



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 12 April 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, 12 APRIL 2022 AT 5:30PM**

**PRESENT:** Lord Mayor Kon Vatskalis, Councillor Paul Arnold, Councillor Jimmy Bouhoris, Councillor Justine Glover, Councillor Sylvia Klonaris, Councillor Brian O'Gallagher, Councillor Mick Palmer, Councillor Peter Pangquee, Councillor Morgan Rickard, Councillor Vim Sharma, Councillor Ed Smelt, Councillor Amye Un, Councillor Rebecca Want de Rowe

**OFFICERS:** Simone Saunders (Interim Chief Executive Officer), Chris Kelly (Acting General Manager Corporate), Drosso Lelekis (Acting General Manager Innovation), Matt Grassmayr (General Manager Community)

Gemma Perkins (Governance Business Partner), Edith Heiberg (Governance Projects Officer), Angela O'Donnell (Executive Manager Community and Cultural Services), Russell Holden (Executive Manager Finance), Fred McCue (Public Relations and External Affairs Advisor)

**APOLOGY:** Nil

**GUESTS:** Nil

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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 ORD167/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Paul Arnold

The Chair declared the meeting open at 5.32pm.

**CARRIED 13/0**

## **4 APOLOGIES AND LEAVE OF ABSENCE**

### **4.1 APOLOGIES**

Nil

### **4.2 LEAVE OF ABSENCE GRANTED**

Nil

### 4.3 LEAVE OF ABSENCE REQUESTED

**RESOLUTION ORD168/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Brian O'Gallagher

- A. THAT a Leave of Absence be granted for Lord Mayor Kon Vatskalis for the period 22 April to 1 May 2022.
- B. THAT a Leave of Absence be granted for Councillor Brian O'Gallagher for the period 19 to 29 April 2022.
- C. THAT a Leave of Absence be granted for Councillor Palmer for the 31 May and 14 June 2022
- D. THAT a Leave of Absence be granted for Councillor Klonaris for the 19 April 2022 Briefing Session.

**CARRIED 13/0**

## 5 ELECTRONIC MEETING ATTENDANCE

### 5.1 ELECTRONIC MEETING ATTENDANCE GRANTED

**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 member(s) was granted permission for Electronic Meeting Attendance at this Ordinary Council Meeting held on Tuesday, 12 April 2022.

- Councillor Vim Sharma
- Councillor Justine Glover
- Councillor Morgan Rickard

### 5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED

**RESOLUTION ORD169/22**

Moved: Councillor Peter Pangquee

Seconded: Councillor Amye Un

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 the Council Meeting on 26 April 2022.
- B. Councillor Klonaris to attend the Briefing Session on 19 April 2022.

**CARRIED 13/0**

**6 DECLARATION OF INTEREST OF MEMBERS AND STAFF****6.1 DECLARATION OF INTEREST BY MEMBERS**

Nil

**6.2 DECLARATION OF INTEREST BY STAFF**

Nil

**7 CONFIRMATION OF PREVIOUS MINUTES****RESOLUTION ORD170/22**

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Mick Palmer

That the minutes of the Ordinary Council Meeting held on 29 March 2022 be confirmed.

**CARRIED 13/0****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**

Nil

**9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE**

Nil

**10 PUBLIC QUESTION TIME**

Nil

**11 PETITIONS**

Nil

**12 DEPUTATIONS AND BRIEFINGS**

Nil

**13 NOTICES OF MOTION**

Nil

**14 ACTION REPORTS****14.1 PORTIONS 1841, 1842 & 1843 (440, 450 & 460) MCMILLANS ROAD, MARRARA, SUBDIVISION TO CREATE 82 LOTS - STAGE 1****RESOLUTION ORD171/22**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Jimmy Bouhoris

