Reports, recommendations and supporting documentation can be accessed via the Darwin City Council Website at www.darwin.nt.gov.au, at Council Public Libraries or contact Linda Elmer on (08) 89300 670.

ORDINARY COUNCIL MEETING - OPEN SECTION TUESDAY, 30 JUNE 2009

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DARWIN CITY COUNCIL

MINUTES OF THE TWENTY EIGHTH ORDINARY MEETING OF THE TWENTIETH COUNCIL HELD IN CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE, DARWIN ON TUESDAY 30 JUNE 2009, COMMENCING AT 5.15 P.M.

PRESENT: The Right Worshipful, Lord Mayor, Mr G R Sawyer (Chairman); Member R T

Dee; Member R K Elix (left at 7.05 p.m.); Member H I Galton; Member G M Jarvis; Member G A Lambert; Member R Lesley; Member F P Marrone;

Member A R Mitchell.

OFFICERS: Acting Chief Executive Officer, Mr J Banks; General Manager Corporate

Services, Mr F Crawley; General Manager Infrastructure, Mr L Cercarelli; Manager Communications & Marketing, Mr G Fenton; Manager Strategy & Outcomes, Ms A Hammond; Manager Business Services, Mr L Carroll; Management Accountant, Ms I Frazis; Revenue Supervisor, Mr E Grenenger;

Committee Administrator, Ms L Elmer.

OBSERVER: Mr John Elferink, MLA

MEDIA: Mr Isskhanda Razale – ABC Radio; Ms Alyssa Betts – NT News

* * * I N D E X * * *

- 1 LORD'S PRAYER
- 2 MEETING DECLARED OPEN
- 3 APOLOGIES AND LEAVE OF ABSENCE
- 4 ELECTED MEMBERS INTEREST DECLARATION
- 5 PUBLIC QUESTION TIME
- 5.1 Creche Facilities at Public Pools
- 6 MATTERS OF PUBLIC IMPORTANCE
- 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S
- 7.1 Ordinary Council Meetings 26/05/09 & 16/06/09 7.2 Special Council Meeting 25/05/09 & 09/06/09
- 7.3 Business Arising

Reports, recommendations and supporting documentation can be accessed via the Darwin City Council Website at www.darwin.nt.gov.au, at Council Public Libraries or contact Linda Elmer on (08) 89300 670.

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Reports, recommendations and supporting documentation can be accessed via the Darwin City Council Website at www.darwin.nt.gov.au, at Council Public Libraries or contact Linda Elmer on (08) 89300 670.

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16	INFORMATION ITEMS	AND	CORRESPONDENCE	RECEIVED
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17	GENERAL	BUSINESS
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- 17.1 Darwin Scenic Helicopters to Operate Scenic Tours from Council Controlled Land
- 17.2 Surf Life Saving NT (SLSNT)
- 17.3 Occasional Child Care at Parap Pool
- 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 5.15 p.m.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

Nil

3.2 Leave of Absence Granted

(Jarvis/Galton)

- A. THAT it be noted that Member H D Sjoberg is an apology due to a Leave of Absence being previously granted on 27 April 2009 for the period 23 May 17 July 2009.
- B. THAT it be noted that Member J D Bailey is an apology due to a Leave of Absence being previously granted on 3 May 2009 for the period 18 June 12 July 2009
- C. THAT it be noted that Member K M Moir is an apology due to a Leave of Absence being previously granted on 9 June 2009 for the period 19 June 24 July 2009

DECISION NO.20\1689

(30/06/09)

Carried

3.3 Leave of Absence Requested

(Lesley/Sangster)

- A. THAT a Leave of Absence be granted for Lord Mayor, Mr Graeme Sawyer for the period 11 27 September 2009.
- B. THAT a Leave of Absence be granted for Member G A Lambert for the period 7 10 August 2009
- C. THAT a Leave of Absence be granted for Member R K Elix for the period 10 19 July 2009

DECISION NO.20\1690

(30/06/09)

Carried

4 ELECTED MEMBERS DECLARATION

Pursuant to Section 73 (2) (d) Member R K Elix advised that he is a member the Darwin Turf Club concerning to Item 12.2 entitled, Darwin Turf Club – Sponsorship, Derby Day, Darwin Cup Festival.

Pursuant to Section 73 (2) (d) Member R T Dee advised that he is a member the Darwin Turf Club concerning to Item 12.2 entitled, Darwin Turf Club – Sponsorship, Derby Day, Darwin Cup Festival.

5 PUBLIC QUESTION TIME

5.1 Crèche Facilities at Public Pools

Document No.1599861 (18/06/09) Common No. 1597212

(Lambert/Lesley)

Name: Ms Sherilee Grayson

Address: 21 Sanderling Street

Wulagi NT 0810

Question

I have enquired about the provision of creche facilities with the Recreation Services Officer and she informed me that this topic has previously been discussed. I am wondering whether a creche facility could be provided at one or more of the swimming pools to allow carers of young children to use the facility during business hours? I am a stay at home mum who has moved from Perth this year. Unfortunately I can't access the pool as I have no one to care for my children. My husband works long hours and I have found it very isolating living here without the social networks I developed through this form of recreation.

The pools appear very under utilised during the day and this would be a great way to promote health & fitness, social networks and respite for people in similar situations. My local pool in Perth (Bold Park) provides a creche facility that is great - 1.5 hours care for \$3/child. It also allows parents/carers to swim with one child at a time. I am sure there are many other people in the same situation as me who are unable to use the facilities for similar reasons.

In our current situation, it is enough of a concern to raise it with the council as we will probably consider returning to Perth without such a service. Aquatic life was a big part of our life but the beaches here are also unsuitable for use most of the year.

Answer

In response to Ms Sherilee Grayson's public question regarding the provision of crèche services at Council's pools, I refer to a Council report tabled in June 2008.

To inform the report, a Council officer met with the pool manager who indicated that:

- requests for child care at a pool were rare (on average twice per year) for a number of years.
- the most suitable and cost effective location for a service of this type would be Parap based on the fact it currently has a small room which is currently not in full use and may be suitable to renovate and turn into a small facility for child minding.

(continued on next page....)

5 PUBLIC QUESTION TIME

5.1 <u>Creche Facilities at Public Pools</u>

Document No.1599861 (18/06/09) Common No. 1597212

(....continued from previous page)

- in providing a facility at Nightcliff pool, works would need to start from scratch and this site does not have a great deal of room available. The most suitable option for the Nightcliff site would be to provide an enclosed fenced area with shade cover.
- Casuarina pool has adequate space to purpose build a room or enclosed fenced area with shade cover but does not have any facilities currently on site that could be adapted.
- Management, regulation and staffing issues regarding a child care facility would need to be fully understood and resourced.

The officer also met with NT Government (NTG) Children's Services Licensing officers to discuss requirements in providing a child care facility at a Council pool. She was informed that:

- this type of care is referred to as Adjunct (adjacent) Care and would not be registered for childcare benefit with the Federal Government.
- service standards guide small child care services which Council would be required to be fully compliant with.
- the Act stipulates that no more than 5 children under school aged may be cared for by 1 person at any one time.

It was suggested by the NTG that if Council is planning any future redevelopment or expansion of its aquatic facilities it may be more feasible to incorporate child care facilities into the overall plan for new or upgraded facilities for cost effectiveness.

UPDATE

In May this year Council commissioned a Master Plan for the re-development of the Parap swimming pool and netball facility site including consideration of the development of a child care facility.

DECISION NO.20\1691 (30/06/09) Carried

ACTION: GM CORP & CULT

6 MATTERS OF PUBLIC IMPORTANCE

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 <u>Confirmation of the Previous Ordinary Council Meetings</u>

(Elix/Lesley)

- A. THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 26 May, 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, 16 June, 2008, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\1692

(30/06/09)

Carried

7.2 <u>Confirmation of the Previous Special Council Meetings</u>

(Lambert/Marrone)

- A. THAT the tabled minutes of the previous Special Council Meeting held on Monday, 25 May 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 Special Council Meeting held on Tuesday, 9 June 2009, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\1693

(30/06/09)

Carried

7.3 <u>Business Arising from the Minutes of Previous Meetings</u>

Nil

8 MOVING OF ITEMS FOR DISCUSSION

8.1 Closure to the Public for Confidential Items

(Lambert/Sangster)

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>ltem</u>	<u>Regulati</u>	on Rea	<u>ason</u>
C22.	8(c)(iv)	to p	ormation that would, if publicly disclosed, be likely prejudice the interests of the council or some other son.
C22.2	2 8(c)(iv)	to p	ormation that would, if publicly disclosed, be likely prejudice the interests of the council or some other son.
C23.	8(c)(iv)	to p	ormation that would, if publicly disclosed, be likely prejudice the interests of the council or some other son.
DECISION N	O.20\1694	(30/06/09)	Carried

8.2 Moving Open Items Into Confidential

Nil

8.3 Moving Confidential Items Into Open

Nil

9.1 **COMMUNITY SERVICES** (15/06/09)

Presentation of Report by Chairman - Member R Lesley

Recommendations from the Community Services Committee Meeting held on Monday, 15 June, 2009

1 <u>Community Services Team Report – May 2009</u>

Report No. 09C0089 KH:mrg (09/06/06) Common No. 1517201

(Lesley/Mitchell)

THAT Report Number 09C0089 entitled, Community Services Team Report May 2009, be received and noted.

