

DARWIN CITY COUNCIL

MINUTES OF THE TWENTIETH ORDINARY MEETING OF THE TWENTIETH COUNCIL
HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE ON TUESDAY, 24
FEBRUARY, 2009, COMMENCING AT 5.10 P.M.

PRESENT: Acting Lord Mayor, Member R Lesley; (Acting Chairman); Member J D Bailey;
Member R T Dee; Member R K Elix; Member H I Galton; Member G M Jarvis;
Member F P Marrone; Member A R Mitchell; Member K M Moir; Member J L
Sangster; 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 L
Carroll; Manager Community Services, Ms K Hearn; Strategic Town Planner,
Mr P Lindwall; Public Affairs Officer, Mr G Haslett; Committee Administrator, Ms
J Kieboom.

GUESTS Darwin City Council Youth Advisory Group Members, Mr Finn O'Branagain; Ms
Candy Wang; Ms Chantelle Diebunaba; Ms Jacque Willcocks.

MEDIA Mr Ben Langford – NT News.

***** 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/S

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27/01/09 & 10/02/09

7.2 Business Arising

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- 8.1 Closure to the Public for Confidential Items
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- 9.2 Corporate & Economic Development 17/02/09
- 9.3 Environment & Infrastructure 16/02/09
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- 13.1 Smith Street Connection
- 13.2 Restaurant in CWA Building, Lots 2319 & 3432 (10-12) Knuckey Street, Including Alfresco Dining, Timber Deck and Verandah and Demountable Coolroom, February 2009
- 13.3 NT Space School 2009 Sponsorship (*Moved from Confidential*)

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17 GENERAL BUSINESS

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 Acting Chairman declared the meeting open at 5.10 p.m.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

(Bailey/Galton)

THAT the apology from Alderman J L Sangster be received and Leave of Absence be granted.

DECISION NO.20\1214 (24/02/09) Carried

3.2 Leave of Absence Granted

(Galton/Marrone)

A. THAT it be noted that The Right Worshipful Lord Mayor, Mr G R Sawyer, is an apology due to a Leave of Absence being previously granted, on 10 February 2009, for the period 22 to 25 February 2009.

B. THAT it be noted that Member G A Lambert is an apology due to a Leave of Absence being previously granted, on 10 February 2009, for the period 20 to 25 February 2009.

DECISION NO.20\1215 (24/02/09) Carried

3.3 Leave of Absence Requested

(Elix/Galton)

A. THAT a Leave of Absence be granted for Member G M Jarvis for the period 2 – 5 March 2009.

B. THAT a Leave of Absence be granted for Member F P Marrone for the period 24 - 28 March 2009

DECISION NO.20\1216 (24/02/09) Carried

4 DECLARATION OF INTEREST OF ELECTED MEMBERS

Nil

5 PUBLIC QUESTION TIME

Nil

6 MATTERS OF PUBLIC IMPORTANCE

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S

7.1 Confirmation of the Previous Ordinary Council Meeting

(Sjoberg/Mitchell)

- A. THAT the tabled minutes of the previous Ordinary Council Meetings held on Tuesday, 27 January, 2009 be received and confirmed as a true and correct record of the proceedings of that meeting.
- B. THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 10 February, 2009 be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\1217

(24/02/09)

Carried

7.2 Business Arising from the Minutes of Previous Meeting/s

Nil

8 MOVING OF ITEMS FOR DISCUSSION

8.1 Closure to the Public for Confidential Items

(Marrone/Galton)

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)(ii) | Information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law. |
| 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(e) | Information provided to the council on condition that it be kept confidential. |
| C23.4 | 8(c)(iv) | Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person. |

DECISION NO.20\1218

(24/02/09)

Carried

8.2 Moving Open Items Into Confidential

Nil

8.3 Moving Confidential Items Into Open

Nil

9 REPORTS OF COMMITTEES

9.1 COMMUNITY SERVICES (09/02/09)

Presentation of Report by Acting Chairman - Member A R Mitchell

Recommendations from the Community Services Committee Meeting held on Monday, 9 February, 2009

