

DARWIN CITY COUNCIL

MINUTES OF SIXTIETH MEETING OF THE TWENTIETH COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE, DARWIN ON TUESDAY, 14 DECEMBER 2010, COMMENCING AT 5.03 P.M.

PRESENT: Acting Lord Mayor, Member H D Sjoberg (Acting Chairman); Member R T Dee; Member R K Elix; Member H I Galton; Member R M Knox; Member G A Lambert; Member R Lesley; Member A R Mitchell; Member K M Moir (from 5.09 p.m.).

OFFICERS: Acting Chief Executive Officer, Mr L Cercarelli; Acting General Manager Corporate Services, Ms K Stidworthy; General Manager Community & Cultural Services, Mr J Banks; Executive Manager, Mr M Blackburn; Committee Administrator, Ms L Elmer.

APOLOGY: The Right Worshipful, Lord Mayor, Mr G R Sawyer; Member J D Bailey; Member F P Marrone; Member J L Sangster.

VISITORS Various members of the Community.

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

1 ACKNOWLEDGEMENT OF COUNTRY

2 THE LORD'S PRAYER

3 MEETING DECLARED OPEN

4 APOLOGIES AND LEAVE OF ABSENCE

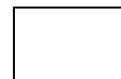
5 DECLARATION OF INTEREST OF MEMBERS AND STAFF

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

- | | | |
|-----|---------------------------------------|---|
| 6.1 | Ordinary Council Meeting | 30/11/10 |
| 6.2 | Confidential Ordinary Council Meeting | 30/11/10 (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 PUBLIC QUESTION TIME

11 CONFIDENTIAL ITEMS

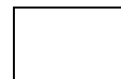
- 11.1 Closure to the Public for Confidential Items
- 11.2 Moving Open Items Into Confidential
- 11.3 Moving Confidential Items Into Open

12 PETITIONS

13 NOTICES OF MOTION

14 COMMITTEE REPORTS

- 14.1 Town Planning 01/12/10
 - 14.1.1 Development Application Lot 6470 (100) Esplanade, Town of Darwin for the Purpose of Changes to the Development Approved by DP09/1026 to add 3 Levels Including 5 x 2 and 6 x 4 Bedroom Multiple Dwellings to a 14 Storey Multiple Dwelling Development Including 2 Levels of Basement Car Parking
 - 14.1.2 Lot 6657 (28) Frances Bay Drive Town of Darwin Proposed Development: Subdivision for a Lease in Excess of 12 Years
 - 14.1.3 Development Application Lot 10373 (5) Damirrinda Street Town of Nightcliff Proposed Development Subdivision to Create Two Duplex Lots
 - 14.1.4 Lot 2243 (4) Hinkler Crescent Town of Darwin Proposed Development: Unit Plan Subdivision
 - 14.1.5 Lot 5947 & 5948 (9 & 11) Aristos Place Hundred of Bagot Proposed Development: Subdivision and Consolidation to Create 1 Lot and 29 Warehouse Units in 3 Buildings



14 COMMITTEE REPORTS (cont'd)

- 14.1.6 Lot 5875 (81) Boulter Road Hundred of Bagot Rezone from Zone CP (Community Purposes) to Zone MD (Multiple Dwelling Residential) for the Purpose of Facilitating Multiple Dwelling Residential Development in Accordance with the Berrimah North Area Plan and Lot 5694 & 5695 (41 & 47) Boulter Road Hundred of Bagot Rezone from Zone CP (Community Purposes) to Zone MD (Multiple Dwelling Residential) for the Purpose of Facilitating the Development of Multiple Dwellings
- 14.1.7 Lot 6703 (7) Manila Place Town of Darwin Proposed Development: Unit Plan Subdivision to Create 27 Unit Titles
- 14.1.8 Lot 1972-1977 (44-46) Stuart Highway, Town of Darwin, Exceptional Development Permit for the Purpose of a Reduction to the Landscaping Depth Required which would otherwise be Prohibited in this Zone.
- 14.1.9 Various Letters sent to Development Assessment Services under Delegated Authority

15 OFFICERS REPORTS

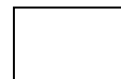
- 15.1 CBD Parking Strategy Review - Brief
- 15.2 Australian Hotels Association NT Branch – Appeal of Council's Decision – Outdoor Dining
- 15.3 Climate Change Solar Panel Contribution to MY0800 City Revitalisation Project, Policy
- 15.4 Town Planning Workshop
- 15.5 Landscaping Development Approval Jape Homemaker Village Lot 9585 Fitzgerald Street, Millner **(Addendum 1)**
- 15.6 Unit Title 89/25 Proposed Redevelopment **(Decisions Moved from Confidential)**
- 15.7 Lyons Development: Deed Of Contribution **(Decisions Moved from Confidential)**
- 15.8 Salonika Street Parap - Upgrade **(Decisions Moved from Confidential)**

