FIRST ORDINARY COUNCIL MEETING – OPEN SECTION TUESDAY, 12 SEPTEMBER 2017

ORD09/1

## CITY OF DARWIN

MINUTES OF THE FIRST ORDINARY COUNCIL MEETING OF THE TWENTY-SECOND COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE ON TUESDAY, 12 SEPTEMBER 2017 COMMENCING AT 5.00PM.

- PRESENT: The Right Worshipful, Lord Mayor, K Vatskalis, (Chair); Member A J Arthur; Member J Bouhoris; Member S Cullen; Member J A Glover; Member G J Haslett; Member R M Knox; Member S J Niblock; Member M Palmer; Member P Pangquee; Member R Want de Rowe; Member E L Young.
- OFFICERS: Chief Executive Officer, Mr B P Dowd; Acting General Manager City Performance, Mr R Iap; Acting General Manager City Operations, Mr N Kleine; General Manager City Life, Ms A Malgorzewicz; General Manager City Futures, Mr G Rosse; Town Planner, Mr D Burrows; Planning Officer, Mr B Sellars; Senior Communications and Public Relations Officer, Ms J Raymond-Monro; Executive Assistant City Performance, Ms J Eves; Committee Administrator, Mrs P Hart.
- APOLOGY: Member G Lambrinidis.
- MEDIA: NT News, Ms Phillippa Butt; 9 News, Ms Kathleen Gazzola; ABC Radio, Ms A Brown; ABC News, Mr Mitchell Abram.

# 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 5.00pm.

#### 4. APOLOGIES AND LEAVE OF ABSENCE Common No. 2695036

## 4.1 <u>Apologies</u>

(Palmer/Want de Rowe)

THAT the apology from Member G Lambrinidis be received.

DECISION NO.22\0001 (12/09/17)

Carried

## 4.2 Leave of Absence Granted

Nil

# 4.3 Leave of Absence Requested

(Haslett/Pangquee)

- A. THAT a Leave of Absence be granted for Member G Lambrinidis for the period of 6 September to 7 October 2017.
- B. THAT a Leave of Absence be granted for Member R M Knox for the period of 27 September to 8 October 2017.
- C. THAT a Leave of Absence be granted for Member E L Young for the period of 15 to 18 September 2017.
- D. THAT a Leave of Absence be granted for Member J A Glover for the period of 29 September to 9 October 2017.

DECISION NO.22\0002 (12/09/17)

Carried

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5. ELECTRONIC MEETING ATTENDANCE Common No. 2221428

# 5.1 <u>Electronic Meeting Attendance Granted</u>

Nil

# 5.2 <u>Electronic Meeting Attendance Requested</u>

(Haslett/Want De Rowe)

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No.  $21\0009 - 15/04/12$ , the following members request Electronic Meeting Attendance:

- A. Member R M Knox to attend all Council and Committee Meetings for the period of 27 September to 8 October 2017.
- B. Member G Lambrinidis to attend all Council and Committee Meetings for the period of 6 September to 7 October 2017.

DECISION NO.22\0003 (12/09/17)

Carried

#### 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

(Haslett/Bouhoris)

THAT Council note that pursuant to Section 107 of the Local Government Act, Chief Executive Officer, Brendan Dowd, declared a Conflict of Interest in Item C28.1.

DECISION NO.22\0004 (12/09/17)

Carried

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#### 7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S Common No. 1855118

# 7.1 Confirmation of the Previous Ordinary Council Meeting

(Haslett/Palmer)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 15 August 2017, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.22\0005 (12/09/17)

Carried

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/Niblock)

- A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 15 August 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.22\0006 (12/09/17)

7.3 Business Arising

Nil

## 8. MATTERS OF PUBLIC IMPORTANCE

Nil

## 9. DEPUTATIONS AND BRIEFINGS

Nil

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# 10. PUBLIC QUESTION TIME

Nil

# 11. CONFIDENTIAL ITEMS

Common No. 1844604

# 11.1 <u>Closure to the Public for Confidential Items</u>

## (Haslett/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 following Confidential Items:-

<u>ltem</u>	<u>Regulatio</u>	<u>on</u>	Reason
C24.1	8(c)(iv)		information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C28.1	8(a)		information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, is publicly disclosed, cause prejudice to the individual
CISION NO.22\0007 (12/		(12/09/17)	Carried

# 11.2 Moving Open Items Into Confidential

Nil

DEC

# 11.3 Moving Confidential Items Into Open

Nil

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# 12. **PETITIONS**

Nil

## 13. NOTICE(S) OF MOTION

#### **13.1** Ordinary Council Meeting and Workshop Times Common No. 1486656

(Haslett/Want de Rowe)

THAT the Ordinary Council Meetings and Special Council Workshops have a default start time of 5.30pm unless otherwise directed by the Lord Mayor and Deputy Lord Mayor, for the term of the 22<sup>nd</sup> City of Darwin Council.