1 Northern Territory Government's representative to the Darwin Performing Arts Centre Board of Directors

Document No. 1501235 (22/12/08) Common No. 1483019

(Mitchell/Marrone)

- A. THAT the letter from the Minister for Arts & Museums, Marion Scrymgour MLA, nominating Dr Diana Leeder as the Northern Territory Government's representative to the Darwin Performing Arts Centre Board of Directors, Document Number 1501235, be received and noted.
- B. THAT Dr Diana Leeder's appointment to the Board of the Darwin Performing Arts Centre, trading as Darwin Entertainment Centre from 1 July 2008 until 30 June 2010 as the representative of the Minister for Arts and Museums, be endorsed by Council.

DECISION NO.20\1219 (24/02/09)

Carried

ACTION: GM COMM & CULTURAL
NOTE: MANAGER COMM SERVICES

2 Neighbourhood Watch NT Community Patrols Trial Progress Report for November and December 2008

Document No. 1501671 (22/12/08) Common No. 1347460

(Mitchell/Marrone)

THAT the Neighbourhood Watch NT Community Patrols Trial Progress Report for November and December 2008, Document Number 1501671, be received and noted

DECISION NO.20\1220 (24/02/09)

Carried

9 REPORTS OF COMMITTEES

9.1 COMMUNITY SERVICES (09/02/09)

Presentation of Report by Acting Chairman - Member A R Mitchell

Recommendations from the Community Services Committee Meeting held on Monday, 9 February, 2009

3 Surf Life Saving NT Lifeguard Beach Report for October 2008

Document No. 1489136 (25/11/08) Common No. 1009444

(Mitchell/Marrone)

THAT the Surf Life Saving NT Lifeguard Beach Report for October 2008, Document Number 1489136, be received and noted.

DECISION NO.20\1221 (24/02/09) Carried

4 Darwin Entertainment Centre Financial Statements for the Year Ended 30 June 2008

Document No. 1486059 (19/11/08) Common No. 1486059

(Mitchell/Marrone)

THAT the Darwin Entertainment Centre Financial Statements for the Year Ended 30 June 2008, Document Number 1486059, be received and noted.

DECISION NO.20\1222 (24/02/09) Carried

5 Young Women's Sexual Health Project from Mission Australia Evaluation Report - December 2008

Document No. 1501726 (23/12/08) Common No. 1320664

Document No. 1521673 (10/02/09) Common No. 1320664

(Bailey/Moir)

A. THAT the Program Evaluation Report regarding the Young Women's Sexual Health Project, Mission Australia for December 2008, Document Number 1501726, be received and noted.

B. THAT the presentation from Ms Greta Enbom and Ms Katie Price, Representatives of the Young Women's Sexual Health Program, together with the tabled Document Number 1521673, entitled Footprint, be received and noted.

DECISION NO.20\1223 (24/02/09) Carried

9 REPORTS OF COMMITTEES

9.1 COMMUNITY SERVICES (09/02/09)

Presentation of Report by Acting Chairman - Member A R Mitchell

Recommendations from the Community Services Committee Meeting held on Monday, 9 February, 2009

6 NT News Item Thanking Fun Bus staff and the Program
Document No. 1503820 (02/01/09) Common No. 1503820

(Sjoberg/Bailey)

THAT the item in the NT News Thanking Fun Bus Staff and the Program, Document Number 1503820, be received and noted.

DECISION NO.20\1224 (24/02/09) Carried

7 RSPCA Certificate of Appreciation – Hotel for Dogs Charity Screening
Document No. 1515443 (12/01/09) Common No. 1515443

(Mitchell/Marrone)

THAT the RSPCA Certificate of Appreciation thanking Council for its support of the Hotel for Dogs Charity Screening, Document Number 1515443, be received and noted.

DECISION NO.20\1225 (24/02/09) Carried

8 Darwin Entertainment Centre 2008/2009 First Quarter Funding Reports July to September 2008 & Second Quarter Funding Reports October to December 2008
Document No. 1517486 (12/01/09) Common No. 1517486

(Jarvis/Sjoberg)

A. THAT the Darwin Entertainment Centre 2008/2009 First Quarter Funding Reports July to September 2008, Document Number 1517486, be received and noted.

