

Minutes Ordinary Council Meeting

Tuesday, 27 August 2024



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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, 27 AUGUST 2024 AT 5:30PM

PRESENT:

Deputy Lord Mayor Peter Pangquee (Chair) Councillor Sylvia Klonaris Councillor Mick Palmer Councillor Ed Smelt Councillor Rebecca Want de Rowe Councillor Sam Weston

OFFICERS

Chief Executive Officer, Simone Saunders General Manager Community, Matt Grassmayr General Manager Corporate, Natalie Williamson General Manager Innovation, Alice Percy

APOLOGY:

Lord Mayor Kon Vatskalis Councillor Jimmy Bouhoris Councillor Kim Farrar Councillor Morgan Rickard Councillor Vim Sharma

GUESTS:

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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 ORD351/24

Moved: Councillor Ed Smelt Seconded: Councillor Sylvia Klonaris

The Chair declared the meeting open at 5:33 pm.

CARRIED 6/0

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 APOLOGIES

RESOLUTION ORD352/24

Moved: Councillor Sam Weston Seconded: Councillor Rebecca Want de Rowe

THAT the apology from Councillor Jimmy Bouhoris, Councillor Kim Farrar, Councillor Morgan Rickard and Councillor Vim Sharma be received.

CARRIED 6/0

4.2 LEAVE OF ABSENCE GRANTED

RESOLUTION ORD353/24

Moved: Councillor Sam Weston Seconded: Councillor Rebecca Want de Rowe

THAT it be noted the Lord Mayor Kon Vatskalis is an apology due to a leave of Absence previously granted on 30 April 2024 for the period 20 August 2024 to 17 September 2024.

CARRIED 6/0

4.3 LEAVE OF ABSENCE REQUESTED

RESOLUTION ORD354/24

Moved: Councillor Rebecca Want de Rowe Seconded: Councillor Ed Smelt

- 1. THAT a Leave of Absence be granted for Councillor Mick Palmer for 24 September 2024.
- 2. THAT a Leave of Absence be granted for Councillor Sam Weston for 24 September 2024.

CARRIED 6/0

5 ELECTRONIC MEETING ATTENDANCE

- 5.1 ELECTRONIC MEETING ATTENDANCE GRANTED
 Nil
- 5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED
 Nil

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

6.1 DECLARATION OF INTEREST BY MEMBERS

6.2 DECLARATION OF INTEREST BY STAFF

7 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION ORD355/24

Moved: Councillor Sylvia Klonaris Seconded: Councillor Rebecca Want de Rowe

THAT the minutes of the Ordinary Council Meeting and the Restricted Confidential Open Ordinary Council Meeting held on 13 August 2024 be confirmed.

CARRIED 6/0

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

28.1 SISTER CITIES ACTION PLAN 2024-26

RESOLUTION ORD369/24

Moved: Councillor Sylvia Klonaris Seconded: Councillor Sam Weston

- 1. THAT the report entitled Sister Cities Action Plan 2024-2026 be received and noted.
- 2. THAT Council endorse the Sister Cities Action Plan 2024-2026.
- 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 6/0

28.3 PROPERTY LEASING AND LICENSING POLICY

RESOLUTION ORD373/24

Moved: Councillor Sam Weston Seconded: Councillor Rebecca Want de Rowe

- 1. THAT the report entitled Property Leasing and Licensing Policy be received and noted.
- 2. THAT Council adopt the Property Leasing and Licensing Policy provided at **Attachment 1**

replacing the tracked changes version of the Leasing Policy provided at Attachment 2.

- 3. THAT Council approve a grace period of twelve (12) months for each tenant to implement the Property Leasing and Licencing Policy.
- 4. 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.*
- 5. THAT the documents remain confidential and that this decision be moved into Open at the end of the meeting.

In Favour: Members Mick Palmer, Peter Pangquee, Rebecca Want de Rowe and Sam Weston

Against: Members Sylvia Klonaris and Ed Smelt

CARRIED 4/2

RESOLUTION ORD374/24

Moved: Councillor Ed Smelt Seconded: Councillor Sylvia Klonaris

That this item lay on table and be referred to the October 2024 Ordinary Council Meeting with additional information provided relating to the application of the assessment criteria for rental subsidies.

