



MINUTES

**Ordinary Council Meeting
Tuesday, 25 June 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, 25 JUNE 2019 AT 5.30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Alderman Jimmy Bouhoris, Alderman Justine Glover, Alderman Gary Haslett, Alderman Robin Knox, Alderman George Lambrinidis, Alderman Simon Niblock, Alderman Mick Palmer, Alderman Peter Pangquee, Alderman Rebecca Want de Rowe, Alderman Emma Young
- OFFICERS:** Scott Waters (Chief Executive Officer), Joshua Sattler (General Manager Innovation Growth & Development Services), Polly Banks (General Manager Community & Regulatory Services), Chris Potter (General Manager Corporate and Procurement Services), Melissa Reiter (General Manager Government Relations & External Affairs), Ron Grinsell (General Manager Engineering & City Services), Nik Kleine (Executive Manager Waste and Capital Works), Cindy Robson (Manager City Planning), Drosso Lelekis (Manager Design, Development and Projects), Liam Carrol (Manager Economic Development and International Relations), Irene Franzis (Management Accountant), Jane de Gault (Media and Communications Advisor), Sonya Smith (Executive Assistant to the CEO), Sally Vassy (Executive Assistant to the Lord Mayor), Caitlyn Moulds (Alderman Liaison Officer), Penny Hart (Coordinator Governance)
- APOLOGY:** Alderman Jimmy Bouhoris, Alderman Sherry Cullen, Alderman Rebecca Want de Rowe, Alderman Emma Young
- MEDIA:** NT News, Mr Will Zwar, ABC News, Ms Kate Ashton, 9 News, Ms Lily Greer

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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
4.1	Apologies	5
4.3	Leave of Absence Requested	5
5	Electronic Meeting Attendance.....	6
6	Declaration of Interest of Members and Staff	6
7	Confirmation of Previous Minutes.....	6
8	Matters of Public Importance / Lord Mayoral Minute	6
	Nil	
9	Public Question Time	6
	Nil	
10	Petitions	7
11	Deputations and Briefings	7
12	Notices of Motion.....	7
	Nil	
13	Officers Reports.....	7
13.1	Darwin 2030 - City for People. City of Colour. Strategic Plan	7
13.2	2019/20 MUNICIPAL PLAN AND ANNUAL BUDGET	7
13.3	2019/2020 DECLARATION OF RATES AND CHARGES	8
13.4	Asset Management Plans - Public Art, Street and Public Lighting, Plant and Equipment, Stormwater Infrastructure, Transport and Waste Management.....	15
13.5	Planning Scheme Amendment - Central Darwin Area Plan	16
13.6	Darwin Entertainment Centre Funding Agreement	16
14	Receive & Note Reports	17
14.1	MONTHLY FINANCIAL REPORT - MAY 2019.....	17
14.2	Public library Funding agreement update	18
14.3	Petition - HELP NT - The Rock Centre	18
14.4	Minutes of the Risk Management & Audit Committee Meeting held on 31 May 2019.....	18
15	Reports of Representatives	19
15.1	Reports of Representatives	19
16	Questions by Members	20
16.1	Gardens Park Golf Drains	20
16.2	Maintenance of Verges	20
16.3	Bagot Park Traffic Studies.....	20
16.4	Climate Change Action Plan.....	21

16.5	Motions Presented at Australian Local Government Association Conference.....	22
16.6	Stuart Park Storm Water Upgrades	22
16.7	Parking Shortfall Fund.....	22
16.8	Car Park Across from The Deck Bar	23
16.9	Wilson Crescent Park.....	23
16.10	Update on RSPCA Funding.....	24
16.11	CSIRO Urban Living Lab.....	24
16.12	Laneway Closure in Karama	24
16.13	Henry Ellis Street Laneway	25
17	General Business.....	25
17.1	Acting Deputy Lord Mayor - 26 To 28 June 2019	25
17.2	Quiz4Dili.....	25
18	Date, time and place of next Ordinary Council Meeting.....	26
18.1	DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING	26
19	Closure of Meeting to the Public	26
19.1	Closure of Meeting to the Public.....	26
20	Adjournment of Meeting and Media Liaison	28

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

The Chair declared the meeting open at 5.37 pm.

4 APOLOGIES AND LEAVE OF ABSENCE**4.1 APOLOGIES****RESOLUTION ORD181/19**

Moved: Alderman Gary Haslett

Seconded: Alderman Emma Young

THAT the apology from Alderman Jimmy Bouhoris, be received.

THAT the apology from Alderman Rebecca Want de Rowe, be received.

CARRIED 10/0

4.2 Leave of Absence Granted**RESOLUTION ORD182/19**

Moved: Alderman Gary Haslett

Seconded: Alderman Emma Young

That leave of absence from Alderman Sherry Cullen be received and accepted.

