

CITY OF DARWIN

MINUTES OF THE NINTH ORDINARY COUNCIL MEETING OF THE TWENTY-SECOND COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE ON TUESDAY, 13 FEBRUARY 2018 COMMENCING AT 5.50PM.

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 G Lambrinidis; Member S J Niblock; Member M Palmer; Member P Pangquee; Member R Want de Rowe; Member E L Young.

OFFICERS: Acting Chief Executive Officer, Ms A Malgorzewicz; Acting General Manager City Performance, Mr R Iap; Acting General Manager City Operations, D Lelekis; General Manager City Futures, Mr G Rosse; Executive Manager, Ms M Reiter; Manager Climate Change & Environment, Ms S Gamble; Research and Project Coordinator, Ms J Matthiesson; Committee Administrator, Mrs P Hart.

GUESTS: The Chung Wah Society Lion Dance Troupe were in attendance from 5.30pm to perform a Blessing of the Council Chambers.

Ms Jeanneen McLennan was in attendance from 5.45pm to deliver a Welcome to Country.

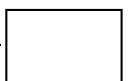
MEDIA: NT News, Ms Phillippa Butt; 9 News, Ms Melissa McKay; Sky News, Mr Matt Cunningham; ABC News, Representative.

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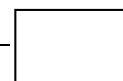
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NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/4

1. WELCOME TO COUNTRY

Ms Jeanneen McLennan was in attendance from 5.45pm to deliver a Welcome to Country.

2. THE LORD'S PRAYER

3. MEETING DECLARED OPEN

The Chair declared the meeting open at 5.50 pm.

4. APOLOGIES AND LEAVE OF ABSENCE

Common No. 2695036

4.1 Apologies

Nil

4.2 Leave of Absence Granted

Nil

4.3 Leave of Absence Requested

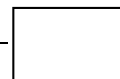
(Haslett/Bouhoris)

- A. THAT a Leave of Absence be granted for The Right Worshipful, Lord Mayor, K Vatskalis, for the period of 8 to 11 February 2018.
- B. THAT a Leave of Absence be granted for Member A Arthur for the period of 5 to 15 March 2018.
- C. THAT a Leave of Absence be granted for Member R M Knox for the period of 16 to 18 February 2018.
- D. THAT a Leave of Absence be granted for Member R M Knox for the period of 14 to 22 March 2018.
- E. THAT a Leave of Absence be granted for Member R Want de Rowe for the period of 10 to 14 March 2018.

DECISION NO.22\0377

(13/02/18)

Carried



NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/5

5. ELECTRONIC MEETING ATTENDANCE
Common No. 2221428

5.1 Electronic Meeting Attendance Granted

Nil

5.2 Electronic Meeting Attendance Requested

(Pangquee/Young)

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 Knox to attend all Council and Committee Meetings for the period of 14 to 22 March 2018.
- B. Member Arthur to attend all Council and Committee Meetings for the period of 5 to 15 March 2018.

DECISION NO.22\0378

(13/02/18)

Carried

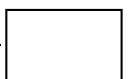
6. DECLARATION OF INTEREST OF MEMBERS AND STAFF
Common No. 2752228

6.1 Declaration of Interest by Members

Nil

6.2 Declaration of Interest by Staff

Nil



NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/6

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

7.1 Confirmation of the Previous Ordinary Council Meeting

(Haslett/Palmer)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 30 January 2018, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.22\0379 (13/02/18) 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.

(Knox/Lambrinidis)

A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 30 January 2018 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\0380 (13/02/18) Carried

7.3 Business Arising

Nil

8. MATTERS OF PUBLIC IMPORTANCE

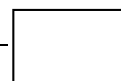
Nil

9. DEPUTATIONS AND BRIEFINGS

Nil

10. PUBLIC QUESTION TIME

Nil



NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/7

11. CONFIDENTIAL ITEMS

Common No. 1944604

11.1 Closure to the Public for Confidential Items

(Haslett/Young)

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
C25.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C25.2	8(e)	information provided to the council on condition that it be kept confidential
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
C27.2.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C27.2.2	8(e)	information provided to the council on condition that it be kept confidential

DECISION NO.22\0381 (13/02/18)

Caried

11.2 Moving Open Items Into Confidential

Nil

11.3 Moving Confidential Items Into Open

Nil

12. PETITIONS

Nil

NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/8

13. NOTICE(S) OF MOTION

13.1 Australia Day Celebrations

Common No. 3745666

(Young/Knox)

- A. THAT Council undertake extensive, and all inclusive, community engagement on the proposal to change the date of Australia Day “celebrations” from 26 January to an alternative date.
- B. THAT a comprehensive report be provided to Council by September 2018 on the outcomes of the community engagement in order for Council to make a decision as to whether to move the date of the Australia Day celebrations, or not, with options for alternative dates, including reasons for each choice.
- C. THAT Council write a letter to the Prime Minister providing a report on the outcomes of the community engagement process and any decisions made as a result of the engagement process.

