
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD MARCH
31, 2021

Meeting commenced at 6:30p.m.

COUNCILLOR REQUESTS FOR ATTENDANCE VIA VIDEOCONFERENCE: Nil.

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

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

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

APOLOGIES: Councillor R. Page

RESOLUTION

Minute No. 46467 - Motion

Councillor D. Gallagher moved)

Councillor M. Browne seconded)

Resolved

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

CARRIED UNANIMOUSLY

PRAYER

Councillor Adams delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 46468

Councillor C. Adams moved)

Councillor J. Nolan seconded)

Resolved

That the Minutes of the Ordinary Meeting of the
Council of the City of Broken Hill held February
24, 2021 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Councillor Clark declared:

- a non-pecuniary conflict of interest in Report No. 36/21 (Development Application No. 155/2020) as she lives close to the proposed development and advised that she will leave the Council Chambers whilst the item is considered.

MAYORAL MINUTES

**ITEM 29 - MAYORAL MINUTE NO. 3/21 - DATED MARCH 31, 2021 - ASSIGNMENT OF
DELEGATIONS TO THE GENERAL MANAGER** 12/82

RESOLUTION

Minute No. 46469

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

Resolved

1. That Mayoral Minute No. 3/21 dated March 31, 2021, be received.
2. That the General Manager's Delegations of Authority and Authorisations pursuant to *Part 3 of the Local Government Act 1993 Sections 377 and 381* be issued to Mr Jay Nankivell to commence on 1 April 2021.
3. That the role of Acting General Manager during periods when the General Manager is sick or otherwise on leave, be a decision for the General Manager in consultation with the Mayor; with the Acting General Manager being issued the General Manager's Delegations of Authority and Authorisations pursuant to *Part 3 of the Local Government Act 1993 Sections 377 and 381* for the periods of the General Manager's leave.

CARRIED

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

NOTICES OF MOTION

**ITEM 1 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 6/21 - DATED MARCH 19, 2021 -
BUS STOP ON CORNER OF GYPSUM AND NEWTON STREETS** 11/399

Motion

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

1. That Motions of Which Notice has been Given No. 6/21 dated March 19, 2021, be received.
2. That Broken Hill City Council start the process to install bus seating and shelter at the bus stop on the corner of Gypsum Street and Newton Street.
3. That the bus stop be named after Roz, Barb and Pat Gauci and a plaque installed.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD MARCH
31, 2021

Amendment

- Councillor C. Adams moved)
Councillor D. Gallagher seconded)
1. That Motions of Which Notice has been Given No. 6/21 dated March 19, 2021, be received.
 2. That the matter be referred to both the Traffic Committee with regards to the designation of a bus stop with seating and shelter; and the Asset Naming Committee with regards to the naming of the bus stop (if designated).

CARRIED

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

The amendment becomes the motion.

RESOLUTION

Minute No. 46470

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

Resolved:

1. That Motions of Which Notice has been Given No. 6/21 dated March 19, 2021, be received.
2. That the matter be referred to both the Traffic Committee with regards to the designation of a bus stop with seating and shelter; and the Asset Naming Committee with regards to the naming of the bus stop (if designated).

CARRIED

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

**ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 7/21 - DATED MARCH 19, 2021 -
COMMUNITY GARDEN FOR FORMER ALMA POOL SITE** 11/161

RESOLUTION

Minute No. 46471

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

Resolved

1. That Motions of Which Notice has been Given No. 7/21 dated March 19, 2021, be received.
2. That Broken Hill City Council prepares a report about establishing a community operated gardens at the former Alma pool site.

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD MARCH
31, 2021

**ITEM 3 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 8/21 - DATED MARCH 19, 2021 -
STREET LIGHTING** 11/47

Motion

- Councillor T. Kennedy moved)
Councillor B. Algate seconded)
1. That Motions of Which Notice has been Given No. 8/21 dated March 19, 2021, be received.
 2. That Broken Hill City Council prepares a report to be tabled at the May 2021 meeting of Council about having street lighting installed on both Holten Drive and McGillivray Drive and the road leading to the Miners' Memorial and Broken Earth Café.
 3. That Broken Hill City Council prepare a report to be tabled at the July 2021 meeting of Council with a time-frame and costs to install adequate street lighting to all streets in the City.