16 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

17 REPORTS OF REPRESENTATIVES

18 QUESTIONS BY MEMBERS

- 18.1 Council Leases Markets
- 18.2 Nightcliff Foreshore Erosion **(Decisions Moved from Confidential)**
- 18.3 Pine Log Barriers **(Decisions Moved from Confidential)**



19 GENERAL BUSINESS

- 19.1 Nomination to the Indigenous Economic Development Taskforce (IEDT– Local Government Association of the Northern Territory (LGANT)
- 19.2 Elected Members Communications **(Decisions Moved from Confidential)**
- 19.3 Appreciation to Staff Community Planting Day at East Point on Saturday, 11 December 2010 **(Decisions Moved from Confidential)**
- 19.4 Appreciation to Staff - MY0800 – The Mall Revitalisation Project - Saturday, 11 December 2010 **(Decisions Moved from Confidential)**

20 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

21 CLOSURE OF MEETING TO THE PUBLIC

22 ADJOURNMENT OF THE 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 5.03 p.m.

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 Apologies

(Moir/Galton)

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

DECISION NO.20\3521 (14/12/10) Carried

4.2 Leave of Absence Granted

(Lambert/Dee)

- A. THAT it be noted that The Right Worshipful, The Lord Mayor, Mr G R Sawyer is an apology due to a Leave of Absence being previously granted on 16 November 2010 for the period 12 December 2010 to 30 January 2011.
- B. THAT it be noted that Member J D Bailey is an apology due to a Leave of Absence being previously granted on 30 November 2010 for the period 13 - 14 December 2010.
- C. THAT it be noted that Member F P Marrone is an apology due to a Leave of Absence being previously granted on 26 October 2010 for the period 1 – November 2010 to 30 December 2010.

DECISION NO.20\3522 (14/12/10) Carried



4 APOLOGIES AND LEAVE OF ABSENCE

4.3 Leave of Absence Requested

(Dee/Knox)

- A. THAT a Leave of Absence be granted for Member K M Knox for the period 7 – 12 January 2011.
- B. THAT a Leave of Absence be granted for Member H I Galton for the period 27 December 2010 to 24 January 2011.
- C. THAT a Leave of Absence be granted for Member K M Moir for the period 20 December 2010 to 4 February 2011.
- D. THAT a Leave of Absence be granted for Member S D Sjoberg for the period 21 – 27 December 2010.

DECISION NO.20\3523

(14/12/10)

Carried

5 DECLARATION OF INTEREST OF MEMBERS AND STAFF

Nil

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Confirmation of the Previous Ordinary Council Meeting

(Galton/Mitchell)

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 30 November 2010, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\3524

(14/12/10)

Carried



6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.2 Confirmation of the Previous Confidential Ordinary Council Meeting

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)

- A. THAT the tabled minutes of the previous Confidential Ordinary Council Meeting held on Tuesday, 30 November 2010, 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\3525

(14/12/10)

Carried

7 BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETING

7.1 Business Arising

Nil

8 MATTERS OF PUBLIC IMPORTANCE

Nil

9 DEPUTATIONS AND BRIEFINGS

Nil

10 PUBLIC QUESTION TIME

Nil



11 CONFIDENTIAL ITEMS

11.1 Closure to the Public for Confidential Items

(Galton/Lambert)

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>
C29.1	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.
C29.2	8(d)	Information subject to an obligation of confidentiality at law, or in equity.
C29.3	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.
C29.4	8(c)(ii)	Information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law.

DECISION NO.20\3526

(14/12/10)

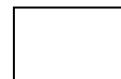
Carried

11.2 Moving Open Items Into Confidential

Nil

11.3 Moving Confidential Items Into Open

Nil



12 PETITIONS

Nil

13 NOTICES OF MOTION

Nil



14 COMMITTEE REPORTS

14.1 TOWN PLANNING COMMITTEE

(01/12/10)

Presentation of Report by Chairman - Member H I Galton

Due to the lack of a Quorum, an informal Town Planning Committee meeting was held on Wednesday, 1 December 2010, noted by consensus, the following motions to be endorsed at the Ordinary Council meeting on Tuesday, 14 December 2010.

- 14.1.1 Development Application Lot 6470 (100) Esplanade, Town of Darwin for the Purpose of Changes to the Development Approved by DP09/1026 to add 3 Levels Including 5 X 2 and 6 X 4 Bedroom Multiple Dwellings to a 14 Storey Multiple Dwelling Development Including 2 Levels Of Basement Car Parking**
Report No. 10TS0161 RB:kd (12/10/10) Common No. 1874884

(Galton/Lambert)

- A. THAT Report Number 10TS0161 RB:kd entitled, Development Application Lot 6470 (100) Esplanade, Town Of Darwin For The Purpose of Changes to the Development Approved by DP09/1026 to Add 3 Levels Including 5 x 2 And 6 x 4 Bedroom Multiple Dwellings to a 14 Storey Multiple Dwelling Development Including 2 Levels of Basement Car Parking, be received and noted.
- B. THAT the letter to the Development Consent Authority in **Attachment B** to Report Number 10TS0161 RB:kd be endorsed.

