

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 "Presbyterial" 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 "Presbyterial" to "Presbyterian".

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

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, Director Infrastructure and Environment, Director
Corporate and Community, Director Finance and Commercial, Manager
Communications and Marketing, Executive Officer and Executive Assistant.

Media (2), Members of the Public (6)

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 Algate delivered the Acknowledgment of Broken Hill's Mining History.

PUBLIC FORUM SESSION

Upgrade of Canteen/Kitchen at the Soccer Grounds

Mr Scott Deery, Vice President of the Junior Soccer Association asked for a progress update on the upgrade of the canteen/kitchen at the Soccer Grounds which is closed due to food safety regulations as the kitchen facilities do not meet the minimum food safety standards. The canteen cannot be utilised until upgrades have been completed. To assist Council, the Soccer Association sourced quotes and drew up plans for the upgrades to the canteen and kitchen and submitted these to Council.

Mr Deery explained that the local soccer clubs operate the canteen during the soccer season as a fundraising activity for the clubs and it is also the biggest fundraiser for the upcoming South Australian Soccer Championships, to be held in Broken Hill in September.

Mr Deery asked whether Council would have the canteen/kitchen upgrades completed prior to the South Australian Soccer Championships in September which will see 56 teams, officials and support staff totalling approximately 2000 travelling to Broken Hill with soccer matches played across the weekend.

Without a functioning canteen the ability to raise funds to cover the costs of the championships will be impacted and it will be an inconvenience over the championships weekend.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

Mr Deery requested an update on the progress of the project and any plans to provide a fully functional canteen for the SA Soccer Championships and stated that Council's stakeholder engagement had been minimal with a lack of communication between Council and Soccer Association Board Members.

The Mayor stated that Council appreciates the work of the Soccer Association and the importance of the sport in Broken Hill; and advised that all food facilities in Broken Hill need to meet Council's Health and Building Codes. The Mayor explained that it is hard to get quotes from quality contractors due to a lack of qualified contractors in the City and that Council is planning a full refurbishment of the canteen which will include stainless steel benches, sealing the internal walls and an electrical upgrade. Council is fully aware that the upgrade works have to occur prior to September and this work is a priority for Council.

The Mayor advised that Council has been in regular contact with the President of the Broken Hill Soccer Association who is aware that Council has approved the works to be undertaken at the canteen and that Council is awaiting quotes from contractors.

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

DISCLOSURE OF INTEREST

Nil.

MAYORAL MINUTES

ITEM 1 - MAYORAL MINUTE NO. 9/23 - DATED MAY 23, 2023 - 60-DAY DISPENSING OF PBS MEDICINES D23/25935

RESOLUTION

Minute No. 47206

Mayor T Kennedy moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Mayoral Minute No. 9/23 dated May 23, 2023, be received.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

2. That Council writes to Broken Hill's Federal and State Members along with Federal and Shadow Ministers for Health requesting that the Far West region be exempted from 60-day dispensing of Pharmaceutical Benefits Scheme (PBS) medicines.
3. That Council writes to Broken Hill's Federal and State Members along with Federal and Shadow Ministers for Health requesting that Broken Hill be reclassified to Category 6 (MM6) under the Modified Monash Model.

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 2 - MAYORAL MINUTE NO. 10/23 - DATED MAY 29, 2023 - DEPUTY MAYOR HICKEY'S DELEGATES REPORT - COUNTRY MAYORS' MEETING 26 MAY 2023 D23/27169

RESOLUTION

Minute No. 47207

Mayor T Kennedy moved)
Councillor R Algate seconded)

Resolved

1. That Mayoral Minute No. 10/23 dated May 29, 2023, be received.
2. That Deputy Mayor Hickey's Delegates Report regarding the Country Mayor's Meeting held 26 May 2023, be received and noted.
3. That Council contacts the relevant Ministers and Shadow Ministers to follow up with the new Government, any previous Government committed allocations for Council/Broken Hill projects.
4. That Council invites the Minister for Water, Housing and Homelessness, The Hon Rose Jackson MLC and the Minister for Roads, The Hon Jenny Aitchison MP to visit Broken Hill; and that Council thanks The Hon Rose Jackson MLC for recognising Council's Key Workers Accommodation project during her address to the Country Mayor's Meeting.

CARRIED UNANIMOUSLY

NOTICES OF MOTION

Nil.

REPORTS FROM DELEGATES

Nil.

