
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
JANUARY 31, 2024

Meeting commenced at 6:30pm.

PRESENT:

Councillor T. Kennedy (Mayor) Councillor J. Hickey (Deputy Mayor),
Councillors B. Algate, M. Boland, M. Browne, A. Chandler, H. Jewitt and
D. Turley AM.

General Manager, 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:

Councillor R. Page.

RESOLUTION

Minute No. 47436 - Procedural Motion

Deputy Mayor J Hickey moved)
Councillor A Chandler seconded)

Resolved

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

CARRIED UNANIMOUSLY

LEAVE OF ABSENCE

APPLICATIONS:

Councillor Gallagher submitted a Leave of Absence Application for a reason
as prescribed by the Code of Meeting Practice.

RESOLUTION

Minute No. 47437 - Procedural Motion

Councillor H Jewitt moved)
Deputy Mayor J Hickey seconded)

Resolved

That the application submitted by Councillor
Gallagher be accepted and a Leave of Absence
grant for this meeting.

CARRIED UNANIMOUSLY

PRAYER

Councillor Boland delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Jewitt 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

Gateway Signage

Mr Bob Coulls asked for an update on the replacement of the Gateway Signs to Ms Spicer's designs and suggested that the signs (other than the Wentworth Road sign) also need to be relocated to a more suitable position with a clear backdrop behind it in order for the sun to shine through the signs.

The Mayor advised that the sign on Wentworth Road would be the first sign to be replaced as the original location is suitable and does not need RMS approval or DA approval for a new location. This sign will depict mining and will be replaced in March 2024. The other signs will be scheduled to be replaced once all approvals have been granted.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 47438

Councillor R Algate moved)
Councillor A Chandler seconded)

Resolved

That the Minutes of the Ordinary Meeting of the Council of the City of Broken Hill held December 20, 2023 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Councillor Turley declared:

- a non-pecuniary conflict of interest in Mayoral Minute 1/24 as she is President of Local Government NSW and advised that she will leave the Council Chambers whilst the item is considered.

Mayor Kennedy declared:

- a non-pecuniary non-significant conflict of interest in Confidential Report 12/24 as he plays tennis at the subject facility and advised that he will remain in the Council Chambers and will exercise his vote in the matter.

MAYORAL MINUTES

ITEM 1 - MAYORAL MINUTE NO. 1/24 - DATED JANUARY 25, 2024 - COST SHIFTING ONTO LOCAL GOVERNMENT D24/3515

Councillor Turley declared a non-pecuniary interest in Item 1 and left the Council Chambers at 6:38pm.

RESOLUTION

Minute No. 47439

Mayor T Kennedy moved)
Councillor A Chandler seconded)

Resolved

- That Mayoral Minute No. 1/24 dated January 25, 2024, be received.
- That Council receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year.

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3. That a copy of the cost shifting report be placed on Council's website so that our communities can access it.
4. That Council writes to the Premier, the NSW Treasurer and the NSW Minister for Local Government, and the Local Member requesting that they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding.

CARRIED UNANIMOUSLY

ITEM 2 - MAYORAL MINUTE NO. 2/24 - DATED JANUARY 31, 2024 - WILLYAMA HIGH SCHOOL
D24/4372

RESOLUTION

Minute No. 47440

Mayor T Kennedy moved)

Deputy Mayor J Hickey seconded)

Resolved

1. That Mayoral Minute No. 2/24 dated January 31, 2024, be received.
2. That Council write to the NSW State Government seeking a guarantee they will not permanently close Willyama High School; and that two High Schools will be maintained in the City.
3. That the NSW State Government provides subsidised access to tutoring for Willyama School students whose learning may be affected by the temporary closure of the High School; and that these subsidies be available for the duration of the temporary closure.
4. That the Department of Education makes all attempts to recover teaching resources and HSC student's major items of work from the school; and that HSC students are given recognition/marking adjustments for their work that cannot be recovered.

CARRIED UNANIMOUSLY

NOTICES OF MOTION

Nil.

REPORTS FROM DELEGATES

Nil.

COMMITTEE REPORTS

Nil.

RESCISSION MOTIONS

Nil.