Amendment

- Councillor M. Clark moved)
Councillor J. Nolan seconded)
1. That Motions of Which Notice has been Given No. 8/21 dated March 19, 2021, be received.
 2. That Broken Hill City Council prepares a report to be tabled at the May 2021 Council Meeting regarding the installation of street lighting on Holten Drive, McGillivray Drive and Federation Way.
 3. That at the end of the roll-out of the Southern Lights project, an assessment be undertaken of any further need for street lighting including the lighting to the roads mentioned in part 2 (Holten Drive, McGillivray Drive and Federation Way).

CARRIED

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

The amendment becomes the motion.

RESOLUTION

Minute No. 46472

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

Resolved

1. That Motions of Which Notice has been Given No. 8/21 dated March 19, 2021, be received.
2. That Broken Hill City Council prepares a report to be tabled at the May 2021 Council Meeting regarding the installation of street lighting on Holten Drive, McGillivray Drive and Federation Way.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD MARCH
31, 2021

3. That at the end of the roll-out of the Southern Lights project, an assessment be undertaken of any further need for street lighting including the lighting to the roads mentioned in part 2 (Holten Drive, McGillivray Drive and Federation Way).

CARRIED

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

**ITEM 4 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 9/21 - DATED MARCH 19, 2021 -
BROKEN HILL'S RATING CATEGORIES** 11/274

Motion

- Councillor T. Kennedy moved)
Councillor B. Algate seconded)
1. That Motions of Which Notice has been Given No. 9/21 dated March 19, 2021, be received.
 2. That Broken Hill City Council starts the process to make the Kanandah Road precinct a separate rating business precinct.
 3. That a report with options be tabled at the April 2021 meeting of Council with the view to make the Kanandah Road precinct a separate rate category before rates are set for the 2021-22 period.
 4. That the rates for the Kanandah Road precinct be set at 2018 rates plus rate pegging.
 5. That rates in and around Brown Street are reviewed and that options are tabled at the April 2021 meeting of Council so that those areas are able to have rate relief. Options should include opportunities for separate rating categories.

Amendment

- Councillor J. Nolan moved)
Councillor M. Browne seconded)
1. That Motions of Which Notice has been Given No. 9/21 dated March 19, 2021, be received.
 2. That Broken Hill City Council recognises that a review of the rating structure has commenced and reaffirms the process.

CARRIED

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

The amendment becomes the motion.

RESOLUTION

Minute No. 46473

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

Resolved

1. That Motions of Which Notice has been Given No. 9/21 dated March 19, 2021, be received.
2. That Broken Hill City Council recognises that a review of the rating structure has commenced and reaffirms the process.

CARRIED

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

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

ITEM 5 - REPORTS FROM DELEGATES NO. 1/21 - DATED MARCH 23, 2021 - MINING AND ENERGY RELATED COUNCILS MEETING HELD IN NORTH WOLLONGONG ON 26 FEBRUARY 2021

11/195

RESOLUTION

Minute No. 46474

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

Resolved

1. That Reports from Delegates No. 1/21 dated March 23, 2021, be received.
2. That Councillor Nolan's Delegates Report be received and noted.

CARRIED UNANIMOUSLY

REPORTS

ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 28/21 - DATED MARCH 17, 2021 - CORRESPONDENCE REPORT - MENINDEE LAKES PROJECT

11/426

RESOLUTION

Minute No. 46475

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

Resolved

1. That Broken Hill City Council Report No. 28/21 dated March 17, 2021, be received.
2. That reply correspondence from The Hon Melinda Pavey MP, Minister for Water, Property and Housing dated 2 March 2021 regarding Council's correspondence requesting an amendment to the terms of reference within the document "Menindee Lakes Sustainable Diversion Limit Adjustment Mechanism Project", be received and noted.

3. That contact be made with the representative of the Department of Planning, Industry and Environment to obtain the Menindee Lakes Lower Darling Stakeholder Advisory Group's meeting schedule, to ensure Council's representation at Advisory Group meetings in the future.
4. That correspondence be sent to the Minister for Water, Property and Housing advising that Council does have a representative on the Menindee Lakes Lower Darling Stakeholder Advisory Group and that Council has not had any contact from the Advisory Group Chairperson/Secretary regarding meeting dates. That the correspondence also states Council's passion and commitment to the health of the Menindee Lakes System and the Darling Baaka River and the well-being of the river communities; along with the importance of the development of the Menindee Lakes Project and the Sustainable Diversion Limit Adjustment Mechanism.