CARRIED 10/0

4.3 Leave of Absence Requested**4.3 LEAVE OF ABSENCE REQUESTED****RESOLUTION ORD183/19**

Moved: Alderman George Lambrinidis

Seconded: Alderman Gary Haslett

- A. THAT a Leave of Absence be granted for the Lord Mayor for the period 26 to 28 June 2019.
- B. THAT a Leave of Absence be rescinded for Alderman Robin Knox for the period 7 to 14 July.
- C. THAT a Leave of Absence be granted for Alderman Robin Knox for the period 8 July 2019 Inclusive
- D. THAT a Leave of Absence be granted for Alderman Simon Niblock for the period 1 to 8 July 2019

CARRIED 10/0**5 ELECTRONIC MEETING ATTENDANCE****5.1 Electronic Meeting Attendance Granted****RESOLUTION ORD184/19**

Moved: Alderman Peter Pangquee

Seconded: Alderman Gary Haslett

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(s) was granted permission for Electronic Meeting Attendance at this the Twenty-Eighth Ordinary Council Meeting held on Tuesday, 27 November 2018:

- Alderman Andrew Arthur

CARRIED 10/0**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 ORD185/19**

Moved: Alderman Justine Glover

Seconded: Alderman Gary Haslett

That the minutes of the Ordinary Council Meeting held on 11 June 2019 be confirmed.

CARRIED 10/0**8 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE**

Nil

9 PUBLIC QUESTION TIME

Nil

10 PETITIONS

Nil

11 DEPUTATIONS AND BRIEFINGS

Nil

12 NOTICES OF MOTION

Nil

13 OFFICERS REPORTS**13.1 DARWIN 2030 - CITY FOR PEOPLE. CITY OF COLOUR. STRATEGIC PLAN****SUMMARY**

The purpose of this report is for Council to adopt the Darwin 2030 – *City for People. City of Colour.* Strategic Plan.

RESOLUTION ORD186/19

Moved: Alderman Justine Glover

Seconded: Alderman Robin Knox

1. THAT the report be received and noted.
2. That Council adopt **Attachment 1** the Darwin 2030 – City for People. City of Colour. Strategic Plan noting a commencement date of 1 July 2019.

CARRIED 10/0**13.2 2019/20 MUNICIPAL PLAN AND ANNUAL BUDGET****SUMMARY**

The purpose of this report is for Council to adopt the City of Darwin 2019/20 Municipal Plan, which incorporates the Annual Budget.

RESOLUTION ORD187/19

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Mick Palmer

1. THAT the report be received and noted.
2. THAT Council acknowledges and responds to the public submissions received for the City of Darwin 2019/20 Municipal Plan as outlined in **Attachment 2**.
3. THAT the Certificate in terms of Regulation 24 (1) of the Local Government (Accounting) Regulations, as tabled by the Chief Executive Officer at this 2nd Ordinary Council Meeting, Tuesday 25 June 2019, be received and noted.
4. THAT in accordance with Section 24 (1) and Section 128 (1) of the Local Government Act 2008, Council adopts the 2019/20 City of Darwin Municipal Plan and Budget as contained I n **Attachment 1**.

CARRIED 10/0

13.3 2019/2020 DECLARATION OF RATES AND CHARGES**SUMMARY**

The purpose of this report is to provide for the adoption of 2019/2020 Rates and Charges that support the Budget contained in the City of Darwin 2019/2020 Municipal Plan.

RESOLUTION ORD188/19

Moved: Alderman Peter Pangquee

Seconded: Alderman Gary Haslett

1. THAT the report be received and noted.
2. THAT pursuant to Section 149 of the *Local Government Act* ("the Act"), Council adopts the Unimproved Capital Value method as the basis of the assessed value of allotments within the Darwin Municipality.
3. THAT pursuant to Sections 155-157 of the Act, Council declares that it intends to raise, for general purposes by way of rates, the amount of \$65,637,000 which will be raised by the application of differential valuation-based charges ("differential rates") with differential minimum charges ("minimum amounts") being payable in application of each of those differential rates. Council hereby declares the following differential rates and minimum amounts payable in the application of those differential rates for the financial year ending 30 June 2020;

For the purposes of this paragraph 3, "residential parts or units" means a dwelling house, flat or other substantially self-contained residential unit or building:

- a) 0.481259% of the assessed value of all rateable land within the municipality zoned SD, RR, R or RL under the *NT Planning Scheme*, with the minimum amount payable in the application of that differential rate being \$1,158.00 multiplied by :-
 - (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
 whichever is the greater.
- b) 0.481259% of the assessed value of all rateable land within the municipality zoned MD, MR or HR under the *NT Planning Scheme*, with the minimum amount payable in the application of that differential rate being \$1,216.00 multiplied by :-
 - (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
 whichever is the greater.
- c) 0.437621% of the assessed value of all rateable land within the municipality zoned CV under the *NT Planning Scheme*, with the minimum amount payable in the application of that differential rate being \$1,158.00 multiplied by :-
 - (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the

