



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 27 August 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, 27 AUGUST 2019 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Alderman Andrew Arthur, Alderman Jimmy Bouhoris, Alderman Sherry Cullen, Alderman Justine Glover, Alderman Gary Haslett, Alderman Robin Knox, 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), Alexandra Vereker (Executive Manager Human Resources & Safety), Shenagh Gamble (Executive Manager Environment and Community), Liam Carroll (Manager Economic Development, Tourism & International Relations), Vanessa Green (Executive Manager Governance, Strategy & Performance), Cherry Cai (Manager International Business Relations), Drosso Lelekis (Manager Design, Development & Projects), Sheree Jeeves (Manager Engagement & Participation), Jarrad Crawley (Asset & Public Lighting Coordinator), Clare Beacham (Recreation & Leisure Coordinator), Robyn Higgins (Arts & Cultural Development Coordinator), Josie Matthiesson (Research & Project Coordinator), Tess Cooper (Regulatory Operations Supervisor), Nathan Lewis (Senior Project Officer Capital Works), Jane de Gault (Media & Communications Advisor) Angie Heriot (Animal Education Officer), Shelley Cook (Acting Alderman Liaison Officer)
- APOLOGY:** Alderman George Lambrinidis
- MEDIA:** Will Zwar (NT News), Kate Ashton (ABC)

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

The Chair declared the meeting open at 5.32 pm.

**4 APOLOGIES AND LEAVE OF ABSENCE****4.1 Apologies**

Nil

**4.2 Leave of Absence Granted****RESOLUTION ORD330/19**

Moved: Alderman Justine Glover

Seconded: Alderman Peter Pangquee

That leave of absence from Alderman George Lambrinidis be received and accepted.

**CARRIED 12/0**

**4.3 LEAVE OF ABSENCE REQUESTED****RESOLUTION ORD331/19**

Moved: Alderman Justine Glover

Seconded: Alderman Peter Pangquee

- A. THAT a Leave of Absence be granted for Alderman Mick Palmer 22 to 28 September 2019 for the period
- B. THAT a Leave of Absence be granted for Alderman Robin Knox 26 September to 14 October 2019 for the period
- C. THAT a Leave of Absence be granted for Alderman Rebecca Want de Rowe 5 to 8 September 2019 for the period
- D. THAT a Leave of Absence be granted for Alderman Sherry Cullen 29 August to 12 November 2019 for the period

**CARRIED 12/0**

**5 ELECTRONIC MEETING ATTENDANCE****5.1 Electronic Meeting Attendance Granted**

Nil

**5.2 Electronic Meeting Attendance Requested****5.2 ELECTRONIC MEETING ATTENDANCE REQUEST****RESOLUTION ORD332/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Jimmy Bouhoris

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

- A. Alderman Sherry Cullen to attend all Council and Committee Meetings for the period of 29 August to 12 November 2019.
- B. Alderman Robin Knox to attend all Council and Committee Meetings for the period of 26 September to 14 October 2019.

**CARRIED 12/0****6 DECLARATION OF INTEREST OF MEMBERS AND STAFF****6.1 Declaration of Interest by Members**

Nil

**6.2 Declaration of Interest by Staff**

Nil

**7 CONFIRMATION OF PREVIOUS MINUTES****RESOLUTION ORD333/19**

Moved: Alderman Robin Knox

Seconded: Alderman Gary Haslett

That the minutes of the Ordinary Ordinary Council Meeting held on 13 August 2019 be confirmed.

**CARRIED 12/0****8 MOVING OF CONFIDENTIAL ITEMS**

Nil

**9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE**

Nil

**10 PUBLIC QUESTION TIME****10.1 PUBLIC QUESTION****RESOLUTION ORD334/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Justine Glover

THAT the following Public Questions and responses as tabled from Mr Laurie Defrenne regarding the Animal Management By-Laws, Waste Management and pollution control Act NT and the Elected Members Code of Conduct.be received and noted.

**Question 1 – Concerning By-Law 71 only - What are the needs of the complainant?****Response:**

The complainant must have reason to believe that a dog is habitually at large or persistently barks or makes noise to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of a person in another premises, or chases or runs at a person or animal without cause or is offensive or endangers the health of a person or animal, or causes damage to anything outside the premises where the dog is usually kept.

