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MINUTES

**Ordinary Council Meeting
Tuesday, 16 July 2019**

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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, 16 JULY 2019 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Alderman Andrew Arthur, Alderman Sherry Cullen, 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), Chris Potter (General Manager Corporate and Procurement Services), Melissa Reiter (General Manager Government Relations & External Affairs), Ron Grinsell (General Manager Engineering & City Services), Vanessa Green (Manager Strategy and Outcomes), Jane de Gault (Media and Communications Advisor), Sally Vasey (Executive Assistant to the Lord Mayor), Penny Hart (Coordinator Governance), Caitlyn Moulds (Alderman Liaison Officer)
- APOLOGY:** Alderman Peter Pangquee, Alderman Jimmy Bouhoris
- MEDIA:** ABC News, Kate Ashton

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1 ACKNOWLEDGEMENT OF COUNTRY

2 THE LORD’S PRAYER

3 MEETING DECLARED OPEN

The Chair declared the meeting open at 5.35 pm.

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 APOLOGIES

RESOLUTION ORD231/19

Moved: Alderman Andrew Arthur

Seconded: Alderman Gary Haslett

THAT the apology from Alderman Peter Pangquee, be received.

CARRIED 11/0

4.2 LEAVE OF ABSENCE GRANTED

RESOLUTION ORD232/19

Moved: Alderman Andrew Arthur

Seconded: Alderman Gary Haslett

A. THAT it be noted Alderman Peter Pangquee is an apology due to a Leave of Absence previously for the period 1 July to 21 July 2019.

B. THAT it be noted Alderman Jimmy Bouhoris is an apology due to a Leave of Absence previously for the period 26 June to 11 August 2019

.CARRIED 11/0

4.3 Leave of Absence Requested**4.3 LEAVE OF ABSENCE REQUESTED****RESOLUTION ORD233/19**

Moved: Alderman Justine Glover

Seconded: Alderman George Lambrinidis

- A. THAT a Leave of Absence be rescinded for Alderman Peter Pangquee for the period 1 July to 21 July 2019.
- B. THAT a Leave of Absence be granted for Alderman Andrew Arthur for the period 18 July to 21 July 2019.
- C. THAT a Leave of Absence be granted for Alderman Sherry Cullen for the period 13 July to 21 August 2019.
- D. THAT a Leave of Absence be granted for Alderman Robin Knox for the period 20 July to 21 July 2019.

CARRIED 11/0

5 ELECTRONIC MEETING ATTENDANCE**5.1 ELECTRONIC MEETING ATTENDANCE GRANTED****RESOLUTION ORD234/19**

Moved: Alderman Emma Young

Seconded: Alderman Justine 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 member(s) was granted permission for Electronic Meeting Attendance at the Ordinary Council Meeting held on Tuesday, 16 July 2019

- Alderman Sherry Cullen

CARRIED 11/0

5.2 Electronic Meeting Attendance Requested**5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED****RESOLUTION ORD235/19**

Moved: Alderman Emma Young

Seconded: Alderman Justine 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:

- A. Alderman Sherry Cullen to attend all Council and Committee Meetings for the period of 13 July, to 21 August 2019. **CARRIED 11/0**

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 ORD236/19

Moved: Alderman Robin Knox

Seconded: Alderman Andrew Arthur

That the minutes of the Ordinary Council Meeting held on 25 June 2019 be confirmed.

CARRIED 11/0

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

13.1 PLANNING SCHEME AMENDMENT - CLAUSE 7.5 (PRIVATE OPEN SPACE)

SUMMARY

The purpose of this report is to provide Council with comments on a proposed amendment to Clause 7.5 (Private Open Space) the Northern Territory Planning Scheme

RESOLUTION ORD237/19

Moved: Alderman Gary Haslett
Seconded: Alderman Andrew Arthur

1. THAT the report be received and noted.
2. That Council endorse the attached submission to the Planning Commission, within Attachment 1 to this report.

CARRIED 11/0

13.2 SUBMISSION TO THE DRAFT LOCAL GOVERNMENT BILL CONSULTATION

SUMMARY

The purpose of this report is to present a submission to the draft Local Government bill consultation for Council endorsement.

RESOLUTION ORD238/19

Moved: Alderman Mick Palmer
Seconded: Alderman Rebecca Want de Rowe

1. THAT the report be received and noted.
2. THAT Council endorse the submission to the draft Local Government Bill consultation at **Attachment 1** as amended.

