



MINUTES

**Ordinary Council Meeting
Tuesday, 17 March 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, 17 MARCH 2020 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Alderman Andrew Arthur, Alderman Paul Arnold, Alderman Jimmy Bouhoris, Alderman Justine Glover, Alderman Gary Haslett, Alderman Robin Knox, Alderman George Lambrinidis, Alderman Simon Niblock, Alderman Mick Palmer, 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), Vanessa Green (Acting General Manager Government Relations & External Affairs), Ron Grinsell (General Manager Engineering & City Services)
- Chris Kelly (Executive Manager Corporate Services), Fiona van der Weide, (Governance and Legislation Advisor), Matt Grassmayr (Executive Manager Leisure and Regulatory Services) Bruce Cutler (Managing Director RedSplash Creative Solutions, City of Darwin Media Contractor)
- APOLOGY:** Alderman Peter Pangquee
- GUESTS:** NT News – Will Zwar

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1 ACKNOWLEDGEMENT OF COUNTRY**2 THE LORD'S PRAYER****3 MEETING DECLARED OPEN****RESOLUTION ORD113/20**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman George Lambrinidis

The Chair declared the meeting open at 5:30 pm.

CARRIED 12/0

The Chair welcomed Alderman Paul Arnold to his first meeting of Council.

3 APOLOGIES AND LEAVE OF ABSENCE**4.1 APOLOGIES****RESOLUTION ORD114/20**

Moved: Alderman Emma Young

Seconded: Alderman Rebecca Want de Rowe

THAT the apology from Alderman Peter Pangquee, be received.

CARRIED 12/0

3.2 Leave of Absence Granted

Nil

3.3 Leave of Absence Requested**4.3 LEAVE OF ABSENCE REQUESTED****RESOLUTION ORD115/20**

Moved: Alderman Emma Young

Seconded: Alderman Rebecca Want de Rowe

A. THAT a Leave of Absence be granted for Alderman Gary Haslett for the period 9 April 2020 to 14 April 2020.

B. THAT a Leave of Absence be granted for Alderman Robin Knox for the period 27 March 2020 to 14 April 2020.

CARRIED 12/0

4 ELECTRONIC MEETING ATTENDANCE**4.1 Electronic Meeting Attendance Granted**

Nil

4.2 Electronic Meeting Attendance Requested**5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED****RESOLUTION ORD116/20**

Moved: Alderman Justine Glover

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 Robin Knox to attend all Council Meetings and Briefing Sessions for the period 27 March 2020 to 14 April 2020.
- B. Alderman Gary Haslett to attend all Council Meetings and Briefing Sessions for the period 9 April 2020 to 14 April 2020.

CARRIED 12/0

5 DECLARATION OF INTEREST OF MEMBERS AND STAFF**5.1 Declaration of Interest by Members**

Nil

5.2 Declaration of Interest by Staff

Nil

6 CONFIRMATION OF PREVIOUS MINUTES**RESOLUTION ORD117/20**

Moved: Alderman Emma Young

Seconded: Alderman Rebecca Want de Rowe

That the minutes of the Ordinary Council Meeting held on 25 February 2020 be confirmed.

CARRIED 12/0

7 MOVING OF CONFIDENTIAL ITEMS

Nil

8 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

Nil

9 PUBLIC QUESTION TIME

Nil

10 PETITIONS

Nil

11 DEPUTATIONS AND BRIEFINGS

Nil

12 NOTICES OF MOTION

Nil

13 OFFICERS REPORTS**14.1 ANIMAL REGISTRATIONS****SUMMARY**

The purpose of this report is to advise Council of the recommendations from the Top End Regional Organisation of Councils (TOPROC) Animal Management Reference Group (AMRG) regarding animal registrations.

