

CITY OF DARWIN

MINUTES OF THE ONE HUNDRED AND SEVENTH ORDINARY COUNCIL MEETING OF THE TWENTY-FIRST COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE ON TUESDAY, 14 FEBRUARY 2017 COMMENCING AT 5.00PM.

PRESENT: The Right Worshipful, Lord Mayor, Ms K M Fong Lim, (Chair); Member R K Elix; Member J A Glover; Member G J Haslett; Member R M Knox; Member G A Lambert; Member S J Niblock; Member M Palmer; Member R Want de Rowe; Member E L Young.

OFFICERS: Chief Executive Officer, Mr B P Dowd; General Manager Corporate Services, Dr D Leeder; General Manager Infrastructure, Mr L Cercarelli; Acting General Manager Community & Cultural Services, Ms K Hearn; Executive Manager, Mr M Blackburn; Manager Darwin Safer City Program, Ms T McNee; Strategic Town Planner, Ms C Robson; Senior Media & Communications Officer, Ms J Raymond-Monro; Assistant Asset Officer, Mr J Crawley; Committee Administrator, Mrs P Hart.

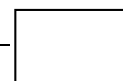
APOLOGY: Member G Lambrinidis.

GUESTS: Mr Iain Loganathan from the Northern Territory Electoral Commission was in attendance from 5.00pm in relation to Item 14.1.1 - 2017 Local Government General Election.

WEBCASTING DISCLAIMER

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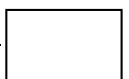
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1. ACKNOWLEDGEMENT OF COUNTRY

2. THE LORD'S PRAYER

3. MEETING DECLARED OPEN

The Chair declared the meeting open at 5.00 pm.

4. APOLOGIES AND LEAVE OF ABSENCE
Common No. 2695036

4.1 Apologies

Nil

4.2 Leave of Absence Granted

(Glover/Niblock)

THAT it be noted Member G Lambrinidis is an apology due to a Leave of Absence previously granted on 31 January 2017 for the period of 9 to 15 February 2017.

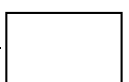
DECISION NO.21\5138 (14/02/17) Carried

4.3 Leave of Absence Requested

(Haslett/Elix)

THAT a Leave of Absence be granted for Member Palmer for the period of 1 to 7 March 2017.

DECISION NO.21\5139 (14/02/17) Carried



5. ELECTRONIC MEETING ATTENDANCE

Common No. 2221528

5.1 Electronic Meeting Attendance Granted

Nil

5.2 Electronic Meeting Attendance Requested

Nil

6. DECLARATION OF INTEREST OF MEMBERS AND STAFF

Common No. 2752228

6.1 Declaration of Interest by Members

Nil

6.2 Declaration of Interest by Staff

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S

Common No. 1955119

7.1 Confirmation of the Previous Ordinary Council Meeting

(Lambert/Palmer)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 31 January 2017, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.21\5140

(14/02/17)

Carried



7.2 Confirmation of the Previous Confidential Ordinary Council Meeting

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.

(Haslett/Knox)

A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 31 January 2017 be received and confirmed as a true and correct record of the proceedings of that meeting.

B. THAT this decision be moved into Open.

DECISION NO.21\5141 (14/02/17)

Carried

8. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETING/S

8.1 Business Arising

Nil

9. MATTERS OF PUBLIC IMPORTANCE

Nil

10. DEPUTATIONS AND BRIEFINGS

Nil



11. CONFIDENTIAL ITEMS
Common No. 1944604

11.1 Closure to the Public for Confidential Items

(Young/Knox)

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 following Confidential Items:-

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C25.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C26.1	8(e)	information provided to the council on condition that it be kept confidential

DECISION NO.21\5142

(14/02/17)

Carried

11.2 Moving Open Items Into Confidential

Nil

11.3 Moving Confidential Items Into Open

Nil

12. PETITIONS

Nil

13. NOTICE(S) OF MOTION

Nil



14.1 OFFICERS REPORTS (ACTION REQUIRED)

14.1.1 2017 Local Government General Election

Report No. 17TC0002 MB:ph (14/02/17) Common No. 3193634

(Lambert/Glover)

- A. THAT Report Number 17TC0002 MB:ph entitled 2017 Local Government General Election, be received and noted.
- B. THAT Council endorse the draft Electoral Service Agreement, as amended to correct the total cost including GST, at **Attachment A** to Report Number 17TC0002 MB:ph entitled 2017 Local Government General Election.
- C. THAT Council request the NT Electoral Commission promotes compulsory voting as a key objective in their Communication Plan for the August 2017 Local Government Elections.

DECISION NO.21\5143 (14/02/17)

Carried

ACTION: EXEC MGR

14.1 OFFICERS REPORTS (ACTION REQUIRED)

14.1.2 Street Lighting Update

Report No. 17TS0004 NN:tz (14/02/17) Common No. 2350906

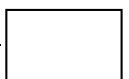
(Lambert/Knox)

- A. THAT Report Number 17TS0004 NN:tz entitled Street Lighting Update, be received and noted.
- B. THAT the Council include consideration of the staff and resources required for the servicing of street lights as part of the 2017/18 budget.

