CITY OF DARWIN

MINUTES OF THE TWENTY FIFTH ORDINARY COUNCIL MEETING OF THE TWENTY-FIRST COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE ON TUESDAY, 14 MAY 2013 COMMENCING AT 5.00 P.M.

PRESENT: The Right Worshipful, Lord Mayor, Ms K M Fong Lim, (Chairman); Member R K Elix; Member G J Haslett; Member R M Knox; Member G Lambrinidis; Member A R Mitchell; Member S J Niblock; Member R Want de Rowe; Member K J Worden.

OFFICERS: Chief Executive Officer, Mr B P Dowd; General Manager Corporate Services, Dr D Leeder; General Manager Infrastructure, Mr L Cercarelli; General Manager Community & Cultural Services, Mr J Banks; Executive Manager, Mr M Blackburn; Acting Committee Administrator, Ms E Strong.

GUESTS: Mr Doug Bender, Treasurer from the Nightcliff Family Centre in attendance from 5:15 p.m. to brief the Council on the Proposed Building Extension and Support Request.

APOLOGIES: Member J M Anictomatis; Member H I Galton; Member G A Lambert; Member R Lesley.

MEDIA: Clayton Bennett, NT News

*** INDEX ***

1. ACKNOWLEDGEMENT OF COUNTRY

2. THE LORD’S PRAYER

3. MEETING DECLARED OPEN

4. APOLOGIES AND LEAVE OF ABSENCE

5. ELECTRONIC MEETING ATTENDANCE

6. DECLARATION OF INTEREST OF MEMBERS AND STAFF
7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S

7.1 Ordinary Council Meeting - 30/04/13
7.2 Confidential 1st Ordinary Council Meeting - 30/04/13 (Decisions Moved from Confidential)
7.3 Special Council Meeting - 07/05/13 (Decisions Moved from Confidential)

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

8.1 Business Arising

9. MATTERS OF PUBLIC IMPORTANCE

10. DEPUTATIONS AND BRIEFINGS

10.1 Nightcliff Family Centre Proposed Extension

11. PUBLIC QUESTION TIME

12. CONFIDENTIAL ITEMS

12.1 Closure to the Public for Confidential Items
12.2 Moving Open Items Into Confidential
12.3 Moving Confidential Items Into Open

13. PETITIONS

13.1 Lee Point Road Upgrade - Parking Lane

14. NOTICES OF MOTION

14.1 Provision of Different Sized Domestic Waste Bins
14.2 Commercial Naming Rights for Council Facilities – Nightcliff Football and Cricket Clubs – Amendment to Nightcliff Oval Sign Permit

15. OFFICERS REPORTS

15.1 Public Art Design Development “Celebration of Darwin” Artwork in Bicentennial Park
15.2 Jingili Watergardens – Skate Park Update
15.3 Australian American Association Memorial Bicentennial Park

16. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED
17. REPORTS OF REPRESENTATIVES

18. QUESTIONS BY MEMBERS

19. GENERAL BUSINESS

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

21. CLOSURE OF MEETING TO THE PUBLIC

22. ADJOURNMENT OF MEETING AND MEDIA LIAISON
1. ACKNOWLEDGEMENT OF COUNTRY

2. THE LORD’S PRAYER

3. MEETING DECLARED OPEN

The Chairman declared the meeting open at 5.00 p.m.

4. APOLOGIES AND LEAVE OF ABSENCE

4.1 Apologies

(Knox/Elix)

THAT the apology from Member R Lesley be received and noted.

DECISION NO.21\1059 (14/05/13) Carried

4.2 Leave of Absence Granted

(Worden/Haslett)

A. THAT it be noted Member G A Lambert is an apology due to a Leave of Absence previously granted on 30 April 2013, for the period 29 April 2013 to 3 June 2013.

B. THAT it be noted Member H I Galton is an apology due to a Leave of Absence previously granted on 16 April 2013, for the period 5 May 2013 to 15 May 2013.

C. THAT it be noted Member J A Anictomatis is an apology due to a Leave of Absence previously granted on 12 February 2013, for the period 6 May 2013 to 11 June 2013.

DECISION NO.21\1060 (14/05/13) Carried
4. APOLOGIES AND LEAVE OF ABSENCE

4.3 Leave of Absence Requested

(Mitchell/Haslett)

A. THAT a Leave of Absence be granted for Member G Lambrinidis for the period 27 June 2013 to 10 August 2013.

B. THAT a Leave of Absence be granted for Member A R Mitchell for the period 25 May 2013 to 26 May 2013.

C. THAT a Leave of Absence be granted for Member R M Knox for the period 5 June 2013 to 7 June 2013.

D. THAT a Leave of Absence be granted for Member R M Knox for the period 30 June 2013 to 13 July 2013.

DECISION NO.21\1061 (14/05/13) Carried

5. ELECTRONIC MEETING ATTENDANCE

(Worden/Mitchell)

THAT Council note that Member J A Anictomatis advised she will be not be attending this meeting (14 May 2013) via tele-conference.