1. THAT the report entitled Portions 1841, 1842 & 1843 (440, 450 & 460) McMillans Road, Marrara, Subdivision to create 82 Lots - Stage 1 be received and noted.
2. THAT Council endorse the draft submission, dated 15 April 2022, to Development Assessment Services within Attachment 1 to the report entitled - Portions 1841, 1842 & 1843 (440, 450 & 460) McMillans Road, Marrara, Subdivision to create 82 Lots - Stage 1

**CARRIED 12/1****14.2 MOTIONS TO PUT TO 2022 NATIONAL GENERAL ASSEMBLY****RESOLUTION ORD172/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Peter Pangquee

1. THAT the report entitled Motions to put to 2022 National General Assembly be received and noted.
2. THAT Council endorse the following motion to put to the 2022 National General Assembly, "This national assembly calls on the Australian Government to direct and support investment in the development of small-scale waste management technologies, systems and solutions specific to the needs of regional and remote communities, as an adjunct to existing efforts that rely on private industry participation leveraging the waste streams of large-scale population bases."
3. THAT Council endorse the following motion to put to the 2022 National General Assembly, "This national assembly calls on the Australian Government to partner with local government on a national program of urgent priority mitigation work to address anticipated major or catastrophic damage to existing essential community infrastructure linked to contemporary climate change modelling to 2050."
4. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to write to all relevant Northern Territory Government Ministers and Department Chief Executive Officers requesting that they utilise their advocacy opportunities with the Australian Government, and with candidates during the Federal Election campaign, to amplify the strategic issues and policy platforms raised in these Motions.

**CARRIED 13/0**



**14.3 POLICY REVIEW - ELECTED MEMBERS EXPENSES, FACILITIES AND SUPPORT****RESOLUTION ORD173/22**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Ed Smelt

1. THAT the report entitled Policy Review – Elected Members Expenses, Facilities and Support be received and noted.
2. THAT Council rescind Elected Members Expenses, Facilities and Support Policy 0017.100.E.R.
3. THAT Council adopt the attached draft Elected Members Expense, Facilities and Support Policy which aligns to *Local Government Act 2019* and associated Ministerial determinations relating to Elected Member allowances.

**CARRIED 13/0**

*Councillor Vim Sharma departed the meeting at 5:52 pm.*

*Councillor Vim Sharma re-joined the meeting at 5:52 pm.*

**14.4 ELECTED MEMBER ALLOWANCES 2022/23****RESOLUTION ORD174/22**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Mick Palmer

1. THAT the report Elected Member Allowances 2022/23 be received and noted.
2. THAT pursuant to s7.1 of the *Local Government Act 2019*, Council adopt the following Elected Member Allowances for the 2022/23 financial year:

CATEGORY	Base Allowance	Electoral Allowance	Professional Development Allowance	Maximum Extra Meeting Allowance	Total Claimable
Lord Mayor	\$125,192.75	\$32,950.94	\$3,753.17	Nil	<b>\$161,896.86</b>
Deputy Lord Mayor	\$46,292.69	\$8,238.34	\$3,753.17	Nil	<b>\$58,284.20</b>
Councillors	\$22,515.39	\$8,238.34	\$3,753.17	\$15,010.25	<b>\$49,517.15</b>

3. THAT the daily rate when eligible for Acting Lord Mayor higher duties be set at \$433.16 for 2022/23 financial year.
4. THAT the Extra Meeting Allowance for 2022/23 be set at \$250.00, noting a maximum claimable amount for eligible Elected Members of \$15,010.25 in the 2022/23 financial year.
5. THAT the Elected Member Allowances for 2022/23 be included in the draft 2022/23 Municipal Plan and Annual Budget.

**CARRIED 13/0**

**14.5 REVIEW OF INVESTMENT POLICY 0024.100.E.R****RESOLUTION ORD175/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Rebecca Want de Rowe

1. THAT the report Review of Investment Policy 0024.100.E.R be received and noted.
2. THAT Council adopts the Amended Investment Policy 024.100.E.R at **Attachment 1**.