REPORTS

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 1/24 - DATED JANUARY 09, 2024 -
CORRESPONDENCE REPORT - RESOURCES FOR REGIONS FUNDING** D24/347

RESOLUTION

Minute No. 47441

Councillor R Algate moved)
Councillor H Jewitt seconded)

Resolved

1. That Broken Hill City Council Report No. 1/24 dated January 9, 2024, be received.
2. That reply correspondence from the Hon Tara Moriarty MLC, Minister for Regional NSW dated 15 December 2023 regarding Resources for Regions funding be received and noted.
3. That reply correspondence from Mr Roy Butler, Member for Barwon, dated 8 January 2024, regarding the reallocation of Resources for Regions funding be received and noted.
4. That Council notes it is awaiting replies from The NSW Premier and The Hon Stephen Lawrence MLC.
5. That Council note a submission into the *Review of Regional Development Act 2004*, specifically advocating for retention of the Resources for Region funding and or creation of a similar fund along with changes to the creation and makeup of the Regional Development Advisory Council has been submitted.

CARRIED UNANIMOUSLY

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 2/24 - DATED JANUARY 09, 2024 -
CORRESPONDENCE REPORT - SOUTHERN CROSS AUSTEREO'S SPENCER GULF NIGHTLY
NEWS** D24/415

RESOLUTION

Minute No. 47442

Councillor R Algate moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Broken Hill City Council Report No. 2/24 dated January 9, 2024, be received.
2. That reply correspondence from the Office of the Hon Michelle Rowland MP, Minister for Communications, dated 22 December 2023 regarding the Spencer Gulf Nightly News be received and noted.

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3. That a motion be submitted to the National General Assembly regarding the impact of the loss of regional news bulletins to regional communities across Australia.

CARRIED UNANIMOUSLY

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 3/24 - DATED JANUARY 09, 2024 -
CORRESPONDENCE REPORT - ESTABLISHMENT OF A PARLIAMENTARY INQUIRY INTO
CRIME IN REGIONAL RURAL AND REMOTE NSW** D24/419

RESOLUTION

Minute No. 47443

Deputy Mayor J Hickey moved)
Councillor H Jewitt seconded)

Resolved

1. That Broken Hill City Council Report No. 3/24 dated January 9, 2024, be received.
2. That reply correspondence (undated) from the Hon Yasmin Catley MP, Minister for Police and Terrorism regarding a Parliamentary Inquiry into crime in regional rural and remote NSW be received and noted.
3. That reply correspondence dated 5 December 2023, from the Hon Aileen MacDonald OAM MLC, Shadow Minister for Youth Justice regarding a Parliamentary Inquiry into crime in regional rural and remote NSW be received and noted.

CARRIED UNANIMOUSLY

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 4/24 - DATED JANUARY 10, 2024 -
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** D24/995

RESOLUTION

Minute No. 47444

Councillor M Browne moved)
Councillor D Turley seconded)

Resolved

1. That Broken Hill City Council Report No. 4/24 dated January 10, 2024, be received.
2. That Councillor Browne represents Council at the 2024 NSW ALGWA Conference in Macquarie Park, 14-16 March by any interested Councillors

CARRIED UNANIMOUSLY

**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 5/24 - DATED JANUARY 11, 2024 -
COUNCILLOR ATTENDANCE AT THE 2024 NATIONAL GENERAL ASSEMBLY OF LOCAL
GOVERNMENT TO BE HELD IN CANBERRA ON 2 - 4 JULY 2024** D24/1223

RESOLUTION

Minute No. 47445

Councillor R Algate moved)

Resolved

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Councillor A Chandler seconded)

1. That Broken Hill City Council Report No. 5/24 dated January 11, 2024, be received.
2. That the Mayor, Deputy Mayor, Councillors Algate, Browne and Chandler represent Council along with the General Manager at the 2024 National General Assembly of Local Government in Canberra, 2 - 4 July 2024.
3. That the Mayor, Deputy Mayor, Councillors Algate, Browne and Chandler and the General Manager represent Council at the 2024 Australian Council of Local Government (ACLG) following the Assembly on 5 July 2024.
4. That other Councillors advise their interest in attending the National General Assembly and the Australian Council of Local Government to the General Manager's Office by Friday 16 February 2024.

