



MINUTES

**Ordinary Council Meeting
Tuesday, 11 February 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, 11 FEBRUARY 2020 AT 5:30 PM**

- PRESENT:** Chair, Deputy Lord Mayor George Lambrinidis, Alderman Andrew Arthur, Alderman Jimmy Bouhoris, Alderman Justine Glover, Alderman Gary Haslett, Alderman Robin Knox, Alderman Simon Niblock, Alderman Mick Palmer, 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), Russell Holden (Executive Manager Finance)
- Chris Kelly (Executive Manager Corporate Services), Jonathan Beckett (Manager Waste Services), Nik Kleine (Executive Manager Program Management), Matt Grassmayr (Executive Manager Leisure and Regulatory Services), Vanessa Green (Executive Manager Governance Strategy and Performance), Tess Cooper (Regulatory Operations Supervisor), Jane de Gault (Media and Communications Advisor), Caitlyn Moulds (Alderman Liaison Officer)
- ELECTRONIC:** Lord Mayor Kon Vatskalis,
- APOLOGY:** Alderman Rebecca Want de Rowe and Alderman Peter Pangquee
- MEDIA:** Will Zwar – NT News
- GUESTS:** Chung Wah Society

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

The Chair declared the meeting open at 5.31 pm.

3.1 THE CHUNG WAH SOCIETY LION DANCE

The Chung Wah Society Lion Dance Troupe were in attendance to perform the Blessing of the Council Chambers for Chinese New Year.

4 APOLOGIES AND LEAVE OF ABSENCE**4.1 APOLOGIES****RESOLUTION ORD039/20**

Moved: Alderman Robin Knox

Seconded: Alderman Emma Young

THAT an apology from Alderman Pangquee and Alderman Want de Rowe be received.

CARRIED 10/0

4.2 Leave of Absence Granted

Nil

4.3 LEAVE OF ABSENCE REQUESTED**RESOLUTION ORD040/20**

Moved: Alderman Robin Knox

Seconded: Alderman Jimmy Bouhoris

A. THAT a Leave of Absence be granted for Alderman Palmer for the period 25 February to 2 March 2020.

CARRIED 10/0

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

Nil

5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED

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:

RESOLUTION ORD041/20

Moved: Alderman Andrew Arthur

Seconded: Alderman Justine Glover

- A. Retrospective – THAT the Lord Mayor Kon Vatskalis, is to attend all Council Meetings and Briefing Sessions for the period of 30 January 2020 to 13 February 2020

.CARRIED 10/0

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 ORD042/20**

Moved: Alderman Emma Young

Seconded: Alderman Justine Glover

That the minutes of the Ordinary Council Meeting held on 28 January 2020 be confirmed.

CARRIED 10/0

8 MOVING OF CONFIDENTIAL ITEMS**25.2 CBD PUBLIC PLACES PATROLS - TRIAL****SUMMARY**

The purpose of this report is to provide Council with an evaluation and recommendation following the recent 3 month trial of CBD evening public places patrols.

RESOLUTION ORD043/20

Moved: Alderman Emma Young

Seconded: Alderman Simon Niblock

1. THAT the report be received and noted.
2. THAT Council refer an amount of \$289,272 to the 2020/2021 budget process for the consideration of establishing a dedicated CBD public places weekday patrol.
3. THAT this report and decision be moved into open

CARRIED 10/0**9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE****9.1 RATE OF HOMELESS PERSONS IN THE NORTHERN TERRITORY**

Alderman Arthur raised a Matter of Public Importance in relation to the rate of homeless persons in the Northern Territory comparatively to other Australian cities.

The Acting Lord Mayor, Alderman Lambrinidis called for a Motion to admit the matter.

