



MINUTES

**Ordinary Council Meeting
Tuesday, 29 November 2022**

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**MINUTES OF CITY OF DARWIN
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS DARRANDIRRA, LEVEL 1, CIVIC CENTRE, HARRY
CHAN AVENUE, DARWIN
ON TUESDAY, 29 NOVEMBER 2022 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Councillor Paul Arnold, Councillor Jimmy Bouhoris, Councillor Kim Farrar, Councillor Sylvia Klonaris, Councillor Brian O'Gallagher, Councillor Mick Palmer, Councillor Peter Pangquee, Councillor Morgan Rickard, Councillor Ed Smelt, Councillor Amye Un
- OFFICERS:** Simone Saunders (Chief Executive Officer), Chris Kelly (Acting General Manager Corporate), Matt Grassmayr (General Manager Community), Alice Percy (General Manager Innovation)
- Gemma Perkins (Coordinator Councillor Governance and Support), Ruiha Maskovich (Council Protocols and Grants Officer), Irene Frazis (Executive Manager Finance), Emma Struys (Executive Manager Growth and Economic Development), Angela O'Donnell (Executive Manager Community and Cultural Services), Jedda Bennett-Kellam (Coordinator Civil Infrastructure), Fred McCue (Public Relations and External Affairs Advisor)
- NOT PRESENT:** Deputy Lord Mayor Vim Sharma, Councillor Rebecca Want de Rowe
- GUESTS:** Darwin Living Lab

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1 ACKNOWLEDGEMENT OF COUNTRY

We the members of City of Darwin acknowledge that we are meeting on Larrakia Country.

We recognise and pay our respects to all Larrakia people, Traditional Owners and Custodian Elders of the past and present.

We support emerging Larrakia leaders now and into the future.

We are committed to working together with all Larrakia to care for this land and sea for our shared future.

2 THE LORD'S PRAYER

Our Father, who art in heaven, hallowed be thy name; thy kingdom come; thy will be done; on earth as it is in heaven.

Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation; but deliver us from evil.

For thine is the kingdom, the power, and the glory for ever and ever.

Amen.

3 MEETING DECLARED OPEN

RESOLUTION ORD156/22

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Amye Un

The Chair declared the meeting open at 5.34 pm.

CARRIED 11/0

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 APOLOGIES

NIL

4.2 LEAVE OF ABSENCE GRANTED

NIL

4.3 LEAVE OF ABSENCE REQUESTED

NIL

5 ELECTRONIC MEETING ATTENDANCE

5.1 ELECTRONIC MEETING ATTENDANCE GRANTED

NIL

5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED

NIL

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

6.1 DECLARATION OF INTEREST BY MEMBERS

RESOLUTION ORD157/22

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Paul Arnold

- A. THAT Council note that pursuant to Section 114 & 115 of the *Local Government Act 2019*, Councillor Peter Pangquee, declared a Conflict of Interest in Item 26.5
- B. THAT Council note that pursuant to Section 114 & 115 of the *Local Government Act 2019*, Councillor Mick Palmer, declared a Conflict of Interest in Item 26.5

CARRIED 11/0

6.2 DECLARATION OF INTEREST BY STAFF

NIL

7 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION ORD158/22

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Ed Smelt

That the minutes of the Ordinary Council Meeting held on 15 November 2022 be confirmed.

CARRIED 11/0

8 MOVING OF ITEMS

8.1 MOVING OF OPEN ITEMS INTO CONFIDENTIAL

NIL

8.2 MOVING OF CONFIDENTIAL ITEMS INTO OPEN

NIL

8.3 MOVING CONFIDENTIAL ITEMS TO OPEN AT THE CONCLUSION OF THE MEETING**26.1 NIGHTCLIFF VILLAGE MASTERPLAN****RESOLUTION ORD159/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Morgan Rickard

1. THAT the report entitled Nightcliff Village Masterplan be received and noted.
2. THAT Council endorse the Nightcliff Village Masterplan to be released for public comment.
3. THAT this report and any attachments be deemed confidential documents and be treated as such in accordance with Section 293(1) of the *Local Government Act 2019*.
4. THAT the documents remain confidential until they are released for Public comment and that this decision be moved into Open at the end of the meeting.

