



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 30 May 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, 30 MAY 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 Peter Pangquee, Councillor Morgan Rickard, Councillor Vim Sharma, Councillor Ed Smelt, Councillor Rebecca Want de Rowe
- OFFICERS:** Simone Saunders (Chief Executive Officer), Matt Grassmayr (General Manager Community), Steve Thacker (General Manager Corporate), Alice Percy (General Manager Innovation)
- APOLOGY:** Councillor Mick Palmer, Councillor Amye Un
- 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.

*Due to connection issues Councillor Morgan Rickard was present during the meeting, however was not able to be included in the vote.*

## 3 MEETING DECLARED OPEN

### RESOLUTION ORD272/23

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Rebecca Want de Rowe

The Chair declared the meeting open at 5.32pm.

**CARRIED 9/0**

## 4 APOLOGIES AND LEAVE OF ABSENCE

### 4.1 APOLOGIES

#### RESOLUTION ORD273/23

Moved: Councillor Ed Smelt

Seconded: Councillor Kim Farrar

THAT the apology from Councillor Amye Un be received.

**CARRIED 9/0**

### 4.2 LEAVE OF ABSENCE GRANTED

THAT it be noted Councillor Mick Palmer is an apology due to a Leave of Absence previously granted.

**4.3 LEAVE OF ABSENCE REQUESTED**

**RESOLUTION ORD274/23**

Moved: Councillor Vim Sharma  
 Seconded: Councillor Brian O’Gallagher

- A. THAT a Leave of Absence be granted for Councillor Peter Pangquee for the period 6 June and 13 June 2023
- B. THAT a Leave of Absence be granted for Deputy Lord Mayor Jimmy Bouhoris for the period 13 June 2023
- C. THAT a Leave of Absence be granted for Councillor Brian O’Gallagher for the period 13 June 2023.
- D. THAT a Leave of Absence be granted for Councillor Sylvia Klonaris for the period 19 July 2023 to 19 August 2023.

**CARRIED 9/0**

**4.4 ABSENCE WITHOUT PERMISSION**

Nil

**5 ELECTRONIC MEETING ATTENDANCE**

**5.1 ELECTRONIC MEETING ATTENDANCE GRANTED**

THAT it be noted Councillor Morgan Rickard and Councillor Sylvia Klonaris have been granted permission for Electronic Meeting Attendance.

**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 ORD275/23

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Ed Smelt

THAT the minutes of the Ordinary Council Meeting held on 16 May 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

## 26.2 EXPRESSION OF INTEREST

### MOTION

Moved: Deputy Lord Mayor Jimmy Bouhoris

Seconded: Councillor Brian O'Gallagher

1. THAT the report entitled Expression of Interest be received and noted.
2. THAT Council endorse for City of Darwin officers to commence an Expression of Interest process for trialling a temporary Recreational Vehicle (RV) park at Bundilla.
3. THAT Council note that the recommendation to complete an Expression of Interest process is based on economic impact, social factors, expert and technical advice, Council policies, legislation, a cost benefit analysis and feedback from the community.
4. THAT Council note that an Expression of Interest process will commence in early June.
5. THAT Council note that Expressions of Interest received will be assessed against the criteria in **Attachment 1** and if deemed in alignment with criteria and a successful proposal, the trial will proceed.
6. THAT Council note that an update report will be provided to Council on the outcomes of the Expression of Interest in June.
7. 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*.
8. THAT the documents remain confidential and that this decision be moved into Open on the release of the Expression of Interest.

**AMENDMENT****RESOLUTION ORD296/23**

Moved: Deputy Lord Mayor Jimmy Bouhoris

Seconded: Councillor Brian O'Gallagher

1. THAT the report entitled Expression of Interest be received and noted.
2. THAT Council endorse for City of Darwin officers to commence an Expression of Interest process for trialling a temporary Recreational Vehicle (RV) park at Bundilla subject to Ministerial Approval.
3. THAT Council note that the recommendation to complete an Expression of Interest process is based on economic impact, social factors, expert and technical advice, Council policies, legislation, a cost benefit analysis and feedback from the community.
4. THAT Council note that an Expression of Interest process will commence in early June subject to Ministerial Approval.
5. THAT Council note that Expressions of Interest received will be assessed against the criteria in Attachment 1 and if deemed in alignment with criteria and a successful proposal, the trial will proceed.
6. THAT Council note that an update report will be provided to Council on the outcomes of the Expression of Interest in June.
7. 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.
8. THAT the documents remain confidential and that this decision be moved into Open on the release of the Expression of Interest.

