

**CITY OF DARWIN**

MINUTES OF THE TWENTY-FOURTH ORDINARY COUNCIL MEETING OF THE TWENTY-SECOND COUNCIL HELD AT THE ESSINGTON INTERNATIONAL SCHOOL DARWIN, CHAPMAN ROAD, NIGHTCLIFF, ON TUESDAY, 25 SEPTEMBER 2018 COMMENCING AT 5.32PM.

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

OFFICERS: Chief Executive Officer, Mr S Waters; Chief of Staff, Ms M Reiter; Chief Operating Officer, Mr C Potter; Acting General Manager Engineering and City Services, Mr N Kleine; Acting General Manager Community and Regulatory Services, Ms S Gamble; Consultant, Mr A Roach; Manager City Planning, Ms C Robson; Planning Officer, Mr B Sellers; Committee Administrator, Mrs P Hart.

APOLOGY: Member S Cullen; Member R M Knox; Member G Lambrinidis.

MEDIA: NT News, Mr Will Zwar; Channel 9, Ms Melissa Mackay; ABC xxx

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**WEBCASTING DISCLAIMER**

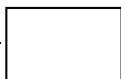
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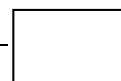
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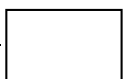
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**1. ACKNOWLEDGEMENT OF COUNTRY**

**2. THE LORD'S PRAYER**

**3. MEETING DECLARED OPEN**

The Chair declared the meeting open at 5.32pm.

**4. APOLOGIES AND LEAVE OF ABSENCE**

Common No. 2695036

**4.1 Apologies**

Nil

**4.2 Leave of Absence Granted**

(Glover/Bouhoris)

- A. THAT it be noted Member G Lambrinidis is an apology due to a Leave of Absence previously granted on 17 July 2018 for the period 23 August to 2 October 2018.
- B. THAT it be noted Member S Cullen is an apology due to a Leave of Absence previously granted on 28 August 2018 for the period 23 September to 1 October 2018.
- C. THAT it be noted Member R M Knox is an apology due to a Leave of Absence previously granted on 28 August 2018 for the period 8 September to 1 October 2018.

DECISION NO.22\1094

(25/09/18)

Carried

**4.3 Leave of Absence Requested**

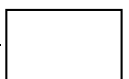
(Lord Mayor/Haslett)

- A. THAT a Leave of Absence be granted for Member M Palmer for the period 17-23 October 2018.
- B. THAT a Leave of Absence be granted for Member S J Niblock for the period 1-12 October 2018.

DECISION NO.22\1095

(25/09/18)

Carried



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION  
TUESDAY, 25 SEPTEMBER 2018

ORD09/5

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

**5.1 Electronic Meeting Attendance Granted**

Nil

**5.2 Electronic Meeting Attendance Requested**

(Lord Mayor/Haslett)

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 1 to 12 October 2018.

DECISION NO.22\1096 (25/09/18) 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/Pangquee)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 11 September 2018, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.22\1097 (25/09/18) Carried



## 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.*

(Pangquee/Young)

- A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 11 September 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\1098 (25/09/18) Carried

## 7.3 Business Arising

Nil

## 8. MATTERS OF PUBLIC IMPORTANCE

Nil

## 9. DEPUTATIONS AND BRIEFINGS

Nil

## 10. PUBLIC QUESTION TIME

(Pangquee/Young)

THAT the following Public Questions and responses as tabled from Ms Lia Gill regarding Traffic concerns on Alawa Crescent be received and noted.

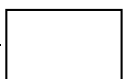
DECISION NO.22\1099 (25/09/18) Carried

### 10.1 Questions from Ms Lia Gill – Traffic concerns on Alawa Crescent Common No. 3410519

#### Question 1

Why have the concerns of the people of Alawa been ignored in relation to this matter for so many years?

*Continued on next page.*



### **Response**

The concerns of Alawa residents regarding traffic issues along Alawa Crescent have not been ignored by Council.

