

THIRD ORDINARY COUNCIL MEETING – OPEN SECTION  
TUESDAY, 17 OCTOBER 2017

ORD10/1

**CITY OF DARWIN**

MINUTES OF THE THIRD ORDINARY COUNCIL MEETING OF THE TWENTY-SECOND COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE ON TUESDAY, 17 OCTOBER 2017 COMMENCING AT 5.30PM.

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 G Lambrinidis; 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; General Manager City Operations, Mr L Cercarelli; General Manager City Life, Ms A Malgorzewicz; General Manager City Futures, Mr G Rosse; Executive Manager, Ms M Reiter; Manager Engagement & Participation, Ms S Jeeves; Acting Manager Climate Change & Environment, Mr M Bruvel; Research and Project Coordinator, Ms J Matthiesson; Senior Communications and Public Relations Officer, Ms J Raymond-Monro; Town Planner, Mr D Burrow; Executive Assistant City Futures, Ms N Tyrie; Executive Assistant City Operations, Ms J Wylie; Committee Administrator, Mrs P Hart.

APOLOGY: Member R M Knox; Member S J Niblock.

GUESTS: The Minister for Housing and Community Development, The Hon. Gerald McCarthy MLA was in attendance from 5.35pm to address the Council at the Open Section of the Meeting.

Mr Michael Solomon, Chief Executive Officer from AFL NT, and Mr Troy Watson, Chief Executive Officer from NT Cricket were in attendance from 5.45pm to brief the Council on the Gardens Oval Lights.

MEDIA: NT News, Ms Philippa Butt; ABC News, Ms Georgia Hitch ; ABC Radio, Ms Annie Brown.

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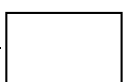
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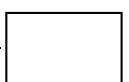
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**1. ACKNOWLEDGEMENT OF COUNTRY**

**2. THE LORD'S PRAYER**

**3. MEETING DECLARED OPEN**

The Chair declared the meeting open at 5.30pm.

**4. APOLOGIES AND LEAVE OF ABSENCE**

Common No. 2695036

**4.1 Apologies**

Nil

**4.2 Leave of Absence Granted**

(Haslett/Glover)

- A. THAT it be noted Member S J Niblock is an apology due to a Leave of Absence previously granted on 26 September 2017 for the period 13 to 21 October 2017.
- B. THAT it be noted Member R M Knox is an apology due to a Leave of Absence previously granted on 26 September 2017 for the period 14 to 22 October 2017.

DECISION NO.22\0056 (17/10/17)

Carried

**4.3 Leave of Absence Requested**

(Young/Pangquee)

- A. THAT a Leave of Absence be granted for Member G J Haslett for the period of 15 to 19 November 2017.
- B. THAT a Leave of Absence be granted for Member R M Knox for the period of 16 to 20 November 2017.
- C. THAT a Leave of Absence be granted for Member E L Young for the period of 18 to 25 October 2017.
- D. THAT a Leave of Absence be granted for Member M Palmer for the period of 1 to 10 November 2017.

DECISION NO.22\0057 (17/10/17)

Carried



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**5. ELECTRONIC MEETING ATTENDANCE**  
Common No. 2221428

**5.1 Electronic Meeting Attendance Granted**

Nil

**5.2 Electronic Meeting Attendance Requested**

(Young/Cullen)

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No. 22\000009 – 15/04/12, the following members request Electronic Meeting Attendance:

- Member G J Haslett to attend all Council and Committee Meetings for the period of 15 to 19 November 2017.

DECISION NO.22\0058 (17/10/17) 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**

Nil

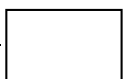
**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S**  
Common No. 1955119

**7.1 Confirmation of the Previous Ordinary Council Meeting**

(Cullen/Bouhoris)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 26 September 2017, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.22\0059 (17/10/17) Carried



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## 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.*

(Palmer/Young)

- A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 26 September 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\0060 (17/10/17) Carried

## 7.3 Business Arising

Nil

## 8. MATTERS OF PUBLIC IMPORTANCE

Nil

*The Minister for Housing and Community Development, The Hon. Gerald McCarthy MLA was in attendance from 5.35pm to address the Council at the Open Section of the Meeting.*

## 9. DEPUTATIONS AND BRIEFINGS

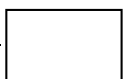
### 9.1 Gardens Oval Lights Common No. 3246533

*Mr Michael Solomon, Chief Executive Officer of AFL NT, and Mr Troy Watson, Chief Executive Officer of NT Cricket were in attendance from 5.45pm to brief the Council on the Gardens Oval Lights.*

(Young/ Palmer)

THAT the presentation from AFL NT and NT Cricket in relation to the Gardens Oval Lights be received and noted.

