
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
JULY 27, 2022

Meeting commenced at 6:30pm.

PRESENT:

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

General Manager, Chief Assets and Projects Officer, Chief Corporate and
Community Officer, Chief Financial Officer, Manager Communications and
Marketing, Executive Manager Planning and Community Safety, Executive
Manager Growth and Investment, Executive Manager People and Culture,
Executive Officer and Executive Assistant.

Media (4), Members of the Public (7)

APOLOGIES:

Nil.

LEAVE OF ABSENCE

APPLICATIONS:

1. Councillor Algate submitted a Leave of Absence Application and provided the reason "*Pre-arranged holiday July 13 – August 12, 2022*".
2. Councillor Gallagher submitted a Leave of Absence Application and provided the reason "*Mother's funeral*".

RESOLUTION

Minute No. 46896

Councillor D Turley moved)
Councillor A Chandler seconded)

Resolved

That the Leave of Absence Applications be accepted and Councillors Algate and Gallagher be granted a leave of absence for this Council Meeting.

CARRIED UNANIMOUSLY

PRAYER

Councillor Boland delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Jewitt delivered the Acknowledgment of Country.

ACKNOWLEDGEMENT OF BROKEN HILL'S MINING HISTORY

Councillor Chandler delivered the Acknowledgment of Broken Hill's Mining History.

PUBLIC FORUM

Notice of Motion – Council's withdrawal from Local Government NSW

Councillor Turley declared a conflict of interest in the Public Forum matter as she is President of Local Government NSW and left the Council Chambers at 6:35pm.

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Ms Ghislaine Barbe spoke against Councillor Chandler's Notice of Motion for Council to withdraw its membership of Local Government NSW and provided the following two reasons:

- *At the February 2022 Council Meeting a report was presented to consider Councillor attendance at the National General Assembly with the report stating that: "Attendance at the Assembly is an opportunity for our elected members to meet Federal Government Ministers and Shadow Ministers to discuss various matters of concern to the City. This face to face interaction is invaluable as a follow up to Council's letters/submissions to Ministers regarding current matters of high importance to the City and advocating Council's position on these matters." the report also resolved Councillor attendance at the Assembly.*
- *That Councillor Chandler's Notice of Motion contains incorrect calculations in stating that the return airfares to Canberra were \$8,000.00 and attendance at the Conference can amount to \$45,000.00. According to the financial implications listed in the report to the February 2022 Council Meeting, the total cost of attending the Conference including flights and accommodation is quoted as \$3,169.00.*

Ms Barbe stated that even with an error margin of \$1,000.00, this figure doesn't go anywhere near the figures quoted in the Notice of Motion; and it is hard to fathom how Council's withdrawal from Local Government NSW will prevent 10 families from leaving town. Ms Barbe commented that she hopes the Notice of Motion will not gain a seconder, so as not to use precious meeting time debating it.

The Mayor responded stating that the amount of \$45,000.00 stated in Councillor Chandler's Notice of Motion is Council's annual membership fee to Local Government NSW. The amount of \$8,000.00 is the savings made this year in the cost of return flights (being \$2,000.00 per person for the General Manager and three Councillors) who travelled by car to attend the Local Government NSW Conference this year rather than travelling by air. Council has a very good relationship with both Labor and Coalition Ministers and advised that Council would be welcomed in Canberra or anywhere else and that Council doesn't need to be a member of any association to be able to speak to elected representatives. Broken Hill's Local and Federal Members ensure that Council has appointments with relevant Federal and State Ministers when visiting Canberra and Sydney.

Notice of Motion – Council's withdrawal from Local Government NSW

Mr Branko Licul referred to Councillor Chandler's Notice of Motion stating that there is no information included in the Business Paper regarding the benefits of Council being a member of Local Government NSW, and stated that for Council to make an informed decision, the membership benefits need to be explained and presented to Council before Council makes a decision on this matter.

Mr Licul suggested that the Notice of Motion be deferred until Council receives a comprehensive report regarding membership of Local Government NSW for Council and the community to know the full benefits and advantages Council receives for being a member of the Association.

Councillor Turley returned to the Council Chambers at 6:40pm.