RESCISSION MOTIONS

Nil.

COMMITTEE REPORTS

WORKS COMMITTEE

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 82/23 - DATED APRIL 20, 2023 -
CORRESPONDENCE REPORT - MENINDEE FISH KILL EVENT** D23/20675

RESOLUTION

Minute No. 47208

Councillor R Algate moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 82/23 dated April 20, 2023, be received.
2. That reply correspondence dated 20 April 2023, from Mr Roy Butler MP regarding the Menindee Fish Kill event, be received and noted.
3. That reply correspondence dated 13 April 2023 from The Hon Mark Coulton MP regarding the Menindee Fish Kill event, be received and noted.
4. That Council thanks the State Member, The Hon Mark Coulton MP, and the Local Member, Mr Roy Butler, for their prompt responses.

CARRIED UNANIMOUSLY

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 83/23 - DATED MAY 12, 2023 - MINUTES
OF THE PROJECT CONSULTATIVE GROUP PROJECT STEERING GROUP MEETING HELD 9
FEBRUARY 2023 AND 9 MAY 2023** D23/24214

RESOLUTION

Minute No. 47209

Councillor R Algate moved)
Councillor H Jewitt seconded)

Resolved

1. That Broken Hill City Council Report No. 83/23 dated May 12, 2023, be received.
2. That the minutes of the Project Consultative Group Project Steering Group from 9 February 2023 be noted.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

3. That the PowerPoint Presentation of the Project Consultative Group Project Steering Group from 9 February 2023 be noted.
4. That the minutes of the Project Consultative Group Project Steering Group from 9 May 2023 be noted.
5. That the PowerPoint Presentation of the Project Consultative Group Project Steering Group from 9 May 2023 be noted.
6. That the minutes of the Project Consultative Group Project Steering Group meeting held 9 February 2023 be amended on page 6 to clarify which (if any) existing structures will be demolished at the Alma Oval and Norm Fox Oval due to the development of new changerooms at the ovals.

CARRIED UNANIMOUSLY

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 84/23 - DATED MAY 16, 2023 - MINUTES OF THE PICTON OVAL SPORTSGROUND COMMUNITY COMMITTEE MEETING HELD 3 MARCH 2023 D23/24537

RESOLUTION

Minute No. 47210

Councillor D Gallagher moved)
Councillor M Boland seconded)

Resolved

1. That Broken Hill City Council Report No. 84/23 dated May 16, 2023, be received.
2. That the minutes of the Picton Oval Sportsground Community Committee meeting held 3 March 2023 be received.
3. That it be noted that the signs for dogs off-leash are required to be updated at the Picton Oval.

CARRIED UNANIMOUSLY

HEALTH AND BUILDING COMMITTEE

ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 79/23 - DATED MAY 08, 2023 - CORRESPONDENCE REPORT - ACCESS TO THE AUSTRALIAN NATIONAL DATABASE AND ARCHIVES - TROVE D23/23285

RESOLUTION

Minute No. 47211

Councillor M Browne moved)

Resolved

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

Councillor D Turley seconded)

1. That Broken Hill City Council Report No. 79/23 dated May 8, 2023, be received.
2. That reply correspondence dated 2 May 2023 from The Hon Mark Coulton MP regarding access to the Australian National Database and Archives – Trove, be received and noted.
3. That Council thanks the State Member, The Hon Mark Coulton MP, for his reply correspondence.

CARRIED UNANIMOUSLY

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 80/23 - DATED MAY 08, 2023 -
CORRESPONDENCE REPORT - FUNDING TO MAINTAIN AND UPGRADE HISTORICAL
GRAVES AT LOCAL CEMETERIES** D23/23327

Motion

Councillor D Gallagher moved)
Councillor M Browne seconded)

1. That Broken Hill City Council Report No. 80/23 dated May 8, 2023, be received.
2. That reply correspondence dated 27 April 2023 from The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government regarding funding to maintain and upgrade historical graves at local cemeteries, be received and noted.
3. That Council thanks the Minister for Infrastructure, Transport, Regional Development and Local Government, The Hon Catherine King MP, for her reply correspondence.

