

**CITY OF DARWIN**

MINUTES OF THE TENTH ORDINARY COUNCIL MEETING OF THE TWENTY-FIRST COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE ON TUESDAY, 28 AUGUST 2012 COMMENCING AT 5.00 P.M.

**PRESENT:** The Right Worshipful, Lord Mayor, Ms K M Fong Lim, (Chairman); Member J M Anictomatis; Member R K Elix; Member G J Haslett; Member R M Knox; Member G A Lambert; Member G Lambrinidis; Member R Lesley; Member A R Mitchell; Member S J Niblock; Member K J Worden.

**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; Manager Strategy and Outcomes, Ms A Hammond; Asset Manager, Ms N Douglas; Communications and Marketing, Media Officer, Ms L Buhr; Committee Administrator, Ms L Elmer.

**APOLOGY:** Member H I Galton; Member R Want de Rowe.

**MEDIA:** Mr Conor Byrne – NT News.

**OBSERVERS:** Members of the Community.

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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**

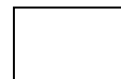
**5 ELECTRONIC MEETING ATTENDANCE**

**6 DECLARATION OF INTEREST OF MEMBERS AND STAFF**

**7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

7.1 Ordinary Council Meeting 14/08/12

7.2 Confidential Ordinary Council Meeting 14/08/12 **(Decisions Moved from Confidential)**



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

8.1 Business Arising

**9 MATTERS OF PUBLIC IMPORTANCE**

**10 DEPUTATIONS AND BRIEFINGS**

**11 PUBLIC QUESTION TIME**

**12 CONFIDENTIAL ITEMS**

- 12.1 Closure to the Public for Confidential Items
- 12.2 Moving Open Items Into Confidential
- 12.3 Moving Confidential Items Into Open

**13 PETITIONS**

**14 NOTICES OF MOTION**

**15 COMMITTEE REPORTS**

- |      |                                  |          |
|------|----------------------------------|----------|
| 15.1 | Community & Cultural Services    | 20/08/12 |
| 15.2 | Corporate & Economic Development | 22/08/12 |
| 15.3 | Environment & Infrastructure     | 21/08/12 |
| 15.5 | CBD Car Parking Advisory         | 22/08/12 |

**16 OFFICERS REPORTS**

- 16.1 Request to Utilise and Develop Over Lots 5313, 5314 and 5321 Darwin CBD and the Bennett Street Road Reserve
- 16.2 Request to Leave Part of Nightcliff Oval for Telstra Next G Mobile Base Station
- 16.3 Lee Point Road Contribution Plan
- 16.4 437th Anniversary of the City of Ambon
- 16.5 Strategic Plan Review – Community Consultation



**17 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**

- 17.1 Call for Nomination – Local Government Waste Advisory Board

**18 REPORTS OF REPRESENTATIVES**

- 18.1 NT Local Government Disciplinary Committee  
18.2 ANZAC Centenary NT Advisory Committee

**19 QUESTIONS BY MEMBERS**

- 19.1 Illegal Parking on Footpaths  
19.2 Treatment of Verges  
19.3 Footpath Cracking - Peel and Knuckey Streets  
19.4 Bike Path, Dick Ward Drive near the Kurringal Flats

**20 GENERAL BUSINESS**

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

**22 CLOSURE OF MEETING TO THE PUBLIC**

**23 ADJOURNMENT OF THE MEETING AND MEDIA LIAISON**



**1 ACKNOWLEDGEMENT OF COUNTRY**

**2 THE LORD'S PRAYER**

**3 MEETING DECLARED OPEN**

The Chairman declared the meeting open at 5.00 p.m.

**4 APOLOGIES AND LEAVE OF ABSENCE**

**4.1 Apologies**

(Lesley/Anictomatis)

THAT the apology from Member R Want de Rowe, be received and a Leave of Absence be granted.

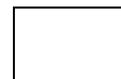
DECISION NO.21\375 (28/08/12) Carried

**4.2 Leave of Absence Granted**

(Lambrinidis/Knox)

THAT it be noted that Member H I Galton is an apology due to a Leave of Absence being previously granted on 31 July 2012 for the period 27 August 2012 to 10 September 2012.

