



MINUTES

**Ordinary Council Meeting
Tuesday, 25 May 2021**

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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 MAY 2021 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Alderman Paul Arnold, Alderman Andrew Arthur, Alderman Jimmy Bouhoris, Alderman Justine Glover, Alderman Gary Haslett, Alderman Robin Knox, Alderman George Lambrinidis, Alderman Simon Niblock, Alderman Mick Palmer, Alderman Peter Pangquee
- OFFICERS:** Scott Waters (Chief Executive Officer), Simone Saunders (Chief Financial Officer), Joshua Sattler (General Manager Innovation Growth & Development Services), Melissa Reiter (General Manager Government Relations & External Affairs), Ron Grinsell (General Manager Engineering & City Services), Matt Grassmayr (General Manager Community & Regulatory Services)
- Jessica Eves (Governance Business Partner), Paula Strong (Public Relations and External Affairs), Ron Quinn (Executive Manager Operations), Jamie Lewis (Senior Coordinator Parks & Reserves), Alice Percy (Executive Manager Growth and Development), Drosso Lelekis (Executive Manager Technical Services).
- APOLOGY:** Alderman Rebecca Want de Rowe
- GUESTS:** Will Zwar (NT News)

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

The Chair declared the meeting open at 5:33pm.

4 APOLOGIES AND LEAVE OF ABSENCE**4.1 Apologies****RESOLUTION ORD227/21**

Moved: Alderman Justine Glover

Seconded: Alderman Gary Haslett

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

CARRIED 11/0

4.2 Leave of Absence Granted

Nil

4.3 Leave of Absence Requested**RESOLUTION ORD228/21**

Moved: Alderman Justine Glover

Seconded: Alderman Gary Haslett

THAT a Leave of Absence be granted for Alderman Peter Pangquee for the period 19 June 2021 to 24 June 2021.

CARRIED 11/0

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

Nil

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 ORD229/21

Moved: Alderman Peter Pangquee

Seconded: Alderman Justine Glover

That the minutes of the Open Ordinary Council Meeting held on 11 May 2021 and the Special Ordinary Council Meeting held on 18 May 2021 be confirmed.

CARRIED 11/0

8 MOVING OF ITEMS

8.1 OPEN ITEMS MOVED INTO CONFIDENTIAL

Nil

8.2 CONFIDENTIAL ITEMS MOVED INTO OPEN**RESOLUTION ORD230/21**

Moved: Alderman Robin Knox
Seconded: Alderman Andrew Arthur

THAT item 27.1 Use of Herbicide on Council Land be moved and considered within the open section of the meeting at item 15.1.

CARRIED 10/1

RESOLUTION ORD231/21

Moved: Alderman Robin Knox
Seconded: Alderman Andrew Arthur

THAT item 26.1 City of Darwin Draft By-Laws – Consultation Outcomes be moved and considered within the open section of the meeting at item

CARRIED 11/0

MOTION

THAT item 26.3 Transfer of Assets and Land – Garramilla Boulevard be moved and considered within the open section of the meeting at item

LOST 2/9

8.3 ALTER THE ORDER OF BUSINESS**RESOLUTION ORD232/21**

Moved: Alderman Gary Haslett
Seconded: Alderman Paul Arnold

THAT the order of business be amended to consider item 15.1 Nuttall Place Darwin Night-time Bollard Placement – Consultation Report be considered after item 14.8.

CARRIED 11/0

9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

Nil

10 PUBLIC QUESTION TIME

Nil

11 PETITIONS

Nil

12 DEPUTATIONS AND BRIEFINGS

Nil

13 NOTICES OF MOTION

Nil

14 ACTION REPORTS**14.1 REVIEW OF POLICY 087 - RELATED PARTY DISCLOSURES**

The report entitled Review of Policy 087 – Related Party Disclosures was administratively withdrawn by the Chief Executive Officer in accordance to Section 59 of the Local Government Act 2008.

14.2 ARTS AND CULTURAL DEVELOPMENT ADVISORY COMMITTEE - REVIEW OF ARTS AND CULTURE ADVERTISING**RESOLUTION ORD233/21**

Moved: Alderman Peter Pangquee

Seconded: Alderman George Lambrinidis

1. THAT the report entitled Arts and Cultural Development Advisory Committee – Review of Arts and Culture Advertising be received and noted.
2. THAT Council undertakes a review of arts and culture advertising to identify current and future opportunities across the municipality.