Councillor Browne proposed an addendum to the motion to include an additional item:

4. *That Council investigates the establishment of a Section 355 Committee for the Cemetery.*

Councillor Browne withdrew her addendum in favour of Deputy Mayor Hickey's proposed addendum which was accepted by the Mover of the motion:

4. *That Council considers the establishment of a Cemetery Working Party and that the General Manager be invited to present a report and draft Cemetery Working Party Terms of Reference to the Health and Building Committee.*

The motion including Deputy Mayor Hickey's addendum was put.

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

RESOLUTION

Minute No. 47212

Councillor D Gallagher moved)
Councillor M Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 80/23 dated May 8, 2023, be received.
2. That reply correspondence dated 27 April 2023 from The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government regarding funding to maintain and upgrade historical graves at local cemeteries, be received and noted.
3. That Council thanks the Minister for Infrastructure, Transport, Regional Development and Local Government, The Hon Catherine King MP, for her reply correspondence.
4. That Council considers the establishment of a Cemetery Working Party and that the General Manager be invited to present a report and draft Cemetery Working Party Terms of Reference to the Health and Building Committee.

CARRIED UNANIMOUSLY

POLICY AND GENERAL COMMITTEE

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 85/23 - DATED MAY 08, 2023 -
CORRESPONDENCE REPORT - NEW REQUIREMENTS FOR AGED CARE FACILITIES**

D23/23283

RESOLUTION

Minute No. 47213

Councillor R Algate moved)
Councillor H Jewitt seconded)

Resolved

1. That Broken Hill City Council Report No. 85/23 dated May 8, 2023, be received.
2. That reply correspondence dated 1 May 2023, from the Hon Mark Coulton MP regarding staffing issues at Broken Hill Aged Care Facilities, be received and noted.
3. That further correspondence be sent to the Federal Minister for Aged Care along with the Local Members requesting consideration of Broken Hill being reclassified to Category 6 (to correctly reflect Broken Hill's population and remoteness) under the Modified Monash Model, which governs the

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

level of health support an area receives from the Government based on its remoteness and population size. Broken Hill is currently in the same category as Goulburn, Nowra and Bathurst which all boast a significantly larger population than Broken Hill and all are within two hours of capital cities (Sydney and Canberra). Reclassification of Broken Hill to the correct category will allow the local aged care facilities to be eligible for the government's one-off 12 month exemption from the new aged care facility staffing requirements for facilities in Categories 5-7 under the Modified Monash Model.

CARRIED UNANIMOUSLY

ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 86/23 - DATED MAY 17, 2023 - CORRESPONDENCE REPORT - FUNDING FOR A BARIATRIC AMBULANCE FOR BROKEN HILL D23/24857

RESOLUTION

Minute No. 47214

Councillor D Gallagher moved)
Councillor A Chandler seconded)

Resolved

1. That Broken Hill City Council Report No. 86/23 dated May 17, 2023, be received.
2. That reply correspondence dated 17 May 2023, from NSW Ambulance regarding funding for a Bariatric Ambulance be received and noted.

CARRIED UNANIMOUSLY

ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 87/23 - DATED MAY 11, 2023 - ANNUAL FEES - MAYOR AND COUNCILLORS D23/23916

RESOLUTION

Minute No. 47215

Councillor M Boland moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 87/23 dated May 11, 2023, be received.
2. That Council notes that the Local Government Remuneration Tribunal determined that there be a three percent increase to the minimum and maximum fees applicable to Councillors and Mayors in each existing category for the financial year commencing 1 July 2023.
3. That Council also notes that the current annual fees paid to Broken Hill City Council's Mayor and Councillors is below

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

the maximum fees determined for the category of "Regional Rural".

4. That a community poll be conducted (both online via an electronic vote and in the next community newsletter via a voting slip) and advertised in the Barrier Truth for the community to vote on the performance of Councillors as to whether the Mayor and Councillors should receive the 3% increase in fees (as determined by the Local Government Remuneration Tribunal); and that a further report be presented to Council on the outcome of the poll for Council to determine whether an increase be applied to the current fees for the Mayor and Councillors for the 2023/2024 financial year.