DECISION NO.21\5144 (14/02/17)

Carried

ACTION: MGR TECHNICAL
NOTE: GM INFRA



14.1 OFFICERS REPORTS (ACTION REQUIRED)

14.1.3 **Council Response to Permanent Variation Liquor Licence Application - PM Eat & Drink**

Report No. 17C0010 TM:kl (14/02/17) Common No. 3460918

(Lambert/Knox)

- A. THAT Report Number 17C0010 TM:kl entitled Council Response to Permanent Variation Liquor Licence Application - PM Eat & Drink, be received and noted.
- B. THAT Council endorse the letter to the Director-General of Licensing at **Attachment A** to Report Number 17C0010 TM:kl entitled Council Response to Permanent Variation Liquor Licence Application - PM Eat & Drink, noting that Council objects to the Permanent Variation to Liquor Licence application made by Matthews Group Pty Ltd.

DECISION NO.21\5145

(14/02/17)

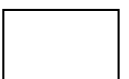
Carried

ACTION: MGR DARWIN SAFE
NOTE: GM COMM

Member R Want de Rowe joined the meeting at 5.28pm.

14.2 OFFICERS REPORTS (RECEIVE & NOTE)

Nil



15. TOWN PLANNING REPORT/LETTER

15.1 Mixed Use Commercial and Community Purpose Development Application PA2017/0020 – Lot 11847 (15) Fuhrmann Street, Muirhead
Report No. 17TS0017 NS:hd (14/02/17) Common No. 3458227

(Lambert/Want de Rowe)

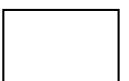
- A. THAT Report Number 17TS0017 NS:hd entitled Mixed Use Commercial and Community Purpose Development Application PA2017/0020 - Lot 11847 (15) Fuhrmann Street, Muirhead be received and noted.
- B. THAT Council endorse the submission, dated 3 February 2017, requesting a deferral to the Development Assessment Services within **Attachment A** to Report Number 17TS0017 NS:hd entitled Mixed Use Commercial and Community Purpose Development Application PA2017/0020 - Lot 11847 (15) Fuhrmann Street, Muirhead.

DECISION NO.21\5146

(14/02/17)

Carried

ACTION: TOWN PLANNER
NOTE: GM INFRA



15.2 Nine Storey Mixed Use Development Application PA2016/0727 – Lot 1471 (68) Cavenagh Street, Darwin

Report No. 17TS0012 NS:hd (14/02/17) Common No. 3441310

(Lambert/Young)

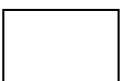
- A. THAT Report Number 17TS0012 NS:hd entitled Nine Storey Mixed Use Development Application PA2016/0727 - Lot 1471 (68) Cavenagh Street, Darwin be received and noted.
- B. THAT Council write to the applicant advising that it does not approve the planter boxes within Lindsay Street, as proposed in the plans as at **Attachment A** as per Report Number 17TS0012 NS:hd entitled Nine storey mixed use development application PA2016/0727 - Lot 1471 (68) Cavenagh Street, Darwin.
- C. THAT Council support in principle (subject to further details) the architectural building elements above the ground floor that overhang Council's road reserve, which include but are not limited to; the roof structure to overhang Council road reserve; a decorative awning, car parking screening, vertical blades and sun shades to the habitable room windows, as shown in plans as at **Attachment A** to Report Number 17TS0012 NS:hd entitled Nine storey mixed use development application PA2016/0727 - Lot 1471 (68) Cavenagh Street, Darwin.
- D. THAT Council endorse the submission, as amended, dated 27 January 2017, not objecting to the proposed development subject to the issues raised being adequately addressed, to the Development Assessment Services within **Attachment B** to Report Number 17TS0012 NS:hd entitled Nine storey mixed use development application PA2016/0727 - Lot 1471 (68) Cavenagh Street, Darwin
- E. 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 finalise the design and all other matters related to the encroachment of the architectural building elements that overhang Council's road reserve in accordance with Report Number 17TS0012 NS:hd entitled Nine Storey Mixed Use Development Application PA2016/0727 - Lot 1471 (68) Cavenagh Street, Darwin.

DECISION NO.21\5147

(14/02/17)

Carried

ACTION: TOWN PLANNER
NOTE: GM INFRA



15.3 Signage Application – Cre8tive Nailz & Beauty, Lot 2322 (56) Smith Street, Darwin

Report No. 17TS0019 BS:hd (14/02/17) Common No. 3463208

(Lambert/Elix)

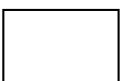
- A. THAT Report Number 17TS0019 BS:hd entitled Signage Application - Cre8tive Nailz & Beauty, Lot 2322 (56) Smith Street, Darwin be received and noted.
- B. THAT Council approve the application from Cre8tive Nailz & Beauty for a non-illuminated fascia sign and a projecting sign to be located within the road reserve, adjacent to Lot 2322 (56) Smith Street, Darwin, and that a Sign Permit be issued as the advertising signs for Cre8tive Nailz & Beauty complies with the intent and purpose of *City of Darwin Policy No. 042 – Outdoor Advertising Signs Code*.

