

DARWIN CITY COUNCIL

MINUTES OF THE EIGHTEENTH ORDINARY MEETING OF THE TWENTIETH COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE, ON TUESDAY, 27 JANUARY, 2009 COMMENCING AT 5.10 P.M.

PRESENT: The Right Worshipful, Lord Mayor, Mr G R Sawyer (Chairman); Member J D Bailey; Member R T Dee; Member R K Elix; Member H I Galton; Member G M Jarvis; Member G A Lambert; Member F P Marrone; Member A R Mitchell; Member H D Sjoberg.

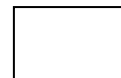
OFFICERS: Chief Executive Officer, Mr B P Dowd; General Manager Corporate Services, Mr F Crawley; General Manager Infrastructure, Mr L Cercarelli; General Manager Community & Cultural Services, Mr J Banks; Manager Business Services, Mr Liam Carroll; Public Affairs Officer, Mr G Haslett; Manager Communication and Marketing, Mr G Fenton; Events Coordinator, Ms M Dowley; Manager Finance, Ms C Taylor; Assistant Accountant, Ms I Kougios; Assistant Committee Administrator, Ms L Elmer; Committee Administrator; Ms J Kieboom.

GUEST: Minister Local Government, The Hon Rob Knight (left at 5.25 p.m.)

MEDIA: Ms Anna Henderson, ABC News and Current Affairs Representative.

***** I N D E X *****

- 1 LORD'S PRAYER**
- 2 MEETING DECLARED OPEN**
- 3 APOLOGIES AND LEAVE OF ABSENCE**
- 4 DECLARATION OF INTEREST OF ELECTED MEMBERS**
- 5 PUBLIC QUESTION TIME**
- 6 MATTERS OF PUBLIC IMPORTANCE**
- 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
 - 7.1 Ordinary Council Meeting 16/12/08
 - 7.2 Business Arising



8 CONFIDENTIAL ITEMS

- 8.1 Closure to the Public for Confidential Items
- 8.2 Moving Open Items Into Confidential
- 8.3 Moving Confidential Items Into Open

9 REPORTS OF COMMITTEES

10 MATTERS REFERRED TO COUNCIL

11 PETITIONS

12 NOTICES OF MOTION

13 OFFICER'S REPORTS

- 13.1 December 2008 - Financial Report to Council
- 13.2 Listing of Cheques / EFT Payments December 2008
- 13.3 2nd Quarter Budget Review 2008/2009
- 13.4 Signing & Sealing of PowerWater Deed of Indemnity for Access to the Repeater Station, Rapid Creek
- 13.5 Nominations to the Local Government (Administration and Legislation) Advisory Committee and Local Government (Accounting) Advisory Committee
- 13.6 Local Government Association of the Northern Territory (LGANT) – Proposal for Constitutional Change to Member Council Voting Entitlements
- 13.7 Federal Governments Guarantee on Deposits
- 13.8 ABC Learning Childcare Centres Update (**Moved from Confidential into Open**)

14 REPRESENTATIVES REPORTS

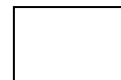
15 QUESTIONS BY MEMBERS

16 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

- 16.1 Tropical Garden Spectacular Change of Event Date
- 16.2 Northern Territory Space School (NTSS) Incorporated – 2008 NTSS Annual Report and Certificate of Appreciation

17 GENERAL BUSINESS

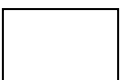
- 17.1 Appointment of Deputy Lord Mayor for the period - 1 April 2009 – 31 July 2009
- 17.2 Anti-Social Behaviour in Public Places



18 CLOSURE OF MEETING TO THE PUBLIC

19 ADJOURNMENT OF MEETING and MEDIA LIAISON

20 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING



1 LORD'S PRAYER

2 MEETING DECLARED OPEN

The Chairman declared the meeting open at 5.10pm

The Lord Mayor welcomed the Minister for Local Government, The Hon Rob Knight to the Council meeting and invited him to address the Council.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

(Lambert/Elix)

- A. THAT the apology from Alderman K M Moir be received and Leave of Absence be granted.
- B. THAT the apology from Alderman R Lesley be received and Leave of Absence be granted.

