

DARWIN CITY COUNCIL

MINUTES OF THE THIRTY THIRD ORDINARY MEETING OF THE TWENTIETH COUNCIL MEETING HELD ON TUESDAY, 15 SEPTEMBER, 2009 IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE, DARWIN, COMMENCING AT 5.06 P.M.

PRESENT: Acting Lord Mayor, Member H I Galton (Chairman); Member J D Bailey; Member R T Dee; Member R K Elix; Member G M Jarvis; Member G A Lambert (from 6.38 p.m.); Member R Lesley; Member F P Marrone; Member A R Mitchell; Member K M Moir (from 6.38 p.m.); Member J L Sangster (from 5.15 p.m.); Member H D Sjoberg.

OFFICERS: Chief Executive Officer, Mr B Dowd; General Manager Corporate Services, Mr F Crawley; General Manager Infrastructure, Mr L Cercarelli; General Manager Community & Cultural Services, Mr J Banks; Manager Strategy & Outcomes, Ms A Hammond; Manager Library Services, Ms K Conway; Manager Communications & Marketing, Mr G Fenton; Planning Officer Mr R Burgess; Committee Administrator, Ms L Elmer.

GUESTS: Director, NT Library, Mrs Jo McGill was in attendance from 5.15 p.m. to 5.39 p.m. to brief the Council on the Library Funding Agreement.

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

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9.2.5 *Council of Capital City Lord Mayors Annual General Meeting – Draft Meeting Minutes 12-13 August 2009*

9.2.6 *Capital City Committee Meeting Minutes – 25 June 2009*

9.2.7 *Darwin Harbour Advisory Committee – Invitation for Council to Join the Committee (**Addendum No. 1**)*

9.3 GENERAL BUSINESS

9.3.1 Election of Acting Lord Mayor up to the 1 October 2009

10 DELEGATIONS AND DEPUTATIONS

10.1 Director, NT Library, Mrs Jo McGill was in attendance from 5.15 p.m. to 5.39 p.m. brief the Council on the NT Governments' Library Funding Agreement.

10.2 Museums & Arts Galleries of the NT, Ms Apolline Kohen, was in attendance from 7.25 p.m. to 8.00 p.m. to brief the Council on the East Point Museum Development. (**Moved from Confidential**)

11 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

12 OFFICER'S REPORTS

- 12.1 Café 21 – Application for a Liquor Licence on Council Road Reserve Lot 2312 (21)
The Mall, Town of Darwin

13 QUESTIONS BY MEMBERS

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- 14.1 Call for Nominations for Neighbourhood Watch NT, Board of Management (LGANT)

15 CLOSURE OF MEETING TO THE PUBLIC

1 LORD'S PRAYER

2 MEETING DECLARED OPEN

The Acting Lord Mayor declared the meeting open at 5.06 p.m.

The Acting Lord Mayor welcomed Council's Planning Officer, Mr R Burgess and the following members of the Port Hedland Town Council delegation to the Council Meeting.

Mayor, Mr Stan Martin	Chief Executive Officer, Mr Chris Adams
Councillor Mr Steve Coates	Councillor Ms Kelly Howlett
Councillor Ms Jan Ford	Councillor Mr George Daccache
Manager, Planning Services	
Mr Richard Bairstow	

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 Apologies

(Elix/Dee)

A. THAT the apology from Member K M Moir, be received advising that she will be late.

B. THAT the apology from Member G A Lambert, be received advising that he will be late.

DECISION NO.20\1978 (15/09/09) Carried

3.2 Leave of Absence Granted

(Jarvis/Lesley)

THAT it be noted that The Right Worshipful, Lord Mayor, Mr G R Sawyer is an apology due to a Leave of Absence being previously granted on 30 June 2009 for the period 11 – 27 September 2009.

DECISION NO.20\1979 (15/09/09) Carried

3 APOLOGIES AND LEAVE OF ABSENCE

3.3 Leave of Absence Requested

(Lesley/Marrone)

- A. THAT a Leave of Absence be granted for Member G M Jarvis for the period 28 - 30 September 2009.
- B. THAT a Leave of Absence be granted for Member R K Elix for the period 24 October – 13 December 2009.

DECISION NO.20\1980

(15/09/09)

Carried

4 ELECTED MEMBERS CONFLICT OF INTEREST DECLARATION

Nil

5 CONFIDENTIAL ITEMS

(Lesley/Dee)

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:

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C18.1	8(c)(iv)	Information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person.

DECISION NO.20\1981

(15/09/09)

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

9.2.1 Status of Grant Funding Applications

Report No. 09TC0052 BD:ah (15/09/09) Common No. 1572185

(Lesley/Marrone)

THAT Report Number 09TC0052 entitled, Status of Grant Funding Applications, be received and noted.