When speeding along this road was highlighted two years ago, Council undertook a traffic investigation, including traffic counts at multiple locations along Alawa Crescent. The measured 85th percentile speeds at that time, were not excessive (52.9 and 59.7 km/hour) but higher than the road speed limits. As the control of vehicle speeds is a community-wide responsibility, with enforcement, education and if required-engineering all playing a role, at that time, Council deployed speed-check signs as an educational measure and wrote the NT Police requesting additional speed enforcement along this road.

### **Question 2**

What was the outcome of the investigation by City of Darwin Council into the issues of speeding traffic along this road?

Could a copy of this investigation summary be included with this answer?

### **Response**

The latest investigation confirmed that there was a reduction in 85th percentile speeds along Alawa Crescent from 52.9 and 59.7 km/hr (measured in 2016) to 48.2 and 59.4 km/hr (measured in 2018). Although the previous education and increased enforcement measures have been somewhat effective in reducing the speeds along these roads, the measured speeds are still above the road speed limits.

Although the previous education and additional policing measures implemented have had a positive effect on speed reductions along Alawa Crescent, given that the latest measured 85th percentile speeds are still in excess of the road speed limits, Council will now consider the feasibility of implementing further physical traffic calming along Alawa Crescent, pending funding availability and community consultation with all stakeholders.

Should funding for these works be secured, concept designs of the proposed measures will be provided to all stakeholders, to obtain their views, prior to finalising the designs and programming for implementation.

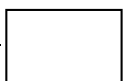
### **Question 3**

Do we have to wait until one of our kids are badly injured or killed before this issue is adequately addressed and acted on by Council?

### **Response**

Safety along all roads is a community-wide responsibility with enforcement, education and if required-engineering all playing a role. The latest investigation has determined that although the previous educational and additional speed enforcement measures were somewhat effective in reducing speeds along Alawa Crescent, the implementation of physical traffic calming works should now be considered.

In the meantime, Council will deploy speed-check signs along Alawa Crescent as an educational measure and again write to the Northern Territory Police requesting speed enforcement be undertaken within the area.



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

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

(Young/Haslett)

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 |
| C25.1       | 8(e)              | information provided to the council on condition that it be kept confidential   |
| C27.1.1     | 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\1100

(25/09/18)

Carried

**11.2 Moving Open Items Into Confidential**

Nil

**11.3 Moving Confidential Items Into Open**

Nil

**12. PETITIONS**

Nil





TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION  
TUESDAY, 25 SEPTEMBER 2018

ORD09/9

**13. NOTICE(S) OF MOTION**

**13.1 Sister City Subcommittee Activities**

**Common No.**

(Haslett/Lord Mayor)

That Council allocates \$6,000 per annum to each Sister City subcommittee to undertake activities to strengthen relations with our Sister Cities.

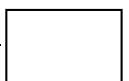
DECISION NO.22\1101

(25/09/18)

Carried 9/1

ACTION: CHIEF EXECUTIVE OFFICER

DRAFT



## 14.1 OFFICERS REPORTS (ACTION REQUIRED)

### 14.1.1 4th Quarter Budget Review and Carry Forwards 2017-2018

Report No. 18CP0114 IF:ph (25/09/18) Common No. 2476534

(Haslett/Bouhoris)

- A. THAT Report Number 18CP0114 IF:ph entitled 4th Quarter Budget Review and Carry Forwards 2017-2018, be received and noted.
- B. THAT Council, pursuant to Section 128 of the Local Government Act, amend the budget 2017/2018 as detailed in report 18CP0108 IF:je entitled 4th Quarter Budget Review and Carry Forwards 2017-2018 and contained in **(Attachments A-E)** with Municipal Budget Summary implications as per **(Attachment A)**:
- a) “Operating Result (Income Statement)”, increase of \$45,909,000 (credit) less “non-cash items” \$42,056,000 (debit) leading to reduction in “Funds from operations” of \$3,823,000 (credit).  
**(Attachment A Notes 1 – 3)**
  - b) “Sale of assets” decrease of \$220,000 (debit) **(Attachment A Note 4)** and “Purchases of assets”, decrease of \$1,351,000 (debit). **(Attachment E Note 4 - 5)**. Loan repayments decrease of \$143,000 (credit) **(Note 6)**.
  - c) “Transfers from specific reserves” \$5,098,000 (debit).  
**(Attachment C Note 7)**
  - d) The sum of the above (a -c) variations to the existing adopted budget result in nil effect to General Funds (balanced budget).  
**(Attachment A – Bottom Line)**
- C. THAT Council, pursuant to Section 128 of the Local Government Act, resolves to vary the 2018/19 budget by adopting the carry forward budget variations and associated funding in **Attachment E** to Report Number 18CP0114 IF:ph entitled 4th Quarter Budget Review and Carry Forwards 2017-2018 totalling \$ 16,291,718.