RESOLUTION ORD118/20

Moved: Alderman Emma Young

Seconded: Alderman Rebecca Want de Rowe

1. THAT the report entitled Animal Registrations be received and noted.
2. THAT Council endorse the annual registration period for dogs and cats be amended from 1 July-30 June to 1 September-31 August.
3. THAT Council endorse the correspondence to the Office of Parliamentary Counsel at **Attachment 1** to report entitled Animal Registrations to request an amendment to Darwin City Council By-Laws, Part 1, Division 3, By-Law 15 (3) to change the annual registration period for animals.
4. THAT Council withdraw five-year and lifetime registration options for dogs and cats from 1 July 2020 for new animal registrations.
5. THAT Council endorse reciprocal registration administration for animals registered in TOPROC Councils from 1 September 2020.

CARRIED 12/0

14.2 UNIFORM COMPANION ANIMAL LEGISLATION IN THE NORTHERN TERRITORY

SUMMARY

The purpose of this report is to provide Council with a draft response regarding the Discussion Paper for Uniform Companion Animal Legislation in the Northern Territory.

RESOLUTION ORD119/20

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Emma Young

1. THAT the report entitled Uniform Companion Animal Legislation in the Northern Territory be received and noted.
2. THAT Council endorse the draft submission for the Uniform Companion Animal Legislation in the Northern Territory - Discussion Paper at **Attachment 2** to the report entitled Uniform Companion Animal Legislation in the Northern Territory.

CARRIED 12/0

14.3 SPORTS FIELD INFRASTRUCTURE

SUMMARY

The purpose of this report is to advise Council of an agreed list of priorities from Peak Sporting Bodies for infrastructure upgrades at Council ovals.

RESOLUTION ORD120/20

Moved: Alderman Robin Knox

Seconded: Alderman Jimmy Bouhoris

1. THAT the report titled Sports Field Infrastructure be received and noted.
THAT Council acknowledge the Peak Sporting Bodies priorities for future infrastructure upgrades and oval lighting detailed in **Attachments 1 and 2** of the report titled Sports Field Infrastructure, for consideration regarding future sporting oval upgrades.

CARRIED 12/0

14.4 CAR PARK EXTENSIONS TO AN EXISTING CASINO - LOTS 5244 & 5772, 1 CASINO DRIVE & 73 GILRUTH AVENUE, THE GARDENS**SUMMARY**

The purpose of this report is to present to Council an application to redevelop a portion of Lot 5772 (73) Gilruth Avenue from landscaping into a hard stand (car parking), and remove landscaped centre islands in the road reserve to create an access to the new car park.

RESOLUTION ORD121/20

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Mick Palmer

1. THAT the report entitled Car park Extensions to an existing Casino - Lots 5244 & 5772, 1 Casino Drive & 73 Gilruth Avenue, The Gardens be received and noted.

CARRIED 12/0

2. That Council supports the removal of landscaping located within Lot 5772 (73) Gilruth Avenue, proposed for development as a car parking area, and that the leased area shall be handed back to Council in the same condition as provided, as a landscaped area. The applicant is to submit further details including, but not limited to: the design of landscaping areas, tree pits, irrigation, installation, and maintenance of the shade trees.

Alderman Mick Palmer called for division.

For: Alderman Paul Arnold, Alderman Mick Palmer, Alderman Jimmy Bouhoris, Alderman George Lambrinidis

Against: Alderman Simon Niblock, Alderman Andrew Arthur, Alderman Gary Haslett, Alderman Robin Knox, Alderman Justine Glover, Lord Mayor, Alderman Emma Young, Alderman Rebecca Want De Rowe

LOST – 4/8

RESOLUTION ORD122/20

Moved: Alderman Simon Niblock

Seconded: Alderman Robin Knox

2. That Council do not support the removal of landscaping located within Lot 5772 (73) Gilruth Avenue.

CARRIED 8/4

14.5 MINUTES BOMBING OF DARWIN AND MILITARY HISTORY ADVISORY COMMITTEE 5 FEBRUARY 2020 AND REVIEW OF TERMS OF REFERENCE

SUMMARY

The purpose of this report is to present the Minutes of the Bombing of Darwin and Military History Advisory Committee held on 5 February 2020 and seek Council's endorsement of the revised Terms of Reference for the Committee.

