
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
APRIL 28, 2021

Meeting commenced at 6:30p.m.

COUNCILLOR REQUESTS FOR ATTENDANCE VIA VIDEOCONFERENCE:

1. Request received from Councillor Nolan to attend the Council Meeting via audio-visual link.
Councillor Nolan has provided the reason: *"away from town and REX connecting flight unavailable"*.

RESOLUTION

Minute No. 46497

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

Resolved

That Councillor Nolan's request be accepted
and Councillor Nolan be allowed to attend the
Council Meeting via audio-visual link.

CARRIED

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

2. Request received from Councillor Gallagher to attend the Council Meeting via audio-visual link.
Councillor Gallagher has provided the reason: *"due to my employment I will be working in Dubbo in the State of NSW and will be unable to attend the meeting in person"*.

RESOLUTION

Minute No. 46498

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

Resolved

That Councillor Gallagher's request be accepted
and Councillor Gallagher be allowed to attend
the Council Meeting via audio-visual link.

CARRIED

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

PRESENT:

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

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

Media (2), Members of the Public (6).

APOLOGIES:

Nil.

PRAYER

Councillor Adams delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 46499

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 31, 2021 be confirmed.

That the Minutes of the Extraordinary Meeting of the Council of the City of Broken Hill held March 31, 2021 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Councillor Clark declared a non-pecuniary conflict of interest in Report No. 60/21 – Development Application 480 Cummins Street as she lives nearby the proposed development and advised that she will leave the Council Chambers whilst the item is considered.

MAYORAL MINUTES

Nil.

NOTICES OF MOTION

ITEM 1 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 10/21 - DATED MARCH 02, 2021 - REPLACEMENT OF DEAD STREET TREES 11/390

Motion

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

1. That Motions of Which Notice has been Given No. 10/21 dated March 2, 2021, be received.
2. That Broken Hill City Council develops a policy to address the dead trees in and around Broken Hill and to save sick and dying trees.
3. That a report be prepared outlining the cost to remove all dead trees and replace them with a species of tree chosen by Council in consultation with the community.
4. That Council consider requesting quotes for the removal of dead trees and that the trees

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can be used by the contractor for the sale for firewood.

Amendment

Councillor M. Clark moved)
Councillor M. Browne seconded) 1. That Motions of Which Notice has been Given No. 10/21 dated March 2, 2021, be received.

CARRIED

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

The amendment becomes the motion.

RESOLUTION

Minute No. 46500

Councillor M. Clark moved)
Councillor M. Browne seconded) 1. That Motions of Which Notice has been Given No. 10/21 dated March 2, 2021, be received.

CARRIED

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

ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 11/21 - DATED APRIL 16, 2021 - DOG AND CAT CONTROL IN BROKEN HILL 11/141

Motion

Councillor B. Licul moved)
Councillor M. Clark seconded) 1. That Motions of Which Notice has been Given No. 11/21 dated April 16, 2021, be received.

2. That Council investigate opportunities to limit the number of dogs and cats held at an individual property.

3. That Council establish a local Companion Animal Management Committee including representatives from groups such as the RSPCA, private veterinary practice, Police, companion animal organisations, and/or other key agencies, and include community and City Council representatives, with a focus on community education and improved community safety.

4. That Council introduce an improved program for cost-neutral adoption of pound animals (including desexing).

5. That Council investigate and advocate for changes to Companion Animals Act to give greater powers to Local Government in respect of Dangerous, Menacing, and

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Hunting dogs, and greater powers to control wandering cats.

Amendment

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

1. That Motions of Which Notice has been Given No. 11/21 dated April 16, 2021, be received.
2. That Council establish a local Companion Animal Management Committee including representatives from groups such as the RSPCA, private veterinary practice, Police, companion animal organisations, and/or other key agencies, and include community and City Council representatives, with a focus on community education and improved community safety.
3. That Council employs a full-time Dog Catcher.

LOST

FOR: Crs Algate and Kennedy

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

The original motion was put.

RESOLUTION

Minute No. 46501

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

Resolved

1. That Motions of Which Notice has been Given No. 11/21 dated April 16, 2021, be received.
2. That Council investigate opportunities to limit the number of dogs and cats held at an individual property.
3. That Council establish a local Companion Animal Management Committee including representatives from groups such as the RSPCA, private veterinary practice, Police, companion animal organisations, and/or other key agencies, and include community and City Council representatives, with a focus on community education and improved community safety.
4. That Council introduce an improved program for cost-neutral adoption of pound animals (including desexing).
5. That Council investigate and advocate for changes to Companion Animals Act to give greater powers to Local Government in respect of Dangerous, Menacing, and

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Hunting dogs, and greater powers to control
wandering cats.