CARRIED UNANIMOUSLY

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 6/24 - DATED JANUARY 11, 2024 - 2024
NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - CALL FOR MOTIONS D24/1232**

RESOLUTION

Minute No. 47446

Councillor M Browne moved)
Councillor D Turley seconded)

Resolved

1. That Broken Hill City Council Report No. 6/24 dated January 11, 2024, be received.
2. That Council submits motions to the 2024 National General Assembly of Local Government (in line with the Assembly's eligibility principles for motions) on the following subjects:
 - a) The impact of the loss of regional nightly news bulletins to regional communities across Australia.
 - b) The impact of State Government cost shifting onto local Councils.
 - c) The impact of the freeze on Financial Assistance Grants in previous years to local Councils.
3. That motions be submitted to the Australian Local Government Association by March 29, 2024 along with a copy of the supporting Council resolution.

CARRIED UNANIMOUSLY

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**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 7/24 - DATED JANUARY 18, 2024 -
ADOPTION OF DRAFT AGENCY INFORMATION GUIDE** D24/2512

RESOLUTION

Minute No. 47447

Councillor M Boland moved)
Councillor D Turley seconded)

Resolved

1. That Broken Hill City Council Report No. 7/24 dated January 18, 2024, be received.
2. That Council adopt the Draft Agency Information Guide.

CARRIED UNANIMOUSLY

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 8/24 - DATED DECEMBER 18, 2023 -
ADOPTION OF THE DRAFT PUBLIC INTEREST DISCLOSURE POLICY** D23/68242

RESOLUTION

Minute No. 47448

Councillor M Boland moved)
Councillor H Jewitt seconded)

Resolved

1. That Broken Hill City Council Report No. 8/24 dated December 18, 2023, be received.
2. That Council adopts the Draft Public Interest Disclosure Policy as a policy of Council.
3. That Council notes that adopting the Draft Public Interest Disclosure Policy will render the Reporting of Public Interest Disclosures Policy as obsolete.
4. That on adoption of the Draft Public Interest Disclosure Policy authority be delegated to the General Manager to make amendments to the Public Interest Disclosure Policy in order to update the contact information in Annexure A and other minor updates as required.

CARRIED UNANIMOUSLY

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 9/24 - DATED JANUARY 19, 2024 -
ADOPTION OF THE DRAFT ALBERT KERSTEN MINING AND MINERAL MUSEUM (GEOCENTRE)
COLLECTION MANAGEMENT POLICY** D23/66982

RESOLUTION

Minute No. 47449

Councillor H Jewitt moved)
Councillor M Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 9/24 dated January 19, 2024, be received.
2. That Council notes that one submission was received from the public during the public exhibition period.
3. That Council adopts the draft Albert Kersten Mining and Mineral Museum (GeoCentre) Collection Management Policy as a Policy of Council.

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4. That adoption of the draft Albert Kersten Mining and Mineral Museum (GeoCentre) Collection Management Policy will render the 1997 Management – GeoCentre Policy obsolete.

CARRIED UNANIMOUSLY

ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 10/24 - DATED JANUARY 19, 2024 - INVESTMENT REPORT FOR DECEMBER 2023 D24/2822

RESOLUTION

Minute No. 47450

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 10/24 dated January 19, 2024, be received.

CARRIED UNANIMOUSLY

ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 11/24 - DATED JANUARY 10, 2024 - ACTION LIST REPORT D24/993

RESOLUTION

Minute No. 47451

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

1. That Broken Hill City Council Report No. 11/24 dated January 10, 2024, be received.

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

ITEM 14 - QUESTIONS ON NOTICE NO. 1/24 - DATED DECEMBER 21, 2023 - COUNCILLOR QUESTIONS TAKEN ON NOTICE AT THE COUNCIL MEETING HELD 20 DECEMBER 2023 AND THE HEALTH AND BUILDING COMMITTEE MEETING HELD 12 DECEMBER 2023 D23/69267

RESOLUTION

Minute No. 47452

Councillor M Boland moved)
Councillor R Algate seconded)

Resolved

1. That Questions On Notice No. 1/24 dated December 21, 2023, be received.

CARRIED UNANIMOUSLY

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

Councillor Briefing by Broken Hill Police

Councillor Turley requested that the General Manager reminds the Broken Hill Police representative to provide an update to Councillors regarding the city's crime statistics at the next Councillor Briefing.