Assistance to Lee's International Taekwondo Australia Inc

Mr Lee Hermansson advised Council that he was conducting Taekwondo classes at the Scouts Hall and asked if Council can follow up to make sure that Taekwondo classes can continue at the Scouts Hall or at another venue in Broken Hill.

The Mayor advised that the General Manager would look into the matter.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 46897

Councillor R Page moved)
Deputy Mayor J Hickey seconded)

Resolved

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held June 29, 2022 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Councillor Turley declared:

- A non-pecuniary interest in Report 2/22 as she is President of Local Government NSW and advised that she will leave the Council Chambers whilst the item is considered.
- A non-pecuniary interest in Report 169/22 as she is President of Local Government NSW and advised that she will leave the Council Chambers whilst the item is considered.
- A non-pecuniary interest in Report 163/22 as he is Chair of the Barrier Liquor Accord and advised that he will leave the Council Chambers whilst the item is considered.

MAYORAL MINUTES

The Mayor tabled the following verbal Mayoral Minute:

ITEM 1 - MURRAY DARLING BASIN AUTHORITY MEETING IN MENINDEE 26 JULY 2022
(MM8/22)

11/426

RESOLUTION

Minute No. 46898

Mayor T Kennedy moved)
Councillor D Turley seconded)

Resolved

That Council sends correspondence to the Murray Darling Basin Authority explaining our disappointment and displeasure about the very late invitation (the same day as the event) to an event held in Menindee yesterday to discuss the Basin Plan.

That it be explained that the Menindee Lakes System is an integral part of the fabric of Broken Hill society. The Lakes when full have a positive effect on tourism, mental health, the economy, recreation etc. When empty or mismanaged by water authorities it has an equally negative effect. We ask that in future Broken Hill City Council is invited in a timely manner to all events organised by the MDBA that discuss the Darling River or Menindee Lakes.

That correspondence highlighting our concerns is also to be sent to our Local Federal and State Members and to the Federal and State Water Ministers and Environment Minister.

That correspondence sent to the Federal Environment and Water Minister also includes an

invitation to visit Broken Hill and the Menindee
Lakes.

CARRIED UNANIMOUSLY

NOTICES OF MOTION

**ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 2/22 - DATED JULY 08, 2022 -
BROKEN HILL CITY COUNCIL'S WITHDRAWAL FROM THE NSW LOCAL GOVERNMENT
ASSOCIATION** D22/35718

Councillor Turley declared an interest in item 2 and left the Council Chambers at 6:52pm.

Motion

- Councillor A Chandler moved)
Deputy Mayor J Hickey seconded)
1. That Motions of Which Notice has been Given No. 2/22 dated July 8, 2022, be received.
 2. That Broken Hill City Council withdraws from the NSW Local Government Association.

Amendment

- Councillor M Browne moved)
- That any discussion be deferred pending a report from the GM on the cost benefit analysis of current membership of LGNSW and the implications for Council if our membership is withdrawn.

LAPSED
For want of a Seconder

The Mayor foreshadowed a motion if the motion before Council is lost.

Motion

- Councillor A Chandler moved)
Deputy Mayor J Hickey seconded)
1. That Motions of Which Notice has been Given No. 2/22 dated July 8, 2022, be received.
 2. That Broken Hill City Council withdraws from the NSW Local Government Association.

LOST

FOR: Deputy Mayor Jim Hickey, Councillors Alan Chandler and Ron Page
AGAINST: Mayor Tom Kennedy, Councillors Michael Boland, Marion Browne and Hayley Jewitt
ABSENT: Councillor Darria Turley (conflict of interest), Councillors Bob Algate and David Gallagher (leave of absence)

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RESOLUTION

Minute No. 46899

Mayor T Kennedy moved)
Councillor M Boland seconded)

Resolved

1. That Motions of Which Notice has been Given No. 2/22 dated July 8, 2022, be received.
2. That correspondence be sent to LGNSW and all member Councils highlighting the discussions and vote to withdraw our membership from the LGNSW.
3. That the correspondence includes a request that the LGNSW acknowledge and pledge to address the current voting system that leans towards inner city councils having all say over the policy direction that in many cases has a severe negative impact on regional and remote councils.
4. That Broken Hill City Council readdress and vote on the continued membership of LGNSW at the November meeting of Council.

