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 Corporate and Community, Director Finance and

Commercial, Director Infrastructure and Environment, Manager

Communications and Marketing, Executive Officer and Executive Assistant.

Media (2), Members of the Public (3)

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

PUBLIC FORUM

Seventh State of Australia

Mr. Peter Bullock commented that if there is ever a seventh State of Australia the State should be named "Bronhill" after the late June Bronhill OBE of Broken Hill.

MINUTES FOR CONFIRMATION

RESOLUTION Resolved

Minute No. 47481
Councillor R Algate moved
Councillor A Chandler seconded
)

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held February 28, 2024 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Councillor Boland declared:

 a non-pecuniary interest in Item 12 - Report No. 40/24 as he is the General Manager of a local Club which participates in the ClubGRANTS program and advised that he will leave the Council Chambers whilst the item is considered.

MAYORAL MINUTES

<u>ITEM 1 - MAYORAL MINUTE NO. 3/24 - DATED MARCH 12, 2024 - ALLISON HOUSE STUDENT ACCOMMODATION</u>
D24/12884

Resolved

Minute No. 47482		110	<u> </u>
Mayor T Kennedy moved Deputy Mayor J Hickey seconded)	1.	That Mayoral Minute No. 3/24 dated March 12, 2024, be received.
		2.	That Council retrospectively approves the urgent advocacy efforts undertaken by the Mayor to seek funding from the NSW Government in order that Allison House can remain open until the end of the 2024 school year to ensure that the well-being of students is not impacted and the students can continue their education unimpeded at a Broken Hill school campus for the remainder of the year, this will also allow the Allison House Committee the option to publicise the

CARRIED UNANIMOUSLY

ITEM 2 - MAYORAL MINUTE NO. 4/24 - DATED MARCH 21, 2024 - ESTABLISHMENT OF A
BROKEN HILL EDUCATION WORKING GROUP
D24/13014

RESOLUTION

Minute No. 47483

Mayor T Kennedy moved)

Deputy Mayor J Hickey seconded)

RESOLUTION

Resolved

1. That Mayoral Minute No. 4/24 dated March 21, 2024, be received.

facility and source the required number of students to operate the service self-sustainably in 2025 and beyond.

- 2. That Council approves the draft Terms of Reference for the establishment of a Broken Hill Education Working Group, with an amendment to the membership of the Working Group to include the Principals of Broken Hill High School and Willyama High School.
- 3. That Council appoints the Mayor (as Chairperson), Deputy Mayor (as Deputy Chairperson) and General Manager to the Broken Hill Education Working Group.
- 4. That Council appoints Councillor Browne as the Councillor representative on the Broken Hill Education Working Group.
- 5. That Council invites the NSW Minister for Education, NSW Shadow Minister for Education, The Education Department's Mr Peter McBeth, the Member for Barwon or representative, the Principals of Willyama High School and Broken Hill High School and

the Teachers' Association representatives from all Broken Hill Primary and Secondary schools to join the Broken Hill Education Working Group.

- 6. That Council advertises for nominations to fill the community representative positions on the Working Group.
- 7. That the inaugural meeting of the Working Group be held in April 2024.
- 8. That Council thanks the State Government for their decision that two high schools will remain in the City with Willyama being rebuilt; and thanks, the entire Broken Hill Community for standing united and showing such strong support to the Government that it is vital for the ongoing livability and success of our students and education for two high schools to remain in the City.
- 9. That Council writes to the NSW Premier, NSW Treasurer, Minister for Education, Opposition Leader and Shadow Minister for Education, that in the instance that the entire Willyama rebuild is not covered by the State's insurance, that a budget allocation is allowed and guaranteed for in the 2024/2025 State Budget for a new build to be completed on the Willyama High School site.

CARRIED UNANIMOUSLY

LATE MAYORAL MINUTE

ITEM 3 - ADVOCACY FOR THE FAR WEST COMMUNITY LEGAL CENTRE (MM5/24)

)

11/161

RESOLUTION Minute No. 47484 Mayor T Kennedy moved Councillor D Turley seconded

Resolved

- 1. That Council receives the Mayoral Minute.
- That Council writes to the appropriate
 Federal and State Ministers and Shadow
 Ministers, Federal and State Local Members
 and Federal and State Attorney Generals,
 advocating for the future and to provide
 financial assistance with a local presence for
 the Far West Community Legal Centre,
 inclusive of all its entities; which include the
 Far West Community Legal Centre, Warra
 Warra Legal Service, Staying Home Leaving
 Violence and Women's Domestic Violence
 Court Advocacy Service.

