
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
JANUARY 12, 2022

Meeting commenced at 6:30p.m.

OATH / AFFIRMATION OF OFFICE

Pursuant to Section 233A of the Local Government Act 1993, the following Councillors took the Oath of Office or the Affirmation of Office in the presence of the General Manager Mr Jay Nankivell.

Mayor Thomas Kennedy (Oath), Councillor Robert Algate (Affirmation), Councillor Michael Boland (Oath), Councillor Marion Browne (Affirmation), Councillor Alan Chandler (Affirmation), Councillor David Gallagher (Oath), Councillor James Hickey (Oath), Councillor Hayley Jewitt (Oath), Councillor Ronald Page (Oath) and Councillor Darriea Turley (Affirmation).

The Mayor advised that this meeting is the December 2021 Ordinary Council Meeting which has been postponed to 12 January 2022 due to the timing of the official declaration of the NSW Local Government Election.

PRESENT:

Councillor T Kennedy (Mayor) Councillor, Councillors R Algate, M Boland, M Browne, A Chandler, D Gallagher, J Hickey, H Jewitt, R Page and D Turley.

General Manager, Chief Financial Officer, Manager Communications and Marketing, Business Systems Analyst and Executive Assistant (audio-visual link).

Media (3), Members of the Public (31).

APOLOGIES:

Nil.

PRAYER

Councillor Boland delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 46685

Councillor D Gallagher moved)
Councillor R Algate seconded)

Resolved

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

That the open minutes of the Extraordinary Council Meeting held 11 November 2021 be amended to include the resolution of Item 1 – Broken Hill City Council Report No. 179/21 dated November 10 2021 – Proposed Transport Options – Confidential.

That the amended open minutes of the Extraordinary Council Meeting held 11 November 2021 be represented to the Ordinary Council Meeting held 27 January 2022 for confirmation.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Nil.

MATTER OF URGENCY

The Mayor accepted Councillor Algate's request for a matter of urgency to be considered regarding introducing two Public Forum Sessions at this meeting.

RESOLUTION

Minute No. 46686

Councillor R Page moved)
Councillor H Jewitt seconded)

Resolved

1. Council considers, as a matter of urgency, a motion to introduce a Public Forum Sessions at this Council Meeting.
2. That Standing Orders be suspended in order for a 15 minute Public Forum Session to be held.
3. That a further 15 minute Public Forum Session be held at the conclusion of consideration of all items of business and prior to the conclusion of the meeting.

CARRIED

FOR: Councillors Algate, Boland, Chandler, Gallagher, Kennedy, Hickey, Jewitt and Page.
AGAINST: Councillors Browne and Turley.

PUBLIC FORUM

Development Applications/Business Rates/Library Hub Project

Mr Nick Bobos congratulated Mayor Kennedy and Councillors and referred to the Oath taken by Councillors and hope that all Councillors will listen to the community and stated that it will be good to see the Council moving forward.

Mr Bobos referred to issues over the past five years relating to the erection of a sign on his property for which he was fined \$6,000 twice because he did not have development application approval and stated that Council should support businesses and not fine businesses.

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Mr Bobos advised that he has had a Development Application in for over 2 years and hopes that this year it will be approved. Council should help local business and approve Development Applications so that the City moves forward. Referred to the large rate increase to his business rates on his Barrier Highway property from \$5,000/year to \$20,000/year stating that it was hard to pay these rates when Council hasn't approved his Development Application and Council uses his land and doesn't pay for it.

Mr Bobos referred to the Library project, and supports a new Library for the City but does not believe the current plans for the Library are adequate. The Town Hall needs to be rebuilt to match as closely as possible to the original Town Hall as it is one of Broken Hill's historic buildings. This building could be utilised as the new Library and will draw tourists to the City. The Heritage Festival light projection show can be held at another location in the City.

The Mayor thanked Mr Bobos for his comments.

Council Meetings Processes

Mr Peter Bevan asked if a desk can be available for member of the media, and a hard copy register for members of the public to do their COVID-19 check-in.

The Mayor thanked Mr Bevan for his comments and stated that the matters raised would be addressed.

Commercial Land Rates

A member of the public spoke about the City's land rates for commercial properties in comparison to Mildura and Adelaide and that commercial land rates in Mildura and Roseworthy are less than commercial land rates in Broken Hill. He raised concerns about land value increasing and rates increasing in Pinnacles Place and the Kanandah Road industrial area again if AGL put a battery storage complex on land which has just been surveyed.

The member of the public advised of locals selling their properties in the industrial area as they can't afford to pay the rates and requested Council to review land rates in Broken Hill for the benefit of the City moving forward.