DECISION NO.20\1695 (30/06/09) Carried: General Consent

2 Regulatory Services Monthly Update - May 2009

Report No. 09C0090 DN:mrg (09/06/09) 1330602

(Lesley/Mitchell)

THAT Report Number 09C0090 entitled, Regulatory Services Monthly Update May 2009, be received and noted.

DECISION NO.20\1696 (30/06/09) Carried: General Consent

3 Libraries Information Update for April and May 2009

Report No. 09P0007 KC:md (09/06/09) Common No. 1518200

(Lesley/Mitchell)

THAT Report Number 09P0007 entitled, Libraries Information Update for April & May 2009, be received and noted.

DECISION NO.20\1697 (30/06/09) Carried: General Consent

9.1 **COMMUNITY SERVICES** (15/06/09)

Presentation of Report by Chairman - Member R Lesley

Recommendations from the Community Services Committee Meeting held on Monday, 15 June, 2009

4 <u>Overview of the Recommendations of the NT Government's Review of the Commercial Passenger Vehicle Industry.</u>

Report No. 09C0093 AF:kl (09/06/09) Common No. 1562281

(Lesley/Mitchell)

THAT Report Number 09C0093 entitled, Overview of the Recommendations of the NT Government's Review of the Commercial Passenger Vehicle Industry, be received and noted.

DECISION NO.20\1698

(30/06/09)

5 <u>Launch of Charles Darwin Commemorative Artwork, the HMS Beagle</u> <u>Ship Bell</u> Chime by Dr Anton Hasell

Report No 09C0092 AR:mrg (09/06/09) Common No. 1194213

(Lesley/Lambert)

THAT Report Number 09C0092 entitled, Launch of Charles Darwin Commemorative Artwork, the HMS Beagle Ship Bell Chime by Dr Anton Hasell, be received and noted.

DECISION NO.20\1699

(30/06/09)

Carried

Carried: General Consent

6 2009 Activate NT End of Program Report

Report No. 09c0098 CD:mrg (09/06/09) Common No. 1312817

(Lesley/Mitchell)

THAT Report Number 09C0098 entitled, 2009 Activate NT End of Program Report, be received and noted.

DECISION NO.20\1700

(30/06/09)

2nd COU6

Carried: General Consent

9.1 **COMMUNITY SERVICES** (15/06/09)

Presentation of Report by Chairman - Member R Lesley

Recommendations from the Community Services Committee Meeting held on Monday, 15 June, 2009

7 Advice to Council Regarding an Invitation to Join the Cities for Safe and Healthy Communities Program Auspiced by Iclei Oceania

Report No. 09C0085 AF:kl (04/06/09) Common No. 1563115

(Lesley/Sangster)

- A. THAT Report Number 09C0085 entitled, Advice to Council on an Invitation to Join the Cities for Safe and Healthy Communities Auspiced by International Council for Local Environmental Initiatives Oceania be received and noted.
- B. THAT Council decline the invitation to subscribe to the Cities for Safe and Healthy Communities program.

DECISION NO.20\1701 (30/06/09) Carried

ACTION: GM CORP & CULT

8 Regional Playground for Richardson Ward

Report No 09C0087 SD:kl (04/06/09) Common No. 1163073

(Lesley/Lambert)

- A. THAT Report Number 09C0087 entitled, Proposed New Regional Playground Locations, be received and noted.
- B. THAT Council endorses the proposed location of the regional playground in the Richardson Ward being at Casuarina Coastal Reserve.
- C. THAT community consultation commence and a further Report be prepared presenting the outcomes of the consultation in relation to the regional playground in the Richardson Ward being at Casuarina Coastal Reserve.

DECISION NO.20\1702 (30/06/09) Carried

ACTION: GM CORP & CULT

9.1 **COMMUNITY SERVICES** (15/06/09)

Presentation of Report by Chairman - Member R Lesley

Recommendations from the Community Services Committee Meeting held on Monday, 15 June, 2009

9 <u>Advice on Status of Parap Site Redevelopment Master Plan and Rationale</u> to Expand its Terms of Reference

Report No. 09C0082 AF:kl (09/06/06) Common No. 1437996

(Lesley/Galton)

- A. THAT Report Number 09C0082 entitled, Advice on Status of Parap Site Redevelopment Master Plan and Rationale to Expand its Terms of Reference, be received and noted.
- B. THAT Council endorses STAGE ONE of the Parap Site Re-development Master Plan and associated costs of between \$55,000 and \$65,000.
- C. THAT Council expands the Terms of Reference of the Parap Site Master Plan to include STAGE TWO in consideration of the impact of the redevelopment of the Parap site on traffic management and urban aesthetics from the vantage of Ross Smith Avenue.
- D. THAT the sum required for STAGE TWO of the Parap Site Master Plan be referred to the Council Budget Review.

DECISION NO.20\1703 (30/06/09) Carried

ACTION: GM CORP & CULT NOTE: GM CORP NOTE: GM INFRAST

10 Possibility of Funding Secure Taxi Ranks via a levy on Liquor Licensed Premises Report No. 09C0088 AF:kl (09/06/09) Common No. 1244687

(Sangster/Lambert)

- A. THAT Report Number 09C0088 entitled, Possibility of Funding Security Taxi Ranks Via a Levy on Liquor Licensed Premises, be received and noted.
- B. THAT Council write to the NT Government to request consideration of the placing of a levy upon licensed premises in the Darwin CBD in order to fund secure taxi ranks.

DECISION NO.20\1704 (30/06/09) Carried

ACTION: GM CORP & CULT

9.1 COMMUNITY SERVICES (15/06/09)

Presentation of Report by Chairman - Member R Lesley

Recommendations from the Community Services Committee Meeting held on Monday, 15 June, 2009

11 Arts and Cultural Development Advisory Committee (ACDAC) Minutes 4 May 2009 – Appointments, Travellers Walk Mosaic & Chinatown Carpark Screen Façade

Report No. 09C0091 AR:mrg (09/06/09) Common No.1572832

(Lesley/Mitchell)

- A. THAT Report Number 09C0091 entitled, Arts and Cultural Development Advisory Committee (ACDAC) Minutes 14 May 2009 Appointments, Travellers Walk Mosaic & Chinatown Carpark Screen Facade, be received and noted.
- B. THAT Council reappoint as members of the Arts and Cultural Development Advisory Committee for a 2 year term commencing 1 June 2009 to 31 May 2011 in accordance with Section 54 of the NT Local Government Act 2008:
 - i). Ms Leonie McNally, Community Representative
 - ii). Mr Tony Clementson, General Manager, Tourism Top End
 - iii). Ms Felicity Green, Public Art Manager, Darwin City Waterfront
 - iv). Mr Ken Conway, Community Representative
- C. THAT Council appoint as a member of the Arts and Cultural Development Advisory Committee for a 2 year term commencing 1 June 2009 to 31 May 2011 in accordance with Section 54 of the NT Local Government Act 2008:
 - i). Ms Hania Radvan, Director Arts NT
- D. THAT Council commission an artist to undertake restoration of the Traveller's Walk mosaic and investigate options of installing a Perspex cover and/or additional lighting to the area to prevent further vandalism.
- E. THAT Council incorporate initial scoping of an artwork to improve the appearance of the screen façade of the Chinatown Carpark in its city planning for the CBD.
- F. THAT a Report be prepared in relation to the possible upgrade and promotion of Travellers Walk.

