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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
AUGUST 31, 2022

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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, Manager Planning and Community Safety, Executive Manager  
Growth and Investment, Executive Manager People and Culture, Executive  
Officer and Executive Assistants.

Media (4), Members of the Public (25)

**APOLOGIES:**

Nil.

**LEAVE OF ABSENCE APPLICATIONS:** Nil.

## PRAYER

Councillor Boland delivered the prayer.

## ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

## ACKNOWLEDGEMENT OF BROKEN HILL'S MINING HISTORY

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

## PUBLIC FORUM

Development Application – 4 Paws Kitty Galore

*Councillor Browne declared a non-pecuniary interest in this matter and left the Council Chambers at 6:32pm.*

*Ms Linda Francis, Secretary and Treasurer of 4 Paws Kitty Galore, addressed Council on behalf of the applicants. Ms Francis thanked Council for considering the Development Application and that the applicants are in agreement with the 12 Consent Conditions and requested that Council considers an amendment to Consent Condition No. 4 (Number of Cats) to include a special clause to increase the number of cats to 30 to allow for kittens to be born at the rescue centre or for a cat with kittens to be surrendered to the rescue centre, and advised that this condition would only be utilised when needed and would not be an increase to the standard operating conditions of the centre. This special clause would allow for the safety and welfare of kittens until they can be rehomed or sent to another animal welfare centre.*

*Ms Francis also spoke about Consent Condition No. 7 (Rehoming Approval) and advised that 4 Paws Kitty Galore has applied for a Rehoming Organisation number and that the Office of Local*

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*Government has confirmed that all information has been provided and that the process is being undertaken to finalise the application and issue the Rehoming Organisation number.*

*Ms Francis stated that if the Development Application is approved, 4 Paws Kitty Galore is committed to working with Council to advance the care of cats kept as companion animals in Broken Hill and to use the expertise of Council's Rangers to rehome cats to maintain the numbers of cats at the centre as per the Development Application Consent Conditions.*

The Mayor thanked Ms Francis for her presentation and advised members of the public present in the Gallery that the Development Application report can be found on page 174 of the Business Paper.

*Councillor Browne returned to the Council Chambers at 6:37pm*

#### Lead Dust in Broken Hill

The Mayor read questions from Mr Jean Luc Clavel regarding the dangers of lead dust in Broken Hill. The questions being:

*Is the Council aware of the dangerous metals that blow over the City? To what extent is the Council keeping the City lead safe? What are the long-term plans to remediate lead in the City and reduce blood lead levels?*

That Mayor advised that Council has written to the State and Federal Governments to request that water charges in Broken Hill are kept affordable to ensure that residents of Broken Hill can afford to keep lawns and gardens green to help mitigate lead dust in the City. Councillors attended a briefing yesterday regarding the Economic Development Strategy, the Strategy recognises that it is critical to keep lead levels at or below the national standard if we are to attract new families to move to Broken Hill to live.

The Mayor confirmed that Council has two street sweepers, one large street sweeper and one small street sweeper for footpaths in the Central Business District, and that the best way to reduce lead levels in Broken Hill is to increase vegetation – lawns and ground covers, gardens and trees.

The Mayor stated that it is disappointing that Broken Hill is treated differently to other parts of NSW and that it is quite acceptable for our children to have a blood lead level readings of above 10µg/dL, whereas in Sydney earlier this week, they go into panic mode when a child has a reading of 5µg/dL. There was outcry when soil near a railway-line in outer Sydney had lead contamination at 500 parts per million, when there are areas of Broken Hill that have 2000 parts per million (most of Broken Hill has approximately 800 parts per million). The Government needs to ensure that Broken Hill's water is affordable in order that residents can water grass verges and gardens; and Council can afford to keep parks and ovals green; schools can afford to keep ovals green etc, to reduce lead dust in the City.

#### Concerns regarding weeds on block of land

*Ms Gayle Smith, 274 Kaolin Street referred to a block of land at the rear of her house in Bowen Lane, and raised concerns regarding snakes and vermin and that the overgrown block of land is a fire hazard.*

The Mayor asked Ms Smith to speak with the General Manager at the end of the meeting

#### Fruit Fly in Broken Hill

*Mr Paul D'Ettorre, advised that he is a resident of Broken Hill and also has farm land at Menindee. Mr D'Ettorre spoke about the lack of coordination of a response to the fruit fly issue in Broken Hill and of the many individual actions that need to occur to control fruit fly. A lot of the action needs to be*

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*undertaken by individual landowners, but that one key step in fly trapping is probably beyond landowners capabilities to organise themselves. Mr D'Etorre requested that Council partner with a local organisation to be able to assist landowners to eradicate fruit fly in Broken Hill.*

The Mayor advised that Council is working with Landcare Broken Hill to provide information to the community in preparation for the fruit fly season regarding what action is needed if you notice fruit fly on your fruit trees, and how to make your own traps etc.

The General Manager advised that Council followed up this matter extensively at the start of the year and Council has written to the NSW Government and State Ministers regarding Broken Hill's exclusion from the Sunraysia fruit fly zone which has reduced some of the controls and put the mandate back onto residents, the Department of Primary Industries and Local Government to try and control fruit fly in our region. Broken Hill is working with Landcare on a community awareness campaign in the leadup to the fruit fly season to assist with providing practical information on what to do if you have fruit fly, how to make your own fruit fly traps and awareness of the damage that fruit flies can cause to the environment and the agriculture industry.

The Mayor acknowledged that it is hard to eradicate fruit fly and invited Mr D'Etorre to speak to the General Manager after the meeting to discuss his proposal which may assist Council and Landcare with their community awareness campaign.

