

THIRTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION  
TUESDAY, 10 APRIL 2018

ORD04/1

**CITY OF DARWIN**

MINUTES OF THE THIRTEENTH ORDINARY COUNCIL MEETING OF THE TWENTY-SECOND COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE ON TUESDAY, 10 APRIL 2018 COMMENCING AT 5.30PM.

**PRESENT:** The Right Worshipful, Lord Mayor, K Vatskalis, (Chair); Member A J Arthur; Member J Bouhoris; Member S Cullen; Member J A Glover; Member G J Haslett; Member R M Knox; Member G Lambrinidis; Member S J Niblock; Member M Palmer; Member P Pangquee; Member R Want de Rowe; Member E L Young.

**OFFICERS:** Chief Executive Officer, Dr D Leeder; Acting General Manager City Performance, Mr L Carroll; Acting General Manager City Operations, Ms N Nilon; General Manager City Life, Ms A Malgorzewicz; General Manager City Futures, Mr G Rosse; Executive Manager, Ms M Reiter; Senior Administration Officer, Ms J Honner; Manager Climate change & Environment, Ms S Gamble; Committee Administrator, Mrs P Hart.

**APOLOGY:** Nil

**GUESTS:** Mr Solomon Gaturu from the Local Government and Community Development Division, Department of Housing and Community Development was in attendance from 5.33pm to brief the Council on proposed new cemeteries legislation.

**MEDIA:** Channel 9, Ms Melissa McKay; ABC Radio, Ms Felicity Ward; NT News, Mr Will Zwar; ABC TV, Mr Robert Baird.

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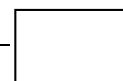
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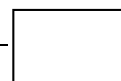
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(Moved from Confidential)

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THIRTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION  
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**1. ACKNOWLEDGEMENT OF COUNTRY**

**2. THE LORD'S PRAYER**

**3. MEETING DECLARED OPEN**

The Chair declared the meeting open at 5.30pm.

**4. APOLOGIES AND LEAVE OF ABSENCE**  
Common No. 2695036

**4.1 Apologies**

Nil

**4.2 Leave of Absence Granted**

Nil

**4.3 Leave of Absence Requested**

(Knox/Haslett)

THAT a Leave of Absence be granted for Member S J Niblock for the period 13 to 20 April 2018.

DECISION NO.22\612 (10/04/18)

Carried



THIRTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION  
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ORD04/5

**5. ELECTRONIC MEETING ATTENDANCE**  
Common No. 2221428

**5.1 Electronic Meeting Attendance Granted**

Nil

**5.2 Electronic Meeting Attendance Requested**

(Bouhoris/Glover)

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:

- Member S J Niblock to attend all Council and Committee Meetings for the period of 13 to 20 April 2018.

DECISION NO.22\613 (10/04/18) Carried

**6. DECLARATION OF INTEREST OF MEMBERS AND STAFF**  
Common No. 2752228

**6.1 Declaration of Interest by Members**

Nil

**6.2 Declaration of Interest by Staff**

Nil

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S**  
Common No. 1955119

**7.1 Confirmation of the Previous Ordinary Council Meeting**

(Glover/Knox)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 27 March 2018, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.22\614 (10/04/18) Carried

THIRTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION  
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ORD04/6

## **7.2 Confirmation of the Previous Confidential Ordinary Council Meeting**

*With the consent of the Council, the Decisions arising from this item were moved from the Confidential Section into the Open Section of the Minutes.*

(Knox/Glover)

- A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 27 March 2018 be received and confirmed as a true and correct record of the proceedings of that meeting.
- B. THAT this decision be moved into Open.

DECISION NO.22\615 (10/04/18)

Carried

## **7.3 Business Arising**

Nil

## **8. MATTERS OF PUBLIC IMPORTANCE**

Nil

## **9. DEPUTATIONS AND BRIEFINGS**

### **9.1 Proposed New Cemeteries Legislation**

Common No.

*Mr Solomon Gaturu from the Local Government and Community Development Division, Department of Housing and Community Development was in attendance from 5..33pm to brief the Council on proposed new cemeteries legislation.*

(Glover/Lambrinidis)

THAT the presentation from the Local Government and Community Development Division, Department of Housing and Community Development in relation to the proposed new cemeteries legislation be received and noted.

