

**DARWIN CITY COUNCIL**

MINUTES OF THE THIRTY-SEVENTH ORDINARY MEETING OF THE TWENTIETH COUNCIL HELD IN CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE, DARWIN ON TUESDAY 24 NOVEMBER 2009, COMMENCING AT 5.00 P.M.

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

APOLOGY: Member R K Elix; Member J L Sangster.

OFFICERS: Chief Executive Officer, Mr B P Dowd; Acting General Manager Corporate Services, Mr L Carroll; General Manager Infrastructure, Mr L Cercarelli; General Manager Community & Cultural Services, Mr J Banks; Communications & Marketing Events Co-ordinator, Ms M Dowley; Strategic Town Planner, Mr P Lindwall; Manager Strategy and Outcomes, Ms A Hammond; Committee Administrator, Ms L Elmer.

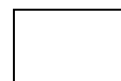
MEDIA: Mr Ben Langford – NT News; Ms Adrienne Francis, ABC News

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

- 1 LORD'S PRAYER**
- 2 MEETING DECLARED OPEN**
- 3 APOLOGIES AND LEAVE OF ABSENCE**
- 4 ELECTED MEMBERS CONFLICT OF INTEREST DECLARATION**
- 5 PUBLIC QUESTION TIME**
- 6 MATTERS OF PUBLIC IMPORTANCE**
- 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S**
  - 7.1 Ordinary Council Meetings 24/10/09 & 10/11/09
  - 7.2 Special Council Meeting 05/11/09
  - 7.3 Confidential Ordinary Council Meetings 27/10/09 & 10/11/09 **(Moved from Confidential)**
  - 7.4 Business Arising



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- 9.1 Community & Cultural Services 09/11/09
- 9.2 Corporate & Economic Development 17/11/09
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**10 MATTERS REFERRED TO COUNCIL**

**11 PETITIONS**

- 11.1 Petition –Lee Point Road Bike Path

**12 NOTICES OF MOTION**

**13 OFFICER'S REPORTS**

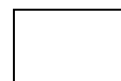
- 13.1 Policy and Procedure Framework
- 13.2 Elected Members' Gifts and Benefits Policy
- 13.3 Elected Members' Access to Council Information Policy
- 13.4 Regional and Local Community Infrastructure Program (RLCIP) Strategic Projects Round 2 - \$120m Grant Funding
- 13.5 In Principle Support from Council to Build New Defence of Darwin Museum on Council Land
- 13.6 Homeless Connect Proposal for 2010
- 13.7 Amended Development Application Lot 1462 (4) Lindsay Street Darwin City 59 Motel Suites and a 1 x 3 Bedroom Manager's Residence in an 11 Storey Building including 2 Levels of Basement Car Parking and a Roof Top Deck
- 13.8 Gardens Park Golf Links (**Moved from Confidential**)

**14 REPRESENTATIVES REPORTS**

**15 QUESTIONS BY MEMBERS**

**16 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**

- 16.1 Council's Positions Authorised to Preside at Australian Citizenship Ceremonies



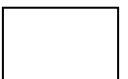
**17 GENERAL BUSINESS**

17.1 Pet Park

**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 5.00 p.m.

**3 APOLOGIES AND LEAVE OF ABSENCE**

**3.1 Apologies**

(Dee/Lambert)

THAT the apology from Member J L Sangster, be received and a Leave of Absence be granted.

DECISION NO.20\2260 (24/11/09) Carried

**3.2 Leave of Absence Granted**

(Dee/Lambert)

THAT it be noted that Member R K Elix is an apology due to a Leave of Absence being previously granted on 15 September 2009 for the period 24 October – 13 December 2009.

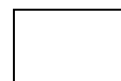
DECISION NO.20\2261 (24/11/09) Carried

**3.3 Leave of Absence Requested**

(Bailey/Lambert)

- A. THAT a Leave of Absence be granted for Member G M Jarvis for the period 8 – 11 December 2009.
- B. THAT a Leave of Absence be granted for Member F P Marrone for the period 9 - 12 December 2009.
- C. THAT a Leave of Absence be granted for Member H D Sjoberg for the period 16 - 20 December 2009.

DECISION NO.20\2262 (24/11/09) Carried



#### **4 ELECTED MEMBERS CONFLICT OF INTEREST DECLARATION**

(Bailey/Moir)

Pursuant to Section 73 & 74 of the Local Government Act 2008, Member R T Dee declared a Conflict of Interest in Item C23.2.

Carried

#### **5 PUBLIC QUESTION TIME**

Nil

#### **6 MATTERS OF PUBLIC IMPORTANCE**

Nil

#### **7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

##### **7.1 Confirmation of the Previous Ordinary Council Meetings**

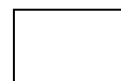
(Lambert/Marrone)

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

DECISION NO.20\2263

(24/11/09)

Carried



## **7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

### **7.2 Confirmation of the Previous Special Council Meeting**

(Lambert/Lesley)

THAT the tabled minutes of the previous Special Council Meeting held on Thursday, 5 November 2009, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\2264

(24/11/09)

Carried

### **7.3 Confirmation of the Previous Confidential Ordinary Council Meetings**

*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.*

(Marrone/Jarvis)

- A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 27 October, 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 Confidential Ordinary Council Meeting held on Tuesday, 10 November, 2009, be received and confirmed as a true and correct record of the proceedings of that meeting.
- C. THAT this decision be moved into Open.