#### Option for Councillors to attend Committee and Council Meetings via Audio-Visual Link

*Mr Branko Licul advised that there is a report in the Business Paper regarding amending the Code of Meeting Practice Policy to include the option for Councillors to attend meetings via audio-visual link and that the August Committee Meeting recommended that this option not be available. Mr Licul spoke against the recommendation stating that there should be a mechanism whereby if a Councillor is called away, through no fault of their own, then there should be the ability for a Councillor to attend the meeting via audio-visual link to allow for them to participate in the democracy of the Council, even if it was limited to three times per year.*

#### Children's Memorial Garden Sculpture

*Mr Licul spoke about the Children's Memorial Garden at the Cemetery and that the Memorial Garden is a great initiative and that it is great that Council will be supporting this, but asked that Council revisits the proposed sculpture, and speaks to the proponents to see if there are other options.*

#### Community Strategic Plan

*Mr Licul spoke about the development of the Community Strategic Plan and suggested that Council needs to develop an off-leash dog park for small dog breeds (similar to the one in Queen Elisabeth Park) and suggested the north east corner of the Picton Oval land which could be grassed and fenced separate to the Picton Oval and managed by Council so that it does not put extra work onto the Picton Oval Community Committee members.*

The Mayor welcomed the suggestion of the development of an off-leash dog park for small breeds and advised that it would be referred to the Works Committee to discuss.

#### New Concrete Footpaths

*Mr Licul stated that it was pleasing to see this Council continue the work of the previous Council to replace concrete footpaths around the City and asked why Council is replacing concrete footpaths in some streets when there are other streets that have never had a concrete footpath. Mr Licul asked*

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*why this is the case and when will new footpaths be installed in streets that do not currently have a concrete footpath?*

The Mayor advised that certain footpaths have been installed in a loop around the City to give accessibility to disabled people to the City's parks, shops, aquatic centre etc. Footpaths in the City have, at some point, been installed at the cost of the home owner. Residents can still request Council to install their concrete footpath, but this will be at the home owner's expense.

That General Manager advised that the Active Transport Plan covers the majority of footpaths in the City, it is a \$40M plan to roll-out the footpaths that has been prioritised into Stage 1, Stage 2 and Stage 3. Council is still in the Stage 1 phase of installation of footpaths. The locations have been prioritised to link key high traffic routes to key facilities in the City like schools, shopping centres and parks and gardens etc. Footpath works are being fast-tracked at the moment due to government grants, but once grant money has been expended it will return to being funded by Council's budget to, and this work will take longer. Should a resident require a footpath earlier than scheduled, then under Council's current policy, the cost of the footpath will be borne by the home owner.

The Mayor advised that the Works Action List which contains details of upcoming footpath works will now be presented to the Works Committee and Council Meeting for the community's information.

## MINUTES FOR CONFIRMATION

### RESOLUTION

Minute No. 46922

Deputy Mayor J Hickey moved )  
Councillor A Chandler seconded )

### Resolved

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held July 27, 2022 be confirmed.

CARRIED

## DISCLOSURE OF INTEREST

Councillor Gallagher declared a non-pecuniary interest in Confidential Report No. 195/22 as he is related to the applicant and advised that he will leave the Council Chambers whilst the item is considered.

Deputy Mayor Hickey declared a pecuniary interest in Confidential Report No. 179/22 as he is a Land Valuer associated with a local real estate business which may/may not be contracted to sell the land; and advised that he will leave the Council Chambers whilst the item is considered.

Councillor Browne declared a non-pecuniary interest in Report No. 180/22 as she knows one of the proponents and advised that she will leave the Council Chambers whilst the item is considered.

Mr Jay Nankivell, General Manager, declared a pecuniary interest in Confidential Mayoral Minute No.11/22 as the Mayoral Minute relates to the General Manager's contract and remuneration, and advised that he will leave the Council Chambers whilst the item is considered.

## MAYORAL MINUTES

ITEM 1 - MAYORAL MINUTE NO. 9/22 - DATED AUGUST 25, 2022 - ACTING GENERAL  
MANAGER

D22/44675

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**RESOLUTION**

Minute No. 46923

Mayor T Kennedy moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

1. That Mayoral Minute No. 9/22 dated August 25, 2022, be received.
2. That Council's Chief Assets and Projects Officer, Mr Codie Howard, be appointed to the role of Acting General Manager from Monday, 7 November 2022 to Tuesday, 15 November 2022 whilst Council's General Manager, Mr Jay Nankivell, is on a period of annual leave.
3. That Council approves that the General Manager's Delegations of Authority and Authorisations pursuant to *Part 3 of the Local Government Act 1993 Sections 377 and 381* be issued to Council's Chief Assets and Projects Officer, Mr Codie Howard, to be able to carry out all functions of the General Manager whilst in the role of Acting General Manager from Monday, 7 November 2022 to Tuesday, 15 November 2022.

CARRIED UNANIMOUSLY

**ITEM 2 - MAYORAL MINUTE NO. 10/22 - DATED AUGUST 23, 2022 - CHILDREN'S MEMORIAL GARDEN SCULPTURE - BROKEN HILL CEMETERY**

D22/44269

**RESOLUTION**

Minute No. 46924

Mayor T Kennedy moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

1. That Mayoral Minute No. 10/22 dated August 23, 2022, be received.
2. That Council accepts the donation of the Children's Memorial sculpture on behalf of the community of Broken Hill and notes that the sculpture will be installed in the circular brickwork shadow box within the Children's Memorial Garden at the Broken Hill Cemetery as per building consent approval 97/205.
3. That Council waive the fee for a works permit for the installation of the sculpture (\$202.00 inc GST).

CARRIED UNANIMOUSLY

**ITEM 3 – MAYORAL MINUTE NO. 12/22 - PUBLIC RELEASE OF NSW OMBUDSMAN'S REPORT (MM12/22)**

IN17/11

*Mayor Kennedy tabled a verbal Mayoral Minute regarding the public release of the NSW Ombudsman's report regarding the Civic Centre Redevelopment.*

**RESOLUTION**

Minute No. 46925

**Resolved**

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- Mayor T Kennedy moved )  
Councillor B. Algate seconded )
1. That Council makes the NSW Ombudsman report about the construction of the Broken Hill Civic Centre open to the public.
  2. That copies be available to read at the Council Administration building and Library.
  3. That the Ombudsman's report be made available on Council's website.

