

**DARWIN CITY COUNCIL****FIFTY-THIRD ORDINARY MEETING OF THE TWENTIETH COUNCIL****TUESDAY, 31 AUGUST 2010**

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

**OFFICERS:** Chief Executive Officer, Mr B P Dowd; General Manager Corporate Services, Mr F Crawley; General Manager Infrastructure, Mr L Cercarelli; General Manager Community & Cultural Services, Mr J Banks; Executive Manager, Mr M Blackburn; Committee Administrator, Ms L Elmer.

**GUESTS:** Minister for Local Government, Minister Malarndirri McCarthy will be in attendance from 5.15 p.m. to meet the Council.

**Enquiries and/or Apologies: Linda Elmer**

**E-mail: [l.elmer@darwin.nt.gov.au](mailto:l.elmer@darwin.nt.gov.au)**

**PH: 8930 0670**

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**1 ACKNOWLEDGEMENT OF COUNTRY****2 THE LORD'S PRAYER****3 MEETING DECLARED OPEN****4 APOLOGIES AND LEAVE OF ABSENCE****4.1 Apologies****4.2 Leave of Absence Granted**

- A. THAT it be noted that Member G A Lambert is an apology due to a Leave of Absence being previously granted on 27 July 2010 for the period 30 – 31 August 2010.
- B. THAT it be noted that Member F P Marrone is an apology due to a Leave of Absence being previously granted on 17 August 2010 for the period 30 August 2010 to 4 September 2010
- C. THAT it be noted that Member H D Sjoberg is an apology due to a Leave of Absence being previously granted on 17 August 2010 for the period 26 August 2010 to 1 September 2010.

DECISION NO.20\() (3108/10)

**4.3 Leave of Absence Requested**

THAT a Leave of Absence be granted for Member H D Sjoberg for the period 30 September 2010 to 23 October 2010.

DECISION NO.20\() (31/08/10)

**5 DECLARATION OF INTEREST OF MEMBERS AND STAFF**

**6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**6.1 Confirmation of the Previous Ordinary Council Meeting**

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 17 August 2010, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\() (31/08/10)

**7 BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETING**

**7.1 Business Arising**

**8 MATTERS OF PUBLIC IMPORTANCE**

**9.1     Minister Malarndirri McCarthy**  
Common No. 1516739

*Minister for Local Government, Malarndirri McCarthy will be in attendance from 5.15 p.m. to meet the Council.*

THAT the presentation from the Minister for Local Government, Malarndirri McCarthy regarding Current Local Government Issues, be received and noted.

DECISION NO.20\()                      (31/08/10)

**10            PUBLIC QUESTION TIME**

**11 CONFIDENTIAL ITEMS****11.1 Closure to the Public for Confidential Items**

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>
C24.1	8(c)(ii)	Information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law.
C24.2	8(c)(ii)	Information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law.
C29.1	8(d)	Information subject to an obligation of confidentiality at law, or in equity.
	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.
	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.

DECISION NO.20\() (31/08/10)

**11.2 Moving Open Items Into Confidential****11.3 Moving Confidential Items Into Open**

**12      PETITIONS**

Nil

**13      NOTICES OF MOTION**



**14 COMMITTEE REPORTS****14.1 COMMUNITY & CULTURAL SERVICES (16/08/10)****Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Tuesday, 16 August 2010

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**1 Darwin Entertainment Centre Fourth Quarter Reports for 2009/2010**  
Common Number 1844971 (11/08/10).

THAT the Darwin Entertainment Centre 2009/2010 fourth quarter funding reports April to June 2010, Document Number 1844971, be received and noted.

DECISION NO.20\() (31/08/10)

**2 Community & Cultural Services Team Report – August 2010**  
Report No. 10C0107 KH:es (11/08/10) Common No. 1733166

- A. THAT Report Number 10C0107 KH:es entitled, Community & Cultural Services Team Report – July 2010, be received and noted.
- B. THAT a report be prepared regarding the compulsory removal of graffiti from private premises and that the report address cost recovery options and or budget implications.

DECISION NO.20\() (31/08/10)

**14 COMMITTEE REPORTS****14.1 COMMUNITY & CULTURAL SERVICES (16/08/10)****Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Tuesday, 16 August 2010

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**3 Libraries Information Update for August 2010**

Report No. 10P0010 KC:md (11/08/10) Common No. 1732523

THAT Report Number 10P0010 entitled, Libraries Information Update for July 2010, be received and noted.

DECISION NO.20\() (31/08/10)

**4 Regulatory Services Monthly Update – August 2010**

Report No. 10C0106 DN:mrg (11/08/10) Common No. 1330602

THAT Report Number 10C0106 DN:mrg entitled, Regulatory Services Update July 2010, be received and noted.

DECISION NO.20\() (31/08/10)

**5 Brolga Awards 2010 – Sponsorship**

Report No. 10C0110 MD:kl (12/08/10) Common No. 1851326

- A. THAT Report Number 10C0110 MD:kl entitled, Brolga Awards 2010 - Sponsorship, be received and noted.
- B. THAT Council sponsors two categories in the 2010 Brolga Awards being “*Heritage and Cultural Tourism*” and “*Tourism Marketing*” to the value of \$5,000 + GST.

DECISION NO.20\() (31/08/10)

**14 COMMITTEE REPORTS****14.1 COMMUNITY & CULTURAL SERVICES (16/08/10)****Presentation of Report by Chairman - Member R Lesley**

Recommendations from the Community & Cultural Services Committee Meeting held on Tuesday, 16 August 2010

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**6 Community Representative Appointments to the Dili, Ambon and Anchorage Sister Cities Community Committees**

Report No. 10C0104 JB:kl I (11/08/10) Common No. 1784123

- A. THAT Report Number 10C0104 JB:kl entitled, Community Representative Appointments to the Dili, Ambon and Anchorage Sister Cities Community Committees, be received and noted.
- B. THAT Mr Neil Chadwick be appointed to the Dili Sister City Community Committee from 1 July 2010 to 30 June 2012 in accordance with the Local Government Act 2008.
- C. THAT Ms Linda Fazldeen be appointed to the Ambon Sister City Community Committee from 1 September 2010 to 30 June 2012 in accordance with the Local Government Act 2008.
- D. THAT Mr Greg Nettleton be appointed to the Anchorage Sister City Community Committee from 1 September 2010 to 30 June 2012 in accordance with the Local Government Act 2008.

DECISION NO.20\() (31/08/10)

**7 Community & Cultural Services Committee Meetings changes for 2010/2011**

Common No. 375173

THAT future Community & Cultural Services Committee meetings be re-scheduled for 2010/2011 to commence at 4.30 p.m. Mondays monthly.

DECISION NO.20\() (31/08/10)

**14 COMMITTEE REPORTS****14.2 CORPORATE & ECONOMIC DEVELOPMENT (24/08/10)****Presentation of Report by Chairman - Member K M Moir**

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 24 August 2010

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**1 Corporate Services Monthly Report -July 2010**

Report No. 10A0125 (13/08/10) Common No. 339108

THAT Report Number 10A0125 entitled, Corporate Services Monthly Report – July 2010, be received and noted.