Support for Tae-Kwon-Do

Mr Lee Hermansson congratulated the new Council. Mr Hermansson advised that he wishes to grow martial arts in Broken Hill, Wilcannia and Menindee and sought support from Council to establish a Tae-Kwon-Do Club in Menindee and Wilcannia.

Replacement of Dead Street Trees

Mr Shawn Power spoke about the street trees that are dying due to the drought and advised that there are qualified arborists in Broken Hill who are keen to be involved in removed the dead trees. He referred to a tree that fell during high winds this week on the footpath adjacent to the Broken Hill High School which could have injured a student. A replanting strategy needs to be put into place to replace these trees with a more suitable species.

The Mayor thanked all speakers and made the following comments:

- Council will do all it can for local businesses, there is now a mechanism that Council can use to reduce rates in the City and Council will work with businesses and the community to address the rates issues. If there is a major land value increase as mentioned during the public forum, Council can now use this mechanism to even out rates.
- Development Applications and Construction Certificates are an issue in the City and is a priority for this Council.

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- Council will do all it can to support Tae-Kwon-Do activities in Wilcannia and Menindee through the Community Assistance Grants Committee.
- Replacing the dead street trees in the City is an important issue and seeking advice from qualified horticulturists and using volunteers will be instrumental in improving the City.
- Council will be seen as a partner working with the community to make Broken Hill a better place to live.

The Mayor advised that he is tabling two Mayoral Minutes at this meeting and referred to item 6 of Mayoral Minute No. 1 which relates to the Deputy Mayor Election and asked for a motion to suspend Standing Orders in order for the Deputy Mayor Election to be conducted.

ELECTION OF DEPUTY MAYOR

RESOLUTION

Minute No. 46687

Councillor R Page moved)

Councillor D Gallagher seconded)

Resolved

That Standing Orders be suspended in order for the Deputy Mayor election to be conducted.

CARRIED UNANIMOUSLY

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 1/22 - DATED DECEMBER 07, 2021 -
ELECTION OF DEPUTY MAYOR**

D21/53744

RESOLUTION

Minute No. 46688

Councillor R Page moved)

Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 1/22 dated December 7, 2021, be received.
2. That Council elect the Deputy Mayor at this meeting.
3. That the Deputy Mayor be elected for the period from this Council Meeting until the September 2022 Council Meeting.
4. That voting for the Deputy Mayor be open voting, i.e. "show of hands".
5. That the result of the election of Deputy Mayor be forwarded to the Office of Local Government and to Local Government NSW.

CARRIED UNANIMOUSLY

The Mayor appointed the General Manager as Returning Officer for the conduct of the Election of Deputy Mayor.

The Returning Officer advised that one (1) nomination had been received for the position of Deputy Mayor, being:

Councillor Hickey (nominated by Councillor Algate and Councillor Boland) nomination received: 12 January 2022 at 7:18 pm.

The Returning Officer called for any further nominations prior to the ballot being conducted. No further

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nominations were received.

As Councillor Hickey's nomination for Deputy Mayor was uncontested, the Returning Officer declared Councillor Hickey elected as Deputy Mayor for the period 12 January 2022 to the September 2022 Council Meeting.

The Returning Officer congratulated Councillor Hickey on his appointment as Deputy Mayor.

The Mayor and all Councillors also congratulated Councillor Hickey on his appointment as Deputy Mayor as Councillor Hickey assumed the chair of Deputy Mayor for the remainder of the meeting.

MAYORAL MINUTES

The Mayor tabled the following Mayoral Minute No. 1/22.

RESOLUTION

Minute No. 46689

Mayor T Kennedy moved)
Councillor R Algate seconded)

Resolved

Resolved:

1. That Mayoral Minute No. 1/22 dated 12 January 2022 be received.
2. That all relevant extant policies and practices be rescinded or amended so as to facilitate the following:
3. That the Mayor be afforded dedicated full time secretarial assistance with requisite office equipment, including letterhead.
4. That the Mayor's office be responsible for all ceremonial activities.
5. That the Mayor and Councillors be afforded priority use of the level 2 Administrative Centre Meeting Room, and that councillors be afforded access to the administrative centre; and that the level 2 Administrative Centre Meeting Room be turned back into a Councillor Meeting Room/Common Area for the use of Councillors as required.
6. That Cr Jim Hickey be appointed Deputy Mayor 2022.
7. That standing committees, viz: Works, Health and Building, Policy and General be formed such that meetings at 5.30 be held on Monday, Tuesday and Wednesday of the week preceding scheduled monthly council meetings; and that the work of the existing

Key Direction Working Groups will be amalgamated with the new the Standing Committees.