NOTICES OF MOTION

Nil.

REPORTS FROM DELEGATES

Nil.

COMMITTEE REPORTS

HEALTH AND BUILDING COMMITTEE

ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 37/24 - DATED FEBRUARY 19, 2024 -D24/8835

DRAFT SCORES ON DOORS POLICY RESOLUTION Resolved Minute No. 47485 Councillor D Gallagher moved 1. That Broken Hill City Council Report No. Deputy Mayor J Hickey seconded 37/24 dated February 19, 2024, be received. 2. That Council endorse the draft revised Scores on Policy for the purpose of public exhibition. 3. That the revised Draft Scores on Doors Policy be placed on public exhibition for a period of 28 days for public comment. 4. That following the conclusion of the public exhibition period a report be presented to Council detailing submissions received and any recommended amendments. CARRIED UNANIMOUSLY

ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 38/24 - DATED MARCH 07, 2024 -MINUTES OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 13 FEBRUARY 2024 D24/12249

RESOLUTION Resolved Minute No. 47486 Councillor M Browne moved 1. That Broken Hill City Council Report No. Councillor R Algate seconded 38/24 dated March 7, 2024, be received. 2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held 13 February 2024 be received.

POLICY AND GENERAL COMMITTEE

ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 31/24 - DATED MARCH 06, 2024 - COUNCILLOR ATTENDANCE AT THE LGNSW RURAL AND REGIONAL SUMMIT ON 9 MAY 2024 D24/11929

RESOLUTION		Re	<u>solved</u>
Minute No. 47487 Councillor R Algate moved Councillor A Chandler seconded)	1.	That Broken Hill City Council Report No. 31/24 dated March 6, 2024, be received.
		2.	That attendance at the LGNSW Rural and Regional Summit in Sydney on 9 May 2024, be the General Manager, Deputy Mayor and Councillor Boland.
			CARRIED UNANIMOUSLY
ITEM 7 - BROKEN HILL CITY COUNCIL		T NO	D. 32/24 - DATED MARCH 08, 2024 - D24/12402
RESOLUTION		Re	solved
Minute No. 47488 Councillor M Boland moved Councillor R Algate seconded)	1.	That Broken Hill City Council Report No. 32/24 dated March 8, 2024, be received.
			CARRIED UNANIMOUSLY
ITEM 8 - BROKEN HILL CITY COUNCIL CARE UPDATE	REPOR	T N(D. 33/24 - DATED MARCH 08, 2024 - AGED D24/12423
RESOLUTION		Re	solved
Minute No. 47489 Councillor R Page moved Councillor D Gallagher seconded)	1.	That Broken Hill City Council Report No. 33/24 dated March 8, 2024, be received.
		2.	That Council, through Council 's s355 Ageing Well Committee, continue to liaise with aged care providers on issues being faced within the sector.
		3.	That Council endorse the s355 Ageing Well Committee to work closely with the aged care sector and stakeholders to progress the reclassification of Broken Hill's aged care services under the Modified Monash Model from MMM3 to MMM6 (remote).
		4.	That Council establish a taskforce of the key stakeholder bodies across the ageing and

- health sectors to research and progress the reclassification of Modified Monash Model from MMM3 to MMM6 (remote).
- 5. That Council continue to correspond with The Hon. Mark Butler MP, Minister for Health and Aged Care, The Hon. Anika Wells MP, Minister for Aged Care and Sport, Federal Member for Parkes Mark Coulton, Member for Barwon Roy Butler and appropriate Shadow Ministers (including the Shadow Minister for Health) regarding reclassification of the Modified Monash Model from MMM3 to MMM6 for Broken Hill; and that the correspondence also includes Council's concerns regarding the various issues facing the Aged Care sector in Broken Hill (as outlined in the report) and in particular the number of beds being occupied at the Broken Hill Base Hospital by residents waiting for placement or assessment to an Aged Care Facility and the impact this is having on hospital resources.

CARRIED UNANIMOUSLY

ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 34/24 - DATED FEBRUARY 19, 2024 - MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 16
FEBRUARY 2024
D24/8432

RESOLUTION Minute No. 47490 Councillor R Algate moved Councillor H Jewitt seconded

Resolved

- 1. That Broken Hill City Council Report No. 34/24 dated February 19, 2024, be received.
- 2. That minutes of the Audit, Risk and Improvement Committee meeting held 16 February 2024 be endorsed.