In Favour: Members Jimmy Bouhoris, Sylvia Klonaris, Brian O'Gallagher, Peter Pangquee, Kon Vatskalis and Rebecca Want de Rowe

Against: Members Kim Farrar, Morgan Rickard, Vim Sharma and Ed Smelt

**CARRIED 6/4**

*Councillor Morgan Rickard verbally advised his vote*

**32.1 LORD MAYORAL MINUTE - MOVING CONFIDENTIAL ITEMS TO OPEN AT THE CONCLUSION OF THE MEETING****RESOLUTION ORD305/23**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Ed Smelt

THAT the documents remain confidential and that the decision in Item 26.2 Expression of Interest, in the Confidential Ordinary Meeting be moved into Open at the end of the meeting.

**CARRIED 9/0**



**8.4 WITHDRAWAL OF ITEMS**

**RECOMMENDATIONS**

THAT item 14.2 entitled Sign Application - Paradise Outdoor Advertising - Lot 7246 (16) Swan Crescent, Winnellie be administratively withdrawn as advised by the Lord Mayor Kon Vatskalis.

**9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE**

**9.1 LORD MAYORAL MINUTE - CONDOLENCE MOTION DR ELLA STACK**

**RESOLUTION ORD276/23**

Moved: Lord Mayor Kon Vatskalis  
 Seconded: Councillor Peter Pangquee

1. THAT Council observe a minute’s silence for the passing of Dr Ella Stack CBE.
2. THAT Council commemorate Dr Ella Stack ‘s significant contributions to the community by naming a place or feature in her honour.

**CARRIED 9/0**

**10 PUBLIC QUESTION TIME**

Nil

**11 PETITIONS**

**11.1 PETITION TO CLOSE WALKWAY 29 KAILIS STREET TO LEE POINT ROAD WANGURI**

**RESOLUTION ORD277/23**

Moved: Councillor Rebecca Want de Rowe  
 Seconded: Councillor Jimmy Bouhoris

- A. THAT the Petition, requesting the City of Darwin for the night time closure of Walkway 29 Kailis Street to Lee Point Road Wanguri, be received and noted.
- B. THAT, in accordance with By-law 153(7)(b), the Petition requesting the City of Darwin for the night time closure of walkway 29, Kailis Street to Lee Point Road Wanguri be referred to the Community Hub for consideration and a report to return to Council.

**CARRIED 9/0**

**12 DEPUTATIONS AND BRIEFINGS**

Nil

**13 NOTICES OF MOTION**

Nil

**14 ACTION REPORTS**

*Councillor Morgan Rickard joined the meeting at 5:40 pm.*

*Councillor Sylvia Klonaris departed the meeting at 5:40 pm.*

*Councillor Sylvia Klonaris re-joined the meeting at 5:46 pm.*

**14.1 NIGHTCLIFF VILLAGE MASTERPLAN UPDATE****RESOLUTION ORD278/23**

Moved: Councillor Ed Smelt

Seconded: Councillor Peter Pangquee

1. THAT the report entitled Nightcliff Village Masterplan Update be received and noted.
2. THAT Council provide in-principle support of the Nightcliff Village Master Plan which consists of **Attachment A, B, C, D & E**.
3. THAT Council endorse the Short-Term Initiatives as identified in report entitled Nightcliff Village Masterplan Update for construction.
4. THAT Council endorse the inclusion of the Longer-Term Initiatives identified in **Attachment B - Nightcliff Village Masterplan Design Report, Clause 5.1**, to the City of Darwin's Priority Projects list.
5. THAT a subsequent report is presented to Council prioritising the Longer-Term Initiatives from the Nightcliff Village Masterplan as identified in **Attachment B**.

**CARRIED 09/0**

*Councillor Sylvia Klonaris departed the meeting at 5:49 pm.*

*Councillor Sylvia Klonaris re-joined the meeting at 5:49 pm.*

This item was administratively withdrawn by the Chief Executive Officer as requested by the applicant.