8. That "Works" include consideration of all matters relating to garbage services, parks and gardens, animal control and any other function the council delegates.
9. That "Health and Building include consideration of all matters relating to cultural activities, Library, Art Gallery, Geocentre and any other function the council delegates.
10. That "Policy and General" include consideration of all matters relating to corporate services, heritage, tourism and any other function the council delegates.
11. That the General Manager be invited to ensure that senior staff, the authors of reports are present at the relevant standing committee meetings.
12. That the standing committees be chaired by Cr Michael Boland "Works", Cr Jim Hickey "Building and Health, Cr Bob Algate "Policy and General
13. That the first standing committee be held in February 2022.
14. That the composition of the standing committees, other than the Mayor be:
"Works" Cr Michael Boland, Cr Bob Algate, Cr Alan Chandler, Cr Ron Page. "Health and Building" Cr Jim Hickey, Cr Alan Chandler, Cr Hayley Jewitt, Cr Dave Gallagher. "Policy and General" Cr Bob Algate, Cr Michael Boland, Cr Marion Brown, Hayley Jewitt, Jim Hickey.
15. That the Mayor, Deputy Mayor, Cr Algate and Cr Boland be appointed to the audit committee.
16. That councillors be invited to indicate to the Mayor's office their preferences for membership of section 355 committees and any other committees/working groups with

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Councillor representation, and appointment of Councillor Delegates to same be made at the February 2022 Council Meeting.

CARRIED UNANIMOUSLY

The Mayor tabled the following Mayoral Minute No. 2/22.

During consideration of the Mayoral Minute, the meeting was adjourned at 8:05pm for 15 minutes due to severe storm activity affecting the electrical equipment in the Council Chambers. Consideration of the Mayoral Minute resumed at 8:20pm.

RESOLUTION

Minute No. 46690

Mayor T Kennedy moved)
Councillor R Algate seconded)

Resolved

1. That the Mayoral Minute 2/22 dated the 12/01/22 be received.
2. That an Ordinary Council Meeting be held on the 27/01/2022 at 6.30pm.
3. That a workshop be held on Wednesday 19/01/2022 at 5.30pm to organise amendments to Council's Code of Meeting Practice, so that the public forum will be part of Councils Ordinary and Extraordinary Meetings. Other amendments to the Code of Meeting Practice will also be made, that the amendments discussed will be put in a draft form for adoption at the January Council Meeting on Thursday 27/01/2022.
4. That Council immediately advertises for community groups interested in hosting public meetings to discuss Council matters. The public meetings will be held monthly and business forums bi-monthly; that a report will be presented to the February 2022 meeting of Council about potential arrangements for public meetings.
5. That at the February 2022 meeting of Council, Councillors are to be presented with the required policies, with amendments included, that will allow for cash payments to be accepted at all Council operated facilities.
6. That a workshop will be held to discuss amendments to the following policies, The Code of Conduct, Compliance and Enforcement Policy, Debt Recovery Policy, Local Orders Policy, Media Relations Policy, Social Media Policy and Tree

Management Policy.

7. That all expenditure, plans and actions related to the development of the Council's Library hub be abandoned and that the General Manager be invited to present a report to the Council Meeting on 27/1/2022 outlining the use of federal grant money for a purpose built archive that is located in the proposed position of the Library hub. The report will include staffing requirements.
8. That the General Manager be invited to advertise for expressions of interest for a community group to facilitate the removal and replacement of the gateway signage, that Councillors are presented with a report at the February 2022 Council Meeting detailing the cost of replacing one of the gateway signs with a sign chosen by Deanna Spicer from her designs.
9. That the General Manager be invited to provide a report to Council with options on how to manage a complaints committee that is operated locally, the committee will deal with disputed fines and disputed orders.
10. That the General Manager be invited to provide a report to March 2022 Ordinary Council Meeting that details the structure and operations of the former 355 committee known as "The Regional Tourism Association" with a view to re-establish the committee. The goal of the committee will be to market tourism and encourage migration to the city.
11. That the General Manager be invited to provide a report to Council detailing the requirements for dedicated full time Council employed staff to maintain footpaths and nature strips.
12. That the over \$6M collected from waste disposal from the Wentworth to Broken Hill pipeline is removed from the Library hub project reserve and placed into a general projects reserve.
13. That Council forms a 355 committee that deals with all matters that affect our senior citizens and that the formation of the committee is to be advertised to the community for membership and expressions of interest.