DECISION NO.20\1118 (27/01/09) Carried

3.2 Leave of Absence Granted

(Sjoberg/Galton)

THAT it be noted that Alderman J L Sangster is an apology due to Leave of Absence being previously granted on 16 December 2008 for the period 22 December 2008 – 28 January 2009.

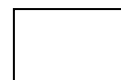
DECISION NO.20\1119 (27/01/09) Carried

3.3 Leave of Absence Requested

(Lambert/Sjoberg)

- A. THAT a Leave of Absence be granted for Alderman G A Lambert for the period 29 January 2009 to 8 February 2009.
- B. THAT a Leave of Absence be granted for Alderman G M Jarvis for the period 2 – 6 February 2009.

DECISION NO.20\1120 (27/01/09) Carried



4 DECLARATION OF INTEREST OF ELECTED MEMBERS

Nil

5 PUBLIC QUESTION TIME

Nil

6. MATTERS OF PUBLIC IMPORTANCE

(Sawyer/Lambert)

THAT the matter of the Yellow Crazy Ant Infestation be admitted as a matter of public importance.

DECISION NO.20\1121 (27/01/09) Carried

(Sawyer/Lambert)

THAT Council, via the media, inform the community of issues associated with the potential Yellow Crazy Ant infestation.

DECISION NO.20\1122 (27/01/09) Carried

ACTION: MGR CLIMATE CHANGE & ENVIRONMENT
ACTION: MGR COMMS & MARKET
NOTE: GM INFRAST
NOTE: GM COMM
NOTE: GM CORP
NOTE: CA

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Confirmation of the Previous Ordinary Council Meeting

(Elix/Marrone)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 16 December, 2008, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\1123 (27/01/09) Carried



7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.2 Business Arising from the Minutes of Previous Meeting

Nil

8 MOVING OF ITEMS FOR DISCUSSION

8.1 Closure to the Public for Confidential Items

(Marrone/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, and the following Items:-

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C23.1	8(c)(i)	Information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.
C23.2	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.
C23.3	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person. (Moved from Confidential into Open)
C23.4	8(c)(i)	Information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.

DECISION NO.20\1124 (27/01/09)

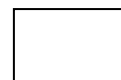
Carried

8 MOVING OF ITEMS FOR DISCUSSION

Nil

8.2 Moving Open Items Into Confidential

Nil



8 MOVING OF ITEMS FOR DISCUSSION

8.3 Moving Confidential Items Into Open

(Sjoberg/Jarvis)

THAT Item C23.3, Report Number 09C0002 entitled ABC Learning Child Care Centres Update, be moved from the Confidential Section to the Open Section of the Minutes.

DECISION NO.20\1125

(27/01/09)

Carried

9 REPORTS OF COMMITTEES

Nil

10 MATTERS REFERRED TO COUNCIL

Nil

11 PETITIONS

Nil

12 NOTICES OF MOTION

Nil

13 OFFICERS REPORTS

13.1 December 2008 - Financial Report to Council

Report No. 08A0249 Common No. 339122

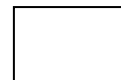
(Lambert/Bailey)

THAT Report Number 08A0249, entitled December 2008 - Financial Report to Council, be received and noted.

DECISION NO.20\1126

(27/01/09)

Carried



13 OFFICERS REPORTS

13.2 Listing of Cheques / EFT Payments December 2008

Report No. 08A0250 Common Number 339125

(Lambert/Galton)

THAT Report Number 08A0250, Listing of Cheques/EFT Payments, December 2008 be received and noted.

DECISION NO.20\1127 (27/01/09) Carried

13.3 2nd Quarter Budget Review 2008/2009

Report No. 09A0006 Common Number 978289

(Lambert/Marrone)

A. THAT Report Number 09A0006 entitled 2nd Quarter Budget Review 2008/2009, be received and noted.

B. THAT Council vary the budget as listed in **Attachments A, B, C & D** of Report Number 09A0006 entitled 2nd Quarter Budget Review 2008/2009.