CARRIED UNANIMOUSLY

ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 35/24 - DATED MARCH 07, 2024 - MINUTES OF THE S355 AGEING WELL ADVISORY COMMITTEE MEETING HELD 7
FEBRUARY 2024
D24/12204

RESOLUTION

Minute No. 47491

Councillor R Algate moved
Councillor R Page seconded

Pesolved

1. That Broken Hill City Council Report No. 35/24 dated March 7, 2024, be received.

- 2. That the minutes of the S355 Ageing Well Advisory Committee meeting held 7 February 2024 be received.
- That Council prepare and send correspondence to Mark Coulton MP, Federal Member for Parkes and Roy Butler MP, Member for Barwon to be invited to attend an s355 Ageing Well Committee meeting. An update report on the current issues facing the Aged Care sector be included in the invitation.

CARRIED UNANIMOUSLY

ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 36/24 - DATED MARCH 07, 2024 - MINUTES OF THE S355 YOUTH ADVISORY COMMITTEE MEETING HELD 5 MARCH 2024

D24/12230

RESOLUTION Minute No. 47492 Deputy Mayor J Hickey moved Councillor D Turley seconded

Resolved

- 1. That Broken Hill City Council Report No. 36/24 dated March 7, 2024, be received.
- 2. That the minutes of the S355 Youth Advisory Committee meeting held on 24 October 2023 be received.
- 3. That Council approves the budget allocation for the purchase of 4x\$50 Far West Proud gift cards in appreciation of the youth representatives on the Committee.

CARRIED UNANIMOUSLY

FURTHER REPORTS

<u>ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 40/24 - DATED MARCH 01, 2024 - CORRESPONDENCE REPORT - CATEGORY 2 CLUBGRANTS</u>
D24/11178

Councillor Boland declared an interest in Item 12 and left the Council Chambers at 7:13pm

RESOLUTION Minute No. 47493 Councillor D Gallagher moved Councillor H Jewitt seconded 1. That Broken Hill City Council Report No. 40/24 dated March 1, 2024, be received. 2. That reply correspondence dated 28 February, 2024 from The Hon David Harris MP, Minister for Gaming and Racing regarding Category 2 ClubGRANTS, be received and noted.

That Council completes the NSW Liquor and Gaming online stakeholder survey regarding the ClubGRANTS Scheme, that was referred to in the correspondence.

CARRIED UNANIMOUSLY

Councillor Boland returned to the Council Chamber at 7:15pm. The Mayor advised Councillor Boland that Council had adopted the report recommendation of Item 12 with an addendum that Council completes the NSW Liquor and Gaming online stakeholder survey regarding the ClubGRANTS Scheme.

ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 41/24 - DATED MARCH 18, 2024 - APPOINTMENT OF COUNCILLOR MEMBER TO THE AUDIT RISK AND IMPROVEMENT

COMMITTEE

D24/13784

)

RESOLUTION

Minute No. 47494

Councillor M Boland moved

Councillor R Algate seconded

Resolved

- 1. That Broken Hill City Council Report No. 41/24 dated March 18, 2024, be received.
- That Council notes that Council adopted the Draft Revised Audit Risk and Improvement Committee Charter to come into effect from 1 July 2024 at the 28 February 2024 Council Meeting (Minute No. 47469).
- That Councillor Algate be appointed as the non-voting Councillor member (who cannot be the Mayor) to the Audit, Risk and Improvement Committee to take effect from 1 July 2024 when the Committee will move to operating under its newly adopted Charter to comply with amendments to the Local Government (General) Regulation 2022.
- 4. That Council notes that correspondence has been sent to the Minister for Local Government, The Hon Ron Hoenig, objecting to the OLG Guidelines and in particular the reduction in the number of Councillor members on Audit, Risk and Improvement Committees as per Council's resolution (Minute No. 47469).
- 5. That a report be presented to the Policy and General Committee Meeting outlining which reports of the Audit, Risk and Improvement Committee can be presented to a Council Meeting, for information or adoption.

ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 42/24 - DATED MARCH 20, 2024 - WAIVE

SECTION 7.12 DEVELOPER CONTR	RIBUTION L	EVY - DEVELOPMENT APPLICATION 10	03/2023 -
LIBRARY REDEVELOPMENT PROJ	<u>ECT</u>		D24/14293
RESOLUTION		Resolved	
<u>Minute No. 47495</u>			
Councillor R Algate moved)	1. That Broken Hill City Council Repo	rt No.
Councillor D Turley seconded)	42/24 dated March 20, 2024, be re	ceived.