CARRIED UNANIMOUSLY

**ITEM 4 – MAYORAL MINUTE NO. 13/22 - BROKEN HILL MUNDI MUNDI BASH**  
**(MM13/22)**

21/68

*Mayor Kennedy tabled a verbal Mayoral Minute regarding the Broken Hill Mundi Mundi Bash.*

**RESOLUTION**

Minute No. 46926

Mayor T Kennedy moved )  
Councillor D Turley seconded )

**Resolved**

1. That Council sends correspondence to the organisers of the Broken Hill Mundi Mundi Bash congratulating them on another great event.
2. That they be invited to provide the Council with promotional material that can be used and circulated at all conferences attended by Council.
3. That Council be provided with a report about the potential benefits for tourism from Council attending camping and caravan shows/expos.
4. That Council investigate opportunities for partnerships to attend camping and caravan shows, including with the Broken Hill Mundi Mundi Bash.

CARRIED UNANIMOUSLY

**NOTICES OF MOTION**

Nil.

**RESCISSION MOTIONS**

Nil.

**REPORTS FROM DELEGATES**

Nil.

**COMMITTEE REPORTS**

**WORKS COMMITTEE**

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 184/22 - DATED AUGUST 12, 2022 -  
DRAFT ASBESTOS POLICY FOR PUBLIC EXHIBITION** D22/42373

**RESOLUTION**

Minute No. 46927

Deputy Mayor J Hickey moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 184/22 dated August 12, 2022, be received.
2. That Council endorses the Draft Asbestos Policy for the purpose of public exhibition.
3. That the Draft Asbestos Policy be placed on public exhibition period of 28 days for public comment
4. That a report be presented to Council at the conclusion of the public exhibition period outlining submissions received and any further amendments made as a consequence of the submissions received, with a view to adoption of the Draft Asbestos Policy

CARRIED UNANIMOUSLY

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 185/22 - DATED AUGUST 11, 2022 -  
BROKEN HILL CBD REVITALISATION AND ACTIVATION PROJECT - PROJECT UPDATE** D22/42160

**RESOLUTION**

Minute No. 46928

Councillor R Algate moved )  
Councillor D Turley seconded )

**Resolved**

1. That Broken Hill City Council Report No. 185/22 dated August 11, 2022, be received.
2. That Council note the current status of the Library/Archive, CBD Revitalisation and Activation Project.
3. That Council note the temporary arrangements in place for the operation of the Library and Archives during project construction.

CARRIED UNANIMOUSLY

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**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. /22 - DATED AUGUST 05, 2022 -  
BROKEN HILL WAYFINDING PROJECT** D22/41423

**RESOLUTION**

Minute No. 46929

Councillor M Boland moved )  
Councillor A Chandler seconded )

**Resolved**

1. That Broken Hill City Council Report No. 186/22 dated August 5, 2022, be received.
2. That Council endorse Stage One of the Broken Hill Concept Design.
3. That Council approves the manufacturing and installation of the CBD directional signage, Patton Park, Sturt and Queen Elizabeth Park information sculptural signage and development of the digital visitor application as recommended in the attached design package.

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 187/22 - DATED AUGUST 12, 2022 -  
PURCHASE OF TRAFFIC CONTROL AND TRAFFIC COUNTER EQUIPMENT** D22/42402

**RESOLUTION**

Minute No. 46930

Councillor D Turley moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

1. That Broken Hill City Council Report No. 187/22 dated August 12, 2022, be received.
2. That Council approves an increase to the 2022/2023 Capital Budget to the total cost of \$28,703.20 (exc GST) for the purchase of Traffic Control Equipment and Traffic Monitoring Equipment.

CARRIED UNANIMOUSLY

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 188/22 - DATED AUGUST 10, 2022 -  
MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 427, HELD ON TUESDAY, 2  
AUGUST 2022** D22/42110

**RESOLUTION**

Minute No. 46931

Councillor M Browne moved )  
Councillor D Turley seconded )

**Resolved**

1. That Broken Hill City Council Report No. 188/22 dated August 10, 2022, be received.
2. Item No.427.8.2 – That Council arranges for the Bus Stop adjacent to the Palace Hotel in Argent Street be relocated further down the road to allow continued bus services, not obstructing the 'Loading Zone' area for the duration of the Broken Heel Festival.



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CARRIED UNANIMOUSLY

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 189/22 - DATED AUGUST 12, 2022 -  
MINUTES OF THE E.P. O'NEILL MEMORIAL PARK REDEVELOPMENT PROJECT STEERING  
GROUP MEETING HELD 16 JUNE 2022 AND SITE VISIT HELD 17 JUNE 2022** D22/42401

**RESOLUTION**

Minute No. 46932

Deputy Mayor J Hickey moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 189/22 dated August 12, 2022, be received.
2. That the minutes of the E.P. O'Neill Memorial Park Project Steering Group meeting held on 16 June 2022 be noted
3. That the minutes of the E.P. O'Neill Memorial Park Site Visit held on 17 June 2022 be noted

CARRIED UNANIMOUSLY

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 190/22 - DATED AUGUST 11, 2022 -  
MINUTES OF THE PICTON OVAL SPORTSGROUND COMMUNITY COMMITTEE ANNUAL  
GENERAL MEETING HELD 25 JULY 2022** D22/42154

**RESOLUTION**

Minute No. 46933

Councillor M Boland moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 190/22 dated August 11, 2022, be received.
2. That minutes of the Picton Oval Sportsground Community Committee Annual General Meeting held 25 July 2022 be received.

CARRIED UNANIMOUSLY

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 191/22 - DATED JULY 07, 2022 -  
MINUTES OF THE MEMORIAL OVAL COMMUNITY COMMITTEE MEETING HELD 24 MAY  
2022, 7 JUNE 2022 AND 5 JULY 2022** D22/35507

**RESOLUTION**

Minute No. 46934

Councillor D Gallagher moved )  
Councillor A Chandler seconded )

**Resolved**

1. That Broken Hill City Council Report No. 191/22 dated July 7, 2022, be received.
2. That minutes of the Memorial Oval Community Committee Annual General Meeting held 24 May 2022 be noted.

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3. That minutes of the Memorial Oval Community Committee Meeting held 7 June 2022 be received.
4. That the minutes of the Memorial Oval Community Committee Annual General Meeting held 5 July 2022 be received.