CARRIED 11/0**14.3 ACCESS AND INCLUSION ADVISORY COMMITTEE - RECOMMENDATION TO ASSESS FOOTPATH AT FANNIE BAY SHOPS****RESOLUTION ORD234/21**

Moved: Alderman Gary Haslett

Seconded: Alderman Jimmy Bouhoris

1. THAT the report entitled Access and Inclusion Advisory Committee – Recommendation to Assess Footpath at Fannie Bay Shops be received and noted.
2. THAT Council Officer's through the Chief Executive Officer assess the footpath access from existing accessible bays at the Fannie Bay shops, and provide options for improving usability, particularly for persons with a mobility impairment.

CARRIED 11/0

14.4 SISTER CITY PROPOSAL FROM THE CITY OF ANT SIRABE MADAGASCAR**RESOLUTION ORD235/21**

Moved: Alderman Robin Knox

Seconded: Alderman Jimmy Bouhoris

1. THAT the report entitled Sister City Proposal from the City of Antsirabe, Madagascar be received and noted.
2. THAT Council does not proceed with the proposed Sister City or Friendship City Relationship with the City of Antsirabe, Madagascar.

CARRIED 11/0**14.5 FRIENDSHIP CITY PROPOSAL FOR CITY OF KOCHI, INDIA AND DAVAO CITY, PHILIPPINES****RESOLUTION ORD236/21**

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Justine Glover

1. THAT the report entitled Friendship City Proposal for City of Kochi, India and Davao City, Philippines be received and noted.
2. THAT Council supports the commencement of a Friendship City Relationships with the governments from City of Kochi, India and Davao City, the Philippines.

CARRIED 9/2*Alderman Andrew Arthur departed the meeting at 6:04 pm.**Alderman Andrew Arthur re-joined the meeting at 6:05 pm.***14.6 RESPONSE TO PETITIONS REQUESTING TRAFFIC CALMING MEASURES, HEAVY VEHICLE RESTRICTIONS, SHARED PATH AND STREET LIGHTING ON DINAH BEACH ROAD AND DUKE STREET, BETWEEN STUART HIGHWAY AND TIGER BRENNAN DRIVE, STUART PARK****RESOLUTION ORD237/21**

Moved: Alderman Paul Arnold

Seconded: Alderman Jimmy Bouhoris

1. THAT the report entitled Response to Petitions Requesting Traffic Calming Measures, Heavy Vehicle Restrictions, Shared Path and Street Lighting on Dinah Beach Road and Duke Street, between Stuart Highway and Tiger Brennan Drive, Stuart Park be received and noted.
2. THAT the Chief Executive Officer be authorised to implement heavy vehicle restrictions on Dinah Beach Road and Duke Street in consultation with the Northern Territory Government – Department of Infrastructure Planning and Logistics.

CARRIED 11/0

14.7 KAHLIN OVAL FACILITY UPGRADES**RESOLUTION ORD238/21**

Moved: Alderman Paul Arnold

Seconded: Alderman Justine Glover

1. THAT the report entitled Kahlin Oval Facility Upgrades be received and noted.
2. THAT Council endorse the proposed design for a boundary fence and storage shed at Kahlin Oval, at Attachment 1 of the report entitled Kahlin Oval Facility Upgrades, subject to:
 - (a) the technical specifications be to the satisfaction of the General Manager Engineering & City Services.

CARRIED 11/0

14.8 PROPOSAL TO RENAME CHINATOWN CAR PARK**RESOLUTION ORD239/21**

Moved: Alderman Gary Haslett

Seconded: Alderman Paul Arnold

1. THAT the report entitled Proposal to Rename Chinatown Car Park be received and noted.
2. THAT Council endorse the re-naming of Chinatown Car Park to Dragonfly Car Park.
3. THAT Council endorse the dual naming of the car park to include a Larrakia name which will be presented in a report to Council post construction completion in 2021.