CARRIED

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

**ITEM 3 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 12/21 - DATED APRIL 16, 2021 -
DEVELOPMENT OF A TREE REMOVAL POLICY** 12/14

Motion

- Councillor T. Kennedy moved)
Councillor B. Algate seconded)
1. That Motions of Which Notice has been Given No. 12/21 dated April 16, 2021, be received.
 2. That Broken Hill City Council prepares a report outlining the progress and timeline of the request from Tayla Cuffe of the business Pets Tucker to remove trees from the front of her property because of issues with damage and blockage to the sewerage system of the property.
 3. That Broken Hill City Council prepares a policy with view to adopt a new detailed tree removal policy that allows owners to responsibly remove trees that are damaging property and that any removed trees are to be replaced immediately with trees such as ornamental pear trees which are used in many councils.

Amendment

- Councillor M. Clark moved)
Councillor M. Browne seconded)
1. That Motions of Which Notice has been Given No. 12/21 dated April 16, 2021, be received.

CARRIED

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

The amendment becomes the motion.

RESOLUTION

Minute No. 46502

- Councillor M. Clark moved)
Councillor M. Browne seconded)
- Resolved**
1. That Motions of Which Notice has been Given No. 12/21 dated April 16, 2021, be received.

CARRIED

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

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**ITEM 4 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 13/21 - DATED APRIL 16, 2021 -
BROKEN HILL GATEWAY SIGNAGE**

17/133

Motion

Councillor T. Kennedy moved
Councillor B. Algate seconded

)
)

1. That Motions of Which Notice has been Given No. 13/21 dated April 16, 2021, be received.
2. That Broken Hill City Council form a working group to replace the gateway signage leading into the City with designs of signs donated by Dianna Spicer.
3. That Broken Hill City Council advertise to seek community representatives to fill positions on the working group.
4. That Broken Hill City Council budgets for the cost of replacement of one of the current gateway signs with a design chosen by the working group in the location chosen by the working group.
5. That the working group is delegated the authority to seek funding and grants to replace all gateway signage.
6. That Broken Hill City Council acknowledges and accepts correspondence read by Mayor Turley from Peter Nash at the March 2021 meeting.
7. That Broken Hill City Council acknowledges and accepts that the vast majority of the community object to the current gateway signage and want it replaced with signs that truly reflect the significant heritage of Broken Hill and are at least equally as good as those at Silverton and Tibooburra.

Amendment

Councillor M. Browne moved
Councillor M. Clark seconded

)
)

1. That Motions of Which Notice has been Given No. 13/21 dated April 16, 2021, be received.

CARRIED

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

The amendment becomes the motion.

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Motion

Councillor M. Browne moved)
Councillor M. Clark seconded) 1. That Motions of Which Notice has been
Given No. 13/21 dated April 16, 2021, be
received.

Amendment

Councillor T. Kennedy moved)
Councillor B. Algate seconded) 1. That Motions of Which Notice has been
Given No. 13/21 dated April 16, 2021, be
received.
2. That Council conducts a poll on whether the
community believes that the gateway signs
should be replaced with signs designed by
Ms Deanna Spicer.

LOST

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

The motion was put.

RESOLUTION

Minute No. 46503

Councillor M. Browne moved)
Councillor M. Clark seconded) 1. That Motions of Which Notice has been
Given No. 13/21 dated April 16, 2021, be
received.

Resolved

CARRIED

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

**ITEM 5 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 14/21 - DATED APRIL 16, 2021 -
BROKEN HILL LIBRARY HUB AND CULTURAL PRECINCT** 14/181

Motion

Councillor T. Kennedy moved)
Councillor B. Algate seconded) 1. That Motions of Which Notice has been
Given No. 14/21 dated April 16, 2021, be
received.
2. That Broken Hill City Council conduct a
Facebook and in person poll, open to the
public about whether the community is in
favour of the new library hub or against and
whether they believe the money would be
better spent on street lighting, parks,
footpaths, roads, ovals and sporting facilities.
3. That Broken Hill City council include
information in the poll that Council will spend
at least \$6.5m of ratepayer savings and the
\$5.7m BHP grant on the new library, it will
result in significant increase in operational
expenditure. Council also include how much

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additional work could be achieved if the money for the new library hub was spent fixing roads and footpaths, increasing street lighting and upgrading parks, ovals and sporting facilities.

Amendment

Councillor M. Browne moved)
Councillor B. Licul seconded) 1. That Motions of Which Notice has been Given No. 14/21 dated April 16, 2021, be received.

CARRIED

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

The amendment becomes the motion.

