



# **AGENDA**

## **Ordinary Council Meeting Tuesday, 12 November 2019**

**I hereby give notice that an Ordinary Meeting of Council will be held on:**

**Date: Tuesday, 12 November 2019**

**Time: 5:30pm**

**Location: Council Chambers  
Level 1, Civic Centre  
Harry Chan Avenue, Darwin**

**Melissa Reiter  
Acting Chief Executive Officer**

## **ORDINARY COUNCIL MEMBERS**

The Right Worshipful, the Lord Mayor Kon Vatskalis (Chair)

Alderman Andrew Arthur

Alderman Jimmy Bouhoris

Alderman Sherry Cullen

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**

Chief Executive Officer, Scott Waters

General Manager Innovation Growth & Development Services, Joshua Sattler

General Manager Community & Regulatory Services, Polly Banks

General Manager Government Relations & External Affairs, Melissa Reiter

General Manager Engineering & City Services, Ron Grinsell

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**1 ACKNOWLEDGEMENT OF COUNTRY**

**2 THE LORD'S PRAYER**

**3 MEETING DECLARED OPEN**

**4 APOLOGIES AND LEAVE OF ABSENCE**

**4.1 Apologies**

**4.2 Leave of Absence Granted**

- A. THAT it be noted Alderman Sherry Cullen is an apology due to a Leave of Absence previously granted for the period 29 August to 12 November 2019.
- B. THAT it be noted Alderman Robin Knox is an apology due to a Leave of Absence previously for the period 4 November to 20 November 2019.
- C. THAT it be noted Alderman Andrew Arthur is an apology due to a Leave of Absence previously for the period 7 November 2019 to 12 November 2019.

**4.3 Leave of Absence Requested**

**5 ELECTRONIC MEETING ATTENDANCE**

**5.1 Electronic Meeting Attendance Granted**

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 was granted permission for Electronic Meeting Attendance at this the Forty-Ninth Ordinary Council Meeting held on 12 November 2019:

- Alderman Sherry Cullen
- Alderman Robin Knox

**5.2 Electronic Meeting Attendance Requested**

**6 DECLARATION OF INTEREST OF MEMBERS AND STAFF**

**7 CONFIRMATION OF PREVIOUS MINUTES**

Ordinary Ordinary Council Meeting - 29 October 2019



**8 MOVING OF CONFIDENTIAL ITEMS**

**9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE**

Nil

**10 PUBLIC QUESTION TIME**

**11 PETITIONS**

Nil

**12 DEPUTATIONS AND BRIEFINGS**

Nil

**13 NOTICES OF MOTION**

Nil

## 14 OFFICERS REPORTS

### 14.1 BLACK SPOT PROGRAM 2020/2021 NOMINATIONS

**Common No.:** 4151704

**Author:** Executive Manager Technical Services

**Authoriser:** General Manager Engineering and City Services

**Attachments:** 1. Letter Seeking Black Spot Program 2020-21 Nominations

#### SUMMARY

The purpose of this report is to provide information to, and to seek Council's endorsement for roadway project nominations for the 2020/2021 Black Spot Program.

#### RECOMMENDATIONS

1. THAT the Report be received and noted.
2. THAT Council endorse the nomination of the following roadway projects for the 2020/2021 Black Spot Program in accordance with the scopes outlined in this Report.
  - Nomination 1 – Stage 2 traffic calming works from the Anula and Wulagi Traffic Study; and
  - Nomination 2 – Outcomes of the Road Safety Audit for Alawa Crescent and a Safe Routes to School Assessment for Alawa Primary School and Namarluk School.

#### KEY ISSUES

- City of Darwin has been invited to submit nomination projects for the 2020/2021 Black Spot Program by the Northern Territory Government's (NTG's) Department of Infrastructure, Planning and Logistics.
- The total funding allocation for the whole of the Northern Territory in the 2020/2021 Black Spot Program is \$1.9 million.
- Nominations are due by 15 January 2020.
- Council's endorsement of the following projects, based on the outcomes of traffic management studies, road safety audits and a safe routes to school assessments, is sought for:
  - Stage 2 traffic calming works from the Anula and Wulagi Local Area Traffic Management Study; and
  - Traffic calming works along several roads in Alawa as a result of the outcomes of a Road safety Audit for Alawa Crescent and a Safe Routes to School Assessment for Alawa Primary School and Namarluk School.

#### BACKGROUND

The Department of Infrastructure, Planning and Logistics (DIPL) has written to City of Darwin (**refer Attachment 1**) seeking nomination projects for the 2020/2021 Black Spot Program.

The Black Spot Program generally targets those road locations that are subject to traffic collisions and based on road safety audits undertaken.

The Black Spot Program is open to all local government authorities in the Northern Territory to nominate candidate projects.

The annual Black Spot Program funding for the whole of the Northern Territory is \$1.9 million and City of Darwin will be competing against other organisations within the Territory for a portion of this funding.

## **DISCUSSION**

The Northern Territory Black Spot Consultative Panel (Panel) assesses all nominations and will meet in early 2020 to consider the nominations received and recommend priority projects to the Federal Government for approval.

All Black Spot nominations for the 2020/2021 Black Spot Program must be submitted by 15 January 2020. Nominations received after 15 January 2020 may not be submitted for the Panel's consideration.

The main eligibility criteria for Black Spot nominations are as follows:

1. Benefit Cost Ratio Based Submissions – For individual sites such as intersections, mid-block or short road sections there has to be a history of at least three casualty crashes over a five year period. In addition, the minimum required benefit cost ratio for eligible projects is 2 to 1. For lengths of road, there must be an average of 0.2 casualty crashes per kilometre per annum over the length in question over five years.
2. The Black Spot Program also recognizes that there are road locations that could be considered as “accidents waiting to happen”. Some program funding may be used to treat sites where traffic engineers have completed a Road Safety Audit and found that remedial works are necessary. This allows an opportunity for proactive safety works to be undertaken before casualties occur.

An assessment of potential sites has been undertaken across Council's road network and the following projects (including scope and estimated cost) are proposed for inclusion in the City of Darwin's submission.

### **Nomination 1 – Anula and Wulagi Traffic Management Plan – Stage 2 Traffic Calming Works**

In April 2017, Council received a petition from residents associated with concerns about speeding along Union Terrace, Anula. The Local Member also expressed concerns regarding speeding along this and other roads in the area.

In response to resident concerns about speeding in the suburbs of Anula and Wulagi, an investigation into the issues raised was undertaken and a number of traffic calming measures were identified as being required to address speeding and safety along specific roads in these suburbs.

The key outcome of this study was the development of the Anula and Wulagi Traffic Management Plan, which included various treatment measures to manage speeds and driver behaviour within these areas. The recommended works were staged, based on priority, including impact on road safety and based on the value of the works.

Stage 1 works of the traffic management plan were completed in the 2018/2019 financial year and were funded from Council's 2018/2019 Capital Works Budget.

It is proposed that Stage 2 of the traffic management works from the Anula and Wulagi Traffic Management Plan be included in this Black Spot submission.

The Stage 2 works include:

- Construction of raised intersection treatments at Wulagi Crescent/Brolga Street and at Wulagi Crescent/Rosella Crescent.

The estimated cost of the Stage 2 works is \$390,000 (excluding GST) and 100% of the funding is to be sought.

### **Nomination 2 – Outcomes of the Road Safety Audit for Alawa Crescent and the Safe Routes to School Assessment for Alawa Primary School and Namarluk School**

There is a history of road and pedestrian safety concerns for the roads and area around Alawa Primary School and Namarluk School.

As a result of these concerns, City of Darwin have carried out a Road Safety Audit for Alawa Crescent and worked with the Department of Education to deliver a Safe Routes to School Assessment for the area around Alawa Primary School and Namarluk School.

The recommendations from the two assessments include, pedestrian refuges or traffic islands and pedestrian kerb ramps at these locations:

- Dripstone Road near Scriven Street;
- Alawa Crescent at Pett Street;
- Alawa Crescent at Stobo Crescent (Trower Road end);
- Alawa Crescent between Davern Street and Stobo Crescent;
- Alawa Crescent at Stedcombe Street;
- Alawa Crescent at Forbes Street.

The estimated cost to implement these recommendations is \$300,000 (excluding GST) and 100% of funding is sought.

## **STRATEGIC ENVIRONMENT**

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the 'Darwin 2030 City for People. City of Colour. Strategic Plan':

### **Goal**

1 A capital city with best practice and sustainable infrastructure

### **Outcome**

1.1 By 2030, a number of strategic infrastructure projects will be developed and delivered.

### **Key Strategies**

Nil

## **LEGISLATIVE/POLICY**

There are no legislative or policy implications as a result of this decision.

## **CONSULTATION**

### **Internal**

In preparing this report, the following City of Darwin officers were consulted:

- Design Team Leader
- Senior Design Officer

**External**

In preparing this report, the following External Parties were consulted:

- Tonkin Consulting
- GTA Consultants

**BUDGET/RESOURCE IMPLICATIONS**

The nominated projects have a total estimated cost of \$690,000 (excluding GST). 100% of funding is sought for:

- **Nomination 1** – Anula and Wulagi Traffic Management Plan, Stage 2 Traffic Calming Works - \$390,000.
- **Nomination 2** – Outcomes of the Road Safety Audit for Alawa Crescent and the Safe Routes to School assessment for Alawa Primary School and Namarluk School - \$300,000.

The Black Spot Program allows for costs associated with design/documentation and project management. The above cost estimates allow for this.

**RISK**

Implementing appropriate road safety measures increases the safety of the City of Darwin's road network for all road users.

**LEGAL****ARTS, CULTURE & ENVIRONMENT**

Implementing appropriate road safety measures will likely result in a safer road environment for all users.



DEPARTMENT OF  
INFRASTRUCTURE, PLANNING  
AND LOGISTICS

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File Ref: DDPI2010/4170-02-  
0128-0003

Dear Sir/Madam

Re: Black Spot Program 2020-21 Nominations

The Department of Infrastructure, Planning and Logistics (DIPL) is seeking nominations of suitable projects for Black Spot Program 2020-21. The Northern Territory Black Spot Consultative Panel will meet in early 2020 to consider the nominations and recommend priority projects to the Federal Minister for the Department of Infrastructure and Regional Development for approval. The nomination form and the copy of the Notes of Administration are available at: <http://investment.infrastructure.gov.au/funding/blackspots/>.

Please note that the nominal annual Black Spot Program for the Territory is \$1.9 million. In order to prepare a quality funding application, it is important that the current application form, eligibility criteria, and notes of administration are downloaded and understood.

All nominations received will be submitted to the Panel for consideration regardless of project eligibility for funding. Nominations are due by 15 January 2020. All nominations should be referred to Ben Langdon, GPO Box 61, Palmerston, NT 0830.

Should you require assistance with the preparation of your nomination you may contact Mr Peter McLinden (Local Government Association of the Northern Territory) on 8944 9691 or Mr Ben Langdon (DIPL) on 8999 4822.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Bob Pemble".

Bob Pemble  
Executive Director Civil Services

16 October 2019

[www.nt.gov.au](http://www.nt.gov.au)

**14.2 HERITAGE COUNCIL - KERBSTONES LOCATED IN THE MALL**

<b>Common No.:</b>	<b>4151747</b>
<b>Author:</b>	<b>Planning Officer</b>
<b>Authoriser:</b>	<b>Manager City Planning</b>
<b>Attachments:</b>	<b>1. Draft Submission to the Heritage Council Northern Territory</b> <b>2. Inviting Submissions - Historic Kerbstones</b> <b>3. Notice of Provisional Heritage Listing</b> <b>4. Kerbstone Locations - The Mall</b> <b>5. Kerbstone Examples</b>

**SUMMARY**

The purpose of this report is to respond to the Heritage Council, who have invited submissions on the listing of a heritage place, being the kerbstones located in The Mall

**RECOMMENDATIONS**

1. THAT the report be received and noted.
2. THAT Council endorse the submission to the Heritage Council Northern Territory, within **Attachment 1** to Report entitled: Heritage Council - Kerbstones Located in The Mall, which does not support the application to permanently heritage list the kerbstones located in The Mall.

**KEY ISSUES**

- The subject kerbstones in The Mall may not be original infrastructure and are not placed as per their original intent (kerb and gutter).
- The stones in question, were included as part of the 2008 Mall upgrades to indicatively note the original kerb line, and are also used to embellish garden beds and arcade cluster signs.
- The kerbstones fronting Browns Mart have been heritage listed and demonstrate an authentic use and intent of the kerbstones.
- There is no evidence that these stones are all original kerbstones and not supplied during The Mall upgrade.
- If the stones are heritage listed, future upgrades to The Mall may be limited in design due to the heritage listing.
- It is recommended that Council not support the proposed heritage listing of the stones in The Mall.

**BACKGROUND**

It is noted that Lot 6002 (29) The Mall is owned by the Crown and maintained by City of Darwin.

City of Darwin has received an application from Heritage Council Northern Territory, inviting submissions on whether the kerbstones located in The Mall should be listed as a heritage place or not, refer **Attachment 2**. This was followed up with a letter from the Department of Tourism, Sport & Culture informing City of Darwin that the Minister has provisionally declared the kerbstones located in The Mall as a heritage place, until a decision is made whether to permanently declare them as a heritage place, refer **Attachment 3**. The location of the subject kerbstones is demonstrated in **Attachment 4**, and photographs of some of the larger sections of kerbstones are included at **Attachment 5**.

A statement of the heritage value of the historic kerbstones located in The Mall, as provided on the Northern Territory Government website, is as follows:

*“The former Smith Street porcellanite stone kerb and gutter, reused in the Smith Street Mall planter box and pavement, date from the early 1890s. The stones quarried from Emery Point are an example of the hand hewn stone blocks used in Darwin’s early street drainage systems. The stone blocks illustrate the use of locally available porcellanite stone, a once commonly used building material.”*

<https://dtsc.nt.gov.au/nt-heritage-council/heritage-register-proposed-declarations/statement-of-heritage-value-historic-kerbstones>.

During the Smith Street upgrade between Bennett Street and Esplanade, City of Darwin officers and the Heritage Branch concluded that the kerbstones lining the road were an important part of history and were to be kept safe and protected. The kerbstones located in front of Browns Mart remain as an example of the original road design and subsequently were declared a heritage place in 2008.