DECISION NO.20\1982 (15/09/09)

Carried

9.2.2 Status of Award Applications

Report No. 09TC0055 BD:ah (15/09/09) Common No. 1648955

(Sjoberg/Elix)

A. THAT Report Number 09TC0055 entitled, Status of Award Applications, be received and noted.

B. THAT the \$2,000 awarded to Council as part of the State and Territory Landcare Awards, be re-invested into environmental projects that will be delivered in partnership with the Larrakia Rangers.

DECISION NO.20\1983 (15/09/09)

Carried

ACTION: MGR CLIMATE CHANGE & ENVIRO
NOTE: MGR STRATEGY & OUTCOMES
NOTE: MGR COMMS & MARKETING
NOTE: GM CORP

9.2.3 Corporate Performance Report – 1 July 2008 to 30 June 2009

Report No. 09TC0058 BD:ah (31/03/09) Common No. 1230662

(Sangster/Lesley)

A. THAT Report Number 09TC0058 entitled, Corporate Performance Report – 1 July 2008 - 30 June 2009, including Attachments A and B, be received and noted.

B. THAT Council defer further consideration of this report to a Workshop where the results of the Customer Satisfaction Survey can also be considered.

DECISION NO.20\1984 (15/09/09)

Carried

ACTION: MGR STRATEGY & OUTCOMES
NOTE: MGR COMMS & MARKETING
NOTE: CA

9 GOVERNANCE

9.2 OFFICER'S REPORTS

9.2.4 Council Decisions – Statistical Analysis of Open and Confidential

Report No.09TC0057 BD:jp (08/09/09) Common No.41544637

(Lesley/Marrone)

THAT Report Number 09TC0057 entitled, Council Decisions - Statistical Analysis of Open and Confidential, be received and noted.

DECISION NO.20\1985 (15/09/09) Carried

9.2.5 Council of Capital City Lord Mayors Annual General Meeting – Draft Meeting Minutes 12-13 August 2009

Report No. 09TC0056 BD:ah (15/09/09) Common No. 1648831

(Bailey/Jarvis)

THAT Report Number 09TC0056 entitled, Council of Capital City Lord Mayors Annual General Meeting – Draft Meeting Minutes, be received and noted.

DECISION NO.20\1986 (15/09/09) Carried

9.2.6 Capital City Committee Meeting Minutes – 25 June 2009

Report No. 09TC0043 BD:ah (15/09/09) Common No. 1594501

(Elix/Marrone)

THAT Report Number 09TC0043 entitled, Capital City Committee Meeting Minutes, be received and noted.

DECISION NO.20\1987 (15/09/09) Carried

9 GOVERNANCE

9.2 OFFICER'S REPORTS

9.2.7 Darwin Harbour Advisory Committee – Invitation for Council to Join the Committee

Report No. 09TS0155 BD:pr (07/09/09) Common No. 465791

Addendum No. 1

(Bailey/Sangster)

- A. THAT Report Number 09TS0155 entitled, Darwin Harbour Advisory Committee – Invitation for Council to Join the Committee, be received and noted.
- B. THAT Darwin City Council accept The Minister for Natural Resources, Environment and Heritage's invitation to nominate a representative to Darwin Harbour Advisory Committee.
- C. THAT Climate Change & Environment Manager, be Darwin City Council's representative on the Darwin Harbour Advisory Committee until 30 June 2010.
- D. THAT Darwin City Council contributes to the support of DHAC through membership only.

DECISION NO.20\1988

(15/09/09)

Carried

ACTION: MGR CLIMATE CHANGE & ENVIRO
NOTE: MGR COMMS & MARKETING

9.3 GENERAL BUSINESS

9.3.1 Election of Acting Lord Mayor up to 1 October 2009

(Mitchell/Dee)

THAT due to the Lord Mayor and Deputy Lord Mayor being unavailable or prevented from performing the duties of Lord Mayor simultaneously during the period up to 1 October 2009, the Council pursuant to Section 43 (3) of the Local Government Act 2008, hereby appoints Member R Lesley, to be Acting Lord Mayor on those days.

DECISION NO.20\1989

(15/09/09)

Carried

ACTION: LM EA
ACTION: CA

10 DELEGATIONS AND DEPUTATIONS

10.1 NT Governments' Library Funding Agreement Common No. 1644777

Director, NT Library, Mrs Jo McGill was in attendance from 5.15 p.m. to 5.39 p.m. to brief the Council on the Library Funding Agreement.

