

Minutes

Ordinary Council Meeting

Tuesday, 16 April 2024



Reports, recommendations and supporting documentation can be accessed via the City of Darwin Website at www.darwin.nt.gov.au, or contact Customer Service on (08) 8930 0300.

**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 APRIL 2024 AT 5:30PM**

PRESENT:

Lord Mayor Kon Vatskalis (Chair)
Deputy Lord Mayor Sam Weston
Councillor Jimmy Bouhoris
Councillor Sylvia Klonaris
Councillor Brian O'Gallagher
Councillor Mick Palmer
Councillor Peter Pangquee
Councillor Morgan Rickard
Councillor Ed Smelt
Councillor Amye Un

OFFICERS

Chief Executive Officer, Simone Saunders
General Manager Community, Matt Grassmayr
Acting General Manager Corporate, Alex Vereker
General Manager Innovation, Alice Percy

APOLOGY:

Councillor Kim Farrar
Councillor Vim Sharma
Councillor Rebecca Want de Rowe

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

3 MEETING DECLARED OPEN

RESOLUTION ORD093/24

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

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

CARRIED 10/0

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 APOLOGIES

RESOLUTION ORD094/24

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Sylvia Klonaris

THAT the apology from Councillor Vim Sharma and Councillor Rebecca Want de Rowe, be received.

CARRIED 10/0

4.2 LEAVE OF ABSENCE GRANTED

RESOLUTION ORD095/24

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Sylvia Klonaris

THAT it be noted Councillor Kim Farrar is an apology due to a Leave of Absence previously granted on 26 March 2024 for the period 5 April 2024 to 19 April 2024.

CARRIED 10/0

4.3 LEAVE OF ABSENCE REQUESTED

RESOLUTION ORD096/24

Moved: Councillor Brian O'Gallagher

Seconded: Councillor Sylvia Klonaris

1. THAT a Leave of Absence be granted for Councillor Mick Palmer for 30 April 2024.
2. THAT a Leave of Absence be granted for Councillor Jimmy Bouhoris for the period 19 April 2024 to 22 April 2024.
3. THAT a Leave of Absence be granted for Councillor Peter Pangquee for 30 April 2024.

CARRIED 10/0

5 ELECTRONIC MEETING ATTENDANCE

5.1 ELECTRONIC MEETING ATTENDANCE GRANTED

RECOMMENDATIONS

THAT Council note that pursuant to Section 95 (43) of the *Local Government Act 2019*, the following Councillor(s) was granted permission for Electronic Meeting Attendance:

- Councillor Amye Un

5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED

Nil

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

6.1 DECLARATION OF INTEREST BY MEMBERS

RESOLUTION ORD097/24

Moved: Councillor Morgan Rickard

Seconded: Councillor Jimmy Bouhoris

1. THAT Council note that pursuant to Section 114 and 115 of the *Local Government Act 2019*, the Lord Mayor, declared a Conflict of Interest in Item 15.2.
2. THAT Council note that pursuant to Section 114 and 115 of the *Local Government Act 2019*, Councillor Amye Un, declared a Conflict of Interest in Item 15.2.

CARRIED 10/0

6.2 DECLARATION OF INTEREST BY STAFF

RESOLUTION ORD098/24

Moved: Councillor Morgan Rickard

Seconded: Councillor Jimmy Bouhoris

THAT Council note that pursuant to Section 179 of the *Local Government Act 2019*, the Chief Executive Officer, Simone Saunders, declared a Conflict of Interest in Item 15.2.

CARRIED 10/0

7 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION ORD099/24

Moved: Councillor Sylvia Klonaris

Seconded: Deputy Lord Mayor Sam Weston

THAT the minutes of the Ordinary Council Meeting and the Restricted Confidential Open Ordinary Council Meeting held on 26 March 2024 be confirmed.

CARRIED 10/0

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

28.2 DRAFT BUNDILLA BEACH MASTER PLAN

RESOLUTION ORD122/24

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Mick Palmer

1. THAT the report entitled Draft Bundilla Beach Master Plan be received and noted.
2. THAT Council endorse the draft Bundilla Beach Master Plan at **Attachment 1** for the purposes of commencing the next phase of stakeholder and community engagement.
3. THAT the finalised Bundilla Beach Master Plan be presented to Council for endorsement at a future Council meeting.
4. 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.
5. THAT the documents and that this decision be moved into Open at the end of the meeting.