DECISION NO.21\376 (28/08/12) Carried



#### **4 APOLOGIES AND LEAVE OF ABSENCE**

##### **4.3 Leave of Absence Requested**

(Knox/Haslett)

- A. THAT a Leave of Absence be granted for The Right Worshipful, Lord Mayor, Ms K M Fong Lim for the period 20 – 23 September 2012, 3 – 11 September 2012 and 31 October 2012 – 4 November 2012.
- B. THAT a Leave of Absence be granted for Member R K Elix for the period 27 – 30 September 2012.
- C. THAT a Leave of Absence be granted for Member G J Haslett for the period 20 – 26 November 2012.
- D. THAT a Leave of Absence be granted for Member G A Lambert for the period 31 August 2012 to 7 September 2012.
- E. THAT a Leave of Absence be granted for Member A R Mitchell for the period 30 August 2012 to 2 September 2012.

DECISION NO.21\377

(28/08/12)

Carried

#### **5 ELECTRONIC MEETING ATTENDANCE**

Common No. 2221528

(Haslett/Lambrinidis)

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No. 21\0009 – 16/04/12, the following member requested Electronic Meeting Attendance:

- Member R Knox – 1<sup>st</sup> Ordinary Council held on Tuesday, 16 October 2012.

DECISION NO.21\378

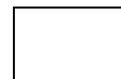
(28/08/12)

Carried

ACTION: EXEC MGR

#### **6 DECLARATION OF INTEREST OF MEMBERS AND STAFF**

Nil



ORDINARY COUNCIL MEETING - OPEN SECTION  
TUESDAY, 28 AUGUST 2012

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## 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

### 7.1 Confirmation of the Previous Ordinary Council Meeting

Common No. 1955119

(Knox/Worden)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 14 August 2012, with amendment to Item I4.2 (Division being called), be received and confirmed as a true and correct record of the proceedings of that meeting.

#### ***Amendment should read:***

Member R Want de Rowe called for a Division:

AFFIRMATIVE	NEGATIVE
Alderman G J Haslett	Alderman R Want de Rowe
Alderman H I Galton	Alderman S J Niblock
Alderman R Lesley	Alderman G Lambrinidis
Alderman R K Elix	Alderman A R Mitchell
Alderman G A Lambert	Lord Mayor
Alderman R Knox	
Alderman K J Worden	

DECISION NO.21\379

(28/08/12)

Carried

ACTION: CA

### 7.2 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.*

(Elix/Worden)

A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 14 August 2012, 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.21\380

(28/08/12)

Carried



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

**8.1 Business Arising**

Nil

**9 MATTERS OF PUBLIC IMPORTANCE**

Nil

**10 DEPUTATIONS AND BRIEFINGS**

Nil

**11 PUBLIC QUESTION TIME**

Nil



## **12 CONFIDENTIAL ITEMS**

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

(Elix/Knox)

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.

DECISION NO.21\381

(28/08/12)

Carried

### **12.2 Moving Open Items Into Confidential**

Nil

### **12.3 Moving Confidential Items Into Open**

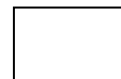
Nil

## **13 PETITIONS**

Nil

## **14 NOTICES OF MOTION**

Nil





**15 COMMITTEE REPORTS**

**15.1 COMMUNITY & CULTURAL SERVICES (20/08/12)**

**Presentation of Report by Committee Member - Member A R Mitchell**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 20 August 2012

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**1 Nightcliff Community Hall Cooling Project Presentation by Bennett Design**  
Document No.2301401 (20/08/12)

(Mitchell/Lesley)

- A. THAT the Presentation by Bennett Design, in relation to Nightcliff Community Hall Cooling Project, Document Number 2301401, be received and noted.
- B. THAT a further report be presented identifying other options to progress this project.

DECISION NO.21\382 (28/08/12)

Carried

ACTION: GM COMM & CULT

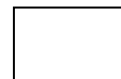
**2 Community & Cultural Services Team Report – July 2012**  
Report No. 12C0056 KH:ES (20/08/12) Common No. 1733166

(Mitchell/Haslett)

THAT Report Number 12C0056 KH:es entitled, Community Development Team Update - July 2012, be received and noted.

