
MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD
FEBRUARY 02, 2022

Meeting commenced at 5:00pm.

REQUESTS FOR COUNCILLOR ATTENDANCE VIA AUDIO-VISUAL LINK:

As per the temporary amendment to the *Local Government (General) Regulation 2021* (which was extended until 30 June 2022 while NSW Councils adopt their new Codes of Meeting Practice due to the release of the OLG 2021 Model Code of Meeting Practice). The temporary amendment exempts Councils from complying with the requirement under their Codes of Meeting Practice for Councillors to be personally present at meetings to participate in them, and to allow Councillors to attend via audio-visual link where these facilities are available and once resolved by Council – the following Councillors have requested to join the Council Meeting via audio-visual link:

1. **Councillor Darriea Turley** – requests attendance via audio-visual link and has provided the reason:
“self-isolation due to Public Health Order as close family member has been diagnosed with COVID-19”.

RESOLUTION

Minute No. 46727

Councillor M Browne moved
Councillor D Gallagher seconded

Resolved

) That the request submitted by Councillor Turley
) to attend the meeting via audio-visual link be
accepted.

CARRIED UNANIMOUSLY

PRESENT:

Councillor T. Kennedy (Mayor) Councillor J. Hickey (Deputy Mayor),
Councillors B. Algate, M. Boland, M. Browne, D. Gallagher, H. Jewitt,
R. Page and D. Turley (audio-visual link).

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

Media - nil, Members of the Public - nil.

APOLOGIES:

Nil.

ABSENT:

Councillor A. Chandler.

PRAYER

Councillor Boland delivered the prayer.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Gallagher delivered the Acknowledgment of Country.

PURPOSE OF THE MEETING

The Extraordinary Meeting has been called to consider the following item of business:

1. Mayoral Minute No. 1/22 dated February 01, 2022 – Civic Centre Legal Matter -
CONFIDENTIAL

DISCLOSURE OF INTEREST

Nil.

RESOLUTION

Minute No. 46728

Deputy Mayor J Hickey moved)
Councillor M Browne 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

CONFIDENTIAL MATTERS

RESOLUTION

Minute No. 46729

Councillor D Gallagher moved)
Councillor M Boland seconded)

Resolved

That Standing Orders be suspended to allow Councillors to fully discuss Item 1.

CARRIED UNANIMOUSLY

The meeting moved into closed session at 5:03pm

ITEM 1 - MAYORAL MINUTE NO. 1/22 - DATED FEBRUARY 01, 2022 - CIVIC CENTRE LEGAL MATTER - CONFIDENTIAL

D22/4828

(General Manager's Note: This report considers a 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. 46730

Mayor T Kennedy moved)
Councillor R Page seconded)

Resolved

1. That Mayoral Minute No. 1/22 dated February 1, 2022, be received.
2. That Council authorise Redenbach Legal to negotiate within the defined settlement range and as per Senior Counsel advice, during mediation scheduled for Thursday February 2022.

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3. That Council authorise the Mayor and General Manager to sign and execute all necessary paperwork, agreements, and court documents to finalise the matter, if agreement is reached within the defined settlement range.
4. That if mediation is not successful, Council proceeds to arbitration scheduled for March 2022.

CARRIED UNANIMOUSLY

RESOLUTION

Minute No. 46731

Councillor R Algate moved)
Councillor M Browne seconded)

Resolved

That the meeting resume in open session.

CARRIED UNANIMOUSLY

The meeting resumed in open session at 5:10pm.

At the Mayor's invitation, the General Manager reported on the resolution of the confidential matter.

There being no further business the Mayor closed the meeting at 5:12 p.m.

THE FOREGOING MINUTES WERE READ)
AND CONFIRMED AT THE ORDINARY)
MEETING OF THE BROKEN HILL CITY)
COUNCIL HELD ON 23 FEBRUARY 2022)

CHAIRPERSON