



MINUTES

**Ordinary Council Meeting
Tuesday, 12 May 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, 12 MAY 2020 AT 5:30PM**

PRESENT: Lord Mayor Kon Vatskalis, Alderman Paul Arnold, Alderman Andrew Arthur, 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, Alderman Emma Young

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)

Russel Holden (Executive Manager Finance), Chris Kelly (Executive Manager Corporate and Customer Services), Fiona van der Weide (Governance and Legislation Advisor)

APOLOGY: Nil

GUESTS: Nil

WEBCASTING DISCLAIMER

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1 ACKNOWLEDGEMENT OF COUNTRY**2 THE LORD'S PRAYER****3 MEETING DECLARED OPEN****3.1 MEETING DECLARED OPEN****RESOLUTION ORD141/20**

Moved: Alderman Justine Glover

Seconded: Alderman Jimmy Bouhoris

The Chair declared the meeting open at 5:35 pm.

CARRIED 13/0

4 APOLOGIES AND LEAVE OF ABSENCE**4.1 Apologies**

Nil

4.2 Leave of Absence Granted

Nil

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

In accordance with Policy 043 and section 61(4) of the Local Government Act 2008, Elected Members are granted permission to attend 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**

6.1 DECLARATION OF INTEREST BY MEMBERS**RESOLUTION ORD142/20**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Mick Palmer

- A. THAT Council note that pursuant to Section 73 & 74 of the Local Government Act, Alderman Andrew Arthur, declared a Conflict of Interest in Item 14.1.
- B. THAT Council note that pursuant to Section 73 & 74 of the Local Government Act, Alderman Jimmy Bouhoris, declared a Conflict of Interest in Item 26.2 in the confidential agenda.

CARRIED 13/0

6.2 Declaration of Interest by Staff

Nil

7 CONFIRMATION OF PREVIOUS MINUTES**RESOLUTION ORD143/20**

Moved: Alderman Justine Glover

Seconded: Alderman Jimmy Bouhoris

That the minutes of the Ordinary Council Meeting held on 28 April 2020 be confirmed.

CARRIED 13/0

8 MOVING OF CONFIDENTIAL ITEMS

Confidential Decisions from June to December 2016 are moved to Open at Attachment 1.

Minutes of the Special Meeting 23 April 2020 are moved to Open at Attachment 2.

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

13.1 NOTICE OF MOTION: POP-UP BIKE LANE WEEKEND TRIAL IN RESPONSE TO FORESHORE CROWDING

I, Alderman Simon Niblock, give notice that at the next Ordinary Council Meeting on 12 May 2020, I will move the following motion:

RESOLUTION ORD144/20

Moved: Alderman Simon Niblock

Seconded: Alderman Robin Knox

1. THAT Council trial a temporary pop-up bike lane along the north-bound lane of Casuarina Drive between the Nightcliff Jetty car park and the Beachfront Hotel, using witches hats, and other low cost signage as required.
2. THAT this trial commence on 15 May 2020 and run from 4.00pm Friday afternoon until 9.00am Monday each weekend until further notice.
3. THAT the a review of the trial be presented back to Council at the 2nd Ordinary Meeting in August 2020 with a view to making the bike lane permanent every weekend with more permanent arrangements in place to manage the pop-up bike lane.

LOST 3/10

13.2 NOTICE OF MOTION - DISABILITY PARKING BAYS

I, Alderman Robin Knox, give notice that at the next Ordinary Council Meeting on 12 May 2020, I will move the following motion:-

RESOLUTION ORD145/20

Moved: Alderman Robin Knox

Seconded: Alderman Jimmy Bouhoris

That Council

1. THAT an audit be undertaken across the City of Darwin Municipality during the first quarter of the 2020/21 Financial Year to identify any disability parking bays in council controlled car parks, parking bays or council controlled areas that do not meet current Australian Standards; and that the completed audit report be provided to the Access and Inclusion Advisory Committee and the Risk Management and Audit Committee for review and recommendations to Council for further consideration.
2. Furthermore, THAT on receipt of the recommendations, Council consider utilising the car parking reserves to implement any recommended upgrades in the 20/21 financial year.

CARRIED 10/3

14 OFFICERS REPORTS

Alderman Andrew Arthur departed the meeting at 6:12 pm due to a Conflict of Interest.