**Question 2 – Concerning By-Law 71 only - What are the needs of the animal owner?****Response:**

To take steps to prevent any of the above occurring, or abide by a notice issued by an Authorised Officer under Section (2) to ensure any of the above does not continue to occur.

**Question 3 – Concerning By-Law 71 only - What are the requirements of the By-Laws?****Response:**

The main aim of this By-Law is to enable Authorised Officers to place legislated requirements on person in care and control of a dog to prevent nuisance behaviours.

**Question 4 – Concerning By-Law 71 only - How do council officers balance, the needs of the complainant, the needs of the animal owner and the requirements of the By-Laws?****Response:**

As Authorised Officers are able to apply discretion and aim to achieve voluntary compliance, all regulatory and enforcement decisions are undertaken in consideration of a number of factors including, but not limited to:

- Legislated requirements
- Risk of issue
- Hardship
- Public interest
- Resource availability and allocation

**Question 5 – Which By-Law(s) includes which of the following as criteria in determining as to whether or not an animal/owner has committed a By-Law 71 offence,**

- a. The needs of the complainant
- b. The needs of the animal owner
- c. The requirements of the By-Laws
- d. The balancing of, the needs of the complainant, the needs of the animal

owner and the requirements of the By-Laws?

**Response:**

Regulation of all By-Laws include thorough assessment of the complainants accusation and the suspects actions and situation to achieve an outcome that meets the needs of the complainant, achieves future voluntary compliance by the offender and benefits the community as a whole.

**Question 6 – How, specifically for each dot point in extract 3.4.1 from the Animal Management - General Policy No 001, does the noise of barking dogs mean for each dot point it is not a cause of "environmental harm" including "environmental nuisance" (as defined in the Waste Management and Pollution Control Act NT), with particular emphasis on the well-being of humans?**

**Response:**

The Animal Management – General Policy No. 001 provides a clear framework for the assessment of barking, however, these indicators are not exhaustive. In a similar way that the WMPC Act is applied, Investigating Officers will consider additional factors, such as impact on well-being and effect on amenity, in their enforcement recommendation.

**Question 7 – With reference to all the extracts shown above, why do Elected Members believe the extract from the Animal Management - General Policy No 001 meets the requirements of the following Elected Members Code of Conduct? - A member must act in what the member genuinely believes to be the best interests of the municipality or shire. In particular, a member must seek to ensure that the member's decisions and actions are based on an honest, reasonable, and properly informed judgment about what will best advance the best interests of the municipality or shire.**

**Response:**

Animal Management – General Policy No. 001, Paragraph 3.4.1 has provided for a number of situations in which a dog barking to an excess is considered acceptable, in-keeping with the interests of dog owners.

By quantifying what is considered nuisance barking, a clear and consistent message is communicated to the public. This allows for transparent and equitable regulatory processes and decisions.

**CARRIED 12/0**

**11 PETITIONS**

Nil

**12 DEPUTATIONS AND BRIEFINGS**

Nil



## 13 NOTICES OF MOTION

### 13.1 NOTICE OF MOTION – CAT CONTAINMENT POLICY

Defence Housing Authority are proposing to develop the bushland adjacent to Casuarina Coastal Reserve. The Reserve is home to many mammals, native birds, reptiles and amphibians. The endangered Black-footed Tree-rat has been recorded in the area. The Floodplain monitor, ground-dwelling native birds and frogs also inhabit the area. Several endangered species of migratory birds commonly roost close to the coastline at the mouth of Sandy Creek which will be beside the new residential development. Defence Housing Authority has proposed a long list of measures to mitigate the risks to the environment in their Master-plan and a Cat Containment Policy would support these measures.

Radio tracking of domestic cats has shown they often roam kilometres from their base. Council by-laws require all cats in the municipality to be registered and not to leave the owner's property unless under effective control (eg caged or on lead). Clause 67 (1)

Without a Cat Containment Policy it is difficult for Council to enforce these By-Laws. The development of new suburbs provides the opportunity for public education of the application of a Cat Containment Policy and for Council to apply the Policy from the establishment of the new suburbs.