		<p>Act) on each allotment of land; or</p> <p>(b) the number 1,</p> <p>whichever is the greater.</p>
d)	0.585708%	<p>of the assessed value of all rateable land within the municipality zoned CB under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$1,465.00 multiplied by :-</p> <p>(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or</p> <p>(b) the number 1,</p> <p>whichever is the greater.</p>
e)	0.402952%	<p>of the assessed value of all rateable land within the municipality zoned PS or CN under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$1,207.00 multiplied by :-</p> <p>(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or</p> <p>(b) the number 1,</p> <p>whichever is the greater.</p>
f)	0.381209%	<p>of the assessed value of all rateable land within the municipality zoned OR under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$478.00 multiplied by :-</p> <p>(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or</p> <p>(b) the number 1,</p> <p>whichever is the greater.</p>
g)	0.481259%	<p>of the assessed value of all rateable land within the municipality zoned FD, SU, CP, CL, RD or U under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$1,216.00 multiplied by :-</p> <p>(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or</p> <p>(b) the number 1,</p> <p>whichever is the greater.</p>
h)	0.628280%	<p>of the assessed value of all rateable land within the municipality zoned C, or SC under the NT Planning Scheme other than those classes of allotments described in paragraphs (i) and (j) below, with the minimum amount payable in the application of that differential rate being \$1,207.00 multiplied by :-</p> <p>(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or</p> <p>(b) the number 1,</p> <p>whichever is the greater.</p>

- i) 1.156840% of the assessed value of those classes of allotments within the municipality zoned C or SC under the NT Planning Scheme with a parcel area equal to or greater than 40,000m² and being allotments on which there is situated a major shopping centre, with the minimum amount payable in the application of that differential being \$1,207.00 multiplied by :-
- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
- whichever is the greater.
- j) 0.628280% of the assessed value of those classes of allotments within the municipality zoned C or SC under the NT Planning Scheme with a parcel area less than 40,000m² and being allotments on which there is situated a major shopping centre, with the minimum amount payable in the application of that differential rate being \$1,207.00 multiplied by :-
- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
- whichever is the greater.
- k) 0.637707% of the assessed value of all rateable land within the municipality zoned TC or HT under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$1,207.00 multiplied by :-
- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
- whichever is the greater.
- l) 0.393908% of the assessed value of all rateable land within the municipality zoned LI under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$1,207.00 multiplied by :-
- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
- whichever is the greater.
- m) 0.325299% of the assessed value of all rateable land (other than the small allotments identified below) within the municipality zoned GI or DV under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$1,207.00 multiplied by :-
- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
- whichever is the greater.
- Council considers the following classes of allotments within the municipality zoned GI to be a different class of allotments and small allotments for the purposes of section 148(3)(b) of the Act and the

example given at the foot of that section:

- Units 1 to 3 and Units 5 to 98 comprised in Unit Plan No. 95/95;
- Units 101 to 216 in Unit Plan 97/112;
- Units 17 to 32 comprised in Unit Plan 98/32;
- Lots 6244 to 6285 Hundred of Bagot; and
- Lots 6330 to 6336 Hundred of Bagot.

Council considers that an inequity would result if the minimum amount declared in respect of rateable land within Zone GI were applied to these small allotments, and accordingly, Council declares a lesser minimum amount, being \$300.00, to be payable in respect of each of these small allotments.

- n) 0.481259% of the assessed value of every allotment of rateable land within the municipality not otherwise described above, with the minimum amount payable in the application of that differential rate being \$1,158.00 multiplied by :-

- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
- whichever is the greater.

4. Pursuant to Section 156 of the Act Council declares the following special rate ("the Parking Local Rate"):

- a) The purpose for which the Parking Local Rate is to be imposed is to defray the expense of and in relation to on-street and off-street parking within the central business district ("the Central Business District") as defined in Schedule 1 of the *Local Government (Darwin Parking Local Rates) Regulations* ("the Regulations"), it being the opinion of the Council that such on-street and off-street parking is and will be of special benefit to the ratepayers of the Central Business District.
- b) The amount to be raised by the Parking Local Rate is \$1,028,362.
- c) The Parking Local Rate is to be an amount of \$246.82 per car parking space which will be assessed and levied in accordance with the Regulations. Notification of the parking usage schedule 2019/2020 has been duly prepared in accordance with Regulation 4 of the Regulations and notified in the Northern Territory Government Gazette and in the Northern Territory News on 5 June 2019.
- d) The Parking Local Rate will be levied on all rateable land in the Central Business District in accordance with the Regulations.
- e) Appeals against the assessment of the Parking Local Rate may be made in accordance with regulation 7 of the Regulations. The period for appeals under regulation 7 of the Regulations expires on 4 July 2019.
- f) Proceeds of the Parking Local Rate shall be applied by the Council for the provision, operation and maintenance of land, facilities, services and improvements for and in connection with the parking of vehicles in the Central Business District, including both on-street and off-street parking facilities.

5. Pursuant to Section 157 of the Act, Council declares that it intends to raise \$7,902,127 and makes and declares the following charges for the financial year ending 30 June 2020 for the purpose of enabling or assisting Council to meet the cost of the garbage collection and recycling collection services and the waste disposal services it provides for the benefit of residential land within the municipality and the occupiers of such land.

For the purposes of this paragraph 5:

- "residential dwelling" means a dwelling house, flat or other substantially self contained residential unit or building on residential land and includes a unit within the meaning of the *Unit Titles Act* and the *Unit Title Schemes Act*.
- "residential land" means land used or capable of being used for residential purposes

(but does not include land on which there is no residential dwelling).

- “SBWDS” means the Shoal Bay Waste Disposal Site located at Lot 3952 Town of Sanderson.