DECISION NO.20\() (31/08/10)

**2 Listing of Cheques/EFT Payments, July 2010**

Report No. 10A0126 (13/08/10) Common No. 339125

THAT Report Number 10A0126 entitled, Listing of Cheques / EFT Payments – June 2010, be received and noted.

DECISION NO.20\() (31/08/10)

**3 Financial Report to Council - July 2010**

Report No. 10A0127 (13/08/10) Common No. 339122

THAT Report Number 10A0127 entitled, Financial Report to Council – July 2010, be received and noted.

DECISION NO.20\() (31/08/10)

**14 COMMITTEE REPORTS****14.2 CORPORATE & ECONOMIC DEVELOPMENT (24/08/10)****Presentation of Report by Chairman - Member K M Moir**

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 24 August 2010

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**4 Invitations Accepted or Declined by the Lord Mayor during July 2010**  
Report No. 10TC0043 BD:fm (03/08/10) Common No. 381402

THAT Report Number 10TC0043 entitled, Invitations Accepted or Declined by the Lord Mayor during July 2010, be received and noted.

DECISION NO.20\() (31/08/10)

**5 Monthly On-Street and Off-Street Parking Statistics – July 2010**  
Report No. 10A0128 (13/08/10) Common No. 376351

THAT Report Number 10A0128 entitled, Monthly On-Street and Off-Street Parking Statistics – July 2010, be received and noted.

DECISION NO.20\() (31/08/10)

**14 COMMITTEE REPORTS****14.2 CORPORATE & ECONOMIC DEVELOPMENT (24/08/10)****Presentation of Report by Chairman - Member K M Moir**

Recommendations from the Corporate & Economic Development Committee Meeting held on Tuesday, 24 August 2010

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**6 Annual Performance Review - Chief Executive Officer**

Report No. 10A0136 (13/08/10) Common No. 1853062

- A. THAT Report Number 10A0136 entitled, Annual Performance Review - Chief Executive Officer, be received and noted.
- B. THAT the Lord Mayor, Alderman K M Moir and the Chair of one of the other Standing Committees be authorised to undertake the Annual Performance Appraisal of the CEO with independent facilitation and reporting by the Manager People and Capacity Development of LGANT.
- C. THAT Council nominates Alderman ..... the Chairperson of the ..... Committee.

DECISION NO.20\() (31/08/10)

*(Please note: this performance review will be undertaken in early to mid October )*

**7 Steve Abala Role Model Project - Update**

Common No. 1378819

THAT the verbal update on Steve Abala Role Model Project by the Chief Executive Officer, Mr Brendan Dowd, be received and noted.

DECISION NO.20\() (31/08/10)

**14 COMMITTEE REPORTS****14.3 ENVIRONMENT & INFRASTRUCTURE (23/08/10)****Presentation of Report by Chairman - Member R K Elix**

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 23 August 2010

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**1 Climate Change & Environment Team Report – July – August 2010 Update**

Report No. 10TS0139PR (15/07/10) Common No. 1792647

THAT Report Number 10TS0139 PR entitled, Climate Change & Environment Team Report - July -August 2010 Update, be received and noted.

DECISION NO.20\() (31/08/10)

**2 Climate Change & Storm Surge Impacts**

Report No. 10TS0156PR (11/08/10) Common No. 1777700

THAT Report Number 10TS0156 PR entitled, Climate Change & Storm Surge Impacts, be received and noted.

DECISION NO.20\() (31/08/10)

**14 COMMITTEE REPORTS****14.3 ENVIRONMENT & INFRASTRUCTURE (23/08/10)****Presentation of Report by Chairman - Member R K Elix**

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 23 August 2010

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**3 Darwin Harbour Water Quality Investigation**

Report No. 10TS0154PR (09/08/10) Common No. 1845305

- A. THAT Report Number 10TS0154 PR entitled, Darwin Harbour Water Quality Investigation, be received and noted.
- B. THAT the Northern Territory Government be requested to fund a comprehensive water quality testing program for the storm water system.
- C. THAT a desktop study be conducted on Lake Alexander to include tidal and E Coli levels.

DECISION NO.20\() (31/08/10)

**4 Fusarium Wilt of Rosewoods**

Report No. 10TS0155 (10/08/10) Common No. 1850826

- A. THAT Report Number 10TS0155 entitled, Fusarium Wilt of Rosewoods, be received and noted.
- B. THAT Council endorse the removal of Rosewood trees within Council reserves which have died due to being affected by the Fusarium Wilt disease and replaced by a suitable species.

DECISION NO.20\() (31/08/10)



**14 COMMITTEE REPORTS****14.3 ENVIRONMENT & INFRASTRUCTURE (23/08/10)****Presentation of Report by Chairman - Member R K Elix**

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 23 August 2010

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**5 Cavenagh Street Roads to Recovery Project – Progress Report August 2010**

Report No. 10TS0146DLK:ab (28/07/10) Common No. 223527

THAT Report Number 10TS0146 DLK:ab entitled, Cavenagh Street Roads to Recovery Project – Progress Report August 2010, be received and noted.

DECISION NO.20\() (31/08/10)

**6 CBD Parking Advisory Committee – Community Representative**

Report No. 10TS0150 (03/08/10) Common No. 428253

- A. THAT Report Number 10TS0150 LC:KB entitled, CBD Parking Advisory Committee – Community Representative, be received and noted.
- B. THAT Council appoints Mr Warren Lambert to the position of Community Representative on the Darwin City Council CBD Parking Advisory Committee for a period of 1 September 2010 to 30 June 2011.

DECISION NO.20\() (31/08/10)

**14 COMMITTEE REPORTS****14.3 ENVIRONMENT & INFRASTRUCTURE (23/08/10)****Presentation of Report by Chairman - Member R K Elix**

Recommendations from the Environment & Infrastructure Committee Meeting held on Monday, 23 August 2010

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**7 MY0800 Darwin City Revitalisation Project – Progress Report August 2010 (Entire Project)**

Report No. 10TS0145 (28/07/10) Common No. 1486204

THAT Report Number 10TS0145 DL:KB entitled, MY0800 Darwin City Revitalisation Project - Progress Report August 2010 (Entire Project), be received and noted.

DECISION NO.20\() (31/08/10)

## 15 OFFICERS REPORTS

### 15.1 Sale of Walkway No. 142 Greenwood Crescent to Lee Point Road Moil Report No. 10A0130 (20/08/10) Common No.1097737

*Report Number 10A0130 attached.*

ENCL YES

**DARWIN CITY COUNCIL**

Date: 20/08/10

**REPORT****TO:** 2<sup>nd</sup> ORDINARY COUNCIL MEETING **APPROVED:** FC**FROM:** GENERAL MANAGER, CORPORATE SERVICES **APPROVED:** LC**REPORT NO:** 10A0130**COMMON NO:** 1097737**SUBJECT:** SALE OF WALKWAY NO. 142 GREENWOOD CRESCENT TO LEE POINT ROAD, MOIL**ITEM NO: 15.1****SYNOPSIS:**

The report provides details of a letter of complaint from Ms Virginia Gooding that Council has not proceeded with the sale of Walkway No. 142 from Greenwood Crescent to Lee Point Road in Moil.