DECISION NO.20\3527

(14/12/10)

Carried: General Consent

ACTION: GM INFRAS

- 14.1.2 Lot 6657 (28) Frances Bay Drive Town of Darwin Proposed Development: Subdivision for a Lease in Excess of 12 years**

Report No. 10TS0231 CR:fh (24/11/10) Common No. 1891944

(Galton/Lambert)

- A. THAT Report Number 10TS0231 CR:fh entitled, Lot 6657 (28) Frances Bay Drive Town of Darwin Proposed Development: Subdivision for a Lease in Excess of 12 Years, be received and noted.
- B. THAT the letter to the Development Consent Authority in **Attachment B** to Report Number 10TS0231 CR:fh, be endorsed.

DECISION NO.20\3528

(14/12/10)

Carried: General Consent

ACTION: GM INFRAS



14 COMMITTEE REPORTS

14.1 TOWN PLANNING COMMITTEE (01/12/10)

Presentation of Report by Chairman - Member H I Galton

Due to the lack of a Quorum, an informal Town Planning Committee meeting was held on Wednesday, 1 December 2010, noted by consensus, the following motions to be endorsed at the Ordinary Council meeting on Tuesday, 14 December 2010.

14.1.3 Development Application Lot 10373 (5) Damirrinda Street Town of Nightcliff Proposed Development Subdivision to Create Two Duplex Lots Report No. 10TS0222 CR:FH (12/10/10) Common No. 1896364

(Galton/Lambert)

- A. THAT Report Number 10TS0222 CR:FH entitled, Lot 10373 (5) Damirrinda Street Town of Nightcliff Proposed Development: Subdivision to Create Two Duplex Lots, be received and noted.
- B. THAT the letter to the Development Consent Authority in **Attachment B** to Report Number 10TS0222 CR:FH, be endorsed.

DECISION NO.20\3529

(14/12/10)

Carried: General Consent

ACTION: GM INFRAS

14.1.4 Lot 2243 (4) Hinkler Crescent Town of Darwin Proposed Development: Unit Plan Subdivision Report No. 10TS0228 CR:fh (24/11/10) Common No. 1899537

(Galton/Lambert)

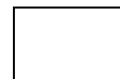
- A. THAT Report Number 10TS0228 CR:fh entitled, Lot 2243 (4) Hinkler Crescent Town of Darwin Proposed Development: Unit Plan Subdivision, be received and noted.
- B. THAT the letter to the Development Consent Authority in **Attachment B** to Report Number 10TS0228 CR:fh, be endorsed.

DECISION NO.20\3530

(14/12/10)

Carried: General Consent

ACTION: GM INFRAS



14 COMMITTEE REPORTS

14.1 TOWN PLANNING COMMITTEE (01/12/10)

Presentation of Report by Chairman - Member H I Galton

Due to the lack of a Quorum, an informal Town Planning Committee meeting was held on Wednesday, 1 December 2010, noted by consensus, the following motions to be endorsed at the Ordinary Council meeting on Tuesday, 14 December 2010.

14.1.5 Lot 5947 & 5948 (9 &11) Aristos Place Hundred of Bagot Proposed Development: Subdivision and Consolidation to Create 1 Lot and 29 Warehouse Units in 3 Buildings

Report No. 10TS0229 RB:fh (24/11/10) Common No. 1899430

(Galton/Lambert)

- A. THAT Report Number 10TS0229 RB:fh entitled, Lot 5947 & 5948 (9 &11) Aristos Place Hundred of Bagot Proposed Development: Subdivision and Consolidation to Create 1 Lot and 29 Warehouse Units in 3 Buildings, be received and noted.
- B. THAT the letter to the Development Consent Authority in **Attachment B** to Report Number 10TS0229 RB:fh, be endorsed.
- C. THAT the letter to the Development Consent Authority in **Attachment C** to Report Number 10TS0229 RB:fh, be endorsed.

DECISION NO.20\3531

(14/12/10)

Carried: General Consent

ACTION: GM INFRAST



14 COMMITTEE REPORTS

14.1 TOWN PLANNING COMMITTEE (01/12/10)

Presentation of Report by Chairman - Member H I Galton

Due to the lack of a Quorum, an informal Town Planning Committee meeting was held on Wednesday, 1 December 2010, noted by consensus, the following motions to be endorsed at the Ordinary Council meeting on Tuesday, 14 December 2010.