LOST

Member E L Young called for a division.

AFFIRMATIVE	NEGATIVE
Young	Want de Rowe
Pangquee	Bouhoris
Glover	Palmer
Knox	Lord Mayor
Arthur	Lambrinidis
Niblock	Haslett
	Cullen

13.2 Community Hub at Casuarina Pool

Common No. 3745641

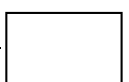
(Bouhoris/Lambrinidis)

THAT a report be prepared and presented to Council in April 2018 outlining the opportunities, challenges and costs associated with the revitalisation of the Casuarina pool site, noting that the pool will be retained.

DECISION NO.22\0382 (13/02/18)

Carried

ACTION: GM CITY LIFE



NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/9

14.1 OFFICERS REPORTS (ACTION REQUIRED)

14.1.1 Gardens Amphitheatre Management - Darwin Entertainment Centre

Report No. 18CL0011 AM:kl (13/02/18) Common No. 3418690

Procedural Motion

(Cullen/Lambrinidis)

THAT this item be laid on the table until further information on the commercial arrangements for the Gardens Amphitheatre Management is received.

Carried

NOTE: GM CITY LIFE

(Want de Rowe/Cullen)

- A. THAT Report Number 18CL0011 AM:kl entitled Gardens Amphitheatre Management - Darwin Entertainment Centre, be received and noted.
- B. THAT Council agree to the continued transfer of operational management of the Gardens Amphitheatre to the Darwin Entertainment Centre and enter into a five year management agreement to facilitate Darwin Entertainment Centre's ability to manage the venue on Council's behalf.
- C. THAT the Darwin Entertainment Centre provides exclusive ticketing services of all events from 1 July 2018.
- D. THAT commercial hirer fees be increased to \$7,500 (excl GST) or 6% of net box office (whichever is greater) and that non-commercials hirer fees remain as per Council's published Fees and Charges.
- E. THAT Council notes established community bookings, such as Carols by Candlelight, will be retained at the current level of assistance and subsidy.



NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/10

14.1.2 City of Darwin Submission - Draft National Alcohol Strategy 2018-2026

Report No. 18CL0012 KH:kl (13/02/18) Common No. 3717712

(Arthur/Young)

- A. THAT Report Number 18CL0012 KH:kl entitled City of Darwin Submission - Draft National Alcohol Strategy 2018-2026, be received and noted.
- B. THAT Council endorse the City of Darwin response to the Draft National Alcohol Strategy 2018-2026 at **Attachment A** to report Number 18CL0012 KH:kl entitled City of Darwin Submission - Draft National Alcohol Strategy 2018-2026.

Amendment

(Knox/Want de Rowe)

THAT the submission be amended to incorporate the proposal of progressively moving towards a total ban on alcohol advertising except at point of sale.

Carried

(Arthur/Young)

- A. THAT Report Number 18CL0012 KH:kl entitled City of Darwin Submission - Draft National Alcohol Strategy 2018-2026, be received and noted.

DECISION NO.22\0383 (13/02/18)

Carried

(Arthur/Young)

- B. THAT Council endorse the City of Darwin response to the Draft National Alcohol Strategy 2018-2026 at **Attachment A**, as amended to incorporate the proposal of progressively moving towards a total ban on alcohol advertising except at point of sale to report Number 18CL0012 KH:kl entitled City of Darwin Submission - Draft National Alcohol Strategy 2018-2026.

DECISION NO.22\0384 (13/02/18)

Carried

ACTION: MGR VIBRANT COMMUNITIES
NOTE: GM CITY LIFE

Member R Want de Rowe called for a division.

AFFIRMATIVE	NEGATIVE
Want de Rowe	Palmer
Bouhoris	Glover
Young	Lambrinidis
Pangquee	Cullen
Lord Mayor	
Knox	
Haslett	
Arthur	
Niblock	

NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/11

Member E L Young departed the meeting at 7.30pm.

