



# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 31 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, 31 MARCH 2020 AT 5:30 PM**

- 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 Peter Pangquee, Alderman Rebecca Want de Rowe
- 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), Fiona van der Weide (Governance and Legislation Advisor), Michael DeLuca (Acting Executive Manager Innovation & Information Services)
- APOLOGY:** Alderman Emma Young
- GUESTS:** Nil

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

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

**4 APOLOGIES AND LEAVE OF ABSENCE****4.1 APOLOGIES****RESOLUTION ORD141/20**

Moved: Alderman Gary Haslett

Seconded: Alderman Jimmy Bouhoris

THAT the apology from Alderman Emma Young be received.

**CARRIED 11/0**

**4.2 LEAVE OF ABSENCE GRANTED****RESOLUTION ORD142/20**

Moved: Alderman Gary Haslett

Seconded: Alderman Jimmy Bouhoris

THAT a leave of absence from Alderman Emma Young be received.

**CARRIED 11/0**

**4.3 LEAVE OF ABSENCE REQUESTED****RESOLUTION ORD143/20**

Moved: Alderman Gary Haslett

Seconded: Alderman Jimmy Bouhoris

THAT Alderman Robin Knox cancel any application for leave which is on the record.

**CARRIED 11/0**

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

The Chief Executive Officer advised, that as a result of the due to Coronavirus (COVID-19) Pandemic and in accordance with Policy 043 and section 61(4) of the Local Government Act 2008,

all Elected Members are granted permission to attend the Ordinary Meeting of Council to be held on Tuesday 31 March 2020 by means of an audio or audio-visual conferencing system.

## 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 ORD144/20

Moved: Alderman Robin Knox

Seconded: Alderman Rebecca Want de Rowe

That the minutes of the Ordinary Council Meeting held on 17 March 2020 be confirmed.

**CARRIED 11/0**

## 8 MOVING OF CONFIDENTIAL ITEMS

## 9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

*Alderman Justine Glover joined the meeting at 5:46 pm.*

### 9.1 LORD MAYORAL MINUTE - CONDOLENCE MOTION

#### RESOLUTION ORD145/20

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Simon Niblock

1. THAT the City of Darwin express its sincere condolences to the family and friends of the late Frank Lam.

**CARRIED 12/0**

### 9.2 LORD MAYORAL MINUTE - CORONAVIRUS (COVID - 19) - COUNCIL RESPONSE #2

#### RECCOMENDATION

Moved: Lord Mayor Kon Vatskalis

To deliver a clear position of support to our Community as Lord Mayor I will move the following

support measures valued up to a \$55M for discussion and debate as an initial response:

1. THAT the current due date for rates be deferred from 31 March 2020 to 30 June 2020, with a review to occur prior to 30 June 2020
2. THAT the current rate hardship policy be revised and amended to include criteria specifically relating to ratepayers affected by COVID-19, furthermore that a report be provided to Council at the next ordinary meeting to discuss and debate the amended policy
3. THAT all permit charges, fees and levy's – inclusive of the CBD Parking Levy, with the exception of waste associated charges be waived until 30 June 2020, with a review to occur prior to 30 June 2020
4. THAT the Chief Executive Officer, review and provide a report to Council in relation to loan borrowing options and a working capital facility in providing Council with options leading into the 2020/21 Financial Year Budget preparation for extraordinary measures to support the business community and provide employment during the recovery for the Darwin community
5. THAT the Chief Executive Officer, discuss with the Department of Local Government, Housing and Community Development, dispensation for the use of restricted reserves in the recovery effort and report the outcome to Council
6. THAT the Chief Executive Officer, review and report to Council the pooling of all current debt accrued by Council into a single debt facility taking advantage of historically low interest rates
7. THAT the Chief Executive Officer, finalise Council's Strategic Projects and Economic Development Plan for final briefing and adoption by Council prior to 30 April 2020
8. THAT the Chief Executive Officer, provide a list of large scale infrastructure projects for Council's consideration to jointly fund with the Northern Territory and Australian Government on the basis of creating construction jobs in the recovery
9. THAT the Chief Executive Officer, continue to enhance and provide as many services as possible to the community on an online basis, including the broadcast community and social based programs via social media
10. THAT Council move a vote of thanks to Council Staff that are serving our community during this difficult time