DECISION NO.22\1102

(25/09/18)

Carried unanimously

ACTION: MANAGEMENT ACCOUNTANT  
NOTE: MANAGER FINANCE, COO



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION  
TUESDAY, 25 SEPTEMBER 2018

ORD09/11

**14.1.2 Review of Committee Structure - Update September 2018**

Report No. 18CE0034 MR:ph (25/09/18) Common No. 2221528

(Haslett/Arthur)

- A. THAT Report Number 18CE0034 MR:ph entitled Review of Committee Structure - Update September 2018, be received and noted.
- B. THAT Council continue the briefing session model until December 2018.

DECISION NO.22\1103

(25/09/18)

Carried unanimously

ACTION: COMMITTEE ADMINISTRATOR

NOTE: CHIEF OF STAFF

**14.1.3 Review of Policy No. 022 - Statement of Significant Accounting Policy**

Report No. 18CE0113 IF:ph (25/09/18) Common No. 2078949

(Palmer/Lord Mayor)

- A. THAT Report Number 18CE0113 IF:ph entitled Review of Policy No. 022 - Statement of Significant Accounting Policy, be received and noted.
- B. THAT Council rescind the current City of Darwin Policy No. 022 - Statement of Significant Accounting Policy.
- C. THAT Council adopt the amended Policy No. 022 - Statement of Significant Accounting Policy at **Attachment B** to Report Number 18CE0113 IF:ph entitled Review of Policy No. 022 - Statement of Significant Accounting Policy.

DECISION NO.22\1104

(25/09/18)

Carried unanimously

ACTION: MANAGER STRATEGY

NOTE: MANAGEMENT ACCOUNTANT, MANAGER FINANCE, COO



**14.1.4 Review of Policy No. 023 – Borrowing Policy**

Report No. 18CE0112 IF:ph (25/09/18) Common No. 2078949

(Glover/Pangquee)

- A. THAT Report Number 18CE0112 IF:ph entitled Review of Policy No. 023 – Borrowing Policy, be received and noted.
- B. THAT Council rescind the current City of Darwin Policy No.023 – Borrowing Policy.
- C. THAT Council adopt the amended Policy No.023 – Borrowing Policy, at **Attachment B** to Report Number 18CE0112 IF:ph entitled Review of Policy No. 023 – Borrowing Policy.

DECISION NO.22\1105 (25/09/18) Carried unanimously

ACTION: MANAGER STRATEGY  
NOTE: MANAGEMENT ACCOUNTANT, MANAGER FINANCE, COO

**14.1.5 Review of Policy No. 066 – Allocation of Surplus Funds**

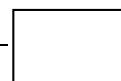
Report No. 18CE0110 IF:ph (25/09/18) Common No. 2078949

(Bouhoris/Want de Rowe)

- A. THAT Report Number 18CE0110 IF:ph entitled Review of Policy No. 066 – Allocation of Surplus Funds, be received and noted.
- B. THAT Council rescind the current Policy No. 066 - Allocation of Surplus Funds.
- C. THAT Council adopt the amended Policy No. 066 - Allocation of Surplus Funds at **Attachment B** to Report Number 18CE0110 IF:ph entitled Review of Policy No. 066 - Allocation of Surplus Funds.