DECISION NO.22\0061 (17/10/17) Carried



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**10. PUBLIC QUESTION TIME**

Nil

**11. CONFIDENTIAL ITEMS**

Common No. 1944604

**11.1 Closure to the Public for Confidential Items**

(Young/Bouhoris)

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
C27.1.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C27.1.2	8(d)	information subject to an obligation of confidentiality at law, or in equity

DECISION NO.22\0062

(17/10/17)

Carried

**11.2 Moving Open Items Into Confidential**

Nil

**11.3 Moving Confidential Items Into Open**

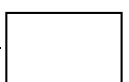
Nil

**12. PETITIONS**

Nil

**13. NOTICE(S) OF MOTION**

Nil



**14.1 OFFICERS REPORTS (ACTION REQUIRED)**

**14.1.1 Gardens Oval Lights Consultation Outcomes**

Report No. 17CL0012 SJ:kl (17/10/17) Common No. 3246533

(Haslett/Want de Rowe)

- A. THAT Report Number 17CL0012 SJ:kl entitled Gardens Oval Lights Consultation Outcomes, be received and noted.

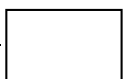
DECISION NO.22\0063 (17/10/17) Carried

(Haslett/Want de Rowe)

- B. THAT based on the outcomes of the community consultation Council provide in principle support for the lighting of Gardens Oval One to a maximum lumen capacity of 600LUX to enable AFL NT and NT Cricket to develop detailed design, documentation and cost estimates.
- C. THAT the key concerns of the community as identified in Report Number 17CL0012 SJ:kl Gardens Oval Lights Consultation Outcomes be taken into consideration in the planning and design of lighting Gardens Oval One.
- D. THAT a further report be presented to Council for project endorsement based on the finalised design and cost.
- E. THAT Council request written confirmation from AFL NT and NT Cricket of agreement to meet costs associated with the ongoing operation and maintenance of the lights.

DECISION NO.22\0064 (17/10/17) Carried

ACTION: MANAGER ENGAGEMENT & PARTICIPATION  
NOTE: GM CITY LIFE





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**14.1.2 Draft Dog and Cat Management Strategy**

Report No. 17CL0017 BR:sg (17/10/17) Common No. 3035896

(Glover/Haslett)

- A. THAT Report Number 17CL0017 BR:sg entitled Draft Dog and Cat Management Strategy, be received and noted.
- B. THAT council circulate the draft Dog and Cat Management Strategy for community consultation, including a survey, for 4 weeks prior to endorsement.
- C. THAT the consultation survey be reviewed and presented to Council prior to the community consultation.
- D. THAT a report on the outcomes of the consultation be presented to the Ordinary Council Meeting of 12 December 2017.

DECISION NO.22\0065

(17/10/17)

Carried

ACTION: MGR REGULATORY SERVICES  
NOTE: GM CITY LIFE, MGR ENGAGEMENT

**14.1.3 By-Law Review - Update October 2017**

Report No. 17CE0010 MR:ph (17/10/17) Common No. 3035896

(Glover/Young)

- A. THAT Report Number 17CE0010 MR:ph entitled By-Law Review - Update October 2017, be received and noted.
- B. THAT Council endorse the drafting instructions as outlined in **Attachment A** to Report Number 17CE0010 MR:ph entitled By-Law Review - Update October 2017.
- C. THAT Council advise Parliamentary Counsel of its intent to negotiate further amendments to the current drafting instructions.