14.1 RECOMMENDATIONS FOR FUNDING - COVID-19 RESPONSE GRANTS AND COMMUNITY GRANTS PROGRAM

SUMMARY

The purpose of this report is to seek Council approval for funding recommendations for the COVID-19 Response Grants Program and Community Grants Program Round 1 20/21.

RESOLUTION ORD146/20

Moved: Alderman Robin Knox

Seconded: Alderman Justine Glover

1. THAT the report entitled Recommendations for Funding – COVID-19 Response Grants and Community Grants Program be received and noted.
2. THAT the following applications for the COVID-19 Response Grants Program be approved:
 - a. Darwin Community Arts Incorporated \$5,000.00
CemeNTstars Disability CONNECT Project
 - b. Danila Dilba Biluru Butji Binnilutlum Health Service Aboriginal Corporation \$10,000.00
COVID 19 Community Awareness and Safety
 - c. Sri Lankan Australian Friendship Association (SLAFA) \$4,000.00
SLAFA-City of Darwin-COVID-19 Support
 - d. Total Recreation NT Inc \$3,922.00
Inclusive Online Fitness
 - e. Parap Family Centre Inc. \$1,600.00
Meals for carers at Parap Family Centre
 - f. SLIDE Youth Dance Theatre \$5,000.00
Participation Project and Developmental Work for Post COVID–19 events re engagement 2020
 - g. HeartKids Ltd \$4,000.00
HeartKids Virtual Playgroup Support Program
 - h. Melaleuca Refugee Centre Torture and Trauma Survivors Service of the NT Inc. \$4,000.00
COVID19 Community Support
 - i. Nepalese Association of Northern Territory Incorporated \$4,000.00
Emergency support to members of Nepalese community of Darwin severely affected by COVID-19
 - j. Wildcare Inc. \$2,900.00
Storage for COVID19 supplies
 - k. Kyle Walmsley, auspiced by Brownsmart \$2,000.00
Lower the Bar - a community mobile, site specific, live performance delivery service
 - l. Nightcliff Music, Arts and Culture inc. \$3,500.00

Nightcliff Seabreeze Festival 2020 @ Home

Total	\$49,922.00
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3. THAT the following applications for the Community Grants Program Round 1 20/21 be approved:

- | | |
|--|--------------------|
| a. Amazing Miss Deb, auspiced by KidsCan | \$7,065.25 |
| <i>Learn to unicycle at home with coaching from Amazing Miss Deb</i> | |
| b. Digital Inclusions Northern Australia | \$10,000.00 |
| <i>Building Darwin's Digital Capacity and Confidence in the online world</i> | |
| c. NT Writers' Centre Inc. | \$5,760.00 |
| <i>Not Your Average Online Book Club</i> | |
| d. Darwin Community Arts | \$9,565.00 |
| <i>Together While Apart - skill share series</i> | |
| Total | \$32,780.25 |

CARRIED 12/0

Alderman Andrew Arthur re-joined the meeting at 6:16 pm.

14.2 MUNICIPAL PLAN 2019/20 - QUARTERLY PERFORMANCE REPORT - MARCH 2020 (Q3)

SUMMARY

The purpose of this report is to provide Council with the Municipal Plan 2019/20 Quarterly Performance Report for the period ending March 2020.

RESOLUTION ORD147/20

Moved: Lord Mayor Kon Vatskalis
 Seconded: Alderman Jimmy Bouhoris

1. THAT the report entitled Municipal Plan 2019/20 - Quarterly Performance Report – March 2020 (Q3) be taken off the table and considered as the next item of business.

CARRIED 13/0

RESOLUTION ORD148/20

Moved: Lord Mayor Kon Vatskalis
 Seconded: Alderman Justine Glover

1. THAT the report entitled Municipal Plan 2019/20 - Quarterly Performance Report – March 2020 (Q3), be received and noted.

CARRIED 13/0

14.3 ELECTED MEMBER ALLOWANCES 2020/21

SUMMARY

The purpose of this report is to seek Council's endorsement of the 2020/21 Elected Member Allowances for inclusion in the 2020/21 budget and Municipal Plan.

RESOLUTION ORD149/20

Moved: Alderman Gary Haslett

Seconded: Alderman Paul Arnold

1. THAT the report entitled Elected Member Allowances 2020/21 be received and noted.
2. THAT Council adopt the Elected Member allowances as outlined in the Table of Maximum Council Member Allowances for 2020/21, **Attachment 1**.
3. THAT the Extra Meeting Allowance for 2020/21 be set at \$250.00.