14.1.3 Council Response to Liquor Licence Applications – Darwin City Hotel and Pee Wees

Report No. 18CL0018 EB:kl (13/02/18) Common No. 3720130 / 3726377

(Want de Rowe/Bouhoris)

- A. THAT Report Number 18CL0018 EB:kl entitled Council Response to Liquor Licence Applications – Darwin City Hotel and Pee Wees, be received and noted.
- B. THAT Council endorse the letter to the Director-General of Licensing at **Attachment A** to Report Number 18CL0018 EB:kl entitled Council Responses to Liquor Licence Applications – Darwin City Hotel and Pee Wees, 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 Richard Henge Dack Ting as Trustee for the Ting Family Trust No: 2, trading as Darwin City Hotel.
- C. THAT Council endorse the letter to the Director-General of Licensing at **Attachment B** to Report Number 18CL0018 EB:kl entitled Council Responses to Liquor Licence Applications – Darwin City Hotel and Pee Wees, 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 Pee Wees Pty Ltd, trading as Pee Wees @ The Point.

DECISION NO.22\0385

(13/02/18)

Carried

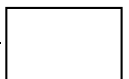
ACTION: DARWIN SAFER CITY PROGRAM COORDINATOR
NOTE: GM CITY LIFE

14.2 OFFICERS REPORTS (RECEIVE & NOTE)

Nil

15. TOWN PLANNING REPORT/LETTER

Nil



NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/12

16. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

16.1 Local Government Association of the Northern Territory - Call for Policy and 'Action' Motions
(13/02/18) Common No. 3559235

(Haslett/Lord Mayor)

- A. THAT the incoming Call for Policy and 'Action' Motions from the Local Government Association of the Northern Territory dated 30 January 2018 be received and noted.
- B. THAT Elected Members forward any suggestions for Policy and 'Action' Motions to the Executive Manager by Friday, 16 March 2018.

DECISION NO.22\0386 (13/02/18)

Carried

ACTION: EXEC MGR

16. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

16.2 Local Government Association of the Northern Territory - Local Government Accounting Advisory Committee
(13/02/18) Common No. 375173

(Glover/Bouhoris)

- A. THAT the incoming call for nominations from the Local Government Association of the Northern Territory for the Local Government Accounting Advisory Committee be received and noted.
- B. THAT Council nominate the Manager Finance to the Local Government Accounting Advisory Committee.

DECISION NO.22\0387 (13/02/18)

Carried

ACTION: CA

17. REPORTS OF REPRESENTATIVES
Common No. 1735503

Nil



NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/13

Member E L Young re-joined the meeting at 7.33pm.

18. QUESTIONS BY MEMBERS

(Lambrinidis/Knox)

THAT the following Questions by Members be received and noted.

DECISION NO.22\0388

(13/02/18)

Carried

18.1 Parap Pool

Common No. 2918032

Member M Palmer asked about the Parap Pool contingency fund how much material was deemed unsuitable, how much was approved as variations, and what other variations were approved, and the itemised values for each?

The Acting Chief Executive Officer responded that this information was circulated to Elected Members and the information will be re-sent to Alderman Palmer.

ACTION: ACTING CEO

18.2 The Lord's Prayer

Common No. 2221528

Member J A Glover asked why Council opens its Ordinary Council Meetings with the Lord's Prayer? Could Council reflect the diversity of the community with a non-denominational presentation instead?

The Acting Chief Executive Officer responded and advised that this matter was considered by the 21st Council, and that the policy that contains this matter, Policy No. 043 - Meetings, Meeting Procedures and Committees would be put before the 22nd Council for discussion in 2018.

The Lord Mayor suggested that a motion could also be brought to Council.

NOTE: EXEC MGR



NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/14

18.3 Flood Mitigation

Common No. 1485703

Member R M Knox noted that she is aware that there are some properties in the municipality that have flooded in the recent heavy rainfalls. What does City of Darwin do in relation to flooding and will Council receive a report on planning to mitigate flooding?

The Acting General Manager City Operations responded and advised that there is a two-tier response to ascertain if there is a blockage and addressing any such issues, and pro-active suburb-wide studies that inform upgrade programs. Council has undertaken a number of whole of suburb stormwater drainage studies in older suburbs where infill development has resulted in increased stormwater run-off putting pressure on older stormwater drainage networks. These are the suburbs that most, but not all, stormwater flooding complaints emanate. The next step is to prioritise the sites and put together a long term program for the delivery of these upgrade works, utilising the annual stormwater drainage capital budgets within the Long Term Capital Works Plan.

A report on the matter will be presented to Council by May 2018.