DECISION NO.20\1705 (30/06/09) Carried

ACTION: GM CORP & CULT

2nd COU6

9.1 **COMMUNITY SERVICES** (15/06/09)

Presentation of Report by Chairman - Member R Lesley

Recommendations from the Community Services Committee Meeting held on Monday, 15 June, 2009

12 <u>Update on Status of Funding Agreement Negotiations for the Darwin</u> Entertainment Centre

Report No. 09C0095 AF:kl (09/06/09) Common No. 1294240

(Lesley/Mitchell)

- A. THAT Report Number 09C0095 entitled, Update on the status of Funding Agreement of negotiations for the Darwin Entertainment Centre be received and noted.
- B. THAT Council proceeds to fund the Darwin Entertainment Centre for the 2009/10 financial year in accordance with the funding agreement with a view to the development of a triennial agreement commencing in 2010/11 upon the development of a rigorous and substantive Strategic Plan endorsed by the Darwin Entertainment Centre Board.
- C. THAT funding for the Darwin Entertainment Centre be referred to the 2009/2010 First Quarter budget review.

DECISION NO.20\1706 (30/06/09) Carried: General Consent

ACTION: GM CORP & CULT

NOTE: GM CORP

9.1 **COMMUNITY SERVICES** (15/06/09)

Presentation of Report by Chairman - Member R Lesley

Recommendations from the Community Services Committee Meeting held on Monday, 15 June, 2009

13 Regulating Private Property Parking

Report No. 09C0101 AF:kl (10/06/09) Common No. 1002654

(Lesley/Mitchell)

- A. THAT Report Number 09C0101 entitled, Regulating Private Property Parking, be received and noted.
- B. THAT Council commence negotiations with third parties regarding the enforcement of parking regulations on private property.
- C. THAT Darwin City Council pursuant to Section 32 (2) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer the power to enter into agreements with third parties regarding the enforcement of parking regulations on private property in consideration of:
 - thresholds of usage
 - perception of public benefit
 - type of car park
 - value of location
 - design factors such as co-location
 - level of service to the community
 - availability of Council resources
 - service being at least cost neutral to Council
 - any other factor relevant to a specific site.
- D. THAT a process be reviewed in 2010/11 conjunction with CBD Parking Advisory Committee to ensure a cohesive approach to CBD car parking.

DECISION NO.20\1707 (30/06/09) Carried

ACTION: GM CORP & CULT

9.1 **COMMUNITY SERVICES** (15/06/09)

Presentation of Report by Chairman - Member R Lesley

Recommendations from the Community Services Committee Meeting held on Monday, 15 June, 2009

14 **NAIDOC Week Sponsorship**

Report No. 09TC0038 GF:kl (11/06/09) Common No.1577739

(Lesley/Mitchell)

- THAT Report Number 09TC0038 entitled, NAIDOC Week Sponsorship, be received and noted.
- THAT Council support NAIDOC week and for Council to provide \$5,000 cash sponsorship B. and \$1,000 in-kind support to NAIDOC Week.

DECISION NO.20\1708 (30/06/09)Carried: General Consent

ACTION: MGR COMM & MARKETING

NOTE: GM COMM & CULT

9.2 CORPORATE & ECONOMIC DEVELOPMENT (23/06/09)

Presentation of Report by Chairman - Member G A Lambert

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 23 June, 2009.

1 May 2009 Corporate Services Monthly Report

Report No. 09A0098 FC: (10/05/09 Common No.339108

(Lesley/Sangster)

THAT Report Number 09A0098 entitled, May 2009 Corporate Services Monthly Report, be received and noted.

DECISION NO.20\1709 (30/06/09) Carried

2 <u>Listing of Cheques/EFT Payments, May 2009</u>

Report No. 09A0102 FC:tm (02/06/09 Common No. 339125

(Lambert/Lesley)

THAT Report Number 09A0102 entitled, Listing of Cheques/ EFT Payments, May 2009 be received and noted.

DECISION NO.20\1710 (30/06/09) Carried: General Consent

3 May 2009 - Financial Report to Council

Report No.09A0097 FC:tm (29/05/09 Common No.339122

(Lambert/Lesley)

THAT Report Number 09A0097 entitled, May 2009 - Financial Report to Council, be received and noted.

DECISION NO.20\1711 (30/06/09) Carried: General Consent

9.2 CORPORATE & ECONOMIC DEVELOPMENT (23/06/09)

Presentation of Report by Chairman - Member G A Lambert

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 23 June, 2009

4 Invitations Accepted or Declined by the Lord Mayor during May 2009

Report No.09TC0040 BD:fm (11/06/09 Common No.381402

(Lambert/Lesley)

THAT Report Number 09TC0040 entitled, Invitations Accepted or Declined by the Lord Mayor during May 2009, be received and noted.

DECISION NO.20\1712 (30/06/09) Carried: General Consent

5 Monthly On-Street and Off-Street Parking Statistics May 2009

Report No.09A0099 FC:lc (14/06/09 Common No. 376351

(Lambert/Lesley)

THAT Report Number 09A0099 entitled, Monthly On-Street and Off-Street Parking Statistics May 2009, be received and noted

DECISION NO.20\1713 (30/06/09) Carried: General Consent

6 3rd Quarter Budget Review 2008/2009

Report No.09A0084 FC:tm (27/04/09 Common No.978289

(Lambert/Sangster)

- A. THAT Report Number 09A0084 entitled, 3rd Quarter Budget Review 2008/2009, be received and noted.
- B. THAT **Attachment A, B, C & D** of Report Number 09A0084 entitled, 3rd Quarter Budget Review 2008/2009, be presented to Council for adoption.

DECISION NO.20\1714 (30/06/09) Carried

ACTION: GM CORP

9.2 CORPORATE & ECONOMIC DEVELOPMENT (23/06/09)

Presentation of Report by Chairman - Member G A Lambert

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 23 June, 2009

7 Minutes of the Audit Committee meeting held on 29 May 2009

Report No. 09A0101 FC (23/02/09 Common No.353196

(Lambert/Lesley)

- A. THAT Report Number 09A0101 entitled, Minutes of the Audit Committee meeting held on 29 May 2009, be received and noted.
- B. THAT the Executive Summary and Minutes of the Audit Committee held on 29 May 2009, be received and noted.
- C. THAT templates for Control Self Assessment be presented to the Audit Committee.
- D. THAT Management responses to the recommendations contained in the Project Management Review be considered at the August 2009 meeting.
- E. THAT it was noted that the terms of reference for the review did not include the maintenance of car parking meters and complaint management as per the original terms of reference but did include the issue of management of car parking permits.
- F. THAT actions be taken to provide the earliest possible response to recommendations where ever possible.
- G. THAT the recommendations included in the Car Park Management Review be included in the Outstanding Issues Register.
- H. THAT item Outstanding Item 108 (2.2) Vulnerability Detection and Management Information Security Audit be placed on the completed issues register.
- I. THAT Outstanding Item 108 (2.3) Security Information Management of the Information Security Audit be placed on the completed issues register.

(continued on next page....)

9.2 CORPORATE & ECONOMIC DEVELOPMENT (23/06/09)

Presentation of Report by Chairman - Member G A Lambert

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 23 June, 2009

7 Minutes of the Audit Committee meeting held on 29 May 2009

Report No. 09A0101 FC (23/02/09 Common No.353196

(....continued from previous page)

- J. THAT Outstanding Item 108 (2.5) Password Strength Requirements Information Security Audit remain on the outstanding issues register.
- K. THAT Outstanding Audit Issues 96 (1) Linking Budgets to Strategy be transferred to the completed Issues register.
- L. THAT Council endorse the methodology listed below in the valuation of land under roads by Council
 - i) to elect not to recognise a value for land under road acquired before the commencement of AASB 1051.
 - ii) not to recognise a value for land under roads subsequently acquired for no or consideration, and
 - iii) in relation to land under roads subsequently acquired other than for no or nominal consideration.
 - a) initial recognition should be measured at cost in accordance with AASB 116.15,
 - at the immediately following reporting date, the basis of recognition should be changed to the revaluation model in accordance with AASB 116.29, effectively writing off the expenditure.

DECISION NO.20\1715

(30/06/09)

ACTION: GM CORP NOTE: GM COMM & CULT

Carried: General Consent

NOTE: GM INFRAST

9.2 CORPORATE & ECONOMIC DEVELOPMENT (23/06/09)

Presentation of Report by Chairman - Member G A Lambert

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 23 June, 2009

8 <u>Gardens Oval Sporting Complex – Update</u>

Report No. 09A0106 FC:lc (12/06/09 Common No. 226536

(Lambert/Galton)

THAT Report Number 09A0106 entitled, Gardens Oval Sporting Complex – Update be received and noted.