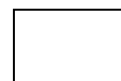
DECISION NO.20\2265

(24/11/09)

Carried

### **7.4 Business Arising from the Minutes of Previous Meetings**

Nil



## 8 MOVING OF ITEMS FOR DISCUSSION

### 8.1 Closure to the Public for Confidential Items

(Lambert/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 including Confidential Committee Items, and the following Items:-

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C22.1	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person. <b>(Moved from Confidential).</b>
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. <b>(Moved from Confidential).</b>

DECISION NO.20\2266

(24/11/09)

Carried

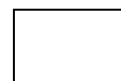
## 8 MOVING OF ITEMS FOR DISCUSSION

### 8.2 Moving Open Items Into Confidential

Nil

### 8.3 Moving Confidential Items Into Open

Nil



**9 REPORTS OF COMMITTEES**

**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)**

**Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

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**1 Animal Welfare Branch Thank You for Participation & Support of World Animal Day 2009**

Document No. 674099 (19/10/09) Common No. 1674099

(Lesley/Moir)

THAT the Incoming Letter from the Animal Welfare Branch dated 19 October 2009 Thanking Council for its Participation and Support of World Animal Day 2009, Document Number 1674099, be received and noted.

DECISION NO.20\2267

(24/11/09)

Carried: General Consent

ACTION: MGR COMM & MARKETING

**2 Young Endeavour Youth Scheme Thank You**

Document Number 1674963 (15/10/09) Common No. 1674963

(Lesley/Moir)

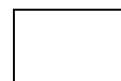
THAT the incoming thank you Letter from the Young Endeavour Youth Scheme dated 15 October 2009, thanking the Lord Mayor and Council for its help and assistance during the ship's visit to Darwin, Document Number 1674963, be received and noted.

DECISION NO.20\2268

(24/11/09)

Carried: General Consent

ACTION: MGR COMM & MARKETING





**9 REPORTS OF COMMITTEES**

**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)**

**Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

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**3 Incoming Letter from Deputy Commissioner, NT Police – Walkway Policy Review & Statistical Data**

Document Number 1664035 (02/10/09) Common No. 1651988

(Lesley/Moir)

- A. THAT the incoming letter dated 2 October 2009 from the Deputy Commission, Mr Bruce Wernham of the NT Police in respect to Council's Walkway Policy Review & Request for Statistical Data, Document Number 1664035, be received and noted.
- B. THAT Council provide Northern Territory Police with Council's Walkway Numbering System and seek opportunities for identifying police action in these areas.

DECISION NO.20\2269

(24/11/09)

Carried: General Consent

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

**4 Darwin Entertainment Centre Financial Statements for the Year Ended 30 June 2009**

Document Number 1653785 (30/06/09) Common No. 1653785

(Lesley/Galton)

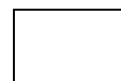
- A. THAT the Darwin Entertainment Centre Financial Statements for the Year Ended 30 June 2009, Document Number 1653785, be received and noted.
- B. THAT clarification be sought from the Darwin Entertainment Centre Board in relation to the matters contained within the financial statements.

DECISION NO.20\2270

(24/11/09)

Carried

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



**9 REPORTS OF COMMITTEES**

**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)**

**Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

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**5 Darwin Entertainment Centre 2009/2010 First Quarter Funding Reports July to September 2009**

Document Number 1680871 (05/11/09) Common No. 1680871

(Lesley/Moir)

THAT the incoming email from the Darwin Entertainment Centre 2009/2010 First Quarter Funding Reports July to September 2009, Document Number 1680871, be received and noted.

DECISION NO.20\2271 (24/11/09) Carried: General Consent

ACTION: GM COMM & CULTURAL

**6 Community & Cultural Services Team Report - September 2009**

Report No. 09C0190 KH:kl (02/11/09) Common No. 1517201

(Lesley/Moir)

THAT Report Number 09C0190 entitled, Community & Cultural Services Team Report – October 2009, be received and noted.

DECISION NO.20\2272 (24/11/09) Carried: General Consent

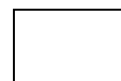
**7 Regulatory Services Monthly Update – October 2009**

Report No. 09C0188 DN:mrg (02/11/09) Common No. 1330602

(Lesley/Moir)

THAT Report Number 09C0188 entitled, Regulatory Services Monthly Update October 2009, be received and noted.

DECISION NO.20\2273 (24/11/09) Carried: General Consent



**9 REPORTS OF COMMITTEES**

**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)**

**Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

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**8 Libraries Information Update for October 2009**

Report No. 09P0015 KC:md (03/11/09) Common No. 1518200

(Jarvis/Lesley)

THAT Report Number 09P0015 entitled, Libraries Information Update for October 2009, be received and noted.