CARRIED

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

AGAINST: Councillors Marion Browne and Darriea Turley

ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 88/23 - DATED MAY 09, 2023 - RE-ESTABLISHMENT OF CENTRAL BUSINESS DISTRICT ALCOHOL-FREE ZONE D23/20859

RESOLUTION

Minute No. 47216

Councillor M Browne moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 88/23 dated May 9, 2023, be received.
2. That Council re-establish the Central Business District Alcohol-Free Zone as described in the final Proposal attached to this report, for a period of four years from 25 June 2023 to 25 June 2027, that is:

Council re-establish the Alcohol-Free Zone in the area generally bounded as follows:
A zone comprising the Central Business District in an area generally bounded by Crystal, Iodide (Wolfram), Mica, Gossan, Talc (Mercury), Graphite, Wills, Gypsum and Gaffney Streets and South Road, with the exception of businesses within the Alcohol-Free Zone, with approved liquor licence and approved outdoor dining.
3. That the necessary signage be installed showing operation of the zone from 25 June 2023 to 25 June 2027.
4. That re-establishment of the Central Business District Alcohol-Free Zone be

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

advised to the public by way of media release and advertisement in the Barrier Truth. That the advertisement also confirms that all other existing alcohol-free zones in Broken Hill remain in force.

5. That Council thank the Barrier Police District for its ongoing support of alcohol-free zones in Broken Hill.

CARRIED UNANIMOUSLY

ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 89/23 - DATED MAY 10, 2023 - PROPOSAL TO RENAME SOUTH COMMUNITY CENTRE TO 'FRED JOBSON SOUTH COMMUNITY CENTRE' D23/23765

RESOLUTION

Minute No. 47217

Councillor M Browne moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 89/23 dated May 10, 2023, be received.
2. That the Broken Hill City Council Asset Naming Committee Meeting Minutes dated 28 April 2023, be received.
3. That the proposal to rename the South Community Centre to the 'Fred Jobson Community Centre' be revised to the 'Fred Jobson South Community Centre' to align with Council's Renaming of Parks and Community Facilities Policy (General Principles item 3).
4. That the proposal to rename the South Community Centre to the 'Fred Jobson South Community Centre' be advertised with signage, at or on the property or facility, in the local newspaper and online for electronic submissions for public comment for 21 days prior to the presentation of a final report to Council for its consideration (Naming after an Individual or Family item 4).
5. That the Patton Village Broken Hill Association Inc. be advised by correspondence of any ongoing processes and expected timelines.

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 90/23 - DATED MAY 10, 2023 -
QUARTERLY BUDGET REVIEW STATEMENT FOR PERIOD ENDED 31 MARCH 2023**

D23/23665

RESOLUTION

Minute No. 47218

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 90/23 dated May 10, 2023, be received.
2. That the 3rd Quarterly Budget Review Statement and recommendations be adopted.
3. That Council note the projected 2022/23 operating deficit (before capital) of \$2,061,000.
4. That Council note the 2021/22 projected net capital budget expenditure of \$22,968,000.

CARRIED UNANIMOUSLY

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 91/23 - DATED MAY 15, 2023 -
INVESTMENT REPORT FOR APRIL 2023**

D23/24456

RESOLUTION

Minute No. 47219

Councillor M Boland moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 91/23 dated May 15, 2023, be received.

CARRIED UNANIMOUSLY

FURTHER REPORTS

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 94/23 - DATED MAY 25, 2023 -
CORRESPONDENCE REPORT - FUNDING TO MAINTAIN AND UPGRADE HISTORICAL GRAVES
AT LOCAL CEMETERIES**

D23/26514

RESOLUTION

Minute No. 47220

Councillor M Browne moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 94/23 dated May 25, 2023, be received.
2. That reply correspondence received 25 May 2023 from the Department of Climate Change, Energy and the Environment and Water, regarding funding to maintain and upgrade historical graves at local cemeteries, be received and noted.

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 95/23 - DATED MAY 23, 2023 -
CORRESPONDENCE REPORT - NEW REQUIREMENTS FOR AGED CARE FACILITIES D23/25962**

RESOLUTION

Minute No. 47221

Councillor D Gallagher moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 95/23 dated May 23, 2023, be received.
2. That reply correspondence dated 22 May 2023 from the Department of Aged Care regarding the new requirements for Aged Care Facilities, be received and noted.

CARRIED UNANIMOUSLY

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 96/23 - DATED MAY 10, 2023 - ADOPTION
OF THE DRAFT REVISED CIVIC AND CEREMONIAL FUNCTIONS AND REPRESENTATION
POLICY** D23/23772

Motion

Councillor M Browne moved)
Councillor D Turley seconded)

1. That Broken Hill City Council Report No. 96/23 dated May 10, 2023, be received.
2. That the draft revised Civic and Ceremonial Functions and Representation Policy be placed on public exhibition for a period of 28 days for Council to receive submission from the public.
3. That Council notes that, should Council adopt the draft revised Civic and Ceremonial Functions and Representation Policy following the public exhibition period, the 2017 Civic and Ceremonial Functions and Representation Policy will be superseded.