DECISION NO.20\1716 (30/06/09) Carried

9 <u>100 Mitchell Street – Air Conditioner</u>

Report No. 09A0105 FC:lc (12/06/09 Common No. 1392509

(Lambert/Lesley)

- A. THAT Report Number 09A105 entitled, 100 Mitchell Street Air Conditioner, be received and noted.
- B. THAT Council approve a 4th quarter budget variation of \$90,000 for the upgrade of the air conditioning equipment at 100 Mitchell Street (Time Out Gym).

DECISION NO.20\1717 (30/06/09) Carried: General Consent

ACTION:GM CORP

9.2 CORPORATE & ECONOMIC DEVELOPMENT (23/06/09)

Presentation of Report by Chairman - Member G A Lambert

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 23 June, 2009

10 <u>Lease Chinatown Retail Premises to Safe NT</u>

Report No. 09A0072 FC:ab (10/06/09 Common No.1490535

(Lambert/Lesley)

- A. THAT Report Number 09A0072 entitled, Lease Chinatown Retail Premises to Safe NT, be received and noted.
- B. THAT Council endorses the signing under Council's Common Seal of the lease and all associated documentation.

DECISION NO.20\1718 (30\/06\/09) Carried: General Consent

ACTION: GM CORP ACTION: CEO NOTE: LM EA

11 <u>2009 Community Satisfaction Survey</u>

Report No. 09TC0039 BD:ah (25/05/09 Common No. 482285

(Lambert/Lesley)

- A. THAT Report Number 09TC0039 entitled, 2009 Community Satisfaction Survey, be received and noted.
- B. THAT Council endorse the questions included in the Annual Community Satisfaction Survey as contained in **Attachment A** to Report Number 09TC0039.
- C. THAT Council conduct the Annual Community Satisfaction Survey in the period 20 31 July each year.

DECISION NO.20\1719 (30/06/09) Carried: General Consent

ACTION: MGR STRATEGY & OUTCOMES

9.2 CORPORATE & ECONOMIC DEVELOPMENT (23/06/09)

Presentation of Report by Chairman - Member G A Lambert

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 23 June, 2009

12 Walkway Policy Review

Report No. 09A0112 FC:lc (13/06/09 Common No.1416599

(Lambert/Sangster)

- A. THAT Report Number 09A0112 entitled, Walkway Policy 2009, be received and noted.
- B. THAT Council note the attached Walkway Policy 2009, and the Review report (April 2009) prepared by Coomes Consulting.
- C. THAT Council conduct a review of its pedestrian networks in Karama, Malak, Wulagi and Wagaman with the intention to rationalise the number of existing walkways and that \$15,000 be referred to 4th quarter budget review to conduct this review.
- D. THAT the results of the pedestrian network review and the initial Coomes Consulting Review be released for public comment.
- E. THAT Council create a position to manage and address complaints in relation to anti social behaviour in and around walkways and that a budget allocation of \$120,000 to be funded \$53,000 from Community Services and \$67,000 from a carry forward budget allocation from the Waters Ward.
- F. THAT an appropriate communication strategy be developed around the proposed changes to the walkway policy.
- G. THAT a further Report be brought back to Council second ordinary meeting in July 2009 detailing the proposed walkways to be rationalised and closed and those to remain permanently open.
- H. THAT a Report be prepared by staff on the possibility of implementing immediate and short term closure of laneways.

DECISION NO.20\1720 (30/06/09) Carried

ACTION: GM CORP ACTION: MGR BUSINESS SERVICES NOTE:MGR COMM & MARKETING

9.2 CORPORATE & ECONOMIC DEVELOPMENT (23/06/09)

Presentation of Report by Chairman - Member G A Lambert

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 23 June, 2009

13 <u>Sale of Land for Unpaid Rates – Common Seal – Notice to Owner of Lot 1085</u> Town of Nightcliff

Report No. 09A0096 FC:eng (22/05/09) Common No. 1431865

With the consent of the Council, the Decisions arising from this item were moved from Confidential into the Open Section of the Minutes.

(Lambert/Lesley)

- A. THAT Report Number 09A0096 entitled, Sale of Land for Unpaid Rates Common Seal Notice to Owner of Lot 1085 Town of Nightcliff, be received and noted.
- B. THAT the Council approve the fixing of the Common Seal to the "Notice to Registered Owner of Exercise of Power of Sale Pursuant to Statutory Charge" document in relation to Lot 1085 Town of Nightcliff.

DECISION NO.20\1721 (30/06/09) Carried

ACTION: GM CORP ACTION: CEO NOTE: LM EA

9.2 CORPORATE & ECONOMIC DEVELOPMENT (23/06/09)

Presentation of Report by Chairman - Member G A Lambert

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 23 June, 2009

14 Mall Kiosk

Report No. 09A0110 FC:lc (12/06/09) Common No. 1567651

With the consent of the Council, the Decisions arising from this item were moved from Confidential into the Open Section of the Minutes.

(Lambert/Lesley)

- A. THAT Report Number 09A0110 entitled, Mall Kiosk, be received and noted.
- B. THAT the General Manager Corporate Services enter into a licence agreement with Territory FM and Larrakia Radio for temporary occupation of The Mall Kiosk based on Councils current fees and charges for the purposes of radio broadcasting.
- C. THAT a letter be written to the Larrakia Development Corporation advising that their proposed temporary use is not approved.

DECISION NO.20\1722 (30/06/09) Carried

ACTION: GM CORP ACTION: MGR BUSINESS SERVICES

9.3 ENVIRONMENT & INFRASTRUCTURE (22/06/09)

Presentation of Report by Chairman - Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 22 June, 2009

1 <u>Proposed Larrakeyah Outfall Closure Project.</u>

Document No.1595471 (11/06/09) Common No. 1292292

(Elix/Marrone)

- A. THAT the incoming letter from the Northern Territory Government, Minister for Essential Services, the Hon Rob Knight, dated 11 June 2009, seeking consideration for the installation of a third pipe during the proposed Larrakeyah Outfall closure project, Document Number 1595471, be received and noted.
- B. THAT a further Report be prepared in respect to potential partnerships and funding opportunities for grey water re-use within Darwin.

DECISION NO.20\1723 (30/06/09) Carried: General Consent

ACTION: GM INFRAST

2 Review of the Darwin Harbour Regional Plan of Management

Document No.1586591 (27/05/09) Common No. 465791

(Elix/Marrone)

- A. THAT the incoming letter from the Darwin Harbour Advisory Committee, Mr Bill Stuchbery, dated 27 May 2009, addressing Darwin City Council's request for feedback concerning the Strategic Framework, Document Number 1595471, be received and noted.
- B. THAT a letter be written to the Minister for Natural Resources, Environment and Heritage highlighting Council's concerns regarding the lack of attention given to Climate Change Adaptation, within the Darwin Harbour Regional Management Framework 2009/2013 and urgently seeks a partnership to address the issues.

DECISION NO.20\1724 (30/06/09) Carried: General Consent

ACTION: GM INFRAST

NOTE: MGR CLIMATE CHANGE & ENVIRO

9.3 ENVIRONMENT & INFRASTRUCTURE (22/06/09)

Presentation of Report by Chairman - Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 22 June, 2009

3 <u>City Centre Revitalisation – Knuckey Street, Darwin</u>

Report No.09TS0100 LC:kb (17/06/09) Common No. 1486204

(Lesley/Sangster)

- A. THAT Report Number 09TS0100 entitled, Darwin City Revitalisation Update June 2009 Knuckey Street Darwin, be received and noted.
- B. THAT Council adopt The Knuckey Street Key Moves Ribbons of Green 2009, Document contained in **Attachment B** to Report Number 09TS0100 and that public consultation relating to the document be undertaken as outlined in Report Number 09TS0100.
- C. THAT the presentation by Mr Peter Nelson, TRACT Consultant regarding the Darwin City Centre Revitalisation Knuckey Street, Darwin, be received and noted.

DECISION NO.20\1725 (30/06/09) Carried: General Consent

ACTION: GM INFRAST

4 Greening Mindil Community Event

Report No. 09TS0091 DC :dl (01/06/09) Common No. 1499790

(Elix/Marrone)

- A. THAT Report Number 09TS0091 entitled, Greening Mindil Community Event, be received and noted.
- B. THAT the presentation by Project Designer, Mr Dave Cash, on the Greening Mindil Community Event, be received and noted.
- C. THAT a letter of appreciation be sent to all staff who participated in the success of the Greening Mindil Community Event.