DECISION NO.21\383 (28/08/12)

Carried



**15 COMMITTEE REPORTS**

**15.1 COMMUNITY & CULTURAL SERVICES (20/08/12)**

**Presentation of Report by Committee Member - Member A R Mitchell**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 20 August 2012

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**3 Regulatory Services Monthly Update – July 2012**

Report No. 12C0051 DN:MRG (20/08/12) Common No. 1330602

(Mitchell/Worden)

- A. THAT Report Number 12C0051 DN:MRG entitled, Regulatory Services Update July 2012, be received and noted.
- B. THAT signage be installed indicating that there is no parking on the Bradshaw Terrace Median and that measures be investigated to physically prevent parking on this area.
- C. THAT 'no camping' signs be installed as a matter of urgency in Lindsay Street.
- D. THAT the parking arrangements along Gardens Road particularly in the vicinity of Gardens Oval and the George Brown Botanic Gardens be reviewed.

DECISION NO.21\384

(28/08/12)

Carried: General Consent

ACTION: GM COMM & CULT

**4 Libraries Information Update for July 2012**

Report No. 12P0007 KC:md (20/08/12) Common No. 1943023

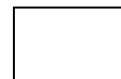
(Mitchell/Worden)

THAT Report Number 12P0007 KC:md entitled, Libraries Information Update for July 2012, be received and noted.

DECISION NO.21\385

(28/08/12)

Carried: General Consent



**15 COMMITTEE REPORTS**

**15.1 COMMUNITY & CULTURAL SERVICES (20/08/12)**

**Presentation of Report by Committee Member - Member A R Mitchell**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 20 August 2012

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**5 Liveability Update July 2012**

Report No. 12C0060 FR:kl (20/08/12) Common No. 2258931

(Mitchell/Anictomatis)

THAT Report Number 12C0060 FR:kl entitled, Liveability, Update for July 2012, be received and noted.

DECISION NO.21\386 (28/08/12) Carried

**6 Overview of the Territory Day Fireworks Activities 2012**

Report No. 12C0057DN:mrg (20/08/12) Common No. 2212051

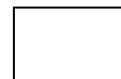
(Mitchell/Worden)

A. THAT Report Number 12C0057 DN:mrg entitled, Overview of Territory Day Fireworks Activities 2012, be received and noted.

B. THAT Council write to the NT Government requesting compensation for costs associated with the regulation of Territory Day 2012 activities.

DECISION NO.21\387 (28/08/12) Carried: General Consent

ACTION: GM COMM & CULT



**15 COMMITTEE REPORTS**

**15.1 COMMUNITY & CULTURAL SERVICES (20/08/12)**

**Presentation of Report by Committee Member - Member A R Mitchell**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 20 August 2012

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**7 Skateboarding Australia Request for Funds**

Report No. 12C0062 AR:kl (20/08/12) Common No. 2275982

(Mitchell/Worden)

- A. THAT Report Number 12C0062 AR:kl entitled, Skateboarding Australia Request For Funds, be received and noted.
- B. THAT Council provide a \$4,800 contribution towards SbA's program costs for 2012/13 to ensure that a diverse range of recreational events continue to be provided for residents.
- C. THAT further investigation be made to determine the amount and level of in-kind support that Council may provide as add-on activities to the SbA Hub program to engage the wider community.

DECISION NO.21\388 (28/08/12)

Carried: General Consent

ACTION: GM COMM & CULT

**8 Minutes of Arts and Cultural Development Advisory Committee (ACDAC) Meeting - 31 May 2012 and Poster Noticeboards**

Report No. 12C0059 AR:kl (20/08/12) Common No. 2261691

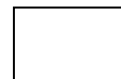
(Mitchell/Worden)

- A. THAT Report Number 12C0059 AR:kl entitled, Minutes of Arts and Cultural Development Advisory Committee (ACDAC) Meeting 31 May 2012 and Poster Noticeboards, be received and noted.
- B. THAT Council undertake design development for the provision of a minimum of two dedicated poster noticeboards in The Mall, to be integrated into the existing shade structures at the Bennett Street and Knuckey Street ends of The Mall.

