



MINUTES

**Ordinary Council Meeting
Tuesday, 28 June 2022**

Reports, recommendations and supporting documentation can be accessed via the City of Darwin Council Website at www.darwin.nt.gov.au, at Council Public Libraries or contact the Committee Administrator on (08) 8930 0670.

**MINUTES OF CITY OF DARWIN
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS DARRANDIRRA, LEVEL 1, CIVIC CENTRE, HARRY
CHAN AVENUE, DARWIN
ON TUESDAY, 28 JUNE 2022 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Deputy Lord Mayor Amye Un, Councillor Sylvia Klonaris, Councillor Brian O'Gallagher, Councillor Mick Palmer, Councillor Vim Sharma, Councillor Ed Smelt, Councillor Rebecca Want de Rowe
- OFFICERS:** Simone Saunders (Interim Chief Executive Officer), Nik Kleine (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), Louise Tagell (Executive Manager Marketing, Communications and Engagement), Fred McCue (Public Relations and External Affairs Advisor)
- APOLOGY:** Councillor Paul Arnold, Councillor Jimmy Bouhoris, Councillor Peter Pangquee, Councillor Morgan Rickard, Chris Kelly (Acting General Manager Corporate)
- GUESTS:** Nil

WEBCASTING DISCLAIMER

The City of Darwin is live webcasting the Open Section of Ordinary Council Meetings. Audio-visual recording equipment has been configured to avoid coverage of the public gallery area and the City of Darwin will use its best endeavours to ensure images in this area are not webcast. However the City of Darwin expressly provides no assurances to this effect and in the event your image is webcast, you will by remaining in the public gallery area be taken to have given the City of Darwin a non-exclusive licence to copy and broadcast your image worldwide for no reward.

Order of Business

1	Acknowledgement of Country	5
2	The Lord's Prayer	5
3	Meeting Declared Open	5
4	Apologies and Leave of Absence	5
5	Electronic Meeting Attendance	6
6	Declaration of Interest of Members and Staff	7
7	Confirmation of Previous Minutes	7
8	Moving of Items	7
	27.1 New Leachate Pond Construction	8
	27.2 Arts and Cultural Development Advisory Committee - Appointment of Community Members	8
	28.1 Off Street Reserved Carparking	9
	28.3 Corporate Services Report - May 2022	9
9	Matters of Public Importance / Lord Mayoral Minute	9
10	Public Question Time	9
11	Petitions	9
12	Deputations and Briefings	9
13	Notices of Motion	9
14	Action Reports	10
	14.1 Place Name Application - Naming of Two Roads & One Park - Lot 4106 (1) Boulter Road - Mirawood Berrimah	10
	14.2 Review of Employment Policies Statement 0072.100.E.R.....	10
	14.3 Nomination to the Prescribed Corporation Panel.....	10
	14.4 Tree Advisory Committee - Terms of Reference	11
	14.5 Play Space Strategy.....	11
	14.6 Waste Management Exemption Policy	11
15	Receive & Note Reports	11
	15.1 Street Food Program 2022/2023 Update.....	11
	15.2 Monthly Financial Report - May 2022	12
16	Reports of Representatives	12
17	Questions by Members	13
	17.1 Update on Timings for Goyder Road, Parap.....	13
	17.2 Shopping Trolleys in the Northern Suburbs	13
	17.3 Overgrown Verge on Mitchell Street West.....	14
	17.4 Update on the Bagot Park Master Plan	14
18	General Business	15
	18.1 Mandatory Training for Elected Members.....	15
	18.2 Landscaping the Verge on McMinn Street.....	15

18.3	Parklets Enquiry	15
19	Date, time and place of next Ordinary Council Meeting	15
20	Closure of Meeting to the Public	16
21	Adjournment of Meeting and Media Liaison	17

Unconfirmed

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 Vim Sharma was not present at the resumption of the meeting at 5:35 pm.

3 MEETING DECLARED OPEN

RESOLUTION ORD309/22

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Ed Smelt

The Chair declared the meeting open at 5.35pm.