LOST 2/4

28.4 CITY OF DARWIN MEETING SCHEDULE

RESOLUTION ORD375/24

Moved: Councillor Rebecca Want de Rowe Seconded: Councillor Sam Weston

- 1. THAT the report entitled City of Darwin Meeting Schedule be received and noted.
- 2. THAT Council approve the meeting schedule for the remainder of the term of Council:

October 2024	One workshop, one Confidential Briefing, one Council Meeting
November 2024	One workshop, one Confidential Briefing, one Council Meeting
December 2024	One Council Meeting
January 2025	One Confidential Briefing, one Council Meeting
February 2025	One workshop, one Confidential Briefing, one Council Meeting
March 2025	One workshop, one Confidential Briefing, one Council Meeting
April 2025	One workshop, one Confidential Briefing, one Council Meeting
May 2025	One workshop, one Confidential Briefing, one Council Meeting
June 2025	One workshop, one Confidential Briefing, one Council Meeting
July 2025	One workshop, one Confidential Briefing, one Council Meeting

- 3. THAT Council note that Budget Workshops will be scheduled in addition to the meetings in Item 2, in accordance with the Budget timetable.
- 4. 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.*
- 5. THAT the documents remain confidential and that this decision be moved into Open at the

end of the meeting.

CARRIED 6/0

28.5 YOUTH ADVISORY COMMITTEE RECOMMENDATION - APPOINTMENT OF NEW MEMBER

RESOLUTION ORD376/24

Moved: Councillor Rebecca Want de Rowe Seconded: Councillor Sylvia Klonaris

- 1. THAT the report entitled Youth Advisory Committee Recommendation Appointment of New Member be received and noted.
- 2. THAT Council appoint Pak Chan to the Youth Advisory Committee from 27 August 2024 to 31 August 2026.
- 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 6/0

28.5 YOUTH ADVISORY COMMITTEE RECOMMENDATION - APPOINTMENT OF NEW MEMBER

RESOLUTION ORD376/24

Moved: Councillor Rebecca Want de Rowe Seconded: Councillor Sylvia Klonaris

- 1. THAT the report entitled Youth Advisory Committee Recommendation Appointment of New Member be received and noted.
- 2. THAT Council appoint Pak Chan to the Youth Advisory Committee from 27 August 2024 to 31 August 2026.
- 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 6/0

30.1 INCOMING CORRESPONDENCE - DEPARTMENT OF INFRASTRUCTURE, PLANNING AND LOGISTICS - ADVOCATING FOR DENSIFICATION AND INFILL DEVELOPMENT

RESOLUTION ORD378/24

Moved: Councillor Rebecca Want de Rowe Seconded: Councillor Mick Palmer

- 1. THAT the report entitled Incoming Correspondence Department of Infrastructure, Planning and Logistics Advocating for Densification and Infill Development 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 6/0

30.2 INCOMING CORRESPONDENCE - DEPARTMENT OF TERRITORY FAMILIES, HOUSING AND COMMUNITIES - LAUNCH NIGHT SERIES

RESOLUTION ORD379/24

Moved: Councillor Rebecca Want de Rowe Seconded: Councillor Mick Palmer

- 1. THAT the report entitled Incoming Correspondence Department of Territory Families, Housing and Communities - Launch Night Series 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 6/0

30.3 OUTGOING CORRESPONDENCE - HERITAGE COUNCIL NORTHERN TERRITORY

RESOLUTION ORD380/24

Moved: Councillor Rebecca Want de Rowe Seconded: Councillor Mick Palmer

- 1. THAT the report entitled Outgoing Correspondence Heritage Council Northern Territory 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 remains confidential unless Council decides otherwise by resolution.

CARRIED 6/0

32.1 CONGRATULATIONS TO BRIAN O'GALLAGHER

RESOLUTION ORD385/24

Moved: Councillor Mick Palmer Seconded: Councillor Sam Weston

Councillor Rebecca Want de Rowe congratulated Brian O'Gallagher following the successful appointment to the seat of Karama in the recent General Election and to move this General Business item into Open at the end of the meeting.

