
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
NOVEMBER 24, 2021

Meeting commenced at 6:30p.m.

REQUESTS FROM COUNCILLORS TO ATTEND VIA AUDIO-VISUAL LINK

Due to the current Public Health Order for the State of NSW, the Mayor advised that she exercised her powers under Section 226 of the *Local Government Act 1993* to suspend the Code of Meeting Practice procedures while the restrictions under the Public Health Order are in force to allow Councillors to participate in this meeting by audio-visual link if required. Section 226 confers on Mayors the power to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council.

PRESENT:

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

General Manager, Chief Financial Officer, Chief Corporate and Community
Officer, Chief Assets and Projects Officer, Executive Manager Growth and
Investment and Governance Officer.

Media (2), Members of the Public (1).

APOLOGIES:

Councillor T. Kennedy.

RESOLUTION

Minute No. 46666

Councillor R Algate moved)
Councillor M Browne seconded)

Resolved

That the apology submitted on behalf of
Councillor Kennedy 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. 46667

Councillor B Licul moved)
Deputy Mayor C Adams seconded)

Resolved

That the Minutes of the Ordinary Meeting of the
Council of the City of Broken Hill held October
27, 2021 be confirmed.

That the Minutes of the Extraordinary Meeting of
the Council of the City of Broken Hill held

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November 04, 2021 be confirmed.

That the Minutes of the Extraordinary Meeting of
the Council of the City of Broken Hill held
November 11, 2021 be confirmed.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Cr R Algate

DISCLOSURE OF INTEREST

Nil.

MAYORAL MINUTES

Nil.

NOTICES OF MOTION

Nil.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

**ITEM 1 - REPORTS FROM DELEGATES NO. 4/21 - DATED NOVEMBER 15, 2021 - ASSOCIATION
OF MINING AND ENERGY RELATED COUNCILS NSW REPORT NOVEMBER 2021** D21/49342

RESOLUTION

Minute No. 46668

Councillor M Clark moved)
Deputy Mayor C Adams seconded)

Resolved

1. That Reports from Delegates No. 4/21 dated November 15, 2021, be received.
2. That Councillor Nolan's Delegates Report be received and noted.
3. That Council formally thanks Councillor Nolan for his representation and advocacy for Broken Hill whilst a member of the Association of Mining and Energy Related Councils NSW.

CARRIED UNANIMOUSLY

REPORTS

**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 180/21 - DATED NOVEMBER 01, 2021 -
END OF TERM REPORT 2016 - 2021** D21/47999

RESOLUTION

Minute No. 46669

Councillor B Licul moved)
Deputy Mayor C Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 180/21 dated November 1, 2021, be received.
2. That the End of Term Report 2016-2021 be received by Council.
3. That Council publish the End of Term Report 2016-2021 on its website.
4. That the infographics summary of the End of Term Report 2016-2021 be printed and distributed to all residents as a matter of urgency.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Cr R Algate

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 181/21 - DATED NOVEMBER 01, 2021 -
DRAFT ANNUAL REPORT 2020/2021** D21/48004

RESOLUTION

Minute No. 46670

Councillor J Nolan moved)
Councillor M Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 181/21 dated November 1, 2021, be received.
2. That the Draft Annual Report 2020/2021, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements, audited Annual Financial Statements for the reporting period 1 July 2020 to 30 June 2021, End of Term Report 2016-2021 and State of Environment Report 2016-2021, be adopted.
3. That the Annual Report 2020/2021, inclusive of Delivery Program Achievements, Disability Inclusion Action Plan Achievements, audited Annual Financial Statements for the reporting period 1 July 2020 to 30 June 2021, End of Term Report 2016-2021 and State of Environment Report 2016-2021, be posted on Council's website.
4. That Council's web link for the Annual Report 2020/2021, inclusive of Delivery Program Achievements, Disability Inclusion Action

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Achievements, audited Annual Financial Statements for the reporting period 1 July 2020 to 30 June 2021, End of Term Report 2016-2021 and State of Environment Report 2016-2021, be provided to the Minister via the Office of Local Government and Minister for Disability Services, by 30 November 2021.

CARRIED UNANIMOUSLY

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 182/21 - DATED OCTOBER 21, 2021 -
CODE OF CONDUCT COMPLAINTS STATISTICS ANNUAL REPORT - 2020/2021** D21/47997

RESOLUTION

Minute No. 46671

Councillor R Algate moved)

Deputy Mayor C Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 182/21 dated October 21, 2021, be received.
2. That the Code of Conduct Complaints Statistics Annual Report for the Broken Hill City Council for the period of 1 September 2020 – 31 August 2021 be forwarded to the Office of Local Government.