Browns Mart – Heritage kerbstones

The definition of a heritage *place* in the *Heritage Act 2011* is:

- 1). A **place** is an area of land.
- 2). A **place** includes:
  - (a) a building or, a part of a building, on the place;
  - (b) an item historically or physically associated with the place if the primary importance of the item derives (completely or partly) from that association; and
  - (c) equipment, furniture, fittings and articles on, or historically or physically associated with, the place.

*Examples of places for section 5*

- 1 A reef or a cliff, cutting, gorge, spring or other landform.
- 2 A plant or animal community.
- 3 Fossil beds.
- 4 A park or garden.
- 5 A lighthouse, church, homestead, railway station or gaol.
- 6 A stock well.
- 7 A cemetery, burial site or grave.
- 8 An airstrip, magazine, storage tunnel or other military installation.
- 9 The site of a shipwreck or aircraft crash.

If the kerbstones are declared a heritage place, City of Darwin can carry out exempt work provided the work is minor, carried out only for the conservation of the place or object and the work does not detrimentally affect the heritage significance of the place or object.



Exempt work associated with the kerbstones includes:

- (2) (a) routine maintenance or cleaning that does not involve:
  - (i) damage to or the removal of existing fabric; or
  - (ii) the introduction of new material;
- (2) (c) the repair or replacement of deteriorated, damaged or missing fabric:
  - (i) by a person who is licensed to carry out the work and has experience in the conservation of heritage buildings; and
  - (ii) in a way that ensures the repaired or replaced fabric matches the existing fabric and does not involve damage to or the removal of large amounts of fabric;
- (2)(f) general landscape maintenance that does not damage or substantially alter the layout, contours, plant species or a significant landscape feature of the heritage place or heritage object;

## DISCUSSION

The subject kerbstones in The Mall are a collection of stones that have either been reused or obtained for The Mall upgrade, and as a result it is unclear whether any are original infrastructure from this section of Smith Street. None of the subject kerbstones are placed as per the original intent (kerb and gutter).

Notwithstanding this, City of Darwin officers are aware of the significance of the stones and will continue to maintain the stones to a high standard. Any future major works to The Mall, which may affect the stones, or any other significant items will be in consultation with the Heritage Branch through the design stages, to ensure the ongoing protection of all significance assets in The Mall.

The subject stones were incorporated as design elements during The Mall upgrade works undertaken in 2008. The kerbstones have been used in the following ways:

- as a border to garden beds,
- as part of the arcade directional signs design,
- as retaining walls in raised garden beds, and
- to indicate the original alignment of the former street kerb.

## STRATEGIC ENVIRONMENT

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the 'Darwin 2030 City for People. City of Colour. Strategic Plan':

### Goal

1 A capital city with best practice and sustainable infrastructure

### Outcome

1.1 By 2030, a number of strategic infrastructure projects will be developed and delivered

**Key Strategies****LEGISLATIVE/POLICY**

If the kerbstones are listed, City of Darwin would be responsible to ensure the preservation of the kerbstones and place the onus on Council to ensure that they were not damaged through neglect.

**CONSULTATION****Internal**

In preparing this report a large number of City of Darwin officers were consulted, the following City of Darwin officers provided information relating to the application:

- Technical Officer Parks and Reserves
- Executive Manager Technical Services
- Executive Manager Waste and Capital Works

**External**

In preparing this report, the following external parties were consulted:

- Heritage Branch

**BUDGET/RESOURCE IMPLICATIONS**

Nil at this time.

**RISK**

If the kerbstones are heritage listed, future upgrades to The Mall may be limited in design due to the heritage listing

**LEGAL**

If the kerbstones are heritage listed, City of Darwin would be required to approach the Heritage Council for any proposed works in The Mall, which may affect the kerbstones.

**ARTS, CULTURE & ENVIRONMENT**

Not Assessed



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18 November 2019

Please quote: 4151747 BS:hd

Dr Ilka Schacht  
Acting Chairperson  
Heritage Council Northern Territory  
GPO BOX 4198  
DARWIN NT 0801

Email: [heritagecouncil@nt.gov.au](mailto:heritagecouncil@nt.gov.au)

Dear Dr Schacht

#### **Historic Kerbstones Located in The Mall**

Thank you for the invitation to comment on whether the kerbstones in The Mall should be permanently protected by the *Heritage Act 2011*. This letter was placed before the Ordinary Council meeting on 12 November 2019.

Council resolved not to support the proposed permanent heritage listing of the kerbstones in The Mall.

City of Darwin acknowledges that original kerbstones may have an historical significance. The kerbstones located in front of Browns Mart are an example of original porcellanite kerbstones used in an authentic context.

City of Darwin has no evidence of the subject stones' provenance, and whether all the stones used in The Mall upgrade works are actually historical kerbstones, or if some of the stone was obtained specifically for the project. Notwithstanding this, any future works in The Mall will be in consultation with the Heritage Branch through the design stages, to ensure the ongoing protection of all significance assets in The Mall.

The subject stones were incorporated as design elements during The Mall upgrade works undertaken in 2008. The stones are used as:

- a border to garden beds,
- part of the arcade directional signs design,
- retaining walls in raised garden beds, and
- indicatively noting where curb lines once existed as a pavement inlay.



City of Darwin notes that if the kerbstones are permanently listed as a heritage place, future upgrades and redesigns to The Mall may be limited due to the heritage listing.

If the Heritage Council decides to heritage the kerbstones, City of Darwin requests that GIS data be provided to Council, so the location of each kerbstone can be registered in our system.

If you have any further queries please contact Brian Sellers on 08 8930 0683 or [brian.sellers@darwin.nt.gov.au](mailto:brian.sellers@darwin.nt.gov.au).

Yours sincerely

**CINDY ROBSON**  
**MANAGER CITY PLANNING**



# Heritage Council

Northern Territory

Postal address GPO Box 4198

Darwin NT 0801

Tel 08 8999 5039

Email [heritagecouncil@nt.gov.au](mailto:heritagecouncil@nt.gov.au)

Mr Scott Waters  
Chief Executive Officer  
City of Darwin  
GPO Box 84  
DARWIN NT 0801

[s.waters@darwin.nt.gov.au](mailto:s.waters@darwin.nt.gov.au)

Dear Mr Waters

I am writing to advise you that the Heritage Council has resolved to invite submissions as to whether the historic kerbstones located in The Mall should be permanently protected by the *Heritage Act 2011*. The Heritage Council is seeking comment from the City of Darwin as an interested party.

Comments must be in writing, addressed to the Heritage Council, and should be received by **Monday 18 November 2019**. You may write to the address at the top of this letter, or send your submission via email to [heritagecouncil@nt.gov.au](mailto:heritagecouncil@nt.gov.au).

The Statement of Heritage Value for the historic kerbstones is attached.

In accordance with the requirements of the *Heritage Act 2011*, the Minister for Tourism, Sport and Culture has signed an instrument provisionally declaring the historic kerbstones as a heritage place. This means that no major work is to be carried out without seeking permission under the terms of the *Heritage Act 2011*.

These restrictions stay in place until a final decision is made as to whether the historic kerbstones should be permanently protected by the *Heritage Act 2011*. There are no restrictions on regular maintenance or repair work, or any work that may need to be undertaken to ensure public safety.

If you have any queries about this matter, please contact Mr Michael Wells, Director Heritage Branch, on 8999 5036 or at [michael.wells@nt.gov.au](mailto:michael.wells@nt.gov.au). Otherwise I thank you in anticipation of your response.

Yours sincerely,



Dr Ilka Schacht  
A/Chairperson

18 October 2019

## ATTACHMENT A

## STATEMENT OF HERITAGE VALUE

Historic kerbstones, The Mall, Smith Street Darwin

*The former Smith Street porcellanite stone kerb and gutter, reused in the Smith Street Mall planter box and pavement, date from the early 1890s. The stones quarried from Emery Point are an example of the hand hewn stone blocks used in Darwin's early street drainage systems. The stone blocks illustrate the use of locally available porcellanite stone, a once commonly used building material.*



**DEPARTMENT OF  
TOURISM, SPORT AND CULTURE**

**Heritage NT**  
Level 1, 9-11 Cavenagh St  
DARWIN NT 0800

**Postal Address**  
GPO Box 1448  
Darwin NT 0801

**T 08 8999 5036**  
**E [michael.wells@nt.gov.au](mailto:michael.wells@nt.gov.au)**

**File Ref: HE2018/0007**

Mr Scott Waters  
Chief Executive Officer  
City of Darwin  
GPO Box 84  
DARWIN NT 0801

[s.waters@darwin.nt.gov.au](mailto:s.waters@darwin.nt.gov.au)

Dear Mr Waters

**INFORMATION NOTICE: HERITAGE ACT 2011**

I am writing to you on behalf of the Minister for Tourism, Sport and Culture to inform you that pursuant to section 37 of the *Heritage Act 2011*, the Minister has signed an instrument provisionally declaring the historic kerbstones located in The Mall as a heritage place.

The *Heritage Act 2011* requires that you be provided with an information notice in relation to this matter, which is attached to this letter.

If you have any queries in relation to this matter, please contact me on (08) 8999 5036 or at [michael.wells@nt.gov.au](mailto:michael.wells@nt.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read "Michael Wells".

MICHAEL WELLS  
Director Heritage Branch

24 October 2019

[www.nt.gov.au](http://www.nt.gov.au)

### INFORMATION NOTICE

This information notice is being provided in accordance with sections 37 and 94 of the *Heritage Act 2011*.

#### **The decision**

To provisionally declare the historic kerbstones located in The Mall, Darwin, as a heritage place.

#### **Reasons for the decision**

To protect the historic kerbstones until such time as a decision is made whether to permanently declare them as a heritage place.

#### **Right of appeal**

1. As an affected person within the meaning of section 93(2) of the *Heritage Act 2011*, you may appeal against my decision to the Supreme Court on a question of law only.
2. Under Order 83 of the *Supreme Court Rules*, you must commence any appeal from my decision within 28 days after the date on which this notice is given to you.
3. An appeal is started by filing a notice of appeal in the Supreme Court in accordance with applicable rules of court.

For further information regarding the appeal process, please refer to Part 4.2 of Chapter 4 of the *Heritage Act 2011*.





## Kerbstone Examples











**14.3 BOMBING OF DARWIN AND MILITARY HISTORY ADVISORY COMMITTEE MINUTES - BICENTENNIAL PARK AREA 1**

**Common No.:** 2762062

**Author:** Manager Engagement & Events

**Authoriser:** General Manager Government Relations & External Affairs

**Attachments:**

1. Bombing of Darwin and Military History Advisory Committee Minutes 9 October 2019
2. ADF Safety requirements 21 Gun Salute

**SUMMARY**

The purpose of this report is to present the minutes from the Bombing of Darwin and Military History Advisory Committee meeting of the 9 October 2019 and to recommend approval of Darwin Festival's request to use Bicentennial Park Area 1.

**RECOMMENDATIONS**

1. THAT the report be received and noted.
2. THAT approval is given to Darwin Festival to use Bicentennial Park Area 1 for the Spiegeltent in 2020 with the following permit conditions;
  - the exclusion zone around the Cenotaph area is respected
  - site lines from the entrance to the Cenotaph are maintained
  - any exclusion zones for the new eternal flame can be accommodated
  - that should any of the conditions put in place not be complied with, any future request may not be approved

**KEY ISSUES**

- Minutes from the Bombing of Darwin and Military History Advisory Committee meeting on the 9 October 2019 are provided at **Attachment 1**.
- The Committee received presentations from Darwin Festival and GleNTi Festival seeking special event approval for the use of Bicentennial Park Area 1.
- Darwin RSL shared the concept plans for the Cenotaph Renewal project.
- There is a formal handover of the wreckage of Spitfire A58-2, located in Litchfield National Park, on 12 November 2019 at the Darwin Aviation Museum.

**BACKGROUND**

*DECISION NO. 22\1323 (26.02/19)*

**Bombing of Darwin and Military History Advisory Committee Minutes – Darwin Cenotaph Area**

- A. *THAT Report Number 19CE0051 SJ:jw entitled Bombing of Darwin and Military History Advisory Committee Minutes - Darwin Cenotaph Area, be received and noted.*

- B. THAT Australian Defence Force events and activities are prioritised for Bicentennial Park – Area 1.*
- C. THAT other than Australian Defence Force events, Bicentennial Park – Area 1 is used for low scale, alcohol-free events and activities with minimal infrastructure to retain the space as a respectful memorial area for community and visitors to reflect on Australian servicemen and women.*
- D. THAT Council may consider special events upon application in consultation with Darwin RSL.*

## DISCUSSION

### Special Requests - Bicentennial Park Area 1

At the Committee meeting on 9 October 2019 Darwin Festival and Glenti Festival presented special requests to use Bicentennial Area 1, adjacent the Darwin Cenotaph. These were presented as special requests as the events do not meet the requirements of 'low scale, alcohol-free events and activities with minimal infrastructure' permitted in this space, as per Council Decision 22\1323. This Decision does allow for special event requests to be considered by Council.

The Committee minutes at **Attachment 1** provide the details of each presentation and the reasons for requesting this space. Committee Members were supportive of the requests so long as the stipulated conditions could be met.

The conditions for Darwin Festival to have the Spiegeltent in Bicentennial Park Area 1 again in 2020 will be incorporated into their permit and their request has been recommended for approval. Council's Event Logistics Coordinator will process the permit and work with Darwin Festival to ensure the conditions are implemented.

The Glenti Festival event date clashes with the Australian Defence Force Queen's Birthday 21 Gun Salute. The Committee were supportive of the events sharing this space if the logistics and safety requirements of the two events could be accommodated. The ADF were asked to provide details of the safety requirements and exclusion zones for the 21 Gun Salute. ADF provided this information at **Attachment 2**. Due to the safety zone requirements of the 21 Gun Salute the two events are not able to be accommodated in the space together. This communication has been provided to the Bombing of Darwin and Military History Advisory Committee and Glenti Festival organisers. Bicentennial Park Area 1 is prioritised for Australian Defence Force events, as per the Council Decision.

### Member Updates

The Committee members shared sector updates with the following key points;

- Darwin RSL shared the concept plans for the Cenotaph Renewal project.
- Darwin Military Museum thanked City of Darwin for support with their 50<sup>th</sup> Anniversary.
- A formal handover of the wreckage of Spitfire A58-2, located in Litchfield National Park, is being held on 12 November 2019 at the Darwin Aviation Museum.
- Department of Veterans Affairs is working on commemorative events for the 75<sup>th</sup> anniversary of the end of WWII.