This report recommends not to sell Walkway No. 142.

**GENERAL:**

On 25 March 2008 Council resolved to close and dispose of walkway no 142 from Greenwood Crescent to Lee Point Road in Moil.

**8. Closure of Walkway, Greenwood Crescent to Lee Point Road, Moil**  
Report No.08A0041 (08/02/08) Common No.1097737

(Ald Moir/Fox)

- A. THAT Report Number 08A0041 entitled Closure of Walkway, Greenwood Crescent to Lee Point Road, Moil be received and noted.
- B. THAT the Darwin City Council, pursuant to Section 144 (1) of the Local Government Act 1993 hereby delegates to the Director of Corporate Services, for the time being, the power to utilise discretionary powers to negotiate the sale of the Greenwood Crescent to Lee Point Road Walkway in Moil.
- C. THAT documentation associated with the sale of the Greenwood Crescent to Lee Point Road Walkway in Moil, be executed under the Council's Common Seal and signed by the Lord Mayor and Chief Executive Officer.
- D. THAT when purchasers are confirmed, the Greenwood Crescent to Lee Point Road Walkway in Moil, Walkway No 142 be closed under the Local

PAGE: 2  
 REPORT NUMBER: 10A0130  
 SUBJECT: SALE OF WALKWAY NO 142, GREENWOOD CRESCENT TO LEE POINT ROAD, MOIL

Government (Road Opening & Closing) Regulations, and sold to adjoining owner(s).

DECISION NO.19\5902 (25/03/08)

Carried: General Consent

The prospective purchasers paid a deposit of \$500 and prepared signage for the gates as required under the road closing regulations.

In April 2008 Earl James was requested to prepare a survey plan. In May 2008 the consent of the Minister for Local Government to close the road reserve was sought, and the Development Consent Authority was asked for any objections to the closure.

The sale of the walkway was initially delayed due to the review of the Local Government Act in 2008. Following the introduction of the new 2008 Local Government Act and 2008 Local Government (Administrative) Regulations, a further report was put to Council recommending that the sale of the walkway proceed.

On 30 September 2008 Decision No 20\0765, Council confirmed its previous decision to permanently close Walkway No. 142 and others, but that the walkways not be sold for the time being pending the proposed review of Council's walkway policy.

The road closures were advertised in the NT News on 4 October 2008, a letterbox drop was conducted, gates constructed and signage installed.

In October 2008 the original Council report and decision to close and sell Walkway No. 142 was sent to the Minister for Local Government to comply with the requirements of the new regulations. In December 2008, the Minister advised that he consented to the road closure.

On 25 August 2009 Council resolved to consult with the community in relation to the potential closure of various walkways, including Walkway No. 142. In October 2009 the consultation period closed, and the results for Walkway No. 142 were 5 responses not to close, 22 responses to permanently close, and 3 responses for night closure. On 14 December 2009 Council resolved to permanently close various walkways, including Walkway No. 142, which had been closed since December 2008.

On 11 May 2010 Council adopted a new "Walkways Policy" which states "Walkways that are currently closed will not automatically be sold."

Staff have advised Ms Gooding the spirit of Council's policy is not to sell walkways except in exceptional circumstances and that in this instance the sale was not supported.

Ms Gooding has since written the attached letter of complaint (**Attachment A**).

PAGE: 3  
REPORT NUMBER: 10A0130  
SUBJECT: SALE OF WALKWAY NO 142, GREENWOOD CRESCENT TO LEE POINT ROAD, MOIL

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**FINANCIAL:**

The income to Council through the sale of the land would be \$11,650 plus GST.

**LEGAL REQUIREMENTS:**

Legal advice is that Council is not contractually bound to sell this walkway despite the above sequence of events.

**RECOMMENDATIONS:**

- A. THAT Report Number 10A0130 entitled, Sale of Walkway No. 142, Greenwood Crescent to Lee Point Road Moil, be received and noted.
- B. THAT Council advise Ms Gooding that Council is not prepared to sell Walkway No. 142 and will reimburse Ms Gooding for all reasonable costs associated with her application.

**LIAM CARROLL**  
**MANAGER BUSINESS SERVICES**

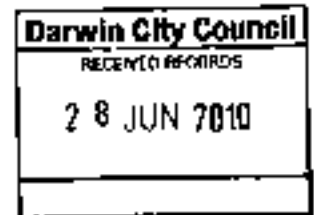
**FRANK CRAWLEY**  
**GENERAL MANAGER CORPORATE**  
**SERVICES**

Any queries on this report may be directed to Liam Carroll on 8930 0559 or [l.carroll@darwin.nt.gov.au](mailto:l.carroll@darwin.nt.gov.au).

PO BOX 38041  
Winnellie NT 0821

June 25 2010

Darwin City Council  
GPO Box 84  
Darwin NT 0801



To the attention of Lord Mayor Graeme Sawyer and Manager Business Services Liam Carroll

Council's policy No. 056, adopted 11/05/2010, states its primary objective as "providing and maintaining a walkway network as a part of a wider network that facilitates the movement of pedestrians and cyclists across the municipality"

Today we received verbal notification of the resulting Council decision not to proceed with the sale of Walkway No. 142. We have also been advised that Council will keep the walkway indefinitely closed.

We were also advised that Council held concerns that proceeding to sell Walkway No. 142 would set a precedent. Contrary to this are Council's repeated assertions that it determines walkway closure and sale on an individual basis, which surely reject such a one-in-all-in approach and negate the precedent contention made in relation to our application.

As established in our letter to Council dated 11 October 2009, the location of Walkway No. 142 does nothing to encourage natural flow through the suburb of Moll nor does it promote the safe travel of pedestrians and cyclists.

The signalised pedestrian crossing closest to Greenwood Cres and Walkway No. 142 is that at the Parer Drive / Lee Point intersection. Whether pedestrians and cyclists exit Greenwood Cres through Walkway No. 142 then go along Lee Point Road, or go along Greenwood Cres and up Parer Drive, to the traffic lights is exactly the same distance.

When the walkway is open, it encourages pedestrians and cyclists to run the gauntlet of 70pkh traffic across the six lanes of Lee Point Road, rather than go to the traffic lights and see cyclists scoot out and across the bend in Greenwood Cres without checking for traffic.

Hence the closure of Walkway No. 142 since November 2008 has already improved the natural and safe flow of pedestrian and cyclist traffic who now have to go down Greenwood Crescent into Moll and up to the Parer Drive / Lee Point Road signalised pedestrian crossing.

It has also reduced the level of anti social behaviour we experience.

However, there are continuing regular occurrences of people jumping across our private fence and that of the neighbours' fences to bypass the Council gates and get into the walkway for their own purposes. Hence there is still graffiti, rubbish thrown into yards, dogs hassled and so on, though on a lesser scale.

The council installed gates are simply not enough of a deterrent to those intent on doing the wrong thing.