CARRIED 6/0

9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

10 PUBLIC QUESTION TIME

- 10.1 PUBLIC QUESTION TIME Nil
- 11 PETITIONS
- 11.1 PETITION Nil

12 DEPUTATIONS AND BRIEFINGS

12.1 DEPUTATIONS AND BRIEFINGS Nil

13 NOTICES OF MOTION

Nil

14 ACTION REPORTS

14.1 ACCESS AND INCLUSION ADVISORY COMMITTEE BUDGET RECOMMENDATION

RESOLUTION ORD356/24

Moved: Councillor Sylvia Klonaris Seconded: Councillor Sam Weston

- 1. THAT the report entitled Access and Inclusion Advisory Committee Budget Recommendation be received and noted.
- 2. THAT Council approve the following projects for delivery:

Project	Estimated Cost
Shade Structure to the Liberty Swing at Lake Alexander Playground	\$30,000
Resurfacing the damaged soft fall of the Liberty Swing at Lake Alexander Playground	\$20,000
Total	\$50,000

CARRIED 6/0

14.2 PLACE NAMES APPLICATION - HIDDEN VALLEY SUBDIVISION - NAMING OF FIVE ROADS - LOT 6809 (0) HIDDEN VALLEY ROAD, HIDDEN VALLEY

MOTION

Moved: Deputy Lord Mayor Peter Pangquee Seconded: Councillor Sylvia Klonaris

- 1. THAT the report entitled Place Names Application Hidden Valley Subdivision Naming of Five Roads Lot 6809 (0) Hidden Valley Road, Hidden Valley be received and noted.
- 2. THAT Council support the following five road names as proposed by the developer for the Hidden Valley subdivision over Lot 6809 (0) Hidden Valley Road, Hidden Valley:
 - Mousellis Road
 - Tomazos Road
 - Raveane Road
 - Roussos Road
 - Milatos Road

AMENDMENT

- 1. THAT the report entitled Place Names Application Hidden Valley Subdivision Naming of Five Roads Lot 6809 (0) Hidden Valley Road, Hidden Valley be received and noted.
- 2. THAT Council support the following five road names as proposed by the developer for the Hidden Valley subdivision over Lot 6809 (0) Hidden Valley Road, Hidden Valley:
 - Mousellis Road
 - Tomazos Road
 - Raveane Road
 - Roussos Road
 - Milatos Road
- 3. THAT Council will provide support directly to the Place Names Committee as part of the consultation process.

Councillor Ed Smelt proposed an amendment and with the consent of the mover, the amendment was accepted.

RESOLUTION ORD357/24

Moved: Deputy Lord Mayor Peter Pangquee Seconded: Councillor Sylvia Klonaris

- 1. THAT the report entitled Place Names Application Hidden Valley Subdivision Naming of Five Roads Lot 6809 (0) Hidden Valley Road, Hidden Valley be received and noted.
- 2. THAT Council support the following five road names as proposed by the developer for the Hidden Valley subdivision over Lot 6809 (0) Hidden Valley Road, Hidden Valley:
 - Mousellis Road
 - Tomazos Road
 - Raveane Road
 - Roussos Road
 - Milatos Road
- 3. THAT Council will provide support directly to Place Names Committee as part of the consultation process.

CARRIED 5/1

14.3 TRIAL CLOSURE OF THE INTERSECTIONS OF HOLMES STREET AND PLAYFORD STREET FANNIE BAY

RESOLUTION ORD358/24

Moved: Councillor Sylvia Klonaris Seconded: Councillor Sam Weston

- 1. THAT the report entitled Trial Closure of the Intersections of Holmes Street and Playford Street Fannie Bay be received and noted.
- 2. THAT Council approve to maintain the current intersection as is, of Holmes Street and Playford Street, Fannie Bay for the reasons outlined in this report.

CARRIED 4/2

AMENDMENT

RESOLUTION ORD359/24

Moved: Councillor Mick Palmer Seconded: Councillor Sam Weston

- 1. THAT the report entitled Trial Closure of the Intersections of Holmes Street and Playford Street Fannie Bay be received and noted.
- 2. THAT Council approve to proceed with the trial closure of Holmes Street and Playford Street, Fannie Bay for a period of 12 months and refer the costs as a new initiative to the 2025/26 budget.

EQUAL 3/3

There being an equality of votes for and against the motion, the Acting Lord Mayor Peter Pangquee, having voted in the Against with his deliberative vote, exercised his Casting Vote against the Motion.

LOST

Councillor Mick Palmer departed the meeting at 6:10 pm.

Councillor Mick Palmer re-joined the meeting at 6:11 pm

14.4 ANIMAL PROTECTION ACT REVIEW

RESOLUTION ORD360/24

Moved: Councillor Sam Weston Seconded: Councillor Sylvia Klonaris

- 1. THAT the report entitled Animal Protection Act Review 2024 City of Darwin Response be received and noted.
- 2. THAT Council endorse the draft submission from City of Darwin in response to the Animal Protection Act Legislative Review 2024.