#### **RESOLUTION ORD146/20**

Moved: Alderman Mick Palmer

Seconded: Alderman Simon Niblock

1. That this Lord Mayoral Minute, and all items related to Coronavirus (Covid-19), including item 14.2, 14.3 and 15.2, lay on the table and are referred to a special meeting of Council to be held on Wednesday 8 April 2020 at 5:30pm.
2. That further details are provided to Elected Members at confidential briefing on 7 April 2020.

**CARRIED 12/0**

*Alderman Jimmy Bouhoris departed the meeting at 5:57 pm.*

*Alderman Jimmy Bouhoris re-joined the meeting at 6:01 pm.*

### **9.3 MATTERS OF PUBLIC IMPORTANCE - CHIEF EXECUTIVE OFFICER REPORT**

#### **RESOLUTION ORD147/20**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Jimmy Bouhoris

The Chief Executive Officer provided an update to all Elected members regarding the City of

Darwin COVID – 19 Response.

**CARRIED 12/0**

*Alderman Mick Palmer departed the meeting at 6:13 pm.*

*Alderman Mick Palmer re-joined the meeting at 6:17 pm.*

## **10 PUBLIC QUESTION TIME**

Nil

## **11 PETITIONS**

Nil

## **12 DEPUTATIONS AND BRIEFINGS**

Nil

## **13 NOTICES OF MOTION**

### **13.1 NOTICE OF MOTION - REQUEST FOR REPORT**

I, Alderman Simon Niblock, give notice that at the next Ordinary Council Meeting on 31 March 2020, I will move the following motion:-

#### **MOTION**

THAT a report be prepared for Council outlining options to allow both domestic and commercial rate payers to defer payment of their rates. That the report include, but not be limited to, eligibility criteria, time frame for implementation and impact on Council's budget and long-term financial plan.

Withdrawn by Alderman Simon Niblock.

## **14 OFFICERS REPORTS**

### **14.1 CITY OF DARWIN SUBMISSION INTO THE SENATE ENQUIRY INTO HOMELESSNESS**

#### **SUMMARY**

The purpose of this report is to seek endorsement from Council to provide a submission into the House of Representatives Standing Committee on Social Policy and Legal Affairs' enquiry into homelessness in Australia.

#### **RESOLUTION ORD148/20**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Justine Glover

1. THAT the report entitled City of Darwin Submission into the Senate Enquiry into

Homelessness be received and noted.

2. THAT Council endorses City of Darwin's submission to the Enquiry as provided at Attachment 1 to the report.

**CARRIED 12/0**

## 14.2 COMMUNITY GRANTS 2020/21 COVID-19 RESPONSE

### SUMMARY

The purpose of this report is to seek Council endorsement of a COVID-19 Response Grants Program, with a total of \$150,000 allocated in two rounds, to support community groups or organisations to deliver innovative solutions to meet the changing needs of the community due to COVID-19.

### RECOMMENDATIONS

1. THAT the report entitled Community Grants COVID-19 Response be received and noted.
2. Council endorse the reallocation of current operational funding to open a new grant round of \$50,000, for community projects that respond to COVID-19 with innovative solutions to be delivered between from April to 30 June 2020.
3. Council endorse the repurposing of the 2020/21 Community Grants Program budget, to a second round of \$100,000, for community projects that respond to COVID-19 with innovative solutions delivered between 1 July and 31 December 2020.
4. Council endorse the COVID-19 Response Grants Program Guidelines, which will apply to both the 19/20 and 20/21 rounds.