RESOLUTION

Minute No. 46504

Councillor M. Browne moved)
Councillor B. Licul seconded) **Resolved** 1. That Motions of Which Notice has been Given No. 14/21 dated April 16, 2021, be received.

CARRIED

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

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Nil.

REPORTS

ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 51/21 - DATED APRIL 06, 2021 - COUNCIL MEETING ARRANGEMENTS 11/21

Motion

Councillor C. Adams moved)
Councillor B. Licul seconded) 1. That Broken Hill City Council Report No. 51/21 dated April 6, 2021, be received.

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2. That in accordance with the temporary amendment to the *Local Government (General) Regulation 2005*, Council adopts the Office of Local Government Procedures which permit the attendance by Councillors at meetings by audio-visual link (if resolved by Council) as a temporary addendum to Council's Code of Meeting Practice Policy with the amendment to state that requests for Councillor to attend a Council Meeting via audio-visual link are to be submitted no later than 5 working days prior to the date of the Council Meeting. That Council notes this temporary addendum will expire on 31 December 2021.
3. That Council endorses the draft submission (as outlined in the report) to the Office of Local Government which was formulated at the Councillor Workshop held on 15 April 2021 (to discuss the Office of Local Government's consultation paper "Remote Attendance by Councillors at Council Meetings") and circulated to all Councillors on 16 April 2021. Council's submission is in support of a permanent amendment to the Model Code of Meeting Practice to allow remote attendance by Councillors at Council meetings under certain circumstances and as resolved by Council.
4. That Council's submission be forwarded to the Office of Local Government by 3 May 2021.

Amendment

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

1. That Broken Hill City Council Report No. 51/21 dated April 6, 2021, be received.
2. That in accordance with the temporary amendment to the *Local Government (General) Regulation 2005*, Council adopts the Office of Local Government Procedures which permit the attendance by Councillors at meetings by audio-visual link (if resolved by Council) as a temporary addendum to Council's Code of Meeting Practice Policy with the amendment to state that requests for Councillors to attend a Council Meeting via audio-visual link are to be submitted no later than 5 working days prior to the date of the Council Meeting. That Council notes this temporary addendum will expire on 31

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December 2021.

3. That Council oppose the Office of Local Government's proposed permanent amendment to the Model Code of Meeting Practice to allow remote attendance of Councillors at Council Meetings.

LOST

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

The original motion was put.

RESOLUTION

Minute No. 46505

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

Resolved

1. That Broken Hill City Council Report No. 51/21 dated April 6, 2021, be received.
2. That in accordance with the temporary amendment to the *Local Government (General) Regulation 2005*, Council adopts the Office of Local Government Procedures which permit the attendance by Councillors at meetings by audio-visual link (if resolved by Council) as a temporary addendum to Council's Code of Meeting Practice Policy with the amendment to state that requests for Councillor to attend a Council Meeting via audio-visual link are to be submitted no later than 5 working days prior to the date of the Council Meeting. That Council notes this temporary addendum will expire on 31 December 2021.
3. That Council endorses the draft submission (as outlined in the report) to the Office of Local Government which was formulated at the Councillor Workshop held on 15 April 2021 (to discuss the Office of Local Government's consultation paper "Remote Attendance by Councillors at Council Meetings") and circulated to all Councillors on 16 April 2021. Council's submission is in support of a permanent amendment to the Model Code of Meeting Practice to allow remote attendance by Councillors at Council meetings under certain circumstances and as resolved by Council.
4. That Council's submission be forwarded to the Office of Local Government by 3 May 2021.

CARRIED

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

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**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 52/21 - DATED APRIL 08, 2021 -
INVESTMENT REPORT FOR MARCH 2021** 17/82

RESOLUTION

Minute No. 46506

Councillor M. Clark moved)

Councillor J. Nolan seconded)

Resolved

1. That Broken Hill City Council Report No. 52/21 dated April 8, 2021, be received.

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 53/21 - DATED FEBRUARY 26, 2021 -
ADOPTION OF DRAFT CORPORATE CREDIT CARD POLICY** 12/14

RESOLUTION

Minute No. 46507

Councillor J. Nolan moved)

Councillor D. Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 53/21 dated February 26, 2021, be received.
2. That Council notes that nil submissions were received regarding the draft Corporate Credit Card Policy during the public exhibition period.
3. That Council adopts the draft Corporate Credit Card Policy as a Policy of Council.