CARRIED UNANIMOUSLY

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 29/21 - DATED MARCH 24, 2021 -
CORRESPONDENCE REPORT - LATE MOTION TO THE 2021 NATIONAL GENERAL ASSEMBLY
OF LOCAL GOVERNMENT** 11/304

RESOLUTION

Minute No. 46476

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

Resolved

1. That Broken Hill City Council Report No. 29/21 dated March 24, 2021, be received.
2. That emailed correspondence from Mayor Darcy Byrne of Sydney Inner West Council dated 23 March 2021 requesting Councils to support their motion to the 2021 National General Assembly of Local Government for a decent rate of income for unemployed Australians, be received.
3. That Council considers forwarding the following late motion to the 2021 National General Assembly of Local Government:

"That the Federal Government's revised rate of Jobseeker payment of \$44.00 per day is inadequate and will result in millions of Australian citizens being unnecessarily trapped in poverty. After 25 years with no increase to the incomes of unemployed Australians an increase of just \$3.57 per day above the previous rate of the Newstart payment is insufficient."

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD MARCH
31, 2021

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 30/21 - DATED MARCH 10, 2021 -
COUNCIL MEETING ARRANGEMENTS** 11/21

RESOLUTION

Minute No. 46477

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

Resolved

1. That Broken Hill City Council Report No. 30/21 dated March 10, 2021, be received.
2. That consideration of the report be deferred until after the Councillor Workshop on 15 April 2021.

CARRIED UNANIMOUSLY

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 31/21 - DATED MARCH 17, 2021 -
MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 18
FEBRUARY 2021** 13/19

RESOLUTION

Minute No. 46478

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

Resolved

1. That Broken Hill City Council Report No. 31/21 dated March 17, 2021, be received.
2. That minutes of the Audit, Risk and Improvement Committee meeting held 18 February 2021 be received.
3. That Council endorses the recommendations of the Audit, Risk and Improvement Committee Meeting held 18 February 2021.

CARRIED UNANIMOUSLY

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 32/21 - DATED MARCH 17, 2021 -
INVESTMENT REPORT FOR FEBRUARY 2021** 17/82

RESOLUTION

Minute No. 46479

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

Resolved

1. That Broken Hill City Council Report No. 32/21 dated March 17, 2021, be received.

CARRIED UNANIMOUSLY

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 33/21 - DATED MARCH 08, 2021 -
COMPANION ANIMALS MANAGEMENT REPORT** 19/160

RESOLUTION

Minute No. 46480

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

Resolved

1. That Broken Hill City Council Report No. 33/21 dated March 8, 2021, be received.

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD MARCH
31, 2021

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 34/21 - DATED MARCH 08, 2021 -
UPDATE ON CONSTRUCTION CERTIFICATE PROCESSING**

11/514

Motion

Councillor B. Licul moved) 1. That Broken Hill City Council Report No.
Councillor C. Adams seconded) 34/21 dated March 8, 2021, be received.

Amendment

Councillor T. Kennedy moved) 1. That Broken Hill City Council Report No.
Councillor B. Algate seconded) 34/21 dated March 8, 2021, be received.

2. That the General Manager provides a report to the April 2021 Council Meeting outlining the requirements to complete the backlog of work to issue Construction Certificates and to ensure that new Construction Certificates are dealt with in a timely manner.

WITHDRAWN

The Mover and Seconder of the motion accepted the amendment as an addendum to the motion.

RESOLUTION

Minute No. 46481

Councillor B. Licul moved)
Councillor C. Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 34/21 dated March 8, 2021, be received.

2. That the General Manager provides a report to the April 2021 Council Meeting outlining the requirements to complete the backlog of work to issue Construction Certificates and to ensure that new Construction Certificates are dealt with in a timely manner.

