



MINUTES

**Ordinary Council Meeting
Tuesday, 16 August 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, 16 AUGUST 2022 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Councillor Paul Arnold, Councillor Jimmy Bouhoris, Councillor Sylvia Klonaris, Councillor Brian O'Gallagher, Councillor Mick Palmer, Councillor Vim Sharma, Councillor Ed Smelt
- OFFICERS:** Simone Saunders (Chief Executive Officer), Chris Kelly (Acting General Manager Corporate), Matt Grassmayr (General Manager Community), Alice Percy (General Manager Innovation)
- Gemma Perkins (Coordinator Councillor Governance and Support), Edith Heiberg (Governance Projects Officer), Angela O'Donnell (Executive Manager Community and Cultural Services), Irene Frazis (Executive Manager Finance), Nik Kleine (Executive Manager Infrastructure), Fred McCue (Public Relations and External Affairs Advisor)
- APOLOGY:** Deputy Lord Mayor Amye Un, Councillor Peter Pangquee, Councillor Morgan Rickard, Councillor Rebecca Want de Rowe
- GUESTS:** Nil

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21.1 Adjournment of Meeting 16

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 ORD416/22

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Paul Arnold

The Chair declared the meeting open at 5.32 pm.

CARRIED 8/0

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 APOLOGIES

RECOMMENDATIONS

THAT the apology from Deputy Lord Mayor Amye Un, Councillor Peter Pangquee, Councillor Morgan Rickard, and Councillor Rebecca Want de Rowe be received.

4.2 LEAVE OF ABSENCE GRANTED

Nil

4.3 LEAVE OF ABSENCE REQUESTED

RESOLUTION ORD417/22

Moved: Councillor Ed Smelt

Seconded: Councillor Mick Palmer

THAT a Leave of Absence be granted for Councillor Rebecca Want de Rowe for the period 29 August to 18 September 2022.

CARRIED 8/0

5 ELECTRONIC MEETING ATTENDANCE

5.1 ELECTRONIC MEETING ATTENDANCE GRANTED

RECOMMENDATIONS

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 were granted permission for Electronic Meeting Attendance at this Ordinary Council Meeting held on Tuesday, 16 August 2022.

- Councillor Brian O’Gallagher
- Councillor Vim Sharma

5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED

Nil

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

6.1 DECLARATION OF INTEREST BY MEMBERS

RESOLUTION ORD418/22

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Paul Arnold

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 26.2.

CARRIED 8/0

6.2 DECLARATION OF INTEREST BY STAFF

Nil

7 CONFIRMATION OF PREVIOUS MINUTES**RESOLUTION ORD419/22**

Moved: Councillor Vim Sharma

Seconded: Councillor Mick Palmer

That the minutes of the Ordinary Council Meeting held on 26 July 2022 be confirmed.

CARRIED 8/0

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

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

Councillor Brian O'Gallagher departed the meeting at 5:39 pm.

13.1 NOTICE OF MOTION - INSTALLATION OF UNDERGROUND IRRIGATION AT WOLFRAM COURT ANULA

I, Councillor Sylvia Klonaris, give notice that at the next Ordinary Council Meeting on 16 August 2022, I will move the following motion:-

RESOLUTION ORD420/22

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Brian O'Gallagher

1. THAT Council receive a report to identify the costs for installation and operation of underground irrigation around the play space area at the Wolfram Court entrance to Driffield Park, Anula.
2. THAT this report to be returned to Council for consideration in November 2022 and that the area around the play space at the Wolfram Court be watered until the coming wet season to assist with reestablishment following the recent vandalism.

CARRIED 7/0

14 ACTION REPORTS**14.1 PARTIAL ACQUITTALS OF NORTHERN TERRITORY GOVERNMENT 2021-22 GRANTS****RESOLUTION ORD421/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Sylvia Klonaris

1. THAT the report entitled Partial Acquittals of Northern Territory Government 2021-22 Grants be received and noted.
2. THAT Council endorse the Chief Executive Officer to forward the 2020-21 Local Government Priority Infrastructure Fund Grant Partial Acquittal documents to the Department of Infrastructure, Planning and Logistics.
3. THAT Council endorse the Chief Executive Officer to forward the Urban and Regional Oval Lights Grant Partial Acquittal documents to the Department of Infrastructure, Planning and Logistics.
4. THAT Council endorse the Chief Executive Officer to forward the Velodrome Upgrades Grant Partial Acquittal documents to the Department of Infrastructure, Planning and Logistics.
5. THAT Council endorse the Chief Executive Officer to forward the 2021/22 Local Government Immediate Priorities Grant Partial Acquittal documents to the Department of Chief Minister and Cabinet.