2. That Council waive payment of the section 7.12 Contribution Levy relating to condition number 34 of Development consent 103/2023 (determined on 5 March 2024) due to the proposed development being a community facility for the benefit of all citizens of Broken Hill.

CARRIED UNANIMOUSLY

ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 43/24 - DATED MARCH 13, 2024 -MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO.444, HELD ON TUESDAY, 5 MARCH 2024 D24/13198

RESOLUTION Resolved Minute No. 47496 Councillor M Browne moved

Councillor R Algate seconded

- 1. That Broken Hill City Council Report No. 43/24 dated March 13, 2024, be received.
- 2. That the minutes of the Local Traffic Committee - Meeting No.444, held on Tuesday, 5 March 2024 be endorsed.
- 3. That Item No.444.10.2 recommendation be received:
 - That Council change two of the four parking spaces at the 'Taxi Zone', located on the left side of the Airport Terminal, to designated parking spaces for Ride Share/Uber services.
- 4. That Item No.440.10.1 recommendations be received:
 - That correspondence be forwarded to the appropriate Council Department requesting a Risk Assessment of the Heritage Walk Tour route be completed and that a Traffic Control Plan be developed.
 - That results of the Risk Assessment and a Traffic Control Plan be provided to the Local Traffic

Committee for review and feedback.

- That this matter be removed from the Local Traffic Committee's Agenda and be readdressed once Council has a solution, which can be reviewed and considered by the Local Traffic Committee at a future meeting.
- That Item No.442.8.3 recommendations be received:
 - That Council install a 'No Right Turn' sign on Cobalt Lane, at the intersection of Gossan Street.
 - That the complainant received correspondence advising of the Committee decision to install a 'No Right Turn' sign and advise other matters raised were noted by the Committee.
- 6. That Item No.444.8.1 recommendation be declined. That Council does not approve to change the parking space next to the hatched area, adjacent to Outback Whips and Leather at 350 Argent Street, to an 'Emergency Services Vehicles Only' parking space, to allow parking of Emergency Services vehicles.
- 7. That the Traffic Committee investigates reducing the taxi rank parking spaces in Oxide Street adjacent to the ANZ building and provides a recommendation to Council on the outcome of the investigation.

CARRIED UNANIMOUSLY

ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 44/24 - DATED MARCH 06, 2024 - ACTION LIST REPORT D24/11972

RESOLUTION

Minute No. 47497

Councillor D Gallagher moved
Councillor M Boland seconded

Pesolved

1. That Broken Hill City Council Report No. 44/24 dated March 6, 2024, be received.

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 16 - QUESTIONS ON NOTICE NO. 3/24 - DATED MARCH 01, 2024 - COUNCILLOR
QUESTIONS ON NOTICE TAKEN AT THE FEBRUARY 2024 COUNCIL MEETING
D24/11322

RESOLUTION

Minute No. 47498
Councillor D Turley moved
Councillor R Algate seconded

) 1. That Questions On Notice No. 3/24 dated
March 1, 2024, be received.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

From Item 13 – Audit, Risk and Improvement Committee

The General Manager took a question on notice from Item 13 regarding (the new OLG Guidelines for Audit Risk and Improvement Committees that take effect after 1 July 2024) and whether Councillors (other than the one Councillor non-voting member) were able to attend Audit, Risk and Improvement Committee meetings as observers?

Miners' Memorial at the Line of Lode

Councillor Turley referred to an article in the Barrier Truth whereby Mr Stan Goodman raised concerns regarding the state of the plaques within the Miners' Memorial at the Line of Lode and asked Council to seek a meeting with Crown Lands or the Minister for Crown Lands to investigate options for the upkeep of the memorial.

The Mayor took the question on notice.

Heritage Walking Tours

Councillor Turley advised that members of the Heritage Walking Tours had raised concerns regarding the delay in having a shade shelter built (which they had raised money towards).

The Mayor and Council's Director Infrastructure and Environment advised that the Heritage Walking Tour Group had raised money towards a shade shelter (of which Council would also need to put funds towards) to be built adjacent to the Kintore Reserve in Blende Street and that Council had called for request for quotations which came back considerably higher than anticipated. Council's Project Officer is now liaising with the companies who provided quotes to discuss alternative designs to hopefully bring the quotes down to within Council's budget. Council's Project Officer spoke to Mr Howse yesterday to provide him with an update on the project and hopefully within the next month Council will be closer to commencing the project.

