AGENDA

Ordinary Council Meeting
Tuesday, 16 July 2019

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date:  Tuesday, 16 July 2019
Time:  5:30pm
Location: Council Chambers
         Level 1, Civic Centre
         Harry Chan Avenue, Darwin

Chris Potter
Acting Chief Executive Officer
ORDINARY COUNCIL MEMBERS

The Right Worshipful, the Lord Mayor Kon Vatskalis (Chair)
Alderman Andrew Arthur
Alderman Jimmy Bouhoris
Alderman Sherry Cullen
Alderman Justine Glover
Alderman Gary Haslett
Alderman Robin Knox
Alderman George Lambrinidis
Alderman Simon Niblock
Alderman Mick Palmer
Alderman Peter Pangquee
Alderman Rebecca Want de Rowe
Alderman Emma Young

OFFICERS

Chief Executive Officer, Scott Waters
General Manager Innovation Growth & Development Services, Joshua Sattler
General Manager Community & Regulatory Services, Polly Banks
General Manager Corporate and Procurement Services, Chris Potter
General Manager Government Relations & External Affairs, Melissa Reiter
General Manager Engineering & City Services, Ron Grinsell
Coordinator Governance, Penny Hart

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1 ACKNOWLEDGEMENT OF COUNTRY

2 THE LORD’S PRAYER

3 MEETING DECLARED OPEN

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 Apologies

4.2 Leave of Absence Granted

A. THAT it be noted Alderman Peter Pangquee is an apology due to a Leave of Absence previously granted for the period 1 July to 21 July 2019.

B. THAT it be noted Alderman Jimmy Bouhoris is an apology due to a Leave of Absence previously granted for the period 26 June to 11 August 2019.

4.3 Leave of Absence Requested

5 ELECTRONIC MEETING ATTENDANCE

5.1 Electronic Meeting Attendance Granted

5.2 Electronic Meeting Attendance Requested

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

7 CONFIRMATION OF PREVIOUS MINUTES

Ordinary Ordinary Council Meeting - 25 June 2019

8 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE

Nil
9 PUBLIC QUESTION TIME

10 PETITIONS

11 DEPUTATIONS AND BRIEFINGS

12 NOTICES OF MOTION

Nil
13 OFFICERS REPORTS

13.1 PLANNING SCHEME AMENDMENT - CLAUSE 7.5 (PRIVATE OPEN SPACE)

Common No.: PA2017/0203
Author: Manager City Planning
Authoriser: Manager Economic Development & Tourism
Attachments: 1. Attachment 1
2. Attachment 2

SUMMARY
The purpose of this report is to provide Council with comments on a proposed amendment to Clause 7.5 (Private Open Space) the Northern Territory Planning Scheme

RECOMMENDATIONS
1. THAT the report be received and noted.
2. That Council endorse the attached submission to the Planning Commission, within Attachment 1 to this report.

KEY ISSUES
- The Minister for Infrastructure, Planning and Logistics exhibited a proposed amendment to Clause 7.5 (Private Open Space) of the NT Planning Scheme in June 2017.
- A response has been provided in relation to the amendment, included in Attachment 1.
- Pursuant to section 25(2)(b) of the Act, the Minister is now seeking comment on minor alterations to the proposed amendment to Clause 7.5 (Private Open Space) of the NT Planning Scheme.
- The purpose of the amendment is to clarify the intended function of private open space and to provide greater flexibility with respect to dwelling design.
- A copy of the current version and proposed amendments to Clause 7.5 (Private Open Space) and a draft factsheet on the application of Clause 7.5, is contained in Attachment 2.
- Work currently being undertaken for the Darwin City Deals indicates that tree canopy coverage is critical for cooling the environment.
- It has been suggested that further work should be undertaken to specifically address the general decline of vegetation and more specifically shade trees within private developments, as densities and building coverage increase.

BACKGROUND
In 2015 industry and councils raised concern about the growing sea of roofs and in response, Clause 7.5 was amended in September 2015. Provisions were introduced to
require private open space to be open to the sky and include 5m² of deep soil planting suitable for tree planting.

The amendment package indicates that the ‘open to the sky’ provision presented difficulties for some builders of single dwellings on lots between 300m² and 450m². After monitoring the changes, the Department of Infrastructure, Planning and Logistics decided to fine tune the provisions and work with industry on an amendment to Clause 7.5 in February 2017. The proposed amendment was exhibited in June 2017 and on 7 July 2017, the Planning Commission held a public hearing.

City of Darwin’s response was endorsed by Council on 13 June 2017, in the following recommendation:

**Planning Scheme Amendment PA2017/0203 - Clause 7.5 (Private Open Space)**

(13/06/17) DECISION NO.21\5477 (13/06/17)

A. THAT Report Number 17TS0055 DB:hd entitled Planning Scheme Amendment PA2017/0203 - Clause 7.5 (Private Open Space), be received and noted.


Submissions received were in opposition to each other and the matter has been pending decision since mid-2017. As it has not been possible to amend the Clause to the satisfaction of all parties, the amended Clause has proceeded to re-exhibition.

**DISCUSSION**

The City of Darwin provides the following comments in relation to the Proposed Planning Scheme Amendment:

Traditionally, private open spaces have contributed significantly to landscaping and more significantly, overall tree canopy coverage. As densities have increased throughout the municipality, tree coverage has typically declined on private properties. This has been seen in adjoining municipalities as well, with a greater proportion of site and roof coverage meaning that very little substation vegetation is capable of being planted in some areas. Work currently being undertaken for the Darwin City Deals indicates that tree canopy coverage is critical for cooling the environment.

While it is understood that the intent of this amendment is to clarify the purpose of the clause and support greater flexibility in the design of private open space, it is noted that the Planning Scheme, has little direct impact on encouraging significant vegetation or canopy coverage on private property that could result in cooling the environment.

In relation to the specific changes proposed by the amendment, City of Darwin notes the following positive changes:

- Greater flexibility to encourage covered outdoor areas, that align with our tropical lifestyle;
- The introduction of a stated proportion for permeable ground surface area, to encourage on-site stormwater infiltration;
- The requirement for dwellings to consider orienting views towards open spaces; and,
• The inclusion of an updated Fact Sheet to provide further explanation of the clause.

The following are noted for with the intention of providing greater clarity and or strengthening the intention of the proposed provisions:

**Deep soil planting**
The proposed provisions require a minimum of 5m² for deep soil planting of trees and vegetation for shade or screening. To be functional for larger shade trees, this area should be as square as possible and be open to the sky. Therefore, a minimum dimension would assist, for instance a minimum of 1.5 - 2 metres wide. This could generally be accommodated in the required 1.5 metre wide open to the sky area, or in front setback areas.

The Clause does not explicitly state that the deep soil planting area is required to be ‘open to the sky’, although it is presumed, therefore, being explicit would improve clarity.

The proposed amendment notes ‘that the role of Clause 7.5 is to provide private open space with attributes that support its domestic purpose, rather than for the purpose of planting trees.’ While this is acknowledged, there appears to be a lost opportunity to effectively increase tree canopy coverage on private property and the potential for urban forests that can cool the environment.

Greenfield residential is often developed through house and land packages, where the requirements of the Planning Scheme are met by the building company. Owners may then occupy or rent the dwelling without any understanding that a space was provided for the planting of a tree. In this regard, it is questioned why the clause simply doesn’t require the planting of a shade tree? This may not result in 100% retention of trees, but it is likely to result in a greater number of trees in the longer term.

**Fact Sheet**
The proposed amendment has been through several draft stages and the following underlined wording, from a previous version, appears to remain in the table on page one of the Fact Sheet: ‘single dwelling on a lot less than 450m² but not less than 300m²’

The diagram within Appendix 2, notes ‘5m²’ at the front and rear of the dwelling on the right hand side of the page. This may be confused as representing the 5m² requirements for deep soil planting required in Clause 7.5, rather than a reduced setback allowed for under clause 7.3.3. An explanatory note to this effect is suggested for clarification.

**Summary**
Overall the City of Darwin notes that the intent of this Planning Scheme Amendment is to clarify the purpose of the clause and support greater flexibility in the design of private open space. However, in light of broader initiatives being undertaken to green and cool the City, it is considered that further work should be undertaken to specifically address the general decline of vegetation and more specifically shade trees within private developments, as densities and the proportion of site coverage increase.

As this amendment applies Northern Territory wide, the benefits of additional canopy cover would also be Territory wide.
STRATEGIC ENVIRONMENT
The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the ‘Evolving Darwin Towards 2020 Strategic Plan’:

Goal
2 A Safe, Liveable and Healthy City

Outcome
2.2 By 2030, Darwin will be increasingly recognised as a liveable city

Key Strategies
1.4.2 Actively engage with non-government organisations and significant stakeholders

LEGISLATIVE/POLICY
The implications of the proposed amendment have been considered in the body of the report.

CONSULTATION

Internal
In preparing this report, the following City of Darwin officers were consulted:
• Planning Coordinator
• Senior Technical Officer Parks And Reserves

External
• Strategic Lands Planning

BUDGET/RESOURCE IMPLICATIONS
Nil

RISK
Discussed in body of report.

LEGAL
Nil

ARTS, CULTURE & ENVIRONMENT
The introduction of provisions within the Planning Scheme to require the planting of trees has the potential to green and cool the environment.
8 July 2019

Mr Michael Holmes
Director Lands and Planning
Department of Infrastructure, Planning and Logistics
GPO Box 1680
DARWIN NT 0801

Dear Mr Holmes

Parcel Description: Proposed Planning Scheme Amendment
Clause 7.5 (Private Open Space)

Proposed Development:

Thank you for the proposed Planning Scheme Amendment referred to this office 31 May 2019, concerning the above. This letter may be placed before City of Darwin’s, Ordinary Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The City of Darwin provides the following comments in relation to the Proposed Planning Scheme Amendment:

Traditionally, private open spaces have contributed significantly to landscaping and more significantly, overall tree canopy coverage. As densities have increased throughout the Darwin Municipality, tree coverage has typically declined on private properties. Work currently being undertaken indicates that tree canopy coverage is critical for cooling the environment.

While it is understood that the intent of this amendment is to clarify the purpose of the clause and support greater flexibility in the design of private open space, it is noted that the Planning Scheme, has little direct impact on encouraging significant vegetation or canopy coverage on private property that could result in cooling the environment.

In relation to the specific changes proposed by the amendment, City of Darwin notes the following positive changes:

- Greater flexibility to encourage covered outdoor areas, that align with our tropical lifestyle;
- The introduction of a stated proportion for permeable ground surface area,

www.darwin.nt.gov.au
to encourage on-site stormwater infiltration;

- The requirement for dwellings to consider orienting views towards open spaces; and,
- The inclusion of a Fact Sheet to provide further explanation of the clause.

The following points are noted for greater clarity and/or strengthening the intent of the provisions:

Deep soil planting
The proposed provisions require a minimum of 5m² for deep soil planting of trees and vegetation for shade or screening. To be functional for larger shade trees, this area should be as square as possible and be open to the sky. Therefore, a minimum dimension would assist, as would being explicit that this area is to be open to the sky.

The proposed amendment notes that the role of Clause 7.5 is to provide private open space with attributes that support its domestic purpose, rather than for the purpose of planting trees. While this is acknowledged, there appears to be a lost opportunity to effectively increase tree canopy coverage on private property and the potential for urban forests that can cool the environment.

Greenfield residential is often developed through house and land packages, where the requirements of the Planning Scheme are met by the building company. Owners may then occupy or rent the dwelling without any understanding that a space was provided for the planting of a tree. In this regard, it is questioned why the clause simply doesn’t require the planting of a shade tree? This may not result in 100% retention of trees, but it is likely to result in a greater number of trees in the longer term.

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Overall the City of Darwin notes that the intent of this Planning Scheme Amendment is to clarify the purpose of the clause and support greater flexibility in the design of private open space. However, in light of broader initiatives being undertaken to green and cool the City, it is considered that further work should be undertaken to specifically address the general decline of vegetation and more
precisely shade trees within private developments, as densities and the proportion of site coverage increase.

If you require any further discussion in relation to this application, please feel free to contact me on 8930 0528.

Yours faithfully

CINDY ROBSON
MANAGER CITY PLANNING
NORTHERN TERRITORY OF AUSTRALIA

PROPOSAL TO AMEND NT PLANNING SCHEME
PA2017/0203

The Minister for Infrastructure, Planning and Logistics exhibited a proposed amendment to Clause 7.5 (Private Open Space) of the NT Planning Scheme in June 2017.

Pursuant to section 25(2)(b) of the Act, the Minister is now seeking comment on minor alterations to the proposed amendment to Clause 7.5 (Private Open Space) of the NT Planning Scheme.

The purpose of the amendment is to clarify the intended function of private open space and to provide greater flexibility with respect to dwelling design.

The following Exhibition Package contains a background to this re-exhibition; a copy of the current version and proposed amendments to Clause 7.5 (Private Open Space) and a draft factsheet on the application of Clause 7.5.

Period of Exhibition and Lodging a Submission
The exhibition period is from Friday, 31 May 2019 to Friday, 28 June 2019.

Written submissions about the proposed planning scheme amendment are to be received by 11:59pm on Friday, 28 June 2019 and addressed to:

NT Planning Commission
GPO Box 1660
DARWIN NT 0801; or
Email: planning.dipe@nt.gov.au; or
Fax: (08) 8999 7189; or
Hand delivered to:
Level 1, Energy House,
18 – 20 Cavenagh Street, Darwin

For more information please contact Mr Chris Humphries, Lands Planning on telephone (08) 8924 7513.
DEPARTMENT OF INFRASTRUCTURE, PLANNING AND LOGISTICS

Clause 7.5 – Background to re-exhibition

1. PROPOSAL

The draft amendment to Clause 7.5 (Private Open Space) of the NT Planning Scheme is to clarify the purpose of the clause and to support greater flexibility in the design of private open space. The amendment has been altered in response to issues raised. A copy of the proposed amendment follows, accompanied by a fact sheet providing guidance on the application of Clause 7.5.

2. BACKGROUND

Clause 7.5 is in the Planning Scheme to ensure that each dwelling is provided with a practical area of private open space. The purpose is to ensure that private open space is appropriately sited, and of an adequate size to provide for domestic purposes. Single dwellings are currently required to have 50 m² of private open space inclusive of an area with the minimum dimensions of 6m x 9m.

Clause 7.5 has been effective for single dwellings on larger ‘traditional’ urban lots. However, as more affordable lots between 300m² and 450m² have emerged, the ‘back yard’ has become smaller, and frequently with impervious or roofed areas. This trend has started to compromise the potential for gardens to establish tree planting that, in time, will create shade and visual amenity.

Figure 1 below shows side-by-side images of an older Darwin suburb of smaller houses on 800m² lots and a new suburb of large ground level homes on lots between 300m² and 450m².

![Figure 1: Traditional Darwin Suburb and new 'small lot' suburb](image)

In 2015, urban Councils and industry agencies raised concern with the growing ‘sea of roofs’ and the reduced potential for ‘leafy suburbs’ to mature. In September 2016, responding to this concern, clause 7.5 was amended to require private open space to be ‘open to the sky’ and to include a 5 m² area suitable for tree planting. A fact sheet followed the amendment with guidelines to assist compliance with the new requirements.

It is important to note that the role of Clause 7.5 is still to provide private open space with attributes that support its domestic purpose, rather than for the purpose of planting trees. The potential for the provision of additional shade tree planting is a positive but indirect benefit. Clause 7.5 is primarily about the domestic functionality of private open space.
Clause 7.5 – Background to re-exhibition

The ‘open to the sky’ requirement presented difficulties for some builders of single dwellings on lots between 300m² and 450m². Contributing factors are the industry preference for large ‘footprint’ ground level homes; and limited adoption of the more relaxed setback rules for small lots, especially the opportunity to build to a zero building setback on one side boundary.

After monitoring the industry situation, the Department determined that options to ‘fine tune’ clause 7.5 should be developed with industry to provide additional flexibility for building designers.

3. CONSULTATION

In February 2017, the Department proposed an amendment to Clause 7.5 to clarify the purpose of the clause and introduce greater design flexibility, particularly for dwellings on smaller lots. The proposed amendment was distributed to industry for comment, and industry workshops were held. Following industry engagement, it was only necessary to make minor changes to the proposal.

Essentially, it is the ‘table to the clause’ that provides the additional design flexibility, particularly for single dwellings on lots between 300m² and 450m². In this range of lot sizes the ‘open to the sky’ requirement is reduced from 50m² to 45m² and the minimum dimensioned area from 36m² to 24m² with no dimension less than 4m. These changes provide greater flexibility to configure private open space around a wider range of dwelling layouts.

In June 2017, the proposal was placed on public exhibition as a draft planning scheme amendment and, on 7 July 2017, the NT Planning Commission held a public hearing.

Submissions received and issues raised revealed opposing views and a perception that Clause 7.5 has a role beyond its stated purpose, such as tree planting in new suburbs. Some local Councils contended that the area for deep soil planting should be more than the currently required 5m².

In response, the Department proposed to increase the area for deep soil planting from 5 m² to 9 m². This could be met by, for example, a 1.5 by 6 m long area planted with screen trees; or by a 3 x 3 m area suitable for planting a shade tree or other vegetation. However this option met strong opposition from industry.

4. SUMMARY OF PROPOSED ALTERATIONS

It has not been possible to amend Clause 7.5 to the satisfaction of all parties. For this reason, the proposed amendment has proceeded to re-exhibition with the area for deep soil planting retained at 5m², and with minor alterations that are not in contention.

During exhibition it was noted that the minimum lot size of 300 m² in the table to Clause 7.5 (as exhibited) could exclude lots less than 300 m². For example a proposed 300 m² lot could, through survey adjustments, end up at 299m² and be exempt from the requirements of Clause 7.5.

In response, the Department suggests that the reference to the 300m² lot size be omitted from the table to the Clause, to capture all lot sizes less than 450m².

It has also been observed that a single dwelling is permitted in Zone SD providing it complies with certain clauses, including clause 7.5. There is therefore no apparent reason for the table to clause 7.5 to only apply to single dwellings on lots less than 800 m². For single dwellings it is proposed to remove the reference to ‘lots less than 800 m²’.

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File No: PA2017/0203
Clause 7.5 (private open space) – current and altered versions

7.5 Private Open Space (Current – introduced to the Planning Scheme in September 2015)

1. The purpose of this clause is to ensure that each dwelling has private open space that is:
   (a) of an adequate size to provide for domestic purposes;
   (b) appropriately sited, permeable and open to the sky; and
   (c) inclusive of areas of deep soil for shade tree planting.

2. Private open space areas should:
   (a) satisfy the minimum area and dimensions contained in the table to this clause;
   (b) be directly accessible from the dwelling and enable an extension of the function of the dwelling; and
   (c) be permeable and open to the sky.

3. Private open space on lots less than 600m² should:
   (a) be sufficiently permeable to allow stormwater infiltration and lessen stormwater runoff from the site;
   (b) include at least one area of approximately 5m² for the deep soil planting of shade trees; and
   (c) allow for landscaping at the property frontage to complement the visual amenity of the streetscape.

4. Where the private open space is at ground level and other than for a single dwelling, or a single dwelling and associated independent unit it should be:
   (a) screen fenced to a height of at least 1.8m providing a visual barrier to adjoining residences and public areas; or
   (b) fenced to a height of at least 1.8m and planted with dense vegetation which will provide a visual barrier within two years of planting.

5. The location of the private open space should take into account views from the site, the natural features of the site and the location of any private open space or habitable room associated with neighbouring dwellings.

6. If a dwelling within a multiple dwelling development has no direct access at ground level to private open space, compliance with subclauses 2(c) and 3 is not required providing the multiple dwelling development incorporates communal open space.

7. The consent authority may approve an application for a multiple dwelling development comprising serviced apartments in Zone TC that is not in accordance with subclauses 2 and 3 only if it is satisfied that the communal open space and communal facilities will adequately meet the activity needs of residents.
**Clause 7.5 (private open space) – current and altered versions**

<table>
<thead>
<tr>
<th>TABLE TO CLAUSE 7.5 Minimum Areas of Private Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type of Dwelling</strong></td>
</tr>
<tr>
<td>single dwelling on a lot of less than 600m²</td>
</tr>
<tr>
<td>independent unit</td>
</tr>
<tr>
<td>multiple dwellings (for each dwelling with direct ground level access)</td>
</tr>
<tr>
<td>multiple dwellings (for each dwelling without direct ground level access)</td>
</tr>
</tbody>
</table>


The proposed altered amendment to clause 7.5 is shown on the following pages. The amendments are shown in red.

The following dot points summarise the proposed changes to the clause:

- Existing subclauses 1, 2, 3 and 5 are restructured into new subclauses 1 and 2 in order to clarify and separate the purposes of the clause and the performance criteria.
- Existing subclause 6 becomes subclause 3 without change.
- Existing subclause 7 becomes subclause 5 without change.
- Existing subclause 4 remains unchanged.

The proposed changes to the 'Table to the Clause', include:

- Lot sizes are separated into above and below 450m².
- The order of lot size is reversed to be consistent with other tables to clauses (eg. Clause 6.5.4 and Clause 7.3.3).
- The requirements for single dwellings and multiples dwellings are the same for the same density (ie, single dwellings on lots of less than 450m² but not less than 300m²).
- Greater flexibility is introduced to the dimensional requirements for lots less than 450m² by reducing the minimum dimension to 4m, and
- For single dwellings, the reference to "lots less than 600 m²" is removed.
Clause 7.5 (private open space) – current and altered versions

1. The purpose of this clause is to extend the function of a dwelling and enhance the residential environment by ensuring that each dwelling has private open space that is:
   (a) of an adequate size to provide for domestic purposes;
   (b) appropriately sited to provide outlook for the dwelling;
   (c) open to the sky and sufficiently permeable to allow stormwater infiltration and lessen runoff from the site; and
   (d) inclusive of areas for landscaping and tree planting.

2. Private open space for a single dwelling, multiple dwelling or independent unit should:
   (a) satisfy the minimum area, dimensions and open to the sky requirements contained in the table to this clause;
   (b) be directly accessible from the dwelling and enable an extension of the function of the dwelling;
   (c) be located to provide views from the dwelling to open space and natural features of the site or locality, and to reduce overlooking from neighbouring open space and dwellings;
   (d) ensure that at least half of the private open space is permeable to allow stormwater infiltration and lessen stormwater runoff from the site;
   (e) include at least one area of at least 5m² for the deep soil planting of trees and vegetation for shade or screening; and
   (f) allow for landscaping at the property frontage to complement the visual amenity of the streetscape.

3. If a dwelling within a multiple dwelling development has no direct access at ground level to private open space, and where on-site communal open space is provided, compliance with subclauses 1(c) and (d), 2(e) and (f) is not required.

4. Where the private open space is at ground level and other than for a single dwelling, or a single dwelling and associated independent unit it should be:
   (a) screen fenced to a height of at least 1.8m providing a visual barrier to adjoining residences and public areas; or
   (b) fenced to a height of at least 1.8m and planted with dense vegetation which will provide a visual barrier within two years of planting.