(Sjoberg/Elix)

THAT the presentation from Mrs Jo McGill from the NT Library, regarding Library Funding Agreement, be received and noted.

DECISION NO.20\1990 (15/09/09) Carried

10.2 East Point Museum Development Common No.1537467

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.

Museums & Arts Galleries of the NT, Ms Apolline Kohen, was in attendance from 7.25 p.m. to 8.00 p.m. to brief the Council on the East Point Museum Development.

(Sangster/Marrone)

A. THAT the presentation from Museums & Arts Galleries of the NT, regarding East Point Museum Development, be received and noted.

B. THAT this decision be moved into Open.

DECISION NO.20\1991 (15/09/09) Carried

ACTION: GM COMM & CULTURAL

11 INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

Nil

12 OFFICER'S REPORTS

**12.1 Café 21 – Application for a Liquor Licence on Council Road Reserve
Lot 2312 (21) The Mall, Town of Darwin**

Report No. 09TS0131 BS:sv (17/08/09) Common No. 1517394

(Elix/Bailey)

- A. THAT Report Number 09TS0131 entitled, Café 21 – Application for a Liquor Licence on Council Road Reserve, Lot 2312 (21) The Mall, Town of Darwin, be received and noted.
- B. THAT Council provides authorisation for Café 21 to apply for a liquor licence over part of The Mall (excluding The Mall Kiosk) as the land owner, as per their request following receipt of amended plans demonstrating compliance with the Darwin City Council Policy Number 11 Alfresco Dining and in particular, delineation of the area via removable barriers and on condition that the application be restricted to serving alcohol with meals.
- C. THAT a policy be developed for The Mall which takes into account the principles and objectives outlined in Council's My0800 document (2009) and the draft Darwin Mall future Directions document (2008).
- D. THAT Policy Number 11, Alfresco Dining, be reviewed.

DECISION NO.20\1992

(15/09/09)

Carried

ACTION: GM INFRAST

13 QUESTIONS BY MEMBERS

- ⇒ Alderman H Sjoberg asked whether there was going to be interpretive signage installed at the HMS Beagle Bell Chime in Civic Park.

The General Manager Community & Cultural Services, Mr John Banks advised that signage is going to be installed and undertook to provide an update on the timing.

ACTION: GM COMM & CULTURE

- ⇒ Alderman G M Jarvis advised Council that he now has all the information available regarding the Acknowledgment of Country.

The Chief Executive Officer, Mr Brendan Dowd advised that he will now call a meeting of the Council committee that has been dealing with this issue.

ACTION: CEO

- ⇒ Alderman R Lesley queried the amount of notice residents received through letter box drop-offs and public notices regarding the cyclone cleanup

The Chief Executive Officer, Mr Brendan Dowd took the question on notice.

ACTION: CEO

- ⇒ Alderman A Mitchell questioned the issue of the number of people exercising dogs who did not pick up droppings deposited by their dogs.

The General Manager Community & Cultural Services, Mr John Banks advised an education and where necessary enforcement, program will be undertaken in the very near future.

ACTION: GM COMM & CULTURAL

- ⇒ Alderman Sangster raised the issue of the dangers of the PowerWater open pits associated with the installation of underground power.

The General Manager Infrastructure, Mr Luccio Cercarelli took the matter on notice and will follow up with the Power & Water Corporation.

ACTION: GM INFRAST

(Moir/Sjoberg)

THAT the Questions by Members, be received and noted.

DECISION NO.20\1993

(15/09/09)

Carried

14 GENERAL BUSINESS

14.1 Call for Nominations for Neighbourhood Watch NT, Board of Management (LGANT)

Document No. 1651793 (14/09/09) Common No. 1385541

(Sjoberg/Lambert)

- A. THAT the incoming Email from the Local Government Association of the Northern Territory (LGANT), regarding nominations for Neighbourhood Watch NT Board of Management, Document Number 1651793, be received and noted.
- B. THAT Council advise LGANT that Alderman P F Marrone has been nominated by Council for the position on the Neighbourhood Watch NT Board of Management.

DECISION NO.20\1994 (15/09/09)

Carried

ACTION: LM EA
ACTION: CEO PA
NOTE:MGR COMMS & MARKETING
NOTE: CA

15 CLOSURE OF MEETING TO THE PUBLIC

(Lambert/Elix)

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\1995 (15/09/09)

Carried

The meeting moved into the Confidential Section at 7.24 p.m.

ACTING LORD MAJOR
ALDERMAN H I GALTON
(CHAIRMAN) – 1ST ORDINARY
COUNCIL MEETING –
TUESDAY, 15 SEPTEMBER, 2009

Confirmed on: *Tuesday, 29 September, 2009*

Chairman: _____