CARRIED 7/0

14.2 PLACE NAMES APPLICATION - MICHAEL PASPALIS PARK - LOT 3940 (25) MITCHELL STREET & LOT 5796 (7) HERBERT STREET, DARWIN**RESOLUTION ORD422/22**

Moved: Councillor Mick Palmer

Seconded: Councillor Ed Smelt

1. THAT the report entitled Place Names Application - Michael Paspalis Park - Lot 3940 (25) Mitchell Street & Lot 5796 (7) Herbert Street, Darwin be received and noted.
2. THAT Council endorse the response letter at **Attachment 1**, to report entitled: Place Names Application - Michael Paspalis Park - Lot 3940 (25) Mitchell Street & Lot 5796 (7) Herbert Street, which provides that if the landowner, and/or authorised person/s administering the subject Lots has provided support for this request, then Council does not object to the proposed park name.

CARRIED 7/0**14.3 NORTHERN TERRITORY TRADE MISSION TO TIMOR-LESTE 2022****RESOLUTION ORD423/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Paul Arnold

1. THAT the report entitled Northern Territory Trade Mission to Timor-Leste 2022 be received and noted.
2. THAT Council approve for the Lord Mayor to travel to Dili in Timor-Leste, to participate in the Northern Territory Timor-Leste Trade Mission to Dili according to [Policy 0017 Elected Members Expenses, Facilities, and Support](#).

CARRIED 7/0**15 RECEIVE & NOTE REPORTS***Councillor Vim Sharma departed the meeting at 5:44 pm.**Councillor Brian O'Gallagher re-joined the meeting at 5:44 pm.**Councillor Vim Sharma re-joined the meeting at 5:45 pm.***15.1 PETITION SEEKING TO BAN ROOSTERS FROM THE URBAN RESIDENTIAL AREAS OF DARWIN****RESOLUTION ORD424/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Sylvia Klonaris

THAT the report entitled Petition Seeking to Ban Roosters from the Urban Residential Areas of Darwin be received and noted.

CARRIED 8/0

15.2 QUARTERLY PERFORMANCE REPORT: APRIL - JUNE 2022 (Q4)**RESOLUTION ORD425/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Sylvia Klonaris

THAT the report entitled Quarterly Performance Report: April - June 2022 (Q4) be received and noted.

CARRIED 8/0

15.3 PRE-CYCLONE CLEAN UP 2022 UPDATE**RESOLUTION ORD426/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Paul Arnold

THAT the report entitled Pre-Cyclone Clean Up 2022 Update be received and noted.

CARRIED 8/0

15.4 CIVIC CENTRE REDEVELOPMENT PUBLIC CONSULTATION UPDATE**RESOLUTION ORD427/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Mick Palmer

THAT the report Civic Centre Redevelopment Public Consultation Report be received and noted.

CARRIED 8/0

15.5 INSTALLATION OF SPEED CHECK SIGNS AROUND DARWIN SCHOOLS**RESOLUTION ORD428/22**

Moved: Councillor Vim Sharma

Seconded: Councillor Ed Smelt

THAT the report entitled Installation of Speed Check Signs around Darwin Schools be received and noted.

CARRIED 8/0

15.6 ADVICE ON MUNICIPAL BOUNDARY CHANGES**RESOLUTION ORD429/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Jimmy Bouhoris

THAT the report entitled Advice on Municipal Boundary Changes be received and noted.

CARRIED 8/0

16 REPORTS OF REPRESENTATIVES**RESOLUTION ORD430/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Paul Arnold

THAT the following Reports of Representatives be received and noted.

16.1

The Lord Mayor reported on his attendance at the annual Gold Plate Awards. It was one of the best in years and the hospitality talent we have in our city is outstanding. New categories were added this year including a 'barista' award. Industry has a preference for local produce and promoting local produce.