DECISION NO.22\0008 (12/09/17)

Carried

ACTION: CA NOTE: EXEC MGR

#### 13.2 <u>2017/18 Municipal Plan Workshop</u> Common No. 2736812

(Haslett/Want de Rowe)

THAT a workshop be scheduled to brief the Council on the 2017/18 Municipal Plan.

DECISION NO.22\0009 (12/09/17)

Carried

ACTION: EXEC MGR NOTE: CA, GM CITY PERFORMANCE

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# 13.3 <u>CBD Parking</u>

Common No. 1952026

(Haslett/Lord Mayor)

THAT a report be prepared and presented to Council in November 2017:

- i. outlining the financial and non-financial implications of 1 hour, 2 hour and all day free on-street parking and other reasonable options within the CBD, with current zones and time limits to remain;
- ii. outlining the financial and non-financial matters that would need to be considered if weekly, fortnightly and monthly off-street parking permits were introduced;
- iii. outlining consideration of a park and ride facility for the CBD; and
- iv. that all Elected Members be consulted along with relevant stakeholders.

DECISION NO.22\0010 (12/09/17)

Carried

ACTION: GM CITY FUTURES NOTE: GM CITY LIFE

## **13.4** Parking times at Nightcliff Shopping Centre Common No. 3399523

(Knox/Young)

THAT Council immediately convert all 1 hour parking zones to 2 hour zones around the Nightcliff Shopping Centre and conduct a review of the parking management of untimed carparks in surrounding streets affected by overflow parking, including surveying the affected residents.

Tied with an equality of votes.

As a consequence, Decision No. 21\5454 (30/05/17) stands and will continue to be actioned.

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## 14.1 OFFICERS REPORTS (ACTION REQUIRED)

## 14.1.1 Casting Vote by Chair

Report No. 17CE0004 MR:ph (12/09/17) Common No. 1474809

(Haslett/Palmer)

- A. THAT Report Number 17CE0004 MR:ph entitled Casting Vote by Chair, be received and noted.
- B. THAT pursuant to Section 61 (6) of the *Local Government Act*, it be a policy of the 22<sup>nd</sup> City of Darwin Council that the Chair of meetings of the Council shall have a second or casting vote where there is an equality of votes on a matter before the Council.

DECISION NO.22\0011 (12/09/17)

Carried

ACTION: MGR STRATEGY & OUTCOMES NOTE: CA, EXEC MGR

#### 14.1.2 Deputy Lord Mayor

Report No. 17CE0005 MR:ph (12/09/17) Common No. 375173

(Palmer/Want de Rowe)

- A. THAT Report Number 17CE0005 MR:ph entitled Deputy Lord Mayor, be received and noted.
- B. THAT in accordance with Part 4.3 of the Local Government Act, Council endorse Option 2, a one year rotation, to Report Number 17CE0005 MR:ph entitled Deputy Lord Mayor, as its policy position for Deputy Lord Mayor.
- C. THAT City of Darwin Policy No.015 Deputy Lord Mayor be amended to reflect Council's policy position for Deputy Lord Mayor.
- D. THAT in accordance with Part 4.3 of the Local Government Act, Alderman R Want de Rowe be appointed as Deputy Lord Mayor for the period 12 September 2017 to 12 January 2018.

#### Amendment

(Bouhoris/Cullen)

B. THAT in accordance with Part 4.3 of the Local Government Act, Council endorse Option 1, a 4 month rotation, to Report Number 17CE0005 MR:ph entitled Deputy Lord Mayor, as its policy position for Deputy Lord Mayor.

Carried

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# 14.1.2 Deputy Lord Mayor

Report No. 17CE0005 MR:ph (12/09/17) Common No. 375173

Continued from previous page.

As a result of the amendment being carried the following motion was put:

(Palmer/Want de Rowe)

- A. THAT Report Number 17CE0005 MR:ph entitled Deputy Lord Mayor, be received and noted.
- B. THAT in accordance with Part 4.3 of the Local Government Act, Council endorse Option 1, a 4 month rotation, to Report Number 17CE0005 MR:ph entitled Deputy Lord Mayor, as its policy position for Deputy Lord Mayor.
- C. THAT City of Darwin Policy No.015 Deputy Lord Mayor be amended to reflect Council's policy position for Deputy Lord Mayor.

