



MINUTES

**Ordinary Council Meeting
Tuesday, 12 July 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 JULY 2022 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Councillor Paul Arnold, Councillor Jimmy Bouhoris, 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), Ron Quinn (Acting General Manager Community), Drosso Lelekis (Executive Manager Technical Services)
Gemma Perkins (Coordinator Councillor Governance and Support), Angela O'Donnell (Executive Manager Community and Cultural Services), Jedda Bennett-Kellam (Senior Project Officer)
- APOLOGY:** Matt Grassmayr (General Manager Community), Alice Percy (General Manager Innovation)
- GUESTS:** NT Thai Association

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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 ORD344/22

Moved: Councillor Ed Smelt

Seconded: Councillor Jimmy Bouhoris

The Chair declared the meeting open at 5.32 pm.

CARRIED 12/0

3.1 MULTICULTURAL PRESENTATION - NT THAI ASSOCIATION

THAT the presentation from the NT Thai Association be received and noted.

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****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 July 2022:

- Councillor Brian O’Gallagher

5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED

Nil

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 ORD345/22**

Moved: Councillor Amye Un

Seconded: Councillor Rebecca Want de Rowe

That the minutes of the Ordinary Council Meeting held on 28 June 2022 be confirmed.

CARRIED 12/0

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 RECONCILIATION ADVISORY COMMITTEE APPOINTMENT OF COMMUNITY MEMBERS****RESOLUTION ORD372346/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Rebecca Want de Rowe

1. THAT the report entitled Reconciliation Advisory Committee Appointment of Community Members be received and noted.
2. THAT Council appoint the following people as community representatives to the Reconciliation Advisory Committee
 1. (i) Nicole Brown
 2. (ii) Leah Gardiner
3. THAT this report be deemed a confidential document and be treated as such in accordance with Section 293 (1) of the Local Government Act 2019 and that the document remains confidential unless Council decides otherwise by resolution.
4. THAT the documents remain confidential and that this decision be moved into Open at the end of the meeting.

CARRIED 12/0**9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE**

Nil

10 PUBLIC QUESTION TIME

Nil

11 PETITIONS

11.1 PETITION – BAN ROOSTERS FROM THE URBAN

RESOLUTION ORD347/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Sylvia Klonaris

Councillor Jimmy Bouhoris presented the Petition

- A. THAT the Petition, requesting the City of Darwin to create a By-Law to: Ban roosters from the urban residential areas of Darwin, be received and noted.
- B. THAT, in accordance with By-Law 153(7)(a), the Petition requesting the City of Darwin to create a By-Law to: Ban roosters from the urban residential areas of Darwin be referred to the Community Hub for consideration and a report to return to Council.

CARRIED 12/0

12 DEPUTATIONS AND BRIEFINGS

Nil

13 NOTICES OF MOTION

Nil

14 ACTION REPORTS

14.1 PLACE NAMES APPLICATION - DEFENCE HOUSING AUSTRALIA - NAMING OF 23 ROADS - LOT 4873 (577) LEE POINT ROAD, LEE POINT

RESOLUTION ORD348/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Amye Un

1. THAT the report entitled Place Names Application - Defence Housing Australia - Naming of 23 Roads - Lot 4873 (577) Lee Point Road, Lee Point, be received and noted.
2. THAT Council support the 23 road names as proposed by Defence Housing Australia, and detailed within **Attachment 1**, for the Lee Point subdivision on Lot 4873 (577) Lee Point Road, Lee Point.
3. THAT Council support the one alternative road name, as a substitute for any road names that may not meet the Place Names Committee approval.

CARRIED 12/0

14.2 CEO ALLOWANCES AND OTHER BENEFITS POLICY**RESOLUTION ORD349/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Ed Smelt

1. THAT the report entitled CEO Allowances and Other Benefits Policy be received and noted.
2. THAT Council adopt the CEO Allowances and Other Benefits Policy at **Attachment 1**.

CARRIED 12/0**14.3 ACQUITTAL OF ENERGY EFFICIENCY AND SUSTAINABILITY GRANT 2018-19****RESOLUTION ORD350/22**

Moved: Councillor Mick Palmer

Seconded: Councillor Ed Smelt

1. THAT the report entitled Acquittal of Energy Efficiency and Sustainability Grant 2018-19 be received and noted.
2. THAT Council endorse the Chief Executive Officer to forward the Grant Acquittal to the Department of the Chief Minister and Cabinet.