**14.2 SIGN APPLICATION - PARADISE OUTDOOR ADVERTISING - LOT 7246 (16) SWAN CRESCENT, WINNELLIE | WITHDRAWN****RECOMMENDATIONS**

1. THAT the report entitled Sign Application - Paradise Outdoor Advertising - Lot 7246 (16) Swan Crescent, Winnellie be received and noted.
2. THAT Council refuse the proposal from Cunnington Rosse Town Planning and Consulting, on behalf of Paradise Outdoor Advertising, as the proposed sign is a Third Party Advertising sign which is prohibited to be displayed in the Darwin municipality under Council's Policy 0042: Outdoor Advertising Signs Code.
3. THAT Council note that City of Darwin officers will be commencing a review of the Third Party Advertising components of the Council's Policy 0042: Outdoor Advertising Signs Code.

**14.3 APPLICATION TO PLAY MUSIC IN LICENSED OUTDOOR DINING AREA - SEABREEZE NIGHTCLIFF****RESOLUTION ORD279/23**

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Peter Pangquee

1. THAT the report entitled Application to Play Music in Licensed Outdoor Dining Area - Seabreeze Nightcliff be received and noted.
2. THAT Council approves the application by Seabreeze Nightcliff to play recorded music in the licensed outdoor dining area at Nightcliff Village, during Greenhouse Nightcliff's trading hours, with the following conditions:
  - (a) That the recorded music is played in the outdoor dining area at a volume that does not affect the amenity of the surrounding area.
  - (b) That Seabreeze Nightcliff complies with other legislation as required and ensures that the compulsory Music Licence remains valid.
3. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to negotiate and enter into an agreement with Seabreeze Nightcliff in relation to the playing of music in their outdoor dining area.

**CARRIED 9/0**

*Councillor Sylvia Klonaris departed the meeting at 5:50pm.*

*Councillor Sylvia Klonaris re-joined the meeting at 5:51pm.*

**14.4 REVIEW OF COMMUNITY INCLUSION POLICY****RESOLUTION ORD280/23**

Moved: Councillor Kim Farrar

Seconded: Councillor Peter Pangquee

1. THAT the report entitled Review of Community Inclusion Policy be received and noted.
2. THAT Council adopt the revised Community Inclusion Policy.

**CARRIED 09/0**

**14.5 CYCLONE TRACY COMMEMORATION ADVISORY COMMITTEE****RESOLUTION ORD281/23**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Jimmy Bouhoris

1. THAT the report entitled Cyclone Tracy Commemoration Advisory Committee be received and noted.
2. THAT Council, pursuant to Section 82 of the *Local Government Act 2019*, establish the Cyclone Tracy Commemoration Advisory Committee and adopt the Terms of Reference at **Attachment 1**.
3. THAT Council endorse for City of Darwin officers to invite the organisations in the Terms of Reference to be on the Advisory Committee.
4. THAT Council note that expressions of interest will be sought for community membership of the Cyclone Tracy Commemoration Advisory Committee.
5. THAT Council, pursuant to Section 40 (2) of the *Local Government Act 2019* delegates to the Chief Executive Officer the power to amend the organisations in the Terms of Reference based on their acceptance and on the condition that any new invited organisations are relevant to the commemoration.

**CARRIED 09/0**

**15 RECEIVE & NOTE REPORTS**

*Councillor Sylvia Klonaris departed the meeting at 05:55pm.*

**15.1 QUARTERLY PERFORMANCE REPORT: JANUARY - MARCH 2023 (Q3)****RESOLUTION ORD282/23**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Ed Smelt

THAT the report entitled Quarterly Performance Report: January – March 2023 (Q3) be received and noted.

**CARRIED 08/0**

*Councillor Sylvia Klonaris re-joined the meeting at 05:57pm.*

*Councillor Sylvia Klonaris departed the meeting at 05:57pm.*

*Councillor Sylvia Klonaris re-joined the meeting at 05:58pm.*

**15.2 MONTHLY FINANCIAL REPORT - APRIL 2023****RESOLUTION ORD283/23**

Moved: Lord Mayor Kon Vatskalis  
Seconded: Councillor Peter Pangquee

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

**CARRIED 09/0**

**15.3 ENGAGEMENT OUTCOMES - MUNICIPAL PLAN 2023/24****RESOLUTION ORD284/23**

Moved: Lord Mayor Kon Vatskalis  
Seconded: Councillor Vim Sharma

THAT the report entitled Engagement Outcomes - Municipal Plan 2023/24 be received and noted.