5. The consent authority may approve an application for a multiple dwelling development comprising serviced apartments in Zone TC that is not in accordance with subclauses 2 and 3 only if it is satisfied that the communal open space and communal facilities will adequately meet the activity needs of residents.
### Clause 7.5 (private open space) – current and altered versions

**TABLE TO CLAUSE 7.5 Minimum Areas of Private Open Space**

<table>
<thead>
<tr>
<th>Type of Dwelling</th>
<th>Private Open Space Areas (exclusive of driveways and parking areas)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>multiple dwelling without direct ground level access.</strong></td>
<td>12m² with no dimension less than 2.8m.</td>
</tr>
<tr>
<td><strong>multiple dwelling with direct ground level access.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>single dwelling on a lot of less than 450m².</strong></td>
<td></td>
</tr>
<tr>
<td><strong>independent unit in addition to the private open space requirement for the single dwelling.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>single dwelling on a lot not less than 450m².</strong></td>
<td></td>
</tr>
</tbody>
</table>

| **A.** 45m², open vertically to the sky, with no dimension less than 1.5m; and     |                                                                     |
| **B.** 24m², all or partly covered, with no dimension less than 4m.                |                                                                     |
| Any of area **B** that is vertically open to the sky may form part of area **A.** |                                                                     |

| **A.** 50m², open vertically to the sky, with no dimension less than 1.5m; and     |                                                                     |
| **B.** 36m², all or any part covered, with no dimension less than 8m.              |                                                                     |
| Any of area **B** that is vertically open to the sky may form part of area **A.** |                                                                     |
Overview

This fact sheet provides guidance on the interpretation of Clause 7.5 of the NT Planning Scheme in order to provide compliant areas of private open space.

Clause 7.5 requires for each dwelling:
- a private open space that is permeable and open to the sky with an area suitable for tree planting for amenity; and
- a minimum dimensioned area of private open space that may be covered and is sited to contribute to the function of a dwelling for domestic purposes.

Dwelling compliance

In residential zones, single dwellings are permitted if the proposed dwelling will comply with all relevant provisions of the NT Planning Scheme, including Clause 7.5.

If the private open space proposed for a dwelling will not comply, a development permit is required prior to construction.

Minimum area and dimensions

Minimum area and dimensions for private open space ensure that every dwelling has an outdoor area of a useable size for domestic purposes. The minimum areas and dimensions depend on the type of dwelling proposed and the size of lot – refer to the Table to Clause 7.5 shown on this page.

The private open space requirement is to be one continuous area that complies with the minimum area and minimum dimensions.

Typical configurations of private open space for single dwellings on two typical lot sizes are included at Appendices 1 and 2.

<table>
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<td>12m² with no dimension less than 2.8m.</td>
</tr>
<tr>
<td>multiple dwelling with direct ground level access.</td>
<td>A. 45m², vertically open to the sky, with no dimension less than 1.5m, and B. 24m², all or partly covered, with no dimension less than 4m.</td>
</tr>
<tr>
<td>single dwelling on a lot no less than 450m² but not less than 300m².</td>
<td></td>
</tr>
<tr>
<td>independent unit in addition to the private open space requirement for the single dwelling.</td>
<td>Any of area B that is vertically open to the sky may form part of A.</td>
</tr>
</tbody>
</table>

Note: private open space requirements are per dwelling and do not include driveways and parking areas.
Directly accessible

Private open space should be directly accessible from a habitable room so that it extends the function of the dwelling.

Habitable rooms include a bedroom, lounge, kitchen, study or any room that is frequently used and for extended periods. A bathroom, laundry, corridor, stairs, lobby or similar are not considered to be habitable rooms.

Private open space is ‘directly accessible’ if the area complies with Clause 7.5 and a person can step from a habitable room into the private open space without having to pass through a non-habitable room, corridor or lobby. Refer to figure 1.

Permeability and tree planting

At least half of the total private open space for a dwelling must be permeable. The permeable area is to allow the in-ground planting of vegetation for shade and amenity, and will also allow stormwater infiltration to lessen stormwater runoff from the site.

Private open space should:

a) include at least one area not less than 5m² for the deep soil planting of trees for shade or screening; and

b) allow for landscaping at the property frontage to complement the visual amenity of the streetscape.

A practical test for a) is that the soil should be of sufficient depth for the viable planting of a tree. The planting of trees is left to the discretion of land developers and owners.

Note: for a dwelling within a multiple dwelling development that has no direct ground-level access to private open space, and where on-site communal open space is provided, private open space is not required to be open to the sky and permeable.

Clause 7.5 Private Open Space

Figure 1: Example of directly accessible

Open to the sky

As with permeability, private open space must be open to the sky to allow for planting of vegetation and stormwater infiltration.

Figure 2 below is to clarify the minimum dimension for private open space that can be considered open to the sky. The area must be vertically open to the sky, with a width of no less than 1.5m.

Figure 2: Example within a building setback

© Northern Territory Government, 2018 Page 2 of 4
Development Application

A development application must address the provisions of section 46(3) of the NT Planning Act. It is recommended that you make an appointment with a planner for guidance in the preparation of your application. For more information or to make an appointment visit the Development One Stop Shop at: www.lands.nt.gov.au/planning/onestopshop

Building Requirements

Single dwellings require a building permit prior to the commencement of works and must comply with the requirements of the NT Building Act. A building permit will only be issued by a private building certifier once any necessary development permit (along with other matters specified in the Building Act) is in place. For more information, refer to: http://www.lands.nt.gov.au/building/faq

Clause 7.5 Private Open Space

Appendix 1: Typical configuration of private open space for a single dwelling on a 450m² lot.

50m² (Area A)

36m² (Area B)

direct access from a habitable room

*Note 1: At least half of the private open space must be permeable and is to include an area of no less than 9m² for tree planting.

*Note 2: Any part of Area B that is vertically open to the sky may contribute to the requirement for Area A.
Clause 7.5 Private Open Space

Appendix 2: Typical configurations of private open space for single dwellings on 300m² lots.

Private open space at rear of dwelling

Private open space at front of dwelling

Private open space as a central courtyard

*Note 1: At least half of the private open space must be permeable and is to include an area of no less than 5m² for tree planting.

*Note 2: Any part of Area B that is vertically open to the sky may contribute to the requirement for Area A.

Further Information

<table>
<thead>
<tr>
<th>Contact</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Requirements</td>
<td>Department of Infrastructure, Planning and Logistics - Development Assessment Services Web: <a href="http://nt.gov.au/property/building-and-development">nt.gov.au/property/building-and-development</a> Email: <a href="mailto:das.dpe@nt.gov.au">das.dpe@nt.gov.au</a> Ph: 08 8999 6046</td>
</tr>
</tbody>
</table>

© Northern Territory Government, 2017, Page 4 of 4
13.2 SUBMISSION TO THE DRAFT LOCAL GOVERNMENT BILL CONSULTATION

Common No.: 2972100
Author: Manager Strategy and Outcomes
Authoriser: General Manager Government Relations & External Affairs
Attachments: 1. Draft submission
2. Proposed Code of Conduct

SUMMARY
The purpose of this report is to present a submission to the draft Local Government bill consultation for Council endorsement.

RECOMMENDATIONS
1. THAT the report be received and noted.
2. THAT Council endorse the submission to the draft Local Government Bill consultation at Attachment 1.

KEY ISSUES
- The Local Government Act (the Act) is the primary legislation which enables and establishes the operation of local government in the Northern Territory.
- The Act has been under review since early 2015 and a Draft Local Government Bill 2019 has been circulated for public consultation. Consultation closes 18 July 2019.
- City of Darwin officers have reviewed the draft bill and provided a submission in relation to it for Council's endorsement.
- The Local Government Act is the primary legislation that enables and establishes the operation of local government in the Northern Territory.
- The Act has been under review for some time and a draft Bill is currently being consulted.
- The Department of Local Government, Housing and Community Development (the Department) have presented to Council about the proposals contained in the draft Bill to aide in its consideration and submission.
- City of Darwin officers have reviewed the draft Bill and developed a submission in response for Council's endorsement, taking into account feedback from Elected Members.
- A draft submission on key changes within the draft Bill is provided at Attachment 1.
- The proposed mandatory Code of Conduct is provided at Attachment 2.
- Closing date for submissions is 18 July 2019, with no extension to this date.

BACKGROUND
The Local Government Act (the Act) is the primary legislation that enables and establishes the operation of local government in the Northern Territory. The Act is supported by Regulations and, for City of Darwin, the Darwin City Council By-Laws.

The Act has been under review since 2014 by the Northern Territory Government. Submissions were sought from stakeholders, including the general public up until February 2016.

A subsequent consultation paper that recommended new local government legislation was made available to inform stakeholders and provide an opportunity for comment in June 2016. More
recently, a draft Local Government Bill has been released for public consultation, with submissions closing on 18 July 2019.

The current review of the Local Government Act 2008 commenced in 2014. A working group was formed in early 2015 to develop a series of recommendations for the new Act and these formed the basis of a discussion paper that was put out for consultation. This can be accessed here: https://dlghcd.nt.gov.au/publications-and-policies/review-of-the-local-government-act

City of Darwin’s early responses to the review were consistent with the working party feedback and focussed on:

- Section 23(2) – Contents of the Municipal Plan
- Section 71 – Allowances
- Section 79 – Disciplinary Proceedings.

DISCUSSION

The Department of Local Government, Housing and Community Development (the Department) have presented to Council about the proposals contained in the draft Bill to aide in its consideration and submission at its Ordinary Meeting on 25 June 2019. The Department have a very tight consultative and drafting timeline and have confirmed that no extensions will be offered for submissions, beyond 18 July.

City of Darwin officers have reviewed the draft Bill and developed a submission in response for Council’s endorsement, taking into account feedback from Elected Members. The draft submission is provided at Attachment 1.

STRATEGIC ENVIRONMENT

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the Darwin 2030 City for People. City of Colour. Strategic Plan:

Goal
6 Governance Framework

Outcome
6.3 Decision Making and Management

Key Strategies
Nil

LEGISLATIVE/POLICY

A number of City of Darwin’s key documents and policies will require review following the enactment of a new Act.

Consequential policy amendments identified in the draft bill include:

- Gifts and benefits
- Code of Conduct - disciplinary proceedings
- Human resource management
- Fringe benefits
- Staff code of conduct
- Investment
- Availability of accounting records
- Shared services
- Assessment record
• Rates concessions

CONSULTATION

Internal

In preparing this report, the following City of Darwin officers were consulted:

• Strategic Direction Group
• Manager Strategy & Outcomes
• Coordinator Governance

External

• Department of Local Government, Housing and Community Development
• Top End Regional Organisation of Councils

Elected Members should note that TOPROC is preparing a submission that will focus on key issues for principal and elected members, including remuneration and entitlements.

BUDGET/RESOURCE IMPLICATIONS

The draft bill nominates 30 June for adoption of council budgets. As the City of Darwin Council meets twice per month, and the standard practice has been to adopt the Municipal Plan and budget before 30 June each year, this is not considered to be an issue.

RISK

The concentrated timeline for response and submission has not been sufficient in allowing Council the fullness of time to consider impacts, liaise with counterpart councils or peak bodies. Officers feel that with a longer timeline, a more in-depth response could have been provided that would appropriately review the governing model for the local government sector.

LEGAL

City of Darwin has not sought legal advice on the review. HWLE have advised that they will share their submission with Council prior to 18 July to ensure that our submissions do not contradict each other.

ARTS, CULTURE & ENVIRONMENT

Nil
11 July 2019

Please quote: XXXXXX, VG:vg

Mr Jamie Chalker
Chief Executive Officer
Department of Local Government, Housing and Community Development
GPO Box 4621
Darwin NT 0801

Dear Mr Chalker

Local Government Bill 2019

Thank you for the opportunity to review and provide comment on the Local Government Bill 2019.

Council acknowledges that a great deal of work has been done over a number of years to modernise The Bill and to strengthen governance and accountability requirements for local government in the Northern Territory. Despite this, Council does have concern with a number of proposed amendments. This submission outlines Council’s concerns and proposes recommended amendments where possible.

City of Darwin’s Response

1. Part 1, Section 12 – Council policies to be consistent with code of conduct

The mandatory code of conduct applies only to Elected Members. Council understands the intent of this section to ensure all Council policies meet the principles outlined in the code, however is of the view that this section should require policies to be consistent with the role, functions and objectives of local government as outlined in Part 2.3 of the Bill.

Recommended Amendment:

If this Act provides for a council to adopt a policy about a particular matter, the policy must be consistent with the role, functions and objectives of local government as outlined in Part 2.3.

2. Part 2.1, Section 15 – Municipalities, Regions and Shires

The Status of Darwin Act 1959 states that the Municipality of Darwin is to be constituted as a city and that the city so constituted is named "The City of Darwin".
Council staff were unaware that this legislation existed. In Queensland and Western Australia local government areas are classified as City, Town, Shire or Region; or City, Town or Shire respectively.

Darwin is the capital of the Northern Territory. Including the term city in the classification of local government areas will ensure recognition is given to Darwin as the Capital City of the Northern Territory. Making amendments to this section would also remove the need to retain a separate piece of legislation.

**Recommended Amendment:**
*Local government areas are classified as a city, municipality, region or shire according to their geographical size, the density of their population and their degree of urbanisation.*

3. **Part 3.2 – Local Government Representation Committee (Sections 26-31)**

Part 3.2 removes the ability in future for Council's to conduct their own representation review. Sections 26-31 outline the considerations for wards that must be considered before a determination is made. Considerations include the number of wards, boundaries and the number of council members for each ward. The process must also consider whether there should or shouldn't be wards for the local government area. These sections are silent on whether the Local Government Representation Committee determines the overall number of council members for the local government area.

Section 29 of this part requires that the process for determining a local government area commences no later than 10 months after the polling day of a general election and conclude at least 18 months prior to the next periodic general election for the Council. Council is of the view that commencing this process 10 months post-election is too premature and detracts from the democratic intent of an election process.

**Recommended Amendment:**
Section 27 to include an additional power for the committee that the committee must determine the number of council members to govern the local government area.

**Section 29**

(1)(a) Invite written submissions from the council for the local government area and the public no later than 18 months after the polling day of a general election for the council;

(3) The committee must provide its final report to the council and the Minister no later than 12 months before the next periodic general election for the council.
4. **Part 4.2 – Section 43 – Professional development of members**
Council supports industry wide training for Elected Members and appreciates the Department and / or LGANT taking a lead role in providing training for newly elected members and post elections. Council is of the view that this does not need to be a legislative requirement and a more effective clause would be for Council’s to establish a policy position on Mandatory and Discretionary Professional Development. We acknowledge that the Remuneration Tribunal will continue to establish a recommended allowance for professional development. A number of states within Australia require Council’s to adopt a policy for reimbursement of expenses and provision of facilities to Elected Members to perform their duties.

**Recommended Amendment:**
Move section 43 to after section 106 and amend to align with the intent of the training and development (section 80A) provision in the South Australia Local Government Act 1999 or other state requirements for a policy outlining reimbursement of expenses and provision of facilities for Elected Members.

**Extract from South Australia Local Government Act**

80A—**Training and development**

(1) A council must prepare and adopt a training and development policy for its members.

(2) The policy must—
   (a) be aimed at assisting members in the performance and discharge of their functions and duties; and
   (b) comply with any requirements prescribed by the regulations.

(3) A council may from time to time alter its policy, or substitute a new policy.

(4) A person is entitled, on payment of a fee fixed by the council, to a copy of a policy under this section.

(5) A person is entitled, on payment of a fee fixed by the council, to a copy of a policy under this section.

5. **Part 7.1 – Allowance and expenses**
This part covers allowances as recommended by the Remuneration Tribunal and payment or reimbursement of reasonable expenses for travel and accommodation necessary to attend a meeting or business of council in accordance with a resolution.

This section should be expanded to include provision of facilities and require Council’s to adopt a policy position for expenses and facilities.

This part is also silent on super schemes for Elected Members. The Queensland Local Government Act 2009 outlines a reasonable framework for inclusion in the Bill.

**Recommended Amendments:**
1. Part 7.1 be amended to include a requirement for Council's to adopt a Reimbursement of Expenses and Provision of Facilities Policy for Elected Members.

2. Definitions be amended to include a definition of Council business similar to below:

Council Business refers to business conducted on behalf of Council where an Elected Member is required to undertake certain tasks to satisfy legislative requirements, perform ceremonial activities or achieve business objectives for the Council. Council business should result in a benefit being achieved either for Council, the local government area or the community. Council business includes functions that are a statutory requirement of the Elected Member's role or are officially recorded in minutes or other public records. These might also include attending an event or function to perform duties or as a Council representative such as:
- ceremonial openings of buildings and facilities;
- fetes and carnivals;
- annual or presentation dinners;
- public meetings;
- private meetings arranged through Council administrative channels (i.e. documented in official records or diary) for the purpose of conducting discussions regarding the business of Council; or
- other meetings, events or functions, such as:
  - meetings of the local government or of its committees that the Elected Member is entitled or asked to attend, or at which the Elected Member has business for a resident in their Ward of the local government's area;
  - inspections, deputations, conferences and meetings at which the Elected Member's attendance is permitted by the local government;
  - official functions organised for the local government; or
  - meeting with residents of their Ward area for the purpose of local government business.

3. Insert after section 106 the following as extracted from the Queensland Local Government Act.

**Super scheme for councillors**

(1) A local government (other than the Brisbane City Council) may, for its councillors—
   (a) establish and amend a superannuation scheme; or
   (b) take part in a superannuation scheme.

   Note— For a similar power of the Brisbane City Council, see the City of Brisbane Act 2010, section 210.

(2) If it does so, the local government may pay an amount from its operating fund to the superannuation scheme as a contribution for its councillors.

(3) However, the local government must not make contributions to the superannuation scheme—
   (a) of more than the proportion of a salary that is payable by the local government for its standard permanent employees under this part; or
   (b) for a person who is no longer a councillor.
(4) A councillor of the local government may enter into an arrangement with the local government under which—
   (a) the councillor agrees to forgo a percentage or amount of the remuneration that the councillor is entitled to as a councillor; and
   (b) the local government agrees to contribute the percentage or amount to the superannuation scheme for the councillor.

(5) A superannuation scheme is a superannuation scheme that complies with the Commonwealth Super Act.

6. Part 7 Section 110 Relevant gifts and benefits and Section 114 Register of Declared gifts and benefits
Council seeks a response outlining what a ‘relevant’ gift and benefit is and recommends that the register outlined in section 114 includes the need to articulate the location of the gift i.e. Elected Member’s residence or Council office.

**Recommended Amendment:**
Amend section 114, clause (2) to include:

(d) the location that the gift or benefit is stored, in accordance with the council’s policy mentioned in section 110(1)

7. Part 7.2 Section 111 Conflict of Interest
The revised sections relating to conflict of interest are not likely to capture real (actual) or perceived conflicts and this section is not consistent with the principles for conflict of interest outlined in the Code of Conduct attached at Schedule 1 of the Bill. In addition the definitions in this section have not been carried through to the conflict of interest provisions for staff at section 175.

Essentially there are two forms of conflict of interest; real or perceived. Both real or perceived may relate to financial or non-financial. When read with sections 112 and 113, this section could be strengthened to identify the reason when the disclosure is made and the action taken as a result of the disclosure.

**Recommended Amendment:**
Section 111 to be reconsidered. Local Governments to be engaged in a more detailed review of this section and benchmarking nationally for best practice.

The review should consider the principles outlined in the Elected Member Code of Conduct and definitions for staff conflict of interest.

8. Part 7.4 Section 120 Complaint referred to council panel
Elected Member complaints are currently referred to the Disciplinary Committee appointed by the Minister to investigate and respond. The draft Bill requires Council to establish a panel to conduct a review of the matter in the first instance. Despite this process being more consistent with best practice complaints management (i.e.
internal review before external review) Council is of the view that this is directing costs to local government that it was not previously incurring. It will also be more time consuming and resource intensive for Elected Members.

**Recommended Amendment:**
Current complaints procedures to remain.

9. **Part 8.6 Section 144 and 145 Donation disclosure**
The Bill proposes that candidates running as a principal member candidate disclose campaign donations to the Electoral Commission. Council understands the Departments reasoning for this section only applying to principal members, so as to not distract future candidates from running. However there is benefit extending this clause to ensure all candidates running under the banner or as a member of a political party also disclose campaign donations.

**Recommended Amendment**
145 Campaign donation return
(1) Each principal member or political party candidate in a periodic general election, general election or by-election, must give a campaign donation return for the disclosure period to the Electoral Commission.
(2) The return must be in the form approved by the Electoral Commission.
(3) If a candidate is a principal member candidate and an ordinary member candidate, the candidate must provide information for the loans and donations related to both candidacies.
(4) If a candidate is an ordinary member candidate running as a member of a political party in a periodic general election, general election or by-election, he/she must give a campaign donation return for the disclosure period to the Electoral Commission.
10. **Part 10.10 - Section 211 High Value Contracts**
The Bill proposes that Council must not enter into a contract of a higher value than the amount prescribed by regulation, unless the Council has authorised the contract by resolution.

It is difficult to apply a one size fits all approach to local government in the Northern Territory with this clause.

**Recommendation:**
Council acknowledges that the Bill requires the amount if high value contracts to be set by regulation. Council recommends that the regulation provide a tiered approach to high value contracts and be based on either a specified amount for classification of local government or a percentage of budgeted operational expenditure for example all local governments are required to define high value contracts as 10% of budgeted operational expenditure.

Further, City of Darwin requests that it is consulted on the regulation once drafted.

11. **Part 14.1 - Section 286 Contents of Annual Report**
The Bill proposes that Council must include in its annual report an itemisation of the salary, allowances or any other payments made to, or fringe benefits received by or on behalf of, the CEO. Other state legislation extends this requirement to include senior contract management. Section 167 outlines requirements for the CEO to notify Council of changes to Senior Staff Members. Senior Staff Members are defined as those staff reporting directly to the CEO. Council is of the view that this section should extend to Senior Staff in accordance with other states legislation. Consistent with other states, reporting should be required as a ‘band of remuneration’ in increments of $100,000.

**Recommended amendment:**

(e) an itemisation of the salary, allowances or any other payments made to, or fringe benefits total remuneration package received by or on behalf of, the CEO and senior staff members; and

1. the number of senior staff members in each band of remuneration; and
2. each band of remuneration is an increment of $100,000.

**General Feedback**

1. **Part 3.2. - Section 26 Local Government Representation Committee**

Four people are appointed to this committee including the Electoral Commissioner, the Surveyor-General, the CEO of LGANT and a person appointed by the Minister. Council supports the Minister giving consideration to the principles of diversity and local government experience when making this appointment.
2. Part 5.3 - Section 84 Audit Committee

Clause 1 of this section requires that Council must, by resolution, establish an Audit Committee. Clause 6 states that Council may, by resolution, abolish an audit committee. Council seeks clarification of the intent of these two clauses.

3. Terminology

Council as noted some inconsistency in terminology, particularly with the use of the word members. In some sections it refers to Elected Members / Council Members and in other sections Staff Members. Council requests that the Department clarifies this term throughout the Bill.

Council recommends that Section 109 terminology be simplified to ‘Register of Interests’ as this term is more consistent with local government practice in other states.

4. Part 3.3, Section 33 and Part 10.5, 196 – Contents of Municipal Plans and Annual Budgets

Both sections outline the contents of Municipal Plans and Annual Budgets. The Municipal Plan is to include a service delivery plan and the Council's budget. Section 196 requires the budget to outline council's objectives, measures and indicators for achieving objectives.