CARRIED 11/0

13.3 ACCESS AND INCLUSION ADVISORY COMMITTEE MEETING MINUTES 2 JULY 2019

SUMMARY

The purpose of this report is to present the minutes of the Access and Inclusion Advisory Committee meeting held on 2 July 2019 and seek Council endorsement of recommendations.

RESOLUTION ORD239/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Robin Knox

1. THAT the Report entitled Access and Inclusion Advisory Committee Meeting Minutes 2 July 2019 be received and noted, as at **Attachment 1**.
2. THAT Council endorse the recommendation of the committee to host beach accessibility training for key stakeholders

CARRIED 11/0

13.4 PROPERTY COUNCIL 20 BY 20 REFORMS

SUMMARY

The purpose of this report is to seek Council's endorsement of City of Darwin's response to the Property Council 20 by 20 Reform Paper.

RESOLUTION ORD240/19

Moved: Alderman Emma Young

Seconded: Alderman Justine Glover

1. THAT the report entitled Property Council 20 by 20 Reforms be received and noted.
2. THAT the City of Darwin response to the Property Council 20 by 20 Reforms, **Attachment 2** as amended to this report, be endorsed.

CARRIED 11/0

14 RECEIVE & NOTE REPORTS**14.1 CONFIRMATION OF EXECUTIVE COMMITTEE MEETING MINUTES - 2018****SUMMARY**

The purpose of this report is to present the final minutes of the executive committee meetings for confirmation by Council.

RESOLUTION ORD241/19

Moved: Alderman Rebecca Want de Rowe
Seconded: Alderman Justine Glover

1. THAT the report be received and noted.
2. THAT the tabled minutes of the previous executive committee meetings be received and confirmed as a true and correct record of the proceedings of those meetings:
 - (a) City Life Committee - 23 July 2018
 - (b) City Futures Committee - 24 July 2018
 - (c) City Operations Committee - 25 July 2018
 - (d) City Performance Committee - 24 July 2018

CARRIED 11/0**14.2 DARWIN 2030 - STRATEGIC PLAN PERFORMANCE MANAGEMENT FRAMEWORK - PLACESCORE SURVEY****SUMMARY**

The purpose of this report is to inform Council of the Placescore Survey being delivered across Darwin from late July to August 2019.

RESOLUTION ORD242/19

Moved: Alderman Robin Knox
Seconded: Alderman Emma Young

THAT the incoming correspondence be received and noted.

CARRIED 11/0

14.3 INCOMING CORRESPONDENCE FROM THE MEMBER FOR SANDERSON - VELODROME UPGRADE

SUMMARY

The purpose of this report is to present to Council correspondence received from the Member for Sanderson in relation to the Velodrome.

RESOLUTION ORD243/19

Moved: Alderman Andrew Arthur

Seconded: Alderman Rebecca Want de Rowe

THAT the incoming correspondence be received and noted.

CARRIED 11/0

15 REPORTS OF REPRESENTATIVES

15.1 REPORTS OF REPRESENTATIVES

RESOLUTION ORD244/19

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Rebecca Want de Rowe

THAT the following Reports of Representatives be received and noted.

CARRIED 11/0

15.2 LORD MAYORS VISIT TO PERTH - COMMUNITY SAFETY SERVICES

Lord Mayor reported on his visit to Perth to discuss community safety matters with four councils being City of Perth, City of Bayswater, City of Canning and City of Fremantle. Lord Mayor explained that some council have separate community officers to rangers and they each played a role in the city to ensure its community safety and that the By-Laws were upheld. Lord Mayor explained that the councils had noted there was a need for councils to move away from the usual, 'Roads, Rates and Rubbish' and become more involved in community matters such as safety, homelessness and anti-social behaviours.

Lord Mayor noted the Community Safety Officers worked closely with the Police to report issues and stressed that they were not the Police however the Community Safety Officers had clearly marked vehicles, uniforms and wore personal body cameras to record the interactions they had with the community. The Perth councils had all agreed that the Community Safety Officers had made a strong impact in the community, for the positive.

15.3 LORD MAYOR ATTENDANCE AT THE ASIA PACIFIC CITIES SUMMIT & MAYORS FORUM

The Lord Mayor reported on his visit to Brisbane for the Asia Pacific Cities Summit and Mayors Forum. He noted that they met with the Federal Minister regarding homelessness and that it is a major issue for Governments of all levels across Australia.

16 QUESTIONS BY MEMBERS**16.1 ALAWA COMMUNITY GARDEN TREE****RESOLUTION ORD245/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Robin Knox

THAT the following Questions by Members be received and noted.

Alderman Knox queried if there can be a second arborist can assess and provided a report for the tree in the community garden in Alawa along Lakeside Drive?

General Manager Engineering and City Services responded and explained that an second arborist will assess the tree and all works regarding the tree were on hold until it was reviewed.

CARRIED 11/0

16.3 PEDESTRAIN CROSSING AT MINDIL MARKETS**RESOLUTION ORD246/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Robin Knox

THAT the following Questions by Members be received and noted.

Alderman Knox noted there is no convenient way to cross the road from the bus stop on Gilruth Avenue to the markets. Could council investigate a pedestrian crossing in the area?

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

CARRIED 11/0

16.4 FIREBREAK ON DICKWARD DRIVE**RESOLUTION ORD247/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Robin Knox

THAT the following Questions by Members be received and noted.

Alderman Knox noted that there is a lot of Gamber grass along Dickward Drive Ludmilla near the Community. Can the fire brake be made wider to prevent the Council planted trees being damaged in a fire.

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

CARRIED 11/0

16.5 RECYCLE BIN IN THE CIVIC CENTRE**RESOLUTION ORD248/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Robin Knox

THAT the following Questions by Members be received and noted.

Alderman Knox queried if the recycle bin under the stair case be moved to a more obvious area to encourage more recycling.

The General Manager Engineering and City Services responded and advised that an update is to be provided.

CARRIED 11/0

16.6 E-WASTE AT SHOAL BAY**RESOLUTION ORD249/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Robin Knox

THAT the following Questions by Members be received and noted.

Alderman Knox reported that she has received complaints from residents regarding e-waste at Shoal Bay. Can signage be installed around Shoal Bay to help the community with where it is to be dropped off.

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

The Lord Mayor asked a further question regarding who else takes e-waste in Darwin.

The General Manager Engineering and City Services to the question on notice

CARRIED 11/0

16.7 BILLBOARD AT MARRARA**RESOLUTION ORD250/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Robin Knox

THAT the following Questions by Members be received and noted.

Alderman Glover reported that the Billboard at Marrara is distracting. Alderman Glover queried if the sign is compliant with councils sign policy

*The General Manager of Innovation Growth and Development took the question on notice***CARRIED 11/0**

16.8 ENTRANCE TO DRIPSTONE CLIFFS**RESOLUTION ORD251/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Robin Knox

THAT the following Questions by Members be received and noted.

Alderman Glover reported that at the entrance to the Dripstone cliffs are not being watered and the grass is dying. Could council install irrigation to the area.

The Lord Mayor responded and advised that it is the Northern Territory Governments land and he will write to the Northern Territory Government regarding the issue.

CARRIED 11/0

17 GENERAL BUSINESS**17.1 ACTING DEPUTY LORD MAYOR – 20 JULY TO 21 JULY 2019****RESOLUTION ORD252/19**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Gary Haslett

THAT in accordance with Part 4.3 of the Local Government Act, Alderman Want de Rowe be appointed as Acting Deputy Lord Mayor for the period 20 to 21 July 2019.

CARRIED 11/0

17.2 DEPUTY LORD MAYOR - 18 SEPTEMBER 2019 TO 18 JANUARY 2020**RESOLUTION ORD253/19**

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Justine Glover

THAT in accordance with Part 4.3 of the Local Government Act, Alderman Niblock be appointed as Deputy Lord Mayor for the period 18 September 2019 to 18 January 2020.

CARRIED 11/0

17.3 KAILIS PARK

RESOLUTION ORD254/19

Moved: Alderman Gary Haslett
 Seconded: Alderman Justine Glover

THAT the following question by member be received and noted

Alderman Want de Rowe queried what is happening with the playground equipment at Kailis park?

The Chief Executive Officer responded and advised that a memorial will be placed in the park and the equipment replaced.

Alderman Want de Rowe queried if the ward alderman will be involved in the consultation of the new play equipment.