DECISION NO.21\389 (28/08/12)

Carried: General Consent

ACTION: GM INFRAST  
NOTE: GM COMM & CULT



**15 COMMITTEE REPORTS**

**15.1 COMMUNITY & CULTURAL SERVICES (20/08/12)**

**Presentation of Report by Committee Member - Member A R Mitchell**

Recommendations from the Community & Cultural Services Committee Meeting held on Monday, 20 August 2012

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**9 Minutes Youth Advisory Group - 1 August 2012**

Report No. 12C0061 SP:kl (20/08/12) Common No. 2301090

(Mitchell/Worden)

- A. THAT Report Number 12C0061 SP:kl entitled, Minutes Youth Advisory Group 1 August 2012 be received and noted.
- B. THAT Youth Advisory Group members be supported to attend the Northern Territory Youth Conference 1 – 2 October 2012 of a maximum expenditure from existing youth budgets of \$1800.
- C. THAT Council support in principal the Youth Leading the World conference by having a representative attend the youth led community forum on day three of the conference.
- D. THAT the Youth Advisory Group note the resignation of Michael Hall and a letter of thanks from the Lord Mayor be provided.

DECISION NO.21\390

(28/08/12)

Carried: General Consent

ACTION: GM COMM & CULT

**10 Request for Financial Assistance with Maintenance of Cricket Pitch at Gardens Oval**

Report No. 12C0063 FR:kl (20/08/12) Common No. 2060906

(Mitchell/Worden)

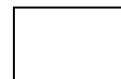
- A. THAT Report Number 12C0063 FR:kl entitled, Request for Financial Assistance with Maintenance of Cricket Pitch at Gardens Oval, be received and noted.
- B. THAT Council decline to make an annual payment to the Waratah Cricket Club for the maintenance of the cricket pitch at Gardens Oval.

DECISION NO.21\391

(28/08/12)

Carried: General Consent

ACTION: GM COMM & CULT  
NOTE: GM CORP



**15 COMMITTEE REPORTS**

**15.2 CORPORATE & ECONOMIC DEVELOPMENT (22/08/12)**

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

Recommendations from the Corporate & Economic Development Committee Meeting held on Wednesday, 22 August 2012

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**1 Corporate Services Monthly Report – July 2012**  
Report No. 12A0118 (10/08/12) Common No. 339108

(Lesley/Worden)

THAT Report Number 12A0118 entitled, Corporate Services Monthly Report – July 2012 be received and noted.

DECISION NO.21\392 (28/08/12) Carried: General Consent

**2 Financial Report to Council – July 2012**  
Report No. 12A0119 (10/08/12) Common No. 339122

(Lesley/Worden)

THAT Report Number 12A0119 entitled, Financial Report to Council – July 2012, be received and noted.

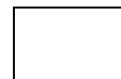
DECISION NO.21\393 (28/08/12) Carried: General Consent

**3 Listing of Cheques/EFT Payments – July 2012**  
Report No. 12A0120 (10/08/12) Common No. 339125

(Lesley/Knox)

THAT Report Number 12A0120 entitled, Listing of Cheques / EFT Payments – July 2012 be received and noted.

DECISION NO.21\394 (28/08/12) Carried



**15 COMMITTEE REPORTS**

**15.2 CORPORATE & ECONOMIC DEVELOPMENT (22/08/12)**

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

Recommendations from the Corporate & Economic Development Committee Meeting held on Wednesday, 22 August 2012

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**4 Monthly On-Street & Off-Street Parking Statistics – July 2012**

Report No. 12A0121 (10/08/12) Common No. 376351

(Lesley/Worden)

THAT Report Number 12A0121 entitled, Monthly On-Street and Off-Street Parking Statistics – July 2012, be received and noted

DECISION NO.21\395 (28/08/12) Carried: General Consent

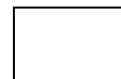
**5 Refund Method on Deposits**

Report No. 12A0115 (10/08/12) Common No. 2227180

(Lesley/Worden)

THAT Report Number 12A0115 entitled, Refund Method On Deposits, be received and noted.