## STRATEGIC ENVIRONMENT

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the 'Darwin 2030 City for People. City of Colour. Strategic Plan':

### Goal

5 A Vibrant and Creative City

### Outcome

5.2 By 2030, Darwin will be a more connected community and have pride in our cultural identity

## **Key Strategies**

### **LEGISLATIVE/POLICY**

Nil

### **CONSULTATION**

#### **Internal**

#### **External**

- Darwin Festival
- GleNTi Festival
- Australian Defence Force
- Darwin RSL

### **BUDGET/RESOURCE IMPLICATIONS**

Nil

### **RISK**

The event permit for Darwin Festival will consider risk management for the site.

### **LEGAL**

Nil

### **ARTS, CULTURE & ENVIRONMENT**

The Darwin Cenotaph area is highly-valued by the Darwin community for its historic and solemn symbolic values. A key consideration of use of the space is to ensure this area is retained as a respectful memorial area for community and visitors to reflect on Australian servicemen and women.





**MINUTES**  
**BOMBING OF DARWIN & MILITARY**  
**HISTORY ADVISORY COMMITTEE**  
 9.00 - 10.00 am, Wednesday 9 October 2019  
 Chambers, City of Darwin

**UNCONFIRMED**

**1. PRESENT**

The Hon Kon Vatskalis  
 Alderman Mick Palmer  
 Mr Stephen Gloster  
 Mr Norm Cramp  
 Mr Michael Wells

Ms Meghan Bailey

Ms Linda Fazldeen

Ms Sheree Jeeves  
 Mrs Karen Conway

**City of Darwin Staff**  
 Mrs Karen Long

**Guests**  
 Major Willem Schoombie  
 Major Peter Darlington  
 Mr Don Spinks  
 Alderman Lambrinidis  
 Alderman Bouhoris  
 Ms Julieanne Wylie  
 Ms Melissa Reiter

The Right Worshipful, The Lord Mayor (Chair)  
 Elected Member  
 RSL  
 Darwin Military Museum Manager  
 Department of Tourism, Sport and Culture Director  
 Heritage Branch  
 Department of Veterans' Affairs Deputy  
 Commissioner NT  
 Defence NT, Director Community Engagement,  
 Department of Trade, Business and Innovation  
 City of Darwin Manager Engagement and Events  
 A/City of Darwin General Manager Community and  
 Regulatory Services

Executive Assistant

DVA's Repatriation Commissioner

Events Logistics Coordinator  
 General Manager Government Relations and  
 External Affairs

**2. APOLOGIES**

Kylie Salisbury  
 Tony Simons

Community Events Producer  
 President, Aviation Historical Society of  
 the NT

**3. DECLARATION OF INTEREST IN ANY ITEMS ON THE AGENDA - Nil**

**4. ACCEPTANCE OF PREVIOUS MINUTES 14 AUGUST 2019**

The minutes of the meeting of 14 August 2019 were received as a true and accurate record.

Gloster/Cramp, carried

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Minutes Bombing of Darwin & Military History Advisory Committee 9/10/2019

## **5. BUSINESS ARISING FROM PREVIOUS MINUTES 14 AUGUST 2019 – Nil**

## **6. GENERAL BUSINESS**

### **6.1 Presentations**

#### Darwin Greek GleNTi Festival relocation to Bicentennial Park Area 1

##### **I. Key points of the presentation were:**

- flat ground is required for infrastructure
- will minimise trip hazard risks
- natural shade
- outgrown current area and need to expand
- free open cinema will be a new addition
- discussed with previous Darwin RSL President and Northern Command to ensure all protocols identified and implemented into the design layout proposal (tabled)
- acknowledged that this area is 'sacred' ground
- 1000's of interstate guests come to Darwin to experience the GleNTi festival
- helps stimulate local economy – tours, hotels, restaurants
- raises money for a local charity group
- this location does not currently have permanent services (electricity and water) and have sought funding from the NT Government (via the Minister) to have these installed permanently

The Committee received and noted the presentation from the President Mr Nicholas Poniris and Nicholas Halkitis of the Greek Orthodox Community of North Australia, on the possible relocation of the Darwin Greek GleNTi Festival to Bicentennial Park Area 1 in 2020.

#### Darwin Festival - Spiegeltent

##### **II. Key points of the presentation were:**

- this year's festival broke all previous festival records for attendance
- brings Darwin alive for three weeks in August
- this site is the only site suitable for the Spiegeltent
- flat ground essential for infrastructure
- access appropriate for large vehicles, which are required to construct the Spiegeltent
- alternative locations have been considered – public carpark rooftop (this area is going to be tiered, so now unsuitable); Liberty Lawn (uneven surface and lack of audience access points; George Brown Botanic Gardens (would prefer not to split into sites separated by distance, does not 'activate' the city)

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- stimulates local businesses within the city
- works closely with the Darwin RSL to respect the area
- agreed to ensure line of sight maintained from entrance through to the Cenotaph

The Committee received and noted the presentation from the Chair, Mr Ian Kew and Production Manager, Mr Mat McHugh from the Darwin Festival on the continued use of Bicentennial Park Area 1 for the Spiegeltent in 2020.

## 6.2 Bicentennial Park Area 1

The Lord Mayor sought members' viewpoints following the two presentations requesting the use of Bicentennial Park Area 1.

### Greek GleNTi

Members acknowledged that the request clashes with the Australian Defence Force 21 Gun Salute at the Cenotaph site on Saturday 6 June. Members were supportive of GleNTi sharing this space with the Australian Defence Force on the Queen's Birthday long weekend if the logistics and safety requirements of the two events can be accommodated. The following conditions would need to be considered –

- the exclusion zone around the Cenotaph area is respected
- that GleNTi and the 21 Gun Salute can be accommodated in the space together with all safety requirements met
- passageways for ADF to set up/remove ceremonial guns are made available
- when the 21 Gun Salute is occurring the Greek GleNTi's program does not impact on the significance of the ceremony
- that site lines are maintained from the entrance of the area through to the Cenotaph
- that any exclusion zones for the new eternal flame are accommodated, which works are planned to be completed by the Bombing of Darwin Day commemorative service in February 2020.
- that should any of the conditions in place for Area 1 not be complied with, future requests for use of this area may be declined
- stakeholders are to be consulted

### Darwin Festival

Members were supportive of the Darwin Festival using this space again in 2020 for the Spiegeltent with the following conditions –

- the exclusion zone around the Cenotaph area is respected
- site lines from the entrance to the Cenotaph are maintained

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- any exclusion zones for the new proposed eternal flame can be accommodated
- that should any of the conditions in place for Area 1 not be complied with, future requests for use of this area may be declined

#### Action

- The Australian Defence Force to provide further details on the safety requirements and exclusion zones for the 21 Gun Salute to Council officers.
- Council officers will communicate any safety or exclusion requirements with both the Greek GleNTi and Darwin Festival prior to a report being presented to Council.

#### 6.3 Community Events Update

Sheree Jeeves advised that the first Bombing of Darwin Day commemorative event planning meeting will be held on the 14 November 2019.

#### 6.4 Members' Update

Stephen Gloster

- Shared the concept plans for the upgrade of the Cenotaph which are with Council to be reviewed.
- Remembrance Day 11 November
- Queried if Territory Tribute would be held next year.

Norm Cramp

- Celebrated 50<sup>th</sup> Anniversary of the founding of the Darwin Military Museum on 17 August 2019. Thanks extended to ADF and City of Darwin.
- Hosting ADF Family and Health Day
- Back to the Track 2020 planning is well underway.

Michael Wells

- RSL and NT Heritage Council met on site at the Cenotaph to look at the proposed upgrades.
- There will be a formal handover of the wreckage of Spitfire A58-2, located in Litchfield National Park, on 12 November 2019. The event will be held at the Darwin Aviation Museum, and committee members will be invited.

Meg Cotter

- Military Heritage marketing campaign not yet confirmed. Will provide an update at next meeting.

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Megan Bailey

- 'Thank you for your service' photographic exhibition – Department of Veterans' Affairs still exploring timing and locations with Polly Banks and Michael Wells.
- Department of Veterans' Affairs working on commemorative events to mark the 75<sup>th</sup> anniversary of the end of WWII. Bombing of Darwin Day will be one of the events acknowledged. Michael Wells put forward that at a local level the focus could be the stories of what happened at that time in Darwin. Michael and Megan to catch up and talk over. Linda Fazldeen informed funding will be allocated for anniversary commemorations.
- Federal Minister for Veterans' Affairs in town to meet with relevant stakeholders to discuss the progress of the Darwin veterans' wellbeing centre.

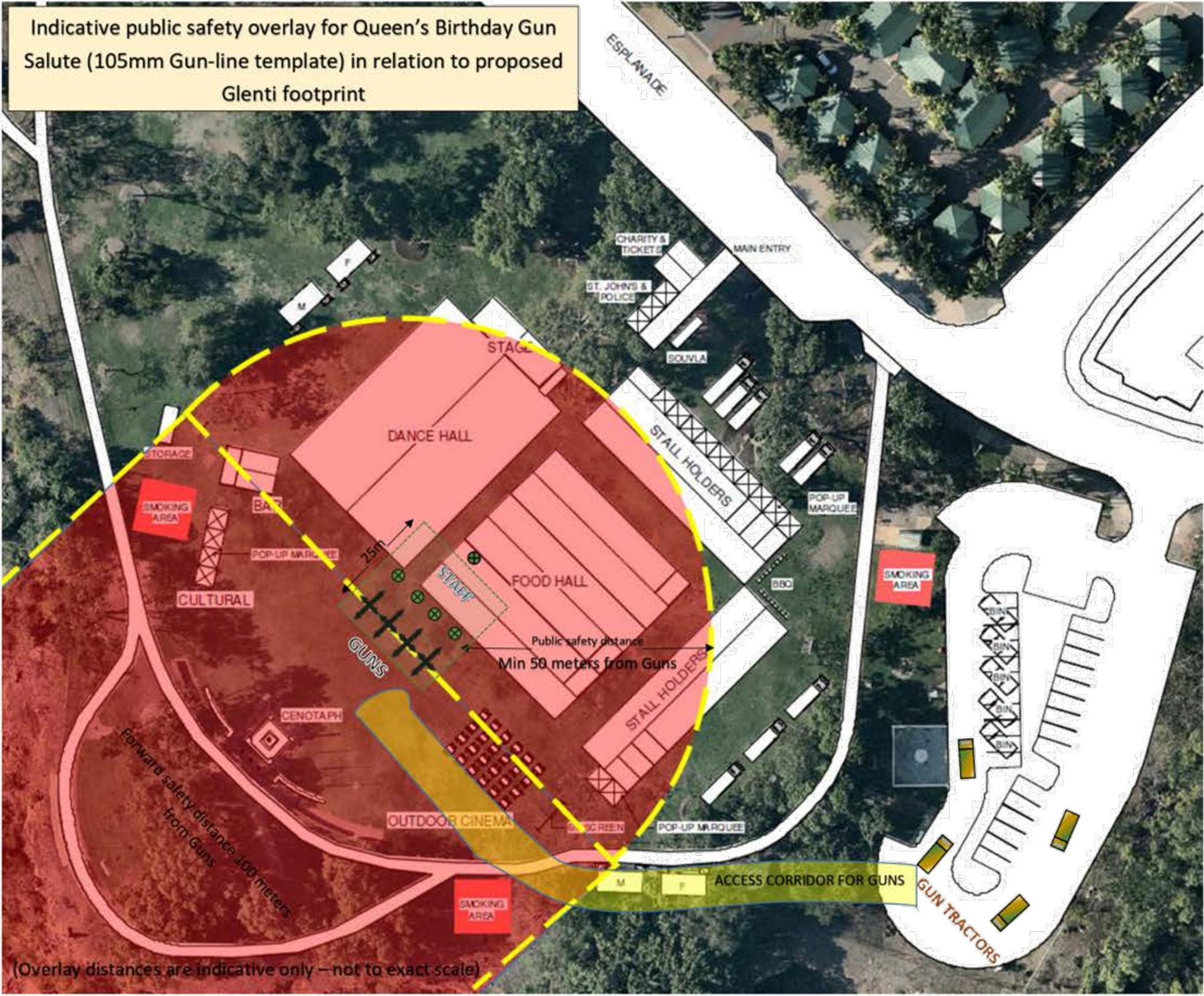
**7. ANY OTHER BUSINESS - Nil**

**8. DATE OF NEXT MEETING**

Date: 11 December 2019  
Time: 11.00 am  
Venue: Meeting Room 1

**9. MEETING CLOSED - 10.00 am**







**14.4 REMOTE AREA TAX CONCESSION AND PAYMENT STUDY****Common No.:****Author:** Executive Manager Corporate Services**Authoriser:** General Manager Government Relations & External Affairs**Attachments:** 1. Productivity Commission Submission**SUMMARY**

The purpose of this report is to advise Council of the submission lodged with the Productivity Commission in relation to the Remote Area Tax Concessions and Payment Study.

**RECOMMENDATIONS**

1. THAT the report be received and noted.
2. THAT Council's response to the Productivity Commission Submission on Remote Area Tax Concessions and Payment Study as outlined in Attachment 1, be noted.

**KEY ISSUES**

- The Australia Government has asked the Productivity Commission to examine Remote Area Tax Concessions and Payment.
- The Productivity Commission is recommending the following in its Draft Report:
  - Removal of the Zone Tax Offset;
  - Darwin residents no longer be eligible for RAA; and
  - Changes to the Fringe Benefits Tax Concession for employer provided housing.
- Council does not support these changes and has lodged a submission with the Productivity Commission.
- As public consultation is concluding, Council is being presented this report for noting.
- The Productivity Commission will consider submissions and release a final report in February 2020.

**BACKGROUND**

The Australia Government has asked the Productivity Commission to undertake a study into Remote Area Tax Concessions and Payments. These include the Zone Tax Offset, Remote Area Allowance and Fringe Benefits Tax-Remote Area Concessions. The Productivity Commission has prepared a draft report and is currently finalising consultation for the final report, due in February 2020.

The Zone Tax Offset (ZTO) is an income tax offset available to residents of specified parts of Australia, including the Darwin local government area. It is designed to compensate residents for uncongenial climate conditions, isolation, and a higher cost of living in the zones. The payment rate for Darwin residents is \$338 per year, plus 20% for dependents. The Productivity Commission is recommending the ZTO be abolished.