CARRIED UNANIMOUSLY

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 183/21 - DATED NOVEMBER 12, 2021 -
DRAFT AGENCY INFORMATION GUIDE** D21/49281

RESOLUTION

Minute No. 46672

Councillor M Browne moved)

Deputy Mayor C Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 183/21 dated November 12, 2021, be received.
2. That Council endorse the reviewed and Draft Agency Information Guide for release to the Information Commissioner for its review and comment.

CARRIED UNANIMOUSLY

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 184/21 - DATED SEPTEMBER 30, 2021 -
ADOPTION OF THE DRAFT BUSINESS SUPPORT POLICY** D21/47944

RESOLUTION

Minute No. 46673

Deputy Mayor C Adams moved)

Councillor B Licul seconded)

Resolved

1. That Broken Hill City Council Report No. 184/21 dated September 30, 2021, be received.
2. That Council notes that no submissions were received from the public during the second round of the public exhibition period of the draft Business Support Policy.

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3. That Council adopted the draft Business Support Policy as a Policy of Council.
4. That adoption of the draft Business Support Policy will render the Business Development Policy obsolete.

CARRIED UNANIMOUSLY

ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 185/21 - DATED NOVEMBER 05, 2021 - INVESTMENT REPORT FOR OCTOBER 2021 D21/48123

RESOLUTION

Minute No. 46674

Councillor J Nolan moved)
Deputy Mayor C Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 185/21 dated November 5, 2021, be received.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Cr R Algate

ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 186/21 - DATED NOVEMBER 16, 2021 - COMMUNITY ASSISTANCE GRANTS AWARDED FOR ROUND 2 OF 2021/2022 D21/49964

At this point in the meeting proceedings, the Mayor declared a conflict of interest in Item 8 (son employed by LiveBetter Services who are a recipient of a Community Assistance Grant) and left the Council Chambers at 7:05p.m.

The Deputy Mayor assumed the Chair for the duration of item 8.

RESOLUTION

Minute No. 46675

Councillor D Gallagher moved)
Councillor M Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 186/21 dated November 16, 2021, be received.
2. That Council notes the Community Assistance Grants awarded for Round Two of 2021/2022 which were recommended by the Panel on 16 November 2021 and approved by the General Manager.
3. That Council notes that surplus funds from Round Two of the Community Assistance Grants budget will be utilised to provide the Christmas Lights Subsidy Scheme for local businesses and to purchase additional Christmas Light Displays for the Town Square for the 2021 festive season.
4. That Council formally thanks the members of the Community Assistance Grants Panel - Councillor Delegates (Councillor Gallagher APM (Chairperson), Councillor Clark and

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Councillor Kennedy) and the community representatives (Mr Ken Martin, Ms Pam Tucker and Ms Sandra Haring) for their assistance in the assessment of grant applications and the awarding of grants during the current term of Council.

CARRIED UNANIMOUSLY

The Mayor returned to the Council Chambers at 7:09p.m. and resumed the Chair.

The Deputy Mayor advised the Mayor that Council had adopted the report recommendation of Item 8.

ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 187/21 - DATED NOVEMBER 11, 2021 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 419 HELD ON THURSDAY, 28 OCTOBER 2021 D21/49138

RESOLUTION

Minute No. 46676

Councillor M Browne moved)
Councillor B Licul seconded)

Resolved

1. That Broken Hill City Council Report No. 187/21 dated November 11, 2021, be received.
2. That the minutes from the Local Traffic Committee – Meeting 419 held on Thursday, 28 October 2021
3. Item No. 416.6.1 - That the parking signs in Union Street be covered for a trial period of three months to identify what impacts are caused without the timed parking spaces adjacent the Morgan Street Primary School in Union Street.

That the triad period be for three months and the covers removed after this time at the end of the first school term.

Further consultation will be arranged with the Principal of the Morgan Street Primary School and the residents in the area before a determination can be decided.

Based on satisfaction results from the trial period the zone will be reinstated permanently – streamline from trial to permit.

4. Item No. 417.6.1 – That a 15-minute timed parking space be installed at the front of Live better, located at 475 Argent Street to allow for the parking of the transport bus.

Council to arrange further consultation with Live Better and arrange for the placement of the parking sign.

5. Item No. 419.6.1 - That the Local Traffic Committee have no objection for the

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proposed road closures for the Council
Christmas Pageant.

CARRIED UNANIMOUSLY

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 188/21 - DATED SEPTEMBER 09, 2021 -
ACTION LIST REPORT** D21/48003

RESOLUTION

Minute No. 46677

Deputy Mayor C Adams moved)
Councillor M Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 188/21 dated September 9, 2021, be received.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Nil.

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

**ITEM 11 - QUESTIONS ON NOTICE NO. 8/21 - DATED NOVEMBER 04, 2021 - COUNCILLOR
QUESTIONS TAKEN ON NOTICE AT THE OCTOBER 2021 ORDINARY COUNCIL MEETING** D21/48005

RESOLUTION

Minute No. 46678

Councillor B Licul moved)
Councillor J Nolan seconded)

Resolved

1. That Questions On Notice No. 8/21 dated November 4, 2021, be received.

CARRIED UNANIMOUSLY

SUPPLEMENTARY REPORTS

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 190/21 - DATED NOVEMBER 18, 2021 -
ADOPTION OF DRAFT WORKPLACE COVID-19 VACCINATION POLICY** D21/50400

Motion

Deputy Mayor C Adams moved)
Councillor B Licul seconded)

1. That Broken Hill City Council Report No. 190/21 dated November 18, 2021, be received.
2. That Council adopts the draft Workplace COVID-19 Vaccination Policy as an Operational Employee Policy of Council.

Amendment

Councillor R Algate moved)

1. That the report be referred to the incoming Council for consideration.

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LAPSED
(for want of a Secunder)

The motion was put.

RESOLUTION

Minute No. 46679

Deputy Mayor C Adams moved)

Councillor B Licul seconded)

Resolved

1. That Broken Hill City Council Report No. 190/21 dated November 18, 2021, be received.
2. That Council adopts the draft Workplace COVID-19 Vaccination Policy as an Operational Employee Policy of Council.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Cr R Algate

ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 191/21 - DATED NOVEMBER 09, 2021 - OFFICE OF LOCAL GOVERNMENT CONSULTATION DRAFT GUIDELINES FOR NEW RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK FOR COUNCILS AND JOINT ORGANISATIONS

D21/48645

RESOLUTION

Minute No. 46680

Councillor J Nolan moved)

Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 191/21 dated November 9, 2021, be received.
2. That Council endorses the draft submission to the Office of Local Government regarding the draft guidelines for new Risk Management and Internal Audit Framework for Councils and Joint Organisations.
3. That Council's submission be forwarded to the Office of Local Government by 26 November 2021.

CARRIED UNANIMOUSLY

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 192/21 - DATED NOVEMBER 16, 2021 - MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETINGS HELD 19 AUGUST 2021 AND 20 OCTOBER 2021

D21/49876

RESOLUTION

Minute No. 46681

Councillor D Gallagher moved)

Councillor J Nolan seconded)

Resolved

1. That Broken Hill City Council Report No. 192/21 dated November 16, 2021, be received.
2. That minutes of the Audit, Risk and Improvement Committee meetings held 19

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August 2021 and 20 October 2021 be received.

3. That Council formally thanks the Council Delegates (Mayor Turley AM, Councillor Gallagher APM and Councillor Nolan) and the independent members Mr Jim Mitchell (Chairperson) and Mr Damian Pulgies) for their work on the Audit, Risk and Improvement Committee over the current term of Council.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

Nil.

RESOLUTION

Minute No. 46682

Deputy Mayor C Adams moved)
Councillor M Browne seconded)

Resolved

That the meeting close 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 left the Council Chambers at 7:20p.m. (The member of the public had previously left the Council Chambers).

CONFIDENTIAL MATTERS

ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 189/21 - DATED NOVEMBER 16, 2021 - CONFIDENTIAL MINUTES FOR CONFIRMATION OF THE EXTRAORDINARY COUNCIL MEETINGS HELD 4 NOVEMBER 2021 AND 11 NOVEMBER 2021 - CONFIDENTIAL D21/49863
(General Manager's Note: This report considers confidential minutes for confirmation 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. 46683

Deputy Mayor C Adams moved)
Councillor M Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 189/21 dated November 16, 2021, be received.

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2. That the confidential minutes of the Extraordinary Council Meetings held 4 November 2021 and 11 November 2021 be confirmed.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Cr R Algate

RESOLUTION

Minute No. 46684

Councillor B Licul moved)

Councillor M Browne seconded)

Resolved

That the meeting resume in open session.

CARRIED UNANIMOUSLY

The meeting resumed in open session at 7:21p.m.

At the Mayor's invitation, the General Manager read Council's resolution of the confidential item considered in closed session.

The Mayor noted that Councillors Nolan, Clarke and Adams were not standing for election in the 2021 Local Government Elections, and as this is the last Council Meeting of the current Council, the Mayor thanked them for their work and dedication to the City of Broken Hill during their term/s on Council. The Mayor wished all candidates well in the 2021 Local Government Elections.

On behalf of Council, the Mayor thanked the previous General Manager Mr James Roncon, the current General Manager Mr Jay Nankivell, Council's Executive Leadership Team, the Governance Officer and Executive Support Officer for their support to Councillors. The Mayor thanked all staff at Council for their outstanding work in implementing the many decisions of Council and for their dedication to the City of Broken Hill.

The Mayor and Councillors present stood and applauded Council's staff.

There being no further business the Mayor closed the meeting at 7:24p.m.

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

CHAIRPERSON