



MINUTES

**Special Council Meeting
Tuesday, 7 July 2020**

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**MINUTES OF CITY OF DARWIN
SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, LEVEL 1, CIVIC CENTRE, HARRY CHAN AVENUE,
DARWIN
ON TUESDAY, 7 JULY 2020 AT 5:30**

- 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, Alderman Paul Arnold
- 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)
- APOLOGY:** Alderman Justine Glover, Alderman Simon Niblock
- GUESTS:** Michael De Luca, Ryan Talsma

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1 MEETING DECLARED OPEN

The Chair opened the meeting at 5:37 PM.

2 APOLOGIES AND LEAVE OF ABSENCE

2.1 APOLOGIES

RESOLUTION SPE231/20

Moved: Alderman Gary Haslett

Seconded: Alderman Robin Knox

THAT Apologies due to approved leave are received by Alderman Justine Glover and Alderman Simon Niblock.

CARRIED 11/0

2.2 Leave of Absence Requested

2.2 LEAVE OF ABSENCE REQUESTED

RESOLUTION SPE232/20

Moved: Alderman Emma Young

Seconded: Alderman Peter Pangquee

A. THAT a Leave of Absence be granted for the Lord Mayor for the period 8 July to 12 July 2020.

CARRIED 11/0

2.3 APPOINT ACTING DEPUTY LORD MAYOR

RESOLUTION SPE233/20

Moved: Alderman Emma Young

Seconded: Alderman Peter Pangquee

THAT Alderman Robin Knox be appointed as Acting Deputy Lord Mayor for the period 8 July to 12 July 2020.

CARRIED 11/0

3 ELECTRONIC MEETING ATTENDANCE

3.1 Electronic Meeting Attendance Granted

Nil

3.2 Electronic Meeting Attendance Requested

Nil

4 DECLARATION OF INTEREST OF MEMBERS AND STAFF**4.1 Declaration of Interest by Members**

Nil

4.2 Declaration of Interest by Staff

Nil

5 DEPUTATIONS AND BRIEFINGS

Nil

6 OFFICERS REPORTS**6.1 2020/21 MUNICIPAL PLAN - COMMUNITY CONSULTATION REPORT****RESOLUTION SPE234/20**

Moved: Alderman Gary Haslett

Seconded: Alderman Rebecca Want de Rowe

1. THAT the report entitled 2020/21 Municipal Plan - Community Consultation Report be received and noted.
2. THAT Council receive and note the Community Consultation summary report provided at **Attachment 1**.
3. THAT Council notes that responses to public submissions received for the City of Darwin 2020/21 Municipal Plan as outlined in **Attachment 2**.

CARRIED 11/0

6.2 2020/21 MUNICIPAL PLAN AND ANNUAL BUDGET**RESOLUTION SPE235/20**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Gary Haslett

1. THAT the report entitled 2020/21 Municipal Plan and Annual Budget be received and noted.
2. THAT the Certificate in terms of Regulation 24 (1) of the Local Government (Accounting) Regulations, as tabled by the Chief Executive Officer at this Special Council Meeting, Tuesday 7 July 2020, be received and noted.
3. THAT in accordance with Section 24 (1) and Section 128 (1) of the Local Government Act 2008, Council adopts the 2020/21 City of Darwin Municipal Plan and Budget as contained in **Attachment 1**.

CARRIED 11/0

6.3 2020/21 DECLARATION OF RATES AND CHARGES**RESOLUTION SPE236/20**

Moved: Alderman Gary Haslett

Seconded: Alderman Rebecca Want de Rowe

1. THAT the report entitled 2020/2021 Declaration of Rates and Charges be received and noted.
2. THAT pursuant to Section 149 of the *Local Government Act* (“the Act”), Council adopts the Unimproved Capital Value method as the basis of the assessed value of allotments within the Darwin Municipality.
3. THAT pursuant to Sections 155-157 of the Act, Council declares that it intends to raise, for general purposes by way of rates, the amount of \$61,371,000 which will be raised by the application of differential valuation-based charges (“differential rates”) with differential minimum charges (“minimum amounts”) being payable in application of each of those differential rates. Council hereby declares the following differential rates and minimum amounts payable in the application of those differential rates for the financial year ending 30 June 2021;

For the purposes of this paragraph 3, “residential parts or units” means a dwelling house, flat or other substantially self-contained residential unit or building:

- a) 0.481259% of the assessed value of all rateable land within the municipality zoned SD, RR, R or RL under the *NT Planning Scheme*, with the minimum amount payable in the application of that differential rate being \$1,158.00 multiplied by :-
 - (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
 whichever is the greater.
- b) 0.481259% of the assessed value of all rateable land within the municipality zoned MD, MR or HR under the *NT Planning Scheme*, with the minimum amount payable in the application of that differential rate being \$1,216.00 multiplied by :-
 - (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
 whichever is the greater.
- c) 0.437621% of the assessed value of all rateable land within the municipality zoned CV under the *NT Planning Scheme*, with the minimum amount payable in the application of that differential rate being \$1,158.00 multiplied by :-
 - (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or

		(b) the number 1, whichever is the greater.
d)	0.585708%	of the assessed value of all rateable land within the municipality zoned CB under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$1,465.00 multiplied by :- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or (b) the number 1, whichever is the greater.
e)	0.402952%	of the assessed value of all rateable land within the municipality zoned PS or CN under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$1,207.00 multiplied by :- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or (b) the number 1, whichever is the greater.
f)	0.381209%	of the assessed value of all rateable land within the municipality zoned OR under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$478.00 multiplied by :- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or (b) the number 1, whichever is the greater.
g)	0.481259%	of the assessed value of all rateable land within the municipality zoned FD, SU, CP, CL, RD or U under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$1,216.00 multiplied by :- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or (b) the number 1, whichever is the greater.

- h) 0.628280% of the assessed value of all rateable land within the municipality zoned C, or SC under the NT Planning Scheme other than those classes of allotments described in paragraphs (i) and (j) below, with the minimum amount payable in the application of that differential rate being \$1,207.00 multiplied by :-
- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
- whichever is the greater.
- i) 1.156840% of the assessed value of those classes of allotments within the municipality zoned C or SC under the NT Planning Scheme with a parcel area equal to or greater than 40,000m² and being allotments on which there is situated a major shopping centre, with the minimum amount payable in the application of that differential being \$1,207.00 multiplied by :-
- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
- whichever is the greater.
- j) 0.628280% of the assessed value of those classes of allotments within the municipality zoned C or SC under the NT Planning Scheme with a parcel area less than 40,000m² and being allotments on which there is situated a major shopping centre, with the minimum amount payable in the application of that differential rate being \$1,207.00 multiplied by :-
- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
- whichever is the greater.
- k) 0.637707% of the assessed value of all rateable land within the municipality zoned TC or HT under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$1,207.00 multiplied by :-
- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) the number 1,
- whichever is the greater.

- l) 0.393908% of the assessed value of all rateable land within the municipality zoned LI under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$1,207.00 multiplied by :-
- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
- (b) the number 1,
whichever is the greater.
- m) 0.325299% of the assessed value of all rateable land (other than the small allotments identified below) within the municipality zoned GI or DV under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being \$1,207.00 multiplied by :-
- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
- (b) the number 1,
whichever is the greater.
- Council considers the following classes of allotments within the municipality zoned GI to be a different class of allotments and small allotments for the purposes of section 148(3)(b) of the Act and the example given at the foot of that section:
- Units 1 to 3 and Units 5 to 98 comprised in Unit Plan No. 95/95;
 - Units 101 to 216 in Unit Plan 97/112;
 - Units 17 to 32 comprised in Unit Plan 98/32;
 - Lots 6244 to 6285 Hundred of Bagot; and
 - Lots 6330 to 6336 Hundred of Bagot.
- Council considers that an inequity would result if the minimum amount declared in respect of rateable land within Zone GI were applied to these small allotments, and accordingly, Council declares a lesser minimum amount, being \$300.00, to be payable in respect of each of these small allotments.
- n) 0.481259% of the assessed value of every allotment of rateable land within the municipality not otherwise described above, with the minimum amount payable in the application of that differential rate being \$1,158.00 multiplied by :-
- (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
- (b) the number 1,
whichever is the greater.