CARRIED

FOR: Mayor Tom Kennedy, Deputy Mayor Jim Hickey, Councillors Michael Boland, Alan Chandler, Hayley Jewitt and Ron Page

AGAINST: , Marion Browne

ABSENT: Councillor Darria Turley (conflict of interest), Councillors Bob Algate and David Gallagher (leave of absence)

Councillor Turley returned to the Council Chambers at 7:21pm. Mayor Kennedy advised Councillor Turley of Council's resolution in respect to Item 2.

REPORTS FROM DELEGATES

Councillor Jewitt gave a verbal statement regarding her attendance at the Local Government Women's Conference.

COMMITTEE REPORTS

A) HEALTH AND BUILDING COMMITTEE

ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 165/22 - DATED JULY 07, 2022 - DEVELOPMENT APPLICATION 132/2021 - PROPOSED DEMOLITION OF EXISTING STRUCTURES ONSITE AND CONSTRUCTION OF NEW SERVICE STATION D22/35531

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RESOLUTION

Minute No. 46900

Councillor M Boland moved)
Councillor D Turley seconded)

Resolved

1. That Broken Hill City Council Report No. 165/22 dated July 7, 2022, be received.
2. That Development Application 132/2021 being the demolition of existing structures and construction of service station including service station sales building, canopy, vehicle auto wash, carparking and signage be approved, subject to conditions as contained in Attachment 1.

CARRIED UNANIMOUSLY

FOR: Mayor Tom Kennedy, Deputy Mayor Jim Hickey, Councillors Michael Boland, Marion Browne, Alan Chandler, Hayley Jewitt, Ron Page and Darriea Turley

AGAINST: Nil.

ABSENT: Councillors Bob Algate and David Gallagher (leave of absence).

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 166/22 - DATED JUNE 28, 2022 -
MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES
COMMUNITY COMMITTEE MEETING HELD 21 JUNE 2022**

D22/33452

RESOLUTION

Minute No. 46901

Councillor M Browne moved)
Councillor D Turley seconded)

Resolved

1. That Broken Hill City Council Report No. 166/22 dated June 28, 2022, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 21 June 2022 be received.
3. That Council's Living Desert Ranger, Mr Darrell Ford, be thanked for his tireless dedication and work at the Living Desert Flora and Fauna Sanctuary in maintaining and improving the Sanctuary to a high standard ensuring that it remains one of Broken Hill's major tourist attractions; and for the coordination of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meetings and associated working bees.
4. That the Friends of the Flora and Fauna of the Barrier Ranges Community Committee also be thanked for the many hours of volunteer work that Committee members undertake at various working bees to maintain and improve the Sanctuary for the benefit of tourists and locals alike, and for

their attendance at Committee Meetings to provide recommendations to Council's management regarding the operations of the Sanctuary.

CARRIED UNANIMOUSLY

RESCISSION MOTIONS

Nil.

FURTHER REPORTS

**ITEM 5 – BROKEN HILL CITY COUNCIL REPORT NO. 168/22 – DATED JULY 12, 2022 –
CORRESPONDENCE REPORT – PROGRESS OF COUNCIL'S MOTION SUBMITTED TO 2022
NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT** D22/36165

At this point in the meeting, Councillor Turley declared a non-pecuniary interest in Item 5 as she is President of Local Government NSW and left the Council Chambers at 7:28pm.

RESOLUTION

Minute No. 46902

Deputy Mayor J Hickey moved)
Councillor M Boland seconded)

Resolved

1. That Broken Hill City Council Report No. 168/22 dated July 12, 2022, be received.
2. That reply correspondence from Mr Matt Pinnegar, Australian Local Government Association (ALGA) CEO dated 11 July 2022, advising that Council's motion submitted to the 2022 National General Assembly of Local Government will now be considered by the ALGA Board at their next meeting on 28 July 2022, be received.
3. That Council sends correspondence to ALGA on 28 July 2022 to request that the ALGA Board considers Council's motion as submitted to the National General Assembly (and not the motion that appeared to have been amended when presented to the Assembly where the reference to "mining regions" had been replaced with the word "regional").

CARRIED UNANIMOUSLY

Councillor Turley returned to the Council Chambers at 7:32pm. The Mayor advised Councillor Turley of Council's resolution regarding Item 5.