CARRIED 12/1

Alderman Want de Rowe called for a Division

For: Lord Mayor Kon Vatskalis, Alderman Paul Arnold, Alderman Andrew Arthur, 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 Emma Young

Against: Alderman Rebecca Want de Rowe

Lord Mayor Kon Vatskalis departed the meeting at 6:35 pm.

Lord Mayor Kon Vatskalis re-joined the meeting at 6:37 pm.

Alderman Jimmy Bouhoris departed the meeting at 6:37 pm.

14.4 YOUTH ADVISORY COMMITTEE 9 APRIL 2020 - ENDORSEMENT OF NEW MEMBER

SUMMARY

The purpose of this report is to present the unconfirmed minutes of the Youth Advisory Committee meeting held on 9 April 2020 and to seek Council's approval of nomination to the committee.

RESOLUTION ORD150/20

Moved: Alderman George Lambrinidis

Seconded: Alderman Andrew Arthur

1. THAT the report entitled Unconfirmed Minutes Youth Advisory Committee 9 April 2020 – Endorsement of new member be received and noted.
2. THAT pursuant to Section 54 of the Local Government Act that Council appoint Anais Henry-Martin to the Youth Advisory Committee from 12 May 2020 to 30 June 2022.

CARRIED 12/0

15 RECEIVE & NOTE REPORTS

Alderman Jimmy Bouhoris re-joined the meeting at 6:38 pm.

15.1 UNCONFIRMED MINUTES YOUTH ADVSORY COMMITTEE MEETING 9 APRIL 2020**SUMMARY**

The purpose of this report is to present the unconfirmed minutes of the Youth Advisory Committee meeting held on 9 April 2020.

RESOLUTION ORD151/20

Moved: Alderman George Lambrinidis

Seconded: Alderman Gary Haslett

1. THAT the report entitled Unconfirmed Minutes Youth Advisory Committee 9 April 2020 be received and noted.

CARRIED 13/0

15.2 CYCLONE MARCUS 17 MARCH 2018 - FINAL COSTS AND SETTLEMENTS**SUMMARY**

The purpose of this report is to inform Council of an update of final costs, funding and settlement of insurance claims for Cyclone Marcus – 17 March 2018.

RESOLUTION ORD152/20

Moved: Alderman Gary Haslett

Seconded: Alderman Peter Pangquee

1. THAT the report entitled Cyclone Marcus 17 March 2018 - Final Costs and Settlements be received and noted.
2. THAT Council acknowledges receipt of \$4,070,053 NDRRA Claim 1.
3. THAT Council acknowledges that the NDRRA Claim 1 reimbursement was transferred to the Asset Replacement and Refurbishment Reserve in 2018/19 and has subsequently been allocated as follows:
 - (a) repayment of \$1,271,328 to TIO from the Asset Replacement and Refurbishment Reserve in 2019/20 from NDRRA funds received in Claim 1.
 - (b) Remaining funds remain in the Asset Replacement and Refurbishment Reserve to respond to Council's Asset Management Plans and ongoing improvements in Asset Management.
4. THAT Council acknowledges receipt of \$1,372,615 NDRRA Claim 2.
5. That Council acknowledges that NDRRA Claim 2 is allocated as follows:
 - (a) \$1.0M is transferred to the Disaster Contingency Reserve to provide adequate funds to respond to future events (Reserve increases from \$1.0M to a total of \$2.0M).
 - (b) \$372,615 transferred to the Carry Forward Reserve and allocated in the 2020/21 budget.
6. THAT Council note settlement of the TIO Insurance Claim for Cyclone Marcus – 17 March 2019 which includes:
 - (a) Costs incurred by TIO in accordance with the provisions in Council's insurance policy for the 2017/18 financial year totalled \$7,504,401.