4. Pursuant to Section 156 of the Act Council declares the following special rate ("the Parking

Local Rate”):

- a) The purpose for which the Parking Local Rate is to be imposed is to defray the expense of and in relation to on-street and off-street parking within the central business district ("the Central Business District") as defined in Schedule 1 of the *Local Government (Darwin Parking Local Rates) Regulations* ("the Regulations"), it being the opinion of the Council that such on-street and off-street parking is and will be of special benefit to the ratepayers of the Central Business District.
 - b) The amount to be raised by the Parking Local Rate is \$1,028,375.
 - c) The Parking Local Rate is to be an amount of \$246.82 per parking space which will be assessed and levied in accordance with the Regulations. Notification of the parking usage schedule 2020/2021 has been duly prepared in accordance with Regulation 4 of the Regulations and notified in the Northern Territory Government Gazette and in the Northern Territory News on 10 June 2020.
 - d) The Parking Local Rate will be levied on all rateable land in the Central Business District in accordance with the Regulations.
 - e) Appeals against the assessment of the Parking Local Rate may be made in accordance with regulation 7 of the Regulations. The period for appeals under regulation 7 of the Regulations expires on 9 July 2020.
 - f) Proceeds of the Parking Local Rate shall be applied by the Council for the provision, operation and maintenance of land, facilities, services and improvements for and in connection with the parking of vehicles in the Central Business District, including both on-street and off-street parking facilities.
5. Pursuant to Section 157 of the Act, Council declares that it intends to raise \$7,998,000 and makes and declares the following charges for the financial year ending 30 June 2021 for the purpose of enabling or assisting Council to meet the cost of the garbage collection and recycling collection services and the waste disposal services it provides for the benefit of residential land within the municipality and the occupiers of such land.

For the purposes of this paragraph 5:

- “residential dwelling” means a dwelling house, flat or other substantially self contained residential unit or building on residential land and includes a unit within the meaning of the *Unit Titles Act* and the *Unit Title Schemes Act*.
 - “residential land” means land used or capable of being used for residential purposes (but does not include land on which there is no residential dwelling).
 - “SBWDS” means the Shoal Bay Waste Disposal Site located at Lot 3952 Town of Sanderson.
- a) A charge of \$284.00 per annum per residential dwelling in respect of kerbside garbage and recycling collection services and a waste disposal service provided for the benefit of, or which Council is willing and able to provide for the benefit of, each residential dwelling within the municipality other than a residential dwelling as described in Parts 1, 2 and 3 of the Schedule below and the occupiers of such land.

The services are –

- a kerbside garbage collection service of one visit per week; and
- a kerbside recycling collection service of one visit per fortnight, with a maximum of one 240 litre mobile bin per garbage collection or recycling collection visit; and
- access to the SBWDS, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWDS from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

- b) A charge of \$264.00 per annum per residential dwelling in respect of non kerbside (communal) garbage and recycling collection services and a waste disposal service provided for the benefit of, or which Council is willing and able to provide for the benefit of, each residential dwelling within the municipality where the number of residential dwellings (as the case may be) exceeds three (3) other than a residential dwelling as described in Parts 2 and 3 of the Schedule below and the occupiers of such land.

The services are as described in Part 1 of the Schedule below.

- c) A charge of \$264.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage and recycling collection services and a waste disposal service provided for the benefit of, or which Council is willing and able to provide for the benefit of, each residential dwelling within the municipality where:
- i). the number of residential dwellings exceeds twelve (12), other than a residential dwelling as described in paragraph 5(d) below;
 - ii). the dwellings and the facilities in and about the dwellings meet the requirements of the Council for the purposes of providing the services;
and
 - iii). the owners of the dwellings have notified the Council in writing of their wish to be provided with these services.

The services are as described in Part 2 of the Schedule below.

- d) A charge of \$264.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage and recycling collection services and a waste disposal service provided for the benefit of, or which Council is willing and able to provide for the benefit of, each residential dwelling within the municipality where:
- i). the number of residential dwellings exceeds forty (40);
 - ii). the dwellings and the facilities in and about the dwellings meet the requirements of the Council for the purposes of providing the services;
and
 - iii). the owners of the dwellings have notified the Council in writing of their wish to be provided with these services.

The services are as described in Part 3 of the Schedule below

- e) Where, in response to a written request from a person liable to pay a charge in respect of a residential dwelling referred to in paragraph 5(a), Council approves the request and provides an additional service in the form of the weekly kerbside collection of one or more additional 240 litre mobile garbage bins, a charge of \$491.00 per annum, per additional garbage bin shall apply to that residential dwelling. The additional service shall be the provision and collection of the number of additional 240 litre mobile garbage bins approved by Council in response to such written request, which charge shall be levied and paid in conjunction with the charge for the weekly kerbside collection service referred to in paragraph 5(a).
- f) Where, in response to a written request from a person liable to pay a charge in respect of a residential dwelling referred to in paragraph 5(a), Council approves the request and provides an additional service in the form of the fortnightly kerbside collection of one or more additional 240 litre mobile recycling bins, a charge of \$114.00 per annum, per additional recycling bin shall apply to that residential dwelling. The additional service shall be the provision and collection of the number of additional 240 litre mobile recycling bins approved by Council in response to such written request, which shall be levied and paid in conjunction with the charge for the fortnightly kerbside collection service referred to in paragraph 5(a).