B. THAT the Darwin Entertainment Centre 2008/2009 Second Quarter Funding Reports October to December 2008, Document Number 1517486, be received and noted.

DECISION NO.20\1226 (24/02/09) Carried

9 REPORTS OF COMMITTEES

9.1 COMMUNITY SERVICES (09/02/09)

Presentation of Report by Acting Chairman - Member A R Mitchell

Recommendations from the Community Services Committee Meeting held on Monday, 9 February, 2009

9 Darwin Entertainment Centre Operational Budget for 2008/2009

Document No. 1515760 (29/01/09) Common No. 1515760

(Jarvis/Sjoberg)

- A. THAT the Darwin Entertainment Centre Operational Budget for 2008/2009, Document Number 1515760, be received and noted.
- B. THAT the Darwin Entertainment Centre Board be requested to provide Council with a plan which addresses the budgeted deficit and in addition, a long term financial plan.

DECISION NO.20\1227 (24/02/09)

Carried

ACTION: GM COMM & CULTURAL
NOTE: GM CORP
NOTE: MGR FINANCE

10 International Women's Day Walk – Sunday, 8 March 2009

Document No. 1519344 (03/02/09) Common No. 1519344

Addendum No 2

(Jarvis/Moir)

- A. THAT the Invitation from the United Nations Association of Australia & President, UNAA Northern Territory to participate in the International Women's Day Walk – 8 March 2009, Document Number 1519344, be received and noted.
- B. B.THAT Council support the International Women's Day Walk on Sunday, 8 March 2008 commencing at 10.30 am and concluding in the grounds of the Civic Park, Harry Chan Avenue, Darwin, themed as 'Women are our Future', be endorsed by Council.

DECISION NO.20\1228 (24/02/09)

Carried

ACTION: GM COMM & CULTURAL
ACTION: GM CORP
NOTE MGR COMMS MARKETING

9 REPORTS OF COMMITTEES

9.1 COMMUNITY SERVICES (09/02/09)

Presentation of Report by Acting Chairman - Member A R Mitchell

Recommendations from the Community Services Committee Meeting held on Monday, 9 February, 2009

11 Regulatory Services Monthly Update – December 2008 to January 2009 Report No. 09C0003 DN:kl Common No. 1520352

Addendum No.1

(Mitchell/Marrone)

THAT Report Number 09C0003 entitled Regulatory Services Monthly Update - December 2008 to January 2009, be received and noted.

DECISION NO.20\1229 (24/02/09) Carried

12 Community Services Team Report – January 2009 Report No. 09C0009 KH:kl Common No.1517201

(Mitchell/Marrone)

THAT Report Number 09C0009 entitled Community Services Team Report – January 2009, be received and noted.

DECISION NO.20\1230 (24/02/09) Carried

13 Disability Advisory Committee Minutes of 11 December 2008 Report No. 08C0173 NMc:kl Common No.1503125

(Mitchell/Marrone)

THAT Report Number 08C0173 entitled Disability Advisory Committee Minutes of 11 December 2008, be received and noted.

DECISION NO.20\1231 (24/02/09) Carried

9 REPORTS OF COMMITTEES

9.1 COMMUNITY SERVICES (09/02/09)

Presentation of Report by Acting Chairman - Member A R Mitchell

Recommendations from the Community Services Committee Meeting held on Monday, 9 February, 2009

14 Update on Darwin 200 Program of Events

Report No.09C0008 AR:kl Common No.1338781

(Mitchell/Marrone)

THAT Report Number 09C0008 entitled Update on Darwin 200 Program of Events, be received and noted.

DECISION NO.20\1232

(24/02/09)

Carried

15 Amended and New Animal Management Policies

Report No.08C0171 JB:kl Common No. 355416

(Mitchell/Marrone)

- A. THAT Report Number 08C0171 entitled Amended and New Animal Management Policies be received and noted.
- B. THAT the following amended and new Animal Management policies as attached to Report Number 08C0171 be adopted by Council –
 - I. Dog Registration Fees – Policy 122 (amended)
 - II. Cats – Registration – (new)
 - III. Dogs – Licenses to Keep More Than Two – Policy 126 (amended)
 - IV. Cats Number of Cats – Number of Cats Allowed (new)
 - V. Dog Exercise Areas – Policy 121 (amended)
 - VI. Dog Restriction Areas – policy 124 (amended)

DECISION NO.20\1233

(24/02/09)

Carried

ACTION: GM COMM & CULTURAL

ACTION: CA (Policy)

9 REPORTS OF COMMITTEES

9.1 COMMUNITY SERVICES (09/02/09)

Presentation of Report by Acting Chairman - Member A R Mitchell

Recommendations from the Community Services Committee Meeting held on Monday, 9 February, 2009

16 Final Youth Strategy Report 2009 – 2014

Report No. 09C0010 Common No.1096115

(Bailey/Jarvis)

- A. THAT Report Number 09C0010 entitled Final Youth Strategy Report 2009 - 2014 be received and noted.
- B. THAT the recommended strategies and actions contained within the draft youth strategy 2009-2014 be endorsed in principle.
- C. THAT the following actions be prioritised and associated costs referred to the 2009/2010 budget process:
 - I. Gig gear initiative \$18,500 (one off).
 - II. Youth centre facility development (costs to be determined).
 - III. Establishment of Young Women's Health & Wellbeing outreach program \$70,000 annually.
 - IV. Establishment of a Youth Leisure/Activities Officer and program implementation costs \$120,000 annually.
 - V. Capital works program to include the purchase of x 1 capital item biennially specifically catering for young people's leisure requirements:
 - \$60,000 – 2010
 - \$60,000 – 2014.
- D. THAT Council communicates its appreciation to the GRIND and Youth Advisory Group members for their valuable contribution and voluntary efforts in assisting Council develop its new youth policy.
- E. THAT Council launches *Loud & Clear* during National Youth Week 2009, in partnership with the Youth Advisory Group.

DECISION NO.20\1234

(24/02/09)

Carried

ACTION: GM CORP
NOTE: MGR FINANCE
ACTION: GM COMM & CULTURAL
NOTE: MGR COMMS MARKETING

9 REPORTS OF COMMITTEES

9.1 COMMUNITY SERVICES (09/02/09)

Presentation of Report by Acting Chairman - Member A R Mitchell

Recommendations from the Community Services Committee Meeting held on Monday, 9 February, 2009

17 Sister Cities Community Committees Meeting Schedule for February to June 2009

Document No. 1489887 (27/11/08) Common No. 1489887

(Mitchell/Marrone)

THAT the Sister Cities Community Committees Meeting Schedule for February to June 2009, Document Number 1489887, be received and noted.

DECISION NO.20\1235 (24/02/09) Carried

18 Status Update of Sister Cities Projects and Calendar of Events January – March 2009

Report No.09C0005 Common No.1181508

(Mitchell/Marrone)

THAT Report Number 09C0005 entitled Status Update of Sister Cities Projects and Calendar of Events January - March 2009, be received and noted.

DECISION NO.20\1236 (24/02/09) Carried

9 REPORTS OF COMMITTEES

9.1 COMMUNITY SERVICES (09/02/09)

Presentation of Report by Acting Chairman - Member A R Mitchell

Recommendations from the Community Services Committee Meeting held on Monday, 9 February, 2009

19 Minutes of the Haikou Sister City Community Committee Meeting held on 1 December 2008 with Recommendations

Report No. 08C0170 SF:kl Common No. 1494750

(Mitchell/Marrone)

- A. THAT Report Number 08C0170 entitled Minutes of the Haikou Sister City Community Committee Meeting held on 1 December 2008 with Recommendations, be received and noted.
- B. THAT the Lord Mayor writes to the Mayor of Haikou, Haikou Foreign Affairs Office and the Dongfang Municipal Government to wish them a Happy Chinese New Year for the 26 January 2009, and to make mention that Australia Day will also be celebrated on this day.
- C. THAT an advertisement be placed in the NT News Chinese New Year special feature for 2009, and a copy be sent to Haikou Foreign Affairs Office and the Dongfang Municipal Government for their information.
- D. THAT Haikou Sister City Community Committee supports in principle the facilitation of a combined Sister Cities fundraising event on Thursday 2 July 2009, to coincide with National Sister Cities Day.

DECISION NO.20\1237

(24/02/09)

Carried

ACTION: GM COMM & CULTURAL
NOTE: LM EA

20 Minutes of the Ambon Sister City Community Committee Meeting held on 2 December 2008 with Recommendations

Report No.08C0169I Common No.1498093

(Mitchell/Marrone)

THAT Report Number 08C0169 entitled Minutes of the Ambon Sister City Community Committee Meeting held on 2 December 2008 with Recommendations, be received and noted.

DECISION NO.20\1238

(24/02/09)

Carried

9 REPORTS OF COMMITTEES

9.1 COMMUNITY SERVICES (09/02/09)

Presentation of Report by Acting Chairman - Member A R Mitchell

Recommendations from the Community Services Committee Meeting held on Monday, 9 February, 2009

21 Minutes of the Anchorage Sister City Community Committee Meeting held on 4 December 2008 with Recommendations Report No. 08C0168 Common No. 1496359

(Mitchell/Marrone)

- A. THAT Report Number 08C0168 entitled Minutes of The Anchorage Sister City Community Committee Meeting Held on 4 December 2008 with Recommendations, be received and noted.
- B. THAT the donation of children's books be gifted from Council to Rabbit Creek Elementary School in Anchorage, Alaska, be endorsed by Council.

DECISION NO.20\1239 (24/02/09) Carried

ACTION: GM COMM & CULTURAL
NOTE: MGR COMMS MARKETING

22 Minutes of the Dili Sister City Community Committee Meeting held on 25 November 2008 with Recommendations Report No. 08C0167 Common No. 1491689

(Mitchell/Marrone)

- A. THAT Report Number 08C0167 entitled Minutes of the Dili Sister City Community Committee held on 25 November 2008 with Recommendations, be received and noted.
- B. THAT the Dili Sister City Community Committee supports in principle the facilitation of a combined Sister Cities fundraising event on Thursday 2 July 2009, to coincide with National Sister Cities Day, be endorsed by Council.

DECISION NO.20\1240 (24/02/09) Carried

ACTION: GM COMM & CULTURAL
NOTE: MGR COMMS MARKETING

9 REPORTS OF COMMITTEES

9.1 COMMUNITY SERVICES (09/02/09)

Presentation of Report by Acting Chairman - Member A R Mitchell

Recommendations from the Community Services Committee Meeting held on Monday, 9 February, 2009

23 Appointment of New Deputy Chairperson of the Disability Advisory Committee

Report No.08C0172 Common No.1503125

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.

(Mitchell/Galton)

- A. THAT Report Number 08C0172 entitled, Appointment of New Deputy Chairperson of the Disability Advisory Committee, be received and noted.
- B. THAT in accordance with Section 64 (1)(b) of the Local Government Act 2008, Council appoint Rosemary Burkitt as the Deputy Chairperson of the Disability Advisory Committee for a term ending 30 June 2010.
- C. THAT this decision be moved into the open section.

DECISION NO.20\1241

(24/02/09)

Carried

ACTION: GM COMM & CULTURAL

9 REPORTS OF COMMITTEES

9.2 CORPORATE & ECONOMIC DEVELOPMENT (17/02/09)

Presentation of Report by Acting Chairman - Member J D Bailey

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 17 February, 2009

The CEO advised that reports from the Corporate & Economic Development Committee held on 17 February 2009 will be referred to the First Ordinary Council Meeting to be held on 17 March 2009 as a result of an administrative oversight. All reports are in Open, none are in confidential. The committee Agenda and Minutes are posted on Council's Website. www.darwin.nt.gov.au