### RESOLUTION ORD146/20

Moved: Alderman Mick Palmer  
Seconded: Alderman Simon Niblock

3. That this Lord Mayoral Minute, and all items related to Coronavirus (Covid-19), including item 14.2, 14.3 and 15.2, lay on the table and are referred to a special meeting of Council to be held on Wednesday 8 April 2020 at 5:30pm.
4. That further details are provided to Elected Members at confidential briefing on 7 April 2020.

**CARRIED 12/0**

## 14.3 MY DARWIN - ECONOMIC STIMULUS PROPOSAL

### SUMMARY

The purpose of this report is to advise Council on the development of the web application, "my.Darwin" to assist with stimulating the local economy.

### RECOMMENDATIONS

1. THAT the report MY DARWIN – Economic Stimulus Proposal be received and noted.
2. THAT Council endorse the allocation of car parking revenue from the month February 2020 to support the initiative.
3. THAT Council delegate to the CEO to investigate internally restricted parking reserves for the re-appropriation into this financial year's operating budget.



**RESOLUTION ORD146/20**

Moved: Alderman Mick Palmer

Seconded: Alderman Simon Niblock

5. That this Lord Mayoral Minute, and all items related to Coronavirus (Covid-19), including item 14.2, 14.3 and 15.2, lay on the table and are referred to a special meeting of Council to be held on Wednesday 8 April 2020 at 5:30pm.
6. That further details are provided to Elected Members at confidential briefing on 7 April 2020.

**CARRIED 12/0****14.4 DANGEROUS TREES IN THE DARWIN MUNICIPALITY - UPDATE MARCH 2020****SUMMARY**

The purpose of this report is to provide Council with post Cyclone Marcus findings of the inspection of Council parks that identified trees planted in close proximity to private property and/or power lines that have the potential to cause damage and/or injury when they come down.

**RESOLUTION ORD149/20**

Moved: Alderman Peter Pangquee

Seconded: Alderman Andrew Arthur

1. THAT the report entitled Dangerous Trees in the Darwin Municipality – Update March 2020 be received and noted.
2. THAT Council undertake bi-annual Visual Tree Risk Assessment (VTRA) inspections of the 619 tree assets as identified in this report.
3. THAT Council further consider these issues in broader community terms through the draft Greening Strategy.

**CARRIED 12/0****14.5 BY-ELECTION LYONS WARD - NORTHERN TERRITORY ELECTORAL COMMISSION REPORT****SUMMARY**

The purpose of this report is to inform Council of the outcome of the By-Election Lyons ward, and present the report from the Northern Territory Electoral Commission.

**RESOLUTION ORD150/20**

Moved: Alderman Paul Arnold

Seconded: Alderman Robin Knox

1. THAT the report entitled By-Election Lyons Ward - Northern Territory Electoral Commission Report be received and noted.

**CARRIED 12/0****RESOLUTION ORD151/20**

Moved: Alderman Paul Arnold

Seconded: Alderman Robin Knox

2. THAT Council does not engage the NT Electoral Commission to pursue the sending of infringement notices to the non-voters who failed to vote at the Lyons ward By-Election 2020.

**CARRIED 8/4**

## **14.6 DEPUTY LORD MAYOR**

### **SUMMARY**

The purpose of this report is to provide information to Council, and appoint a Deputy Lord Mayor.

#### **RESOLUTION ORD152/20**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Jimmy Bouhoris

1. THAT the report entitled Deputy Lord Mayor be received and noted.
2. THAT Alderman Mick Palmer be appointed as Deputy Lord Mayor for the period 1 May 2020 to 31 August 2020.

**CARRIED 12/0**

## **15 RECEIVE & NOTE REPORTS**

### **15.1 MONTHLY FINANCIAL REPORT - FEBRUARY 2020**

#### **SUMMARY**

The purpose of this report is to provide a comparison of income and expenditure against the budget for the period ended 29 February 2020. It also provides details of cash, investments and debtors at 29 February 2020 in accordance with the Local Government (Accounting) Regulations 2008.