The Remote Area Allowance (RAA) is a supplementary payment for income support recipients in eligible areas, including the Darwin local government area. Fortnightly payments are \$18.20 for a single recipient, \$15.60 for each person in a couple and \$7.30 for each dependent child. The average RAA payment per recipient is \$387 a year. The Productivity Commission is recommending that the RAA vary the areas eligible, so Darwin residents would no longer be eligible for this payment.

Under Australia's fringe benefits tax (FBT) regime, employers may claim tax concessions for some goods, services, or financial assistance provided to employees working in designated remote areas, in particular housing. Whilst Council does not access this concession, other local governments in the Northern Territory use this benefit to offset the costs of providing services on behalf of all levels of government in remote communities. The Productivity Commission is proposing several changes to the concessions' rates and eligibility rules. In particular, for employer-provided housing, the Commission is proposing that the current exemption should be reverted to a 50 per cent concession, as it was prior to 2000.

Council staff have held informal discussions with members of the Productivity Commission raising Council's concerns and have lodged a written submission. Due to the tight timeframes for the Productivity Commission to finalise their report, Council is being provided this report for noting.

## **DISCUSSION**

In the submission at Attachment 1, Council has provided comments on the 3 areas of concern, namely:

- Removal of the ZTO;
- Darwin residents no longer being eligible for RAA; and
- Changes to the Fringe Benefits Tax Concession for employer provided housing.

Removal of the ZTO and eligibility for the RAA will increase the cost challenges faced by local residents, including:

- Higher domestic airfares, which were recently acknowledged as a challenge for residents by a Senate Inquiry;
- Costs from higher electricity usage to mitigate climatic conditions; and
- Increased costs of goods and services.

The removal of these concession will reduce the attractiveness of Darwin as a place to live. The Productivity Commissions argues that the ZTO is no longer material, however Council noted that the ZTO has not been increased since 1993, even though inflation has increased 88% in that period. To argue that the ZTO is no longer material, as a result of successive Commonwealth Governments not increasing it in line with inflation, is unfair to Darwin residents.

Council is recommending that the ZTO remains and is increased to a level commensurate with inflation since 1993. Council also does not support the changes to the RAA.

In relation to the changes to the Fringe Benefits Tax Concession, Council's primary concern is for other local governments that may be negatively impacted by changes to this concession. Council does not access this benefit, however other local governments in the Northern Territory use it to offset the cost of providing essential services for all levels of government that may include Centrelink, Medicare, aged care services, education, health care, community engagement, communications and infrastructure delivery. Removal of this concession will result in a cost shift from Commonwealth Government to local government. Therefore, to avoid additional costs being passed onto local governments, and service delivery in remote communities being impacted, Council supports the maintenance of the current arrangements.

## **STRATEGIC ENVIRONMENT**

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the 'Darwin 2030 City for People. City of Colour. Strategic Plan':

### **Goal**

4 A Smart and Prosperous City

### **Outcome**

4.2 By 2030, Darwin will have attracted and retained more residents and will offer sustainable investment opportunities



**Key Strategies****LEGISLATIVE/POLICY**

This final Productivity Commission report is expected to be handed to the Commonwealth Government by February 2020 and publicly released shortly after that.

**CONSULTATION****Internal**

In preparing this report, the following City of Darwin officers were consulted:

- Nil

**External**

- Prior to preparing this submission, Council met with members of the Productivity Commission, Local Government Association of the Northern Territory and representatives of other local governments in the Northern Territory to discuss the draft report.

**BUDGET/RESOURCE IMPLICATIONS**

Nil

**RISK**

By providing this submission, Council is seen to be advocating on behalf of impacted residents.

**LEGAL**

Nil

**ARTS, CULTURE & ENVIRONMENT**

Nil



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30 October 2019

Remote Area Tax Concessions and Payments Study  
Productivity Commission

Lodged by: Online Submission

To Whom It May Concern

**City of Darwin Submission to the Remote Area Tax Concessions and Payments Study**

Thank you for the opportunity to provide a submission on the Productivity Commission's draft report on Remote Area Tax Concessions and Payments. I acknowledge the engagement you have already had with Council staff and provide the following additional information.

Council's recently adopted Strategic Plan, Darwin 2030 City for People City of Colour tells Darwin's story:

*As the Capital City of the Northern Territory, Darwin is the social, cultural and economic heart of the Northern Territory. Located in the Top End, Darwin is Australia's most northern capital city – making it strategically the closest city to our Asian neighbours.*

Darwin's strategic, economic and historical significance challenges all levels of government to ensure that those people who call Australia's most northern capital home are supported to meet the cost disadvantages, isolation, climate and high costs of transport not experienced by residents in other regions. Ensuring a sustainable northern hub also allows the Commonwealth Government to incentivise people to move to regional and remote areas to reduce population pressures in Australia's major east coast cities and support ongoing efforts by the Northern Territory Government and Council to grow the regional economy.



## 2

This submission provides comments on the three areas of concern below:

**Zone Tax Offset**

The draft report released by the Productivity Commission proposes that the Zone Tax Offset (ZTO) is removed as there is no justification for it to continue.

One of the arguments cited was that it represents less than 1% of after-tax income for more than 80% of claimants. The ZTO rates have not increased since 1993, and in that period, inflation has increased by 88%. If Ordinary Zone A payments, applicable in the City of Darwin, increased in line with inflation the current payment would be \$635, plus 50% of applicable dependent rates. In dual income households this represents at least \$1,270 per annum. To argue that the ZTO is no longer material, as a result of successive Commonwealth Governments not increasing it in line with inflation is unfair to Darwin residents. Removal of this payment will increase the cost challenges faced by local residents including:

- Higher domestic airfares, which were recently acknowledged as a challenge for residents by a Senate Inquiry
- Costs from higher electricity usage to mitigate climatic conditions
- Increased costs of goods and services

Another argument put forward by the Productivity Commission for abolishing the ZTO is that there is higher remuneration in eligible areas, which suggests that the labour market already compensates workers for any disadvantages. What this view fails to take into account is that in Darwin high value employment is often on a short to medium term, contract basis, particularly in technical/trades work, and upon completion due to costs of living pressures, people do not feel there is significant incentive to remain so they relocate to seek further work. An example of this is the Inpex project in Darwin which provided a significant boost to the regional economy, however was not sustained beyond the construction phase of the project.

The final argument is that the ZTO fails to support economic development as it does not encourage people to move to regional areas and it typically results in a loss to the Australia community. Economic development initiatives do not work in isolation and to judge them in isolation is not appropriate. A number of incentives are provided to encourage economic development in the Darwin region, including housing incentives, relocation bonuses, and migration and resettlement arrangements. They work in conjunction and to remove one of them, makes it harder to succeed in the overall policy objective of sustainable population and economic growth.



Furthermore, to argue that Australia does not benefit from the sustainable growth of Darwin and surrounding communities, is short-sighted. A defence presence in Darwin has formed part of Australia's strategic defence policy for over 70 years, and Darwin's proximity to Asia, including direct links to major trading partners' means that a continued investment in people is of benefit to the Australian community.

Therefore, it is Council's recommendation that the ZTO remains and is increased to improve its effectiveness, to a level commensurate with inflation since 1993.

### **Remote Area Allowance**

The Productivity Commission is proposing that the eligible areas for the Remote Area Allowance (RAA) be reduced to no longer incorporate Darwin. It is unclear from the report as to whether this report distinguishes between Darwin and Palmerston local government areas which draws into question the analysis. However by their own figures, the Productivity Commission is recommending that the RAA be taken away from 25,000 local residents including 5,400 living in Decile 1 suburbs according to the Socio-Economic Indexes for Australia (SEIFA). Decile 1 suburbs are the most disadvantaged in Australia according to the Australian Bureau of Statistics. For a couple with two children, this is a payment of \$1,190 per year.

Council does not support this change as it will have a significant impact on some of the most disadvantaged communities in Australia, and will make it increasingly difficult for people to cope with the increased cost challenges outlined above. This disadvantage is further compounded by the fact that due to their circumstances and links to the community, many of these people may not be easily able to relocate to places with cheaper costs of living.

### **Fringe Benefits Tax Concessions**

As noted in the Productivity Commission report, this incentive consists of a fringe benefits tax concession for some goods, services or financial assistance provided to employees working in designated remote areas. Whilst Council would like to see the continued provision of support for primary production employees and their families in the Northern Territory, Council primary concern is for other local governments that may be negatively impacted by changes to this concession.

The provision of housing, particularly in remote indigenous communities in the Northern Territory is not an incentive, but a necessity to reflect the lack of housing availability, choice and diversity in isolated areas. Local governments require staff





in these communities to provide essential services for all levels of government that may include Centrelink, Medicare, aged care services, education, health care, community engagement, communications and infrastructure delivery. Removal of this concession will result in a cost shift from Commonwealth Government to local government. This increased cost will occur against a backdrop of a reduction in Financial Assistance Grants from of 1% to 0.57% of general taxation revenue since 1996. This is despite an increase in local government expenditure of 386% in the same period. It is quite likely that the cost of providing these services will have to be recouped from the Commonwealth Government through agreements in place to provide these services, resulting in minimal savings to Australian taxpayers. Therefore, to avoid additional costs being passed onto local governments, and service delivery in remote communities being impacted, Council supports the maintenance of the current arrangements.

Thank you for the opportunity to comment on the draft report. If you have any further queries please contact Chris Kelly, Executive Manager Corporate Services on 08 8930 0537 or [chris.kelly@darwin.nt.gov.au](mailto:chris.kelly@darwin.nt.gov.au).

Yours sincerely



**Melissa Reiter**  
**Acting Chief Executive Officer**



**14.5 2018/19 CITY OF DARWIN ANNUAL REPORT**

**Common No.:** 3141841

**Author:** Executive Manager Governance, Strategy & Performance

**Authoriser:** General Manager Government Relations & External Affairs

**Attachments:** 1. 2018/19 City of Darwin Annual Report (under separate cover)

**SUMMARY**

The purpose of this report is to provide Council with the City of Darwin Annual Report 2018/19 (including Audited Financial Statements) for adoption.

**RECOMMENDATIONS**

THAT it be a recommendation to Council:-

1. THAT this report entitled City of Darwin Annual Report 2018/19 be received and noted.
2. THAT Council adopt the 2018/19 City of Darwin Annual Report at **Attachment 1** to this Report.
3. THAT the 2018/19 City of Darwin Annual Report be forwarded to the Minister for Local Government, Housing and Community Development no later than 15 November 2019.

**KEY ISSUES**

- This year's annual report is themed *Towards a Smarter Future*.
- The Annual Report 2018/19 closes out the previous strategic plan *Evolving Darwin Towards 2020* and introduces the Darwin 2030 – *City for People. City of Colour*. Strategic Plan. Achieving our *Evolving Darwin Towards 2020* Report is found from page 30 in the report.
- The Local Government Act requires Council to adopt, on or before, 15 November each year the annual report and forward to the Minister.
- The Annual Report must include audited Financial Statements. These have been included in the report following presentation to the Risk Management and Audit Committee held on 29 October 2019 and the signing of the financial statements by the Chief Executive Officer.
- An assessment of Council's performance against the objectives stated in the relevant municipal plan including the indicators of measuring performance must be included in the Annual Report. This is provided at Appendix A within Attachment 1, the Annual Report.

**BACKGROUND**

Section 199 of the Local Government Act contains the following provisions:

**Part 14.1 Annual reports****199 Annual reports**

- (1) A Council must, on or before 15 November in each year, report to the Minister on its work during the financial year ending on the preceding 30 June.
- (2) The report must include a copy of the Council's audited financial statement for the relevant financial year.
- (3) The report must also contain an assessment of the Council's performance against the objectives stated in the relevant municipal or shire plan (applying indicators of performance set in the plan).

- (4) As soon as practicable after the report has been delivered to the Minister, the council must:
- (a) publish the report on the Council's website; and
  - (b) publish a notice in a newspaper circulating generally in the area informing the public that copies of the report may be downloaded from the Council's website or obtained from the Council's public office.

## DISCUSSION

This year's annual report is themed *Towards a Smarter Future*. The theme described throughout the report helps to create a story of key achievements in 2018/19 which include:

- *Switching on Darwin*
- TRAC committee outcomes and a renewed focus on beautification and greening projects
- Cyclone Marcus recovery
- Organisational change and restructure
- IT Transformation

Together, a report on these achievements enables us to set the scene *Towards a Smarter Future*

Council's Annual Report demonstrates performance for the 2018/19 financial year. Performance is outlined through key achievements against each Strategic Plan Goal and performance against the Key Performance Indicators outlined in the Municipal Plan. Financial performance is outlined in the Financial Statements.

It is a collaborative approach to developing the Annual Report with input provided from all departments across Council with the central coordination and development driven through the Government Relations and External Affairs Department.

Over time the Annual Report has grown to be a large document. Much work has been done this year to focus on reporting achievements at the strategic level, as opposed to every service at the operational level. This will remain a focus into 2019/20. It should be noted that the Annual Report has achieved gold medal status for 6 consecutive years at the Australasian Annual Report Awards, for its high standard.

This year the report has been prepared in six (6) sections as follows:

### 1. Introduction

The introduction provides a statistical profile of City of Darwin, the Lord Mayor and Chief Executive Officer messages, Elected Members and highlights.

### 2. Our Strategic Performance

Our strategic performance is a report on achieving the *Evolving Darwin Towards 2020 Strategic Plan* which concluded on 30 June 2019.

### 3. Governance

The Governance section provides an overview of the arrangements for the leadership and management of Council.

### 4. Our Annual Performance

Our annual performance outlines the achievements and opportunities against the five goals in the strategic plan and opportunities *Towards a Smarter Future*.

### 5. Finances

Finances present a summary of financial information and the Audited Financial Statements for the 2018/19 financial year.

## 6. Appendices

The Appendices include the Municipal Plan Performance Report including action and key performance indicator performance, Annual Report compliance and other indexes.

The Annual Report and the Audited Financial Statements were received by the Risk Management & Audit Committee on 29 October 2019. The committee endorsed the Financial Statements as suitable for certification by the Chief Executive Officer for inclusion in the Annual Report and to be presented to Council.

Below is a summary of the Financial Statements for 2018/19.

