
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
OCTOBER 26, 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 Planning and
Community Safety, Executive Officer and Executive Assistant.

Media (3), Members of the Public (13)

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

Road condition in Wills Street between Gypsum Street and Harris Street

Mr Arthur Johnston and Mrs Jeanette Johnston addressed Council regarding recent rain events this year, and in particular the storm of 15 March 2022 which saw their property in Wills Street (where they have lived for the past 24 years) inundated with water from both Wills Street and Wills Lane. Their yard has been inundated with water during five previous storms and on 15 March 2022 during the storm that was slated as a "one in 100 year storm" their home was also inundated with 300mm of water along with three other homes in Wills Street. Their home is uninhabitable and they have been relocated to alternative accommodation by their insurance company whilst building repairs are carried out to their home. These repairs are still ongoing.

Mr Johnston advised that the stormwater detention basin on the corner of Mercury Street and Graphite Street behind the Westside Plaza does normally assist with stormwater issues in Railwaytown but that on the storm event on 15 March 2022, not all stormwater from the Galena Street area was able to flow into the culvert adjacent to the Westside Plaza and opposite the Rising Sun due to the stormwater grate on the culvert being blocked by debris and this stormwater then did not enter the Mercury Street stormwater detention basin, but flowed through the plaza carpark and into Rowe Street and Rowe Lane, then flowed into Gypsum Street and then into Wills Street and Wills Lane flooding properties and houses in Wills Street. Mr Johnston also spoke about the negative effect that stormwater issues have had on the value of their property with the property now valued at \$90K, when prior to the storm of 15 March 2022 the property was valued at between \$190K - \$200K.

Mr Johnston spoke about the need for Council to conduct works in Wills Street to lower the centre of the road pavement to prevent stormwater entering properties in Wills Street between Gypsum Street

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and Harris Street, and stated that he cannot erect any barriers outside of his property to divert stormwater as this is Council land and that it is Council's responsibility to undertake flood mitigation measures. Mr Johnston advised that ten years prior a Council engineer inspected the area and stated that the centre of the road needs to be lowered as it is too high.

Mr Johnston also advised Council that today he had noticed that the safety gate on the stormwater culvert in Galena Street adjacent to the Westside Plaza carpark and opposite the Rising Sun Hotel was open and that this is a serious safety risk to the community if a person is swept into the culvert the force of the stormwater would prevent them from being able to escape.

Mr Johnston also spoke about the State Government grant funding available for flood affected properties and that on applying they were advised that Broken Hill was not included in the grant program.

Mrs Johnston spoke about the additional stress caused by the flooding event which occurred at a time of great stress in the family due to illness. Mrs Johnston read a statement outlining the impact that the flooding of their home in Wills Street has had on their family and implored Council do everything that they can to fix the stormwater issues in Railwaytown and to lower the centre of the road in Wills Street to prevent future flooding of homes in the area.

The Mayor advised Mr and Mrs Johnston to make an appointment to see him about the stormwater issues and that this Council is committed to rectifying longstanding issues. Council is conducting a flood study masterplan with the assistance of a qualified Hydrologist which will outline options for flood mitigation measures that can be introduced in flood affected parts of Broken Hill. The Mayor was pleased to hear that the Mercury Street stormwater detention basin works well to reduce flooding in Railwaytown under normal storm conditions and advised that Council staff will ensure that the stormwater grate on the culvert in Galena Street will regularly be inspected to clear it of debris. The Mayor thanked Mr Johnston for advising that the safety gate had been left open on the Galena Street culvert and advised that Council will take their comments seriously.

The General Manager referred to the State Government grant funding program and advised that Council had also enquired about the program and were give the same advice that residents were given; in that the grant funding through Service NSW had a list of stringent criteria that had to be met and that unless people could prove that they were experiencing extenuating financial hardship then their application was rejected. Council has written to the State Government asking why Broken Hill has been excluded from the grants program (even though Broken Hill has been affected by stormwater flooding) when other areas of the state are included.

Laundering of money through local poker machines

Mr Peter Lord congratulated Councillor Boland on the efforts of himself and the Musician's Club for their vigilance in detecting and reporting the laundering of drug money through Broken Hill poker machines; also the possibility of other activities for example the purchasing of properties in Broken Hill using money gained from the proceeds of crime.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 47003

Councillor D Gallagher moved)
Councillor A Chandler seconded)

Resolved

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held September 28, 2022 be confirmed.

CARRIED

DISCLOSURE OF INTEREST

Councillor Boland declared:

- a non-pecuniary interest in Item 3 of Health and Building Committee as he has a business relationship with the applicant and advised that he will leave the Council Chambers whilst the item is considered.

Councillor Gallagher declared:

- a non-pecuniary interest in the Mayoral Minute as he is a Committee Member of the Silver City Race Club and advised that he will leave the Council Chambers whilst the item is considered.

MAYORAL MINUTES

**ITEM 1 - MAYORAL MINUTE NO. 15/22 - DATED OCTOBER 21, 2022 - REQUEST FOR
COMMUNITY ASSISTANCE GRANT - 2022 SILVER CITY CUP RACES** D22/55844

Councillor Gallagher declared an interest in Item 1 and left the Council Chambers at 6:47pm.

RESOLUTION

Minute No. 47004

Mayor T Kennedy moved)

Deputy Mayor J Hickey seconded)

Resolved

1. That Mayoral Minute No. 15/22 dated October 21, 2022, be received.
2. That Council approves a Community Assistance Grant of \$7,128.00 to the Silver City Racing Club Inc (being in-kind support from Council for the provision and servicing of MGB's and dumper bins at a cost of \$2,128.00, and cash of \$5,000.00) towards the conduct of the 2022 event to be held on 12 November 2022.
3. That the grant be funded from Round 2 of the 2022/2023 Community Assistance Grants budget.
4. That the Silver City Racing Club provides Council with all necessary substantiation documents as per the Community Assistance Grants program, e.g. current financial statements, evidence of public liability insurance; and following the event the Committee provides a full acquittal of funds to Council.

CARRIED UNANIMOUSLY

Councillor Gallagher returned to the Council Chamber at 6:50pm.

NOTICES OF MOTION

Nil.

REPORTS FROM DELEGATES

At the Mayor's invitation, Deputy Mayor Hickey and Councillor Turley gave a verbal report on their attendance at the Local Government NSW Conference held in the Hunter Valley from 23-25 October 2022; Deputy Mayor Hickey as Council's delegate and Councillor Turley as President of Local Government NSW.

The verbal report advised that the conference was well attended by Councils across NSW and that Broken Hill City Council's motion to the conference regarding increasing the land rates base rate maximum contribution of each individual rating category from 50% to 70% to address the disparity of land rates for residents in cities in regional NSW was defeated, and that Council's motion calling on the Australian Government to legislate that at least 50% of renewable energy is generated in capital cities was upheld.

Deputy Mayor Hickey advised that a written report will be provided to the next Ordinary Council Meeting.

RESOLUTION

Minute No. 47005 - Motion

Deputy Mayor J Hickey moved
Councillor D Turley seconded

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)

Resolved

That the verbal report regarding attendance at the 2022 Local Government NSW Conference be received.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

A) WORKS COMMITTEE

ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 233/22 - DATED SEPTEMBER 12, 2022 - ADOPTION OF THE DRAFT ASBESTOS POLICY D22/48333

RESOLUTION

Minute No. 47006

Councillor R Algate moved
Councillor R Page seconded

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Resolved

1. That Broken Hill City Council Report No. 233/22 dated September 12, 2022, be received.
2. That Council note that nil submissions were received from the public during the public exhibition period of the Draft Asbestos Policy.

3. That the Draft revised Asbestos Policy be adopted as a Policy of Council.
4. That Council notes that the adoption of the draft Asbestos Policy will replace Council's 2015 Policy.

CARRIED UNANIMOUSLY

B) HEALTH AND BUILDING COMMITTEE

ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 227/22 - DATED OCTOBER 07, 2022 - CORRESPONDENCE REPORT - LEAD PREVENTION PROGRAMS AND BLOOD LEAD LEVEL TESTING IN BROKEN HILL D22/53144

RESOLUTION

Minute No. 47007

Councillor M Browne moved
Councillor R Page seconded

Resolved

1. That Broken Hill City Council Report No. 227/22 dated October 7, 2022, be received.
2. That correspondence be sent to the NSW Minister and Shadow Minister for Environment, and the NSW Minister and Shadow Minister for Health stating that the community of Broken Hill should be afforded the same support, program funding and protection against lead that the rest of NSW receives, especially given the amount of royalties that the government has received from Broken Hill's mining operations.

