
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 26, 2021

Meeting commenced at 6:30pm

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, J. Nolan and R. Page.

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

Media (2), Members of the Public (4).

APOLOGIES:

Nil

PRAYER

Councillor Adams delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 46526

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

Resolved

That the Minutes of the Ordinary Meeting of the
Council of the City of Broken Hill held April 28,
2021 be confirmed.

That the Minutes of the Extraordinary Meeting of
the Council of the City of Broken Hill held May
06, 2021 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

The Mayor declared a non-pecuniary interest in Confidential Report No. 67/21 as she is a Board Member of one of the agencies that has provided a quotation and advised that she will leave the Council Chambers whilst the item is considered.

MAYORAL MINUTES

ITEM 1 - MAYORAL MINUTE NO. 4/21 - DATED MAY 19, 2021 - NEED FOR ALCOHOL AND OTHER DRUGS DETOXIFICATION AND REHABILITATION SERVICES

11/161

RESOLUTION

Resolved

Minute No. 46527

Councillor D. Turley moved)
Councillor R. Page seconded)

1. That Mayoral Minute No. 4/21 dated May 19, 2021, be received.
2. That the Broken Hill City Council support the formation of a community entity as outlined by the Western NSW Primary Health Network.
3. That the Broken Hill City Council work in partnership with the Western NSW Primary Health Network and other entities to advocate for an Alcohol and Other Drugs Detoxification and Rehabilitation Service in Broken Hill.

CARRIED UNANIMOUSLY

NOTICES OF MOTION

ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 15/21 - DATED MAY 07, 2021 - URGENT FINANCIAL ASSISTANCE FOR SILVER CITY SHOW

21/44

Motion

Councillor D. Gallagher moved)
Councillor R. Page seconded)

1. That Motions of Which Notice has been Given No. 15/21 dated May 7, 2021, be received.
2. That Council vote to increase the budget of Round One of the Community Assistance Grants fund by \$15,000 to grant urgent funding for the Silver City Show.
3. That the funding be granted subject to the Silver City Pastoral & Agricultural Association Inc providing Council's Governance Officer with a belated Community Assistance Grant application outlining how the money will be used.

Amendment

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

1. That Motions of Which Notice has been Given No. 15/21 dated May 7, 2021, be received.
2. That Council notes the importance of the Silver City Show to the Broken Hill community.

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3. That the Silver City Show Committee applies to the Event Sponsorship program for financial support towards the conduct of the 2021 Silver City Show.
4. That excess funds in the Event Sponsorship budget be utilised to provide financial support of \$15,000 to the Silver City Show Committee provided that the Event Sponsorship application process is completed.

CARRIED

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

The amendment becomes the motion.

Motion

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

1. That Motions of Which Notice has been Given No. 15/21 dated May 7, 2021, be received.
2. That Council notes the importance of the Silver City Show to the Broken Hill community.
3. That the Silver City Pastoral & Agricultural Association applies to the Event Sponsorship program for financial support towards the conduct of the 2021 Silver City Show.
4. That excess funds in the Event Sponsorship budget be utilised to provide financial support of \$15,000 to the Silver City Pastoral & Agricultural Association provided that the Event Sponsorship application process is completed.

Amendment

Councillor T. Kennedy moved)
Councillor D. Gallagher seconded)

1. That Motions of Which Notice has been Given No. 15/21 dated May 7, 2021, be received.
2. That as per Section 356 of the *Local Government Act 1993*, Council donates \$15,000 to the Silver City Pastoral & Agricultural Association to assist towards the conduct of the 2021 Silver City Show.

LOST

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

The motion was put.

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RESOLUTION

Minute No. 46528

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

Resolved

1. That Motions of Which Notice has been Given No. 15/21 dated May 7, 2021, be received.
2. That Council notes the importance of the Silver City Show to the Broken Hill community.
3. That the Silver City Pastoral & Agricultural Association applies to the Event Sponsorship program for financial support towards the conduct of the 2021 Silver City Show.
4. That excess funds in the Event Sponsorship budget be utilised to provide financial support of \$15,000 to the Silver City Pastoral & Agricultural Association provided that the Event Sponsorship application process is completed.