CARRIED 8/3

15.1 NUTTALL PLACE DARWIN NIGHT-TIME BOLLARD PLACEMENT - CONSULTATION**RESOLUTION ORD240/21**

Moved: Alderman Paul Arnold

Seconded: Alderman George Lambrinidis

THAT the report entitled Nuttall Place Darwin Night-time Bollard Placement – Consultation Report be received and noted.

CARRIED 11/0

MOTION

Moved: Alderman Gary Haslett

THAT item Nuttall Place Darwin Night-time Bollard Placement – Consultation Report be laid on the table.

LAPSED FOR WANT OF A SECONDER

14.9 NUTTALL PLACE NIGHT-TIME BOLLARD PLACEMENT**RESOLUTION ORD241/21**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Paul Arnold

1. THAT the report entitled Nuttall Place Night-Time Bollard Placement be received and noted.
2. THAT on the grounds of safety and the extraordinary measures in place as a result of the COVID-19 Pandemic Council trial the temporary closure of Nuttall Place from 8pm – 4am, each Thursday, Friday and Saturday night.
3. THAT all costs associated with the infrastructure as well as the installation and management be borne by the Australian Venue Company.
4. THAT Council Officer's will work with the Australian Venue Company in finalising the requirements and conditions.
5. THAT a review be conducted by 30 September 2021 and a report be provided back to Council.

CARRIED 9/2

Alderman Mick Palmer departed the meeting at 6:42 pm.

Alderman Mick Palmer re-joined the meeting at 6:46 pm.

26.1 CITY OF DARWIN DRAFT BY-LAWS - CONSULTATION OUTCOMES**RESOLUTION ORD242/21**

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Paul Arnold

1. THAT the report entitled City of Darwin Draft By-laws - Consultation Outcomes be received and noted.
2. THAT Council note the recommendations in the By-laws – Consultation Outcomes Report, which will be actioned by Council Officers, those being:
 - a. The feedback outlined in the consultation report informs the finalisation of the City of Darwin's By-laws. This is to be achieved by reviewing all feedback received as a collective and striking a balance with regard to existing legislation, legal advice and with input from Parliamentary Counsel.
 - b. Once this review is completed, and Council has endorsed the new By-laws, undertake a comprehensive communication program to ensure the changes are understood across all stakeholder groups and the broader Darwin community.
 - c. Once endorsed, City of Darwin make the Consultation Report available on Engage Darwin and email the link to organisations and individuals who provided input during the consultation period.

CARRIED 11/0

15 RECEIVE & NOTE REPORTS**27.1 USE OF HERBICIDE ON COUNCIL LAND****RESOLUTION ORD243/21**

Moved: Alderman Andrew Arthur

Seconded: Alderman Robin Knox

THAT the report entitled Use of Herbicide on Council Land be received and noted.

CARRIED 11/0

15.2 ACCESS AND INCLUSION ADVISORY COMMITTEE MINUTES - 6 MAY 2021**RESOLUTION ORD244/21**

Moved: Alderman Gary Haslett

Seconded: Alderman Peter Pangquee

THAT the report entitled Access and Inclusion Advisory Committee Minutes – 6 May 2021 be received and noted.

CARRIED 11/0

15.3 ARTS AND CULTURAL DEVELOPMENT ADVISORY COMMITTEE MINUTES - 13 APRIL 2021**RESOLUTION ORD245/21**

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Andrew Arthur

THAT the report entitled Arts and Cultural Development Advisory Committee Minutes – 13 April 2021 be received and noted.

CARRIED 11/0

15.4 CITY OF DARWIN QUARTERLY PERFORMANCE REPORT - MARCH 2021 (Q3)**RESOLUTION ORD246/21**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Justine Glover

THAT the report entitled City of Darwin - Quarterly Performance Report – March 2021 (Q3) be received and noted.

CARRIED 11/0

15.5 MONTHLY FINANCIAL REPORT - APRIL 2021**RESOLUTION ORD247/21**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman George Lambrinidis

THAT the report entitled Monthly Financial Report – April 2021 be received and noted.

CARRIED 11/0

15.6 ELECTRIC VEHICLES**RESOLUTION ORD248/21**

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Robin Knox

THAT the report entitled Electric Vehicles be received and noted.

CARRIED 11/0

16 REPORTS OF REPRESENTATIVES**16.1 Salvation Army 2021 Red Shield Appeal**

Alderman Paul Arnold provided a report on attendance to the Salvation Army event 2021 Red Shield Appeal.