CARRIED UNANIMOUSLY

ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 228/22 - DATED SEPTEMBER 14, 2022 - GREEN SPACE CREEDON STREET D22/48687

RESOLUTION

Minute No. 47008

Councillor R Page moved
Councillor M Boland seconded

Resolved

1. That Broken Hill City Council Report No. 228/22 dated September 14, 2022, be received.
2. That Council advocates for the development of a green recreational space at 119 Creedon Street.
3. That Council advocates for a second recreational space at Creedon Street that would accommodate various recreational,

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sporting and 'community shed'
infrastructure.

CARRIED UNANIMOUSLY

**ITEM 5 – BROKEN HILL CITY COUNCIL REPORT NO. 229/22 – DATED OCTOBER 06, 2022 –
DEVELOPMENT APPLICATION 40/2022 – PROPOSED HOTEL DEVELOPMENT – 207/213
ARGENT STREET, BROKEN HILL** D22/52584

Councillor Boland declared an interest in Item 5 and left the Council Chambers at 7:05pm.

RESOLUTION

Minute No. 47009

Councillor R Algate moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 229/22 dated October 6, 2022, be received.
2. That Development Application 40/2022, to demolish structures and construct hotel and commercial premises on Lot 1 DP 306593 and Lot B DP 399791, be approved subject to conditions of consent.

CARRIED UNANIMOUSLY

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

AGAINST: Nil.

Councillor Boland returned to the Council Chambers at 7:12pm. Mayor Kennedy advised Councillor Boland that Council had adopted the report recommendation of item 5.

**ITEM 6 – BROKEN HILL CITY COUNCIL REPORT NO. 230/22 – DATED OCTOBER 07, 2022 –
ALLIGATOR WEED IN THE MENINDEE LAKES SYSTEM** D22/53252

During debate of Item 6, Councillor Page foreshadowed a motion regarding the slashing of weeds along Menindee Road.

The Mayor accepted the foreshadowed motion and advised that the matter would be considered at the end of the Health & Building Committee Reports.

RESOLUTION

Minute No. 47010

Councillor R Page moved)

Resolved

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Councillor D Turley seconded

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1. That Broken Hill City Council Report No. 230/22 dated October 7, 2022, be received.
2. That the biosecurity risk of the presence of Alligator weed (*Alternanthera Philoxeroides*), in the Menindee Lakes System be reported to the NSW Department of Primary Industries, the Office of Environment and Heritage, the NSW Western Local Land Services Board and the Central Darling Shire Council as the state, regional and local authorities responsible for the management of noxious weeds in the Menindee Lakes region of NSW.

CARRIED UNANIMOUSLY

ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 231/22 - DATED OCTOBER 05, 2022 - MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 13 SEPTEMBER 2022 D22/52208

RESOLUTION

Minute No. 47011

Councillor M Browne moved
Councillor H Jewitt seconded

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Resolved

1. That Broken Hill City Council Report No. 231/22 dated October 5, 2022, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 13 September 2022 be received.

CARRIED UNANIMOUSLY

Foreshadowed Motion - Menindee Road

The Mayor accepted Councillor Page's foreshadowed motion from item 6.

MENINDEE ROAD (GB5/22)

11/161

RESOLUTION

Minute No. 47012

Councillor R Page moved
Councillor D Gallagher seconded

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Resolved

That the motion be accepted as an urgent matter.
That Council writes to the NSW Minister and Shadow Minister for Regional Transport and Roads and the State Member regarding the urgent need for weeds to be slashed along the verges of regional roads to Menindee in the unincorporated area of NSW, to ensure the safety of road users.

CARRIED UNANIMOUSLY

C) POLICY AND GENERAL COMMITTEE

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 235/22 - DATED OCTOBER 06, 2022 -
CORRESPONDENCE REPORT - MOBILE COMMUNICATIONS UPGRADE REQUIRED FOR
THE BROKEN HILL RACECOURSE AND REGIONAL EVENTS CENTRE** D22/52686