CARRIED

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

ITEM 3 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 16/21 - DATED MAY 14, 2021 - PRISCILLA QUEEN OF THE DESERT STAGE BUS

11/407

Motion

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

1. That Motions of Which Notice has been Given No. 16/21 dated May 14, 2021, be received.
2. That Broken Hill City Council liaises with the community to find a location to put the Priscilla Queen of the Desert bus on permanent display
3. That Council be provided with a report on the terms of the lease to the Palace Hotel to house the Priscilla Queen of the Desert bus stage prop and stiletto.

Amendment

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

1. That Motions of Which Notice has been Given No. 16/21 dated May 14, 2021, be received.
2. That Council be provided with a report on the terms of the lease to the Palace Hotel to house the Priscilla Queen of the Desert bus stage prop and stiletto.

CARRIED

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

The amendment becomes the motion.

RESOLUTION

Minute No. 46529

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

Resolved

1. That Motions of Which Notice has been Given No. 16/21 dated May 14, 2021, be received.
2. That Council be provided with a report on the terms of the lease to the Palace Hotel to house the Priscilla Queen of the Desert bus stage prop and stiletto.

CARRIED

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

ITEM 4 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 17/21 - DATED MAY 14, 2021 -
RATE PEGGING 11/272

RESOLUTION

Minute No. 46530

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

Resolved

1. That Motions of Which Notice has been Given No. 17/21 dated May 14, 2021, be received.
2. That Broken Hill City Council supports rate pegging.
3. That Broken Hill City Council sends correspondence to the Minister for Local Government Shelly Hancock, MP Roy Butler and Greens MP David Shoebridge that council supports rate pegging and strongly opposes the suggestion from Greens MP David Shoebridge to remove rate pegging to allow councils to raise rates by an unlimited amount or the alternative suggestion to allow councils to raise rates by 8% without ministerial approval.

CARRIED UNANIMOUSLY

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Councillor Page gave a verbal report on his attendance at the Murray Darling Association conference.

REPORTS

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 70/21 - DATED APRIL 09, 2021 - ANNUAL FEES - MAYOR AND COUNCILLORS 11/20

Motion

- | | | |
|------------------------------|---|---|
| Councillor M. Browne moved |) | 1. That Broken Hill City Council Report No. 70/21 dated April 9, 2021, be received. |
| Councillor B. Licul seconded |) | |
2. That Council notes that the Local Government Remuneration Tribunal determined that there be a two percent increase to the minimum and maximum fees applicable to Councillors and Mayor in each existing category for the financial year commencing 1 July 2021.
 3. That Council also notes that the current annual fees paid to Broken Hill City Council's Mayor and Councillors is below the maximum fees determined for the category of "Regional Rural".
 4. That Council determines whether an increase be applied to the current fees for the Mayor and Councillors for 2021/2022 financial year.
 5. That allocation of a fee for the Deputy Mayor when acting in the role as Mayor, being the daily fee based on the annual additional Mayoral fee; with the fee so payable deducted from the Mayor's fee, be reaffirmed.

Amendment

- | | | |
|--------------------------------|---|---|
| Councillor B. Algate moved |) | 1. That Broken Hill City Council Report No. 70/21 dated April 9, 2021, be received. |
| Councillor T. Kennedy seconded |) | |
2. That Council notes that the current annual fees paid to Broken Hill City Council's Mayor and Councillors is below the maximum fees determined for the category of "Regional Rural".
 3. That no increase be made to the current fees for the Mayor and Councillors for the 2021/2022 financial year; and the matter be referred to the new Council for consideration.

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4. That allocation of a fee for the Deputy Mayor when acting in the role as Mayor, being the daily fee based on the annual additional Mayoral fee; with the fee so payable deducted from the Mayor's fee, be reaffirmed.

CARRIED

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

The amendment becomes the motion.

RESOLUTION

Minute No. 46531

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

Resolved

1. That Broken Hill City Council Report No. 70/21 dated April 9, 2021, be received.
2. That Council notes that the current annual fees paid to Broken Hill City Council's Mayor and Councillors is below the maximum fees determined for the category of "Regional Rural".
3. That no increase be made to the current fees for the Mayor and Councillors for the 2021/2022 financial year; and the matter be referred to the new Council for consideration.
4. That allocation of a fee for the Deputy Mayor when acting in the role as Mayor, being the daily fee based on the annual additional Mayoral fee; with the fee so payable deducted from the Mayor's fee, be reaffirmed

CARRIED

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

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 71/21 - DATED MAY 11, 2021 -
COUNCILLOR TRAVEL TO ATTEND THE WASTE STRATEGY SUMMIT 2021**

14/178

RESOLUTION

Minute No. 46532

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

Resolved

1. That Broken Hill City Council Report No. 71/21 dated May 11, 2021, be received.
2. That Council authorise Councillors Marion Browne and Maureen Clark to attend the Waste Strategy Summit 2021 to be held in Sydney 20-22 July 2021 as Chair and Alternate Chair of Council's Key Direction Working Group 'Our Environment'.

