

**Please note: At Council’s Ordinary Council Meeting held 31 May 2023, Council resolved to amend the minutes of the Ordinary Council Meeting held 26 April 2023 at Item 21 as detailed in the below resolution.**

**The amendments have been made to these minutes.**

**MINUTES FOR CONFIRMATION**

**RESOLUTION**

Minute No. 47205

Deputy Mayor J Hickey moved )  
Councillor D Gallagher seconded )

**Resolved**

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held April 26, 2023 be confirmed with an amendment to page 16 of the minutes document, Item 21 (Report No. 66/23 dated March 6, 2023 – Cemetery Operations – Public Exhibition of Council’s intention to grant a waiver of interment right fee for a vacant grave at the Broken Hill Cemetery – Minute No. 47199) at items 2 and 4 to correct the location of the subject grave to read Presbyterian D, row 12, grave 13.

That the Minutes of the Extraordinary Meeting of the Council of the City of Broken Hill held May 24, 2023 be confirmed.

CARRIED UNANIMOUSLY

**Please note: At Council’s Ordinary Council Meeting held 28 June 2023, Council resolved to amend the minutes of the Ordinary Council Meeting held 31 May, 2023 Minute No. 47205 (Minutes for Confirmation) to correct the spelling of the subject section of the Cemetery from “Presbyterian” to Presbyterian”.**

**The amendments have been made to these minutes.**

**MINUTES FOR CONFIRMATION – 28 June 2023 Council Meeting**

**RESOLUTION**

Minute No. 47232

Councillor R Algate moved )  
Councillor D Gallagher seconded )

**Resolved**

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held May 31, 2023 be confirmed with an amendment to Minute No. 47205 (Minute for Confirmation) to correct the spelling of the subject section of the Cemetery from “Presbyterian” to “Presbyterian”.

CARRIED UNANIMOUSLY

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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
APRIL 26, 2023

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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 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  
Officer and Executive Assistant.

Media (2), Members of the Public (4)

**APOLOGIES:**

Councill R. Page.

**RESOLUTION**

Minute No. 47173 - Council Resolution

Councillor D Gallagher moved )  
Councillor A Chandler seconded )

**Resolved**

That the apology submitted on behalf of  
Councillor Page be accepted.

CARRIED UNANIMOUSLY

**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**

Civic Centre Redevelopment Legal Matter

*Mr Bob Coulls requested an update on the progress of the Civic Centre Redevelopment legal matter and asked whether Council is expecting a break-even result or whether Council may incur costs? Mr Coulls also enquired whether the public will be advised of the details of the settlement?*

The Mayor advised that it will be a couple of months until the legal matter is finalised and once settled the community will be advised of the outcome of the legal proceedings; and that there is a requirement for the matter to remain confidential for the duration of the legal proceedings.

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Redevelopment of the Line of Lode Precinct and Café

*Mr Coulls referred to the redevelopment of the Line of Lode Precinct and Café and advised that the community are of the belief that the precinct is owned by Council and Council undertook the redevelopment, and also that the redevelopment would not attract a tenant. Mr Coulls asked for clarification of the ownership of the Line of Lode Precinct and Café.*

The Mayor advised that the State Government owns the Line of Lode Precinct and Café and that at the last Council Meeting, Council unanimously resolved to write to the State Government Crown Lands Department expressing Council's disappointment with the overall redevelopment of the precinct and in particular that the café kitchen only contains a cool room and is void of a commercial kitchen fit-out, and that Council is also disappointment with the design of the outdoor alfresco area.

The Crown Lands Department have advised that they will seek funding to install a full commercial kitchen before seeking a lessee for the building.

