



MINUTES

**Ordinary Council Meeting
Tuesday, 15 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, 15 NOVEMBER 2022 AT 5:30PM**

PRESENT: Lord Mayor Kon Vatskalis, Deputy Lord Mayor Vim Sharma, 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, Councillor Rebecca Want de Rowe

OFFICERS: Simone Saunders (Chief Executive Officer), Chris Kelly (Acting General Manager Corporate), Matt Grassmayr (General Manager Community)

APOLOGY: Councillor Paul Arnold, Alice Percy (General Manager Innovation)

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.

Councillor Vim Sharma was not present at the commencement of the meeting at 5:30 pm.

Councillor Rebecca Want de Rowe was not present at the commencement of the meeting at 5:30 pm

Councillor Rebecca Want de Rowe joined the meeting at 5:31 pm.

3 MEETING DECLARED OPEN

RESOLUTION ORD523/22

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Ed Smelt

The Chair declared the meeting open at 5.32 pm.

CARRIED 11/0

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 APOLOGIES

RESOLUTION ORD524/22

Moved: Councillor Kim Farrar

Seconded: Councillor Jimmy Bouhoris

THAT the apology from Councillor Paul Arnold, be received.

CARRIED 11/0

4.2 LEAVE OF ABSENCE GRANTED

NIL

4.3 LEAVE OF ABSENCE REQUESTED

RESOLUTION ORD525/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Kim Farrar

- A. THAT a Leave of Absence be granted for Member Rebecca Want De Rowe for the period 25-28 November 2022

CARRIED 11/0

5 ELECTRONIC MEETING ATTENDANCE

5.1 ELECTRONIC MEETING ATTENDANCE GRANTED

RESOLUTION ORD526/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Kim Farrar

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, 15 November 2022:

- Councillor Brian O’Gallagher
- Councillor Rebecca Want De Rowe

CARRIED 11/0

5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED

NIL

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

6.1 DECLARATION OF INTEREST BY MEMBERS

RESOLUTION ORD527/22

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Amye Un

- A. THAT Council note that pursuant to Section 114 & 115 of the *Local Government Act 2019*, Councillor Ed Smelt, declared a Conflict of Interest in Item 26.1
- B. THAT Council note that pursuant to Section 114 & 115 of the *Local Government Act 2019*, Councillor Kim Farrar, declared a Conflict of Interest in Item 27.2

CARRIED 11/0**6.2 DECLARATION OF INTEREST BY STAFF**

NIL

7 CONFIRMATION OF PREVIOUS MINUTES**RESOLUTION ORD528/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Kim Farrar

That the minutes of the Ordinary Council Meeting held on 25 October 2022 and the Special Ordinary Council Meeting held on 8 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 COMMUNITY GRANT RECOMMENDATIONS ROUND 2 2022/23****RESOLUTION ORD529/22**

Moved: Councillor Mick Palmer

Seconded: Councillor Jimmy Bouhoris

1. THAT the report entitled Community Grant Recommendations Round 2 2022/23 be received and noted.
2. THAT Council approve the following nine projects for funding as recommended in the Community Grants Program 2022/2023 Round 2, for a total of \$50 000.

Applicant	Amount Recommended
Top End Women's Legal Service Inc.	\$8,000 + \$170 in kind
Northern Territory Multiple Births Club (NTMBC)	\$1,227 + \$60 in kind

Northern Territory Working Women's Centre Incorporated	\$9,830 + \$170 in kind
Arafura Wind Ensemble Incorporated	\$5,250
Arts Access Darwin, Darwin Community Arts	\$8,097 + \$1750 in kind
Vietnamese Community in Australia - NT Chapter	\$3,140
St John Ambulance Australia (NT) Inc	\$8,686
Darwin Men's Shed	\$3,620
Nicole Brown auspiced by Miyartiwi Dreaming Ltd	\$2,150

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, and that this decision be moved into Open at the end of the meeting.

CARRIED 10/0

26.2 YOUTH ADVISORY COMMITTEE RECOMMENDATION - APPOINTMENT OF NEW MEMBERS

RESOLUTION ORD530/22

Moved: Councillor Sylvia Klonaris
Seconded: Councillor Peter Pangquee

1. THAT the report entitled Youth Advisory Committee Recommendation - Appointment of New Members be received and noted.
2. THAT Council appoint Anais Henry-Martin and Adam Van Wessel to the Youth Advisory Committee from 13 October 2022 to 31 October 2024.
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 and that this decision be moved into Open at the end of the meeting.