RESOLUTION ORD123/20

Moved: Alderman Mick Palmer

Seconded: Alderman Gary Haslett

1. THAT the report entitled Minutes Bombing of Darwin and Military History Advisory Committee 5 February 2020 and Review of Terms of Reference be received and noted.
2. THAT the minutes of the Bombing of Darwin and Military History Advisory Committee of 5 February 2020, at **Attachment 1**, be received and noted.
3. THAT Council endorse the change to the title of the Bombing of Darwin and Military History Advisory Committee to Bombing of Darwin and Military and Civilian History Advisory Committee.
4. THAT Council endorse the revised Terms of Reference of the Bombing of Darwin and Military and Civilian History Advisory Committee, at **Attachment 2**.

CARRIED 12/0

14.6 MINUTES YOUTH ADVISORY COMMITTEE MEETING 13 FEBRUARY 2020 - APPOINTMENT OF NEW MEMBERS

SUMMARY

The purpose of this report is to present the minutes of the Youth Advisory Committee February meeting held on 13 February 2020 and seek approval of three nominations to the Committee.

RESOLUTION ORD124/20

Moved: Alderman Emma Young

Seconded: Alderman Justine Glover

1. THAT the report entitled Minutes Youth Advisory Committee Meeting 13 February 2020 and Appointment of new members be received and noted.
2. THAT, pursuant to Section 54 of the Local Government Act Council appoint David Ninan, Tanisha Cubillo and Martin Feng to the Youth Advisory Committee from 13 February 2020 – 30 June 2022.

CARRIED 12/0

14.7 ADOPTION OF PROCUREMENT POLICY

SUMMARY

The purpose of this report is to seek approval for the draft Procurement Policy.

RESOLUTION ORD125/20

Moved: Alderman Emma Young

Seconded: Alderman Jimmy Bouhoris

1. THAT the report entitled Adoption of Procurement Policy be received and noted.
2. THAT Council repeal Policy No. 70 Purchasing Policy.
3. That Council adopt the draft Policy No. 70 Procurement Policy at Attachment 2 to this report.

CARRIED 12/0

14.8 ADOPTION OF COUNCIL'S PRIVACY POLICY

SUMMARY

The purpose of this report is to seek approval for council's reviewed Privacy Policy.

RESOLUTION ORD126/20

Moved: Alderman Emma Young

Seconded: Alderman Rebecca Want de Rowe

1. THAT the report entitled Adoption of Council's Privacy Policy be received and noted.
2. THAT Council rescind *Policy No 033 Privacy (Attachment 1)*.
3. THAT Council rescind *Policy No 078 Privacy and Confidentiality (Attachment 2)*.
4. THAT Council adopts *Policy No. 33 Privacy (Attachment 3)*

CARRIED 12/0

14 RECEIVE & NOTE REPORTS

15.1 DARWIN LIVING LAB UPDATE

SUMMARY

The purpose of this report is to update Council on the progress of the Darwin Living Lab initiative.

RESOLUTION ORD127/20

Moved: Alderman Emma Young

Seconded: Lord Mayor Kon Vatskalis

1. THAT the report entitled Darwin Living Lab Update be received and noted.

CARRIED 12/0

15 REPORTS OF REPRESENTATIVES

THAT the following Reports of Representatives be received and noted.

16.1 REPORTS OF REPRESENTATIVES

RESOLUTION ORD128/20

Moved: Alderman Gary Haslett

Seconded: Alderman George Lambrinidis

Alderman Robin Knox attended the access and inclusion committee meeting on Tuesday 10 March.

The Committee has conducted a survey on access to disability parking, to see where people may face issues. There were recommendations from this survey to make amendments to the disabled car park. The Committee is disappointed that Council will wait another year before making these amendments, and query why Council has given this feedback.

Alderman Robin Knox attended the NT Water Safety and Advisory Committee, and reported that they are continuing to do good work throughout the Territory.