14.1.6 Lot 5875 (81) Boulter Road Hundred of Bagot Rezone from Zone CP (Community Purposes) to Zone MD (Multiple Dwelling Residential) for the Purpose of Facilitating Multiple Dwelling Residential Development in Accordance with the Berrimah North Area Plan

and

Lot 5694 & 5695 (41 & 47) Boulter Road Hundred of Bagot Rezone from Zone CP (Community Purposes) to Zone MD (Multiple Dwelling Residential) for the Purpose of Facilitating the Development of Multiple Dwellings

Report No. 10TS0215 RB:kd (19/11/10) Common No. 1892763

(Galton/Lambert)

- A. THAT Report Number 10TS0215 RB:kd entitled, Lot 5875 (81) Boulter Road Hundred of Bagot rezone from Zone CP (Community Purposes) to Zone MD (Multiple Dwelling Residential) for the purpose of facilitating multiple dwelling residential development in accordance with the Berrimah North area plan AND Lots 5694 & 5695 (41 & 47) Boulter Road Hundred of Bagot rezone from Zone CP (Community Purposes) to Zone MD (Multiple Dwelling Residential) for the purpose of facilitating the development of multiple dwellings, be received and noted.
- B. THAT the letter to the Development Consent Authority in **Attachment B** to Report Number 10TS0215 RB:kd be endorsed.
- C. THAT the letter to the Development Consent Authority in **Attachment C** to Report Number 10TS0215 RB:kd be endorsed.

DECISION NO.20\3532

(14/12/10)

Carried: General Consent

ACTION: GM INFRAST



14 COMMITTEE REPORTS

14.1 TOWN PLANNING COMMITTEE (01/12/10)

Presentation of Report by Chairman - Member H I Galton

Due to the lack of a Quorum, an informal Town Planning Committee meeting was held on Wednesday, 1 December 2010, noted by consensus, the following motions to be endorsed at the Ordinary Council meeting on Tuesday, 14 December 2010.

14.1.7 Lot 6703 (7) Manila Place Town of Darwin Proposed Development: Unit Plan Subdivision to Create 27 Unit Titles

Report No. 10TS0227 CR:fh (24/11/10) Common No. 1901171

(Galton/Lambert)

- A. THAT Report Number 10TS0227 CR:fh entitled, Lot 6703 (7) Manila Place Town of Darwin Proposed Development: Unit Plan Subdivision to Create 27 Unit Titles, be received and noted.
- B. THAT the letter to the Development Consent Authority in **Attachment B** to Report Number 10TS0227 CR:fh, be endorsed.

DECISION NO.20\3533

(14/12/10)

Carried: General Consent

ACTION: GM INFRAS

14.1.8 Lot 1972-1977 (44-46) Stuart Highway, Town of Darwin, Exceptional Development Permit for The Purpose of a Reduction to The Landscaping Depth Required which would otherwise be Prohibited in this Zone.

Report No. 10TS0230 RB:fh (24/11/10) Common No. 1900397

(Galton/Lambert)

- A. THAT Report Number 10TS0230 RB:fh entitled, Lot 1972-1977 (44-46) Stuart Highway Town of Darwin for the purpose a reduction of the landscaping depth required which would otherwise be prohibited in this zone due to its non-compliance with sub-clause 8.3 (3) (setbacks for commercial uses adjacent to land in Zones SD, MD, MR, or HR) of the Northern Territory Planning Scheme, be received and noted.
- B. THAT the letter to the Development Consent Authority in **Attachment B** to Report Number 10TS0230 RB:fh, be endorsed.

DECISION NO.20\3534

(14/12/10)

Carried: General Consent

ACTION: GM INFRAS



14 COMMITTEE REPORTS

14.1 TOWN PLANNING COMMITTEE (01/12/10)

Presentation of Report by Chairman - Member H I Galton

Due to the lack of a Quorum, an informal Town Planning Committee meeting was held on Wednesday, 1 December 2010, noted by consensus, the following motions to be endorsed at the Ordinary Council meeting on Tuesday, 14 December 2010.

14.1.9 Various Letters sent to Development Assessment Services under Delegated Authority

(Galton/Lambert)

