
MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 04, 2019

Meeting commenced at 6:30pm

PRESENT: Councillor D. Turley AM (Mayor) Councillor M. Browne (Deputy Mayor),
Councillors C. Adams, B. Algate, M. Clark, D. Gallagher, T. Kennedy
B. Licul, J. Nolan and R. Page.

Chief Financial Officer, Chief Operating Officer, Director Corporate,
Manager Communications, Governance Officer and Executive Support
Officer.

Media - nil, Members of the Public – nil.

APOLOGIES: Nil.

The Mayor advised that the General Manager was an apology for the meeting.

DISCLOSURE OF INTEREST

Nil.

Moved Councillor M. Browne) That the meeting be closed to the public
Seconded Councillor M. Clark) in accordance with *the Local Government
Act 1993 clause 10A(2)*, whilst the
confidential matter is considered.

Councillor Kennedy called a point of order stating that the report should not be dealt with in closed session (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); and referred to a previous report and Mayoral Minute regarding the matter, which were considered by Council in closed session at the August 2017 Council Meeting and in which the subject report states that the meeting was improperly closed to the public.

The Mayor stated that legal advice had been sought which confirmed that the matter should be dealt with in closed session in accordance with the *Local Government Act 1993 Section 10A(2)(e) and (g)*.

The Mayor ruled that the motion be put.

Minute No. 46066

Moved Councillor M. Browne) That the meeting be closed to the public
Seconded Councillor C. Adams) in accordance with *the Local Government
Act 1993 Section 10A(2)*, whilst the
confidential matter is considered.

CARRIED

FOR: Councillors Nolan, Clark, Licul, Algate, Page, Adams, Gallagher, Browne and Turley.
AGAINST: Councillor Kennedy

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The meeting was closed to the public at 6:35 p.m. (no members of the media or public were present).

The meeting resumed in open session at 6:47 p.m. (no members of the media or public were present).

CONFIDENTIAL MATTERS

**ITEM 1 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 15/19 - DATED AUGUST 29, 2019
- REQUEST TO CALL EXTRAORDINARY COUNCIL MEETING INCLUDING NOTICE OF MOTION
REGARDING MATTERS PERTAINING TO THE CIVIC CENTRE REDEVELOPMENT -**

CONFIDENTIAL

17/185

(General Manager's Note: This report 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).

The motion of item 1 was dealt with in closed session and is contained in the confidential minutes.

The motion was LOST.

MATTER OF URGENCY

The Mayor's ruling regarding the matter of urgency is contained in the confidential minutes.

**ITEM 2 - MATTER OF URGENCY - MATTERS PERTAINING TO THE CIVIC CENTRE
REDEVELOPMENT**

17/185

Minute No. 46067

Moved Councillor M. Browne
Seconded Councillor M. Clark

-) 1. That the matter of urgency be dealt with
) at this meeting.
2. That Council authorise the Mayor to make a Submission relating to matters pertaining to the Civic Centre Redevelopment on behalf of Council in conjunction with Council's Solicitors, selected from its pre-approved Legal Panel.
3. That Councillors be invited to submit to the Mayor in writing, their contribution to the said submission by no later than 9 September 2019 to ensure the submission deadline of 13 September 2019 is met.
4. That each individual Councillor response is attached in full as an annexure to the said submission.

CARRIED

At the Mayor's request, the Chief Financial Officer read the resolution of the matters considered in closed session.

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Councillor Kennedy left the Council Chambers at 6:49 p.m.

There being no further business the Mayor closed the meeting at 6:50 p.m.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 25 SEPTEMBER 2019.)

CHAIRPERSON