DECISION NO.21\396 (28/08/12) Carried: General Consent



**15 COMMITTEE REPORTS**

**15.3 ENVIRONMENT & INFRASTRUCTURE (21/08/12)**

**Presentation of Report by Chairman – Member R K Elix**

Recommendations from the Environment & Infrastructure Committee Meeting held on Tuesday, 21 August 2012

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- 1 Substitution of Licensed Premises Application – Go Sushi Train from Shop 5/28 Mitchell Street to Shop 4/28 Mitchell Street Lot 4661 (28) Mitchell Street, Darwin**  
Report No. 12TS0137 BS:FH (21/08/12) Common No. 247110

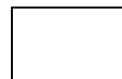
(Elix/Lesley)

- A. THAT Report Number 12TS0137 BS:FH entitled, Substitution Of Licensed Premises Application - Go Sushi Train from Shop 5/28 Mitchell Street To Shop 4/28 Mitchell Street Lot 4661 (28) Mitchell Street, Darwin, be received and noted.
- B. THAT Council endorse the letter of response to the Northern Territory Liquor Commission regarding the substitution of Licensed Premise Application – Go Sushi Train, included as **Attachment B** to Report Number 12TS0137 BS:FH.

DECISION NO.21\397

(28/08/12)

Carried





**15 COMMITTEE REPORTS**

**15.3 ENVIRONMENT & INFRASTRUCTURE**

**(21/08/12)**

**Presentation of Report by Chairman – Member R K Elix**

Recommendations from the Environment & Infrastructure Committee Meeting held on Tuesday, 21 August 2012.

**2 Proposed Additional Car Parking, Lot 1450 Stuart Highway, Winnellie**

Report No. 12TS0140 LC:LM (21/08/12) Common No. 1926104

(Elix/Lesley)

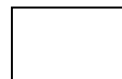
- A. THAT Report Number 12TS0140 LC:LM entitled, Proposed Additional Car Parking, Lot 1450 Stuart Highway, Winnellie, be received and noted.
- B. THAT Council provides approval in principle for the issuing of a Permit to Occupy parts of the Hickman Street and Winnellie Road to the owner of Lot 1450 Stuart Highway, Winnellie for the purpose of constructing car parking subject to the following conditions:
- That a Permit to Occupy for a total period of 10 years (5 years plus 5 years be entered into with the owner of Lot 1450 Stuart Highway, Winnellie.
  - That the applicant pay an annual charge to utilise the land as determined by the Australian Valuer General and that this charge be subject to annual CPI increases.
  - That the design and construction be generally undertaken in accordance with the City of Darwin Parking Policy Number 003 Design Criteria and to the satisfaction of the General Manager – Infrastructure, Darwin City Council at no cost to Council.
  - That the verge area adjacent to the car parks and surrounding the allotment is to be landscaped to the satisfaction of the General Manager – Infrastructure at no cost to Council by the developer.
  - That the developer/owner will be responsible for the ongoing maintenance of the verge landscaping.
  - That the developer/owner will be responsible for the ongoing maintenance of the car park area.
- C. THAT the City of Darwin pursuant to Section 32(2) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer, the power to finalise the Permit to Occupy including all associated conditions and financial arrangements and the design, construction and final acceptance by Council of the car parking and landscaping within Hickman Street and Winnellie Road, road reserve adjacent to Lot 1450 Stuart Highway, Winnellie in accordance with Report 12TS0140 LC:LM.

DECISION NO.21\398

(28/08/12)

Carried

ACTION: GM INFRAST  
ACTION: CA (DELEGATION C)



**15 COMMITTEE REPORTS**

**15.3 ENVIRONMENT & INFRASTRUCTURE (21/08/12)**

**Presentation of Report by Chairman – Member R K Elix**

Recommendations from the Environment & Infrastructure Committee Meeting held on Tuesday, 21 August 2012

**3 Cavenagh Street Upgrade Searcy Street to Daly Street Project – August 2012 Progress Report**

Report No. 12TS0134 DL:LM (21/08/12) Common No. 223527

(Elix/Lesley)

THAT Report Number 12TS0134 DL:LM entitled, Cavenagh Street Upgrade Searcy Street To Daly Street Project – August 2012 Progress Report, be received and noted.

