



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 12 November 2019**

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**MINUTES OF CITY OF DARWIN  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, LEVEL 1, CIVIC CENTRE, HARRY CHAN AVENUE,  
DARWIN  
ON TUESDAY, 12 NOVEMBER 2019 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Alderman Andrew Arthur, Alderman Jimmy Bouhoris, Alderman Justine Glover, Alderman Gary Haslett, Alderman George Lambrinidis, Alderman Simon Niblock, Alderman Mick Palmer, Alderman Peter Pangquee, Alderman Rebecca Want de Rowe
- OFFICERS:** Scott Waters (Chief Executive Officer), Joshua Sattler (General Manager Innovation Growth & Development Services), Polly Banks (General Manager Community & Regulatory Services), Melissa Reiter (General Manager Government Relations & External Affairs), Ron Quinn (A/General Manager Engineering & City Services)
- Russell Holden (Executive Finance Manager), Vanessa Green (Executive Manager Governance, Strategy and Performance), Drosso Lelekis (Executive Manager Technical Services), Cindy Robson, (Manager City Planning), Chris Kelly (Executive Manager Corporate Services), Jane de Gault (Media and Communications Advisor), Fiona van der Weide (Governance and Legislation Advisor)
- APOLOGY:** Alderman Sherry Cullen, Alderman Robin Knox, Alderman Emma Young
- GUESTS:** Mr Richard Fejo – Chairman (Larrakia Nation Aboriginal Corporation)
- MEDIA:** Will Zwar (NT News), Rick Hind (ABC News)

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CONFIRMED

**1 ACKNOWLEDGEMENT OF COUNTRY****2 THE LORD'S PRAYER****3 MEETING DECLARED OPEN**

The Chair declared the meeting open at 5:31 pm.

**4 APOLOGIES AND LEAVE OF ABSENCE****4.1 APOLOGIES****RESOLUTION ORD535/19**

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Justine Glover

THAT the apologies from Alderman Sherry Cullen, Alderman Robin Knox and Alderman Emma Young be received.

**CARRIED 9/0**

**4.2 Leave of Absence Granted****RESOLUTION ORD536/19**

Moved: Alderman Gary Haslett

Seconded: Alderman Jimmy Bouhoris

- A. THAT it be noted Alderman Sherry Cullen is an apology due to a Leave of Absence previously granted for the period 19 August to 12 November 2019.
- B. THAT it be noted Alderman Robin Knox is an apology due to a Leave of Absence previously granted for the period 4 to 20 November 2019.

**CARRIED 10/0**

**4.3 Leave of Absence Requested****RESOLUTION ORD537/19**

Moved: Alderman Gary Haslett

Seconded: Alderman Peter Pangquee

- A. THAT a Leave of Absence be granted for the Lord Mayor for the period 13 to 17 November 2019 and for the period 23 December 2019 to 30 January 2020.
- B. THAT a Leave of Absence be granted for Alderman Gary Haslett for the period 16 to 18 November 2019.
- C. THAT a Leave of Absence be granted for Alderman Simon Niblock for 26 November 2019 and the period 2 to 24 January 2020.
- D. THAT a Leave of Absence be granted for Alderman Mick Palmer for the period 26

December 2019 to 27 January 2020.

- E. THAT a Leave of Absence be granted for Alderman Justine Glover for the period 15 December 2019 to 19 January 2020.

**CARRIED 9/0**

## **5 ELECTRONIC MEETING ATTENDANCE**

Nil

## **6 DECLARATION OF INTEREST OF MEMBERS AND STAFF**

Nil

## **7 CONFIRMATION OF PREVIOUS MINUTES**

### **RESOLUTION ORD538/19**

Moved: Alderman Gary Haslett

Seconded: Alderman Jimmy Bouhoris

That the minutes of the Ordinary Council Meeting held on 29 October 2019 be confirmed.

