
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
DECEMBER 20, 2023

Meeting commenced at 6:44pm (due to technical difficulties with the audio-visual system).

PRESENT:

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

General Manager, Director Finance and Commercial, Director Infrastructure
and Environment, Manager Communications and Marketing, Executive
Officer and Executive Assistants.

Media (2), Members of the Public (1).

APOLOGIES:

Councillor H. Jewitt.

RESOLUTION

Minute No. 47403 - Procedural Motion

Councillor A Chandler moved)
Councillor D Gallagher seconded)

Resolved

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

CARRIED UNANIMOUSLY

LEAVE OF ABSENCE

APPLICATIONS:

- 1) Councillor M. Browne submitted a Leave of Absence Application and provided the reason "travelling out of Broken Hill".
- 2) Councillor D. Turley submitted a Leave of Absence Application for a reason as prescribed by Council's Code of Meeting Practice.

RESOLUTION

Minute No. 47404 - Procedural Motion

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

That the applications be accepted and a Leave
of Absence granted to Councillor Browne and
Councillor Turley for this Council Meeting.

CARRIED UNANIMOUSLY

PRAYER

Councillor Boland delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

ACKNOWLEDGEMENT OF BROKEN HILL'S MINING HISTORY

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

PUBLIC FORUM

Nil.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 47405

Deputy Mayor J Hickey moved)
Councillor R Algate seconded)

Resolved

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

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Councillor Boland declared:

- a non-pecuniary conflict of interest in Item 15, Report No. 244/23 of Further Reports as he is the General Manager of a local Registered Club which participates in the ClubGRANTS program, and advised that he will leave the Council Chambers whilst the item is considered.

MAYORAL MINUTES

ITEM 1 - MAYORAL MINUTE NO. 25/23 - DATED DECEMBER 12, 2023 - PROJECT SUPPORT/CBH RESOURCES

D23/67427

RESOLUTION

Minute No. 47406

Mayor T Kennedy moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Mayoral Minute No. 25/23 dated December 12, 2023, be received.
2. That Council send correspondence to relevant Government Ministers and Members to request that all reasonable Government measures be undertaken as a matter of urgency to expedite the Hawsons, Cobalt Blue, and Hydrostor CAES projects.
3. That the Cobalt Blue project be prioritised for any available assistance given Australia's participation in the Critical Minerals and Clean Energy Transformation Compact with the United States.
4. That Council also sends correspondence to relevant Ministers requesting that the Smart And Skilled program funding and criteria be reviewed to assist Broken Hill in the wake of the Rasp Mine closure.
5. That Council requests that all redundant workers in Broken Hill in mining or related

industries become eligible for subsidised training under the Smart And Skilled program and that locals in mining or related industries looking to upskill be considered for subsidised training regardless of their current employment status.

6. That Registered Training Organisations be empowered to make group applications to Smart And Skilled on behalf of potential trainees, rather than requiring individuals to contact the funding body directly.

CARRIED UNANIMOUSLY

ITEM 2 - MAYORAL MINUTE NO. 26/23 - DATED DECEMBER 19, 2023 - RESOURCES FOR REGIONS D23/68657

RESOLUTION

Resolved

Minute No. 47407

Mayor T Kennedy moved)
Councillor D Gallagher seconded)

1. That Mayoral Minute No. 26/23 dated December 19, 2023, be received.
2. That Council sends correspondence to the NSW Premier The Hon Chris Minns MP, the Minister for Regional NSW and Western NSW The Hon Tara Moriarty MP, and Member for Barwon Mr Roy Butler stating its dissatisfaction with the current trajectory of the newly created Regional Development Trust and Working Regions Fund; and that mining communities receive funding priority under the Regional Development Trust and Working Regions Fund in the same proportions allocated previously through the Resources for Regions fund.

CARRIED UNANIMOUSLY

NOTICES OF MOTION

Nil.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

ITEM 3 - VERBAL DELEGATE'S REPORT - ATTENDANCE AT THE COUNTRY MAYOR'S ANNUAL GENERAL MEETING (GB8/23)

11/179

Councillor Jim Hickey gave a verbal report on his attendance (along with the General Manager) at the Country Mayor's Annual General Meeting held at Parliament House on 24 November 2023.