RESOLUTION ORD044/20

Moved: Alderman Andrew Arthur

Seconded: Alderman Robin Knox

1. THAT the Matter of Public Importance be admitted for consideration
2. THAT the document from the Australian Bureau of Statistics be tabled and received and noted

.CARRIED 10/0**10 PUBLIC QUESTION TIME**

Nil

11 PETITIONS

Nil

12 DEPUTATIONS AND BRIEFINGS

Nil

13 NOTICES OF MOTION**MOTION – BUSKING PERMITS****RESOLUTION ORD045/20**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Mick Palmer

1. THAT Council revoke busking permits in the CBD from the close of business 25 February 2020;
2. THAT an immediate review of the process, conditions and fees associated with busking permits occur;
3. THAT a report to Council advising of the outcome of the review of the process, conditions and fees be presented to allow the recommencement of busking to occur from opening of business 1 May 2020.

Reason:

Over the summer period numerous complaints have been received regarding buskers in the Smith St. Mall that have exacerbated anti-social behaviour in the Darwin CBD. While Council's intent has been to reduce red tape and create an environment that activates the Darwin CBD, unfortunately buskers who have obtained permits have continually breached conditions. As a result all permits are revoked and will must be reapplied for with revised conditions that the Council will develop prior to the 1st of May 2020

In Favour: Members Jimmy Bouhoris, Gary Haslett, Acting Lord Mayor, George Lambrinidis, Mick Palmer and Lord Mayor Kon Vatskalis

Against: Members Andrew Arthur, Justine Glover, Robin Knox, Simon Niblock and Emma Young

EQUAL

There being an equality of votes for and against the motion, the Acting Lord Mayor Lambrinidis, having voted in the Affirmative with his deliberative vote, exercised his Casting Vote to Carry the Motion.

CARRIED

MOTION – SUPPORT FOR THE AUSTRALIAN GOVERNMENT WITH EVACUATION OF AUSTRALIA RESIDENTS FROM WUHAN**RESOLUTION ORD046/20**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Gary Haslett

1. THAT the City of Darwin supports the Australian Government in repatriation of Australian Citizens from Wuhan – People's Republic of China, undergoing mandatory quarantine at Howard Springs within the Greater Darwin Area.
2. THAT the City of Darwin congratulates the staff of the National Critical Care and Trauma Response Centre who organised the quarantine centre and all medical and other staff working there and supporting its safe operation;

3. THAT Council calls upon all citizens to rely on information regarding the coronavirus and its mode of transmission as provided by health experts and not on social media;
4. THAT Council will provide support to the Litchfield Shire Council should it be required.

Reason:

The Australian and Northern Territory Governments are currently managing the repatriation of Australian Citizens from Wuhan – People's Republic of China, placing these citizens into mandatory quarantine at Howard Springs. Some members of the community have voiced concerns that this is placing the Greater Darwin Area at risk of contracting the illness. The City of Darwin reiterates it's support of the decision made to repatriate Australian Citizens and welcomes Australian Citizens to the Greater Darwin Area.

CARRIED 10/0

14 OFFICERS REPORTS

14.1 SHOAL BAY WEIGHBRIDGE UPGRADE / CONSTRUCTION STAGING OPTIONS

SUMMARY

The purpose of this report is to seek Council's commitment to allocate additional funding in the 2020/21 financial year in order to commence construction of the Shoal Bay Waste Management Facility new weighbridge facilities and associated works in 2019/20 and to complete the works 2020/21.

RESOLUTION ORD047/20

Moved: Alderman Mick Palmer
Seconded: Alderman Emma Young

1. THAT the report entitled Shoal Bay Weighbridge Upgrade / Construction Staging Options be received and noted.
2. THAT Council approve \$1.9M of funding in the 2020/21 financial year from its Waste Management Reserve to finalise construction of weighbridge facilities and associated works at the Shoal Bay Waste Management Facility.

CARRIED 10/0

15 RECEIVE & NOTE REPORTS

15.1 ACCESS AND INCLUSION ADVISORY COMMITTEE - 21 JANUARY MEETING MINUTES

SUMMARY

The purpose of this report is to present the minutes of the Access and Inclusion Advisory Committee meeting held on 21 January 2020.