CARRIED 12/0**14.4 BORROWING ARRANGEMENTS FOR WASTE CELL 2 EXPANSION AND WASTE LEACHATE PONDS AT SHOAL BAY WASTE MANAGEMENT FACILITY****RESOLUTION ORD351/22**

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Jimmy Bouhoris

1. THAT the report entitled Borrowing Arrangements for Waste Cell 2 Expansion and Waste Leachate Ponds at Shoal Bay Waste Management Facility be received and noted.
2. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to seek Ministerial approval for borrowings of \$12 million for the Waste Cell 2 Expansion project at the Shoal Bay Waste Management Facility.
3. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to seek Ministerial approval for borrowings of \$6 million for the Waste Leachate Ponds project at Shoal Bay Waste Management Facility.
4. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to pursue borrowing arrangements with financial institutions for the Waste Cell 2 Expansion and Waste Leachate Ponds projects at Shoal Bay Waste Management Facility in line with the adopted 2022/23 Budget.

CARRIED 12/0

14.5 NOMINATIONS FOR LOCAL GOVERNMENT ASSOCIATION OF THE NORTHERN TERRITORY (LGANT) EXECUTIVE

RESOLUTION ORD352/22

Moved: Councillor Mick Palmer

Seconded: Councillor Rebecca Want de Rowe

1. THAT the report entitled Nominations for Local Government Association of the Northern Territory (LGANT) Executive be received and noted.
2. THAT Council endorse the nomination for the Lord Mayor to the LGANT Executive as president.
3. THAT Council appoint Councillor Peter Pangquee to the LGANT Executive.
4. THAT Council nominate Councillor Jimmy Bouhoris to the LGANT Executive.

CARRIED 12/0

14.6 APPOINTMENTS TO COUNCIL COMMITTEES

RESOLUTION ORD353/22

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Ed Smelt

1. THAT the report entitled Appointments to Council Committees be received and noted.
2. THAT Council appoint the following members to the **Administrative Review Committee** to 30 September 2023:
Lord Mayor (Chair)
Councillor Sylvia Klonaris;
Councillor Brian O’Gallagher; and
Councillor Morgan Rickard.
3. THAT Council appoint all remaining Elected Members as alternate members to the **Administrative Review Committee**.
4. THAT Council appoint the following Council members to the **Chief Executive Officer’s Performance Appraisal Committee** to 30 September 2023:
Lord Mayor (Chair)
Councillor Jimmy Bouhoris;
Councillor Mick Palmer;
Councillor Peter Pangquee; and
Councillor Morgan Rickard.
5. THAT Council appoint the following Council members to the **Access and Inclusion Advisory Committee** to 30 September 2023:
Councillor Amye Un; and
Councillor Sylvia Klonaris as Alternate

6. THAT Council appoint the following Council members to the **Arts and Cultural Development Advisory Committee** to 30 September 2023:
Councillor Morgan Rickard; and
Councillor Paul Arnold as Alternate
7. THAT Council appoint the following Council members to the **Youth Advisory Committee** to 30 September 2023:
Councillor Rebecca Want de Rowe; and
Councillor Sylvia Klonaris as Alternate
8. THAT Council appoint the following Council members to the **Darwin Military and Civilian History Advisory Committee** to 30 September 2023:
Lord Mayor as member and Chair
Councillor Mick Palmer; and
Councillor Ed Smelt as Alternate
9. THAT Council appoint the following Council members to the **International Relations Advisory Committee** to 30 September 2023:
Lord Mayor as member and Chair
Councillor Jimmy Bouhoris; and
Councillor Brian O'Gallagher as Alternate
10. THAT Council appoint the following Council members to the **Sister City Advisory Committee** to 30 September 2023:
Councillor Amye Un; and
Councillor Sylvia Klonaris as Alternate
11. THAT Council appoint the following Council members to the **Reconciliation Advisory Committee** to 30 September 2023:
Councillor Peter Pangquee; and
Councillor Morgan Rickard as Alternate
12. THAT Council appoint the following Council members to the **East Point Reserve Advisory Committee** to 30 September 2023:
Councillor Mick Palmer; and
Councillor Morgan Rickard as Alternate
13. THAT Council appoint the following Council members to the **Tree Advisory Committee** to 30 September 2023:
Lord Mayor as member and Chair
Councillor Peter Pangquee; and
Councillor Morgan Rickard as Alternate.

