
MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
SEPTEMBER 29, 2021

Meeting commenced at 6:30pm.

Due to the spread of the Delta variant of the COVID-19 virus into Far West NSW and the government's Stay at Home Public Health Order for the State of NSW, the meeting was closed to the public and media. The meeting was held via videoconference.

REQUESTS FROM COUNCILLORS TO ATTEND VIA AUDIO-VISUAL LINK

Due to the current Stay at Home Public Health Order for the State of NSW, the Mayor advised that she exercised her powers under Section 226 of the *Local Government Act 1993* to suspend the Code of Meeting Practice procedures (adopted by Council at the April 2021 Council Meeting) while the restrictions under the Public Health Order are in force to allow all Councillors to participate in this meeting by audio-visual link without the need to submit a request 5 days prior to the Council Meeting and without prior approval of the Council. Section 226 confers on Mayors the power to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council.

PRESENT:

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

General Manager, Chief Corporate and Community Officer, Chief Assets
and Projects Officer, Acting Chief Financial Officer, Manager
Communications and Marketing, Executive Manager Growth and
Investment, Governance Officer and Executive Support Officer.

Media - nil, Members of the Public - nil.

APOLOGIES:

Nil.

PRAYER

Councillor Adams delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

MINUTES FOR CONFIRMATION

RESOLUTION

Minute No. 46636

Councillor D Gallagher moved)
Councillor M Clark seconded)

Resolved

That the Minutes of the Ordinary Meeting of the
Council of the City of Broken Hill held August
25, 2021 be confirmed.

CARRIED UNANIMOUSLY

DISCLOSURE OF INTEREST

Councillor Gallagher declared:

- a non-pecuniary interest in Item 14 as he is a Board Member of the Country Universities Centre and advised that he will leave the meeting whilst the item is considered.

MAYORAL MINUTES

ITEM 1 - MAYORAL MINUTE NO. 9/21 - DATED SEPTEMBER 14, 2021 - INFRASTRUCTURE CONTRIBUTIONS REFORMS

11/161

Motion

Mayor D Turley moved)
Councillor M Browne seconded)

1. That Mayoral Minute No. 9/21 dated September 14, 2021, be received.
2. That Council calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament
3. That Council calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.
4. That Council writes to the local State Member Mr Roy Butler MP, the Premier the Hon Gladys Berejiklian MP, Treasurer the Hon Dominic Perrottet MP, Minister for Planning and Public Spaces the Hon Rob Stokes MP and Minister for Local Government the Hon Shelley Hancock MP seeking them to withdraw the Bill.
5. That Council writes to the Shadow Treasurer the Hon Daniel Mookhey MLC, Shadow Minister for Planning and Public Spaces Mr Paul Scully MP, Shadow Minister for Local Government Mr Greg Warren MP, The Greens Mr David Shoebridge MLC, Shooters, Fishers and Farmers Party the Hon Robert Borsak MLC, Pauline Hanson's One Nation the Hon Mark Latham MLC, Animal Justice Party the Hon Emma Hurst MLC, Christian Democratic Party (Fred Nile Group) the Hon Fred Nile MLC, Independent Mr Justin Field, Portfolio Committee Chair The Greens Ms Cate Faehmann, Portfolio Committee Deputy Chair Animal Justice Party the Hon Mark Pearson MLC and Committee members Liberal Party the Hon Catherine Cusack MLC and the Hon Shayne Mallard MLC, The Nationals the Hon Ben Franklin MLC and

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Australian Labor Party the Hon Rose Jackson MLC and the Hon Adam Searle MLC seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining Council's concerns with the Bill.

6. That Council alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation and shares and promotes these messages via its digital and social media channels and via its networks.
7. That Council affirms its support to LGNSW and requests LGNSW continue advocating on our behalf to protect local government from any amendments to infrastructure contributions which leaves councils and communities exposed to expending ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers

Amendment

Councillor T Kennedy moved)
Councillor R Algate seconded)

That the Mayoral Minute be deferred to the next Council Meeting and a report be prepared outlining what impact the legislation will have directly on the Broken Hill City Council.

LOST

For: Crs B Algate and T Kennedy

Against: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley

The original motion was put.

RESOLUTION

Minute No. 46637

Mayor D Turley moved)
Councillor M Browne seconded)

Resolved

1. That Mayoral Minute No. 9/21 dated September 14, 2021, be received.
2. That Council calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament
3. That Council calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.