- a) A charge of \$278.00 per annum per residential dwelling in respect of kerbside garbage and recycling collection services and a waste disposal service provided for the benefit of, or which Council is willing and able to provide for the benefit of, each residential dwelling within the municipality other than a residential dwelling as described in Parts 1, 2 and 3 of the Schedule below and the occupiers of such land.

The services are –

- a kerbside garbage collection service of one visit per week; and
- a kerbside recycling collection service of one visit per fortnight, with a maximum of one 240 litre mobile bin per garbage collection or recycling collection visit; and
- access to the SBWDS, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWDS from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

- b) A charge of \$258.00 per annum per residential dwelling in respect of non kerbside (communal) garbage and recycling collection services and a waste disposal service provided for the benefit of, or which Council is willing and able to provide for the benefit of, each residential dwelling within the municipality where the number of residential dwellings (as the case may be) exceeds three (3) other than a residential dwelling as described in Parts 2 and 3 of the Schedule below and the occupiers of such land.

The services are as described in Part 1 of the Schedule below.

- c) A charge of \$258.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage and recycling collection services and a waste disposal service provided for the benefit of, or which Council is willing and able to provide for the benefit of, each residential dwelling within the municipality where:
- i). the number of residential dwellings exceeds twelve (12), other than a residential dwelling as described in paragraph 5(d) below;
 - ii). the dwellings and the facilities in and about the dwellings meet the requirements of the Council for the purposes of providing the services; and
 - iii). the owners of the dwellings have notified the Council in writing of their wish to be provided with these services.

The services are as described in Part 2 of the Schedule below.

- d) A charge of \$258.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage and recycling collection services and a waste disposal service provided for the benefit of, or which Council is willing and able to provide for the benefit of, each residential dwelling within the municipality where:
- i). the number of residential dwellings exceeds forty (40);
 - ii). the dwellings and the facilities in and about the dwellings meet the requirements of the Council for the purposes of providing the services; and
 - iii). the owners of the dwellings have notified the Council in writing of their wish to be provided with these services.

The services are as described in Part 3 of the Schedule below

- e) Where, in response to a written request from a person liable to pay a charge in respect

of a residential dwelling referred to in paragraph 5(a), Council approves the request and provides an additional service in the form of the weekly kerbside collection of one or more additional 240 litre mobile garbage bins, a charge of \$484.00 per annum, per additional garbage bin shall apply to that residential dwelling. The additional service shall be the provision and collection of the number of additional 240 litre mobile garbage bins approved by Council in response to such written request, which charge shall be levied and paid in conjunction with the charge for the weekly kerbside collection service referred to in paragraph 5(a).

- f) Where, in response to a written request from a person liable to pay a charge in respect of a residential dwelling referred to in paragraph 5(a), Council approves the request and provides an additional service in the form of the fortnightly kerbside collection of one or more additional 240 litre mobile recycling bins, a charge of \$108.00 per annum, per additional recycling bin shall apply to that residential dwelling. The additional service shall be the provision and collection of the number of additional 240 litre mobile recycling bins approved by Council in response to such written request, which shall be levied and paid in conjunction with the charge for the fortnightly kerbside collection service referred to in paragraph 5(a).

SCHEDULE

CITY OF DARWIN

GARBAGE AND RECYCLING COLLECTION SERVICES

PART 1 –

Communal Services for more than 3 residential dwellings (refer paragraph 5(b) of declaration)

The services are –

- (a) two (2) non-kerbside garbage collections per week; and
- (b) one (1) non-kerbside recycling collection per week,

with the number of bins for garbage and recycling collections being as set out in the table below; and

- (c) access to the SBWDS, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWDS from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

NUMBER OF HOUSEHOLDS	GARBAGE BINS 240 LITRE	RECYCLING BINS 240 LITRE	TOTAL NUMBER 240 LTR BINS
4	1	1	2
5-6	2	1	3
7-8	2	2	4
9-12	3	2	5
13-16	4	3	7
17-18	5	3	8
19-20	5	4	9
21-24	6	4	10
25-28	7	5	12
29-30	8	5	13
31-32	8	6	14

33-36	9	7	16
37-40	10	7	17
41-44	11	8	19
45-48	12	8	20

PART 2 –

Communal Services for more than 12 residential dwellings that meet the requirements of Council (refer paragraph 5(c) of declaration)

The services are –

- (a) two (2) non-kerbside garbage collections per week; and
 - (b) one (1) non-kerbside recycling collection per week,
- with the number of bins for garbage and recycling collections being as set out in the table below; and
- (c) access to the SBWDS, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWDS from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

NUMBER OF HOUSEHOLDS	GARBAGE BINS 1,100 LITRE	RECYCLING BINS 240 LITRE	TOTAL NUMBER MIXED BINS
13-16	1	3	4
17-18	2	3	5
NUMBER OF HOUSEHOLDS	GARBAGE BINS 1,100 LITRE	RECYCLING BINS 1,100 LITRE	TOTAL NUMBER 1,100 LTR BINS
19-24	2	1	3
25-32	2	2	4
33-48	3	2	5
49-64	4	3	7
65-71	5	3	8
72-80	5	4	9
81-96	6	4	10
97-112	7	5	12