CARRIED 12/0

RESOLUTION ORD354/22

Moved: Councillor Ed Smelt

Seconded: Councillor Morgan Rickard

THAT in accordance with By-Law 147 the operation of procedures set out in Part 7 of the Darwin City Council By-Laws, the meeting be suspended at 6.17pm for 5 minutes.

CARRIED 12/0

RESOLUTION ORD355/22

Moved: Councillor Mick Palmer

Seconded: Councillor Paul Arnold

THAT the operation of procedures as set out in Part 7 of the Darwin City Council By-Laws, be resumed at 6.19pm.

CARRIED 12/0

15 RECEIVE & NOTE REPORTS**15.1 COMMUNITY ADVISORY COMMITTEE MINUTES****RESOLUTION ORD356/22**

Moved: Councillor Peter Pangquee

Seconded: Councillor Sylvia Klonaris

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

CARRIED 12/0

15.2 PAVEMENT REPORT**RESOLUTION ORD357/22**

Moved: Councillor Paul Arnold

Seconded: Councillor Peter Pangquee

THAT the report entitled Pavement Report be received and noted.

CARRIED 12/0

16 REPORTS OF REPRESENTATIVES**RESOLUTION ORD358/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Jimmy Bouhoris

THAT the following Reports of Representatives be received and noted.

16.1

Councillor Peter Pangquee reported on his attendance at the Australian Local Government Association (ALGA) National Assembly in Canberra with the Lord Mayor. City of Darwin submitted a motion regarding waste management facilities. Due to time, the motion will now be referred to the ALGA Executive Meeting.

16.2

The Lord Mayor reported on the Council of Capital City Lord Mayors (CCCLM) in Perth. The main issue discussed is the lack of workers, the CCLM made recommendations to the Federal Government to review the *Immigration Act*. Previously there was a committee with Universities mainly from the East Coast. City of Darwin pushed for Charles Darwin University to join this committee to attract more international students to Darwin.

16.3

Councillor Amye Un reported on the NAIDOC Ball, a beautiful event.

16.4

Councillor Morgan Rickard reported on his stay in the Blue Mountains, NSW. The local Council is struggling with the same difficulties in acquiring staff however they have had two state of emergency level extreme weather events that they are also dealing with. Although City of Darwin is struggling with difficulties recently, congratulations and appreciation to the staff for all they do under these circumstances.

16.5

Councillor Peter Pangquee reported on the Flag Raising Ceremony as part of NAIDOC Week. The NAIDOC Committee presented the City of Darwin with an appreciation certificate for the sponsorship and continued support.

16.6

Councillor Brian O'Gallagher reported on his visit to the Philippines. He had the pleasure of meeting the Governors and Mayors of the local province he visited. They are planning a delegation to Darwin to further business and trade relationships. They also currently have a program that allows students to come to Darwin. This program will be extended to an additional 40 students over the coming year to live, work and study. Agriculture and Tourism opportunities have also been discussed. Elected Members are encouraged to meet with the delegation and there are potential opportunities to discuss become a Friendly City.

CARRIED 12/0

17 QUESTIONS BY MEMBERS**17.1 STAFF SHORTAGES****RESOLUTION ORD359/22**

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Paul Arnold

Question

Councillor Paul Arnold queried staff shortages, how is Council travelling and what is the long term plan.

Answer

The Interim Chief Executive Officer, Simone Saunders responded and advised that Darwin is not alone in the staff shortages. Because Darwin did not have extended lock downs, City of Darwin did not have a huge amount of the workforce working from home. Further workforce development and a strategy to come to address work life balance, transition to retirement and other elements. Recently City of Darwin has had vacancies but the level of interest and the quality of applicants is pleasing.

CARRIED 12/0

17.2 UNACCEPTABLE BEHAVIOUR IN THE MUNICIPALITY**RESOLUTION ORD360/22**

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Paul Arnold

Question

Councillor Jimmy Bouhoris queried the influx of unacceptable behaviour in the municipality.

Answer

The Lord Mayor responded and advised that he raised the issue with the Deputy Police Commission. The meeting with the Chief Minister, Presidents and Mayors is scheduled for 27 July 2022. The Lord Mayor also raised with the Chief Minister, the discussions with the former Chief Minister, funding to create a clean army. A formal response was sent to the Chief Minister and City of Darwin is waiting for a reply.