16.2

Councillor Klonaris reported on FFNT offered Malak residents a community Q&A session. Proceeded with the Olympic club representatives and a huge number of residents attended. Culminated in Darwin Olympic agreeing to go back to FFNT to Agreement for Olympic to FFNT to do a cost analysis/feasibility of alternate locations. Ngaree Ah Kit, Member for Karama attended and offered support for funding to cover the cost of that work to identify an alternative location.

16.3

Councillor Arnold reported on community event at Tamarind Park to discuss anti-social behaviour. Police Commissioner was in attendance. Urging people to ring and report as the data about hotspots is important. Also met with Michael Rotumah, CEO of Larrakia Nation. He will be looking into duplication of services and cross-overs in rostering of similar services so they can be spread to achieve better coverage.

16.4

Councillor O'Gallagher reported on various meetings in the Phillipines; upcoming visits they have planned for Darwin; a study/loan scheme they have underway; and an interest in establishing a Friendship City relationship.

16.5

The Lord Mayor reported on a meeting with the Chief Minister following his letter relating to anti-social behaviour issues. The meeting produced good results including a change of policy regarding police graduates previously being sent to remote locations, however they will now remain in Darwin. Options are currently being worked on to enable prisoners to be able to provide clean up services in parks. A similar arrangement is already occurring in Alice Springs.

CARRIED 8/0

17 QUESTIONS BY MEMBERS

Councillor Vim Sharma departed the meeting at 6:14 pm.

17.1 QUESTION**RESOLUTION ORD431/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Sylvia Klonaris

Question

Councillor Ed Smelt queried the Rapid Creeek predestrian bridge closure.

Answer

The General Manager Matt Grassmayr responded and advised that it was closed and under assessment. An Environmental Impact Plan is being developed by consultants to enable a works permit to be issued. A structural engineer is investigating options to either repair or replace the bridge and a temporary crossing may be able to be put in place while the works proceed. We will know more in about three weeks on the various options. It will be a large scale capital project, and potentially take 10 months to complete.

CARRIED 8/0

17.2 QUESTION**RESOLUTION ORD432/22**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Sylvia Klonaris

Question

Councillor Ed Smelt queried the current status of the design, next steps and timeline for the proposed footpath in Bayview Street Fannie Bay.

Answer

The Executive Manager Drosso Lelekis advised a concept design, including which side of the road construction will occur is underway. Community consultation will occur next and then detailed design. The works will be completed towards the end of the next wet season. Dates for the consultation will be set soon and two options will be presented.

CARRIED 7/0

Councillor Vim Sharma re-joined the meeting at 6:17 pm.

18 GENERAL BUSINESS**18.1 GENERAL BUSINESS****RESOLUTION ORD433/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Brian O'Gallagher

Alice Percy, General Manager Innovation reported that an Expressions of Interest are currently out for Lyons Community Centre and Nightcliff Community Centre.

A letter was received notifying that the City of London declined our approach regarding the establishment of a Friendship City relationship.

Kotchi City advised that they wish to meet with the Lord Mayor to discuss a potential relationship.

OPTUS have made an approach with a proposal to lease a land parcel near Fannie Bay Park, for a communication tower. OPTUS will undertake community consultation and then a report will come back to Council.

CARRIED 8/0

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

THAT the next Ordinary Meeting of Council be held on Tuesday, 30 August 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 Education Precinct and Request for Rates, Fees and Charges Waivers

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.

27.2 Proposed Fishing Platform at Dudley Point

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 Casuarina Aquatic Leisure Centre Proposal

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.

26.4 LGANT Constitutional Review

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.

14.5 Laneways and Small Streets Action Plan

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.

27.1 Event Permit and Venue Options

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.

28.1 Outgoing and Incoming Correspondence - Anti-Social Behaviour

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.

28.2 Incoming Correspondence - Leader of the Opposition - Howard Springs Facility Pool Use for NT Residents

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

RESOLUTION ORD434/22

Moved: Councillor Sylvia Klonaris

Seconded: Lord Mayor Kon Vatskalis

THAT the open section of the meeting be adjourned at 6:19pm

CARRIED 8/0

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

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

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 30 August 2022.

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CHAIR