

CITY OF DARWIN

MINUTES OF THE ONE HUNDRED AND TWELFTH ORDINARY COUNCIL MEETING OF THE TWENTY-FIRST COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE ON TUESDAY, 16 MAY 2017 COMMENCING AT 5.02PM.

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 G Lambrinidis; Member S J Niblock; Member M Palmer; Member R Want de Rowe.

OFFICERS: Chief Executive Officer, Mr B P Dowd; General Manager Corporate Services, Dr D Leeder; Acting General Manager Infrastructure, Mrs N Nilon; General Manager Community & Cultural Services, Ms A Malgorzewicz; Executive Manager, Mr M Blackburn; Manager Community Development, Ms K Hearn; Management Accountant, Ms I Frazis; Senior Communications and Public Relations Officer, Ms J Raymond-Munro; Research and Project Coordinator, Ms J Matthiesson; Strategic Town Planner, Ms C Robson; Digital Communications Officer, Ms D Avolio; Communications Officer, Ms S Tootell; Senior Sister Cities Project Officer, Ms H Pedersen; Committee Administrator, Mrs P Hart.

APOLOGY: Member E L Young.

GUESTS: The Lord Mayor welcomed the members of the Timor-Leste delegation.

Mr Tony Tapsell, Chief Executive Officer of the Local Government Association of the Northern Territory.

Mayor Damien Ryan, Alice Springs Town Council / President of the Local Government Association of the Northern Territory Executive.

MEDIA: NT News, Mr Craig Dunlop; Nine News, Ms Elizabeth Creasy; ABC News, Ms Avani Dias.

WEBCASTING DISCLAIMER

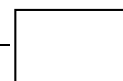
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1. ACKNOWLEDGEMENT OF COUNTRY

2. THE LORD'S PRAYER

3. MEETING DECLARED OPEN

The Chair declared the meeting open at 5.02pm.

4. APOLOGIES AND LEAVE OF ABSENCE
Common No. 2695036

4.1 Apologies

(Elix/Lambert)

THAT the apology from Member E L Young be received.

DECISION NO.21\5353 (16/05/17) Carried

4.2 Leave of Absence Granted

Nil

4.3 Leave of Absence Requested

(Knox/Want de Rowe)

- A. THAT a Leave of Absence be granted for Member G A Lambert for the period of 19 to 21 May 2017.
- B. THAT a Leave of Absence be granted for Member G A Lambert for the period of 1 June to 5 July 2017.
- C. THAT a Leave of Absence be granted for Member M Palmer for the period of 17 to 26 May 2017.
- D. THAT a Leave of Absence be granted for Member E L Young for the period of 16 to 17 May 2017.

DECISION NO.21\5354 (16/05/17) 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

(Niblock/Glover)

THAT Council note that pursuant to Section 73 & 74 of the Local Government Act 2008, Lord Mayor declared a Conflict of Interest in Item 15.1.

DECISION NO.21\5355 (16/05/17) Carried

6.2 Declaration of Interest by Staff

(Niblock/Glover)

THAT Council note that pursuant to Section 107 of the Local Government Act 2008, the Chief Executive Officer, Brendan Dowd, declared a Conflict of Interest in Item C32.1.

DECISION NO.21\5356 (16/05/17) Carried

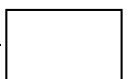
7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S
Common No. 1955119

7.1 Confirmation of the Previous Ordinary Council Meeting

(Lambert/Haslett)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 11 April 2017, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.21\5357 (16/05/17) 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.

(Niblock/Glover)

- A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 11 April 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\5358

(16/05/17)

Carried

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

8.1 Business Arising

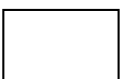
Nil

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

(Lambrinidis/Lambert)

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>
C24.1	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
C28.1	8(e)	information provided to the council on condition that it be kept confidential
C28.2	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C28.3	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C28.4	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person

DECISION NO.21\5359

(16/05/17)

Carried

11.2 Moving Open Items Into Confidential

Nil

11.3 Moving Confidential Items Into Open

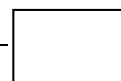
(Haslett/Lambert)

THAT Confidential Item C28.4 be moved into Open, report and attachments, and be considered as Item 14.1.

DECISION NO.21\5360

(16/05/17)

Carried



12. PETITIONS

12.1 Petition - Speeding Along Union Terrace, Anula

Document No. 3519645 (12/04/17) Common No. 3303808

Member J A Glover presented the Petition.

(Glover/Haslett)

- A. THAT the Petition in relation to speeding along Union Terrace, Anula be received and noted.
- B. THAT the Petition in relation to speeding along Union Terrace, Anula be referred to the Environment & Infrastructure Committee.