DECISION NO.21\399 (28/08/12) Carried: General Consent

**4 Legune Avenue, Leanyer – Footpath Construction**

Report No. 12TS0087 ND:LM (21/08/12) Common No. 2003069

(Elix/Anictomatis)

A. THAT Report Number 12TS0086 ND:LM entitled, Legune Avenue, Leanyer - Footpath Construction, be received and noted.

B. THAT Council endorse the construction of a footpath following further consultation on which side of the road the footpath is to be placed.

DECISION NO.21\400 (28/08/12) Carried

ACTION: GM INFRAS

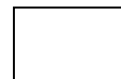
**5 Cash for Containers Update August 2012**

Report No. 12TS0138 JW:TP (21/08/12) Common No. 1824430

(Elix/Lesley)

THAT Report Number 12TS0138 JW:TP entitled, Cash For Containers Update August 2012, be received and noted.

DECISION NO.21\401 (28/08/12) Carried: General Consent



**15 COMMITTEE REPORTS**

**15.5 CBD CAR PARKING ADVISORY (22/08/12)**

**Presentation of Report by Chairman - Lord Mayor, K M Fong Lim**

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**1. CBD Parking Strategy Review Update - August 2012**

Report No. 12TS0142 LC:LM (22/08/12) Common No. 1952026.

(Lord Mayor/Lesley)

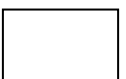
- A. THAT Report Number 12TS0142 LC:LM entitled, CBD Parking Strategy Review Update - August 2012, be received and noted.
- B. THAT comments from CBD Parking Committee Members on the draft Darwin CBD Parking Strategy (July 2012) and the Darwin CBD Parking Strategy Background Report (June 2012) be provided to Council in writing by Friday, 5 October 2012.

DECISION NO.21\402

(28/08/12)

Carried

ACTION: GM INFRAST



## 16 OFFICERS REPORTS

### 16.1 Request to Utilise and Develop Over Lots 5313, 5314 and 5321 Darwin CBD and the Bennett Street Road Reserve

Report No. 12TS0144 LC:lm (28/08/12) Common No. 2065363

(Lambert/Worden)

- A. THAT Report Number 12TS0144 LC:lm entitled, Request to Utilise and Develop over Lots 5313, 5314 and 5321 Darwin CBD and the Bennett Street Road Reserve, be received and noted.
- B. THAT Council provides 'in principle' support for the use of sections of Lots 5313, 5314 and 5321 and the Bennett Street of road reserve, to facilitate the proposed Charles Darwin Centre development, subject to the final negotiations on terms and conditions relating to issues such as, but not limited to, tenure type, term of agreement, financial compensation, community outcomes and encroachment size being to the satisfaction of Council.
- C. THAT Council endorse the letter of authorisation for the use of sections of its land to facilitate the development application for the proposed Charles Darwin Centre being **Attachment F** to Report Number 12TS0144 LC:lm.
- D. THAT the City of Darwin pursuant to Section 32 (2) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer, the power to negotiate terms and conditions as outlined but not limited to issues within Report 12TS0144 LC:lm for the use of sections of Lots 5313, 5314 and 5321 and the Bennett Street road reserve in order to facilitate the proposed Charles Darwin Centre on Lots 2311, 2312 and 5565 The Mall, Darwin. The delegation does not extend to concluding a final binding agreement, which will be subject to a further decision of Council, following a report from the Chief Executive Officer as to the outcome of negotiations.

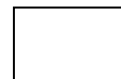
### Amendment

(Lesley/Knox)

- B. THAT Item B be amended as follows: THAT Council provides 'in principle' support for the use of sections of Lots 5313, 5314 and 5321 and the Bennett Street of road reserve, to facilitate the proposed Charles Darwin Centre development, subject to the final negotiations on terms and conditions relating to issues such as, but not limited to, **the car parking shortfall**, tenure type, term of agreement, financial compensation, community outcomes and encroachment size being to the satisfaction of Council.

The Amendment was Lost

(Continued on next page...)