Council is aware of the problems in walkways and by refusing to dispose of problem walkways is allowing the behaviour to continue

If a walkway is sold and incorporated into adjoining properties it is no longer a drawcard as an opportunity for mischief.

Councils' decision to not sell this walkway opens the possibility that in the future, Walkway No. 142 may be reopened depending on the will of the Council of the day. It does not reflect the repeated decisions and statements by Council to keep Walkway No. 142 permanently closed. The walkway is not 'permanently closed' until the land is disposed of and there is no chance of it ever reopening

Society has changed dramatically since Darwin suburbs were first planned. CCTV, increased police patrols, night patrols, anti-graffiti campaigns and programs specifically targeting anti-social behaviour evidence this.

The expectation and once-held belief that pedestrians and cyclists respect the privilege of a walkway and not disturb neighbouring properties can no longer be relied upon or assumed.

Council has come some way to addressing those changes in recent guidelines for paths in new subdivisions. But it wants the 'old' walkways to stay as they are. How does Council justify that stance when it is to the detriment of neighbouring properties and their owners' basic right to safety and a peaceful existence?

The history of Walkway No. 142 shows applications made by owners were halted several times by Council conducting review after review

Our application made in 2007 follows an application made by Peter Patricks in 2003 which did not proceed as Council deferred a decision till the following year as they had only a draft policy in place

In 2007, we applied to Council to permanently close and sell the walkway land

In 2008, our application successfully passed through the Council process according to its policy in place at the time. In March 2008, our application for permanent closure and sale was approved by Council. It was also approved for permanent closure and sale by the then Minister Local Government Minister Knight in December 2008.

Following its latest review and extensive public consultation period, Council again committed to closing Walkway No. 142 permanently in December 2009.

Our application pre-dates Councils' current policy. Councils' approval and Ministerial approval of our application also pre-dates the current policy. Our application, at the stage of engaging a conveyancer, was halted due to Council making a decision to conduct another review that was both delayed in commencing and also concluding



Had our application been allowed to complete, we believe it would have been concluded before the latest review even commenced. It is quite unjust that our application, having been approved by Council and Minister Local Government two years ago, be subject to the current policy which has only been adopted in May of this year.

During the time period when our application was being processed, a number of walkways were sold off by Council after going through the same process that our application has gone through.

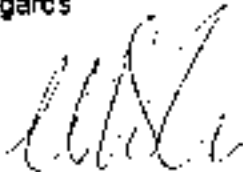
An example is the former walkway between Lee Point Road and Carpenter Cres. Following an application lodged and investigated by Council in 2006, the former Category B walkway was subsequently closed and sold off to address the anti-social behaviour experienced by neighbouring residents.

Given the repeated decisions by Council to permanently close Walkway No. 142, we cannot understand the decision made not to dispose of the walkway land.

Council is elected to reflect the wishes of the community. In this case, the 'voice' of the community has supported the continued closure of Walkway No. 142 through two separate invitations for public consultation.

We ask Council to reconsider its decision not to dispose of the land of Walkway No. 142. We want to ensure that Walkway No. 142 never reopens, guaranteeing a continual improvement to our everyday lives.

Regards



Virginia Gooding  
for Virginia and Joshua Gooding

## 15 OFFICERS REPORTS

### 15.2 MY0800 This is my Darwin Photo Project

Report No. 10C0111 AR:kl (24/08/10) Common No. 1852712

*Report Number 10C0111 AR:kl attached.*

ENCL: NO

**DARWIN CITY COUNCIL**  
**REPORT**

DATE: 24/08/10

TO: 2<sup>nd</sup> ORDINARY COUNCIL/OPEN

APPROVED: JB

FROM: GENERAL MANAGER COMMUNITY &  
CULTURAL SERVICES

APPROVED: KH

REPORT NO: 10C0111 AR:kl

APPROVED: AR

COMMON NO: 1852712

SUBJECT: MY0800 THIS IS MY DARWIN PHOTO PROJECT

**ITEM NO: 15.2****SYNOPSIS:**

This report presents details of a proposed community engagement project inviting the Darwin community to submit photographic images for use on permanent signage to be installed in The Mall as part of the My0800 City Revitalisation project.

**GENERAL:**

The MY0800 City Revitalisation project is part-funded by the Federal Government Stimulus package, the Northern Territory Government and the private sector and the budget incorporates significant investment in wayfinding and signage elements as well as Public Art.

The proposed "This Is My Darwin" photo project will seek the participation of the Darwin community in nominating images of Darwin people and places to be used on permanent signage in the Mall.

It is anticipated that 5 – 10 images may be selected for use and that images, printed on large canvas sheets, will be installed in The Mall for no less than 12 months and for up to 5 years.

Community members will be able to submit images online or by post. Images submitted must be photocopies, scanned copies or digital photo files (they cannot be original photographs). A website submission form will be created on the Council website outlining all Terms and Conditions of the project.

Images submitted to Council for the "This Is My Darwin" photo project will also be submitted to the NT Library archives.

PAGE: 2  
 REPORT NUMBER: 10C0111 AR:kl  
 SUBJECT: MY0800 THIS IS MY DARWIN PHOTO PROJECT

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### **FINANCIAL IMPLICATIONS:**

Nil pertaining to this report.

### **STRATEGIC PLAN IMPLICATIONS:**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

#### **Goal**

5 Facilitate and Maintain a Cohesive Community

#### **Outcome**

5.3 Support harmony within the community

#### **Key Strategies**

5.3.2 Develop and support programs to promote community spirit, cohesion and safety

#### **Goal**

6 Promote Brand Darwin

#### **Outcome**

6.2 Promote our Darwin city

#### **Key Strategies**

6.2.1 Promote Darwin's history, particularly its WWII experiences

### **LEGAL IMPLICATIONS:**

Persons submitting images must own copyright of those images, or copyright must have expired. This is explained in the Terms and Conditions.

Use of images of Aboriginal or Torres Strait Islander persons will be subject to an approval process by relevant cultural organisations.

### **ENVIRONMENTAL IMPLICATIONS:**

Nil pertaining to this report.

### **PUBLIC RELATIONS IMPLICATIONS:**

The This Is My Darwin photo project provides a positive opportunity for Council to engage with the community in placemaking and to showcase project outcomes locally and nationally.

The NT News will partner with Council to promote the project and publish images of community interest.

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REPORT NUMBER: 10C0111 AR:kl  
SUBJECT: MY0800 THIS IS MY DARWIN PHOTO PROJECT

---

There is potential media interest in any Council activity.

**COMMUNITY SAFETY IMPLICATIONS:**

Nil pertaining to this report.

**DELEGATION:**

A Council decision is required.

**CONSULTATION:**

Manager Strategy and Outcomes  
Manager Design and Planning  
Communications and Marketing Officer (Web Development)  
Arts and Cultural Development Officer  
Creative Territory  
Captovate

**PROPOSED PUBLIC CONSULTATION PROCESS:**

This is a community engagement project in which the Darwin community will be invited to participate during late 2010.

The timeframe from advertisement of the opportunity to selection and announcement of selected images will be approximately 10 to 12 weeks.