DECISION NO.20\1128 (27/01/09) Carried

ACTION: GM CORP

13.4 Signing & Sealing of PowerWater Deed of Indemnity for Access to the Repeater Station, Rapid Creek

Report No. 08TS0249 Common No. 1492950

(Lambert/Elix)

A. THAT Report Number 08TS0249 entitled Signing & Sealing of PowerWater Deed of Indemnity for Access to the Repeater Station, Rapid Creek, be received and noted.

B. THAT the Deed of Indemnity, contained in **Attachment A** to Report Number 08TS2949 for the Repeater Station at Rapid Creek be executed by the Lord Mayor and Chief Executive Officer under the Council's Common Seal.

DECISION NO.20\1129 (27/01/09) Carried

ACTION: CEO EA

ACTION: LM PA

NOTE: GM INFRAST



13 OFFICERS REPORTS

13.5 Nominations to the Local Government (Administration and Legislation) Advisory Committee and Local Government (Accounting) Advisory Committee Report No. 09TC0001 Common No. 1502794

(Galton/Lambert)

- A. THAT Report Number 09TC0001 BD:JP entitled Nominations to the Local Government (Administration and Legislation) Advisory Committee and Local Government (Accounting) Advisory Committee, be received and noted.
- B. THAT Council nominate Mr Frank Crawley, General Manager Corporate Services, to membership of the Local Government (Administration and Legislation) Advisory Committee.
- C. THAT Council endorse the nomination of Council's Finance Manager, Ms Claire Taylor, for membership on the Local Government (Accounting) Advisory Committee.

DECISION NO.20\1130

(27/01/09)

Carried

ACTION GM CORP
NOTE: GM INFRAS
NOTE: GM COMM
NOTE: CEO EA
NOTE: MGR FINANCE

13.6 Local Government Association of the Northern Territory (LGANT) – Proposal for Constitutional Change to Member Council Voting Entitlements Report No. 09TC0002 Common No. 1049876

(Lambert/Galton)

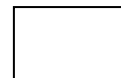
- A. THAT Report Number 09TC0002 entitled Local Government Association of the Northern Territory (LGANT) - Proposal for Constitutional Change to Member Council Voting Entitlements, be received and noted.
- B. THAT Council advise the Local Government Association of the Northern Territory that the importance of preserving the democratic basis of local government is considered paramount and that the population based element which includes the 30,000 population threshold should be retained.

DECISION NO.20\1131

(27/01/09)

Carried

ACTION: CEO
NOTE: CEO EA
NOTE: CA



13 OFFICERS REPORTS

13.7 Federal Governments Guarantee on Deposits

Report No. 08A0252 Common No. 1202990

(Lambert/Sjoberg)

- A. THAT Report Number 09A0252 entitled Federal Government Investment Government Guarantee Report, be received and noted.
- B. THAT Council take up the Federal Government Guarantee for its non-major bank investments at an estimated annual cost of \$142,500.

DECISION NO.20\1132 (27/01/09)

Carried

ACTION: GM CORP

13.8 ABC Learning Childcare Centres Update

Report No. 09C0002 Common No. 1482493

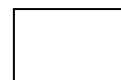
With the consent of Council, the decisions arising from this Item were moved from the Confidential Section into the Open Section of the minutes.

(Lambert/Marrone)

THAT Report Number 09C0002 entitled ABC Learning Childcare Centres Update, be received and noted.

DECISION NO.20\1133 (27/01/09)

Carried



14 REPRESENTATIVES REPORTS

- Member Sjoberg advised on her attendance at the Australia Day Flag Raising and Citizenship Event and reported that the event had been well received by members of the public who also considered that the Citizen of the Year Award had been well earned by the recipients. Member Sjoberg congratulated Council staff who had organised and run the event, particularly Ms Dowley and Ms Murphy.
- Member Bailey reported that information is now available on the Asia Pacific Cities Summit.

(Elix/Dee)

THAT the Representatives Reports, be received and noted.

DECISION NO.20\1134

(27/01/09)

Carried

ACTION: MGR HR
NOTE: MGR COMMS & MARKET
NOTE: LM PA

15 QUESTIONS BY MEMBERS

- Member H D Sjoberg asked if the range of grants opportunities currently available are being accessed by the Darwin City Council.