PART 3 –

Communal Services for more than 40 residential dwellings that meet the requirements of Council (refer paragraph 5(d) of declaration)

The services are –

- (a) two (2) non-kerbside garbage collections per week; and
 - (b) one (1) non-kerbside recycling collection per week,
- with the number of bins for garbage and recycling collections being as set out in the table below; and
- (c) access to the SBWDS, by means of an access tag of such type as may be provided by the

Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWDS from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

NUMBER OF HOUSEHOLDS	3 CUBIC METRE GARBAGE BIN	RECYCLING BINS 1,100 LITRE	TOTAL NUMBER MIXED BINS
41-48	1	2	3
49-50	1	3	4
51-71	2	3	5

6. The relevant interest rate for the late payment of rates and charges is fixed in accordance with Section 162 of the Act at the rate of 18.0% per annum and is to be calculated on a daily basis.

7. Rates and charges declared under this declaration may be paid by four (4) approximately equal instalments on the following dates, namely:-

- First Instalment: 30 September 2019
- Second Instalment: 30 November 2019
- Third Instalment: 31 January 2020
- Fourth Instalment: 31 March 2020

Instalments falling due on a weekend or public holiday may be paid by the following business day, without incurring any penalty.

- (a) Details of due dates and specified amounts will be listed on the relevant Rates Notice.
- (b) Variations to those options for payment will be administered according to the conditions outlined on the front and reverse of the Rates Notice.
- (c) A ratepayer who fails to abide by such conditions may be sued for recovery of the principal amount of the rates and charges, late payment penalties, and costs reasonably incurred by Council in recovering or attempting to recover the rates and charges. If rates are payable by the owner of the land and are not paid by the due date, they become a charge on the land to which they relate, except within an Aboriginal community living area. In addition, Council may apply to register its charge over the land and sell the land to recover unpaid rates and charges.

CARRIED 10/0

13.4 ASSET MANAGEMENT PLANS - PUBLIC ART, STREET AND PUBLIC LIGHTING, PLANT AND EQUIPMENT, STORMWATER INFRASTRUCTURE, TRANSPORT AND WASTE MANAGEMENT

SUMMARY

The purpose of this report is to seek Council's adoption of the Asset Management Plans for Public Art, Street and Public Lighting, Plant and Equipment, Stormwater Infrastructure, Transport and Waste Management.

RESOLUTION ORD189/19

Moved: Alderman Emma Young

Seconded: Alderman George Lambrinidis

1. THAT the report entitled Asset Management Plans – Public Art, Street and Public Lighting, Plant and Equipment, Stormwater Infrastructure, Transport and Waste Management, be

received and noted.

2. THAT Council adopt the Asset Management Plans - Public Art, Street and Public Lighting, Plant and Equipment, Stormwater Infrastructure, Transport and Waste Management provided as **Attachments 1, 2, 3, 4, 5 and 6** to the report entitled Asset Management Plans – Public Art, Street and Public Lighting, Plant and Equipment, Stormwater Infrastructure, Transport and Waste Management, noting that they will be updated to reflect the final 2019/20 Long Term Financial Plan.

CARRIED 10/0

13.5 PLANNING SCHEME AMENDMENT - CENTRAL DARWIN AREA PLAN

SUMMARY

The purpose of this report is to provide Council with draft comments on the Proposal to amend the Northern Territory Planning Scheme to: Include the Central Darwin Area Plan as a Policy document in Schedule 2 to Clause 2.7; Replace Clause 14.1.1 - Darwin City Waterfront Planning Principles and Clause 14.1.3 - Frances Bay Planning Principles with the Central Darwin Area Plan; and - Amend Clauses 6.3.1, 6.3.2 and 6.3.3, which relate to built form and building design in Central Darwin to align with the Area Plan.

RESOLUTION ORD190/19

Moved: Alderman Gary Haslett

Seconded: Alderman Peter Pangquee

1. THAT the report be received and noted.
2. That Council endorse the draft submission to the Planning Commission, within **Attachment 1** to this report.

CARRIED 10/0

13.6 DARWIN ENTERTAINMENT CENTRE FUNDING AGREEMENT

SUMMARY

The purpose of this report is to confirm Council's support for increasing the operating subsidy, applying CPI and extending the duration of the funding agreement to the Darwin Entertainment Centre.

With the consent of the Council, the Decisions arising from this item were moved from the Confidential Section into the Open Section of the Minutes.

RESOLUTION ORD191/19

Moved: Alderman Robin Knox

Seconded: Alderman Justine Glover

1. THAT the report entitled Darwin Entertainment Centre Funding Agreement be received and noted.
2. THAT an additional amount of \$100,000 plus CPI be applied annually to the Darwin

Entertainment Centre's operating subsidy and that this agreement be for a period of five (5) years from 2019/20 to 2023/24.

3. THAT Council note that the final determination of the funding agreement amount for the Darwin Entertainment Centre and the funding agreement duration are subject to finalising negotiations with the Northern Territory Government.
4. THAT the 2019/20 to 2023/24 funding agreement be subject to a standard compliance audit of the current 2018/19 funding agreement.
5. THAT Council note the correspondence in **Attachment 1** from the Chair of the Darwin Performing Arts Centre Ltd (trading as the Darwin Entertainment Centre) and the response from the Acting Lord Mayor in **Attachment 2**.
6. THAT Council pursuant to Section 32 (2) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer the power to finalise and sign the new five (5) year tripartite agreement with the Northern Territory Government for the Darwin Entertainment Centre from 2019/20 to 2023/24.
7. THAT this decision be moved into open.