A webpage will be created on the Council website enabling community members to submit images online.

The NT News will publish feature articles on the winning submissions.

**APPROPRIATE SIGNAGE**

There will be acknowledgement within the signage of photographers and/or persons submitting images which are selected for use.

PAGE: 4  
 REPORT NUMBER: 10C0111 AR:kl  
 SUBJECT: MY0800 THIS IS MY DARWIN PHOTO PROJECT

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### **RECOMMENDATIONS:**

THAT it be a recommendation to Council:-

- A. THAT Report Number 10C0111 AR:kl entitled, My0800 This Is My Darwin Photo Project, be received and noted.
- B. THAT Council endorse the "This Is My Darwin" Photo Project as an opportunity for the Darwin community to contribute images for use on permanent signage as part of the MY0800 City Revitalisation project.

**ALICE RAE**  
**ARTS & CULTURAL DEVELOPMENT**  
**OFFICER**

**JOHN BANKS**  
**GENERAL MANAGER COMMUNITY &**  
**CULTURAL SERVICES**

Any queries on this report may be directed to Alice Rae on 8930 0674 or  
[a.rae@darwin.nt.gov.au](mailto:a.rae@darwin.nt.gov.au)

## 15 OFFICERS REPORTS

### 15.3 Voting System for Local Government in the Northern Territory

Report No. 10TC0050 (26/08/10) Common No. 192542

*Report Number 10TC0050 attached.*

ENCL: YES

**DARWIN CITY COUNCIL**  
**REPORT**

DATE: 26/08/10

TO: 2<sup>nd</sup> COUNCIL MEETING /OPEN

APPROVED: BD

FROM: CHIEF EXECUTIVE OFFICER

APPROVED: MB

REPORT NO: 10TC0050 MD:as

APPROVED: M

COMMON NO: 192542

SUBJECT: VOTING SYSTEM FOR LOCAL GOVERNMENT IN THE NORTHERN TERRITORY

**ITEM NO: 15.3****SYNOPSIS:**

This report presents a draft response (**Attachment A**) for consideration by Council, to the review of the local government voting system initiated by the Minister for Local Government Council.

**GENERAL:**

In July 2010 the Minister for Local Government initiated a review of the local government voting system.

The aim of the review is to seek comment on whether or not changes need to be made to the electoral system for local government in the Territory.

**Attachment A** is a suggested draft letter of response to the Minister for Local Government.

It is recommended that Council consider and endorse the draft letter of response to the Minister for Local Government.

**FINANCIAL IMPLICATIONS:**

Nil



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REPORT NUMBER: 10TC0050 MB:as  
SUBJECT: Voting System For Local Government In The Northern Territory

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### **STRATEGIC PLAN IMPLICATIONS:**

#### **Goal**

7 Demonstrate Effective, Open and responsible Governance

#### **Outcome**

71. Effective Governance

### **LEGAL IMPLICATIONS:**

Nil

### **ENVIRONMENTAL IMPLICATIONS:**

Nil

### **PUBLIC RELATIONS IMPLICATIONS:**

The draft response should receive positive media coverage.

### **COMMUNITY SAFETY IMPLICATIONS:**

Nil

### **DELEGATION:**

Nil

### **CONSULTATION:**

Nil

### **PROPOSED PUBLIC CONSULTATION PROCESS:**

The draft response recommends that the Minister for Local Government conduct a public consultation process on any proposed changes to the NT Local Government Voting System.

### **APPROPRIATE SIGNAGE**

Nil

PAGE: 3  
REPORT NUMBER: 10TC0050 MB:as  
SUBJECT: Voting System For Local Government In The Northern Territory

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**RECOMMENDATIONS:**

- A THAT Report Number 10TC0050 MB:as entitled, Voting System For Local Government In The Northern Territory be received and noted;
- B THAT Council endorse the letter contained in **(Attachment A)** to Report Number 10TC0050 MB:as as its response to the Minister for Local Government regarding the voting system for Local Government in the Northern Territory.

**MARK BLACKBURN**  
**EXECUTIVE MANAGER**

**BRENDAN DOWD**  
**CHIEF EXECUTIVE OFFICER**

Any queries on this report may be directed to Mark Blackburn on [mblackburn@darwin.nt.gov.au](mailto:mblackburn@darwin.nt.gov.au) or ext. 5516.

Please Quote: 192542 MD:as

The Hon. Malarndirri McCarthy  
Minister for Local Government  
c/o Policy and Legislation  
Department of Housing, Local Government and Regional Services  
GPO Box 4621  
Darwin NT 0801

Dear Minister

### **Voting System for Local Government in the Northern Territory**

Thank you for your letter inviting Darwin City Council to submit written comments on the *Discussion Paper – What is the best voting system for local government in the NT?*

I am pleased to submit the attached response that was endorsed by Council at the 2<sup>nd</sup> Ordinary Council meeting on 31<sup>st</sup> August 2010.

Darwin City Council notes that with the introduction of the new Local Government Act in 2008 the former Local Government Advisory Board recommended the NT Government Local Government use the exhaustive preferential electoral systems for all Councils in the Northern Territory. This decision provides a common voting system for the Northern Territory Legislative Assembly, the Australian House of Representatives and Councils in the Northern Territory.

Darwin City Council recommends that this system continues in the future with some suggested minor improvements. Councils comments of the voting system are summarised in the following table.

<b>Current System</b>	<b>Suggested Improvements</b>
Compulsory Voting	No Change
Exhaustive Preferential Voting	No Change
Polling at Booths	Postal System
	A Communication Strategy is developed to explain the voting system.

Should the NT Government consider making any changes as a result of the review it is recommended that broad community consultation is conducted on the proposed changes.

In relation to the specific question raised in your Discussion Paper our comments are as follows:

### Question 1

**Do you think it is important that the people understand the voting system? If so why?**

It is important that people understand the voting system as our current compulsory voting system requires every elector to exercise their democratic right. Electoral system enthusiasts understand the various voting systems, however, many voters do not.

Darwin City Council supports no change to the compulsory requirement of the current voting system.

It is important that a communication strategy is developed to assist electors in understanding the NT Local Government voting system at the next Council election. Council notes that the interactive website material produced by South Australian Electoral Commission may be useful in developing similar resources for Territorians. This material could also be developed into simple electronic and print advertising material.

### Question 2

**Given that it is not feasible for every small group to be represented in a local government area, is it important that the vote counting system enables representation of minorities?**

An election is the mechanism by which Council create its representative democracy. The extent to which an electoral system can promote a socially representative Council is therefore very important.

Darwin City Council supports an Exhaustive Preferential Voting System that enables the election of the candidate most preferred by the most voters. Council considers this system provides voters with choices that are accurately reflected in the election results.

Whilst consistency is important in the voting systems, it is acknowledged that Shire Councils have vastly different population distributions of communities of interest to that of Darwin and other municipal areas.