CARRIED 11/0**26.2 ENDORSEMENT OF FOOTBALL NT PROPOSED FACILITIES - FANNIE BAY AND MALAK OVALS****RESOLUTION ORD160/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Amye Un

1. THAT the report entitled Endorsement of Football NT proposed facilities – Fannie Bay and Malak Ovals be received and noted.
2. THAT Council provide approval for Football NT to proceed with design and construction of the proposed facilities at Fannie Bay and Malak Oval as detailed in **Attachments 1 and 2**, subject to the following conditions:
 - (a) That appropriate approvals for construction and certification requirements are met for the building structures.
 - (b) The building design is amended to ensure the Universal Accessible Toilet can be accessed without needing to enter through the parenting room or medical room and all pathways, ramps (if required) and general access meet or exceed Australian standards.
 - (c) That City of Darwin representative/s join the Project Control Group.
 - (d) That on practical completion and certification of the building structures, the facilities at Fannie Bay and Malak Oval become assets of City of Darwin and that a Deed of Agreement is established with Football NT for use of the facilities.
3. THAT Council refer an annual ongoing allocation of \$74,000 for the maintenance of Fannie Bay and Malak Ovals facilities to the 2022/23 Budget deliberations.
4. THAT this report and any attachments be deemed confidential documents and be treated as such in accordance with Section 293(1) of the *Local Government Act 2019*.

5. THAT the documents remain confidential and that this decision be moved into Open at the end of the meeting.

CARRIED 11/0

26.3 UPDATE ON BOM WEATHER STATION AT EAST POINT RESERVE

RESOLUTION ORD161/22

Moved: Councillor Morgan Rickard

Seconded: Councillor Ed Smelt

1. THAT the report entitled Update on BOM weather station at East Point Reserve be received and noted.
2. THAT Council resolve to change the length of lease to Commonwealth of Australia as represented by the Bureau of Meteorology (BOM) from a 10 year plus 10-year option as per resolution ORD428/21 to a 12-year lease with no option to renew.
3. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to negotiate and finalise the lease and terms and conditions.
4. THAT this report and any attachments be deemed confidential documents and be treated as such in accordance with Section 293 (1) of the *Local Government Act 2019*.
5. THAT the documents remain confidential, and that this decision be moved into Open at the end of the meeting.

CARRIED 11/0

26.8 UPDATE ON NEURON AGREEMENT

RESOLUTION ORD162/22

Moved: Councillor Kim Farrar

Seconded: Councillor Paul Arnold

1. THAT the report entitled Update on Neuron Agreement be received and noted.
2. THAT Council endorse a 3-month extension from 28 November 2022 to 28 February 2023 to operate on City of Darwin land within the current geospatial area and conditions.
3. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to negotiate the terms for the provision of Neuron e-bikes and scooters within the City of Darwin Municipality for an additional three months.
4. THAT this report and any attachments be deemed confidential documents and be treated as such in accordance with Section 293 (1) of the *Local Government Act 2019*.
5. THAT the documents remain confidential, and that this decision be moved into Open at the end of the meeting.

CARRIED 10/1

27.2 2022 PRE-CYCLONE CLEAN UP UPDATE AND PROPOSED IMPROVEMENTS

RESOLUTION ORD163/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Amye Un

1. THAT the report entitled 2022 Pre-Cyclone Clean Up Update and Proposed Improvements be received and noted.
2. THAT this report and any attachments be deemed confidential documents and be treated as such in accordance with Section 293(1) of the *Local Government Act 2019*.
3. THAT the documents remain confidential and that this decision be moved into Open at the end of the meeting.