CARRIED 12/0

17.3 PLASTIC BAN ON COUNCIL LAND**RESOLUTION ORD361/22**

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Paul Arnold

Question

Councillor Amye Un raised complaints from business owners regarding the plastic ban.

Answer

The Lord Mayor responded and advised that City of Darwin is not responsible for private business. The Interim Chief Executive Officer, Simone Saunders also advised that City of Darwin is however responsible for any event on Council land including markets. As part of the event application it states you cannot use single use plastic.

CARRIED 12/0

18 GENERAL BUSINESS**18.1 NAIDOC MARCH TRAFFIC ISSUES****RESOLUTION ORD362/22**

Moved: Councillor Vim Sharma

Seconded: Councillor Jimmy Bouhoris

Councillor Paul Arnold raised the NAIDOC March traffic issues. There was no appropriate traffic controllers and vehicles were unable to enter the City. Staff were made aware.

CARRIED 12/0

18.2 SUITABLE OPTIONS AND LOCATIONS FOR THE SOUP KITCHEN**RESOLUTION ORD363/22**

Moved: Councillor Vim Sharma

Seconded: Councillor Jimmy Bouhoris

THAT a report return to Council providing suitable options and locations for The Soup Kitchen.

CARRIED 12/0

18.3 STOLEN GENERATION MEMORIAL**RESOLUTION ORD364/22**

Moved: Councillor Vim Sharma

Seconded: Councillor Jimmy Bouhoris

THAT a report return to Council presenting options for a memorial or monument for the Stolen Generation including exploring a new playground or renaming an existing playground.

CARRIED 12/0

18.4 REVIEW OF OUTDOOR DINING POLICY**RESOLUTION ORD365/22**

Moved: Councillor Vim Sharma

Seconded: Councillor Jimmy Bouhoris

THAT the Outdoor Dining Policy is reviewed for discrepancies including playing music and returned to Council.

CARRIED 12/0

18.5 BUSINESS AMBASSADOR**RESOLUTION ORD366/22**

Moved: Councillor Vim Sharma

Seconded: Councillor Jimmy Bouhoris

THAT a report return to Council presenting options for a Business Ambassador. The Business Ambassador will act as a Business Concierge for the community and businesses.

CARRIED 12/0

18.6 CORRESPONDENCE RECEIVED FROM A RESIDENT**RESOLUTION ORD367/22**

Moved: Councillor Vim Sharma

Seconded: Councillor Jimmy Bouhoris

Councillor Amye Un will forward a letter from a resident regarding a park in Stuart Park.

CARRIED 12/0

18.7 REVIEW PLANS AND PROCESSES FOR THE REMOVAL OF OBSOLETE FOOTPATHS**RESOLUTION ORD368/22**

Moved: Councillor Ed Smelt

Seconded: Lord Mayor Kon Vatskalis

THAT a review is conducted of City of Darwin plans and processes for the removal of 'obsolete footpaths' for alignment with the 2030 Strategic Plan, protection of vulnerable road users under the Movement Strategy and the expectations of residents. In particular, this review is to consider changing the emphasis for the removal of 'obsolete footpaths' and replacement with verge material to renewal of the footpath to current standards that ensures a continuing level of service for residents as the primary response. A report on the implications of this proposed change, including the costs to maintain, is to be provided at the first Ordinary Council Meeting in September 2022.

CARRIED 12/0

18.8 OUTGOING AND INCOMING CORRESPONDENCE - WASTE MANAGEMENT ISSUES ADVOCACY**RESOLUTION ORD369/22**

Moved: Councillor Vim Sharma

Seconded: Councillor Jimmy Bouhoris

THAT the Outgoing and Incoming Correspondence – Waste Management Issues Advocacy be received and noted.

CARRIED 12/0

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

THAT the next Ordinary Meeting of Council be held on Tuesday, 26 July 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 Reconciliation Advisory Committee Appointment of Community Members

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.

21 ADJOURNMENT OF MEETING AND MEDIA LIAISON

RESOLUTION ORD370/22

Moved: Councillor Peter Pangquee

Seconded: Councillor Ed Smelt

THAT the open section of the meeting be adjourned at 7.00 pm.

CARRIED 12/0

THAT the open section of the meeting be resumed at 7.42 pm.

THAT the chair declared the meeting closed at 7.42 pm.

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

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CHAIR