### **Question 3**

**The 2008 elections introduced many voters and councils to a new, perhaps unfamiliar voting system. Do you think the current voting system should be given the chance to settle and be tested at the 2012 elections before any changes are made?**

Darwin City Council supports the current compulsory exhaustive preferential voting system and considers that there should be no major change to the system except for a postal option rather than voting at booths. Council recommends the NT Government develop additional educational resources to explain the current NT Local Government system. This material should be prepared and promoted well in advance of the 2012 elections to assist all voters to understand the system.

As stated above Darwin City Council recommends a change to the system to enable Councils the option to use a compulsory postal system. Darwin City Council considers there may be significant savings to some Councils in changing to this mode of voting. In the medium to longer term the introduction of electronic voting systems may suit the electorate better and be more cost effective.

### **Question 4**

**What do you think are the most important factors to consider when choosing an electoral system for local government in the Territory?**

Darwin City Council considers the following factors to be important:

- The system encourages high voter participation;
- The system is easily understood and/or familiar to the voters;
- The elected candidate is the one most preferred by most voters;
- A cost effective voting system

Darwin City Council does not support any change to the existing the exhaustive preferential voting system that has been in place for many years. An amendment is proposed – the option for Councils to conduct a postal vote system.

**Question 5**

**Does one of these systems seem like a better option for local government in the Territory? If so why?**

Darwin City Council supports the continuation of the current compulsory, exhaustive preferential system.

This system has been in place in municipal councils across the Northern Territory for many years. The current voting system can be used in no ward, single wards and multi ward structures.

Other advantages include:

- Prevents the election of any candidate who lacks an absolute majority of the vote
- Voters are given more than one choice of candidate
- The elected candidate is the one preferred by the most voters
- Tendency to avoid the situation where a candidate can be elected on a very small percentage of the vote.

## 23 Contents of municipal or shire plan

- (1) A municipal or shire plan:
  - (a) must contain:
    - (i) a service delivery plan for the period to which the municipal or shire plan relates prepared in accordance with planning requirements specified in a relevant regional management plan; and
    - (ii) the council's budget; and
  - (b) must contain, or incorporate by reference:
    - (i) any long-term community or strategic plans adopted by the council or a local board and relevant to the period to which the municipal or shire plan relates; and
    - (ii) the council's long-term financial plan; and
  - (c) must contain, or incorporate by reference, the council's most recent assessment of:
    - (i) the adequacy of constitutional arrangements presently in force for the council under this Act and, in particular, whether they provide the most effective possible representation for the area; and
    - (ii) the opportunities and challenges for local government service delivery in the council's area; and
    - (iii) possible changes to the administrative and regulatory framework for delivering local government services in the council's area over the period to which the plan relates; and
    - (iv) whether possibilities exist for improving local government service delivery by cooperation with other councils, or with government agencies or other organisations; and
  - (d) must define indicators for judging the standard of its performance.
- (2) A council must make or revise an assessment of the matters mentioned in subsection (1)(c) at least once in the council's term and, until the council makes or revises the assessment, the municipal or shire plan is to include the assessment (if any) made during the previous term of the council.

## 15 OFFICERS REPORTS

### 15.4 Review Constitutional Arrangements (Electoral Review)

Report No. 10TC0051 (26/08/10) Common No. 192542

*Report Number 10TC0051 attached.*

***Attachment A*** *has been distributed separately.*



ENCL: YES

**DARWIN CITY COUNCIL**  
**REPORT**

DATE: 20/08/10

<b>TO:</b>	2 <sup>ND</sup> COUNCIL MEETING/OPEN	<b>APPROVED:</b>	BD
<b>FROM:</b>	CHIEF EXECUTIVE OFFICER	<b>APPROVED:</b>	MB
<b>REPORT NO:</b>	10TC0051	<b>APPROVED:</b>	MB
<b>COMMON NO:</b>	192542		

**SUBJECT:** REVIEW CONSTITUTIONAL ARRANGEMENTS (ELECTORAL REVIEW)

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**ITEM NO: 15.4****SYNOPSIS:**

The *Local Government Act 2008* S23 requires each local government Council to carry out a review of its electoral representation every four years.

This report recommends that Council endorse the information papers contained in **Attachment A** for the purpose of public consultation.

**GENERAL:**

The *Local Government Act 2008* S23 requires each local government Council to carry out a review of its electoral representation every four years.

Darwin City Council must complete the review of its current constitutional arrangements by 31<sup>st</sup> March 2011.

The following review process and schedule is recommended:

**September 2010 – 30 Day Community Consultation**

- Advertisements be placed in a newspaper circulating in the area and on Council's Website to :
  - advise the community that Darwin City Council is conducting a review of its Constitutional Arrangements (Electoral Review) and
  - seek comments from the community

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 REPORT NUMBER: 10TC0051 MB:as  
 SUBJECT: Review Constitutional Arrangements (Electoral Review)

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- The advertisements will refer members of the community to an *Information Paper on the Review on Electoral Review (Attachment A)* that will be available on the Council Website and also at Council Service Desks at the Civic Centre and the public libraries.

#### **October/November 2010**

- Council will receive a report and consider the submissions received during the public consultation.

#### **December/January 2010**

- Council will forward a report to the Minister for Local Government setting out the outcomes of the review.

It is also recommended that Council note that **(Attachment B)** the review of all Section 23 1 (c) will be included in the report to the Minister for Local Government in December 2010.

#### **FINANCIAL IMPLICATIONS:**

The costs to conduct this Electoral Review have been committed against the Council's Municipal Elections Cost Centre.

#### **STRATEGIC PLAN IMPLICATIONS:**

##### **Goal**

7 Demonstrate Effective, Open and responsible Governance

##### **Outcome**

71. Effective Governance

#### **LEGAL IMPLICATIONS:**

Council is required to undertake this Electoral Representation Review in accordance with the *Local Government Act 2008*.

#### **ENVIRONMENTAL IMPLICATIONS:**

Nil

#### **PUBLIC RELATIONS IMPLICATIONS:**

Nil

PAGE: 3  
REPORT NUMBER: 10TC0051 MB:as  
SUBJECT: Review Constitutional Arrangements (Electoral Review)

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**COMMUNITY SAFETY IMPLICATIONS:**

Nil

**DELEGATION:**

Nil

**CONSULTATION:**

Department of Housing, Local Government and Regional Services

**PROPOSED PUBLIC CONSULTATION PROCESS:**

This report proposes a community consultation process for the review of Council's constitutional arrangements .

**APPROPRIATE SIGNAGE**

Nil

**RECOMMENDATIONS:**

- A THAT Report Number 10TC0050 MB:as entitled, Reviews of Voting System and Electoral Representation be received and noted.
- B THAT Council endorse the Information Paper contained in (**Attachment A**) to Report Number 10TC0050 MB:as for the purpose of conducting community consultation as set out in the report over a 30 day period.

**MARK BLACKBURN**  
**EXECUTIVE MANAGER**

**BRENDAN DOWD**  
**CHIEF EXECUTIVE OFFICER**

Any queries on this report may be directed to Mark Blackburn on [mblackburn@darwin.nt.gov.au](mailto:mblackburn@darwin.nt.gov.au) or ext. 5516.