- (b) repayment of \$1,271,328 to TIO from the Asset Replacement and Refurbishment Reserve in 2019/20 from NDRRA funds received in Claim 1.
 - (c) Cash settlement to City of Darwin of \$444,256 inclusive of excess, noting that this amount will be referred to the 2020/21 Annual Budget and Municipal Plan as follows:
 - (i) \$200,000 to Engineering and City Services to implement the Greening Darwin Strategy;
 - (ii) \$150,000 to Government Relations and External Affairs for corporate uniforms to enhance Council's brand;
 - (iii) \$94,256 to Government Relations and External Affairs to coordinate a readiness assessment to address the requirements of the new Disaster Relief and Recovery Funding Program (DRRF) and an audit of Council's Emergency Management Framework;
7. THAT Council acknowledge that total costs attributed to responding and recovering from the Cyclone Marcus event on 17 March 2018 were \$17,373,987.
8. THAT Council acknowledge that the total amount recovered by NDRRA (\$5,442,668) and funded by insurance with TIO (\$7,978,657) was \$13,421,325.

CARRIED 13/0

16 REPORTS OF REPRESENTATIVES

Nil

17 QUESTIONS BY MEMBERS

THAT the following Questions by Members be received and noted.

17.1 URBAN FORREST STRATEGY AND GREENING STRATEGY

RESOLUTION ORD153/20

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

Question

Alderman Robin Knox asked when the Urban Forrest strategy and the Greening Strategy reports would be presented to Council. Alderman Robin Knox also asked if these reports would address tree planting, and if the tree planting since Cyclone Marcus has been completed.

Response

The Chief Executive Officer advised that the Urban Forrest Strategy and Greening Strategy will be workshopped with Elected Members next month.

The Chief Executive Officer also advised that the tree planting has not yet been completed and is ongoing. The strategy will address where trees need to be planted, identify priority areas and assess tree planting needs on a tiered basis.

CARRIED 13/0

17.2 PEDESTRIAN CROSSING IN WANGURI AND LANEWAY IN WAGAMAN**RESOLUTION ORD154/20**

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

Question

Alderman Rebecca Want de Rowe asked for an update on the pedestrian crossing at Cabillo and Perez Streets opposite Wanguri Primary School. This crossing currently doesn't meet Australian Safety Standards.

Alderman Rebecca Want de Rowe also queried the laneway on Amsterdam Circuit in Wagaman and asked if there has been a decision on closing this laneway.

Response

General Manager Engineering & City Services took this question on notice.

CARRIED 13/0

17.3 SPEEDING IN LEANYER**RESOLUTION ORD155/20**

Moved: Alderman Emma Young

Seconded: Alderman Gary Haslett

Question

Alderman Jimmy Bouhoris noted that he has been receiving phone calls regarding the speeding at Savannah Dr and Castlereagh St in Leanyer, and noted that this issue has come to Council a number of times. How is this being addressed?

Response

The Chief Executive Officer advised that this matter is a priority for the Engineering and City Services Department that he has personally surveyed this area and noted the importance of addressing this issue.

CARRIED 13/0

18 GENERAL BUSINESS

Nil

19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday, 26 May 2020, at 5:30 pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

20 CLOSURE OF MEETING TO THE PUBLIC**RESOLUTION ORD156/20**

Moved: Alderman Andrew Arthur

Seconded: Alderman Justine Glover

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 Aboriginal Naming Projects

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.

26.2 Resource, Recovery and Recycling Centre Agreement

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.

26.3 Unconfirmed Confidential Minutes of Risk Management and Audit Committee Meeting Held on 27 March 2020

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.

26.4 Karama Walkways Access to Vanderlin Drive - Traffic Assessment and Options Report Provided by NTG

This matter is considered to be confidential under Section 65(2) - 8(c)(i) and 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 that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person and information provided to the council on condition that it be kept confidential.

26.5 Unsolicited Proposal - Multi Purpose Sunset Lounge

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.

CARRIED 13/0

21 ADJOURNMENT OF OPEN MEETING

RESOLUTION ORD157/20

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman George Lambrinidis

The Open Meeting adjourned at 6:54pm.

CARRIED 13/0

29 RESUME OPEN MEETING

RESOLUTION ORD172/20

Moved: Alderman Simon Niblock

Seconded: Alderman Peter Pangquee

THAT the Open Meeting resumed at 8:06pm.

CARRIED 13/0

30 CLOSURE OF MEETING

RESOLUTION ORD173/20

Moved: Alderman Simon Niblock

Seconded: Alderman Peter Pangquee

THAT the Meeting closed at 8:06pm.

CARRIED 13/0

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 May 2020.

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CHAIR