**CARRIED 9/0**

## **8 MOVING OF CONFIDENTIAL ITEMS**

Nil

## **9 MATTERS OF PUBLIC IMPORTANCE**

### **9.1 RESIGNATION OF ALDERMAN SHERRY CULLEN**

#### **SUMMARY**

The Chief Executive Officer advised that he has received advice from Alderman Sherry Cullen formally resigning from the position of Aldermen with the City of Darwin on Tuesday 12 November and effective Friday 15 November 2019. The Chief Executive Office tabled and read aloud a valadictory letter on behalf of Alderman Sherry Cullen.

The Chief Executive Officer advised Council that he has formally advised the Northern Territory Electoral Commission and Department of Local Government, Housing and Community Development.

### **RESOLUTION ORD539/19**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Jimmy Bouhoris

1. THAT the Council note the resignation from Alderman Sherry Cullen effective Friday 15 November.
2. THAT Council receive the valadictory letter as tabled by the Chief Executive Officer on behalf of Alderman Sherry Cullen.
3. THAT Council formally thanks Alderman Sherry Cullen for her service to the City of Darwin.

**CARRIED 9/0**

**10 PUBLIC QUESTION TIME**

Nil

**11 PETITIONS**

Nil

**12 DEPUTATIONS AND BRIEFINGS**

Nil

**13 NOTICES OF MOTION**

Nil

**14 OFFICERS REPORTS****14.1 BLACK SPOT PROGRAM 2020/2021 NOMINATIONS****SUMMARY**

The purpose of this report is to provide information to, and to seek Council's endorsement for roadway project nominations for the 2020/2021 Black Spot Program.

**RESOLUTION ORD540/19**

Moved: Alderman Justine Glover  
Seconded: Alderman Peter Pangquee

1. THAT the Black Spot Program 2020/2021 Nominations Report be received and noted.
2. THAT Council endorse the nomination of the following roadway projects for the 2020/2021 Black Spot Program in accordance with the scopes outlined in this Report.
  - Nomination 1 – Stage 2 traffic calming works from the Anula and Wulagi Traffic Study; and
  - Nomination 2 – Outcomes of the Road Safety Audit for Alawa Crescent and a Safe Routes to School Assessment for Alawa Primary School and Nemarluk School.

**CARRIED 9/0**

Alderman Simon Niblock Moved to Lay this item on this item on the table to allow for more project designs and drawings to be presented for Council for Consideration. This motion lapsed for want of a seconder.

**14.2 HERITAGE COUNCIL - KERBSTONES LOCATED IN THE MALL****SUMMARY**

The purpose of this report is to respond to the Heritage Council, who have invited submissions on the listing of a heritage place, being the kerbstones located in The Mall

**RESOLUTION ORD541/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Mick Palmer

1. THAT the Heritage Council – Kerbstones located in The Mall report be received and noted.
2. THAT Council endorse the submission to the Heritage Council Northern Territory, within **Attachment 1** to Report entitled: Heritage Council - Kerbstones Located in The Mall, which does not support the application to permanently heritage list the kerbstones located in The Mall.

**CARRIED 9/0**

Alderman Andrew Arthur arrived at 5:57pm.



### 14.3 BOMBING OF DARWIN AND MILITARY HISTORY ADVISORY COMMITTEE MINUTES - BICENTENNIAL PARK AREA 1

#### SUMMARY

The purpose of this report is to present the minutes from the Bombing of Darwin and Military History Advisory Committee meeting of the 9 October 2019 and to recommend approval of Darwin Festival's request to use Bicentennial Park Area 1.

#### RESOLUTION ORD542/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Lord Mayor Kon Vatskalis

1. THAT the Bombing of Darwin and Military History Advisory Committee Minutes – Bicentennial Park Area 1 report be received and noted.
2. THAT approval is given to Darwin Festival to use Bicentennial Park Area 1 for the Spiegel tent in 2020 with the following permit conditions;
  - the exclusion zone around the Cenotaph area is respected
  - site lines from the entrance to the Cenotaph are maintained
  - any exclusion zones for the new eternal flame can be accommodated
  - that should any of the conditions put in place not be complied with, any future request may not be approved.

#### AMENDMENT

Moved: Alderman Rebecca Want de Rowe

Seconded: Lord Mayor Kon Vatskalis

1. THAT the Bombing of Darwin and Military History Advisory Committee Minutes – Bicentennial Park Area 1 report be received and noted.
2. THAT approval is given to Darwin Festival to use Bicentennial Park Area 1 for the Spiegel tent in 2020 with the following permit conditions;
  - the exclusion zone around the Cenotaph area is respected
  - site lines from the entrance to the Cenotaph are maintained
  - any exclusion zones for the new eternal flame can be accommodated
  - that should any of the conditions put in place not be complied with, any future request may not be approved.
3. THAT the City of Darwin Bombing of Darwin and Military History Advisory Committee, NT GLeNTi Festival Committee and Australian Defence Force meet to find a solution regarding the spacing and layout of the Queen's Birthday Weekend Events.

**Carried 10/0**

**14.4 REMOTE AREA TAX CONCESSION AND PAYMENT STUDY****SUMMARY**

The purpose of this report is to advise Council of the submission lodged with the Productivity Commission in relation to the Remote Area Tax Concessions and Payment Study.

**RESOLUTION ORD543/19**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Jimmy Bouhoris

1. THAT the Remote Area Tax Concession and Payment Study report be received and noted.
2. THAT Council's response to the Productivity Commission Submission on Remote Area Tax Concessions and Payment Study as outlined in Attachment 1, be noted.

**CARRIED 10/0**

**14.5 2018/19 CITY OF DARWIN ANNUAL REPORT****SUMMARY**

The purpose of this report is to provide Council with the City of Darwin Annual Report 2018/19 (including Audited Financial Statements) for adoption.

**RESOLUTION ORD544/19**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Jimmy Bouhoris

THAT it be a recommendation to Council:-

1. THAT this report entitled City of Darwin Annual Report 2018/19 be received and noted.
2. THAT Council adopt the 2018/19 City of Darwin Annual Report at Attachment 1 to this Report.
3. THAT the 2018/19 City of Darwin Annual Report be forwarded to the Minister for Local Government, Housing and Community Development no later than 15 November 2019.

**CARRIED 10/0**

## 14.6 MEETING DATE SCHEDULE

### SUMMARY

The purpose of this report is to present the forward Ordinary Council meeting schedule for 2020 for endorsement by Council.

#### RESOLUTION ORD545/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Peter Pangquee

1. THAT the report entitled Meeting Date Schedule be received and noted.
2. THAT the schedule in Attachment 1 entitled Meeting Date Schedule 2020 be endorsed.

**CARRIED 10/0**

## 14.7 CALL FOR NOMINATIONS TO THE NT GRANTS COMMISSION

### SUMMARY

The purpose of this report is to seek Council's nomination for the Northern Territory Grants Commission

#### RESOLUTION ORD546/19

Moved: Alderman Justine Glover

Seconded: Alderman Gary Haslett

1. THAT the Call for Nominations to the NT Grants Commission report be received and noted.
2. THAT Council nominate Alderman Mick Palmer to the Northern Territory Grants Commission

**CARRIED 10/0**

## 15 RECEIVE & NOTE REPORTS

### 15.1 MINISTER'S ADVISORY COUNCIL ON MULTICULTURAL AFFAIRS RESOLUTION

#### SUMMARY

The purpose of this report is to advise Council of the outcome to the Lord Mayor's nomination for the Minister's Advisory Council on Multicultural Affairs (MACMA).

#### RESOLUTION ORD547/19

Moved: Alderman Justine Glover

Seconded: Alderman George Lambrinidis

1. THAT the Minister's Advisory Council on Multicultural Affairs Resolution report be received and noted.

**CARRIED 10/0**

## 15.2 COUNCIL MINUTES PROCEDURES

### SUMMARY

The purpose of this report is to action Council resolution ORD520/19.