**16 OFFICERS REPORTS**

**16.1 Request to Utilise and Develop Over Lots 5313, 5314 and 5321 Darwin CBD and the Bennett Street Road Reserve**

Report No. 12TS0144 LC:lm (28/08/12) Common No. 2065363

*(...Continued from previous page)*

*The original motion was then put as follows:*

(Lambert/Worden)

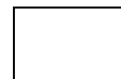
- A. THAT Report Number 12TS0144 LC:lm entitled, Request to Utilise and Develop over Lots 5313, 5314 and 5321 Darwin CBD and the Bennett Street Road Reserve, be received and noted.
- B. THAT Council provides 'in principle' support for the use of sections of Lots 5313, 5314 and 5321 and the Bennett Street of road reserve, to facilitate the proposed Charles Darwin Centre development, subject to the final negotiations on terms and conditions relating to issues such as, but not limited to, tenure type, term of agreement, financial compensation, community outcomes and encroachment size being to the satisfaction of Council.
- C. THAT Council endorse the letter of authorisation for the use of sections of its land to facilitate the development application for the proposed Charles Darwin Centre being **Attachment F** to Report Number 12TS0144 LC:lm.
- D. THAT the City of Darwin pursuant to Section 32 (2) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer, the power to negotiate terms and conditions as outlined but not limited to issues within Report 12TS0144 LC:lm for the use of sections of Lots 5313, 5314 and 5321 and the Bennett Street road reserve in order to facilitate the proposed Charles Darwin Centre on Lots 2311, 2312 and 5565 The Mall, Darwin. The delegation does not extend to concluding a final binding agreement, which will be subject to a further decision of Council, following a report from the Chief Executive Officer as to the outcome of negotiations.

DECISION NO.21\403

(28/08/12)

Carried

ACTION: GM INFRAST  
NOTE: CA (DELEGATION D)



**16 OFFICERS REPORTS**

**16.2 Request to Leave Part of Nightcliff Oval for Telstra Next G Mobile Base Station**  
Report No. 12A0137 (28/08/12) Common No. 1947809

(Elix/Worden)

- A. THAT Report Number 12A0137 entitled, Request to Lease Part of Nightcliff Oval for Telstra Next G Mobile Base Station, be received and noted.
- B. THAT Council advise Telstra Corporation Ltd that approval to use the subject site is not granted.

DECISION NO.21\404 (28/08/12)

Carried

ACTION: GM CORP

**16.3 Lee Point Road Contribution Plan**  
Report No. 12TS0086 ND:lm (28/08/12) Common No. 218448

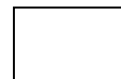
(Lambert/Lesley)

- A. THAT Report Number 12TS0086 ND:lm entitled, Lee Point Road Contribution Plan, be received and noted.
- B. THAT the Developers Contribution Plan for Lee Point Road as per **Attachment D** in Report Number 12TS0086 ND:lm entitled, Lee Point Road Contribution Plan is adopted and in the NT News on Public Notice and exhibited at the Civic Centre for 28 Days.
- C. THAT following the Public Notice the Developers Contribution Plan for Lee Point Road as per **Attachment D** in Report Number 12TS0086 ND:lm entitled, Lee Point Road Contribution Plan, any submissions received will be provided to Council in a report prior to the Developers Contribution Plan for Lee Point Road being placed on The Gazette.
- D. THAT the Chief Executive Officer be delegated to finalise and implement the Consultation Plan for the Tambling Terrace intersection upgrade and Developers Contribution Plan for Lee Point Road as outlined in Report Number 12TS0086 ND:lm entitled Lee Point Road Contribution Plan.

DECISION NO.21\405 (28/08/12)

Carried

ACTION: GM INFRAST  
NOTE: CA (DELEGATION D)



**16 OFFICERS REPORTS**

**16.4 437th Anniversary of the City of Ambon**

Report No. 12C0065 JB:mrg (28/08/12) Common No. 2301622

(Lesley/Worden)

- A. THAT Report Number 12C0065 entitled, 437<sup>th</sup> Anniversary of the City of Ambon, be received and noted.
- B. THAT the Lord Mayor and a member of Council's staff attend the 437<sup>th</sup> Anniversary of the City of Ambon event on the 7 September 2012.