CARRIED 10/0

28.5 ADVOCACY AND PARTNERSHIPS PLAN

RESOLUTION ORD125/24

Moved: Deputy Lord Mayor Sam Weston

Seconded: Councillor Jimmy Bouhoris

1. THAT the report entitled Advocacy and Partnerships Plan be received and noted.
2. THAT Council endorse the Draft 2030 Advocacy and Partnerships Plan at **Attachment 1**.
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 10/0

29.1 UPDATE ON OUTSTANDING DEBTOR ACCOUNT

RESOLUTION ORD127/24

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Jimmy Bouhoris

1. THAT the report entitled Update on Outstanding Debtor Account 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 and that this decision be moved into Open at the end of the meeting.

CARRIED 10/0

29.3 THE FUTURE OF MICROMOBILITY TRANSPORTATION**RESOLUTION ORD129/24**

Moved: Councillor Morgan Rickard

Seconded: Councillor Ed Smelt

1. THAT the report entitled The Future of Micromobility Transportation 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 10/0

29.4 UNCONFIRMED CONFIDENTIAL MINUTES - RISK MANAGEMENT AND AUDIT COMMITTEE (RMAC) - 23 FEBRUARY 2024**RESOLUTION ORD130/24**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Brian O'Gallagher

1. THAT the report entitled Unconfirmed Confidential Minutes – Risk Management and Audit Committee (RMAC) – 23 February 2024, 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 10/0

9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

Nil

10 PUBLIC QUESTION TIME

Nil

11 PETITIONS**11.1 PETITION – GEORGE PARK FANNIE BAY****RESOLUTION ORD100/24**

Moved: Councillor Ed Smelt

Seconded: Councillor Peter Pangquee

Councillor Ed Smelt will present the Petition.

1. THAT the Petition, in relation to the request that Council reconsider the decision not to build a new playground at George Park, George Crescent, Fannie Bay be received and noted.
2. THAT the Petition regarding the decision not to build a new playground at George Park, George Crescent, Fannie Bay, be referred to the Community Hub for consideration and a report to return to Council.

CARRIED 10/0

12 DEPUTATIONS AND BRIEFINGS**12.1 DEPUTATIONS AND BRIEFINGS**

Nil

13 NOTICES OF MOTION**13.1 NOTICE OF MOTION - TRIAL CLOSURE OF THE INTERSECTION OF HOLMES STREET AND PLAYFORD STREET, FANNIE BAY**

I, Councillor Mick Palmer, give notice that at the Ordinary Council Meeting on 16 April 2024, I will move the following motion:-

RESOLUTION ORD101/24

Moved: Councillor Mick Palmer

Seconded: Lord Mayor Kon Vatskalis

1. THAT Council receive and note this motion to undertake a minimum three year trial closure of the intersection of Holmes Street and Playford Street, Fannie Bay.
2. THAT Council provide in-principle support for this three year trial closure and approve for this motion to be referred to the Innovation Hub for consideration and a return report to Council in June 2024.

CARRIED 10/0

14 ACTION REPORTS**14.1 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY MOTIONS 2024****RESOLUTION ORD102/24**

Moved: Lord Mayor Kon Vatskalis

Seconded: Councillor Ed Smelt

1. THAT the report entitled Australian Local Government Association National General Assembly Motions 2024 be received and noted.
2. THAT Council endorse the following motion to be put to the National General Assembly 2024:

“This National General Assembly calls on the Australian Government to reaffirm that the Australian Defence Force provide disaster assistance to local communities when required or requested.”

3. THAT Council endorse the following motion to be put to the National General Assembly 2024:

“This National General Assembly calls on the Australian Government to support flood proofing on major Australian highways and rail corridors, including upgrading culverts, causeways and bridges to ensure transport corridors for food, freight and essential supplies at all times.”

CARRIED 10/0**14.2 WORLD CITIES SUMMIT 2024****RESOLUTION ORD103/24**

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Brian O'Gallagher

1. THAT the report entitled World Cities Summit 2024 be received and noted.
2. THAT Council approve for the Lord Mayor and Chief Executive Officer to travel to Singapore to attend the World Cities Summit 2024, in accordance with [Policy 0017 Elected Members Expenses, Facilities, and Support](#).