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3. That Council determines any other interested Councillor delegates to the Waste Strategy Summit 2021 to be held in Sydney 20-22 July 2021.
4. That registration be completed by 4 June 2021 to take advantage of the Local Government Package prices.

CARRIED

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

ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 72/21 - DATED MAY 12, 2021 - ESTABLISHMENT OF A COMPANION ANIMALS MANAGEMENT WORKING GROUP 11/141

RESOLUTION

Minute No. 46533

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

Resolved

1. That Broken Hill City Council Report No. 72/21 dated May 12, 2021, be received.
2. That Council notes the establishment of a Companion Animals Management Working Group as per the attached Terms of Reference; and that the General Manager is undertaking the process to invite representatives from the designated agencies and to seek nomination from interested members of the community for appointment as community representatives.
3. That Council appoints Councillors Licul, Kennedy and Gallagher as Councillor delegates on the Companion Animals Management Working Group.

CARRIED UNANIMOUSLY

ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 73/21 - DATED MAY 14, 2021 - QUARTERLY BUDGET REVIEW STATEMENT FOR PERIOD ENDED MARCH 2021 12/160

RESOLUTION

Minute No. 46534

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

Resolved

1. That Broken Hill City Council Report No. 73/21 dated May 14, 2021, be received.
2. That the 3rd Quarterly Budget Review Statement and recommendations be adopted.
3. That Council note the projected 2020/21 operating deficit (before capital) of \$2,373,000.
4. That Council note the 2020/21 projected net capital budget expenditure of \$19,251,000

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5. That Council note the revised Long-Term Financial Plan 2021-2030

CARRIED UNANIMOUSLY

ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 74/21 - DATED MAY 06, 2021 - INVESTMENT REPORT FOR APRIL 2021

17/82

RESOLUTION

Minute No. 46535

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

Resolved

1. That Broken Hill City Council Report No. 74/21 dated May 6, 2021, be received.

CARRIED UNANIMOUSLY

ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 75/21 - DATED APRIL 27, 2021 - UPDATE ON PROPOSED ACQUISITION OF FEDERATION WAY

18/200

Motion

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

1. That Broken Hill City Council Report No. 75/21 dated April 27, 2021, be received.
2. That Council note the progress update on the proposed acquisition of Federation Way.
3. That Council seek to negotiate an Indigenous Land Use Agreement (ILUA) with the Barkandji Corporation, to allow Council to acquire the Crown Land while preserving the Barkandji's Native Title rights and interests.
4. That the Mayor and General Manager be authorised to negotiate the terms and conditions of the proposed Indigenous Land Use Agreement (ILUA) and sign any related documents under the Common Seal of Council.

Amendment

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

1. That Broken Hill City Council Report No. 75/21 dated April 27, 2021, be received.
2. That Council note the progress update on the proposed acquisition of Federation Way.
3. That Council seek to negotiate an Indigenous Land Use Agreement (ILUA) with the Barkandji Corporation, to allow Council to acquire the Crown Land while preserving the Barkandji's Native Title rights and interests.
4. That the Mayor and General Manager be authorised to negotiate the terms and conditions of the proposed Indigenous Land Use Agreement (ILUA) with the Barkandji Corporation; and that at the finalisation of

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negotiations, a report be provided to Council advising the outcome of the negotiations for Council's approval to enter an ILUA with the Barkandji Corporation.

CARRIED

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

The amendment becomes the motion.

RESOLUTION

Minute No. 46536

Councillor M. Clark moved)

Councillor T. Kennedy seconded)

Resolved

1. That Broken Hill City Council Report No. 75/21 dated April 27, 2021, be received.
2. That Council note the progress update on the proposed acquisition of Federation Way.
3. That Council seek to negotiate an Indigenous Land Use Agreement (ILUA) with the Barkandji Corporation, to allow Council to acquire the Crown Land while preserving the Barkandji's Native Title rights and interests.
4. That the Mayor and General Manager be authorised to negotiate the terms and conditions of the proposed Indigenous Land Use Agreement (ILUA) with the Barkandji Corporation; and that at the finalisation of negotiations, a report be provided to Council advising the outcome of the negotiations for Council's approval to enter an ILUA with the Barkandji Corporation.