- i) Lot 0429 (19) Frangipanni Street Town of Nightcliff, Proposed Development: Shade structure addition to an existing single dwelling with a reduced front setback - Common Number 1896405 CR:kd dated 12 November 2010
- ii) Lot 0537 (38) Progress Drive Town of Nightcliff, Proposed Development: Chang of use of part of a medical clinic to a shop - Common Number 1892672 CR:kd dated 5 November 2010
- iii) Lot 10306 (11) Gumimba Crescent Town of Nightcliff, Proposed Development: - Common Number 1904515 CR:kd dated 26 November 2010
- iv) Lot 1264 (65) Union Terrace Town of Sanderson - Common Number 1899252 CR:kd dated 19 November 2010
- v) Lot 1302 (2) Manoora Street Town of Darwin, Proposed Development: Alterations and additions to an existing multiple dwelling with reduced front and side setbacks Common Number 1892640 CR:kd dated 5 November 2010
- vi) Lot 1337 (49) Chapman Road Town of Nightcliff, Proposed Development: Verandah addition to and existing multiple dwelling (Unit 1) Common Number 1892550 CR:kd dated 5 November 2010
- vii) Lot 1349 (119) Reichardt Road Hundred of Bagot Proposed Development: Change of use from showroom sales to office (Unit 19) Common Number 1892659 RB:kd dated 5 November 2010
- viii) Lot 1400 (14) Sweet Street Hundred of Bagot proposed Development: Warehouse extension with reduced front and side setbacks and exceeding the height limitation Common Number 1885985 CR:kd dated 29 October 2010
- ix) Lot 2255 (19) Hinkler Crescent Town of Darwin Proposed Development: 4x3 bedroom multiple dwellings in a 2 storey building Common Number 1892712 RB:fh dated 5 November 2010
- x) Lot 2463 (5) Houston Street Town of Darwin, Proposed Development: Minor changes to the development approved by DP 10/0625 including decreasing the balcony sizes Common Number 1743450 RB:kd dated 5 November 2010

(Continued on next page...)



14 COMMITTEE REPORTS

14.1 TOWN PLANNING COMMITTEE (01/12/10)

Presentation of Report by Chairman - Member H I Galton

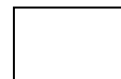
Due to the lack of a Quorum, an informal Town Planning Committee meeting was held on Wednesday, 1 December 2010, noted by consensus, the following motions to be endorsed at the Ordinary Council meeting on Tuesday, 14 December 2010.

14.1.9 Various Letters sent to Development Assessment Services under Delegated Authority

(...Continued from previous page)

- xi) Lot 3115 (102) Reichardt Road Hundred of Bagot, Proposed Development: Changes to the development approved by DP10/0201 to allow relocation of the drivers rest facility Common Number 189944 RB:fh dated 5 November 2010
- xii) Lot 4208 (50) Mueller Road Town of Sanderson Proposed Development: Carport Addition to an existing Single Dwelling with a Reduced Side Setback Common Number 1899548 CR:kd dated 19 November 2010
- xiii) Lot 4346 (5) Shady Court Town of Sanderson Proposed Development: Carport Addition to an Existing Single Dwelling with a Reduced Front Setback Common Number 1904505 CR:fh dated 26 November 2010
- xiv) Lot 04347 (4) Shady Court Town of Sanderson Proposed Development: Carport Addition to an Existing Single Dwelling with a Reduced Front Setback Common Number 1904505 CR:fh dated 26 November 2010
- xv) Lot 4348 (220) Abala Road Hundred of Bagot Proposed Development: Caretakers comprising 2 caravans Common Number 1896414 RB:fh dated 12 November 2010
- xvi) Lot 3243 (1) Tate Place Hundred of Bagot Proposed Development: 30m high telecommunications facility, antennas and equipment shelter Common Number 1893215 CR:kd dated 5 November 2010
- xvii) Lot 4843 (23) Kurrajong Crescent Town of Nightcliff Proposed Development: Carport and verandah addition to an existing single dwelling with reduced front and side setback Common Number 189643 CR: kd dated 12 November 2010
- xviii) Lot 5890 (7) Cullen Bay Crescent Town of Darwin Proposed Development: Garage Addition to an Existing Single Dwelling with a Reduced Front Setback Common Number 1900266 CR:kd dated 19 November 2010
- xix) Lot 6080 (4) Pope Court Town of Darwin Proposed Development: Shade sail addition to an existing multiple dwelling with a reduced side setback (Unit 6) Common Number 1891560 CR:kd dated 5 November 2010

(Continued on next page...)



14 COMMITTEE REPORTS

14.1 TOWN PLANNING COMMITTEE (01/12/10)

Presentation of Report by Chairman - Member H I Galton

Due to the lack of a Quorum, an informal Town Planning Committee meeting was held on Wednesday, 1 December 2010, noted by consensus, the following motions to be endorsed at the Ordinary Council meeting on Tuesday, 14 December 2010.

