



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 30 August 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, 30 AUGUST 2022 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Deputy Lord Mayor Amye Un, Councillor Paul Arnold, Councillor Jimmy Bouhoris, Councillor Sylvia Klonaris, Councillor Brian O'Gallagher, Councillor Mick Palmer, Councillor Peter Pangquee, Councillor Morgan Rickard, Councillor Ed Smelt
- OFFICERS:** Simone Saunders (Chief Executive Officer), Matt Grassmayr (General Manager Community), Alice Percy (General Manager Innovation)
- Gemma Perkins (Coordinator Councillor Governance and Support), Edith Heiberg (Governance Projects Officer), Irene Frazis (Executive Manager Finance), Nik Kleine (Executive Manager Infrastructure), Michael De Luca (Executive Manager Innovation and Information Services), Drosso Lelekis (Executive Manager Technical Services), Dipti Patel (Business Process Improvement Specialist), Keith Whannell (Manager Digital Innovation), Samantha Ratley (Planning and Performance Officer), Fred McCue (Public Relations and External Affairs Advisor)
- APOLOGY:** Councillor Vim Sharma, Councillor Rebecca Want de Rowe, Chris Kelly (Acting General Manager Corporate),
- GUESTS:** Nil

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## Order of Business

|           |  |           |
|-----------|--|-----------|
| <b>1</b>  | <b>Acknowledgement of Country .....</b>  | <b>5</b>  |
| <b>2</b>  | <b>The Lord's Prayer .....</b>   | <b>5</b>  |
| <b>3</b>  | <b>Meeting Declared Open .....</b>   | <b>5</b>  |
| <b>4</b>  | <b>Apologies and Leave of Absence .....</b>                                      | <b>5</b>  |
| <b>5</b>  | <b>Electronic Meeting Attendance.....</b>  | <b>6</b>  |
| <b>6</b>  | <b>Declaration of Interest of Members and Staff .....</b>                        | <b>6</b>  |
| <b>7</b>  | <b>Confirmation of Previous Minutes.....</b>                                     | <b>7</b>  |
| <b>8</b>  | <b>Moving of Items .....</b>   | <b>7</b>  |
| <b>9</b>  | <b>Matters of Public Importance / Lord Mayoral Minute .....</b>                  | <b>8</b>  |
|           | Nil  |           |
| <b>10</b> | <b>Public Question Time .....</b>  | <b>8</b>  |
| <b>11</b> | <b>Petitions .....</b>   | <b>9</b>  |
|           | 11.1 Petition – Closure of Walkway 191 Koolama Court, Karama .....               | 9         |
| <b>12</b> | <b>Deputations and Briefings .....</b>   | <b>9</b>  |
| <b>13</b> | <b>Notices of Motion.....</b>  | <b>9</b>  |
|           | Nil  |           |
| <b>14</b> | <b>Action Reports .....</b>  | <b>10</b> |
|           | 14.1 Review of Finance Policies .....  | 10        |
|           | 14.2 Babylon Bar - On-going Use of the Road Reserve to Operate a Small Bar ..... | 10        |
|           | 14.3 Darwin Christmas Pageant 2022.....  | 11        |
| <b>15</b> | <b>Receive &amp; Note Reports .....</b>  | <b>11</b> |
|           | 15.1 Sister City Proposal from Indonesian Chamber of Commerce and Industry ..... | 11        |
|           | 15.2 Tier 2 Bi-annual Performance Report: January - June 2022.....               | 11        |
|           | 15.3 Provisional Monthly Financial Report - July 2022 .....                      | 12        |
|           | 15.4 Community Advisory Committee Minutes .....                                  | 12        |
| <b>16</b> | <b>Reports of Representatives .....</b>  | <b>12</b> |
| <b>17</b> | <b>Questions by Members .....</b>  | <b>14</b> |
|           | 17.1 Shade in Grebe Park Wulagi .....  | 14        |
|           | 17.2 Rapid Creek Bridge Update.....  | 14        |
|           | 17.3 Maintenance in Lyons.....   | 15        |
|           | 17.4 All Access Gym Equipment in Wanguri .....                                   | 15        |
|           | 17.5 Casuarina Pool Closure .....  | 16        |
|           | 17.6 Underground Power Services in the Northern Suburbs .....                    | 16        |
|           | 17.7 Beautification on Vanderlin Drive .....                                     | 17        |
|           | 17.8 All Access Mats at Mindil Beach.....  | 17        |
| <b>18</b> | <b>General Business.....</b>   | <b>17</b> |

|           |  |           |
|-----------|--|-----------|
| 18.1      | Outgoing Correspondence - Minister for Immigration, Citizenship and Multicultural Affairs - A Pilot Migration Program Proposal ..... | 17        |
| 18.2      | Incoming Correspondence - Ambassador of Japan - Gratitude for Condolence Letter Received .....                                       | 18        |
| <b>19</b> | <b>Date, time and place of next Ordinary Council Meeting .....</b>   | <b>18</b> |
| <b>20</b> | <b>Closure of Meeting to the Public .....</b>  | <b>18</b> |
| <b>21</b> | <b>Adjournment of Meeting and Media Liaison .....</b>  | <b>20</b> |

## 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.

*Councillor Mick Palmer departed the meeting at 5:33 pm.*

## 3 MEETING DECLARED OPEN

### RESOLUTION ORD435/22

Moved: Councillor Ed Smelt

Seconded: Councillor Paul Arnold

The Chair declared the meeting open at 5.33 pm.

**CARRIED 9/0**

## 4 APOLOGIES AND LEAVE OF ABSENCE

### 4.1 APOLOGIES

#### RECOMMENDATIONS

THAT the apology from Councillor Vim Sharma, be received.

## 4.2 LEAVE OF ABSENCE GRANTED

### RECOMMENDATIONS

THAT it be noted Councillor Rebecca Want de Rowe is an apology due to a Leave of Absence previously granted on 16 August 2022 for the period 29 August to 18 September 2022.

## 4.3 LEAVE OF ABSENCE REQUESTED

Nil

## 5 ELECTRONIC MEETING ATTENDANCE

### 5.1 ELECTRONIC MEETING ATTENDANCE GRANTED

Nil

### 5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED

#### RECOMMENDATIONS

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No. 21\0009 – 15/04/12, the following members request Electronic Meeting Attendance:

- A. Councillor Brian O’Gallagher to attend all Council Meetings and Briefing Sessions for the period of 7 September to 27 September 2022.

## 6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

### 6.1 DECLARATION OF INTEREST BY MEMBERS

#### RESOLUTION ORD436/22

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Jimmy Bouhoris

THAT Council note that pursuant to Section 114 and 115 of the *Local Government Act 2019*, Councillor Ed Smelt, declared a Conflict of Interest in Item 26.1 and 26.2.

**CARRIED 9/0**

### 6.2 DECLARATION OF INTEREST BY STAFF

Nil

**7 CONFIRMATION OF PREVIOUS MINUTES****RESOLUTION ORD437/22**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Peter Pangquee

That the minutes of the Ordinary Council Meeting held on 16 August 2022 be confirmed.

**CARRIED 9/0**

**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 REQUESTS REGARDING MARLOW RD ROAD RESERVE****RESOLUTION ORD438/22**

Moved: Councillor Mick Palmer

Seconded: Councillor Amye Un

1. THAT the report entitled Requests Regarding Marlow Rd Road Reserve be received and noted.
2. THAT Council approve in-principle the request for the acquisition of a section of Marlow Rd road reserve by the Northern Territory Government.
3. THAT Council support to undertake community and public consultation on the road closing process in accordance with regulation 19 of the *Local Government (Administration) Regulations*.
4. THAT Council approve the waiver of \$31,575 in Works Permit fees as requested by the Northern Territory Government.
5. 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*.
6. THAT the documents remain confidential and that this decision be moved into Open at the end of the meeting.

**CARRIED 9/0**

**27.1 CORPORATE SERVICES REPORT - JULY 2022****RESOLUTION ORD439/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Peter Pangquee

1. THAT the report entitled Corporate Services Monthly Report – July 2022 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 10/0****27.2 CIVIC CENTRE REDEVELOPMENT - ELECTED MEMBER AND STAFF CONSULTATION OUTCOMES****RESOLUTION ORD440/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Paul Arnold

1. THAT the report Civic Centre Redevelopment – Elected Member and Staff Consultation Outcomes 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 10/0****9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE**

Nil

**10 PUBLIC QUESTION TIME**

Nil



## 11 PETITIONS

### 11.1 PETITION – CLOSURE OF WALKWAY 191 KOOLAMA COURT, KARAMA

#### **RESOLUTION ORD441/22**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Sylvia Klonaris

*Councillor Brian O'Gallagher presented the Petition*

1. THAT the Petition, to seek closure of laneway on Koolama Court, Karama be received and noted.
2. THAT, in accordance with By-law 153(7)(a), the Petition to seek closure of laneway on Koolama Court, Karama be referred to the Community Hub for consideration and a report to return to Council.

**CARRIED 9/0**

## 12 DEPUTATIONS AND BRIEFINGS

Nil

## 13 NOTICES OF MOTION

Nil

## 14 ACTION REPORTS

*Councillor Mick Palmer re-joined the meeting at 5:40 pm.*

### 14.1 REVIEW OF FINANCE POLICIES

#### MOTION

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Amye Un

1. THAT the report entitled Review of Finance Policies be received and noted.
2. THAT Council adopt the Sufficient Interest in the Assessment Record Policy at **Attachment 1**.
3. THAT Council adopt the Financial Hardship Support Policy at **Attachment 2**.

#### AMENDMENT

#### RESOLUTION ORD442/22

Moved: Councillor Ed Smelt

Seconded: Councillor Morgan Rickard

1. THAT the report entitled Review of Finance Policies be received and noted.
2. THAT Council adopt the Sufficient Interest in the Assessment Record Policy at **Attachment 1**.
3. THAT Council adopt the Financial Hardship Support Policy at **Attachment 2**.
4. THAT a link to the financial hardship support policy is added to the 'rates' section of the City of Darwin website with a summary of the policy.

**CARRIED 10/0**

### 14.2 BABYLON BAR - ON-GOING USE OF THE ROAD RESERVE TO OPERATE A SMALL BAR

#### RESOLUTION ORD443/22

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Morgan Rickard

1. THAT the report entitled Babylon Bar – On-going Use of the Road Reserve to Operate a Small Bar, be received and noted.
2. THAT Council endorse the issuing of an on-going permit for Babylon Bar to continue to conduct their business within the Austin Lane road reserve.
3. THAT Council charge permit fees as per City of Darwin's Fees and Charges.

**CARRIED 10/0**

**14.3 DARWIN CHRISTMAS PAGEANT 2022****RESOLUTION ORD444/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Paul Arnold

1. THAT the report entitled Darwin Christmas Pageant 2022 be received and noted.
2. THAT Council endorse for City of Darwin to be a named partner of the Darwin Christmas Pageant to be held in November 2022, which includes the Lord Mayor's lighting of the Christmas tree.

**CARRIED 10/0**

**AMENDMENT****MOTION**

Moved: Councillor Brian O'Gallagher

1. THAT the report entitled Darwin Christmas Pageant 2022 be received and noted.
2. THAT Council endorse the Darwin Christmas Pageant to be held in November 2022. The Lord Mayor's lighting of the Christmas tree to occur on 2 December 2022.

**LOST FOR WANT OF A SECONDER**

**15 RECEIVE & NOTE REPORTS****15.1 SISTER CITY PROPOSAL FROM INDONESIAN CHAMBER OF COMMERCE AND INDUSTRY****RESOLUTION ORD445/22**

Moved: Councillor Amye Un

Seconded: Councillor Brian O'Gallagher

THAT the report entitled Sister City Proposal from Indonesian Chamber of Commerce and Industry be received and noted.

**CARRIED 10/0**

**15.2 TIER 2 BI-ANNUAL PERFORMANCE REPORT: JANUARY - JUNE 2022****RESOLUTION ORD446/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Amye Un

THAT the report entitled Tier 2 Bi-Annual Performance Report: January – June 2022 be received and noted.

**CARRIED 10/0**

**15.3 PROVISIONAL MONTHLY FINANCIAL REPORT - JULY 2022****RESOLUTION ORD447/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Peter Pangquee

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

**CARRIED 10/0**

**15.4 COMMUNITY ADVISORY COMMITTEE MINUTES****RESOLUTION ORD448/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Peter Pangquee

THAT the report entitled Community Advisory Committee Minutes be received and noted.

**CARRIED 10/0**

**16 REPORTS OF REPRESENTATIVES****RESOLUTION ORD449/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Jimmy Bouhoris

THAT the following Reports of Representatives be received and noted.

**16.1**

Councillor Ed Smelt reported on the plant giveaway in Coconut Grove. The event was another success, it is well supported and appreciated by the community. Thanks to staff who run the event and look forward to the next one in October.

**16.2**

Councillor Brian O’Gallagher reported on the Pitch Black open day. It was a great event for the Darwin community.

Councillor Brian O’Gallagher also attended the opening of Café 21 night time venue with Councillor Paul Arnold. Appears it will activate and create a great vibe for The Mall.

**16.3**

Councillor Amye Un reported on the Brass Band event in Lyons. Thanks to Council for the support.

**16.4**

Councillor Peter Pangquee reported on the Local Government Association of the Northern Territory (LGANT) Executive Meeting. The Annual General Meeting (AGM) will be held in November and confirmed that Lord Mayor, Councillor Peter Pangquee and Jimmy Bouhoris have been nominated and confirmed with LGANT.

**16.5**

Councillor Morgan Rickard reported on the numerous art exhibitions and musicals which have been supported by the City of Darwin including the Darwin Festival. Councillor Morgan Rickard encourages all to continue to support the arts as there is still so much to happen. There is a wealth of talent in this town and we're lucky to be here.

**16.6**

The Lord Mayor attended a meeting with the Chief Minister, the Chief Executive Officer, Councillor Peter Pangquee and all Mayors/Presidents from the Northern Territory highlighting the issues with anti-social behaviour in Darwin and all communities. There were several representatives including Ministers, Senior Executives, the Police Commissioner and Chief Executive Officers. The Chief Minister would like to have a further meeting with the Lord Mayor.

**16.7**

Councillor Jimmy Bouhoris reported on the Richardson Ward stakeholder engagement in Brinkin. Thanks to Edith and staff who assisted with the event. It was good hear the ideas of the community and City of Darwin received positive feedback.

Councillor Jimmy Bouhoris, with other Councillors also attended the Filipino Festival Hala Bira. It was the first event held at the Darwin Waterfront and was very successful. It would be great to see that event turn into an iconic event like the Greek Glenti and India@Mindil. Council should consider supporting the event next year.

**16.8**

Councillor Sylvia Klonaris reported on the Karama and Malak community forum. There was a huge turnout which worked in groups however unsure who will take ownership and coordinate the entire consultation. Councillor Sylvia Klonaris suggested City of Darwin reach out to the local Minister to follow up and offer assistance. The Lord Mayor advised that he meets with the Police monthly and offers assistance with City of Darwin Outreach Officers and Rangers.

**CARRIED 10/0**

**17 QUESTIONS BY MEMBERS****17.1 SHADE IN GREBE PARK WULAGI****RESOLUTION ORD450/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

**Question**

Councillor Brian O’Gallagher queried when shade will be installed over the playground in Grebe Park.

**Answer**

The Executive Manager Infrastructure, Nik Kleine responded and advised that it has previously been scheduled through the shading program however that is on hold while City of Darwin works on the consultation with the playground strategy. It will be a work in progress as all playgrounds will be reviewed.

**CARRIED 10/0**

**17.2 RAPID CREEK BRIDGE UPDATE****RESOLUTION ORD451/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

**Question**

Councillor Ed Smelt requested an update on the Rapid Creek Bridge in Jingili.

**Answer**

The General Manager Community, Matt Grassmayr responded and advised that there was a meeting held with the structural engineers and consultants who are preparing the environmental plan. The option of a temporary bridge is not feasible however they are looking to prepare structural drawings for rectification works to the existing bridge in order to open the bridge as soon as possible with planning for a full replacement.

**CARRIED 10/0**

**17.3 MAINTAINENCE IN LYONS****RESOLUTION ORD452/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

**Question**

Councillor Jimmy Bouhoris queried the timing of the maintainence in Lyons and if City of Darwin or contractors are responsible.

**Answer**

The General Manager Community, Matt Grassmayr took the timings on notice and advised that it is a combination of both City of Darwin and contractors.

**CARRIED 10/0**

**17.4 ALL ACCESS GYM EQUIPMENT IN WANGURI****RESOLUTION ORD453/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

**Question**

Councillor Jimmy Bouhoris requested an update on the all access gym equipment in the Wanguri area.

**Answer**

The Executive Manager Infrastructure, Nik Kleine responded and advised that the construction is on track for October. Consultation with residents will begin when the works are scheduled.

**CARRIED 10/0**

**17.5 CASUARINA POOL CLOSURE****RESOLUTION ORD454/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

**Question**

Councillor Jimmy Bouhoris requested an update on the arrangements for the Casuarina Pool closure.

**Answer**

The General Manager Community, Matt Grassmayr responded and advised that a number of meetings have been held with YMCA and the pool stakeholders to coordinate lane arrangements. The stakeholders have agreed and a variation to YMCA has been provided. Information will be available on the City of Darwin website.

**CARRIED 10/0**

**17.6 UNDERGROUND POWER SERVICES IN THE NORTHERN SUBURBS****RESOLUTION ORD455/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

**Question**

Councillor Sylvia Klonaris requested a further update on the underground power services for a resident in Moil and a letter to be sent to the appropriate Minister.

**Answer**

The Lord Mayor responded and advised that a further letter will be sent to the appropriate Minister however his understanding was schools only.

**CARRIED 10/0**



**17.7 BEAUTIFICATION ON VANDERLIN DRIVE****RESOLUTION ORD456/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

**Question**

Councillor Sylvia Klonaris queried the entry point on Vanderlin Drive to request beautification from the Department of Infrastructure, Planning and Logistics (DIPL).

**Answer**

The Lord Mayor responded and advised that City of Darwin can ask DIPL.

**CARRIED 10/0**

**17.8 ALL ACCESS MATS AT MINDIL BEACH****RESOLUTION ORD457/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

**Question**

The Lord Mayor queried if the all access mats have been installed for Mindil Beach.

**Answer**

The Executive Manager Infrastructure, Nik Kleine responded and advised that City of Darwin is waiting for the certificate from Aboriginal Areas Protection Authority (AAPA) to undertake the works. The works will be undertaken prior to the market season next year and Elected Members will be advised when the certificate is received.

**CARRIED 10/0**

**18 GENERAL BUSINESS****18.1 OUTGOING CORRESPONDENCE - MINISTER FOR IMMIGRATION, CITIZENSHIP AND MULTICULTURAL AFFAIRS - A PILOT MIGRATION PROGRAM PROPOSAL****RESOLUTION ORD458/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Brian O'Gallagher

THAT the Outgoing Correspondence - Minister for Immigration, Citizenship and Multicultural Affairs - A Pilot Migration Program Proposal be received and noted.

**CARRIED 10/0**

**18.2 INCOMING CORRESPONDENCE - AMBASSADOR OF JAPAN - GRATITUDE FOR CONDOLENCE LETTER RECEIVED****RESOLUTION ORD459/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Brian O'Gallagher

That the Incoming Correspondence – Ambassador of Japan – Gratitude for Condolence Letter Received be received and noted.

**CARRIED 10/0**

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

THAT the next Ordinary Meeting of Council be held on Tuesday, 13 September 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 Requests Regarding Marlow Rd Road Reserve**

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 Update from Department of Infrastructure, Planning and Logistics**

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 Corporate Services Report - July 2022**

This matter is considered to be confidential under Section 99(2) - 51(a) and 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 about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual and 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 Civic Centre Redevelopment - Elected Member and Staff Consultation Outcomes**

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**

### **RESOLUTION ORD460/22**

Moved:      Councillor Jimmy Bouhoris

Seconded: Councillor Paul Arnold

THAT the open section of the meeting be adjourned at 6.27pm.

**CARRIED 10/0**

THAT the open section of the meeting be resumed at 7.17pm

THAT the chair declared the meeting closed at 7.17pm

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 13 September 2022.**

.....  
**CHAIR**