DECISION NO.20\1726 (30/06/09) Carried: General Consent

ACTION: GM INFRAST

9.3 ENVIRONMENT & INFRASTRUCTURE (22/06/09)

Presentation of Report by Chairman - Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 22 June, 2009

5 <u>Smith Street East Connection – Progress Update</u>

Report No. 09TS0090 DC (04/06/09) Common No. 316857

(Elix/Marrone)

- A. THAT Report Number 09TS0090 entitled, Smith Street East Connection Progress Update., be received and noted.
- B. THAT Council write to the Northern Territory Government advising that until it receives and fully considers the independent analysis being undertaken on the whole of life costs for the Smith Street East Connection. Council will not consider the Governments proposal as outlined in correspondence dated 7 May 2009, **Attachment C** to Report Number 09TS0090 and that all maintenance and operating activities will remain the Government's responsibility until an agreement to Council's satisfaction is reached.
- C. THAT Council write to the Chief Executive Officer, Department of Planning and Infrastructure (DPI) requesting full details in respect to the development of proposed artworks for the Smith Street Connection.

DECISION NO.20\1727 (30/06/09) Carried: General Consent

ACTION: GM INFRAST

9.3 ENVIRONMENT & INFRASTRUCTURE (22/06/09)

Presentation of Report by Chairman - Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 22 June, 2009

6 <u>Alfresco Dining Deck Over Road Reserve Application Nirvana Restaurant</u> - Lot 2781 (14) Dashwood Crescent, Darwin.

Report No. (09TS0083 BS:cb (05/06/06) Common No. 1524027

(Elix/Marrone)

- A. THAT Report Number 09TS0083 entitled, Alfresco Dining Deck Over Road Reserve Application Nirvana Restaurant, Lot 2781 (14) Dashwood Crescent, Darwin, be received and noted.
- B. THAT Council approves the construction of the alfresco dining deck adjacent the Nirvana Restaurant (Lot 2781) along Dashwood Crescent, subject to;
 - (i) the applicant supplying all relevant plans, and engineering details and approvals to the satisfaction of the General Manager Infrastructure;
 - (ii) The applicant providing Council with a Development Permit for the alfresco dining area.
- C. THAT Council, provide authorisation to the applicant allowing for the lodgment of a development application to the Development Consent Authority for the construction of an alfresco dining deck within Council's Road Reserve, namely Dash wood Crescent, Darwin.
- D. 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 determine the terms and conditions of the proposed alfresco dining deck lease, which will be in line with all current alfresco dining permits in the CB Zone.

DECISION NO.20\1728 (30/06/09) Carried: General Consent

ACTION: GM INFRAST ACTION: CEO

ACTION: ACA (DELEGATION D)

2nd COU6

9.3 ENVIRONMENT & INFRASTRUCTURE (22/06/09)

Presentation of Report by Chairman - Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 22 June, 2009

7 <u>Milkwood Tree Removal from Bi-Centennial Park, the Esplanade</u>

Report No. 09TS0069 KS:nh (07/05/09) Common No. 1559767

(Elix/Marrone)

- A. THAT Report Number 09TS0069 entitled, Milkwood Tree Removal from Bi-Centennial Park, The Esplanade, be received and noted.
- B. THAT the Northern Milkwood (Alstonia Actinophylla) within Bi-Centennial Park, The Esplanade, identified in Report Number 09TS0069 be removed and a replacement tree of the same species be planted.

DECISION NO.20\1729 (30/06/09) Carried: General Consent

ACTION: GM INFRAST ACTION:GM COMM & CULT

9.3 ENVIRONMENT & INFRASTRUCTURE (22/06/09)

Presentation of Report by Chairman - Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 22 June, 2009

8 <u>Council Drainage Easement – Lot 5064 Coonawarra Road, Winnellie</u> Report No. 09TS0089 JW:cb (11/06/09) Common No. 1218280

(Elix/Marrone)

- A. THAT Report Number 09TS0089 entitled, Council Drainage Easement Lot 5064 Coonawarra Road, Winnellie, be received and noted.
- B. THAT Council grant an extension to the timeframe to 30 September 2009 for construction of drainage within Council's easement through Lot 5064 Coonawarra Road, Winnellie.
- C. THAT Council advise Mr David that in relation to the drainage upgrade within Council's easement through Lot 5064 Coonawarra Road, Winnellie:
 - i) Council will make no additional financial contribution other than that previously agreed to.
 - ii) The NT Government have advised Council it considers the matter closed.
- D. THAT a progress payment of up to \$15,000 be made to Mr David for drainage easement upgrade works within Lot 5064 Coonawarra Road, Winnellie subject to works and the value of payment being to the satisfaction of the Darwin City Council General Manager Infrastructure.
- E. THAT the remaining budget allocation as at 30 June 2009 be referred for consideration to be carried over to the 2009/2010 budget.

DECISION NO.20\1730 (30/06/09) Carried: General Consent

ACTION: GM INFRAST ACTION: GM CORP

9.3 ENVIRONMENT & INFRASTRUCTURE (22/06/09)

Presentation of Report by Chairman - Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 22 June, 2009

9 <u>Coach Parking Area for Mantra Pandanus</u>

Report No. 09TS0057 PC:cb (11/06/09) Common No. 921798

(Elix/Marrone

- A. THAT Report Number 09TS0057 entitled, Coach Parking for Mantra Pandanus, be received and noted.
- B. THAT Council endorses Option 1, of Report Number 09TS0057, for the construction of a coach parking facility in Knuckey Street as detailed in **Attachment A** to Report Number 09TS0057, with the inclusion of one planter box.
- C. THAT Council's financial component for the implementation of Coach and associated parking facilities as per Option 1 of Report Number 09TS0057 with the inclusion of one planter box, be funded from the 2009/2010 Roads, Minor Capital Works program.
- D. THAT Darwin City Council pursuant to Section 32(2) of the Local Government Act hereby delegates to the Chief Executive Officer, the power to negotiate a financial contribution from the Developers of Mantra Pandanus, for the provision of Coach and associated parking facilities as per Option 1 of Report Number 09TS0057, with the inclusion of one planter box

DECISION NO.20\1731 (30/06/09) Carried

ACTION: INFRAST ACTION: CEO

ACTION: ACA (DELEGATION D)

9.3 ENVIRONMENT & INFRASTRUCTURE (22/06/09)

Presentation of Report by Chairman - Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 22 June, 2009

10 <u>Capital Works Interim Update</u>

Report No. 09TS0094 SMcD (05/06/09) Common No. 1541601

(Elix/Marrone)

THAT Report Number 09TS0094 entitled, Capital Works Interim Update, be received and noted.

DECISION NO.20\1732 (30/06/09) Carried: General Consent

11 <u>Woolner Road Black Spot Project Progress Report – June 2009.</u>

Report No. 09TS0092 DL (12/06/09) Common No. 497836

(Elix/Marrone)

THAT Report Number 09TS0092:entitled, Woolner Road Black Spot Project Progress Report - June 2009, be received and noted.

DECISION NO.20\1733 (30/06/09) Carried: General Consent

9.3 ENVIRONMENT & INFRASTRUCTURE (22/06/09)

Presentation of Report by Chairman - Member R K Elix

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 22 June, 2009

12 <u>Contract Compliance: Domestic Waste Collection, Contract 2007-060</u> Report No. 09TS0088 PR (04/06/09) Common No. 1082073

With the consent of the Council, the Decisions arising from this item were moved from Confidential into the Open Section of the Minutes.

(Lambert/Marrone)

- A. THAT Report Number 09TS0088 entitled, Contract Compliance: Domestic Waste Collection, Contract 2007-060, be received and noted.
- B. THAT Council approve the supply and installation by Transpacific Cleanaway of stickers which will display the white dragonfly logo at 15cm height on a clear base on all 'in field' bins that are currently not marked. This will be in lieu of in-field hot stamping.
- C. THAT Council note that all new bins will have factory hot stamping with identification to Council's Contract specifications.

DECISION NO.20\1734 (30/06/09) Carried

ACTION: GM INFRAST NOTE: GM CORP

10 MATTERS REFERRED TO COUNCIL

Nil

11 PETITIONS

Nil

Member R K Elix left Chambers at 6.20 pm and returned at 6.22 p.m.