#### RESOLUTION ORD548/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Jimmy Bouhoris

1. THAT the Council Minutes Procedures report be received and noted.

**CARRIED 10/0**

## 15.3 MINUTES OF YOUTH ADVISORY COMMITTEE - 24 OCTOBER 2019

### SUMMARY

The purpose of this report is to present the minutes of the Youth Advisory Committee held 24 October 2019.

#### RESOLUTION ORD549/19

Moved: Alderman George Lambrinidis

Seconded: Alderman Andrew Arthur

1. THAT the report entitled Minutes of Youth Advisory Committee 24 October 2019 be received and noted.

**CARRIED 10/0**

## 15.4 QUARTERLY ON STREET - OFF STREET PARKING STATISTICS - JULY TO SEPTEMBER 2019

### SUMMARY

The purpose of this report is to provide statistical information for car parking in the Darwin city centre for the quarter ending 30<sup>th</sup> September 2019.

#### RESOLUTION ORD550/19

Moved: Alderman Simon Niblock

Seconded: Alderman Rebecca Want de Rowe

1. THAT the report entitled Quarterly On Street – Off Street Parking Statistics – July to September 2019, be received and noted.

**CARRIED 10/0**

**16 REPORTS OF REPRESENTATIVES****RESOLUTION ORD551/19**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Jimmy Bouhoris

THAT the following Reports of Representatives be received and noted.

**CARRIED 10/0**

**Northern Territory Government Reaching South Program – Delegation to China**

The Right Worshipful The Lord Mayor of Darwin, together with a delegation including the Chief Executive Officer, General Manager Innovation Growth and Development Services and Manager International Relations, visited China from 16 October to 21 October 2019 as part of the Northern Territory Government Reaching South Program.

The Lord Mayor's presentation is at **Attachment 1**. The Lord Mayor noted that the potential realisation of a return on investment for this overseas visit is in excess of \$1.3 million in 2020. The Lord Mayor noted that in the past twelve months, Council has undertaken three trips to China with a total cost under \$50,000. The potential return is 25 times Council's investment in International Relations.

Mr Richard Fejo, Chairman of the Larrakia Nation Aboriginal Corporation who was part of the delegation which visited China was invited to address Council. He noted that he was very pleased to be part of the opportunity to share information about the Larrakia Nation in China, and that he has advised the Larrakia nation to prepare for many more Chinese tourists following this trip.

**Local Government Association of the Northern Territory (LGANT) Annual General Meeting**

The Lord Mayor, Alderman Peter Pangquee, Alderman Gary Haslett and the Chief Executive Officer attended the Local Government Association of the Northern Territory (LGANT) Annual General Meeting in Alice Springs from 6 to 8 November 2019.

Alderman Peter Pangquee advised Council that there was a motion put forward by the City of Palmerston to reduce the City of Darwin representatives from two to one, however the motion was not supported by other Northern Territory local governments.

It was noted ex City of Darwin Alderman, Kerry Moir has received the first honorary life membership to the Local Government Association of the Northern Territory.

Alderman Peter Pangquee advised that the LGANT Chief Executive Officer, Tony Tapsell has retired and members were introduced to the incoming Chief Executive Officer Sean Holden. Mr Holden will be invited to address City of Darwin Council in early 2020.

**16 QUESTIONS BY MEMBERS**

Nil

**17 GENERAL BUSINESS****18.1 CITIZEN'S EXPERIENCE OF THE BOMBING OF DARWIN****SUMMARY**

Alderman Justine Glover advised that she doesn't want to detract from the Military experience of the Bombing of Darwin, but feels that the citizens experience isn't being taken into account. Alderman Justine Glover has been receiving feedback from the community regarding this. She noted that there are 55 citizens who lost their lives, and the plaque at Council displays this.