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 155/22 - DATED JULY 05, 2022 -
CORRESPONDENCE REPORT - CHILD CARE AVAILABILITY IN BROKEN HILL** D22/34897

RESOLUTION

Minute No. 46903

Deputy Mayor J Hickey moved)
Councillor D Turley seconded)

Resolved

1. That Broken Hill City Council Report No. 155/22 dated July 5, 2022, be received.

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2. That reply correspondence from The Hon Dr Anne Aly MP, Minister for Early Childhood Education dated 29 June 2022 advising of various Government strategies to support accessible childcare for families in Australia, be received and noted.
3. That the matter be referred to the Policy and General Standing Committee for further discussion regarding future correspondence to Ministers.

CARRIED UNANIMOUSLY

ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 169/22 - DATED JULY 19, 2022 - FURTHER MOTIONS TO THE LOCAL GOVERNMENT NSW ANNUAL CONFERENCE TO BE HELD IN THE HUNTER VALLEY 23 -25 OCTOBER 2022 D22/37678

Councillor Turley declared an interest in Item 7 and left the Council Chambers at 7:36pm.

RESOLUTION

Minute No. 46904

Deputy Mayor J Hickey moved)
Councillor M Boland seconded)

Resolved

1. That Broken Hill City Council Report No. 169/22 dated July 19, 2022, be received.
2. That Council notes that the following motions from the 30 March 2022 Council Meeting (Minute No. 46797) and the 29 June 2022 Council Meeting (Minute No. 46872) will be submitted prior to the closing date of 29 August 2022:
Minute No. 46797: "...That Conference calls on the Premier of NSW and the Minister for Local Government to ban Developers only from serving as Councillors.

That it is noted that BHCC supports the rights of all to represent Local Government if they meet the current Legislative requirements..."

Minute No. 46872: "...That Conference calls on the Australia Government to legislate that at least 50% of renewable energy is generated in the capital cities of Australia and at least 75% of that is produced in Sydney and Melbourne."
3. That the above motion regarding renewable energy (Minute No. 46872) be amended to read:

That Conference calls on the Australia Government to legislate that at least 50%

of renewable energy is generated in the capital cities of Australia and at least 75% of that is produced in Sydney and Melbourne.

That Conference calls on Local Government NSW to advocate for a change to the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000 with regards to Voluntary Planning Agreements to include:

a) that regional Council's whose natural landscape will be affected by renewable energy installations, be entitled to enter into a Voluntary Planning Agreement with the relevant energy provider (similar to Local and State Voluntary Planning Agreements), but rather than a contribution to a Local Government's community infrastructure, an adequate energy bill subsidy be provided to all energy consumers within the Local Government Area).

b) that for major cities/coastal areas that do not generate at least 75% of their consumed energy through locally installed renewable infrastructure, that a subsidy be provided to regional areas who contribute additional energy through locally installed renewable infrastructure than their required need for consumption.

4. That Council forwards the following additional motion to the Local Government NSW Conference regarding Telecommunications:

That Conference calls on Local Government NSW to request that the State and Federal Governments implement policies to ensure that telecommunications infrastructure allows for use by multiple service providers and users to improve competition and service levels.

That Conference calls on Local Government NSW to advocate that councils should not be expected or required to fund telecommunications infrastructure.

5. That Council forwards the following additional motion to the Local Government NSW

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Conference regarding Rating Reform:

That Conference calls on Local Government NSW to lobby the NSW Government to change the current legislated base rate maximum contribution amount of each individual rating category from 50% to 70%, to allow for a fairer balance between the "benefit principle" and the "ability to pay principle".

6. That motions along with the accompanying Council resolution be submitted to Local Government NSW prior to the closing date of 29 August 2022.

CARRIED UNANIMOUSLY

Councillor Turley returned to the Council Chambers at 7:44pm. The Mayor advised Councillor Turley of Council's resolution regarding Item 7.