14. That Council forms a 355 committee that has the role to bring projects and services to the city that benefit young children, teenage children and young adults and that the formation of the committee will be advertised and expressions sought.
15. That the General Manager be invited to provide a report to Council detailing what amendments need to be made to the constitutions of all Council 355 committees as to provide more autonomy to the committees to operate and manage Council facilities.
16. That the Mayor be invited to organise a meeting with the Local Member Roy Butler and Essential Water as early as possible to significantly accelerate the process to open the Imperial Lake. That a site visit is organised with Essential Energy for Councillors to view the Imperial Lake. That the General Manager be invited to obtain an independent engineers report into the safety of the dam wall. Expressions of interest are advertised immediately for community representation on a working group to facilitate volunteers and the opening of the Lake and that Landcare and RANA are contacted to gauge interest.
17. That options to increase street lighting be referred to the Policy and General committee.
18. That the General Manager be invited to immediately advertise for expression of interest from the community to form a working party to provide Council with advice on projects that Council undertakes, with a view to reduce the Council's reliance on consultants.
19. That the General Manager be invited to hold a workshop to explain to Councillors how line budgets will be implemented for the 2022/23 budget.
20. That the Mayor be invited to host a meeting with the Local State Member Roy Butler and the Local Federal Member Mark Coulton and that John Lynch, and a representative from the RFDS are invited to discuss proposals and options for an airport upgrade and options.
21. That options to increase childcare be

referred to the Policy and General committee.

22. That the Works committee discuss and provide options for the removal of residential waste gate charges, this will also apply to commercial businesses that are disposing of residential rubbish, the committee will also discuss greenwaste and other recycling options. Any findings will be discussed at a number of public meetings.
23. That the General Manager be invited to provide the Council with a report detailing the legal expenditure to defend against the Ombudsman's report into the Occupation Certificate and Civic Centre usage. The report will detail any decision to expend funds to mount such defence. This report will be provided to the February 2022 meeting.
24. That the General Manager be invited to hold a workshop on 24/01/2022 at 5.30 pm to provide Councillors with all reports and information pertaining to the Civic Centre litigation.
25. That the Policy and General committee consider proposals to reduce commercial and industrial rates and to make residential rates more equitable.
26. That the General Manager be invited to advertise for expressions of interest to paint murals and provide other street art and that a report be provided at the January 27th 2022 meeting explaining why the proposed mural in Argent Street from the Country Women's Association was rejected and options to invite them to resubmit their application.
27. That the Policy and General committee investigate the cost for Council to provide more focus on applying for grant funding and the opportunity to apply for grants for local organisations as a fee for service.
28. That the Mayor be invited to send correspondence to the Local State Member Roy Butler asking that he make representations to the State Government on behalf of the Broken Hill community to have a permanent Wentworth pipeline subsidy implemented. That the State Member be asked to facilitate a meeting

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- with the appropriate Minister to meet with himself and the Mayor to discuss the subsidy.
29. That the General Manager be invited to provide Council with a report at the on the progress of the Netball, Norm Fox redevelopment and a tour is organised for Councillors to see all Council parks, ovals and sporting facilities.
 30. That the General Manager be invited to organise a meeting with IPART and Essential Energy to discuss options to increase water usage at a lower cost so that the city can be greened.
 31. That the Mayor be invited to send correspondence to the Local Member Roy Butler to ask him to organise a meeting with the appropriate Ministers to discuss the management of the Menindee Lakes and the Darling River.
 32. That General Manager be invited to immediately advertise for expressions of interest from the community to remove dead trees.
 33. That the Works committee investigate options to plant different tree species that are asset friendly and fast growing.
 34. That the General Manager be invited to provide Councillors with a report on options to address the issues of roaming dogs and cats. That a meeting be organised of the committee that was formed to address this issue and the findings referred to the Policy and General committee.
 35. That the General Manager be invited to provide a report about the process to get funding for a mining, truck, car and motorbike museums. The report will include previous reports on the matters and the offer made by Perilya a number of years ago about mining assets.
 36. That the General Manager advertise for expressions of interest to form a working group to address the homeless issue, drug and alcohol use and suicide prevention.
 37. That the General Manager be invited to provide a report to Council detailing options to facilitate a truck wash and truck

stop.

38. That the General Manager be invited to provide a report to the January meeting about any positions in the employee structure that remain unfilled and the expense to date for wages compared to the budgeted amount. Also the expected wage amount to year end with only the current positions filled.
39. That the General Manager be invited to contact the appropriate Aboriginal organisations to facilitate communication for the purpose of establishing a green space at the rear of Creedon Street.
40. That the General Manager provides a report to the January 27 2022 Ordinary Council Meeting outlining timelines for the implementation of the resolutions of Mayoral Minute No. 2/22.