DECISION NO.20\2274 (24/11/09) Carried

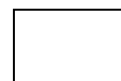
**9 Minutes Disability Advisory Committee Meeting 22 October 2009**

Report No. 09C0182 NM:es (30/10/09) Common No. 1676660

(Lesley/Moir)

THAT Report Number 09C0182 entitled, Minutes Disability Advisory Committee Meeting 22 October 2009, be received and noted.

DECISION NO.20\2275 (24/11/09) Carried: General Consent



**9 REPORTS OF COMMITTEES**

**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)**

**Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

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**10 Minutes Youth Advisory Group 7 October 2009 And Appointment Of New Member – Mr Declan Coffey**

Report No. 09C0186 KL:es (30/10/09) Common No. 1677390

(Lesley/Moir)

- A. THAT Report Number 09C0186 entitled, Minutes Youth Advisory Group 7 October 2009 and Appointment of New Member - Declan Coffey, be received and noted.
- B. THAT Council appoint Mr Declan Coffey as a member of the Youth Advisory Group (YAG) for a 3 year term from 30 October 2009 to 29 April 2012 in accordance with Section 54 of the NT Local Government Act 2008.

DECISION NO.20\2276

(24/11/09)

Carried: General Consent

ACTION: GM COMM & CULTURAL

**11 Youth Energy Precinct – Briefing Paper Re: Location Options November 2009**

Report No. 09C0174 KL:kl (03/11/09) Common No. 1428185

(Lesley/Moir)

- A. THAT Report Number 09C0174 entitled, Youth Energy Precinct – Briefing Paper Re: Location Options November 2009, be received and noted.
- B. THAT Council convene a Special Council Meeting for the purpose of examining the various influencing factors impacting on the selection of a site for the progression of the Youth Energy Precinct.

DECISION NO.20\2277

(24/11/09)

Carried: General Consent

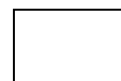
ACTION: GM COMM & CULTURAL

NOTE: GM CORP

NOTE: GM INFRAST

NOTE: CEO

NOTE: CA



## 9 REPORTS OF COMMITTEES

### 9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)

#### Presentation of Report by Chairman - Member R Lesley

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

### 12 Community Grants Program 2009/2010 – 2nd Round of Applications

Report No. 09C0184 NM:es (30/10/09) Common No. 1618405

(Lesley/Moir)

- A. THAT Report Number 09C0184 entitled, Community Grants Program 2009/2010 – 2<sup>nd</sup> Round of Applications, be received and noted.
- B. THAT the following grant applications for the Second Round of the 2009/2010 Community Grants Program be recommended for approval and referred to Council:

a) United Nations Association of Australia Northern Territory Inc	\$1,649
b) Vietnamese Community in Australia – NT Chapter Inc	\$1,500
c) Darwin Stingers AUSSI Masters Swimming Club	\$2,601
d) Catholic Care NT	\$1,500
e) Danila Dilba Health Service	\$4,000
f) Life Without Barriers	\$3,897
g) Life! Be In It	\$1,120
h) Darwin and Districts Pipes and Drums	\$2,694
i) Charles Darwin University	\$4,000
j) Darwin Squash Association Inc	\$3,000
k) Wildcare Inc NT	\$2,000
l) Create Foundation	\$4,000
m) The Big Issue In Australia Limited	\$2,728
n) Arts Access Darwin	\$4,000
o) Rapid Creek Landcare Group Inc	\$2,400
p) Parap Village Traders Association	\$4,000
q) SIDS and Kids NT	\$2,000
r) Darwin Film Society	\$4,000
s) Corrugated Iron Youth Arts Inc	\$5,000

**Total \$56,089**

- C. THAT \$5,000 be offered to Corrugated Iron Youth Arts Inc for the 'Snap It Up' and 'Circus Show' projects in 2010/2011 under the 2010/2011 Community Grants Programs as per previous Council Decision Number 20\1015 dated 25/11/08.

DECISION NO.20\2278

(24/11/09)

Carried

ACTION: GM COMM & CULTURAL  
ACTION: MGR COMM & MARKETING

**9 REPORTS OF COMMITTEES**

**9.1 COMMUNITY & CULTURAL SERVICES**

**(09/11/09)**

**Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

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**13 Overview of 2009 Greek Glenti, Esplanade – 6 to 7 June 2009**

Report No. 09C0185 ES:es (30/10/09) Common No. 1565443

(Lesley/Moir)

- A. THAT Report Number 09C0185 entitled, Overview of 2009 Greek Glenti, Esplanade – 6 to 7 June 2009, be received and noted.
- B. THAT Council match the funds raised by the Kalymnos Sister City Community Committee as per the Community Committee Projects Funding Policy to the amount of \$892.37.