The Policy would serve to clarify the public's understanding of containment methods.

#### **RESOLUTION ORD335/19**

Moved: Alderman Robin Knox

Seconded: Alderman Jimmy Bouhoris

1. THAT Council write a Cat Containment Policy to support Council's animal management By-Laws
2. THAT Council apply the Cat Containment Policy to any new future developments along Lee Point Road
3. THAT the Cat Containment Policy be well publicised to prospective residents of the new suburbs developed along Lee Point Road
4. THAT the Cat Containment Policy report be brought back to Council in September 2019.

**CARRIED 11/1**

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**14 OFFICERS REPORTS****14.1 REVIEW OF POLICY NO.065 SPONSORSHIP****SUMMARY**

The purpose of this report is to present a review of Policy No.065 – Sponsorship

**RESOLUTION ORD336/19**

Moved: Alderman Andrew Arthur

Seconded: Alderman Want de Rowe

1. THAT the report be received and noted.
2. THAT Council adopt the Final Policy No.065 - Sponsorship

**CARRIED 12/0**

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**14.2 GARDENS PARK LAKE REHABILITATION WORKS****SUMMARY**

The purpose of this report is to update Council on the proposed actions to manage silting and amenity within the Gardens Park Golf Links Lake.

**MOTION**

Moved: Alderman Emma Young

Seconded: Alderman Justine Glover

1. THAT the report be received and noted.
2. THAT the rehabilitation works to Gardens Park Lake be identified as a project within Council's Long-Term Financial Plan.
3. THAT the previously allocated funding of \$500K is held in the Asset Refurbishment Reserve until such time as additional funding can be identified through Council's Long-Term Financial Plan to complete the works.

**AMENDMENT**

Moved: Alderman Simon Niblock

Seconded: Alderman Sherry Cullen

4. That a further report outlining other options, costs and returns (business case) to address this issue including but not limited to filling in the lake.

**CARRIED 9/3****SUBSTANTIVE MOTION**

Moved: Alderman Simon Niblock

Seconded: Alderman Sherry Cullen

1. THAT the report be received and noted.
2. THAT the rehabilitation works to Gardens Park Lake be identified as a project within Council's Long-Term Financial Plan.
3. THAT the previously allocated funding of \$500K is held in the Asset Refurbishment Reserve until such time as additional funding can be identified through Council's Long-Term Financial Plan to complete the works.
4. That a further report outlining other options, costs and returns (business case) to address this issue including but not limited to filling in the lake.

**CARRIED 11/1****14.3 DARWIN VELODROME PRECINCT CONSULTATION OUTCOMES****SUMMARY**

The purpose of this report is to present the community consultation findings regarding the proposal from Cycling NT and Triathlon NT to develop a Velodrome Precinct.

**RESOLUTION ORD337/19**

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Mick Palmer

1. THAT the report titled Darwin Velodrome Precinct Consultation Outcomes be received and noted.
2. THAT the Community Consultation Report - Velodrome Precinct Proposal at **Attachment 1** to report titled Darwin Velodrome Precinct Consultation Outcomes be provided to Department of Infrastructure, Planning and Logistics, Northern Territory Government for consideration in the development of the Velodrome Project.

**CARRIED 12/0**

#### 14.4 CAT MANAGEMENT APPROACH- LEE POINT

##### SUMMARY

The purpose of this report is to present Council with the consultation outcomes regarding cat management at Lee Point and seek Council endorsement of a proposed cat monitoring program in the area.

##### RESOLUTION ORD338/19

Moved: Alderman Sherry Cullen

Seconded: Alderman Robin Knox

1. THAT this report be received and noted.
2. THAT Council implements a cat camera trapping program in collaboration with Defence Housing Authority (DHA), the Department of Environment and Natural Resources (DENR) and the community, to ascertain cat population numbers and categorise the issue in Lee Point and surrounding areas.
3. THAT Council develop a cat management plan for Lee Point and surrounding areas based on the findings from the cat camera trapping program.

**CARRIED 12/0**

Alderman Gary Haslett departed the meeting at 6:24 pm.

Alderman Gary Haslett re-joined the meeting at 6:27 pm.