Councillor Hickey advised of the following matters that were raised at the Country Mayor's AGM:

- The meeting was attended by approximately 120 delegates and a number of Ministers.*
- Central Darling Shire is a newly endorsed member bringing the number of member Councils to 85 (plus 2 associate members).*
- Most Councils were very critical of the loss of the Resources for Regions Fund and Building Better Communities Fund and its impact on mining communities.*
- The proposed sale of water authorities was also a topic of concern.*
- Of further concern also was the widening gap between the thinking of country Councils and city/north coast Councils.*
- Complaints about the 2023 Local Government NSW Conference and the types of motions moved by the city/coastal councils; also the time spent discussing matters that are possibly not within the jurisdiction of NSW Local Government along with being irrelevant for a number of non-metropolitan Councils.*
- That many member Councils commented that they will no longer be attending the Local Government NSW Conference and will just focus on the Country Mayors meetings as they are much more relevant and are attended by a good number of Ministers, being a strong advocacy group for regional Councils.*

RESOLUTION

Minute No. 47408

Councillor A Chandler moved)
Councillor D Gallagher seconded)

Resolved

That Council sends correspondence to Local Government NSW providing feedback on the conduct of the Local Government NSW Conference with regards to its relevance to regional Councils and the time spent discussing matter that are possible not within the jurisdiction of NSW Local Government.

CARRIED UNANIMOUSLY

MATTER OF URGENCY

RESOLUTION

Minute No. 47409 - Matter of Urgency

Councillor R Page moved)
Councillor R Algate seconded)

Resolved

That Deputy Mayor Hickey's urgent motion regarding Fruit Fly eradication in Broken Hill be heard.

CARRIED UNANIMOUSLY

ITEM 4 - FRUIT FLY ERADICATION IN BROKEN HILL (GB9/23)

23/21

RESOLUTION

Resolved

Minute No. 47410

Deputy Mayor J Hickey moved)
Councillor R Page seconded)

1. That Council sends correspondence to Mr Tim Grieger, Executive Officer of Summerfruit and Citrus SA Chairman, Mr Mark Doecke and thank them for their interest in helping set up a plan for eradicating Fruit Fly in Broken Hill.
2. That an invitation be forwarded to Mr Tim Grieger and Mr Mark Doecke inviting them to come to Broken Hill with a proposal and suggestions from their expertise for Broken Hill City Council to formulate a submission to the DPI and NSW Government to seek funding.
3. That the members of Council's Fruit Fly Awareness Working Group be invited to attend the discussion once a date has been set; and when appropriate, a public meeting be held to advise the community of the fruit fly eradication measures proposed to be undertaken and how Council and the community can work together to combat fruit fly in Broken Hill.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

WORKS COMMITTEE

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 238/23 - DATED DECEMBER 01, 2023 - BUDGET REVIEW - GROUND FLOOR REFURBISHMENT FOR THE TEMPORARY LIBRARY

D23/65661

RESOLUTION

Resolved

Minute No. 47411

Councillor R Page moved)
Councillor M Boland seconded)

1. That Broken Hill City Council Report No. 238/23 dated December 1, 2023, be received.
2. That Council review the budget report which reflects original contracts, approved variations, and expected variations for each component of the Temporary Library Budget (Ground Floor Refurbishment, Logistics and

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Staff Movements, Car Park Upgrades, and New Library Construction).

3. That Council approve an additional amount of \$239,618.10 (ex GST) which equals a revised total budget of \$1,039,618.10 (ex GST) to complete the project works required.

CARRIED UNANIMOUSLY

ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 239/23 - DATED DECEMBER 04, 2023 - BUDGET REVIEW: CBD BANNER POLES - ARGENT STREET LIGHTING PROJECT D23/66077

RESOLUTION

Minute No. 47412

Councillor R Algate moved)
Councillor R Page seconded)

Resolved

1. That Broken Hill City Council Report No. 239/23 dated December 4, 2023, be received.
2. That Council considers a budget review for the CBD Banner Poles – Argent Street Lighting Project, for the project approved in the 2024/25 financial year, based on responses received from a public request for quotation in November 2023
3. That Council approve an increase in budget of \$41,820 (ex GST) to bring the total project budget for this project to \$94,835 (ex GST).

CARRIED UNANIMOUSLY

ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 240/23 - DATED DECEMBER 01, 2023 - MINUTES OF THE PROJECT CONSULTATIVE GROUP PROJECT STEERING GROUP MEETING HELD 8 NOVEMBER 2023 D23/65635

RESOLUTION

Minute No. 47413

Deputy Mayor J Hickey moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 240/23 dated December 1, 2023, be received.
2. That the minutes of the Project Consultative Group Project Steering Group from 8 November 2023 be noted.
3. That the PowerPoint Presentation of the Project Consultative Group Project Steering Group from 8 November 2023 be noted.

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 241/23 - DATED NOVEMBER 24, 2023 -
MINUTES OF THE E.T. LAMB MEMORIAL OVAL COMMUNITY COMMITTEE ANNUAL
GENERAL MEETING HELD 11 OCTOBER 2023** D23/64220

RESOLUTION

Minute No. 47414

Councillor D Gallagher moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 241/23 dated November 24, 2023, be received.
2. That the minutes of the E.T. Lamb Memorial Oval Community Committee Annual General Meeting held 11 October 2023 be received.

CARRIED UNANIMOUSLY

HEALTH AND BUILDING COMMITTEE

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 242/23 - DATED NOVEMBER 22, 2023 -
MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGERS
COMMUNITY COMMITTEE MEETING, HELD ON TUESDAY, 14 NOVEMBER 2023** D23/63333

RESOLUTION

Minute No. 47415

Councillor D Gallagher moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Broken Hill City Council Report No. 242/23 dated November 22, 2023, be received.
2. That the minutes of the Section 355 Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting, held on Tuesday, 14 November 2023 be received.
3. That Council endorses and acknowledges in writing the resignation of Mr David Spielvogel and Mrs Jill Spielvogel from the Section 355 Friends of the Flora and Fauna of the Barrier Ranges Community Committee and express its gratitude and appreciation for their contribution to the Committee and the Community.

CARRIED UNANIMOUSLY

POLICY AND GENERAL COMMITTEE

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 233/23 - DATED NOVEMBER 13, 2023 -
CODE OF CONDUCT COMPLAINT STATISTICS ANNUAL REPORT 2022/23** D23/61566

RESOLUTION

Minute No. 47416

Councillor R Algate moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Broken Hill City Council Report No. 233/23 dated November 13, 2023, be received.
2. That the Code of Conduct Complaints Statistics Annual Report for the Broken Hill City Council for the period of 1 September 2022 – 31 August 2023 be forwarded to the Office of Local Government.

CARRIED UNANIMOUSLY

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 234/23 - DATED NOVEMBER 02, 2023 -
ADOPTION OF DRAFT MANDATORY NOTIFICATION OF DATA BREACH POLICY** D23/60057

RESOLUTION

Minute No. 47417

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 234/23 dated November 2, 2023, be received.
2. That Council notes that the draft Mandatory Notification of Data Breach Policy was placed on public exhibition for a period of 28 days during which time Council received nil submissions from the public.
3. That Council adopts the draft Mandatory Notification of Data Breach Policy as a Policy of Council.

CARRIED UNANIMOUSLY

**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 235/23 - DATED NOVEMBER 30, 2023 -
ADOPTION OF REVIEWED CREDIT CARD POLICY** D23/65120

RESOLUTION

Minute No. 47418

Councillor R Algate moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 235/23 dated November 30, 2023, be received.

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2. That Council adopts the reviewed Corporate Credit Card Policy as a policy of Council.
3. That the Corporate Credit Card Policy adopted April 2021 becomes obsolete.

CARRIED UNANIMOUSLY

ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 236/23 - DATED NOVEMBER 30, 2023 - NOMINATION FOR THE APPOINTMENT OF COMMUNITY REPRESENTATIVES TO SECTION 355 FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE D23/64290

RESOLUTION

Minute No. 47419

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 236/23 dated November 30, 2023, be received.
2. That Council appoint Mr Richard Ball as a community representative on the Friends of the Flora and Fauna of the Barrier Ranges Community Committee.
3. That Mr Richard Ball be advised of his appointment and advice also be sent to the Secretary of the Committee.