The primary amendment in these sections is the change of date to adopt the budget from 31 July to 30 June. Council supports this amendment.

Council would however like the opportunity to engage with the Department on a review of the Planning and Reporting requirements within the Act in an effort to modernise and achieve some consistency at the national level.

5. Public release and languages

Darwin is a diverse community. The 2016 Census demonstrates that over a quarter (26.7%) of our community speak a language other than English at home with over 70 different languages recorded in the City of Darwin area. We request the Department to publish the legislation and associated information a variety of languages suited to the broader Northern Territory demographic.
We acknowledge that the review of the Local Government Act has been ongoing for a number of years. Council is disappointed that the consultation period did not reflect the importance of this Bill for local governments in the Northern Territory and requests the Department to provide a minimum of three months for consultation on legislative change in future.

Please convey my appreciation to Department staff for presenting the key points in the Draft Bill to Council on Tuesday 25 June 2019. I also appreciate the your staff assisting Council staff and discussing the impacts of The Bill.

If you have any further queries please contact Council's General Manager Government Relations and External Affairs, Melissa Reiter on 8930 0516 or melissa.reiter@darwin.nt.gov.au

Yours sincerely

SCOTT WATERS
CHIEF EXECUTIVE OFFICER

End.

cc:
Schedule 1  Code of conduct

section 117

1  Honesty and integrity

A member must act honestly and with integrity in performing official functions.

2  Care and diligence

A member must act with reasonable care and diligence in performing official functions.

3  Courtesy

A member must act with courtesy towards other members, council staff, electors and members of the public.

4  Conduct towards council staff

A member must not direct, reprimand, or interfere in the management of, council staff.

5  Respect for cultural diversity

A member must respect cultural diversity and must not therefore discriminate against others, or the opinions of others, on the ground of their cultural background.

6  Conflict of interest

6.1 A member must avoid any conflict of interest, whether actual or perceived, when undertaking official functions and responsibilities.

6.2 If a conflict of interest exists, the member must comply with any statutory obligations of disclosure.

7  Respect for confidences

7.1 A member must respect the confidentiality of information obtained in confidence in the member's official capacity.

7.2 A member must not make improper use of confidential information obtained in an official capacity to gain a private benefit or to cause harm to another.
8 Gifts

8.1 A member must not solicit, encourage or accept gifts or private benefits from any person who might have an interest in obtaining a benefit from the council.

8.2 A member must not accept a gift from a person that is given in relation to the person's interest in obtaining a benefit from the council.

9 Accountability

A member must be prepared at all times to account for the member's performance as a member and the member's use of council resources.

10 Interests of municipality, region or shire to be paramount

10.1 A member must act in what the member genuinely believes to be the best interests of the municipality, region or shire.

10.2 In particular, a member must seek to ensure that the member's decisions and actions are based on an honest, reasonable and properly informed judgment about what best advances the best interests of the municipality, region or shire.

11 Training

A member must undertake relevant training in good faith.
SUMMARY
The purpose of this report is to present the minutes of the Access and Inclusion Advisory Committee meeting held on 2 July 2019 and seek Council endorsement of recommendations.

RECOMMENDATIONS
1. THAT the Report entitled Access and Inclusion Advisory Committee Meeting Minutes 2 July 2019 be received and noted, as at Attachment 1.
2. THAT Council endorse the recommendation of the committee to host beach accessibility training for key stakeholders

KEY ISSUES
The minutes of the Access and Inclusion Advisory Committee meeting held on 2 July 2019 are provided at Attachment 1. The committee accepted the 2018/19 budget report for the Access and Inclusion Budget. $42,928.81 of the $55,000 budget was expended • The committee is to develop an annual plan aligned to the City of Darwin Access and Inclusion Plan 2019 – 2022 to prioritise work and budget expenditure.

• The committee recommends that City of Darwin host beach accessibility training for key stakeholders
• The National Disability Services (NDS) is working towards the development of an Accessible Tourism Strategy for the Northern Territory.
• The committee is reviewing City of Darwin’s accessible events guidelines to assist community groups and organisations with planning events and functions that can be enjoyed by everybody.

BACKGROUND
PREVIOUS DECISIONS
RESOLUTION ORD111/19 Access and Inclusion Advisory Committee Meeting Minutes 7 May 2019

1. THAT the Report entitled Access and Inclusion Advisory Committee Meeting Minutes 7 May 2019 be received and noted.
2. THAT Council note the resignation of Nathan Alum, community representative on the Access and Inclusion Advisory Committee.
3. THAT Council note the resignation of Sue Shearer, specialist representative from the Council of the Ageing Northern Territory (COTA NT), and appoint Cecilia Chiolero as her replacement on the Access and Inclusion Advisory Committee pursuant to Section 54 of the Local Government Act 2008, until 30 June 2020.
DISCUSSION

The minutes of the Access and Inclusion Advisory Committee meeting held 2 July 2019 are presented at Attachment 1.

Access and Inclusion Budget Expenditure
The committee accepted the 2018/19 budget report for expenditure of the Access and Inclusion Budget. $42,928.81 of the $55,000 budget was used towards seven initiatives, including accessible parking bays, toilet accessibility audits, and an accessibility ramp.

Beach accessibility has been an ongoing and growing concern for the committee, with Mindil Beach, a significant tourism attraction a key focus. City of Darwin’s Access and Inclusion Plan 2019 – 2022 outlines specific actions for Council to implement, including 1.12: Advocate to, and work with relevant authorities, developers and commercial operators to support and improve accessible places where community and visitors frequent and gather, including beaches.

The committee recommended using $4,000 from the 2019/20 Access and Inclusion Budget towards the cost of beach accessibility training for City of Darwin and key stakeholders through Access Beach Australia. Key stakeholders include the Northern Territory Government, Larrakia Nation and the Department of Tourism.

A project request was put forward for consideration on behalf of a resident: $12,000 for the installation of a new ramp and footpath connection, and adaptations to accessible parking bay infrastructure and markings on Pavonia Place in Nightcliff. The committee decided that approval for new projects wait until annual planning and expenditure forecasting is complete, to ensure maximum community benefit. Planning will take place at the September committee meeting.

Accessible Tourism and Events
Improving the accessibility of events and recreation activities in Darwin continues to be a priority for the committee; in its goal of supporting Council to create better access and inclusion for all community members. The National Disability Services (NDS), which holds a specialist appointment on the committee, is working in collaboration with other disability services organisations towards an Accessible Tourism Strategy for the Northern Territory. The goal is for accessible tourism to be included in the Northern Territory Tourism Strategy 2020 – 2030. A 2018 report entitled Understanding the Opportunity for Australia in Accessible Tourism valued the contribution of accessible tourism to the Australian visitor economy at $10.8 billion, greater than the $10.4 billion spend by Chinese tourists inbound to Australia. The report is available online: https://travability.travel/reference/Accessible-Tourism-Report-FINAL_Jan-2018.pdf

In addition to supporting this work, the committee is undertaking a review of City of Darwin’s accessible events guidelines to assist community groups and organisations with planning events and functions that can be enjoyed by everybody. This includes removing barriers and implementing access features in the planning, promotion, and delivery of events, for example ensuring outdoor events have accessible portable toilets. City of Darwin officers will direct event organisers to these guidelines upon booking Council venues.

STRATEGIC ENVIRONMENT

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the ‘Evolving Darwin Towards 2020 Strategic Plan’:

Goal
2 Vibrant, Flexible and Tropical Lifestyle

Outcome
2.1 Improved access and connectivity
Key Strategies
1.1.2 Develop equitable and accessible community participation opportunities

LEGISLATIVE/POLICY
The Committee operates to advocate, inform, and guide Council on improved access and inclusion for all people of all abilities, living, working, studying or visiting the Darwin municipality, assisting Council to meet its strategic goals of creating a more accessible and inclusive community.

The Committee is informed and guided by the City of Darwin Policy No. 008 - Community Inclusion, and the Access and Inclusion Plan 2019 - 202.

CONSULTATION
Internal
In preparing this report, the following City of Darwin officers were consulted:

- Executive Manager, Environment and Community

External

- City of Darwin Access and Inclusion Advisory Committee

BUDGET/RESOURCE IMPLICATIONS
$55,660 is allocated to Access and Inclusion initiatives in the 2019/2020 financial year. The committee intends to create a budget forecast tied to the City of Darwin Access and Inclusion Plan 2019 – 2022 and committee’s annual planning to maximise community benefit towards improving the accessibility needs of the sector.

RISK
The Access and Inclusion Advisory Committee works to support Council in meeting its obligations under the Commonwealth Disability Discrimination Act 1992 (DDA) and other relevant legislation.

LEGAL
The Access and Inclusion Advisory Committee is established pursuant to Section 54 of the Local Government Act.

ARTS, CULTURE & ENVIRONMENT
The Access and Inclusion Advisory Committee operates to advocate, inform, and guide Council on improved access and inclusion for all people of all abilities, to create a collaborative, inclusive and connected community.
1. PRESENT

MEMBERS
Lynne Strathie  Community Representative
Liz Reid  Community Representative
Kyle Adams  Community Representative
Brett Peebles  Community Representative
Sara Braines-Mead  Community Representative

Cecilia Chiolero  Specialist Representative, Council on the Ageing Northern Territory (COTA NT)
Susan Burns  Specialist Representative, National Disability Services Northern Territory (NDS)

Alderman Robin Knox  City of Darwin

City of Darwin (CoD)
Lynn Allan  Community Development Officer (CDO)

Observer/Support Person
Rachel Kroes  Down Syndrome Association NT (DSANT)

2. APOLOGIES
Ashley Robinson  Community Representative
Catherine Fairlie  Community Representative
Martin Blakemore  Community Representative

Sheree Scott  Specialist Representative, Building Advisory Services
Bernie Ingram  Specialist Representative, Passenger Transport

Alderman Andrew Arthur  City of Darwin (Alternate)

ABSENT
Ramyaa Ramamoorthi  Community Representative

Mathew Vitucci  Senior Capital Works Coordinator

Welcomed new community members. Apologies and absences noted. Quorum reached at eight members.

3. NOMINATION OF CHAIR AND DEPUTY CHAIR POSITIONS
Nomination received via email from Ashley Robinson for Brett Peebles as chair.
Seconded by Sara Braines-Mead.
Brett stated his preference for the deputy chair position due to being new on the committee and unfamiliarity with committee governance procedures. All in support of Brett as deputy chair. Lynne Strathie offered to mentor him in the position as required.

Brett Peebles nominated Ashley Robinson for the chair position. Due to Ashley’s absence from the meeting, nomination couldn’t be accepted or voted on; nomination of chair to be deferred to next meeting.

As past deputy chair, Susan Burns, NDS chaired the remainder of the meeting.

4. DECLARATIONS OF CONFLICT OF INTEREST ON AGENDA ITEMS
Nil. Register of Conflict of Interest completed by all members (at appendix A).

5. ACCEPTANCE OF PREVIOUS MEETING NOTES
Meeting minutes from 7 May, 2019 were received and noted.

Moved: Susan Burns
Second: Lynne Strathie
Carried

6. BUSINESS ARISING FROM PREVIOUS MINUTES

Beach Access
Kyle Adams raised that beach accessibility is an issue for DSANT’s Cash for Containers work collecting bins from Mindil Beach, e.g. during the annual Beer Can Regatta; DSANT supports a solution for making the beach more accessible.

CoD officers met with Susan Burns at Mindil Beach to discuss issues and possible solutions. Susan has received quotations from Access Beach Australia for Push Mobility’s defence-grade Mobi-Mats, cost is approx. $40,000 for 40 metres of matting, plus $4,000 for beach access training (for up to 30 participants) and three beach access audits.

Recommendation is for CoD to host the training for key stakeholders, using $4,000 from the Access and Inclusion Budget (list of suggested key stakeholders at appendix B).

Moved: Susan Burns
Seconded: Robin Knox
Carried

Susan Burns to email quotation and implementation structure to committee (at appendix C).

Footpath at Government House
Senior Capital Works Coordinator to follow-up with Government House. No advice received prior to meeting. CDO to follow up.

Accessible Parking at Botanic Gardens
Senior Capital Works Coordinator advised that upgrades are programmed for connector path, as part of the city-wide footpath network. Senior Capital Works Coordinator and Debbie Bampton to discuss further. No advice received prior to meeting. CDO to follow up.
MINUTES ACCESS AND INCUSION ADVISORY COMMITTEE 2 JULY 2019

Community Inclusion Policy
CDO advised policy amended to incorporate committee’s feedback. Revised policy endorsed at Council meeting on 28 May.

Event Accessibility
NT Major Events has been doing groundwork on accessible tourism with informal accessibility audits. NDS continues to progress conversation with Department of Tourism on an Accessible Tourism Strategy to ensure accessibility is part of the 2020-2030 Tourism NT Strategy. There is evidence to suggest that event organisers are starting to take accessibility considerations more seriously, e.g. through free ticketing of events.

The NT has a lack of qualified access auditors. Carpentaria is currently undergoing accessibility auditing training. Committee members have previously attended training through the Access Institute. CoD to investigate costs involved for the Access Institute to deliver the training again.

Members continue to raise concerns around event accessibility, including the Arafura Games, the V8s and Genti. Members to send outline of concerns to CoD to be raised with event organisers.

<table>
<thead>
<tr>
<th>ACTION</th>
<th>CDO to follow up with Senior Capital Works Coordinator on footpath issue with Government House and accessible parking at Botanic Gardens.</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACTION</td>
<td>Susan Burns to email quotation and implementation structure from Push Mobility.</td>
</tr>
<tr>
<td>ACTION</td>
<td>CoD to investigate the cost of access auditing training through the Access Institute.</td>
</tr>
<tr>
<td>ACTION</td>
<td>Members to send outline of event accessibility concerns to CoD to be raised with event organisers.</td>
</tr>
</tbody>
</table>

7. GENERAL BUSINESS
7.1 Proposed date change for November meeting
Committee agreed to change the November meeting from 5 November (Melbourne Cup day) to 12 November. CDO to send updated calendar invite.

7.2 Budget report
Committee accepted the Access and Inclusion Budget 2018/19 Report and revised process for requesting budget expenditure (at appendix D). Expenditure forecasting to be included in the committee’s annual planning process to ensure maximum community benefit.

7.3 Budget Expenditure Request
CDO presented an expenditure request on behalf of a resident for the installation of a new ramp and footpath connection, and adaptations to accessible parking bay infrastructure and marking on Pavonia place in Nightcliff for $12,000 (at appendix E).

Committee recommended that approval for new budget expenditure requests wait until annual planning and expenditure forecasting is complete. Committee requested information on accessible parking upgrades or installations that have occurred over the past 12 months; CDO to provide information to committee.

Page 3 of 16
7.4 Annual planning process
Committee agreed to create an annual plan, aligned to the Access and Inclusion Plan to prioritise work and budget expenditure. CDO to email Access and Inclusion Plan to committee.

7.5 Feedback on accessible events guidelines
Committee requires further time to review the guidelines to feedback to CoD by the next meeting.

Kyle Adams provided feedback on the importance of accessible portable toilets for events, including the need for adequate lighting. It was also recommended that images be incorporated into the guidelines document for increased readability.

DSANT suggested a rating format, with red, yellow and green ratings used to assess level attained for each recommended action (in a similar style to Risk Management documents).

CoD to incorporate recommendations into guidelines document (at attachment F).

Recommendation for access considerations to be incorporated into Amphitheatre work.

<table>
<thead>
<tr>
<th>ACTION</th>
<th>CDO to update calendar invite for November meeting.</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACTION</td>
<td>CDO to advise CoD Officer, Roman Maher, about the</td>
</tr>
<tr>
<td>committee’s recommendation to postpone budget expenditure approvals until completion of annual planning and expenditure forecasting.</td>
<td></td>
</tr>
<tr>
<td>ACTION</td>
<td>CDO to provide information to the committee on the</td>
</tr>
<tr>
<td>accessible parking work completed over the past 12 months.</td>
<td></td>
</tr>
<tr>
<td>ACTION</td>
<td>CDO to email Access and Inclusion plan to committee.</td>
</tr>
<tr>
<td>ACTION</td>
<td>Committee to review guidelines document and feedback to CoD before the next meeting. CoD to incorporate recommendations into document.</td>
</tr>
</tbody>
</table>

6 MEMBERS UPDATE
Liz Reid
YouthWorx NT’s Skills Employment and Careers Expo 2019 will be held in five locations across the NT in August. The Darwin Expo will be on 23-24 August and will include a sensory hour and app for enhancing the accessibility of information.

Cecilia Chiolerio, COTA NT
- COTA NT members continue to raise concerns about the lack of public toilets in Darwin. Recommendation to review as an action within the Access and Inclusion Plan.
- Seniors Month coming up in August; a calendar of events will be released on Monday 8 July. CoD is contributing with a program of events.

Brett Peebles
Raised concerns over accessible parking, including size and barriers. Brett to document concerns to raise as an agenda item at upcoming meetings.

Kyle Adams
• DSANT will be holding a Bowling Day on 20 October as part of Down Syndrome Awareness month.
• Improvements to accessible parking infrastructure could include signage indicating accessible points of interest and infrastructure, e.g. accessible toilets.

Sara Braines-Mead
Integrated disAbility Association will be hosting a Know Your Rights Forum on 8 August as part of Seniors Month.

Susan Burns, NDS
Industry forums are being held in Alice Springs and Darwin, with presenters from NDS, National Disability Insurance Agency, Office of Disability and Advanced Personal Management (APM). The Darwin forum will be on 19 August.

| ACTION | Brett Peebles to document concerns about accessible parking to raise at upcoming meetings. |
| ACTION | Members to support events and activities as much as possible. |

8. ANY OTHER BUSINESS
Nil.

7 NEXT MEETING
Tuesday 3 September 2019

All meetings are held at the Casuarina Library Meeting Room. The next meeting will run from 1.30pm to 3.30pm, with an extra 30 minutes to complete annual planning process.

8 MEETING CLOSED
3.03pm
### Summary of Actions

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Item</th>
<th>Notes/ Status</th>
</tr>
</thead>
</table>
| 02/06/2019   | Mindil Beach Accessibility | - Susan Burns to email quotation and implementation structure from Push Mobility.  
- CoD to investigate the cost of access auditing training through the Access Institute. |
| 02/06/2019   | Infrastructure Issue  | - CDO to follow up with Senior Capital Works Coordinator on footpath issue with Government House and accessible parking at Botanic Gardens.  |
| 02/06/2019   | Event Accessibility   | - Members to send outline of event accessibility concerns to CoD to be raised with event organisers.                                        |
| 02/06/2019   | Meeting Date          | - CDO to update calendar invite for November meeting.                                                                                    |
| 02/06/2019   | Budget Expenditure Request | - CDO to advise CoD Officer, Roman Maher, about the committee’s recommendation to postpone budget expenditure approvals until completion of annual planning and expenditure forecasting. |
| 02/06/2019   | Accessible Parking    | - CDO to provide information to the committee on the accessible parking work completed over the past 12 months. |
| 02/06/2019   | Annual Planning       | - CDO to email Access and Inclusion plan to committee.                                                                                   |
| 02/06/2019   |                        | - Committee to review guidelines document and feedback to CoD before the next meeting. CoD to incorporate recommendations into document.      |
| 02/06/2019   | Accessible Parking    | - Brett Peebles to document concerns about accessible parking to raise at upcoming meetings.                                              |
| 02/06/2019   | Sector Support        | - Members to support events and activities as much as possible.                                                                             |
### ACCESS AND INCLUSION ADVISORY COMMITTEE CONFLICT OF INTEREST REGISTER

<table>
<thead>
<tr>
<th>COMMITTEE MEMBER</th>
<th>MEMBERSHIP TYPE</th>
<th>COI REGISTERED</th>
<th>DATE REGISTERED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liz Reid</td>
<td>Community Member</td>
<td>• Physical Disability Australia – President</td>
<td>02/06/2019</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Australian Federation of Disability Organisations – President</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• NDIA IAC – NT Reference – Active</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Employed at YouthWorx NT</td>
<td></td>
</tr>
<tr>
<td>Cecilia Chiolero</td>
<td>Specialist Rep.</td>
<td>Nil</td>
<td>02/06/2019</td>
</tr>
<tr>
<td>Kyle Adams</td>
<td>Community Member</td>
<td>Employed at Cash for Containers</td>
<td>02/06/2019</td>
</tr>
<tr>
<td>Brett Peebles</td>
<td>Community Member</td>
<td>Employed at ParaQuad</td>
<td>02/06/2019</td>
</tr>
<tr>
<td>Alderman Robin Knox</td>
<td>Council Rep</td>
<td>Nil</td>
<td>02/06/2019</td>
</tr>
<tr>
<td>Susan Burns</td>
<td>Specialist Rep.</td>
<td>Nil</td>
<td>02/06/2019</td>
</tr>
</tbody>
</table>

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### LIST OF POTENTIAL STAKEHOLDERS - MINDIL BEACH ACCESSIBILITY COLLABORATION

- City of Darwin Access and Inclusion Advisory Committee, including community members and key specialist representatives from:  
  - COTA NT  
  - NDS  
- City of Darwin Elected Members and relevant officers  
- Department of Tourism  
- Larrakia Nation  
- City of Palmerston  
- Litchfield Council  
- NT Major Events  
- Total Recreation  
- Carpentaria  
- Somerville Community Services
QUOTATION MOBI-MAT

TBC
ACCESS AND INCLUSION ADVISORY COMMITTEE BUDGET REPORT 2019/20

Background
AIAC makes recommendations to Council on how the access and inclusion budget is allocated. There is an ongoing commitment to this allocation of $55,000 funded from the Capital Budget, specified in the City of Darwin Municipal Plan. Funds are for infrastructure improvements on Council infrastructure, to improve the accessibility needs of the sector.

Allocation Considerations in 2018/2019
- The process for developing recommendations stalled in the first half of the financial year due to a vacancy of the Committee’s secretariat position.
- A new Access and Inclusion Plan 2019-2022 was approved by Council in February 2019. The plan provides a framework for Council to ensure all members of the community can access all areas of the organisation’s operations. A list of actions under four key areas is identified, which will guide the work of the Community Development Officer and AIAC, including the allocation of budget expenditure going forward.
- The budget approval process has been reviewed and will be confirmed at the start of the new committee’s term from 1 July, 2019.
- There is no carry forward of unused budget after 30 June 2019.