Waste Management Facility

*Ms Ghislaine Barbe referred to the Community Strategic Plan, section 3 – Our Environment, objective 3.1.1 – Implement measures to reduce the city's carbon footprint and enhance the circular economy by educating and demonstrating the use of renewable resources; and objective 3.1.2 – Educate the community on measures to avoid waste and reduce littering and waste to landfill.*

*Ms Barbe advised that she sorts her rubbish before taking it to Council's Waste Management Facility although people in the community has advised her that it is a waste of time as all rubbish ends up in landfill. Ms Barbe asked if this is correct and stated that Council needs to do more to educate the community on how Council recycles waste suggesting that an article be published in the next community newsletter regarding Council's recycling practices at the Waste Management Facility and in particular the recycling of cardboard and glass containers.*

Supplementary Agenda

*Ms Barbe referred to the last page of the supplementary agenda which is a page full of ink and that this is a waste of Council resources.*

The General Manager advised that this is a dividing page and indicates the end of the document. The General Manager advised that Council has vastly reduced the number of hard copies provided at Council Meetings with the introduction of tablets for the public to use, being a reduction in costs and a reduction in the use of paper and Council resources.

## MINUTES FOR CONFIRMATION

**RESOLUTION**

Minute No. 47174

Deputy Mayor J Hickey moved )  
Councillor D Gallagher seconded )

**Resolved**

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held March 29, 2023 be confirmed.

CARRIED UNANIMOUSLY

### DISCLOSURE OF INTEREST

Mayor Kennedy declared:

- a non-pecuniary interest in Confidential Item 3 (Report No. 66/23) as the applicant is a personal friend and advised that he will leave the Council Chambers whilst the item is considered.

### MAYORAL MINUTES

ITEM 1 - MAYORAL MINUTE NO. 7/23 - DATED APRIL 26, 2023 - SOUTHERN CROSS  
AUSTEREO'S SPENCER GULF NIGHTLY NEWS

D23/21200

**RESOLUTION**

Minute No. 47175

Mayor T Kennedy moved )

Councillor D Turley seconded )

**Resolved**

1. That Mayoral Minute No. 7/23 dated April 26, 2023, be received.
2. That correspondence be sent to Mark Coulton MP and the appropriate Minister outlining the concerns that the Broken Hill City Council and the community have about Southern Cross Austereo's recent decision to cease Spencer Gulf Nightly News and requests that the government introduce licence conditions that require regional broadcasters to produce regional content.
3. That correspondence is sent to the Spencer Gulf Mayors supporting their action to reinstate local news services and endorse the correspondence received from them.
4. That correspondence be sent to Southern Cross Austereo outlining our objections and concerns at the lack of public consultation before ceasing the local news bulletin.
5. That a late motion be submitted to the National General Assembly regarding Southern Cross Austereo's decision to cease the Spencer Gulf Nightly News and request that the government introduces licence conditions that require regional broadcasters to produce regional content; and that the Spencer Gulf Mayors be advised of Council's late motion and request their support.

CARRIED UNANIMOUSLY

## NOTICES OF MOTION

Nil.

*Councillor Browne requested that a motion be heard as a matter of urgency to seek Council's endorsement of her nomination as an Executive Member of the Murray Darling Association Region 4.*

The Mayor accepted Councillor Browne's request and sought a motion for the matter to be heard.

### **RESOLUTION**

Minute No. 47176 - Procedural Motion

Councillor R Algate moved )

Councillor D Turley seconded )

### **Resolved**

That a matter of urgency be heard, prior to the Public Forum Session, regarding Councillor Browne's nomination as an Executive Member on the Murray Darling Association Region 4.

CARRIED UNANIMOUSLY

## NOTICES OF RESCISSION

Nil.

## REPORTS FROM DELEGATES

Nil.

## COMMITTEE REPORTS

### WORKS COMMITTEE

**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 63/23 - DATED OCTOBER 12, 2022 -  
DRAFT CEMETERY MANAGEMENT POLICY D22/54084**

### **RESOLUTION**

Minute No. 47177

Councillor M Boland moved )

Councillor R Algate seconded )

### **Resolved**

1. That Broken Hill City Council Report No. 63/23 dated October 12, 2022, be received.
2. That Council endorses the draft revised Cemetery Management Policy for the purpose of public exhibition.
3. That the draft revised Cemetery Management Policy be exhibited for public comment for a period of 28 days.
4. That a report be presented to Council at the conclusion of the public exhibition period,

outlining the public submissions received and any recommended amendments arising, with a view to adopt the draft revised Cemetery Management Policy.