CARRIED

FOR: Councillors Algate, Boland, Chandler, Gallagher, Kennedy, Hickey, Jewitt and Page.
AGAINST: Councillors Browne and Turley.

NOTICES OF MOTION

Nil.

RESCISSION MOTIONS

The Mayor accepted as a matter of urgency, a Rescission Motion from Councillors Algate, Hickey and Boland regarding Council's adopted COVID-19 Vaccination Policy.

RESOLUTION

Minute No. 46691

Councillor R Algate moved)
Deputy Mayor J. Hickey seconded)

Resolved

That the Rescission Motion dated 12 January 2022 be received.

That Council rescind resolution Minute No 46679 – Adoption of the Draft Workplace COVID 19 Vaccination Policy.

That the General Manager be invited to prepare a report to the February Council Meeting to resubmit an updated policy.

CARRIED

FOR: Councillors Algate, Boland, Chandler, Gallagher, Kennedy, Hickey, Jewitt and Page.
AGAINST: Councillors Browne and Turley.

REPORTS FROM DELEGATES

Nil.

REPORTS

ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 2/22 - DATED DECEMBER 07, 2021 - CASUAL VACANCIES IN THE OFFICE OF COUNCILLOR WITHIN 18 MONTHS OF THE 4 DECEMBER 2021 LOCAL GOVERNMENT ELECTION D21/53761

Councillor Algate suggested an amendment to the motion that should there become a casual vacancy in the office of Councillor for Broken Hill City Council within 18 months of the 4 December 2021 Local Government Election, a bi-election be held.

The Mayor did not accept Councillor Algate's amendment and ruled that it was a direct negative to the motion before Council. The Mayor advised that if the motion is lost to the vote, the same outcome would be achieved.

The Mayor put the motion to the vote.

Councillor D Gallagher moved)
Councillor D Turley seconded)

1. That Broken Hill City Council Report No. 2/22 dated December 7, 2021, be received.
2. That should there become a casual vacancy in the office of Councillor for Broken Hill City Council within 18 months of the 4 December 2021 Broken Hill City Council Local Government election, then the vacancy be filled by using a countback of votes cast at the 4 December 2021 Broken Hill City Council Local Government election.
3. That the General Manager advises the Returning Officer of the Broken Hill City Council Local Government election held 4 December 2021 within seven (7) days of Council's resolution.

LOST

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FOR: Councillors Browne, Gallagher, Page and Turley.
AGAINST: Councillors Algate, Boland, Chandler, Kennedy, Hickey and Jewitt

MAYORAL MINUTE

Due to Councillor Page calling a point of order regarding the Mayor's Chairmanship of the Council Meeting, the Mayor moved the following Mayoral Minute in order for Councillors to vote as to whether the Mayor's Chairmanship of the Council Meeting is acceptable:

RESOLUTION

Minute No. 46692

Mayor T Kennedy moved)
Councillor R Algate seconded)

Resolved

That Standing Orders cease in order for the
Mayoral Minute to be considered.

That Mayor Kennedy's Chairmanship of the
Council Meeting is acceptable.

CARRIED

FOR: Councillors Algate, Boland, Chandler, Kennedy, Hickey and Jewitt.
AGAINST: Councillors Browne, Gallagher, Page and Turley.

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 3/22 - DATED DECEMBER 21, 2021 -
ELECTORAL FUNDING OBLIGATIONS OF NEWLY ELECTED COUNCILLORS AND MAYORS**

D21/56098

RESOLUTION

Minute No. 46693

Councillor M Browne moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 3/22 dated December 21, 2021, be received.
2. That the Mayor and Councillors note their disclosure obligations as newly elected members of Council and comply with the NSW Electoral Commission's reporting requirements of political donations and electoral expenditure.

CARRIED UNANIMOUSLY

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 4/22 - DATED SEPTEMBER 09, 2021 -
DELEGATION OF FUNCTIONS**

D21/53934

RESOLUTION

Minute No. 46694

Councillor R Algate moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Broken Hill City Council Report No. 4/22 dated September 9, 2021, be received.
2. That the matter be deferred to the February 2022 Ordinary Council Meeting.
3. That a Councillor Workshop regarding the Delegations be held prior to the February Council Meeting.

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CARRIED

FOR: Councillors Algate, Boland, Chandler, Gallagher, Kennedy, Hickey and Jewitt.
AGAINST: Councillors Browne, Page and Turley.