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 156/22 - DATED JULY 06, 2022 -
COUNCIL'S DELEGATES ON REGIONAL CAPITALS AUSTRALIA AND REGIONAL CITIES NSW**
D22/35320

RESOLUTION

Minute No. 46905

Deputy Mayor J Hickey moved)
Councillor D Turley seconded)

Resolved

1. That Broken Hill City Council Report No. 156/22 dated July 6, 2022, be received.
2. That the Mayor and Deputy Mayor be appointed as Council's delegates on Regional Capitals Australia and Regional Cities NSW.
3. That Council's Schedule of Delegates on S355 Committees and Other Committees and Working Groups be updated to include Council's Delegates on Regional Capitals Australia and Regional Cities NSW to allow attendance by Council's Delegates at alliance meetings as per clause 4.8 of the Councillor Support Policy.

CARRIED UNANIMOUSLY

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 157/22 - DATED JULY 11, 2022 - DRAFT
REVIEWED LOCAL ORDERS POLICY FOR PUBLIC EXHIBITION**
D22/36055

RESOLUTION

Minute No. 46906

Councillor M Boland moved)
Councillor H Jewitt seconded)

Resolved

1. That Broken Hill City Council Report No. 157/22 dated July 11, 2022, be received.

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2. That Council endorse the Draft Local Orders Policy for the purposes of public consultation.
3. That the draft Local Orders Policy be exhibited for public comment for a 28-day period.
4. That Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the Draft Local Orders Policy.

CARRIED UNANIMOUSLY

ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 158/22 - DATED JULY 11, 2022 - DRAFT REVIEWED LOCAL APPROVALS POLICY FOR PUBLIC EXHIBITION D22/36070

RESOLUTION

Minute No. 46907

Councillor M Boland moved)
Councillor M Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 158/22 dated July 11, 2022, be received.
2. That Council endorse the Draft Local Approvals Policy for the purposes of public consultation.
3. That the Draft Local Approvals Policy be exhibited for public comment for a 28-day period.
4. That the Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the Draft Local Approvals Policy.

CARRIED UNANIMOUSLY

ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 159/22 - DATED JULY 11, 2022 - DRAFT REVIEWED COMPLIANCE AND ENFORCEMENT POLICY FOR PUBLIC EXHIBITION D22/36078

RESOLUTION

Minute No. 46908

Councillor M Boland moved)
Councillor R Page seconded)

Resolved

1. That Broken Hill City Council Report No. 159/22 dated July 11, 2022, be received.
2. That Council endorse the Draft Compliance and Enforcement Policy for the purposes of public consultation.
3. That the Draft Compliance and Enforcement Policy be exhibited for public comment for a 28-day period.

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4. That the Council receives a further report at the conclusion of this exhibition, detailing submissions and any recommended changes arising, with a view to adopting the Draft Compliance and Enforcement Policy.

CARRIED UNANIMOUSLY

ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 162/22 - DATED JULY 13, 2022 - MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 16 JUNE 2022

D22/36674

RESOLUTION

Minute No. 46909

Councillor M Boland moved)
Councillor A Chandler seconded)

Resolved

1. That Broken Hill City Council Report No. 162/22 dated July 13, 2022, be received.
2. That minutes of the Audit, Risk and Improvement Committee meeting held 16 June 2022 be received and noted.

CARRIED UNANIMOUSLY

ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 170/22 - DATED JUNE 28, 2022 - NOMINATIONS FOR THE APPOINTMENT OF COMMUNITY REPRESENTATIVES TO SECTION 355 COMMUNITY COMMITTEES

D22/33365

RESOLUTION

Minute No. 46910

Councillor A Chandler moved)
Councillor H Jewitt seconded)

Resolved

1. That Broken Hill City Council Report No. 170/22 dated June 28, 2022, be received.
2. That Council appoints Mr Owen Whyman, Mr JR Mitchell and Ms Jodie McInnes as community representatives on the Ageing Well Advisory Committee.
3. That Council appoints Mr JR Mitchell as a community representative on the Broken Hill Community Strategic Plan Round Table Committee.
4. That Council appoints Mr Bruce McIntosh and Ms Tracey Robinson as community representatives on the Memorial Oval Community Committee.
5. That Council appoints Mr Ian Sanderson as a community representative on the Norm Fox Sporting Complex Community Committee.
6. That Council appoints Sharryn Rouse as a community representative on the Youth Advisory Committee.