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4. That Council writes to the local State Member Mr Roy Butler MP, the Premier the Hon Gladys Berejiklian MP, Treasurer the Hon Dominic Perrottet MP, Minister for Planning and Public Spaces the Hon Rob Stokes MP and Minister for Local Government the Hon Shelley Hancock MP seeking them to withdraw the Bill.
5. That Council writes to the Shadow Treasurer the Hon Daniel Mookhey MLC, Shadow Minister for Planning and Public Spaces Mr Paul Scully MP, Shadow Minister for Local Government Mr Greg Warren MP, The Greens Mr David Shoebridge MLC, Shooters, Fishers and Farmers Party the Hon Robert Borsak MLC, Pauline Hanson's One Nation the Hon Mark Latham MLC, Animal Justice Party the Hon Emma Hurst MLC, Christian Democratic Party (Fred Nile Group) the Hon Fred Nile MLC, Independent Mr Justin Field, Portfolio Committee Chair The Greens Ms Cate Faehmann, Portfolio Committee Deputy Chair Animal Justice Party the Hon Mark Pearson MLC and Committee members Liberal Party the Hon Catherine Cusack MLC and the Hon Shayne Mallard MLC, The Nationals the Hon Ben Franklin MLC and Australian Labor Party the Hon Rose Jackson MLC and the Hon Adam Searle MLC seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining Council's concerns with the Bill.
6. That Council alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation and shares and promotes these messages via its digital and social media channels and via its networks.
7. That Council affirms its support to LGNSW and requests LGNSW continue advocating on our behalf to protect local government from any amendments to infrastructure contributions which leaves councils and communities exposed to expending ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers.

CARRIED UNANIMOUSLY

NOTICES OF MOTION

Nil.

RESCISSION MOTIONS

Nil.

REPORTS FROM DELEGATES

Nil.

REPORTS

ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 151/21 - DATED JULY 20, 2021 - ELECTION OF DEPUTY MAYOR

11/18

RESOLUTION

Minute No. 46638

Councillor J Nolan moved)
Councillor M Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 151/21 dated July 20, 2021, be received.
2. That Council elect the Deputy Mayor at this meeting.
3. That the Deputy Mayor be elected for the period from the 29 September 2021 Council Meeting until the NSW Local Government Elections to be held 4 December 2021.
4. That voting for the Deputy Mayor be open voting, i.e. "show of hands".
5. That the result of the election of Deputy Mayor be forwarded to the Office of Local Government and to Local Government NSW.

CARRIED UNANIMOUSLY

ELECTION OF DEPUTY MAYOR

The Mayor appointed the General Manager as Returning Officer for the conduct of the Election of Deputy Mayor.

The Returning Officer advised that one (1) nomination had been received for the position of Deputy Mayor, being:

1. **Councillor Adams**
(nominated by Councillor Gallagher and Councillor Page)
nomination received: 24 September 2021 at 10:55am.

The Returning Officer called for any further nominations to be emailed prior to the ballot being

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conducted.

2. **Councillor Algate**

(nominated by Councillor Kennedy and Councillor Algate)
verbal nomination received: 29 September 2021 at 6:48pm.

The Returning Officer advised that voting will be by open voting (using the videoconference show of hands function) for votes for Deputy Mayor for period from 29 September 2021 Council Meeting until the NSW Local Government Elections to be held 4 December 2021.

The voting is to be conducted in the order in which the nominations were received:

Votes for Councillor Adams – 8
Votes for Councillor Algate –

As Councillor Adams received the majority of votes, the Returning Officer declared Councillor Adams as Deputy Mayor-elect for the period from 29 September 2021 Council Meeting until the NSW Local Government Elections to be held 4 December 2021

The Returning Officer congratulated Councillor Adams on her reappointment as Deputy Mayor.

The Mayor and all Councillors also congratulated Councillor Adams on her reappointment as Deputy Mayor.

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 152/21 - DATED SEPTEMBER 01, 2021 -
DISCLOSURE OF INTEREST RETURNS** 11/265, 11/646

RESOLUTION

Minute No. 46639

Councillor D Gallagher moved)
Councillor M Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 152/21 dated September 1, 2021, be received.
2. That Council note the submission of the required returns by Councillors and Designated Persons of Council.
3. That access to Council's Register of Returns of Disclosures by Councillors and Designated Persons be in accordance with the provisions of the *Local Government Act 1993* and other relevant legislation.