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 5/22 - DATED DECEMBER 09, 2021 - ANNUAL FEES - MAYOR AND COUNCILLORS D21/53756

RESOLUTION

Minute No. 46695

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 5/22 dated December 9, 2021, be received.
2. That the current annual fees payable to the Mayor and Councillors remain unchanged for the remainder of the financial year.
5. That allocation of a fee for the newly elected 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: Councillors Algate, Boland, Chandler, Gallagher, Kennedy, Hickey and Jewitt and Page.
AGAINST: Councillors Browne and Turley.

ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 6/22 - DATED DECEMBER 09, 2021 - LOCAL GOVERNMENT REMUNERATION TRIBUNAL -ANNUAL REVIEW FOR 2022 D21/54502

RESOLUTION

Minute No. 46696

Councillor M Browne moved)
Councillor M Boland seconded)

Resolved

1. That Broken Hill City Council Report No. 6/22 dated December 9, 2021, be received.
2. That Council notes that the Broken Hill City Council is categorised as a "Regional Rural" Council for the purpose of determining the Mayoral and Councillor Fees; and that Council makes a submission to the NSW Local Government Remuneration Tribunal in support of the categorisation.

CARRIED UNANIMOUSLY

ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 7/22 - DATED DECEMBER 09, 2021 - APPOINTMENT OF DELEGATES TO COMMITTEES - DECEMBER 2021 TO SEPTEMBER 2022 D21/54039

RESOLUTION

Minute No. 46697

Councillor R Algate moved)

Resolved

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Deputy Mayor J Hickey seconded)

1. That Broken Hill City Council Report No. 7/22 dated December 9, 2021, be received.
2. That the matter be deferred as per the resolution of the Mayoral Minute No.1.

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 8/22 - DATED SEPTEMBER 17, 2021 -
ADOPTION OF COUNCILLOR SUPPORT POLICY** D21/48651

RESOLUTION

Minute No. 46698

Councillor M Browne moved)
Councillor R Page seconded)

Resolved

1. That Broken Hill City Council Report No. 8/22 dated September 17, 2021, be received.
2. That the following amendments be made to the Councillor Support Policy:
 - a) amend Item 4.13 d) to allow Council orders for accommodation to include meals, drinks, laundry, telephone and other costs incurred at a hotel/motel, to alleviate the inconvenience of paying separately for these charges when checking-out of a hotel/motel.
 - b) amend the policy to update the reference of iPads.
3. That the amended Councillor Support Policy be re-presented to the February Council Meeting.

CARRIED UNANIMOUSLY

As the time was 9:00pm and as per Council's adopted Code of Meeting Practice Policy (which requires a resolution of Council to continue the Council Meeting once the time reaches 9:00pm), the Mayor called for a motion to continue the Council Meeting until its conclusion.

RESOLUTION

Minute No. 46699

Councillor D Gallagher moved)
Mayor D Turley seconded)

Resolved

That the Council Meeting continues until its conclusion.

CARRIED UNANIMOUSLY

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**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 9/22 - DATED DECEMBER 07, 2021 -
COUNCILLOR ATTENDANCE AND MOTIONS TO THE LOCAL GOVERNMENT NSW SPECIAL
CONFERENCE HELD IN SYDNEY 28 FEBRUARY - 2 MARCH 2022** D21/53778

Motion

- Councillor M Browne moved)
Councillor M Boland seconded)
1. That Broken Hill City Council Report No. 9/22 dated December 7, 2021, be received.
 2. That Council notes the LGNSW Special Conference, including debate and resolution of motions from member councils setting LGNSW's advocacy agenda for 2022, will be held in-person in Sydney from 28 February to 2 March 2022.
 3. That Councillors advise the Mayor's Office of their interest in attending the LGNSW Special Conference (in-person) in Sydney from Monday 28 February to Wednesday 2 March 2022.
 4. That the Mayor be delegated authority to determine Council's voting delegates to the LGNSW Special Conference (Council is entitled to two (2) voting delegates who must be present) and Council advises Local Government NSW by 17 February 2022.
 5. That Council notes the following motion (from the 28 July 2021 Council Meeting, Minute Number 46598), and the motion suggested during the Public Forum Session at this meeting:
 - a) That Local Government NSW lobbies the Minister for Transport and Transport NSW to re-introduce reduced speed zones around all NSW childcare centres and long day-care centres to ensure the safety of families and young children attending the centres.
 - b) That Councillor Browne provides a motion to the Mayor's Office based on the suggestion made during the Public Forum Session in relation to encouraging refugees/immigrants to settle in regional NSW.
 6. That motions along with the accompanying Council Resolutions be submitted to LGNSW prior to the closing date of 30 January 2022.

At the Mayor's request the Deputy Mayor assumed the Chair during debate of Item 9 in order for the Mayor to move an amendment to the motion.