DECISION NO.22\0066

(17/10/17)

Carried

ACTION: EXEC MGR  
NOTE: GM CITY LIFE



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**14.1.4 Darwin Velodrome Upgrade**

Report No. 17CL0016 AM:kl (17/10/17) Common No. 3091378

(Want de Rowe/Palmer)

- A. THAT Report Number 17CL0016 AM:kl entitled Darwin Velodrome Upgrade be received and noted.
- B. THAT Council endorse Option 4 as contained in Report Number 17CL0016 AM:kl entitled Darwin Velodrome Upgrade.
- C. THAT Council write to the Department of Tourism and Culture, Sport and Recreation, Northern Territory Government requesting an opportunity for Cycling NT to explore alternative approaches to project delivery and obtain cost options.
- D. THAT a further report including technical specifications be presented to Council following Cycling NT's investigations.

DECISION NO.22\0067

(17/10/17)

Carried

ACTION: GM CITY LIFE

**14.2 OFFICERS REPORTS (RECEIVE & NOTE)**

**14.2.1 Citizenship Act**

Report No. 17CE0012 MR:ph (17/10/17) Common No. 3549815

**Procedural motion**

(Young/Bouhoris)

*THAT this item lay on the table to enable further consideration and be referred to the 2<sup>nd</sup> Ordinary Council Meeting to be held on 31 October 2017.*

Carried.

ACTION: EXEC MGR  
NOTE: CA

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THAT Report Number 17CE0012 MR:ph entitled Citizenship Act, be received and noted.



THIRD ORDINARY COUNCIL MEETING – OPEN SECTION  
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**15. TOWN PLANNING REPORT/LETTER**

**15.1 Council Responses to Planning Applications - October 2017**

Report No. 17CF0015 BS:hd (17/10/17) Common No. 2547669

(Palmer/Glover)

- A. THAT Report Number 17CF0015 BS:hd entitled Council Responses to Planning Applications - October 2017, be received and noted.
- B. THAT Council endorse the responses to the Development Consent Authority within **Attachments A** and **B** to Report Number 17CF0015 BS:hd entitled Council Responses to Planning Applications - October 2017.

DECISION NO.22\0069 (17/10/17)

Carried

ACTION: PLANNING OFFICER  
NOTE: GM CITY FUTURES

**15.2 38 Storey Motel Including Ground Level Commercial Tenancies and Parking - PA2017/0442 - Lot 566 (84) Mitchell Street, Darwin City**

Report No. 17CF0018 CR:db (17/10/17) Common No. 3651848

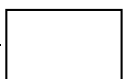
(Palmer/Lambrinidis)

- A. THAT Report Number 17CF0018 CR:db entitled 38 Storey Motel Including Ground Level Commercial Tenancies and Parking - PA2017/0442 - Lot 566 (84) Mitchell Street, Darwin City be received and noted.
- B. THAT Council endorse the submission, dated 6 October 2017, to the Development Assessment Services within **Attachment A** to Report Number 17CF0018 CR:db entitled 38 Storey Motel Including Ground Level Commercial Tenancies and Parking - PA2017/0442 - Lot 566 (84) Mitchell Street, Darwin City.

DECISION NO.22\0070 (17/10/17)

Carried

ACTION: MGR CITY PLANNING  
NOTE: GM CITY FUTURES



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**15.3 Signage Application - Fannie Bay Investments Pty Ltd, Section 4298 & Portion 1827 (658 & 660) Stuart Highway, Berrimah**

Report No. 17CF0017 BS:hd (17/10/17) Common No. 3648460

(Palmer/Haslett)

- A. THAT Report Number 17CF0017 BS:hd entitled Signage Application - Fannie Bay Investments Pty Ltd, Section 4298 & Portion 1827 (658 & 660) Stuart Highway, Berrimah be received and noted.
- B. THAT Council approve the application from Fannie Bay Investments Pty Ltd for five business signs and two Precinct free-standing signs, located within Section 4298 & Portion 1827 (658 & 660) Stuart Highway, Berrimah, and that a Sign Permit be issued in accordance with the requirements of the Outdoor Signs Code, as the advertising signs for Fannie Bay Investments Pty Ltd complies with the intent and purpose of the Signs Code.

DECISION NO.22\0071

(17/10/17)

Carried

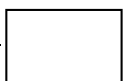
ACTION: PLANNING OFFICER  
NOTE: GM CITY FUTURES

**16. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**

Nil

**17. REPORTS OF REPRESENTATIVES**

Nil



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## 18. QUESTIONS BY MEMBERS

(Glover/Want de Rowe)

THAT the following Questions by Members be received and noted.