#### **RESOLUTION ORD153/20**

Moved: Alderman Andrew Arthur

Seconded: Lord Mayor Kon Vatskalis

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

**CARRIED 12/0**

### **15.2 CITY OF DARWIN AND NORTHERN TERRITORY GOVERNMENT SECURITY PATROL PARTNERSHIP**

#### **SUMMARY**

The purpose of this report is to advise the Council of Security Patrol Arrangements in response to the COVID-19 Pandemic.

#### **RECOMMENDATIONS**

1. THAT the report be received and noted.
2. THAT Council receive the advice of an agreed partnership between the City of Darwin and the Northern Territory Government in relation to a security patrol partnership until 30 September 2020

**RESOLUTION ORD146/20**

Moved: Alderman Mick Palmer

Seconded: Alderman Simon Niblock

7. That this Lord Mayoral Minute, and all items related to Coronavirus (Covid-19), including item 14.2, 14.3 and 15.2, lay on the table and are referred to a special meeting of Council to be held on Wednesday 8 April 2020 at 5:30pm.
8. That further details are provided to Elected Members at confidential briefing on 7 April 2020.

**CARRIED 12/0**

## 16 REPORTS OF REPRESENTATIVES

### 16.1 ALDERMAN ROBIN KNOX RAPID CREEK ADVISORY COMMITTEE

**RESOLUTION ORD154/20**

Moved: Alderman Justine Glover

Seconded: Alderman Rebecca Want de Rowe

THAT the following Reports of Representatives be received and noted.

Alderman Robin Knox attended a workshop as the City of Darwin representative for the Rapid Creek Advisory Committee, who are working with Charles Darwin University to create a Darwin Harbour Report Card.

The Report is currently in consultation. She noted it will be very useful for members of the public and complimented the University for working to create this report card to an international standard.

**CARRIED 12/0**

### 16.2 ALDERMAN PETER PANGQUEE TOP END TOURISM BOARD AND WULAGI

**RESOLUTION ORD155/20**

Moved: Alderman Justine Glover

Seconded: Alderman Rebecca Want de Rowe

THAT the following Reports of Representatives be received and noted.

Alderman Peter Pangquee is the City of Darwin representative on the Top End Tourism Board, and reported that he has attended a number of additional meetings and teleconferences as the industry has been devastated by closures.

Lots of Top End businesses are suffering, and the concern is that lots of businesses won't come back following the crisis. The Board is working with businesses to help them survive the hibernation. It has been a devastating blow to workers, thousands have lost their job across the Territory.

The Board has included meetings with Minister Moss and Minister Wakefield, and are working on economic measures for the future. The Board's office on Knuckey St shop front is closed, however staff are rotating and working digitally. The City of Darwin is encouraged to help the tourism

industry in the future where possible.

Alderman Peter Pangquee noted that he has received positive feedback from the community on the pre-planning of the beautification project at Wulagi. The project is really successful, and well received.

Alderman Peter Pangquee also noted that he has spoken to City of Darwin officers, who have reported that they feel well looked after and supported by the City of Darwin Executive team during this crisis.

**CARRIED 12/0**

### **16.3 ALDERMAN GEORGE LAMBRINIDIS YOUTH ADVISORY COMMITTEE MEETING**

#### **RESOLUTION ORD156/20**

Moved: Alderman Justine Glover

Seconded: Alderman Rebecca Want de Rowe

THAT the following Reports of Representatives be received and noted.

Alderman George Lambrinidis attended the Youth Advisory Meeting which was run electronically, and chaired by the City of Darwin youth trainee. The meeting was really well attended, and the online polling worked well. Alderman George Lambrinidis advised that the staff did a magnificent job, and it is a really good group to be a part of.

Alderman George Lambrinidis also noted that the work at Wagaman was wonderful, and that the quality of the work is outstanding. It is impressive that the work was done by the City of Darwin staff. Well done to City of Darwin staff and team Richardson.