#### 14.5 PROPOSED PLANNING SCHEME AMENDMENT PA2019/0053 - CLAUSE 1.3 (EXCEPTIONS) EXEMPTIONS FOR OUTDOOR DINING & SUBLEASING OF CAR PARKING SPACES

##### SUMMARY

The purpose of this report is to refer to Council for comment, Pursuant to Section 19 of the Planning Act, the following development application: Planning Scheme Amendment PA2019/0053 - Clause 1.3 (Exceptions) exemptions for outdoor dining & subleasing of car parking spaces.

##### MOTION

Moved: Alderman Simon Niblock

Seconded: Alderman Sherry Cullen

1. THAT the report be received and noted.
2. THAT Council endorse the submission to the Director Lands and Planning, Department of Infrastructure, Planning and Logistics within **Attachment 1** to Report entitled: Proposed Planning Scheme Amendment PA2019/0053 - Clause 1.3 (Exceptions) Exemptions for Outdoor Dining & Subleasing of Car Parking Spaces, which supports the proposal.

**AMENDMENT**

Moved: Alderman Simon Niblock

Seconded: Alderman Sherry Cullen

3. That Council request a report from the Department of Infrastructure, Planning and Logistics on results and findings on audits of car parking.

**CARRIED 12/0**

**SUBSTANTIVE MOTION**

Moved: Alderman Simon Niblock

Seconded: Alderman Sherry Cullen

1. THAT the report be received and noted.
2. THAT Council endorse the submission to the Director Lands and Planning, Department of Infrastructure, Planning and Logistics within **Attachment 1** to Report entitled: Proposed Planning Scheme Amendment PA2019/0053 - Clause 1.3 (Exceptions) Exemptions for Outdoor Dining & Subleasing of Car Parking Spaces, which supports the proposal.
3. THAT Council request a report from the Department of Infrastructure, Planning and Logistics on results & findings on audits of car parking.

**CARRIED 12/0**

**14.6 CONCEPT BRIEF: THRIVE PUBLIC ART PROJECTS 2019-2023****SUMMARY**

The purpose of this report is to seek Council endorsement of the Concept Brief: THRIVE Public Art Projects 2019-2023

**RESOLUTION ORD339/19**

Moved: Alderman Mick Palmer

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT Council endorse the overarching theme, scope, and scale of public art planned for 2019-2023 as outlined in **Attachment 1** and **Attachment 2**.

**CARRIED 12/0**

Alderman Jimmy Bouhoris departed the meeting at 6:34 pm.

Alderman Jimmy Bouhoris re-joined the meeting at 6:38 pm.

**14.7 DARWIN STREET ART FESTIVAL - PROPOSAL FOR WEST LANE****SUMMARY**

The purpose of this report is to seek Elected Members approval for a City of Darwin-owned wall to be included as a mural site within the Darwin Street Art Festival and ongoing support for operational approval for future street art proposals.

**RESOLUTION ORD340/19**

Moved: Alderman Robin Knox

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT Council approve the use of West Lane Car Park for the Darwin Street Art Festival as per the proposal provided in **Attachment 1**
3. THAT Council agrees that all future street art proposals be approved operationally, subject to appropriate style and content as decided by the General Manager Community and Regulatory Services.
4. THAT the document tabled by Alderman Robin Knox entitled 'The Effects of Mural Painting on Solar Absorption (Heat Gain) of Buildings in Darwin' be received and noted

**CARRIED 12/0**

**14.8 RECONCILIATION ACTION PLAN - PROJECT MANAGEMENT PLAN****SUMMARY**

The purpose of this report is to seek Council endorsement of the Reconciliation Action Plan Development 2019-2020 Project Management Plan.

**RESOLUTION ORD341/19**

Moved: Alderman Justine Glover

Seconded: Alderman Peter Pangquee

1. THAT the report be received and noted.
2. That Council endorse the Reconciliation Action Plan Project Management Plan 2019-2020 as outlined in **Attachment 1**.

**CARRIED 12/0**

**14.9 CLOSURE OF PROBLEM WALKWAYS ON VANDERLIN DRIVE, KARAMA****SUMMARY**

The purpose of this report is to seek Council approval to permanently close four walkways in Karama and where technically feasible, pursue the sale of these walkways.