9 REPORTS OF COMMITTEES

9.3 ENVIRONMENT & INFRASTRUCTURE (16/02/09)

Presentation of Report by Chairman - Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 16 February, 2009

1 Streetscape Landscaping Issues

Report No. 09TS0020 KS:lc Common No.990367

(Elix/Galton)

- A. THAT Report Number 09TS0020 entitled, Streetscape Landscaping Issues be received and noted.
- B. THAT Council approves the following in relation to street trees located at 22 Undoolya Street and 30 Calvert Street, Tiwi.
- C. THAT the three existing African Mahoganies be removed immediately following notification of residents in the street via a letter drop.
- D. THAT prior to removal any nesting sites within the trees be relocated, were a nest can not be relocated that the tree remain until the nest is inactive.
 - THAT Council replant an appropriate number of trees and of a suitable species within the precinct as it is considered impractical to replant trees in this location given that the verge contains infrastructure and is of insufficient size.

DECISION NO.20\1242

(24/02/09)

Carried

ACTION: GM INFRAS
NOTE: MGR COMMS MARKETING

2 Information Report - Mahogany Tree Tamarind Park Lot 432 12) Knuckey Street, Darwin

Report No. 09TS0017 KS:nh Common No. 1469454

(Elix/Galton)

THAT Report Number 09TS0017 entitled, Information Report - Mahogany Tree Tamarind Park Lot 3432 (12) Knuckey Street, Darwin, be received and noted.

DECISION NO.20\1243

(24/02/09)

Carried

9 REPORTS OF COMMITTEES

9.3 ENVIRONMENT & INFRASTRUCTURE (16/02/09)

Presentation of Report by Chairman - Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 16 February, 2009

3 Drainage Easement Through Parap Tennis Courts Lot 5292 (77) Ross Smith Avenue, Parap

Report No.09TS0003 TV:cb Common No.1450219

(Elix/Galton)

- A. THAT Report Number 09TS0003 entitled, Drainage Easement through Parap Tennis Courts, Lot 5292 (77) Ross Smith Avenue, Parap, be received and noted.
- B. THAT Council consent to the creation of a stormwater easement vested to Council and construction of stormwater drainage system through Lot 5292 by the developer of Lot 5606 at no cost to Council, subject to payment of \$21,700 to Council.
- C. THAT Council authorises the Lord Mayor and Chief Executive Officer to sign and seal under the Council's Common Seal all relevant documents associated with the creation of the stormwater easement over Lot 5292, and receipt of the specified compensation.

DECISION NO.20\1244

(24/02/09)

Carried

ACTION: GM INFRAST
NOTE: GM CORP
NOTE: MGR FINANCE

9 REPORTS OF COMMITTEES

9.4 TOWN PLANNING (04/02/09)

Presentation of Report by Chairman - Member J D Bailey

Recommendations from the Town Planning Committee Meeting held on Wednesday, 4 February, 2009

1 Building Height and Volumetric Controls for the Darwin CBD

Report No. 09TS0008 Common No. 1481987

(Bailey/ Moir)

- A. THAT Report Number 09TS0008 entitled Building Height and Volumetric Controls for the Darwin CBD, be received and noted.
- B. THAT the draft letter to the Department of Planning and Infrastructure, Document Number:1515059 (Attachment A) be modified and circulated to be endorsed by Council.

DECISION NO.20\1245

(24/02/09)

Carried

ACTION: GM INFRAST

2 Strategic Town Planning Policy Priorities

Report No. 09TS0007 Common No.1267297

(Bailey/ Moir)

- A. THAT Report Number 09TS0007 entitled Strategic Town Planning Policy Priorities be received and noted;
- B. THAT a priority list for the development of policies regarding town planning matters be established as follows:
 - I. Setbacks of development in residential areas;
 - II. Setbacks of development in the Darwin Central Business (CB) zone;
 - III. Small lot subdivisions in new neighbourhoods;
 - IV. Car parking, Public Transport and alternative transport requirements;
 - V. The height, bulk and over development of land in the Darwin CB zone;
 - VI. Public and private vehicular and pedestrian access into new City developments;
 - VII. Service and waste vehicular access into new developments
 - VIII. Environment and Climate Change issues - water conservation and
 - IX. Alternative energy uses
 - X. Preservation of public open space.

