



MINUTES

**Ordinary Council Meeting
Tuesday, 28 April 2020**

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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, 28 APRIL 2020 AT 5:30 PM**

- 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, 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), Melissa Reiter (General Manager Government Relations & External Affairs), Ron Grinsell (General Manager Engineering & City Services)
- APOLOGY:** Nil
- GUESTS:** Nil

WEBCASTING DISCLAIMER

In accordance with Policy 043, Meetings, Meeting Procedures and Committees, City of Darwin is live streaming the entire Open Section of this Ordinary Meeting. Members of the public are able to observe the meeting as an ‘Attendee’ via WebEx, however they will not be able to be viewed by members of Council or other members of the public. Recording and/or publishing of photos or videos of streamed meetings is not permitted.

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1 ACKNOWLEDGEMENT OF COUNTRY

2 THE LORD’S PRAYER

3 MEETING DECLARED OPEN

3.1 MEETING DECLARED OPEN

RESOLUTION ORD189/20

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Jimmy Bouhoris

The Chair declared the meeting open at 5:32 pm.

CARRIED 13/0

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 Apologies

Nil

4.2 Leave of Absence Granted

Nil

4.3 Leave of Absence Requested

Nil

5 ELECTRONIC MEETING ATTENDANCE

5.1 Electronic Meeting Attendance Granted

In accordance with Policy 043 and section 61(4) of the Local Government Act 2008, Elected Members are granted permission to attend by means of an audio or audio-visual conferencing system.

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 ORD190/20

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Justine Glover

That the minutes of the Ordinary Council Meeting held on 14 April 2020 be confirmed.

CARRIED 13/0

8 MOVING OF CONFIDENTIAL ITEMS

Nil

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 OFFICERS REPORTS

Alderman Andrew Arthur declared an interest in report 14.1 City of Darwin Sponsorship Program – Coronavirus (COVID-19) Response and left the meeting at 5:36 pm.

14.1 CITY OF DARWIN SPONSORSHIP PROGRAM – CORONAVIRUS (COVID-19) RESPONSE

SUMMARY

The purpose of this report is to propose a process and recommended actions for the current City of Darwin Sponsorship Program as part of the Coronavirus (COVID-19) response for Council's consideration.

RESOLUTION ORD191/20

Moved: Alderman Mick Palmer

Seconded: Alderman Justine Glover

1. THAT the report entitled City of Darwin Sponsorship Program – Coronavirus (COVID-19) Response is received and noted.
2. THAT Council accepts the recommended actions proposed at **Attachment 2** including endorsing proposed rescheduling or postponing of existing events for the following existing sponsorship arrangements:

- Browns Mart Shimmer Season (2020/21)
- City2Surf event (2020)
- Darwin Show (2020-22)
- The Beat Festival (2020)

and proposed amendments to the following programs for existing sponsorship arrangements in line with restrictions imposed by Coronavirus (COVID-19) response:

- Nightcliff Seabreeze Festival ((2020/21)
- Darwin Fringe Festival (2020-22)
- Darwin Festival (2020)

3. THAT Council does not offer increases to existing Sponsorship Agreements in 2020/21.
4. THAT Council may, via delegation to the Chief Executive Officer, consider changes to existing Sponsorship Agreements, where initiatives may be delivered in accordance with regulatory and legal requirements in response to Coronavirus (COVID-19).
5. THAT Council proceed to assess current submissions to the 2020/21 sponsorship program as most activity proposed is for late 2020 or for 2021 as outlined at **Attachment 2**.
6. THAT Council note staff have been in contact with organisations with existing Sponsorship Agreements with City of Darwin to gather information on their amended programs, rescheduling or Coronavirus (COVID-19) measures and to communicate Council's position.
7. THAT Council, pursuant to Section 32 (2) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer, the power to vary existing sponsorship agreements to:
 - a. Postpone or reschedule events within existing agreements by 12 months;
 - b. Renegotiate project outcomes, where these are specific to Coronavirus (COVID-19) and meet requirements; and
 - c. To re-direct unexpended funding to City of Darwin's Stimulus Program to support its community response to Coronavirus (COVID-19).

CARRIED 12/0

Alderman Andrew Arthur re-joined the meeting at 5:44 pm.