14.1.9 Various Letters sent to Development Assessment Services under Delegated Authority

(...Continued from previous page)

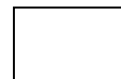
- xx) Lot 6675 (6) Margaritis Street Town of Nightcliff Proposed Development: Carport Addition to an Existing Single Dwelling with a Reduced Side Setback Common Number 189946 CR:kd dated 19 November 2010
- xxi) Lot 6903 (13) Cullen Street Town of Sanderson Proposed Development: Carport addition to an existing single dwelling with a reduced front setback Common Number 1892536 CR:kd dated 5 November 2010
- xxii) Lot 7720 (44) Ruddick Circuit Town of Darwin Proposed Development: Single dwelling with a reduced rear setback – Non Exhibited Common Number 1884666 CR:kd dated 5 November 2010
- xxiii) Lot 7808 (6) Notey Place Town of Darwin Proposed Development: Single dwelling with reduced front and side setbacks Common Number 1892696 CR:kd dated 5 November 2010
- xxiv) Lot 9066 (125) Old McMillans Road Town of Nightcliff Proposed Development: Shade structure additions to an existing multiple dwelling Common Number 1896374 CR:kd dated 12 November 2010
- xxv) Lot 9114 (5) Cartwright Court Town of Nightcliff Proposed Development: Verandah addition to an existing multiple dwelling (Unit 8) Common Number 1891756 CR:kd dated 5 November 2010
- xxvi) Lot 9293 (234) Trower Road Town of Nightcliff Proposed Development: Redevelopment of the site to construct 12 x 2 bedroom multiple dwellings in a 3 storey building and retain 2 x 3 bedroom multiple dwellings in a 2 storey building Common Number 1892589 RB:kd dated 5 November 2010

DECISION NO.20\3535

(14/12/10)

Carried: General Consent

ACTION: GM INFRAST



15 OFFICERS REPORTS

15.1 CBD Parking Strategy Review - Brief

Report No. 10TS0244LC:KB (06/12/10) Common No. 428253

(Lesley/Dee)

- A. THAT Report Number 10TS0244 LC:KB entitled, CBD Parking Strategy Review - Brief, be received and noted.
- B. THAT Council endorses the Consultancy Brief – CBD Parking Strategy Review and Study contained in **Attachment A** as amended to include a reference to contextual effect of out of CBD parking to Report Number 10TS0244LC:KB.
- C. THAT Council endorse the CBD Parking Strategy Review and Study, be funded from the Darwin City Council Parking Reserve and the associated 2nd Quarter Budget Variation as detailed in Report Number 10TS0244LC:KB.

DECISION NO.20\3536

(14/12/10)

Carried

ACTION: GM INFRAS
NOTE: GM COMM & CULT
NOTE: GM CORP
NOTE: CEO
NOTE: EXEC MGR



15 OFFICERS REPORTS

15.2 Australian Hotels Association NT Branch – Appeal of Council’s Decision – Outdoor Dining

Report No. 10C0158 JB:kl (06/12/10) Common No. 370508

Procedural Motion – Suspension of Meeting Procedures in Accordance with By-law 147 at 5.39 p.m.

(Knox//Dee)

THAT in accordance with By-Law 147 the operation of procedures set out in Part 7 of the Darwin City Council By-Laws, that limits the duration and number of times a Member may speak, be suspended to allow for discussion on the report relating to Australian Hotels Association NT Branch – Appeal of Council’s Decision – Outdoor Dining.

Carried

Resumption of Meeting Procedures at 6.13 p.m.

(Lambert/Galton)

THAT the operation of procedures as set out in Part 7 of the Darwin City Council By-Laws, be resumed.

Carried

(Continued on next page...)



15 OFFICERS REPORTS

15.2 Australian Hotels Association NT Branch – Appeal of Council’s Decision – Outdoor Dining

Report No. 10C0158 JB:kl (06/12/10) Common No. 370508

(...Continued from previous page)

(Lesley/Galton)

- A. THAT Report Number 10C0158 JB:kl entitled, Australian Hotels Association NT Branch – Appeal of Council’s Decision – Outdoor Dining Policy, be received and noted
- B. THAT Council write to the Minister for Racing, Gaming and Licensing expressing concern about the lack of consultation with Council in respect to the Tobacco Control Act Regulations and the potential implications for Council's Outdoor Dining Policy.
- C. THAT following the release of the Tobacco Control Act Regulations a report be prepared in respect to any suggested amendments to Council's Outdoor Dining Policy with specific reference to any public safety considerations.

Carried

(Lambert/Galton)

- D. THAT for the period from the 2nd January 2011 until the 4th April 2011 the current Outdoor Dining Permit conditions be varied in respect to the alfresco dining area which a licensee designates for smoking (“**outdoor smoking area**”) by the waiver of the requirement that meals should be available on request in the outdoor smoking area only.
- E. THAT the interim nature of the policy change be indicated on signage at effected venues.

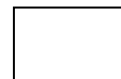
DECISION NO.20\3537

(14/12/10)

Carried

ACTION: GM COMM & CULT
NOTE: GM INFRAS
NOTE: GM CORP
NOTE: CEO
NOTE: EXEC MGR

Member R Lesley and Member R M Knox requested their vote against this motion be recorded.