CARRIED UNANIMOUSLY

## HEALTH AND BUILDING COMMITTEE

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 62/23 - DATED APRIL 05, 2023 - MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 14 MARCH 2023** D23/18176

**RESOLUTION**

Minute No. 47178

Councillor M Browne moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That Broken Hill City Council Report No. 62/23 dated April 5, 2023, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 14 March 2023 be received.
3. That Council endorses and acknowledges in writing the resignation of Mr. Dean Fletcher from the Friends of the Flora and Fauna of the Barrier Ranges Community Committee after 20 years of volunteer work and expresses its gratitude and appreciation for Mr. Fletcher's contribution to the Committee and the community.

CARRIED UNANIMOUSLY

## POLICY AND GENERAL COMMITTEE

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 67/23 - DATED FEBRUARY 28, 2023 - REVIEW OF COUNCIL'S POLICY REGISTER** D23/10964

**RESOLUTION**

Minute No. 47179

Councillor R Algate moved )  
Councillor M Boland seconded )

**Resolved**

1. That Broken Hill City Council Report No. 67/23 dated February 28, 2023, be received.
2. That Council notes that an initial review of Council's Policy Register has been undertaken which has identified a number of outdated/superseded policies that require

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removal from Council's Policy Register, for the various reasons outlined in this report.

3. That the following policies be rendered obsolete and removed from Council's Policy Register and from publication on Council's website:
  - a) Child Protection Employment Screening Policy
  - b) Child Protection Mandatory Reporting Policy
  - c) Conduct of Government Instrumentality Functions Policy
  - d) Community Consultation Policy
  - e) General Permits and Street Activities Policy
  - f) Gifts and Benefits Policy
  - g) Legionnaires Disease Policy
  - h) Logo and Brand Mark Policy
  - i) Motor Vehicle Pool System and Private Lease Policy
  - j) Nuclear Waste Policy
  - k) Residential Buildings Conservation Policy
  - l) Shorty O'Neil Village Liquidity Management Policy
  - m) Statement of Ethical Principles Policy
  - n) Waiving of Notice Preparation Fees Protection of the Environment Operations Act Policy

CARRIED UNANIMOUSLY

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 68/23 - DATED APRIL 06, 2023 -**  
**ADOPTION OF REVISED BROKEN HILL FILM POLICY** D23/18357

**RESOLUTION**

Minute No. 47180

Councillor M Boland moved )  
Councillor A Chandler seconded )

**Resolved**

1. That Broken Hill City Council Report No. 68/23 dated April 6, 2023, be received.
2. That the draft Broken Hill Film Policy be adopted as a Policy of Council.
3. That Council notes that adoption of the draft Broken Hill Film Policy will render the 2001 Film Making within the Broken Hill City Council Area Policy obsolete.

CARRIED UNANIMOUSLY

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**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 69/23 - DATED APRIL 06, 2023 - DRAFT  
SPONSORSHIP POLICY FOR PUBLIC EXHIBITION** D23/18429

**RESOLUTION**

Minute No. 47181

Councillor R Algate moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 69/23 dated April 6, 2023, be received.
2. That Council endorses the draft revised Sponsorship Policy for the purpose of public exhibition.
3. That the draft revised Sponsorship Policy be exhibited for public comment for a period of 28 days.
4. That a report be presented to Council at the conclusion of the public exhibition period, detailing submissions received and any recommended amendments arising, with a view to adopt the draft revised Sponsorship Policy.

CARRIED UNANIMOUSLY

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 70/23 - DATED APRIL 11, 2023 -  
INVESTMENT REPORT FOR MARCH 2023** D23/18841

**RESOLUTION**

Minute No. 47182

Councillor M Boland moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 70/23 dated April 11, 2023, be received.