CARRIED 10/0

15 RECEIVE & NOTE REPORTS**15.1 UNCONFIRMED OPEN MINUTES - RISK MANAGEMENT AND AUDIT COMMITTEE (RMAC) - 23 FEBRUARY 2024****RESOLUTION ORD104/24**

Moved: Councillor Brian O'Gallagher
Seconded: Councillor Jimmy Bouhoris

THAT the report entitled Unconfirmed Open Minutes - Risk Management and Audit Committee (RMAC) – 23 February 2024 be received and noted.

CARRIED 10/0

The Lord Mayor Kon Vatskalis departed the meeting at 5:47 pm due to a declared conflict of interest.

Councillor Amye Un departed the meeting at 5:47 pm due to a declared conflict of interest.

The Chief Executive Officer, Simone Saunders departed the meeting at 5:47pm due to a declared conflict of interest.

15.2 UPDATE ON CODE OF CONDUCT OUTCOMES**RESOLUTION ORD105/24**

Moved: Deputy Lord Mayor Sam Weston
Seconded: Councillor Mick Palmer

THAT the report entitled Update on Code of Conduct Outcomes be received and noted.

CARRIED 8/0

The Lord Mayor Kon Vatskalis re-joined the meeting at 5:49 pm.

The Chief Executive Officer, Simone Saunders re-joined the meeting at 5:49pm.

Councillor Amye Un re-joined the meeting at 5:50 pm.

16 CORRESPONDENCE**16.1 INCOMING CORRESPONDENCE - DEPARTMENT OF THE CHIEF MINISTER AND CABINET - PERSONAL USE OF SOCIAL MEDIA****RESOLUTION ORD106/24**

Moved: Lord Mayor Kon Vatskalis
Seconded: Councillor Peter Pangquee

THAT the Incoming Correspondence - Department of the Chief Minister and Cabinet - Personal Use of Social Media be received and noted.

CARRIED 10/0

17 REPORTS OF REPRESENTATIVES

Nil

18 QUESTIONS BY MEMBERS

18.1 PUBLIC TOILET OPENING HOURS

RESOLUTION ORD107/24

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

Question

Councillor Ed Smelt requested an update on the roll out of the public toilet change of opening hours from the Council decision of October 2023.

Response

The General Manager Innovation, Alice Percy responded and advised the security contractor was advised of the change of hours and has been rolling out since. The team are currently in the process of finalising a contract with a new security provider.

CARRIED 10/0

18.2 CORONATION DRIVE STUART PARK

RESOLUTION ORD108/24

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

Question

Councillor Amye Un requested an update on a request sent through to City of Darwin by a resident for trees to be planted in the roundabout along Coronation Drive in Stuart Park.

Response

The General Manager Community, Matt Grassmayr took the question on notice.

CARRIED 10/0

18.3 UPDATE ON CCTV IN SMITH STREET MALL**RESOLUTION ORD109/24**

Moved: Councillor Brian O'Gallagher

Seconded: Lord Mayor Kon Vatskalis

Question

Councillor Jimmy Bouhoris requested an update on who owns and who is currently operating the CCTV in The Mall.

Response

The Chief Executive Officer, Simone Saunders responded and advised the CCTV in The Mall is owned by the Northern Territory Police and they are responsible for monitoring, repairs and maintenance. The Northern Territory Police have recently advised, they were experiencing intermittent connectivity issues with the CCTV.

CARRIED 10/0

18.4 PINE LOG REPLACEMENT PROGRAM**RESOLUTION ORD110/24**

Moved: Councillor Brian O'Gallagher

Seconded: Lord Mayor Kon Vatskalis

Question

Councillor Sylvia Klonaris requested an update on the replacement of pine logs in parks.

Response

The General Manager Community, Matt Grassmayr responded and advised the pine log replacement program looks at risk assessment for the ones that are most deteriorated or need to be replaced and there are a couple of different options. It is determined by a case-by-case basis.

CARRIED 10/0

18.5 PATTERSON STREET MALAK**RESOLUTION ORD111/24**

Moved: Councillor Brian O'Gallagher

Seconded: Lord Mayor Kon Vatskalis

Question

Councillor Sylvia Klonaris requested an update on the fencing in the greenbelt along Patterson Street in Malak.

Response

The General Manager Community, Matt Grassmayr took the question on notice.