DECISION NO.22\616 (10/04/18)

Carried

## **10. PUBLIC QUESTION TIME**

Nil

THIRTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION  
TUESDAY, 10 APRIL 2018

ORD04/7

**11. CONFIDENTIAL ITEMS**  
Common No. 1944604

**11.1 Closure to the Public for Confidential Items**

(Cullen/Pangquee)

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 following Confidential Items:-

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C24.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person

DECISION NO.22\617 (10/04/18) Carried

**11.2 Moving Open Items Into Confidential**

Nil

**11.3 Moving Confidential Items Into Open**

Nil

**12. PETITIONS**

Nil

THIRTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION  
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ORD04/8

### 13. NOTICE(S) OF MOTION

#### 13.1 **Cyclone Marcus – Tree Planting Special Rate** Common No. 3781158

(Niblock/Knox)

THAT a report be prepared for Council outlining options on the introduction of a special rate for the 2018/19 budget to provide for increased tree planting in the wake of Tropical Cyclone Marcus.

#### **Procedural Motion**

(Niblock/Knox)

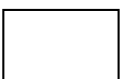
*THAT this item be laid on the table until further information about the insurance and recovery claims is received.*

LOST

(Niblock/Knox)

THAT a report be prepared for Council outlining options on the introduction of a special rate for the 2018/19 budget to provide for increased tree planting in the wake of Tropical Cyclone Marcus.

Withdrawn





THIRTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION  
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ORD04/9

## 14.1 OFFICERS REPORTS (ACTION REQUIRED)

### 14.1.1 Energy Strategy Implementation Plan

Report No. 18CF0008 SG:nt (10/04/18) Common No. 3258746

#### Procedural motion

(Palmer/Bouhoris)

*THAT this item lay on the table until the 1<sup>st</sup> Ordinary Council Meeting of 15 May 2018 to enable further review by Elected Members.*

Carried

ACTION: CA

NOTE: MANAGER CLIMATE CHANGE & ENVIRONMENT

Member R M Knox called for a division on the procedural motion.

AFFIRMATIVE	NEGATIVE
Want de Rowe	Niblock
Bouhoris	Cullen
Young	Arthur
Pangquee	Knox
Palmer	
Glover	
Lord Mayor	
Lambrinidis	
Haslett	

(Palmer/Knox)

- A. THAT Report Number 18CF0008 SG:nt entitled Energy Strategy Implementation Plan, be received and noted.
- B. THAT the City of Darwin Energy Strategy Implementation Plan, provided at **Attachment B** to Report Number 18CF0008 SG:nt entitled Energy Strategy Implementation Plan be endorsed by Council and reviewed annually to capitalise on changes in technology and funding mechanisms.
- C. THAT Council endorse a policy position of zero net emissions from energy by 2030.
- D. THAT Council note that the consideration of the establishment of an Energy Strategy Capital Fund is identified as a 2018/19 budget new initiative and will be considered as part of 2018/19 budget deliberation process.

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**14.1.2 Elected Member Allowances 2018/19**

Report No. 18CE0005 MR:ph (10/04/18) Common No. 1555141

(Haslett/Palmer)

- A. THAT Report Number 18CE0005 MR:ph entitled Elected Member Allowances 2018/19, be received and noted.
- B. THAT Council adopt the Elected Member Allowances in **Attachment A** to Report Number 18CE0005 MR:ph entitled Elected Member Allowances 2018/19.
- C. THAT the Extra Meeting Allowance for 2018/19 be set at \$182.22 per meeting.

DECISION NO.22\618

(10/04/18)

Carried

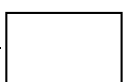
ACTION: EXEC MGR  
NOTE: GM CITY PERFORMANCE  
NOTE: MANAGEMENT ACCOUNTANT

Member R Want de Rowe called for a division on the Elected Member Allowances 2018/19.

AFFIRMATIVE	NEGATIVE
Bouhoris Young Pangquee Palmer Glover Lambrinidis Haslett Cullen Niblock Knox	Want de Rowe Lord Mayor Arthur

**14.2 OFFICERS REPORTS (RECEIVE & NOTE)**

Nil



THIRTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION  
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ORD04/11

**15. TOWN PLANNING REPORT/LETTER**

**15.1 Council Responses to Planning Applications - April 2018**

Report No. 18CF0022 BS:hd (10/04/18) Common No. 2547669

(Palmer/Haslett)

THAT Report Number 18CF0022 BS:hd entitled Council Responses to Planning Applications - April 2018, be received and noted.