CARRIED

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

AGAINST: Crs Algate and Kennedy

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 54/21 - DATED APRIL 09, 2021 - DRAFT
BUSINESS SUPPORT POLICY** 11/407

Motion

Councillor B. Licul moved)

Councillor C. Adams seconded)

1. That Broken Hill City Council Report No. 54/21 dated April 9, 2021, be received.
2. That Council endorses the draft Business Support Policy for the purpose of public exhibition.
3. That Council publicly exhibits the draft Business Support Policy and accepts submissions from the public for a period of 28 days.
4. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the draft Business Support Policy.

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Amendment

Councillor T. Kennedy moved
Councillor B. Algate seconded

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)
1. That Broken Hill City Council Report No. 54/21 dated April 9, 2021, be received.
 2. That Council endorses the draft Business Support Policy for the purpose of public exhibition.
 3. That Council publicly exhibits the draft Business Support Policy and accepts submissions from the public for a period of 28 days.
 4. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the draft Business Support Policy.
 5. That a Working Group be formed to expand on the draft Business Support Policy whilst the policy is on public exhibition.

The mover of the motion advised that he would accept item 5 as an addendum to the motion.

This was not accepted by the mover of the Amendment.

The Amendment was put.

Amendment

Councillor T. Kennedy moved
Councillor B. Algate seconded

-)
)
1. That Broken Hill City Council Report No. 54/21 dated April 9, 2021, be received.
 2. That Council endorses the draft Business Support Policy for the purpose of public exhibition.
 3. That Council publicly exhibits the draft Business Support Policy and accepts submissions from the public for a period of 28 days.
 4. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the draft Business Support Policy.

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5. That a Working Group be formed to expand on the draft Business Support Policy whilst the policy is on public exhibition.

The mover of the motion again advised that he would accept item 5 as an addendum to the motion (accepted by the mover of the Amendment).

The motion was put.

RESOLUTION

Minute No. 46508

Councillor B. Licul moved)

Councillor C. Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 54/21 dated April 9, 2021, be received.
2. That Council endorses the draft Business Support Policy for the purpose of public exhibition.
3. That Council publicly exhibits the draft Business Support Policy and accepts submissions from the public for a period of 28 days.
4. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the draft Business Support Policy.
5. That a Working Group be formed to expand on the draft Business Support Policy whilst the policy is on public exhibition.

CARRIED UNANIMOUSLY

The Mayor advised that Council's Code of Meeting Practice Policy clause 18 – Time Limits on Council Meetings states:

(clause 18.1) that Meetings of the council and committees of the council are to conclude no later than 9:00p.m; and

(clause 18.2) if the business of the meeting is unfinished at 9:00pm, the council or the committee may, by resolution, extend the time of the meeting.

As the time had reached 9:00p.m. the Mayor sought a motion from Councillors to continue the meeting until its completion.

RESOLUTION

Minute No. 46509

Councillor B. Licul moved)

Councillor M. Clark seconded)

Resolved

That as the time has reached 9:00p.m., under clause 18.2 of Council's Code of Meeting Practice Policy, the meeting continue until its completion (with an immediate adjournment for

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a short break).

CARRIED UNANIMOUSLY

The meeting adjourned at 9:02p.m.

RESOLUTION

Minute No. 46510

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

Resolved

) That the meeting recommence and continue
) until its completion.

CARRIED UNANIMOUSLY

The meeting recommenced at 9:09p.m.

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 55/21 - DATED APRIL 09, 2021 - DRAFT
CBD MASTERPLAN** 20/128

Motion

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

1. That Broken Hill City Council Report No. 55/21 dated April 9, 2021, be received.
2. That Council endorses the draft Broken Hill CBD Masterplan for the purpose of public exhibition.
3. That Council publicly exhibits the draft CBD Masterplan and accepts submissions from the public for a period of 28 days.
4. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the draft CBD Masterplan.
5. That Council endorses the request to go to tender for the Interpretive Wayfinding Signage and banner poles for the CBD and Patton Street as proposed under the funding Deed of Agreement with the Far South West Joint Organisation.

Amendment

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

1. That Broken Hill City Council Report No. 55/21 dated April 9, 2021, be received.
2. That Council endorses the request to go to tender for the Interpretive Wayfinding Signage and banner poles for the CBD and Patton Street as proposed under the funding

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Deed of Agreement with the Far South West
Joint Organisation.

3. That the draft CBD Masterplan be deferred and re-presented to Council after the September Local Government Election

LOST

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

The original motion was put.

RESOLUTION

Minute No. 46511

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

Resolved

1. That Broken Hill City Council Report No. 55/21 dated April 9, 2021, be received.
2. That Council endorses the draft Broken Hill CBD Masterplan for the purpose of public exhibition.
3. That Council publicly exhibits the draft CBD Masterplan and accepts submissions from the public for a period of 28 days.
4. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the draft CBD Masterplan.
5. That Council endorses the request to go to tender for the Interpretive Wayfinding Signage and banner poles for the CBD and Patton Street as proposed under the funding Deed of Agreement with the Far South West Joint Organisation.