CARRIED UNANIMOUSLY

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 76/21 - DATED MAY 13, 2021 -
COMMUNITY ASSISTANCE GRANTS AWARDED FOR ROUND 1 OF 2021/2022**

21/44

At this point in the meeting, Councillor Adams declared a conflict of interest in item 11 as she is a Committee Member of an organisation receiving a Community Assistance Grant in Round 1 of 2021/2022, and advised that she will remain in the meeting room but will not vote on item 11.

RESOLUTION

Minute No. 46537

Councillor D. Gallagher moved)

Councillor M. Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 76/21 dated May 13, 2021, be received.
2. That Council notes the Community Assistance Grants awarded for Round One of 2021/2022 which were recommended by the Panel on 11 May 2021 and approved by the General Manager.

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3. That Council notes that the Community Assistance Grants budget for Round One is fully expended.

CARRIED UNANIMOUSLY

Councillor Adams abstained from the vote.

ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 77/21 - DATED MAY 13, 2021 - MINUTES OF RECONCILIATION ACTION PLAN WORKING GROUP MEETING HELD 8 APRIL 2021 14/59

RESOLUTION

Minute No. 46538

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

Resolved

1. That Broken Hill City Council Report No. 77/21 dated May 13, 2021, be received.
2. That the minutes of the Reconciliation Action Plan Working Group meeting, held on April 8, 2021 be received.

CARRIED UNANIMOUSLY

ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 78/21 - DATED MAY 14, 2021 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 413 HELD TUESDAY, 4 MAY 2021 11/397

RESOLUTION

Minute No. 46539

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

Resolved

1. That Broken Hill City Council Report No. 78/21 dated May 14, 2021, be received.
2. That the minutes of the Local Traffic Committee Meeting No. 413 held Tuesday, 4 May 2021 be received.
3. That Item Number 408.6.3 – Loading zone – Silvery City Cinema; for a '5 Minute' parking zone be installed adjacent to the Silver City Cinema.

CARRIED UNANIMOUSLY

ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 79/21 - DATED MAY 13, 2021 - ACTION LIST REPORT 11/21

RESOLUTION

Minute No. 46540

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

Resolved

1. That Broken Hill City Council Report No. 79/21 dated May 13, 2021, be received.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 80/21 - DATED APRIL 19, 2021 - S355 ANNUAL AND FINANCIAL REPORTS 2019/2020 16/94

Recommendation

1. That Broken Hill City Council Report No. 80/21 dated April 19, 2021, be received.
2. That the 2019/2020 Picton Sportsground Community Committee Annual and Financial Reports be received and noted.

ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 81/21 - DATED MAY 11, 2021 - MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD 9 FEBRUARY 2021 12/52

Recommendation

1. That Broken Hill City Council Report No. 81/21 dated May 11, 2021, be received.
2. That minutes of the Memorial Oval Community Committee Meeting held 9 February 2021 be received.

Minute No. 46541

Councillor C. Adams moved) That the recommendations of items 1 and 2 be
Councillor M. Clark seconded) adopted.

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 17 - QUESTIONS ON NOTICE NO. 4/21 - DATED APRIL 30, 2021 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE APRIL 2021 ORDINARY COUNCIL MEETING 11/141,
12/14, 11/390, 12/177, 16/165, DA155/2020

RESOLUTION

Resolved

Minute No. 46542

Councillor J. Nolan moved) 1. That Questions On Notice No. 4/21 dated
Councillor M. Clark seconded) April 30, 2021, be received.

CARRIED UNANIMOUSLY

SUPPLEMENTARY REPORTS

ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 82/21 - DATED MAY 19, 2021 - DRAFT INTERNAL AUDIT CHARTER 18/142

RESOLUTION

Resolved

Minute No. 46543

Councillor J. Nolan moved) 1. That Broken Hill City Council Report No.
Councillor D. Gallagher seconded) 82/21 dated May 19, 2021, be received.