Carried

6. DECLARATION OF INTEREST OF MEMBERS AND STAFF

(Haslett/Want de Rowe)

THAT Council note that pursuant to Section 73 & 74 of the Local Government Act 2008, the Lord Mayor declared a Conflict of Interest in Item 14.2.

DECISION NO.21\1062 (14/05/13) Carried
7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S

7.1 Confirmation of the Previous Ordinary Council Meeting
Common No. 1955119

(Worden/Lambrinidis)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 30 April 2013, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.21\1063 (14/05/13) Carried

7.2 Confirmation of the Previous Confidential Ordinary Council Meeting
Common No. 1955119

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.

(Worden/Knox)

A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 30 April 2013, 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\1064 (14/05/13)

7.3 Confirmation of the Previous Confidential Special Council Meeting
Common No. 195119

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.

(Elix/Knox)

A. THAT the tabled minutes of the previous Confidential Special Council Meeting held on Tuesday, 7 May 2013 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\1065 (14/05/13) 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

10.1 Nightcliff Family Centre Proposed Extension

Common No. 2436654

(Elix/Worden)

Mr Doug Bender from the Nightcliff Family Centre was in attendance from 5:15 p.m. to brief the Council on the Proposed Building Extension and Support Request.

A. THAT the presentation from Mr Doug Bender, Treasurer, Nightcliff Family Centre on the Centre’s Proposed Building Extension and Support Request be received and noted.

B. THAT the Nightcliff Family Centre’s Proposed Building Extension and Support Request be referred to the Community & Cultural Services Committee.

DECISION NO.21/1066 (14/05/13) Carried

ACTION: COMM & CULT

11. PUBLIC QUESTION TIME

Nil
12. CONFIDENTIAL ITEMS

12.1 Closure to the Public for Confidential Items
Common No. 1944604

(Worden/Elix)

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 matters referred from Committees including Confidential Committee Items, and the following Items:-

<table>
<thead>
<tr>
<th>Item</th>
<th>Regulation</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>C24.1</td>
<td>8(c)(iv)</td>
<td>Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.</td>
</tr>
</tbody>
</table>

DECISION NO.21\1067 (14/05/13) Carried

12.2 Moving Open Items Into Confidential
Common No.

Nil

12.3 Moving Confidential Items Into Open
Common No.

Nil
13. PETITIONS

13.1 Lee Point Road Upgrade - Parking Lane
Document No. 2496792 (14/05/13) Common No. 2413422

(Want de Rowe/Lambrinidis)

Alderman R Want de Rowe presented the Petition.

A. THAT the Petition, Document Number 2496792, in relation to the Lee Point Road Duplication Parking Lane, be received and noted.

B. THAT the Petition, Document Number 2496792, be referred to the Environment and Infrastructure Committee.

DECISION NO.21\1068 (14/05/13) Carried

ACTION: GM INFRAST

14. NOTICES OF MOTION

14.1 Provision of Different Sized Domestic Waste Bins
Common No. 2491721

(Niblock/Lambrinidis)

THAT a report be prepared outlining the provision of different sized and proportionately priced domestic waste bins.

DECISION NO.21\1069 (14/05/13) Carried

ACTION: GM INFRAST
The Lord Mayor left Chambers at 5:25 as she declared an interest in relation to Item 14.2.

The Deputy Lord Mayor chaired the meeting for this item of business.

14. NOTICES OF MOTION

14.2 Commercial Naming Rights for Council Facilities – Nightcliff Football and Cricket Clubs – Amendment to Nightcliff Oval Sign Permit
Common No. 2310709

(Knox/Niblock)

THAT the permit for the ‘Naming Rights Sponsorship’ sign erected at Nightcliff oval; be amended, such that the signage be an acceptable size and appearance and subject to approval at the next available Council meeting.

DECISION NO.21\1070 (14/05/13) Lost

ACTION: GM INFRAST

Member R M Knox called for a Division:

<table>
<thead>
<tr>
<th>Affirmative</th>
<th>Negative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Member R M Knox</td>
<td>Member R K Elix</td>
</tr>
<tr>
<td>Member S J Niblock</td>
<td>Member G Lambrinidis</td>
</tr>
<tr>
<td>Member R Want de Rowe</td>
<td>Member K J Worden</td>
</tr>
<tr>
<td></td>
<td>Member G J Haslett</td>
</tr>
<tr>
<td></td>
<td>Member Member A R Mitchell</td>
</tr>
</tbody>
</table>

The Lord Mayor returned to Chambers at 5:45 pm and resumed the role as Chair of this meeting.
15. OFFICERS REPORTS

15.1 Public Art Design Development “Celebration of Darwin” Artwork in Bicentennial Park

Report No. 13C0042 AR:kl (14/05/13) Common No. 1747698

(Knox/Mitchell)

A. THAT Report Number 13C0042 AR:kl entitled Public Art Design Development “Celebration of Darwin” Artwork In Bicentennial Park, be received and noted.