CARRIED

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

ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 56/21 - DATED APRIL 15, 2021 - DRAFT TREE MANAGEMENT PLAN

13/163

RESOLUTION

Minute No. 46512

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

Resolved

1. That Broken Hill City Council Report No. 56/21 dated April 15, 2021, be received.
2. That the Draft Tree Management Plan be exhibited for public comment for a period of not less than 28 days.

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3. That a further report be presented to Council following the public exhibition for Councils consideration and adoption.
4. That action be taken as soon as possible to remove the City's dead street trees and replace them with a suitable tree species.
5. That public presentations be made of the draft Tree Management Plan whilst it is on public exhibition.

CARRIED UNANIMOUSLY

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 57/21 - DATED APRIL 08, 2021 -
TEMPORARY SUSPENSION OF A PORTION OF THE CENTRAL BUSINESS DISTRICT (CBD)
ALCOHOL-FREE ZONE FOR THE 2021 BROKEN HEEL FESTIVAL** 11/307

RESOLUTION

Minute No. 46513

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

Resolved

1. That Broken Hill City Council Report No. 57/21 dated April 8, 2021, be received.
2. That Council approve the temporary suspension of a portion of the CBD Alcohol-Free Zone for a section of Sulphide Street, bounded by Crystal Street and Argent Street, adjacent to the Palace Hotel (see attached map). Specific details of the suspension are Argent Street from 207 Argent Street to 227 Argent Street; Crystal Lane from behind 207 Argent Street to 227 Argent Street; and Sulphide Street from Crystal Street to Argent Street. This area will include all footpaths and car parks in the sections of Argent and Sulphide Streets.
3. That the temporary suspension be in place from 9am on Thursday, 9 September to 9am on Tuesday, 14 September 2021 subject to the final conditions, contained in the liquor licence.
4. That the temporary suspension of a portion of the CBD Alcohol-Free Zone for a section of Sulphide Street, bounded by Crystal Street and Argent Street, adjacent to the Palace Hotel be advised to the public by way of advertisement in the Barrier Daily Truth. That the advertisement also confirms that all other existing alcohol-free zones in Broken Hill remain in force.
5. That the General Manager be authorised to implement the suspension and advertising

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processes on final advice of Barrier Local Area Command.

6. That Barrier Local Area Command be advised of Council's decision.

CARRIED UNANIMOUSLY

ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 58/21 - DATED APRIL 13, 2021 - BROKEN HILL NATIONAL HERITAGE VALUES STUDY 15/87

RESOLUTION

Minute No. 46514

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

Resolved

1. That Broken Hill City Council Report No. 58/21 dated April 13, 2021, be received and noted.

CARRIED UNANIMOUSLY

ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 59/21 - DATED APRIL 17, 2021 - MANAGEMENT OF CONSTRUCTION CERTIFICATES 11/514

Motion

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

1. That Broken Hill City Council Report No. 59/21 dated April 17, 2021, be received.

Amendment

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

1. That Broken Hill City Council Report No. 59/21 dated April 17, 2021, be received.
2. That Council votes to increase the budget to allow the General Manager to increase the advertised salary package in an attempt to successfully attract and employ a second full-time Building Surveyor.

CARRIED

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

The amendment becomes the motion.

RESOLUTION

Minute No. 46515

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

Resolved

1. That Broken Hill City Council Report No. 59/21 dated April 17, 2021, be received.
2. That Council votes to increase the budget to allow the General Manager to increase the advertised salary package in an attempt to

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successfully attract and employ a second full-time Building Surveyor.

CARRIED

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

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 61/21 - DATED APRIL 16, 2021 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO. 412 HELD TUESDAY, 6 APRIL 2021 11/397

Motion

- Councillor M. Browne moved)
Councillor C. Adams seconded)
1. That Broken Hill City Council Report No. 61/21 dated April 16, 2021, be received.
 2. That the minutes of the Local Traffic Committee Meeting No. 412 held Tuesday, 6 April 2021 be received.
 3. That Item Number 407.8.1 – Busy Kids – Request for School Zone; that sign design ‘Size B’ is to be installed by Council.
 4. That Item Number 408.6.3 – Loading zone – Silver City Cinema; that no action will be taken in relation to changing the ‘No Parking’ zone to a ‘drop off’ zone as it is currently able to be used in that function.
 5. That Item Number 412.6.1 – Proposal to install bollards and ‘No Stopping’ signs at the rear of 183 Argent Street in Crystal Lane around fire door egress; that bollards and ‘No Stopping’ signs may be installed on the condition that the bollards are ‘hatched-in’ with paint for safety reasons.
 6. That Item Number 412.6.2 – Resident having trouble accessing driveway at 191 Newton Lane as result of cars parking in the lane at the rear of the Burke Ward Primary School; that the current ‘No Stopping’ sign will be moved five to seven meters back to allow for better access.
 7. That Item Number 412.6.3 – Request for Additional Directional Signage for RV Parking and Dump Points around the City leading up to the Broken Hill Mundi Mundi Big Bash Event in August 2021; that temporary RV and dump point directional signage will be erected for the duration of the event on local roads in the location of existing information direction signs.