CARRIED UNANIMOUSLY

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 35/21 - DATED FEBRUARY 19, 2021 -
COUNCIL REAPPOINTMENT AS MANAGER OF THE WILLYAMA COMMON TRUST**

11/63

RESOLUTION

Minute No. 46482

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

Resolved

1. That Broken Hill City Council Report No. 35/21 dated February 19, 2021, be received.

2. That Council notify the Minister administering the *Commons Management Act 1989* that Council wishes to be reappointed as Trust Manager of the Willyama Common, for a further three-year term.

CARRIED UNANIMOUSLY

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 36/21 - DATED MARCH 17, 2021 -
DEVELOPMENT APPLICATION 155/2020 - FOUR NEW DWELLINGS - 480 CUMMINS STREET,
BROKEN HILL** DA 155/2020

Councillor Clark declared an interest in Item 14 and left the Council Chambers at 7:46p.m.

Motion

- Councillor C. Adams moved)
Councillor D. Gallagher seconded)
1. That Broken Hill City Council Report No. 36/21 dated March 17, 2021, be received.
 2. That Council defers its decision on this motion for community concerns to be addressed.

Amendment

- Councillor T. Kennedy moved)
1. That Broken Hill City Council Report No. 36/21 dated March 17, 2021, be received.
 2. That a report be presented to the April 2021 Council Meeting addressing the technical concerns raised by members of the public present at the Council Meeting.

WITHDRAWN

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

RESOLUTION

Minute No. 46483

- Councillor C. Adams moved)
Councillor D. Gallagher seconded)
- Resolved**
1. That Broken Hill City Council Report No. 36/21 dated March 17, 2021, be received.
 2. That Council defers its decision on this matter for community concerns to be addressed.
 3. That a report be presented to the April 2021 Council Meeting addressing the technical concerns raised by members of the public present at the Council Meeting.

CARRIED UNANIMOUSLY

Councillor Clark returned to the Council Chambers at 7:51p.m.

The Mayor advised Councillor Clark that Council had deferred its decision on the matter pending a further report to be presented to the April 2021 Council Meeting addressing concerns raised by members of the public.

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 37/21 - DATED MARCH 16, 2021 -
MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO. 411 HELD TUESDAY, 2 MARCH
2021** 11/397

RESOLUTION

Minute No. 46484

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

Resolved

1. That Broken Hill City Council Report No. 37/21 dated March 16, 2021, be received.
2. That the minutes of the Local Traffic Committee Meeting No. 411 held Tuesday, 2 March 2021 be received.

CARRIED UNANIMOUSLY

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 38/21 - DATED MARCH 17, 2021 - ACTION
LIST REPORT** 11/21

RESOLUTION

Minute No. 46485

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

Resolved

1. That Broken Hill City Council Report No. 38/21 dated March 17, 2021, be received.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 39/21 - DATED MARCH 16, 2021 -
MEMBERSHIP OF SECTION 355 COMMITTEES** 11/9

Recommendation

1. That Broken Hill City Council Report No. 39/21 dated March 16, 2021, be received.
2. That Council appoints Mr James Bourne as a community representative on Riddiford Arboretum Community Committee.
3. That Council appoints Ms Eve-Lyn Kennedy as a community representative on the Memorial Oval Community Committee.

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 40/21 - DATED MARCH 11, 2021 -
MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES
COMMUNITY COMMITTEE MEETINGS HELD TUESDAY, 16 FEBRUARY 2021** 12/51

Recommendation

1. That Broken Hill City Council Report No. 40/21 dated March 11, 2021, be received.

2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held Tuesday, 16 February 2021 be received.

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 41/21 - DATED MARCH 16, 2021 -
MINUTES OF THE BROKEN HILL REGIONAL ART GALLERY ADVISORY COMMITTEE MEETING
HELD 10 MARCH 2021** 12/46

Recommendation

1. That Broken Hill City Council Report No. 41/21 dated March 16, 2021, be received.
2. That the minutes of the Broken Hill Regional Art Gallery Advisory Committee Meeting held 10 March 2021 be received.
3. That, in accordance with Council's Broken Hill Regional Art Gallery Collection Management Policy, Council endorses the accessioning and deaccessioning of art works as per the minutes of the Broken Hill Regional Art Gallery Advisory Committee Meeting held 10 March 2021 and as per the letters attached to this report from Ms June Baetge and Ms Martina Schindler.