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Amendment

Mayor T Kennedy moved)
Councillor R Algate seconded)

1. That Broken Hill City Council Report No. 9/22 dated December 7, 2021, be received.
2. That Council notes the LGNSW Special Conference, including debate and resolution of motions from member councils setting LGNSW's advocacy agenda for 2022, will be held in-person in Sydney from 28 February to 2 March 2022.
3. That Councillor Boland and Councillor Chandler attend the LGNSW Special Conference (in-person) in Sydney from Monday 28 February to Wednesday 2 March 2022.
4. That Councillor Boland and Councillor Chandler be Council's two voting delegates to the LGNSW Special Conference and Council advises Local Government NSW by 17 February 2022.
5. That Council notes the following motion (from the 28 July 2021 Council Meeting, Minute Number 46598), and the motion suggested during the Public Forum Session at this meeting:
 - a) That Local Government NSW lobbies the Minister for Transport and Transport NSW to re-introduce reduced speed zones around all NSW childcare centres and long day-care centres to ensure the safety of families and young children attending the centres.
 - b) That the suggestion during the Public Forum Session prior to this Council Meeting for a further motion to be submitted to the Local Government NSW Conference regarding encouraging refugees/immigrants to settle in Broken Hill, be formulated by the General Manager's Office into a conference motion to be presented to the Council Meeting held on 27 January 2022 for adoption for submission to the Local Government NSW Conference.
6. That motions along with the accompanying Council Resolutions be submitted to LGNSW prior to the closing date of 30 January 2022.

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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The amendment becomes the motion.

RESOLUTION

Minute No. 46700

Mayor T Kennedy moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 9/22 dated December 7, 2021, be received.
2. That Council notes the LGNSW Special Conference, including debate and resolution of motions from member councils setting LGNSW's advocacy agenda for 2022, will be held in-person in Sydney from 28 February to 2 March 2022.
3. That Councillor Boland and Councillor Chandler attend the LGNSW Special Conference (in-person) in Sydney from Monday 28 February to Wednesday 2 March 2022.
4. That Councillor Boland and Councillor Chandler be Council's two voting delegates to the LGNSW Special Conference and Council advises Local Government NSW by 17 February 2022.
5. That Council notes the following motion (from the 28 July 2021 Council Meeting, Minute Number 46598), and the motion suggested during the Public Forum Session at this meeting:
 - a) That Local Government NSW lobbies the Minister for Transport and Transport NSW to re-introduce reduced speed zones around all NSW childcare centres and long day-care centres to ensure the safety of families and young children attending the centres.
 - b) That the suggestion during the Public Forum Session prior to this Council Meeting for a further motion to be submitted to the Local Government NSW Conference regarding encouraging refugees/immigrants to settle in Broken Hill, be formulated by the General Manager's Office into a conference motion to be presented to the Council Meeting held on 27 January 2022 for adoption for submission to the Local Government NSW Conference.
6. That motions along with the accompanying Council Resolutions be submitted to LGNSW prior to the closing date of 30 January 2022.

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CARRIED UNANIMOUSLY

The Mayor resumed the Chair.

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 10/22 - DATED DECEMBER 21, 2021 -
CITIES POWER PARTNERSHIP - LOCAL LEADERS PROGRAM** D21/56162

RESOLUTION

Minute No. 46701

Councillor M Boland moved)
Councillor H. Jewitt seconded)

Resolved

1. That Broken Hill City Council Report No. 10/22 dated December 21, 2021, be received.
2. That the matter be deferred to the Ordinary Council Meeting to be held 27 January 2022 and a further report be provided to Council outlining the benefits of the Local Leaders Program to the City of Broken Hill.

CARRIED UNANIMOUSLY

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 11/22 - DATED DECEMBER 07, 2021 -
INVESTMENT REPORT FOR NOVEMBER 2021** D21/53773

RESOLUTION

Minute No. 46702

Councillor R Algate moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 11/22 dated December 7, 2021, be received.

CARRIED UNANIMOUSLY

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 12/22 - DATED DECEMBER 10, 2021 -
SECTION 355 COMMITTEE TERM REPORT 2016-2021** D21/54737

RESOLUTION

Minute No. 46703

Councillor R Algate moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 12/22 dated December 10, 2021, be received.
2. That the Term Report 2016-2021 from Section 355 Broken Hill Regional Art Gallery Advisory Committee be received and noted.
3. That the resubmitted Term Report 2016-2021 from Section 355 Friends of the Flora and Fauna of the Barrier Ranges Community Committee be received and noted.

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
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**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 13/22 - DATED DECEMBER 22, 2021 -
MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO. 420, HELD TUESDAY 7
DECEMBER 2021**

D21/56657

RESOLUTION

Minute No. 46704

Councillor M Browne moved)
Mayor D Turley seconded)

Resolved

1. That Broken Hill City Council Report No. 13/22 dated December 22, 2021, be received.
2. That the minutes of the Local Traffic Committee – Meeting No.420, held on Tuesday, 7 December 2021 be received.
3. Item No. 415.6.1 - That Council installs signage and line marking for one (1) disability parking bay adjacent to the ramp on the north side of Crystal Street adjacent to the Country University Centre (CUC) and for three to four 4-hour parking spaces (pending measurement allowance) be installed on the south side of Crystal Street between the two driveways for use by the general community.

CARRIED UNANIMOUSLY

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 14/22 - DATED DECEMBER 16, 2021 -
ACTION LIST REPORT**

D21/55682

RESOLUTION

Minute No. 46705

Councillor D Gallagher moved)
Councillor R Page seconded)

Resolved

1. That Broken Hill City Council Report No. 14/22 dated December 16, 2021, be received.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Nil.

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

Nil.

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

Fruit Fly Program

Councillor Hickey enquired if the Fruit Fly program was still being conducted in Broken Hill?

The Mayor advised that Council staff will contact the Department of Industry to seek clarification regarding fruit fly programs in Broken Hill and will advise Councillors.

The Mayor accepted a motion from Deputy Mayor Hickey as a matter of urgency, and called for a motion to consider the matter:

RESOLUTION

Minute No. 46706

Councillor D Gallagher moved)
Councillor H. Jewitt seconded)

Resolved

That the motion regarding fruit fly in Broken Hill be considered as a matter of urgency.

CARRIED UNANIMOUSLY

MATTER OF URGENCY

RESOLUTION

Minute No. 46707

Deputy Mayor J. Hickey moved)
Councillor R Page seconded)

Resolved

That Council writes to the relevant State Agency regarding the urgent nature of fruit fly in Broken Hill and region and Council requests advice on what action is or can be taken to address the issue.

CARRIED UNANIMOUSLY

Costings for a proposed new Aquatic Centre and Community Gardens in South Broken Hill

Councillor Page asked for costings on the establishment of a 25m pool or a 50m pool along with the establishment of a Community Garden, both at the old South Pool site in South Broken Hill.

The Mayor advised that this matter would be referred to the Works Standing Committee for further consideration.

CONFIDENTIAL MATTERS

Nil.

PUBLIC FORUM

Proposed Community Gardens in South Broken Hill and Fruit Fly Program

A member of the public advised that Landcare currently operate a Community Garden and it may be beneficial for Council to discuss the idea of establishing a Community Garden in South Broken Hill with Mr Simon Molesworth of Landcare. It was also suggested that Council contact Landcare regarding the fruit fly outbreak in Broken Hill.

The General Manager took the matter on notice.

End of Term Report 2016-2021

A member of the public referred to an item on the Action List relating to the distribution of the infographics summary from the End of Term Report 2016-2021, stating that it has not been distributed to all ratepayers and won't be distributed until the July 2022 rate notices and therefore should not be considered as a completed item.

The General Manager advised that the infographic summary has been printed and will be distributed to all ratepayers irrespective of whether they have received their third quarterly instalment. Staff have used the entire rate assessment list that is used for the annual rate notices for the distribution of the infographic summary which will be posted out at the end of January/early February 2022.

Library Hub Project

Mr Nick Bobos referred to Councillor Browne's comments regarding the Library Project and regarding the plans were put on public display to the community. Mr Bobos said that himself and another person had put in a comment regarding the plans for the Library redevelopment and had not received a reply from Council. Mr Bobos said that Councillor Browne's comments were untrue.

The Mayor asked Councillor Browne if she wished to comment on the matter.

Councillor Browne stated that she had not mentioned anything of this nature during debate of the item at this Council Meeting.

The Mayor advised all members of the public that they cannot debate questions with Councillors.

Street Trees

A member of the public referred to the removal of dead street trees in the City and requested that Council seeks advice from Landcare Broken Hill regarding the best species of replacement trees for Broken Hill's climate and lack of rainfall.

The Mayor advised that staff will seek advice from Landcare Broken Hill.

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RESOLUTION

Minute No. 46708

Deputy Mayor J. Hickey moved)
Councillor R Algate seconded)

Resolved

That the Public Forum Session conclude.

CARRIED UNANIMOUSLY

There being no further business the Mayor closed the meeting at 9:34 pm.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 27 JANUARY 2022.)

CHAIRPERSON