CARRIED UNANIMOUSLY

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 153/21 - DATED JULY 06, 2021 -
ADOPTION OF THE BROKEN HILL CULTURAL PLAN 2021-2040** 21/58

RESOLUTION

Minute No. 46640

Councillor M Clark moved)
Councillor J Nolan seconded)

Resolved

1. That Broken Hill City Council Report No. 153/21 dated July 6, 2021, be received.

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2. That Council notes the three public submissions received during the public exhibition period of the draft Broken Hill Cultural Plan 2021-2040.
3. That Council adopts the draft Broken Hill Cultural Plan 2021-2040 as a Strategic Plan of Council.

CARRIED UNANIMOUSLY

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 154/21 - DATED JULY 29, 2021 -
ADOPTION OF DRAFT LIBRARY POLICIES**

12/14

RESOLUTION

Minute No. 46641

Deputy Mayor C Adams moved)
Councillor M Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 154/21 dated July 29, 2021, be received.
2. That Council notes that nil public submissions were received during the public exhibition period for the Draft Library Policies.
3. That Council adopts the draft Library Computer and Internet Access Policy, draft Library Membership Policy and draft Library Policy as Policies of Council.
4. That Council notes that the adoption of the draft Library Policies will render the current Library Policy (2009) obsolete and will be removed from use.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Crs R Algate and T Kennedy

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 155/21 - DATED AUGUST 27, 2021 -
ADOPTION OF DRAFT REVISED BROKEN HILL REGIONAL ART GALLERY COLLECTION
MANAGEMENT POLICY**

12/14

RESOLUTION

Minute No. 46642

Councillor M Clark moved)
Councillor M Browne seconded)

Resolved

1. That Broken Hill City Council Report No. 155/21 dated August 27, 2021, be received.
2. That Council notes that public exhibition of the draft revised Broken Hill Regional Art Gallery Collection Management Policy is not required as per *Section 161(2) of the Local Government Act 1993*.
3. That Council adopts the revised paragraph of 11.3 within the Broken Hill Regional Art Gallery Collection Management Policy to

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comply with the guidelines of the Federal Government Office of Arts in relation to donations through the Commonwealth Cultural Gifts Program.

4. That Council adopts the revised Broken Hill Regional Art Gallery Collection Management Policy as a Policy of Council.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Crs R Algate and T Kennedy

ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 156/21 - DATED MAY 07, 2021 - DRAFT BUSINESS SUPPORT POLICY FOR SECOND ROUND OF PUBLIC EXHIBITION 11/407

RESOLUTION

Minute No. 46643

Deputy Mayor C Adams moved)
Councillor M Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 156/21 dated May 7, 2021, be received.
2. That due to significant amendments, Council publicly exhibits the draft Business Support Policy for a second time and accepts submissions from the public for a period of 28 days.
3. That Council publicly exhibits the Draft Business Support Policy and accepts submissions from the public for a period of 28 days.
4. That Council receives a further report at the conclusion of the exhibition period, detailing submissions and any recommended changes arising, with a view to adopting the draft Business Support Policy.

CARRIED UNANIMOUSLY

ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 157/21 - DATED AUGUST 31, 2021 - REVIEW OF AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER AND THE OFFICE OF LOCAL GOVERNMENT CONSULTATION DRAFT GUIDELINES FOR NEW RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK FOR COUNCILS AND JOINT ORGANISATIONS 13/19

RESOLUTION

Minute No. 46644

Councillor D Gallagher moved)
Councillor M Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 157/21 dated August 31, 2021, be received.
2. That Council adopts the reviewed Charter of the Audit, Risk and Improvement Committee.
3. That the Office of Local Government draft guidelines for new risk management and

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internal audit framework for Councils and Joint Organisations be received and noted.