**CARRIED 12/0**

*Alderman Mick Palmer departed the meeting at 7:09 pm.*

*Alderman Mick Palmer re-joined the meeting at 7:11 pm.*

### **17 QUESTIONS BY MEMBERS**

#### **17.1 STORMWATER PROGRAM**

#### **RESOLUTION ORD157/20**

Moved: Alderman Justine Glover

Seconded: Alderman Jimmy Bouhoris

THAT the following Questions by Members be received and noted.

#### **QUESTION**

Alderman Robin Knox asked for a report on the progress of the following storm water work as laid out in the Council report of 25/3/2018 and funded in the long term financial plan;

- 2018/2019 Nudl Street and Verburg Street, Stuart Park and Railway Street, Parap \$1,200,000
- 2019/2020 Stage 1 Cunjevoi Crescent, Nightcliff \$1,476,570
- 2020/2021 Stage 2 Cunjevoi Crescent, Nightcliff \$1,573,654

#### **RESPONSE**

The Chief Executive Officer advised that the General Manager Engineering & City Services will provide a Report to Council to respond to this.

**CARRIED 12/0**

## **17.2 STORMWATER PROGRAM - CUNJEVOI CRES**

### **RESOLUTION ORD158/20**

Moved: Alderman Justine Glover  
Seconded: Alderman Jimmy Bouhoris

THAT the following Questions by Members be received and noted.

#### **QUESTION**

Alderman Robin Knox asked a follow-on question from item 17.1:

1. Where the residents notified that Council had delayed the works to Cunjevoi Cres?
2. As this resident's house continues to flood in heavy storms, what is the asset management principles that applies to delaying this essential work?

#### **Response**

The Chief Executive Officer advised that the General Manager Engineering & City Services will provide a Report to Council to respond to this.

**CARRIED 12/0**

## **18 GENERAL BUSINESS**

### **18.1 STORMWATER PROGRAM - CUNJEVOI CRES GENERAL BUSINESS**

#### **RESOLUTION ORD159/20**

Moved: Alderman Paul Arnold  
Seconded: Alderman Peter Pangquee

Alderman Robin Knox referenced her questions at 17.1 and 17.2 regarding storm water drains. Alderman Robin Knox noted that it was very distressing for the residents, noting that there is a lot of clean-up work required for the residents post flooding. Alderman Robin Knox called for the work to be completed.

Chief Executive Officer noted that some work has been done as part of the significant capital works, particularly in infrastructure. A stormwater report will come to Council for review, at a future meeting of Council. The Chief Executive Officer noted that in the recovery process post COVID-19, Council will be looking for job creation and to include significant capital works into the budget process. The Chief Executive Officer noted that the Council cannot guarantee anything in relation to flooding, or fully protect any house.

**CARRIED 12/0**

**18.2 RAPID CREEK****RESOLUTION ORD160/20**

Moved: Alderman Paul Arnold  
Seconded: Alderman Peter Pangquee

Alderman Justine Glover reported that the conservation rezoning has been approved for Rapid Creek. The Rapid Creek Landcare Group has applauded the City of Darwin for applying to rezone the land and Minister Lawler for approving the rezoning. The zone from McMillan's road to the Airport has rezoned from recreation to conservation.

**CARRIED 12/0**

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

THAT the next Ordinary Meeting of Council be held on Tuesday, 14 April 2020, 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.

**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 Rent Relief as a result of COVID - 19**

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 Proposal for an Artist Assistance Fund**

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 Darwin City Deal Update - March**

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.

**21 ADJOURNMENT OF MEETING AND MEDIA LIAISON**

**RESOLUTION ORD161/20**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Robin Knox

THAT the open meeting adjourned at 7:22pm.

**CARRIED 12/0**

**30 RESUMPTION OF OPEN MEETING**

**RESOLUTION ORD169/20**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Rebecca Want de Rowe

THAT the meeting opened at 8:13pm.

**CARRIED 12/0**

**31 CLOSURE OF OPEN MEETING**

**RESOLUTION ORD169/20**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Rebecca Want de Rowe

THAT the Open Meeting closed at 8:13pm.

**CARRIED 12/0**

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 14 April 2020.

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**CHAIR**