**CARRIED 13/0***Councillor Vim Sharma departed the meeting at 6:25 pm.**Councillor Vim Sharma re-joined the meeting at 6:25 pm.***14.6 WALKWAY 49 - COMMUNITY CONSULTATION OUTCOME (HUMBERT STREET TO ROSEWOOD CRESCENT, LEANYER)****MOTION**

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Mick Palmer

1. THAT the report entitled Walkway 49 Community Consultation Outcome (Humbert Street to Rosewood Crescent, Leanyer) be received and noted.
2. THAT Council approve the 24/7 closure of Walkway 49 ongoing (Humbert Street to Rosewood Crescent, Leanyer).

**AMENDMENT**

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Mick Palmer

1. THAT the report entitled Walkway 49 Community Consultation Outcome (Humbert Street to Rosewood Crescent, Leanyer) be received and noted.
2. THAT Council continue the night time closure from approximately 9.30pm to 6.00am.

**CARRIED 8/5****RESOLUTION ORD176/22**

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Mick Palmer

1. THAT the report entitled Walkway 49 Community Consultation Outcome (Humbert Street to Rosewood Crescent, Leanyer) be received and noted.
2. THAT Council continue the night time closure from approximately 9.30pm to 6.00am.

**CARRIED 8/5**

*Councillor Justine Glover departed the meeting at 6:35 pm.*

*Councillor Vim Sharma departed the meeting at 6:36 pm.*

#### **14.7 UNSPENT GRANTS RESERVE PROPOSAL**

##### **RESOLUTION ORD177/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Ed Smelt

1. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to seek to address all underspends in the Unspent Grants Reserve of less than \$200,001 and pre-dating 1 January 2021.
2. THAT Council approves the Chief Executive Officer to seek to utilise all Unspent Grants Reserve line items of less than \$200,001 and pre-dating 1 January 2021 by proposing redirections to funding bodies that reflect the original intent of the grant funds and assist in the delivery of contemporary City of Darwin Strategic Plans.

**CARRIED 11/0**

*Councillor Justine Glover re-joined the meeting at 6:36 pm.*

*Councillor Vim Sharma re-joined the meeting at 6:36 pm.*

*Councillor Justine Glover departed the meeting at 6:37 pm.*

*Councillor Justine Glover re-joined the meeting at 6:37 pm.*

*Councillor Justine Glover departed the meeting at 6:38 pm.*

*Councillor Justine Glover re-joined the meeting at 6:38 pm.*

#### **15 RECEIVE & NOTE REPORTS**

##### **15.1 BAGOT PARK MASTER PLAN CONSULTATION OUTCOMES**

##### **RESOLUTION ORD178/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Peter Pangquee

THAT the report entitled Bagot Park Master Plan Consultation Outcomes be received and noted.

**CARRIED 13/0**

*Councillor Justine Glover departed the meeting at 6:39 pm.*

*Councillor Justine Glover re-joined the meeting at 6:39 pm.*

##### **15.2 MIRRAGMA-GUNUGURRA-WA PUBLIC ART COMMISSION UPDATE**

##### **RESOLUTION ORD179/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Sylvia Klonaris

THAT the report entitled Mirragma gunugurra-wa Public Art Commission Update be received and noted.

**CARRIED 13/0**

**15.3 EAST POINT RESERVE ADVISORY COMMITTEE MEETING MINUTES 24 FEBRUARY 2022****RESOLUTION ORD180/22**

Moved: Councillor Mick Palmer

Seconded: Councillor Brian O'Gallagher

THAT the report entitled East Point Reserve Advisory Committee Meeting Minutes 24 February 2022 be received and noted.

**CARRIED 13/0**

**16 REPORTS OF REPRESENTATIVES****RESOLUTION ORD181/22**

Moved: Councillor Peter Pangquee

Seconded: Councillor Ed Smelt

THAT the following Reports of Representatives be received and noted.

