



MINUTES

**Ordinary Council Meeting
Tuesday, 13 August 2019**

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**MINUTES OF CITY OF DARWIN
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, LEVEL 1, CIVIC CENTRE, HARRY CHAN AVENUE,
DARWIN
ON TUESDAY, 13 AUGUST 2019 AT 5:30PM**

- PRESENT:** Lord Mayor Kon Vatskalis, Alderman Andrew Arthur, Alderman Jimmy Bouhori, Alderman Justine Glover, Alderman Gary Haslett, Alderman Robin Knox, Alderman 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), Chris Potter (General Manager Corporate and Procurement Services), Melissa Reiter (General Manager Government Relations & External Affairs), Ron Grinsell (General Manager Engineering & City Services), Nik Kleine (Executive Manager Waste and Capital Works), Cindy Robson (Manager City Planning), Brian Sellers (Planning Officer), Jane De Gault (Media and Communications Advisor), Caitlyn Moulds (Acting Coordinator Governance)
- APOLOGY:** Alderman George Lambrinidis. Alderman Sherry Cullen, Alderman Jimmy Bouhori, Alderman Rebecca Want de Rowe
- GUESTS:** Lord Mayor Alice Springs Town Council, Mayor Damien Ryan, Waste Management Services, Mr Geoff Webster, NT News, Mr Will Zwar, ABC Media, Ms Sowaibah Hanifie, Australian Bureau of Statistics, Ms Jessica Bochow and Ms Sharon Hewitt

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A handwritten signature in blue ink, consisting of a stylized 'C' followed by a vertical line and a horizontal stroke.

1 ACKNOWLEDGEMENT OF COUNTRY

2 THE LORD'S PRAYER

3 MEETING DECLARED OPEN

The Chair declared the meeting open at 5.31 pm.

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 APOLOGIES

RESOLUTION ORD309/19

Moved: Alderman Gary Haslett

Seconded: Alderman Simon Niblock

THAT the apology from Member Alderman Jimmy Bouhoris, be received.

THAT the apology from Member Alderman Rebecca Want de Rowe, be received.

CARRIED 9/0

4.2 LEAVE OF ABSENCE GRANTED

RESOLUTION ORD310/19

Moved: Alderman Gary Haslett

Seconded: Alderman Simon Niblock

That leave of absence from Alderman Sherry Cullen and Alderman George Lambrinidis be received and accepted.

CARRIED 9/0

4.3 Leave of Absence Requested

Nil

5 ELECTRONIC MEETING ATTENDANCE

5.1 Electronic Meeting Attendance Granted

Nil

5.2 Electronic Meeting Attendance Requested

Nil

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

6.1 Declaration of Interest by Members

Nil

6.2 Declaration of Interest by Staff

Nil

7 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION ORD311/19

Moved: Alderman Gary Haslett

Seconded: Alderman Simon Niblock

That the minutes of the Ordinary Council Meeting held on 30 July 2019 be confirmed.

CARRIED 9/0

8 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

Nil

9 PUBLIC QUESTION TIME

Nil

10 PETITIONS

10.1 PETITION

RESOLUTION ORD312/19

Moved: Alderman Emma Young

Seconded: Alderman Robin Knox

Document No.4102158 (6/08/2019)

Member Alderman Justine Glover will present the Petition

- A. THAT the Petition, Document Number 4102158, in relation to the Matthews Road Anula, be received and noted.
- B. THAT, in accordance with By-law 153(7)(a), the Petition regarding Matthews Road Anula be referred to The Engineering and City Services Department for investigation and response.

CARRIED 9/0

11 DEPUTATIONS AND BRIEFINGS

11.1 AUSTRALIAN BUREAU OF STATISTICS

Jessica Bochow and Sharon Hewitt from the Australian Bureau of Statistics were in attendance from 5.37pm to talk about how the Australian Bureau of Statistics can help people, communities and organisations through statics.

RESOLUTION ORD313/19

Moved: Alderman Gary Haslett

Seconded: Alderman Robin Knox

THAT the presentation from Australian Bureau of Statistics be received and noted.

CARRIED 9/0

12 NOTICES OF MOTION

12.1 NOTICE OF MOTION - PARAP POOL POWER USAGE

Since the Parap Pool has been redeveloped Council has not had a report on the power costs of heating and cooling the two open air pools. I believe these costs would be significant and am interested to know if they can be reduced.

RESOLUTION ORD314/19

Moved: Alderman Robin Knox

Seconded: Alderman Gary Haslett

That Council

1. Prepare a report on the new Parap Pool power usage and investigate options to reduce power consumption. The report will include;
 - a. Comparison of the old Parap Pool power usage with present usage
 - b. the number of days FINA compliant pool temperatures have been required for competition in past and into the foreseeable future
 - c. the potential savings if a pool cover was installed on the 25 meter heated pool
 - d. consideration of less heating and cooling of the Olympic pool
 - e. any other measures that can reduce power costs to Council while still meeting community needs.
2. That the report be brought back to Council in September 2019

CARRIED 9/0

AMENDMENT

Moved: Alderman Mick Palmer

Seconded: Lord Mayor Kon Vatskalis

That Council.

1. Prepare a report on the new Parap Pool operations and power usage and investigate options to reduce power consumption. The report will include;
 - a. Comparison of the old Parap Pool power usage with present usage
 - b. the number of days FINA compliant pool temperatures have been required for competition in past and into the foreseeable future
 - c. the potential savings if a pool cover was installed on the 25 meter heated pool
 - d. consideration of less heating and cooling of the Olympic pool
 - e. any other measures that can reduce power costs to Council while still meeting community needs.
2. That the report be brought back to Council in September 2019 inclusive of the operations and competitions current and future comparative to prior to parap upgrades.

CARRIED 9/0

13 OFFICERS REPORTS

13.1 REVIEW OF OUTDOOR DINING POLICY

SUMMARY

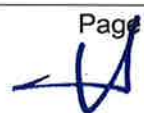
The purpose of this report is for Council to adopt a revised Outdoor Dining Policy, which includes provisions for temporary on-street dining in car parking bays.

RESOLUTION ORD315/19

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Mick Palmer

1. THAT the report be received and noted.
2. That Council rescind the current City of Darwin Policy No. 011 – Outdoor Dining
3. That Council adopt the revised City of Darwin Policy No. 011 – Outdoor Dining, included in **Attachment 2**.
4. THAT Council pursuant to Section 32(2) of the *Local Government Act 2008* (as amended), hereby delegates to the Chief Executive Officer, the power to approve on-street dining in car parking bays, and negotiate leases for the temporary use of on-street car parking bays for outdoor dining purposes.
5. THAT Council pursuant to Section 32(2) of the *Local Government Act 2008* (as amended), hereby delegates to the Chief Executive Officer, the power to provide approval as land owner, for any application for temporary outdoor dining in on-street



car bays, to make application to the Liquor Commission for a variation to their liquor licence.

CARRIED 9/0

RESOLUTION ORD316/19

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Mick Palmer

6. That Council waives its fees for temporary outdoor dining in on-street car bays, for a period of 12 months.

CARRIED 7/2

RESOLUTION ORD317/19

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Mick Palmer

7. That a further report be presented to Council at the end of the 12 month trial period for temporary on-street outdoor dining.

CARRIED 9/0

With the consent of the Council, the Decisions arising from this item were moved from the Confidential Section into the Open Section of the Minutes.

13.2 RISK MANAGEMENT & AUDIT COMMITTEE - APPOINTMENT OF INDEPENDENT COMMUNITY MEMBERS

RESOLUTION ORD318/19

Moved: Alderman Mick Palmer

Seconded: Alderman Peter Pangquee

With the consent of the Council, the Decisions arising from this item were moved from the Confidential Section into the Open Section of the Minutes.

1. THAT the report be received and noted.
2. THAT Council endorse the appointment of three Independent Community Members to the Risk Management and Audit Committee from 14 August 2019 to 30 June 2021.
 - Craig Spencer - as Independent Chair
 - Kerry Batten – as Independent Community Member
 - Shane Smith – as Independent Community Member
3. THAT this decision be moved into Open

CARRIED 9/0

13.3 COMPLAINT AND ASSESSMENT AND OUTCOME**RESOLUTION ORD319/19**

Moved: Lord Mayor Kon Vatskalis

Seconded: Alderman Mick Palmer

With the consent of the Council, the Decisions arising from this item were moved from the Confidential Section into the Open Section of the Minutes.

1. THAT the report be received and noted.
2. THAT in accordance with Section 65(2) – 8(e) of the Local Government Act, the report and discussion on this matter remain in confidence.
3. THAT Elected Members and General Managers attend compulsory training to be held in addition to current briefing and workshops, in relation to Team Building, ICAC Training, Meeting Procedure Training and Code of Conduct Training.
4. That the decision relating to Training be moved into open at the conclusion of this meeting.

CARRIED 9/0

14 RECEIVE & NOTE REPORTS**14.1 MINUTES OF YOUTH ADVISORY COMMITTEE - 11 JULY 2019 AND NOTES 13 JUNE 2019****SUMMARY**

The purpose of this report is to present the minutes of the Youth Advisory Committee July meeting held on 11 July 2019 and meeting notes of June meeting held June 13 2019.

RESOLUTION ORD320/19

Moved: Alderman Andrew Arthur

Seconded: Alderman Simon Niblock

1. THAT the report entitled Minutes of Youth Advisory Committee - 11 July 2019 and Meeting Notes 13 June 2019 be received and noted.