Alderman Justine Glover advised that following conversations with Darwin historians and citizens Peter and Sheila Forrest, she would like to raise these points.

*Focus of Bombing of Darwin has been military, but was by no means only a military event. The evacuation and bombing were terrible events, and their military aspects have been covered in the literature, and commemorated each year on 19 February. However, this war is not just about soldiers, and reflections should also commemorate the impact on Northern Territory civilians, particularly about 4,000 civilians/residents who were displaced. No other Australian community has had to endure what happened to the Top End as consequence of war.*

**RESOLUTION ORD552/19**

Moved: Alderman Justine Glover

Seconded: Lord Mayor Kon Vatskalis

1. That a review of the Terms of Reference of the Bombing of Darwin and Military History Advisory Committee be undertaken to fully acknowledge and honour the war time experiences of those civilians whose lives who were so profoundly impacted by the war.

**CARRIED 10/0****18.2 ACTING DEPUTY LORD MAYOR****RESOLUTION ORD553/19**

Moved: Alderman Mick Palmer

Seconded: Lord Mayor Kon Vatskalis

THAT in accordance with Part 4.3 of the Local Government Act, Alderman Peter Pangquee be appointed as Acting Deputy Lord Mayor for the period 13 to 17 November 2019.

**CARRIED 10/0****18.3 DEPUTY LORD MAYOR****RESOLUTION ORD554/19**

Moved: Alderman Jimmy Bouhoris

Seconded: Lord Mayor Kon Vatskalis

THAT in accordance with Part 4.3 of the Local Government Act, Alderman George Lambrinidis be appointed as Deputy Lord Mayor for the period 2 January 2020 to 30 April 2020.

**CARRIED 10/0**

**18.4 ACTING DEPUTY LORD MAYOR****RESOLUTION ORD555/19**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Jimmy Bouhoris

THAT in accordance with Part 4.3 of the Local Government Act, Alderman Rebecca Want de Rowe be appointed as Acting Deputy Lord Mayor for the period 2 to 30 Jan.

**CARRIED 10/0**

**19 DATE, TIME AND PLACE OF THE NEXT ORDINARY COUNCIL MEETING****RESOLUTION ORD556/19**

Moved: Alderman George Lambrinidis

Seconded: Alderman Jimmy Bouhoris

THAT the next Ordinary Meeting of Council be held on Tuesday, 26 November 2019, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

**CARRIED 10/0**

**20 CLOSURE OF THE MEETING TO THE PUBLIC****RESOLUTION ORD557/19**

Moved: Alderman Mick Palmer  
Seconded: Alderman Justine Glover

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the Confidential Items of the Agenda.

**CARRIED 10/0****RESOLUTION ORD558/19**

Moved: Alderman Mick Palmer  
Seconded: Alderman Justine Glover

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 65(2) of the Local Government Act:

**26.1 Darwin City Deal - Civic and Education Precinct Masterplan**

This matter is considered to be confidential under Section 65(2) - 8(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 Council Office Accommodation - Options Criteria**

This matter is considered to be confidential under Section 65(2) - 8(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 information provided to the council on condition that it be kept confidential.

**CARRIED 10/0****21 ADJOURNMENT OF MEETING AND MEDIA LIAISON****RESOLUTION ORD559/19**

Moved: Alderman Mick Palmer  
Seconded: Alderman Justine Glover

That in accordance with By-Law 163(d), the meeting be adjourned at 7:01pm for 15 minutes to enable the Council to have a meal break.

**CARRIED 10/0**



**30 RESUMPTION OF OPEN MEETING**

**RESOLUTION ORD571/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Peter Pangquee

The open meeting resumed at 8:06pm.

**CARRIED 10/0**

**31 CLOSURE OF MEETING**

**RESOLUTION ORD572/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Peter Pangquee

The open meeting closed at 8:06pm.

**CARRIED 10/0**

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 November 2019.

CONFIRMED