Access and Inclusion Budget Summary 2019/2020

<table>
<thead>
<tr>
<th>Date</th>
<th>Total spent</th>
<th>Item description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nov-18</td>
<td>12,152.00</td>
<td>Knuckey Street/Wood Street accessible parking bay</td>
</tr>
<tr>
<td>May-19</td>
<td>1,386.36</td>
<td>Chrisp Street Oval toilet accessibility audit</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Consideration as part of an upgrade to basketball courts, surrounding pathways and parking areas</td>
</tr>
<tr>
<td>May-19</td>
<td>3,000.00</td>
<td>Jingili Water Gardens toilet accessibility audit</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Part of a wider playground upgrade, involving inclusive play elements</td>
</tr>
<tr>
<td>May-19</td>
<td>10,000.00</td>
<td>Survivors’ Lookout, The Esplanade accessible parking bay footpath upgrades</td>
</tr>
<tr>
<td>May-19</td>
<td>10,904.09</td>
<td>Web accessibility</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Contracting local web design company, Captovate, to progress Council to Level AA World Wide Web Consortium (W3C) standard, as recommended in the recently endorsed Access and Inclusion Plan (2019-2022).</td>
</tr>
</tbody>
</table>
NOTE: This required a budget variation from the Capital Budget into the Operational Budget

<table>
<thead>
<tr>
<th>Date</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>May-19</td>
<td>2,766.36</td>
<td>Parap Recreation Facility ramp</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Requested through Royal Life Saving Society Northern Territory</td>
</tr>
<tr>
<td>May-19</td>
<td>2,720.00</td>
<td>Accessible portable toilet at Lakeside Drive Community Garden</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A contribution towards cost of hiring an accessible portable toilet for six months for the use of The Patch, an inclusive horticultural education program.</td>
</tr>
</tbody>
</table>

Total spent $42,928.81
An underspend of $12,071.19

* The Fannie Bay Shopping Centre accessible parking works, of which $23k was originally allocated from this budget will now come out of an alternative Capital Works budget.

Allocation Considerations in 2019/2020
- Follow revised process once approved (see below).
- Aim for the budget to be allocated by 31st of December, to ensure works are completed within the financial year the request has been received.
- Budget spend should continue to reflect community benefit and improve the accessibility needs of the sector.

1. Request received – Community Development Officer receives proposal

2. Eligibility confirmed – Confirmation that proposal meets assessment criteria

3. Recommendations – Proposal is forwarded to the Access and Inclusion Advisory Committee (AIAC) for consideration. Recommendations are included within AIAC meeting minutes

4. Works programed – Recommendations are taken to the responsible officer in Capital Works and a purchase order is raised

5. Feedback – Capital Works advises AIAC via Community Development Officer and/or Capital Works committee representative of progress/ completion of works

6. Evaluation – Conduct annual review of expenditure and process for ongoing improvements
### BUDGET EXPENDITURE REQUEST RECEIVED

**PROPOSAL FORM FOR EXPENDITURE OF ACCESS AND INCLUSION BUDGET**

Please complete this form with details of your infrastructure maintenance request. Check the assessment criteria before completing the form. If you have any questions or would like support with completing the form, please contact the Community Development Officer on 8920 0645 or darwin@darwin.nt.gov.au.

#### Assessment criteria
- The site is on City of Darwin land
- The works will take place in the financial year it is funded
- The works are not for a commercial activity or for improvements on private property
- The works will increase equity of access and help create a collaborative, inclusive and connected community
- The project details, costs and timeframes are clear and reasonable

#### Contact details

<table>
<thead>
<tr>
<th>Name</th>
<th>Roman Maher</th>
</tr>
</thead>
<tbody>
<tr>
<td>Postal address</td>
<td>17 Harry Chan Avenue, Darwin City</td>
</tr>
<tr>
<td>Phone</td>
<td>8920 0691</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:roman.maher@darwin.nt.gov.au">roman.maher@darwin.nt.gov.au</a></td>
</tr>
</tbody>
</table>

#### Proposal

Please provide details of your request below. Include information such as site address or location, and details of works required, including dimensions and specifications, for example. Please provide photos or drawings to support your application.

A resident has reported that they have difficulty wheeling their elderly father from the disabled car parking bay on Pavonia Place, Nightcliff to the adjacent footpath due to there being no access ramp available. The Design Office have investigated their concerns and found the disabled car parking bay does not comply with Australian Standard AS1428.6. The attached preliminary design has been developed to modify the disabled car parking bay to bring it to an acceptable standard.

The preliminary design requires the following:
- the installation of a new ramp and footpath connection
- new disabled parking bay pavement markings
- relocation of disabled parking signs
- removal and relocation of existing parking bay pavement markings
- installation of new bollard

---

**Privacy Statement**

The information requested is being collated by the City of Darwin to be able to carry out its functions. The City of Darwin may disclose the information provided by you to a third party, in accordance with the NT Information Act or our Privacy Policy which is available on our website www.darwin.nt.gov.au

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## Costs
Please outline the costs involved and the contribution requested; include quotations where available. Please demonstrate what gap exists in other available funding and why this request is appropriate for Council to address.

Using Council's Civil Works Contract rates, the modification of the car parking bay has been estimated to cost $12,000.

### Timeline
Please indicate project timeframe. Consider the time required for Council to process your request

Should funding be available in the 2019/20 financial year, it is estimated the project would take approx. 1 week to complete and could be undertaken in the first quarter of 2019/20.

---

Email your completed proposal form, with any supporting evidence to darwin@darwin.nt.gov.au or post to City of Darwin, GPO Box 84, Darwin NT 0801.

Your application will be considered by City of Darwin's Access and Inclusion Advisory Committee and you will be notified of the outcome once the recommendation process is complete. If you have any questions about the status of your request, please contact the Community Development Officer on 8930 0645.
ACCESSIBLE EVENTS GUIDELINES

City of Darwin is committed to ensuring an accessible and inclusive community. People can face barriers when attending and participating in community events and functions in a variety of ways, for example, hearing what is said, seeing small print on an invitation, climbing steps to a venue, or using the toilets.

The following checklist has been developed to assist with planning events and functions that can be enjoyed by everybody. It is an overview of considerations that could be made. Where access features cannot be implemented, barriers can be addressed by having informed staff available to provide assistance and hiring extra equipment, services or facilities, for example.

<table>
<thead>
<tr>
<th>Access Feature</th>
<th>Yes</th>
<th>No</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Planning</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Have you considered access issues including choice of venue, accessibility of information and how you will respond to requests about access?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Have you considered seeking advice from an access expert, disability organisations, and/or persons with lived experience of disability about your event?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Promotional Material</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Is the promotional material available in accessible formats or can it be made available on request? e.g. large print</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Is the text at least a minimum of 12 point type size and is there an absence of background graphics and patterns?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Does the invitation or promotional material list any accessibility features, e.g. hearing loops, access ramps?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Is the language appropriate? e.g. talking about ‘accessible toilets and parking’ rather than ‘disabled toilets and parking’</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Have you encouraged your audience to identify their access requirements? e.g. a sign language interpreter</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Have you provided information about accessible public transport points close to the venue?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Access Feature

#### Indoor Facilities
- Is there level access to and within the venue with no steps or other barriers:
  - from accessible parking spaces or other arrival points through the main entrance(s)
  - to all the areas being used by participants including conference rooms, dining areas, outside areas and exhibition areas
- Are the doors into the venue and any rooms being used wide enough for a person using a wheelchair or scooter to get through and easy to open?
- If participants have to use a lift, is it big enough for a person using a wheelchair or scooter to get in and out? Do the buttons have Braille and raised tactile numbers?
- Is there at least one accessible unisex toilet at the same location as other toilets or close by?
- Is there good lighting?
- Are the acoustics good?
- If the venue has an inbuilt PA system, is there also a hearing loop or similar system to assist people with hearing impairment?
- Does the venue have clear signage?
- Is the venue clear of obstacles and trip hazards?
- Do guests have access to a separate, quiet area to allow them to take a break, if needed?

<table>
<thead>
<tr>
<th>Access Feature</th>
<th>Yes</th>
<th>No</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indoor Facilities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outdoor Facilities</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Page 15 of 16
<table>
<thead>
<tr>
<th>Access Feature</th>
<th>Yes</th>
<th>No</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Staff and Volunteer Engagement</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Have staff been briefed on all the access provisions set in place for the</td>
<td></td>
<td></td>
<td>event?</td>
</tr>
<tr>
<td>• Is someone responsible for addressing access issues if they arise during</td>
<td></td>
<td></td>
<td>the event and do all team members know who that is?</td>
</tr>
<tr>
<td>• Do staff have a good understanding of appropriate ways to communicate with</td>
<td></td>
<td></td>
<td>persons with a disability? e.g. focusing on the person, not their</td>
</tr>
<tr>
<td>• Do the venue operators understand their responsibility to allow assistance</td>
<td></td>
<td></td>
<td>dogs into the venue and is there a designated assistance dog toileting</td>
</tr>
<tr>
<td>area close-by?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Other Considerations</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If the event is ticketed, have you considered provision of a number of</td>
<td></td>
<td></td>
<td>free or affordable tickets for community members? Are processes</td>
</tr>
<tr>
<td>• Is there a broad range of food and drink items for participants to choose</td>
<td></td>
<td></td>
<td>in place for honouring Companion cards and similar services?</td>
</tr>
<tr>
<td>• Do participants have access to the safe reporting of harassment or</td>
<td></td>
<td></td>
<td>discrimination?</td>
</tr>
<tr>
<td><strong>Access appraisals and disability awareness training</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Association of Consultants in Access Australia Inc. has a list of members</td>
<td></td>
<td></td>
<td>who can provide access services, and disability awareness training:</td>
</tr>
<tr>
<td>• <a href="https://www.access.asn.au/">https://www.access.asn.au/</a></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Disability services</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Northern Territory Council of Social Service has a directory for</td>
<td></td>
<td></td>
<td>accessing up-to-date listings of community sector social services available</td>
</tr>
<tr>
<td><a href="https://ntcoss.org.au/directory">https://ntcoss.org.au/directory</a></td>
<td></td>
<td></td>
<td>in the Northern Territory:</td>
</tr>
<tr>
<td><strong>Law</strong></td>
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13.4 PROPERTY COUNCIL 20 BY 20 REFORMS

**Common No.:**

**Author:** Manager Strategy and Outcomes  
**Authoriser:** General Manager Government Relations & External Affairs  
**Attachments:**  
1. 20 by 20 Reform Paper  
2. Property Council 20 by 20 Reforms - City of Darwin Response

**SUMMARY**

The purpose of this report is to seek Council’s endorsement of City of Darwin’s response to the Property Council 20 by 20 Reform Paper.

**RECOMMENDATIONS**

1. THAT the report entitled Property Council 20 by 20 Reforms be received and noted.  
2. THAT the City of Darwin response to the Property Council 20 by 20 Reforms, Attachment 2 to this report, be endorsed.

**KEY ISSUES**

- In May 2019, the Property Council NT released the 20 by 20 Reform Paper, a suite of small and practical revitalisation reforms and initiatives targeted for delivery by 2020.  
- The Property Council is a member advocacy body that represents the Property Industry.  
- The small and targeted reforms and incentives are aimed at activating and revitalising the Darwin City Centre and have been chosen for the ability for the Northern Territory Government, Council and industry to effect tangible and rapid change.  
- There are 21 initiatives in total. Council’s support is outlined in Attachment 2 and can be categorised as follows:  
  - Supported – 11 initiatives  
  - Supported in-principle – 7 initiatives  
  - Neutral – 1 initiatives  
  - Not Supported – 1 initiative  
  - Partly Supported – 1 initiative  
- Darwin 2030 – *City for People, City of Colour* outlines the Council’s strategic roles. Council advocates to promote the interests of the community to others (decision makers and influencers). Council’s response to the 20 by 20 reforms ensures it is advocating on behalf of the Darwin community.

**BACKGROUND**

The Property Council 20 by 20 Reform Paper is available at Attachment 1.

**DISCUSSION**

Advocating to other levels of Government and Industry is outlined as a key strategic role for Council in the Darwin 2030 – *City for People, City of Colour* Strategic Plan. Council’s role is defined as ‘advocates to promote the interests of the community to others (decision makers and influencers)’. Council is fulfilling this role by responding to the 20 by 20 reforms as an advocate for the business community in the Darwin City Centre and more broadly, the community.
Property Council NT released the 20 by 20 Reform Paper in May 2019. 20 by 20 is a suite of small and practical revitalisation reforms and initiatives targeted for delivery by 2020.

The Property Council is a member advocacy body that represents the Property Industry.

The small and targeted reforms and incentives are aimed at activating and revitalising the Darwin City Centre and have been chosen for the ability for the Northern Territory Government, Council and industry to effect tangible and rapid change.

There are 21 initiatives in total. Council staff have reviewed all initiatives and outlined Council’s level of support for each initiative. Additional commentary has been provided to provide reason for Council’s position.

Council’s response is outlined in Attachment 2 and can be categorised as follows:

- Supported – 11 initiatives
- Supported in-principle – 7 initiatives
- Neutral – 1 initiatives
- Not Supported – 1 initiative
- Partly Supported – 1 initiative

In recognition of Council’s consideration and position in regards the Property Council NT’s 20 by 20 Reforms, a response summarising Council’s position against each initiative will be developed for endorsement.

**STRATEGIC ENVIRONMENT**

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the Darwin 2030 City for People. City of Colour. Strategic Plan.

**Goal**

6 Governance Framework

**Outcome**

6.2 Roles and Relationships

**Key Strategies**

Nil

**LEGISLATIVE/POLICY**

The reform initiatives may promote or effect legislative reforms and has been considered in light of Council’s review of the proposed changes to the Local Government Act through the consultation on the Local Government Bill 2019.

**CONSULTATION**

This report was considered by the Strategic Direction Group on **02 July 2019** and now referred to Council for consideration.

**Internal**

In preparing this report, the following City of Darwin officers were consulted:

- General Managers and key staff

**External**

- Property Council NT
BUDGET/RESOURCE IMPLICATIONS

There are no budget implications relating to this proposal overall. Council may be required to provide further advice or participate in implementing the reforms which would be considered as in-kind support via staff resources. If budget is required to implement individual initiatives these will be presented to Council separately.

RISK

There is risk to Council’s reputation if it does not outline its position on the reform initiatives. Most of the initiatives will impact on business and community within the City of Darwin local government area.

LEGAL

Council’s support for some of the reform initiatives will be enacted through policy change. To ensure Council is committed to the objectives of this reform for rapid and tangible change, it is recommended that a number of Council policies be prioritised for review including:

- Policy 011 – Outdoor Dining
- Policy 037 – Awnings, Balconies and Verandahs
- Proposed new Guidelines for Third Party Events (administrative)
- Proposed new City Centre Activation Policy

ARTS, CULTURE & ENVIRONMENT

Not assessed.
20 BY 20
REFORMS

SUITE OF SMALL & PRACTICAL
REVITALISATION REFORMS AND INITIATIVES

Creating prosperity, jobs and strong communities.

Northern Territory | 2019
Our priorities in 2019

We will champion the policy priorities of members and challenge the government to undertake bold reform.

01. Continue to push for policies to reverse the economic downturn that has followed the oil and gas booms.

02. Ensure the Northern Territory remains a competitive place to invest, own and manage property by opposing the introduction of unbalanced property related taxes.

03. Advocate the development of a policy that will address fragmentation across all Central Business Districts.

04. Champion residential densification in the central business districts and encourage timely investment in community infrastructure.

05. Ensure the timely delivery of the Darwin City deal funding and continue to improve the economic development outcomes.

06. Continue to advance the proper integration of the Darwin City Centre Master Plan into the Central Darwin Area Plan and the Planning Scheme to provide business certainty and investment opportunities.

07. Champion the development of the North through continuous campaigning to the government by monitoring opportunities that align with our strategic Masterbrand.
THE PROPERTY COUNCIL'S
REVITALISATION REFORMS

OBJECTIVE OF REVITALISATION REFORM AND INCENTIVE SUITE
The Darwin Central Business District desperately needs a multifaceted suite of small and targeted reforms and incentives to help enhance the present revitalisation process. If we are to succeed, we need to have the systems in place that achieve already identified high aspirations (Vibrancy, Activation, Walkability, Cooling, Shading etc) in a practical and cost-effective manner.

SPECIFIC AND TARGETED REFORMS
The reforms need to be targeted towards policy areas that will deliver real and tangible revitalisation outcomes for the Darwin Central Business District. They need to address issues that create barriers around costs, processes, administration and accessibility. Quite simply, if a current policy is not being used or accessed by businesses, it is because that policy has been poorly designed or is flawed.

HIGH IMPACT, LOW DOWNSIDE
The reforms need to have high impact (tangible and easily demonstrated) and are of a nature and scale that avoid unforeseen issues and risks. They also need to be designed to achieve large volumes of industry participation leading to smaller-scale individual outcomes.

RAPID IMPLEMENTATION
The reforms need to be capable of being rapidly implemented within six months. The amending of existing policy, regulation, legislation and application forms is not a time or cost intensive undertaking. Other jurisdictions have already dealt with these issues and we can examine adapting and adopting their reforms.

MAXIMISING ACCESS AND EASE (RED TAPE)
The reforms need to substantially lessen the bureaucratic process and cost burdens associated with them, especially for small business operators. Small business operators cannot afford to either pay the application fees or engage professionals to assist them in preparing the required documentation. The reforms need to create new specific categories that provides exemptions for small business operators and removes the application processes entirely or severely restricts the level of required documentation to their absolute minimums.

COMPLIANCE
These reforms need to embrace a mentality of “not over-burdening the good, but instead punishing the bad!” Administration needs to focus on monitoring and enforcement (imposing fines or loss of use) for breaches rather than upfront costs and barriers to access.
THE PROPERTY COUNCIL'S REVITALISATION REFORMS

How do we pay?

Where there is real and legitimate impact on existing government revenue, we need a frank discussion about:

- **How much is that revenue?**
- **What would Council be prepared to contribute to get this reform introduced?**
- **What would the Property Industry contribute to get these reforms introduced?**
- **What would the Northern Territory Government contribute to get these reforms introduced?**

It is important to remember that contributions, are not limited merely to monetary consideration. Non-monetary contributions such as assuming public liability, providing indemnity or taking on the burden of other reforms are all possibilities.
THE PROPERTY COUNCIL’S
REVITALISATION REFORMS

Reform: Alfresco Dining and Alfresco Licencing

The scale of our alfresco offering in the Darwin Central Business District is underperforming for a capital city, let alone a tropical city. We need to establish a policy environment that encourages businesses to activate and utilise the areas immediately outside their premises. By having a system where the baseline includes alfresco offering, businesses will evolve to stay competitively neutral. The Palmerston City Council is leading the way and deserves credit for reforming their Alfresco policy. Their Alfresco regime is now simplified to an annual $20 application fee. A similar policy needs to be developed for all of our Central Business Districts. In fact, it needs to go further, examining how to remove both the application process and redirecting the fee away from the business operator. Other issues such as public liability and indemnities could be reasonably discussed and addressed, perhaps with the assistance of the Northern Territory Government.

There needs to be parallel reform to assist and streamline the implementation of the above alfresco expansion, with respect to liquor licencing. There is little point in only removing one layer of red tape, whilst others remain as potential barriers to achieving tangible outcomes. The creation of a new exemption that provides for existing liquor licence holders not having to apply to amend their licence to utilise alfresco areas for the service of alcohol would further simplify the roll out of alfresco reform.

Reform: Building Awnings over Council Land

We need practical reform to improve and create active open spaces. Existing policies over awnings have been mired in issues over design, responsibility, and cost burdens. A pragmatic and mutually beneficial awning policy needs to be explored and developed that could achieve street level cooling, shading, weather protection and activation. We need to examine creating an awning policy that provides building owners and developers free use and access to the top of awnings built or installed over Council land (footpaths). Access and use could be limited to either alfresco dining, outdoor meetings, greening or other similar usage or benefit (essentially a balcony). Any additional area required by the developer or building owner can fall under the existing regime of compensating Council for the use of air rights above that level. The nature of this reform is more suited towards high pedestrian trafficked areas rather than the Central Business District as a whole. The Property Council advocates (and still maintains) that a street by street awning policy needs to be implemented rather than a blanketeted one-rule-fits-all-approach.
THE PROPERTY COUNCIL’S REVITALISATION REFORMS

Reform: Central Business District Theming

The early settlement of Darwin was built around the local stone, Porcellinite. The stone was used for buildings, street curbing, walls and footpaths. Melbourne has a strong theme around its bluestone. A similar policy should be examined and developed to enhance our own unique Porcellinite stone.

Reform: Central Darwin Area Plan

The currently proposed Central Darwin Area Plan seeks to implement a number of radical changes to the planning scheme, that will, in the current economic reality, set back revitalisation efforts. The Property Council has advocated for a number of common-sense exemptions to apply for both small developments under 25m and existing vacant buildings where efforts are being made to re-purpose them. These reasonable exemptions must be included in any finalised Central Darwin Area Plan. The alternative is the unleashing of a tsunami of red and green tape that will jeopardise smaller developments and redevelopment that are geared toward revitalising our Central Business District.

Reform: Commercial Park Hire

Further activation of our Central Business District Park Land is a highly desirable and a practical objective. The current regime around park hire needs be examined and overhauled as part of an activation and revitalisation strategy. Currently, there are no costs for non-commercial hiring of parks in the Central Business District. For commercial hiring the following cost structure applies: $125 per person if less than 20 persons; $260 per person if between 20 to 100 persons; or $515 per person if greater than 100 persons. We should examine potentially removing the lowest category of commercial park hire, i.e. providing free of charge access for small business operators to use Central Business District park land for up to twenty (20) persons.

Reform: Cool Running

The outcome from the Northern Territory Government’s scientific enquiry into cooling the city found that using thermodynamic heat exchange technology (water or misting systems) is the most cost-effective and efficient means to cool our tropical city. We need to examine and develop how we, in a cost-effective and practical way, incorporate this concept into both our private (buildings) and public realm. A short and long term plan should be examined with various costed options. For example, could we utilise existing public infrastructure such as light poles and turn them into large scale misting towers? If there are reasonable and practical awning reform, could misting be incorporated into awning design requirements?
THE PROPERTY COUNCIL’S REVITALISATION REFORMS

INCENTIVE: FROM MARKET STALLS TO CITY MALLS

It is not an understatement to say that the Territory has some of the most successful markets in Australia, the envy of all other jurisdictions. In saying that, there are some simple initiatives that could allow us to better leverage our world class markets and better support those numerous small business operators. We need to examine an incentive scheme to encourage market stall operators to transition from stalls to malls (brick and mortar). This would allow more regular rejuvenation of our markets and also help with revitalising our Central Business Districts. For example, establishing an incentive scheme with a total budget of $100,000 for up to ten (10) existing stall operators up to $10,000 each to assist them in setting up their business in our Central Business Districts.

INITIATIVE: LEVERAGING OUR UNIQUENESS

Not surprisingly, there are certain things that you can only do right here in the Territory:


We need to leverage our uniqueness through the help of small initiatives for both existing and new small businesses to expand on what makes us unique. We have the very successful swimming with crocs at Crocosaurus Cove, why not having a coffee with a wallaby, possum or another iconic Territory animal? We have traditional Aboriginal bush food, but no Indigenous café or restaurant. An incentive scheme with a total budget of $100,000 for up to ten (10) small businesses to access up to $10,000 each to assist them in setting up/expanding a unique offering in our Central Business Districts should be examined.

REFORM: LIVE MUSIC AND NIGHT TIME ENTERTAINMENT

There have been instances (which will only become more frequent in the future) where night time venues have been negatively impacted by noise complaints from local residents in our Central Business Districts. “Land use conflict remains a relentless issue for live music venues as they operate in established night economy areas that have no planning controls to support their business or provide certainty.” (MusicNT – The Live Music Office - Alcohol Policies and Legislation Review Joint Submission). We need to institute a reform for residential land titles in our Central Business Districts to provide a restrictive covenant to be inserted upon the creation of all new residential land titles to protect venues that provide live music and night time related entertainment. For existing Central Business District residential land titles, the restrictive covenant could be inserted upon transfer to a new owner at that time.