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Amendment

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

1. That Broken Hill City Council Report No. 61/21 dated April 16, 2021, be received.
2. That the minutes of the Local Traffic Committee Meeting No. 412 held Tuesday, 6 April 2021 be received.
3. That Item Number 407.8.1 – Busy Kids – Request for School Zone; that sign design ‘Size B’ is to be installed by Council.
4. That Council requests the Local Traffic Committee to reconsider its decision regarding Item Number 408.6.3 – Loading zone – Silver City Cinema; for the installation of a drop-off zone adjacent to the Cinema.
5. That Item Number 412.6.1 – Proposal to install bollards and ‘No Stopping’ signs at the rear of 183 Argent Street in Crystal Lane around fire door egress; that bollards and ‘No Stopping’ signs may be installed on the condition that the bollards are ‘hatched-in’ with paint for safety reasons.
6. That Item Number 412.6.2 – Resident having trouble accessing driveway at 191 Newton Lane as result of cars parking in the lane at the rear of the Burke Ward Primary School; that the current ‘No Stopping’ sign will be moved five to seven meters back to allow for better access.
7. That Item Number 412.6.3 – Request for Additional Directional Signage for RV Parking and Dump Points around the City leading up to the Broken Hill Mundi Mundi Big Bash Event in August 2021; that temporary RV and dump point directional signage will be erected for the duration of the event on local roads in the location of existing information direction signs.

CARRIED

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

The amendment becomes the motion.

Councillor Browne sought clarification from Councillor Kennedy regarding the wording of point 4 of the amendment, because the use of the current “no stopping” zone adjacent to the Silver City Cinema to drop off passengers, is already permissible.

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When the motion was before Council, Councillor Kennedy amended the wording to clearly state his intention that the no stopping zone be changed so that the driver of a vehicle can stop the car and assist a disabled passenger into the Cinema without being issued a parking fine.

RESOLUTION

Minute No. 46516

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

Resolved

1. That Broken Hill City Council Report No. 61/21 dated April 16, 2021, be received.
2. That the minutes of the Local Traffic Committee Meeting No. 412 held Tuesday, 6 April 2021 be received.
3. That Item Number 407.8.1 – Busy Kids – Request for School Zone; that sign design ‘Size B’ is to be installed by Council.
4. That Council requests the Local Traffic Committee to reconsider its decision regarding Item Number 408.6.3 – Loading zone – Silver City Cinema; for the installation of a 5 minute parking zone adjacent to the Cinema.
5. That Item Number 412.6.1 – Proposal to install bollards and ‘No Stopping’ signs at the rear of 183 Argent Street in Crystal Lane around fire door egress; that bollards and ‘No Stopping’ signs may be installed on the condition that the bollards are ‘hatched-in’ with paint for safety reasons.
6. That Item Number 412.6.2 – Resident having trouble accessing driveway at 191 Newton Lane as result of cars parking in the lane at the rear of the Burke Ward Primary School; that the current ‘No Stopping’ sign will be moved five to seven meters back to allow for better access.
7. That Item Number 412.6.3 – Request for Additional Directional Signage for RV Parking and Dump Points around the City leading up to the Broken Hill Mundi Mundi Big Bash Event in August 2021; that temporary RV and dump point directional signage will be erected for the duration of the event on local roads in the location of existing information direction signs.

CARRIED UNANIMOUSLY

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ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 62/21 - DATED APRIL 15, 2021 - MINUTES OF THE BROKEN HILL LEAD REFERENCE GROUP MEETING HELD 27 FEBRUARY 2020 12/177

RESOLUTION

Minute No. 46517

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

Resolved

1. That Broken Hill City Council Report No. 62/21 dated April 15, 2021, be received.
2. That the minutes of the Broken Hill Lead Reference Group for Meeting held February 2020, be received.

CARRIED UNANIMOUSLY

ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 50/21 - DATED APRIL 16, 2021 - ACTION LIST REPORT 11/21

RESOLUTION

Minute No. 46518

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

Resolved

1. That Broken Hill City Council Report No. 50/21 dated April 16, 2021, be received.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Nil.