The Chief Executive Officer advised that grants were being actively pursued by a dedicated staff resource.

- Member J D Bailey asked if Council was pursuing the issue of Elected Member Allowances with the Minister for Local Government.

The Chief Executive Officer advised that the Minister for Local Government is going to be invited to a Special Meeting of Council and this would provide an opportunity for Elected Members to raise this and any other relevant issue directly with the Minister.

- Member H I Galton asked what is happening with the Netball Courts at the Parap Aquatic Centre, as there has been general interest from the community.

The General Manager Community & Cultural Services advised that, at the conclusion of the current lease arrangement of the Parap Netball Courts, the NT Netball Association is moving into Marrara Stadium.

(Elix/Dee)

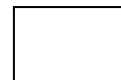
THAT the Questions by Members be received and noted.

DECISION NO.20\1135

(27/01/09)

Carried

NOTE: MGR STRAT& OUTCOMES
NOTE: GM COMM
NOTE: GM COMS & MARKET



16 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

16.1 Tropical Garden Spectacular Change of Event Date

Document No. 1495525 (03/12/08) Common No.1349143

(Elix/Galton)

THAT the letter from the Nursery and Garden Industry Northern Territory advising of their decision to change the date of the Tropical Garden Spectacular to 5 and 6 June 2010, be received and noted.

DECISION NO.20\1136 (27/01/09)

Carried

ACTION: GM INFRASTRUCT
NOTE: MGR COMM & MARKET

16.2 Northern Territory Space School (NTSS) Incorporated – 2008 NTSS Annual Report and Certificate of Appreciation

Document No. 508088 (14/01/09) Common No. 1187179

(Lambert/Jarvis)

- A. THAT the 2008 Northern Territory Space School Annual Report, be received and noted.
- B. THAT the Northern Territory Space School Certificate of Appreciation Awarded to Darwin City Council in appreciation of their general support of the Inaugural NT Space School 2008. be received and noted.

DECISION NO.20\1137 (27/01/09)

Carried



17 GENERAL BUSINESS

17.1 Appointment of Deputy Lord Mayor for the period 1 April 2009 – 31 July 2009
Report No. 08TC0023 (04/04/08) Common Number 375173

(Elix/Jarvis)

THAT in accordance with Decision No 20\0003 (12/04/08) Member A R Mitchell be appointed to the position of Deputy Lord Mayor for the period 1 April 2009 to 31 July 2009.

DECISION NO.20\1138 (27/01/09) Carried

ACTION: GM COMM & MARKET
ACTION: LM PA

17.2 Anti-Social Behaviour in Public Places
Common No. 1062006

Procedural Motion – Suspension of By-law 167 at 5:55pm

(Lambert/Jarvis)

THAT By-law 167, that limits the duration and number of times that a Member may speak, be suspended for 10 minutes to allow for discussion of this item.

Carried

Resumption of By-law 167 at 6.05pm

(Lambert/Jarvis)

THAT By-Law 167 be resumed.

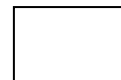
Carried

(Galton/Mitchell)

THAT representatives of the Federal Government Intervention Program and the NT Police be invited to meet with Council to discuss matters relating to anti-social behaviour in public places.

DECISION NO.20\1139 (27/01/09) Carried

ACTION: CEO
NOTE: CA
NOTE: LM PA



18 CLOSURE OF MEETING TO THE PUBLIC

(Galton/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 Items of the Agenda.

DECISION NO.20\1140 (27/01/09) Carried

19 ADJOURNMENT OF MEETING and MEDIA LIAISON

(Galton/Elix)

THAT the meeting be adjourned at 6.25 p.m. to enable representatives of the Media to liaise with Elected Members.

Carried

(Galton/Elix)

THAT the meeting be resumed at 6.35 p.m.

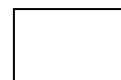
Carried

20 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

(Galton/Elix)

THAT the next Ordinary Meeting of Council be held on Tuesday, 10 February, 2009, at 5.00 p.m. (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

DECISION NO.20\1141 (27/01/09) Carried



The meeting moved into the Confidential Section at 6.35 p.m.

Confirmed on: **Tuesday, 24 February, 2009**

Chairman: _____