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 71/23 - DATED APRIL 11, 2023 -  
NOMINATION FOR THE APPOINTMENT OF COMMUNITY REPRESENTATIVE TO SECTION  
355 COMMUNITY COMMITTEE** D23/18758

**RESOLUTION**

Minute No. 47183

Councillor D Gallagher moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 71/23 dated April 11, 2023, be received.
2. That Council appoint Mr Bryan Williamson as a community representative on the ET Lamb Memorial Oval Community Committee.
3. That Mr Bryan Williamson be advised of his appointment and advice also be sent to Councillor Delegate/Chairperson of Committee.



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CARRIED UNANIMOUSLY

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 72/23 - DATED APRIL 06, 2023 -  
MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 16  
MARCH 2023** D23/18544

**RESOLUTION**

Minute No. 47184

Councillor R Algate moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

1. That Broken Hill City Council Report No. 72/23 dated April 6, 2023, be received.
2. That minutes of the Audit, Risk and Improvement Committee meeting held 16 March 2023 be received and noted.

CARRIED UNANIMOUSLY

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 73/23 - DATED APRIL 11, 2023 -  
MINUTES OF THE BROKEN HILL HERITAGE COMMITTEE MEETINGS HELD 28 FEBRUARY  
2023 AND 30 MARCH 2023** D23/18799

**RESOLUTION**

Minute No. 47185

Councillor D Turley moved )  
Councillor M Browne seconded )

**Resolved**

1. That Broken Hill City Council Report No. 73/23 dated April 11, 2023, be received.
2. That the minutes of the Broken Hill Heritage Committee Meetings held 28 February 2023 and 30 March 2023 be received.
3. That Council congratulates West Darling Arts for the conduct of GlamFest held during the 2023 Heritage Festival.
4. That Council staff be congratulation on the conduct of the 2023 Heritage Festival.

CARRIED UNANIMOUSLY

**FURTHER REPORTS**

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 74/23 - DATED APRIL 19, 2023 -  
ALTERATION TO THE WORKS COMMITTEE MEETING DATE FOR MAY 2023** D23/20300

**RESOLUTION**

Minute No. 47186

Deputy Mayor J Hickey moved )  
Councillor D Gallagher seconded )

**Resolved**

1. That Broken Hill City Council Report No. 74/23 dated April 19, 2023, be received.
2. That Council's Health and Building Committee Meeting scheduled for Tuesday

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23 May 2023 be brought forward by one day to be held Monday 22 May 2023, following the Works Committee Meeting and information contained in the Council Meeting section of Council's website be updated accordingly.

CARRIED UNANIMOUSLY

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 75/23 - DATED APRIL 04, 2023 - DEPUTY MAYOR ATTENDANCE AT THE OFFICIAL OPENING OF THE MILDURA HEALTH ICON CANCER CENTRE** D23/17892

**RESOLUTION**

Minute No. 47187

Councillor R Algate moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

1. That Broken Hill City Council Report No. 75/23 dated April 4, 2023, be received.
2. That Council endorses the Mayor's urgent approval for Deputy Mayor Hickey (on behalf of the Mayor) to travel from Pooncarie to Mildura return to attend the official opening of the Mildura Health Icon Cancer Centre on Monday 3 April 2023.
3. That Council congratulates Mildura Health and The ICON Group for developing the Mildura Health ICON Cancer Centre which can be utilised by Mildura, regional Victoria, regional South Australia and Far West NSW communities.

CARRIED UNANIMOUSLY

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 76/23 - DATED APRIL 11, 2023 - MINUTES OF THE GATEWAY SIGNAGE ADVISORY GROUP PROJECT STEERING GROUP MEETING HELD 23 MARCH 2023** D23/18851

**RESOLUTION**

Minute No. 47188

Councillor R Algate moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

1. That Broken Hill City Council Report No. 76/23 dated April 11, 2023, be received.
2. That the minutes of the Gateway Signage Advisory Group Project Steering Group meeting held on 23 March 2023 be noted.
3. That the PowerPoint Presentation of the Gateway Signage Advisory Group Project Steering Group meeting held on 23 March 2023 be noted

