



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 29 March 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, 29 MARCH 2022 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Deputy Lord Mayor Sylvia Klonaris, Councillor Paul Arnold, Councillor Jimmy Bouhoris, Councillor Justine Glover, 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), Michael De Luca (Acting General Manager Innovation), Matt Grassmayr (General Manager Community)
- Gemma Perkins (Governance Business Partner), Edith Heiberg (Governance Projects Officer), Russell Holden (Executive Manager Finance), Samantha Ratley (Planning and Performance Officer), Drosso Lelekis (Executive Manager Technical Services), Alice Percy (Executive Manager Growth and Development Services), Cherry Cai (Manager International Business Relations), Nik Kleine (Executive Manager Program Manager), Fred McCue (Public Relations Officer).
- APOLOGY:** Nil
- GUESTS:** Representatives of the Filipino-Australian Association of the Northern Territory

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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 Justine Glover was not present at the commencement of the meeting at 5:31 pm.*

*Councillor Morgan Rickard was not present at the commencement of the meeting at 5:31 pm.*

## 3 MEETING DECLARED OPEN

### RESOLUTION ORD139/22

Moved: Councillor Ed Smelt

Seconded: Councillor Brian O'Gallagher

The Chair declared the meeting open at 5:32pm.

**CARRIED 11/0**

*Councillor Justine Glover joined the meeting at 5:32 pm.*

*Councillor Morgan Rickard joined the meeting at 5:34 pm.*

## MULTICULTURAL PRESENTATION

Presentation from the Filipino-Australian Association of the Northern Territory.

*Councillor Vim Sharma departed the meeting at 6:00 pm.*

## 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****RESOLUTION ORD140/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Jimmy Bouhoris

THAT Council note that pursuant to Section 95 (3) of the *Local Government Act 2019* and Decision No. 21\0009 – 15/04/12, the following member(s) was granted permission for Electronic Meeting Attendance at this the fifteenth Ordinary Council Meeting held on Tuesday, 29 March 2022:

- Councillor Justine Glover
- Councillor Morgan Rickard

**CARRIED 12/0**

**5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED**

Nil

**6 DECLARATION OF INTEREST OF MEMBERS AND STAFF****6.1 DECLARATION OF INTEREST BY MEMBERS****RESOLUTION ORD141/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Jimmy Bouhoris

THAT Council note that pursuant to Section 114 and 115 of the *Local Government Act 2019*, Councillor Ed Smelt, declared a Conflict of Interest in Item 26.1 of the Confidential Ordinary Council Meeting.

**CARRIED 12/0**

**6.2 DECLARATION OF INTEREST BY STAFF**

Nil

**7 CONFIRMATION OF PREVIOUS MINUTES****RESOLUTION ORD142/22**

Moved: Councillor Peter Pangquee

Seconded: Councillor Amye Un

That the minutes of the Ordinary Council Meeting held on 15 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**

26.2 Smart Bench - Rapid Creek Community Consultation Outcome and Proposed New Location

**RESOLUTION ORD143/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Brian O'Gallagher

1. THAT the report entitled Smart Bench - Rapid Creek Community Consultation Outcome and Proposed New Location be received and noted.
2. THAT Council approve the Smart Bench installation at the Casuarina Pool , for an initial trial period up to nine months.
3. THAT other locations and the overall utility of the Smart Bench are reviewed in a report to Council at the end of the trial period for Casuarina Pool.
4. THAT this decision be moved into Open at the conclusion of the meeting.

**CARRIED 11/1**

*Councillor Vim Sharma re-joined the meeting at 6.01pm.*

**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 PROPOSAL FOR ADDITIONAL 90° CAR PARKING - LOT 6464 (60) WINNELLIE ROAD, WINNELLIE****RESOLUTION ORD144/22**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Paul Arnold

1. THAT the report entitled Proposal for Additional 90° Car Parking – Lot 6464 (60) Winnellie Road, Winnellie be received and noted.
2. THAT Council endorse the proposal to construct 35 car parking bays on the Winnellie Road verge, as outlined in this report, at the full cost of the applicant with the additional requirements that:
  - Final approval of the engineering and civil design is obtained from City of Darwin;
  - The car parks must be available to all of the community and are not for the exclusive use of the applicant's or their supporting businesses' customers or staff; and
  - Every fifth bay shall be planted with a shade tree to provide shade and amenity of the car park users.

**CARRIED 13/0**

**14.2 RAINBOW MARKING RETENTION****RESOLUTION ORD145/22**

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Vim Sharma

1. THAT the report entitled Rainbow Marking Retention be received and noted.
2. THAT Council refresh the Rainbow Marking with the Alternative Road Surfacing System prior to the Darwin Pride Festival as identified within the report entitled Rainbow Marking Retention.

**CARRIED 13/0**

*Councillor Rebecca Want de Rowe departed the meeting at 6:32 pm.*

**14.3 2ND BUDGET REVIEW 2021/2022****RESOLUTION ORD146/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Vim Sharma

1. THAT the report entitled 2<sup>nd</sup> Budget Review 2021/2022 be received and noted.
2. THAT Council amend the 2021/2022 budget in accordance with Section 203 of the Local Government Act 2019, as detailed in report entitled 2<sup>nd</sup> Budget Review 2021/2022 and associated attachments one to six.

**CARRIED 12/0**



**15 RECEIVE & NOTE REPORTS**

*Councillor Rebecca Want de Rowe re-joined the meeting at 6:35 pm.*

**15.1 MONTHLY FINANCIAL REPORT - FEBRUARY 2022****RESOLUTION ORD147/22**

Moved: Councillor Peter Pangquee

Seconded: Councillor Jimmy Bouhoris

THAT the report entitled Monthly Financial Report – February 2022 be received and noted.