2. That Council endorse the Internal Audit Charter.

CARRIED UNANIMOUSLY

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ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 83/21 - DATED MAY 20, 2021 - TERMS OF REFERENCE - PROJECT STEERING GROUP - E.P O'NEILL MEMORIAL PRECINCT REDEVELOPMENT PROJECT 20/498

RESOLUTION

Minute No. 46544

Councillor J. Nolan moved)

Councillor M. Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 83/21 dated May 20, 2021, be received.
2. That Council endorse a Governance Framework for the E.P O'Neill Memorial Precinct Redevelopment Project.
3. That Council endorse the Terms of Reference for the E.P O'Neill Memorial Precinct Project Steering Group with an amendment to increase the number of Councillor representatives to three (3).
4. That the Mayor, Deputy Mayor and Councillor Kennedy be Council's representatives to the Project Steering Group for the E.P O'Neill Memorial Precinct Redevelopment Project.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

From Item 6 - Councillor travel to attend the Waste Strategy Summit 2021

Councillor Kennedy requested clarification on the licence level of the Broken Hill Waste Management Facility and what the operational requirements of the licence are.

From Item 9 – Investment Report for April 2021

Councillor Kennedy requested information on the impact of COVID-19 to Council's investment portfolio.

Active Transport Plan - Footpath upgrades in the City

Councillor Licul requested information on how members of the public can find out if the footpath adjacent to their property is on the works schedule to be upgraded/installed as part of Council's Active Transport Plan.

RESOLUTION

Minute No. 46545

Councillor C. Adams moved)

Councillor M. Browne seconded)

Resolved

That the meeting move into closed session in accordance with Section 10A(2) of the *Local Government Act 1993* whilst the confidential matters are considered.

CARRIED

Members of the public and media left the Council Chambers at 8:23 p.m.

CONFIDENTIAL MATTERS

**ITEM 20 – BROKEN HILL CITY COUNCIL REPORT NO. 67/21 – DATED MAY 17, 2021 –
EXPRESSIONS OF INTEREST – GENERAL MANAGER’S PERFORMANCE AGREEMENT AND
REVIEW PROCESS – CONFIDENTIAL** 20/557

(General Manager’s Note: This report considers the General Manager’s Performance Review process 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).

The Mayor previously declared an interest in Item 18 and left the Council Chambers at 8:25 p.m.

At this point in the meeting, The General Manager declared a pecuniary conflict of interest in Item 18 and left the Council Chambers at 8:25p.m.

The Deputy Mayor assumed the Chair.

RESOLUTION

Minute No. 46546

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

Resolved

1. That Broken Hill City Council Report No. 67/21 dated May 17, 2021, be received.
2. That Blackadder Associates be awarded a one (1) year contract for the facilitation of the General Manager’s annual performance review.
3. That should the execution of contract papers be required, the Mayor and Deputy Mayor be delegated to sign on Council’s behalf under the Common Seal of Council.

CARRIED

FOR: Crs Adams, Algate, Gallagher, Kennedy and Page
AGAINST: Crs Browne, Clark, Licul and Nolan
ABSENT: Mayor Turley (disclosure of interest)

The Mayor and General Manager returned to the Council Chambers at 8:34 p.m. The Mayor resumed the Chair.

The Deputy Mayor advised that Council had resolved to award a one (1) year contract to Blackadder Associates for the facilitation of the General Manager’s annual performance review.

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ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 68/21 - DATED MAY 14, 2021 - T21/7

AIRPORT FIRE HYDRANT UPGRADE - CONFIDENTIAL

T21/7

(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. 46547

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

Resolved

1. That Broken Hill City Council Report No. 68/21 dated May 14, 2021, be received.
2. That Council award tender T21/7 for the supply and install of new diesel-powered Fire Hydrant Pump Sets to support the Infrastructure Services of the Broken Hill Regional Airport to Fire Flow Pty Ltd for the tendered amount of \$270,136.36 (excluding GST).
3. That Council increase the capital budget from \$242,000 to \$320,000 to accommodate for the increase in estimated costs.

CARRIED UNANIMOUSLY

ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 69/21 - DATED MAY 03, 2021 - T21/12-
COMSTOCK STREET INTERSECTION RECONSTRUCTION (PIPER /HEBBARD) - CONFIDENTIAL

T21/12

(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. 46548

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

Resolved

1. That Broken Hill City Council Report No. 69/21 dated May 3, 2021, be received.
2. That Council award tender T21/12 for the reconstruction of the intersections of Comstock Street/ Piper Street and Comstock Street/ Hebbard Street to Getting There Pty Ltd for the tendered amount of \$617,940.74 (excluding GST).