DECISION NO.22\619

(10/04/18)

Carried

**15.2 Proposed Planning Scheme Amendment - PA2017/0348 - Sub Clauses 2 and 3 of Clause 8.1.2**

Report No. 18CF0023 NS:hd (10/04/18) Common No. PA2017/0348

(Palmer/Cullen)

- A. THAT Report Number 18CF0023 NS:hd entitled Proposed Planning Scheme Amendment - PA2017/0348 - Sub Clauses 2 and 3 of Clause 8.1.2 be received and noted.
- B. THAT Council endorse the submission, dated 29 March 2018, to the Reporting Body supporting the proposed Northern Territory Planning Scheme amendment within **Attachment A** to Report Number 18CF0023 NS:hd entitled Proposed Planning Scheme Amendment - PA2017/0348 - Sub Clauses 2 and 3 of Clause 8.1.2.

DECISION NO.22\620

(10/04/18)

Carried

ACTION: MGR CITY PLANNING  
NOTE: GM CITY FUTURES

**16. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**

Nil



THIRTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION  
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ORD04/12

## 17. REPORTS OF REPRESENTATIVES

Common No. 1735503

(Glover/Palmer)

THAT the following Reports of Representatives be received and noted.

DECISION NO.22\621

(10/04/18)

Carried

### 17.1 Rapid Creek Water Advisory Committee Meeting

Member Knox reported on her attendance at the Rapid Creek Water Advisory Committee Meeting in April 2018. She noted that the Darwin Harbour Report Card will be online shortly, and it also covers water monitoring of Rapid Creek.

Member Knox also noted the flood mitigation project works in the Rapid Creek area. PFAS has been identified in the soil, and this fill will be disposed of at Shoal Bay Waste Management Facility.

Member G J Haslett raised concerns around this dumping of PFAS-contaminated material.

*The General Manager City Operations responded and advised that Council is working with the Northern Territory Government and the NT EPA around the issue. Testing of the soil has been undertaken and the results provided to Council, noting that levels of PFAS will determine whether material is accepted or not. The long-term impacts on the Shoal Bay Waste Management Site are currently unknown but the work is ongoing.*

Member J A Glover asked for an update on the conservation zoning application for the Rapid Creek area, noting that the application was not to be granted until after the flood mitigation works are finalised.

*The General Manager City Operations responded and advised that, in relation to the zoning, it is on hold until the flood mitigation outlet works are finalised so that the conservation zone does not have to be reviewed again. Council has requested that Northern Territory Government present to Council in May 2018 about the flood mitigation works.*

The Lord Mayor asked for the delineation of what is Council-managed land and which is Commonwealth Government-managed land?

*The General Manager City Operations responded and advised that the majority of the land containing the retention basin and flood mitigation works is Northern Territory Government land.*

Member M Palmer departed the meeting at 6.25pm.

THIRTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION  
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ORD04/13

## 18. QUESTIONS BY MEMBERS

(Haslett/Niblock)

THAT the following Questions by Members be received and noted.

DECISION NO.22\622

(10/04/18)

Carried

### 18.1 Energy Strategy Implementation

Common No. 3258746

Member R M Knox queried in relation to the Energy Strategy implementation, why City of Darwin is paying the power bill for the leased Parap Pool residency?

*The General Manager City Futures responded and took the question on notice.*

Member Knox asked whether the additional Photo Voltaic funds identified in variations in the 2017/18 budget will be rolled over be used for Parap Pool?

*The General Manager City Futures took the question on notice.*

ACTION: GM CITY FUTURES

### 18.2 Parking Management Proposal – Tambling Terrace and Kailis Street, Wanguri

Common No. 3576971

Member J A Glover asked for an update on traffic modifications on Tambling Terrace and Kailis Street, Wanguri.

*The General Manager City Operations responded and advised that the agreed-upon works have been programmed.*

### 18.3 Tropical Cyclone Marcus - Street Light Repairs

Common No. 3777063

Member J Bouhoris asked what works are planned for street light repairs following Tropical Cyclone Marcus?