RESOLUTION

Minute No. 47013

Councillor R Page moved
Councillor R Algate seconded

Resolved

1. That Broken Hill City Council Report No. 235/22 dated October 6, 2022, be received.
2. That correspondence dated 4 October 2022 from the Hon Mark Coulton MP, Federal Member for Parkes enclosing a copy of correspondence dated 9 September 2022 addressed to the Federal Member for Parkes from the Office of the Hon Michelle Rowland MP Minister for Communications regarding advice of Telstra's proposal to construct a communications tower near the Broken Hill Racecourse and Regional Events Centre which will connect to the newly constructed Telstra base station at 23 Cummins Street (which is nearing completion), be received and noted.
3. That Council sends correspondence to the Federal Minister for Communications, the Minister for Western NSW and Telstra thanking them for their commitment to construct a telecommunications tower near the Broken Hill Racecourse and Regional Events Centre; and that the letter also seeks funding support towards a temporary cell-on-wheels to be available for all major events held at the Broken Hill Racecourse and Regional Events Centre during the construction of the new telecommunications tower.

CARRIED UNANIMOUSLY

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 236/22 - DATED OCTOBER 06, 2022 -
INVESTMENT REPORT FOR SEPTEMBER 2022** D22/52468

RESOLUTION

Minute No. 47014

Councillor M Boland moved
Deputy Mayor J Hickey seconded

Resolved

1. That Broken Hill City Council Report No. 236/22 dated October 6, 2022, be received.

CARRIED UNANIMOUSLY

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**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 237/22 - DATED SEPTEMBER 30, 2022 -
NOMINATION FOR THE APPOINTMENT OF COMMUNITY REPRESENTATIVE TO SECTION
355 COMMUNITY COMMITTEE** D22/51734

RESOLUTION

Minute No. 47015

Deputy Mayor J Hickey moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 237/22 dated September 30, 2022, be received.
2. That Council appoint Mr Roderick Lamb as a community representative on the ET Lamb Memorial Oval Community Committee.
3. That Mr Roderick Lamb be advised of his appointment and advice also be sent to Councillor Delegate/Chairperson of Committee.

CARRIED UNANIMOUSLY

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 238/22 - DATED SEPTEMBER 23, 2022 -
SECTION 355 ANNUAL AND FINANCIAL REPORTS 2021/2022** D22/47063

RESOLUTION

Minute No. 47016

Councillor R Algate moved)
Councillor H Jewitt seconded)

Resolved

1. That Broken Hill City Council Report No. 238/22 dated September 23, 2022, be received.
2. That the 2021/2022 Alma Oval Community Committee Annual and Financial Reports be received and noted
3. That the 2021/2022 BIU Band Hall Community Committee Annual and Financial Reports be received and noted.
4. That the 2021/2022 Broken Hill City Art Gallery Advisory Committee Annual Report be received and noted.
5. That the 2021/2022 Broken Hill Heritage Committee Annual Report be received and noted.
6. That the 2021/2022 Friends of the Flora and Fauna of the Barrier Rangers Community Committee Annual Report be received and noted.
7. That the 2021/2022 Norm Fox Sporting Complex Community Committee Annual

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and Financial Reports be received and noted.

8. That the 2021/2022 Picton Sportsground Community Committee Annual and Financial Reports be received and noted.

CARRIED UNANIMOUSLY

ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 239/22 - DATED SEPTEMBER 23, 2022 - MINUTES OF THE BROKEN HILL HERITAGE COMMITTEE MEETING HELD 30 AUGUST 2022
D22/48495

RESOLUTION

Minute No. 47017

Councillor D Turley moved
Councillor M Browne seconded

Resolved

-) 1. That Broken Hill City Council Report No. 239/22 dated September 23, 2022, be received.
) 2. That minutes of the Broken Hill Heritage Committee Meeting held 30 August 2022 be received.

CARRIED UNANIMOUSLY

RESCISSION MOTIONS

Nil.

FURTHER REPORTS

ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 240/22 - DATED OCTOBER 19, 2022 - PUBLIC PRESENTATION OF 2021/2022 FINANCIAL STATEMENTS
D22/55541

RESOLUTION

Minute No. 47018

Councillor R Algate moved
Deputy Mayor J Hickey seconded

Resolved

-) 1. That Broken Hill City Council Report No. 240/22 dated October 19, 2022, be received.
) 2. That Council adopt the financial statements and present the Annual Financial Statements inclusive of the Auditor's Reports for 2021/22 to the public.