CARRIED 12/0

26.3 UPDATE ON PROPOSED OPENING OF A PORTION OF GARRAMILLA BOULEVARD

RESOLUTION ORD531/22

Moved: Lord Mayor Kon Vatskalis
Seconded: Councillor Ed Smelt

1. THAT the report entitled Update on Proposed Opening of a Portion of Garramilla Boulevard be received and noted.
2. THAT Council, after considering the outcomes of the community consultation process, provide approval for the Lord Mayor to write to the Minister for Local Government requesting that the portion of Garramilla Boulevard in **Attachment 1** be opened and vested to City of

Darwin.

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 and that this decision be moved into Open at the end of the meeting.

CARRIED 12/0

27.1 SHOAL BAY WASTE MANAGEMENT FACILITY ENVIRONMENTAL AUDIT UPDATE

RESOLUTION ORD532/22

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Ed Smelt

1. THAT the report entitled Shoal Bay Waste Management Facility Environmental Audit update 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

27.4 MCMINN CAR PARK UPDATE

RESOLUTION ORD533/22

Moved: Councillor Mick Palmer

Seconded: Councillor Amye Un

1. THAT the report entitled McMinn Carpark Update 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 following the meeting.

CARRIED 12/0

27.5 YMCA NT QUARTERLY POOL MANAGEMENT REPORT - JULY TO SEPTEMBER 2022

RESOLUTION ORD534/22

Moved: Councillor Ed Smelt

Seconded: Councillor Mick Palmer

1. THAT the report entitled YMCA NT Quarterly Pool Management Report – July to September 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 12/0**27.6 UNCONFIRMED CONFIDENTIAL MINUTES - RISK MANAGEMENT & AUDIT COMMITTEE (RMAC) - 21 OCTOBER 2022****RESOLUTION ORD535/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Kim Farrar

1. THAT the report entitled Unconfirmed Confidential Minutes – Risk Management and Audit Committee (RMAC) – 21 October 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 12/0**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

Councillor Vim Sharma joined the meeting at 5:35 pm.

14 ACTION REPORTS

14.1 REVIEW OF CAR PARKING POLICY

RESOLUTION ORD536/22

Moved: Councillor Kim Farrar

Seconded: Councillor Jimmy Bouhoris

1. THAT the report entitled Review of Car Parking Policy be received and noted.
2. THAT Council adopt the revised Car Parking Policy at **Attachment 1**.

CARRIED 12/0

15 RECEIVE & NOTE REPORTS

15.1 QUARTERLY PERFORMANCE REPORT: JULY - SEPTEMBER 2022 (Q1)

RESOLUTION ORD537/22

Moved: Councillor Vim Sharma

Seconded: Councillor Morgan Rickard

THAT the report entitled Quarterly Performance Report: July - September 2022 (Q1) be received and noted.

CARRIED 12/0

15.2 IRRIGATION - PLAY SPACE AT DRIFFIELD PARK ANULA

RESOLUTION ORD538/22

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Brian O'Gallagher

THAT the report entitled Irrigation - Play Space at Driffield Park Anula be received and noted.

CARRIED 12/0

15.3 EAST POINT RESERVE ADVISORY COMMITTEE MEETING MINUTES 8 SEPTEMBER 2022

RESOLUTION ORD539/22

Moved: Councillor Mick Palmer

Seconded: Councillor Peter Pangquee

THAT the report entitled 'East Point Reserve Advisory Committee Meeting Minutes 8 September 2022' be received and noted.

CARRIED 12/0

15.4 UNCONFIRMED OPEN MINUTES - RISK MANAGEMENT AND AUDIT COMMITTEE (RMAC) - 21 OCTOBER 2022**RESOLUTION ORD540/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Amye Un

THAT the report entitled Unconfirmed Open Minutes - Risk Management & Audit Committee (RMAC) – 21 October 2022 be received and noted.

CARRIED 12/0

16 REPORTS OF REPRESENTATIVES**RESOLUTION ORD541/22**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Ed Smelt

THAT the following Reports of Representatives be received and noted.

16.1

Councillor Ed Smelt reported on meeting with Nightcliff Primary School Road Safety Committee staff, City of Darwin Staff, Councillors and the Lord Mayor. Productive meeting, school would like to upgrade the children's school crossings on 3 sites, with a view to upgrade to wombat or elevated pedestrian crossing.

16.2

Councillor Jimmy Bouhoris reported on the Young Territory Author Awards, which was attended by very talented young Authors. Thank you very much to staff for the professionally run event. All the young kids were made to feel welcomed, but they missed the Lord Mayor's presence and would like to see you at the next event.

16.3

Councillor Amye Un reported on Young Territory Authors award, it was amazing and well done. Also received an email from the Electoral Office of Fannie Bay, seeking a response from City of Darwin for the replacement of swing on Weddell Street, advised that Community Manager will visit. Another invitation was received to attend the Reconciliation Master Plan, Presentation and Program but this was cancelled because it is not part of my duties.