*The General Manager City Operations responded and advised that Council is currently working on lights that run on underground power, but is consulting with Power and Water on those attached to overhead lines.*

**18.4 Traffic Issues on Gsell Street**  
**Common No.**

Member R Want de Rowe noted concerns from residents about traffic issues around the Top End Medical Centre on Gsell Street, Wanguri. The traffic exiting sight lines onto Gsell Street and overgrown trees are a concern, in addition to the amount of cars that park on the street making it hard to exit. Has this intersection been reviewed previously?

*The General Manager City Operations responded and took the question on notice, but noted that they will review the sight lines and prune.*

ACTION: GM CITY OPERATIONS

**18.5 Tropical Cyclone Marcus - Fallen Trees**  
**Common No. 3777063**

Member R M Knox asked whether any fallen trees following Tropical Cyclone Marcus can be left for play equipment?

*The General Manager City Operations responded and advised that this will be considered in the report to Council; however the priority is still to remove them for safety, maintenance and to reduce termites.*

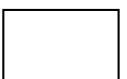
ACTION: GM CITY OPERATIONS

**18.6 Abala Road Sporting Complexes**  
**Common No.**

Member P Pangquee asked about future plans for the sporting complexes on Abala Road, Marrara. He noted traffic concerns in the area: with additional sporting venues opening, the issues such as the in and out and the very narrow T-intersection near the BMX track, are only going to get worse.

*The General Manager City Operations responded and advised that this was not currently subject to review, and took the question on notice.*

ACTION: GM CITY OPERATIONS



THIRTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION  
TUESDAY, 10 APRIL 2018

ORD04/15

## 19. GENERAL BUSINESS

### 19.1 Flood Mitigation Works at Rapid Creek

Common No. 1485703

(Knox/Arthur)

THAT a report be prepared on the flood mitigation works at Rapid Creek, including any plans for removal of PFAS contaminated soil.

DECISION NO.22\623

(10/04/18)

Carried

ACTION: GM CITY OPERATIONS

*Member M Palmer re-joined the meeting at 6.31pm.*

### 19.2 Elected Member Allowances

Common No. 1555141

(Glover/Young)

THAT Council write to the Minister for Housing and Community Development seeking alternative ways of determining Elected Member Allowances.

DECISION NO.22\624

(10/04/18)

Carried

ACTION: EXEC MGR

### 19.3 Appreciation to General Manager City Futures

*With the consent of the Council, the Decisions arising from this item were moved from the Confidential Section into the Open Section of the Minutes.*

(Knox/Lord Mayor)

A. THAT Council thank General Manager City Futures Gerard Rosse for his time with City of Darwin.

B. THAT this be moved into Open.

DECISION NO.22\625

(10/04/18)

Carried

THIRTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION  
TUESDAY, 10 APRIL 2018

ORD04/16

**20. DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**  
Common No. 2695130

(Glover/Palmer)

THAT the next Ordinary Meeting of Council be held on Tuesday, 24 April 2018, at 5:30pm (Open Section followed by the Confidential Section), Karama Library, Kalymnos Drive, Karama.

DECISION NO.22\626 (10/04/18) Carried

**21. CLOSURE OF MEETING TO THE PUBLIC**  
Common No. 2695131

(Bouhoris/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.

DECISION NO.22\627 (10/04/18) Carried

**22. ADJOURNMENT OF MEETING AND MEDIA LIAISON**  
Common No. 2695132

(Palmer/Knox)

THAT the meeting be adjourned at 6.37pm for 5 minutes to enable the Media to liaise with the Lord Mayor.

DECISION NO.22\628 (10/04/18) Carried





THIRTEENTH ORDINARY COUNCIL MEETING – OPEN SECTION  
TUESDAY, 10 APRIL 2018

ORD04/17

*The meeting moved to the Confidential Section at 6.41pm.*

THE RIGHT WORSHIPFUL, LORD  
MAYOR, K VATSKALIS (CHAIR) –  
1ST ORDINARY COUNCIL MEETING  
– TUESDAY, 10 APRIL 2018

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**Confirmed On:** **Tuesday, 24 April 2018**

**Chair:**

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