**CARRIED 09/0**

**15.4 ENGAGEMENT OUTCOMES - NIGHTCLIFF VILLAGE MASTERPLAN PROCESS****RESOLUTION ORD285/23**

Moved: Councillor Ed Smelt  
Seconded: Councillor Peter Pangquee

THAT the report entitled Engagement Outcomes - Nightcliff Village Masterplan Process be received and noted.

**CARRIED 09/0**

*Councillor Sylvia Klonaris departed the meeting at 06:07pm.*

*Councillor Sylvia Klonaris re-joined the meeting at 06:09pm*

**15.5 ENGAGEMENT OUTCOMES - PROPOSED RV PARK TRIAL****RESOLUTION ORD286/23**

Moved: Lord Mayor Kon Vatskalis  
Seconded: Councillor Brian O'Gallagher

THAT the report entitled Engagement Outcomes - Proposed RV Park Trial be received and noted.

**CARRIED 09/0**

**15.6 PLANNING SCHEME AMENDMENT - PA2022/0389****RESOLUTION ORD287/23**

Moved: Councillor Peter Pangquee

Seconded: Councillor Ed Smelt

THAT the report entitled Planning Scheme Amendment - PA2022/0389 be received and noted.

**CARRIED 09/0**

**15.7 COMMITTEE MEETING MINUTES****RESOLUTION ORD288/23**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Kim Farrar

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

**CARRIED 09/0**

**16 REPORTS OF REPRESENTATIVES****RESOLUTION ORD289/23**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Ed Smelt

THAT the following Reports of Representatives be received and noted.

**16.1**

Councillor Brian O’Gallagher reported on attending the Council on the Ageing (COTA) Northern Territory Senior Expo with the Lord Mayor Kon Vatskalis, Deputy Lord Mayor Jimmy Bouhoris and Councillor Kim Farrar. It was a magnificent event by COTA, and a great effort by the volunteers and service providers.

**16.2**

Councillor Ed Smelt reported on the City of Darwin plant give away on the Rapid Creek Foreshore. It was a well attended event, with strong interest and I would be keen to see the program continue. Thank you to the City of Darwin staff for running another great giveaway.

**16.3**

Lord Mayor Kon Vatskalis reported on attending the City of Darwin plant give away on the Rapid Creek Foreshore. Congratulations to staff for doing a tremendous job and providing planting advice to all the local residents. The Lord Mayor Kon Vatskalis also attended the COTA expo, the range of stalls and people providing advice was incredible, and the Lord Mayor also watched the Darwin Salties, it was a tremendous basketball game and they are a great advertisement for Darwin.

**16.4**

Councillor Syliva Klonaris reported on attending the Too Much Stuff Recycling Event at the Alawa Hall. Great attendance, and well supported event. Thank you to City of Darwin for the sponsorship and contribution.

**16.5**

The Deputy Lord Mayor Jimmy Bouhoris advised that City of Darwin staff should be commended on the way the lawn moving contract has been handled. There has been feedback from people in the community, with a positive outcome.

**CARRIED 9/0**

**17 QUESTIONS BY MEMBERS****17.1 CASUARINA AQUATIC CENTRE****RESOLUTION ORD290/23**

Moved: Councillor Kim Farrar

Seconded: Councillor Rebecca Want de Rowe

**Question:**

Councillor Brian O’Gallagher requested an update on the 7.5 million funding being provided by the Federal Government for the Casuarina Aquatic Centre.

**Response:**

The General Manager Corporate, Steve Thacker reported that the City of Darwin is currently working with the Federal Government regarding the funding application. An outcome should be received in the next couple of weeks.

**CARRIED 09/0**

**18 GENERAL BUSINESS****18.1 ACTING DEPUTY LORD MAYOR**

THAT Councillor Rebecca Want de Rowe be appointed as Acting Deputy Lord Mayor for the period 13 to 16 June 2023.

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

THAT the next Ordinary Meeting of Council be held on Tuesday, 13 June 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 New Proposed Two-Year Expression of Interest**

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.

**26.2 Expression of Interest**

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.



**21 ADJOURNMENT OF MEETING AND MEDIA LIAISON**

**21.1 ADJOURNMENT OF MEETING AND MEDIA LIAISON**

**RESOLUTION ORD291/23**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Ed Smelt

THAT the open section of the meeting be adjourned at 6.21pm

**CARRIED 09/0**

THAT the open section of the meeting be resumed at 8.34pm

THAT the chair declared the meeting closed at 8.34pm

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 30 May 2023.**

.....  
**CHAIR**