CARRIED 11/0

9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

NIL

10 PUBLIC QUESTION TIME

NIL

11 PETITIONS

NIL

12 DEPUTATIONS AND BRIEFINGS

12.1 DARWIN LIVING LAB

RESOLUTION ORD164/22

Moved: Councillor Mick Palmer

Seconded: Councillor Morgan Rickard

THAT the the presentation from Darwin Living Lab, in relation to the research to support the vision of Darwin as a cooler and more liveable tropical city, be received and noted.

CARRIED 11/0

13 NOTICES OF MOTION

13.1 NOTICE OF MOTION - SALE OF WALKWAY 239, COCONUT GROVE

I, Councillor Ed Smelt, give notice that at the next Ordinary Council Meeting on 29 November 2022, I will move the following motion:-

RESOLUTION ORD165/22

Moved: Councillor Ed Smelt

Seconded: Councillor Morgan Rickard

1. THAT Council endorse officers to continue the process to sell walkway 239, Coconut Grove.
2. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to negotiate the terms and conditions for the sale of walkway 239, Coconut Grove.
3. THAT Council write to the Minister for Local Government to seek approval to permanently close walkway 239, Coconut Grove.
4. THAT a report is presented to Council prior to the sale of walkway 239, Coconut Grove presenting the outcomes of the sale negotiations.

CARRIED 11/0

Councillor Amye Un departed the meeting at 5:56 pm.

14 ACTION REPORTS

14.1 DEVELOPMENT APPLICATION - LOT 7587 (68) MITCHELL STREET, DARWIN

RESOLUTION ORD166/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Mick Palmer

1. THAT the report entitled 'Development Application - Lot 7587 (68) Mitchell Street, Darwin' be received and noted.
2. THAT Council approves the removal of the seven on-street car parking bays in Mott Court.
3. THAT Council seeks a financial contribution for the seven bays, and that the contribution is payable to the amount detailed in Council's Car Parking Contribution Plan – Central Business Zone.
4. THAT Council approves the sunshades located in the road reserve and pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to finalise a permit for proposed building elements over the road reserve.
5. THAT Council does not support any substation doors opening out over the City of Darwin footpath, or road reserve.
6. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to finalise all works pertaining to relocation of the Right of Way Easement through Lot 7587, aligning the easement up with the pedestrian access through the site, as approved through the development process.

CARRIED 10/0

Councillor Amye Un re-joined the meeting at 5:57 pm.

14.2 SUBMISSION TO INQUIRY INTO COMMUNITY SAFETY, SUPPORT SERVICES AND JOB OPPORTUNITIES IN THE NORTHERN TERRITORY**RESOLUTION ORD167/22**

Moved: Councillor Mick Palmer

Seconded: Councillor Ed Smelt

1. THAT the report entitled Submission to Inquiry into Community Safety, Support Services and Job Opportunities be received and noted.
2. THAT Council endorse the draft submission at **Attachment 1** for the Inquiry into Community Safety, Support Services and Job Opportunities in the Northern Territory.

CARRIED 11/0**14.3 COMMUNITY CONSULTATION OUTCOME - WALKWAY 191 - KOOLAMA CRESCENT TO MCMILLANS ROAD KARAMA****RESOLUTION ORD168/22**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Sylvia Klonaris

1. THAT the report entitled Community Consultation Outcome – Walkway 191 Koolama Crescent to McMillans Road Karama be received and noted.
2. THAT Council approve the night-time closure of Walkway 191 from 9:30pm to 5:30am, seven days per week.

CARRIED 11/0**14.4 REVIEW CHIEF EXECUTIVE OFFICER CODE OF CONDUCT POLICY****RESOLUTION ORD169/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Amye Un

1. THAT the report entitled Review Chief Executive Officer Code of Conduct Policy be received and noted.
2. THAT Council adopts the revised CEO Code of Conduct at **Attachment 1**.

CARRIED 11/0

14.5 MAJOR PROJECT FINANCIAL THRESHOLD**MOTION**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Paul Arnold

1. THAT the report entitled Major Project Financial Threshold be received and noted.
2. THAT Council approve the financial threshold for reporting on major capital projects for the monthly financial report be set at \$10 million per project.

