



MINUTES

**Ordinary Council Meeting
Tuesday, 29 August 2023**

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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, 29 AUGUST 2023 AT 5:30PM**

PRESENT:

Lord Mayor Kon Vatskalis,
Deputy Lord Mayor Jimmy Bouhoris
Councillor Kim Farrar
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

OFFICERS:

Simone Saunders (Chief Executive Officer)
Lynette Loone (A/General Manager Community)
Steve Thacker (General Manager Corporate)
Alice Percy (General Manager Innovation)

APOLOGY:

Councillor Rebecca Want de Rowe

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 Amye Un was online but not visible at the commencement of the meeting.

Councillor Ed Smelt was online but not visible at the commencement of the meeting.

3 MEETING DECLARED OPEN

RESOLUTION ORD475/23

Moved: Deputy Lord Mayor Jimmy Bouhoris

Seconded: Councillor Kim Farrar

The Chair declared the meeting open at 5.31 pm.

CARRIED 9/0

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 APOLOGIES

RESOLUTION ORD476/23

Moved: Councillor Morgan Rickard

Seconded: Councillor Sylvia Klonaris

THAT the apology from Councillor Rebecca Want de Rowe, be received.

CARRIED 9/0

4.2 LEAVE OF ABSENCE GRANTED

Nil

4.3 LEAVE OF ABSENCE REQUESTED

Nil

5 ELECTRONIC MEETING ATTENDANCE**5.1 ELECTRONIC MEETING ATTENDANCE GRANTED****RESOLUTION ORD477/23**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Mick Palmer

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, 29 August 2023.

- Councillor Ed Smelt
- Councillor Amye Un

CARRIED 9/0**5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED**

Nil

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

THAT Council note that pursuant to Section 114 and 115 of the *Local Government Act 2019*, Councillor Brian O’Gallagher, declared a Conflict of Interest in Item 26.1 Cyclone Tracy Commemoration Advisory Committee Appointments.

Lord Mayor advised Councillor Amye Un an item in the Restricted Confidential Council Meeting concerns her and raised this matter to her attention. Further that she need to declare a conflict of interest and withdraw from the meeting prior to the discussion of that item. There was no comment from Councillor Amye Un.

6.2 DECLARATION OF INTEREST BY STAFF

Nil

7 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION ORD478/23

Moved: Councillor Peter Pangquee

Seconded: Councillor Vim Sharma

THAT the minutes of the Ordinary Council Meeting held on 15 August 2023 be confirmed.

CARRIED 9/0

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 CYCLONE TRACY COMMEMORATION ADVISORY COMMITTEE APPOINTMENTS

RESOLUTION ORD497/23

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Sylvia Klonaris

1. THAT the report entitled Cyclone Tracy Commemoration Advisory Committee Appointments be received and noted.
2. THAT Council appoint the following members to the Cyclone Tracy Commemoration Advisory Committee:
 - Community member Sally Courtney
3. THAT Council endorse closing the expression of interest process for new community members.
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 9/0**26.2 THREE-MONTH EXTENSION****RESOLUTION ORD498/23**

Moved: Councillor Kim Farrar

Seconded: Deputy Lord Mayor Jimmy Bouhoris

1. THAT the report entitled Three-month extension be received and noted.
2. THAT Council endorse a three-month extension until 30th November 2023 for Neuron electric scooters and electric bikes to operate on City of Darwin land within the current geospatial area and conditions.
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**27.1 OUTCOMES FOLLOWING REVIEW OF RATE EXEMPTIONS****RESOLUTION ORD499/23**

Moved: Councillor Brian O'Gallagher

Seconded: Lord Mayor Kon Vatskalis

1. THAT the report entitled Outcomes Following Review of Rate Exemptions 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 10/0**27.2 2030 PARKING FRAMEWORK AND MANAGEMENT PLAN****RESOLUTION ORD500/23**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Peter Pangquee

1. THAT the report entitled 2030 Parking Framework and Management Plan 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 10/0

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 Amye Un joined the meeting at 5.34pm.

14 ACTION REPORTS

14.1 SMART BENCH UPDATE

RESOLUTION ORD479/23

Moved: Councillor Peter Pangquee

Seconded: Deputy Lord Mayor Jimmy Bouhoris

1. THAT the report entitled Smart bench update be received and noted.
2. THAT Council endorse for the smart bench to remain at Nightcliff Pool.

CARRIED 10/0

15 RECEIVE & NOTE REPORTS

15.1 INTERIM MONTHLY FINANCIAL REPORT - JULY 2023

RESOLUTION ORD480/23

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Brian O’Gallagher

THAT the report entitled Monthly Financial Report – July 2023 be received and noted.

CARRIED 10/0

Councillor Ed Smelt joined the meeting at 5.44pm.

