

**DARWIN CITY COUNCIL**

MINUTES OF THE THIRTY FIFTH ORDINARY MEETING OF THE TWENTIETH COUNCIL  
MEETING HELD ON TUESDAY, 13 OCTOBER, 2009 IN COUNCIL CHAMBERS, CIVIC  
CENTRE, HARRY CHAN AVENUE, DARWIN, COMMENCING AT 5.02 P.M.

PRESENT: 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 G M  
Jarvis; Member G A Lambert; Member F P Marrone; Member A R Mitchell;  
Member K M Moir; Member J L Sangster; Member H D Sjoberg (from 5.54 p.m.).

OFFICERS: Chief Executive Officer, Mr B Dowd; General Manager Corporate Services, Mr F  
Crawley (left 7.14 p.m.); General Manager Infrastructure, Mr L Cercarelli;  
General Manager Community & Cultural Services, Mr J Banks; Manager  
Communications & Marketing, Mr G Fenton; Media Officer Communications &  
Marketing, Mr G Haslett; Manager Finance, Ms K Stidworthy; Committee  
Administrator, Ms L Elmer.

GUESTS: NT Licensing Commission, Chairman, Mr Richard O'Sullivan, Member, Mr Wally  
Grimshaw and Legal Member, Ms Brenda Monaghan were in attendance from  
6.11 p.m. to 6.54 p.m. to brief the Council on the Licensing Commission's Review  
of Nightcliff Foreshore and Esplanade Public Restricted Areas

MEDIA: Mr Ben Langford – NT News; Ms Gina Marich – ABC Radio

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9.2.1 *Regulatory Orders - Cyclone Hazards*

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9.2.4 *Call for Nominations for Darwin Harbour Advisory Committee (LGANT)*

9.2.5 *Election of Deputy Lord Mayor 1 December 2009 to 31 March 2010*

9.2.5 *Annual Performance Review – Chief Executive Officer (**Moved from Confidential**)*

9.3 GENERAL BUSINESS

**10 DELEGATIONS AND DEPUTATIONS**

10.1 Department of Planning & Infrastructure, Mr Ken Grattan did not attend to brief the Council on the NT Government's Public Transport Study.

10.2. NT Licensing Commission Chairman, Mr Richard O'Sullivan; Member, Mr Wally Grimshaw and Legal Member Ms Brenda Monaghan were in attendance from 6.11 p.m. to 6.54 p.m to brief the Council on the Licensing Commission's Review of Nightcliff Foreshore and Esplanade Public Restricted Areas.

**11 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**

**12 OFFICER'S REPORTS**

- 12.1 Additional Information for Proposed Access to SkyCity Darwin – Little Mindil
- 12.2 Application for Material Alterations of Licenced Area – The Victoria Hotel – Lot 2310 (27) The Mall
- 12.3 Update Regarding Support to People Upon Release from the Darwin City Watch House
- 12.4 Update on the Status of Council's Request for the Development of a Graffiti Remediation Service Level Agreement Between Darwin City Council and the Northern Territory Government.
- 12.5 Process for Commercial Operators to Obtain Permission to Use Prescribed Beaches for the Launching of Vehicles
- 12.6 DCC Non Current Asset Valuations as at 30 June 2009
- 12.7 Meeting Dates and Deadline Schedule January to June 2010
- 12.8 Parap Sport and Recreation Precinct Master Plan Community Engagement (**moved from Confidential**)

**13 QUESTIONS BY MEMBERS**

**14 GENERAL BUSINESS**

- 14.1 Acknowledgment of Country

**15 ADJOURNMENT OF MEETING and MEDIA LIAISON**

**16 CLOSURE OF MEETING TO THE PUBLIC**

**1 LORD'S PRAYER**

**2 MEETING DECLARED OPEN**

The Chairman declared the meeting open at 5.02 p.m.

**3 APOLOGIES AND LEAVE OF ABSENCE**

**3.1 Apologies**

Nil

**3.2 Leave of Absence Granted**

(Galton/Jarvis)

THAT it be noted that Member R Lesley is an apology due to a Leave of Absence being previously granted on 22 September 2009 for the period 8 - 18 October 2009.