DECISION NO.21\5148

(14/02/17)

Carried

ACTION: PLANNING OFFICER
NOTE: GM INFRA



15.4 Rezoning Application PA2015/0521 – Lot 1798 (6) Weddell Street, Parap
Report No. 17TS0016 BS:hd (14/02/17) Common No. 3461254

(Lambert/Haslett)

- A. THAT Report Number 17TS0016 BS:hd entitled Rezoning Application PA2015/0521 - Lot 1798 (6) Weddell Street, Parap be received and noted.

DECISION NO.21\5149 (14/02/17) Carried

(Lambert/Haslett)

- B. THAT Council endorse the submission, dated 15 February 2017, to the Reporting Body within **Attachment A** to Report Number 17TS0016 BS:hd entitled Rezoning Application PA2015/0521 - Lot 1798 (6) Weddell Street, Parap.

LOST

Foreshadowed Motion

(Knox/Glover)

- B. THAT Council amend the submission, dated 15 February 2017, to the Reporting Body within **Attachment A** to Report Number 17TS0016 BS:hd entitled Rezoning Application PA2015/0521 - Lot 1798 (6) Weddell Street, Parap, to not support the rezoning application.

DECISION NO.21\5150 (14/02/17) Carried

ACTION: PLANNING OFFICER
NOTE: GM INFRA



15.5 Council Responses to Development Applications – February 2017

Report No. 17TS0002 BS:hd (14/02/17) Common No. 2547669

(Haslett/Palmer)

- A. THAT Report Number 17TS0002 BS:hd entitled Council Responses to Development Applications - February 2017, be received and noted.
- B. THAT Council endorse the responses to the Development Consent Authority within **Attachments A and B** to Report Number 17TS0002 BS:hd entitled Council Responses to Development Applications - February 2017.

DECISION NO.21\5151 (14/02/17)

Carried

ACTION: PLANNING OFFICER
NOTE: GM INFRA

16. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

Nil

17. REPORTS OF REPRESENTATIVES

Common No. 1735503

(Niblock/Young)

THAT the following Reports of Representatives be received and noted.

DECISION NO.21\5152 (14/02/17)

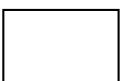
Carried

17.1 Arafura Games Steering Committee

The Lord Mayor reported on her attendance at the Arafura Games Steering Committee meetings. The committee are now undergoing a community consultation process to determine the composition of the event.

17.2 COTA Board Meeting

Member R M Knox reported on her attendance at the COTA Board Meeting in February 2017.



18. QUESTIONS BY MEMBERS

(Glover/.Elix)

THAT the following Questions by Members be received and noted.

DECISION NO.21\5153 (14/02/17) Carried

18.1 Dog Area Signage Common No.

Member R M Knox queried the recent signage improvements in relation to dog access at the Casuarina Coastal reserve by the Northern Territory Government. City of Darwin could put a link to this information onto its website.

The Executive Manager responded and advised that this will be done.

ACTION: EXEC MGR

19. GENERAL BUSINESS

19.1 Call for Nominations for the Northern Territory Planning Commission Common No. 375173

(Elix/Lambert)

- A. THAT the incoming letter from the Minister for Infrastructure, Planning and Logistics, tabled by Member R K Elix, Document No. 3477943 be received and noted.
- B. That City of Darwin nominate Chief Executive Officer, Mr Brendan Dowd, to the Northern Territory Planning Commission as the LGANT representative.

DECISION NO.21\5154 (14/02/17) Carried

ACTION: EXEC MGR



19.2 Pre-Polling Locations for the 2017 Local Government General Election

Common No. 3193634

(Knox/Want de Rowe)

THAT a report be prepared on possible pre-polling locations for the 2017 Local Government General Election.

DECISION NO.21\5155 (14/02/17)

Carried

ACTION: EXEC MGR

20. DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

Common No. 2695130

(Glover/Haslett)

THAT the next Ordinary Meeting of Council be held on Tuesday, 28 February 2017, at 5:00pm (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

DECISION NO.21\5156 (14/02/17)

Carried

21. CLOSURE OF MEETING TO THE PUBLIC

Common No. 2695131

(Young/Palmer)

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.

DECISION NO.21\5157 (14/02/17)

Carried

22. ADJOURNMENT OF MEETING AND MEDIA LIAISON

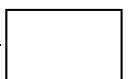
Common No. 2695132

(Young/Palmer)

THAT the meeting be adjourned at 6.15pm for 5 minutes.

DECISION NO.21\5158 (14/02/17)

Carried



The meeting moved to the Confidential Section at 6.20pm.

THE RIGHT WORSHIPFUL, LORD
MAYOR, MS KATRINA MARY FONG
LIM (CHAIR) – 1st ORDINARY
COUNCIL MEETING – TUESDAY, 14
FEBRUARY 2017

Confirmed On: **Tuesday, 28 February 2017**

Chair: _____