CARRIED UNANIMOUSLY

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**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 77/23 - DATED APRIL 18, 2023 - MINUTES  
OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO.434, HELD ON TUESDAY, 4 APRIL 2023**

D23/20075

**RESOLUTION**

Minute No. 47189

Councillor M Browne moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 77/23 dated April 18, 2023, be received.
2. That the Minutes of the Local Traffic Committee – Meeting No.434, held on Tuesday, 4 April 2023 be endorsed.
3. That the Local Traffic Committee (LTC) – Terms of Reference be adopted.
4. That Item No.431.6.1 – That Council reinstate faded line marking and replace ‘Children Crossing’ signage in Gossan Street, between Wolfram and Cobalt Streets.
5. That Item No.431.6.4 – That Council install rumble bars and line marking at the base of the banner poles in Argent Street, between Bromide and Iodide Streets and Patton Street, between Comstock and South Streets.
6. That Item No.433.7.4 – That Council reinstate the 4-hour timed parking signage at the parking spaces that are not sign posted in the Kintore Reserve.

CARRIED UNANIMOUSLY

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. /23 - DATED APRIL 19, 2023 - ACTION  
LIST REPORT**

D23/20353

**RESOLUTION**

Minute No. 47190

Councillor D Gallagher moved )  
Councillor H Jewitt seconded )

**Resolved**

1. That dated April 19, 2023, be received.

CARRIED UNANIMOUSLY

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

Nil.

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

### 2024 Heritage Festival

*Councillor Turley requested that the 2024 Heritage Festival includes the lighting up of the Town Hall and other historical buildings.*

The General Manager took the question on notice.

### Status of the Museum Adviser position

*Councillor Turley requested an update on the status of the Museum Adviser position.*

The General Manager advised that the position had not changed and that a Councillor Briefing was being organised for an update to be provided by the Museum Advisor.

### Lack of an Electric Vehicle Recharging Station at Yunta

*Councillor Turley referred to the lack of vehicle recharging station at Yunta and asked that Council writes to the Premier of South Australia and the South Australian government to request the installation of an electric vehicle recharge station at Yunta.*

The Mayor accepted Councillor Turley's request and sought a motion for the matter to be heard.

#### **RESOLUTION**

##### Minute No. 47191 - Procedural Motion

Councillor D Turley moved )

Councillor M Browne seconded )

#### **Resolved**

That a matter of urgency be heard, prior to the Public Forum Session, regarding the lack of an electric vehicle recharge station at Yunta.

CARRIED UNANIMOUSLY

### REX and Qantas Passenger Numbers

*Councillor Browne if REX and Qantas Passenger Numbers can be provided to Councillors.*

The General Manager advised that this information can be found on the Councillor HUB in the Infrastructure Monthly Activity Reports.

### Safety Concern regarding the littering of used syringes in the CBD area

*Councillor Boland advised of the vast number of used syringes in Crystal Lane and nearby carparks in the CBD area which is a safety concern for the community. The Broken Hill Community Health Centre on the corner of Crystal Street and Sulphide Streets has a 24 hour needle dispensary service which appears to be contributing to the issue. Councillor Boland suggested that a meeting be arranged with NSW Health to discuss options to resolve this matter.*

The Mayor accepted Councillor Boland's request and sought a motion for the matter to be heard.

#### **RESOLUTION**

##### Minute No. 47192 - Procedural Motion

Councillor M Boland moved )

Deputy Mayor J Hickey seconded )

#### **Resolved**

That a matter of urgency be heard, prior to the Public Forum Session, regarding seeking a meeting with NSW Health to discuss the Broken

Hill Community Health Centre's 24 hour needle dispensary service and the safety concern regarding the littering of used syringes in the CBD area, and the options available to combat this community issue.

