

MINUTES OF THE **ORDINARY** MEETING OF THE THIRTEENTH COUNCIL HELD ON MONDAY  
29 APRIL 2019 AT 6:00PM IN COUNCIL CHAMBER, CIVIC CENTRE, ALICE SPRINGS

---

1. ATTENDANCE

1.1 Opening of the Meeting by the Mayor (Chair)

The Mayor Damien Ryan declared the meeting open at 6.00pm and welcomed all present to the meeting.

Mayor Damien Ryan acknowledged the Central Arrernte people who are the traditional owners and custodians of Alice Springs.

PRESENT

Mayor D. Ryan (Chair)  
Councillor G. Auricht  
Councillor M. Banks  
Councillor J. Cocking  
Councillor J. de Brenni (Phone)  
Councillor E. Melky  
Councillor M. Paterson  
Councillor C. Satour

OFFICERS IN ATTENDANCE

Mr R. Mooney – Chief Executive Officer  
Mr S. Allen – Director Technical Services  
Ms S. Price – Director Corporate and Community Services  
Mrs M. Bennett – Acting Director Finance  
Mr J. van Riel – Executive Assistant (Minutes)

2. PRAYER

Reverend Brian Jeffries from the Anglican Church Alice Springs presented the prayer preceding the meeting.

3. APOLOGIES

4. WELCOME TO THE GALLERY AND PUBLIC QUESTION TIME

The Mayor welcomed those present in the gallery.

5. DISCLOSURE OF INTEREST

Mayor Ryan – Item 14.1.1 CEO Report  
Councillor Melky – Item 10.1 Deputation Henley on Todd Regatta 2018  
Councillor de Brenni – Item 14.1.1 CEO Report

6. MINUTES OF PREVIOUS MEETING

6.1 Minutes of the Ordinary Open Meeting of the Council held on Monday 25 March 2019

Moved Councillor Auricht  
Seconded Councillor Melky

**That the minutes of the Ordinary Meeting of the Council held Monday 25 March 2019 be confirmed as a true and correct record of the proceedings of those meetings.**

CARRIED (20289)

6.2 Business Arising from the Minutes

6.2.1 Councillor Banks – Item 13.3.8 Proposed Tree Planting in the Bath Street Median Strip

Councillor Banks requested an update on the Heat Mitigation report. The Director Technical Services advised that the report has been received from the Northern Territory Government, but currently awaiting permission to release it to the general public.

6.2.2 Councillor Banks – Item 14.1.1 CEO Report

Councillor Banks enquired about the letter Council sent to the Chief Minister on 19 March regarding the National Aboriginal Art Gallery. Mayor Ryan advised that correspondence regarding the National Aboriginal Art Gallery was received from Minister Moss prior to the Council Meeting, and this correspondence has been included for discussion in Item 7.1 Mayor's Report.

6.2.3 Councillor Auricht – Item 13.3.12 Tucker Park Neighbour Day March 2019

Councillor Auricht enquired if the draft consultation was released with the Tucker Park residents on Neighbour Day. The Director Technical Services advised that the Tucker Park Neighbour Day was postponed. Council is currently awaiting a new date to be set for the Tucker Park Neighbour Day.

7. MAYORAL REPORTS AND MINUTES

7.1 Mayor's Report  
Report No. 56/19cncl

Moved Councillor Melky  
Seconded Councillor Cocking

**That the Mayor's Report be received.**

CARRIED (20290)

Mayor Ryan advised that correspondence regarding the National Aboriginal Art Gallery was

### 3 -- CNCL 29/04/19

received from Minister Moss prior to the Council Meeting.

#### 7.2 Business arising from the Report

##### 7.2.1 Councillor Auricht – Item 1.10 Traeger Park Inspection

Councillor Auricht enquired to the status of the Traeger Park oval AFL Easter carnival. The Director Technical Services advised that no reports back to Council were received from CAFL, which can be regarded as a positive development.

### 8. COUNCILLOR REPORTS

#### **Councillor Satour**

Met all obligations for April as required.

#### **Councillor Cocking**

Attended the International Visitor Leadership Program for State and Local Government in the United States (funded by the US State Department). As part of this program met elected representatives and people working in state and local government in:

- Washington DC
- San Antonio, Texas
- Austin, Texas
- Kalamazoo, Michigan
- Boston, Massachusetts

Budget Forum meeting

ICAC briefing

ANZAC Day parade

John Gaynor, Lhere Mparntwe Committee

Members of the public regarding recycling

#### **Councillor Paterson**

March Ordinary Council Meeting

Parrtjima Light Festival

ANZAC Day March

Matt Findlay – NT Aviation

Budget discussions

Chief Minister and Minister Moss

Executive Development Committee

Supported NT Netball U-17 and U-19 sides in Brisbane

Northern Territory Government briefing on hydraulic fracturing

LGANT meeting in Katherine

ICAC briefing

Interview with the Centralian Advocate, ABC and NT News

Rugby League ANZAC Day Ceremony with Mayor Ryan

#### **Councillor Melky**

Month of April was a busy month organising the Bangtail Muster on 6 May.