REFORM: OFF AND ON STREET CAR PARKING
THE PROPERTY COUNCIL'S REVITALISATION REFORMS

With a major review currently being undertaken, albeit at a glacial pace, there are some immediate reforms that could be implemented to help revitalisation outcomes whilst that process continues. There have been some small redevelopment projects in the Central Business District that have fallen over due to viability over existing car parking shortfall policies. The Northern Territory Planning Scheme should be amended to immediately exempt any car parking shortfall levy that applies where there is merely a change in the business use in an existing vacant building. We need to remove barriers to help re-purposing vacant buildings or they will simply remain vacant buildings.

The Property Council in 2017 set up an outdoor greening, cooling and seating pop up that was hugely popular and successful. The anecdotal evidence we received from businesses adjacent to the pop up experienced an increased turnover of between 10 – 20%. We should examine a policy that provides ten (10) on street car parking bays consisting of five (5) bundles of two (2) bays each being available to small business owners to setup temporary pop ups for a period of 3 months. The physical location could shift up or down those streets after that period of 3 months. The pop ups may need to be capable of being set up and removed at the end of each business day. The initial application process needs to be as simple as possible, essentially a booking form.

REFORM: MALL DISPLAYS

Further activation of the Mall is a desirable and needed outcome. The current regime around mall displays could be overhauled and used as a part of an activation and revitalisation strategy. The application fees for Mall Displays are $525 per day or $1,325 per week. We should examine incentive that provides two (2) weekly free mall displays for local small business operators; together with establishing fixed and designated area at either end of the Mall for that purpose. The process should also be as simple as possible, essentially a booking form.
THE PROPERTY COUNCIL’S REVITALISATION REFORMS

Reform: Pedestrian Crossings

Improving a city’s walkability is a highly desired outcome from the perspective of both the public and industry. However, there has not been many simple and cost-effective measures to achieve this outcome. Armed with a simple can of paint, we should examine selecting, say four (4), minor intersection streets within the core of the Central Business District and install some pedestrian crossings (white lines). A review after six (6) months should then occur to determine whether to remove or initiate further expansion of similar pedestrian crossings.

Reform: Permit for A Street Party Laneway Event

The administrative process and requirements around securing a permit for a street party in our Central Business District are numerous. Whilst there are legitimate issues that cause red tape around utilising a street for commercial use, laneways should, and need to be, made easier and less bureaucratic to access, use and activate. Currently, the only laneway events being organised are those funded and run by the government. We need to examine a new class of permit that deals specifically with laneways and has substantially less red tape. Other issues such as public liability and indemnities could be reasonably discussed and addressed, perhaps with the assistance of the Northern Territory Government. The application will also need to examine prioritising applicants that are also businesses that adjourn onto those laneways.

Reform: Pop Up Retail and Business Tenancies Act

Similar in nature to the reform involving graffiti artwork, we need to develop mechanisms that facilitate the temporary use of pop up retail in existing vacant spaces in our Central Business Districts. Namely, to create an online resource, register or database that allows building owners to register vacant space for the purposes of temporary pop up activity, provides a list of particulars and location of those spaces and provides a standardised agreement for their use.

There will also need to be parallel reform to assist and streamline the implementation of the above reform. The Business Tenancies Act needs to be reviewed to determine what impediments could exist in implementation of a pop up retail arrangement and if there are any provision that could be deemed to apply, additional reform should be consider. Such reform could include the creation of a new category that specifically exempts the Business Tenancies Act from applying to pop up retail arrangements.
THE PROPERTY COUNCIL’S REVITALISATION REFORMS

Reform: Property-Related Crime

The issue around law and order has been a divisive and contentious one that has had major impact on the property industry and business operators in our Central Business Districts. Whilst significant action has already occurred, there remains a small, hard-core group of repeat offenders that commit the majority of property-related offences in the Central Business District. We have mechanisms that currently allow for exclusion orders to be issued by our courts. An exclusion order provides that an individual can be banned for entering a specified area for up to 12 months. The Northern Territory Government should give real consideration on introducing a mandatory policy for courts to issue exclusion orders where an offender has committed two (2) property-related offences that concerns alcohol which has occurred in a Central Business District within a two (2) year period.

Reform: Rates (Minimum Amounts)

The current system of classification (zoning) for the purposes of setting minimum rates has created a disincentive (inequality) for both investors and residents living in our Central Business District. The current set minimum rates are: Zoned SD, RR, RL, R ($1,124); Zoned MD, MR, HR ($1,181); and Zoned CB ($1,422). This represents a 20% premium on the Central Business District when compared to residential dwellings outside the Central Business District. Such a policy does not assist in our aspirations of growing the population of our Central Business District. We need to examine either rebalancing (i.e. bring all residential categories into one line) so that the minimum residential rate reflects fairness and equality or reducing the CB zoned rate to the same amount zoned MD, MR and HR.

Reform: Small Licence Venues

Every jurisdiction in Australia (VIC, SA, NSW, QLD, WA, ACT) has introduced reforms to facilitate small bars or taverns (generally with patrons of less than 50 people). The Northern Territory remains the only jurisdiction to not undertake any reforms in this area. This massive oversight is even more obvious when considering that the only new businesses currently being established in our Central Business Districts are exactly those types of businesses. The current licencing system presents a massive barrier for both time and costs to these small businesses. This is unacceptable and detrimental to revitalising our Central Business Districts. Reasonable and responsible reforms could proceed very quickly by reviewing and adopting the best and most suited reforms from another jurisdiction.

Adults of small and practical reforms
THE PROPERTY COUNCIL’S
REVITALISATION REFORMS

Reform: Beautification

An untapped resource is potentially right at our fingertips and available to explore some interesting and unique ideas. Currently, there seems to be no other jurisdiction looking at how to incorporate city light poles as part of a revitalisation strategy. They’re already there, so why not examine leveraging them. Ideas such as incorporating fairy lights or bright neon lights or artwork (think Indigenous totem poles). Community participation through either a competition or a survey would be worth exploring to find ideas and see if the community would be interested in such a concept. If issues around cost throw up major impediments, the commercialisation (advertising) could be a potential solution and way of receiving private sector contribution.

It is currently illegal for a person to graffiti private property without the owner’s expressed consent or permission. We need to develop mechanisms that enables the establishing of real grass root Graffiti Artwork Culture in our Central Business Districts. We need to examine establishing an online resource, register or database that allows for building owners to register their walls for the purposes of street art graffiti, provides a list the location of those registered walls and provides a list of the contact details of graffiti artists that provide private commissions. The process needs to be as simple as possible, essentially a nomination form. Upon completion of the nomination process, an approved standard sign (“Prescribed Graffiti Wall”) should then be installed on the nominated wall on behalf of the building owner.

Reform: Student Concessions Scheme

With the central pillar of our current revitalisation strategy revolving around our City Deal and a new University Campus, now is the time to examine policies that target students so as to ensure that we maximise the huge potential this project truly represents. We need to consider the possibility and viability of having a student concession scheme for students to live in our Central Business District, similar in nature but smaller in scope to our NT senior’s concession scheme. With a possible range of concessions for living expenses such as electricity, water, sewerage, property rates, garbage, etc. However, we also need to be realistic about the current economic environment and the real pressures on government expenditure (especially reoccurring or ongoing expenses). Regardless, a discussion and review would still be worthwhile to see what might or might not be possible.
THE PROPERTY COUNCIL'S REVITALISATION REFORMS

REFORM: TREE PLANTING LOCATION POLICY

The Property Council has long advocated that trees should be planted in the streets not the footpaths. The Property Council identified a number of issues with the current tree planting regime (footpaths) including their direct impact on buildings for maintenance, limitations on awning coverage, limitation on tree size, cooling, and pedestrian movement (especially those that are vision-impaired). A new policy (see Knuckey Street) should be considered that trees are planted in the street rather than footpaths. Where an existing verge/footpath is available due to its larger size, consideration to deviate from the above is also worthwhile exploring.

REFORM: UPGRADING HEALTH AND SAFETY IN EXISTING BUILDINGS

In August 2017, the South Australian Planning Minister issued a comprehensive guideline to assist its departments and agencies on requirements for upgrading existing older buildings for health and safety. This initiative was undertaken by the South Australian Government to assist in revitalising their older and vacant buildings. It created certainty around what older buildings would be required to upgrade in order to comply with current building code standards. The Property Council is aware of a number of instances where businesses were adversely affected by the subjective interpretation of governmental departments and agencies around the issues of health and safety compliance. The Northern Territory Government needs to review and examine that guideline, and where applicable issue a similar guideline to assist with revitalising older vacant buildings.

A copy of the Minister's Guideline can be found on the South Australian Government Website:

# 20 by 20 Revitalisation Reforms – City of Darwin Response

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<tr>
<th>Reform</th>
<th>Property Council</th>
<th>Position Supported, Not Supported / Supported in-principle</th>
<th>Current Situation</th>
<th>Responsible GM</th>
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<tr>
<td>1. Alfresco Dining and Alfresco Licensing</td>
<td>The scale of our alfresco offering in the Darwin Central Business District is underperforming for a capital city, let alone a tropical city. We need to establish a policy environment that encourages businesses to activate and utilise the areas immediately outside their premises. By having a system where the baseline includes alfresco offering, businesses will evolve to stay competitively neutral. The Palmerston City Council is losing the way and deserves credit for reforming their alfresco policy. Their alfresco regime is now simplified to an annual $20 application fee. A similar policy needs to be developed for all of our Central Business Districts. In fact, it needs to go further, examining how to remove both the application process and redirect the fee away from the business operator. Other issues such as public liability and indemnities could be reasonably discussed and addressed, perhaps with the assistance of the Northern Territory Government. There needs to be parallel reform to assist and streamline the implementation of the above alfresco expansion, with respect to liquor licensing. There is little point in only removing one layer of red tape, whilst others remain as potential barriers to achieving tangible outcomes. The creation of a new exemption that provides for existing liquor licence holders not having to apply to amend their licence to utilise alfresco areas for the service of alcohol would further simplify the roll out of alfresco reform.</td>
<td>Support</td>
<td>City of Darwin’s Outdoor Dining Policy No.11 is due for review and will take into consideration the City’s desire to activate public spaces and recent Northern Territory Government changes to planning approvals for outdoor dining. The City of Darwin also recognises that not all cafes and restaurants have the ability to expand their dining out onto existing footpaths and public spaces. Particularly in the City centre and suburban shopping centres where clear pedestrian thoroughfares need to be maintained. To overcome some of these issues and provide greater activation of public spaces, Council is working with a number of local businesses to develop a range of options for alternative outdoor dining and uses of public spaces. Council supports the simplified fee system on the basis that fees are on a cost recovery basis only.</td>
<td>GMGID</td>
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<td>2. Building Awnings over Council Land</td>
<td>We need practical reform to improve and create active open spaces. Existing policies over awnings have been mired in issues over design, responsibility, and cost burdens. A pragmatic and mutually beneficial awning policy needs to be explored and developed that could achieve street level cooling, shading, weather protection and activation. We need to examine creating an awning policy that provides building owners and developers free use and access to the top of awnings built or installed over Council land (footpaths). Access and use could be limited to either alfresco dining, outdoor meadings, greening or other similar usage or benefit (essentially a balcony). Any additional area required by the developer or building owner can fall under the existing regime of compensating Council for the use of air rights above that level. The nature of this reform is more suited towards high pedestrian trafficked areas rather than the Central Business District as a whole. The Property Council advocates (and still maintains) that a street by street awning policy needs to be implemented rather than a blanket one rule fits all approach.</td>
<td>Support</td>
<td>City of Darwin’s Awnings, Balconies and Verandahs Council Property Policy No. 37 is due for review and this will include a review of what private uses and development are appropriate to expand into the public realm, for greening and cooling, activation and overall streetscape amenity. This policy will also take into account work currently being undertaken by CSRU for heat mitigation.</td>
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<td>3. Central Business District Theming</td>
<td>The early settlement of Darwin was built around the local stone, Porcelainite. The stone was used for buildings, street curbing, walls and footpaths. Melbourne has a strong theme around its bluestone. A similar policy should be examined and developed to enhance our own unique Porcelainite stone.</td>
<td>Partially Supported for Buildings</td>
<td>The use of Porcelainite stone in municipal projects does not require a policy position. Porcelainite stone has been and is currently being used in a number of public projects within the Darwin municipality for its decorative value. Council supports the use of Porcelainite as architectural / design features where it</td>
<td>GMECS</td>
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<td>Item 13.4 - Attachment 2</td>
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<td><strong>Central Darwin Area Plan</strong></td>
<td>The currently approved Central Darwin Area Plan seeks to implement a number of radical changes to the planning scheme, that will, in the current economic reality, set back revitalisation efforts. The Property Council has advocated for a number of common-sense exemptions to apply for both small developments under 25m and existing vacant buildings where efforts are being made to repurpose them. These reasonable exemptions must be included in any finalised Central Darwin Area Plan. The alternative is the unleashing of a tsunami of red and green tape that will jeopardise smaller developments and redevelopment that are geared toward revitalising our Central Business District.</td>
<td>Not supported for paving. is a safe position to do so. Its use as a paving material as done with blue stone in Melbourne is not supported due to its slip and skid resistance not being sufficient to meet requirements for public spaces as well as being quite a soft stone it would not wear well. Support in principle. The Central Darwin Area Plan has been developed by the Northern Territory Government. It is currently on exhibition for inclusion into the Northern Territory Planning Scheme. Council’s submission was endorsed at the Ordinary Meeting held on 26 June 2019. The Darwin City Deal outlines actions for Council to review the Darwin City Centre Masterplan to align with the Central Darwin Area Plan. This will occur in Quarter 1 of 2020.</td>
<td>GMEGD</td>
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<td><strong>Commercial Park Hire</strong></td>
<td>Further activation of our Central Business District Park Land is a highly desirable and a practical objective. The current regime around park hire needs be examined and overhauled as part of an activation and revitalisation strategy. Currently, there are no costs for non-commercial hiring of parks in the Central Business District. For commercial hiring the following cost structure applies: $125 per person if less than 20 persons; $160 per person if between 20 to 100 persons; or $215 per person if greater than 100 persons. We should examine potentially removing the lowest category of commercial park hire, i.e. providing free of charge access for small business operators to use Central Business District park land for up to twenty (20) persons.</td>
<td>Support. City of Darwin is currently developing a new guideline for third party events (on Council land), which will incorporate criteria for various event types, permits and approvals. In respect to the setting of fees, Council will adopt fees and charges as part of its 2019-20 Budget which will need to further investigate the demand and community impact on the implementation of commercial fees for the hiring of Council-owned parks.</td>
<td>GMGEA</td>
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<td><strong>Cool Running</strong></td>
<td>The outcome from the Northern Territory Government’s scientific enquiry into cooling the city found that using thermodynamic heat exchange technology (water or misting systems) is the most cost-effective and efficient means to cool our tropical city. We need to examine whether all private buildings and public areas could be equipped with various cooling options, for example, misting fans could also be considered subject to engagement and outcomes of current heat mitigation trials. Cooling is a key objective of the Darwin City Deal.</td>
<td>Support. It is acknowledged that the City requires cooling options, for example other options such as portable misting fans could also be considered subject to engagement and outcomes of current heat mitigation trials.</td>
<td>GMECS</td>
<td></td>
</tr>
<tr>
<td><strong>From Market Stalls to City Malls</strong></td>
<td>It is not an understatement to say that the Territory has some of the most successful markets in Australia, the envy of all other jurisdictions. In saying that, there are some simple initiatives that could allow us to better leverage our world class markets and better support those numerous local businesses. We need to consider an incentive scheme to encourage market stalls operators to transition from stalls to malls (brick and mortar). This would allow more regular regrowth of our markets and also help with revitalising our Central Business Districts. For example, establishing an incentive scheme with a total budget of $100,000 for up to ten (10) existing stall operators up to $50,000 each to assist them in setting up their business in our Central Business Districts.</td>
<td>Support in principle. Support in principle, however the traditional CBD retail model will be a challenge for many of these businesses as market forces and seasonal variations will determine if this business model can prove successful or not. CBD commercial rates and commitment to medium term leases would need to be softened to allow many of the hawker businesses to succeed in such an environment.</td>
<td>GMEGD</td>
<td></td>
</tr>
<tr>
<td><strong>Leveraging our Uniqueness</strong></td>
<td>Not surprisingly, there are certain things that you can only do right here in the Territory: <a href="https://northernterritory.com/articles/ten-things-you-can-only-do-in-the-nt">https://northernterritory.com/articles/ten-things-you-can-only-do-in-the-nt</a>. We need to leverage our uniqueness through the help of small initiatives for both existing and new small businesses to expand on what makes us unique. We have the very successful swimming with crocs at Crocodylus Cove, why not have a coffee with a waiter, palm or another iconic Territory animal? We have traditional Aboriginal bush food, but no indigenous cafe or restaurant</td>
<td>Support. It is generally accepted there is not enough access or exposure for visitors to experience traditional local indigenous culture.</td>
<td>GMGEA</td>
<td></td>
</tr>
</tbody>
</table>
An incentive scheme with a total budget of $100,000 for up to ten (10) small businesses to access up to $10,000 each to assist them in setting up an appealing and unique offering in our Central Business Districts should be examined.

9 Live Music and Entertainment
There have been instances (which will only become more frequent in the future) where night time venues have been negatively impacted by noise complaints from local residents in our Central Business Districts. "Land use conflict remains a relentless issue for live music venues as they operate in established night economy areas that have no planning controls to support their business or provide certainty." (MusicNT – The Live Music Office - Alcohol Policies and Legislation Review Joint Submission). We need to institute a reform for residential land titles in our Central Business Districts to provide a restrictive covenant to be inserted upon the creation of all new residential land titles to protect venues that provide live music and night time related entertainment. For existing Central Business District residential land titles, the restrictive covenant could be inserted upon transfer to a new owner at that time.

Support
Despite noise, licensing of venues, land titles and planning approvals being managed by the Northern Territory Government, Council has previously supported the idea of noise on titles, alerting property owners to the potential of noise impacts from existing adjoining land uses.

GMGID

10 On and Off Street Parking
With a major review currently being undertaken, albeit at a glacial pace, there are some immediate reforms that could be implemented to help revitalisation outcomes whilst that process continues. There have been some small redevelopment projects in the Central Business District that have fallen over due to viability over existing car parking shortfall policies. The Northern Territory Planning Scheme should be amended to immediately exempt any car parking shortfall levy that applies where there is merely a change in the business use in an existing vacant building. We need to remove barriers to help re-purposing vacant buildings or they will simply remain vacant buildings.

The Property Council in 2017 set up an outdoor greening, cooling and seating pop up that was hugely popular and successful. The anecdotal evidence we received from businesses adjacent to the pop up experienced an increased turnover of between 30 – 20%. We should examine a policy that provides ten (10) on street car parking bays consisting of five (5) bays of the (2) bays being available to small business owners to setup temporary pop ups for a period of 3 months. The physical location could shift up or down these streets after that period of 3 months. The pop ups may need to be capable of being set up and removed at the end of each business day. The initial application process needs to be as simple as possible, essentially a booking form.

Support
The Northern Territory Government have undertaken car parking studies.

Council is developing a Movement Strategy to incorporate the review of the existing Bike Plan and Car Parking Strategy. This will look at all movement throughout the City, including pedestrians, scooters, bicycles, service vehicles, public transport and private vehicles.

City of Darwin notes the pop up that was installed by the Property Council in 2017 and is working on measures to activate road reserves and other public spaces, including working with a number of local businesses to develop a range of options for alternative outdoor dining and uses of public spaces.

GMGID

11 Mall Displays
Further activation of the Mall is a desirable and needed outcome. The current regime around mall displays could be overhauled and used as a part of an activation and revitalisation strategy. The application fees for Mall Displays are $525 per day or $1,325 per week. We should examine incentivising that provides two (2) weekly free mall displays for local small business operators; together with establishing fixed and designated area at either end of the Mall for that purpose.
The process should also be as simple as possible, essentially a booking form.

Support in principle
Currently existing tenants are paying rent to retain a shop frontage in the Mall. Allowing other local businesses to set up a Mall Display (temporary shop front) for free in direct competition of the existing tenants could be detrimental to those businesses trying to cover property overheads.

Council already provides a significant financial assistance for Not For Profit organisations which a simple booking form is required to be lodged in order to gain a permit.

GMCP

12 Pedestrian Crossings
Improving a city’s walkability is a highly desired outcome from the perspective of both the public and industry. However, there has not been many simple and cost-effective measures to achieve this outcome. Armed with a simple can of paint, we should examine selecting, say four (4), minor intersection streets within the care of the Central Business District and install some pedestrian crossings (white lines). A review after six (6) months should then occur to determine whether to remove or initiate further expansion of similar pedestrian crossings.

Support
The improvement in pedestrian mobility is welcomed.