CARRIED UNANIMOUSLY

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 192/22 - DATED JULY 27, 2022 - MINUTES OF THE RIDDIFORD ARBORETUM COMMUNITY COMMITTEE ANNUAL GENERAL MEETING HELD 2 JULY 2022** D22/39170

**RESOLUTION**

Minute No. 46935

Councillor M Browne moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 192/22 dated July 27, 2022, be received.
2. That minutes of the Riddiford Arboretum Community Committee Annual General Meeting held 2 July 2022 be received.

CARRIED UNANIMOUSLY

## HEALTH AND BUILDING COMMITTEE

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 177/22 - DATED AUGUST 15, 2022 - ARRANGEMENTS FOR LOCAL ART SOCIETY EXHIBITIONS AT THE BROKEN HILL CITY ART GALLERY** D22/42513

**RESOLUTION**

Minute No. 46936

Councillor M Boland moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 177/22 dated August 15, 2022, be received.
2. That Council note the report.
3. That Council invite the Willyama Arts Society to submit a draft Memorandum of Understanding for Council consideration.

CARRIED UNANIMOUSLY

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 178/22 - DATED AUGUST 05, 2022 - REQUEST FOR COUNCIL TO BE APPOINTED CROWN LAND MANAGER OF RESERVE 39037** D22/41221

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**RESOLUTION**

Minute No. 46937

Councillor D Gallagher moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

1. That Broken Hill City Council Report No. 178/22 dated August 5, 2022, be received.
2. That Council make a request to the Minister to be appointed Crown Land Manager of Reserve 39037 (Lot 3 & Lot 7 in Section 35 in Deposited Plan 759092).
3. That Council make a request to the Minister that the additional purpose of 'community purposes' be added to Reserve 39037 to facilitate ongoing management as part of the proposed library and archives facility.

CARRIED UNANIMOUSLY

**ITEM 16 – BROKEN HILL CITY COUNCIL REPORT NO. 179/22 – DATED AUGUST 05, 2022 – SALE OF COUNCIL OWNED LAND AT 245-247 IODIDE STREET D22/41319**

*Deputy Mayor Hickey declared an interest in Item 16 and left the Council Chambers at 7:43pm.*

**RESOLUTION**

Minute No. 46938

Councillor M Boland moved )  
Councillor R Page seconded )

**Resolved**

1. That Broken Hill City Council Report No. 179/22 dated August 5, 2022, be received.
2. That That Council engage a real estate agent through a competitive quotation process to sell the Council owned land at 245-247 Iodide Street (Lot 2 in Deposited Plan 181218 and Lot 3 in Deposited Plan 1181476)
3. That General Manager be authorised to negotiate and finalise the sale of land at 245-247 Iodide Street.
4. That the Mayor and General Manager be authorised to sign and execute any documents related to the sale under the Common Seal of Council.

CARRIED UNANIMOUSLY

*Deputy Mayor Hickey returned to the Council Chambers at 7:45pm. The Mayor advised the Deputy Mayor that Council had adopted the report recommendation of item 16.*

**ITEM 17 – BROKEN HILL CITY COUNCIL REPORT NO. 180/22 – DATED JUNE 23, 2022 –**

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DEVELOPMENT APPLICATION 17/2022 – 323 JONES STREET – CHANGE OF USE TO HOME  
BUSINESS (CAT RESCUE) D22/32806

*Councillor Browne declared an interest in item 17 and left the Council Chambers at 7:45pm.*

**RESOLUTION**

Minute No. 46939

Councillor R Page moved )  
Councillor A Chandler seconded )

**Resolved**

1. That Broken Hill City Council Report No. 180/22 dated June 23, 2022, be received.
2. That Development Application 17/2022 being a new home business (cat rescue) be approved, subject to conditions as contained in Attachment 1.; with an amendment to consent condition (4) Number of Cats to include a special clause that allows for an increase to the number of cats from 25 up to 30 to allow for occasions when a litter of kittens are born at the rescue centre or a cat with kittens is surrendered to the rescue centre.

CARRIED UNANIMOUSLY

*Councillor Browne returned to the Council Chambers at 7:49pm. The Mayor advised Councillor Browne that Council had adopted the report recommendation with an addendum to amend the consent conditions to include a special clause to the number of animals held at rescue centre to allow for a litter of kittens born at the centre or surrendered to the centre.*

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 181/22 - DATED AUGUST 03, 2022 -  
MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES  
COMMUNITY COMMITTEE MEETING HELD 12 JULY 2022** D22/40693

**RESOLUTION**

Minute No. 46940

Councillor M Browne moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 181/22 dated August 3, 2022, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 12 July 2022 be received.

CARRIED UNANIMOUSLY

**POLICY AND GENERAL COMMITTEE**

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 176/22 - DATED JULY 28, 2022 - CHILD  
CARE AVAILABILITY IN BROKEN HILL** D22/39465

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**RESOLUTION**

Minute No. 46941

Councillor R Algate moved )  
Councillor R Page seconded )

**Resolved**

1. That Broken Hill City Council Report No. 176/22 dated July 28, 2022, be received.
2. That Council continues its advocacy for increased Childcare availability in the City through the implementation of Council's Liveability and Housing Strategy; and to ensure that it aligns with the objectives of the State Government's Liveability Strategy for regional NSW.
3. That Council continues its advocacy for increased Childcare availability in the City with State and Federal Ministers.
4. That Council meets with various stakeholders such as Far West Family Day Care Services and TAFE NSW to discuss various opportunities to increase Day Care Educators in Broken Hill.

CARRIED UNANIMOUSLY

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 177/22 - DATED AUGUST 01, 2022 - REVIEW OF COUNCIL'S CODE OF MEETING PRACTICE TO PERMIT COUNCILLOR ATTENDANCE VIA AUDIO VISUAL LINK AT STANDING COMMITTEE MEETINGS AND COUNCIL MEETINGS** D22/39896

Motion

Deputy Mayor J Hickey moved )  
Councillor M Boland seconded )

1. That Broken Hill City Council Report No. 177/22 dated August 1, 2022, be received.
2. That Council makes no amendment to the Code of Meeting Practice Policy to permit attendance by Councillors at Committee and Council Meetings via audio-visual link as per the optional clauses contained in the Office of Local Government's Model Code of Meeting Practice.