16.2 Elected Member Engagement Session at Casuarina Shops

Lord Mayor provided a report on the recent Elected Member Engagement Session at Casuarina Shops.

16.3 Prospective Olympian Team at Parap Pool

Lord Mayor reported on hosting St Peters Western Swim Club (QLD) and SA Institute of Sport Teams at Parap Pool.

16.3 Dignitary Visit with the Ambassador for Italy and Consul General of Italy

Lord Mayor reported on a Dignitary Visit with the Ambassador for Italy and Consul General of Italy.

16.4 City of Darwin and the European Union Delegates

Lord Mayor reported on a meeting between the City of Darwin and the European Union Ambassador to Australia and a delegation of Trade and Investment Counsellors and Commissioners.

16.5 Top End Tourism Board Meeting

Alderman Peter Pangquee provided a report on attendance to a Top End Tourism Board Meeting and a Local Government Association of the Northern Territory meeting.

16.6 Rapid Creek Water Advisory Meeting

Alderman Robin Knox reported on the Rapid Creek Water Advisory Meeting and asked two questions on behalf of the Rapid Creek Water Advisory Committee:

1. Will Council receive a Hydrology report for the development of the Boulter Road site.
2. How is Council managing weeds within Rapid Creek.

The Chief Executive Officer responded that the Advisory Committee were welcome to provide those questions to City of Darwin directly and they would be responded to through the usual process.

17 QUESTIONS BY MEMBERS

17.1 INDEPENDENT COMMISSION AGAINST CORRUPTION REPORT FINDINGS

Lord Mayor requested that the Chief Executive Officer provide a brief to Council on the recent Independent Commissioner Against Corruption (ICAC) findings.

Chief Executive Officer provided Council with a briefing on the ICAC findings relating to two former staff that have had findings handed down by the ICAC Commissioner.

17.2 SHADE AT NIGHTCLIFF SHOPPING CENTRE

RESOLUTION ORD249/21

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

Alderman Robin Knox queried what actions are Council taking to provide shade over the playground after a recent tree removal at Nightcliff Shopping Centre.

General Manager Engineering & City Services confirmed shading works will occur in the new financial year as a Ward Project and confirmed that project will be prioritised.

CARRIED 11/0

17.3 PRUNING WORKS OVERHANGING COUNCIL FOOTPATHS

Alderman Robin Knox asked what was Council procedure when dealing with overgrown vegetation on pathways from private property.

General Manager Community & Regulatory Services advised it depends where the vegetation is, in the case of overgrown vegetation from private property then notification is provided to the property.

17.4 PROCESS ON CONTAMINATED RECYCLING BINS

RESOLUTION ORD250/21

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

Alderman Robin Knox queried the City of Darwin process for recycle bins contaminated with non-

recycling and provided an experience that Alderman Robin Knox had reported to Council 4 weeks ago.

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

CARRIED 11/0

17.5 FOLLOW UP ON STINGER SIGNAGE

Alderman Robin Knox asked for an update on the Stinger Signage and whether Council staff had received any correspondence from Northern Territory Government on the matter.

General Manager Community & Regulatory Services replied that no further correspondence from Northern Territory Government and signage designs are with Surf Life Saving after the Water Safety Committee reviewed and requested amendments to the design.

17.6 PROPOSED AMENDMENT TO BY-LAWS - OBLIGATIONS OF STALL HOLDERS AND CU IN THE NT MERCHANDISE

Alderman Justine Glover raised concerns relating to the proposed amendment of By-Law 110 Obligation of Stall Holders and if it will remove restrictions for stall holders to sell CU in the NT merchandise.

General Manager Government Relations & External Affairs responded that those restrictions will be managed through permit applications and conditions for stall holders and that the Chief Executive Officer can dictate those conditions on Council land.

17.7 UPDATE ON LETTER SENT TO SENATOR MCMAHON ON RELEASE OF DARWIN REFUGEES

Alderman Justine Glover asked if Council staff have received a response from the letter Lord Mayor sent requesting release of refugees currently held in a Darwin Detention Centre.

Lord Mayor responded no however if he does receive a response it will be provided to Alderman Justine Glover.