CARRIED 6/0

15 RECEIVE & NOTE REPORTS

15.1 INTERIM MONTHLY FINANCIAL REPORT - JULY 2024

RESOLUTION ORD361/24

Moved: Councillor Sam Weston Seconded: Councillor Mick Palmer

THAT the report entitled Interim Monthly Financial Report – July 2024 be received and noted.

CARRIED 6/0

15.2 TIER 2 BI-ANNUAL PERFORMANCE REPORT - JANUARY TO JUNE 2024

RESOLUTION ORD362/24

Moved: Councillor Sylvia Klonaris Seconded: Councillor Rebecca Want de Rowe

THAT the report entitled Tier 2 Bi-Annual Performance Report – January to June 2024 be received and noted.

CARRIED 6/0

15.3 ADVISORY COMMITTEE OPEN MEETING MINUTES

RESOLUTION ORD363/24

Moved: Councillor Sam Weston Seconded: Councillor Sylvia Klonaris

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

CARRIED 6/0

16 CORRESPONDENCE

Nil

17 REPORTS OF REPRESENTATIVES

18 QUESTIONS BY MEMBERS

18.1 FOOD VANS AT CASUARINA AQUATIC AND LEISURE CENTRE

RESOLUTION ORD364/24

Moved: Councillor Sylvia Klonaris Seconded: Councillor Ed Smelt

Question

Councillor Sylvia Klonaris inquired if City of Darwin will consider food vans to operate in the car park of the Casuarina Aquatic and Leisure Centre temporarily until the lease agreement for the cafe has been finalised.

Response

The General Manager Innovation, Alice Percy responded and advised food is currently available on-site through the Y Northern Territory until the cafe tenancy is finalised. At present, there are no provisions for food vans in the carpark. The General Manager Innovation, Alice Percy advised Councillor Sylvia Klonaris any interested parties can express interest with an email <u>darwin@darwin.nt.gov.au.</u> Assement will be in accordance with the Street Food Policy and Guidelines.

CARRIED 6/0

19 GENERAL BUSINESS

19.1 APPOINTMENT OF DEPUTY LORD MAYOR

RESOLUTION ORD365/24

Moved: Councillor Mick Palmer Seconded: Councillor Sam Weston

THAT Council appoint Councillor Sam Weston as the Deputy Lord Mayor for the period 29 September 2024 to 28 January 2025.

CARRIED 6/0

20 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

RECOMMENDATIONS

THAT the next Ordinary Meeting of Council be held on Tuesday, 24 September 2024, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers Darrandirra, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

21 CLOSURE OF MEETING TO THE PUBLIC

RECOMMENDATIONS

THAT pursuant to Section 99 (2) of the *Local Government Act 2019* and Regulation 8 of the Local Government 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 2019*:

28.1 Sister Cities Action Plan 2024-26

This matter is considered to be confidential under Section 99(2) - 51(c)(i) 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 that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person 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.

28.2 Urban Precincts and Partnership Program

This matter is considered to be confidential under Section 99(2) - 51(c)(i) 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 that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person 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.

28.3 Property Leasing and Licensing Policy

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.

28.4 City of Darwin Meeting Schedule

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.

28.5 Youth Advisory Committee Recommendation - Appointment of New Member

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.

29.1 Advisory Committee Confidential Meeting Minutes

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.

30.1 Incoming Correspondence - Department of Infrastructure, Planning and Logistics -Advocating for Densification and Infill Development

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.

30.2 Incoming Correspondence - Department of Territory Families, Housing and Communities - Launch Night Series

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.

30.3 Outgoing Correspondence - Heritage Council Northern Territory

This matter is considered to be confidential under Section 99(2) - 51(c)(i) and 51(d) 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 and information subject to an obligation of confidentiality at law, or in equity.

22 ADJOURNMENT OF MEETING AND MEDIA LIAISON

RESOLUTION ORD366/24

Moved: Councillor Ed Smelt Seconded: Councillor Sam Weston

THAT the open section of the meeting be adjourned at 6:30 pm.

CARRIED 6/0

THAT the open section of the meeting be resumed at 7:49 pm.

THAT the chair declared the meeting closed at 7:49 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 24 September 2024.

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CHAIR