CARRIED UNANIMOUSLY

ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 241/22 - DATED OCTOBER 18, 2022 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING, HELD TUESDAY, 11 OCTOBER 2022
D22/55262

RESOLUTION

Minute No. 47019

Resolved

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Councillor M Browne moved)
Councillor D Turley seconded)

1. That Broken Hill City Council Report No. 241/22 dated October 18, 2022, be received.
2. That Council approve Item No. 429.6.1 – *Request for Disabled parking space and Disability ramp adjacent 71 Oxide Street – Professional Consulting Room – HPO Consultancy Services* as per the below:
 - The committee agreed that the request is appropriate for the purpose of the building and that the request for the installation of an accessible carpark to replace the existing carpark on the northern side, adjacent to the building at 71 Oxide Street be installed.
 - That the southern end of the carpark be hatched to allow rear access to a vehicle.
 - That a disability ramp be installed near the accessible carpark adjacent 71 Oxide Street for the NRG Group.

CARRIED UNANIMOUSLY

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 242/22 - DATED OCTOBER 20, 2022 - ACTION LIST REPORT D22/55711

RESOLUTION

Minute No. 47020

Councillor D Gallagher moved)
Councillor M Boland seconded)

Resolved

1. That Broken Hill City Council Report No. 242/22 dated October 20, 2022, be received.

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 16 - QUESTIONS ON NOTICE NO. 12/22 - DATED OCTOBER 05, 2022 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE SEPTEMBER 2022 ORDINARY COUNCIL MEETING D22/52343

RESOLUTION

Minute No. 47021

Councillor R Algate moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Questions On Notice No. 12/22 dated October 5, 2022, be received.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

From Item 11 – Section 355 Annual Reports

A question was taken on notice from Councillor Browne regarding the Annual Report for the Riddiford Arboretum Community Committee which had been forwarded to Council. Councillor Browne asked that the Annual Report be reported to the next Ordinary Council Meeting.

From Item 14 – Traffic Committee – Burke Ward School

Councillor Gallagher suggested that, along with the matter of the construction of a pedestrian crossing adjacent to the school in Gypsum Street being considered by the Traffic Committee, Council contacts the Principal of Burke Ward School to suggest the reintroduction of the School Safety Officer to assist children to cross Gypsum Street safely.

The Mayor accepted Councillor Gallagher's suggestion as an urgent matter and sought a motion from Councillors.

RESOLUTION

Minute No. 47022 - Matter of Urgency

Councillor D Gallagher moved)

Councillor R Page seconded)

Resolved

That Councillor Gallagher's urgent motion be considered.

CARRIED UNANIMOUSLY

TRAFFIC COMMITTEE - BURKE WARD SCHOOL (GB6/22)

11/397

RESOLUTION

Minute No. 47023

Councillor D Gallagher moved)

Councillor R Page seconded)

Resolved

That, along with the matter of the construction of a pedestrian crossing in Gypsum Street adjacent to the Burke Ward School being considered by the Traffic Committee, Council sends correspondence to the Principal of Burke Ward School to suggest the reintroduction of the School Safety Officer to assist children to cross Gypsum Street safely.

CARRIED UNANIMOUSLY

From Item 19 – Lease at the Tourist and Travellers' Centre (Confidential Matter)

A question was taken on notice from Councillor Algate regarding the current going commercial rent value for a commercial space equivalent to the café space at the Tourist and Travellers' Centre.

PUBLIC FORUM SESSION

Hydrostor Compressed Air Renewable Energy Storage Project

Mr Peter Lord referred to the announcement in Parliament earlier in the week regarding government funding for a renewable energy project in Broken Hill. Mr Lord requested the Mayor to provide further details regarding the project.

The Mayor gave an overview of the Hydrostor Compressed Air Renewable Energy Storage Project advising that the project is a renewable energy project using Broken Hill's unused mine shafts to store compressed air from generators rather than using battery storage. The project has received a \$44M Federal Government grant and will be another system of renewable energy for Broken Hill's renewable energy industry and will create employment opportunities for our community. Council is looking into establishing a mini solar energy array which will save Council money and this money can be put into other infrastructure and community projects for the City. The Mayor and Deputy Mayor explained that once the Hydrostor renewable energy plant is operational, Broken Hill will have one of the largest mini-grid renewable energy systems in the world and be one of the leader in this field.

Over the next 18 months it has been announced that there will be a 56% rise in electricity and also a rise in petrol prices, so Council is establishing a mini-grid system just at the right time to alleviate the impact of utility price rises in the future.

The Mayor accepted a suggestion from Councillor Algate to seek funding for Council's renewable energy projects as a matter of urgency.