CARRIED UNANIMOUSLY

SUPPLEMENTARY CONFIDENTIAL MATTERS

ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 85/21 - DATED MAY 18, 2021 - ART GALLERY REFURBISHMENT WORKS - CONFIDENTIAL 20/237

(General Manager's Note: This report considers Art Gallery Refurbishment Works and Tender Costs 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. 46549

Councillor M. Clark moved)

Councillor C. Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 85/21 dated May 18, 2021, be received.
2. That Council note the required refurbishments works as outlined in the report below.
3. That Council note the closure of the Broken Hill Regional Art Gallery for the period of 1 September 2021 through to 28 February 2022 to complete the required refurbishment works.
4. That Council note the relocation of the Broken Hill Regional Art Gallery Retail Arm and Public Programs Workshop to 313 Argent Street for the closure period.
5. That Council note the relocation of a sample of the permanent collection which will be exhibited in the Exhibition Hall at the Albert Kersten, Mining and Minerals Museum.

CARRIED UNANIMOUSLY

ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 84/21 - DATED MAY 13, 2021 - T21/13 BROKEN HILL REGIONAL ART GALLERY MECHANICAL SERVICES UPGRADE - CONFIDENTIAL T21/13

(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. 46550

Councillor B. Licul moved)

Councillor M. Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 84/21 dated May 13, 2021, be received.
2. That Council award tender T21/13 Broken Hill Regional Art Gallery Mechanical Services Upgrade to Air Comfort Services Pty Ltd for the amount of \$797,295.40 (including GST).

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 26, 2021

ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 87/21 - DATED MAY 19, 2021 - Q21/14 - REQUEST FOR QUOTATION - PROJECT MANAGEMENT OF E.P O'NEILL MEMORIAL PRECINCT REDEVELOPMENT PROJECT - CONFIDENTIAL Q21/14

(General Manager's Note: This report considers a quotation 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. 46551

Councillor J. Nolan moved)

Councillor M. Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 87/21 dated May 19, 2021, be received.
2. That Council award Q21/14 Project Management of E.P O'Neill Memorial Precinct Redevelopment Project to Public Works Advisory for the amount of \$649,781.00 (including GST).

CARRIED UNANIMOUSLY

ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 86/21 - DATED MAY 21, 2021 - WRITE OFF BAD DEBT - 564-638 BARRIER HIGHWAY - CONFIDENTIAL 11/33

(General Manager's Note: This report considers the write off of bad debt and is deemed confidential under Section 10A(2) (b) (e) of the Local Government Act, 1993 which contains matters that will involve the discussion of the personal hardship of any resident or rate payer; AND which provides for information that would, if disclosed, prejudice the maintenance of law).

RESOLUTION

Minute No. 46552

Councillor M. Clark moved)

Councillor C. Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 86/21 dated May 21, 2021, be received.
2. That Council accept \$105,807.05, being all outstanding rates in charges as at 31 May 2021, as a lump sum payment to settle all outstanding debt owing to Council; subject to final legal confirmation and permission from the Court Appointed Liquidator.
3. That if this amount is not paid in full by the 31 May 2021, that Council accept the amount that is outstanding on all rates and charges as at the payment date, as a lump sum payment to settle all outstanding debt owing to Council; subject to final legal confirmation and permission from the Court Appointed Liquidator.
4. That subject to resolution two, Council approve the write off of \$52,612.23 in relation to the land at 564-638 Barrier Highway, in accordance with the below report, attached documents and subject to legal confirmation.
5. That Council retain its rights and authorise the General Manager to write off additional

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amounts to the value of \$5,000 dependent on final settlement and cost breakdowns in accordance with the debt structure contained in the report.

CARRIED UNANIMOUSLY

RESOLUTION

Minute No. 46553

Councillor D. Gallagher moved
Councillor C. Adams seconded

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)

Resolved

That the meeting resume in open session.

CARRIED UNANIMOUSLY

Members of the media returned to the Council Chambers at 8:55 p.m.

At the Mayor's invitation, the General Manager read the resolution of Council relating to the confidential matters.

Prior to the meeting closing, the Mayor acknowledged local Journalist, Emily McInerney for her commitment to the Broken Hill community and her work over many years as a Journalist at the Barrier Daily Truth; and wishes her well in her future endeavours.

There being no further business the Mayor closed the meeting at 9:00 p.m.

THE FOREGOING MINUTES WERE READ
AND CONFIRMED AT THE ORDINARY
MEETING OF THE BROKEN HILL CITY
COUNCIL HELD ON 30 JUNE 2021.

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CHAIRPERSON