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 18 - QUESTIONS ON NOTICE NO. 3/21 - DATED APRIL 06, 2021 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE MARCH 2021 ORDINARY COUNCIL MEETING 11/397, 11/467, 11/318

RESOLUTION

Minute No. 46519

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

Resolved

1. That Questions On Notice No. 3/21 dated April 6, 2021, be received.

CARRIED UNANIMOUSLY

SUPPLEMENMTARY REPORTS

ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 64/21 - DATED APRIL 06, 2021 - DRAFT DELIVERY PROGRAM 2021/2022 INCORPORATING OPERATIONAL PLAN 2021/2022, INCLUSIVE OF THE STATEMENT OF REVENUE POLICY AND DRAFT SCHEDULE OF FEES AND CHARGES 2021/2022 16/165

Motion

- Councillor J. Nolan moved)
Councillor C. Adams seconded)
1. That Broken Hill City Council Report No. 64/21 dated April 6, 2021, be received.
 2. That the Draft Schedule of Fees and Charges 2021/2022 be amended to adjust the Broken Hill Regional Aquatic Centre fees in-line with the Council resolution of June 2018, Minute No. 45843, which states "that increases be no more than CPI per line item from this year henceforth".
 3. That the Draft Schedule of Fees and Charges 2021/2022 be amended to include the disposal of 7x5 trailer loads of household rubbish under the Waste Management Facility Voucher Scheme.
 4. That the Draft Delivery Program 2021-2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 be endorsed for the purpose of public exhibition for community comment for a 28-day period.
 5. That Rating model option three be endorsed for the purpose of public exhibition for community comment for a 28-day period.
 6. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates for new infrastructure for improved liveability and amenity through the rationalisation of underutilised/underperforming assets and provides for a financially sustainable return to surplus in 2023.

Amendment

- Councillor T. Kennedy moved)
Councillor B. Algate seconded)
1. That Broken Hill City Council Report No. 64/21 dated April 6, 2021, be received.

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2. That the Draft Schedule of Fees and Charges 2021/2022 be amended to adjust the Broken Hill Regional Aquatic Centre fees in-line with the Council resolution of June 2018 Minute No. 45843 which states "that increases be no more than CPI per line item from this year henceforth".
3. That the Draft Schedule of Fees and Charges 2021/2022 be amended to include the disposal of 7x5 trailer loads of household rubbish under the Waste Management Facility Voucher Scheme.
4. That the Draft Delivery Program 2021-2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 be endorsed for the purpose of public exhibition for community comment for a 28-day period.
5. That Rating model option two be endorsed for the purpose of public exhibition for community comment for a 28-day period and also include provisions for any increase in rates above the 5% average increase for the non-industrial rates to be offset by an increase in mine rates.
6. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates for new infrastructure for improved liveability and amenity through the rationalisation of underutilised/underperforming assets and provides for a financially sustainable return to surplus in 2023.

LOST

FOR: Crs Algate, Kennedy and Page

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

The original motion was put.

RESOLUTION

Minute No. 46520

Councillor J. Nolan moved)

Councillor C. Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 64/21 dated April 6, 2021, be received.

2. That the Draft Schedule of Fees and Charges 2021/2022 be amended to adjust the Broken Hill Regional Aquatic Centre fees in-line with

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the Council resolution of June 2018 Minute No. 45843 which states "that increases be no more than CPI per line item from this year henceforth".

3. That the Draft Schedule of Fees and Charges 2021/2022 be amended to include the disposal of 7x5 trailer loads of household rubbish under the Waste Management Facility Voucher Scheme.
4. That the Draft Delivery Program 2021-2022 incorporating Operational Plan 2021/2022, inclusive of the Statement of Revenue Policy and Draft Schedule of Fees and Charges 2021/2022 be endorsed for the purpose of public exhibition for community comment for a 28-day period.
5. That Rating model option three be endorsed for the purpose of public exhibition for community comment for a 28-day period.
6. That Council note the Balanced Scenario includes the proposal to commence a review of community asset service levels in the 2022 financial year to ensure asset levels are commensurate with community needs, accommodates for new infrastructure for improved liveability and amenity through the rationalisation of underutilised/underperforming assets and provides for a financially sustainable return to surplus in 2023.

CARRIED

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

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 65/21 - DATED APRIL 21, 2021 - DRAFT
LONG TERM FINANCIAL PLAN 2022-2031** 16/165

RESOLUTION

Minute No. 46521

Councillor J. Nolan moved)

Councillor M. Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 65/21 dated April 21, 2021, be received.
2. That Council endorse the Draft Long Term Financial Plan 2022-2031 for public exhibition.
3. That that Draft Long Term Financial Plan 2022-2031 be placed on public display for 28 days in accordance with legislation.