DECISION NO.21\5361

(16/05/17)

Carried

ACTION: GM INFRA
NOTE: CA

13. NOTICE(S) OF MOTION

Nil

14. OFFICERS REPORTS

14.1 Draft 2017/18 Municipal Plan and Budget

Report No. 17TC0024 VG:ph (16/05/17) Common No. 2100136

With the consent of the Council, this Report and Attachment were moved from the Confidential Section into the Open Section and considered as Item 14.1.

(Elix/Lambert)

- A. THAT Report Number 17TC0024 VG:ph entitled Draft 2017/18 Municipal Plan and Budget, be received and noted.
- B. THAT Council adopt the Draft 2017/18 City of Darwin Municipal Plan contained in **Attachment A** to Report Number 17TC0024 VG:ph entitled Draft 2017/18 City of Darwin Municipal Plan, for the purpose of public consultation.

DECISION NO.21\5362

(16/05/17)

Carried

ACTION: MGR STRATEGY & OUTCOMES
NOTE: EXEC MGR, MGR FINANCE, GM CORP



14.2 2017/2018 Fees and Charges

Report No. 17A0025 MC:jg (16/05/17) Common No. 3020893

(Want de Rowe/Lambrinidis)

- A. THAT Report Number 17A0025 MC:jg entitled 2017/2018 Fees and Charges, be received and noted.
- B. THAT Council adopt the proposed fees and charges, as contained in **Attachment A** to Report Number 17A0025 MC:jg entitled 2017/2018 Fees and Charges, effective from 1 July 2017.

DECISION NO.21\5363

(16/05/17)

Carried

ACTION: MGR FINANCE
NOTE: GM CORP, MANAGEMENT ACCOUNTANT

Procedural Motion – Adjournment of the meeting at 5.25pm for 45 minutes in Accordance with By-Law 163(1)(d)

(Elix/Haslett)

- A. THAT in accordance with By-Law 163(1)(d), the meeting be adjourned at 5.25pm for 45 minutes to enable the Council to move to the Draft Municipal Plan Briefing.
- B. THAT at the conclusion of the Draft Municipal Plan Briefing, the Open Section of the meeting be resumed

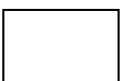
Carried

Procedural Motion – Resumption of the meeting at 5.45pm in Accordance with By-Law 163(d)

(Elix/Lambrinidis)

THAT the Open section of the meeting be resumed at 5.45 pm.

Carried



14. OFFICERS REPORTS

14.3 City of Darwin Teddy Bears' Picnic

Report No. 17TC0029 JM:ph (16/05/17) Common No. 3519409

(Knox/Lambrinidis)

- A. THAT Report Number 17TC0029 JM:ph entitled City of Darwin Teddy Bears' Picnic, be received and noted.
- B. THAT Council allocate \$25,000 (cash) to the Darwin Festival for sponsorship of the 2017 Teddy Bears' Picnic.

DECISION NO.21\5364

(16/05/17)

Carried

ACTION: COMMUNICATION AND ENGAGEMENT OFFICER

NOTE: EXEC MGR, MGR FINANCE

NOTE: GM CORP, MANAGEMENT ACCOUNTANT

14. OFFICERS REPORTS

14.4 Northern Australia Capital City Committee

Report No. 17A0031 LC:jg (16/05/17) Common No. 1572294

(Lambert/Niblock)

- A. THAT Report Number 17A0031 LC:jg entitled Northern Australia Capital City Committee, be received and noted.
- B. THAT the draft Terms of Reference for the Vibrant CBD Subcommittee, provided as **Attachment B** to Report No. 17A0031 LC:jg entitled Northern Australia Capital City Committee, be received and noted.

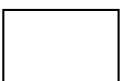
DECISION NO.21\5365

(16/05/17)

Carried

ACTION: MGR BUSINESS
NOTE: EXEC MGR, GM CORP

Continued on next page.



14.4 Northern Australia Capital City Committee

Report No. 17A0031 LC:jg (16/05/17) Common No. 1572294

Continued from previous page.

Procedural Motion – Suspension of Meeting Procedures in Accordance with By-law 147 at 5.50pm for 10 minutes.

(Lambert/Knox)

THAT in accordance with By-Law 147 the operation of procedures set out in Part 7 of the Darwin City Council By-Laws, that limits the duration and number of times a Member may speak, be suspended at 5.50pm for 10 minutes to allow for discussion on the report relating to the Northern Australia Capital City Committee.

Carried

Resumption of Meeting Procedures at 6.00pm

(Elix/Palmer)

THAT the operation of procedures as set out in Part 7 of the Darwin City Council By-Laws, be resumed.