12 **NOTICES OF MOTION**

12.1 Request by Darwin Scenic Helicopters to Operate Scenic Tours from Council **Controlled Land**

Report No.09A0104 FC:ab (13/05/09) Common No.1511162

(Lesley/Jarvis)

THAT Motion 'B' of Decision Number 20\1656 from the 1st Ordinary Council Meeting held on Tuesday, 16 June, 2009, namely :-

- A. THAT Report Number 09A0104 entitled, Request by Darwin Scenic Helicopters to Operate Scenic Tours from Council Controlled Land be received and noted.
- THAT Darwin Scenic Helicopters be granted an occupation licence for a 12 week B. period at Mindil Beach subject to gaining all necessary approvals including the Development Consent Authority, and subject to signage and fencing as approved by the Darwin City Council.
- C. THAT Darwin Scenic Helicopters pay the associated legal fees to draft a licence permit for occupation at Mindil Beach (Lot 5772 Town of Darwin).

Be rescinded.

REASON: "Safety and conflicting zoning and public use of open space by the proposed private sector helicopter service."

DECISION NO.20\1735 (30/06/09)Carried

> **ACTION: GM CORP ACTION: CA**

12 NOTICES OF MOTION

12.2 <u>Darwin Turf Club – Sponsorship, Derby Day, Darwin Cup Festival</u>

Report No.09TC0012 GF:jp (06/04/09) Common No.1534511

(Dee/Galton)

THAT Motion 'B' of Decision Number 20\1475 from the 2nd Ordinary Council Meeting held on Tuesday, 28 April, 2009, namely :-

- A. THAT Report Number 09TC0012 entitled, Darwin Turf Club Sponsorship Proposal 2009 2012, be received and noted.
- B. THAT Council decline the request for sponsorship of the Darwin Cup Carnival from the Darwin Turf Club.

Be rescinded and replaced with the following:-

- B. THAT Council provide sponsorship of the 2009 Darwin Cup Festival up to a maximum of \$27,500, comprising:
 - \$14,000 & GST cash. And
 - \$11,000 & GST In-Kind.
- C. THAT funding for the support of the 2009 Darwin Cup Carnival be referred to the 4th Quarter Budget Review.

REASON:

The Darwin Cup Carnival provides a significant branding opportunity for Darwin supports the delivery of key strategy 6.1.1 of Councils Evolving Darwin, Strategic Direction to 2020 and beyond which is: Provide strategic sponsorship for major events.

DECISION NO.20\1736 (30/06/09) Carried

ACTION: MGR COMM & MARKETING NOTE: EVENTS – COMM & MARKETING ACTION: CA

Sangster left Chambers at 7.06 p.m. and returned at 7.08 p.m.

13.1 Adoption of the 2009/10 City of Darwin Municipal Plan

Report No. 09A0111 (15/06/09) Common No. 1333675

(Lambert/Mitchell)

- A. THAT Report Number 09A0111 entitled, Adoption of the 2009/10 City of Darwin Municipal Plan, be received and noted.
- B. THAT having prepared a Municipal Plan in accordance with Section 24 of the Local Government Act, entitled "2009/10 City of Darwin Municipal Plan", for the 2009/10 financial year, the Council now adopts the Municipal Plan without amendment.
- C. THAT in accordance with Section 128 of the Local Government Act, Council adopts the Budget contained within the 2009/10 City of Darwin Municipal Plan.
- D. THAT the twenty-two (22) submissions received as contained in **Attachment B** to Report Number 09A0111, be received and noted.

E. In relation to Valuation of Land Act Objections

Darwin City Council ("DCC") acknowledges that:

- 1. a number of ratepayers:
 - (a) consider the valuations of the unimproved capital value ("the UCV") of their properties as at 1 July 2008 as undertaken by the Valuer General for the Northern Territory ("the Valuer General") were more than they assess as reasonable; and
 - (b) pursuant to section 18 of the *Valuation of Land Act* ("the VoL Act"), have lodged an objection to those valuations (a "Valuation Objection") on the ground that the values are too high.
- 2. those Valuation Objections may take some time to be resolved;
- DCC has adopted the UCV as the basis of the assessed value of allotments within the Darwin Municipality pursuant to section 149 of the Local Government Act ("the Act") and has declared rates as a proportion of the UCV as determined by the Valuer General ("the 2010 Rates").

Rate Concessions

4. Noting the above, on application by a ratepayer who has lodged Valuation Objection, DCC RESOLVES to grant a rate concession under section 164(1)(b) of the Act by way of a deferment of the obligation to pay part of the 2010 Rates payable by that ratepayer on the following terms and conditions.

13.1 Adoption of the 2009/10 City of Darwin Municipal Plan

Report No. 09A0111 (15/06/09) Common No. 1333675

(....continued from previous page)

- 5. An application for the grant of a rate concession must:
 - (a) be made by the ratepayer to the DCC in the form attached prior to 31 July 2009; and
 - (b) attach a true copy of the Valuation Objection lodged by the ratepayer together with such other evidence of a valid objection as DCC may reasonably require
- 6. The ratepayer is required to pay an amount equal to the rates payable for the allotment for the year ending 30 June 2009 (adjusted by an increase in the UCV of 57%), and may do so by four (4) approximately equal installments on the dates stated in the rates notice. DCC will provide a ratepayer to whom a rate concession has been granted, a statement of the installments and due dates for payment. The installments will be due in the amounts and on the dates shown in that statement.
- 7. The rate concession referred to above will cease to apply and the 2010 Rates (or so much thereof as remains unpaid) will become immediately due and payable if:
 - (a) the Valuation Objection lodged by the ratepayer is dismissed, withdrawn or for any reason ceases to be a valid and current objection under section 18 of the VOL Act; or
 - (b) the ratepayer defaults in payment of the installments as provided in paragraph 3 above.
- 8. If the Valuer General, having considered the Valuation Objection, decides to reduce the UCV for the ratepayer's allotment:
 - (a) the revised UCV will be adopted as the assessed value in calculating the amount of rates payable for that allotment for the financial year ending 30 June 2010 ("the Revised Rates"):
 - (b) DCC will grant a rate concession under section 164(1)(a) of the Act and waive that part of the 2010 Rates being the difference between the 2010 Rates and the Revised Rates;
 - (c) the Revised Rates, less any installments paid by the ratepayer on account of the 2010 Rates, will be payable by approximately equal installments on the remaining dates stated in the rates notice;

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13.1 Adoption of the 2009/10 City of Darwin Municipal Plan

Report No. 09A0111 (15/06/09) Common No. 1333675

(....continued from previous page)

- 9. DCC will provide a statement of the revised installments and due dates for payment and Revised Rates will be due and payable by the installments and on the dates shown in that statement.
- 10. THAT a further Report be submitted to Council regarding the comments on the 2009/10 City of Darwin Municipal Plan From Surf Life Saving Northern Territory and Mindil Beach Surf Life Saving Club.

DECISION NO.20\1737

(30/06/09)

Carried

ACTION: GM CORP

ACTION: MGR STRATEGY & OUTCOMES

NOTE: CEO

NOTE: GM COMM & CULT

NOTE: GM INFRAST

13.2 <u>Declaration of Rates and Charges 2009/2010</u>

Report No. 09A0113 (17/06/09) Common No. 1598656

(Lesley/Lambert)

- A. THAT Report Number 09A0113 entitled, Declaration of Rates and Charges 2009/2010, be received and noted.
- B. THAT Council, pursuant to Section 149 of the *Local Government Act* 2008, adopts the Unimproved Capital Value method as the basis of the assessed value of allotments within the Darwin Municipality.
- C. THAT, pursuant to Sections 155-157 of the *Local Government Act 2008 ("the Act")*, Council declares that it intends to raise, for general purposes by way of rates, the amount of \$40,417,422 which will be raised by the application of differential valuation-based charges ("differential rates") with differential minimum charges ("minimum amounts") being payable in application of each of those differential rates. Council hereby declares the following differential rates and minimum amounts in the application of those differential rates for the financial year ending 30 June 2010;

For the purposes of this paragraph C, residential parts or units means a dwelling house, flat or other substantially self contained residential unit or building:

RATES ALLOTMENTS OF LAND TO WHICH RATES APPLY AND MINIMUM AMOUNTS

- i) 0.395076%
- With respect to all rateable land within the municipality zoned SD, RR, R, RL, MD, MR or HR under the *NT Planning Scheme*, the minimum amount being \$800.00 multiplied by :-
- (a) The number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
- (b) The number 1; whichever is the greater.
- ii) 0.409769%

With respect to all rateable land within the municipality zoned CV under the NT Planning Scheme, the minimum amount being \$800.00 multiplied by :-

- (a) The number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
- (b) The number 1; whichever is the greater.