DECISION NO.20\2279

(24/11/09)

Carried: General Consent

ACTION: GM COMM & CULTURAL

**14 Nakara Oval Lights Installation**

Report No. 09C0158 SD:kl (04/11/09) Common No. 1051840

(Lesley/Marrone)

- A. THAT Report Number 09C0158 entitled, Update on Nakara Oval Lights Installation, be received and noted.
- B. THAT subject to the fulfillment of completion of further community consultation and submission of detailed design drawings, Council supports the proposal received from Football Federation NT.
- C. THAT Darwin City Council pursuant to Section 32 (2) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer for the time being, the power to finalise this matter.

DECISION NO.20\2280

(24/11/09)

Carried

ACTION: GM COMM & CULTURAL

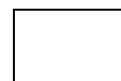
NOTE: GM INFRAST

NOTE: GM CORP

NOTE: CEO PA

NOTE: LM EA

NOTE: MGR COMM & MARKETING



**9 REPORTS OF COMMITTEES**

**9.1 COMMUNITY & CULTURAL SERVICES (09/11/09)**

**Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

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**15 Nomination for Membership to Haikou Sister City Community Committee – Mr Austin Chin and Resignation of Mr Leigh Gregory**

Report No. 09C0183 ES:es (30/10/09) Common No. 1668810

(Lesley/Moir)

- A. THAT Report Number 09C0183 entitled, Nomination for Membership to Haikou Sister City Community Committee – Austin Chin and Resignation of Leigh Gregory, be received and noted.
- B. THAT Council appoint Mr Austin Chin as a community representative of the Haikou Sister City Community Committee for a two year term, effective to 30 June 2010 in accordance with Section 54 of the Local Government Act 2008.
- C. THAT Council note the resignation of Mr Leigh Gregory from the position of Community Representative from the Haikou Sister City Community Committee.

DECISION NO.20\2281

(24/11/09)

Carried: General Consent

ACTION: GM COMM & CULTURAL

**16 Request to Establish Sister City Relationship With Darwin – City of Yeosu, Republic of Korea**

Report No. 09C0189 KH:kl (04/11/09) Common No. 1668592

(Lesley/Moir)

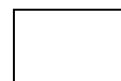
- A. THAT Report Number 09C0189 entitled, Request to Establish Sister City Relationship with Darwin – City of Yeosu, Republic of Korea, be received and noted.
- B. THAT Council explore the possibility of establishing a Sister City Relationship with the City of Yeosu, Republic of Korea, and that a further report be prepared.

DECISION NO.20\2282

(24/11/09)

Carried: General Consent

ACTION: GM COMM & CULTURAL



**9 REPORTS OF COMMITTEES**

**9.1 COMMUNITY & CULTURAL SERVICES**

**(09/11/09)**

**Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 9 November, 2009

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**17 Sister Cities Community Committee Minutes for Meetings Held In September 2009 - With Recommendations (Amended)**

Report No. 09C0159 KH:es (04/11/09) Common No. 1672117

(Lesley/Moir)

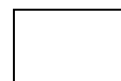
- A. THAT Report Number 09C0159 entitled, Sister Cities Community Committee Minutes for Meetings held in September 2009 - with Recommendations, be received and noted.
- B. THAT Council further explore the request to establish a friendship agreement with Dongfang City, Hainan Peoples Republic of China, in view of the historic military ties with the region.
- C. THAT the establishment of the Chinese Garden be referred back to the Haikou Sister City Community Committee for further consideration, in view of the cost estimates.
- D. THAT Council write to the Haikou Foreign Affairs Office to seek their assistance and support for the students participating in the Charles Darwin University Chinese In-Country Language Program being held in Haikou between 23 November to 18 December 2009.
- E. THAT a maximum amount of \$500 be provided to host an event in Haikou, on behalf of Council for the participants of the Chinese In-Country Program at Charles Darwin University.

DECISION NO.20\2283

(24/11/09)

Carried: General Consent

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





## **9 REPORTS OF COMMITTEES**

### **9.2 CORPORATE & ECONOMIC DEVELOPMENT (17/11/09)**

#### **Presentation of Report by Chairman - Member K M Moir**

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

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#### **1 Corporate Services Monthly Report - October 2009**

Report No. 09A0204 FC: (06/11/09) Common No. 339108

(Moir/Lambert)

THAT Report Number 09A0204 entitled, Corporate Services Monthly Report – October 2009, be received and noted.

DECISION NO.20\2284 (24/11/09) Carried: General Consent

#### **2 Listing of Cheques/ EFT Payments, October 2009**

Report No. 09A0206 FC:ks (06/11/09) Common No. 339125

(Moir/Lambert)

THAT Report Number 09A0206, Listing of Cheques / EFT Payments October 2009 be received and noted.

DECISION NO.20\2285 (24/11/09) Carried: General Consent

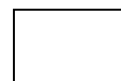
#### **3 Financial Report to Council – October 2009**

Report No. 09A0203 (06/11/09) Common No. 339122

(Moir/Lambert)

THAT Report Number 09A0203 entitled, Financial Report to Council – October 2009, be received and noted.