The Committee would like to re-raise the issue with regarding Box Jelly Fish / Stinger signs, noting that some signs are missing and others do not have enough information. As the LGANT representative on the Committee, Alderman Robin Knox has advised the Committee that City of Darwin message is that it is the Northern Territory Government's responsibility. The Chair will be speaking to Northern Territory Government to ask them to put up signs. Alderman Robin Knox hopes that Council and Northern Territory Government can work together, so someone puts up the signs as they are needed.

General Manager Community advised that this is Northern Territory Government responsibility and obligation, and if we start erecting signs this will devolve the responsibility from Northern Territory Government.

CARRIED 12/0

16 QUESTIONS BY MEMBERS**17.1 END OF TRIP FACILITIES AT THE STATE SQUARE UNDERGROUND CAR PARK****RESOLUTION ORD129/20**

Moved: Alderman Simon Niblock

Seconded: Alderman Rebecca Want de Rowe

THAT the following Questions by Members be received and noted.

Question:

Alderman Robin Knox queried do public have access to end of trip facilities in the State Square Underground Car Park, and if not, when will these be available?

Response:

General Manager Innovation Growth and Development Services advised that Council is working with Northern Territory Government, to see what systems they will put in place. Once commissioned and tested, a report will be put to Council. Currently the time frames are unknown.

CARRIED 12/0

17.2 NORTHERN TERRITORY GOVERNMENT GRANT FUNDING - UPDATE**RESOLUTION ORD130/20**

Moved: Alderman Simon Niblock

Seconded: Alderman Rebecca Want de Rowe

THAT the following Questions by Members be received and noted.

Question:

Alderman Simon Niblock queried about a letter to the Northern Territory Government in April 2019, regarding funding for projects, including traffic calming infrastructure, Lee Point Road Cycle Path and Velodrome redevelopment. What information have we heard from Northern Territory Government regarding this?

Response:

General Manager Engineering and City Services has not yet received information from Northern Territory Government. Chief Executive Officer responded that he spoke with Treasurer and Deputy Chief Minister about 3 weeks ago, there has been very little progress to date. The only project we are developing is the Velodrome, and the small projects which are underway. All other projects are being delivered by Northern Territory Government, and we are waiting for them to report. Senior staff have spoken to Director of Department of Infrastructure Planning and Logistics regarding this. The Department has been prompted by Council at the highest level.

CARRIED 12/0

17.3 CORONAVIRUS DISEASE (COVID-19) - COUNCIL RESPONSE**RESOLUTION ORD131/20**

Moved: Alderman Simon Niblock

Seconded: Alderman Rebecca Want de Rowe

THAT the following Questions by Members be received and noted.

Question:

Alderman Jimmy Bouhoris asked what Council's response and communication plan is to the outbreak of Coronavirus disease (COVID-19) regarding City of Darwin facilities. Are we being proactive by letting the community know what we are doing?

Response:

The Lord Mayor noted that Council officers are taking additional cleaning and hygiene approaches to public and City of Darwin spaces.

The Chief Executive Officer noted that this a concerning situation for the entire community, and that Council plays an important role ensuring stability.

The Chief Executive Officer has had six updates to staff, and have also put into place the Communicable Diseases procedure.

There are additional cleaning protocols in place for the pools.

Taking a cautious approach to the Library, a meeting will be held on 18 March regarding the Library status.

Regarding public amenities officers have put up hygiene posters and are ensuring handwashing treatments are installed across the City.

The Strategic Directions Group are working on a daily basis to monitor the situation. Currently we are business as usual – this will change when appropriate. We are following Northern Territory Government and Federal Government. We will follow the emergency management line.

Council has met with Danila Dilba, Larakia Nation and the NT Police Commissioner regarding the vulnerable itinerant community and options to return home. People are choosing to go back home which is positive.

From update 7 we will start external communications. We will enhance what we are sharing, and also provide support to LGANT and the all Top End Councils.