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7. That the community representatives be advised of their appointment and advice also be sent to the Councillor Delegates/Chairpersons of Committees.
8. That Council notes that the current round of advertising closed on 20 July 2022 and Council will continue to advertise on social media and in the Barrier Truth for nominations for specific committees that have not yet achieved an adequate number of community representatives.
9. That the Constitution of the Broken Hill City Art Gallery Advisory Committee be amended at clause 6.1 to add the words "A minimum of" before the words "seven (7) community members..." to clarify the practice of appointing additional community representatives on Committees if there is an increased interest in membership; and the Chairperson of the Committee be advised accordingly.
10. That the Constitution of the Broken Hill Heritage Advisory Committee be amended at clause 7.3 to add the words "A minimum of" before the words "six (6) community members..." to clarify the practice of appointing additional community representatives on Committees if there is an increased interest in membership; and the Chairperson of the Committee be advised accordingly.
11. That a Councillor Workshop be held to discuss the process for the commencement of various Council Working Groups.

CARRIED UNANIMOUSLY

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 160/22 - DATED JULY 07, 2022 -
COMMUNITY ASSISTANCE GRANTS PROGRAM** D22/35559

RESOLUTION

Minute No. 46911

Councillor M Boland moved)
Councillor H Jewitt seconded)

Resolved

1. That Broken Hill City Council Report No. 160/22 dated July 7, 2022, be received.
2. That Council notes the Community Assistance Grants processes as per Council's adopted Community Assistance Grants Policy.

CARRIED UNANIMOUSLY

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**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 161/22 - DATED JULY 11, 2022 -
MEMORANDUM OF UNDERSTANDING - SILVER CITY PASTORAL AND AGRICULTURAL
ASSOCIATION INC.(SILVER CITY SHOW COMMITTEE) AND BROKEN HILL CITY COUNCIL**

D22/36010

RESOLUTION

Minute No. 46912

Councillor R Page moved)

Councillor D Turley seconded)

Resolved

1. That Broken Hill City Council Report No. 161/22 dated July 11, 2022, be received.
2. That the General Manager be authorised to negotiate and execute a Memorandum of Understanding for a period of two (2) years with the Silver City Pastoral and Agricultural Association Inc.
3. That Council authorise the General Manager to include in the Memorandum of Understanding financial assistance grants of \$15,000 per annum in a combination of cash (of approx. \$8,000.00) towards utility costs, insurance, prize ribbons and certificates, stationery and office requirements; and in-kind (of approx. \$7,000.00) towards Memorial Oval hire fees and waste services fees for the annual Silver City Show.
4. That the Memorandum of Understanding include KPI's on the financial reporting of the Silver City Show (income and expenditure financial statements) and the reporting of acquittal of grant funds each year.

CARRIED UNANIMOUSLY

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 171/22 - DATED JULY 15, 2022 -
INVESTMENT REPORT FOR JUNE 2022**

D22/37089

RESOLUTION

Minute No. 46913

Councillor M Boland moved)

Councillor D Turley seconded)

Resolved

1. That Broken Hill City Council Report No. 171/22 dated July 15, 2022, be received.

CARRIED UNANIMOUSLY

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 163/22 - DATED JUNE 29, 2022 -
TEMPORARY SUSPENSION OF A PORTION OF THE CENTRAL BUSINESS DISTRICT (CBD)
ALCOHOL-FREE ZONE FOR THE 2022 BROKEN HEEL FESTIVAL**

D22/30908

Councillor Boland declared an interest in Item 17 and left the Council Chambers at 7:58pm.

RESOLUTION

Minute No. 46914

Councillor D Turley moved)

Councillor R Page seconded)

Resolved

1. That Broken Hill City Council Report No. 163/22 dated June 29, 2022, be received.

2. That Council provide in principle support to beginning the planning process for the temporary suspension of a portion of the CBD Alcohol-Free Zone for a section of Sulphide Street adjacent to The Palace Hotel, bounded by Crystal Street and Argent Street (see map). Specific details of the suspension are Argent Street from 207 Argent Street to 227 Argent Street; Crystal Lane from behind 207 Argent Street to 227 Argent Street; and Sulphide Street from Crystal Street to Argent Street. This area will include all footpaths and car parks in the sections of Argent and Sulphide Streets.
3. That the temporary suspension be in place from 10am on Thursday, 8 September to 10am on Monday, 12 September 2022, subject to the conditions contained in the liquor licence.
4. That the temporary suspension of a portion of the CBD Alcohol-Free Zone for a section of Sulphide Street adjacent to The Palace Hotel, bounded by Crystal Street and Argent Street, be advised to the public by way of advertisement in the Barrier Truth. That the advertisement also confirms that all other existing alcohol-free zones in Broken Hill remain in force.
5. That the General Manager be authorised to implement the suspension and advertising processes on final advice of Barrier Police District.
6. That Barrier Police District be advised of Council's decision.