15 OFFICERS REPORTS

15.3 Climate Change Solar Panel Contribution to MY0800 City Revitalisation Project Policy

Report No. 10TS0233PR:NJ (02/12/10) Common No. 1486204

(Elix/Lambert)

- A. THAT Report Number 10TS0233PR:NJ entitled, Climate Change Solar Panel Contribution to MY0800 City Revitalisation Project, be received and noted.
- B. THAT Council endorse a 2nd Quarter Budget variation of \$40,000 to meet the costs of the Solar Panels and associated items.

DECISION NO.20\3538 (14/12/10)

Carried

ACTION: EXEC MGR
NOTE: GM CORP
NOTE: GM INFRAST

15.4 Town Planning Workshop

Report No. 10TS0247LC:KB (07/12/10) Common No. 1918868

(Lambert/Galton)

- A. THAT Report Number 10TS0247LC:KB entitled, Town Planning Workshop, be received and noted.
- B. THAT Council hold a Town Planning Workshop on Tuesday, 8 March 2011, as described in Report Number 10TS0247LC:KB.

DECISION NO.20\3539 (14/12/10)

Carried

ACTION: GM INFRAST
NOTE: GM COMM & CULT
NOTE: GM CORP
NOTE: CEO
NOTE: EXEC MGR
NOTE: CA



15 OFFICERS REPORTS

15.5 Landscaping Development Approval Jape Homemaker Village Lot 9585 Fitzgerald Street, Millner

Report No. 10TS0211 JW:KB (15/10/10) Common No. 1374832

Addendum 1

(Lambert/Elix)

- A. THAT Report Number 10TS0211JW:KB entitled, Landscape Development Approval Jape Homemaker Village Lot 9585 Fitzgerald Street, Millner, be received and noted.
- B. THAT Council endorse the landscape and hard works upgrade located on the verge of Lot 9585 Fitzgerald Street, Millner, as indicated in **Attachment A&B** of Report Number 10TS0211JW:KB subject to:
- i) The existing vegetation being removed and replaced with suitable landscaping and hard works;
 - ii) The timing of the removal and replacement of vegetation will be to the requirements of the General Manager Infrastructure;
 - iii) The applicant entering into an awning agreement with Council;
 - iv) The new landscaping being maintained by the Jape Homemaker Village;
 - v) All works and associated activities be undertaken at no cost to Council and to the satisfaction of the General Manager Infrastructure.

DECISION NO.20\3540

(14/12/10)

Carried

ACTION: GM INFRAS
NOTE: GM COMM & CULT
NOTE: GM CORP
NOTE: CEO
NOTE: EXEC MGR



15 OFFICERS REPORTS

15.6 Unit Title 89/25 Proposed Redevelopment

Report No. 10A0204 (14/12/10) Common No. 1807049

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/Lambert)

- A. THAT Report Number 10A0204 entitled, Unit Title 89/25 Proposed Redevelopment, be received and noted.
- B. THAT this decision be moved into Open.

DECISION NO.20\3541 (14/12/10)

Carried

ACTION: GM INFRAS

15.7 Lyons Development: Deed Of Contribution

Report No. 10TS0246LC:KB (07/12/10) Common No. 218448

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/Lesley)

- A. THAT Report Number 10TS0246LC:KB entitled, Lyons Development: Deed of Contribution, be received and noted.
- B. THAT Darwin City Council pursuant to Section 32(2) of the Local Government Act 2008 hereby delegates the Chief Executive Officer, the power to sign the Deed of Contribution, **Attachment A** to Report Number 10TS0246LC:KB, on behalf of Council.
- C. THAT this decision be moved into Open.

DECISION NO.20\3542 (14/12/10)

Carried

ACTION: GM INFRAS

ACTION: CEO

NOTE:CEO PA



15 OFFICERS REPORTS

15.8 Salonika Street Parap - Upgrade

Report No. 10TS0248LC:KB (07/12/10) Common No. 1823945

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/Lesley)

- A. THAT Report Number 10TS0248LC:KB entitled, Salonika Street Parap - Upgrade, be received and noted.
- B. THAT Council endorses the Upgrade of Salonika Street Parap as detailed in Report Number 10TS0248LC:KB.
- C. THAT Darwin City Council pursuant to Section 32 (2) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer, the power to negotiate and enter into an agreement for the Upgrade of Salonika Street Parap as described in Report Number 10TS0248LC:KB.
- D. THAT Darwin City Council, pursuant to Section 26 (2) of the Local Government Act 2008, hereby authorises that all documents associated with the Salonika Street, Parap Upgrade and ongoing maintenance as detailed in Report Number 10TS0248LC:KB, be executed under the Council's Common Seal and signed by the Lord Mayor and Chief Executive Officer.
- E. THAT this decision be moved into Open.