13.2 Declaration of Rates and Charges 2009/2010

Report No. 09A0113 (17/06/09) Common No. 1598656

(....continued from previous page)

iii) 0.509256% With respect to all rateable land within the municipality zoned CB under the *NT Planning Scheme*, the minimum amount being \$1,070.00 multiplied by :-

- (a) The number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
- (b) The number 1; whichever is the greater.
- iv) 0.399027% With respect to all rateable land within the municipality zoned PS or CN under the *NT Planning Scheme*, the minimum amount being \$834.00 multiplied by :-
 - (a) The number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) The number 1; whichever is the greater.
- v) 0.449867% With respect to all rateable land within the municipality zoned OR under the *NT Planning Scheme*, the minimum amount being \$330.00 multiplied by :-
 - (a) The number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) The number 1; whichever is the greater.
- vi) 0.339100% With respect to all rateable land within the municipality zoned FD, SU, CP, CL, RD or U under the *NT Planning Scheme*, the minimum amount being \$800.00 multiplied by :-
 - (a) The number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) The number 1; whichever is the greater.

13.2 Declaration of Rates and Charges 2009/2010

Report No. 09A0113 (17/06/09) Common No. 1598656

(....continued from previous page)

vii) 0.530111% With respect to all rateable land within the municipality zoned C, or SC under the *NT Planning Scheme*, the minimum amount being \$834.00 multiplied by :-

- (a) The number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
- (b) The number 1; whichever is the greater.
- viii) 0.541255% With respect to all rateable land within the municipality zoned TC or HT under the *NT Planning Scheme*, the minimum amount being \$834.00 multiplied by :-
 - (a) The number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) The number 1; whichever is the greater.
- ix) 0.408739% With respect to all rateable land within the municipality zoned LI under the *NT Planning Scheme*, the minimum amount being \$834.00 multiplied by:-
 - (a) The number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) The number 1; whichever is the greater.
- x) 0.395132% With respect to all rateable land (other than the small allotments identified below) within the municipality zoned GI or DV under the *NT Planning Scheme*, the minimum amount being \$834.00 multiplied by:-
 - (a) The number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
 - (b) The number 1; whichever is the greater.

13.2 Declaration of Rates and Charges 2009/2010

Report No. 09A0113 (17/06/09) Common No. 1598656

(....continued from previous page)

Council considers the following classes of allotments within the municipality zoned GI to be small allotments for the purposes of section 148(3)(b) of the Act:

- Units 1 to 3 and Units 5 to 98 comprised in Unit Plan No. 95/95;
- Units 101 to 216 in Unit Plan 97/112; and
- Units 17 to 32 comprised in Unit Plan 98/32.

Council considers that an inequity would result if the minimum amount declared in respect of rateable land within Zone GI were applied to these small allotments, and accordingly, Council declares a lesser minimum amount, being \$209.00, to be payable in respect of each of these small allotments.

xi) 0.395076%

With respect to every allotment of rateable land within the municipality not otherwise described above, the minimum amount being \$800.00 multiplied by:-

- (a) The number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
- (b) The number 1; whichever is the greater.
- D. THAT pursuant to Section 156 of the Act Council declares the following special rate ("the Parking Local Rate"):
 - i). The purpose for which the Parking Local Rate is to be imposed is to defray the expense of and in relation to on-street and off-street parking within the central business district ("the Central Business District") as defined in Schedule 1 of the Local Government (Darwin Parking Local Rates) Regulations ("the Regulations"), it being the opinion of the Council that such on-street and off-street parking is and will be of special benefit to the ratepayers of the Central Business District.
 - ii). The amount to be raised by the Parking Local Rate is \$924,959.00;
 - iii). The Parking Local Rate is to be an amount of \$204.05 per car parking space which will be assessed and levied in accordance with the Regulations. Notification of the parking usage schedule 2008/2009 has been duly prepared in accordance with Regulation 4 of the Regulations and notified in the Northern Territory Government Gazette on 10 June 2009 and in the Northern Territory News on 11 June 2009.
 - iv). The Parking Local Rate will be levied on all rateable land in the Central Business District in accordance with the Regulations.

13.2 <u>Declaration of Rates and Charges 2009/2010</u>

Report No. 09A0113 (17/06/09) Common No. 1598656

(....continued from previous page)

- v). Appeals against the assessment of the Parking Local Rate may be made in accordance with regulation 7 of the Regulations. The period for appeals under regulation 7 of the Regulations expires on Thursday 9 July 2009.
- vi). Proceeds of the Parking Local Rate will be applied to the General Fund of Council and used for the function of developing and maintaining both on-street and off-street parking facilities within the Central Business District.
- E. THAT pursuant to Section 157of the Act, Council hereby intends to raise \$4,900,530 and makes and declares the following charges for the financial year ending 30 June 2010 in respect of the garbage collection and recycling collection services it provides for the benefit of all residential land within the municipality (except such land as the Council from time to time determines to be exempt or excluded from the provisions of such services) and the occupiers of such land.

For the purposes of this paragraph E:

- "residential dwelling" means a dwelling house, flat or other substantially self contained residential unit or building on residential land and includes a unit within the meaning of the *Unit Titles Act*.
- "residential land" means land used or capable of being used for residential purposes (but does not include land on which there is no residential dwelling).
- i). A charge of \$195.00 per annum per residential dwelling in respect of kerbside garbage collection and recycling collection services provided to, or which Council is willing and able to provide to, each residential dwelling within the municipality other than a residential dwelling as described in paragraphs E ii E iv.

The services are -

- a kerbside collection service of one garbage collection visit per week; and
- a kerbside recycling collection service of one visit per fortnight,

with a maximum of one 240 litre mobile bin per garbage collection or recycling collection visit.

ii). A charge of \$165.00 per annum per residential dwelling in respect of non kerbside (communal) garbage collection and recycling collection services provided to, or which Council is willing and able to provide to, each residential dwelling within the municipality where the number of residential dwellings (as the case may be) exceeds three (3).

13.2 <u>Declaration of Rates and Charges 2009/2010</u>

Report No. 09A0113 (17/06/09) Common No. 1598656

(....continued from previous page)

The services are as described in Part 1 of the Schedule below.

- iii). A charge of \$225.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage collection and recycling collection services provided to, or which Council is willing and able to provide to, each residential dwelling within the municipality where:
 - (a) the number of residential dwellings exceeds twelve (12);
 - (b) the dwellings and the facilities in and about the dwellings meet the requirements of the Council for the purposes of providing the services;
 and
 - (c) the owners of the dwellings have notified the Council in writing of their wish to be provided with these services.

The services are as described in Part 2 of the Schedule below.

- iv). A charge of \$165.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage collection and recycling collection services provided to, or which Council is willing and able to provide to, each residential dwelling within the municipality where:
 - (a) the number of residential dwellings exceeds forty (40);
 - (b) the dwellings and the facilities in and about the dwellings meet the requirements of the Council for the purposes of providing the services; and
 - (c) the owners of the dwellings have notified the Council in writing of their wish to be provided with these services.

The services are as described in Part 3 of the Schedule below

v). Where the person liable to pay the charge satisfies Council that a comparable alternative recycling service is being provided to a residential dwelling (other than a residential dwelling as described in paragraphs (ii) to (iv)), a charge of \$103.00 per annum per residential dwelling in respect of garbage collection provided to, or which Council is willing and able to provide to, all or any residential dwellings within the municipality.

The garbage collection shall be a kerbside collection service of one garbage collection visit per residential dwelling per week, with a maximum of one 240 litre mobile garbage bin per visit.

13.2 Declaration of Rates and Charges 2009/2010

Report No. 09A0113 (17/06/09) Common No. 1598656

(....continued from previous page)

vi). Where the person liable to pay the charge satisfies Council that a comparable alternative garbage service is being provided to a residential dwelling (other than a residential dwelling as described in paragraphs (ii) to (iv)), a charge of \$103.00 per annum per residential dwelling in respect of recycling collection service provided to, or which Council is willing and able to provide to, all or any residential dwellings within the municipality.

The recycling collection service shall be a kerbside collection service of one recycling collection visit per residential dwelling per fortnight, with a maximum of one 240 litre mobile recycling bin per visit.