CARRIED UNANIMOUSLY

Councillor Boland returned to the Council Chambers at 8:01pm. The Mayor advised Councillor Boland of Council's resolution regarding Item 17.

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**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 172/22 - DATED JULY 14, 2022 - MINUTES
OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 426, HELD ON TUESDAY, 5 JULY 2022**
D22/36991

RESOLUTION

Minute No. 46915

Councillor M Browne moved)
Councillor D Turley seconded)

Resolved

1. That Broken Hill City Council Report No. 172/22 dated July 14, 2022, be received.
2. Item No. 425.6.2 - That the parking bays adjacent to Busy Kids Child Care in Bagot Street be changed to 15-minute timed parking and signs be installed by Council.
3. Item No. 426.6.1 - That the temporary road closure of Argent Street for the Broken Heel Festival's Main Street Parade on Saturday, 10 September 2022, be approved in principle, on the condition that an updated Traffic Control Plan is received by Council prior to the event.
4. Item No. 426.6.2 - That the temporary road closure of Sulphide Street, between Argent and Crystal Lane and sections of Argent Street and Crystal Lane for the Broken Heel Festival's Event at the Palace Hotel from Wednesday, 7 September to Tuesday, 13 September 2022 be approved in principle, on the condition that the fencing adjacent to Far West Auto does not encroach onto the nature strip, so that customers can view new cars at the dealership and that an updated Traffic Control Plan is received by Council in accordance with Transport for NSW's signage requirements prior to the event.

CARRIED UNANIMOUSLY

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 173/22 - DATED JULY 21, 2022 - MINUTES
OF THE BROKEN HILL CITY ART GALLERY ADVISORY COMMITTEE'S ANNUAL GENERAL
MEETING HELD 14 JULY 2022**
D22/38025

RESOLUTION

Minute No. 46916

Councillor D Turley moved)
Councillor M Boland seconded)

Resolved

1. That Broken Hill City Council Report No. 173/22 dated July 21, 2022, be received.
2. That minutes of the Broken Hill City Art Gallery Advisory Committee's Annual General Meeting held 14 July 2022 be received.

CARRIED UNANIMOUSLY

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 174/22 - DATED JULY 19, 2022 - ACTION
LIST REPORT**
D22/37484

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RESOLUTION

Minute No. 46917

Councillor D Turley moved)
Councillor M Boland seconded)

Resolved

1. That Broken Hill City Council Report No. 174/22 dated July 19, 2022, be received.
2. That an update report be presented to the Works Standing Committee regarding the Action List Item (Notice of Motion - 31 March 2021 Council Meeting) regarding the costings and progress for the establishment of a community garden at the former Alma Pool Site.

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 21 - QUESTIONS ON NOTICE NO. 6/22 - DATED JULY 06, 2022 - PUBLIC FORUM
QUESTIONS TAKEN ON NOTICE AT THE JUNE 2022 ORDINARY COUNCIL MEETING D22/35301

Recommendation

1. That Questions On Notice No. 6/22 dated July 6, 2022, be received.

ITEM 22 - QUESTIONS ON NOTICE NO. 7/22 - DATED JULY 06, 2022 - COUNCILLOR
QUESTIONS TAKEN ON NOTICE AT THE JUNE 2022 ORDINARY COUNCIL MEETING D22/35313

Recommendation

1. That Questions On Notice No. 7/22 dated July 6, 2022, be received.

Minute No. 46918

Councillor J Hickey moved)
Councillor D Turley seconded)

That the recommendations of items 21 and 22 be adopted.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

Councillor attendance via audio-visual link at Standing Committee Meetings and Council Meetings

Councillor Turley asked for Council to review the option for Councillors to be able to attend Committee and Council Meetings via audio-visual link given that a Standing Committee was not held this month due to the number of Councillors who could not attend due to personal reasons or unforeseen circumstances, but that these Councillors may have attended if the option of attendance via audio-visual link was available under the Code of Meeting Practice.