DECISION NO.20\2286 (24/11/09) Carried: General Consent



## **9 REPORTS OF COMMITTEES**

### **9.2 CORPORATE & ECONOMIC DEVELOPMENT (17/11/09)**

#### **Presentation of Report by Chairman - Member K M Moir**

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

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#### **4 Invitations Accepted or Declined by the Lord Mayor during October 2009**

Report No. 09TC0070 BD:fm (10/11/09) Common No. 381402

(Moir/Lambert)

THAT Report Number 09TC0070 entitled, Invitations Accepted or Declined by the Lord Mayor during October 2009, be received and noted.

DECISION NO.20\2287 (24/11/09) Carried: General Consent

#### **5 Monthly On-Street and Off-Street Parking Statistics October 2009**

Report No. 09A0205 FC:lc (06/11/09) Common No. 376351

(Moir/Lambert)

THAT Report Number 09A0205 entitled, Monthly On-Street and Off-Street Parking Statistics October 2009, be received and noted.

DECISION NO.20\2288 (24/11/09) Carried: General Consent

#### **6 Support of Human Rights Art Award and Exhibition**

Report No. 09A0212 FC:gf (06/11/09) Common No. 1650966

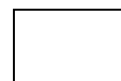
(Moir/Lambert)

A. THAT Report Number 09A0212 entitled, Support of Human Rights Art Award and Exhibition, be received and noted.

B. THAT Council decline the request for sponsorship.

DECISION NO.20\2289 (24/11/09) Carried: General Consent

ACTION: MGR COMM & MARKETING  
NOTE: GM CORP



**9 REPORTS OF COMMITTEES**

**9.2 CORPORATE & ECONOMIC DEVELOPMENT (17/11/09)**

**Presentation of Report by Chairman - Member K M Moir**

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

---

**7 New Lease to Issue to Terry & Caroline McKay over Shop 6, Westlane Arcade**  
Report No. 09A0213 FC:lc (06/11/09) Common No. 185806

*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.*

(Lesley/Galton)

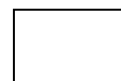
- A. THAT Report Number 09A0213 entitled, New Lease to Issue to Terry & Caroline McKay over Shop 6 Westlane Arcade, be received and noted.
- B. THAT Council approve the affixing of the common seal to all associated lease documentation for the lease to Terry & Caroline McKay over Shop 6 Westlane Arcade, and the documentation be executed by signatures of the Chief Executive Officer and Lord Mayor.
- C. THAT this decision be moved into the Open section of Council.

DECISION NO.20\2290

(24/11/09)

Carried

ACTION: GM CORP  
NOTE: CEO  
NOTE: CEO PA  
NOTE: LM EA



**9 REPORTS OF COMMITTEES**

**9.2 CORPORATE & ECONOMIC DEVELOPMENT (17/11/09)**

**Presentation of Report by Chairman - Member K M Moir**

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

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**8 New Lease to Issue to Ms Aurora Lee over Shop 1, Westlane Arcade**

Report No. 09A0214 (06/11/09) Common No. 1668597

*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.*

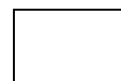
(Lambert/Galton)

- A. THAT Report Number 09A0214 entitled, New Lease to Issue to Ms Aurora Lee over Shop 1 Westlane Arcade, be received and noted.
- B. THAT Council approve the affixing of the common seal to all associated lease documentation for the lease to Ms Aurora Lee over Shop 1 Westlane Arcade, and the documentation be executed by signatures of the Chief Executive Officer and Lord Mayor.
- C. THAT this decision be moved into the Open section of Council.

DECISION NO.20\2291 (24/11/09)

Carried

ACTION: GM CORP  
NOTE: CEO  
NOTE: CEO PA  
NOTE: LM EA



## 9 REPORTS OF COMMITTEES

### 9.3 ENVIRONMENT & INFRASTRUCTURE (16/11/09)

#### **Presentation of Report by Acting Chairman – Lord Mayor, Mr Graeme Sawyer**

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

---

#### **1 Darwin City Revitalisation - Updated November 2009 (Entire Project)**

Report 09TS0195 DL (02/11/09) Common No 1486204

(Lord Mayor/Lambert)

THAT Report Number 09TS0195 entitled, Darwin City Revitalisation - Update November 2009 (Entire Project), be received and noted.

DECISION NO.20\2292 (24/11/09)

Carried: General Consent

#### **2 Woolner Road Black Spot Project Progress Report - November 2009**

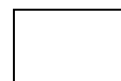
Report No 09TS0196DL (02/11/09) Common No. 497836

(Lesley/Moir)

THAT Report Number 09TS0196 entitled, Woolner Road Black Spot Project Progress Report - November 2009, be received and noted.