The Council Financial Report for the year ended 30 June 2019 received an unqualified audit opinion on October 29<sup>th</sup>. Council completed the financial year with a net deficit of just under \$4 million. This result is well ahead of the budgeted position being a deficit of \$9.2 million. The main reason for budgeting an operating deficit is the depreciation charge in Councils expenses. As Council does not fund depreciation, rather funding the capital improvements of its assets, it will almost always budget for an operating deficit.

In summary, total income is up on the previous year by \$2.2 million to \$107.7 million, and total expenditure is \$119.9 million, down on the 2017/18 total of \$123.6 million.

Factors contributing to the improved position include; receipt of \$4 million of Natural Relief from Disaster from the Northern Territory Government, receipt of a \$1 million grant for urban enhancement infrastructure, higher investment returns, and savings in contracted costs and operating costs. Whilst there were also some unanticipated Cyclone repair works, these were well down on the previous year and the contributing factor in the lower expenditure result from 2017/18.

Investments and Cash totalled \$111.2 million at year-end, being mainly supported by Councils Reserves. The Reserves are a mix of externally and internally restricted funds totalling \$78.6 million.

Council's net assets are on par with the previous year at \$1.032 billion.

## STRATEGIC ENVIRONMENT

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the 'Darwin 2030 City for People. City of Colour. Strategic Plan':

### Goal

6 Governance Framework

### Outcome

6.4 Accountability

### Key Strategies

## LEGISLATIVE/POLICY

There are no direct policy implications as a result of this report. Compiling an Annual Report is supported by the Local Government Act, City of Darwin Governance Framework and City of Darwin Strategic Planning Framework.

The Council must prepare the Annual Report by 15 November **2019** and as soon as practicable after delivery to the Minister, publish the report on the Council's website and publish a notice in a newspaper circulating generally within the area informing the public that the report is available.

The Annual Report complies with the Local Government as outlined in the following table.

Legislative Requirement	Page
-------------------------	------



<b>Local Government Act</b>		
<b>131(2)(a)</b>	Revenue and Expenditure	137
<b>131(2)(b)</b>	Assets and Liabilities	137
<b>131(3)</b>	Annual Financial Statement (conforming to accounting standards and other legislative requirements)	137
<b>132(a and b)</b>	Financial Statement audited no later than 15 November 2017	137
<b>199 (2)</b>	Audited Financial Statements	137
<b>199 (3)</b>	Performance Report against the Municipal Plan	189
<b>Local Government (Accounting) Regulations</b>		
<b>15(1)(a)</b>	Compliance to Accounting Standards	137
<b>15(2)(a)</b>	Details of rates levied	137
<b>15(2)(b)</b>	Grants and Subsidies received	137
<b>15(2)(c )</b>	Reserves	137
<b>15(2)(d)</b>	Nature and purpose of each function (assets, income and expenditure)	137
<b>15(2)(e )</b>	Budget versus actual comparison (assets, income and expenditure) by function	137
<b>15(3)</b>	Financial year comparison and previous year comparison (income and expenditure)	137
<b>Section 1 (1)(a&amp;b)</b>	CEO certification of financial statements	139

## CONSULTATION

A draft of the Annual Report was considered by the Strategic Direction Group on 08 October 2019 and endorsed by the Risk Management & Audit Committee on 29 October 2019.

### Internal

In preparing the Annual Report 2018/19, the following City of Darwin officers were consulted:

- Senior Leadership Team
- Strategic Direction Group

No consultation has occurred on this report to Council.

### External

- Nil

## BUDGET/RESOURCE IMPLICATIONS

Each year a budget is provided to develop the Annual Report including design, format and printing. This year's Annual Report will remain within that budget.

## RISK

Meeting legislative timeframes is a risk that is currently being managed.

**LEGAL**

There is a risk that Council's Annual Report does not comply with legislation. This risk is being managed at this stage.

**ARTS, CULTURE & ENVIRONMENT**

Council minimises its impact on the environment by printing minimal copies of the Annual Report.

**14.6 MEETING DATE SCHEDULE**

**Common No.:** 1486656

**Author:** Acting Coordinator Governance

**Authoriser:** General Manager Government Relations & External Affairs

**Attachments:** 1. Meeting Date Schedule 2020

**SUMMARY**

The purpose of this report is to present the forward Ordinary Council meeting schedule for 2020 for endorsement by Council.

**RECOMMENDATIONS**

1. THAT the report be received and noted.
2. THAT the schedule in Attachment 1 entitled Meeting Date Schedule 2020 be endorsed.

**KEY ISSUES**

- Under the *Local Government Act*, Council must hold a meeting of its members (an ordinary council meeting) at least once every two months.
- The dates, times and places of all Ordinary Council Meetings will be determined annually in advance.

**BACKGROUND**

A forward schedule of meeting dates is submitted annually to Council to be adopted.

As per Policy 043, Ordinary Meetings of the Council will be scheduled for:

- the third-last Tuesday each month (1<sup>st</sup> Ordinary Council Meeting)
- the last Tuesday of each month (2<sup>nd</sup> Ordinary Council Meeting).

Council has resolved that Ordinary Council Meetings will start at 5.30 pm.

Council Meetings are held at the City of Darwin Civic Centre in Council Chambers, except where a community council is held within one of the 4 wards across the municipality.

**DISCUSSION**

The Meeting Date Schedule in **Attachment A** is compiled allowing for public holidays and has been developed similar to previous timetables. Standard practice for many years has been to hold two Ordinary Council Meetings per month of the year, excepting January and December, when only one meeting is held. A Public Forum is held before the last meeting of the month, to allow members of the community to meet with Elected Members and raise items of interest or concern.

On occasion, usually due to intersection with public holidays, there has only been one Ordinary Council Meeting held in a month. When there is only one meeting in a month it is called an 'Ordinary Council Meeting' and a Public Forum is also held beforehand.

Council has previously raised consideration of the following in compiling the meeting timetable:

- requirement for Ordinary meetings in January and December, when many members are on personal leave for the holidays
- reduced meetings during school holiday periods.

The following meetings are within school holiday periods in 2020:

- 21 January 2020 – Pre – Council Briefing
- 14 April 2020 - 1<sup>st</sup> Ordinary
- 7 July 2020 – Pre - Council Briefing
- 14 July 2020 - 1<sup>st</sup> Ordinary
- 6 October 2020 – Pre – Council Briefing

Any such changes to the timetable are at the discretion of Council.

## **STRATEGIC ENVIRONMENT**

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the 'Darwin 2030 City for People. City of Colour. Strategic Plan':

### **Goal**

6 Governance Framework

### **Outcome**

6.3 Decision Making and Management

### **Key Strategies**

## **LEGISLATIVE/POLICY**

This schedule is presented for Council's approval as per City of Darwin Policy No. 043 - Meetings, Meeting Procedures and Committees.

## **CONSULTATION**

### **Internal**

Nil

### **External**

## **BUDGET/RESOURCE IMPLICATIONS**

Nil

## **RISK**

Nil

## **LEGAL**

Nil

**ARTS, CULTURE & ENVIRONMENT**

Nil

Public Holiday

Council Meeting

Committee

Other

# January 2020

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 NEW YEAR'S DAY HOLIDAY	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21 Pre-Council Briefing	22	23	24	25
26 AUSTRALIA DAY	27 AUSTRALIA DAY HOLIDAY	28 ORDINARY COUNCIL (52)	29	30	31	

*DRAFT - INTERNAL USE ONLY - COMMITTEE ADMINISTRATOR*

*\* The number in brackets after the Ordinary Council Meeting denotes the sequential number of meetings for the 22<sup>nd</sup> council.*



Public Holiday

Council Meeting

Committee

Other

# February 2020

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3	4 Pre-Council Briefing	5	6	7	8
9	10	11 1 <sup>ST</sup> ORDINARY COUNCIL (53)	12	13	14	15
16	17	18 Pre-Council Briefing	19 Bombing of Darwin Day	20	21	22
23	24	25 2 <sup>ND</sup> ORDINARY COUNCIL (54)	26	27	28	29

*DRAFT - INTERNAL USE ONLY - COMMITTEE ADMINISTRATOR*

*\* The number in brackets after the Ordinary Council Meeting denotes the sequential number of meetings for the 22<sup>nd</sup> council.*

Public Holiday

Council Meeting

Committee

Other

# March 2020

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3	4	5	6	7
8	9	10 Pre-Council Briefing	11	12	13	14
15	16	17 1 <sup>ST</sup> ORDINARY COUNCIL (55)	18	19	20	21
22	23	24 Pre-Council Briefing	25	26	27	28
29	30	31 2 <sup>ND</sup> ORDINARY COUNCIL (56)				

*DRAFT - INTERNAL USE ONLY - COMMITTEE ADMINISTRATOR*

*\* The number in brackets after the Ordinary Council Meeting denotes the sequential number of meetings for the 22<sup>nd</sup> council.*

Public Holiday

Council Meeting

Committee

Other

# April 2020

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2	3	4
5	6	7 Pre-Council Briefing	8	9	10 GOOD FRIDAY	11
12	13 EASTER MONDAY	14 1 <sup>ST</sup> ORDINARY COUNCIL (57)	15	16	17	18
19	20	21 Pre-Council Briefing	22	23	24	25 ANZAC DAY
26	27	28 2 <sup>ND</sup> ORDINARY COUNCIL (58)	29	30		

*DRAFT - INTERNAL USE ONLY - COMMITTEE ADMINISTRATOR*

*\* The number in brackets after the Ordinary Council Meeting denotes the sequential number of meetings for the 22<sup>nd</sup> council.*

Public Holiday

Council Meeting

Committee

Other

# May 2020

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4 MAY DAY PUBLIC HOLIDAY	5 Pre-Council Briefing	6	7	8	9
10	11	12 1 <sup>ST</sup> ORDINARY COUNCIL (59)	13	14	15	16
17	18	19 Pre-Council Briefing	20	21	22	23
24	25	26 2 <sup>ND</sup> ORDINARY COUNCIL (60)	27	28	29	30
31						

*DRAFT - INTERNAL USE ONLY - COMMITTEE ADMINISTRATOR*

*\* The number in brackets after the Ordinary Council Meeting denotes the sequential number of meetings for the 22<sup>nd</sup> council.*

Public Holiday

Council Meeting

Committee

Other

# June 2020

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5	6
7	8 QUEEN'S BIRTHDAY	9 Pre-Council Briefing	10	11	12	13
14	15	16 1 <sup>ST</sup> ORDINARY COUNCIL (61)	17	18	19	20
21	22	23 Pre-Council Briefing	24	25	26	27
28	29	30 2 <sup>ND</sup> ORDINARY COUNCIL (62)				

*DRAFT - INTERNAL USE ONLY - COMMITTEE ADMINISTRATOR*

*\* The number in brackets after the Ordinary Council Meeting denotes the sequential number of meetings for the 22<sup>nd</sup> council.*

Public Holiday

Council Meeting

Committee

Other

# July 2020

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2	3	4
5	6	7 Pre-Council Briefing	8	9	10	11
12	13	14 1 <sup>ST</sup> ORDINARY COUNCIL (63)	15	16	17	18
19	20	21 Pre-Council Briefing	22	23	24 DARWIN SHOW DAY	25
26	27	28 2 <sup>ND</sup> ORDINARY COUNCIL (64)	29	30	31	

*DRAFT - INTERNAL USE ONLY - COMMITTEE ADMINISTRATOR*

*\* The number in brackets after the Ordinary Council Meeting denotes the sequential number of meetings for the 22<sup>nd</sup> council.*



Public Holiday

Council Meeting

Committee

Other

# August 2020

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3 PICNIC DAY	4 Pre-Council Briefing	5	6	7	8
9	10	11 1 <sup>ST</sup> ORDINARY COUNCIL (65)	12	13	14	15
16	17	18 Pre-Council Briefing	19	20	21	22
23	24	25 2 <sup>ND</sup> ORDINARY COUNCIL (66)	26	27	28	29
30	31					

*DRAFT - INTERNAL USE ONLY - COMMITTEE ADMINISTRATOR*

*\* The number in brackets after the Ordinary Council Meeting denotes the sequential number of meetings for the 22<sup>nd</sup> council.*

Public Holiday

Council Meeting

Committee

Other

# September 2020

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2	3	4	5
6	7	8 Pre-Council Briefing	9	10	11	12
13	14	15 1 <sup>ST</sup> ORDINARY COUNCIL (67)	16	17	18	19
20	21	22 Pre-Council Briefing	23	24	25	26
27	28	29 2 <sup>ND</sup> ORDINARY COUNCIL (68)	30			

*DRAFT - INTERNAL USE ONLY - COMMITTEE ADMINISTRATOR*

*\* The number in brackets after the Ordinary Council Meeting denotes the sequential number of meetings for the 22<sup>nd</sup> council.*

Public Holiday

Council Meeting

Committee

Other

# October 2020

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5	6 Pre-Council Briefing	7	8	9	10
11	12	13 1 <sup>ST</sup> ORDINARY COUNCIL (69)	14	15	16	17
18	19	20 Pre-Council Briefing	21	22	23	24
25	26	27 2 <sup>ND</sup> ORDINARY COUNCIL (70)	28	29	30	31

*DRAFT - INTERNAL USE ONLY - COMMITTEE ADMINISTRATOR*

*\* The number in brackets after the Ordinary Council Meeting denotes the sequential number of meetings for the 22<sup>nd</sup> council.*

Public Holiday

Council Meeting

Committee

Other

# November 2020

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3 Pre-Council Briefing	4	5	6	7
8	9	10 1 <sup>ST</sup> ORDINARY COUNCIL (71)	11	12	13	14
15	16	17 Pre-Council Briefing	18	19	20	21
22	23	24 2 <sup>ND</sup> ORDINARY COUNCIL (72)	25	26	27	28
29	30					

*DRAFT - INTERNAL USE ONLY - COMMITTEE ADMINISTRATOR*

*\* The number in brackets after the Ordinary Council Meeting denotes the sequential number of meetings for the 22<sup>nd</sup> council.*

Public Holiday

Council Meeting

Committee

Other

# December 2020

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1 Pre-Council Briefing	2	3	4	5
6	7	8 1 <sup>ST</sup> ORDINARY COUNCIL (73)	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25 CHRISTMAS DAY	26 BOXING DAY
27	28	29	30	31		

*DRAFT - INTERNAL USE ONLY - COMMITTEE ADMINISTRATOR*

*\* The number in brackets after the Ordinary Council Meeting denotes the sequential number of meetings for the 22<sup>nd</sup> council.*

## 14.7 CALL FOR NOMINATIONS TO THE NT GRANTS COMMISSION

### Common No.:

**Author:** Acting Coordinator Governance

**Authoriser:** General Manager Government Relations & External Affairs

**Attachments:** Nil

### SUMMARY

The purpose of this report is to seek Council's nomination for the Northern Territory Grants Commission

### RECOMMENDATIONS

1. THAT the report be received and noted.
2. THAT Council nominate Alderman \_\_\_\_\_ to the Northern Territory Grants Commission

### KEY ISSUES

- Correspondence was received to Council on 23 September 2019 requesting Council to put forward a nomination to the Northern Territory Grants Commission.
- The correspondence received advised that Alice Springs Town Council Mayor Damien Ryan has resigned from the Northern Territory Grants Commission.