DECISION NO.20\1246

(24/02/09)

Carried

ACTION: GM INFRAST

9 REPORTS OF COMMITTEES

9.4 TOWN PLANNING (04/02/09)

Presentation of Report by Chairman - Member J D Bailey

Recommendations from the Town Planning Committee Meeting held on Wednesday, 4 February, 2009

3 Lots 1067 & 1720 (31 & 29 Stuart Highway, Stuart Park – Town of Darwin – Takeaway Restaurant with Drive Through Access
Report No.09TS0012 Common No. 1509328

(Bailey/ Moir)

- A. THAT Report Number 09TS0012 entitled, Lots 1067 & 1720 (31 & 29) Stuart Highway, Stuart Park – Town of Darwin – Takeaway Restaurant with Drive Through Access, be received and noted.
- B. THAT the letter to the Development Consent Authority, Document Number: 1515147 (Attachment B), advising of Council's concerns regarding Lots 1067 & 1720 (31 & 29) Stuart Highway, Stuart Park, be endorsed by Council.

DECISION NO.20\1247

(24/02/09)

Carried

10 MATTERS REFERRED TO COUNCIL

Nil

11 PETITIONS

Nil

12 NOTICES OF MOTION

Nil

13 OFFICER'S REPORTS

13.1 Smith Street Connection

Report No.09TS0024 Common No.316857

(Ellix/Marrone)

- A. THAT Report Number 09TS0024 entitled Smith Street Connection, be received and noted.
- B. THAT Council approve the concept plans for the Smith Street Connection contained in attachments A & B to Report Number 09TS0024 subject to all maintenance and operating activities being undertaken by the Northern Territory Government until an agreement to Councils satisfaction can be reached.
- C. THAT Darwin City Council pursuant to section 32(2)(d) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer for the time being the power to establish an agreement with the Northern Territory Government to allow construction of the Smith Street Connection containing relevant clauses addressing the issues identified in Report Number 09TS0024.
- D. THAT Darwin City Council pursuant to section 32(2)(d) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer the power to approve the construction documentation associated with the Smith Street Connection.
- E. THAT the Northern Territory Government be advised that no work is to commence on the Smith Street Connection until a suitable agreement as identified in Report 09TS0024 is finalised.

DECISION NO.20\1248

(24/02/09)

Carried

ACTION: GM INFRAST
NOTE:MGR COMMS MARKETING
ACTION: ACA (Delegations B & C)

13 OFFICER'S REPORTS

13.2 Restaurant in CWA Building, Lots 2319 & 3432 (10-12) Knuckey Street, Including Alfresco Dining, Timber Deck and Verandah and Demountable Coolroom, February 2009

Report No.09TS0021 Common No.1509287

(Galton/Ellox)

- A. THAT Report Number 09TS0021 entitled, Proposed Restaurant CWA Building, Knuckey Street, be received and noted;
- B. THAT the letter at **Attachment C** to Report Number 09TS0021, indicating Council's endorsement of a deck over Tamarind Park and a coolroom over Council land at the rear of the CWA building be endorsed with the following amendment and forwarded to the Development Consent Authority;

3. Car Parking

As a result of this development Council requests the Authority to require a monetary contribution to be paid to Council in accordance with its Car Parking Contribution Plan in lieu of any on-site car parking shortfall.

- C. THAT the applicant be advised a permit / licence agreement will need to be established for components of the project over Council road reserve and freehold land; and
- D. THAT Darwin City Council pursuant to section 32(2)(d) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer the power to approve final design issues and the establishment of a permit / licence agreement for the subject development in the event of a Development Permit being granted.

DECISION NO.20\1249

(24/02/09)

Carried

ACTION: GM INFRAST
ACTION: ACA (Delegation D)

13 OFFICER'S REPORTS

13.3 NT Space School 2009 Sponsorship

Report No. 09C0011 Common No. 1187179

With the consent of Council this Decision was moved from the Confidential Section to the Open Section.