B. That Council reconvene the Celebration of Darwin public art panel to make an assessment & recommendation to Council regarding the design for the Celebration of Darwin artwork and that the panel include representation from Council’s Arts and Cultural Development Advisory Committee.

DECISION NO.21\1071 (14/05/13) Carried

ACTION: GM COMM & CULT

15.2 Jingili Watergardens – Skate Park Update

Report No. 13C0043 ED:kl (14/05/13) Common No. 2200207

(Worden/Knox)

A. THAT Report Number 13C0043 ED:kl entitled Jingili Watergardens - Skate Park Update, be received and noted.

B. THAT Council demolish the current skate facility at Jingili Watergardens and that the additional $53,000 be allocated from the Chan Ward Capital Works carry forwards and playground refurbishment funds.

C. THAT the design of the facility be brought back to the 2nd Ordinary Council Meeting in June for endorsement by Council.

DECISION NO.21\1072 (14/05/13) Carried

ACTION: GM COMM & CULT
15. OFFICERS REPORTS

15.3 Australian American Association Memorial Bicentennial Park
Report No. 13C0049 AR:kl (14/05/13) Common No. 1448600

(Haslett/Mitchell)

A. THAT Report Number 13C0049 AR:kl entitled Australian American Association Memorial Bicentennial Park, be received and noted.

B. THAT Council reaffirm its support in principle for the construction of a US War memorial in Bicentennial Park adjacent to the USS Peary gun and invite a future proposal for consideration.

DECISION NO.21\1073 (14/05/13) Carried

GM: COMM & CULT

15.4 Draft Budget 2013/14 Update
Report No. 13A0081DL:as (14/05/13) Common No. 2337805

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.

(Elix/Want de Rowe)

THAT Report Number 13A0081DL:as Draft Budget 2013/14 Update, be received and noted.

DECISION NO.21\1078 (14/05/13) Carried

16. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

Nil

17. REPORTS OF REPRESENTATIVES

Nil
18. QUESTIONS BY MEMBERS

(Haslett/Worden)

THAT the following Questions by Members, be received and noted.

Carried

18.1 Shared Path in front of old Phoenix Site, Nightcliff
Common No. 1915902

Member R M Knox asked:
Does Council have a schedule for when the shared path in front of the old Phoenix site in Nightcliff will be built to the agreed Council plans? If so, when will the works be completed? For several months there has been an area of un-concreted dirt path. Another section of the modified path is considerably narrower than the width on the plans approved by Council.

The General Manager Infrastructure responded:
The developer is required to ensure all works are completed prior to the end of the development or at another timeframe as specified. Council has identified a number of minor defects with the developer which are to be rectified. In this case, Council is working with the developer regarding potential adjoining works to be undertaken by Council to ensure that they are co-ordinated and linked. The gravel path is as a result of new services to be installed by service authorities as part of the development; as soon as these works are completed the pathway will be reinstated. The work area is to be kept in a safe condition at all times by the developer. It is anticipated that work on the shared path area in this area will be completed within 4 weeks.

18.2 Advertising on Street Light Poles
Common No. 2440790

Member R K Elix asked:
Is Council addressing the increasing number of A4 advertisements appearing on street light poles?

The General Manager, Community & Cultural Services responded:
Regulatory Service Officers have been enforcing the removal of these advertisements.

18.3 Police Vehicles Parking in Metered Areas
Common No. 397346

Member R K Elix asked:
Does Council have a policy in relation to Police vehicles parking in metered areas?

The General Manager, Community & Cultural Services responded:
Police on active duty are entitled to park in metered areas.
18. QUESTIONS BY MEMBERS

18.4 Review of Speed Limit Signs at Nightcliff Shops
Common No. 1361689

Member R M Knox asked:
If Council were undertaking a review of the 50-60 km speed limit signs at the Nightcliff Shops?

The General Manager Infrastructure took the question on notice.

ACTION: GM INFRAST

19. GENERAL BUSINESS

Nil

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

(Elix/Knox)

THAT the next Ordinary Meeting of Council be held on Tuesday, 28 May 2013, at 5:00 p.m.
(Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

DECISION NO.21\1074 (14/05/13) Carried

21. CLOSURE OF MEETING TO THE PUBLIC

(Haslett/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.21\1075 (14/05/13) Carried
22. **ADJOURNMENT OF MEETING AND MEDIA LIAISON**

(Haslett/Lambrinidis)

THAT the meeting be adjourned at 6:25 p.m. to enable the Media to liaise with the Lord Mayor.

DECISION NO.21\1076 (14/05/13) Carried
23. CLOSURE OF MEETING

The meeting moved to the Confidential Section at 6:25 p.m.

Confirmed On: Tuesday, 28 May 2013

Chairman: ____________________________