Specific messaging from Council will be out soon, as the Federal and Northern Territory Government are putting put messaging, and we don't want to confuse this space.

CARRIED 12/0

17.4 SOLAR POWER AT SHOAL BAY WASTE MANAGEMENT FACILITY

RESOLUTION ORD132/20

Moved: Alderman Mick Palmer

Seconded: Alderman Jimmy Bouhoris

THAT the following Questions by Members be received and noted.

Question:

Alderman Simon Niblock asked if the grant for solar power at Shoal Bay Waste Management Facility has been received yet? Noting that the funding had been announced in by Lord Mayor and Minister on the 28 June 2019

Response:

General Manager Engineering and City Services advised this was approved October 2019, and a meeting will be held on 18 March 2020 to confirm timelines.

.CARRIED 12/0

17 GENERAL BUSINESS**18.1 DARWIN ECONOMY****RESOLUTION ORD133/20**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Rebecca Want de Rowe

THAT due to the unprecedented situation occurring with the COVID-19 Pandemic, Council undertake the following fiscal steps to support the Darwin Economy;

1. Car Parking fees and charges for CBD on-street car parking are waived from 18 March 2020 for an initial period of 60 days
2. The charging of interest on outstanding rates balances is suspended from 18 March 2020 until 30 June 2020
3. As part of the 2020/21 FY budget deliberations that the current interest rate for outstanding rates balances is reviewed within these deliberations
4. Innovation Growth and Development Services, investigate and present to Council options for encouraging residents to shop and dine in the CBD/ Municipality wide

CARRIED 11/1

Point of order

Alderman Robin Knox: This should be a Lord Mayoral Minute, not in General Business.

Lord Mayor responded that due to timings, and under the meeting procedure it could not go under Lord Mayoral Minute, so it was most appropriate in General Business.

Alderman Simon Niblock: There has not been enough time for consideration, the budgets and costs are not provided. What will be the financial impact?

Lord Mayor responded that the urgency of the ever changing situation, so determined there was no call for Point of Order.

18.2 COMMENT TO DEVELOPMENT CONSENT AUTHORITY**Summary**

This Resolution Is Further To Report 14.4, Report Car Park Extensions to the Existing Casino

RESOLUTION ORD134/20

Moved: Alderman Andrew Arthur

Seconded: Alderman Rebecca Want de Rowe

THAT Council's response to the Development Consent Authority for Development Application PA2020/0032, requests amended plans demonstrating additional landscaping for shade and amenity purposes on Lot 5244, in accordance with Clause 8.2 of the Northern Territory Planning Scheme.

CARRIED 9/3

18.3 FAREWELL TO SALLY VASEY**RESOLUTION ORD135/20**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman George Lambrinidis

THAT Sally Vasey, the Lord Mayors Executive Assistant has been an incredible asset to Council, and she will be missed when she departs on 27 March 2020. The City of Darwin thanks Sally for her 11 years of service and wishes her all the best.

CARRIED 12/0

19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

RESOLUTION ORD136/20

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Emma Young

THAT the next Ordinary Meeting of Council be held on Tuesday, 31 March 2020, at 5:30 pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

CARRIED 12/0

18 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 YMCA Pool Management Mid-Contract Review

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 Operating Subsidy Requests 2020/2021

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.

26.3 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.

21 ADJOURNMENT OF MEETING AND MEDIA LIAISON

RESOLUTION ORD137/20

Moved: Alderman Andrew Arthur

Seconded: Alderman Gary Haslett

THAT the open meeting adjourned at 7:27pm.

CARRIED 12/0

22 RESUMPTION OF OPEN MEETING

RESOLUTION ORD150/20

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Justine Glover

THAT the open meeting resumed at 10:50pm.

CARRIED 12/0

23 CLOSURE OF MEETING

RESOLUTION ORD151/20

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Justine Glover

THAT the meeting closed at 10:50pm.

CARRIED 12/0

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 31 March 2020.

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CHAIR