Met all monthly commitments and attended all meetings in person and was not an apology to any

4 -- CNCL 29/04/19

meetings.

Congratulated the Council team on all the work done on the ANZAC Day services on Anzac Hill.

**Councillor Banks**

Met all formal obligations to Council for the past month and met with members of the public and spoken to media.

**Councillor Auricht**

March Ordinary Council Meeting  
Matt Findlay – NT Aviation  
Viewing of the Town Council Art Collection at Araluen  
ANZAC Hill commemoration  
Budget discussions  
Traffic Control course meeting and workshop  
Chief Minister Gunner and Minister Wakefield  
Executive Development meeting  
Environment Advisory meeting  
Cemeteries Advisory meeting  
Public Art Advisory meeting  
Northern Territory Government briefing on hydraulic fracturing  
Launch of the Seniors Card at the Megafauna Centre  
Youth Recycled Art exhibition  
Parrtjima Light Festival  
Council Welcome Reception for the National Rotary Conference  
Northern Territory planning meeting for the CBD and Kilgariff  
Standing Committees meeting  
Seniors Coordinating meeting  
Sports Facilities Advisory Committee  
Smart Trees meeting  
Council Forum

**Councillor de Brenni**

Fulfilled all responsibilities for the month of April as required.

**COMMUNITY GRANTS**

Deputy Mayor Paterson presented Community Grants to the Prison Fellowship Australia and to the Rotary Club of Alice Springs.

9. **ORDERS OF THE DAY**

- 9.1 That Elected Members and Officers provide notification of matters to be raised in General Business.
- 9.2 Mayor Ryan – Motion Alice Springs Town Council ICAC Policy
- 9.3 Councillor Cocking – Code of Conduct Statement
- 9.4 Councillor Satour – Code of Conduct Statement
- 9.5 Councillor Satour – NAIDOC
- 9.6 Councillor Banks – National Aboriginal Art Gallery

10. DEPUTATIONS AND PETITIONS

10.1 Ms Vicki Hale and Mr Clive Hale – Henley on Todd Regatta 2018

Ms Vicki Hale and Mr Clive Hale gave a debriefing presentation on the 2018 Henley Todd Regatta and thanked Council for its continued support of this event.

10.2 Mr John Gaynor, Regional Director Southern, Department of Environment and Natural Resources – Lhere Mparntwe Management Strategy

Mr John Gaynor presented an overview of the Lhere Mparntwe Management Strategy on behalf of the Lhere Mparntwe working group, including a history of the working group and the future direction of the strategy. The Lhere Mparntwe working group is seeking in-principle endorsement of the strategy by Council, as well as participation by Council in the proposed Lhere Mparntwe advisory group.

*Councillor Paterson left the Chamber at 7.08pm*

*The Director Technical Services left the Chamber at 7.08pm*

*Councillor Paterson returned to the Chamber at 7.09pm*

*The Director Technical Services returned to the Chamber at 7.09pm*

*Councillor Paterson left the Chamber at 7.11pm*

*Councillor Paterson returned to the Chamber at 7.12pm*

*Councillor Banks left the Chamber at 7.24pm*

*Councillor Banks returned to the Chamber at 7.28pm*

11. MEMORIALS

Nil

12. NOTICE OF MOTIONS

Nil

13. REPORTS OF STANDING COMMITTEES – RECOMMENDATIONS

13.1 Finance Committee

13.1.1 Minutes of the Open Section of the Finance Committee Meeting held 11 March 2019 (Item 4.1)

Moved Mayor Ryan

Seconded Councillor Melky

**That the minutes of the Open Section of the Finance Committee meeting held on 11 March 2019 be taken as read and confirmed as a true and correct record of the proceedings of that meeting.**

(5397f)  
CARRIED (20291)

13.1.2 Financial Reports

Report No. 44/19f (A/DF)

This report includes the following financial information:

- Income & Expenditure Statement
- Balance Sheet
- Cash Reserves and Cash Analysis Reconciliation
- Key Financial Performance Ratios
- Monthly Payments Listing (EFT & Cheque) including utilities spreadsheet
- Debtors Analysis
- Investments report
- Grants Schedule
- Income & Expenditure by Goal
- Regional Waste Management Facility Income & Expenditure
- Aquatic & Leisure Centre Income & Expenditure
- IT report

This report shows that Council is in a sound budgetary position as at 31 March 2019.

Moved Mayor Ryan  
Seconded Councillor Melky

**That this report be noted.**

(5398f)  
CARRIED (20292)

13.2 Corporate and Community Services Committee

*Councillor Banks left the Chamber at 7.34pm*

*Councillor Banks returned to the Chamber at 7.36pm*

13.2.1 Minutes from the Corporate and Community Services Committee meeting held 11 March 2019 (Item 4.1)

Moved Mayor Ryan  
Seconded Councillor Banks

**That the minutes of the Open Section of the Corporate and Community Services Committee meeting held 11 March 2019 be taken as read and confirmed as a true and correct record of the proceedings of that meeting.**

(6483 ccs)  
CARRIED (20293)

13.2.2 Directorate Update (Agenda Item 9.1)  
Report No. 57/19ccs (DCCS)

Moved Mayor Ryan  
Seconded Councillor Banks

This report provides an update of current Corporate and Community Services projects, programs and events.