SCHEDULE

CITY OF DARWIN

GARBAGE AND RECYCLING COLLECTION SERVICES**PART 1 –****Communal Services for more than 3 residential dwellings** (refer paragraph 5(b) of declaration)

The services are –

- (a) two (2) non-kerbside garbage collections per week; and
- (b) one (1) non-kerbside recycling collection per week,

with the number of bins for garbage and recycling collections being as set out in the table below; and

- (c) access to the SBWDS, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWDS from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

NUMBER OF HOUSEHOLDS	GARBAGE BINS 240 LITRE	RECYCLING BINS 240 LITRE	TOTAL NUMBER 240 LTR BINS
4	1	1	2
5-6	2	1	3
7-8	2	2	4
9-12	3	2	5
13-16	4	3	7
17-18	5	3	8
19-20	5	4	9
21-24	6	4	10
25-28	7	5	12
29-30	8	5	13
31-32	8	6	14
33-36	9	7	16
37-40	10	7	17
41-44	11	8	19
45-48	12	8	20

PART 2 –**Communal Services for more than 12 residential dwellings that meet the requirements of Council** (refer paragraph 5(c) of declaration)

The services are –

- (a) two (2) non-kerbside garbage collections per week; and
- (b) one (1) non-kerbside recycling collection per week,

with the number of bins for garbage and recycling collections being as set out in the table below; and

- (c) access to the SBWDS, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such

waste items as may be accepted by the operator of the SBWDS from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

NUMBER OF HOUSEHOLDS	GARBAGE BINS 1,100 LITRE	RECYCLING BINS 240 LITRE	TOTAL NUMBER MIXED BINS
13-16	1	3	4
17-18	2	3	5
NUMBER OF HOUSEHOLDS	GARBAGE BINS 1,100 LITRE	RECYCLING BINS 1,100 LITRE	TOTAL NUMBER 1,100 LTR BINS
19-24	2	1	3
25-32	2	2	4
33-48	3	2	5
49-64	4	3	7
65-71	5	3	8
72-80	5	4	9
81-96	6	4	10
97-112	7	5	12

PART 3 –

Communal Services for more than 40 residential dwellings that meet the requirements of Council (refer paragraph 5(d) of declaration)

The services are –

- (a) two (2) non-kerbside garbage collections per week; and
- (b) one (1) non-kerbside recycling collection per week,

with the number of bins for garbage and recycling collections being as set out in the table below; and

- (c) access to the SBWDS, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWDS from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

NUMBER OF HOUSEHOLDS	3 CUBIC METRE GARBAGE BIN	RECYCLING BINS 1,100 LITRE	TOTAL NUMBER MIXED BINS
41-48	1	2	3
49-50	1	3	4
51-71	2	3	5

6. The relevant interest rate for the late payment of rates and charges is fixed in accordance with Section 162 of the Act at the rate of 18.0% per annum and is to be calculated on a daily basis.
7. Rates and charges declared under this declaration may be paid by four (4) approximately equal instalments on the following dates, namely:-
 - First Instalment: 30 September 2020
 - Second Instalment: 30 November 2020

- Third Instalment: 31 January 2021
- Fourth Instalment: 31 March 2021

Instalments falling due on a weekend or public holiday may be paid by the following business day, without incurring any penalty.

- (a) Details of due dates and specified amounts will be listed on the relevant Rates Notice.
- (b) Variations to those options for payment will be administered according to the conditions outlined on the front and reverse of the Rates Notice.
- (c) A ratepayer who fails to abide by such conditions may be sued for recovery of the principal amount of the rates and charges, late payment penalties, and costs reasonably incurred by Council in recovering or attempting to recover the rates and charges. If rates are payable by the owner of the land and are not paid by the due date, they become a charge on the land to which they relate, except within an Aboriginal community living area. In addition, Council may apply to register its charge over the land and sell the land to recover unpaid rates and charges.

CARRIED 11/0

7 CLOSURE OF MEETING TO THE PUBLIC

7.1 CLOSURE OF MEETING

RESOLUTION SPE237/20

Moved: Alderman Robin Knox
Seconded: Alderman George Lambrinidis

The Meeting closed at 5:54 pm.

CARRIED 11/0