### BACKGROUND

Council resolved the below in January 2018.

**16.4 Local Government Association of the NT - Nomination to NT Grants Commission**  
(30/01/18) Common No. 375173

(Glover/Young)

- A. *THAT the incoming request from the Local Government Association of the NT asking for nominations to the NT Grants Commission be received and noted.*
- B. *THAT Council nominate Alderman Palmer to the NT Grants Commission.*

DECISION NO.22\0365 (30/01/18)

Carried

ACTION: CA

NOTE: EXEC MGR

### DISCUSSION

The Northern Territory Grants Commission is established as an independent statutory authority under the Local Government Grants Commission Act. Its primary role is to allocate financial assistance grants provided by the Australian Government to Northern Territory local governing bodies in the form of general purpose grants and local roads grants.



It is a requirement under the Commonwealth's Local Government (Financial Assistance) Act 1995 that there is a local government grants commission in each State and the Northern Territory to make recommendations on the allocation of funding to local governments made under the Act.

The Commission makes recommendations to the Federal Minister in respect of the amounts of money to be allocated to local governing bodies from the money provided to the Territory by the Commonwealth under the Local Government (Financial Assistance) Act 1995.

The Commission also makes recommendations on such other matters relating to the finances of local governing bodies as the Northern Territory Minister for Local Government, from time to time, refers to the Commission.

## **STRATEGIC ENVIRONMENT**

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the 'Darwin 2030 City for People. City of Colour. Strategic Plan':

### **Goal**

6 Governance Framework

### **Outcome**

6.3 Decision Making and Management

### **Key Strategies**

## **LEGISLATIVE/POLICY**

The Local Government Grants Commission Act 1986 provides for a Commission of four members, consisting of:

- a Chairman appointed by the Minister;
- the Chief Executive Officer (CEO) of the Agency primarily responsible to the Minister for the administration of the Act, or his delegate; and
- two members appointed by the Minister, one representing the interests of municipal councils and the other representing the interests of regional councils.

## **CONSULTATION**

### **Internal**

Nil

### **External**

Nil

## **BUDGET/RESOURCE IMPLICATIONS**

Meeting attendance is in accordance with Elected Member allowances.

## **RISK**

Nil

## **LEGAL**

Nil

## **ARTS, CULTURE & ENVIRONMENT**

Nil

**15 RECEIVE & NOTE REPORTS****15.1 MINISTER'S ADVISORY COUNCIL ON MULTICULTURAL AFFAIRS RESOLUTION****Common No.:****Author:** Executive Manager Governance, Strategy & Performance**Authoriser:** General Manager Government Relations & External Affairs**Attachments:** Nil**SUMMARY**

The purpose of this report is to advise Council of the outcome to the Lord Mayor's nomination for the Minister's Advisory Council on Multicultural Affairs (MACMA).

**RECOMMENDATIONS**

1. THAT the report be received and noted.

**KEY ISSUES**

- On the 21<sup>st</sup> August 2019, LGANT called for nominations to represent LGANT as an observer on the Minister's Advisory Council on Multicultural Affairs
- Nominations were required by Friday 11 October 2019
- Council submitted the Lord Mayor's nomination to LGANT on Tuesday, 15 October 2019 after receiving an extension on the deadline, as the Lord Mayor was attending the CCCLM Annual General Meeting event at the time.
- Advice was received on 23 October 2019, confirming the Lord Mayor's appointment to the Minister's Advisory Council on Multicultural Affairs.

**BACKGROUND**

LGANT has held the position of observer on the Minister's Advisory Council on Multicultural Affairs since it began in 2014. The previous appointment was Mr Pirrawayingi Puruntatameri.

**DISCUSSION**

The Minister's Advisory Council on Multicultural Affairs was created in 2014 to provide a voice for the multicultural community on issues of interest, and provides high level and strategic advice to the government to improve policy multicultural outcomes.

The council is made up of multicultural community volunteers and representatives from relevant organisations.

LGANT has held the position of observer on the Minister's Advisory Council on Multicultural Affairs since it began in 2014, previous filled by Mr Pirrawayingi Puruntatameri. On the 21<sup>st</sup> October 2019, LGANT called for nominations for a new representative as observer.

Lord Mayor Kon Vatskalis was nominated to represent LGANT as observer on the Minister's Advisory Council on Multicultural Affairs.

The nominations were reviewed at the LGANT meeting on the 21<sup>st</sup> October 2019 and City of Darwin received the resolution confirming the Lord Mayors appointment on the 23<sup>rd</sup> October 2019.

**IMPLICATIONS**

Nil

**15.2 COUNCIL MINUTES PROCEDURES****Common No.:****Author:** Executive Manager Governance, Strategy & Performance**Authoriser:** General Manager Government Relations & External Affairs**Attachments:** 1. Example Minute Taking Procedure**SUMMARY**

The purpose of this report is to action Council resolution ORD520/19.

**RECOMMENDATIONS**

1. THAT the report be received and noted.

**KEY ISSUES**

- At the Ordinary Meeting held on 29 October 2019, Council resolved to amend the open minutes of the Ordinary Meeting held on 30 July 2019 to reflect the correct location of the meeting and mover of seconder of the Lord Mayoral Minute.
- At the Ordinary Meeting held on 29 October 2019, Council requested that a report outlining Council's process of checking, correcting and publishing Council minutes be circulated to Elected Members at the first Ordinary Meeting in November 2019.
- The administrative process for checking, correcting and publishing of Council Minutes is provided at Attachment 1, using the 1<sup>st</sup> Ordinary meeting in October 2019 as an example of the process.
- Section 67 of the Local Government Act 2008 states that the Chief Executive Officer must ensure that proper minutes of meetings of the council, local authorities, local boards and council committees are kept.
- A copy of the minutes must be available on Council's website within 10 business days after the date of the meeting to which they relate.
- The Chief Executive Officer, through the Government Relations & External Affairs Department has established appropriate governance structures and processes for the purpose of meeting section 67 of the Local Government Act.

**BACKGROUND****RESOLUTION ORD520/19**

Moved: Alderman Simon Niblock

Seconded: Alderman Gary Haslett

Alderman Niblock move the following

THAT the open minutes of 30 July be corrected and uploaded to the City of Darwin website by the close of business 30 October 2019 to reflect the correct location, mover and seconder.

THAT a report outlining Council's process of checking, correcting and publishing Council minutes be circulated to Elected Members at the first Ordinary Meeting in November 2019.

## DISCUSSION

The administrative process for checking, correcting and publishing of Council Minutes is provided at Attachment 1, using the 1<sup>st</sup> Ordinary meeting in October 2019 as an example of the process.

Section 67 of the Local Government Act 2008 states that the Chief Executive Officer must ensure that proper minutes of meetings of the council, local authorities, local boards and council committees are kept.

A copy of the minutes must be available on Council's website within 10 business days after the date of the meeting to which they relate.

The Chief Executive Officer, through the Government Relations & External Affairs Department has established appropriate governance structures and processes for the purpose of meeting section 67 of the Local Government Act.

## IMPLICATIONS

Section 67 of the *Local Government Act 2008* is as follows:

Minutes

(1) The CEO must ensure that proper minutes of meetings of the council, local authorities, local boards and council committees are kept.

(2) The minutes must:

(a) set out:

(i) the names of the members present at the meeting; and

(ii) the business transacted at the meeting; and

(iii) any other information required by the regulations; and

(b) include references to any written reports or recommendations considered in the course of the meeting together with information about how to obtain access to the reports or recommendations.

(3) The council, local authority, local board or council committee must, at its next meeting, or next ordinary meeting, confirm the minutes (with or without amendment) as a correct record of the meeting.

(4) A copy of the minutes must, within 10 business days after the date of the meeting to which they relate, be available to the public:

(a) on the council's website; and

(b) at the council's public office.

Note Confidential matter may be suppressed from the material that is made publicly available under section 201.

(5) A member of the public:

(a) may inspect without fee, at the council's public office, the copy of the minutes made available to the public; and

(b) may, on payment of the appropriate fee fixed by the council, obtain an identical copy of the minutes; and

(c) may, on payment of the appropriate fee fixed by the council, obtain from the CEO a certified copy of, or extract from, the minutes of a meeting.

(6) However, until the council, local authority, local board or council committee has confirmed the minutes as a correct record of the meeting:

(a) the minutes, in the form in which they are made available to the public, must be marked with a warning to the effect that they have not been confirmed as a correct record of the meeting; and

(b) no certified copy of, or extract from, the minutes is to be issued.

# October 2019

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15 1 <sup>st</sup> Ordinary Meeting	16 Minutes Drafted	17 Internal checking of Minutes by EMGSP and GMGREA and forwarded to CEO for approval.	18 Draft Minutes circulated to Elected Members and placed on Council's website	19
20	21	22	23	24 Draft Minutes included in 2 <sup>nd</sup> Ordinary Meeting for adoption	25	26
27	28	29 Legislative deadline for Draft Minutes of 1 <sup>st</sup> Ordinary to be published 2 <sup>nd</sup> Ordinary Meeting	30 2 <sup>nd</sup> Ordinary Minutes Drafted Confirmed Minutes signed by Chair presiding over the meeting and updated	31		

**15.3 MINUTES OF YOUTH ADVISORY COMMITTEE - 24 OCTOBER 2019****Common No.:****Author:** Youth Engagement Officer**Authoriser:** Executive Manager Environment & Community**Attachments:** 1. Unconfirmed Minutes Youth Advisory Committee Meeting 24 October 2019**SUMMARY**

The purpose of this report is to present the minutes of the Youth Advisory Committee held 24 October 2019.

**RECOMMENDATIONS**

1. THAT the report entitled Minutes of Youth Advisory Committee 24 October 2019 be received and noted.

**KEY ISSUES**

- Retirement of Member Sau-Ching Leung
- Lord Mayor's Climate Emergency Roundtable
- Sponsorship Fundraising Workshop

**BACKGROUND**

The Youth Advisory Committee met on 24 October 2019 and the minutes are presented and detailed at **Attachment 1**.

**DISCUSSION**Retirement of Member Sau-Ching Leung

Due to commitments and time constraints, member Sau-Ching Leung reluctantly requested retirement from the Youth Advisory Committee. Retirement was endorsed and the Youth Engagement officer will send thank you letter.

Lord Mayor's Climate Emergency Roundtable

The Climate Change and Environment team have invited a member of the YAC to participate in the Lord Mayor's Climate Emergency Roundtable. This information has been circulated with absent members so fair for all parties to submit an expression of interest to attend.

Sponsorship Fundraising Workshop

In response to YAC members' request for career and life skill development workshops, Zoe Scrogings, Business Development Manager for Garma presented about approaching businesses to support fundraising for events such as Quiz 4 Dili.

**IMPLICATIONS**

YAC members are recruited consistently through the year. This process will continue to fill the committee positions that have been recently vacated.





### Minutes

Thursday 24 October 2019  
5.30pm – 7.30pm  
Library Hub

---

#### 1. MEETING OPENED

The meeting of the Youth Advisory Committee was opened at 5:39pm by Chair Sau-Ching Leung

#### 2. PRESENT

Alderman George Lambrinidis	Elected Member (Alternate)
Sau-Ching Leung	YAC Member
Zakelli Xie	YAC Member
Emily Ford	YAC Member

Officers	
Teresa Helm	Youth Engagement Officer
Arne Orstavik	Youth Services Trainee

Guests	
Zoe Scrogings	Sponsorship and Fundraising Workshop
Sacha King	Two Two One Consultancy
Martin Feng	Observer

#### APOLOGIES

Samantha Price	YAC Member
Jane Alia	YAC Member
Emmanuel Khemis	YAC Member
Alderman Andrew Arthur	Elected Member

#### WELCOME OBSERVERS AND GUESTS

Welcome guests Zoe Scrogings and Sacha King, and observer Martin Feng.

#### 3. MINUTES OF PREVIOUS MEETING

The minutes of the 17 September 2019 meeting were accepted as a true and accurate record by the following members:

Emily Ford (Moved), Zakelli Xie (Seconded)

Minutes Youth Advisory Committee Meeting 24 October 2019

#### 4. BUSINESS ARISING FROM PREVIOUS MINUTES

##### 4.1 YAC T-Shirts and Badges

YAC badges will be purchased for current members and will include member's first name only, "Youth Advisory Committee", and City of Darwin logo.

YAC t-shirt ideas to be revisited at November meeting.

#### 5. GENERAL BUSINESS

##### 5.1 Retirement of member Sau-Ching Leung

Sau-Ching has requested retirement from the YAC due to outside commitments and her concern around availability.

Retirement endorsed by the following members:

Emily Ford (Moved), Zakelli Xie (Seconded)

<b>ACTION</b>	YEO to send thank you letter to Sau-Ching
---------------	---

##### 5.2 Sponsorship and Fundraising Workshop

In response to YAC members' request for career and life skill development workshops, Zoe Scrogings, Business Development Manager for Garma presented about approaching businesses to support fundraising for events such as Quiz 4 Dili.

<b>ACTION</b>	YEO to distribute Zoe's contact information to YAC members
---------------	--

##### 5.3 Sacha King – Youth Information Research

Sacha King (Two Two One Training and Consultancy) has been engaged by City of Darwin Youth Programs to research how young people access information on events and activities as well as youth services in Darwin. Sacha used information provided by YAC from September meeting to develop the research survey tool, and presented the work in progress to the YAC for feedback and to further develop the tool.

<b>ACTION</b>	Sacha to notify YEO if she would like to seek more feedback from YAC prior to public distribution
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Minutes Youth Advisory Committee Meeting 24 October 2019

#### 5.4 Lord Mayor's Climate Emergency Roundtable

The Climate Change and Environment team have invited a member of the YAC to participate in the Lord Mayor's Climate Emergency Roundtable.