The General Manager advised that the Police confirmed they would present this at the next Councillor Briefing and will contact the Broken Hill Police representative prior to the next Councillor Briefing.

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Littering of used syringes in the CBD area

Councillor Boland referred to the 24 hour availability of "fit-packs" from the Crystal Lane side of the Broken Hill Health Service and the safety risk to the public due to the littering of used syringes in the Crystal Lane area, Musician's Club carpark, the CBD area and Sturt Park. Councillor Boland asked what the Health Service is doing to support people in the City who are addicted to drugs?

The Mayor advised that Council will seek an update from the Western Primary Health Network/Far West Health Service regarding plans for a Drug Rehabilitation Centre in Broken Hill, and also a solution for the littering of used syringes in the CBD area.

Update on the progress of Council management of the old Broken Hill Police Station site

Councillor Algate requested an update on the old Broken Hill Police Station site as to when Council would take ownership of the site? And will the site still be incorporated in the new Library Development?

The General Manager advised that Council will be granted Crown Land Management of the partial site once Crown Lands provides a Site Condition Report to Council (so that Council can understand the implications of managing the site and the condition of the heritage buildings on the site) and appoints Council as Crown Land Managers. This process is underway and is anticipated to be completed within the next two months. In the meantime, Crown Lands have approved the Development Application for the new Library to be built which will incorporate the use of part of the old Police Station site for the carpark area. This is a promising sign that Council will soon be appointed as Crown Land Managers of the partial site.

Update on the proposed development of a Drug Rehabilitation Centre for Broken Hill

Councillor Turley referred to project planning meetings previously held for the scoping of a proposed new Drug Rehabilitation Centre for Broken Hill and asked for a status update on the project.

The Mayor advised that Council will contact the Western Primary Health Network representative to gain an update for Council.

Signage at the Albert Kersten Mining and Minerals Museum

Councillor Jewitt referred to signage on the verandah beam of the Albert Kersten Mining and Minerals Museum, and the disappointment of the Kersten family that the signage has not been replaced following Council's resolution to change the name of the Albert Kersten GeoCentre to the Albert Kersten Mining and Minerals Museum.

The Mayor advised that an update on replacement of the signage will be provided to the next Council Meeting.

RESOLUTION

Minute No. 47453 - Procedural Motion

Deputy Mayor J Hickey 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 public and media left the Council Chambers at 7:25pm. and the livestreaming of the meeting ceased.

CONFIDENTIAL MATTERS

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 12/24 - DATED JANUARY 18, 2024 -
Q23/68 - REQUEST FOR QUOTATION - O'NEILL TENNIS COURTS LIGHTING UPGRADE -
CONFIDENTIAL** D24/2401

(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. 47454

Councillor A Chandler moved)
Deputy Mayor J Hickey seconded)

Resolved

1. That Broken Hill City Council Report No. 12/24 dated January 18, 2024, be received.
2. That Council approve an additional amount of \$236,875.40 (ex GST) which equals a revised total budget of \$359,275.40 (ex GST) for the upgrade of the O'Neill Tennis Courts Lighting.
3. That Council approve the quotation package tendered by MBE for the total price of \$326,614.00 (ex GST).

CARRIED UNANIMOUSLY

RESOLUTION

Minute No. 47455 - Procedural Motion

Councillor D Turley moved)
Councillor R Algate seconded)

Resolved

That the meeting resumes in open session.

CARRIED UNANIMOUSLY

Members of the public and media returned to the Council Chambers at 7:26pm. The livestreaming of the meeting recommenced.

At the Mayor's invitation, the General Manager advised of the resolution of Council made in closed session.

There being no further business to consider, the Mayor closed the meeting at 7:29pm.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 28 FEBRUARY 2024.)

CHAIRPERSON