16.4

Councillor Brian O'Gallagher thanked The Lord Mayor for meeting the Governor of Negros, and reported that he did see the Governor the next day at a graduation ceremony at ICAE with Councillor Amye Un, and the Governor was very grateful and believed that the reception he received from you was really supportive, and I believe there is a great opportunity to develop our relationship.

16.5

Councillor Morgan reported on the meeting attended by Chan Ward Councillors with the Member for Fannie Bay and Baggot Community members to discuss some of the issues in the community. It was a productive meeting, and am looking forward to being able to continue those meetings hopefully with some Council Officers,

CARRIED 12/0

17 QUESTIONS BY MEMBERS**17.1 PHOTOS OF DECONSTRUCTION STAGES - CASUARINA AQUATIC AND LIFESTYLE CENTRE****Question:**

Councillor Jimmy Bouhouris enquired about photos of the deconstruction stages of the Casuarina Aquatic and Lifestyle Centre and how this was going to be captured? It is with a drone, is going to be from above, is it still footage or is it film clips? I have a few people in the area that are asking, because I think it will be a historic event to be put up later on as a piece at the Aquatic Centre.

Answer:

The Executive Manager Infrastructure responded and advised that drone will be flown once a month on the same path, when there is interest happening. Basically it will be video footage, and images can be taken from that.

17.2 PROGRESS DRIVE PEDESTRIAN CROSSING**Question:**

Councillor Morgan Rickard enquired about the island near the roundabout at the bottom of Progress Drive, and looking the viability of putting a crossing there? Would like to see where we are up too?

Answer:

The Executive Manager Environment, Climate and Waste responded and advised that this will be taken on notice, and will provide a response shortly.

17.3 RAPID CREEK BRIDGE**Question:**

Councillor Ed Smelt enquired about the Rapid Creek Bridge update.

Answer:

The General Manager Community responded and advised that works is progressing well, they have lost a few days due to weather conditions, but have advised that they have revised their date to the 25 November 2022 weather pending.

17.4 CITY OF DARWIN WEBSITE - UPDATE OF COMMITTEE MEMBERS DETAILS**Question:**

Councillor Sylvia requested for the City of Darwin website to be updated with all the newly elected Advisory Committee Members, there are no name listings or contact details.

Answer:

The Chief Executive Officer responded and advised that this will be taken on notice, and discuss options with team.

17.5 TREES ON SABINE ROAD**Question:**

The Lord Mayor enquired about the water regime for the trees on Sabine Road. There was a complaint on the radio about the Council and the lack of watering which has caused tree's to die. If they have died could we please replace them.

Answer:

The General Manager Community responded and advised that it will be taken on notice, and a response will be provided.

17.6 CREATE TEAMS GROUP FOR COUNCILLORS**RESOLUTION ORD542/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Ed Smelt

Question:

The Lord Mayor requested for TEAMS Group to be created for Councillors to meet.

Answer:

The General Manager responded and advised that this will be taken on notice and will follow up with the request with the IT Department.

CARRIED 12/0

18 GENERAL BUSINESS**18.1 ANNUAL REPORT****RESOLUTION ORD543/22**

Moved: Councillor Vim Sharma

Seconded: Councillor Morgan Rickard

Councillor Panquee would like to thank staff for the work put into Annual Report, job well done, and well deserving

.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, 29 November 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 Community Grant Recommendations Round 2 2022/23

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 Youth Advisory Committee Recommendation - Appointment of New 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.

26.3 Update on Proposed Opening of a Portion of Garramilla Boulevard

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.

26.4 Update on Walkway 239, Coconut Grove

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

26.5 Commercial Tyre Disposal at Shoal Bay Waste Management Facility

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.

26.6 Shiers Streets Proposal

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 Darwin Central Business District Speed Limit Review

This matter is considered to be confidential under Section 99(2) - 51(c)(ii) 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 prejudice the maintenance or administration of the law.

27.1 Shoal Bay Waste Management Facility Environmental Audit Update

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 Proposed development at Smith Street

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.

27.3 CDU Education Precinct and Request Investment in Car Parking Infrastructure

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.

27.4 McMinn Car Park 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.

27.5 YMCA NT Quarterly Pool Management Report - July to September 2022

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.

27.6 Unconfirmed Confidential Minutes - Risk Management & Audit Committee (RMAC) - 21 October 2022

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

21.1 ADJOURNMENT OF MEETING AND MEDIA LIAISON

RECOMMENDATIONS

THAT the open section of the meeting be adjourned at 5.54 pm

THAT the open section of the meeting be resumed at 8.13pm

THAT the chair declared the meeting closed at 8.13pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 29 November 2022.

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CHAIR