DECISION NO.21\406

(28/08/12)

Carried

ACTION: GM COMM & CULT

**16.5 Strategic Plan Review – Community Consultation**

Report No. 12TC0058 (28/08/12) Common No. 1230662

(Lesley/Mitchell)

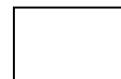
- A. THAT Report Number 12TC0058 entitled, 2012 Strategic Plan Review – Community Consultation, including **Attachments A – D**, be received and noted.
- B. THAT Council endorse **Attachments A – D**, as amended to Report Number. 12TC0058 entitled, 2012 Strategic Plan Review – Community Consultation.

DECISION NO.21\407

(28/08/12)

Carried

ACTION: EXEC MGR



**17 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**

**17.1 Call for Nomination - Local Government Waste Advisory Board**

Document No. 2305003 (16/08/12) Common No. 2305003

(Lambert/Lesley)

- A. THAT the incoming email from Local Government Association NT (LGANT) dated 16 August 2012, relating to Call for Nomination - Local Government Waste Advisory Board, Document Number 2305003, be received and noted.
- B. THAT Council endorse the General Manager Infrastructure, Mr Luccio Cercarelli, as Council's Representative on the Local Government Waste Advisory Board.

DECISION NO.21\408

(28/08/12)

Carried

ACTION: EXEC MGR  
NOTE: CA (HANDBOOK)  
NOTE: GM INFRAST

**18 REPORTS OF REPRESENTATIVES**

(Elix/Worden)

THAT the following Reports of Representatives, be received and noted.

Carried

**18.1 NT Local Government Disciplinary Committee**

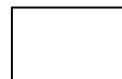
Common No. 2079166

Member G A Lambert advised that the NT Local Government Disciplinary Committee had met today, 28 August 2012.

**18.2 ANZAC Centenary NT Advisory Committee**

Common No. 2221064

Member A R Mitchell reported on the activities of the ANZAC Centenary NT Advisory Committee.





## **19 QUESTIONS BY MEMBERS**

(Elix/Worden)

THAT the following Questions by Members, be received and noted.

Carried

### **19.1 Illegal Parking on Footpaths**

Common No. 2316485

Member S J Niblock asked what action Council takes in enforcing illegal parking on footpaths where vehicles are causing an obstruction.

The General Manager Community & Cultural Services advised of the process undertaken by Rangers.

### **19.2 Treatment of Verges**

Common No. 2227187

Member G A Lambert asked for an update on the preparation of a report on possible options to beautify the verges.

The General Manager infrastructure advised that a report would be presented to Council within 2 months.

ACTION: GM INFRAST

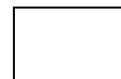
### **19.3 Footpath Cracking - Peel and Knuckey Streets**

Common No. 2316487

Member R Lesley inquired whether works were planned to repair the cracked footpath on Peel and Knuckey Streets.

The General Manager infrastructure advised that he would inspect the area.

ACTION: GM INFRAST



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

**19.4 Bike Path, Dick Ward Drive near the Kurringal Flats**

Common No. 2316488

Member R M Knox asked for an update of the repairs works to the bike path along Ward Drive near the Kurringal Flats.

The General Manager Infrastructure took the question on notice.

ACTION: GM INFRAS

**20 GENERAL BUSINESS**

Nil

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

(Elix/Lambert)

THAT the next Ordinary Meeting of Council be held on Tuesday, 11 September 2012, at 5.00 p.m. (Open Section followed by the Confidential Section), Council Chambers, 1<sup>st</sup> Floor, Civic Centre, Harry Chan Avenue, Darwin

DECISION NO.21\409 (28/08/12) Carried

**22 CLOSURE OF MEETING TO THE PUBLIC**

(Lambert/Knox)

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.

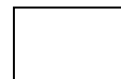
DECISION NO.21\410 (28/08/12) Carried

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

(Elix/Haslett)

THAT the meeting be adjourned at 6.20 p.m. to enable the Media to liaise with the Lord Mayor.

Carried



**24 CLOSURE OF MEETING**

The meeting moved into Confidential at 6.40 pm.

THE RIGHT WORSHIPFUL,  
LORD MAYOR, MS KATRINA  
MARY FONG LIM (CHAIRMAN) –  
2<sup>nd</sup> ORDINARY COUNCIL  
MEETING - TUESDAY, 28  
AUGUST 2012

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**Confirmed on: Tuesday, 11 September 2012**

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