DECISION NO.20\2097 (13/10/09) Carried

**3.3 Leave of Absence Requested**

(Lambert/Galton)

- A. THAT a Leave of Absence be granted for The Right Worshipful, The Lord Mayor, Mr G R Sawyer for the period 18 – 20 November 2009.
- B. THAT a Leave of Absence be granted for Member H D Sjoberg for the period 20 – 21 October 2009 and 24 October to 4 November 2009.
- C. THAT a Leave of Absence be granted for Member A R Mitchell for the period 16 December 2009 to 24 January 2010.
- D. THAT a Leave of Absence be granted for Member J D Bailey for the period 16 – 19 October 2009 8 Dec – 20 Jan 2010.
- E. THAT a Leave of Absence be granted for Member H Galton for the period 12 – 22 November 2009.
- F. THAT a Leave of Absence be granted for Member K M Moir for the period 9 – 16 November 2009 and 18 – 20 November 2009.
- G. THAT a Leave of Absence be granted for Member G A Lambert for the period 20 December 2009 to 1 January 2010.

DECISION NO.20\2098 (13/10/09) Carried

#### **4 ELECTED MEMBERS CONFLICT OF INTEREST DECLARATION**

(Moir/Lambert)

##### **Elected Members**

Pursuant to Section 73 & 74 of the Local Government Act 2008, Member R K Elix declared a Conflict of Interest in Item C17.2.2.

Pursuant to Section 73 & 74 of the Local Government Act 2008, Member R T Dee declared a Conflict of Interest in Item C17.2.2.

##### **Staff**

Pursuant to Section 107 of the Local Government Act 2008, General Manager Corporate Services, Mr Frank Crawley declared a Conflict of Interest in Item C17.2.2.

Carried

#### **5 CONFIDENTIAL ITEMS**

(Lambert/Jarvis)

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 following Items:

<b><u>Item</u></b>	<b><u>Regulation</u></b>	<b><u>Reason</u></b>
C17.2.2	8(a)	Information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual. <b>(Moved from Confidential)</b>
C17.2.2	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.
C20.1	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person. <b><i>(NT Government have requested, in writing, that the matter remain in Confidential pending approval by all parties)</i></b>

DECISION NO.20\2099

(13/10/09)

Carried

**6 MATTERS OF PUBLIC IMPORTANCE**

Nil

**7 PUBLIC QUESTION**

Nil

**8 PUBLIC SAFETY**

**8.1 INFORMATION ITEMS**

Nil

**8 PUBLIC SAFETY**

**8.2 OFFICER'S REPORTS**

Nil

**8 PUBLIC SAFETY**

**8.3 GENERAL BUSINESS**

Nil

**9 GOVERNANCE**

**9.1 INFORMATION ITEMS**

Nil

**9 GOVERNANCE**

**9.2 OFFICER'S REPORTS**

**9.1.1 Regulatory Orders - Cyclone Hazards**

Report No. 09C0180 JB:kl (12/10/09) Common No. 1309609

(Lambert/Bailey)

- A. THAT Report Number 09C0180 JB:kl entitled Regulatory Orders – Cyclone Hazards be received and noted.
- B. THAT the Policy entitled, Regulatory Orders for Cyclone Hazards, as amended in Recommendation B. in Report Number 09C0180 replace Policy Number 374 adopted 11 November 2008, Decision Number 20\0957 – Regulatory Orders for Cyclone Hazards.
- i) Council has received a request from the Director of Northern Territory Emergency Service (“NTES”) to issue regulatory orders under section 194 of the *Local Government Act* requiring the removal of items located on properties in the Darwin Municipality that may become a danger to the public in the event of a cyclone.
- ii) NTES is a body established under the *Disasters Act* and its functions are set out in section 9(1) of the *Disasters Act* as follows:

The functions of the Council are to be responsible to the Minister for the administration of this Act and, subject to the direction of the Minister –

- a) to advise, assist and, where it considers it necessary, give directions to the Director in respect of counter disaster planning;
- b) to examine and approve local, regional and Territory counter disaster plans submitted by the Director;
- c) to determine the needs, whether financial or otherwise, of the Territory in the event of a counter disaster operation and advise the Minister accordingly; and
- d) in respect of the conduct of counter disaster operations, to advise and, where necessary, give directions to the Territory Controller.
- iii) The Director of NTES (“the Director”) has amongst his/her duties the following (prescribed in section 15(a) of the *Disasters Act*):

The duties of the Director are to provide, whether or not a state of disaster or state of emergency has been declared, such assistance as is necessary to obviate or alleviate an actual or imminent occurrence that causes or may cause loss of life or injury, or danger to the safety of the public or any part of the public, or destruction of, or damage to, property.

(Continued on next page...)