4. That Council's Audit, Risk and Improvement Committee formulate a submission to the Office of Local Government for presentation to Council for adoption.
5. That Council's submission be forwarded to the Office of Local Government prior to 26 November 2021.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Crs R Algate and T Kennedy

ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 158/21 - DATED SEPTEMBER 20, 2021 - 2020/2021 DRAFT ANNUAL FINANCIAL STATEMENTS 19/74

RESOLUTION

Minute No. 46645

Councillor M Browne moved)
Councillor M Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 158/21 dated September 20, 2021, be received.
2. That the 2020/2021 Draft Primary Financial Statements as attached be received.
3. That the 2020/2021 Draft Primary Financial Statements as attached be referred to audit.
4. That Council adopt the attached Statements of Opinion on the 2020/21 General Purpose and Special Purpose Financial Statements and the Mayor, the Deputy Mayor, the General Manager and the Responsible Accounting Officer sign the Statements in accordance with Section 413(2)(c) of the *Local Government Act 1993*.
5. That Council delegate to the General Manager the authority to finalise the date at which the auditor's report and financial statements are to be presented to the public.
6. That Council delegate the General Manager the authority to authorise the 2020/21 General Purpose and Special Purpose Financial Statements and associated Special Schedules for issue immediately upon receipt of the auditors reports subject to there being no material audit changes or audit issues, in accordance with AASB 110.

CARRIED

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FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Crs R Algate and T Kennedy

ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 159/21 - DATED SEPTEMBER 22, 2021 - COVID-19 PRELIMINARY IMPACTS TO BUDGET AND MAJOR PROJECTS 16/165

RESOLUTION

Minute No. 46646

Deputy Mayor C Adams moved)
Councillor M Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 159/21 dated September 22, 2021, be received.
2. That Council note the business disruption created by COVID-19 and the requirement to review, change and improve business practices to ensure long-term sustainability.
3. That Council note the budgetary and major project implications as a result of COVID-19 and review processes put in place.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Crs R Algate and T Kennedy

ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 160/21 - DATED SEPTEMBER 07, 2021 - MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 19 AUGUST 2021 13/19

RESOLUTION

Minute No. 46647

Councillor J Nolan moved)
Councillor D Gallagher seconded)

Resolved

1. That Broken Hill City Council Report No. 160/21 dated September 7, 2021, be received.
2. That minutes of the Audit, Risk and Improvement Committee meeting held 19 August 2021 be received.

CARRIED UNANIMOUSLY

ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 161/21 - DATED SEPTEMBER 10, 2021 - INVESTMENT REPORT FOR AUGUST 2021 17/82

RESOLUTION

Minute No. 46648

Councillor J Nolan moved)
Councillor M Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 161/21 dated September 10, 2021, be received.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Crs R Algate and T Kennedy

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**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 162/21 - DATED SEPTEMBER 09, 2021 -
TOURISM MARKETING BRANDING AND CAMPAIGN REPORT** 11/407

RESOLUTION

Minute No. 46649

Councillor M Clark moved)
Deputy Mayor C Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 162/21 dated September 9, 2021, be received.
2. That the results of the tourism marketing campaign be received.
3. That Council endorses the branding guidelines to support future tourism marketing to capitalise on the brand awareness created in the campaign and a consistent brand in visitor psyche.

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan, R Page and D Turley
AGAINST: Crs R Algate and T Kennedy

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 163/21 - DATED SEPTEMBER 17, 2021 -
MINUTES OF THE LOCAL TRAFFIC COMMITTEE - MEETING NO. 417 HELD TUESDAY, 7
SEPTEMBER 2021** 11/514

Councillor Gallagher declared an interest in Item 14 and left the meeting at 7:13pm.

RESOLUTION

Minute No. 46650

Councillor M Browne moved)
Deputy Mayor C Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 163/21 dated September 17, 2021, be received.
2. That the minutes from the Local Traffic Committee – Meeting No. 417 held, Tuesday, 7 September 2021 be received.
3. That the bus zone sign in Garnet Street (front of Broken Hill High School) be moved in a southerly direction to allow for an extra two 5-minute timed parking spaces to be installed between the existing drop-off parking space and the bus zone to allow for children to be dropped off at the front of the Broken Hill High School.

CARRIED UNANIMOUSLY

Councillor Gallagher returned to the meeting at 7:14pm. The Mayor advised Councillor Gallagher that Council had adopted the report recommendation of Item 14.