18.4 Darwin Turf Club Fence, Dickward Drive

Common No. 3679550

Member R M Knox noted that the fence on Dickward Drive adjacent to the Darwin Turf Club is often defaced with graffiti, making it unattractive. Can Council plant shrubs to improve the amenity?

The Acting Chief Executive Officer responded and advised that Council can discuss this with the Darwin Turf Club as it is their land and asset.

ACTION: ACTING GM CITY OPS

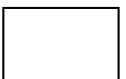
18.5 Chief Minister's Year Ahead Address

Common No. 1952026

Member R M Knox noted that the Chief Minister's Year Ahead Address included reference to a shortage of car parking in the CBD. Can Council write to the Chief Minister to advise him of the current occupation statistics of car parks for the CBD?

The General Manager City Futures responded and advised that these statistics were provided to the Northern Territory Government in 2017 at an operational level, but that the latest quarterly report can be forwarded now.

ACTION: GM CITY FUTURES



NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/15

18.6 Kulaluk Land, Dickward Drive
Common No.

Member G Lambrinidis noted that the fence on the area of bushland on Dickward Drive is in disrepair, and asked if it can be reviewed?

The Acting General Manager City Operations responded and advised that this area was privately owned land, but that Council could make contact with the owners to discuss the matter.

ACTION: ACTING GM CITY OPS

18.7 Water Pooling on Bennett Street/Cavenagh Street Intersection
Common No. .098948

Member G Lambrinidis asked whether the water pooling on the Bennett Street/Cavenagh Street Intersection outside the courthouse is it the result of the works on the verge?

The Acting General Manager City Operations took the question on notice.

ACTION: ACTING GM CITY OPS

18.8 GROW Aboriginal Cooperative Tours
Common No. 3749734

Member S Cullen asked for an update on an application from GROW Aboriginal Cooperative to operate tours on Council land.

The Acting Chief Executive Officer took the question on notice.

ACTION: ACTING CEO

19. GENERAL BUSINESS

19.1 Local Government Association of the Northern Territory - Executive Board Member - Municipal (City of Darwin appointed)
Common No. 375173

(Haslett/Glover)

THAT Alderman S Cullen be nominated to the Local Government Association of the Northern Territory executive, Executive Board Member - Municipal (City of Darwin appointed).

DECISION NO.22\0389

(13/02/18)

Carried

ACTION: CA



NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/16

19.2 Acting Deputy Lord Mayor - 1 to 7 March 2018
Common No. 375173

(Glover/Cullen)

THAT in accordance with Part 4.3 of the Local Government Act, Alderman R M Knox be appointed as Acting Deputy Lord Mayor for the period 1 to 7 March 2018.

DECISION NO.22\0390 (13/02/18) Carried

ACTION: CA

19.3 Arts & Cultural Development Advisory Committee
Common No. 375173

(Haslett/Knox)

- A. THAT Council note that Alderman G Haslett has resigned as a member of the Arts & Cultural Development Advisory Committee.
- B. THAT Alderman A Arthur be appointed to the Arts & Cultural Development Advisory Committee for the period 13 February 2018 to 30 June 2018.
- C. THAT Council note that Alderman G Lambrinidis is the appointed Alternate to the Arts & Cultural Development Advisory Committee for the period 26 September 2017 to 30 June 2018.

DECISION NO.22\0391 (13/02/18) Carried

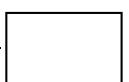
ACTION: CA
NOTE: GM CITY LIFE

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

(Arthur/Want de Rowe)

THAT the next Ordinary Meeting of Council be held on Tuesday, 27 February 2018, at 5:30pm (Open Section followed by the Confidential Section), Meeting Room, Casuarina Library, Bradshaw Terrace, Darwin.

DECISION NO.22\0392 (13/02/18) Carried



NINTH ORDINARY COUNCIL MEETING – OPEN SECTION
TUESDAY, 13 FEBRUARY 2018

ORD02/17

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

(Want de Rowe/Young)

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\0393 (13/02/18) Carried

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

(Pangquee/Lord Mayor)

THAT the meeting be adjourned at 8.01pm for 5 minutes to enable the Media to liaise with the Lord Mayor.

DECISION NO.22\0394 (13/02/18) Carried

The meeting moved to the Confidential Section at 8.09pm.

**THE RIGHT WORSHIPFUL, LORD
MAYOR, K VATSKALIS (CHAIR) –
1ST ORDINARY COUNCIL MEETING
– TUESDAY, 13 FEBRUARY 2018**

Confirmed On: Tuesday, 27 February 2018

Chair: _____