15.2 TIER 2 BI-ANNUAL PERFORMANCE REPORT - JANUARY TO JUNE 2023**RESOLUTION ORD481/23**

Moved: Councillor Morgan Rickard

Seconded: Councillor Mick Palmer

THAT the report entitled Tier 2 Bi-Annual Performance Report - January to June 2023 be received and noted.

CARRIED 11/0

Councillor Ed Smelt departed the meeting at 5.49pm.

15.3 COMMITTEE MEETING MINUTES**RESOLUTION ORD482/23**

Moved: Deputy Lord Mayor Jimmy Bouhoris

Seconded: Councillor Peter Pangquee

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

CARRIED 10/0

16 REPORTS OF REPRESENTATIVES**RESOLUTION ORD483/23**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Brian O'Gallagher

THAT the following Reports of Representatives be received and noted.

16.1

Councillor Brian O'Gallagher reported on attending the Australia China Friendship Society NT annual food and family event. Great to see the community come together, they make a wonderful part of our society.

16.2

Councillor Sylvia Klonaris reported on meeting the Lord Mayor of Kalymnos during her recent holiday. It was good to pay respect and acknowledge the work City of Darwin are doing with Kalymnos.

16.3

Councillor Peter Pangquee reported on attending Tourism Top End Executive Board Meeting that has recently welcomed a new General Manager, Samantha Bennett. One of the points of discussion in the meeting focused on the conflict between permit stall holders outside of the Visitor Information Centre and the Visitor Information staff. Request for City of Darwin to work closely with stall holders and the Visitors Information Centre.

16.4

Councillor Morgan Rickard reported on attending Flowers Underwater Fashion Parade, which was sponsored by City of Darwin. It was brilliant and I would like to congratulate Melaleuca Australia and Darwin Festival community for their ongoing efforts and support for the arts in the Northern Territory.

16.5

Councillor Amye Un visited Nightcliff jetty and would like to report that at the front of the park area there are large roots that need to be removed. Resident advised that City of Darwin had been contacted. The Lord Mayor Kon Vatskalis confirmed that this had been reported and referred to the appropriate manager.

Councillor Amye Un reported on her last visit to her hometown, she enquired if it was possible to represent the City of Darwin. She was informed that if you are on a private holiday, you are not allowed to represent City of Darwin. The Lord Mayor, Kon Vatskalis advised Councillor Amye Un that unless City of Darwin have received an invitation from the municipality, the visit would be private and not official.

16.6

Councillor Peter Pangquee attended the launch of the Reconciliation Action Plan (RAP). Thank you to Angela O'Donnell and her team, and a special thank you to Lee Turner (Reconciliation Action Lead). The Reconciliation Action Plan was well received and it was a great event.

16.7

The Lord Mayor, Kon Vatskalis reported on attending the launch of the Reconciliation Action Plan, and would like to thank everybody who worked on this to become a reality, especially Councillor Peter Pangquee who put forward the motion and instigated the movement. He also attended the Salty Plum event at Darwin Festival, the Indonesian National Day Reception and the Buddhist Food Fair in Leanyer.

The Lord Mayor, Kon Vatskalis informed Councillor Sylvia Klonaris that a letter has been executed, thanking Tony Miadious for his contribution in the Sister City relationship arrangement. Stated the RSL conducted a vigil for the three marines who lost their lives on Tiwi Island, when the application was received, the approval process was undertaken, with over 100 in attendance.

16.8

Councillor Amye Un asked if the space near the fenced park between Goyder and Parap Roads, be turned into a picnic area.

CARRIED 10/0

17 QUESTIONS BY MEMBERS**17.1 MALAK MARKETS AND KARAMA ELECTORATE****RESOLUTION ORD484/23**

Moved: Councillor Vim Sharma

Seconded: Councillor Kim Farrar

Question:

Councillor Brian O’Gallagher requested an update for Malak Markets, and if there was any follow up response given to Minister Ngaree Ah Kit for her matters relating to the Karama electorate.

Response:

The General Manager Innovation, Alice Percy confirmed that Malak Markets are still trying to finalising their documentation in order to commence trading, the Karama gardens have made a few recommendations for changes in their agreement and will be finalised soon.

The General Manager Corporate, Steve Thacker confirmed a response was forwarded to Minister Ah Kit. The Minister was advised that the Lord Mayor would not be able to attend the public forum but extended an offer to anyone that had any specific queries in relation to exemptions set under Northern Territory Government Legislation to contact General Manager Corporate, Steve Thacker. The Kalyrnian Brother Hood outstanding rates is an ongoing legal matter.

CARRIED 10/0

17.2 PATH SWEEPERS**RESOLUTION ORD485/23**

Moved: Councillor Vim Sharma

Seconded: Councillor Kim Farrar

Question:

Councillor Sylvia Klonaris received enquiry about path sweepers, and if they are utilised across all wards, and advised that a resident has requested for specific areas to be swept.

Response:

The Lord Mayor, Kon Vatskalis requested Councillor Sylvia Klonaris to provide an address for the operational matter and then Officers can contact the resident for follow up.