CARRIED 9/0



15 REPORTS OF REPRESENTATIVES**15.1 REPORTS OF REPRESENTATIVES****RESOLUTION ORD321/19**

Moved: Alderman Robin Knox

Seconded: Alderman Andrew Arthur

THAT the following Reports of Representatives be received and noted.

CARRIED 9/0

15.2 Rapid Creek Advisory Meeting

Alderman Robin Knox reported on changes to the Terms of Reference for the Rapid Creek Advisory Committee and requested that Council recommend an elected member to fill the Alternate Member position on the Committee.

16 QUESTIONS BY MEMBERS**16.1 LANEWAY BETWEEN LIVISTONA ROAD AND SPATHE COURT KARAMA****RESOLUTION ORD322/19**

Moved: Alderman Robin Knox

Seconded: Alderman Justine Glover

THAT the following Questions by Members be received and noted.

Alderman Glover requested support from Council to close the laneway from Livistona Road and Spathe Court Karama after receiving a letter from the Local Member. These has been reports of antisocial behaviour and out of control youth in the laneway.

The Lord Mayor responded and advised that the matter can be dealt with operationally

The General Manager Community and Regulatory Services advised that in order for council to close the laneway they would need support from the Northern Territory Police and at date have not received any communication about the issues however the team will investigate the matter.

CARRIED 9/0

16.2 CONSIDERATION FOR SPECIAL RATES FOR PROPERTIES IN RAPID CREEK FLOOD ZONE**RESOLUTION ORD323/19**

Moved: Alderman Robin Knox

Seconded: Alderman Justine Glover

THAT the following Questions by Members be received and noted.

Alderman Robin Knox queried when the report for Council's consideration of a special rates for

flood properties zoned Special Purpose Use in Rapid Creek be coming to Council?

The Acting General Manager Corporate Services and Procurement advised that council is still in negotiations with the Northern Territory Government and the matter will be finalised in the near future.

CARRIED 9/0

16.3 BIKE PODS

RESOLUTION ORD324/19

Moved: Alderman Robin Knox

Seconded: Alderman Justine Glover

THAT the following Questions by Members be received and noted.

Alderman Knox has heard that the bike pod has 10 users at present and has a waiting list of 6 people. Previously, Council allowed more passes if people were happy not to have a locker and not lock their bike in the pod. Please can Council consider this arrangement again so more people have the opportunity to ride and have access to a shower at the end of their trip?

The General Manager of Innovation Growth and Development took the question on notice

.CARRIED 9/0

16.4 MURALS

RESOLUTION ORD325/19

Moved: Alderman Robin Knox

Seconded: Alderman Justine Glover

THAT the following Questions by Members be received and noted.

Alderman Robin Knox asked if Tanya Brokeman will be working with local artists? Are there really no suitably qualified Darwin Artists? And if the artwork will be Darwin orientated.

General Manager Community and Regulatory Services advised that the project is not a council run project however staff can put the comments forward. The General Manager noted that the artwork is centred around Darwin animals and that one will be a snake found here in Darwin.

Alderman Andrew Arthur noted that they have and are engaging local artist such as David Collins

CARRIED 9/0

16.5 LUCKY BAT CAFE

RESOLUTION ORD326/19

Moved: Alderman Robin Knox

Seconded: Alderman Justine Glover

THAT the following Questions by Members be received and noted.

Alderman Peter Pangquee has received questions from locals using the café that under direction of council officers the tables and chair have been moved from under the veranda to out in the sun.

What are the reasons for having to move the tables and chairs.

The General Manager of Innovation Growth and Development took the question on notice.

CARRIED 9/0

17 GENERAL BUSINESS

NIL

18 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

18.1 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

RESOLUTION ORD327/19

Moved: Alderman Gary Haslett

Seconded: Alderman Emma Young

THAT the next Ordinary Meeting of Council be held on Tuesday, 27 August 2019, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

CARRIED 9/0

19 CLOSURE OF MEETING TO THE PUBLIC

19.1 CLOSURE OF MEETING TO THE PUBLIC

RESOLUTION ORD328/19

Moved: Alderman Emma Young

Seconded: Alderman Peter Pangquee

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the Confidential Items of the Agenda.

CARRIED 9/0

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:

24.1 Leachate Treatment System Request for Variation

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.

24.2 Risk Management & Audit Committee - Appointment of Independent Community Members

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.

24.1 Complaint Assessment and Outcome

This matter is considered to be confidential under Section 65(2) - 8(e) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information provided to the council on condition that it be kept confidential.

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON**ADJOURNMENT OF MEETING****RESOLUTION ORD329/19**

Moved: Alderman Emma Young
Seconded: Alderman Peter Pangquee

That in accordance with By-Law 163(d), the meeting be adjourned at 6.23pm for 10 minutes to enable the Council to have a break.

CARRIED 9/0

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 August 2019.



CHAIR