CARRIED UNANIMOUSLY

ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 237/23 - DATED NOVEMBER 30, 2023 - MINUTES OF THE S355 YOUTH ADVISORY COMMITTEE MEETING HELD 24 OCTOBER 2023 D23/65183

RESOLUTION

Minute No. 47420

Councillor M Boland moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 237/23 dated November 30, 2023, be received.
2. That the minutes of the S355 Youth Advisory Committee meeting held on 24 October 2023 be received.

CARRIED UNANIMOUSLY

FURTHER REPORTS

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 244/23 - DATED OCTOBER 12, 2023 -
CORRESPONDENCE REPORT - CLUBGRANTS** D23/56139

Councillor Boland declared a non-pecuniary conflict of interest in Item 15 and left the Council Chambers at 7:22pm.

RESOLUTION

Minute No. 47421

Deputy Mayor J Hickey moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 244/23 dated October 12, 2023, be received.
2. That correspondence dated 21 November 2023 from the Minister for Gaming and Racing be received and noted.
3. That correspondence be forwarded to The Hon David Harris MP thanking him for his correspondence however advising him that the Category 2 ClubGRANTS being the smaller grants which are used to support local sporting bodies etc. and it is imperative that these grants also be left for local ClubGRANT Committees to allocate these funds.

CARRIED UNANIMOUSLY

Councillor Boland returned to the Council Chambers at 7:25pm.

The Mayor advised Councillor Boland that Council had adopted the report recommendation with an addendum that correspondence be forwarded to The Hon David Harris MP requesting that Category 2 grants, which are smaller grants used to support local sporting bodies, also be allocated by local ClubGRANT Committees.

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 245/23 - DATED NOVEMBER 27, 2023 -
CORRESPONDENCE REPORT - CHILDCARE IN BROKEN HILL** D23/64434

RESOLUTION

Minute No. 47422

Deputy Mayor J Hickey moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 245/23 dated November 27, 2023, be received.
2. That Correspondence from The Hon Pru Car MP dated 5 September 2023 Deputy Premier of NSW, Minister for Education and Early Learning to the Member for Barwon Mr Roy Butler MP in response to representations that Mr Butler made on behalf of Council (forwarded to Council by the Member for Barwon) regarding childcare in Broken Hill, be received and noted.

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3. That correspondence be sent to The Hon Pru Car MP raising the importance of freeing up Crown Land in and around Broken Hill so that a new childcare centre/s can be built to address the local childcare crisis.

CARRIED

FOR: Mayor Tom Kennedy, Deputy Mayor Jim Hickey, Councillors Bob Algate, Michael Boland, Alan Chandler and Dave Gallagher.

AGAINST: Councillor Ron Page.

ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 246/23 - DATED DECEMBER 08, 2023 - COUNCILLOR ATTENDANCE AT THE 2024 NSW AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) CONFERENCE TO BE HELD IN MACQUARIE PARK (SYDNEY) FROM 14-16 MARCH 2024

D23/66958

RESOLUTION

Minute No. 47423

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 246/23 dated December 8, 2023, be received.
2. That Councillors interested in attending the ALGWA Conference notify Council at Council's Ordinary Meeting held 31 January 2024.

CARRIED UNANIMOUSLY

ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 247/23 - DATED DECEMBER 07, 2023 - MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 23 NOVEMBER 2023

D23/66821

RESOLUTION

Minute No. 47424

Councillor M Boland moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Broken Hill City Council Report No. 247/23 dated December 7, 2023, be received.
2. That minutes of the Audit, Risk and Improvement Committee meeting held 23 November 2023 be endorsed.

CARRIED UNANIMOUSLY

ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 248/23 - DATED DECEMBER 12, 2023 - DRAFT AGENCY INFORMATION GUIDE

D23/67383

RESOLUTION

Minute No. 47425

Councillor R Algate moved)
Councillor M Boland seconded)

Resolved

1. That Broken Hill City Council Report No. 248/23 dated December 12, 2023, be received.

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2. That Council endorse the reviewed Draft Agency Information Guide for release to the Information Commissioner for its review and comment.

CARRIED UNANIMOUSLY

ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 249/23 - DATED DECEMBER 12, 2023 - INVESTMENT REPORT FOR NOVEMBER 2023 D23/67368

RESOLUTION

Minute No. 47426

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 249/23 dated December 12, 2023, be received.