CARRIED 10/0

14 RECEIVE & NOTE REPORTS

14.1 MONTHLY FINANCIAL REPORT - MAY 2019

SUMMARY

The purpose of this report is to provide a comparison of income and expenditure against the budget for the period ended 31 May 2019 in accordance with the Local Government (Accounting) Regulations 2008.

RESOLUTION ORD192/19

Moved: Alderman Gary Haslett

Seconded: Alderman Peter Pangquee

THAT the report entitled Monthly Financial Report – May 2019 be received and noted.

CARRIED 10/0

14.2 PUBLIC LIBRARY FUNDING AGREEMENT UPDATE**SUMMARY**

The purpose of this report is to present correspondence received from the Department of Tourism, Sport and Culture.

RESOLUTION ORD193/19

Moved: Alderman Mick Palmer

Seconded: Alderman Emma Young

THAT the incoming letter from the Department of Tourism, Sport and Culture dated 14 June 2019 regarding an update on the public library funding agreement be received and noted.

CARRIED 10/0

14.3 PETITION - HELP NT - THE ROCK CENTRE**SUMMARY**

The purpose of this report is to provide details to Council of a petition tabled on Tuesday 11 June 2019 requesting that Carolyn Reynolds trading as HELP NT continue to lease the WWII Oil tank at Doctors Gully (Lot 5245 Town of Darwin).

RESOLUTION ORD194/19

Moved: Alderman Gary Haslett

Seconded: Alderman Emma Young

THAT the report be received and noted.

CARRIED 10/0

14.4 MINUTES OF THE RISK MANAGEMENT & AUDIT COMMITTEE MEETING HELD ON 31 MAY 2019**RESOLUTION ORD195/19**

Moved: Alderman Justine Glover

Seconded: Alderman Simon Niblock

That the Minutes of the Risk Management & Audit Committee Meeting held on 31 May 2019 be received and the recommendations therein be adopted.

CARRIED 10/0

15 REPORTS OF REPRESENTATIVES

15.1 REPORTS OF REPRESENTATIVES

RESOLUTION ORD196/19

Moved: Alderman Gary Haslett

Seconded: Alderman Simon Niblock

THAT the following Reports of Representatives be received and noted

CARRIED 10/0

15.1 Attendance Australian Local Government Association National General Assembly

Alderman Gary Haslett reported on his and Alderman Peter Pangquee's attendance, with the Lord Mayor and Chief Executive Officer, at the Australian Local Government Association National General Assembly in Canberra.

Alderman Haslett reported that he and Alderman Pangquee also attended the regional summit and it was very enlightening. He noted that they attended the Smart City forum and felt that the City of Darwin were ahead of the game. City of Darwin also won a Mobile Muster award for the most phones collected in the Northern Territory.

15.2 Northern Territory Water Safety Advisory Committee Meeting

Alderman Robin Knox reported on her attendance at the Northern Territory Water Safety Advisory Committee meeting. Work from the committee continues to be excellent. The Committee are still trying to progress stinger signs at foreshore beaches: Alderman Knox looks forward to signs being posted prior to the Wet Season. She also noted that a long-serving member, Jill Dowd, is leaving the committee and expressed her gratitude towards her contribution.

15.3 International College of Advanced Education Graduation 19 June 2019

Alderman Robin Knox attended the International College of Advanced Education Graduation. The college attracts a lot of international students who are then placed in businesses in Darwin.

15.4 Wash and Waste Community Hub Launch

Alderman Robin Knox attended the Wash and Waste Community hub launch at Parap Markets on Saturday. The trailer was a result of community grants funding from council.

15.5 Australasian Reporting Awards

The Lord Mayor noted that the City of Darwin won gold in the Australasian Reporting Awards in 2019, for the 6th year. The Lord Mayor congratulated everyone involved.

16 QUESTIONS BY MEMBERS

THAT the following Questions by Members be received and noted.

16.1 GARDENS PARK GOLF DRAINS

RESOLUTION ORD197/19

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted.

Alderman Mick Palmer queried the Gardens Park golf course drain that runs from the lake at the golf course and bisects the 6 and 7 fairways then runs into Mindil Creek. On occasion council has been responsible for cleaning the drain out and ensuring that the water runs freely. Alderman Mick Palmer noted it is important to some constituents, that, unless the drain is clean, the balls are lost in the mud or water.

Are Council going to clean the drain shortly?

The General Manager Engineering & City Services responded and took the question on notice.

ACTION: GENERAL MANAGER ENGINEERING

CARRIED 10/0

16.2 MAINTENANCE OF VERGES

RESOLUTION ORD198/19

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Robin Knox noted that there are senior citizens who are unable to clean and tidy their verges. Did City of Darwin have a previous system where we either notified a community group, or the Department of Justice prisoner work program, or council cleaned it themselves? The current answer from Council is that residents must do it themselves. Can Council go back to the previous system?