**That the report be received and noted.**

(6484 ccs)  
CARRIED (20294)

13.2.3 Review of Constitutional Arrangements for Council Electoral Representation (Item 9.2)  
Report No. 59/19ccs (DCCS)

Moved Mayor Ryan  
Seconded Councillor Banks

This report discusses the Local Government Act legislative requirement and Northern Territory Government Department of Local Government, Housing and Community Development request for Alice Springs Town Council to complete an electoral review, during the current council term which concludes during late 2021.

**That Council provide correspondence for the Minister advising that in keeping with the *Local Government Act 2008* and the *Local Government Electoral Regulations 2008*, that no constitutional change occurs with regard to Alice Springs Town Council's electoral representation.**

(6485 ccs)  
**DEFER to Council Forum**

13.2.4 Review of Council Policies (Agenda Item 9.3)  
Report No. 60/19ccs (DCCS)

The process of reviewing Council's existing policies is ongoing. The purpose of this report is to present a selection of policies for consideration by Elected Members with a view to adoption or rescission.

Moved Mayor Ryan  
Seconded Councillor Banks

- A. That the revised *Roadside Memorials* policy, which supersedes policy 417 *Roadside Memorials*, be adopted.**
- B. That the revised *Third Party Upgrades of Council Facilities* policy, which supersedes policy 413 *Sports Facilities Capital Development*, be adopted.**

- D. That Council rescind four (4) policies inclusive of policy numbers 501, 504, 315, and 328 as listed in the accompanying report.**

(6486 ccs)

CARRIED (20295)

Councillor Banks suggested Part C. *Media Relations* policy be discussed more thoroughly and therefore proposes that it be deferred.

Moved Councillor Banks  
Seconded Councillor Satour

- C. That the revised *Media Relations* policy, which supersedes policies 110 Media Relations and CEO 001 Elected Members Media (including social media) Usage, be adopted.**

(6486 ccs)

**DEFERRED**

13.2.5 Application for New Liquor Licence – Grill Me Crazy (Agenda Item 9.4)  
Report No. 67/19ccs (DCCS)

Liquor, Gaming and Racing Licensing NT has written to Council seeking comments about an application for a new liquor licence from Grill Me Crazy, located at shop 6/70, Lot 105 Gregory Terrace, Alice Springs.

Moved Mayor Ryan  
Seconded Councillor Paterson

**That Council does not object to the application for a restaurant liquor licence from Grill Me Crazy, located at shop 6/70, Lot 105 Gregory Terrace, Alice Springs.**

(6487 ccs)

CARRIED (20296)

13.2.6 Library Operations (Agenda Item 9.5)  
Report No. 62/19ccs (DCCS)

Moved Councillor Melky  
Seconded Councillor Satour

**That standing orders be removed.**

CARRIED (20297)

Councillor Banks suggested that this report be further discussed in a forum to take into account the Northern Territory Government's National Aboriginal Art Gallery proposal.

Discussion ensued.

Moved Councillor Melky  
Seconded Councillor Paterson



**That standing orders be resumed.**

CARRIED (20298)

This report provides narrative related to existing Alice Springs Public Library (formally known as Nevil Shute Memorial Library) programming and capacity, as well as an account related to potential considerations, planning, direction setting and development of a new, purpose built facility.

Moved Mayor Ryan  
Seconded Councillor Melky

**That this report be received and any motions identified.**

(6488 ccs)

**DEFER to Council Forum**

- 13.2.7 Minutes and Recommendations from the Seniors Coordinating Committee meeting held 20 March 2019 (Agenda Item 10.1)

Moved Mayor Ryan  
Seconded Councillor Banks

**That the Minutes from the Seniors Coordinating Committee meeting held 20 March 2019 be received and the recommendations adopted.**

(6489 ccs)

CARRIED (20299)

- 13.2.8 Minutes and Recommendations from the Tourism, Events and Promotions Committee meeting held 28 March 2019 (Agenda Item 10.2)

Moved Mayor Ryan  
Seconded Councillor Banks

**That the minutes of the Tourism, Events and Promotions Committee meeting held 28 March 2019 be received and recommendations adopted.**

(6490 ccs)

CARRIED (20300)

- 13.2.9 Sponsorship Application – 2019 Writers' Festival (Agenda Item 10.2.1)

The NT Writers' Centre has requested the sum of \$1,500 to assist in running some of the events at the Festival, as well as in-kind support. The Festival provides workshops with schools, walking tours of Alice Springs, night time poetry and story-telling. The event will be held from 16 to 19 May.

Moved Mayor Ryan  
Seconded Councillor Banks

**That Council support the sponsorship application from NT Writers' Centre for the 2019 NT Writers' Festival, to the value of \$1,500.**

(6491 ccs)

CARRIED (20301)

13.2.10 Sponsorship Application – Australian Golfing Fellowship of Rotarians (Agenda Item 10.2.2)

Rotary Club of Alice Springs - Mbantua requested \$2,875 towards the cost of shirts and a ticket to the Presentation dinner for the 25 volunteers required to assist with the event, to be held from 12 to 17 May. There is also a sponsorship package being sought. The club is asking sponsorship from local businesses, to support fundraising for palliative care.

Moved Mayor Ryan

Seconded Councillor Banks

**That Council do not support the application from Rotary Club of Alice Springs - Mbantua for the Australian Golfing Fellowship of Rotarians event.**

(6492 ccs)

CARRIED (20302)

13.2.11 Sponsorship Application – Introduction to Gateball Sport (Agenda Item 10.2.3)

The Australian Gateball Union Inc requested sponsorship of \$14,000 + GST, to bring a team of five players to coach and demonstrate to the local community how to play gateball. The event will be held 7 and 8 September at the Memorial Bowl Club.

Moved Mayor Ryan

Seconded Councillor Banks

**That Council do not support the application from the Australian Gateball Union Inc for the introduction to gateball sport in Alice Springs.**

(6493 ccs)

CARRIED (20303)

13.2.12 Sponsorship Application – The Wildman Show (Agenda Item 10.2.3)

Rocky Creek NT Pty Ltd was seeking support to the value of \$5,500 + GST or \$6,900 towards the cost of The Wildman Show at Ooraminna Station Homestead, which will be held from 17 to 21 June 2019.

Moved Mayor Ryan

Seconded Councillor Banks

**That Council do not support the application from the Rocky Creek NT Pty Ltd for The Wildman Show at Ooramina Station Homestead.**

(6494 ccs)

CARRIED (20304)

13.2.13 Sponsorship Application – No Woman Left Behind Conference (Agenda Item 10.2.5)

Rebecca Forrest is requesting \$3,000 towards the cost of the 'No Woman Left Behind' conference, to be held 1 August at Doubletree by Hilton. The conference aims to bring women from all walks of life and generations to share their stories, achievements, challenges heartaches and their hopes for the future. There is also an opportunity for Council to hold a stall at the event.

Moved Mayor Ryan  
Seconded Councillor Banks

**That Council support the application from Rebecca Forrest for the 'No Woman Left Behind' conference, to be held at Doubletree by Hilton, 1 August 2019.**

(6495 ccs)  
CARRIED (20305)

13.2.14 Sponsorship Application – FRAIM ICTV Awards (Agenda Item 10.2.6)

Indigenous Community Television (ICTV) Awards has requested the amount of \$7,000 to sponsor an evening screening of videos nominated for an award, to sponsor an ICTV video awards and in-kind sponsorship of equipment. The event will be held from 13 to 16 May 2019 at the Big 4 Caravan Park and Alice Springs Cinema.

Moved Mayor Ryan  
Seconded Councillor Banks

**That Council do not support the application from ICTV Awards.**

(6496 ccs)  
CARRIED (20306)

13.2.15 Sponsorship Application – NT Volunteer of the Year Awards (Agenda Item 10.2.7)

Volunteering SA and NT Inc. is seeking \$3,000 in sponsorship for the Volunteer Awards Central Australia Ceremony to be held 6 November 2019 at the Hilton Ballroom Alice Springs. These funds will go towards assisting with venue, catering and trophies/certificates.

Moved Mayor Ryan  
Seconded Councillor Banks

**That Council support the application from Volunteering SA and NT Inc, to the value of \$3,000 for the NT Volunteer of the Year Awards.**

(6497 ccs)  
CARRIED (20307)

13.2.16 Minutes and Recommendations from the Public Art Advisory Committee meeting held 6 March 2019 (Agenda Item 10.3)

Moved Mayor Ryan  
Seconded Councillor Banks

**That the minutes of the Public Art Advisory Committee meeting held 6 March 2019 be received and recommendations adopted.**

(6498 ccs)  
CARRIED (20308)

13.2.17 Ross Park Soccer Shed (Agenda Item 10.3.1)

Moved Mayor Ryan  
Seconded Councillor Banks

**That Melanie Gunner be engaged to paint an artwork, to cover the southern wall of the Ross Park soccer shed, to be completed by the youth of Alice Springs on a volunteer basis.**

(6499 ccs)  
**DEFERRED**

Deferred to the Public Art Advisory Committee.

13.2.18 Interpretive Signage (Agenda Item 10.3.2)

Moved Mayor Ryan  
Seconded Councillor Banks

**That the PlazArt quote be accepted for the interpretive signage implementation for Council affiliated public artworks for up to 16 signs.**

(6500 ccs)  
CARRIED (20309)

13.2.19 Minutes and Recommendations from the Public Art Advisory Committee meeting held 3 April 2019 (Agenda Item 10.4)

Moved Mayor Ryan  
Seconded Councillor Satour

**That the minutes of the Public Art Advisory Committee meeting held 3 April 2019 be received and recommendations adopted.**

(6501 ccs)  
CARRIED (20310)

13.2.20 Honorary Ambassador Recommendations (Agenda Item 20.2)  
Report No. 61/19ccs (MCCD)  
(Item transferred from Agenda Item 24.2.3)

This report was prepared provide recommendations regarding the Honorary Ambassadors Program.

Moved Mayor Ryan  
Seconded Councillor Melky

**A. That six (6) specific individuals/organisations be invited to undertake Alice Springs Town Council Honorary Ambassadors roles for the 2019/20 financial year: Mark Coulton, Yubu Napa Gallery, Barry Skipsey, Chris 'Brolga' Barnes, Tony Connor and Steve Morton.**

**B. Increase Honorary Ambassador budget (558) to \$5,000.**

(6504 ccs)  
CARRIED (20331)

13.3 Technical Services Committee

*Councillor Paterson left the Chamber at 8.03pm*

*Councillor Paterson returned to the Chamber at 8.05pm*

13.3.1 Minutes of Open Technical Services meeting held 11 March 2019 (Agenda Item 4.1)

Moved Councillor Auricht  
Seconded Councillor de Brenni

**That the minutes of the Open Section of the Technical Services meeting held on 11 March 2019 be taken as read and confirmed as a true and correct record of the proceedings of that meeting.**

(4518 ts)  
CARRIED (20311)

13.3.2 Directorate Update (Agenda Item 9.1)

Report No: 53/19ts (DTS)

This report provides an update of current Technical Services projects, programs and events.

Moved Councillor Auricht  
Seconded Councillor de Brenni

**That this report be received and noted.**

(4519 ts)  
CARRIED (20312)

13.3.3 Bath Street Verge Tree Planting (Agenda Item 9.2)

Report No: 54/19ts (DTS)

This report is to provide council with costings to plant large verge trees along Bath Street.

Moved Councillor Auricht  
Seconded Councillor Banks

- 1. That Council approve planting trees on the Bath Street verge utilising native species.**
- 2. That Council approves the planting of 5 grasses on the Bath Street verge.**

(4520 ts)  
CARRIED (20313)

13.3.4 RESOLVED

Moved Councillor Auricht  
Seconded Councillor de Brenni

**That the office of the Mayor writes to the seventeen (17) schools in the municipality of Alice Springs, asking them to participate in a tree planting program, if Council will provide up to fifty (50) trees per school to plant on school ground, allowing students to maintain and take ownership.**

(4521 ts)  
CARRIED (20314)

13.3.5 Council Bitumen Crew Feasibility Report (Agenda item 9.3)  
Report No: 65/19ts (DTS)

This report is in regards to a cost comparison for road resealing / sealing by either ASTC staff or contractors.

Moved Councillor Auricht  
Seconded Councillor de Brenni

**That this report is for discussion at a budget meeting.**

(4522 ts)  
CARRIED (20315)

13.3.6 Albrecht Oval – Sports Field Lighting (Agenda item 9.4)  
Report No: 63/19ts (DTS)

This report is in regard to the current status of the proposed sporting field lights at Albrecht Oval.

Moved Councillor Auricht  
Seconded Councillor Melky

**That Council endorses the following process regarding the Albrecht Oval - Environmental Management Plan:**

- A. Responses to Draft Albrecht Oval - Environmental Management Plan presented to Council for consideration**

- B. Council decisions and discussion provided to consultant**
- C. Consultant to redraft the Revised Albrecht Oval - Environmental Management Plan**
- D. That Council undertakes a second public information session**
- E. Final Albrecht Oval - Environmental Management Plan be endorsed by Council**

(4523 ts)  
CARRIED (20316)

Councillor Melky requested clarification regarding the process around the Albrecht Oval - Environmental Management Plan.

Discussion ensued.

13.3.7 Minutes of the Development Committee Meeting held on 1 April 2019 (Agenda Item 10.1)

Moved Councillor Auricht  
Seconded Councillor de Brenni

**That the minutes of the Development Committee Meeting held on 1 April 2019 be received.**

(4524 ts)  
CARRIED (20317)

13.3.8 Minutes of the Environment Advisory Committee Meeting held on 1 April 2019 (Agenda Item 10.2)

Moved Councillor Auricht  
Seconded Councillor de Brenni

**That the minutes of the Environment Advisory Committee Meeting held on 1 April 2019 be received and recommendations adopted.**

(4525 ts)  
CARRIED (20318)

13.3.9 Minutes of the Cemeteries Committee Meeting held on 2 April 2019 (Agenda Item 10.3)

Moved Councillor Auricht  
Seconded Councillor de Brenni

**That the minutes of the Cemeteries Committee Meeting held on 2 April 2019 be received and recommendations adopted.**

(4526 ts)  
CARRIED (20319)

13.3.10 Expression of Interest – Cemetery Entry Statement (Agenda Item 10.3.1)

Moved Councillor Auricht  
Seconded Councillor de Brenni

**That Pip McManus and David Rilstone be approached to provide further information in regard to cost, to confirm local fabrication, and estimated timeframe for completion.**

(4527 ts)  
**UNANIMOUS**  
CARRIED (20320)

13.3.11 Terms of Appointment – Cemeteries Advisory Committee - Review (Agenda Item 10.3.2)

Moved Councillor Auricht  
Seconded Councillor de Brenni

**That a review of the committee be undertaken in regard to terms of appointment and call for expression of interest where required.**

(4528 ts)  
CARRIED (20321)

13.3.12 Proposed New Fence at Jim McConville Oval (Agenda Item 20.1)  
Report No: 66/19ts (DTS)  
(Item transferred from Agenda Item 24.3.2)

This report is in regard to the installation of a new picket fence at Jim McConville similar to the existing fence at Albrecht Oval

Moved Councillor Auricht  
Seconded Councillor Satour

**That Council organise a public consultation with the community and users regarding the installation of a new picket fence at Jim McConville Oval.**

(4530 ts)  
CARRIED (20333)

14. REPORTS OF OFFICERS

14.1 CHIEF EXECUTIVE OFFICER

14.1.1 CEO Report  
Report No. 55/19cncl

Moved Councillor Melky  
Seconded Councillor Cocking



**That this report be received and the recommendations be adopted.**

CARRIED (20322)

Councillor Cocking suggested that the CEO Report contain a gender breakdown.  
The CEO advised that a gender breakdown can be included in future CEO Reports.

*Councillor Melky left the Chamber at 8.44pm*

*Councillor Melky returned to the Chamber at 8.46pm*

#### 14.2 DIRECTOR FINANCE

Nil

#### 14.3 DIRECTOR CORPORATE AND COMMUNITY SERVICES

Nil

#### 14.4 DIRECTOR TECHNICAL SERVICES

##### 14.4.1 EqualiTEA Proposal

Report No. 69/19 cncI

(Item transferred from Agenda Item 25.4.1)

Moved Councillor Paterson

Seconded Councillor Cocking

**It is recommended that Council endorses a 12 month trial of the NT Friendship and Support Incorporated EqualiTEA Proposal.**

CARRIED (20335)

#### 15. QUESTIONS WITHOUT NOTICE

Nil

#### 16. GENERAL BUSINESS

##### 16.1 Mayor Ryan – Alice Springs Town Council ICAC Policy

Moved Mayor Ryan

Seconded Councillor Paterson

##### **MOTION:**

**That Alice Springs Town Council create an ICAC policy that articulates the mandatory reporting obligation of Council Officers, Staff and Elected Members to report any improper conduct.**

CARRIED (20323)

16.2 Councillor Cocking – Code of Conduct Statement

“The following statement is made without malice and is an honest act done in the performance of my official function as a Councillor.

In line with the relevant sections of LOCAL GOVERNMENT ACT, THE LOCAL GOVERNMENT REGULATIONS (Administration), NT INFORMATION ACT 2002,

Furthermore

**And As per section 35 part (3) of the LGA, under title of**

**“Role of members”**

As a member of the council, I have a duty to act, at all times, in what I genuinely believe to be the best interests of the council's constituency.

And I NOTE

**Section 81B in brackets (1) and (2) of the LGA under title of**

**“Report of proceedings of disciplinary committee”**

A Publication of a report of the proceedings of a disciplinary committee is absolutely privileged.

And a Publication of a fair report of proceedings or findings of a disciplinary committee is protected by qualified privilege.

**And I will mention**

**Section 41 of the LGA under title “Immunity from liability”**

In brackets (1) No civil or criminal liability lies against a member of a council for an honest act or omission done or made in the performance, of the member's official functions.

(2) A civil liability that would, but for subsection (1) lie against a member of a council lies instead against the council.

I NOTE FURTHER: **PART 2 of the INFORMATION ACT 2008**, under title

**“General Principles about disclosure of information”**

Section 10 and in brackets (2) (a) Does not prevent or discourage public sector organisations from publishing government information or providing access to government information, including information that is exempt under Part 4 (Exemptions in the public interest).

## **INTRODUCTION**

Accordingly ... On November 26 2018 during the Ordinary Council meeting, I made a statement in relation to the code of conduct complaint made against me.

What I would like to further inform the Chamber, due to a common link, I am only now able to discuss my code of conduct in detail, following the appeals process of 28 days for Cr Satour having lapsed without an appeal from the complainants.

I can now provide this chamber with further full and factual details that is protected by qualified privilege.

On the 5th April 2018, Mr David Price, was named as the complainant in an alleged code of conduct breach made against me.

On May 2, I was informed that the code of conduct investigation would be conducted by a Local Government Disciplinary Committee established for this purpose.

### **I will now speak to the Allegations:**

David Price's complaints against me alleged that I breached the Alice Springs Town Council Code of Conduct, namely

#### **5.4 Behaviour towards Others Generally**

#### **5.5 Relationship with other members and employees**

The Disciplinary Committee determined that I would have to respond to a complaint made regarding "a Facebook comment that I made on my personal Facebook page in defence of Councillor Catherine Satour, following the events that occurred at the Ordinary Meeting on the 29th of January, where police were called by the CEO to assist with order.

I was required to provide an extensive initial response to a detailed complaint and then a second response to an even longer counter response from the applicant to my initial reply.

The code of conduct complaints coincided with my support for Cr Catherine Satour on issues of public safety and other issues important to Aboriginal people and the wider community.

### **The determinations of the Committee found that**

'In publishing the post does not constitute a breach of Clause 5.4 and it does not appear to be an unfair or disrespectful comment.

It is not conduct that which may cause a reasonable person unwarranted offence or embarrassment or give rise to a reasonable suspicion of improper conduct.

It is not conduct which is unreasonable, unjust, oppressive or discriminatory, and it is not

conduct which brings the Alice Springs Town Council, members or employees into disrepute.

### **COMPLAINTS DISMISSED**

The Disciplinary committee in making its determination dismissed the complaints made by David Price under Section 81 (3) of the Local Government Act as frivolous and vexatious.

### **OFFICE OF COUNCILLOR TO UPHOLD THE INTEGRITY OF COUNCIL**

As a holder of the office of councillor it is incumbent upon me to do all I can to protect the integrity of this Council and the integrity of my public office.

Having proved that the code of conduct complaint made against me by David Price was frivolous and vexatious, I now call on David Price to apologise to the Alice Springs Town Council and to the office of Councillor, and myself as an individual, for making a frivolous and vexatious complaint against me.”

*Councillor Banks left the Chamber at 8.51pm*

*Councillor Banks returned to the Chamber at 8.55pm*

#### 16.3 Councillor Satour – Code of Conduct Statement

Councillor Satour enquired if anyone in the Chamber had a conflict of interest prior to making the statement.

“The following statement is made without malice and is an honest act done in the performance of my official function as a Councillor.

In line with the relevant sections of LOCAL GOVERNMENT ACT, THE LOCAL GOVERNMENT REGULATIONS (Administration), NT INFORMATION ACT 2002,

Further more

And As per section 35 part (3) of the LGA, under title of  
“Role of members”

As a member of the council, I have a duty to act, at all times, in what I genuinely believe to be the best interests of the council's constituency.

And I NOTE

Section 81B in brackets (1) and (2) of the LGA under title of  
“Report of proceedings of disciplinary committee”

A Publication of a report of the proceedings of a disciplinary committee is absolutely privileged.

And a Publication of a fair report of proceedings or findings of a disciplinary committee is protected by qualified privilege.

And I will mention

Section 41 of the LGA under title “Immunity from liability”

In brackets (1) No civil or criminal liability lies against a member of a council for an honest act or omission done or made in the performance, of the member's official functions.

(2) A civil liability that would, but for subsection (1) lie against a member of a council lies instead against the council.

I NOTE FURTHER: PART 2 of the INFORMATION ACT 2008, under title  
“General Principles about disclosure of information”

Section 10 and in brackets (2) (a) Does not prevent or discourage public sector organisations from publishing government information or providing access to government information, including information that is exempt under Part 4 (Exemptions in the public interest).

#### INTRODUCTION

Accordingly ... On the 16th of April 2019, during the most recent Council Standing committees meeting, I made a statement in relation to the 2 code of conducts complaints that were made against me.

I can now provide this chamber with further full and factual details that is protected by qualified privilege.

#### FULL DETAILS

On the 22nd of March 2018, Ms Jacinta Price was named as the complainant in a complaint about a council code of conduct breach against me.

Then again 12 days later, on the 3rd of April 2018, Mrs Bess Price was named as the complainant in a complaint about a council code of conduct breach, also against me.

The 2 code of conduct notices were served separately on me shortly after by the Local Government Disciplinary Committee.

These 2 code of conduct applications contained multiple complaints against me, some of which overlapped and were identical in complaint.

I will now speak to the allegations

Bess Price alleged that I breached the Alice Springs Town Council (ASTC) Code of Conduct for Elected Members 2011 (ASTC Code of Conduct) when I made a statement at an ASTC meeting held on 29th of January 2018, (as stated by me at the ASTC meeting of 12th of March 2018).

The ASTC Code of Conduct breaches alleged were in relation to 5.4 (behaviour to other generally) and 5.5 (relationship with other members and employees).

Jacinta Price alleged that

Complaint 1 - Failure to provide document requested - Section 5.14 Decision making by members

Complaint 2- Dishonest behaviour – that I made false representation to Council

Complaint 3 - I failed to include all relevant stakeholders in council meetings

Complaint 4 - Misrepresentation re: Social media and Published Articles

Complaint 5, that I made Defamatory Comments in Chambers during public open session  
Additionally it was alleged by Jacinta Price that I disrespected other members and employees of council

My Behaviour towards others generally – according to the complaints, was part of an extended campaign of intimidation.

And Breaching code of conduct as a councillor when attempting to follow up on issues relating to my personal security – my concerns for my safety were labelled as

unsubstantiated.

#### COMMITTEE DETERMINATIONS RE CODE OF CONDUCT COMPLAINTS

Bess Price complaint was misleading, lacking in substance, vexatious and frivolous and dismissed pursuant to section 81 (1) (b) of the ACT.

Jacinta Price: Complaint 1: Failure to provide copy of 61 signatures requested at committee meeting

The committee noted - given the seriousness of what amounts to an allegation of dishonesty against me, it was incumbent upon the complainant to ensure she had credible evidence to support her complaint before making such an allegation. The complaint by Jacinta Price about the signatures was found to be Grossly Mistaken.

The committee finds her complaint to be vexatious and lacking in substance and finds that my conduct did not constitute a breach of 5.14 of the code of conduct. Her complaint was subsequently dismissed according with section 81 (1) (b) of the ACT.

