

Please address all communications to:  
The General Manager  
240 Blende Street  
PO Box 448  
Broken Hill NSW 2880  
Phone 08 8080 3300  
Fax 08 8080 3424  
[council@brokenhill.nsw.gov.au](mailto:council@brokenhill.nsw.gov.au)  
[www.brokenhill.nsw.gov.au](http://www.brokenhill.nsw.gov.au)

ABN 84 873 116 132

November 29, 2017

**ORDINARY MEETING OF THE COUNCIL MEETING**

**TO BE HELD**

**WEDNESDAY, NOVEMBER 29, 2017**

**SUPPLEMENTARY AGENDA NO.1**



**JAMES RONCON**  
**GENERAL MANAGER**

## **FURTHER BUSINESS**

1. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 6/17 - DATED  
NOVEMBER 28, 2017 - CONSTRUCTION OF THE MURRAY PIPELINE  
(11/426)..... 3

## ORDINARY MEETING OF THE COUNCIL

November 28, 2017

**ITEM**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 6/17

SUBJECT:                      CONSTRUCTION OF THE MURRAY PIPELINE                      11/426

**Notice of Motion**

1. That Motions of Which Notice has been Given No. 6/17 dated November 28, 2017, be received.
2. That Broken Hill City Council seek options for commencing legal action against the NSW State Government to stop the construction of the Murray Pipeline until the NSW State Government guarantees via legislation that the Broken Hill community will not have to cover the cost of construction of the pipeline, nor will the Broken Hill Community have to pay maintenance and depreciation, also that the Menindee Lakes and the Darling River below Bourke be protected as an environmental, economic and social asset to the Far West Region.
3. That the Broken Hill City Council apply to the Local Government Association of NSW to share the cost amongst member councils as it is a case of the State Government forcing unaffordable costs onto a local government area.
4. That the Premier Gladys Berejiklian, opposition leader Luke Foley, local member Kevin Humphries and MLC Jeremy Buckingham be informed of Council's intended action.

**Notice of Motion Summary**

The construction of the Murray pipeline is in the vicinity of \$500,000,000 and depreciation at the same. The potential cost to the community is \$1,000,000,000 and this is \$100,000 per household.

If Broken Hill is forced to pay the costs of the Murray pipeline the Broken Hill City Council will not be able to maintain parks, gardens and ovals nor will individuals be able to afford household bills. This will greatly affect the social, economic and environmental fabric of the Broken Hill community.

The alleged financial benefits to Broken Hill during construction do not exist if the community has to pay for the construction and future replacement. Broken Hill will end up with a small percentage of money for the construction that will ultimately be completely covered in cost from the Broken Hill community.

The State Government has an obligation to the Broken Hill community to deliver economically, socially and environmentally and the Murray pipeline in its current form delivers no benefits and can only be considered a positive over Broken Hill running out of water.

Once the pipeline is constructed it will be too late to get guarantees.

**General Manager's Comment**

In relation to Cr Kennedy's Notice of Motion I am unable to provide Councillors with too much advice at this time as it is unclear the methodology that has been adopted to support the premise of the notice of motion. Beyond the published budget for the project of \$500m, the other quoted figures are new information.

I would also need to seek advice from LGNSW as to any legal cost sharing with other Councils and whether this type of thing would be something they would support.

I can also advise that the Mayor and General Manager have sought meetings for early February 2018 with Water Minister Niall Blair and the Executive of IPART to discuss all matters related to Broken Hill's water, including future water pricing as part of any upcoming Water Pricing Reviews.

**Attachments**

1. [↓](#) Councillor Kennedy's Notice of Motion

T. KENNEDY  
COUNCILLOR

## Notice of motion

### Ordinary meeting of the Broken Hill City Council

To be held on 29/11/2017

From Councillor Tom Kennedy

That Broken Hill City Council seek options for commencing legal action against the NSW State Government to stop the construction of the Murray Pipeline until the NSW State Government guarantees via legislation that the Broken Hill community will not have to cover the cost of construction of the pipeline, nor will the Broken Hill community have to pay maintenance and depreciation, also that the Menindee Lakes and the Darling River below Burke be protected as an environmental, economic and social asset to the Far West Region.

That the BHCC apply to the Local Government Association of NSW to share the cost amongst member councils as it is a case of the State Government forcing unaffordable costs onto a local government area.

That the Premier Gladys Berejiklian, opposition leader Luke Foley, local member Kevin Humphries and MLC Jeremy Buckingham be informed of our intended action.

Reasons for motion are,

The construction of the Murray pipeline is in the vicinity of \$500,000,000 and depreciation at the same. The potential cost to the community is \$1,000,000,000 and this is \$100,000 per household.

If Broken Hill is forced to pay the costs of the Murray pipeline the BHCC will not be able to maintain parks, gardens and ovals nor will individuals be able to afford household bills. This will greatly affect the social, economic and environmental fabric of the Broken Hill community.

The alleged financial benefits to Broken Hill during construction do not exist if the community has to pay for the construction and future replacement. Broken Hill will end up with a small percentage of money for the construction that will ultimately be completely covered in cost from the Broken Hill community.

The State Government has an obligation to the Broken Hill community to deliver economically, socially and environmentally and the Murray pipeline in its current form delivers no benefit and can only be considered a positive over Broken Hill running out of water.

Once the pipeline is constructed it will be too late to get guarantees.

Councillor Tom Kennedy



## **CONFIDENTIAL MATTERS**

### **Ordinary Meeting of the Council Meeting to be held** **Wednesday, November 29, 2017**

2. **MAYORAL MINUTE NO. 9/17 - DATED NOVEMBER 28, 2017 - UPDATE**  
**ON PROGRESS OF CIVIC CENTRE REDEVELOPMENT -**  
**CONFIDENTIAL**

(**General Manager's Note**: This report considers legal advice and is deemed confidential under Section 10A(2) (g) of the Local Government Act, 1993 which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).