**9 GOVERNANCE**

**9.2 OFFICER'S REPORTS**

**9.1.1 Regulatory Orders - Cyclone Hazards**

Report No. 09C0180 JB:kl (12/10/09) Common No. 1309609

*(...Continued from previous page)*

- iv) Council does not have the financial or physical resources to take the requisite steps for all properties in the Darwin Municipality including to:
- a) inspect all or substantially all of such properties;
  - b) verify the risk and whether it is appropriate to issue a regulatory order in each instance;
  - c) determine the owner and/or occupier of the properties;
  - d) draft, prepare and issue a regulatory order and have it served in the form and in the manner required;
  - e) follow up within the time specified in the regulatory order and:
    - (A) further inspect each property;
    - (B) verify whether or not the works specified in the regulatory order have or have not been carried out;
    - (C) if works have been undertaken, verify that they have been undertaken to the standard required both under the regulatory order and in order to remove or mitigate the nuisance or hazard identified in the order;
    - (D) determine such appropriate action as is required to be taken following such inspection; and
  - f) if Council determines that it should undertake the work itself, issue a further notice as provided under section 198 of the Local Government Act;
  - g) follow up within the time specified in that further notice and again undertake the steps identified in paragraph (e) above;
  - h) if a decision is made to do the works itself, arrange for Council employees or contractors to do the work;
  - i) recover the cost of the works from the owner or occupier of each property.

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**9 GOVERNANCE**

**9.2 OFFICER'S REPORTS**

**9.1.1 Regulatory Orders - Cyclone Hazards**

Report No. 09C0180 JB:kl (12/10/09) Common No. 1309609

*(...Continued from previous page)*

These steps presume that there are no objections or other discussions with the owners and occupiers of such properties and that there is request for review and no appeal to any regulatory order issued.

- v) Given the above:
- a) Council will not, as a general policy, be issuing regulatory orders requiring the owners and/or occupiers of properties to undertake works to remove or mitigate hazards or potential hazards that might arise in the event of cyclones or storm activity.
  - b) Council has advised the Director of NTES of this policy position and that it is prepared to co-operate and assist the Director of NTES in the event of any cyclones or severe storms within the resources and capacity of Council.
  - c) Council has publicly advised of this policy and requested owners and occupiers of properties in and about the Darwin area to take appropriate steps to remove and mitigate all such hazards.
- vi) Council and the Director, have agreed to take a cooperative approach in an endeavour to see how Council might assist NTES in performing its functions and assist the Director in meeting his duties under the *Disasters Act* and propose to undertake a trial during the 2009/2010 wet season and pre- wet season period under which:
- a) A limited number of residential properties (6 in all) have been identified and agreed between the Director and Council as having objects or materials that could prove hazardous to neighbours during a cyclone.  
  
For the purposes of this policy and the trial, "objects or materials that could prove hazardous to neighbours during a cyclone" means "objects or materials, other than trees, that the Council does not consider capable of being removed or made safe and secure within a period of 2 days."
  - b) It is proposed that Council, pursuant to section 194 of the *Local Government Act*, make regulatory orders, requiring the owners of the nominated properties to remove or mitigate the hazard or potential hazard within a period of 14 days.

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**9 GOVERNANCE**

**9.2 OFFICER'S REPORTS**

**9.1.1 Regulatory Orders - Cyclone Hazards**

Report No. 09C0180 JB:kl (12/10/09) Common No. 1309609

*(...Continued from previous page)*

The owners will be determined by reference to the NT Government's Land Administration Information System.

- c) If the owner of the land fails to comply with the regulatory order, Council will authorise contractors to enter the land and carry out the work or take other action required under the regulatory order. Council will seek to recover the cost of the work from the owner as unpaid rates.
  
- vii) The Northern Territory Government should consider allocating the necessary resources to deal with the hazards and risks identified by the Director of NTES.

DECISION NO.20\2100

(13/10/09)

Carried

ACTION: GM COMM & CULTURAL  
NOTE: CEO  
NOTE: GM INFRAST  
NOTE: GM CORP

**9.2.2 Approved Forms – Regulatory Orders**

Report No. 09C0169 DN:mrg (08/10/09) Common No. 1309609

(Galton/Jarvis)

- A. THAT Report Number 09C0169 entitled, Approved Forms - Regulatory Orders, be received and noted.
  
- B. THAT Council approve the Regulatory Order and Notice of Intention to Enter Land and Carry Out Works forms attached to Report Number 09C0169 DN:mrg for use under section 14 of the Darwin City Council By-Laws 1994 and section 194 of the Local Government Act 2008.