17.8 OVERGROWN GRASS ON BITUMEN - TROWER ROAD

RESOLUTION ORD251/21

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

Alderman Gary Haslett raised concerns of overgrown vegetation over bitumen on Trower Road between Tiwi and Nakara.

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

CARRIED 11/0

17.9 WARD PROJECT UPDATE**RESOLUTION ORD252/21**

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

Alderman Jimmy Bouhoris requested an update on Council Ward Projects.

General Manager Engineering & City Services advised a timeline will be provided to Elected Members via email this week.

CARRIED 11/0

17.10 CASUARINA AQUATIC AND LEISURE CENTRE

Alderman Jimmy Bouhoris requested an update on Casuarina Pool development.

General Manager Engineering & City Services advised tenders for design closed Friday and are currently being assessed.

17.11 TREE PLANTING COLSTER PARK WAGAMAN

Alderman George Lambrinidis asked if Council has a plan for tree planting after Cyclone Marcus tree damage.

Chief Executive Officer advised there is significant work to be completed after Cyclone Marcus and the Greening Strategy will assist to deal with heat mitigation and tree planting requirements.

18 GENERAL BUSINESS**18.1 INCOMING CORRESPONDENCE - APPRECIATION FROM DARWIN RSL ON ANZAC DAY SERVICES****RESOLUTION ORD253/21**

Moved: Alderman George Lambrinidis

Seconded: Alderman Jimmy Bouhoris

That the incoming correspondence from Darwin RSL be received and noted.

CARRIED 11/0

18.2 ACKNOWLEDGEMENT OF MANAGER INTERNATIONAL BUSINESS RELATIONS**RESOLUTION ORD254/21**

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Justine Glover

Alderman George Lambrinidis acknowledged the work City of Darwin's Manager International Business Relations, Cherry Cai does for the Sister City Committee and wished her well on her maternity leave.

CARRIED 11/0

18.3 ACKNOWLEDGEMENT OF MEDIA LIAISON WILL ZWAR FROM NT NEWS**RESOLUTION ORD255/21**

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Justine Glover

Lord Mayor acknowledged and congratulated Will Zwar from NT News on a newly appointed position and thanked him for his work with City of Darwin.

CARRIED 11/0

18.4 INVITATION TO LARRIKIA NATION TO PRESENT TO COUNCIL ON DUAL NAMING OF CHINATOWN CAR PARK**RESOLUTION ORD256/21**

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Justine Glover

Alderman Robin Knox requested that Council staff invite Larrakia Nation to present to Council on the Dual naming of Chinatown Car Park as soon as possible.

CARRIED 11/0

18.5 YMCA POOL REPORTS**RESOLUTION ORD257/21**

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Justine Glover

Alderman Paul Arnold requested that the YMCA contract report be provided to Council for information.

General Manager Community & Regulatory Services confirmed this will be provided.

CARRIED 11/0

19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday, 15 June 2021, at 5:30PM (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

20 CLOSURE OF MEETING TO THE PUBLIC

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.

RESOLUTION ORD258/21

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Paul Arnold

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 City of Darwin Draft By-Laws - Consultation Outcomes

This matter is considered to be confidential under Section 65(2) - 8(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information subject to an obligation of confidentiality at law, or in equity.

26.2 Community Grants Program 2021/22 - Round 1

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.

26.3 Transfer of Assets and Land - Garramilla Boulevard

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.

27.1 Use of Herbicide on Council Land

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.

27.2 City Safe Patrols - April 2021

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.

27.3 Corporate Services Report - April 2021

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 11/0

21 ADJOURNMENT OF MEETING AND MEDIA LIAISON

RESOLUTION ORD259/21

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Paul Arnold

The open section of the meeting adjourned at 7.30pm.

CARRIED 11/0

31 RESUMPTION OF OPEN MEETING

RESOLUTION ORD260/21

Moved: Alderman Gary Haslett

Seconded: Alderman Justine Glover

The open section of the meeting resumed at 8:50pm.

CARRIED 11/0

32 CLOSURE OF MEETING

RESOLUTION ORD261/21

Moved: Alderman Gary Haslett

Seconded: Alderman Justine Glover

The Chair declared the meeting closed at 8:50pm.

CARRIED 11/0