The General Manager Engineering and City Services responded and took the question on notice.

ACTION: GENERAL MANAGER ENGINEERING

CARRIED 10/0

16.3 BAGOT PARK TRAFFIC STUDIES

RESOLUTION ORD199/19

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Robin Knox asked about that the traffic studies for Bagot Park. Can the study be delayed due to information received that normal activities do not happen in this area in July? To make the

study more relevant?

Alderman Peter Pangquee asked if the traffic survey could be undertaken across quiet and busy periods to achieve a balance in the data.

The General Manager Engineering and City Services responded and took the question on notice.

ACTION: GENERAL MANAGER ENGINEERING

CARRIED 10/0

16.4 CLIMATE CHANGE ACTION PLAN

RESOLUTION ORD200/19

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Robin Knox asked about the Climate Change Action Plan. Councils current plan expires in 2020. When will council receive a report on the revised action plan?

The General Manager Community and Regulatory Services responded and advised that as stated in the Strategic Plan City of Darwin will renew Council's commitment to Climate Action.

This will include a review of the strategy and a realignment of priorities to better reflect the Strategic Plan, changes in territory and national policy and a general shift in the urgency in responding to changes in our climate.

It is also worth noting that staff are working on the implementation of the City of Darwin Energy Strategy, which includes a commitment to zero net emissions from Council Operations by 2030.

The original Climate Action Plan provided significant background information to the causes and explanation of climate change and drew heavily on policies at other levels of government.

City of Darwin has matured over the past ten years.

A renewed commitment to climate action will reflect current best science and the urgency of reducing our contribution to greenhouse gas emissions and even more so, the importance of adaptation.

A detailed project plan has not been developed at this time, however it is reasonable to expect there will be some level of community consultation, desktop review and targeted stakeholder engagement.

The original Climate Action Plan provided significant background information to the causes and explanation of climate change and drew heavily on policies at other levels of government.

City of Darwin has matured over the past ten years. A renewed commitment to climate action will reflect current best science and the urgency of reducing our contribution to greenhouse gas emissions and even more so, the importance of adaptation.

A detailed project plan has not been developed at this time, however it is reasonable to expect there will be some level of community consultation, desktop review and targeted stakeholder engagement. This will happen in 2019/20.

CARRIED 10/0

16.5 MOTIONS PRESENTED AT AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION CONFERENCE**RESOLUTION ORD201/19**

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Simon Niblock asked a question to the delegates attending Australian Local Government Association. A number of motions were put forward regarding climate change. What was the position of the council delegates in that discussion?

The Lord Mayor responded and advised that the motion was supported and went through with very little discussion.

The Chief Executive Officer clarified that the motions are meant for Australian Local Government Association only, and are not to be policy positions for individual local government associations.

Alderman Gary Haslett noted that the Australian Local Government Association often receives a lot of motions that are similar and that these are grouped together. There was nothing particularly notable in the climate change debate.

CARRIED 10/0

16.6 STUART PARK STORM WATER UPGRADES**RESOLUTION ORD202/19**

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Simon Niblock asked about the Stuart Park stormwater upgrades. These works will displace a lot of footpaths in the area. Has Council contacted the schools about discussing requirements for footpaths, including widening of footpaths? Can council also look at replacing the old trees with decent trees in the area and improve local amenities.

The General Manager Engineering and City Services responded and noted that there are substantial works going on. There has been consultation with neighbours, including the school. He took the question on notice.

ACTION: GENERAL MANAGER ENGINEERING

CARRIED 10/0

16.7 PARKING SHORTFALL FUND**RESOLUTION ORD203/19**

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Simon Niblock queried recent Development Consent Authority submissions. There was one item regarding Darwin Hospital and creating a new parking. Council originally identified a

shortage of 37 bays that would have resulted in \$100,000 of parking shortfall. What would Council have done with that money as it was not councils land.

The Chief Executive Officer responded and advised that the money goes into parking pool funds, and it's not necessarily spent on the area they are collected in but must be used for car parking. Car parking shortfall is recognition that the developer has not been able to meet the car parking needs for the area.

CARRIED 10/0

16.8 CAR PARK ACROSS FROM THE DECK BAR

RESOLUTION ORD204/19

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Emma Young queried the car park opposite The Deck Bar. Currently it is being utilised by contractors from the State Square Car Park development, including illegal parking in the disabled zone, all day. How are council enforcing this?

The General Manager Engineering and City Services responded and advised that car park is considered to be on street car parking and is a timed parking zone (2P). Currently there are no parking permits issued for the contractors to be parking all day in that area. Council's permits officers are working with the contractor onsite to resolve the parking issue. If permits are to be issued to the workers in the area, they will be charged accordingly and will not be allowed to park in the disable bays

Alderman Peter Pangquee noted that construction workers often block Herbert Street off for the whole day.

The General Manager Engineering and City Services took the question on notice.

ACTION: GENERAL MANAGER ENGINEERING

CARRIED 10/0

16.9 WILSON CRESCENT PARK

RESOLUTION ORD205/19

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Emma Young queried the park in Wilson Crescent, Moil. The play equipment is very outdated and has had a constituent contact her regarding the park. The resident in the area are very keen to have a new playground installed like the one in Borella Circuit.