Amendment

Deputy Mayor J Hickey moved)
Councillor M Boland seconded)

1. That Broken Hill City Council Report No. 96/23 dated May 10, 2023, be received.
2. That Council adopts the draft revised Civic and Ceremonial Functions and Representation Policy as a Policy of Council.
3. That Council notes that the adoption of the draft revised Civic and Ceremonial Functions and Representation Policy will supersede the 2017 Civic and Ceremonial Functions and Representation Policy.

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

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

The amendment becomes the motion. The motion was put.

RESOLUTION

Minute No. 47222

Deputy Mayor J Hickey moved)
Councillor M Boland seconded)

Resolved

1. That Broken Hill City Council Report No. 96/23 dated May 10, 2023, be received.
2. That Council adopts the draft revised Civic and Ceremonial Functions and Representation Policy as a Policy of Council.
3. That Council notes that the adoption of the draft revised Civic and Ceremonial Functions and Representation Policy will supersede the 2017 Civic and Ceremonial Functions and Representation Policy.

CARRIED

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

AGAINST: Councillors Marion Browne and Darriea Turley

ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 97/23 - DATED APRIL 26, 2023 -
ADOPTION OF DRAFT BROKEN HILL LIVEABILITY STRATEGY D23/21489

RESOLUTION

Minute No. 47223

Councillor D Turley moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 97/23 dated April 26, 2023, be received.
2. That Council notes the two submissions received regarding the Draft Broken Hill Liveability Strategy and the Broken Hill Liveability Strategy-Background Paper from the public during the public exhibition period.
3. That Council adopts the Draft Broken Hill Liveability Strategy as a Strategy of Council.
4. That the Broken Hill Liveability Strategy and the Broken Hill Liveability Strategy-Background Paper be published on Council's website.

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 98/23 - DATED MAY 23, 2023 -
APPLICATION FOR LICENCE FOR PUBLIC FOOTWAY (PUBLIC DINING) - THE DELI, 7-9
CHLORIDE STREET (TOWN SQUARE) D23/26087**

RESOLUTION

Minute No. 47224

Councillor D Turley moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 98/23 dated May 23, 2023, be received.
2. That Council approves the granting of a Licence to the proprietors of The Deli for an additional table and seating (up to additional 10 seats) for public footway dining, for The Deli at the Town Square, Broken Hill as per their proposal outlined in the report.

CARRIED UNANIMOUSLY

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 99/23 - DATED MAY 09, 2023 - MINUTES
OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO.435, HELD ON TUESDAY, 2 MAY 2023
D23/23531**

RESOLUTION

Minute No. 47225

Councillor M Browne moved)
Councillor M Boland seconded)

Resolved

1. That Broken Hill City Council Report No. 99/23 dated May 9, 2023, be received.
2. That the Minutes of the Local Traffic Committee – Meeting No. 435, held on Tuesday, 2 May 2023 be endorsed.
3. That in relation to item 427.6.1, Council develops a concept plan, including sight distances for the relocation of the 'Bus Stop,' on Blende Street adjacent to the Con Crowley Retirement Village.
4. That in relation to item 427.6.1, Council contact Southern Cross Care management to determine if there are any ongoing issues with residents from Con Crowley Retirement Village, when crossing Blende Street to access the Coles complex.

CARRIED UNANIMOUSLY

**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 100/23 - DATED MAY 23, 2023 - ACTION
LIST REPORT D23/25968**

RESOLUTION

Minute No. 47226

Councillor D Gallagher moved)
Councillor A Chandler seconded)

Resolved

1. That Broken Hill City Council Report No. 100/23 dated May 23, 2023, be received.

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 22 - QUESTIONS ON NOTICE NO. 3/23 - DATED MAY 03, 2023 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE APRIL 2023 ORDINARY COUNCIL MEETING D23/22767

RESOLUTION

Minute No. 47227

Councillor R Page moved)

Councillor M Boland seconded)

Resolved

1. That Questions On Notice No. 3/23 dated May 3, 2023, be received.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

Nil.

