is the final Council Meeting before the General Manager, Mr James Roncon, commences in the position of General Manager at Armidale Regional Council. The Mayor thanked Mr Roncon for his work as General Manager and wished him well in his new appointment. The Mayor stated that it has been great to see Council's vision come to fruition during the General Manager's tenure; and referred, as an example, to the joy of the community with the installation of the Christmas Lighting decorations; the upgrade to the City's parks; and the commencement of some major upcoming projects, which she is sure Mr Roncon will watch from afar.

The Mayor also thanked Councillors and Council staff for their work and dedication over the past twelve months under difficult circumstances with the COVID-19 pandemic, and wished them and the community of Broken Hill a very Merry Christmas and a Happy New Year, and looks forward to 2021.

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There being no further business the Mayor closed the meeting at 7:33 p.m.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 24 FEBRUARY 2021.)

CHAIRPERSON