

**DARWIN CITY COUNCIL**

MINUTES OF THE SEVENTY-SIXTH ORDINARY MEETING OF THE TWENTIETH COUNCIL  
HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE ON TUESDAY, 13  
SEPTEMBER 2011, COMMENCING AT 5.07 P.M.

PRESENT: Acting Lord Mayor, G A Lambert (Chairman); Member J D Bailey; Member R T  
Dee; Member R K Elix; Member H I Galton; Member R M Knox; Member R  
Lesley; Member F P Marrone; Member A R Mitchell; Member K M Moir;  
Member H D Sjoberg.

OFFICERS: Chief Executive Officer, Mr B 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; Manager Business Services, Mr L Carroll; Manager Strategy &  
Outcomes, Ms A Hammond; Committee Administrator, Ms L Elmer.

APOLOGY: The Right Worshipful, Lord Mayor, Mr G R Sawyer; Member J L Sangster.

MEDIA: Mr Eric Tiozek – ABC News.

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

**1 ACKNOWLEDGEMENT OF COUNTRY**

**2 THE LORD'S PRAYER**

**3 MEETING DECLARED OPEN**

**4 APOLOGIES AND LEAVE OF ABSENCE**

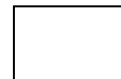
**5 DECLARATION OF INTEREST OF MEMBERS AND STAFF**

**6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

- 6.1 Ordinary Council Meeting 30/08/11
- 6.2 Confidential Ordinary Council Meeting 30/08/11 (**Decisions Moved from Confidential**)

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

- 7.1 Business Arising



**8 MATTERS OF PUBLIC IMPORTANCE**

**9 DEPUTATIONS AND BRIEFINGS**

**10 CONFIDENTIAL ITEMS**

- 10.1 Closure to the Public for Confidential Items
- 10.2 Moving Open Items Into Confidential
- 10.3 Moving Confidential Items Into Open

**11 PETITIONS**

**12 NOTICES OF MOTION**

- 12.1 Property Matters **(Decisions Moved from Confidential)**

**13 OFFICERS REPORTS**

- 13.1 Council Decision Monitoring & Reporting

**14 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**

**15 REPORTS OF REPRESENTATIVES**

**16 QUESTIONS BY MEMBERS**

- 16.1 Spillet House – Tree Pruning **(Decisions moved from Confidential)**
- 16.2 Monty's on The Mall – Signs **(Decisions moved from Confidential)**
- 16.3 Shared Pathway in Yuanula Park – Lighting **(Decisions moved from Confidential)**
- 16.4 Pathway along Waratah Crescent **(Decisions moved from Confidential)**

**17 GENERAL BUSINESS**

- 17.1 Policies and Practices Related to Informal Verge Parking

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

**19 CLOSURE OF MEETING TO THE PUBLIC**

**20 ADJOURNMENT OF MEETING AND MEDIA LIAISON**



**1 ACKNOWLEDGEMENT OF COUNTRY**

**2 THE LORD'S PRAYER**

**3 MEETING DECLARED OPEN**

The Acting Lord Mayor declared the meeting open at 5.07 p.m.

**4 APOLOGIES AND LEAVE OF ABSENCE**

**4.1 Apologies**

(Lesley/Moir)

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

DECISION NO.20\4381 (13/09/11) Carried

**4.2 Leave of Absence Granted**

(Lesley/Moir)

THAT it be noted that The Right Worshipful, Lord Mayor, Mr G R Sawyer is an apology due to a Leave of Absence being previously granted on 30 August 2011 for the period 10 – 23 September 2011.

DECISION NO.20\4382 (13/09/11) Carried



**4 APOLOGIES AND LEAVE OF ABSENCE**

**3 Leave of Absence Requested**

(Lesley/Knox)

- A. THAT a Leave of Absence be granted for Member R Lesley for the period 25 – 28 September 2011 and 2 – 23 November 2011.
- B. THAT a Leave of Absence be granted for Member R M Knox for the period 16 – 18 September 2011 and 3 – 8 November 2011.
- C. THAT a Leave of Absence be granted for Member F P Marrone for the period 1 – 12 October 2011.
- D. THAT a Leave of Absence be granted for Member R K Elix for the period 6 – 19 September 2011.
- E. THAT a Leave of Absence be granted for Member H D Sjoberg for the period 12 – 19 October 2011.
- F. THAT a Leave of Absence be granted for Member H I Galton for the period 12 - 23 October 2011.

DECISION NO.20\4383

(13/09/11)

Carried

ACTION: CA

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

Nil

**6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S**

**6.1 Confirmation of the Previous Ordinary Council Meeting**  
Common No. 1955119

(Elix/Bailey)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 30 August 2011, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\4384

(13/09/11)

Carried



**6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S**

**6.2 Confirmation of the Previous Confidential Ordinary Council Meeting**  
Common No. 1955119

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

(Sjoberg/Galton)

- A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 30 August 2011, be received and confirmed as a true and correct record of the proceedings of that meeting.
- B. THAT this decision be moved into Open.

DECISION NO.20\4385 (13/09/11)

Carried

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

**7.1 Business Arising**

Nil

**8 MATTERS OF PUBLIC IMPORTANCE**

Nil

**9 DEPUTATIONS AND BRIEFINGS**

Nil



**10 CONFIDENTIAL ITEMS**

**10.1 Closure to the Public for Confidential Items**  
Common No. 1944604

(Knox/Moir)

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.
C25.1	8(c)(i)	Information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person.
C26.1	8(d)	Information subject to an obligation of confidentiality at law, or in equity.