CARRIED 7/0

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 APOLOGIES

RECOMMENDATIONS

- A. THAT the apology from Councillor Paul Arnold, be received.
- B. THAT the apology from Councillor Peter Pangquee, be received.
- C. THAT the apology from Councillor Morgan Rickard, be received.

4.2 LEAVE OF ABSENCE GRANTED

RECOMMENDATIONS

THAT it be noted Councillor Jimmy Bouhoris is an apology due to a Leave of Absence previously granted on 14 June 2022.

4.3 LEAVE OF ABSENCE REQUESTED

RESOLUTION ORD310/22

Moved: Councillor Amye Un

Seconded: Councillor Sylvia Klonaris

THAT a Leave of Absence be granted for Councillor Brian O’Gallagher for the period 5 July to 15 July 2022

CARRIED 7/0

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 2019* 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, 28 June 2022.

- Councillor Vim Sharma

5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED

RESOLUTION ORD311/22

Moved: Councillor Amye Un

Seconded: Councillor Sylvia Klonaris

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No. 21\0009 – 15/04/12, the following members request Electronic Meeting Attendance:

Councillor Brian O’Gallagher to attend all Council Meetings and Briefing Sessions for the period of 5 July 2022 to 15 July 2022

.CARRIED 7/0

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 ORD312/22

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Brian O'Gallagher

That the minutes of the Ordinary Council Meeting held on 14 June 2022 be confirmed.

CARRIED 7/0

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**27.1 NEW LEACHATE POND CONSTRUCTION****RESOLUTION ORD313/22**

Moved: Councillor Brian O'Gallagher

Seconded: Lord Mayor Kon Vatskalis

1. THAT the report entitled New Leachate Pond Construction be received and noted.
2. THAT Council approve the transfer of \$516,580.00 from the Waste Remediation Reserve to the 2022/23 Capital Works Program for the purposes of entering into a design and construction preparation contract for the Construction of a new 15 ML Leachate Pond.
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 8/0

27.2 ARTS AND CULTURAL DEVELOPMENT ADVISORY COMMITTEE - APPOINTMENT OF COMMUNITY MEMBERS**RESOLUTION ORD314/22**

Moved: Councillor Mick Palmer

Seconded: Councillor Ed Smelt

1. THAT the report entitled Arts and Cultural Development Advisory Committee – Appointment of Community Members be received and noted.
2. THAT Council appoints seven (7) community members to the Arts and Cultural Development Advisory Committee for the following terms:
 - (i) 1 July 2022 to 30 June 2024
 - (a) Alyson Evans
 - (b) Abelito Langbid
 - (c) CJ Fraser Bell
 - (d) Derrick Cheong
 - (e) Kelly Blumberg
 - (ii) 1 October 2022 to 30 September 2024
 - (a) Rachael Shanahan
 - (b) Teghan Hughes
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 8/0

28.1 OFF STREET RESERVED CARPARKING**RESOLUTION ORD315/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Brian O'Gallagher

1. THAT the report entitled Off Street Reserved Carparking 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 8/0

28.3 CORPORATE SERVICES REPORT - MAY 2022**RESOLUTION ORD316/22**

Moved: Councillor Ed Smelt

Seconded: Councillor Amye Un

1. THAT this report entitled Corporate Services Report – May 2022 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 8/0

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

14 ACTION REPORTS**14.1 PLACE NAME APPLICATION - NAMING OF TWO ROADS & ONE PARK - LOT 4106 (1) BOULTER ROAD - MIRAWOOD BERRIMAH****RESOLUTION ORD317/22**

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Brian O'Gallagher

1. THAT the report entitled Place Name Application - Naming of Two Roads & One Park - Lot 4106 (1) Boulter Road - Mirawood Berrimah be received and noted.
2. THAT Council support the following proposed road names and open space park name for 'Mirawood' Berrimah as submitted by the Place Names Unit, for Lot 4106 (1) Boulter Road, Berrimah:
 - (a) Road 1 – Meyering Road
 - (b) Road 2 – Beinhorn Court
 - (c) Park – Kathryn Flynn Park

CARRIED 7/0**14.2 REVIEW OF EMPLOYMENT POLICIES STATEMENT 0072.100.E.R.****RESOLUTION ORD318/22**

Moved: Councillor Sylvia Klonaris

Seconded: Lord Mayor Kon Vatskalis

1. THAT the report entitled Employment Policies Statement be received and noted.
2. THAT Council adopt the revised Employment Policies Statement at **Attachment 1**.