Amendment

Councillor M Browne moved )  
Councillor D Turley seconded )

1. That Broken Hill City Council Report No. 177/22 dated August 1, 2022, be received.
2. That Council makes no amendment to the Code of Meeting Practice Policy to permit attendance by Councillors at Committee Meetings via audio-visual link as per the

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optional clauses contained in the Office of  
Local Government's Model Code of Meeting  
Practice.

LOST

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

The original motion was put.

**RESOLUTION**

Minute No. 46942

Deputy Mayor J Hickey moved ) 1. That Broken Hill City Council Report No.  
Councillor M Boland seconded ) 177/22 dated August 1, 2022, be received.

2. That Council makes no amendment to the  
Code of Meeting Practice Policy to permit  
attendance by Councillors at Committee and  
Council Meetings via audio-visual link as per  
the optional clauses contained in the Office  
of Local Government's Model Code of  
Meeting Practice.

CARRIED

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

**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 178/22 - DATED AUGUST 18, 2022 -**  
**PUBLIC INTEREST DISCLOSURES ANNUAL REPORT - 2021/2022** D22/43501

**RESOLUTION**

**Resolved**

Minute No. 46943

Councillor D Gallagher moved ) 1. That Broken Hill City Council Report No.  
Councillor R Page seconded ) 178/22 dated August 18, 2022, be received.

2. That the Broken Hill City Council Public  
Interest Disclosures Annual Report  
2021/2022 be forwarded to the Minister for  
Local Government and the NSW  
Ombudsman by 30 October 2022

CARRIED UNANIMOUSLY

**ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 179/22 - DATED JULY 29, 2022 - DRAFT**  
**PUBLIC ART POLICY** D22/39643

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**RESOLUTION**

Minute No. 46944

Councillor M Boland moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 179/22 dated July 29, 2022, be received.
2. That Council adopt the draft Public Art Policy to include minor amendments as outlined in this report.

CARRIED UNANIMOUSLY

**ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 181/22 - DATED JULY 22, 2022 - 2017-2021 DISABILITY INCLUSION ACTION PLAN - FINAL KEY PERFORMANCE INDICATORS PROGRESS REPORT FOR PERIOD ENDING 30 JUNE 2022** D22/38574

**RESOLUTION**

Minute No. 46945

Councillor D Turley moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

1. That Broken Hill City Council Report No. 181/22 dated July 22, 2022, be received.
2. That Council note the 2017-2021 Disability Inclusion Action Plan – Final Key Performance Indicators Progress Report for the reporting period ending 30 June 2022.
3. That the 2017-2021 Disability Inclusion Action Plan – Final Key Performance Indicators Progress Report for the reporting period ending 30 June 2022 be placed on Council's website.

CARRIED UNANIMOUSLY

**ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 182/22 - DATED AUGUST 03, 2022 - 2021-2022 DELIVERY PROGRAM INCLUSIVE OF OPERATIONAL PLAN 2021/2022 OUTCOMES - FINAL KEY PERFORMANCE INDICATORS PROGRESS REPORT FOR PERIOD ENDING 30 JUNE 2022** D22/39115

**RESOLUTION**

Minute No. 46946

Councillor R Algate moved )  
Councillor M Boland seconded )

**Resolved**

1. That Broken Hill City Council Report No. 182/22 dated August 3, 2022, be received.
2. That Council receive the 2021-2022 Delivery Program inclusive of 2021/2022 Operational Plan outcomes - Final Key Performance Indicators Progress Report for period ending 30 June 2022.
3. That the 2021-2022 Delivery Program inclusive of 2021/2022 Operational Plan outcomes - Final Key Performance

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Indicators Progress Report for period ending 30 June 2022, be placed on Council's website.

4. That all staff be congratulated on their progress thus far in the completion of the Delivery Program and Operational Plan actions.

CARRIED UNANIMOUSLY

**ITEM 25 - BROKEN HILL CITY COUNCIL REPORT NO. 183/22 - DATED AUGUST 10, 2022 - BUDGET CARRYOVER'S 2021/22** D22/41941

**RESOLUTION**

Minute No. 46947

Deputy Mayor J Hickey moved )  
Councillor R Page seconded )

**Resolved**

1. That Broken Hill City Council Report No. 183/22 dated August 10, 2022, be received.
2. That Council revoke the budget items as listed below in *Table 1* for the amount of \$143,700.
3. That Council note the carryover budget items as listed below in *Table 2* for the amount of \$23,328,537.

CARRIED UNANIMOUSLY

**ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 184/22 - DATED AUGUST 02, 2022 - INVESTMENT STRATEGY AND PORTFOLIO REVIEW FOR 2021/2022** D22/40414

**RESOLUTION**

Minute No. 46948

Councillor M Boland moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 184/22 dated August 2, 2022, be received.
2. That increasing the use of term deposits be considered due to the rising cash rate.

CARRIED UNANIMOUSLY

**ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 185/22 - DATED AUGUST 15, 2022 - INVESTMENT REPORT FOR JULY 2022** D22/42670

**RESOLUTION**

Minute No. 46949

Councillor M Boland moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 185/22 dated August 15, 2022, be received.



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CARRIED UNANIMOUSLY

**ITEM 28 - BROKEN HILL CITY COUNCIL REPORT NO. 186/22 - DATED AUGUST 15, 2022 - MEMORANDUM OF UNDERSTANDING - AFL BROKEN HILL AND BROKEN HILL CITY COUNCIL** D22/42487

**RESOLUTION**

Minute No. 46950

Deputy Mayor J Hickey moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 186/22 dated August 15, 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 AFL Broken Hill.
3. That Council authorise the General Manager to include in the Memorandum of Understanding financial assistance grants of \$10,000 per annum.