CARRIED 10/0

18.6 PEDESTRIAN CROSSING COUNTDOWN**RESOLUTION ORD112/24**

Moved: Councillor Brian O'Gallagher

Seconded: Lord Mayor Kon Vatskalis

Question

Councillor Sam Weston requested an update on why the countdown for the pedestrian crossings at several intersections in the city have been removed.

Response

The Executive Manager Infrastructure, Nik Kleine advised that the traffic lights are owned by the City of Darwin and managed by a contractor awarded by the Northern Territory Government. If the countdown system has reverted to the green or red flashing person, there may be a fault with the system and will need to be checked. Officers will contact the relevant contractor to have the issue rectified.

CARRIED 10/0

18.7 ROUGH SLEEPERS**RESOLUTION ORD113/24**

Moved: Councillor Brian O'Gallagher

Seconded: Lord Mayor Kon Vatskalis

Question

Councillor Amye Un advised of rough sleepers located at Officeworks in Stuart Park and requested the assistance of City of Darwin to have them moved on.

Response

The Lord Mayor responded and advised that is it private property and City of Darwin can not assist.

CARRIED 10/0

19 GENERAL BUSINESS

19.1 ROUGH SLEEPERS

RESOLUTION ORD114/24

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

Councillor Morgan Rickard was copied into correspondence from the Member for Nightcliff, Natasha Fyles regarding campers in the Nightcliff area. Councillor Morgan Rickard would like the Lord Mayor to respond and remind the member it is a homelessness issues which is the responsibility of the Northern Territory Government. The Lord Mayor noted the correspondence received.

CARRIED 10/0

19.2 VENTURE HOUSING

RESOLUTION ORD115/24

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

Councillor Sylvia Klonaris requested information on who Council can reach out to regarding issues with NT Housing properties now being managed by Venture Housing.

The Lord Mayor took the question on notice and will provide further information to the Elected Members.

CARRIED 10/0

19.3 MEMBER FOR KARAMA

RESOLUTION ORD116/24

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

Councillor Brian O’Gallagher advised he will be running in the upcoming election as the Country Liberal Party candidate of Karama. He will provide Council with an intent letter no later than the 8 August 2024 and wish all candidates all the best.

CARRIED 10/0

19.4 MEMBER FOR FONG LIM**RESOLUTION ORD117/24**

Moved: Councillor Ed Smelt

Seconded: Councillor Sylvia Klonaris

Councillor Amye Un advised she will be running in the upcoming election as an Independent Candidate for Fong Lim. The Chief Executive Officer, Simone Saunders advised that Councillor Amye Un had sought advice from the Electoral Commission.

CARRIED 10/0

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

THAT the next Ordinary Meeting of Council be held on Tuesday, 30 April 2024, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers Darrandirra, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

21 CLOSURE OF MEETING TO THE PUBLIC**RECOMMENDATIONS**

THAT pursuant to Section 99 (2) of the *Local Government Act 2019* and Regulation 8 of the Local Government 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 2019*:

28.1 Strategic and Priority Projects Plan 2030

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 Draft Bundilla Beach Master Plan

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.

28.3 Lyons Community Centre

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.

28.4 Casuarina Aquatic and Leisure Centre Tenancies

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.

28.5 Advocacy and Partnerships Plan

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.

28.6 Information on Legal Matter

This matter is considered to be confidential under Section 99(2) - 51(c)(i), 51(c)(iv) and 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 that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person, information that would, if publicly disclosed, be likely to subject to subregulation 51(3) – prejudice the interests of the council or some other person and information subject to an obligation of confidentiality at law, or in equity.

29.1 Update on Outstanding Debtor Account

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.

29.2 Civic Centre Redevelopment Update

This matter is considered to be confidential under Section 99(2) - 51(c)(i) and 51(c)(iii) 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 and information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff.

29.3 The Future of Micromobility Transportation

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.

29.4 Unconfirmed Confidential Minutes - Risk Management and Audit Committee (RMAC) - 23 February 2024

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.

22 ADJOURNMENT OF MEETING AND MEDIA LIAISON

RESOLUTION ORD118/24

Moved: Councillor Jimmy Bouhoris

Seconded: Councillor Morgan Rickard

THAT the open section of the meeting be adjourned at 6:06 pm.

CARRIED 10/0

THAT the open section of the meeting be resumed at 6:53 pm.

THAT the chair declared the meeting closed at 6:53 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 30 April 2024.

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CHAIR