DECISION NO.20\2293 (24/11/09)

Carried



**9 REPORTS OF COMMITTEES**

**9.3 ENVIRONMENT & INFRASTRUCTURE (16/11/09)**

**Presentation of Report by Acting Chairman – Lord Mayor, Mr Graeme Sawyer**

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

---

**3 Bagot Oval Upgrade Project Update - October 2009**

Report 09TS0197 DC:dl (26/10/09) Common No 1254709

(Marrone/Galton)

- A. THAT Report Number 09TS0197 entitled, Bagot Oval Upgrade - Update October 2009 be received and noted.
- B. THAT the appreciation of the Northern Territory Football Association in relation to the successful delivery of the Bagot Oval Upgrade by Council be noted.

DECISION NO.20\2294

(24/11/09)

Carried

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

**4 Smith Street East Connection Progress Report - October 2009**

Report No 09TS0198DC (26/10/09) Common No. 316857

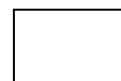
(Lord Mayor/Lambert)

THAT Report Number 09TS0198 entitled, Smith Street Connection - Progress Report October 2009, be received and noted.

DECISION NO.20\2295

(24/11/09)

Carried: General Consent



**9 REPORTS OF COMMITTEES**

**9.3 ENVIRONMENT & INFRASTRUCTURE (16/11/09)**

**Presentation of Report by Acting Chairman – Lord Mayor, Mr Graeme Sawyer**

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

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**5 Climate Change & Environment Advisory Committee Action Plan 2009-2012**  
Report 09TS0205 PR (05/11/09) Common No 1575688

(Lambert/Marrone)

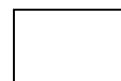
- A. THAT Report Number 09TS0205 entitled, Climate Change and Environment Advisory Committee Action Plan 2009-2012, be received and noted.
- B. THAT the actions identified within **Attachment A** to Report Number 09TS0205 PR, be endorsed by Council.
- C. THAT the Budget requirements to implement the Climate Change and Environment Action Plan 2009-2012 be presented for consideration during the review of the 10 Year Financial Plan and development of the 2010/11 Budget.

DECISION NO.20\2296

(24/11/09)

Carried

ACTION: MGR CLIMATE CHANGE & ENVIRO  
NOTE: MGR FINANCE



**10 MATTERS REFERRED TO COUNCIL**

Nil

**11 PETITIONS**

**11.1 Petition - Development of Bike Path – Lee Point Road**  
Document No. 1696215 (24/11/09) Common No. 1596231

(Lambert/Bailey)

*Alderman G A Lambert presented the Petition*

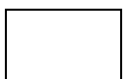
THAT the petition regarding the Development of Bike Path – Lee Point Road, be received and referred to Council on 15 December 2009.

DECISION NO.20\2297 (24/11/09)

ACTION: GM INFRAST  
NOTE: GM COMM & CULTURAL

**12 NOTICES OF MOTION**

Nil





### 13 OFFICERS REPORTS

#### 13.1 Policy and Procedures Framework

Report No. 09TC0074 BD:jp (18/11/09) Common No. 1612461

(Moir/Lambert)

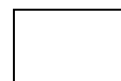
- A. THAT Report Number 09TC0074 entitled, Policy and Procedures Framework, be received and noted.
- B. THAT the Policy and Procedures Framework contained in **Attachment A** to Report Number 09TC0074 entitled, Policy and Procedures Framework be adopted as Council Policy.
- C. THAT the existing Policies and Procedures Framework Policy, Policy No.256, be rescinded.
- D. THAT the updating of compliance and governance policies be undertaken as a matter of priority.

DECISION NO.20\2298

(24/11/09)

Carried

ACTION: CEO  
NOTE: GM CORP  
NOTE: GM INFRAST  
NOTE: GM COMM & CULTURAL  
NOTE: MGR STRATEGY & OUTCOMES  
NOTE: CA (POLICY)



### 13 OFFICERS REPORTS

#### 13.2 Elected Members' Gifts and Benefits Policy

Report No. 09TC0076 BD:jp (17/11/09) Common No. 1612461

(Moir/Sjoberg)

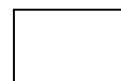
- A. THAT Report Number 09TC0076 entitled, Elected Members Gifts and Benefits Policy, be received and noted.
- B. THAT Council adopt the Elected Members' Gifts and Benefits Policy contained in **Attachment A** to Report Number 09TC0076 BD:jp entitled, Elected Members Gifts and Benefits Policy with grammatical amendments by the CEO and the replacement of the words "Lord Mayor" with "Elected Member" in Section 4 which deals with protocol gifts.
- C. THAT Policy No.166, Gifts to the Lord Mayor and Council, be rescinded.

DECISION NO.20\2299

(24/11/09)

Carried

ACTION: CEO  
NOTE: GM CORP  
NOTE: GM INFRAST  
NOTE: GM COMM & CULTURAL  
NOTE: STRATEGY & OUTCOMES  
NOTE: CEO PA  
NOTE: CA (POLICY)



### 13 OFFICERS REPORTS

#### 13.3 Elected Members' Access to Council Information Policy

Report No. 09TC0073 BD:jp (17/11/09) Common No. 1612461

(Lambert/Jarvis)

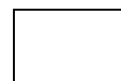
- A. THAT Report Number 09TC0073 entitled, Elected Members Access to Council Information Policy, be received and noted.
- B. THAT Council adopt the Elected Members' Access to Council Information Policy contained in **Attachment A** to Report Number 09TC0073 entitled, Elected Members Access to Council Information Policy with the following amendments:
- i) deletion of the last sentence in Section 1.1
  - ii) deletion of paragraph 1.2 and
  - iii) renumbering as appropriate, and
  - iv) grammatical changes by the Chief Executive Officer.