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 42/21 - DATED MARCH 17, 2021 -
MINUTES OF THE BROKEN HILL HERITAGE COMMITTEE MEETING HELD 25 FEBRUARY 2021** 15/87

Recommendation

1. That Broken Hill City Council Report No. 42/21 dated March 17, 2021, be received.
2. That minutes of the Broken Hill Heritage Committee Meeting held 18 January 2021 be received and noted.
3. That, as noted in the minutes, Council advertises to fill the two vacant community representative positions on the Broken Hill Heritage Committee.

RESOLUTION

Minute No. 46486

Councillor C. Adams moved
Councillor M. Clark seconded

)
)

Resolved:

That the recommendations of items 17 to 20 be adopted.

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 21 - QUESTIONS ON NOTICE NO. 2/21 - DATED MARCH 02, 2021 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE FEBRUARY 2021 ORDINARY COUNCIL MEETING

12/160

RESOLUTION

Resolved

Minute No. 46487

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

1. That Questions On Notice No. 2/21 dated March 2, 2021, be received.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

Car Damaged by Street Tree (from Item 15 – Broken Hill Local Traffic Committee) 11/397
Councillor Kennedy asked for an update regarding a recent incident where a car was damaged by a fallen street tree.

Tabling of Petition

Tabling of Petition regarding a Drop-Off zone at Silver City Cinema (from Item 16 – Action List) 11/397
Councillor Kennedy tabled a petition containing 960 signatures regarding the establishment of a Drop-Off zone (instead of the No Stopping/No Parking zone) adjacent to the Silver City Cinema to make it easier for elderly and disabled persons to visit the cinema.

1919 Railway Station 11/467
Councillor Adams raised concerns regarding the damage and deterioration of Broken Hill's 1919 Railway Station that had been advised by a resident and asked if Council staff would investigate the matter to ascertain whether Council could help in any way. As reference, Councillor Adams provided contact details for ARTC and referred to a report by Council's previous Heritage Adviser.

Footpath Trip Hazards 11/318
Councillor Kennedy requested that footpath trip hazards adjacent to the South Football Clubrooms be investigated and the footpath repaired where required.

RESOLUTION

Resolved

Minute No. 46488

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

CARRIED UNANIMOUSLY

Members of the public and media left the Council Chambers at 8:00p.m.

CONFIDENTIAL MATTERS

**ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 43/21 - DATED MARCH 18, 2021 -
CONFIDENTIAL MINUTES FOR CONFIRMATION - ORDINARY COUNCIL MEETING HELD 24
FEBRUARY 2021 - CONFIDENTIAL**

20/82

(General Manager's Note: This report considers confidential minutes for confirmation that relate to a personnel matter and is deemed confidential under Section 10A(2) (a) of the Local Government Act, 1993 which contains matters that will involve the discussion of personnel matters concerning a particular individual).

RESOLUTION

Minute No. 46489

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

Resolved

1. That Broken Hill City Council Report No. 43/21 dated March 18, 2021, be received.
2. That the confidential minutes of the Ordinary Council Meeting 24 February 2021 be confirmed.

CARRIED UNANIMOUSLY

**ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 44/21 - DATED MARCH 19, 2021 - SALE
OF LAND FOR UNPAID RATES - CONFIDENTIAL**

11/338

(General Manager's Note: This report considers Sale of Land at 338 Oxide 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. 46490

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

Resolved

1. That Broken Hill City Council Report No. 44/21 dated March 19, 2021, be received.
2. That Broken Hill City Council proceed with the sale of land at 338 Oxide St for unpaid rates
3. That the General Manager be authorised to write off the balance of rates outstanding for 338 Oxide St that are not able to be recovered through the sale process.
4. That the Mayor and General Manager be authorised to sign and apply the Common Seal of Council to contract documents to allow the sale to be executed.