DECISION NO.20\4386

(13/09/11)

Carried

**10.2 Moving Open Items Into Confidential**

Nil

**10.3 Moving Confidential Items Into Open**

Nil

**11 PETITIONS**

Nil



## **12 NOTICES OF MOTION**

### **12.1 Property Matters**

Report No. 11A0148 (12/08/11) Common No. 2041346 / 2005952 / 1983464  
Document No.2082648

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

(Lambert/Moir)

THAT Council adopt an Alfresco Rate of \$240.00 per square metre and that those permits not in line with this rate are amended on the renewal of their permit.

**be rescinded and Council endorse the following recommendations:**

- A. THAT the emails referring to Report Number 11A0148 from the General Manager Corporate Services dated 13 September 2011 of 1.04 pm and the Manager Business Services at 3.16 pm tabled at the meeting, be received and noted.
- B. THAT Alfresco and Street Café permit rates be reviewed every five (5) years.
- C. THAT this decision be moved into Open.

DECISION NO.20\4387 (13/09/11) Carried

## **13 OFFICERS REPORTS**

### **13.1 Council Decision Monitoring & Reporting**

Report No. 11TC0058 (13/09/11) Common No. 2051242

(Lesley/Sjoberg)

THAT Report Number 11TC0058 entitled, Council Decision Monitoring and Reporting Process, be received and noted.

DECISION NO.20\4388 (30/08/11) Carried

## **14 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**

Nil



**15      REPORTS OF REPRESENTATIVES**  
Common No. 1735503

(Marrone/Dee)

THAT the Representatives Report, be received and noted.

- ▲ Member K M Moir reported on the activities of the Human Services Training Advisory Council (HSTAC)
- ▲ Member R M Knox reported on the activities of the Youth Advisory Group (YAG).

DECISION NO.20\4389                      (13/09/11)                      Carried

**16      QUESTIONS BY MEMBERS**

(Elix/Dee)

Questions by Members be received and noted.

**16.1      Spillet House – Tree Pruning**  
Common No. 2091734

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

Member R Lesley asked what communication strategy is in place to convey to business of proposed maintenance work to be undertaken by Councils Parks and Gardens staff.

The General Manager Infrastructure advised the normal practice for routine maintenance works is to letter drop the immediate area and place an advert in the print media as was done in this case.

THAT this decision be moved into Open.

DECISION NO.20\4390                      (13/09/11)                      Carried





**16 QUESTIONS BY MEMBERS (Cont'd)**

**16.2 Monty's on The Mall - Signs**  
Common No. 2091735

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

Member K M Knox questioned the sign in front of Monty's on The Mall

The General Manager Infrastructure provided a response advising staff had spoken to the proprietor of Monty's on the Mall regarding location of his sign. The proprietor had moved the sign at the time of last inspection.

THAT this decision be moved into Open.

DECISION NO.20\4391 (13/09/11) Carried

**16.3 Shared Pathway in Yuanula Park – Lighting**  
Common No. 2091736

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

Alderman A R Mitchell asked if Council intended to light the pathway.

The General Manager Infrastructure advised that lighting of the pathway was not budgeted for in 2011/2012, it will be considered in future budgets as part of Darwin City Council's pathway lighting program.

THAT this decision be moved into Open.

DECISION NO.20\4392 (13/09/11) Carried



**16 QUESTIONS BY MEMBERS (Cont'd)**

**16.4 Pathway along Waratah Crescent**  
Common No. 2091737

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

Member H I Galton asked if a pathway will be constructed along Waratah Crescent now that the seniors village is constructed.

The General Manager Infrastructure advised that the works are programmed within the 2011/2012 budget. Darwin City Council will develop a footpath in accordance with Council footpath policy, including the notification of residents.

THAT this decision be moved into Open.

DECISION NO.20\4393 (13/09/11) Carried

**17 GENERAL BUSINESS**

**17.1 Policies and Practices Related to Informal Verge Parking**  
Common No. 2086925

(Lambert/Sjoberg)

THAT Council undertake a review of the current policies and practices related to informal verge parking with a view to developing a Darwin City Council policy that incorporates the capacity of residents of private land to utilise suitable verge space for on street parking in certain locations and under certain conditions.

DECISION NO.20\4394 (13/09/11) Carried

ACTION: GM COMM & CULT



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

(Elix/Knox)

THAT the next Ordinary Meeting of Council be held on Tuesday, 27 September 2011, 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\4395 (13/09/11) Carried

**19 CLOSURE OF MEETING TO THE PUBLIC**

(Sjoberg/Galton)

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the Confidential Items of the Agenda.

DECISION NO.20\4396 (13/09/11) Carried

**20 ADJOURNMENT OF MEETING AND MEDIA LIAISON**

(Bailey/Dee)

THAT the meeting be adjourned at 5.32 p.m. to enable the Media to liaise with the Acting Lord Mayor.

Carried



The meeting moved into Confidential at 5.45 p.m.

ACTING LORD MAYOR, G A  
LAMBERT (CHAIRMAN) – 1<sup>ST</sup>  
ORDINARY COUNCIL MEETING  
– TUESDAY, 13 SEPTEMBER  
2011

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**Confirmed on:** ***Tuesday, 27 September 2011***

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

