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MINUTES OF THE EXTRAORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
OCTOBER 06, 2020

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*Due to the COVID-19 pandemic and the government's protocol for social distancing and indoor gatherings, the meeting was closed to the public. The meeting was held via videoconference.*

Meeting commenced at 6:30pm

**PRESENT:** Councillor D. Turley (Mayor) Councillor C. Adams (Deputy Mayor),  
Councillors B. Algate, M. Clark, D. Gallagher, T. Kennedy,  
B. Licul, J. Nolan and R. Page (part of the meeting).

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

Media and Members of the Public - nil

**APOLOGIES:** Councillor M. Browne.

**RESOLUTION**

**Resolved**

Minute No. 46363

Councillor C. Adams moved )

Councillor B. Licul seconded )

That the apology submitted by Councillor  
Browne be accepted and leave of absence  
granted.

CARRIED UNANIMOUSLY

*Councillor Page left the meeting at 6:32pm due to technical issues.*

**PRAYER**

Councillor Adams delivered the prayer.

**ACKNOWLEDGEMENT OF COUNTRY**

Councillor Gallagher delivered the Acknowledgment of Country.

*Councillor Page returned to the meeting at 6:34pm*

**PURPOSE OF THE MEETING**

To consider the following report:

**ITEM 1** - Broken Hill City Council Report No. 134/20 - dated October 06, 2020 - Civic Centre  
Rectification Litigation - **CONFIDENTIAL**

17/114

## DISCLOSURE OF INTEREST

Nil.

### RESOLUTION

### Resolved

#### Minute No. 46364

Councillor B. Licul moved ) That the meeting be closed to the public in  
Councillor M. Clark seconded ) accordance with Section 10A(2) of the Local  
Government Act 1993 to consider the  
confidential matter.

CARRIED

FOR: Crs Adams, Clark, Gallagher, Licul, Nolan, Page and Turley  
AGAINST: Crs Algate and Kennedy

*The Livestream of the Council Meeting ceased at 6:36pm and the meeting moved into closed session.*

## CONFIDENTIAL MATTERS

### ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 134/20 - DATED OCTOBER 06, 2020 - CIVIC CENTRE RECTIFICATION LITIGATION - CONFIDENTIAL

17/114

**(General Manager's Note:** This report considers Civic Centre Litigation 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

### Resolved

#### Minute No. 46365

Councillor C. Adams moved ) 1. That Broken Hill City Council Report No.  
Councillor M. Clark seconded ) 134/20 dated October 6, 2020, be received.  
2. That Council authorise Redenbach Legal to  
negotiate within the defined settlement range  
as per Senior Counsel advice, during  
mediation scheduled for Thursday 8 October  
2020.  
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 made within the defined  
settlement range.

CARRIED

FOR: Crs Adams, Clark, Gallagher, Licul, Nolan, Page and Turley  
AGAINST: Crs Algate and Kennedy

*The meeting resumed in open session and the Livestream recommenced at 7:12pm*

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The Acting General Manager read the resolution of the confidential item.

There being no further business the Mayor closed the meeting at 7:13pm.

THE FOREGOING MINUTES WERE READ )  
AND CONFIRMED AT THE ORDINARY )  
MEETING OF THE BROKEN HILL CITY )  
COUNCIL HELD ON 28 OCTOBER 2020 )

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CHAIRPERSON