CARRIED UNANIMOUSLY

### MATTERS OF URGENCY

**ITEM 16 - MATTER OF URGENCY - NOMINATION AS AN EXECUTIVE MEMBER OF MURRAY DARLING ASSOCIATION REGION 4 (GB5/23)** 11/501

**RESOLUTION**

Minute No. 47193

Councillor D Turley moved )  
Councillor R Algate seconded )

**Resolved**

That Council endorses Councillor Browne's nomination as an Executive Member on the Murray Darling Association Region 4.

CARRIED UNANIMOUSLY

**ITEM 17 - MATTER OF URGENCY - LACK OF ELECTRIC VEHICLE RECHARGE STATIONS AT YUNTA, SA (GB6/23)** 11/161

**RESOLUTION**

Minute No. 47194

Councillor D Turley moved )  
Councillor A Chandler seconded )

**Resolved**

That Council writes to the Premier of South Australia and the South Australian government to request the installation of an electric vehicle recharge station at Yunta for people travelling through the Far West NSW region into South Australia.

CARRIED UNANIMOUSLY

**ITEM 18 - MATTER OF URGENCY - LITTERING OF USED SYRINGES IN THE CBD AREA (GB7/23)** 11/161

**RESOLUTION**

Minute No. 47195

Councillor M Boland moved )  
Deputy Mayor J Hickey seconded )

**Resolved**

That Council writes to NSW Health to request a meeting to discuss the 24 hour needle dispensary service at the Broken Hill Community Health Centre and the safety issues of used syringes being littered in the CBD area, in order to seek a solution to the matter.

CARRIED UNANIMOUSLY

## PUBLIC FORUM SESSION

### Minutes of the Broken Hill Traffic Committee

*Mr Peter Beven referred to the re-election of Mr Roy Butler MP as Member for Barwon and that Mr Beven is Mr Butler's representative on the Broken Hill Traffic Committee. Mr Beven asked that minutes of the Committee meetings also be forwarded to Mr Butler's office.*

### BHP Chimney

*Mr Beven referred to the BHP chimney which has been preserved as an historical tourist attraction and asked that directional signage to the BHP chimney be installed for tourists*

The Mayor advised that Council is currently undertaking the Way Finding project which will include directional signage with extensive information for tourists and QR codes to further information. The signage is currently being manufactured and a sign to the BHP chimney site is included in the project.

### Removal of Dead Tree

*Mr Beven referred to a dead tree that overhangs the Barrier Highway near the Burke Ward School and asked for the tree to be removed.*

The Mayor advised that Council is commencing a program to remove all dead trees around Broken Hill and will include this tree in the program.

### BHP Chimney

*Mr Coulls concurred with Mr Beven's comments regarding the need for directional signage to the BHP chimney and advised that many tourists ask for directions to the site.*

### Spencer Gulf Nightly News

*Mr Coulls referred to the axing of the Spencer Gulf Nightly News and advised that several years ago members of the local media would complain about forwarding Broken Hill news articles to Southern Cross Austereo but the news articles would not be included in the nightly news bulletin. Mr Coulls agreed with the Mayoral Minute to request a change to broadcasting licence conditions to include local content.*

### **RESOLUTION**

Minute No. 47196 - Procedural Motion

Councillor R Algate moved )

Councillor D Gallagher 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

*Member of the media and public left the Council Chambers at 7:32pm.*

**CONFIDENTIAL MATTERS**

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 64/23 - DATED APRIL 11, 2023 - T22/12  
REQUEST FOR TENDER - BROKEN HILL LIBRARY AND ARCHIVES PROJECT -**

**CONFIDENTIAL**

D23/18730

**(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. 47197

Councillor M Boland moved )  
Councillor R Algate seconded )