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**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 164/21 - DATED SEPTEMBER 09, 2021 -
ACTION LIST REPORT** 11/21

RESOLUTION

Minute No. 46651

Councillor D Gallagher moved)

Councillor J Nolan seconded)

Resolved

1. That Broken Hill City Council Report No. 164/21 dated September 9, 2021, be received.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 165/21 - DATED JULY 28, 2021 - S355
COMMITTEE - 2020-2021 ANNUAL AND FINANCIAL REPORTS** 16/9

RESOLUTION

Minute No. 46652

Deputy Mayor C Adams moved)

Councillor M Clark seconded)

Resolved

1. That Broken Hill City Council Report No. 165/21 dated July 28, 2021, be received.
2. That the 2020/2021 Alma Oval Community Committee Annual and Financial Reports be received and noted.
3. That the 2020/2021 BIU Band Hall Community Committee Annual Report be received and noted.
4. That the 2020/2021 Memorial Oval Community Committee Annual Report, Financial Report and End of Term Report be received and noted.
5. That the 2020/2021 Picton Oval Community Committee Annual and Financial Reports be received and noted.
6. That the 2020/2021 Norm Fox Sportsground Community Committee Annual and Financial Reports be received and noted.
7. That the 2020/2021 Riddiford Arboretum Management Committee Annual Report and End of Term Report be received and noted.
8. That the 2020/2021 Friends of the Flora and Fauna of the Barrier Ranges Community Committee Annual Report and End of Term Report be received and noted.
9. That the 2020/2021 Broken Hill Regional Art Gallery Advisory Committee Annual Report be received and noted.

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10. That the 2020/2021 Broken Hill Heritage Committee Annual Report and End of Term Report be received and noted.

11. That the 2020/2021 Community Strategic Roundtable Annual Report and End of Term Report be received and noted.

CARRIED UNANIMOUSLY

ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 166/21 - DATED AUGUST 27, 2021 - MINUTES OF THE BROKEN HILL REGIONAL ART GALLERY ADVISORY COMMITTEE MEETING HELD 4 AUGUST 2021 12/46

Recommendation

1. That Broken Hill City Council Report No. 166/21 dated August 27, 2021, be received.
2. That the minutes of the Broken Hill Regional Art Gallery Advisory Committee Meeting held 4 August 2021 be received.

ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 167/21 - DATED SEPTEMBER 06, 2021 - MINUTES OF THE BIU BAND HALL COMMUNITY COMMITTEE MEETINGS 16/8

Recommendation

1. That Broken Hill City Council Report No. 167/21 dated September 6, 2021, be received.
2. That the minutes of the BIU Band Hall Community Committee Meetings held 11 August 2020, 15 December 2020, 30 March 2021 and 15 June 2021 be received.

Minute No. 46653

Deputy Mayor C Adams moved) That the recommendations of items 17 and 18 be
Councillor M Clark seconded) adopted.

CARRIED UNANIMOUSLY

QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING

Nil.

QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA

Essential Energy's proposed water and sewage charges

Councillor Kennedy asked whether Council has forwarded a submission to the IPART review into Essential Energy's proposed water and sewage charges for Broken Hill?

The Mayor advised that a Councillor Workshop will be held to formulate Council's submission prior to the submission deadline of 22 October 2021.

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RESOLUTION

Minute No. 46654

Councillor D Gallagher moved)
Councillor J Nolan seconded)

Resolved

That the meeting move into closed session in accordance with *Section 10A(2) of the Local Government Act 1993* whilst the confidential matters are considered

CARRIED UNANIMOUSLY

The meeting closed to the public with the meeting recording ceasing at 7:22pm. All Councillors and staff remained in the meeting.

CONFIDENTIAL MATTERS

ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 168/21 - DATED SEPTEMBER 24, 2021 - CIVIC CENTRE LEGAL ACTION UPDATE - CONFIDENTIAL 17/186, 17/114, 18/134

(General Manager's Note: This report considers a current legal matter and 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).

RESOLUTION

Minute No. 46655

Councillor M Clark moved)
Deputy Mayor C Adams seconded)

Resolved

1. That Broken Hill City Council Report No. 168/21 dated September 24, 2021, be received.
2. That Council approve the increase in budget as per the below report and attached cost schedule to see the case through to fruition.
3. That Council note and endorse the proposed recommendations within the report to limit Council's legal and financial exposure and protect Council's interests.
4. That further reports and updates be provided to Council on the proposed recommendations when necessary

CARRIED

FOR: Crs C Adams, M Browne, M Clark, D Gallagher, B Licul, J Nolan and D Turley
AGAINST: Crs R Algate, T Kennedy and R Page

The meeting resumed in open session and the meeting recording recommenced at 8:00pm.

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

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There being no further business the Mayor closed the meeting at 8:01pm.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 27 OCTOBER 2021.)

CHAIRPERSON