Pedestrian crossings are typically installed where there is high pedestrian activity. Instating crossings across "minor intersections" could be supported, however only if there are high pedestrian numbers travelling along those routes and depending on site conditions...
<table>
<thead>
<tr>
<th>Item</th>
<th>Agenda Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Permit for a Street Party Laneway Event</td>
<td>The administrative process and requirements around securing a permit for a street party in our Central Business District are numerous. Whilst there are legitimate issues that cause red tape around utilising a street for commercial use, laneways should, and need to be, made easier and less bureaucratic to access, use and activate. Currently, the only laneway events being organised are those funded and run by the government. We need to examine a new class of permit that deals specifically with laneways and has substantially less red tape. Other issues such as public liability and indemnities could be reasonably discussed and addressed, perhaps with the assistance of the Northern Territory Government. The application will also need to examine permitting applicants that are also businesses that adjourn onto those laneways. Support: Council is reviewing the existing processes for events on Council lands and to ensure event organisers are supported with efficient and effective processes. New guidelines for third party events (on Council lands) which will include street parties and laneway events are being developed and will aim to streamline current application processes to improve efficiency for event organiser whilst ensuring appropriate safety and planning is in place for successful event delivery. GMGREA</td>
</tr>
<tr>
<td>14</td>
<td>Pop Up Retail and Business Tenancies Act</td>
<td>Similar in nature to the reform involving graffiti artwork, we need to develop mechanisms that facilitate the temporary use of pop up retail in existing vacant spaces in our Central Business Districts. Namely, to create an online resource, register or database that allows building owners to register vacant space for the purposes of temporary pop up activity, provides a list of particulars and location of those spaces and provides a standardised agreement for their use. There will also need to be parallel reform to assist and streamline the implementation of the above reform. The Business Tenancies Act needs to be reviewed to determine what impediments could exist in implementation of a pop up retail arrangement and if there are any provisions that could be deemed to apply, additional reform should be considered. Such reform could include the creation of a new category that specifically exempts the Business Tenancies Act from applying to pop up retail arrangements. Support: Council supports the Property Council NT advocating for legislative change in the Business Tenancies Act to enable this initiative. NTG/GMGGD</td>
</tr>
<tr>
<td>15</td>
<td>Property Related Crime</td>
<td>The issue around law and order has been a dissolve and contentious one that has had major impact on the property industry and business operators in our Central Business Districts. Whilst significant action has already occurred, there remains a small, hard core group of repeat offenders that commit the majority of property related crimes in the Central Business District. We have mechanisms that currently allow for exclusion orders to be issued by our courts. An exclusion order provides that an individual can be banned for entering a specified area for up to 12 months. The Northern Territory Government should give real consideration on introducing a mandatory policy for courts to issue exclusion orders where an offender has committed two (2) property-related offences that concerns alcohol which has occurred in a Central Business District within a two (2) year period. Neutral: City of Darwin’s Public Places Committee works with the Northern Territory Government to implement strategies that improve safety in public places. GMGREA</td>
</tr>
<tr>
<td>16</td>
<td>Rates</td>
<td>The current system of classification zoning for the purposes of setting minimum rates has created a disincentive (inequality) for both investors and residents living in our Central Business District. The current set minimum rates are: Zoned SD, RR, R, R $1,124; Zoned MD, MR, HR $1,181; and Zoned CB $1,422. This represents a 20% premium on the Central Business District when compared to residential dwellings outside the Central Business District. Such a policy does not assist in our aspirations of growing the population of our Central Business District. We need to examine either rebalancing (i.e. bring all residential categories into one line) so that the minimum residential rate reflects fairness and equality or reducing the CB zoned rate to the same amount. Not Supported: The position taken by Council is to assist with addressing the inequality with CBD ratepayers, over suburban residents, enjoying a lower minimum rate. As Rates are set on the unimproved capital value, apartment blocks within the CBD have a very high value of which the unimproved portion is only a very small portion. The level of Rates charged to the GMCP</td>
</tr>
</tbody>
</table>
### Item 13.4 - Attachment 2

| 17 | Small Licence Venues | Every jurisdiction in Australia (VIC, SA, NSW, QLD, WA, ACT) has introduced reforms to facilitate small bars or taverns (generally with patrons of less than 50 people). The Northern Territory remains the only jurisdiction to not undertake any reforms in this area. This massive oversight is even more obvious when considering that the only new businesses currently being established in our Central Business Districts are exactly those types of businesses. The current licensing system presents a massive barrier for both time and costs to these small businesses. This is unacceptable and detrimental to revitalising our Central Business Districts. Reasonable and responsible reforms could proceed very quickly by reviewing and adopting the best and most suited reforms from another jurisdiction. | Support | The new Liquor Act will introduce a 'Risk Based Licensing Framework' that calculates fees for licences based on perceived 'risk' of the business in terms of sales, turnover, patrons, type of venue etc. It is expected that applications under the new framework will be assessed based on risk and be able to demonstrate how they will address and/or reduce harms via their Community Impact Statement as part of the application. | GMCRS |

| 18 | Beautification | An untapped resource is potentially right at our fingertips and available to explore some interesting and unique ideas. Currently, there seems to be no other jurisdiction looking at how to incorporate city light poles as part of a revitalisation strategy. They’re already there, so why not examine leveraging them? Ideas such as incorporating fairy lights or bright neon lights or artwork (think Indigenous totem poles). Community participation through either a competition or a survey would be worth exploring to find ideas and see if the community would be interested in such a concept. It issues around cost throw up major impediments, the commercialisation (advertising) could be a potential solution and way of receiving private sector contribution. It is currently illegal for a person to graffiti private property without the owner’s expressed consent or permission. We need to develop mechanisms that enables the establishment of real grass root graffiti Artwork Culture in our Central Business Districts. We need to examine establishing an online resource, register or database that allows for building owners to register their walls for the purposes of street art graffiti, provides a list the location of those registered walls and provides a list of the contact details of graffiti artists that provide private commissions. The process needs to be as simple as possible, essentially a nomination form. Upon completion of the nomination process, an approved standard sign ("Prescribed Graffiti Wall") should then be installed on the nominated wall on behalf of the building owner. | Support in principle | Any consideration of installing light poles in public areas where ‘pot plants’ could be included would depend on a substantive risk assessment. | GMECS |

| 19 | Student Concession Schemes | With the central pillar of our current revitalisation strategy revolving around our City Deal and a new University Campus, now is the time to examine policies that target students so as to ensure that we maximise the huge potential this project truly represents. We need to consider the possibility and viability of having a student concession scheme for students to live in our Central Business District, similar in nature but smaller in scope to our NT senior’s concession scheme. With a possible range of concessions for living expenses such as electricity, water, sewage, property rates, garbage, etc. However, we also need to be realistic about the current economic. | Support in principle | The number of students that would be paying rates included as most would be renting or housed in uni housing. The scheme would be best targeted at concessions for living expenses such as utilities and transport. | NTG/LDU/CEO |
| Item 13.4 - Attachment 2 | 16 July 2019 |

| **Tree Planting Location Policy** | The Property Council has long advocated that trees should be planted in the streets, not the footpaths. The Property Council identified a number of issues with the current tree planting regime (footpaths) including their direct impact on buildings for maintenance, limitations on awning coverage, limitation on tree size, cooling, and pedestrian movement (especially those that are vision-impaired). A new policy (see Knuckey Street) should be considered that trees are planted in the street rather than footpaths. Where an existing verge/footpath is available due to its larger size, consideration to deviate from the above is also worthwhile exploring. | Support in-principle | The practicality of on-street planting of trees results in parking loss. There needs to be a balance between shade/beautification and parking requirements. Tree pits should also be able to be drained to an underground drainage system which will also determine their location. Planting should also be in accordance with the City of Darwin’s Urban Forest Strategy which is currently under review. | GMFCS |

| **Upgrading Health and Safety in Existing Buildings** | In August 2017, the South Australian Planning Minister issued a comprehensive guideline to assist its departments and agencies on requirements for upgrading existing older buildings for health and safety. This initiative was undertaken by the South Australian Government to assist in revitalising their older and vacant buildings. It created certainty around what older buildings would be required to upgrade in order to comply with current building code standards. The Property Council is aware of a number of instances where businesses were adversely affected by the subjective interpretation of governmental departments and agencies around the issues of health and safety compliance. The Northern Territory Government needs to review and examine that guideline, and where applicable issues a similar guideline to assist with revitalising older vacant buildings. A copy of the Minister’s Guideline can be found on the South Australian Government Website: [https://www.sa.gov.au/__data/assets/pdffile/0015/352450/Ministers-Specification-SA-Upgrading-health-and-safety-in-existing-buildings-1.pdf](https://www.sa.gov.au/__data/assets/pdffile/0015/352450/Ministers-Specification-SA-Upgrading-health-and-safety-in-existing-buildings-1.pdf) | Support in-principle | Building and Planning legislation is managed by the Northern Territory Government, however City of Darwin is committed to maintaining Darwin’s rich history and heritage and welcomes the opportunity to participate in developing guidelines to support this initiative. | GMIGD |
14 RECEIVE & NOTE REPORTS

14.1 CONFIRMATION OF EXECUTIVE COMMITTEE MEETING MINUTES - 2018

Common No.: 1955119
Author: Coordinator Governance
Authoriser: General Manager Government Relations & External Affairs
Attachments: 1. City Life Committee - 23 July 2018
2. City Futures Committee - 24 July 2018
3. City Operations Committee - 25 July 2018
4. City Performance Committee - 24 July 2018

SUMMARY

The purpose of this report is to present the final minutes of the executive committee meetings for confirmation by Council.

RECOMMENDATIONS

1. THAT the report be received and noted.
2. THAT the tabled minutes of the previous executive committee meetings be received and confirmed as a true and correct record of the proceedings of those meetings:
   (a) City Life Committee - 23 July 2018
   (b) City Futures Committee - 24 July 2018
   (c) City Operations Committee - 25 July 2018
   (d) City Performance Committee - 24 July 2018

KEY ISSUES

- In June 2019 Council resolved to finalise the department-aligned executive committees that last met in 2018.
- Four committees have minutes that need to be confirmed.

BACKGROUND

RESOLUTION ORD150/19

Moved: Alderman Mick Palmer
Seconded: Alderman Jimmy Bouhis

1. THAT the report be received and noted.
2. THAT Council continue to hold two Ordinary Council meetings each month, with the exception of January and December.
3. THAT Council, pursuant to Part 5.2 Section 54 (1) of the Local Government Act, abolish the following Executive Committees effective 11 June 2019:
   (i) City Operations Committee
   (ii) City Performance Committee
   (iii) City Life Committee
   (iv) City Futures Committee
4. **THAT Council adopt the new Procedure 0035 - Informal Meeting Guidelines at Attachment 1 and that it come into effect as of 1 July 2019.**

5. **THAT Policy 043 - Meetings, Meeting Procedures and Committees be updated to reflect the new meeting structure of Confidential Briefing Sessions and Ordinary Council Meetings.**

6. **THAT the briefing session model be reviewed after 12 months to evaluate its progress and effectiveness.**

   **CARRIED 10/1**

**DISCUSSION**

The minutes will be confirmed by signature of the previous chairs:

- City Life
- City Futures
- City Operations
- City Performance

**IMPLICATIONS**

Confirmation of previous minutes is a standing item on all committee and council meeting agendas. As the previous committees were dissolved, their minutes now come to Council for confirmation.
OPEN SECTION
23/07/2018/1

CITY OF DARWIN
MINUTES OF THE CITY LIFE COMMITTEE MEETING OF THE TWENTY-SECOND COUNCIL HELD IN MEETING ROOM 1, CIVIC CENTRE, HARRY CHAN AVENUE ON MONDAY, 23 JULY 2018 COMMENCING AT 5.30PM.

MEMBERS: Member G J Haslett (Chair); The Right Worshipful, The Lord Mayor, K Vatskalis; Member A Arthur; Member P Panguee.

OFFICERS: Chief Executive Officer, Mr S Waters; Deputy Chief Executive Officer, Mrs D Leeder; Acting General Manager City Life, Mr M Grassmayr; Acting Manager Regulatory Services, Mr C Brown; Manager Library Services, Mrs K Conway; Acting Manager Leisure and Customer Experience, Ms C Beacham; Arts and Cultural Development Coordinator, Ms R Higgins; Executive Assistant, Ms K Long.

APOLOGY: The Right Worshipful, The Lord Mayor, K Vatskalis

GUESTS: Nil

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18/1
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City Life Committee Meeting – Monday, 23 July 2018

1. MEETING DECLARED OPEN

The Chair declared the meeting open at 5.30 pm.

2. APOLOGIES AND LEAVE OF ABSENCE

2.1 Apologies

(Arthur/Pangqueen)

THAT the apology from The Right Worshipful, The Lord Mayor, K Vatskalis, be received.

DECISION NO.2210934 (23/07/18) Carried

2.2 Leave of Absence Granted

Nil

3. ELECTRONIC MEETING ATTENDANCE

3.1 Electronic Meeting Attendance Granted

Nil

4. DECLARATION OF INTEREST OF MEMBERS AND STAFF

4.1 Declaration of Interest by Members

Nil

4.2 Declaration of Interest by Staff

Nil
5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S
   Common No. 1955119

5.1 Confirmation of the Previous City Life Committee Meeting Minutes

   (Arthur/Pangquee) COMMITTEE’S DECISION

   THAT the Committee resolve that the minutes of the previous City Life Committee Meeting held on Monday, 18 June 2018, tabled by the Chair, be received and confirmed as a true and correct record of the proceedings of that meeting.

   DECISION NO.2210942 (23/07/18) Carried

5.2 Business Arising

   Nil

6. DEPUTATIONS AND BRIEFINGS

   Nil

7. CONFIDENTIAL ITEMS
   Common No. 1944604

7.1 Closure to the Public for Confidential Items

   (Pangquee/Arthur) COMMITTEE’S DECISION

   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:-

<table>
<thead>
<tr>
<th>Item</th>
<th>Regulation</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>C15.1</td>
<td>8(c)(iv)</td>
<td>information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person</td>
</tr>
<tr>
<td>C17.1.1</td>
<td>8(c)(iv)</td>
<td>information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person</td>
</tr>
</tbody>
</table>
City Life Committee Meeting – Monday, 23 July 2018

C20  8(c)(iv) information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person

DECISION NO.22\0943  (23/07/18)  Carried

7.2  Moving Open Items Into Confidential
Nil

7.3  Moving Confidential Items Into Open
Nil

8.  WITHDRAWAL OF ITEMS FOR DISCUSSION

(Arthur/Pangquee)  COMMITTEE’S DECISION

THAT the Committee resolve under delegated authority that all Information Items and Officers Reports to the City Life Committee Meeting held on Monday, 23 July 2018 be received and considered individually.

DECISION NO.22\0944  (23/07/18)  Carried
9.1 OFFICERS REPORTS (ACTION REQUIRED)

9.1.1 Minutes Arts and Cultural Development Advisory Committee Meeting 3 July 2018
Report No. 18CL0070 RH:es (23/07/18) Common No. 3831526

(Arthur/Pangquee)

THAT it be a recommendation to Council:-

A. THAT Report Number 18CL0070 RH:es entitled Minutes Arts And Cultural Development Advisory Committee 3 July 2018, be received and noted.

B. THAT Council appoint Ms Jane Tenkin as Chairperson of the Arts and Cultural Development Advisory Committee for the current term to 14 March 2020 in accordance with the Committee’s Terms of Reference.

C. THAT a community engagement process at the “consult level” is undertaken with stakeholders to inform the development of new procedures for Busking/Street Entertainment as detailed in Attachment B to Report Number 18CL0070 RH:es entitled Minutes Arts and Cultural Development Advisory Committee 3 July 2018.

D. THAT a further report is presented to Council following consultation with stakeholders in order to consider new procedures for Busking/Street Entertainment.

Carried
9.1.2 Minutes Youth Advisory Committee 5 July 2018
Report No. 18CL0071 LB:es (23/07/18) Common No. 3842529

(Arthur/Pangquee)

THAT it be a recommendation to Council:-

A. THAT Report Number 18CL0071 LB:es entitled Minutes Youth Advisory Committee 5 July 2018, be received and noted.

B. THAT Council appoint the following as a member of the Youth Advisory Committee for a three (3) year term from 6 July 2018 to 3 June 2021 in accordance with the Local Government Act:

   i) Andy Huang

C. THAT Council note $2082 was raised in support of Action for Change via the 2018 Quiz4Dili Youth Advisory Committee fundraiser.

Carried

9.1.3 Review Policy No. 001 - Animal Management - General
Report No. 18CL0056 CB:kl (23/07/18) Common No. 2078949

(Pangquee/Arthur)

THAT it be a recommendation to Council:-

C. THAT Report Number 18CL0056 CB:kl entitled Review Policy No. 001 Animal Management - General, be received and noted.


Carried
9.1.4 Walkway 104 – Craig Crescent to Lot 4528 (Litchfield Court Unit Complex) Coconut Grove – Consultation Outcomes

Report No. 18CL0073 CB:kl (23/07/18) Common No. 3525788

(Pangquee/Arthur)

THAT it be a recommendation to Council:

A. THAT Report Number 18CL0073 CB:kl entitled Walkway 104 – Craig Crescent To Lot 4528 (Litchfield Court Unit Complex) Coconut Grove – Consultation Outcomes, be received and noted.

B. THAT Council proceed with a night-closure of Walkway 104 – Craig Crescent to Lot 4528 (Litchfield Court Unit Complex), Coconut Grove, from 10:30pm to 5:00am each night.

Carried

9.1.5 Christmas Program 2018 – Enhanced Activities

Report No. 18CL0072 KS:kl (23/07/18) Common No. 3681960

(Arthur/Pangquee)

THAT it be a recommendation to Council:

A. THAT Report Number 18CL0072 KS:kl entitled Christmas Program 2018 – Enhanced Activities, be received and noted.

B. THAT Council endorse the following 2018 enhanced Christmas activities:

- Chan Ward: Nightcliff Library Family Christmas Event
- Lyons Ward: Christmas Lights Launch Event
- Waters Ward: Karama Christmas Family Fun Day
- Richardson Ward: Casuarina Pool Family Christmas Party
- The Mall: Additional Daytime Decorations

Carried
9.1.6 Living Christmas Tree
Report No. 18CL0036 CB:kl (23/07/18) Common No. 3681960

(Arthur/Pangquee)

THAT it be a recommendation to Council:-

A. THAT Report Number 18CL0036 CB:kl entitled Living Christmas Tree, be received and noted.

B. THAT Council proceed with the planting of a living Christmas Tree, a Araucaria Cunninghamii (Hoop Pine), at the existing vacant tree pit at the Knuckey Street end of The Mall.

Carried

9.1.7 Petition – Trial Light Tower at Gardens Oval One
Report No. 18CL0074 CB:kl (23/07/18) Common No. 3246533

(Pangquee/Arthur)

THAT it be a recommendation to Council:-

A. THAT Report Number 18CL0074 CB:kl entitled Petition – Trial Light Tower at Gardens Oval One, be received and noted.

B. THAT Council advise the members of the petition that a temporary light tower trial will not be conducted.

Carried
9.2 OFFICERS REPORTS (RECEIVE & NOTE)

9.2.1 Quarter 4 - City Life Performance Report 2017/18

(Pangquee/Arthur) COMMITTEE’S DECISION

THAT the Committee resolve under delegated authority:-

THAT Report Number 18CP0069 VG:ks entitled Quarter 4 - City Life Performance Report 2017/18, be received and noted.

DECISION NO.22:09:45 (23/07/18) Carried

NOTE:
OPEN SECTION

City Life Committee Meeting – Monday, 23 July 2018

10. INFORMATION ITEMS

10.1 Minutes Bombing of Darwin and Military History Advisory Committee 13 June 2018
Document No. 3845014 (23/07/2018)

(Arthur/Pangquee) COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority:-

THAT the Minutes of the Bombing of Darwin and Military History Advisory Committee meeting held on the 13 June 2018, Attachment A, Document Number 3845014, be received and noted.

DECISION NO.22:0946 (23/07/18) Carried

11. QUESTIONS BY MEMBERS

Nil

12. GENERAL BUSINESS

Nil
OPEN SECTION

City Life Committee Meeting – Monday, 23 July 2018

13. CLOSURE OF MEETING
Common No. 2695131

(Pangquee/Arthur)

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.22/0947 (23/07/18) Carried

The meeting moved to the Confidential Section at 6.26 pm.

MEMBER G J HASLETT (CHAIR) – CITY LIFE COMMITTEE MEETING – MONDAY, 23 JULY 2018

Confirmed On: Monday, xx xxxx xxxx

Chair: ____________________________
OPEN SECTION

CITY OF DARWIN

CITY FUTURES COMMITTEE MEETING

TUESDAY, 24 JULY 2018

MINUTES OF THE CITY FUTURES COMMITTEE MEETING OF THE TWENTY-SECOND COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, HARRY CHAN AVENUE ON TUESDAY, 24 JULY 2018 COMMENCING AT 5.30PM.

MEMBERS: Member S J Niblock (Chair); The Right Worshipful, The Lord Mayor, K Vatskalis; Member S Cullen; Member G Lambrinidis.

OFFICERS: Chief Executive Officer, Mr S Waters; Acting General Manager City Futures, Ms S Gamble; Manager City Planning, Ms C Robson; Town Planner, Ms N Smith; Planning Administration Officer, Heather Docker; Executive Assistant, Ms N Tyrie.

APOLOGY:

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Tuesday, 24 July 2018
OPEN SECTION

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9.1.1 Sustainable Urban Mobility Plan

9.2 OFFICERS REPORTS (RECEIVE & NOTE)
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9.2.2 Switching on Darwin Project Update - July 2018
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10. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

11. QUESTIONS BY MEMBERS
11.1 Process for Presentations to Council - Cancellations
11.2 City of Darwin Representative – Planning Commission

12. GENERAL BUSINESS

13. CLOSURE OF MEETING
1. MEETING DECLARED OPEN

The Chair declared the meeting open at 5:35pm.

2. APOLOGIES AND LEAVE OF ABSENCE
   Common No. 2695036
   Nil

2.2 Leave of Absence Granted
   Nil

3. ELECTRONIC MEETING ATTENDANCE
   Common No. 2221528

3.1 Electronic Meeting Attendance Granted
   Nil

4. DECLARATION OF INTEREST OF MEMBERS AND STAFF
   Common No. 2752228

4.1 Declaration of Interest by Members
   Nil

4.2 Declaration of Interest by Staff
   Nil
5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S
   Common No. 1955119

5.1 Confirmation of the Previous City Futures Committee Meeting Minutes

(Cullen/Lambrinidis) COMMITTEE’S DECISION

THAT the Committee resolve that the minutes of the previous City Futures Committee Meeting held on Tuesday, 19 June 2018, tabled by the Chair, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.2210966 (24/07/18) Carried

6. DEPUTATIONS AND BRIEFINGS

Nil

7. CONFIDENTIAL ITEMS

Nil

8. WITHDRAWAL OF ITEMS FOR DISCUSSION

(Cullen/Lambrinidis) COMMITTEE’S DECISION

THAT the Committee resolve under delegated authority that all Information Items and Officers Reports to the City Futures Committee Meeting held on Tuesday, 24 July 2018 be received and considered individually.

DECISION NO.2210967 (24/07/18) Carried
9.1 OFFICERS REPORTS (ACTION REQUIRED)

9.1.1 Urban Mobility Plan
Report No. 18CF0038 NS:hd (24/07/18) Common No. 3707324

(COMMITTEE’S DECISION)

THAT it be a recommendation to Council:-

A. THAT Report Number 18CF0038 NS:hd entitled Urban Mobility Plan, be received and noted.

B. THAT City of Darwin officers collaborate with the Northern Territory Government Department of Infrastructure, Planning and Logistics to improve mobility and access in a coordinated manner, exploring the opportunity to develop an Urban Mobility Plan.

C. THAT resourcing to develop an Urban Mobility Plan be referred to the 2018-19 First Quarter Budget review for consideration

Carried

ACTION: MANAGER CITY PLANNING
NOTE: ACTING GENERAL MANAGER CITY FUTURES

The Chief Executive Officer and Deputy Chief Executive Officer joined the meeting at 6:05pm

Tuesday, 24 July 2018
9.2 OFFICERS REPORTS (RECEIVE & NOTE)

9.2.1 City Futures Projects
Report No. 18CF0061 CR:hd (24/07/18) Common No. 248144

(Lambrinis/Cullen) COMMITTEE’S DECISION

THAT the Committee resolve under delegated authority:

THAT Report Number 18CF0061 CR:hd entitled City Futures Projects, be received and noted.

DECISION NO.2210968 (24/07/18) Carried

9.2.2 Switching on Darwin Project Update – July 2018
Report No. 18CF0060 SG:nt (24/07/18) Common No. 3226493

(Cullen/Lambrinis) COMMITTEE’S DECISION

THAT the Committee resolve under delegated authority:-

THAT Report Number 18CF0060 SG:nt entitled Switching On Darwin Project Update - July 2018, be received and noted.

DECISION NO.2210969 (24/07/18) Carried
OPEN SECTION

City Futures Committee Meeting — Tuesday, 24 July 2018

9.2.3 Quarter 4 – City Futures Quarterly Performance Report 2017/18
Report No. 18CP0068 VG:ks (24/07/18) Common No. 1230662

(Cullen/Lambrinidis)                 COMMITTEE’S DECISION

THAT the Committee resolve under delegated authority:-

THAT Report Number 18CP0068 VG:je entitled Quarter 4 - City Futures Quarterly
Performance Report 2017/18, be received and noted.