DECISION NO.20\2300

(24/11/09)

Carried

ACTION: CEO  
NOTE: GM CORP  
NOTE: GM INFRAST  
NOTE: GM COMM & CULTURAL  
NOTE: STRATEGY & OUTCOMES  
NOTE: CA (POLICY)



### 13 OFFICERS REPORTS

#### 13.4 Regional and Local Community Infrastructure Program (RLCIP) Strategic Projects Round 2 - \$120M Grant Funding

Report No. 09TC0075 BD:ah (19/11/09) Common No. 1618405

(Lambert/Sjoberg)

- A. THAT Report Number 09TC0075 entitled, Regional And Local Community Infrastructure Program (RLCIP) Strategic Projects Round 2 - \$120m Grant Funding, be received and noted.
- B. THAT Council make an application under the Regional and Local Community Infrastructure Program (RLCIP) – Strategic Projects for the “*Leading the way by Reducing Darwin’s Carbon Footprint*” focusing on building energy and water usage efficiency for a total project value of \$3,500,000 funded as follows:
- |                            |              |
|----------------------------|--------------|
| RLCIP – Strategic Projects | \$ 3,100,000 |
| Council contribution       | \$ 400,000   |
- C. THAT Council’s funding contribution of \$400,000 for the Regional and Local Community Infrastructure Program (RLCIP) Strategic Projects “Leading the Way by Reducing Darwin’s Carbon Footprint” submission, be funded from the Environmental Project Funding 2009/2010 (\$160,000) and the Water Reserve (\$240,000).

DECISION NO.20\2301

(24/11/09)

Carried

ACTION: MGR STRATEGY & OUTCOMES

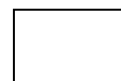
NOTE: CEO

NOTE: GM CORP

NOTE: GM INFRAST

NOTE: GM COMM & CULTURAL

ACTION: MGR FINANCE



### 13 OFFICERS REPORTS

#### 13.5 In Principle Support from Council to Build New Defence of Darwin .Museum on Council land

Report No. 09C0196 JB:kl (17/11/09) Common No. 1477575

(Lambert/Marrone)

- A. THAT Report Number 09C0196 entitled, In Principle Support from Council to Build New Defence of Darwin Museum on Council Land, be received and noted.

Carried

- B. THAT Council provide in principle support to the development of the Defence of Darwin Museum on the parcel of land owned by Council at East Point Reserve, Lot 5775, subject to reaching agreement on appropriate tenure arrangements, the outcome of public consultation and development of a Memorandum of Understanding.

Carried

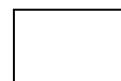
*Member H D Sjoberg called for a division:*

FOR	AGAINST
J D Bailey G A Lambert R T Dee H I Galton F P Marrone A R Mitchell	H D Sjoberg R Lesley G M Jarvis K M Moir

DECISION NO.20\2302

(24/11/09)

ACTION: GM COMM & CULTURAL  
NOTE: GM INFRAST  
NOTE: GM CORP  
NOTE: CEO



**13 OFFICERS REPORTS**

**13.6 Homeless Connect Proposal for 2010**

Report No. 09C0197 KH:kl (18/11/09) Common No. 1449928

(Galton/Marrone)

- A. THAT Report Number 09C0197 entitled, Homeless Connect Proposal for 2010, be received and noted.
- B. THAT Council establish a local Homeless Connect program.

DECISION NO.20\2303

(24/11/09)

Carried

ACTION: GM COMM & CULTURAL  
NOTE: GM INFRAST  
NOTE: GM CORP  
NOTE: CEO  
ACTION: MGR COMM & MARKETING



### 13 OFFICERS REPORTS

**13.7 Amended Development Application Lot 1462 (4) Lindsay Street Darwin City 59 Motel Suites and a 1 x 3 Bedroom Manager's Residence in an 11 Storey Building including 2 Levels of Basement Car Parking and a Roof Top Deck**  
Report No. 09TS0213 PL:lm (16/11/09) Common No. 1619275

(Lambert/Marrone)

- A. THAT Report Number 09TS0213 entitled, Amended Development Application Lot 1462 (4) Lindsay Street Darwin City 59 Motel Suites and a 1 x 3 Bedroom Manager's Residence in an 11 Storey Building Including 2 Levels of Basement Car Parking and a Roof Top Deck be received and noted.

Carried

- B. THAT Council endorse the letter to the Development Consent Authority in **Attachment A** to Report Number 09TS0213 PL:lm.