The Mayor advised that this matter would be presented to the Policy and General Committee for discussion and recommendation to Council.

PUBLIC FORUM SESSION

Nil.

CONFIDENTIAL MATTERS

**ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 167/22 - DATED JUNE 22, 2022 -
WILLYAMA COMMON TRUST LEASE TO SILVER CITY ARCHERS - CONFIDENTIAL D22/32488**

(General Manager's Note: This report considers a lease and is deemed confidential under Section 10A(2) (c) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).

RESOLUTION

Minute No. 46919

Councillor A Chandler moved)
Councillor M Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 167/22 dated June 22, 2022, be received.
2. That Council (as the Willyama Common Trust) enter into a new 20 year lease agreement with Silver City Archers, for lease of their existing site on the Willyama Common (Part Lot 7388 Deposited Plan 1200953).
3. That the rent remain \$250 per annum.
4. That in the absence of a Trust Seal, the lease documents be executed by the Mayor and General Manager under the Common Seal of Council.

CARRIED UNANIMOUSLY

**ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 175/22 - DATED JULY 14, 2022 - T22/3
REQUEST FOR TENDER - PROJECT MANAGEMENT SERVICES FOR THE BROKEN HILL
LIBRARY AND ARCHIVES - CONFIDENTIAL D22/36883**

(General Manager's Note: This report considers T22/3 - Request for Tender - Project Management Services for the Broken Hill Library and Archives 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. 46920

Deputy Mayor J Hickey moved)
Councillor M Boland seconded)

Resolved

1. That Broken Hill City Council Report No. 175/22 dated July 14, 2022, be received.
2. That Council approves the tender from Tonkin Consulting Pty Ltd for contract project management services on the Broken Hill

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CBD Revitalisation Project focusing on the Library & Archives during the construction stage for \$216,480.00 (ex GST).

3. That Council approves a further \$108,240 (ex GST) as an anticipated contingency should the construction timeline extend by 6 months from 12 months to 18 months total construction time.
4. That this amount will be a maximum value negotiable by the General Manager dependent on the project timeline that is determined after selection of a main construction contractor and reasonableness of projected timelines.

CARRIED UNANIMOUSLY

ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 164/22 - DATED APRIL 28, 2022 - SALE OF LAND FOR UNPAID RATES - CONFIDENTIAL D22/20439

(General Manager's Note: This report considers Sale of Land for Unpaid Rates and is deemed confidential under Section 10A(2) (b) of the Local Government Act, 1993 which contains matters that will involve the discussion of the personal hardship of any resident or rate payer).

RESOLUTION

Minute No. 46921

Councillor A Chandler moved)
Councillor R Page seconded)

Resolved

1. That Broken Hill City Council Report No. 164/22 dated April 28, 2022, be received.
2. That Council proceed with the sale of land for unpaid rates for eligible properties as attached to this report.
3. That Council call for expressions of interest for services to undertake the process for sale of the listed properties.
4. That Council delegate authority to the General Manager to take the following actions pertaining to the properties specified in the report:
 - a) To withdraw from sale of any property that, prior to commencement of the auction, has had all rates and charges payable (including overdue rates and charges) paid in full; or a suitable payment arrange has been agreed to and entered into including a suitable upfront payment being made.
 - b) To withdraw any property from sale for technical or legal reasons;

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- c) To set reserve prices for sale of the properties at auction;
- d) To negotiate by private treaty and accept offers for sale of any property that fails to sell at auction
- e) To execute sale and purchase contracts, and property transfer documents, under Council's Common Seal
- f) To write off residual rates outstanding due to shortfall in sale for individual properties

That a report be prepared to the Policy and General Committee regarding the process for any blocks of land on the Sale of Land for Unpaid Rates register which may require lead remediation works prior to being available for sale.

CARRIED UNANIMOUSLY

At the Mayor's invitation, the General Manager reported on Council's resolutions regarding the confidential matters.

There being no further business the Mayor closed the meeting at 8:21p.m.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 31 AUGUST 2022.)

CHAIRPERSON