**CARRIED 13/0**

**15.2 TIER 2 BI-ANNUAL PERFORMANCE REPORT: JULY - DECEMBER 2021****RESOLUTION ORD148/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Mick Palmer

THAT the report entitled Tier 2 Bi-Annual Performance Report: July – December 2021 be received and noted.

**CARRIED 13/0**

*Councillor Amye Un departed the meeting at 6:40 pm.*

**15.3 UNCONFIRMED OPEN MINUTES - RISK MANAGEMENT AND AUDIT COMMITTEE (RMAC) - 25 FEBRUARY 2022****RESOLUTION ORD149/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Brian O'Gallagher

THAT the report entitled Unconfirmed Open Minutes - Risk Management & Audit Committee (RMAC) – 25 February 2022 be received and noted.

**CARRIED 12/0**

**16 REPORTS OF REPRESENTATIVES**

*Councillor Amye Un re-joined the meeting at 6:43 pm.*

**RESOLUTION ORD150/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Vim Sharma

THAT the following Reports of Representatives be received and noted.

**16.1**

Councillor Pangquee reported on attending the Top End Tourism Board Meeting and noted that the AGM is underway now. Chair, Mike Scott is standing down after more than 15 years service. CEO of Ironbark is taking up the Chair role. Strategic planning is underway.

Met with LGANT which is also undertaking a strategic planning process and there is a forum scheduled for 6 and 7 April 2022.

**16.2**

Lord Mayor reported on his participation with a delgation to Canberra with representatives from Northern Territory Government to meet with the Department of Infrastructure, Transport, Regional Development and Communications to discuss the Waterfront Development Stage 2, and it's alignment with Council's future plans for developing Lameroo Beach. It was also an opportunity to discuss other current projects with senior Northern Territory Government personnel such as the Civic Centre.

ALGA Meeting—focus predominantly on floods; upcoming ALGA campaign seeking increased funding support for local government in lead up to Federal election.

**16.3**

Councillor Klonaris reported on her role as Acting Lord Mayor attending the Greek Independence Day event with Councillor Bouhoris.

Attended a conversation with community members with Councillor O'Gallagher and MLA the Honourable Ngaree Ah Kit about the Malak Oval proposal and will bring further information about neighbouring residents' issues for further consideration.

**CARRIED 13/0**

## **17 QUESTIONS BY MEMBERS**

### **17.1 BUFFALO CREEK PROGRESS**

#### **RESOLUTION ORD151/22**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Jimmy Bouhoris

#### **Question**

Councillor Jimmy Bouhoris queried the progress of Buffalo Creek.

#### **Response**

The Executive Manager Nik Kleine responded and advised that AAPA clearance received, works will be combined with planned works program for Lee Point Road to create operational efficiencies. Delays due to finding underground services that had not previously been identified. Works will commence this financial year.

**CARRIED 13/0**

### **17.2 VELODROME PROJECT**

#### **RESOLUTION ORD152/22**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Jimmy Bouhoris

#### **Question**

Councillor Peter Pangquee queried progress on the velodrome project and clarification on the scope of work.

#### **Response**

The Executive Manager Nik Kleine responded and advised commencement on Monday 4 April when the construction business engaged for the project taking site possession. Works include resurfacing of the track plus some building up of the pavement underneath due to the high clay content; fencing replacement, new lighting, covered spectator area, and compliant access. No landscaping is planned while awaiting Master Plan finalisation. Project is in Budget with contingency. 12 week construction requested, however 16 more likely—supply of items such as light poles may have implications for the timing.

**CARRIED 13/0**

**17.3 LIGHTING ON BOULTER ROAD****RESOLUTION ORD153/22**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Jimmy Bouhoris

**Question**

Councillor Justine Glover queried lighting progress for Boulter Road.

**Response**

The Executive Manager Drosso Lelekis responded and advised electrical cabling procurement underway. Expect rapid progress from now. Further information to be supplied regarding specific timing expectations.

**CARRIED 13/0**

**17.4 SCHOOL CROSSING ON BOULTER ROAD****RESOLUTION ORD154/22**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Jimmy Bouhoris

**Question**

Councillor Brian O'Gallagher queried timing of school crossing completion for Boulter Road.

**Response**

The Executive Manager Drosso Lelekis responded and that the order of the projects is that electrical trenching for the lighting has to occur first. Detailed response on timing to be supplied to Councillors.

**CARRIED 13/0**

**18 GENERAL BUSINESS**

Nil

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

THAT the next Ordinary Meeting of Council be held on Tuesday, 12 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 Road Opening - 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.

**26.2 Smart Bench - Rapid Creek Community Consultation Outcome and Proposed New Location**

This matter is considered to be confidential under Section 99(2) - 51(e) 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 subject to subregulation 51(3) – information provided to the council on condition that it be kept confidential and would, if publicly disclosed, be likely to be contrary to the public interest.

**26.3 Review of the Local Government (General Regulations 2021) - Municipal Parking Rate**

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

**27.1 Update on Rent Relief Requests**

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

**27.2 Corporate Services Report - February 2022**

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

**27.3 Unconfirmed Confidential Minutes - Risk Management & Audit Committee (RMAC) - 25 February 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.

**28.1 Incoming Correspondence - Department of Infrastructure, Planning and Logistics - Update on Vanderlin Drive and Lee Point Road Intersection Upgrade Project**

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.

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

### **ADJOURNMENT OF MEETING**

#### **RESOLUTION ORD155/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

THAT the open section of the meeting be adjourned at 6.53pm.

**CARRIED 13/0**

THAT the open section of the meeting be resumed at 8.12pm.

THAT the chair declared the meeting closed at 8.12pm.

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 12 April 2022.**

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**CHAIR**