The Mayor sought a motion from Councillors.

COUNCIL'S RENEWABLE ENERGY PROJECTS (GB7/22)

18/186

RESOLUTION

Minute No. 47024

Councillor R Algate moved)

Deputy Mayor J Hickey seconded)

Resolved

That the motion be accepted as an urgent matter.

That Council writes to the Federal Minister for Climate Change and Energy, The Hon Chris Bowen MP to seek funding support of Council's mini-grid renewable energy projects.

CARRIED UNANIMOUSLY

RESOLUTION

Minute No. 47025 - Procedural Motion

Councillor R Page moved)

Councillor M Browne seconded)

Resolved

That the meeting be closed to the public in accordance with Section 10A(2) of the Local Government Act 1993 whilst Council considers the confidential matters.

CARRIED UNANIMOUSLY

Members of the media and public left the Council Chambers at 7:43pm and the livestream of the meeting ceased.

CONFIDENTIAL MATTERS

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 243/22 - DATED OCTOBER 20, 2022 -
LEASE TO IOR AVIATION PTY LTD AT BROKEN HILL AIRPORT, PART LOT 1 DP124942 -
CONFIDENTIAL** D22/55670

(General Manager's Note: This report considers a lease agreement 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. 47026

Councillor R Algate moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Broken Hill City Council Report No. /22 dated October 20, 2022, be received.
2. That Council authorise the General Manager to negotiate final lease arrangements with IOR Aviation Pty Ltd for Part Lot 1 in DP124942 as detailed within the report.
3. That Council consent to the Uniting Church Australia Property Trust (NSW), to sublease a portion of the lease in Part Lot 1 DP124942 to IOR Aviation Pty Ltd for the terms set out in the below report.
4. That Council authorise the Mayor and General Manager to sign and execute all documents in relation to this matter under Council's Common Seal.

CARRIED UNANIMOUSLY

**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 234/22 - DATED OCTOBER 11, 2022 -
T22/13 REQUEST FOR TENDER BLENDE, GALENA AND WILLS STREET ROUNDABOUT
ROAD RECONSTRUCTION - CONFIDENTIAL** D22/53748

(General Manager's Note: This report 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. 47027

Councillor M Browne moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 234/22 dated October 11, 2022, be received.
2. That GTE Pty Ltd be awarded the contract for T22/13 Request for Tender for Blende, Galena and Wills Street Roundabout Road

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Reconstruction, for the amount of
\$591,970.34 (Exc GST).

3. That Council approve an increase in capital budget for the project for \$223,395.34 to meet rise in building escalation costs

CARRIED UNANIMOUSLY

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

ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 232/22 - DATED OCTOBER 05, 2022 - VARIATION OF LEASE OF PART LOT 789 / DP 793558 AT THE TOURIST AND TRAVELLERS' CENTRE 23-27 BROMIDE STREET BROKEN HILL TO 777 ENTERPRISES PTY LTD T/AS GLORIA JEANS COFFEES - CONFIDENTIAL D22/52172

(General Manager's Note: This report considers a lease agreement 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. 47028

Councillor D Turley moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Broken Hill City Council Report No. 232/22 dated October 5, 2022, be received.
2. That Council endorses a variation of lease to 777 Enterprises Pty Ltd trading as Gloria Jeans Coffees to vary the original ten (10) year lease executed in March 2012 for use of part Lot 789 / DP 793558 at the Tourist and Travellers' Centre, 23-27 Bromide Street, Broken Hill, to extend the original lease by five (5) years to now expire on 11 March 2027; with all terms and conditions to be as per the original lease and as varied by the variation of lease as attached to the report.
3. That the Mayor and/or General Manager be authorised to execute the variation of lease documents under Common Seal of Council.

CARRIED UNANIMOUSLY

RESOLUTION

Minute No. 47029 - Procedural Motion

Councillor D Gallagher moved)
Councillor M Browne seconded)

Resolved

That the meeting resume in open session.

CARRIED UNANIMOUSLY

Members of the media and public returned to the Council Chambers at 7:53pm and the livestream of

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
OCTOBER 26, 2022

the meeting resumed.

At the Mayor's invitation, the General Manager reported on the resolutions of Council made during closed session.

There being no further business to consider, the Mayor closed the meeting at 7:57pm.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 30 NOVEMBER 2022.)

CHAIRPERSON