**Resolved**

1. That Broken Hill City Council Report No. 64/23 dated April 11, 2023, be received.
2. That Council note that due to the shortfall in available funding despite all efforts being taken with value engineering and project staging, that the current Library and Archive design and tender package cannot be completed.
3. That in accordance with Section 55 3(i) of the *NSW Local Government Act 1993*, and *NSW Local Government (General) Regulation 2021* Div. 4, section 178 (3e), Council approves to enter into direct negotiations due to extenuating circumstances being remoteness and the unavailability of competitive tenderers as well as previous knowledge, information and expertise surrounding the project with the preferred tenderers being Neeson Murcutt Architects Pty Ltd for design and North Construction & Building Pty Ltd construction
4. That Council enter into a Design and Construct contract with North Building & Construction Pty Ltd and Neeson Murcutt Architects Pty Ltd to redesign and construct a Library and Archives building for an all-inclusive budget of \$14,500,000.00 excluding GST, whilst adhering to specific funding guidelines and the scope requirements for a fit for purpose Library & Archive to service the Broken Hill City.
5. That Council thanks the General Manager and staff on their negotiations to ensure a successful outcome for the Library and Archives project.

CARRIED UNANIMOUSLY

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**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 65/23 - DATED FEBRUARY 22, 2023 - T22/11 - REQUEST FOR TENDER FOR THE PURCHASE OF JETPATCHER - CONFIDENTIAL**

D23/9832

**(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**

**Resolved**

Minute No. 47198

Councillor A Chandler moved )  
Councillor D Gallagher seconded )

1. That Broken Hill City Council Report No. 65/23 dated February 22, 2023, be received.
2. That that Council purchase the plant package tendered by AUSROAD for the total price of \$547,524.50 (incl. GST).

CARRIED UNANIMOUSLY

**ITEM 21 – BROKEN HILL CITY COUNCIL REPORT NO. 66/23 – DATED MARCH 06, 2023 – CEMETERY OPERATIONS – PUBLIC EXHIBITION OF COUNCIL'S INTENTION TO GRANT A WAIVER OF INTERMENT RIGHT FEE FOR A VACANT GRAVE AT THE BROKEN HILL CEMETERY – CONFIDENTIAL**

D23/12430

**(General Manager's Note:** This report considers personal details around financial management of an interment right 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).

*The Mayor declared an interest in Item 21 and left the Council Chambers at 7:39pm.*

*The Deputy Mayor assumed the Chair for the duration of Item 21.*

**RESOLUTION**

**Resolved**

Minute No. 47199

Councillor A Chandler moved )  
Councillor R Algate seconded )

1. That Broken Hill City Council Report No. 66/23 dated March 6, 2023, be received.
2. That Council notes that public exhibition (as per Section 356 of the *Local Government Act 1993*) of Council's intention to grant a waiver of the Interment Right fee of \$833.00 (Inc GST) to Mr Stephen Dewsbery in respect of the ownership of a vacant grave located at the Broken Hill Cemetery in Presbyterian D, row 12, grave 13 was conducted from 8 March 2023 to 6 April 2023 seeking submissions from any person having evidence of ownership of the subject grave or having an objection to the waiver of the Interment Right fee.



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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
APRIL 26, 2023

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3. That Council notes that nil submissions were received during the public exhibition period.
4. That Council grants a waiver of the Interment Right fee of \$833.00 (inc GST) to Mr Stephen Dewsbery and undertakes all processes to thereby grant ownership of the vacant grave in Presbyterian D, row 12, grave 13 to Mr Stephen Dewsbery.

CARRIED UNANIMOUSLY

*The Mayor returned to the Council Chambers at 7:41pm and resume the Chair.*

*The Deputy Mayor advised the Mayor that Council has resolved to adopt the recommendation of Item 21.*

**RESOLUTION**

Minute No. 47200 - Procedural Motion

Councillor M Browne moved )

Councillor H Jewitt seconded )

**Resolved**

That the meeting resumes in open session.

CARRIED UNANIMOUSLY

*Members of the media and public returned to the Council Chambers at 7:43pm.*

*At the Mayor's invitation the General Manager reported on Council's resolutions made in closed session.*

**CONCLUSION OF THE MEETING**

There being no further business to consider, the Mayor closed the meeting at 7:46 p.m.

THE FOREGOING MINUTES WERE READ )  
AND CONFIRMED AT THE ORDINARY )  
MEETING OF THE BROKEN HILL CITY )  
COUNCIL HELD ON 31 MAY 2023. )

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CHAIRPERSON