<b>ACTION</b>	YEO to circulate information about roundtable to YAC members via email Interested YAC members to submit roundtable EOI to YEO
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#### 5.5 YAC profiles for social media

As meeting ran overtime collection of YAC profiles to take place at November meeting.

<b>ACTION</b>	YEO to add collection of YAC profiles to November agenda
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#### 6. MEETING CLOSED

7:41pm

##### Next YAC meeting scheduled:

5.30pm – 7.30pm, Thursday 14 November 2019

Library Hub, City of Darwin Civic Centre, 17 Harry Chan Avenue Darwin

##### Contact Person:

Teresa Helm

Coordinator Youth Engagement

08 8930 0635

0400 779 066

**15.4 QUARTERLY ON STREET - OFF STREET PARKING STATISTICS - JULY TO SEPTEMBER 2019****Common No.:** 376351**Author:** Manager Economic Development & Tourism**Authoriser:** General Manager Government Relations & External Affairs**Attachments:** Nil**SUMMARY**

The purpose of this report is to provide statistical information for car parking in the Darwin city centre for the quarter ending 30<sup>th</sup> September 2019.

**RECOMMENDATIONS**

1. THAT the report entitled Quarterly On Street – Off Street Parking Statistics – July to September 2019, be received and noted.

**KEY ISSUES**

- All on-street credit card machines have been removed as of the end of July 2019.
- Payment by mobile phone continues to grow with 50% of all payments being made through “PayStay” mobile phone app, 16% by credit card and 34% by cash for the quarter ending 30<sup>th</sup> September 2019.

**BACKGROUND**

This report is presented to Council on a quarterly basis for their information.

**DISCUSSION**

A total of 5548 infringements were issued in the city centre including off-street car parks for the period July to September 2019, this figure is up 361 for the same period last year.

**ON-STREET CAR PARKING**

Council provides a total of 1,683 on-street car parking bays across Zones A, B and C in the city centre.

For the quarter July to September 2019, Council generated a total of \$590,585 from on-street car parking, which is down \$12,586 on the previous year’s quarter.

Zone A decreased by \$129, Zone B decreased by \$6,300 and Zone C by \$6,156.

		Number of Bays	Net Quarterly Income July - Sept 2019/2020	Net YTD Income 2019/2020	Net Quarterly Income July - Sept 2018/19	Net YTD Income 2018/2019
<b>Zone A</b>	Actual Income	677	\$ 334,805	\$ 334,805	\$ 334,934	\$ 334,934
	% of Potential Income		38%	38%	37%	37%
<b>Zone B</b>	Actual Income	557	\$ 131,957	\$ 131,957	\$ 138,257	\$ 138,257
	% of Potential Income		25%	25%	26%	26%
<b>Zone C</b>	Actual Income	449	\$ 123,823	\$ 123,823	\$ 129,979	\$ 129,979
	% of Potential Income		63%	63%	65%	65%
<b>Total</b>	Actual Income	1683	\$ 590,585	\$ 590,585	\$ 603,171	\$ 603,171
	% of Potential Income		37%	37%	37%	37%

## OFF-STREET CAR PARKING

Council provides a total of 2106 Off-Street car parking bays. For the quarter July to September 2019, Council generated a total of \$920,704 from off-street car parking fees, which is up \$1,460 on the previous year's quarter.

			Number of Bays	Net Quarterly Income July - Sept 2019/2020	YTD Net Income 2019/2020	Net Quarterly Income July - Sept 2018/2019	YTD Net Income 2019/2019
<b>Westlane</b>	Reserved Bays	Actual Income	77	\$ 146,045	\$ 146,045	\$ 195,853	\$ 195,853
	Casual Bays	Actual Income	360	\$ 171,228	\$ 171,228	\$ 150,587	\$ 150,587
	% of Potential Income			76%	76%	74%	74%
<b>Cavenagh St</b>	Reserved Bays	Actual Income	39	\$ 47,409	\$ 47,409	\$ 29,466	\$ 29,466
	Casual Bays	Actual Income	352	\$ 118,199	\$ 118,199	\$ 113,153	\$ 113,153
	% of Potential Income			101%	101%	103%	103%
<b>McLachlan St</b>	Casual Bays	Actual Income	86	\$ 25,880	\$ 25,880	\$ 21,912	\$ 21,912
	% of Potential Income			91%	91%	81%	81%
<b>McMinn St</b>	Casual Bays	Actual Income	234	\$ 50,086	\$ 50,086	\$ 45,143	\$ 45,143
	% of Potential Income			108%	108%	102%	102%
<b>Mitchell/Daly</b>	Reserved Bays	Actual Income	13	\$ 9,050	\$ 9,050	\$ 10,045	\$ 10,045
	Casual Bays	Actual Income	85	\$ 18,627	\$ 18,627	\$ 16,025	\$ 16,025
	% of Potential Income			111%	111%	99%	99%
<b>Nichols Pl</b>	Reserved Bays	Actual Income	33	\$ 24,382	\$ 24,382	\$ 28,000	\$ 28,000
	Casual Bays	Actual Income	110	\$ 40,522	\$ 40,522	\$ 35,060	\$ 35,060
	% of Potential Income			111%	111%	107%	107%
<b>Chinatown</b>	Reserved Bays	Actual Income	48	\$ 61,091	\$ 61,091	\$ 74,836	\$ 74,836
	Casual Bays	Actual Income	442	\$ 135,232	\$ 135,232	\$ 105,468	\$ 105,468
	% of Potential Income			70%	70%	60%	60%
<b>Darwin Oval</b>	Reserved Bays	Actual Income	20	\$ 23,027	\$ 23,027	\$ 22,909	\$ 22,909
	Casual Bays	Actual Income	52	\$ 19,481	\$ 19,481	\$ 17,073	\$ 17,073
	% of Potential Income			113%	113%	105%	105%
<b>Stott Ln</b>	Reserved Bays	Actual Income	0	\$ -		\$ 21,636	\$ 21,636
	Casual Bays	Actual Income	0	\$ -		\$ 4,784	\$ 4,784
	% of Potential Income			0%	0%	73%	73%
<b>Woods St</b>	Casual Bays	Actual Income	55	\$ 6,404	\$ 6,404	\$ 5,029	\$ 5,029
	% of Potential Income			59%	59%	48%	48%
<b>Civic Ctr</b>	Reserved Bays	Actual Income	62	\$ 15,757	\$ 15,757	\$ 15,099	\$ 15,099
<b>96 Mitchell St</b>	Casual Bays	Actual Income	38	\$ 8,284	\$ 8,284	\$ 7,164	\$ 7,164
	% of Potential Income			110%	110%	100%	100%
<b>Total</b>	Reserved Bays	Actual Income	292	\$ 326,761	\$ 326,761	\$ 397,845	\$ 397,845
	Casual Bays	Actual Income	1814	\$ 593,943	\$ 593,943	\$ 521,399	\$ 521,399
	% of Potential Income			85%	85%	80%	80%
<b>GRAND TOTAL</b>			<b>2106</b>	<b>\$ 920,704</b>	<b>\$ 920,704</b>	<b>\$ 919,244</b>	<b>\$ 919,244</b>
2019/2020 number of reserved bays and price has altered compared to 2018/19							

### **CONSULTATION PROCESS**

In preparing this report, the following City of Darwin officers were consulted:

- Car Park Office Administrator
- Supervisory Regulatory Services Administration

### **IMPLICATIONS**

Council's budget for on and off-street parking income is \$4.6 million for 2019/20.

**16 REPORTS OF REPRESENTATIVES****17 QUESTIONS BY MEMBERS****18 GENERAL BUSINESS****19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**

THAT the next Ordinary Meeting of Council be held on Tuesday, 26 November 2019, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

**20 CLOSURE OF MEETING TO THE PUBLIC**

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.

**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 Darwin City Deal - Civic and Education Precinct Masterplan**

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.

**26.2 Council Office Accommodation – Options Criteria**

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 OPEN MEETING AND MEDIA LIAISON****30 RESUMPTION OF OPEN MEETING****31 CLOSURE OF MEETING**





# **MINUTES**

**Ordinary Council Meeting  
Tuesday, 29 October 2019**

Reports, recommendations and supporting documentation can be accessed via the City of Darwin Council Website at [www.darwin.nt.gov.au](http://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, 29 OCTOBER 2019 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, 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)
- Russell Holden (Executive Finance Manager), Vanessa Green (Executive Manager Governance Strategy and Performance), Drosso Lelekis (Executive Manager Technical Services), Chris Kelly (Executive Manager Corporate Services), Matt Grassmayr (Executive Manager Leisure and Regulatory Services), Josie Matthiesson (Manager Marketing and Communications), Tess Cooper (Regulatory Operations Supervisor), Brian Sellers (Acting Manager City Planning), Caitlyn Moulds (Acting Coordinator Governance), Fiona van der Weide (Governance and Legislation Advisor)
- APOLOGY:** Alderman Sherry Cullen
- MEDIA:** NT News - Will Zwar and ABC News - Kate Ashton

**Order Of Business**

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<b>2</b>	<b>The Lord's Prayer .....</b>	<b>4</b>
<b>3</b>	<b>Meeting Declared Open .....</b>	<b>4</b>
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<b>6</b>	<b>Declaration of Interest of Members and Staff .....</b>	<b>5</b>
<b>7</b>	<b>Confirmation of Previous Minutes.....</b>	<b>6</b>
<b>8</b>	<b>Moving of Confidential Items .....</b>	<b>6</b>
<b>9</b>	<b>Matters of Public Importance / Lord Mayoral Minute .....</b>	<b>6</b>

<b>10</b>	<b>Public Question Time .....</b>	<b>6</b>
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<b>13</b>	<b>Notices of Motion.....</b>	<b>6</b>
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14.4	Bike Plan - Implementation Plan Review .....	8
14.5	Concurrent Development Application - Lot 9988 (69) Progress Drive, Nightcliff .....	9
14.6	Northern Territory Planning Commission - Designing Better Discussion Paper .....	9
14.7	Cat Containment Policy .....	9
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<b>21</b>	<b>Adjournment of Meeting and Media Liaison .....</b>	<b>16</b>

**1 ACKNOWLEDGEMENT OF COUNTRY**

**2 THE LORD'S PRAYER**

**3 MEETING DECLARED OPEN**

The Chair declared the meeting open at 5.34 pm.

**4 APOLOGIES AND LEAVE OF ABSENCE**

**4.1 APOLOGIES**

**RECOMMENDATIONS**

THAT the apology from Member Alderman Cullen, be received.

*Alderman Andrew Arthur entered the meeting at 5:36pm*

**4.2 Leave of Absence Granted**

**4.2 LEAVE OF ABSENCE GRANTED**

**RESOLUTION ORD495/19**

Moved: Alderman Justine Glover

Seconded: Alderman Rebecca Want de Rowe

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

**CARRIED 12/0**

**4.3 LEAVE OF ABSENCE REQUESTED**

**RESOLUTION ORD496/19**

Moved: Alderman Jimmy Bouhoris

Seconded: Alderman Peter Pangquee

- A. THAT a Leave of Absence be granted for Alderman Peter Pangquee for the period 6 November to 8 November 2019.
- B. THAT a Leave of Absence be granted for Alderman Emma Young for the period 8 November to 11 November 2019.
- C. THAT a Leave of Absence be granted for Alderman Gary Haslett for the period 7 November to 8 November 2019.
- D. THAT a Leave of Absence be granted for the Lord Mayor for the period 6 November to 8 November 2019.

- E. THAT a Leave of Absence be granted for Alderman Jimmy Bouhoris for the period 29 November to 2 December 2019.
- F. THAT a Leave of Absence be granted for Alderman Robin Knox for the period 4 to 20 November 2019.
- G. THAT a Leave of Absence be granted for Alderman George Lambrindis for the period 23 to 28 November 2019.

**CARRIED 12/0**

## **5 ELECTRONIC MEETING ATTENDANCE**

### **5.1 Electronic Meeting Attendance Granted**

Nil

### **5.2 Electronic Meeting Attendance Requested**

## **5.2 ELECTRONIC MEETING ATTENDANCE REQUESTED**

### **RESOLUTION ORD497/19**

Moved: Alderman Robin Knox

Seconded: Alderman George Lambrinidis

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:

- H. Alderman Robin Knox to attend all Council Meetings and Briefing Sessions for the period of 4 to 20 November 2019.
- I. Alderman George Lambrinidis to attend all Council Meetings and Briefing Sessions for the period of 23 to 28 November 2019.

**CARRIED 12/0**

## **6 DECLARATION OF INTEREST OF MEMBERS AND STAFF**

### **6.1 Declaration of Interest by Members**

The Lord Mayor declared a conflict of interest at item 14.1 Darwin Cenotaph Renewal as he is a member of the board of the Darwin RSL.

### **6.2 Declaration of Interest by Staff**

Nil.

**7 CONFIRMATION OF PREVIOUS MINUTES****RESOLUTION ORD498/19**

Moved: Alderman Robin Knox

Seconded: Alderman George Lambrinidis

That the minutes of the Ordinary Council Meeting held on 15 October 2019 be confirmed.

**CARRIED 12/0**

**8 MOVING OF CONFIDENTIAL ITEMS**

Nil

**9 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE**

Nil

**10 PUBLIC QUESTION TIME**

Nil

**11 PETITIONS**

Nil

**12 DEPUTATIONS AND BRIEFINGS**

Nil

**RESOLUTION ORD499/19**

Moved: Alderman Gary Haslett

Seconded: Alderman Emma Young

**24.1 Unsolicited Proposal**

This item is considered 'Confidential' pursuant to Section 65(2) of the Local Government Act and 8(c)(i) of the Local Government (Administration) Regulations, which states municipal council may close to the public only so much of its meeting as comprises the receipt or discussion of, or a motion or both relating to, information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

**CARRIED 12/0**

**13 NOTICES OF MOTION**

Nil

## 14 OFFICERS REPORTS

### 14.1 DARWIN CENOTAPH RENEWAL

#### SUMMARY

The purpose of this report is to present an updated Stage 1 Cenotaph Renewal concept design from Darwin RSL for Council's endorsement and provision of delegated authority to the Chief Executive Officer to approve the design for construction purposes.