14.2 MUNICIPAL PLAN 2019/20 - QUARTERLY PERFORMANCE REPORT - MARCH 2020 (Q3)

SUMMARY

The purpose of this report is to provide Council with the Municipal Plan 2019/20 Quarterly Performance Report for the period ending March 2020.

MOTION

Moved: Alderman Andrew Arthur
 Seconded: Alderman Justine Glover

1. THAT the report entitled Municipal Plan 2019/20 - Quarterly Performance Report - –March 2020, be received and noted.

RESOLUTION ORD192/20

Moved: Alderman Robin Knox
 Seconded: Alderman Jimmy Bouhoris

That this item lay on the table and be referred to the next meeting 12 May 2020.

CARRIED 13/0**15 RECEIVE & NOTE REPORTS****15.1 CITY OF DARWIN STRATEGIC PROJECTS PROSPECTUS****SUMMARY**

The purpose of this report is to present the final print version of the Strategic Projects Prospectus to Council.

RESOLUTION ORD193/20

Moved: Alderman Jimmy Bouhoris
 Seconded: Alderman Mick Palmer

1. THAT the report entitled City of Darwin Strategic Projects Prospectus be received and noted.

CARRIED 10/3**LAY ON TABLE**

Moved: Alderman Robin Knox
 Seconded: Alderman Simon Niblock

That this item lay on the table and be referred to the next meeting.

5/7 LOST**MOTION TO AMEND**

Moved: Alderman Robin Knox
 Seconded: Alderman Andrew Arthur

That the text be changed on page 33, 41.

- Replace the words 'man made surfing/wave pool facility' to water play
- 'Substantive development' to 'development'

In Favour: Members Andrew Arthur, Justine Glover, Robin Knox, Simon Niblock and Rebecca Want de Rowe

Against: Members Paul Arnold, Jimmy Bouhoris, Gary Haslett, George Lambrinidis, Mick Palmer, Peter Pangquee, Kon Vatskalis and Emma Young

LOST 5/8

15.2 QUARTERLY ON STREET - OFF STREET PARKING STATISTICS - JANUARY TO MARCH 2020**SUMMARY**

The purpose of this report is to provide statistical information for car parking in Darwin city centre for the quarter ending 31st March 2020.

RESOLUTION ORD194/20

Moved: Alderman Robin Knox
Seconded: Alderman Andrew Arthur

1. THAT the report entitled Quarterly On Street – Off Street Parking Statistics – January to March 2020 is received and noted.

CARRIED 13/0**15.3 MONTHLY FINANCIAL REPORT - MARCH 2020****SUMMARY**

The purpose of this report is to provide a comparison of income and expenditure against the budget for the period ended 31 March 2020. It also provides details of cash, investments and debtors at 31 March 2020 in accordance with the Local Government (Accounting) Regulations 2008.

RESOLUTION ORD195/20

Moved: Alderman Gary Haslett
Seconded: Alderman George Lambrinidis

That the report entitled Monthly Financial Report – March 2020 is received and noted.

CARRIED 13/0**15.4 UNCONFIRMED MINUTES OF THE RISK MANAGEMENT AND AUDIT COMMITTEE MEETING HELD 27 MARCH 2020****SUMMARY**

The purpose of this report is to present for information the Unconfirmed Minutes of the Risk Management and Audit Committee meeting held 27 March 2020.

RESOLUTION ORD196/20

Moved: Alderman Jimmy Bouhoris
Seconded: Alderman Robin Knox

THAT the Unconfirmed Minutes of the Risk Management and Audit Committee held on 27 March 2020, at **Attachment 1**, be received and noted.

CARRIED 13/0

16 REPORTS OF REPRESENTATIVES

16.1 INFRINGEMENTS BEING ISSUED IN THE CBD

RESOLUTION ORD197/20

Moved: Alderman Gary Haslett

Seconded: Alderman Paul Arnold

THAT the following Reports of Representatives be received and noted.

Lord Mayor, Kon Vatskalis

The Lord Mayor reported that he has received complaints regarding parking in the city since it has become free. In particular that public servants were parking on street blocking customers from getting parks and shopping in the city.

As a result it was posted through the City of Darwin Facebook page that fines will be issued for over stays. The Lord Mayor reiterated that parking is free however the time zones needed to be adhered to.

Alderman Lambrinidis asked if it could be more widely advertised as he is still receiving reports of people believing it is completely free regardless of the signage.