**16.1**

Councillor Peter Pangquee reported that he attended:

- Tourism 2030 Conference in capacity as an Executive Member of the Tourism Board.
- LGANT General Meeting where Motions included the City of Darwin motions for the ALGA National Assembly.

**CARRIED 13/0**

**17 QUESTIONS BY MEMBERS****17.1 WATERWAY IN PLAYFORD STREET PARAP****RESOLUTION ORD182/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Ed Smelt

**Question**

Councillor Ed Smelt requested an update on the maintenance issues, fencing and weeds in the waterway in Playford Street Parap.

**Response**

The General Manager Community Matt Grassmayr responded and advised that officers are finalising a project plan to complete the works and to incorporate the commitments made in the letter to the residents. General Manager Community will provide details as soon as it is finalised and provide a copy of correspondence that will be sent to residents.

Indicative timing at this stage is for:

April 2022 – Treatment of weeds /repair of any gate and fence issues

May 2022 – Meet with residents to discuss planting options

May/June 2022 – Re-treatment of weeds.

July/August 2022 – Removal of weed species and regrowth in unactioned areas of the drain.

August/September 2022 – Desilting of the drain in advance of the wet season. The scope of desilting is to allow the drain to be free-flowing, removing any mosquito breeding grounds.

**CARRIED 13/0**

**17.2 SIGNAGE CHANGES IN NIGHTCLIFF****RESOLUTION ORD183/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Ed Smelt

**Question**

Councillor Ed Smelt queried signage changes on Progress Drive and the old police station on Phoenix Street, Nightcliff.

**Response**

The General Manager Innovation Drosso Lelekis responded that he could seek an update from the team and provide details as a follow up for Councillors.

**CARRIED 13/0**

**17.3 RANGER PATROLS IN NORTHERN SUBURBS****RESOLUTION ORD184/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Ed Smelt

**Question**

Councillor Sylvia Klonaris queried the frequency of 'drive by' checks of vehicles parked on footpaths around the Casuarina Post Office, noting that freight trucks are illegally parking on the footpath and blocking pedestrian access.

**Response**

The General Manager Community Matt Grassmayr responded that suburban parking is done on request, and in response to complaints received. There are no suburban patrols specifically looking for illegal parking, however all Rangers attend to it and other teams report back on instances they see during the course of their daily work in urban areas.

**CARRIED 13/0**

**17.4 POTENTIAL MARKET LOCATION****RESOLUTION ORD185/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Ed Smelt

**Question**

Councillor Amye Un queried whether the RSL could become a location for a permanent market as a source of regular income for Council.

**Response**

The Lord Mayor responded that the land is owned by the RSL and that a market in the mall has been offered in the past without take up.

**CARRIED 13/0**

**18 GENERAL BUSINESS****18.1 APPRECIATION TO STAFF****RESOLUTION ORD186/22**

Moved: Councillor Brian O'Gallagher

Seconded: Lord Mayor Kon Vatskalis

Councillor Brian O'Gallagher extended his thanks to officers for prompt response to request for information by he and Councillor Justine Glover relating to Boulter Road that was useful for communications with residents.

**CARRIED 13/0**

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

THAT the next Ordinary Meeting of Council be held on Tuesday, 26 April 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 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.

**28.1 Incoming and Outgoing Confidential Correspondence**

This matter is considered to be confidential under Section 99(2) - 51(a) 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.

## **21 ADJOURNMENT OF MEETING AND MEDIA LIAISON**

### **ADJOURNMENT OF MEETING**

#### **RESOLUTION ORD187/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Peter Pangquee

THAT the open section of the meeting be adjourned at 6.47pm

**CARRIED 13/0**

THAT the open section of the meeting be resumed at 8:05pm

THAT the chair declared the meeting closed at 8:05pm.

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 April 2022.**

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**CHAIR**