RESOLUTION ORD170/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Paul Arnold

1. THAT the report entitled Major Project Financial Threshold be received and noted.
2. THAT Council approve the financial threshold for reporting on major capital projects for the monthly financial report be set at \$5 million per project.

CARRIED 11/0

14.6 NOMINATION TO THE NEIGHBOURHOOD WATCH NT BOARD**RESOLUTION ORD171/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Morgan Rickard

1. THAT the report entitled Nomination to the Neighbourhood Watch NT Board be received and noted.
2. THAT Council endorse the nomination of Councillor Brian O'Gallagher to the Neighbourhood Watch NT Board.

CARRIED 11/0

Councillor Mick Palmer departed the meeting at 6:13 pm.

15 RECEIVE & NOTE REPORTS**15.1 MONTHLY FINANCIAL REPORT - OCTOBER 2022****RESOLUTION ORD172/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Amye Un

THAT the report entitled Provisional Monthly Financial Report – October 2022 be received and noted.

CARRIED 10/0

Councillor Mick Palmer re-joined the meeting at 6:15 pm.

Item 15.3 and 15.4 were considered as the next Items of business

15.3 PLAY SPACE STRATEGY 2022-2030 CONSULTATION OUTCOMES

RESOLUTION ORD173/22

Moved: Councillor Ed Smelt

Seconded: Councillor Peter Pangquee

1. THAT the report entitled Play Space Strategy 2022-2030 Consultation Outcomes be received and noted.
2. THAT Council note that the finalised Play Space Strategy be presented to Council for endorsement in early 2023.

CARRIED 11/0

15.4 DARWIN LIVING LAB UPDATE

RESOLUTION ORD174/22

Moved: Councillor Morgan Rickard

Seconded: Lord Mayor Kon Vatskalis

THAT the report entitled Darwin Living Lab Update be received and noted.

CARRIED 11/0

15.2 REVIEW OF MUNICIPAL NON DEFAULT SPEED LIMITS - PROGRESS REPORT

RESOLUTION ORD175/22

Moved: Councillor Mick Palmer

Seconded: Councillor Morgan Rickard

THAT the report entitled Review of Municipal Non-Default Speed Limits – Progress Report be received and noted.

CARRIED 11/0

15.5 POLICY MANAGEMENT - 23RD COUNCIL POLICY REVIEW SCHEDULE

RESOLUTION ORD176/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Mick Palmer

1. THAT the report entitled Policy Management – 23rd Council Policy Review Schedule be received and noted.
2. THAT Council notes the list of policies contained within the report which are scheduled for review and adoption at the nominated meeting dates and no later than 30 June 2023.

CARRIED 11/0

16 REPORTS OF REPRESENTATIVES**RESOLUTION ORD177/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Morgan Rickard

THAT the following Reports of Representatives be received and noted.

16.1

Councillor Amye Un reported that she attended the International Men's Day Forum. Listened to the stories from the men,. they are trying their best and working hard to improve their skills. Thank you to the team and General Manager Community.

16.2

Councillor Peter Pangquee reported on attending the LGANT Annual General Meeting and acknowledged that the Lord Mayor was elected President for another term, along with his own. Also in attendance was seven (7) Ministers and sixteen (16) Councils and the main focus topics being discussed was anti-social behaviour, the impact and things that can be done in the community. For example creating cyclone shelters in the community, allowing people to stay in the community as opposed to being transferred to Darwin or Katherine.

Councillor Peter Pangquee also reported on his attendance to the Reconciliation Action Plan (RAP) Advisory Committee meeting on the 14 November 2022. The main work focus is a new RAP, which will hopefully come to Council for review in April/May 2022. Also attended the Top End Tourism Board, and Tree Committee Meeting.

16.3

The Lord Mayor reported on attending the LGANT Annual General Meeting with Councillor Peter Pangquee. First day was workshops, participated in excellent presentation on Advocacy and how to lobby your Government to achieve what you want, and to use your full capacity and engagement of your people to engage the Government. This was the first time that the whole cabinet attended, and LGANT now has a commitment from the Chief Minister of the Northern Territory to attend these meetings twice a year.