Civic Function for The Hon Mark Coulton MP

Councillor Turley referred to the announcement by The Hon Mark Coulton MP that he will not be contesting the seat of Parkes at the next Federal Election and would be retiring. Councillor Turley asked if Council would be holding a civic function to thank him for his years of service advocating for the City.

The Mayor advised that a Civic Reception would be held prior to the Federal Election.

Gateway Signs

Deputy Mayor Hickey advised that the Gateway sign on the Mildura Road will be replaced in the third week of April with a sign made from one of Ms Deanna Spicer's designs.

Outstanding Items on the Action List

Councillor Jewitt referred to recreational facilities in the City and referred to Item 1 on the Action List being the oldest action (Willyama Common Trust Licence to the Broken Hill Speedway Club) which is now nearly four years overdue and asked for an update on why there is a delay with some actions pertaining to leases and licences being finalised. Councillor Jewitt asked if there is any way that these land matters can be reviewed? Can Council request a face-to-face meeting to progress these matters?

The Mayor explained that the delay is due to Native Title and that there is now an additional step in the process which requires approval from the Local Aboriginal Land Council (as well as the Department of Crown Lands), and that this is causing delays.

The General Manager advised that staff are regularly in touch with the Department of Crown Lands, seeking an update on when particular leases/licences will be approved.

PUBLIC FORUM

Aboriginal Community

Mr Peter Bullock referred to the Mayor's advice regarding the delay in land matters and advised that there is at least one house in Creedon Street that floods when there is heavy rainfall, as there is no kerb and gutter and asked Council to investigate.

RESOLUTION

Minute No. 47499 - Procedural Motion Councillor R Algate moved Councillor H Jewitt seconded

Resolved

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

CARRIED UNANIMOUSLY

Members of the public and media left the Council Chambers at 7:35pm. The livestream of the meeting ceased.

CONFIDENTIAL MATTERS

<u>ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 39/24 - DATED FEBRUARY 28, 2024 - PROPOSED LEASE OF SUITE 2 / 23-27 BROMIDE STREET - CONFIDENTIAL</u>
D24/10646

(<u>General Manager's Note</u>: This report considers a lease 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).

proposes to conduct) business). RESOLUTION Minute No. 47500 Councillor D Turley moved Councillor D Gallagher seconded 1. That Broken F 39/24 dated F received.

- 1. That Broken Hill City Council Report No. 39/24 dated February 28, 2024, be
- That Council grant a new lease to the existing tenant (Muhammad Illyas Dexter) at Suite 2 / 23-27 Bromide Street for a period of 12 months with an option to renew for a further two years, with the new lease to reflect the terms and conditions of the previous lease.
- That the Mayor and General Manager sign the new lease under the Common Seal of Council.

CARRIED UNANIMOUSLY

<u>ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 45/24 - DATED MARCH 05, 2024 - CONFIDENTIAL MINUTES FOR CONFIRMATION OF THE COUNCIL MEETING HELD 28</u>
<u>FEBRUARY 2024 - CONFIDENTIAL</u>
D24/11586

(General Manager's Note: This report considers confidential minutes for confirmation and is deemed confidential under Section 10A(2) (a) (c) (e) (g) of the Local Government Act, 1993 which contains matters that will involve the discussion of personnel matters concerning a particular individual; AND 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 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. 47501 Councillor R Algate moved Councillor M Boland seconded 1. That Broken Hill City Council Report No. 45/24 dated March 5, 2024, be received. 2. That the confidential minutes of the Ordinary Council Meeting held 28 February 2024 be

confirmed.

RESOLUTION Minute No. 47502 - Procedural Motion Councillor R Algate moved Councillor D Gallagher seconded	ResolvedThat the meeting resumes in open session.
5	CARRIED UNANIMOUSLY
Members of the media returned to the Counci return). The livestream of the meeting resum	il Chambers at 7:36pm. (Members of the public did not ed.
At the Mayor's invitation, the General Manage session.	er reported on the resolutions of Council made in closed
There being no further business to consider, t	he Mayor closed the meeting at 7:38pm.
THE FOREGOING MINUTES WERE READ AND CONFIRMED AT THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD ON)))
	CHAIRPERSON