CARRIED UNANIMOUSLY

**ITEM 29 - BROKEN HILL CITY COUNCIL REPORT NO. 187/22 - DATED AUGUST 04, 2022 - RE-ESTABLISHMENT OF E.T. LAMB MEMORIAL OVAL COMMUNITY COMMITTEE AND COMMITTEE NOMINATIONS** D22/41183

**RESOLUTION**

Minute No. 46951

Deputy Mayor J Hickey moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 187/22 dated August 4, 2022, be received.
2. That Council re-establish the E.T. Lamb Memorial Oval Community Committee.
3. That Council appoints Councillor Gallagher as Council's Delegate on the E.T. Lamb Memorial Oval Community Committee.
4. That user groups of the E.T. Lamb Memorial Oval and community representatives, continue to be encouraged to consider an interest in joining the community committee to achieve the required number of members stated in the constitution and for effective management of the asset.
5. That Council appoints Mr Dean Meadows, Mr Luke Driscoll, Mr Ross Morris, Mr Des Rumble and Mr Lyndon Pace as community representatives of the E.T. Lamb Memorial Oval Community Committee, subject to

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Council resolving to re-establish the  
committee.

CARRIED UNANIMOUSLY

**ITEM 30 - BROKEN HILL CITY COUNCIL REPORT NO. 188/22 - DATED JULY 27, 2022 -  
MINUTES OF THE BROKEN HILL HERITAGE COMMITTEE ANNUAL GENERAL MEETING  
HELD 25 JULY 2022** D22/39192

**RESOLUTION**

Minute No. 46952

Councillor D Turley moved )  
Councillor M Browne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 188/22 dated July 27, 2022, be received.
2. That minutes of the Broken Hill Heritage Committee Annual General Meeting held 25 July 2022 be received.

CARRIED UNANIMOUSLY

### FURTHER REPORTS

**ITEM 31 - BROKEN HILL CITY COUNCIL REPORT NO. 189/22 - DATED AUGUST 10, 2022 -  
CORRESPONDENCE REPORT - WEATHER RADAR FOR FAR WEST NSW** D22/42076

**RESOLUTION**

Minute No. 46953

Councillor M Boland moved )  
Councillor A Chandler seconded )

**Resolved**

1. That Broken Hill City Council Report No. 189/22 dated August 10, 2022, be received.
2. That correspondence dated 4 August 2022 from the Bureau of Meteorology in response to Council's correspondence regarding the construction of two doppler weather radars in Far West NSW, be received and noted.

CARRIED UNANIMOUSLY

**ITEM 32 - BROKEN HILL CITY COUNCIL REPORT NO. 190/22 - DATED JULY 29, 2022 - COUNCIL  
MEETING ARRANGEMENTS AND CHRISTMAS SHUT DOWN PERIOD** D22/39644

**RESOLUTION**

Minute No. 46954

Councillor D Gallagher moved )  
Councillor A Chandler seconded )

**Resolved**

1. That Broken Hill City Council Report No. 190/22 dated July 29, 2022, be received.
2. That Council's Ordinary Monthly Meeting for December 2022 be brought forward by one week to be held Wednesday, December 21, 2022.

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3. That the December Standing Committee Meetings be brought forward by one week to be held as follows
  - a. Works Committee Meeting to be held Monday December 12, 2022 at 5:30pm
  - b. Health and Building Committee Meeting to be held Tuesday December 13, 2022 at 5:30pm
  - c. Policy and General Committee Meeting to be held Wednesday December 14, 2022 at 5:30pm
4. That Standing Committee Meetings not be held in January 2023.
5. That the Council shutdown period for the Administrative Centre and the Warnock Street Works Depot be from 1pm Friday December 23, 2022 and reopening Monday, January 9, 2023.
6. That Council advertise the shutdown period for the Administrative Centre and the Warnock Street Works Depot and that this advertisement also includes the operating hours for all other Council facilities during this period.

CARRIED UNANIMOUSLY

**ITEM 33 - BROKEN HILL CITY COUNCIL REPORT NO. 191/22 - DATED AUGUST 23, 2022 -  
COUNCILLOR ATTENDANCE AT THE NSW MINING AND EXPLORATION CONFERENCE**

D22/44146

**RESOLUTION**

Minute No. 46955

Councillor D Gallagher moved )

Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 191/22 dated August 23, 2022, be received.
2. That Deputy Mayor Hickey be authorised as Council's delegate to attend the NSW Mining and Exploration Conference to be held in Orange, 12-13 October 2022.

CARRIED UNANIMOUSLY

**ITEM 34 - BROKEN HILL CITY COUNCIL REPORT NO. 192/22 - DATED AUGUST 25, 2022 -  
COUNCILLOR ATTENDANCE AT THE MURRY DARLING ASSOCIATION NATIONAL  
CONFERENCE AND AGM 2022 HELD IN ALBURY, 19-21 SEPTEMBER 2022**

D22/44678

**RESOLUTION**

Minute No. 46956

Councillor D Turley moved )

**Resolved**

1. That Broken Hill City Council Report No.

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Councillor A Chandler seconded ) 192/22 dated August 25, 2022, be received.

2. That Council notes that Councillor Browne will be attending the Murray Darling Association National Conference to be held in Albury NSW from 19-21 September 2022 as Council's Delegate on the Murray Darling Association.
3. That Councillor Boland also attends the Murray Darling Association National Conference; and that registration and travel arrangements be made as per Clauses 4.7 and 4.8 of the Councillor Support Policy.

CARRIED UNANIMOUSLY

**ITEM 35 - BROKEN HILL CITY COUNCIL REPORT NO. 193/22 - DATED AUGUST 02, 2022 -  
NOMINATIONS FOR THE APPOINTMENT OF COMMUNITY REPRESENTATIVES TO SECTION  
355 COMMUNITY COMMITTEES** D22/40318

**RESOLUTION**

Minute No. 46957

Councillor R Algate moved )

Councillor D Turley seconded )

**Resolved**

1. That Broken Hill City Council Report No. 193/22 dated August 2, 2022, be received.
2. That Council appoints Ms Irene Davey as community representatives on the Ageing Well Advisory Committee.
3. That Council appoints Mr Jim Richards, Ms Tegan Gerard, Ms Susanne Jones and Ms Mel Chynoweth as community representatives on the Youth Advisory Committee.
4. That the community representatives be advised of their appointment and advice also be sent to the Councillor Delegates/Chairpersons of Committees.
5. That Council notes that the current round of advertising closed on 24 August 2022 and Council will continue to advertise on social media and in the Barrier Truth during September for nominations for specific committees that have not yet achieved an adequate number of community representatives.
6. That the Constitution of the Ageing Well Advisory Committee be amended at clause 4.2 to add the words "A minimum of" before the words "Three (3) community members who either are a person of senior years ..." and before the words "Two (2) community representative from the First Nations community ..." to clarify the practice of

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appointing additional community representatives on Committees if there is an increased interest in membership; and the Chairperson of the Committee be advised accordingly.