16.4

Councillor Sylvia Klonaris reported that herself and Councillor Kim Farrar represented for the City of Darwin (CoD) at the Darwin City Brass Band christmas party. Very heartwarming to see a young audience learning how to play instruments. I would like to see how we can promote or provide some sponsorship and contribute more to the children who do play there.

16.5

Councillor Kim Farrar passed on messages to the CoD and the Lord Mayor from Ron the Brass Band leader that they really appreciate the support from CoD. I met some really interesting people, including an amazing man called Frank Haddick, an 86 year old resident from Wulagi who was a volunteer with Saint John's for 21 years, and has been a brass band member for 40 years. I was sad to hear his struggles with accessibility issues with his mobility scooter at his residence, and asked if CoD could do something with the footpaths in his area.

16.6

Councillor Morgan Rickard reported on attending the final Arts and Culture meeting for the year, and it was a great group. I just wanted to give credit to the Chair, who does a great job. It is pleasing to see how engaged the arts community is at the Local Government level, which is supported by the great work that the broader communities and teams do through our small grants programs etc. One of the outcomes of the great work that the team has done, is that I got to see progress photos for the upcoming installation of the mermaid tail that is being put in the Esplanade next year.

16.7

Councillor Jmmy Bouhoris reported on attending the Christmas pageant, it was the greatest thing to be a part of. I would like to say thank you to the staff who worked hard along side with the Activate Darwin Crew. Also to my fellow Councillor Paul Arnold, for his judging on the day and to the Laksa Queen who was the very best dressed person on the float. Once again CoD has gone above and beyond, this is the first and probably one of the best things that I have been involved in for the past 6 years. I would like the support of the Councillors to make sure we give the appropriate monies to ensure that this event is bigger and better next year.

CARRIED 11/0**17 QUESTIONS BY MEMBERS****17.1 CHAN WARD - TREE PLANTING PROJECT****RESOLUTION ORD178/22**

Moved: Councillor Morgan Rickard

Seconded: Councillor Ed Smelt

Question:

Councillor Ed Smelt requested an update on the Better Surburbs Projects for Chan Ward – Tree planting project for Fizner Drive. This was planned to be completed before Christmas, would like to know when this will be happen?

Answer: The Acting General Manager Corporate Services, took the question on notice and will provide a response

.CARRIED 11/0**17.2 GYM EQUIPMENT - WANGURI OVAL****RESOLUTION ORD179/22**

Moved: Councillor Morgan Rickard

Seconded: Councillor Ed Smelt

Question:

Councillor Jimmy Bohouris enquired about the gym equipment at Wanguri Oval and where are we at?

Answer:

The Coordinator Civil Infrastructure advised that they are currently doing a safety investigation on the proposal, and that a tender has been awarded to complete the work, waiting on ordering the equipment. Once received, there is an expected 6 to 8 weeks for delivery, and a couple of weeks to install. Expected completion is in about 3 months time.

CARRIED 11/0

17.3 EAST POINT GYM - LIGHTING**RESOLUTION ORD180/22**

Moved: Councillor Morgan Rickard

Seconded: Councillor Ed Smelt

Question:

Councillor Amye Un enquired asked the Bar Brothers and Sisters regarding Councillors Paul Arnolds question regarding lighting. I would like to know if you can provide information on what light was fixed at the east point gym?

Answer:

The General Manager Community responded and advised that the Bar Brothers have a proposal and they want to come to the Council to utilise grant funds, and one of the options they are looking at is to add additional lighting into the gym at East Point. They need to find out if they can transfer the funds, and if they can they will come to the Council with a proposal on how they want to spend the monies.