DECISION NO.20\2101

(13/10/09)

Carried

ACTION: GM COMM & CULTURAL

**9 GOVERNANCE**

**9.2 OFFICER'S REPORTS**

**9.2.3 Future of Library Funding**

Report No. 09P0014 KC:md (08/10/09) Common No. 1424436

(Sangster/Elix)

- A. THAT Report Number 09P0014 entitled, Future of Library Funding, be received and noted.
- B. THAT matters relating to the 2011/12 public library funding agreement be referred to a Special Council meeting.

DECISION NO.20\2102 (13/10/09)

Carried

ACTION: GM COMM & CULTURAL  
ACTION: CA

**9.2.4 Call for Nominations for Darwin Harbour Advisory Committee (LGANT)**

Document No. 1666073 (16/10/09) Common No. 465791

(Galton/Jarvis)

- A. THAT the incoming Email from the Local Government Association of the Northern Territory (LGANT), regarding nominations for Darwin Harbour Advisory Committee, Document Number 1666073, be received and noted.
- B. THAT Council advise LGANT that Alderman J L Sangster has been nominated by Council for the position on the Darwin Harbour Advisory Committee.

DECISION NO.20\2103 (13/10/09)

Carried

ACTION: CEO PA  
NOTE: LM EA  
NOTE: CA

**9 GOVERNANCE**

**9.2 OFFICER'S REPORTS**

**9.2.5 Election of Deputy Lord Mayor 1 December 2009 to 31 March 2010**

Report No. 09TC0064 BD:le (13/10/09) Common No. 375173

(Jarvis/Bailey)

- A. THAT Report Number 09TC0064 entitled, Election of Deputy Lord Mayor 1 December 2009 to 31 March 2010, be received and noted.
- B. THAT in accordance with Part 4.3 of the Local Government Act 2008 and Council Policy No.111, Council appoints Alderman R K Elix to the position of Deputy Lord Mayor, for the period 1 December 2009 to 31 March 2010.

DECISION NO.20\2104 (13/10/09)

Carried

ACTION: CA  
NOTE: LM EA

**9.2.6 Annual Performance Review – Chief Executive Officer**

Common No.1360829

(Bailey/Jarvis)

*With the consent of the Council this matter is to lay on the table pending finalisation. This decision was moved from the Confidential Section into the Open Section of the Minutes.*

DECISION NO.20\2105 (13/10/09)

Carried

ACTION: MANAGER HR

**9 GOVERNANCE**

**9.3 GENERAL BUSINESS**

Nil

**10 DELEGATIONS AND DEPUTATIONS**

**10.1 NT Governments Public Transport Study**  
Common No. 1574467

*Department of Planning & Infrastructure, Mr Ken Grattan did not attend to brief the Council on the NT Government's Public Transport Study.*

**10.2 Licensing Commission Review on Nightcliff Foreshores and Esplanade Public Restricted Areas**  
Common No1062006

*NT Licensing Commission Chairman, Mr Richard O'Sullivan; Member, Mr Wally Grimshaw and Legal Member Ms Brenda Monaghan were in attendance from 6.11 p.m. to 6.54 p.m. to brief the Council on the Licensing Commission's Review of Nightcliff Foreshore and Esplanade Public Restricted Areas.*

(Elix/Sangster)

THAT the presentation from the NT Licensing Commission, regarding Licensing Commission's Review of Nightcliff Foreshore and Esplanade Public Restricted Areas, be received and noted.

DECISION NO.20\2106 (13/10/09) Carried

**11 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED**

Nil

**12 OFFICER'S REPORTS**

**12.1 Additional Information for Proposed Access to SkyCity Darwin – Little Mindil**  
Report No. 09TS0171 LC:kb (01/10/09) Common No. 1167748

**Procedural Motion – Suspension of Meeting Procedures in Accordance with By-law 147 at 5.30 p.m.**

(Bailey/Galton)

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 Additional Information for Proposed Access to SkyCity Darwin – Little Mindil.

Carried

**Extension of Meeting Procedures at 5.53 p.m.**

(Lambert/Sangster)

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

Carried

**Resumption of Meeting Procedures at 6.00 p.m.**

(Lambert/Moir)

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

Carried

(Moir/Marrone)

THAT Report Number 09TS0171 LC:kb entitled, Additional Information For Proposed Access to SkyCity Darwin – Little Mindil, be received and noted.