1. Is an upgrade to the park possible?

2. The park has itinerates camping there at night and it is being used as a toilet.

The General Manager Engineering and City Services responded and advised that current play equipment is compliant with standards and there are no immediate plans to upgrade. He also noted the cleaning schedule of the park. The park upgrade can be put forward on the small project list if the ward alderman would like.

ACTION: GENERAL MANAGER ENGINEERING**CARRIED 10/0****16.10 UPDATE ON RSPCA FUNDING****RESOLUTION ORD206/19**

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Emma Young asked for an update on the RSPCA funding agreement.

*The Chief Executive Officer responded and advised that the budget has now been adopted with the original funding in place. There is no additional funding.***CARRIED 10/0****16.11 CSIRO URBAN LIVING LAB****RESOLUTION ORD207/19**

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Peter Pangquee asked what is happening with the CSIRO Urban Living Lab.

*The General Manager Innovation, Growth and Development. Responded and advised that officer have a meeting on Wednesday 26 June 2019 with the working group. The group are looking at four projects. A report is to be presented at next Ordinary Council Meeting.***CARRIED 10/0****16.12 LANEWAY CLOSURE IN KARAMA****RESOLUTION ORD208/19**

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Andrew Arthur has been contacted by a constituent regarding a laneway closure in Karama off Vanderlin Drive. Was there any consultation?

The General Manager Community and Regulatory Services advised that Council has received significant advice received from NT Police and stakeholders that it was causing a safety issue. Operational decision made for temporary closure while the works along Vanderlin Drive are being completed.

Alderman Andrew Arthur asked if Council can let the residents know?

The General Manager Community and Regulatory Services took the question on notice

ACTION: GENERAL MANAGER COMMUNITY**CARRIED 10/0****16.13 HENRY ELLIS STREET LANEWAY****RESOLUTION ORD209/19**

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Emma Young has received reports that the laneway on Henry Ellis Street in Alawa could have a review and trail of temporary night time closure. Alderman Emma Young has received complaints about break-ins and drug use in the laneway.

*The General Manager Community and Regulatory Services took the question on notice***ACTION: GENERAL MANAGER COMMUNITY****CARRIED 10/0****17 GENERAL BUSINESS****17.1 ACTING DEPUTY LORD MAYOR - 26 TO 28 JUNE 2019****RESOLUTION ORD210/19**

Moved: Alderman Peter Pangquee

Seconded: Alderman Emma Young

THAT in accordance with Part 4.3 of the Local Government Act, Alderman Haslett be appointed as Acting Deputy Lord Mayor for the period 26 to 28 June 2019.

CARRIED 10/0**17.2 QUIZ4DILI****RESOLUTION ORD211/19**

Moved: Alderman Peter Pangquee

Seconded: Alderman Emma Young

Alderman George Lambrinidis reported that this Thursday is Quiz4Dili and is being presented by the Youth Advisory Committee. The Committee would love to see a team of Elected Members and staff come along. He congratulated the Youth Advisory Committee over their work.

CARRIED 10/0

18 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

18.1 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

RESOLUTION ORD212/19

Moved: Alderman Simon Niblock

Seconded: Alderman Robin Knox

THAT the next Ordinary Meeting of Council be held on Tuesday, 16 July 2019, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

CARRIED 10/0

19 CLOSURE OF MEETING TO THE PUBLIC

19.1 CLOSURE OF MEETING TO THE PUBLIC

RESOLUTION ORD213/19

Moved: Alderman Peter Pangquee

Seconded: Alderman Simon Niblock

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 ORD214/19

Moved: Alderman Peter Pangquee

Seconded: Alderman Simon Niblock

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:

24.1 Shoal Bay Waste Management Facility Operations Contract Award

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.

24.2 Darwin Entertainment Centre Funding Agreement

This matter is considered to be confidential under Section 65(2) - 8(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 prejudice the interests of council or some other person.

24.3 Haikou Sister City and Shenzhen Smart City Summit May 2019

This matter is considered to be confidential under Section 65(2) - 8(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 prejudice the interests of council or some other person.

24.4 Incoming Correspondence from the Minister for Tourism Sport and Culture, Lighting of Jingili Oval and Moil Oval

This matter is considered to be confidential under Section 65(2) - 8(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 prejudice the interests of council or some other person.

24.5 PAYMENT LISTING REPORT - MAY 2019

This matter is considered to be confidential under Section 65(2) - 8(a), 8(b) and 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 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, information about the personal circumstances of a resident or ratepayer and information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

24.6 Confidential Minutes of the Risk Management & Audit Committee Meeting held on 31 May 2019

This matter is considered to be confidential under Section 65(2) - 8(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 prejudice the interests of council or some other person.

CARRIED 10/0

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

ADJOURNMENT OF MEETING

RESOLUTION ORD215/19

Moved: Alderman Peter Pangquee

Seconded: Alderman Simon Niblock

That in accordance with By-Law 163(d), the meeting be adjourned at 6.30pm for 30 minutes to enable the Council to have a meal break.

CARRIED 10/0

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 16 July 2019.

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CHAIR