Carried

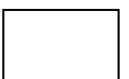
(Knox/Glover)

- C. THAT Council nominate Alderman S J Niblock as Council's representative to the Vibrant CBD Subcommittee.

DECISION NO.21\5366 (16/05/17)

Carried

ACTION: MGR BUSINESS
NOTE: EXEC MGR, CA



14. OFFICERS REPORTS

14.5 Review Draft Community Engagement Policy

Report No. 17C0013 SJ:kl (16/05/17) Common No. 1612461

(Lambert/Want de Rowe)

- A. THAT Report Number 17C0013 SJ:kl entitled Review Draft Community Engagement Policy, be received and noted.
- B. THAT Council endorse the Draft Policy No. 025 - Community Engagement as contained at **Attachment A** to Report Number 17C0013 SJ:kl entitled Review Draft Community Engagement Policy for community engagement at the level of consult.

DECISION NO.21\5367

(16/05/17)

Carried

ACTION: COMMUNITY ENGAGEMENT OFFICER
NOTE: GM COMM, MGR STRATEGY

14. OFFICERS REPORTS

14.6 Review of Policy No. 043 - Meetings, Meeting Procedures and Committees - General

Report No. 17TC0019 MB:ph (16/05/17) Common No. 2221528

Procedural Motion – Suspension of Meeting Procedures in Accordance with By-law 147 at 6.10pm for 10 minutes

(Want de Rowe/Niblock)

THAT in accordance with By-Law 147 the operation of procedures set out in Part 7 of the Darwin City Council By-Laws, that limits the duration and number of times a Member may speak, be suspended at 6.10pm for 10 minutes to allow for discussion on the report relating to Review of Policy No. 043 - Meetings, Meeting Procedures and Committees - General.

Carried

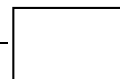
Resumption of Meeting Procedures at 6.25pm

(Glover/Lambrinidis)

THAT the operation of procedures as set out in Part 7 of the Darwin City Council By-Laws, be resumed.

Carried

Continued on next page.



14.6 Review of Policy No. 043 - Meetings, Meeting Procedures and Committees - General

Report No. 17TC0019 MB:ph (16/05/17) Common No. 2221528

Continued from previous page.

(Lambert/Niblock)

- A. THAT Report Number 17TC0019 MB:ph entitled Review of Policy No. 043 - Meetings, Meeting Procedures and Committees - General, be received and noted.
- B. THAT Council rescind Policy No. 043 - *Meetings, Meeting Procedures and Committees - General*.
- C. THAT Council adopt the amended Policy No. 043 - *Meetings, Meeting Procedures and Committees* at **Attachment C** as amended to:
- Not limit the number of words per public question
 - Not limit the number of public questions
 - All public questions to be tabled at the meeting and on the City of Darwin website, and only the answers read out
 - Adjournment of Media Liaison to read 'Break for media liaison'
 - Disabled persons attendance: remove 'taxi'
 - Amendment to Section 5 - Executive Leadership Team to reflect the updated organisational structure

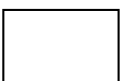
to Report Number 17TC0019 MB:ph entitled Review of Policy No. 043 - Meetings, Meeting Procedures and Committees General.

DECISION NO.21\5368

(16/05/17)

Carried

ACTION: MGR STRATEGY
NOTE: CA, EXEC MGR



14.7 Sponsorship and Operating Subsidies 2017/18

Report No. 17TC0032 JM:mb (16/05/17) Common No. 2143591

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.

(Lambert/Want de Rowe)

- A. THAT Report Number 17TC0032 JM:mb entitled Sponsorship and Operating Subsidies 2017/18, be received and noted.
- B. THAT Council note the current sponsorships and operating subsidies in **Attachment A** to Report Number 17TC0032 JM:mb entitled Sponsorship and Operating Subsidies 2017/18 that are built into the City of Darwin 2017/18 Budget.
- C. THAT the following operating subsidies and sponsorships be endorsed by Council for the 2017/18 financial year as detailed in **Attachment B** to Report Number 17TC0032 JM:mb entitled Sponsorship and Operating Subsidies 2017/18:

Operating Subsidy

- a) Surf Life Saving NT - \$30,624 (expires June 2018)
- b) Darwin City Brass Band - \$30,000 (expires June 2018)

Sponsorships

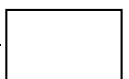
- c) Nightcliff Seabreeze Festival - \$20,000 cash, \$3,000 in-kind (expires May 2018)
 - d) World Solar Challenge 2017 - \$5,000 (expires October 2017)
- D. THAT this decision is moved into open at the time of the release of the draft 2017/18 Municipal Plan for community consultation.