**16 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED****16.1 Northern Immigration Detention Centre, Community Consultation Group**  
Document No.1850748 (11/08/10) Common No.1850748

- A. THAT the incoming letter from the Department of Immigration and Citizenship, A/Regional Manager, Mr Troy Sokoloff, dated 11 August 2010, in relation to an invitation to attend the Northern Immigration Detention Centre Community Consultative Group Meeting on 31 August 2010, Document Number 1850748, be received and noted.
- B. THAT Council nominates Alderman R Lesley to the Northern Immigration Detention Centre Community Consultative Group.

DECISION NO.20\26 (31/08/10)



Australian Government  
Department of Immigration and Citizenship

File Ref No: ADF2010/12250

Mr Alderman John Bailey  
Darwin City Council  
GPO BOX 84  
DARWIN NT 0801

Dear Mr Alderman John Bailey

**Re: Northern Immigration Detention Centre, Community Consultative Group**

The Northern Immigration Detention Centre, Community Consultative Group (NIDC CCG) has been established to:-

- Improve the daily lives of those in immigration detention through members' consideration of issues relating to the safety, care and welfare of immigration detainees, including sporting, recreational and leisure activities, and religious and health services, and
- Provide a forum for enhancing interaction between the Darwin community and the management of the Northern Immigration Detention Centre (NIDC).

The role of the NIDC CCG is to advise the Department of Immigration and Citizenship (DIAC), and in particular the Community and Detention Services Division, on its views of any action to be implemented.

The NIDC CCG is chaired by Air Marshall Ray Funnell AC, a member of the Council for Immigration Services and Status Resolution (CISSR). Meetings are held every two months or as required (currently every six months), and a copy of the terms of reference (TOR) for the Group is attached. You will note that the TOR refers to a Conflict of Interest Declaration. A copy of the declaration and related guidelines is attached.

The next meeting of the NIDC CCG is scheduled for 10 am on Tuesday 31 August, on the first floor conference room at the Northern Territory Regional Office of the Department, 40 Cavenagh Street, Darwin.

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Website: [www.immi.gov.au](http://www.immi.gov.au)

- 2 -

Please contact Ma Lillian Ong on (08) 8501 6168 or email [llian.ong@immi.gov.au](mailto:llian.ong@immi.gov.au) by COB 25 August to advise the name and contact details of your organisation's nominee for membership. Please also advise if you or your representative will be able to attend the meeting scheduled for 31 August 2010; and if you have any agenda items you wish to discuss.

I look forward to working with you over the coming months, and welcome your ongoing input into the immigration detention services provided at the NIDC.

Yours sincerely

*(signed by Troy Sokoloff)*

Troy Sokoloff  
A/g Regional Manager  
NT and Qld Community and Detention Operations  
11 August 2010



## NORTHERN IMMIGRATION DETENTION CENTRE COMMUNITY CONSULTATIVE GROUP TERMS OF REFERENCE

### GOVERNING BODY

The Department of Immigration and Citizenship (the Department).

### PURPOSE

The Northern Immigration Detention Centre Community Consultative Group (NIDC CCG) is established to:-

- improve the daily lives of those in immigration detention through members' consideration of issues relating to the safety, care and welfare of immigration detainees, including sporting, recreational and leisure activities, and religious and health services; and
- provide a forum for the Council for Immigration Services and Status Resolution (CISSR), the Department, Serco International Health and Medical Services (IHMS) and the key external stakeholders to meet and discuss any issues within the local immigration detention environment.

### MEMBERSHIP

CCG meetings will be chaired by a member of the CISSR (unless a member is unavailable). CISSR is an independent group appointed by the Minister to advise on the appropriateness and adequacy of community detention intervention arrangements, and to contribute to the enhancement of detention program strategies and consultative processes.

The Department's Regional Manager, the Detention Services Provider's General Manager, and the Detention Service Provider's Health Manager are members as required by Schedule 4.2, Clause 6.3 (d) of the Immigration Detention Services contract between the Department and Serco.

The remaining membership of the CCG is by invitation. A broad range of organisations and individuals are considered based on their background, knowledge, interest and expertise. Invitations to nominate for membership of the NIDC CCG will be issued to:-

- Australian Customs Service
- Australian Fisheries Management Authority
- Australian Red Cross
- Commonwealth Ombudsman's Office
- Darwin City Council
- Department of Defence
- Department of Immigration and Citizenship – NT Regional Office
- Indonesian Consulate
- Indonesian United Church Minister
- Islamic Council of the Northern Territory
- Life Without Barriers
- NT Department of Health and Community Services
- NT Legal Aid Commission
- NT Police

Other members may be invited as appropriate to reflect any changes to the current NIDG client group.

All members are required to sign and submit a Conflict of Interest Declaration.

Secretariat services will be provided by the Department.

#### **QUORUM**

Minimum representation at the Community Consultative Group will be the CISSR, the Department, Serco, IHMS and two representatives of other member organisations.

#### **FREQUENCY**

Meetings will be held every two months, or as otherwise agreed by the Department in line with Schedule 4.2, Clause 6.3 (d) of the Immigration Detention Services contract between the Department and Serco.



# SUGGESTED AGENDA

COMMUNITY CONSULTATIVE GROUP	
Date:	
Time:	
Location:	
Chair:	
Attendees:	
Visitors:	
Apologies:	

Agenda Item	Sponsor
1. Welcome and Introductions	Member of CISSR
2. Apologies	Member of CISSR
3. Previous Minutes	Member of CISSR
4. Action Items from Previous Minutes	Member of CISSR
5. Client Consultative Committee (CCC) Minutes	Sorco
6. Reports:	
DIAC Regional Manager	DIAC
- Sorco Centre Manager	Sorco
- IHMS Health Services Manager	IHMS
7. New Business	All
8. Next Meeting	Member of CISSR



Australian Government  
Department of Immigration and Citizenship

## ***CONFLICT OF INTEREST DECLARATION***

I, \_\_\_\_\_

(name of Committee Member)

as a committee member within the Department of Immigration and Citizenship  
(DIAC) on the

\_\_\_\_\_

(name of the Committee)

assure the Secretary / the Committee Chair that I have no conflict of interest or  
perceived conflict of interest that prevents me as the Committee Member from  
carrying out committee activities in a diligent and professional manner.

If during my committee membership a conflict of interest arises, or appears likely to  
arise, I undertake to notify the Chair of the Committee in writing and to take such  
steps to resolve or otherwise deal with the conflict or potential conflict.

Should there be a real or potential conflict of interest arising from any agenda items, I  
undertake to identify the particular agenda item(s) and the details of the issue directly  
to the Chair prior to discussion of that item.

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Website: [www.immi.gov.au](http://www.immi.gov.au)

The Committee Chair will decide if I should absent myself from the meeting while the item is discussed, or if I should not participate in the consideration of that item.

The term of this Declaration is for the period during which I am appointed as a member of this Committee.