CARRIED UNANIMOUSLY

**ITEM 36 - BROKEN HILL CITY COUNCIL REPORT NO. 194/22 - DATED AUGUST 04, 2022 - ACTION LIST REPORT** D22/41143

**RESOLUTION**

Minute No. 46958

Councillor D Gallagher moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

1. That Broken Hill City Council Report No. 194/22 dated August 4, 2022, be received.

CARRIED UNANIMOUSLY

**QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING**

**ITEM 37 - QUESTIONS ON NOTICE NO. 8/22 - DATED JULY 29, 2022 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE JULY 2022 ORDINARY COUNCIL MEETING AND AUGUST 2022 COMMITTEE MEETINGS** D22/39641

**RESOLUTION**

Minute No. 46959

Councillor M Boland moved )  
Councillor R Algate seconded )

**Resolved**

1. That Questions On Notice No. 8/22 dated July 29, 2022, be received.

CARRIED UNANIMOUSLY

**ITEM 38 - QUESTIONS ON NOTICE NO. 9/22 - DATED AUGUST 04, 2022 - PUBLIC FORUM QUESTIONS TAKEN ON NOTICE AT THE JULY 2022 ORDINARY COUNCIL MEETING** D22/41134

**RESOLUTION**

Minute No. 46960

Councillor D Gallagher moved )  
Councillor M Browne seconded )

**Resolved**

1. That Questions On Notice No. 9/22 dated August 4, 2022, be received.

CARRIED UNANIMOUSLY

**QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA**

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From Item 11 – Update on the Picton Oval Long-Jump Pit

*The General Manager took a question on notice from Councillor Boland regarding an update on when the works to the long-jump pit at the Picton Oval will be completed.*

From Item 35 – Nominations for membership of Council's Section 355 Committees

*Councillor Turley asked whether Council could carry-out some social media advertising to seek nominations to fill the vacant positions on Council's Section 355 Committees.*

The Mayor advised that an article on the matter will be included in the next edition of the community newsletter.

From Item 9 – Bus Stop in Gypsum Street

*Councillor Boland asked that the Traffic Committee provides an update to Council regarding the request for the unofficial bus stop in Gypsum Street (that was requested to be made an official bus stop due to the bus stopping there for the past 50 years for members of the Gauci family of Broken Hill) to become a dedicated bus stop.*

The General Manager took the question on notice and stated that the matter would be raised again at a future Traffic Committee Meeting for the Committee to provide advice to Council.

## PUBLIC FORUM

Children's Memorial Garden at the Cemetery

*Mr Ghislaine Barbe spoke about the Mayoral Minute for the installation of the sculpture at the Children's Memorial Garden contained in the Business Paper and thanked the Mayor for the historical background of the Children's Memorial Garden and advised that she had sent a photo of the Mayoral Minute to the widow of the late Karl Fritsch who was deeply moved that her husband was remembered.*

The Mayor spoke of the late Karl Fritsch as a great architect, town planner an ambassador for the City and thanked Ms Barbe for passing the Mayoral Minute onto his family.

Broken Hill Mundi Mundi Bash

*Ms Barbe referred to the verbal Mayoral Minute regarding forwarding a letter of appreciation to the organisers of the Broken Hill Mundi Mundi Bash and asked that the volunteers also be recognised for their efforts.*

### RESOLUTION

Minute No. 46960A

Councillor M Boland moved	)	That correspondence of appreciated to be sent
Councillor D Gallagher seconded	)	to the organisers of the Broken Hill Mundi Mundi
		Bash also includes Council's appreciation of the
		work undertaken by the Bash volunteers during
		the three day music event.

CARRIED UNANIMOUSLY

Companion Animal Management Working Group

*Mr Branko Licul asked when the first meeting of the Companion Animal Management Working Group will be held and the status of the Working Group.*

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The General Manager advised that a date will be set in the coming weeks for this Working Group and that setting a meeting date had been delayed due to the position of Executive Manager Planning and Community Safety becoming vacant just at the time of organising the first meeting of the Working Group.

The General Manager took this opportunity to welcome Mr Michael Mason who had taken on the role in a temporary capacity until 23 December 2022 whilst Council continues its recruiting efforts.

#### Festival flags on CBD Banner Poles

*Mr Branko Licul spoke about upcoming the Broken Heel Festival and asked if festival banners will be displayed on the CBD banner poles welcoming visitors to the City in September. Mr Licul stated that there was an opportunity missed by Council to utilise the banner poles to promote the Broken Hill Mundi Mundi Bash Festival.*

*The Broken Heel Festival is a prime opportunity to show the City's support of the festival and to welcome visitors to Broken Hill.*

The Mayor stated that it is Council's policy that the event organisers supply the banners and Council installs them on the banner poles.

The General Manager advised that the event organisers have been made aware of this requirement and advised that works are still being completed on the banner poles with the median strip in Argent Street between Delamore Street and Oxide Street still under construction before the banner poles can be installed in this part of Argent Street. The first change to the banners will be at Christmas and the Broken Heel Festival event organisers have been advised that if they purchase festival banners for next year, Council will install them prior to the 2023 festival. This also applies to any other event or festival to be held in Broken Hill.