DECISION NO.20\3543

(14/12/10)

Carried

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



16 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

Nil

17 REPORTS OF REPRESENTATIVES

(Lesley/Dee)

THAT the Representatives Report, be received and noted.

- A. Member K M Moir reported on her meeting with Minister Simon Crean as a LGANT Representative.
- B. Acting Lord Mayor, Member H D Sjoberg, reported on her meeting with Minister Simon Crean on Monday, 13 December 2010.
- C. Member A R Mitchell reported on the activities of the Darwin Festival Committee.
- D. Member R Lesley reported on the activities of the Human Services Training Advisory Council (HSTAC) Committee.
- E. Member H I Galton reported on the LGANT Executive Committee meeting.

DECISION NO.20\3544

(14/12/10)

Carried

18 QUESTIONS BY MEMBERS

(Moir/Lambert)

THAT the Questions by Members, be received and noted.

18.1 Council Leases Markets
Common No. 1924474

Member R M Knox requested information on the renewal dates of all Council leases with the Markets.

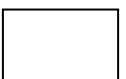
The Acting General Manager Corporate Services took the question on notice

DECISION NO.20\3545

(14/12/10)

Carried

ACTION: GM CORP



18 QUESTIONS BY MEMBERS

18.2. Nightcliff Foreshore Erosion
Common No. 1924475

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 M Knox queried what maintenance was being undertaken in regards to the soil erosion along the Nightcliff foreshores.

The Acting Chief Executive Officer provided an update regarding ongoing maintenance.

THAT this decision be moved into Open.

DECISION NO.20\3546 (14/12/10) Carried

18.3 Pine Log Barriers
Common No. 1924476

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 Moir asked if Council had any immediate plans in replacing the "accident waiting to happen" horizontal pine log barriers to Vertical pine log barriers.

The Acting Chief Executive Officer advised that the barriers are being replaced progressively through Council's asset maintenance program and that no new post and rail logs will be installed.

THAT this decision be moved into Open.

DECISION NO.20\3547 (14/12/10) Carried

ACTION: GM INFRAST



19 GENERAL BUSINESS

19.1 Nomination to the Indigenous Economic Development Taskforce (IEDT– Local Government Association of the Northern Territory (LGANT))
Common No. 1909958

(Moir/Galton)

THAT Council endorse the nomination of the Lord Mayor, Mr G R Sawyer to the Indigenous Economic Development Taskforce (IEDT) – Local Government Association of the Northern Territory (LGANT) Nominee.

DECISION NO.20\3548 (14/12/10)

Carried

ACTION: EXEC MGR
NOTE: LM EA
NOTE: CA

19.2 Elected Members Communications
Common No. 1924478

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

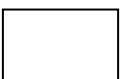
(Lesley/Elix)

- A. THAT a report be prepared on the effective and efficient use of various forms of communications available for Elected Members for Council Business.
- B. THAT this decision be moved into open

DECISION NO.20\3549 (14/12/10)

Carried

ACTION: EXEC MGR



19 GENERAL BUSINESS

19.3 Appreciation to Staff Community Planting Day at East Point on Saturday, 11 December 2010

Common No. 1924479

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

(Lesley/Galton)

A. THAT Council express it's appreciation for the outstanding work undertaken by the staff for the Community Planting Day at East Point on Saturday, 11 December 2010.

B. THAT this decision be moved into open.

DECISION NO.20\3550 (14/12/10)

Carried

ACTION: EXEC MGR
ACTION: GM INFRAST
NOTE: GM CORP
NOTE: CEO
NOTE: GM COMM & CULT

19.4 Appreciation to Staff - MY0800 – The Mall Revitalisation Project - Saturday, 11 December 2010

Common No. 1924480

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/Moir)

A. THAT Council express it's appreciation for the outstanding work undertaken by the staff of the MY0800 – The Mall Revitalisation project and the celebrations activities.

B. THAT this decision be moved into open.

DECISION NO.20\3551 (14/12/10)

Carried

ACTION: GM INFRAST
NOTE: GM COMM & CULT
NOTE: GM CORP
NOTE: CEO
NOTE: EXEC MGR



20 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

(Lambert/Galton)

THAT the next Ordinary Meeting of Council be held on Monday, 24 January 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\3552 (14/12/10) Carried

21 CLOSURE OF MEETING TO THE PUBLIC

(Moir/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.20\3553 (14/12/10) Carried

22 ADJOURNMENT OF THE MEETING (MEDIA LIAISON)

There were no media present at the meeting.



The meeting moved into Confidential at 6.44 p.m.

ACTING LORD MAYOR,
MEMBER H D SJOBERG
(ACTING CHAIRMAN) –
ORDINARY COUNCIL MEETING
– TUESDAY, 14 DECEMBER
2010

Confirmed on: Monday, 24 January 2011

Chairman: _____