DECISION NO.22\0012 (12/09/17)

Carried

ACTION Part B: CA ACTION: Part C: MGR STRATEGY & OUTCOMES NOTE: EXEC MGR

(Lord Mayor/Knox)

D. THAT in accordance with Part 4.3 of the Local Government Act, Alderman R Want de Rowe be appointed as Deputy Lord Mayor for the period 12 September 2017 to 12 January 2018.

DECISION NO.22\0013 (12/09/17)

Carried

ACTION: CA NOTE: EXEC MGR

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## **14.1.3** <u>Meeting Date Schedule - September to December 2017</u> Report No. 17CE0006 MR:ph (12/09/17) Common No. 1486656

(Palmer/Niblock)

- A. THAT Report Number 17CE0006 MR:ph entitled Meeting Date Schedule September to December 2017, be received and noted.
- B. THAT the schedule in **Attachment A** to Report Number 17CE0006 MR:ph entitled Meeting Date Schedule September to December 2017 be endorsed.

DECISION NO.22\0014 (12/09/17)

Carried

ACTION: CA NOTE: EXEC MGR

#### 14.1.4 <u>Application for a Special Liquor Licence - Hamark Holdings Pty Ltd - Music</u> <u>Festival, Mindil Beach, 28 October 2017</u> Report No. 17CL0009 EB:kl (12/09/17) Common No. 3633429

(Palmer/Glover)

- A. THAT Report Number 17CL0009 EB:kl entitled Application for a Special Liquor Licence – Hamark Holdings Pty Ltd – Music Festival, Mindil Beach, 28 October 2017, be received and noted.
- B. THAT Council endorse the letter to the Director-General of Licensing at Attachment A to Report Number 17CL0009 EB:kl entitled Application for a Special Liquor Licence – Hamark Holdings Pty Ltd – Music Festival, Mindil Beach, 28 October 2017, noting Council has not identified any reason that would be grounds for objection under Section 47F(2) of the Liquor Act to the application from Hamark Holdings Pty Ltd.

DECISION NO.22\0015 (12/09/17)

Carried

ACTION: DARWIN SAFER CITY PROGRAM COORDINATOR NOTE: GM CITY LIFE

# 14.2 OFFICERS REPORTS (RECEIVE & NOTE)

Nil

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ORD09/13

## 15. TOWN PLANNING REPORT/LETTER

15.1 <u>Council Responses to Planning Applications - September 2017</u> Report No. 17CF0009 BS:hd (12/09/17) Common No. 2547669

(Cullen/Glover)

- A. THAT Report Number 17CF0009 BS:hd entitled Council Responses to Planning Applications September 2017, be received and noted.
- B. THAT Council note Officers responses at **Attachment A**, which have been resolved by the Development Consent Authority, to Report Number 17CF0009 BS:hd entitled Council Responses to Planning Applications - September 2017.
- C. THAT Council endorse Officers responses to the Development Consent Authority within **Attachments B, C** and **D** to Report Number 17CF0009 BS:hd entitled Council Responses to Planning Applications September 2017.
- D. THAT the responses for the Planning-related Applications at **Attachment E** to Report Number 17CF0009 BS:hd entitled Council Responses to Planning Applications September 2017, be received and noted.

DECISION NO.22\0016 (12/09/17)

Carried

ACTION: PLANNING OFFICER NOTE: GM CITY FUTURES

#### 15.2 <u>Signage Application - Airport Hotel Tavern, Lot 9717 (227) McMillans Road,</u> <u>Jingili</u> Report No. 17CF0010 DB:hd (12/09/17) Common No. 3592050

(Palmer/Young)

- A. THAT Report Number 17CF0010 DB:hd entitled Signage Application Airport Hotel Tavern, Lot 9717 (227) McMillans Road, Jingili be received and noted.
- B. THAT Council approve the application from Airport Hotel Tavern for three permanent non-illuminated advertising signs located within Lot 9717 (227) McMillans Road, Jingili, and that a Sign Permit be issued in accordance with the requirements of the Outdoor Advertising Signs Code as the proposed advertising signs for Airport Hotel Tavern generally complies with the intent and purpose of the Outdoor Advertising Signs Code.