CARRIED 11/0

17.4 NINJA PARK - EXPECTED COMPLETION DATE**RESOLUTION ORD181/22**

Moved: Councillor Morgan Rickard

Seconded: Councillor Ed Smelt

Question:

Councillor Kim Farrar enquired about Ninja Park and when is this going ahead, and has the tender been awarded. Would like to invite to Brass Band to the opening?

Answer: The Coordinator Civil Infrastructure advised that the tender has been awarded, and we are getting ready to order the equipment, 6-8 weeks delivery plus 2-3 weeks for installation.. Expected completion is in about 3 months time.

CARRIED 11/0

17.5 MARRARA - PATHWAY CONSTRUCTION FOR PLAYGROUND**RESOLUTION ORD182/22**

Moved: Councillor Morgan Rickard

Seconded: Councillor Ed Smelt

Question:

Councillor Brian O'Gallagher requested an update on pathway construction for playground in Mararra.

Answer:

The Acting General Manager Corporate Services, took the question on notice and will provide a response.

CARRIED 11/0

18 GENERAL BUSINESS**18.1 CHRISTMAS PAGEANT****RESOLUTION ORD183/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Brian O'Gallagher

The Lord Mayor would like to congratulate everyone that was involved in the Christmas pageant. First time since 1977, fifty floats and seven thousand people attended. Only disappointment is that many of the food shops were closed. It was a great opportunity to bring the community together, the good thing is that the people who attended the pageant also attended the Christmas tree lighting.

CARRIED 11/0

19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**RECOMMENDATIONS**

THAT the next Ordinary Meeting of Council be held on Tuesday, 6 December 2022, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers Darrandirra, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

20 CLOSURE OF MEETING TO THE PUBLIC**RECOMMENDATIONS**

THAT pursuant to Section 99 (2) of the Local Government Act and Regulation 51 of the Local Government (General) Regulations the meeting be closed to the public to consider the Confidential Items of the Agenda.

RECOMMENDATIONS

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 99(2) of the Local Government Act:

26.1 Nightcliff Village Masterplan

This matter is considered to be confidential under Section 99(2) - 51(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to subject to subregulation 51(3) – prejudice the interests of the council or some other person.

26.2 Endorsement of Football NT Proposed Facilities - Fannie Bay and Malak Ovals

This matter is considered to be confidential under Section 99(2) - 51(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

26.3 Update on BOM Weather Station at East Point Reserve

This matter is considered to be confidential under Section 99(2) - 51(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

26.4 Proposed Changes to Parking

This matter is considered to be confidential under Section 99(2) - 51(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information subject to an obligation of confidentiality at law, or in equity.

26.5 Lot 7651 Development Proposal

This matter is considered to be confidential under Section 99(2) - 51(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information subject to an obligation of confidentiality at law, or in equity.

26.6 Electric Vehicle Charger Opportunity

This matter is considered to be confidential under Section 99(2) - 51(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

26.7 Street Food Permit Fee

This matter is considered to be confidential under Section 99(2) - 51(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to subject to subregulation 51(3) – prejudice the interests of the council or some other person.

26.8 Update on Neuron Agreement

This matter is considered to be confidential under Section 99(2) - 51(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage

on, any person.

27.1 Nightcliff Library Expression of Interest

This matter is considered to be confidential under Section 99(2) - 51(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to subject to subregulation 51(3) – prejudice the interests of the council or some other person.

27.2 2022 Pre-Cyclone Clean Up Update and Proposed Improvements

This matter is considered to be confidential under Section 99(2) - 51(b) and 51(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information about the personal circumstances of a resident or ratepayer and information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

27.3 Making Mindil Safe Update

This matter is considered to be confidential under Section 99(2) - 51(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

21 ADJOURNMENT OF MEETING AND MEDIA LIAISON

21.1 ADJOURNMENT OF MEETING AND MEDIA LIAISON

RESOLUTION ORD184/22

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Kim Farrar

THAT the open section of the meeting be adjourned at 6.59 pm

CARRIED 11/0

THAT the open section of the meeting be resumed at 8.50 pm

THAT the chair declared the meeting closed at 8.50 pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 6 December 2022.

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CHAIR