CARRIED 7/0**14.3 NOMINATION TO THE PRESCRIBED CORPORATION PANEL****RESOLUTION ORD319/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Amye Un

1. THAT the report entitled Nomination to the Prescribed Corporation Panel be received and noted.
2. THAT Council endorse the nomination of Councillor Mick Palmer and Rebecca Want de Rowe to the Prescribed Corporation Panel Pool.

CARRIED 7/0

14.4 TREE ADVISORY COMMITTEE - TERMS OF REFERENCE

RESOLUTION ORD320/22

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Brian O'Gallagher

1. THAT the report entitled Tree Advisory Committee - Terms of Reference be received and noted.
2. THAT Council, pursuant to Section 82 of the *Local Government Act 2019*, establish the Tree Advisory Committee and adopts the Terms of Reference at **Attachment 1**.

CARRIED 7/0

14.5 PLAY SPACE STRATEGY

RESOLUTION ORD321/22

Moved: Councillor Rebecca Want de Rowe

Seconded: Councillor Sylvia Klonaris

1. THAT the report entitled Play Space Strategy be received and noted.
2. THAT Council endorse the Draft 2022-2030 Play Space Strategy at **Attachment 1** for the purpose of community and stakeholder engagement.
3. THAT a further report be presented to Council with the outcomes of community consultation on the draft 2022-2030 Play Space Strategy.

CARRIED 7/0

14.6 WASTE MANAGEMENT EXEMPTION POLICY

RESOLUTION ORD322/22

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Mick Palmer

1. THAT the report entitled Waste Management Policy be received and noted.
2. THAT Council adopts the Waste Management Exemption Policy at **Attachment 1**.

CARRIED 7/0

15 RECEIVE & NOTE REPORTS

15.1 STREET FOOD PROGRAM 2022/2023 UPDATE

RESOLUTION ORD323/22

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Brian O'Gallagher

THAT the report entitled Street Food Program 2022/2023 Update be received and noted.

CARRIED 7/0

15.2 MONTHLY FINANCIAL REPORT - MAY 2022**RESOLUTION ORD324/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Sylvia Klonaris

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

CARRIED 7/0

16 REPORTS OF REPRESENTATIVES**RESOLUTION ORD325/22**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Sylvia Klonaris

THAT the following Reports of Representatives be received and noted.

16.1

Councillor Ed Smelt reported on the City to Surf event on Sunday with over 1000 competitors. It was well run, well organised and a great event for City of Darwin to continue to support. Councillor Ed Smelt really enjoyed the event, completing the 4k run but looks forward to testing himself with the 12k run next year.

16.2

Councillor Amye Un reported on the Darwin Frocktails event. The event was amazing and encourages all to attend.

16.3

Lord Mayor reported on the successful delegation to Denpasar. There were a significant number of attendees including people from Tourism Top End, Agricultural Society, Business Council, Alana Kaye College. The delegation was well received with incredible visits. The Mayor welcomed the delegation warmly. Congratulations to Alice and Cherry, they've done a tremendous job.

Lord Mayor also met with Ministers in Canberra during the Australian Local Government Association (ALGA) AGM. The Lord Mayor urged the Minister for Asian Relationships to review the visa arrangements and process and reiterated with Luke Gosling in a meeting today.

Lord Mayor also had the pleasure to visit Canberra with Councillor Sylvia Klonaris, Peter Pangquee and Jimmy Bouhoris to attend the ALGA AGM. The event was amazing this year with nearly 1000 attendees. Lord Mayor had the opportunity to meet new Ministers and spoke about the pre-election promise for the Casuarina Aquatic and Leisure Centre. It was also reiterated with Luke Gosling. The Interim Chief Executive Officer, Simone Saunders will provide the relevant paperwork however City of Darwin has requested an official letter from the Minister. Lord Mayor thanked his colleagues for being there and supporting the City of Darwin.