(Mitchell/Morrone)

- A. THAT Report Number 09C0011 entitled, NT Space School 2009 Sponsorship, be received and noted.
- B. THAT Council become a Gold Sponsor of the 2009 NT Space School for the sum of \$1,000.00.
- C. THAT this decision be moved into the open section.

DECISION NO.20\1250

(24/02/09)

Carried

ACTION GM COMM & CULTURAL

14 REPRESENTATIVES' REPORTS

- Member K M Moir reported on the Australian Local Government Association (ALGA) advice to Councils in relation to the Australian Government's fiscal infrastructure package;
- Member H I Galton reported on the Local Government Association of the Northern Territory (LGANT) and Council of the Ageing (COTA) activities:
- Member A R Mitchell reported Tourism Top End activities; and
- Member J D Bailey reported on the Darwin Entertainment Centre (DEC) Board activities.

(Jarvis/Marrone)

THAT the Representatives Reports, be received and noted.

DECISION NO.20\1251

(24/02/09)

Carried

15 QUESTIONS BY MEMBERS

- Member H D Sjoberg raised a query in relation to the air conditioner at 100 Mitchell Street.

Manager Business Services, Mr L Carroll reported that he has not been informed of a problem and took the question on notice.

- Member H D Sjoberg asked about childcare facilities at Parap Pool.

General Manager Community & Cultural Services, Mr J Banks, reported that there is no childcare facility proposed at the Parap Pool.

- Member R K Ellix requested information about the Shadforth Lane Carpark site.

Manager Business Services, Mr L Carroll, reported that the road closure process has been completed and, following receipt of the Title to Issue, Expressions of Interest will be sought.

- Member F P Marrone asked for information on the CBD Car Parking Advisory Committee.

Chief Executive Officer, Mr B P Dowd advised that a report will be forthcoming through the Environment and Infrastructure Committee.

- Member F P Marrone asked for information on the scheduling of the next meeting of the Top End Regional Organisations of Councils (TOPROC).

The next TOPROC meeting is scheduled for 11 a.m. on Thursday 19 March, 2009 in the Darwin City Council Chamber.

DECISION NO.20\1252

(24/02/09)

Carried

ACTION: MGR BUSINESS SERV
ACTION: GM INFRAST

16 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED
Nil

17 GENERAL BUSINESS

17.1 Local Government Association of the Northern Territory (LGANT)

(Marrone/Mitchell)

- A. THAT Member K M Moir be congratulated on her election, unopposed, as President of LGANT; and
- B. THAT Member H I Galton be congratulated on her acceptance as the Darwin City Council nomination to the LGANT Executive.

17.2 Bombing of Darwin Commemoration 2009

(Jarvis/Galton)

THAT Darwin City Council staff be congratulated on the conduct and outstanding success of the Bombing of Darwin Commemoration event held on Thursday 19 February 2009.

DECISION NO.20\1253 (24/02/09) Carried

NOTE: MGR COMMS MARKETING
ACTION: CEO
NOTE: CEO's EA
NOTE: LM EA
NOTE: A/CA

18 CLOSURE OF MEETING TO THE PUBLIC

(Dee/Galton)

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\1254 (24/02/09) Carried

19 ADJOURNMENT OF MEETING and MEDIA LIAISON

(Galton/Marrone)

THAT the meeting be adjourned at 6.33p.m. until 6.45 p.m. to enable Members of the Media to liaise with Elected Members.

DECISION NO.20\1255 (24/02/09) Carried

(Moir/Bailey)

THAT the meeting be resumed at 6.45 p.m.

DECISION NO.20\1256 (24/02/09) Carried

20 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

(Moir/Galton)

THAT the next Ordinary Meeting of Council be held on Tuesday, 17 March, 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\1257 (24/02/09) Carried

The meeting moved into confidential at 6.50 p.m.

Confirmed on: ***Tuesday, 31 March, 2009***

Chairman: _____