DECISION NO.22\0072 (17/10/17) Carried

### 18.1 Dog Attacks in the Darwin Municipality Common No.

Member R Want de Rowe requested an update on the dog attack at the Muirhead Dog Park.

*The General Manager City Life responded and advised that Council Rangers have identified the owner of the animal involved and have begun regulatory processes and investigation.*

Member J A Glover further noted that the large area at the Muirhead Dog Park is in disrepair and that this has pushed owners and animals into the smaller area at the park, causing issues.

*The General Manager City Life responded and advised that Council are in the process of reviewing the facility and will provide feedback to Defence Housing Australia.*

Member G J Haslett asked for an update regarding the dog attack at Hibiscus Shopping Centre.

*The General Manager City Life responded and advised that an investigation is underway.*

## 19. GENERAL BUSINESS

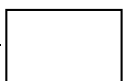
### 19.1 Presentation on PFAS Contamination in Darwin Common No. 3282689

(Arthur/Lord Mayor)

THAT Council invite the Director of Environmental Health to present on PFAS Contamination in Darwin.

DECISION NO.22\0073 (17/10/17) Carried

ACTION: EXEC MGR  
NOTE: CA



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**19.2 Incident at East Point and Fannie Bay Equestrian Club**

Common No. 3665059

(Glover/Want de Rowe)

- A. THAT a report be brought to Council regarding potential security upgrades at East Point to mitigate antisocial and hooning behaviour and protect wildlife and animals.
- B. THAT Council write to the Northern Territory Government requesting that regulation or licensing be introduced to control the acquisition of crossbows.
- C. THAT Council condemns the acts of animal cruelty at East Point.
- D. THAT Council acknowledges the enormous grief and offers its sincere condolences and expresses its support to the members of the Fannie Bay Equestrian Club.

DECISION NO.22\0074

(17/10/17)

Carried

ACTION Part A: GM CITY OPERATIONS  
ACTION Part B, C, D: GM CITY LIFE

**19.3 Dumping at Lakeside Drive**

Common No. 3248668

Member A Arthur queried, in regard to correspondence from Ms Lia Gill around illegal dumping at Lakeside Drive, whether the work orders and the treatment plan for remediation in the area exist and can be provided?

*The Chief Executive Officer responded and advised that the treatment plan was presented to Council and is available on the City of Darwin website, and that at the request of the Council any work orders can be made available.*

(Arthur/)

THAT any work orders relating to the drains on Lakeside Drive, treatment plan for works at Lakeside Drive to resolve illegal dumping of materials between the period of 1 January 2016 to present, and the treatment plan, be provided to Council.

*Lapsed for want of a seconder*

(Lord Mayor/Young)

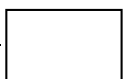
THAT a report be presented to Council regarding the alleged illegal dumping at Lakeside Drive and remediation action undertaken by Council, at the 1<sup>st</sup> Ordinary Council Meeting of November 2017.

DECISION NO.22\0075

(17/10/17)

Carried

ACTION: GM CITY FUTURES



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**19.4 Sister City Advisory Committees**  
Common No. 2772637

(Glover/Haslett)

THAT Council write to all past members of the Sister City Advisory Committees providing an update on progress of the International Relations strategy.

DECISION NO.22\0076 (17/10/17) Carried

ACTION: GM CITY FUTURES

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

(Young/Lord Mayor)

THAT the next Ordinary Meeting of Council be held on Tuesday, 31 October 2017, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

DECISION NO.22\0077 (17/10/17) Carried

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

(Glover/Want de Rowe)

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.

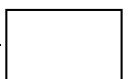
DECISION NO.22\0078 (17/10/17) Carried

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

(Glover/Pangquee)

THAT the meeting be adjourned at 7.42pm for 10 minutes to enable the Media to liaise with the Lord Mayor.

DECISION NO.22\0079 (17/10/17) Carried



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*The meeting moved to the Confidential Section at 7.55pm.*

**THE RIGHT WORSHIPFUL, LORD  
MAYOR, K VATSKALIS (CHAIR) –  
1ST ORDINARY COUNCIL MEETING  
– TUESDAY, 17 OCTOBER 2017**

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**Confirmed On:** *Tuesday, 31 October 2017*

**Chair:** \_\_\_\_\_

