



MINUTES

**Ordinary Council Meeting
Tuesday, 15 October 2019**

Reports, recommendations and supporting documentation can be accessed via the City of Darwin Council Website at www.darwin.nt.gov.au, at Council Public Libraries or contact the Committee Administrator on (08) 8930 0670.

**MINUTES OF CITY OF DARWIN
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, LEVEL 1, CIVIC CENTRE, HARRY CHAN AVENUE,
DARWIN
ON TUESDAY, 15 OCTOBER 2019 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Alderman Andrew Arthur, Alderman Jimmy Bouhori, 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, Alderman Emma Young
- OFFICERS:** Scott Waters (Chief Executive Officer), Joshua Sattler (General Manager Innovation Growth & Development Services), Russell Holden (Acting General Manager Corporate and Procurement Services), Melissa Reiter (General Manager Government Relations & External Affairs), Ron Quinn (Acting General Manager Engineering & City Services), Nik Kleine (Executive Manager Waste and Capital Works), Chris Kelly (Executive Manager Corporate Services), Shenagh Gamble (Executive Manager Environment and Community), Jane de Gault (Media and Communications Advisor), Caitlyn Moulds (Acting Coordinator Governance), Shelley Cook (Acting Alderman Liaison Officer)
- APOLOGY:** Alderman Sherry Cullen
- GUESTS:** NT News, Mr Will Zwar, ABC Media, Ms Sowaibah Hanifie

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1 ACKNOWLEDGEMENT OF COUNTRY

2 THE LORD'S PRAYER

3 MEETING DECLARED OPEN

The Chair declared the meeting open at 5.32 pm.

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 Apologies

Nil

4.2 LEAVE OF ABSENCE GRANTED

RESOLUTION ORD457/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Gary Haslett

THAT it be noted Alderman Sherry Cullen is an apology due to a Leave of Absence previously granted for the period 29 August to the 12 November 2019.

CARRIED 12/0

4.3 LEAVE OF ABSENCE REQUESTED

RESOLUTION ORD458/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Gary Haslett

A. THAT a Leave of Absence be granted for Alderman Peter Panqguee for the period 17 October to 21 October 2019

CARRIED 12/0

5 ELECTRONIC MEETING ATTENDANCE

5.1 ELECTRONIC MEETING ATTENDANCE GRANTED

RESOLUTION ORD459/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Gary 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 member was granted permission for Electronic Meeting Attendance at this the Forty-Seventh Ordinary Council Meeting held on Tuesday, 15 October 2019:

- Alderman Robin Knox

CARRIED 12/0

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 ORD460/19

Moved: Alderman Emma Young

Seconded: Alderman Sherry Cullen

That the minutes of the Ordinary Ordinary Council Meeting held on 24 September 2019 be confirmed.

CARRIED 12/0

8 MOVING OF CONFIDENTIAL ITEMS

With the consent of the Council, the following item was moved from the Confidential Section into the Open Section.

26.3 SUB LEASE OF KARAMA CHILDCARE CENTRE

SUMMARY

The purpose of this report is to seek Council consent for the subletting of Karama Childcare Centre

RESOLUTION ORD461/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT Council consent to the subletting of lease of Lot 6990 Town of Sanderson, Karama Child Care Centre, currently leased to Top End Early Learning Centre Incorporated, to the Malak Family Centre Incorporated, until 30 September 2022.
3. THAT pursuant to Section 32 (2) of the Local Government Act, Council hereby delegates to the Chief Executive Officer the power to negotiate any final terms and conditions for the sublease of Lot 6990 Town of Sanderson, Karama Child Care Centre, between Top End Early Learning Centre Incorporated and Malak Family Centre Incorporated.
4. THAT pursuant to Section 26 (2) of the Local Government Act, Council authorise the affixing of the Common Seal to all documents associated with Karama Child Care Centre and that this be attested by the signatures of the Chief Executive Officer and the Lord Mayor.
5. THAT pursuant to Section 2.3 of the lease of Lot 6990 Town of Sanderson, Karama Child Care Centre, the tenant will incur all reasonable costs of preparation of any renewal, surrender, assignment or transfer of this lease and any incidental documents, and all stamp duty and registration fees (if any).
6. THAT this decision be moved into open

CARRIED 12/0

9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

Nil

10 PUBLIC QUESTION TIME

Nil

11 PETITIONS

Nil

12 DEPUTATIONS AND BRIEFINGS

Nil

13 NOTICES OF MOTION

Nil

14 OFFICERS REPORTS

14.1 RENEWABLE ENERGY OPTIONS TO POWER SHOAL BAY LEACHATE TREATMENT SYSTEM

SUMMARY

The purpose of this report is to present the potential renewable energy options to power the proposed Shoal Bay Leachate Treatment Plant.

RESOLUTION ORD462/19

Moved: Alderman Andrew Arthur

Seconded: Alderman Rebecca Want de Rowe

THAT:

1. The report be received and noted.
2. Council test the market for the installation of a solar energy farm in conjunction with the final leachate treatment system at the Shoal Bay Waste Management Facility and that a report be bought back to Council.

.CARRIED 12/0

14.2 PROVISION OF 120L DOMESTIC WASTE BIN

SUMMARY

The purpose of this report is to provide Council information on the provision of different sized domestic waste bins for Council's kerbside waste collection service.

Alderman Jimmy Bouhoris departed the meeting at 6:00 pm.

Alderman Jimmy Bouhoris re-joined the meeting at 6:00 pm.

RESOLUTION ORD463/19

Moved: Alderman Simon Niblock

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT the development of the Waste Management Strategy gives consideration to different sized domestic waste bins.

CARRIED 12/0

14.3 PROJECT MANAGEMENT PLAN: CLIMATE EMERGENCY RESPONSE

SUMMARY

The purpose of this report is to seek Council endorsement of a project management plan to develop City of Darwin's Climate Emergency Response

RESOLUTION ORD464/19

Moved: Alderman Simon Niblock

Seconded: Alderman Gary Haslett

1. THAT the report be received and noted.
2. THAT Council endorse the proposed plan to develop City of Darwin's Climate Emergency Response, provided at **Attachment 1** to this report.
3. THAT Council endorse the establishment of a Climate Emergency Response revolving fund, investing savings from energy reduction measures into future initiatives that address City of Darwin's Climate Emergency Response.
4. THAT a dedicated staff member be engaged to drive the development of City of Darwin's Climate Emergency Response.
5. THAT the Lord Mayor's Climate Emergency Roundtable, be scheduled for Wednesday 4 December 2019.
6. THAT budget initiatives identified in the proposed plan, and in this report, are referred to the 2020/21 budget process.

CARRIED 10/2

14.4 PARKING IN THE CBD OVER CHRISTMAS 2019

SUMMARY

The purpose of this report is to consider providing free parking in the CBD over the Christmas period 2019.

RESOLUTION ORD465/19

Moved: Alderman Mick Palmer

Seconded: Alderman Peter Pangqueue

1. THAT the report be received and noted.
2. THAT Council provide free on-street car parking in the CBD between the 9 December 2019 and 5 January 2020.

CARRIED 12/0

14.5 INCOMING CORRESPONDENCE REGARDING RELOCATION OF NIGHTCLIFF LIBRARY TO JOHN STOKES SQUARE

SUMMARY

The purpose of this report is to present to Council the latest correspondence from Minister for Infrastructure, Planning and Logistics, regarding the inclusion of Nightcliff Library within the John Stokes Square development

RESOLUTION ORD466/19

Moved: Alderman Justine Glover

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT Council support a position to not progress any further advocacy for the inclusion of a new Nightcliff Library as part of the redevelopment of John Stokes Square.

Alderman Emma Young departed the meeting at 6:35 pm

Alderman Emma Young re-joined the meeting at 6:36 pm.

.CARRIED 12/0

14.6 APPOINTMENT OF ELECTED MEMBERS TO THE DEVELOPMENT CONSENT AUTHORITY ADVISORY COMMITTEE

SUMMARY

The purpose of this report is to appoint Elected Members to the Development Consent Authority Advisory Committee.

RESOLUTION ORD467/19

Moved: Alderman Justine Glover

Seconded: Alderman Simon Niblock

THAT this item be taken off the table and considered as the next item business.

CARRIED 12/0

RESOLUTION ORD468/19

Moved: Alderman Justine Glover

Seconded: Alderman Simon Niblock

1. THAT the report be received and noted.
2. THAT Council note the recent change in Elected Member representation in June 2019 from Alderman Sherry Cullen to Alderman Peter Pangquee.
4. THAT appoints two Elected Members and one Elected Member as the alternate member to the Development Consent Authority, being:
 - Alderman Pangquee
 - Alderman Niblock
 - Alderman Knox (Alternate)

CARRIED 12/0**14.7 DARWIN'S ICONIC LANDMARK - CONSULTATION REPORT****SUMMARY**

The purpose of this report is to present the consultation outcomes for Darwin's Iconic Landmark.

RESOLUTION ORD469/19

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Andrew Arthur

1. THAT the report be received and noted.
2. THAT based on the consultation outcomes there is not a high level of community support for an iconic landmark for Darwin at this time.
3. THAT the consultation feedback received for Darwin's Iconic Landmark be considered in the development of the public art projects within THRIVE Public Art Concept Brief for Bicentennial Park and/or Mindil.

CARRIED 12/0**14.8 COUNCIL RESPONSE TO LIQUOR LICENCE APPLICATIONS - HIBISCUS TAVERN****SUMMARY**

The purpose of this report is to present to Council for consideration, responses to liquor licence applications.

RESOLUTION ORD470/19

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT Council has not identified any reason that would grounds for objection under Section 57 (2) of the Liquor Act for the Application for a Permanent Variation to a Liquor Licence from Hibiscus Tavern.

CARRIED 10/2

Alderman Robin Knox requested that her against vote be recorded

15 RECEIVE & NOTE REPORTS**15.1 MINUTES OF THE RISK MANAGEMENT & AUDIT COMMITTEE MEETING HELD ON 30 AUGUST 2019****SUMMARY**

The purpose of this report is to present for information the Minutes of the Risk Management and Audit Committee meeting held 30 August 2019.

RESOLUTION ORD471/19

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Simon Niblock

THAT the Minutes of the Risk Management and Audit Committee held on 30 August 2019, at **Attachment 1**, be received and noted.

CARRIED 12/0

15.2 MONTHLY FINANCIAL REPORT - AUGUST 2019**SUMMARY**

The purpose of this report is to provide a comparison of income and expenditure against the budget for the period ended 31 August 2019 in accordance with the Local Government (Accounting) Regulations 2008.

RESOLUTION ORD472/19

Moved: Alderman Mick Palmer

Seconded: Alderman Justine Glover

THAT this item be taken off the table and considered as the next item business.

CARRIED 12/0

RESOLUTION ORD473/19

Moved: Alderman Gary Haslett

Seconded: Alderman Justine Glover

1. THAT this item be taken off the table and considered as the next item business.
2. THAT the report entitled Monthly Financial Report – August 2019 be received and noted.

CARRIED 12/0

15.3 INVITATION TO JOIN ARAFURA GAMES 2021 ADVISORY COMMITTEE**SUMMARY**

The purpose of this report is to inform Council of the invitation accepted by General Manager Innovation, Growth and Development Services from Minister for the Arafura Games, the Hon. Natasha Fyles, MLA to join the Arafura Games 2021 Advisory Committee.

RESOLUTION ORD474/19

Moved: Alderman Justine Glover

Seconded: Alderman Emma Young

1. THAT the report be received and noted.

CARRIED 12/0

15.4 EXISTING PUBLIC ART ASSESSMENT - TRAVELLERS WALK AND JINGLI WATER GARDENS BY RO KOCH-LAURIE (ARTIST)**SUMMARY**

The purpose of this report is to provide information about the Travellers' Walk and Jingili Water Gardens mosaics by Ro Koch-Laurie.

RESOLUTION ORD475/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Justine Glover

1. THAT the report be received and noted.

CARRIED 12/0

15.5 MINUTES OF THE BOMBING OF DARWIN AND MILITARY HISTORY ADVISORY COMMITTEE 14 AUGUST 2019**SUMMARY**

The purpose of this report is to present for information the Minutes of the Bombing of Darwin and Military History Advisory Committee of 14 August 2019.

RESOLUTION ORD476/19

Moved: Alderman Emma Young

Seconded: Alderman Mick Palmer

THAT the minutes of the Bombing of Darwin and Military Advisory Committee meeting held on 14 August 2019, at **Attachment 1**, be received and noted.

CARRIED 12/0

16 REPORTS OF REPRESENTATIVES

Nil

17 QUESTIONS BY MEMBERS**17.1 FITZMAURICE DRIVE LEANYER****RESOLUTION ORD477/19**

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

THAT the following Questions by Members be received and noted.

Alderman Want de Rowe queried a motion approximately 18 months ago that was presented to Council requesting a traffic study be conducted along Fitzmaurice Drive Leanyer as a result of the increased traffic from Muirhead. Can an updated be provided on this traffic study?

The Lord Mayor took the question on notice on behalf of the General Manager Engineering and City Services.

CARRIED 12/0

17.2 DWYER PARK EXERCISE EQUIPMENT UPDATE**RESOLUTION ORD478/19**

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

THAT the following Questions by Members be received and noted.

Alderman Robin Knox queried Dwyer park exercise equipment funding, as to whether there been any progression with the installation of equipment and the funding by the Northern Territory Government.

The Chief Executive Officer took the question on notice on behalf of the General Manager Engineering and City Services.

CARRIED 12/0

17.3 DICK WARD DRIVE FIRE BREAK**RESOLUTION ORD479/19**

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

THAT the following Questions by Members be received and noted.

Alderman Robin Knox queried the fire breaks along Dick Ward Drive and Council's engagement with the land owners to widen the fire breaks to protect Council's trees from damage in the event of a fire.

The Lord Mayor responded and advised that a fire recently burnt through the area and Council's

trees were unharmed during the fire.

CARRIED 12/0

17.4 FENCES ALONG DICK WARD DRIVE

RESOLUTION ORD480/19

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

THAT the following Questions by Members be received and noted.

Alderman Robin Knox queried the fencing along Dick Ward Drive and the engagement of the land owners to repair the broken fences.

The Chief Executive Officer took the question on notice on behalf of the General Manager Engineering and City Services.

CARRIED 12/0

17.5 NEURON ELECTRIC SCOOTER UPDATE

RESOLUTION ORD481/19

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

THAT the following Questions by Members be received and noted.

Alderman Simon Niblock request an update on the Neuron E-Scooter trials and the timing for the roll out and parking arrangements.

The General Manager Innovation responded and advised that his Department is currently working on the operating model with the relevant authorities. The General Manager advised that he expected this to be finalised in mid-November, with the roll out expected prior to Christmas this year. More data will be presented in the report in mid-November.

CARRIED 12/0

18 GENERAL BUSINESS

Nil

19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**RESOLUTION ORD482/19**

Moved: Alderman Emma Young
Seconded: Alderman Peter Pangquee

THAT the next Ordinary Meeting of Council be held on Tuesday, 29 October 2019, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

CARRIED 12/0

20 CLOSURE OF MEETING TO THE PUBLIC**RESOLUTION ORD483/19**

Moved: Alderman Emma Young
Seconded: Alderman Peter 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 Confidential Items of the Agenda.

CARRIED 12/0

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 Confidential Minutes of the Risk Management & Audit Committee Meeting held on 30 August 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.

26.2 Chinatown Car Park Proposed Upgrade

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 Sub Lease of Karama Childcare Centre

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.

21 ADJOURNMENT OF MEETING AND MEDIA LIAISON

ADJOURNMENT OF MEETING

RESOLUTION ORD484/19

Moved: Alderman Emma Young

Seconded: Alderman Peter Pangquee

That in accordance with By-Law 163(d), the meeting be adjourned at 7:15 pm for 15 minutes to enable the Council to liaise with media and have a break.

CARRIED 12/0

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 29 October 2019.

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CHAIR