#### Visiting Art Exhibitions at the Broken Hill City Art Gallery

*Ms Eve-Lyn Kennedy referred to the discussion during the meeting regarding a possible Memorandum of Understanding for the Willyama Art Society, and stated that some people don't travel to capital cities very often and spoke about the benefits of visiting art exhibitions being shown at the Broken Hill City Art Gallery rather than having to view these exhibitions virtually, which is not the same as being able to see them in person, the colour, the texture, the feeling of the work etc.*

*Ms Kennedy spoke about there needing to be a balance between local exhibitions and visiting exhibitions and requested that Council considers exhibiting at least 1 visiting art collection on every rotation.*

The Mayor thanked Ms Kennedy for raising this matter and advised that Council would soon be reviewing the Broken Hill City Art Gallery Exhibitions Policy and placing it out for public consultation and that this review will include provisions for local and visiting art exhibitions being shown at the Gallery. The Mayor explained that 90% of visitors to the Gallery are tourists who want to see local art exhibitions, but takes Ms Kennedy's point that there still needs to be a balance of local and visiting exhibitions displayed at the Gallery.

Councillor Page spoke about the quality of art that Council owns in that is worth millions of dollars and that this work should be displayed.

**RESOLUTION**

Minute No. 46961 - Procedural Motion

Councillor R Algate moved )

Councillor R Page seconded )

**Resolved**

That the meeting be closed to the public in accordance with Section 10A(2) of the *Local Government Act 1993* whilst Council considered the confidential matters; and that the order of business change in order for Council to consider Confidential Report No. 11/22 first.

CARRIED UNANIMOUSLY

*Members of the public and media left the Council Chambers at 8:49pm.*

**CONFIDENTIAL MATTERS**

**ITEM 39 – MAYORAL MINUTE NO. 11/22 – DATED AUGUST 16, 2022 – GENERAL MANAGER'S PERFORMANCE REVIEW 2021/2022 – CONFIDENTIAL** D22/42910

**(General Manager's Note:** This report considers a staffing matter and is deemed confidential under Section 10A(2) (a) of the Local Government Act, 1993 which contains matters that will involve the discussion of personnel matters concerning a particular individual).

*The General Manager declared an interest in item 39 and left the Council Chambers at 8:50pm.  
All staff (excluding the Executive Officer) left the Council Chambers at 8:50pm.*

**RESOLUTION**

Minute No. 46962

Mayor T Kennedy moved )

Councillor M Boland seconded )

**Resolved**

1. That Mayoral Minute No. 11/22 dated August 16, 2022, be received.
2. That Council note the General Manager, Jay Nankivell has made a commendable start to his role as General Manager of Broken Hill City Council and encourages him to continue the progress made in the organisation and in his personal development and to make the hard decisions needed to ensure the Council's continued financial sustainability.
3. That it be noted the General Manager will develop an Action plan for submission to the Mayor and Deputy Mayor to outline the actions to be taken to address the six (6) projects outlined in Mayoral Minute.
4. That the major projects and priorities for 2022/23 listed in the Mayoral Minute be adopted and included in the General Manager's Performance Agreement for 2022/232.



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5. That the General Manager's Total Remuneration Package be increased by 2.75% to recognise his high performance; and that Council approve the General Manager to visit a high performing council within Australia to bring back ideas which would be of benefit to the Broken Hill community.
6. That the General Manager be congratulated on his performance.

CARRIED UNANIMOUSLY

*The General Manager and staff returned to the Council Chambers at 8:55pm (members of the public and media remained excluded from the meeting).*

**ITEM 40 – BROKEN HILL CITY COUNCIL REPORT NO. 182/22 – DATED AUGUST 15, 2022 – ACQUISITION OF LAND – ASSESSMENT 41400 – CONFIDENTIAL** D22/42486

**(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).

*Councillor Gallagher declared an interest in Item 41 and left the Council Chambers at this point in the meeting proceedings (the time being 8:56pm).*

**RESOLUTION**

Minute No. 46963

Deputy Mayor J Hickey moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 182/22 dated August 15, 2022, be received.
2. That Council proceed with the transfer of Assessment 41400 – 21 Cummins St into Councils possession under section 570 of the *Local Government Act 1993*
3. That Council write off outstanding rates on the property of \$2,010.52 with an upper limited of \$2,500 to allow for any additional interest and costs yet to be attributed and finalised.
4. That Council delegate authority to the General Manager to sign documents required to complete the transfer.
5. That Council pay conveyancing costs to complete the transfer.

CARRIED UNANIMOUSLY

**ITEM 41 - BROKEN HILL CITY COUNCIL REPORT NO. 195/22 - DATED AUGUST 25, 2022 - BANKRUPTCY MATTER - CONFIDENTIAL** D22/44631

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**(General Manager's Note:** This report considers Bankruptcy Matter and is deemed confidential under Section 10A(2) (a) (b) of the Local Government Act, 1993 which contains matters that will involve the discussion of personnel matters concerning a particular individual; AND which contains matters that will involve the discussion of the personal hardship of any resident or rate payer).

**RESOLUTION**

Minute No. 46964

Deputy Mayor J Hickey moved )  
Councillor A Chandler seconded )

**Resolved**

1. That Broken Hill City Council Report No. 195/22 dated August 25, 2022, be received.
2. That the General Manager be delegated authority to negotiate and accept an appropriate offer with the Bankrupts and the trustees as detailed in this report, being option three.
3. That the General Manager be authorised to write of rates, interest and legal charges amounts to the current value of \$20,000 with an upper limit of \$25,000 to allow for any additional interest, costs and charges that may occur as result of the annulment timeframe.
4. That a report be presented to the Policy and General Committee to discuss the public release of details relating to Council's resolution regarding the finalisation of this matter.

CARRIED UNANIMOUSLY

**RESOLUTION**

Minute No. 46965 - Procedural Motion

Councillor R Page moved )  
Councillor A Chandler seconded )

**Resolved**

That the meeting resumes in open session.

CARRIED UNANIMOUSLY

*Councillor Gallagher and members of the public and media returned to the Council Chambers at 9:04pm.*

At the Mayor's invitation, the General Manager reported on the resolutions of the confidential matters considered in closed session.

There being no further business the Mayor closed the meeting at 9:08pm.

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THE FOREGOING MINUTES WERE READ )  
AND CONFIRMED AT THE ORDINARY )  
MEETING OF THE BROKEN HILL CITY )  
COUNCIL HELD ON 28 SEPTEMBER 2022. )

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CHAIRPERSON