Jacinta Price Complaints 2, 3, 4 and 5

Similarly, these complaints were all accordingly dismissed as vexatious and frivolous pursuant to section 81c

#### APPEALS PROCESS

The appeals process was the appropriate lawful opportunity to appeal the decision. Both applicants did not appeal the findings and in the absence of an appeal it is taken that the applicants concede the decision of the disciplinary committee and accepts the true nature of the finding in their totality for both code of conducts complaints.

Public Comments by complainants

Despite this finding and not having appealed the decision, the former Councillor Jacinta Price continues to make public comments relating to this matter, where once again she states that I made Defamatory and untrue comments within Council Chambers, following the events of the 29th of January 2018.

The public comment by Jacinta Price are similar to previous public comments that were made by Jacinta Price's mother, Bess Price, Former Minister for local Government and Community Services. Bess Price sent in 2 letters to the editor of the Centralian Advocate, the first on Friday the 31st of August 2018 and again Tuesday 18th of September 2018 demanding that I apologise publicly for making untrue statements in relation to the events of 29th of January 2018.

The Committees determination of facts, relating to the events of the night of 29th of January 2018.

The Disciplinary committee having regard to all the evidence representations and submissions find that:

And I quote

"Given the dynamics of the attendees both during and after the ASTC meeting on January 29th 2018 including being yelled at sworn at insulted called various names at times in a derogatory and or racist and or threatening manner Cr Satour concerns for her own safety was a reasonable concern

The committee having found under complaint 4, that I had a legitimate basis to feel vulnerable and to apprehend fear to my own safety following the council meeting of the 29th of January 2018, finds that my conduct in relation to my apprehension of fear, including writing to the CEO, seeking assistance from the police, and following up correspondence to the CEO, was not inappropriate conduct. "End quote,

Finally

Having proved that all the code of conduct complaints made against me were unsubstantiated and subsequently dismissed in their totality, and

As a holder of the office of councillor I must do what I can to protect the integrity of this council and the integrity of my public office.

I am very pleased that now I am at the end of what has been a very long, very time consuming, very distracting from important council business and a difficult year for me personally and as an elected member, I think it is only fair that after a lengthy investigation and a dismissal result of all complaint against me, to call on both complainants, Jacinta and Bess Price to provide an unreserved public apology in writing to the Alice Springs Town Council and to the office of Councillor and myself as an individual to resolve this issue. This now concludes my statement."

*Councillor Paterson left the Chamber at 9.10pm*

*Councillor Paterson returned to the Chamber at 9.12pm*

16.4 Councillor Banks – Correspondence from Minister Moss regarding the National Aboriginal Art Gallery

Councillor Banks suggested that this correspondence be included in the deferred discussion regarding the Library.

Discussion ensued.

16.5 Councillor Satour – Expression of Interest 2020 National NAIDOC Focus City

Councillor Satour advised that she tabled an Expression of Interest with the National NAIDOC Committee to make Alice Springs the 2020 National NAIDOC Focus City. The Expression of Interest received a huge amount of support from local organisations.

16.6 CEO Report 14.1.1.2 – Former Prime Minister's visit to Alice Springs

*Mayor Ryan declared a conflict of interest and left the Chamber at 9.24pm, Deputy Mayor Paterson took the Chair.*

*Councillor de Brenni declared a conflict of interest and left the meeting at 9.24pm*

Councillor Melky suggested that the matter is operational and as such the original invoice should remain in order.

Discussion ensued.

Moved Councillor Melky

Seconded Councillor Banks

**That Alice Springs Town Council rejects the offer from Senator Scullion.**

CARRIED (20324)

Deputy Mayor Paterson called a division.

Voting in Favour

Councillor Banks  
Councillor Satour  
Councillor Cocking  
Councillor Melky

Voting Against

Councillor Paterson  
Councillor Auricht

16.7 Councillor Cocking – Motion Code of Conduct Statements

Councillor Cocking put forward a recommendation that Council support the request for an apology regarding the code of conduct complaints.

*Councillor Cocking declared a conflict of interest and left the Chamber at 9.31pm*

*Councillor Satour declared a conflict of interest and left the Chamber at 9.31pm*

**NO RESOLUTION DUE TO LACK OF A QUORUM.**

16.8 CEO Rex Mooney – Staff Matters  
*(Item transferred from Agenda Item 27.1)*

The CEO advised that a letter of resignation has been received today from Director Corporate and Community Services Ms Skye Price. Ms Skye Price will finish at Council on Friday 21 June 2019.

17. MATTERS FOR MEDIA ATTENTION

Media matters will be covered via the media attendance at this meeting.

18. NEXT MEETING: Monday 27 May 2019 at 6.00pm

19. ADJOURNMENT OF OPEN MEETING

The Deputy Mayor declared the meeting adjourned at 9.39pm

**The Council stands adjourned and resumes in the Confidential Section.**

The meeting adjourned at 9.39pm.

Confirmed on \_\_\_\_\_

CHAIRPERSON \_\_\_\_\_

Date \_\_\_\_\_