CARRIED UNANIMOUSLY

ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 250/23 - DATED NOVEMBER 01, 2023 - TEMPORARY SUSPENSION OF ALCOHOL PROHIBITED AREA - PERFECT LIGHT FILM FESTIVAL - 23 MARCH 2024 D23/56529

RESOLUTION

Minute No. 47427

Councillor R Algate moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 250/23 dated November 1, 2023, be received.
2. That Council provide in principle support to begin the planning process for the temporary suspension of the prohibition of the consumption of alcohol in a portion of Sturt Park, under Section 632A of the *Local Government Act 1993*, on Saturday, 23 March 2024 from 5pm to 10:30pm for the Perfect Light Film Festival.
3. That the temporary suspension on the prohibition of the consumption of alcohol in a portion of Sturt Park be advised to the public by way of advertisement in the Barrier Daily Truth and that the advertisement also confirms that the suspension only applies to the VIP Marquee area and that the consumption of alcohol will remain prohibited for all other areas of Sturt Park; and that all existing alcohol-free zones in Broken Hill remain in force.
4. That the General Manager be authorised to implement the suspension and advertising processes on final advice of the Barrier Police District.
5. That the Barrier Police District be advised of Council's decision.

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6. That the Perfect Light Film Festival be more extensively advertised by the event organisers and Council.

CARRIED UNANIMOUSLY

ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 251/23 - DATED DECEMBER 08, 2023 - MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO.442, HELD ON TUESDAY, 5 DECEMBER 2023 D23/66969

RESOLUTION

Minute No. 47428

Councillor D Gallagher moved)
Councillor A Chandler seconded)

Resolved

1. That Broken Hill City Council Report No. 251/23 dated December 8, 2023, be received.
2. That the minutes of the Local Traffic Committee – Meeting No.442, held on Tuesday, 5 December 2023 be endorsed.
3. That Item No: 442.10.2 recommendation be endorsed:
 - That the complainant be advised that parking is only permitted for registered Taxis in a Taxi Zone, as stated in the NSW Government Road Rules and the Australian Road Rules, Rule 182.
4. That Item No: 442.10.3 recommendation be endorsed:
 - That Council continue to investigate the request for installation of a disability access ramp on Oxide Street and Chapple Street, adjacent to the shopping complex.
5. That Item No.442.8.1 recommendation be endorsed:
 - That the Local Traffic Committee endorse the proposal for replacement of the Gateway Sign on the Wentworth Road (Silver City Highway).
6. That Item No: 442.8.2 recommendation be endorsed:
 - That a specialised technician from Transport for NSW be advised of the proposal to paint directional arrows on each of the three lanes, found on Argent Street at each of the traffic light intersections on Bromide, Chloride and Oxide Streets.

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7. That Item No.442.8.4 recommendation be endorsed:
 - That the complainant be advised of the Committee's determination to install a 'Loading Zone', adjacent to the Broken Hill Correctional Centre on Gossan Street, between the two driveways to allow for deliveries.
8. That Item No: 436.8.5 recommendation be endorsed:
 - That the 'No Parking' signs installed on Chloride Street, adjacent to the Civic Centre remain in place permanently, following completion of the two-month trial period.

CARRIED UNANIMOUSLY

ITEM 23 - BROKEN HILL CITY COUNCIL REPORT NO. 252/23 - DATED DECEMBER 05, 2023 - ACTION LIST REPORT D23/66333

RESOLUTION

Minute No. 47429

Councillor D Gallagher moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 252/23 dated December 5, 2023, be received.

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 24 - QUESTIONS ON NOTICE NO. 12/23 - DATED DECEMBER 05, 2023 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE COUNCIL MEETING HELD 29 NOVEMBER 2023 AND THE HEALTH AND BUILDING COMMITTEE MEETING HELD 12 DECEMBER 2023 D23/66235

RESOLUTION

Minute No. 47430

Councillor M Boland moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Questions On Notice No. 12/23 dated December 5, 2023, be received.
2. That the matter of the sale of Shorty O'Neil Village by private treaty in 2016 (of which internal research of Council reports, resolutions and internal emails suggest that the Shorty O'Neil Village may have been sold by a previous Council contrary to provisions of the *Local Government Act 1993 and Local Government (General) Regulation 2005* regarding the sale of Council assets and the Local Government Election Caretaker period) be reported to the Office of Local Government.