DECISION NO.22\1106 (25/09/18) Carried unanimously

ACTION: MANAGER STRATEGY  
NOTE: MANAGEMENT ACCOUNTANT, MANAGER FINANCE, COO



**14.1.6 Revision of the Decision to Sell Portion of Road Reserve Adjacent 13 Larrakeyah Terrace, Larrakeyah**

Report No. 18CO0045 JW:jg (25/09/18) Common No. 2853055

(Want de Rowe/Young)

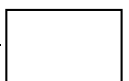
- A. THAT Report Number 18CO0045 JW:jg entitled Revision of the Decision to Sell Portion of Road Reserve Adjacent 13 Larrakeyah Terrace, Larrakeyah, be received and noted.
- B. THAT Council approve in principle the subdivision and consolidation of parts of Lots 5246 and 8107 and the sale of the land subject to compliance with the Local Government Regulations and the satisfactory resolution of all issues associated with that compliance and that the sale be subject to:
- a. The parts of Lots 5246 and 8107 as depicted in Report Number 18CO0045 JW:jg entitled Revision of the Decision to Sell Portion of Road Reserve Adjacent 13 Larrakeyah Terrace, Larrakeyah.
  - b. The purchase price be set at \$120,000 as per the Independent Valuation obtained by Council.
  - c. The Purchaser preparing and lodging with any relevant Authority all necessary documents which are required to give effect to the Agreement.
  - d. The Purchaser is to identify any Power and Water Corporation and Telstra easements over the land and identify those easements on a Survey Plan to the satisfaction of the Surveyor General. It is the Purchaser's responsibility to provide final Survey Plan for the transfer of land to the satisfaction of the Surveyor General.
  - e. The land being consolidated into the purchaser's Lot after the sale of the land.
  - f. All costs associated with the sale of the land, including but not limited to, advertising, survey plans, Local Government road closure process, legal and other associated fees be borne by the proponent.
- C. THAT Council pursuant to Section 32 (2) of the Local Government Act hereby delegates to the Chief Executive Officer the power to finalise the terms and conditions of the contract of sale for the portion of land on, Lots 5246 and 8107, Town of Darwin.
- D. THAT pursuant to Section 26(2) Council approve the affixing of the common seal to all associated documentation for the closure and sale of land adjacent to lot 3781(13) Larrakeyah Terrace, Larrakeyah, Town of Darwin and that documentation be attested by the signatures of the Chief Executive Officer and the Lord Mayor.

DECISION NO.22\1107

(25/09/18)

Carried unanimously

ACTION:  
NOTE:



**14.1.7 Governance and Operating Structure for Thorak Regional Cemetery**

Report No. 18CE0033 MR:ph (25/09/18) Common No. 3790381

*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.*

(Lord Mayor/Bouhoris)

- A. THAT Report Number 18CE0033 MR:ph entitled Governance and Operating Structure for Thorak Regional Cemetery, be received and noted.
- B. THAT Council endorse the report at **Attachment B** to Report Number 18CE0033 MR:ph entitled Governance and Operating Structure for Thorak Regional Cemetery.
- C. THAT Council jointly write to the Minister for Housing and Community Development to support the Top End Regional Organisation of Councils' business case to change the governance and operating structure for Thorak Regional Cemetery to a Ministerial Appointed Board with appropriations.
- D. THAT this decision be moved into Open.

DECISION NO.22\1108

(25/09/18)

Carried unanimously

ACTION: CHIEF OF STAFF  
NOTE: CHIEF EXECUTIVE OFFICER

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

**14.2.1 Monthly Financial Report - August 2018**

Report No. 18CP0115 IF:ph (25/09/18) Common No. 2476534

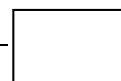
(Palmer/Haslett)

THAT Report Number 18CP0115 IF:ph entitled Monthly Financial Report - August 2018, be received and noted.

DECISION NO.22\1109

(25/09/18)

Carried unanimously



**15. TOWN PLANNING REPORT/LETTER**

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

Report No. 18CF0085 BS:jdb (25/09/18) Common No. 2547669

(Palmer/Lord Mayor)

- A. THAT Report Number 18CF0085 BS:jdb entitled Council Responses to Planning Applications - September 2018, be received and noted.
- B. THAT Council endorse the responses to the Development Consent Authority within **Attachment A** to Report Number 18CF0085 BS:jdb entitled Council Responses to Planning Applications - September 2018.