Motion was Lost

**Foreshadow Motion if the Original Item B is Lost**

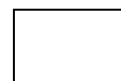
(Sjoberg/Moir)

- B. THAT Council advise the Development Consent Authority that Council objects to the development of the subject site as described in the amended Development Application for the following reasons:
- i) The proposed use of the site as a motel is considered to be an incompatible use to the surrounding area namely St Marys Primary School;
  - ii) The proposal maybe an over development of the site; and
  - iii) A pick up and drop off facility for cars and buses should be provided on site.
- C. THAT should the Development Consent Authority approve this development, Council request the following matter be taken into consideration:
- i) That a bus set down area be provided within the road reserve to the Councils satisfaction.

Forshadowed Motion was Carried

DECISION NO.20\2304 (24/11/09)

ACTION: GM INFRAST  
NOTE: STRATEGIC TOWN PLANNER



*Pursuant to Section 73 & 74 of the Local Government Act 2008, Member R T Dee declared a Conflict of Interest in Item C23.2. and left the meeting at 8.50 p.m.*

### 13 OFFICERS REPORTS

#### 13.8 Gardens Park Golf Links

Report No.09A0209 BD:lc (04/11/09) Common No.191364

*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.*

(Lambert/Galton)

- A. THAT Report Number 09A0209 entitled, Gardens Park Golf Course Lease, be received and noted.
- B. THAT Council, pursuant to the request by Ms Patsy Hickey, provide a copy of Report Number 07TC0017 lc to her together with a covering letter advising that a probity process was not concluded as the applicant had withdrawn their request for a lease.
- C. THAT Report Number 07TC0017 lc and decisions made pursuant to Report Number 09A0209 BD:lc be moved into the Open section of Council.

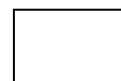
DECISION NO.20\2305

(24/11/09)

Carried

ACTION: CEO  
ACTION: CA (C)

*Alderman J D Bailey requested that his vote against this decision be recorded.*





#### 14 REPRESENTATIVES REPORTS

- Member K M Moir reported on the Local Government Association of the Northern Territory's (LGANT) Conference, General Meeting and Annual General Meeting from the 18 - 20 November in Alice Springs.
- Member J D Bailey reported on the Rapid Creek Catchment Advisory Committee activities.

(Jarvis/Lesley)

THAT the Representatives Report, be received and noted.

DECISION NO.20\2306

(24/11/09)

Carried

#### 15 QUESTIONS BY MEMBERS

- A. Member J D Bailey queried the enforcement process the signs at the Darwin Entertainment Centre drop-off zones. General Manager Community & Cultural Services took the question on notice.
- B. Member G A Lambert raised a question in relation to the progress on Regulatory Orders. The General Manager Community & Cultural Services, Mr John Banks confirmed the progress was proceeding.

(Moir/Jarvis)

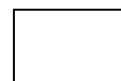
THAT the Questions by Members, be received and noted.

DECISION NO.20\2307

(24/11/09)

Carried

ACTION: GM COMM & CULTURAL (A)



**16 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**

**16.1 Council's Positions Authorised to Preside at Australian Citizenship Ceremonies**

Document No. 1685773 (12/11/09) Common No. 1685773

(Mitchell/Lambert)

THAT the incoming letter from the Minister for Immigration and Citizenship, Senator Chris Evans dated 12 October 2009, advising of the reviewed Australian Citizenship Ceremonies Code (The Code) regarding Council's positions authorised to preside at Australian Citizenship Ceremonies, Document Number 1685773, be received and noted.

DECISION NO.20\2308 (24/11/09)

Carried

ACTION: LM EA  
NOTE: CA

**17 GENERAL BUSINESS**

**17.1 Pet Park**

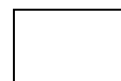
(Mitchell/Lambert)

THAT a report be prepared in respect to the potential development of a Pet Park within Darwin Municipality.

DECISION NO.20\2309 (24/11/09)

Carried

ACTION: GM COMM & CULTURAL



## **18 CLOSURE OF MEETING TO THE PUBLIC**

(Galton/Mitchell)

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\2310 (24/11/09) Carried

## **19 ADJOURNMENT OF MEETING and MEDIA LIAISON**

(Sjoberg/Jarvis)

THAT the meeting be adjourned at 7.54 p.m. to enable members of the Media to liaise with Elected Members and have a meal break.

(Marrone/Jarvis)

THAT the meeting be resumed at 8.30 p.m.

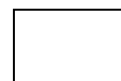
DECISION NO.20\2311 (24/11/09) Carried

## **20 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**

(Jarvis/Marrone)

THAT the next Ordinary Meeting of Council be held on Tuesday, 15 December 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\2312 (24/11/09) Carried



The meeting moved into the Confidential Section at 8.31 p.m.

THE RIGHT WORSHIPFUL THE  
LORD MAYOR, MR G R SAWYER  
(CHAIRMAN) – 2<sup>ND</sup> ORDINARY  
COUNCIL MEETING –  
TUESDAY, 24 NOVEMBER, 2009

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**Confirmed on:** ***Tuesday, 15 December 2009***

**Chairman:** \_\_\_\_\_