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CARRIED UNANIMOUSLY

ITEM 25 - QUESTIONS ON NOTICE NO. 13/23 - DATED DECEMBER 05, 2023 - PUBLIC FORUM
QUESTIONS TAKEN ON NOTICE AT THE 29 NOVEMBER 2023 COUNCIL MEETING D23/66242

RESOLUTION

Minute No. 47431

Councillor R Algate moved)
Councillor R Page seconded)

Resolved

1. That Questions On Notice No. 13/23 dated December 5, 2023, be received.
2. That Council's traditional crest be reintroduced in branding as the official logo for both the City itself and the elected Council; and the crest be used on all items related to Councillor or civic matters including written Councillor correspondence, attire, awards, certificates etc.
3. That when the existing 'hexagon' branding decals on current fleet, plant, and signage are due for renewal, the hexagon branding be replaced with the crest.
4. That the crest also be applied to all new fleet, plant, and signage obtained by Council henceforth.
5. That the current 'hexagon' logo, which features a more corporate design, be retained for Administrative use such as staff uniforms and Administrative correspondence thus saving costs and ensuring staff remain easily identifiable, and differentiate staff from elected Councillors in official capacities.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

From Item 24 – Councillor Questions taken on notice – Sale of Shorty O'Neil Village

The General Manager took a question on notice from the Mayor regarding the relevant provisions under the Local Government Act 1993 to report matters to the Office of Local Government relating to the suspected unlawful sale of a Council asset (Shorty O'Neil Village) during the caretaker period for the 2016 Local Government Election.

PUBLIC FORUM SESSION

Nil.

RESOLUTION

Minute No. 47432 - Procedural Motion

Deputy Mayor J Hickey 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

At this point in the meeting, the Mayor wished all members of the community, Councillors and Council staff a very Merry Christmas and a Happy New Year !

Members of the public and media left the Council Chambers at 7:46pm. and the livestream of the meeting ceased.

CONFIDENTIAL MATTERS

ITEM 26 - BROKEN HILL CITY COUNCIL REPORT NO. 243/23 - DATED NOVEMBER 28, 2023 - PROPOSED EASEMENT TO A-CAES NSW PTY LTD - CONFIDENTIAL D23/64647

(General Manager's Note: This report considers an easement 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. 47433

Deputy Mayor J Hickey moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 243/23 dated November 28, 2023, be received.
2. That Council (as Willyama Common Trust Manager and Crown Land Manager) consent the proposed easement to A-CAES NSW Pty Ltd, for the purposes of access and a transmission easement over the Willyama Common and other Crown Land managed by Council (as identified in Attachment 1 – Schedule of Land).
3. That the General Manager be delegated to negotiate the final terms and conditions of the proposed easement.
4. That the Mayor and General Manager be authorised to sign and execute the easement documents under the Common Seal of Council.

CARRIED UNANIMOUSLY

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**ITEM 27 - BROKEN HILL CITY COUNCIL REPORT NO. 253/23 - DATED DECEMBER 11, 2023 -
T23/9 ANNUAL ROAD RESEAL PROGRAM - CONFIDENTIAL** D23/67286

(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. 47434

Councillor D Gallagher moved)
Councillor A Chandler seconded)

Resolved

1. That Broken Hill City Council Report No. 253/23 dated December 11, 2023, be received.
2. That Fulton Hogan Industries Pty Ltd be awarded the contract for T23/9 Annual Road Reseal Program, for the amount of \$760,877.62 (ex GST).

CARRIED UNANIMOUSLY

RESOLUTION

Minute No. 47435 - Procedural Motion

Deputy Mayor J Hickey moved)
Councillor D Gallagher seconded)

Resolved

That the meeting resumes in open session.

CARRIED UNANIMOUSLY

Members of the public and media returned to the Council Chambers at 7:47pm. and the livestream recommenced.

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

There being no further business to consider, the Mayor closed the meeting at 7:49 p.m.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 31 JANUARY 2024)

CHAIRPERSON