**RESOLUTION ORD342/19****LAY ON TABLE**

Moved: Alderman Robin Knox

Seconded: Alderman Justine Glover

That this item lay on the table and be referred to the 2<sup>nd</sup> Ord September 2019 to undertake community consultation.

**CARRIED 12/0**

**MOTION**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Mick Palmer

1. THAT the report be received and noted.
2. THAT Council approve in principle the closure of the walkways in Karama that exit directly onto Vanderlin Drive: Brazil Crescent (Walkway 206), Wearing Crescent (Walkway 205), Milkwood Circuit (Walkway 202) and Mistletoe Circuit (Walkway 188) in Karama and the sale of the land subject to compliance with the Local Government (Road Opening and Closing) Regulations and the satisfactory resolution of all issues associated with that compliance and that the sale be subject to:
  - a) The owners of 39 and 41 Mistletoe Circuit, 29 and 31 Milkwood Circuit, 45 and 47 Wearing Crescent and 38 and 40 Brazil Circuit being approached to ascertain if they are interested in the purchasing the land.
  - b) A minimum sale price determined by the Chief Executive Officer and the land being sold to the highest bidder of the two adjacent property owners of each walkway, if both are interested.
  - c) The land being consolidated into the purchaser's Lot after the closure of the road reserve.
  - d) An easement being established over the entirety of the land in favour of any parties that have service infrastructure within the respective walkways.
  - e) All costs associated with the sale of the land, including but not limited to, advertising, survey plans, Local Government road closure process, legal and other associated fees be borne by the proponent.
3. THAT the Council pursuant to Section 32 (2) of the Local Government Act hereby delegates to the Chief Executive Officer the power to finalise the sale and terms and conditions of the contract of sale and associated road closure in accordance with this report entitled Closure of Problem Walkways in Karama.
4. THAT Council approve the affixing of the common seal to all associated documentation for the closure and sale of road reserve adjacent to 39 and 41 Mistletoe Circuit, 29 and 31 Milkwood Circuit, 45 and 47 Wearing Crescent and 38 and 40 Brazil Circuit and that all documentation be attested by the signatures of the Lord Mayor and Chief Executive Officer.
5. THAT if there is no interest in any of the walkways, or part thereof, that they remain permanently closed.

**14.10 PUBLIC CHARGING STATIONS FOR ELECTRIC VEHICLES****SUMMARY**

The purpose of this report is to provide information to Council into the possible installation and locations of electric motor vehicle charging stations in the city.

**RESOLUTION ORD343/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. That Council continue to monitor the demand for electric motor vehicle charging stations and reassess the installation of further charging station in the city in 12 months.

**CARRIED 12/0**

**14.11 MOVEMENT STRATEGY****SUMMARY**

The purpose of this report is to provide options and costings for a Movement Strategy to be prepared for the City of Darwin.

**RESOLUTION ORD344/19**

Moved: Alderman Mick Palmer

Seconded: Alderman Gary Haslett

1. THAT the report be received and noted.
2. That Council endorse a 1<sup>st</sup> quarter budget variation in the 2019/2020 budget year for \$180,000 for the preparation of a Movement Strategy for the City of Darwin.
3. That Council write to the Northern Territory Government, seeking their support in co-funding and collaborating on the Movement Strategy.
4. That Council approve overseas travel for one staff member and one elected member to attend the ITS World Congress in Singapore, to be held in October 2019.

**CARRIED 12/0**

Elected Members are invited to submit written expressions of interest for attendance at this conference as professional development to Alderman Support by Friday, 6 September 2019.



**15 RECEIVE & NOTE REPORTS****15.1 ARTS AND CULTURAL DEVELOPMENT ADVISORY COMMITTEE MEETING MINUTES 30 JULY 2019****SUMMARY**

The purpose of this report is to present the minutes of the Arts and Cultural Development Advisory Committee meeting held on 30 July 2019 and notify council of the committee's recommendations.

**RESOLUTION ORD345/19**

Moved: Alderman Mick Palmer

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT the recommendation of the committee to endorse the THRIVE Public Art Concept Brief be received and noted.