PUBLIC FORUM SESSION

Proposal to Rename the South Community Centre the "Fred Jobson South Community Centre"

Ms Ali Couch referred to Report No. 89/23 regarding the proposal to rename the South Community Centre and asked that along with advertising in the Barrier Truth and at the South Community Centre, whether Council could also advertise on its website to allow submissions to be made electronically.

The Mayor agreed to this request.

Community Poll for Increase in Councillor and Mayoral Fees for 2023/2024

Mr Bob Coulls referred to Council's resolution earlier in the meeting to seek public opinion regarding a remuneration increase for the Mayor and Councillors and that this would be placed in the Community Newsletter which is delivered to every letterbox in Broken Hill.

Mr Coulls commented that it would be advantageous for Councillors to stipulate their current remuneration and how much the 3% increase would be in dollar terms.

Mr Coulls suggested that Council could also include information regarding how much work is involved in being a Councillor and for the Community Newsletter to contain a tear-off voting slip that can be posted/delivered to Council as well as a QR code for people to cast an electronic vote.

Welcome to Country Ceremony contained within the Draft Civic and Ceremonial Functions and Representations Policy

Ms Denise Hampton, a representative of the Aboriginal Community Working Party, expressed disappointment regarding Council's resolution to adopt the Draft Civic and Ceremonial Functions and Representations Policy without public consultation and raised concerns regarding the amendment to the policy to remove payment to local Aboriginal Elders for performing a Welcome to Country at Council events. Ms Hampton questioned why Council was not placing this draft policy on public

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

exhibition giving more people time to make comment.

The Mayor advised that he could not speak for all Councillors, and that his reasoning for adopting the amendment to the policy to remove payment for the performance of the Welcome to Country was because he believes a welcome is something that is given, not bought.

RESOLUTION

Minute No. 47228 - Procedural Motion

Councillor R Algate moved)

Councillor A Chandler 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 matter.

CARRIED UNANIMOUSLY

Members of the media and public left the Council Chambers at 7:49pm and the livestream of the meeting ceased.

CONFIDENTIAL MATTERS

ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 81/23 - DATED APRIL 27, 2023 - PROPOSED WILLYAMA COMMON ACCESS LICENCE TO A-CAES NSW PTY LTD -

CONFIDENTIAL

D23/21526

(General Manager's Note: This report considers a licence 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. 47229

Councillor R Algate moved)

Councillor A Chandler seconded)

Resolved

1. That Broken Hill City Council Report No. 81/23 dated April 27, 2023, be received.
2. That Council (as Trust Manager of the Willyama Common Trust) provide consent for an access licence to be granted to A-CAES NSW Pty Ltd for the purpose of geotechnical site investigation on Part Lot 7320 DP 1201053.
3. That the licence be issued for a period of twelve (12) months and the annual rent be \$574 (current Crown Lands minimum rent).
4. That the Mayor and General Manager be authorised to sign and execute the licence documents under the Common Seal of Council.

CARRIED UNANIMOUSLY

MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
MAY 31, 2023

ITEM 24 - BROKEN HILL CITY COUNCIL REPORT NO. 101/23 - DATED MAY 21, 2023 - CIVIC CENTRE LEGAL MATTER UPDATE - CONFIDENTIAL D23/25632

(General Manager's Note: This report considers a current legal matter and is deemed confidential under Section 10A(2) (e) (g) of the Local Government Act, 1993 which provides for information that would, if disclosed, prejudice the maintenance of law; AND which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).

RESOLUTION

Minute No. 47230

Councillor R Page moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Broken Hill City Council Report No. 101/23 dated May 21, 2023, be received.
2. That Council delegate to the General Manager authority to negotiate a settlement within the defined range below for the Cost Assessment with AJ&C and their insurers.
3. That Council note the report, proposed actions, and associated attachments.
4. That Council proceed with all recoverable actions necessary on a commercial basis as advised by Councils legal counsel.
5. That Council thanks the General Manager and staff for their work undertaken with regards to this matter.

CARRIED UNANIMOUSLY

RESOLUTION

Minute No. 47231 - Procedural Motion

Councillor R Algate moved)
Councillor D Turley seconded)

Resolved

That the meeting resumes in open session.

CARRIED UNANIMOUSLY

Members of the media and public returned to the Council Chambers at 7:57pm and the livestream of the meeting resumed.

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

There being no further business to consider, the Mayor closed the meeting at 8:00pm.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON WEDNESDAY 28 JUNE 2023.)

CHAIRPERSON