DECISION NO.22\0017 (12/09/17)

Carried

ACTION: TOWN PLANNER NOTE: GM CITY FUTURES

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# 15.3 <u>Signage Application - Helloworld Travel Darwin, Lot 2405 (63) Smith Street,</u> <u>Darwin City</u>

Report No. 17CF0011 BS:hd (12/09/17) Common No. 2676453

(Palmer/Haslett)

- A. THAT Report Number 17CF0011 BS:hd entitled Signage Application Helloworld Travel Darwin, Lot 2405 (63) Smith Street, Darwin City be received and noted.
- B. THAT Council approve the application from Helloworld Travel Darwin for a permanent non-illuminated projecting sign located at Lot 2405 (63) Smith Street, Darwin City, and that a Sign Permit be issued in accordance with the Outdoor Advertising Signs Code.

DECISION NO.22\0018 (12/09/17)

Carried

ACTION: PLANNING OFFICER NOTE: GM CITY FUTURES

# 16. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

Nil

#### 17. REPORTS OF REPRESENTATIVES Common No. 1635503

(Haslett/Knox)

THAT the following Reports of Representatives be received and noted.

DECISION NO.22\19 (12/09/17)

Carried

# 17.1 Lord Mayor - Meeting with the Chief Minister

The Lord Mayor reported on his meeting with the Chief Minister and the Minister for Infrastructure, Planning and Logistics on 8 September 2017 regarding Barneson Boulevard and Frog Hollow, Darwin Waterfront, potential By-law amendments around the regulation of derelict and abandoned sites, and the Leanyer sewerage treatment ponds regarding the need for PWC to act to rectify the bad odours currently being experienced in the northern suburbs.

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# 18. QUESTIONS BY MEMBERS

(Niblock/Cullen)

THAT the following Questions by Members be received and noted.

DECISION NO.22\0020 (12/09/17)

## 18.1 Barneson Boulevard

Common No. 2116605

Member R Want de Rowe queried, in regard to the Lord Mayor's meeting with the Chief minister and Barneson Boulevard, what the discussions were around the re-alignment of McMinn Street?

The Lord Mayor responded and advised that it is not part of the plan for Barneson Boulevard.

Member A J Arthur further queried how the design shows that the Barneson Boulevard development will not affect the Frog Hollow park?

The Lord Mayor advised that Barneson Boulevard will be constructed on a parcel of land zoned for the purpose of a major road.

#### 18.2 <u>Abandoned Vehicle at Malak Shopping Centre</u> Common No.

Member G J Haslett queried, regarding an abandoned vehicle at Malak Shopping Centre, whether the vehicle can be moved before the market on Saturday?

The General Manager City Life responded and advised that this would be followed up.

# 18.3 Permitted Drinking Area Signage

Common No. 1544043

Member R M Knox queried, regarding the alcohol permitted drinking area signage, when it will be erected? Have the police been enacting council's decision at Vestey's Beach?

The General Manager City Life responded and advised that the signage will be installed from Monday, 18 September 2017. Police have been working on an ongoing basis with stakeholders to manage drinking at Vestey's Beach. This will alter when it becomes an alcohol-free area.

Carried

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# 19. GENERAL BUSINESS

#### **19.1** <u>Barneson Boulevard Briefing</u> Common No. 2116605

(Want de Rowe/Knox)

THAT Council receive an open briefing from the Northern Territory Government regarding Barneson Boulevard.

DECISION NO.22\0021 (12/09/17)

Carried

ACTION: EXEC MGR NOTE: CA

#### 20. DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING Common No. 2695130

(Haslett/Lord Mayor)

THAT the next Ordinary Meeting of Council be held on Tuesday, 26 September 2017, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

DECISION NO.22\0022 (12/09/17)

## 21. CLOSURE OF MEETING TO THE PUBLIC Common No. 2695131

(Glover/Haslett)

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.22\0023 (12/09/17)

Carried

Carried

#### 22. ADJOURNMENT OF MEETING AND MEDIA LIAISON Common No. 2695132

(Want de Rowe/Palmer)

THAT the meeting be adjourned at 6.36pm for 10 minutes to enable the Media to liaise with the Lord Mayor.

DECISION NO.22\0024 (12/09/17)

Carried

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The meeting moved to the Confidential Section at 6.46pm.

THE RIGHT WORSHIPFUL, LORD MAYOR, KON VATSKALIS (CHAIR) -1ST ORDINARY COUNCIL MEETING – TUESDAY, 12 SEPTEMBER 2017

Confirmed On:

Tuesday, 26 September 2017

Chair: