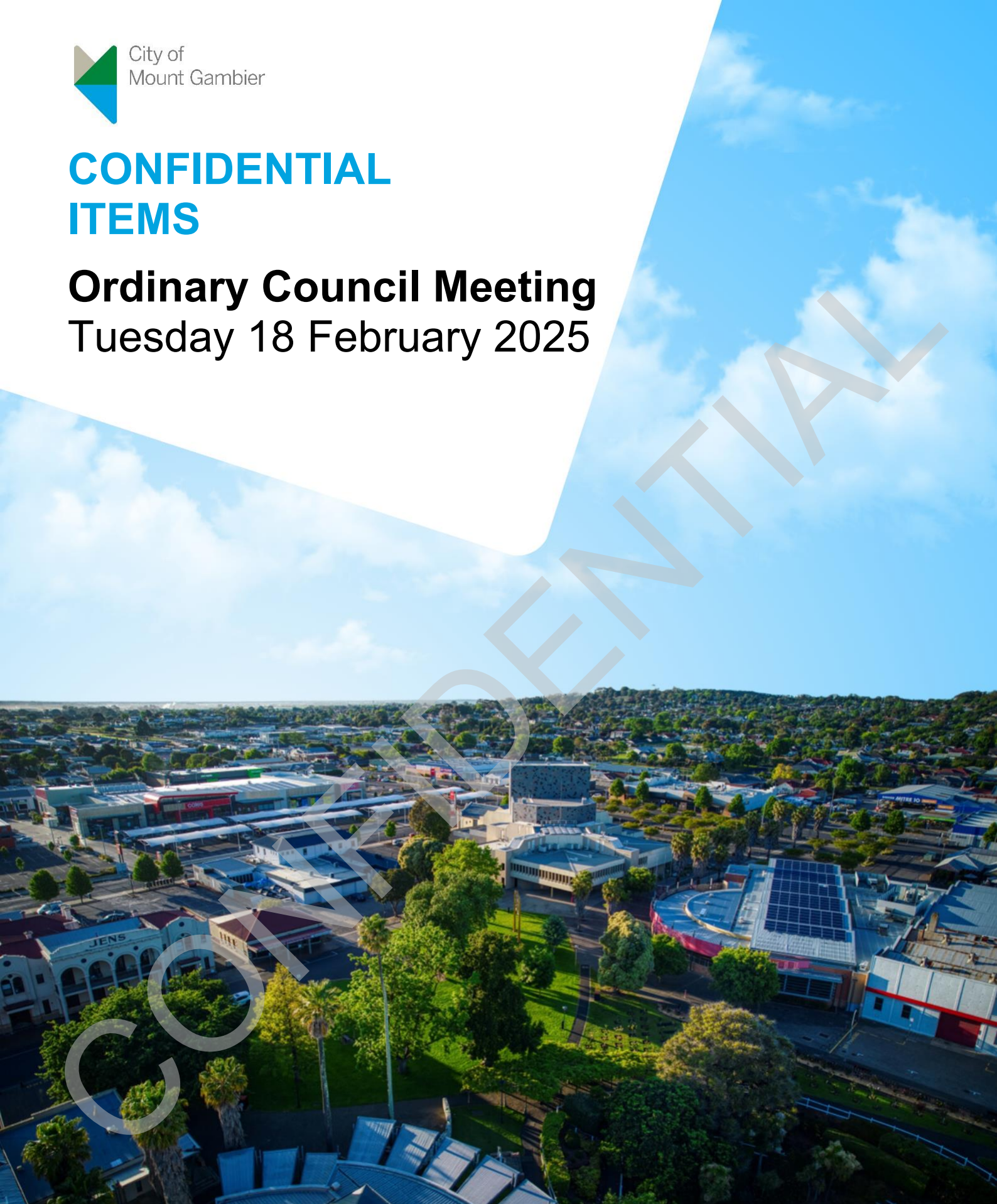


CONFIDENTIAL ITEMS

Ordinary Council Meeting
Tuesday 18 February 2025



PRESENT: Mayor Lynette Martin (OAM)
Cr Kate Amoroso
Cr Paul Jenner
Cr Mark Lovett
Cr Josh Lynagh
Cr Sonya Meziniec
Cr Frank Morello
Cr Jason Virgo

OFFICERS IN ATTENDANCE: Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
General Manager People, Place and Liveability
Media and Communications Coordinator
Executive Administrator

- Mrs S Philpott
- Ms B Cernovskis
- Mrs J Fetherstonhaugh
- Mr C White
- Ms S McLean
- Miss T Chant

Chief Executive Officer, Mrs Sarah Philpott, returned to the meeting at 7:35pm

22 NEW CONFIDENTIAL ITEMS

22.1 WULANDA RECREATION AND CONVENTION CENTRE - PROJECT UPDATE

RESOLUTION OCM 2025/31

Moved: Cr Mark Lovett

Seconded: Cr Paul Jenner

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Mayor, Councillors, S Philpott, B Cernovskis, J Fetherstonhaugh, C White, S McLean and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Wulanda Recreation and Convention Centre - Project Update.

The Council is satisfied that, pursuant to section 90(3) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.
- (h) legal advice.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information contained within the report and attachments presents matters relating to contracts between Council and contractors associated with the construction and operation of the Wulanda Recreation and Convention Centre. The disclosure of information contained in this report and attachments could reasonably be expected to prejudice the commercial position of Council or the third parties and is considered on balance to be contrary to the public interest as it could prejudice the Councils position in obtaining best value project delivery on behalf of the community.

CARRIED

RESOLUTION OCM 2025/32

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

That Council report titled 'Wulanda Recreation and Convention Centre - Project Update' as presented on Tuesday 18 February 2025 be noted.

That Council endorse implementation of an AV Upgrade to courts at the Wulanda Recreation and Convention Centre, as follows:

- (i) An allocation of up to \$100,000 from the 2024/2025 budget provision for "Strategic Work Plan Delivery" be adjusted at budget review 2 to implement Stage 1,
- (ii) An allocation of up to \$150,000 from the 2025/2026 budget provision for "Strategic Work Plan Delivery" to implement Stage 2 & 3 in Q1.

CARRIED

RESOLUTION OCM 2025/33

Moved: Cr Mark Lovett

Seconded: Cr Sonya Mezinac

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report Wulanda Recreation and Convention Centre - Project Update and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
 - (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest.
 - (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.
 - (h) legal advice.

be kept confidential and not available for public inspection until the latter of two years after the satisfactory resolution of any outstanding commercial contractual dispute, or two years after the conclusion of any legal proceedings, and Council has been

released from its duty of confidence, with resolution/s and minutes only to be released as soon as practical following consideration by Council.

2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.

CARRIED

CONFIDENTIAL