DECISION NO.2210970 (24/07/18) Carried
10. INFORMATION ITEMS

Nil

11. QUESTIONS BY MEMBERS

(Cullen/Lambrinidis)

THAT the following Questions by Members be received and noted.

DECISION NO.22/0971 (24/07/18)

11.1 Process for Presentations to Council - Cancellations

Common No.

Member Cullen queried - What happens when an external presenter cancels prior to a Council meeting; is a replacement called?

*The Deputy CEO responded and advised Committee Administrator manages the presenters the Acting General Manager City Futures will take on notice and provide detail of the process regarding replacement presenters.*

11.2 City of Darwin Representative – Planning Commission

Common No.

Member Niblock queried – Representative for Planning Commission – Is there merit in having a City of Darwin representative?

*The Manager City Planning responded and advised that there is a Local Government representative on the Commission – Acting General Manager City Futures will take on notice.*

Carried

12. GENERAL BUSINESS

Nil
13. CLOSURE OF MEETING
Common No. 2695131

(Lambrinidis/Cullen)

The meeting closed at 6.55pm.

Carried

MEMBER S NIBLOCK (CHAIR) –
CITY FUTURES COMMITTEE
MEETING – TUESDAY, 24 JULY
2018

Confirmed On: Tuesday, 21 August 2018

Chair:
OPEN SECTION

MINUTES OF THE CITY OPERATIONS COMMITTEE MEETING OF THE TWENTY-SECOND COUNCIL HELD IN MEETING ROOM 1, CIVIC CENTRE, HARRY CHAN AVENUE ON WEDNESDAY, 25 JULY 2018 COMMENCING AT 5.30PM.

MEMBERS: Member R M Knox (Chair); Member M Palmer; Member R Want de Rowe.

OFFICERS: Chief Executive Officer, Mr S Waters; Acting General Manager City Operations, Mr N Kleine; Acting Manager Capital Works, Mr M Vitucci; Manager Design, Development & Projects, Mr D Leleks; Manager Infrastructure Maintenance, Mr R Quinn; Waste Management Coordinator, Mr N Teoh; Asset and Public Lighting Coordinator, Mr J Crawley; Executive Assistant, Ms J Wylie.

APOLOGY: The Right Worshipful, The Lord Mayor K Vatskalis

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7. CONFIDENTIAL ITEMS
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   7.2 Moving Open Items Into Confidential
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OPEN SECTION

8. WITHDRAWAL OF ITEMS FOR DISCUSSION

9.1 OFFICERS REPORTS (ACTION REQUIRED)
9.1.1 City of Darwin Policy No. 051 – Verges – Review of Community Consultation
9.1.2 Rainbow Markings Retention

9.2 OFFICERS REPORTS (RECEIVE & NOTE)
9.2.1 Quarter 4 – City Operations Quarterly Performance Report 2017/18
9.2.2 Review of the Decision to Sell a Portion of Road Reserve Adjacent 13 Larrakeyah Terrace, Larrakeyah

10. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

11. QUESTIONS BY MEMBERS
11.1 Revised Plan for Tree Placement in Cavenagh Street
11.2 West Lane Car Park
11.3 Installation of Shared Zone at the corner of Smith/Bennett Street

12. GENERAL BUSINESS

13. CLOSURE OF MEETING
City Operations Committee Meeting – Wednesday, 25 July 2018

1. MEETING DECLARED OPEN

The Chair declared the meeting open at 5.37 pm.

2. APOLOGIES AND LEAVE OF ABSENCE
Common No. 2695036

2.1 Apologies
(Want de Rowe/Palmer)

THAT the apology from Member K Vatskalis be received.

DECISION NO.2210956 (25/07/18) Carried

2.2 Leave of Absence Granted
Nil.

3. ELECTRONIC MEETING ATTENDANCE
Common No. 2221528

Nil.

4. DECLARATION OF INTEREST OF MEMBERS AND STAFF
Common No. 2752228

4.1 Declaration of Interest by Members
Nil.

4.2 Declaration of Interest by Staff
Nil.

Wednesday, 25 July 2018
5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S
   Common No. 1955119

5.1 Confirmation of the Previous City Operations Committee Meeting Minutes

(Want de Rowe/Palmer) COMMITTEE'S DECISION

THAT the Committee resolve that the minutes of the previous City Operations Committee Meeting held on Wednesday, 20 June 2018, tabled by the Chair, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.22/0957 (25/07/18) Carried

5.2 Business Arising

Meeting: City Operations Committee Meeting, 20 June 2018
Agenda Item: 11.4
Subject: Recycling Labels on Bins
Common No.: 2580584

Member R M Knox asked for an update on whether Council had placed Council stickers on recycle bins at the Nightcliff Foreshore and around the municipality to educate users on what can be placed in them.

The Waste Management Coordinator responded and advised that due to limited resourcing that Council will endeavour to implement this initiative within the next three months. New stickers are also being produced.

ACTION: WASTE MANAGEMENT COORDINATOR

6. DEPUTATIONS AND BRIEFINGS

Nil.
7. CONFIDENTIAL ITEMS
Common No. 1944604

7.1 Closure to the Public for Confidential Items

(Palmer/Want de Rowe) COMMITTEE’S DECISION

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:-

<table>
<thead>
<tr>
<th>Item</th>
<th>Regulation</th>
<th>Reason</th>
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</thead>
<tbody>
<tr>
<td>C17.1.1</td>
<td>8(o)(iii)</td>
<td>information that would, if publicly disclosed, be likely to prejudice the security of the council, its members or staff</td>
</tr>
</tbody>
</table>

DECISION NO.22\0958  (25/07/18) Carried

7.2 Moving Open Items Into Confidential
Nil

7.3 Moving Confidential Items Into Open
Nil

8. WITHDRAWAL OF ITEMS FOR DISCUSSION

(Want De Rowe/Palmer) COMMITTEE’S DECISION

THAT the Committee resolve under delegated authority that all Information Items and Officers Reports to the City Operations Committee Meeting held on Wednesday, 25 July 2018 be received and considered individually.

DECISION NO.22\0959  (25/07/18) Carried

At 5.41pm Chief Executive Officer, Mr S Waters entered the meeting.
9.1 OFFICERS REPORTS (ACTION REQUIRED)

9.1.1 City of Darwin Policy No. 051 – Verges – Review of Community Consultation
Report No. 18CO0040 RQ:jh (25/07/18) Common No. 1612461

(Want de Rowe/Palmer)

THAT it be a recommendation to Council:-

A. THAT Report Number 18CO0040 RQ:jh entitled City Of Darwin Policy No. 051 - Verges - Review Of Community Consultation, be received and noted.


Carried
9.1.2 Rainbow Markings Retention

Report No. 18CO0041 MV:dc (25/07/18) Common No. 3573214

(Want de Rowe/Palmer)

That it be a recommendation to Council:-

A. THAT Report Number 18CO0041 MV:dc entitled Rainbow Markings Retention, be received and noted.

(Want de Rowe/Palmer)

Carried

B. THAT Council renew the existing Rainbow Markings at the intersection of Smith Street and Knuckey Street using line marking paint as outlined within Report Number 18CO0041 MV:dc entitled Rainbow Markings Retention. The renewal shall coincide with the Darwin Pride Festival 2018.

(Want de Rowe/Palmer)

Not Carried

C. THAT Council refer the implementation of an alternative road surfacing system for the Rainbow Markings at the intersection of Smith Street and Knuckey Street, Darwin to its 2019/2020 budget deliberations.

Carried
9.2 OFFICERS REPORTS (RECEIVE & NOTE)

9.2.1 Quarter 4 – City Operations Quarterly Performance Report 2017/18
Report No. 18CP0067 VG:ks (25/07/18) Common No. 1230662

(Palmer/Want de Rowe)  COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority:-

THAT Report Number 18CP0067 VG:ks entitled Quarter 4 - City Operations Quarterly Performance Report 2017/18, be received and noted.

DECISION NO.22\0960  (25/07/18) Carried

ACTION: Manager Strategy & Outcomes
NOTE: A/General Manager City Operations
9.2.2 Revision of the Decision to Sell Portion of Road Reserve Adjacent 13 Larrakeyah Terrace, Larrakeyah
Report No. 18CO0037 JW:dc (25/07/18) Common No. 2853055

This item was withdrawn administratively and will be brought back to a future meeting.

10. INFORMATION ITEMS

Nil.

At 6.17pm Chief Executive Officer, Mr S Waters left the meeting.

11. QUESTIONS BY MEMBERS

(Want de Rowe/Palmer)

THAT the following Questions by Members be received and noted.

DECISION NO.22/0961 (25/07/18) Carried

11.1 Revised Plan for Tree Placement in Cavenagh Street
Common No.

Member R M Knox queried whether a revised plan for the tree placement in Cavenagh Street take into account the city wide mobility strategy and allow for future installation of things such as cycle lanes.

The Acting General Manager City Operations, Mr N Kleine took the question on notice.

ACTION: A/GENERAL MANAGER CITY OPERATIONS

11.2 West Lane Car Park
Common No.

Member R M Knox queried whether a P ‘Parking’ sign be placed on Bennett Street to advertise West Lane Car Park.

The Acting General Manager City Operations, Mr N Kleine responded and took the question on notice.

ACTION: A/GENERAL MANAGER CITY OPERATIONS
11.3 Installation of Shared Zone at the corner of Smith/Bennett Street
Common No.

Member R M Knox queried whether Council can investigate the installation of shared zone as per the Darwin City Centre Master Plan for the corner of Smith/Bennett Street.

The Acting General Manager City Operations, Mr N Kleine responded and advised that this would be investigated only at such time as other traffic impacts from the development of State Square Car Park, Litchfield Street Car Park and Barneson Boulevard are understood.

12. GENERAL BUSINESS

Nil.

13. CLOSURE OF MEETING
Common No. 2695131

(Want de Rowe/Palmer)

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.22/0962 (25/07/18) Carried

The meeting moved to the Confidential Section at 6.22pm.

MEMBER R KNOX (CHAIR) –
CITY OPERATIONS COMMITTEE
MEETING – WEDNESDAY, 25 JULY 2018

Confirmed On: Wednesday, xx xxxx xxxx

Chair: ______________________________

Wednesday, 25 July 2018
MINUTES OF THE CITY PERFORMANCE COMMITTEE MEETING OF THE
TWENTY-SECOND COUNCIL HELD IN MEETING ROOM 1, CIVIC CENTRE,
HARRY CHAN AVENUE ON TUESDAY, 24 JULY 2018 COMMENCING AT 5.30PM.

MEMBERS: Member E L Young (Chair); Member J Bouhoris; Member J A Glover.

OFFICERS: Chief Executive Officer, Mr S Waters; Deputy Chief Executive Officer,
Dr D Leeder; Acting General Manager City Performance, Ms L Carroll;
Acting Manager Finance, Ms I Frazis; Executive Manager, Melissa
Reiter; Executive Assistant, Ms K Small.

APOLOGY: The Right Worshipful, The Lord Mayor, K Vatskalis.

GUESTS: Nil.

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<td>OFFICERS REPORTS (RECEIVE &amp; NOTE)</td>
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<td>Listing of Cheques/EFT Payments – June 2018</td>
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1. MEETING DECLARED OPEN

The Chair declared the meeting open at 5.27 pm.

2. APOLOGIES AND LEAVE OF ABSENCE

Common No. 2695036

2.1 Apologies

(Glover/Bouhoris)

THAT the apology from Member The Right Worshipful, The Lord Mayor, K Vatskalis, be received.

DECISION NO.2210951 (24/07/18)

2.2 Leave of Absence Granted

Nil

3. ELECTRONIC MEETING ATTENDANCE

Nil

4. DECLARATION OF INTEREST OF MEMBERS AND STAFF

Common No. 2752228

Nil
OPEN SECTION

City Performance Committee Meeting – Tuesday, 24 July 2018

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S
   Common No. 1955119

5.1 Confirmation of the Previous City Performance Committee Meeting Minutes

(Boukhoris/Glover) COMMITTEE’S DECISION

THAT the Committee resolve that the minutes of the previous City Performance Committee Meeting held on Tuesday, 19 June 2018, tabled by the Chair, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.22/0952 (24/07/18) Carried

5.2 Business Arising

Nil

6. DEPUTATIONS AND BRIEFINGS

Nil

7. CONFIDENTIAL ITEMS

Nil

8. WITHDRAWAL OF ITEMS FOR DISCUSSION

Nil

9.1 OFFICERS REPORTS (ACTION REQUIRED)

Nil
9.2 OFFICERS REPORTS (RECEIVE & NOTE)

9.2.1 Listing of Cheques/EFT Payments – June 2018
Report No. 18CP0078 IF:ks (24/07/18) Common No. 339125

(Glover/Bouhoris) COMMITTEE’S DECISION

THAT the Committee resolve under delegated authority:-

THAT Report Number 18CP0078 IF:ks entitled Listing Of Cheques/eft Payments - June 2018, be received and noted.

DECISION NO.22\0953 (24/07/18) Carried

9.2.2 Costs of Services and Capital Expenditure – June 2018
Report No. 18CP0079 IF:ks (24/07/18) Common No. 3753729

(Bouhoris/Glover) COMMITTEE’S DECISION

THAT the Committee resolve under delegated authority:-

THAT Report Number 18CP0079 IF:ks entitled Costs Of Services And Capital Expenditure - June 2018, be received and noted.

DECISION NO.22\0954 (24/07/18) Carried

9.2.3 Quarter 4 – City Performance Quarterly Performance Report 2017/2018
Report No. 18CP0070 VG:ks (24/07/18) Common No. 1230662

(Glover/Bouhoris) COMMITTEE’S DECISION

THAT the Committee resolve under delegated authority:-

THAT Report Number 18CP0070 VG:ks entitled Quarter 3 - City Performance Quarterly Performance Report 2017/18, be received and noted.

DECISION NO.22\0955 (24/07/18) Carried
10. INFORMATION ITEMS
Nil

11. QUESTIONS BY MEMBERS
Nil.

12. GENERAL BUSINESS
Nil

13. CLOSURE OF MEETING
Common No. 2695131

(Bouhori/Glover)
The meeting closed at 5.57 pm.

Confirmed On: Tuesday, 21 August 2018

Chair: ____________________________

Tuesday, 24 July 2018
**SUMMARY**

The purpose of this report is to inform Council of the Placescore Survey being delivered across Darwin from late July to August 2019.

**KEY ISSUES**

- Council has conducted a Community Satisfaction survey annually for more than ten years as a means to reporting performance against the *Evolving Darwin Towards 2020 Strategic Plan* and municipal plan program profiles.

- The Strategic Plan and Municipal Plan framework and structure has a renewed focus on long term targets and service profiles.

- Placescore is a relatively new methodology for Local Government that focuses on understanding what is important to the community through a ‘care factor’ and experience of a place through ‘place experience’ (PX).

- The appendix contained within the Darwin 2030 - Strategic Plan outlines a high level framework for performance measurement and priority setting. Conducting the Placescore Survey from late July 2019 will ensure Council’s baseline for future reporting and evaluation is established early in the life of the Strategic Plan.

- Community satisfaction is an important tool in measuring service levels and service standards and a renewed framework for measuring satisfaction will be presented at a later date.

**BACKGROUND**

To date at City of Darwin, the *Evolving Darwin Towards 2020 Strategic Plan* and municipal plan program profiles informed the framework for Council’s community satisfaction survey each year.

Seven of the 25 measures of success for the *Evolving Darwin Towards 2020 Strategic Plan* were gleaned from the community satisfaction survey annually.

The 2018/19 Municipal Plan contained 38 services and a total of 84 key performance indicators. Of these 21 or 25% were from the annual Community Satisfaction Survey. The remaining 75% of key performance indicators were sourced from a variety of internal systems or manual data collection methodologies.

The renewed Strategic and Municipal Planning framework recently endorsed by Council provides an opportunity to also renew the Performance Management Framework that supports it.

**DISCUSSION**

Council has been conducting community satisfaction surveys annually for more than 10 years. Community satisfaction is a qualitative measure of Council’s performance and service delivery and can be influenced by external factors such as media and public perception at a given point in time.

For the past 10 years, little adjustment has been made to Council’s survey tool. The survey tool is lengthy and takes approximately 35-40 minutes to deliver. Council’s methodology to date included:
• Surveying 700 residents
• Survey participants were targeted to reflect the demographic of Darwin and dispersed proportionally across the four Wards.
• Surveys conducted online and via phone

Satisfaction levels with City of Darwin over the past ten years are relatively stable. Refer Attachment 1.

For more than five years the top three priority improvement areas identified by the community were consistent. These were community consultation, car parking in the CBD and public toilets. For the last two surveys, questions on these services have been expanded in an effort to determine the reason for the feedback given and how Council may improve satisfaction with those services.

Feedback following previous surveys has identified a need to review survey methodology. Discussion with Council’s service provider for the past ten years supports this view.

A satisfaction survey is still a valuable tool as a qualitative measure within the broader performance management framework. Satisfaction provides a measure of service delivery outcomes and should be reviewed to link back to services and service standards, cost of service and community expectations. A renewed framework for measuring satisfaction of service delivery will be presented at a later date.

Placescore is based on two methodologies of data collection:

- Care Factor
- Place Experience (PX)

Care Factor is a community values tool that enables Council to understand what is important to the community. Collecting care factor data within the municipality will enable Council to identify what the top ten valued attributes of our City are. This will assist to inform future budgeting processes and inform what areas Council can focus on in order to increase community value.

Place Experience (PX) is a tool that captures the community’s assessment of a place. This tool would focus on an assessment of an activity centres within the municipality and assesses the attributes of that activity centre. For City of Darwin, activity centres may be Casuarina, Parap, City Centre, Nightcliff etc.

Together, they reveal both what people care about and how a place rates against a benchmark at the national level.

Data collection occurs at either a street or neighbourhood level. For City of Darwin to capture the data it requires to inform strategic planning and reporting the tool would be implemented at the neighbourhood level.

When conducted together, these two tools would be reported via a community insights report which identifies:

- The overall most important town centre attributes for the place assessments
- The strongest and weakest attributes of those places
- High priority areas (placed) for council investment
- Directions for investment that will achieve an increased positive place experience at the place locations

The Placescore tool will support reporting against Council’s Strategic Direction in addition to providing data that can be utilised by a number of Departments across Council for planning purposes. The tool is increasingly utilised by local governments and governments generally as a tool to measure liveability and measure change (impact) over a longer period of time. Refer www.placescore.org

This survey will be delivered by redirecting current annual budget allocations for the community satisfaction survey.
Placescore will be onsite from the weekend of 25 – 27 July to conduct face to face interviews at sites across the municipality including the Darwin Show and local market sites such as Rapid Creek Markets, Mindil Beach Markets etc. Online surveying and other engagement methods will occur following that weekend.

A revised project timetable and opportunities for Elected Members to participate in this process will be circulated shortly.

Survey results will be mapped to Council’s five Strategic Directions outlined in the Darwin 2030 – City for People. City of Colour. Strategic Plan.

In addition, the Community Insights Report will be presented based on the following activity centres:

1. All respondents (whole of municipality and city users)
2. Residents (Darwin LGA only)
3. Richardson Ward
4. Lyons Ward
5. Waters Ward
6. Chan Ward
7. Casaurina
8. Leanyer (includes Hibiscus)
9. Parap
10. Karama
11. Malak (includes Mararra and Northlakes area)
12. Nightcliff
13. Rapid Creek

**IMPLICATIONS**

This recommendation supports implementing a performance management framework to report on the strategic directions for Council to 2030 and will assist in establishing baseline data from the first year of the plan.

Current budget will be redirected to this project and presented as a future budget variance. No additional funds are being requested. Annual budget allocations for three years will be redirected to a budget allocation to occur every three years and referred to a future Long Term Financial Planning Process.
Overall Community Satisfaction City of Darwin

Overall community satisfaction

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<td>3.3</td>
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<td>2017/18</td>
<td>53</td>
<td>3.4</td>
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14.3 INCOMING CORRESPONDENCE FROM THE MEMBER FOR SANDERSON - VELODROME UPGRADE

Common No.: 3091378
Author: Executive Assistant Community & Regulatory Services
Authoriser: General Manager Corporate & Procurement Services
Attachments: 1. Incoming Correspondence from the Member for Sanderson Dated 26 June 2019 - Velodrome Upgrade

SUMMARY
The purpose of this report is to present to Council correspondence received from the Member for Sanderson in relation to the Velodrome.

RECOMMENDATIONS
THAT the incoming correspondence be received and noted.

KEY ISSUES
- The Member for Sanderson urges Council to consider developing a Masterplan for the broader area at Bagot Park
- The Member for Sanderson urges Council to ensure that the development of a Masterplan does not delay the delivery of the Velodrome development with the $2.5M funding already allocated by the Northern Territory Government.

BACKGROUND
Council has received two tranches of funding from the Northern Territory Government for the upgrade of the Velodrome after consultation with Cycling and Triathlon NT sporting associations. It has been deemed that funding will not provide the redevelopment desired by the associations. Council has consulted with the residents of the area as well as the broader community of Darwin. The results of this consultation will be briefed to Council in the near future.

DISCUSSION
The member for Sanderson has expressed a desire for the redevelopment of the velodrome and associated infrastructure to commence as soon as possible. Council is currently working through a process with the NT Government to fill the funding shortfall. These details will be briefed to Council at an upcoming workshop. Council Officers are also in the process of finalising a traffic study for the site.

IMPLICATIONS
The Member for Sanderson’s correspondence is noted, Council is currently working with Government, the Community, Sporting Association and residents to achieve a balanced outcome in the upgrade of this infrastructure.
The Hon. Kon Vatskalis  
Lord Mayor of Darwin  
GPO Box 84  
DARWIN NT 0601  
Via email: lord.mayor@darwin.nt.gov.au

Dear Mayor,

I am writing to you regarding the much needed Velodrome upgrade at Bagot Park, and the opportunities a Masterplan of the broader area will bring.

As you would be well aware, as a Local Member I have many constituents that use the Velodrome. You may also recall that when I was previously a member of the Council, whilst I supported the project, I was on the record for stating that there was not enough funding provided by the Giles Government to do the work to a standard that the sport and community required. I understand the funding now stands at $2.5M and I am calling on Council to start this very important project with some urgency.

As the Assistant Minister for Arafura Games I was saddened that the Velodrome could not be used as a venue and cycling did not feature as part of the Games in 2019. I am very hopeful that if a Masterplan is quickly settled and community consultation finalised with some urgency then a new facility will be ready to go in 2021.

I have recently seen a community driven plan for the broader area stretching up to Sabine Road that supports the sport of cycling here in Darwin. I have also heard some community voices objecting to the development of this broader area. Having looked at what is proposed, I agree that there is great benefit in the urgent development of a Masterplan which could achieve not only improvements for the Velodrome, but also activate the area up towards Sabine Road which is currently dry and dusty.

I do not agree that the increased footprint of cycling activities will have any impact on the community’s ability to walk their dogs or otherwise enjoy the area. I strongly believe that such activation offers great opportunity to beautify the area with more shade trees and better footpaths. Overall, this would improve amenity and encourage greater community use.