RESOLUTION ORD048/20

Moved: Alderman Robin Knox

Seconded: Alderman Jimmy Bouhoris

1. THAT the report entitled Access and Inclusion Advisory Committee - 21 January Meeting Minutes be received and noted.

CARRIED 10/0

15.2 UNCONFIRMED MINUTES OF THE RISK MANAGEMENT AND AUDIT COMMITTEE MEETING HELD 13 DECEMBER 2019

SUMMARY

The purpose of this report is to present for information the Unconfirmed Minutes of the Risk Management and Audit Committee meeting held 13 December 2019.

RESOLUTION ORD049/20

Moved: Alderman Emma Young

Seconded: Alderman Jimmy Bouhoris

THAT the Unconfirmed Minutes of the Risk Management and Audit Committee held on 13 December 2019, at **Attachment 1**, be received and noted.

CARRIED 10/0

15.3 QUARTERLY ON STREET - OFF STREET PARKING STATISTICS - OCTOBER TO DECEMBER 2020

SUMMARY

The purpose of this report is to provide statistical information for car parking in the Darwin city centre for the quarter ending 31st December 2019.

RESOLUTION ORD050/20

Moved: Alderman Mick Palmer

Seconded: Alderman Emma Young

1. THAT the report entitled Quarterly On Street – Off Street Parking Statistics – October, to December 2019, including details regarding the next quarters approach to car parking meter rationalisation be received and noted.

CARRIED 10/0

16 REPORTS OF REPRESENTATIVES

16.1 RAPID CREEK ADVISORY COMMITTEE

RESOLUTION ORD051/20

Moved: Alderman Justine Glover

Seconded: Alderman Emma Young

THAT the following Reports of Representatives be received and noted.

Alderman Knox reported on her attendance at the Rapid Creek Water Advisory Committee meeting where it was noted that there has been a number of fires in the Rapid Creek area to which many of them were not attended too. Liaison has occurred with the Northern Territory Police, Fire and Emergency Services to consider these areas as assets rather than bush land. Police have been doing more patrols in the area.

An application has been put forward to rezone two lots in the area and have them changed into conservation land. The Committee has asked if council could work with the Northern Territory Government to help move this land into conservation land. The application has been with Northern Territory Government for some time.

The Chief Executive Officer has asked that the request to be placed in writing from the chair of the committee.

CARRIED 10/0

16.2 DARWIN DEFENCE EXPO

RESOLUTION ORD052/20

Moved: Alderman Justine Glover

Seconded: Alderman Emma Young

THAT the following Reports of Representatives be received and noted.

Acting Lord Mayor, Lambrinidis reported on his attendance at the Darwin Defence expo. It is a great opportunity to engage with new community members and defence personal. There are 1500 people that move into Darwin with the rotations at the start of each year and it is fantastic to see the services that are provided across the community and to the new personal that relocate to Darwin.

He congratulated all involved in the expo including council staff with the fun bus for a great job.

CARRIED 10/0

16.3 AUSTRALIAN SISTER CITY COMMITTEE VISIT

RESOLUTION ORD053/20

Moved: Alderman Justine Glover

Seconded: Alderman Emma Young

THAT the following Reports of Representatives be received and noted.

Acting Lord Mayor, Lambrinidis reported on the visit from the Australian Sister City Committee who had discussions with Council staff. Acting Lord Mayor, Lambrinidis reported that there appears to be some fantastic things coming in the near future such as some major events for Darwin but was unable to comment on what those items were at this stage.

CARRIED 10/0

17 QUESTIONS BY MEMBERS

17.1 JINGILI WATER GARDENS STORM WATER WORKS COMPLETION

RESOLUTION ORD054/20

Moved: Alderman Andrew Arthur

Seconded: Alderman Mick Palmer

THAT the following Question by Alderman Knox be received and noted.

When will the storm water pipe works be completed at the Jingili Waters Gardens and when will the area be rehabilitated.

The General Manager of Engineering and City Services responded and advised that the area had been reinstated in anticipation for this years wet season and post wet season the works will be completed on the pipe noting in this financial year.