CARRIED UNANIMOUSLY

**ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 45/21 - DATED MARCH 16, 2021 -
PROPOSED LEASE OF SUITE 2 / 23-27 BROMIDE STREET - CONFIDENTIAL**

11/212

(General Manager's Note: This report considers a lease 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. 46491

Councillor B. Licul moved)

Councillor M. Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 45/21 dated March 16, 2021, be received.
2. That Council lease Suite 2 / 23-27 Bromide Street (Visitor Information Centre) to the proposed tenant for a period of 12 months, with an option to renew for a further two years.
3. That the annual rent be \$6,820 plus GST payable by monthly instalments, as valued by First National Broken Hill.
4. That the Mayor and General Manager sign and execute any required lease documents under the Common Seal of Council.

CARRIED UNANIMOUSLY

**ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 46/21 - DATED JANUARY 29, 2021 - T20/6
- STURT PARK SKATE PARK REDEVELOPMENT - CONFIDENTIAL**

T20/6

(General Manager's Note: This report considers a tender and is deemed confidential under Section 10A(2) (c) (d) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

RESOLUTION

Minute No. 46492

Councillor B. Licul moved)

Councillor C. Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 46/21 dated January 29, 2021, be received.
2. That Council award tender T20/6 to design and construct a new skatepark in Sturt Park to CONVIC Pty Ltd for the amount of \$660,000 (excluding GST).
3. That Council increase the capital budget from \$700,000 to \$730,000 to accommodate the increase in estimated costs inclusive of project management.

CARRIED UNANIMOUSLY

**ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 47/21 - DATED MARCH 16, 2021 - T21/1
KANANDAH ROAD PAVEMENT REHABILITATION PROJECT, VP-226862 - CONFIDENTIAL T21/1**

(General Manager's Note: This report considers a tender and is deemed confidential under Section 10A(2) (c) (d) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

RESOLUTION

Minute No. 46493

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

Resolved

1. That Broken Hill City Council Report No. 47/21 dated March 16, 2021, be received.
2. That Gettin There Pty Ltd be awarded the contract for T21/1 reconstruction of Kanandah Road Project for the tendered amount of \$704,137.98 (inc GST).
3. That Council accept the Proposals of Work for pavement reconstruction including granular pavement layers, asphalt surfacing and line marking.

CARRIED UNANIMOUSLY

**ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 48/21 - DATED FEBRUARY 26, 2021 -
T21/4 QUEEN ELIZABETH PARK REDEVELOPMENT - CONFIDENTIAL T21/4**

(General Manager's Note: This report considers a tender and is deemed confidential under Section 10A(2) (c) (d) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

RESOLUTION

Minute No. 46494

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

Resolved

1. That Broken Hill City Council Report No. 48/21 dated February 26, 2021, be received.
2. That Council award tender T21/4 for the Redevelopment of Queen Elizabeth Park to Joss Pty Ltd for the tendered amount of \$1,514,804.00 (Excluding GST).
3. That Council increase the capital budget from \$1,050,000 to \$1,800,000 to accommodate the increase in estimated costs
4. That Council note the increase in budget is offset by successfully securing grant funding from Crown Lands for the sum of \$876,645.

CARRIED UNANIMOUSLY

ITEM 28 - BROKEN HILL CITY COUNCIL REPORT NO. 49/21 - DATED MARCH 16, 2021 - T21/6
SPORTS LIGHTING PROJECT - CONFIDENTIAL T21/6

(General Manager's Note: This report considers a tender and is deemed confidential under Section 10A(2) (c) (d) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

RESOLUTION

Minute No. 46495

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

Resolved

1. That Broken Hill City Council Report No. 49/21 dated March 16, 2021, be received.
2. That Council award tender T21/6 for the design and construction of sports lighting infrastructure located at the Alma Oval and O'Neill Soccer Grounds to Mathew Barratt Electrical for the tendered amount of \$1,040,160 (excluding GST).
3. That Council increase the capital budget from \$1,000,000 to \$1,150,000 to accommodate the increase in estimated costs.

CARRIED UNANIMOUSLY

RESOLUTION

Minute No. 46496

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

Resolved

That the meeting resume in open session.

CARRIED UNANIMOUSLY

Members of the media and public returned to the Council Chambers at 8:07p.m.

The Mayor congratulated Mr Jay Nankivell on his appointment as General Manager and invited him to read the resolutions of the matters considered in closed session.

There being no further business the Mayor closed the meeting at 8:13p.m.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 28 APRIL 2021.)

CHAIRPERSON