DECISION NO.21\5369

(16/05/17)

Carried

ACTION: COMMUNICATION AND ENGAGEMENT OFFICER
NOTE: EXEC MGR, MGR FINANCE,
GM CORP, MANAGEMENT ACCOUNTANT



14.8 Street Light Update

Report No. 17TS0049 NN:tz (16/05/17) Common No. 2350906

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/Glover)

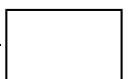
- A. THAT Report Number 17TS0049 NN:tz entitled Street Light Update, be received and noted.
- B. THAT Council adopts the Street Lighting Service Levels as included in **Attachment B** to Report Number 17TS0049 NN:tz entitled Street Light Update, for the purpose of the invitation to tender.
- C. THAT Council undertakes a public invitation to tender process for the operation, maintenance and capital works of public lighting that includes scenarios 2 to 5 as discussed in Report Number 17TS0049 NN:tz entitled Street Light Update, and that the outcomes of the tender are presented to Council prior to awarding a contract.
- D. THAT Council undertakes a public invitation to tender process for LED luminaires as discussed in Report Number 17TS0049 NN:tz entitled Street Light Update.
- E. THAT Council undertakes a public invitation to tender process for smart controls as discussed in Report Number 17TS0049 NN:tz entitled Street Light Update.
- F. 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 tender documentation in relation to the operation, maintenance and capital works contract, LED luminaire supply contract and smart controls contract as outlined in Report Number 17TS0049 NN:tz entitled Street Light Update.
- G. THAT this Decision be moved into Open.

DECISION NO.21\5370

(16/05/17)

Carried

ACTION: MGR TECHNICAL
NOTE: GM INFRA



*The Lord Mayor declared an interest in Item 15.1 and departed the meeting at 6.27pm.
Deputy Lord Mayor Member S J Niblock took her place as Chair.*

15. TOWN PLANNING REPORT/LETTER

15.1 Council Responses to Planning Applications - May 2017

Report No. 17TS0041 BS:hd (16/05/17) Common No. 2547669

(Want de Rowe/Lambert)

- A. THAT Report Number 17TS0041 BS:hd entitled Council Responses to Planning Applications - May 2017, be received and noted.
- B. THAT Council note Officers responses at **Attachment A**, which have either been resolved or heard by the Development Consent Authority, within Report Number 17TS0041 BS:hd entitled Council Responses to Planning Applications - May 2017.
- C. THAT Council endorse Officers responses to the Development Consent Authority within **Attachments B, C and D** to Report Number 17TS0041 BS:hd entitled Council Responses to Planning Applications - May 2017.

DECISION NO.21\5371

(16/05/17)

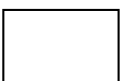
Carried

ACTION: PLANNING OFFICER
NOTE: GM INFRA

The Lord Mayor re-joined the meeting at 6.28pm and resumed her place as Chair.

16. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

Nil



17. REPORTS OF REPRESENTATIVES

Common No. 1735503

(Want de Rowe/Lambrinidis)

THAT the following Reports of Representatives be received and noted.

DECISION NO.21\5372 (16/05/17) Carried

17.1 Neighbourhood Watch NT Board Meeting

Member G J Haslett reported on his attendance at the Neighbourhood Watch NT Board Meeting and noted that he has been elected Vice President.

18. QUESTIONS BY MEMBERS

(Palmer/Niblock)

THAT the following Questions by Members be received and noted.

DECISION NO.21\5373 (16/05/17) Carried

18.1 McMinn Street West Footpath Construction

Common No. 3320971

Member R M Knox queried, regarding the footpaths being installed in McMinn Street West:

- Is Council likely to do anything on both sides of the road?
- Will Council be planting any shade trees on either side?

The General Manager Infrastructure took the question on notice.

ACTION: GM INFRA

19. GENERAL BUSINESS

Nil



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

Common No. 2695130

(Palmer/Haslett)

THAT the next Ordinary Meeting of Council be held on Tuesday, 30 May 2017, at 5:00pm (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

DECISION NO.21\5374 (16/05/17) Carried

21. CLOSURE OF MEETING TO THE PUBLIC

Common No. 2695131

(Niblock/Glover)

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\5375 (16/05/17) Carried

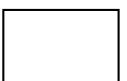
22. ADJOURNMENT OF MEETING

Common No. 2695132

(Niblock/Palmer)

THAT the meeting be adjourned at 6.30pm for 5 minutes.

DECISION NO.21\5376 (16/05/17) Carried



The meeting moved to the Confidential Section at 6.40pm.

THE RIGHT WORSHIPFUL, LORD
MAYOR, MS KATRINA MARY FONG
LIM (CHAIR) – 1st ORDINARY
COUNCIL MEETING – TUESDAY, 16
MAY 2017

Confirmed On: **Tuesday, 30 May 2017**

Chair: _____