*Lord Mayor Kon Vatskalis departed the meeting at 5:40 pm due to a Declaration of Interest.*

*Deputy Lord Mayor, Alderman Simon Niblock assumed the role of the Chair.*

#### RESOLUTION ORD500/19

Moved: Alderman Rebecca Want de Rowe

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT Council endorse the updated Stage 1 Cenotaph Renewal concept at **Attachment 1**.
3. THAT pursuant to Section 32 (2) of the Local Government Act, Council hereby delegates the Chief Executive Officer to approve the detailed design of Stage 1 of the works for the purposes of construction.

**CARRIED 11/0**

*Lord Mayor Kon Vatskalis re-joined the meeting at 5:46 pm and resumed the role of Chair.*

### 14.2 REQUEST FOR PERMANENT CLOSURE - WALKWAY 179: ABBOTT CRESCENT TO OSBOURNE CRESCENT, MALAK

#### SUMMARY

The purpose of this report is to request that Council consider the permanent closure of Walkway 179 (Abbott Crescent to Osbourne Crescent, Malak).

#### RESOLUTION ORD501/19

Moved: Alderman Mick Palmer

Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT Council agree to the permanent closure of Walkway 179 (Abbott Crescent to Osbourne Crescent, Malak) as this walkway is not an essential thoroughfare to facilities, with two alternate routes closer to facilities than the walkway.

**CARRIED 12/0**



### 14.3 CITY OF DARWIN SUBMISSION: NTG CLIMATE CHANGE RESPONSE

#### SUMMARY

The purpose of this report is to seek Council endorsement on a submission to the Northern Territory Government Climate Change Response.

#### RESOLUTION ORD502/19

Moved: Alderman Robin Knox

Seconded: Alderman Justine Glover

1. THAT the report be received and noted.
2. THAT Council endorse the draft submission to the Northern Territory Government regarding its Draft Climate Change Response provided in **Attachment 1** to this report, with the following administrative amendments:
  - I. 1<sup>st</sup> key action – add the word *some* before *international practice*
  - II. Add key action – convert all public transport to electronic
  - III. Change *zero net emissions* to *net zero emissions* throughout the submission.

**CARRIED 12/0**

### 14.4 BIKE PLAN - IMPLEMENTATION PLAN REVIEW

#### SUMMARY

The purpose of this report is to provide a revised Darwin Bike Plan – Implementation Plan 2019/20 for endorsement.

#### RESOLUTION ORD503/19

Moved: Alderman Robin Knox

Seconded: Alderman Andrew Arthur

1. THAT the report be received and noted;
2. That Council endorse the suggested projects outlined in the report, to be amended as follows:
  - a. Project 4b, Ross Smith Avenue Path and Crossing Modifications totalling \$112,831 be amended to an allocated cost of \$ 52,831; and
  - b. A new project 4(d) totalling \$60,000 be included in the Bike Plan Implementation Plan to provide for miscellaneous works across City of Darwin's shared path network (as assessed against the Shared Path & Bicycle Lane Technical Notes)
3. That Council move to greater prioritising of users of shared paths and the incorporation of raised crossings to improve safety.
4. That **Attachment 1** be updated accordingly.

**CARRIED 8/4**

#### 14.5 CONCURRENT DEVELOPMENT APPLICATION - LOT 9988 (69) PROGRESS DRIVE, NIGHTCLIFF

##### SUMMARY

The purpose of this report is to refer to Council for comment the following development application, Concurrent Application - Rezone from Zone C (Commercial) to Specific Use SD49. Comprising of High Density Residential, office, shop, medical clinic, education establishment, restaurant and 57 x 2 bedroom & 23 x 3 bedroom multiple dwellings in 2 x 9 storey buildings, which include 2 above ground parking levels in each building - PA2019/0199.

##### RESOLUTION ORD504/19

Moved: Alderman Emma Young

Seconded: Alderman Rebecca Want de Rowe

1. THAT the report be received and noted.
2. THAT Council endorse the submission to the Department of Infrastructure, Planning and Logistics within **Attachment 1** to Report entitled: Concurrent Development Application - Lot 9988 (69) Progress Drive, Nightcliff.

**CARRIED 12/0**

#### 14.6 NORTHERN TERRITORY PLANNING COMMISSION - DESIGNING BETTER DISCUSSION PAPER

##### SUMMARY

The purpose of this report is to provide Council with a draft response letter for the Northern Territory Planning Commission's Designing Better Discussion Paper.

##### RESOLUTION ORD505/19

Moved: Alderman Emma Young

Seconded: Alderman Simon Niblock

1. THAT the report be received and noted.
2. THAT Council endorse the submission to the Northern Territory Planning Commission within **Attachment 1** to Report entitled: Northern Territory Planning Commission – Designing Better Discussion Paper.

**CARRIED 12/0**

#### 14.7 CAT CONTAINMENT POLICY

##### SUMMARY

The purpose of this report is to present amendments to the Policy No. 001, Animal Management – General, to include a policy statement regarding cat containment. This policy amendment supports the objectives in Council's Dog and Cat Management Strategy 2018 – 2022 and compliance with the Darwin City Council (Animal Management) By-laws.

##### RESOLUTION ORD506/19

Moved: Alderman Simon Niblock  
Seconded: Alderman Rebecca Want de Rowe

1. THAT the report be received and noted.
2. THAT Council endorse the revised Policy No. 001, Animal Management - General as contained at **Attachment 1** to the Report entitled Cat Containment Policy.
3. THAT Council endorse the Cat Containment Compliance and Enforcement Campaign as contained at **Attachment 3** to the Report entitled Cat Containment Policy.

**CARRIED 12/0**

## **14.8 CITY OF DARWIN CUSTOMER SERVICE STANDARDS**

### **SUMMARY**

The purpose of this report is for Council to endorse the City of Darwin Customer Service Standards, **Attachment 1**.

### **RESOLUTION ORD507/19**

Moved: Alderman Rebecca Want de Rowe  
Seconded: Alderman Emma Young

1. THAT the report be received and noted.
2. THAT Council endorse the City of Darwin Customer Service Standards, **Attachment 1**.

**CARRIED 11/1**

## **15 RECEIVE & NOTE REPORTS**

### **15.1 MUNICIPAL PLAN 2019/20 - MONTHLY PERFORMANCE REPORT SEPTEMBER 2019**

#### **SUMMARY**

The purpose of this report is to provide Council with the Municipal Plan 2019/20 Monthly Performance Report for September 2019.

### **RESOLUTION ORD508/19**

Moved: Alderman Mick Palmer  
Seconded: Alderman Emma Young

1. THAT the report Municipal Plan 2019/20 – Monthly Performance Report September 2019 be received and noted.

**CARRIED 12/0**

**15.2 MINUTES OF YOUTH ADVISORY COMMITTEE - 17 SEPTEMBER 2019****SUMMARY**

The purpose of this report is to present the minutes of the Youth Advisory Committee held 17 September 2019.

**RESOLUTION ORD509/19**

Moved: Alderman George Lambrinidis

Seconded: Alderman Robin Knox

1. THAT the report entitled Minutes of Youth Advisory Committee 17 September 2019 be received and noted.

**CARRIED 12/0**

**15.3 MONTHLY FINANCIAL REPORT - SEPTEMBER 2019****SUMMARY**

The purpose of this report is to provide a comparison of income and expenditure against the budget for the period ended 30 September 2019 in accordance with the Local Government (Accounting) Regulations 2008.

**RESOLUTION ORD510/19**

Moved: Alderman Emma Young

Seconded: Alderman George Lambrinidis

1. THAT the report entitled Monthly Financial Report – September 2019 be received and noted.

**CARRIED 12/0**

**16 REPORTS OF REPRESENTATIVES****16 REPORTS OF REPRESENTATIVES****RESOLUTION ORD511/19**

Moved: Alderman Emma Young

Seconded: Alderman Justine Glover

THAT the following Reports of Representatives be received and noted.

**CARRIED 12/0**

**16.1 Animal Management in Rural & Remote Indigenous Communities Animal Management Conference**

Alderman Robin Knox reported on her attendance at the Animal Management in Rural & Remote Indigenous Communities Animal Management Conference with Alderman Simon Niblock and City of Darwin officers and commended the City of Darwin officers on their presentation delivered at the conference.

**17 QUESTIONS BY MEMBERS****17.1 SIGN MORATORIUM****RESOLUTION ORD512/19**

Moved: Alderman Emma Young

Seconded: Alderman Jimmy Bouhoris

THAT the following Questions by Members be received and noted.

Alderman Peter Pangquee reported a sign on Pheonix Street and Progress Drive in Nightcliff through *See Click, Fix*, as the sign was illegal. Alderman Pangquee received a response from Council that it will not be actioned due to the sign moratorium . Alderman Pangquee queried if this is correct.

*The Chief Executive Officer responded and advised that he had lifted the hold on actioning signs today 29 October 2019 and that the matter reported via See, Click, Fix will be attended to. Further, the Chief Executive Officer advised that other signs which were incorrectly installed during that period of the moratorium will be addressed.*

**. CARRIED 12/0**

**17.2 DEAD TREE DICK WARD DRIVE****RESOLUTION ORD513/19**

Moved: Alderman Emma Young

Seconded: Alderman Jimmy Bouhoris

THAT the following Questions by Members be received and noted.

Alderman Robin Knox queried when the dead trees along Dick Ward Drive will be replaced.

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

**CARRIED 12/0**

**17.3 TRAFFIC LIGHTS CORNER OF CAVENAGH AND BENNETT STREET****RESOLUTION ORD514/19**

Moved: Alderman Emma Young

Seconded: Alderman Jimmy Bouhoris

THAT the following Questions by Members be received and noted.

Alderman Robin Knox queried if the traffic lights on the corner of Cavenagh Street and Bennett Street have been reset as there are now long wait times during non-peak hours.

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

**CARRIED 12/0**

**17.4 ROADWORKS ON GARRAMILLA BOULEVARD****RESOLUTION ORD515/19**

Moved: Alderman Emma Young

Seconded: Alderman Jimmy Bouhoris

THAT the following Questions by Members be received and noted.

Alderman Jimmy Bouhoris queried how the roadworks on Garramilla Boulevard are progressing as members of the public have made observations.

*The Chief Executive Officer took this question on notice, due to needing to clarify what land is under Council control or Northern Territory Government control.*

**CARRIED 12/0**

**17.5 TRAFFIC MANAGEMENT PLAN ON CASTLEREIGH STREET****RESOLUTION ORD516/19**

Moved: Alderman Emma Young

Seconded: Alderman Jimmy Bouhoris

THAT the following Questions by Members be received and noted.

Alderman Jimmy Bouhoris queried the traffic management study on Castlereigh Street, Leanyer.

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

**CARRIED 12/0**

**17.6 ACTIVATE DARWIN PROGRES UPDATE****RESOLUTION ORD517/19**

Moved: Alderman Emma Young

Seconded: Alderman Jimmy Bouhoris

THAT the following Questions by Members be received and noted.

Alderman Simon Niblock queried how the project Activate Darwin is progressing.

*The Chief Executive Officer advised that he and the General Manager External Affairs & Government Relations are scheduled to meet with the new Chair of the Board on 30 October 2019 and following this meeting an update will be provided to Elected Members. The Chief Executive Officer will also invite the Chair of Activate Darwin to present directly to Elected Members.*

**CARRIED 12/0**

**17.7 CENTRAL BUSINESS DISTRICT PARKING STUDY****RESOLUTION ORD518/19**

Moved: Alderman Emma Young

Seconded: Alderman Jimmy Bouhoris

THAT the following Questions by Members be received and noted.

Alderman Simon Niblock queried progress with the Central Business District Parking Study.

*The Chief Executive Officer advised that the report is still before the Northern Territory Government Cabinet. The Chief Executive Officer of the Department of Infrastructure, Planning, and Logistics is keeping Council informed on the progress while it is before Cabinet, and providing advice to ensure the interests of the City of Darwin are protected. The time frames for when it will be released is still unknown. This document belongs to the Northern Territory Government.*

**CARRIED 12/0**

## **18 GENERAL BUSINESS**

### **18.1 YOUTH ACTION GROUP**

#### **RESOLUTION ORD519/19**

Moved: Alderman Simon Niblock

Seconded: Alderman Gary Haslett

Alderman Glover sought permission from Council to present an audio visual presentation from the Manunda Youth Action Group requesting attention for their local park, Manunda Terrace Park.

THAT the Elected Members received and note the Presentation.

*The General Manager Engineering and City Services noted the presentation.*

**CARRIED 12/0**

### **18.2 GOVERNANCE PROCEDURES**

#### **RESOLUTION ORD520/19**

Moved: Alderman Simon Niblock

Seconded: Alderman Gary Haslett

Alderman Niblock move the following

THAT the open minutes of 30 July be corrected and uploaded to the City of Darwin website by the close of business 30 October 2019 to reflect the correct location, mover and seconder.

THAT a report outlining Council's process of checking, correcting and publishing Council minutes be circulated to Elected Members at the first Ordinary Meeting in November 2019.

**CARRIED 12/0**

## **19 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**

#### **RESOLUTION ORD521/19**

Moved: Alderman George Lambrinidis

Seconded: Alderman Justine Glover

THAT the next Ordinary Meeting of Council be held on Tuesday, 12 November 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 ORD522/19**

Moved: Alderman Gary Haslett  
Seconded: Alderman Emma 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.

**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 PAYMENTS LISTING REPORT - SEPTEMBER 2019**

This matter is considered to be confidential under Section 65(2) - 8(a), 8(b) and 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 about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual, information about the personal circumstances of a resident or ratepayer and information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

#### **26.2 Chief Executive Officer Performance Appraisal**

This matter is considered to be confidential under Section 65(2) - 8(a) 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 about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.

#### **26.3 Darwin City Deal - Status of the Milkwood Trees - Cavenagh Street Site**

This matter is considered to be confidential under Section 65(2) - 8(d) 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 subject to an obligation of confidentiality at law, or in equity.

#### **26.4 Darwin Velodrome Funding**

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.

## **21 ADJOURNMENT OF MEETING AND MEDIA LIAISON**

### **ADJOURNMENT OF MEETING**

#### **RESOLUTION ORD523/19**

Moved: Alderman Gary Haslett

Seconded: Alderman Emma Young

That in accordance with By-Law 163(d), the meeting be adjourned at 7:05 pm for 30 minutes to enable the Council to have a break.

**CARRIED 12/0**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 12 November 2019.**

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**CHAIR**