**CARRIED 12/0**

**15.2 MUNICIPAL PLAN 2019/20 - MONTHLY PERFORMANCE REPORT JULY 2019****SUMMARY**

The purpose of this report is to provide Council with the inaugural Municipal Plan 2019/20 Monthly Performance Report for July 2019.

**RESOLUTION ORD346/19**

Moved: Alderman Gary Haslett

Seconded: Alderman Rebecca Want de Rowe

THAT the report Municipal Plan 2019/20 – Monthly Performance Report July 2019 be received and noted.

**CARRIED 12/0**

**15.3 PUBLIC LIGHTING - MAINTENANCE SERVICE PERFORMANCE****SUMMARY**

The purpose of this report is to provide Council with an overview of performance of the Public and Street Lighting Service Program.

**RESOLUTION ORD347/19**

Moved: Alderman Justine Glover

Seconded: Alderman Simon Niblock

THAT the report titled Public Lighting – Maintenance Service Performance be received and noted.

**CARRIED 12/0**

**15.4 MONTHLY FINANCIAL REPORT - JULY 2019****SUMMARY**

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

**RESOLUTION ORD348/19**

Moved: Alderman Emma Young

Seconded: Alderman Jimmy Bouhoris

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

**CARRIED 12/0**

**16 REPORTS OF REPRESENTATIVES**

Nil

**17 QUESTIONS BY MEMBERS****17.1 POLICY FOR GRANTS, SPONCORSHIPS****RESOLUTION ORD349/19**

Moved: Alderman Peter Pangquee

Seconded: Alderman Emma Young

THAT the following Questions by Members be received and noted.

Alderman Emma Young inquired in relation to the policy for grants, sponcorships does it apply retrospectively?

General Manager External Affairs & Government Relations responded "No it would not apply retospectively"

**CARRIED 12/0**

**17.2 NIGHTCLIFF MARKET GREASE TRAP****RESOLUTION ORD350/19**

Moved: Alderman Peter Pangquee

Seconded: Alderman Emma Young

THAT the following Questions by Members be received and noted.

Alderman Robin Knox asked when Council will be installing the grease trap at the Nightcliff Market.

General Manager Engineering & City Services responded there was a resolution by Council that the installation of a grease trap at Nightcliff Market matter be referred to the 1<sup>st</sup> quarter budget variations 2019/20 as it is a capital expenditure.

**CARRIED 12/0**

**17.3 REPORT ON 120 LITRE RUBBISH BINS****RESOLUTION ORD351/19**

Moved: Alderman Peter Pangquee

Seconded: Alderman Emma Young

THAT the following Questions by Members be received and noted.

Alderman Simon Niblock asked for an update on the motion passed by Council in February on the report for 120 litre rubbish bins, he would like to know when will the report come back to Council?

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

**CARRIED 12/0**

**17.4 CITY CENTRE MASTER PLAN REBOOT UPDATE****RESOLUTION ORD352/19**

Moved: Alderman Peter Pangquee

Seconded: Alderman Emma Young

THAT the following Questions by Members be received and noted.

Alderman Simon Niblock asked about the City Centre Master Plan reboot put to Council 12 months ago, when will this report come back to Council?

Acting General Manager Innovation, Growth & Development took the question on notice.

**CARRIED 12/0**

**17.5 TREES AS ASSETS****RESOLUTION ORD353/19**

Moved: Alderman Peter Pangquee

Seconded: Alderman Emma Young

THAT the following Questions by Members be received and noted.

Alderman Andrew Arthur asked is Council including trees as an asset class in the asset register?

General Manager Engineering & City Services responded "yes".

**CARRIED 12/0**

**17.6 MARKET BUDGETS****RESOLUTION ORD354/19**

Moved: Alderman Peter Pangquee

Seconded: Alderman Emma Young

THAT the following Questions by Members be received and noted.

Alderman Robin Knox queried what are market budgets are used for if not upgrades to the market space.

CEO Scott Waters responded and advised the budget is for the markets operational costs and not capital expenditure.

**CARRIED 12/0**

## **17.7 ORGANISATION RESPONSE TIMES**

### **RESOLUTION ORD355/19**

Moved: Alderman Peter Pangquee

Seconded: Alderman Emma Young

THAT the following Questions by Members be received and noted.