SCHEDULE DARWIN CITY COUNCIL GARBAGE AND RECYCLING COLLECTION SERVICES

PART 1 –

Communal Services for more than 3 residential dwellings (refer paragraph E (ii) of declaration)

The services are -

- (a) two (2) non-kerbside garbage collections per week; and
- (b) one (1) non-kerbside recycling collection per week,

with the number of bins for garbage and recycling collections being as set out in the table below.

13.2 Declaration of Rates and Charges 2009/2010

Report No. 09A0113 (17/06/09) Common No. 1598656

(....continued from previous page)

NUMBER OF	GARBAGE BINS	RECYCLING BINS	TOTAL NUMBER 240
HOUSEHOLDS	240 LITRE	240 LITRE	LTR BINS
4	1	1	2
5-6	2	1	3
7-8	2	2	4
9-12	3	2	5
13-16	4	3	7
17-18	5	3	8
19-20	5	4	9
21-24	6	4	10
25-28	7	5	12
29-30	8	5	13
31-32	8	6	14
33-36	9	7	16
37-40	10	7	17
41-44	11	8	19
45-48	12	8	20

PART 2 -

Communal Services for more than 12 residential dwellings that meet the requirements of Council (refer paragraph E(iii) of declaration)

The services are -

- (a) two (2) non-kerbside garbage collections per week; and
- (b) one (1) non-kerbside recycling collection per week,

with the number of bins for garbage and recycling collections being as set out in the table below.

13.2 <u>Declaration of Rates and Charges 2009/2010</u>

Report No. 09A0113 (17/06/09) Common No. 1598656

(....continued from previous page)

NUMBER HOUSEHOLDS	OF	GARBAGE BINS 1,100 LITRE	RECYCLING BINS 240 LITRE	TOTAL NUMBER MIXED BINS
13-16		1	3	4
17-18		2	3	5
NUMBER HOUSEHOLDS	OF	GARBAGE BINS 1,100 LITRE	RECYCLING BINS 1,100 LITRE	TOTAL NUMBER 1,100 LTR BINS
19-24		2	1	3
25-32		2	2	4
33-48		3	2	5
49-64		4	3	7
65-71		5	3	8
72-80		5	4	9
81-96		6	4	10
97-112		7	5	12

PART 3 -

Communal Services for more than 40 residential dwellings that meet the requirements of Council (refer paragraph E (iv) of declaration)

The services are -

- (a) two (2) non-kerbside garbage collections per week; and
- (b) one (1) non-kerbside recycling collection per week,

with the number of bins for garbage and recycling collections being as set out in the table below.

NUMBER	OF	3 CUBIC METRE	RECYCLING BINS	TOTAL NUMBER
HOUSEHOLDS		GARBAGE BIN	1,100 LITRE	MIXED BINS
41-48		1	2	3
49-50		1	3	4
51-71		2	3	5

13.2 <u>Declaration of Rates and Charges 2009/2010</u>

Report No. 09A0113 (17/06/09) Common No. 1598656

(....continued from previous page)

- F. THAT the relevant interest rate for the late payment of rates and charges is fixed in accordance with Section 162 of the Act at the rate of 18.0% per annum and is to be calculated on a daily basis.
- G. THAT rates and charges declared under this declaration may be paid by four (4) approximately equal instalments on the following dates, namely:-

First Instalment: Wednesday, 30 September 2009
 Second Instalment: Monday, 30 November 2009
 Third Instalment: Sunday, 31 January 2010
 Fourth Instalment: Wednesday, 31 March 2010

Instalments falling due on a weekend or public holiday may be paid by the following business day, without incurring any penalty.

Details of due dates and specified amounts will be listed on the relevant notice of Rates and Charges.

Variations to those options for payment will be administered according to the conditions outlined on the front and reverse of the Notice of Rates and Charges.

A ratepayer who fails to abide by such conditions may be sued for recovery of the principal amount of the rates and charges, late payment penalties, and costs reasonably incurred by Council in recovering or attempting to recover the rates and charges.

DECISION NO.20\1738 (30/06/09) Carried

ACTION: GM CORP

NOTE: CEO

NOTE: GM COMM & CULT NOTE: GM INFRAST

13.3 Sponsorship Request – Parks & Leisure Australia

Report No. 09TC0042 GF:ip (25/06/09) Common No. 1602513

(Lesley/Galton)

- A THAT Report Number 09TC0042 entitled, Sponsorship Request 2009 Parks & Leisure Australia National Conference, be received and noted.
- B. THAT Council endorse a sponsorship of the 2009 National Conference.
- C. THAT Darwin City Council, pursuant to Section 32(2) of the Local Government Act 2008, hereby delegates to the Chief Executive Officer the power to finalise the final costs and to negotiate Sponsorship Rights with Parks and Leisure Australia to a maximum value of \$7,500.00 as recommended in this report.

The motion was lost

DECISION NO.20\1739 (30/06/09)

13.4 Election of Deputy Lord Mayor - 1 August – 30 November 2009 Report No. 09TC0024 BD:le (30/06/09) Common No. 375173

(Sangster/Lambert)

- A. THAT Report Number 09TC0024 entitled, Election of Deputy Lord Mayor 1 August 2009 to 30 November 2009, be received and noted.
- B, THAT in accordance with Part 4.3 of the Local Government Act 2008 and Council Policy No.111, Council appoints Alderman H I Galton to the position of Deputy Lord Mayor, for the period 1 August 2009 to 30 November 2009.

DECISION NO.20\1740 (30/06/09) Carried

14 REPRESENTATIVES REPORTS

- Member J L Sangster reported on the Environment Management Plan (EMP) Planning Day activities.
- Member H I Galton reported on the Australian Local Government Association (ALGA) Meeting.
- > Member A R Mitchell reported on the Tourism Top End Meeting.

(Galton/Lesley)

THAT the Representatives Report, be received and noted.

DECISION NO.20\1741

(30/06/09)

Carried

15 QUESTIONS BY MEMBERS

Nil

16 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

Nil

17 GENERAL BUSINESS

17.1 <u>Darwin Scenic Helicopters to Operate Scenic Tours from Council Controlled Land</u> Common No.1511162

(Lambert/Dee)

- A. THAT Darwin Scenic Helicopters be granted an occupation licence for a 12 week period at Vesteys Beach subject to gaining all necessary approvals including the Development Consent Authority, and subject to signage and fencing as approved by the Darwin City Council
- B. THAT Darwin Scenic Helicopters pay the associated legal fees to draft a licence permit for occupation at Vesteys Beach (Lot 5764).
- C. THAT the fee to be charged for the use of Vesteys beach be reviewed.

DECISION NO.20\1742 (30/06/09)

ACTION: GM CORP ACTION: GM INFRAST

Carried

17.2 <u>Surf Life Saving NT (SLSNT)</u>

Common No. 1333675

(Lesley/Marrone)

THAT a further Report be prepared in relation to the possibility of entering into a contract with Surf Life Saving NT (SLSNT) to a maximum value of \$33,000 plus GST.

DECISION NO.20\1743 (30/06/09)

ACTION: GM CORP ACTION: MGR BUSINESS SERVICES

17.3 Occasional Child Care at Parap Pool

Common No. 1597212

(Sangster/Lesley)

THAT an amount of \$8,000.00 be referred to the 2009/10 1st quarter budget review for provision of occasional Child Care at Parap Pool.

DECISION NO.20\1744 (30/06/09)

ACTION: GM CORP

18 CLOSURE OF MEETING TO THE PUBLIC

(Lesley/Marrone)

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\1745

(30/06/09)

Carried

19 ADJOURNMENT OF MEETING and MEDIA LIAISON

(Lesley/Marrone)

THAT the meeting be adjourned at 8.16 p.m. to enable Members of the Media to liaise with Elected Members and have a meal break.

Carried

THAT the meeting be resumed at 8.48 p.m.

DECISION NO.20\1746

(30/06/09)

Carried

20 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

(Lesley/Mitchell)

THAT the next Ordinary Meeting of Council be held on Tuesday, 14 July, 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\1747

(30/06/09)

Carried

The meeting moved into the	ne Confidential Section at 8	.48 p.m.
		THE RIGHT WORSHIPFUL THE LORD MAYOR, MR G R SAWYER (CHAIRMAN) – 2 nd ORDINARY COUNCIL MEETING – TUESDAY, 30 JUNE, 2009
Confirmed on:	Tuesday, 28 July,	, 2009
Chairman:		