CARRIED 10/0

17.3 WATER BUBBLERS**RESOLUTION ORD486/23**

Moved: Councillor Vim Sharma

Seconded: Councillor Kim Farrar

Question:

Councillor Sylvia Klonaris enquired about water bubblers in the park and the frequency of inspections. She received feedback from residents bubblers are not working, leaking or blocked. Requested if there is a scheduled maintenance program for the bubblers to be reviewed and cleaned.

Response:

The Lord Mayor, Kon Vatskalis took this operational question on notice to be referred to the Operations Team.

CARRIED 10/0

17.4 IRRIGATION IN PARKS**RESOLUTION ORD487/23**

Moved: Councillor Vim Sharma

Seconded: Councillor Kim Farrar

Question:

Councillor Sylvia Klonaris enquired on how many parks rely on manual sprinklers. Complaints received regarding lack of watering and or irrigation in parks. Requested a report to receive this information.

Response:

The Lord Mayor, Kon Vatskalis advised Councillor Sylvia Klonaris that if she would like to have a full report that she would have to bring a motion forward.

CARRIED 10/0

17.3 TROWER ROAD UPGRADE**RESOLUTION ORD488/23**

Moved: Councillor Vim Sharma

Seconded: Councillor Kim Farrar

Question:

Deputy Lord Mayor, Jimmy Bouhoris requested an update on Trower Road upgrade, and when will it be finalised. Noted the road has been resealed, the lines are yet to be done.

Response:

The General Manager Corporate, Steve Thacker took the question on notice.

CARRIED 10/0

17.4 ROLES IN THE COMMUNITY**RESOLUTION ORD489/23**

Moved: Councillor Vim Sharma

Seconded: Councillor Kim Farrar

Question:

Councillor Amye Un received a request from residents for Elected Members to be more active in the community and social media.

Response:

The Lord Mayor, Kon Vatskalis advised Councillor Amye Un, that this is the role of the Elected Members to organise community events and talk to community members about issues they are facing.

CARRIED 10/0

17.5 LEE POINT**RESOLUTION ORD490/23**

Moved: Councillor Vim Sharma

Seconded: Councillor Kim Farrar

Question

Councillor Amye Un received calls from community asking if City of Darwin are taking any responsibility for the fire in the Lee Point area.

Response:

The Lord Mayor, Kon Vatskalis advised Councillor Amye Un this Northern Territory Government land.

CARRIED 10/0

18 GENERAL BUSINESS**18.1 INCOMING CORRESPONDENCE - NORTHERN TERRITORY REMUNERATION TRIBUNAL - LOCAL GOVERNMENT COUNCIL MEMBERS' ALLOWANCES****RESOLUTION ORD491/23**

Moved: Deputy Lord Mayor Jimmy Bouhoris

Seconded: Councillor Morgan Rickard

THAT the report entitled Incoming Correspondence - Northern Territory Remuneration Tribunal - Local Government Council Members' Allowances be received and noted.

CARRIED 10/0

18.2 NORTHERN TERRITORY REMUNERATION TRIBUNAL - REQUEST TO INVITE CHAIRPERSON MICHAEL MARTIN**RESOLUTION ORD492/23**

Moved: Deputy Lord Mayor Jimmy Bouhoris
Seconded: Councillor Morgan Rickard

Question:

Councillor Peter Pangquee requested for City of Darwin, to extend an invitation to Michael Martin (Chairperson) to provide an opportunity for Elected Members to express their concerns.

Response:

The Lord Mayor, Kon Vatskalis agreed.

CARRIED 10/0**18.2 REQUEST FOR COUNCIL WORKSHOP****RESOLUTION ORD493/23**

Moved: Deputy Lord Mayor Jimmy Bouhoris
Seconded: Councillor Morgan Rickard

Councillor Sylvia Klonaris requested a Council workshop on Allowances.

The Lord Mayor, Kon Vatskalis advised that a workshop was organised last year and happy for the Elected Members to organise another meeting to talk about the issues. Lord Mayor, Kon Vatskalis advised Councillor Sylvia Klonaris to review the last meeting proposal, and decide how you want it run. Councillor Morgan Rickard confirmed that Deputy Lord Mayor, Jimmy Bouhoris organised the last workshop, and we should take the same approach.

CARRIED 10/0**19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING****RECOMMENDATIONS**

THAT the next Ordinary Meeting of Council be held on Tuesday, 12 September 2023, 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 Cyclone Tracy Commemoration Advisory Committee Appointments

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 Three-Month Extension

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.

27.1 Outcomes Following Review of Rate Exemptions

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 2030 Parking Framework and Management Plan

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 ORD494/23

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Morgan Rickard

THAT the open section of the meeting be adjourned at 6.15pm

CARRIED 10/0

THAT the open section of the meeting be resumed at 6.54pm.

THAT the chair declared the meeting closed at 6.54pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 29 August 2023.

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CHAIR