DECISION NO.22\1110 (25/09/18)

Carried unanimously

ACTION: MANAGER CITY PLANNING  
NOTE: CHIEF EXECUTIVE OFFICER

**15.2 Town Planning Delegations**

Report No. 18CF0088 CR:hd (25/09/18) Common No. 2481144

(Bouhoris/Haslett)

- A. THAT Report Number 18CF0088 CR:hd entitled Town Planning Delegations, be received and noted.
- B. THAT Council adopt the proposal to modify planning delegations as outlined in this report and **Attachment B**, as amended, to Report Number 18CF0088 CR:hd entitled Town Planning Delegations

DECISION NO.22\1111 (25/09/18)

Carried unanimously

ACTION: MANAGER CITY PLANNING  
NOTE: CHIEF EXECUTIVE OFFICER



**15.3 Rapid Creek Flood Response Specific Use Zone PA2018/0243**

Report No. 18CF0087 DB:hd (25/09/18) Common No. PA2018/0243

(Glover/Want de Rowe)

- A. THAT Report Number 18CF0087 DB:hd entitled Rapid Creek Flood Response Specific Use Zone PA2018/0243 be received and noted.
- B. THAT Council endorse the letter, dated 26 September 2018, to the Reporting Body within **Attachment A** to Report Number 18CF0087 DB:hd entitled Rapid Creek Flood Response Specific Use Zone PA2018/0243.

DECISION NO.22\1112

(25/09/18)

Carried 9/1

ACTION: MANAGER CITY PLANNING  
NOTE: CHIEF EXECUTIVE OFFICER

**16. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**

Nil

**17. REPORTS OF REPRESENTATIVES**

Common No. 1735503

(Want de Rowe/Young)

THAT the following Reports of Representatives be received and noted.

DECISION NO.22\1113

(25/09/18)

Carried

**17.1 Tree Re-establishment Advisory Committee**

Member P Pangquee reported his attendance at the Tree Re-establishment Advisory Committee meetings. The committee has met four times and work is well underway on the tree planting list, which is going to go out to public consultation, from Friday, for 2 weeks. Member Pangquee noted that best practice guideline for trees in Darwin is also going to be developed.





**17.2 Canberra**

The Lord Mayor reported on his trip to Canberra in September 2018. He reported that he met with the new Prime Minister and the new Minister City Deal. Lord Mayor noted that he took part in the Facing North event in Canberra, which was also attended by the Mayor of City of Palmerston and Mayor of Litchfield Council.

**17.3 Milikapiti**

The Lord Mayor noted that he will visit City of Darwin's domestic sister city, Milikapiti, on the Tiwi Islands tomorrow.

**18. QUESTIONS BY MEMBERS**

Nil

**19. GENERAL BUSINESS**

**19.1 Appreciation to Katie Hearn**

(Want de Rowe/Palmer)

THAT Council thank the outgoing Manager Vibrant Communities, Ms Katie Hearn, for her hard work and dedication to City of Darwin and the community.

DECISION NO.22\1114 (25/09/18) Carried unanimously

**21. DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**

Common No. 2695130

(Want de Rowe/Young)

THAT the next Ordinary Meeting of Council be held on Tuesday, 9 October 2018, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

DECISION NO.22\1115 (25/09/18) Carried



TWENTY-FOURTH ORDINARY COUNCIL MEETING – OPEN SECTION  
TUESDAY, 25 SEPTEMBER 2018

ORD09/18

**22. CLOSURE OF MEETING TO THE PUBLIC**

Common No. 2695131

(Want de Rowe/Palmer)

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\1116 (25/09/18) Carried

**23. ADJOURNMENT OF MEETING AND MEDIA LIAISON**

Common No. 2695132

(Want de Rowe/Palmer)

THAT the meeting be adjourned at 6.25pm for 15 minutes to enable the Media to liaise with the Lord Mayor.

DECISION NO.22\1117 (25/09/18) Carried

*The meeting moved to the Confidential Section at 6.40pm.*

**THE RIGHT WORSHIPFUL, LORD  
MAYOR, K VATSKALIS (CHAIR) –  
ORDINARY COUNCIL MEETING –  
TUESDAY, 25 SEPTEMBER 2018**

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**Confirmed On: Tuesday, 9 October 2018**

**Chair:** \_\_\_\_\_