CARRIED UNANIMOUSLY

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**ITEM 21 – BROKEN HILL CITY COUNCIL REPORT NO. 60/21 – DATED APRIL 08, 2021 –
DEVELOPMENT APPLICATION 155/2020 – FOUR NEW DWELLINGS – 480 CUMMINS STREET,
BROKEN HILL** DA 155/2020

Councillor Clark declared an interest in Item 21 and left the Council Chambers at 10:06p.m.

RESOLUTION

Minute No. 46522

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

Resolved

1. That Broken Hill City Council Report No 60/21 dated April 8, 2021, be received.
2. That the report be deferred pending a site inspection of the proposed development site at 480 Cummins Street, Broken Hill; and that the report be re-presented to the May Council Meeting or an Extraordinary Council Meeting.

CARRIED UNANIMOUSLY

Councillor Clark returned to the Council Chambers at 10:10p.m. The Mayor advised Councillor Clark that Council resolved to defer the report pending an inspection of the proposed development site and that the report will be presented to the May Council Meeting or an Extraordinary Meeting of Council.

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

From Item 2 – Notice of Motion – Dog and Cat Control in Broken Hill 11/141
Councillor Algate referred to point 5 of the Council resolution, which reads:

- “5. That Council investigate and advocate for changes to Companion Animals Act to give greater powers to Local Government in respect of Dangerous, Menacing, and Hunting dogs, and greater powers to control wandering cats.”

Councillor Algate enquired as to what the “greater powers” refers to?

From Item 3 – Notice of Motion – Development of a Tree Removal Policy 12/14, 11/390
Councillor Kennedy enquired as to whether the email from Tayla Cuffe of Pets Tucker was circulated to Councillors?

From Item 16 – Broken Hill Lead Reference Group Meeting 12/177
Councillor Kennedy sought clarification if the machines used to analyse children’s blood samples and also soil samples only measures insoluble lead levels, or whether they also measure soluble lead levels?

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From Item 19 – Draft Schedule of Fees and Charges 2021/2022 16/165
Councillor Kennedy sought clarification as to whether the Waste Management Facility voucher scheme only covered the disposal of 6x4 trailer loads of household rubbish or if it also included 7x5 trailer loads of household rubbish?

From Item 21 – Development Application 155/2020 – Four New Dwellings, 480 Cummins Street, Broken Hill DA155/2020
Councillor Kennedy asked for the list of addressees of the letterbox drop of residences in the vicinity of the proposed development site and advised that he had been approach by residents complaining that they were not advised of the development proposal.

RESOLUTION

Minute No. 46523

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

Resolved

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

CARRIED UNANIMOUSLY

Members of the media and public left the Council Chambers at 10:12p.m.

CONFIDENTIAL MATTERS

ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 63/21 - DATED APRIL 14, 2021 - WILLYAMA COMMON TRUST PROPOSED LICENCE AND EASEMENT TO AGL ENERGY LIMITED - 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. 46524

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

Resolved

1. That Broken Hill City Council Report No. 63/21 dated April 14, 2021, be received.
2. That the Willyama Common Trust licence Part Lot 7302 DP 1181129 to AGL Energy Limited for a period of two years, for the purposes of construction of a transmission line.
3. That the Willyama Common Trust consent to AGL Energy Limited registering an easement across Lot 7302 DP 1181129 for the overhead transmission line, once construction is finalised.

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4. That the annual rent for the licence agreement be set at \$1,600 per annum plus GST, and AGL reimburse Council for any legal fees associated with the licence and easement.
5. That Council as the Willyama Common Trust provide landowner's consent for the lodgement of a Development Application for the proposed Battery Energy Storage System, due to part of the project area being on the Willyama Common.
6. That the Mayor and General Manager be authorised to signed and execute any related documents under the Common Seal of Council, in the absence of a Trust Seal.

CARRIED UNANIMOUSLY

RESOLUTION

Minute No. 46525

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

Resolved

) That the meeting resume in open session.
)

CARRIED UNANIMOUSLY

Members of the media returned to the Council Chambers at 10:14p.m.

At the Mayor's invitation the General Manager read the resolution of Council made in closed session.

Prior to the conclusion of the meeting the Deputy Mayor thanked all Councillors and staff who were involved in making the 2021 Broken Hill Heritage Festival a success.

There being no further business the Mayor closed the meeting at 10:15p.m.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 26 MAY 2021)

CHAIRPERSON