**Procedural Motion**

(Moir/Marrone)

THAT the Report Number 09TS0164 entitled, Proposed Access to SkyCity Darwin – Little Mindil, be taken off the table for consideration.

Carried

*(Continued on next page...)*

## 12 OFFICER'S REPORTS

### 12.1 Additional Information for Proposed Access to SkyCity Darwin – Little Mindil Report No. 09TS0171 LC:kb (01/10/09) Common No. 1167748

*(...Continued from previous page)*

(Elix/Lambert)

- A. THAT Report Number 09TS0164 entitled, SkyCity Darwin - Little Mindil Access, be received and noted.
- B. THAT Council advise SkyCity Darwin that their proposal for permanent access through Lot 5772 (Darwin City Council car park), as indicated in their correspondence dated 7 and 31 August 2009 is not approved.

Carried

(Lambert/Galton)

- C. THAT Council advise SkyCity:
  - i.) THAT SkyCity should seek alternative access arrangements for Lot 7651;
  - ii.) THAT any alternative be substantiated by a full Traffic Management Plan for Lot 5244;
  - iii.) THAT Council approve the use of a small portion of Lot 5772 for permanent access to Lot 7651 as identified in Report Number 09TS0164LC:KB subject to SkyCity's alternative proposal details, compensation, land tenure option and size of area being restricted to reduce impact on Lot 5772, being to Council's satisfaction.
  - iv.) THAT Council will not support any alternative access arrangements that result in any reduction to the existing provision of on-site parking (within Lot 5244 and 5772) unless Council can be satisfied of alternate parking arrangements.

DECISION NO.20\2107

(13/10/09)

Carried

ACTION: GM INFRAST

**12 OFFICER'S REPORTS**

**12.2 Application for Material Alterations of Licenced Area – The Victoria Hotel – Lot 2310 (27) The Mall**

Report No. 09TS0177 BS:lc (18/10/09) Common No. 1660910

(Galton/Lambert)

- A. THAT Report Number 09TS0177 entitled; Application for Material Alterations of Licenced Area, The Victoria Hotel – Lot 2310 (27) The Mall, be received and noted.
- B. THAT Council endorse the following comments to be forwarded to the Director of Licensing, Racing, Gaming and Licensing:
  - i) Council raises no objection to the proposal under Section 47F(2) of the Liquor Act.
  - ii) Council has no comments in relation to the proposal taking into account the Objects of the Liquor Act as defined in Section 3 and 6 of the Liquor Act.

DECISION NO.20\2108

(13/10/09)

Carried

ACTION: GM INFRAST  
NOTE: PLANNING OFFICER

**12.3 Update Regarding Support to People Upon Release from the Darwin City Watch House**

Report No.09C0171 AF:kl (08/10/09) Common No.1526418  
Document No. 1647197 (03/09/09) Common No. 1526418

(Dee/Mitchell)

- A. THAT Report Number 09C0171 AF:kl entitled, Update Regarding the Release of Prisoners from the Darwin City Watch House, be received and noted.
- B. THAT the incoming letter dated 3 September 2009 from Ms Elizabeth Morris, Deputy Chief Executive Officer, Department of Justice, in respect to the pilot early morning transport service provided by Larrakia Nation to people being released from the Darwin City Watch House, Document Number 1647197, be received and noted.
- C. THAT Council continues to represent the requirement for the provision of a transport service to people released from the Darwin City Watch House to the NT Government.

DECISION NO.20\2109

(13/10/09)

Carried

ACTION: GM COMM & CULTURAL  
ACTION: COMM SVCS EA

**12 OFFICER'S REPORTS**

**12.4 Update on the Status of Council's Request for the Development of a Graffiti Remediation Service Level Agreement Between Darwin City Council and the Northern Territory Government.**

Report No.09C153 AF:kl (08/10/08) Common No.373643

(Sangster/Jarvis)

- A. THAT Report Number 09C0153 entitled, Update on the Status of Council's request for the development of a Graffiti Remediation Service Level Agreement Between Darwin City Council and the Northern Territory Government, be received and noted.
- B. THAT Council continues to promote the development of graffiti remediation Service Level Agreements.

DECISION NO.20\2110 (13/10/09)

Carried

ACTION: GM COMM & CULTURAL  
NOTE: COMM SVCS EA

**12.5 Process for Commercial Operators to Obtain Permission to Use Prescribed Beaches for the Launching of Vehicles**

Report No. 09C0167 AF:kl (02/10/09) Common No. 1637793

(Bailey/Sangster)

THAT Report Number 09C0167 entitled, Process for Commercial Operators to Obtain Permission to Use Prescribed Beaches for the Launching of Vehicles, be received and noted.