The Chief Executive Officer advised that warnings were placed on vehicles on Thursday and Friday last week to ensure that drivers were aware of the impending enforcement.

CARRIED 13/0

16.2 ACKNOWLEDGEMENT OF GREEN ARMY INITIATIVE

RESOLUTION ORD198/20

Moved: Alderman Gary Haslett

Seconded: Alderman Paul Arnold

THAT the following Reports of Representatives be received and noted.

Alderman Bouhoris advised that he has received very positive feedback from the public regarding the Green Army. He was asked that it be publicly noted the appreciation of the community for the initiative and it has bought hope back to the community in these hard times.

.CARRIED 13/0

17 QUESTIONS BY MEMBERS

17.1 STRATEGIC PLAN FOR PLANTING ON VERGES

RESOLUTION ORD199/20

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman George Lambrinidis

Question

Alderman Knox asked if there was a strategic plan for the whole of the municipality for planting on the verges similar to that of the Playground Strategy, that outline which streets on which years.

Answer

The Chief Executive Officer responded and advised that the Greening Strategy for Darwin is funded and this can be incorporated into the Greening Strategy.

CARRIED 13/0**17.2 URBAN FORREST STRATEGY REPORT****RESOLUTION ORD200/20**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman George Lambrinidis

Question

Alderman Knox asked where the report for the Urban Forrest Strategy is at and when will it be brought to Council?

Answer

The Chief Executive Officer responded and advised that due to the global pandemic there has been a few projects that have been delayed however an update on the report will be given to Elected Members.

CARRIED 13/0**17.3 GAMBA GRASS DICK WARD DRIVE****RESOLUTION ORD201/20**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman George Lambrinidis

Question

Alderman Young noted that land in between Dick Ward Drive and Coconut Grove has become overgrown with gamba grass again and the grass has now come over onto Council's side of the road. Will we be clearing this again?

Answer

The Chief Executive Officer responded and took the question on notice.

CARRIED 13/0

17.4 USE OF WEBEX FOR COUNCIL MEETINGS IN THE FUTURE**RESOLUTION ORD202/20**

Moved: Lord Mayor Kon Vatskalis
Seconded: Alderman George Lambrinidis

Question

Alderman Arthur asked if the WebEx that Council is currently using be used in the future for electronic attendance rather than teleconference.

Answer

The Chief Executive Officer responded and advised that we can do this however controls need to be put in place such as if the Elected Member is travelling or with family outside the local government area to ensure that council business is still being conducted within the council chambers.

.CARRIED 13/0

18 GENERAL BUSINESS**18.1 REPORT ON LEACHATE SYSTEM****RESOLUTION ORD203/20**

Moved: Alderman Andrew Arthur
Seconded: Alderman Justine Glover

Alderman Niblock asked when the report on the leachate system will be presented to Council.

The General Manager Engineering and City Services responded and advised that they are now developing the options paper and calculating the whole of life costs. It is expected to be bought to Council in a workshop by the end of the next month.

CARRIED 13/0

19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**19.1 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING****RESOLUTION ORD204/20**

Moved: Alderman George Lambrinidis
Seconded: Alderman Justine Glover

THAT the next Ordinary Meeting of Council be held on Tuesday, 12 May 2020, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

CARRIED 13/0

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.

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 Economic Development Strategy

This matter is considered to be confidential under Section 65(2) - 8(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

26.2 Review of Confidential Decisions - June to December 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.

26.3 Unconfirmed Confidential Minutes of Risk Management and Audit Committee Meeting Held on 27 March 2020

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.

26.4 Trader Bar Proposal Updates

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 Mindil Beach Casino Carpark Licence

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 State Square Car Park

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.

21 ADJOURNMENT OF MEETING AND MEDIA LIAISON

21.1 ADJOURNMENT OF MEETING

RESOLUTION ORD205/20

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Robin Knox

The Open Meeting adjourned at 6.31pm.

CARRIED 13/0

30 RESUMPTION OF OPEN MEETING

RESOLUTION ORD206/20

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Robin Knox

THAT the Open Meeting resumed at 7.29pm.

CARRIED 13/0

31 CLOSURE OF MEETING

RESOLUTION ORD207/20

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Robin Knox

THAT the meeting closed at 7.29pm.

CARRIED 13/0

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 12 May 2020.

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CHAIR