CARRIED 10/0

17.2 STAGNANT POND AT THE JINGILI WATER GARDENS

RESOLUTION ORD055/20

Moved: Alderman Andrew Arthur

Seconded: Alderman Mick Palmer

THAT the following Questions by Alderman Knox be received and noted.

When will the middle pool at the Jingili Water Gardens be cleaned as the water is stagnant.

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

CARRIED 10/0

17.3 AUSTRALIA DAY CITIZENSHIP AND FLAG RAISING CEREMONY

RESOLUTION ORD056/20

Moved: Alderman Andrew Arthur

Seconded: Alderman Mick Palmer

THAT the following Questions by Alderman Knox be received and noted.

Why was this years Australia Day Citizenship and Flag Raising Ceremony not held in a City of Darwin owned building such as the Darwin Entertainment Centre?

The General Manager of Government Relations and External Affairs responded and advised that the Darwin Entertainment Centre does not have the capacity that was required for the event. In previous years council has used the Darwin Entertainment Centre however this years event saw more numbers attending than in previous years.

CARRIED 10/0**17.5 CONFIDENTIAL ITEMS LIST MISSING FROM AGENDA****RESOLUTION ORD057/20**

Moved: Alderman Andrew Arthur

Seconded: Alderman Mick Palmer

THAT the following Questions by Alderman Niblock be received and noted.

In the council agenda that was released, item 20 Closure of Meeting to the Public, it usually list the items that are in confidential however this is missing from this agenda. Is there a reason that it has been removed?

The General Manager of Government Relations and External Affairs responded and advised it is part of the open minutes but will take it on notice administratively.

CARRIED 10/0**18 GENERAL BUSINESS****MOTION****RESOLUTION ORD058/20**

Moved: Alderman Justine Glover

Seconded: Alderman Gary Haslett

That council continue to work with the Northern Territory Government, Police and Non-Government organisations to ensure that urgent support is provided to marginalised people in the CBD to address illegal behaviours such as selling wine, drinking in public places and violence that is significantly impacting on the amenity of our CBD and Business owners.

CARRIED 10/0**MOTION****RESOLUTION ORD059/20**

Moved: Alderman Gary Haslett

Seconded: Alderman Jimmy Bouhoris

That Council complete the reconstitution of the sister city subcommittee membership to ensure continuity.

CARRIED 10/0

19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**RESOLUTION ORD060/20**

Moved: Alderman Emma Young
Seconded: Alderman Justine Glover

THAT the next Ordinary Meeting of Council be held on Tuesday, 25 February 2020, at 5:30 pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

CARRIED 10/0

20 CLOSURE OF MEETING TO THE PUBLIC**RESOLUTION ORD061/20**

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 10/0

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:

25.1 Unconfirmed Confidential Minutes of Risk Management and Audit Committee Meeting Held on 13 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.

25.2 CBD Public Places Patrols - Trial

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.

25.3 DARWIN 2030 - CITY FOR PEOPLE. CITY OF COLOUR. STRATEGIC PLAN PERFORMANCE FRAMEWORK - PLACE SCORE 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.

25.4 Halikos Development - Chinatown Carpark

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.

25.5 Unsolicited Proposal - WHY NOT Festival

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.

25.6 Unsolicited Proposal for an Event Area (Chiringuito)

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.

21 ADJOURNMENT OF MEETING AND MEDIA LIAISON**RESOLUTION ORD062/20**

Moved: Alderman Robin Knox

Seconded: Alderman Emma Young

THAT the meeting adjourned at 7:30pm

CARRIED 10/0

22 RESUMPTION OF OPEN MEETING

RESOLUTION ORD063/20

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

THAT the open meeting resumed at 9:42pm.

CARRIED 10/0

23 CLOSURE OF MEETING

RESOLUTION ORD064/20

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

THAT the meeting closed at 9:42pm.

CARRIED 10/0

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 February 2020.

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CHAIR