CARRIED 7/0

17 QUESTIONS BY MEMBERS**17.1 UPDATE ON TIMINGS FOR GOYDER ROAD, PARAP****RESOLUTION ORD326/22**

Moved: Councillor Mick Palmer

Seconded: Councillor Ed Smelt

Question

Lord Mayor queried the timings and requested an update for Goyder Road, Parap.

Answer

The Acting General Manager Corporate, Nik Kleine responded and advised there will be some early work that will begin in July including:

- Installation of pump and tank for irrigation.
- Installation of mulch beds around retained trees.
- Removal of trees identified by City of Darwin's Technical Arborist.

The main delay will be the installation of the pump and tanks which requires an upgraded water valve and new power.

The remaining works will be procured while early works are completed, including:

- Installation of irrigation
- Planting (trees and potentially small pockets of ground cover)
- Spray grass

CARRIED 7/0

17.2 SHOPPING TROLLEYS IN THE NORTHERN SUBURBS**RESOLUTION ORD327/22**

Moved: Councillor Mick Palmer

Seconded: Councillor Ed Smelt

Question

Councillor Brian O'Gallagher queried the process with shopping trolleys in the Northern Suburbs.

Answer

The General Manager Community, Matt Grassmayr responded and advised that there is a shopping trolley hotline that is set up by the supermarkets. The phone number will be distributed to Elected Members.

CARRIED 7/0

17.3 OVERGROWN VERGE ON MITCHELL STREET WEST**RESOLUTION ORD328/22**

Moved: Councillor Mick Palmer
Seconded: Councillor Ed Smelt

Question

Councillor Mick Palmer queried the verge on Mitchell Street West, opposite the local members office. It is overgrown and remains overgrown, can it be put on the program from regular maintenance.

Answer

The General Manager Community, Matt Grassmayr responded and advised that City of Darwin can review.

CARRIED 7/0**17.4 UPDATE ON THE BAGOT PARK MASTER PLAN****RESOLUTION ORD329/22**

Moved: Councillor Mick Palmer
Seconded: Councillor Ed Smelt

Question

Councillor Ed Smelt requested an update on the Bagot Park Master Plan.

Answer

The General Manager Community, Matt Grassmayr responded and advised that the draft Bagot Park Master Plan was approved and went to the community for the second round of community consultation. City of Darwin is waiting on the final response from Football NT. Two reports will be coming to Council once the response is received.

CARRIED 7/0

18 GENERAL BUSINESS**18.1 MANDATORY TRAINING FOR ELECTED MEMBERS****RESOLUTION ORD330/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Mick Palmer

THAT the Interim Chief Executive Officer, Simone Saunders presented Elected Members with the Certificate of Completion for the Mandatory Training modules in Understanding Local Government, Introduction to Finance and Decision Making and Meeting Procedures.

CARRIED 7/0

18.2 LANDSCAPING THE VERGE ON MCMINN STREET**RESOLUTION ORD331/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Mick Palmer

THAT Council discuss funding with the Department of Infrastructure, Planning and Logistics (DIPL) to landscape the verge on McMinn Street and that a report is presented to Council in a month.

CARRIED 7/0

18.3 PARKLETS ENQUIRY**RESOLUTION ORD332/22**

Moved: Councillor Sylvia Klonaris

Seconded: Councillor Mick Palmer

Councillor Amye Un advised that she will forward an email regarding parklets to the General Manager Innovation.

CARRIED 7/0

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

THAT the next Ordinary Meeting of Council be held on Tuesday, 12 July 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 New Leachate Pond Construction

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 Arts and Cultural Development Advisory Committee - Appointment of Community Members

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.

27.1 Off Street Reserved Carparking

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 NT Electoral Commissioner Discretion to Set Voting Period

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.

27.3 Corporate Services Report - May 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.

21 ADJOURNMENT OF MEETING AND MEDIA LIAISON

RESOLUTION ORD333/22

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Brian O'Gallagher

THAT the open section of the meeting be adjourned at 6.16 pm.

CARRIED 7/0

THAT the open section of the meeting be resumed at 7.09pm

THAT the chair declared the meeting closed at 7.09pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 June 2022.

.....
CHAIR

Unconfirmed