\_\_\_\_\_  
(signature of Committee Member)

Signed in the presence of:

\_\_\_\_\_  
(name of witness in full)

\_\_\_\_\_  
Signature of Witness

\_\_ / \_\_ / \_\_\_\_  
Date

## **GUIDANCE NOTE**

### **DIAC KEY GOVERNANCE COMMITTEES**

#### **CONFLICT OF INTEREST ISSUES**

1. Chief Executive Instruction 25 -- Governance Committees provides that:

*Once a year, members of the key governance committees are to provide written declarations to the Secretary, stating that they do not have any conflicts of interest that would otherwise preclude them from being members of the committee and;*

- *members **must** also declare any real or potential conflicts of interest arising from agenda items to the Chair (or Secretariat) prior to discussion of that item; this would include identifying where a personal relationship could influence, or could be seen to influence, deliberations/outcomes*
- *details of any conflicts of interest should be minuted*
- *the Chair (if not personally involved) will decide if members with a conflict of interest should absent themselves from the meeting while the item is discussed, or not participate in the consideration of that item.*

2. Ultimately, each key governance committee Chair is responsible for managing conflict of interest issues and will need to identify issues that may cause a conflict of interest for their committee members in their Charter or Operating Guide.

3. As part of the ongoing DIAC SES employment arrangements, there is a requirement to provide a Conflict of Interest declaration to the Secretary each year. This should be sufficient to cover departmental SES committee representation regarding their private interests, unless the Chair requires a specific declaration or does poll to be provided directly to the committee Chair. If this is the case, the declarations should be maintained by the committee secretariat for access by the Chair or the Secretary as necessary.

4. For external members (including those SES from other government agencies) and those DIAC representatives below SES level, it is expected that declarations would be provided to the Secretary as per the declaration template at Attachment A. (In practice this information would not be provided to the Secretary. The committee secretariat would be expected to maintain this information on their records for access by the Chair or the Secretary as necessary.)
5. Should there be a real or potential conflict of interest arising from agenda items, the Secretary expects members to identify the particular agenda item(s) and the details of the issue directly with the Chair prior to discussion of that item.

**Question:** what if a committee member realises that there may be a conflict of interest when he/she reads the committee papers in preparation for the meeting?

**Response:**

- They should approach the Chair at that stage for decision.
- For example, this could include when the committee member first reads the agenda papers in preparation for the committee meeting.
- The Chair will decide if members with a real or potential conflict of interest should absent themselves from the meeting while the item is discussed, or not participate in the consideration of that item.

6. A range of information of relevance to key governance committees can be found on the department's Intranet *Governance* page.

**See:** *Governance*

**16 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED****16.2 Invitation - Weddell Towards 2030 Conference and Design Forum to Local Government – Monday 27 September 2010 to Friday 1 October 2010 at Darwin Convention Centre**

- A. THAT the incoming letter from Department of Lands and Planning, Chief Executive Officer, Mr David Ritchie, dated 26 August 2010, in relation to an Invitation – Weddell Towards 2030 Conference and Design Forum to Local Government – Monday, 27 September 2010 to Friday, 1 October 2010 at Darwin Convention Centre, be received and noted.
- B. THAT Council supports the involvement of technical staff member at the Weddell Design Forum from Tuesday 28 September until Friday 1 October 2010.
- C. THAT the Lord Mayor, Alderman..... and the Chief Executive Officer participate in the Weddell Local Government Consultation Session on Tuesday 28 September 2010.

DECISION NO.20\() (31/08/10)



Our ref DDPI2010/3394-0020

Mr Brendan Dowd  
Chief Executive Officer  
Darwin City Council

[j.thompson@nt.gov.au](mailto:j.thompson@nt.gov.au)  
[B.Dowd@darwin.nt.gov.au](mailto:B.Dowd@darwin.nt.gov.au)

**Chief Executive**  
5th Floor, Energy House  
18-20 Cavenagh Street  
Darwin NT 0800  
**Postal** GPO Box 2520  
Darwin NT 0801  
**Tel** (08) 8924 7286  
**Fax** (08) 8924 7044  
**Web** [www.nt.gov.au/dlp](http://www.nt.gov.au/dlp)

Dear Mr Dowd

The Department of Lands and Planning invites Darwin City Council to be part of the creation of the Northern Territory's newest city, Waddell.

The Northern Territory Government is holding the Waddell: Tropical, Sustainable, Liveable – Towards 2030 Conference and Design Forum to progress the planning for the new city of Waddell from Monday 27 September to Friday 1 October 2010 at the Darwin Convention Centre.

This event will inform the development of Waddell for years to come and promote dialogue on the future urban form of Darwin Peninsula. There are a range of opportunities for elected members and staff of Darwin City Council to participate in various sessions of the conference:

**1. Conference Open Day – Monday 27 September 2010**

The conference will commence with a public open day, which is open to anyone to attend. We encourage your staff and elected members to register on-line at [www.nt.gov.au/waddell](http://www.nt.gov.au/waddell).

**2. Design Forum – Tuesday 28 September to Friday 1 October 2010**

A Design Forum that will culminate in the final presentation of the design teams' output to all conference attendees on the final afternoon of Friday 1 October 2010.

The Design Forum will utilise the Enquiry by Design process, which is a recognised interactive process for resolving complex urban projects and addressing environmental, economic and social issues.

You are invited to nominate a staff member with relevant technical expertise (for example planning, engineering or community development) to take part in the Design Forum. This staff member would need to commit four and a half days to the conference and Design Forum.

We understand that this would be a significant commitment; however, we also believe that the chance to help shape a new Territory city is a rare and exciting opportunity.

**3. Local Government Consultation Session – Tuesday 28 September 2010**

As part of the Design Forum a consultation session with local government representatives is being held from 2:00pm to 2:45pm, Tuesday 28 September 2010. You are invited to nominate three elected member representatives or executive staff members to participate in this session. The output of this session will guide the design processes during the Design Forum.

Could you please submit the names of your representatives for these conference sessions by Friday 3 September 2010 via email to [weddell.DLP@nt.gov.au](mailto:weddell.DLP@nt.gov.au) and we will send full program details as they are finalised. If Darwin City Council is not able to commit to the Design Forum sessions, we would appreciate you advising us as soon as possible as we have unprecedented interest in participating.

Please telephone Ms Jenna Lovett, Project Officer, Weddell Taskforce on 8924 7594 should you require further information.

Yours sincerely



DAVID RITCHIE

26 August 2010



**17        REPORTS OF REPRESENTATIVES**

**18        QUESTIONS BY MEMBERS**

**19 GENERAL BUSINESS****19.1 Election of Acting Lord Mayor 16 – 30 September 2010**

THAT due to the Lord Mayor and Deputy Lord Mayor being unavailable or prevented from performing the duties of Lord Mayor simultaneously during the period 16 – 30 September 2010, the Council pursuant to Section 43 (3) of the Local Government Act 2008, hereby appoints Member ....., to be Acting Lord Mayor on those days.

DECISION NO.20\() (31/08/10)

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

THAT the next Ordinary Meeting of Council be held on Tuesday, 14 September 2010, 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\() (31/08/10)

**21 CLOSURE OF MEETING TO THE PUBLIC**

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\() (31/08/10)

**22 ADJOURNMENT OF THE MEETING (MEDIA LIAISON)**