Alderman Simon Member Niblock asked what is the organisations policy on response times to Elected Member's, Members Legislative Assembly and community equiries and requests?

CEO Scott Waters responded and advised Elected Member's and Strategic Direction Group Team Building Workshops are scheduled for September which will provide opportunity to discuss this matter.

The Alderman Liaison Officer position is designed to manage Elected Members and Members of Legislative Assembly requests. Elected Members are advised to raise any questions or follow up enquiries with this position.

**CARRIED 12/0**

## **17.8 PRE CYCLONE CLEAN UP**

### **RESOLUTION ORD356/19**

Moved: Alderman Peter Pangquee

Seconded: Alderman Emma Young

THAT the following Questions by Members be received and noted.

Alderman Simon Niblock asked can the Elected Member's could join the Pre Cyclone Clean Up collection?

Lord Mayor responded and advised "yes"

**CARRIED 12/0**

## **18 GENERAL BUSINESS**

### **18.1 ANIMAL AUDIT FEEDBACK**

#### **RESOLUTION ORD357/19**

Moved: Alderman Peter Pangquee

Seconded: Alderman Emma Young

THAT Council receive feedback on the animal audit currently taking place.

THAT Council prioritise the suburb of Jingili in the audit process.

General Manager Community & Regulatory Services advised to take the matter on notice and provide advice as to when Jingili is prioritised for the audit.

**CARRIED 12/0**

## **18.2 ELECTED MEMBER AND MEMBER LEGISLATIVE ASSEMBLY REQUESTS TRACKING SPREADSHEET**

### **RESOLUTION ORD358/19**

Moved: Alderman Justine Glover

Seconded: Alderman Robin Knox

THAT Council make the Elected Member and Member Legislative Assembly Requests Tracking Spreadsheet available to the Elected Members via the Elected Member Intranet.

CEO Scott Waters responded “yes we can circulate the spreadsheet to the Elected Member’s once a month”.

**CARRIED 12/0**

## **18.3 LORD MAYOR INVITATION TO DILI TIMOR LESTE**

### **RESOLUTION ORD359/19**

Moved: Alderman Peter Pangquee

Seconded: Alderman Emma Young

That Council approve international travel for the Lord Mayor to Dili Timor Leste to attend the 20<sup>th</sup> Anniversary of independence as a result of the invitation from Timor Leste government.

**CARRIED 12/0**

## **18.4 APPOINTMENT OF DEPUTY LORD MAYOR**

### **RESOLUTION ORD360/19**

Moved: Alderman Justine Glover

Seconded: Alderman Robin Knox

That Council appoint Alderman Bouhoris to act the Deputy Lord Mayor for the period 28 August to 2 September 2019.

**CARRIED 12/0**

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

**19.1 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**

**RESOLUTION ORD361/19**

Moved: Alderman Emma Young

Seconded: Alderman Peter Pangquee

THAT the next Ordinary Meeting of Council be held on Tuesday, 10 September 2019, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

**CARRIED 12/0**

## **20 CLOSURE OF MEETING TO THE PUBLIC**

### **20.1 CLOSURE OF MEETING TO THE PUBLIC**

#### **RESOLUTION ORD362/19**

Moved: Alderman Robin Knox

Seconded: Alderman Emma Young

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 12/0**

**RECOMMENDATIONS**

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 Proposed Land Based Fishing Platform - East Point Reserve**

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.

**26.2 Chinatown Car Park Proposed Upgrade**

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.

**26.3 PAYMENT LISTING REPORT - JULY 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.

**26.4 Darwin Living Lab**

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.

**26.5 Darwin City Deal Update - August 2019**

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.

**26.6 Darwin Amphitheatre Options**

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.



## **21      ADJOURNMENT OF MEETING AND MEDIA LIAISON**

### **ADJOURNMENT OF MEETING**

#### **RESOLUTION ORD363/19**

Moved:      Alderman Robin Knox

Seconded: Alderman Emma Young

That in accordance with By-Law 163(d), the meeting be adjourned at 7:47 pm for 20 minutes to enable the Council to have a dinner break.

**CARRIED 12/0**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 10 September 2019.**

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**CHAIR**