CARRIED 11/0

17.4 SPEEDING CONCERNS ALONG CASTLEREAGH CIRCUIT LEANYER

RESOLUTION ORD255/19

Moved: Alderman Gary Haslett
 Seconded: Alderman Justine Glover

THAT the following question by member be received and noted

Alderman Want de Rowe reported that she has received concerns from residents on Castlereagh Drive regarding speeding vehicles. Can council prepare a traffic study report to council.

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

CARRIED 11/0

17.5 OLD COUNCIL DEPO IN LEANYER

RESOLUTION ORD256/19

Moved: Alderman Gary Haslett
 Seconded: Alderman Justine Glover

THAT the following question by member be received and noted

Alderman Want de Rowe requested if a report can be prepared regarding the reopening of the old Leanyer depo.

The General Manager Engineering City Services too the question on notice and advised that is will be a part of the property strategy.

CARRIED 11/0

17.6 DOG PARK AT THE NEW FLOOD MITIGATION AREA**RESOLUTION ORD257/19**

Moved: Alderman Gary Haslett
Seconded: Alderman Justine Glover

THAT the following question by member be received and noted

Alderman Want de Rowe queried that now that the new Rapid Creek flood mitigation works are compiled council begin the discussion with the Northern Territory Government to place a dog park in the area.

The Chief Executive Officer took the question on notice.

CARRIED 11/0

17.7 CLAYMORE CIRCUIT UPDATE**RESOLUTION ORD258/19**

Moved: Alderman Gary Haslett
Seconded: Alderman Justine Glover

THAT the following question by member be received and noted

Alderman Want de Rowe requested an update be provided to Council regarding the greening of the circuit as she has received complaints that the mulch used is not sufficient and residents had not been consulted..

The General Manager Engineering and City Services responded and advised that at 41 Claymore Circuit the owner has agreed to maintain lawn. Topsoil and seeding has been carried out by Council staff and the resident will water, establish grass and then maintain ongoing.

The resident at 43 Claymore Circuit was not interested in maintaining. Council has removed unsightly vegetation, levelled and mulched.

The verge area adjacent to 45 & 47 Claymore Circuit has been planted with 8 trees and mulched approximately 4m either side of the combined driveway/footpath. The owner of 45 Claymore Circuit has agreed to water the trees to establish. Council will visit site fortnightly to ensure site is establishing. Ultimately the area will revert to being maintained on the laneway maintenance schedule.

CARRIED 11/0

17.8 APPRECIATION TO THE COORDINATOR OF GOVERNANCE**RESOLUTION ORD259/19**

Moved: Alderman Gary Haslett
Seconded: Alderman Justine Glover

THAT the Council express its appreciation for the outstanding work undertaken by the Coordinator of Governance during her employment with the City of Darwin

CARRIED 11/0

18 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**18.1 DATE, TIME AND PLACE OF THE NEXT ORDINARY COUNCIL MEETING****RESOLUTION ORD260/19**

Moved: Alderman Emma Young
Seconded: Alderman George Lambrinidis

THAT the next Ordinary Meeting of Council be held on Tuesday, 30 July 2019, at 5:30pm (Open Section followed by the Confidential Section), Casuarina Library 17 Bradshaw Terrace Casuarina.

CARRIED 11/0

19 CLOSURE OF MEETING TO THE PUBLIC**19.1 CLOSURE OF MEETING TO THE PUBLIC****RESOLUTION ORD261/19**

Moved: Alderman Justine Glover
Seconded: Alderman Robin Knox

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 11/0

RESOLUTION ORD262/19

Moved: Alderman Gary Haslett
 Seconded: Alderman Robin Knox

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:

24.1 HELP NT - Notice to Quit

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.

24.2 Correspondence from the Activate Darwin Advisory Board

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.

24.3 Agenda and Minutes of the Top End Regional Organisation of Councils Meeting - 13 June 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.

24.4 Confirmation of confidential executive committee meeting minutes - 2018

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.

CARRIED 11/0

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON**ADJOURNMENT OF MEETING****RESOLUTION ORD263/19**

Moved: Alderman Sherry Cullen
 Seconded: Alderman Robin Knox

That in accordance with By-Law 163(d), the meeting be adjourned at 6:47 pm for 10 minutes to enable the Council to have a break.

CARRIED 11/0

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 30 July 2019.

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CHAIR