DECISION NO.20\2111 (13/10/09)

Carried

ACTION: GM COMM & CULTURAL  
NOTE: COMM SVCS EA

**12 OFFICER'S REPORTS**

**12.6 DCC Non Current Asset Valuations as at 30 June 2009**

Report No. 09A0174 FC:ks (18/09/09) Common No. 1653654

(Galton/Marrone)

- A. THAT Report Number 09A0174 entitled, DCC Non Current Asset Valuations at 30 June 2009, be received and noted.
- B. THAT Council approve the valuations contained in Report Number 09A0174 Including **Attachments** entitled, Darwin City Council Non Current Asset Valuations as at 30 June 2009.

DECISION NO.20\2112 (13/10/09)

Carried

ACTION: GM CORP

**12.7 Meeting Dates and Deadline Schedule January to June 2010**

Report No. 09TC0063 BD:le (13/10/09) Common No. 1486656

(Lambert/Galton)

- A. THAT Report Number 09TC0063 entitled, Meeting Dates and Deadline Schedule January to June 2010, be received and noted.
- B. THAT the Meeting Dates and Deadline Schedule January to June 2010, as described in **Attachment A** to Report Number 09TC0063, be adopted.

DECISION NO.20\2113 (13/10/09)

Carried

ACTION: CA  
NOTE: GM COMM & CULTURAL  
NOTE: GM CORP  
NOTE: GM INFRAST

**12 OFFICER'S REPORTS**

**12.8 Parap Sport and Recreation Precinct Master Plan Community Engagement**  
Report No. 09C0162 SD:kl (08/10/09) Common No. 1437996

*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.*

(Galton/Sjoberg)

- A. THAT Report Number 09C0162 entitled, Parap Sport and Recreation Precinct Master Plan Community Engagement, be received and noted.
- B. THAT the outline for the Parap Sport and Recreation Precinct Master Plan and Community Engagement Plan be endorsed.
- C. THAT the report be released when permitted by the NT Government.
- D. THAT this decision be moved into Open.

DECISION NO.20\2114 (13/10/09)

Carried

ACTION: GM COMM & CULTURAL  
NOTE: RECREATIONAL OFFR

### 13 QUESTIONS BY MEMBERS

- Member G A Lambert asked about proposed Lee Point Road Bike Path

General Manager Infrastructure, Mr Luccio Cercarelli took the question on notice.

ACTION: GM INFRAST

- Member A Mitchell raised a query on the proposed publication dates for the inserts in the Sunday Territorian on Council activities.

Chief Executive Officer, Mr Brendan Dowd advised that Councils decision to proceed with the proposed publications is dependant on the outcome of the First Quarter Budget Review. He also committed to provide further information on the proposed publication dates (which are as per the above, budget dependant).

ACTION: CEO

(Galton/Mitchell)

THAT the Questions by Members, be received and noted.

DECISION NO.20\2115

(13/10/09)

Carried

### 14 GENERAL BUSINESS

#### 14.1 Acknowledgment of Country Common No. 1443075

(Jarvis/Mitchell)

THAT a report be presented to the 2<sup>nd</sup> Ordinary Council Meeting on 27 October 2009 with the feedback received in relation to the opening protocol with the final information received.

DECISION NO.20\2116

(13/10/09)

Carried

ACTION: CEO

**15 ADJOURNMENT OF MEETING and MEDIA LIAISON**

(Mitchell/Dee)

THAT the meeting be adjourned at 7.14 p.m. to enable members of the Media to liaise with Elected Members and have a meal break.

Carried

*Mr Frank Crawley, General Manager Corporate Services left the meeting at 7.14p.m.*

THAT the meeting be resumed at 7.59 p.m.

DECISION NO.20\2117 (13/10/09)

Carried

**16 CLOSURE OF MEETING TO THE PUBLIC**

(Lambert/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\2118 (13/10/09)

Carried

The meeting moved into the Confidential Section at 8.00 p.m.

THE RIGHT WORSHIPFUL, THE  
LORD MAYOR, MR G R SAWYER  
(CHAIRMAN) – 1<sup>ST</sup> ORDINARY  
COUNCIL MEETING 1<sup>ST</sup>  
ORDINARY COUNCIL MEETING  
– TUESDAY, 13 OCTOBER,  
2009.

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**Confirmed on:** *Tuesday, 27 October, 2009*

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