However, a Masterplan should not hold up the development of the Velodrome and given the Territory Government has so far provided extensive funding, it would be good for Council to invest in additional upgrades to its own community space. The Council has $2.5M of government funding this project and I urge you to take action and redevelop the Velodrome.

Yours Sincerely,

Kate Worden  
Member for Sanderson  
26 June 2019  
Facebook https://www.facebook.com/worden4sanderson/
15 REPORTS OF REPRESENTATIVES

16 QUESTIONS BY MEMBERS

17 GENERAL BUSINESS

17.1

Common No.

THAT

18 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

THAT the next Ordinary Meeting of Council be held on Tuesday, 30 July 2019, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.
19 CLOSURE OF MEETING TO THE PUBLIC

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.

RECOMMENDATIONS

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 65(2) of the Local Government Act:

24.1 Correspondence from the Activate Darwin Advisory Board

This matter is considered to be confidential under Section 65(2) - 8(e) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information provided to the council on condition that it be kept confidential.

24.2 HELP NT - Notice to Quit

This matter is considered to be confidential under Section 65(2) - 8(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

24.3 Agenda and Minutes of the Top End Regional Organisation of Councils Meeting - 13 June 2019

This matter is considered to be confidential under Section 65(2) - 8(e) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information provided to the council on condition that it be kept confidential.

24.4 Confirmation of confidential executive committee meeting minutes - 2018

This matter is considered to be confidential under Section 65(2) - 8(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.

20 ADJOURNMENT OF MEETING AND MEDIA LIAISON
MINUTES

Ordinary Council Meeting
Tuesday, 25 June 2019
MINUTES OF CITY OF DARWIN
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, LEVEL 1, CIVIC CENTRE, HARRY CHAN AVENUE, DARWIN
ON TUESDAY, 25 JUNE 2019 AT 5.30PM

PRESENT: Lord Mayor Kon Vatskalis, Alderman Jimmy Bouhoris, Alderman Justine Glover, Alderman Gary Haslett, Alderman Robin Knox, Alderman George Lambrinidis, Alderman Simon Niblock, Alderman Mick Palmer, Alderman Peter Pangquee, Alderman Rebecca Want de Rowe, Alderman Emma Young

OFFICERS: Scott Waters (Chief Executive Officer), Joshua Sattler (General Manager Innovation Growth & Development Services), Polly Banks (General Manager Community & Regulatory Services), Chris Potter (General Manager Corporate and Procurement Services), Melissa Reiter (General Manager Government Relations & External Affairs), Ron Grinsell (General Manager Engineering & City Services), Nik Kleine (Executive Manager Waste and Capital Works), Cindy Robson (Manager City Planning), Drosso Lelekis (Manager Design, Development and Projects), Liam Carrol (Manager Economic Development and International Relations), Irene Franzis (Management Accountant), Jane de Gault (Media and Communications Advisor), Sonya Smith (Executive Assistant to the CEO), Sally Vassy (Executive Assistant to the Lord Mayor), Caitlyn Moulds (Alderman Liaison Officer), Penny Hart (Coordinator Governance)

APOLOGY: Alderman Jimmy Bouhoris, Alderman Sherry Cullen, Alderman Rebecca Want de Rowe, Alderman Emma Young

MEDIA: NT News, Mr Will Zwar, ABC News, Ms Kate Ashton, 9 News, Ms Lily Greer

WEBCASTING DISCLAIMER
The City of Darwin is live webcasting the Open Section of Ordinary Council Meetings. Audio-visual recording equipment has been configured to avoid coverage of the public gallery area and the City of Darwin will use its best endeavours to ensure images in this area are not webcast. However the City of Darwin expressly provides no assurances to this effect and in the event your image is webcast, you will by remaining in the public gallery area be taken to have given the City of Darwin a non-exclusive licence to copy and broadcast your image worldwide for no reward.
Ordinary Council Meeting Minutes
25 June 2019

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1 ACKNOWLEDGEMENT OF COUNTRY

2 THE LORD’S PRAYER

3 MEETING DECLARED OPEN

The Chair declared the meeting open at 5.37 pm.

4 APOLOGIES AND LEAVE OF ABSENCE

4.1 APOLOGIES

RESOLUTION ORD181/19
Moved: Alderman Gary Haslett
Seconded: Alderman Emma Young

THAT the apology from Alderman Jimmy Bouhoris, be received.
THAT the apology from Alderman Rebecca Want de Rowe, be received.

CARRIED 10/0

4.2 Leave of Absence Granted

RESOLUTION ORD182/19
Moved: Alderman Gary Haslett
Seconded: Alderman Emma Young

That leave of absence from Alderman Sherry Cullen be received and accepted.

CARRIED 10/0

4.3 Leave of Absence Requested

4.3 LEAVE OF ABSENCE REQUESTED

RESOLUTION ORD183/19
Moved: Alderman George Lambrinidis
Seconded: Alderman Gary Haslett

A. THAT a Leave of Absence be granted for the Lord Mayor for the period 26 to 28 June 2019.

B. THAT a Leave of Absence be rescinded for Alderman Robin Knox for the period 7 to 14 July.

C. THAT a Leave of Absence be granted for Alderman Robin Knox for the period 8 July 2019 Inclusive

D. THAT a Leave of Absence be granted for Alderman Simon Niblock for the period 1 to 8 July 2019

CARRIED 10/0
5 ELECTRONIC MEETING ATTENDANCE

5.1 Electronic Meeting Attendance Granted

RESOLUTION ORD184/19
Moved: Alderman Peter Pangquee
Seconded: Alderman Gary Haslett

THAT Council note that pursuant to Section 61 (4) of the Local Government Act and Decision No. 21\0009 – 15/04/12, the following member(s) was granted permission for Electronic Meeting Attendance at this the Twenty-Eighth Ordinary Council Meeting held on Tuesday, 27 November 2018:

- Alderman Andrew Arthur

CARRIED 10/0

5.2 Electronic Meeting Attendance Requested
Nil

6 DECLARATION OF INTEREST OF MEMBERS AND STAFF

6.1 Declaration of Interest by Members
Nil

6.2 Declaration of Interest by Staff
Nil

7 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION ORD185/19
Moved: Alderman Justine Glover
Seconded: Alderman Gary Haslett

That the minutes of the Ordinary Council Meeting held on 11 June 2019 be confirmed.

CARRIED 10/0

8 MATTERS OF PUBLIC IMPORTANCE / LORD MAYORAL MINUTE
Nil

9 PUBLIC QUESTION TIME
Nil
10 PETITIONS
Nil

11 DEPUTATIONS AND BRIEFINGS
Nil

12 NOTICES OF MOTION
Nil

13 OFFICERS REPORTS

13.1 DARWIN 2030 - CITY FOR PEOPLE. CITY OF COLOUR. STRATEGIC PLAN

SUMMARY
The purpose of this report is for Council to adopt the Darwin 2030 – City for People. City of Colour. Strategic Plan.

RESOLUTION ORD186/19
Moved: Alderman Justine Glover
Seconded: Alderman Robin Knox
1. THAT the report be received and noted.
2. THAT Council adopt Attachment 1 the Darwin 2030 – City for People. City of Colour. Strategic Plan noting a commencement date of 1 July 2019.

CARRIED 10/0

13.2 2019/20 MUNICIPAL PLAN AND ANNUAL BUDGET

SUMMARY
The purpose of this report is for Council to adopt the City of Darwin 2019/20 Municipal Plan, which incorporates the Annual Budget.

RESOLUTION ORD187/19
Moved: Lord Mayor Kon Vatskalis
Seconded: Alderman Mick Palmer
1. THAT the report be received and noted.
2. THAT Council acknowledges and responds to the public submissions received for the City of Darwin 2019/20 Municipal Plan as outlined in Attachment 2.
3. THAT the Certificate in terms of Regulation 24 (1) of the Local Government (Accounting) Regulations, as tabled by the Chief Executive Officer at this 2nd Ordinary Council Meeting, Tuesday 25 June 2019, be received and noted.
4. THAT in accordance with Section 24 (1) and Section 128 (1) of the Local Government Act 2008, Council adopts the 2019/20 City of Darwin Municipal Plan and Budget as contained in Attachment 1.
13.3 2019/2020 DECLARATION OF RATES AND CHARGES

SUMMARY
The purpose of this report is to provide for the adoption of 2019/2020 Rates and Charges that support the Budget contained in the City of Darwin 2019/2020 Municipal Plan.

RESOLUTION ORD188/19
Moved: Alderman Peter Pangquee
Seconded: Alderman Gary Haslett
1. THAT the report be received and noted.
2. THAT pursuant to Section 149 of the Local Government Act (“the Act”), Council adopts the Unimproved Capital Value method as the basis of the assessed value of allotments within the Darwin Municipality.
3. THAT pursuant to Sections 155-157 of the Act, Council declares that it intends to raise, for general purposes by way of rates, the amount of $65,637,000 which will be raised by the application of differential valuation-based charges (“differential rates”) with differential minimum charges (“minimum amounts”) being payable in application of each of those differential rates. Council hereby declares the following differential rates and minimum amounts payable in the application of those differential rates for the financial year ending 30 June 2020;

For the purposes of this paragraph 3, “residential parts or units” means a dwelling house, flat or other substantially self-contained residential unit or building:

a) 0.481259% of the assessed value of all rateable land within the municipality zoned SD, RR, R or RL under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being $1,158.00 multiplied by :-
   (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
   (b) the number 1, whichever is the greater.

b) 0.481259% of the assessed value of all rateable land within the municipality zoned MD, MR or HR under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being $1,216.00 multiplied by :-
   (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
   (b) the number 1, whichever is the greater.

c) 0.437621% of the assessed value of all rateable land within the municipality zoned CV under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being $1,158.00 multiplied by :-
   (a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the
Act) on each allotment of land; or
(b) the number 1, whichever is the greater.

d) **0.585708%** of the assessed value of all rateable land within the municipality zoned CB under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being $1,465.00 multiplied by :-

(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
(b) the number 1, whichever is the greater.

e) **0.402952%** of the assessed value of all rateable land within the municipality zoned PS or CN under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being $1,207.00 multiplied by :-

(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
(b) the number 1, whichever is the greater.

f) **0.381209%** of the assessed value of all rateable land within the municipality zoned OR under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being $478.00 multiplied by :-

(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
(b) the number 1, whichever is the greater.

g) **0.481259%** of the assessed value of all rateable land within the municipality zoned FD, SU, CP, CL, RD or U under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being $1,216.00 multiplied by :-

(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
(b) the number 1, whichever is the greater.

h) **0.628280%** of the assessed value of all rateable land within the municipality zoned C, or SC under the NT Planning Scheme other than those classes of allotments described in paragraphs (i) and (j) below, with the minimum amount payable in the application of that differential rate being $1,207.00 multiplied by :-

(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or
(b) the number 1, whichever is the greater.
i) 1.156840% of the assessed value of those classes of allotments within the municipality zoned C or SC under the NT Planning Scheme with a parcel area equal to or greater than 40,000m² and being allotments on which there is situated a major shopping centre, with the minimum amount payable in the application of that differential being $1,207.00 multiplied by :-

(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or

(b) the number 1,

whichever is the greater.

j) 0.628280% of the assessed value of those classes of allotments within the municipality zoned C or SC under the NT Planning Scheme with a parcel area less than 40,000m² and being allotments on which there is situated a major shopping centre, with the minimum amount payable in the application of that differential rate being $1,207.00 multiplied by :-

(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or

(b) the number 1,

whichever is the greater.

k) 0.637707% of the assessed value of all rateable land within the municipality zoned TC or HT under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being $1,207.00 multiplied by :-

(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or

(b) the number 1,

whichever is the greater.

l) 0.393908% of the assessed value of all rateable land within the municipality zoned LI under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being $1,207.00 multiplied by :-

(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or

(b) the number 1,

whichever is the greater.

m) 0.325299% of the assessed value of all rateable land (other than the small allotments identified below) within the municipality zoned GI or DV under the NT Planning Scheme, with the minimum amount payable in the application of that differential rate being $1,207.00 multiplied by :-

(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or

(b) the number 1,

whichever is the greater.

Council considers the following classes of allotments within the municipality zoned GI to be a different class of allotments and small allotments for the purposes of section 148(3)(b) of the Act and the
example given at the foot of that section:

- Units 1 to 3 and Units 5 to 98 comprised in Unit Plan No. 95/95;
- Units 101 to 216 in Unit Plan 97/112;
- Units 17 to 32 comprised in Unit Plan 98/32;
- Lots 6244 to 6285 Hundred of Bagot; and
- Lots 6330 to 6336 Hundred of Bagot.

Council considers that an inequity would result if the minimum amount declared in respect of rateable land within Zone GI were applied to these small allotments, and accordingly, Council declares a lesser minimum amount, being $300.00, to be payable in respect of each of these small allotments.

n) 0.481259% of the assessed value of every allotment of rateable land within the municipality not otherwise described above, with the minimum amount payable in the application of that differential rate being $1,158.00 multiplied by:

(a) the number of separate residential parts or units that are adapted for separate occupation or use (pursuant to section 148(4) of the Act) on each allotment of land; or

(b) the number 1,

whichever is the greater.

4. Pursuant to Section 156 of the Act Council declares the following special rate (“the Parking Local Rate”):

a) The purpose for which the Parking Local Rate is to be imposed is to defray the expense of and in relation to on-street and off-street parking within the central business district ("the Central Business District") as defined in Schedule 1 of the Local Government (Darwin Parking Local Rates) Regulations ("the Regulations"), it being the opinion of the Council that such on-street and off-street parking is and will be of special benefit to the ratepayers of the Central Business District.

b) The amount to be raised by the Parking Local Rate is $1,028,362.

c) The Parking Local Rate is to be an amount of $246.82 per car parking space which will be assessed and levied in accordance with the Regulations. Notification of the parking usage schedule 2019/2020 has been duly prepared in accordance with Regulation 4 of the Regulations and notified in the Northern Territory Government Gazette and in the Northern Territory News on 5 June 2019.

d) The Parking Local Rate will be levied on all rateable land in the Central Business District in accordance with the Regulations.

e) Appeals against the assessment of the Parking Local Rate may be made in accordance with regulation 7 of the Regulations. The period for appeals under regulation 7 of the Regulations expires on 4 July 2019.

f) Proceeds of the Parking Local Rate shall be applied by the Council for the provision, operation and maintenance of land, facilities, services and improvements for and in connection with the parking of vehicles in the Central Business District, including both on-street and off-street parking facilities.

5. Pursuant to Section 157 of the Act, Council declares that it intends to raise $7,902,127 and makes and declares the following charges for the financial year ending 30 June 2020 for the purpose of enabling or assisting Council to meet the cost of the garbage collection and recycling collection services and the waste disposal services it provides for the benefit of residential land within the municipality and the occupiers of such land.

For the purposes of this paragraph 5:

- “residential dwelling” means a dwelling house, flat or other substantially self contained residential unit or building on residential land and includes a unit within the meaning of the Unit Titles Act and the Unit Title Schemes Act.
- “residential land” means land used or capable of being used for residential purposes.
• “SBWDS” means the Shoal Bay Waste Disposal Site located at Lot 3952 Town of Sanderson.

a) A charge of $278.00 per annum per residential dwelling in respect of kerbside garbage and recycling collection services and a waste disposal service provided for the benefit of, or which Council is willing and able to provide for the benefit of, each residential dwelling within the municipality other than a residential dwelling as described in Parts 1, 2 and 3 of the Schedule below and the occupiers of such land.

The services are –

• a kerbside garbage collection service of one visit per week; and

• a kerbside recycling collection service of one visit per fortnight,
with a maximum of one 240 litre mobile bin per garbage collection or recycling collection visit; and

• access to the SBWDS, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWDS from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

b) A charge of $258.00 per annum per residential dwelling in respect of non kerbside (communal) garbage and recycling collection services and a waste disposal service provided for the benefit of, or which Council is willing and able to provide for the benefit of, each residential dwelling within the municipality where the number of residential dwellings (as the case may be) exceeds three (3) other than a residential dwelling as described in Parts 2 and 3 of the Schedule below and the occupiers of such land.

The services are as described in Part 1 of the Schedule below.

c) A charge of $258.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage and recycling collection services and a waste disposal service provided for the benefit of, or which Council is willing and able to provide for the benefit of, each residential dwelling within the municipality where:

i). the number of residential dwellings exceeds twelve (12), other than a residential dwelling as described in paragraph 5(d) below;

ii). the dwellings and the facilities in and about the dwellings meet the requirements of the Council for the purposes of providing the services;

and

iii). the owners of the dwellings have notified the Council in writing of their wish to be provided with these services.

The services are as described in Part 2 of the Schedule below.

d) A charge of $258.00 per annum per residential dwelling in respect of non-kerbside (communal) garbage and recycling collection services and a waste disposal service provided for the benefit of, or which Council is willing and able to provide for the benefit of, each residential dwelling within the municipality where:

i). the number of residential dwellings exceeds forty (40);

ii). the dwellings and the facilities in and about the dwellings meet the requirements of the Council for the purposes of providing the services;

and

iii). the owners of the dwellings have notified the Council in writing of their wish to be provided with these services.

The services are as described in Part 3 of the Schedule below.

e) Where, in response to a written request from a person liable to pay a charge in respect
of a residential dwelling referred to in paragraph 5(a), Council approves the request and provides an additional service in the form of the weekly kerbside collection of one or more additional 240 litre mobile garbage bins, a charge of $484.00 per annum, per additional garbage bin shall apply to that residential dwelling. The additional service shall be the provision and collection of the number of additional 240 litre mobile garbage bins approved by Council in response to such written request, which charge shall be levied and paid in conjunction with the charge for the weekly kerbside collection service referred to in paragraph 5(a).

f) Where, in response to a written request from a person liable to pay a charge in respect of a residential dwelling referred to in paragraph 5(a), Council approves the request and provides an additional service in the form of the fortnightly kerbside collection of one or more additional 240 litre mobile recycling bins, a charge of $108.00 per annum, per additional recycling bin shall apply to that residential dwelling. The additional service shall be the provision and collection of the number of additional 240 litre mobile recycling bins approved by Council in response to such written request, which charge shall be levied and paid in conjunction with the charge for the fortnightly kerbside collection service referred to in paragraph 5(a).

SCHEDULE
CITY OF DARWIN
GARBAGE AND RECYCLING COLLECTION SERVICES

PART 1 –
Communal Services for more than 3 residential dwellings (refer paragraph 5(b) of declaration)

The services are –

(a) two (2) non-kerbside garbage collections per week; and
(b) one (1) non-kerbside recycling collection per week,

with the number of bins for garbage and recycling collections being as set out in the table below; and

(c) access to the SBWDS, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWDS from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

<table>
<thead>
<tr>
<th>NUMBER OF HOUSEHOLDS</th>
<th>GARBAGE BINS 240 LITRE</th>
<th>RECYCLING BINS 240 LITRE</th>
<th>TOTAL NUMBER 240 LTR BINS</th>
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<td>31-32</td>
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<td>6</td>
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PART 2 –
Communal Services for more than 12 residential dwellings that meet the requirements of Council (refer paragraph 5(c) of declaration)

The services are –

(a) two (2) non-kerbside garbage collections per week; and

(b) one (1) non-kerbside recycling collection per week,

with the number of bins for garbage and recycling collections being as set out in the table below;

and

(c) access to the SBWDS, by means of an access tag of such type as may be provided by the Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWDS from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

<table>
<thead>
<tr>
<th>NUMBER OF HOUSEHOLDS</th>
<th>GARBAGE BINS 1,100 LITRE</th>
<th>RECYCLING BINS 240 LITRE</th>
<th>TOTAL NUMBER MIXED BINS</th>
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<tr>
<td>13-16</td>
<td>1</td>
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<td>17-18</td>
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<th>NUMBER OF HOUSEHOLDS</th>
<th>GARBAGE BINS 1,100 LITRE</th>
<th>RECYCLING BINS 1,100 LITRE</th>
<th>TOTAL NUMBER 1,100 LTR BINS</th>
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<td>19-24</td>
<td>2</td>
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<td>97-112</td>
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PART 3 –
Communal Services for more than 40 residential dwellings that meet the requirements of Council (refer paragraph 5(d) of declaration)

The services are –

(a) two (2) non-kerbside garbage collections per week; and

(b) one (1) non-kerbside recycling collection per week,

with the number of bins for garbage and recycling collections being as set out in the table below;

and

(c) access to the SBWDS, by means of an access tag of such type as may be provided by the
Council, to enable the owner or occupier of such residential dwelling to dispose of such waste items as may be accepted by the operator of the SBWDS from time to time. Council will provide one access tag for each such residential dwelling. Additional or replacement tags can be purchased for the fee determined by Council from time to time.

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<tr>
<th>NUMBER OF HOUSEHOLDS</th>
<th>3 CUBIC METRE GARBAGE BIN</th>
<th>RECYCLING BINS 1,100 LITRE</th>
<th>TOTAL NUMBER MIXED BINS</th>
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<tr>
<td>41-48</td>
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<td>51-71</td>
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6. The relevant interest rate for the late payment of rates and charges is fixed in accordance with Section 162 of the Act at the rate of 18.0% per annum and is to be calculated on a daily basis.

7. Rates and charges declared under this declaration may be paid by four (4) approximately equal instalments on the following dates, namely:
   - First Instalment: 30 September 2019
   - Second Instalment: 30 November 2019
   - Third Instalment: 31 January 2020
   - Fourth Instalment: 31 March 2020

Instalments falling due on a weekend or public holiday may be paid by the following business day, without incurring any penalty.

(a) Details of due dates and specified amounts will be listed on the relevant Rates Notice.
(b) Variations to those options for payment will be administered according to the conditions outlined on the front and reverse of the Rates Notice.
(c) A ratepayer who fails to abide by such conditions may be sued for recovery of the principal amount of the rates and charges, late payment penalties, and costs reasonably incurred by Council in recovering or attempting to recover the rates and charges. If rates are payable by the owner of the land and are not paid by the due date, they become a charge on the land to which they relate, except within an Aboriginal community living area. In addition, Council may apply to register its charge over the land and sell the land to recover unpaid rates and charges.

CARRIED 10/0

13.4 ASSET MANAGEMENT PLANS - PUBLIC ART, STREET AND PUBLIC LIGHTING, PLANT AND EQUIPMENT, STORMWATER INFRASTRUCTURE, TRANSPORT AND WASTE MANAGEMENT

SUMMARY
The purpose of this report is to seek Council’s adoption of the Asset Management Plans for Public Art, Street and Public Lighting, Plant and Equipment, Stormwater Infrastructure, Transport and Waste Management.

RESOLUTION ORD189/19
Moved: Alderman Emma Young
Seconded: Alderman George Lambrinidis
1. THAT the report entitled Asset Management Plans – Public Art, Street and Public Lighting, Plant and Equipment, Stormwater Infrastructure, Transport and Waste Management, be
13.5 PLANNING SCHEME AMENDMENT - CENTRAL DARWIN AREA PLAN

SUMMARY
The purpose of this report is to provide Council with draft comments on the Proposal to amend the Northern Territory Planning Scheme to: Include the Central Darwin Area Plan as a Policy document in Schedule 2 to Clause 2.7; Replace Clause 14.1.1 - Darwin City Waterfront Planning Principles and Clause 14.1.3 - Frances Bay Planning Principles with the Central Darwin Area Plan; and - Amend Clauses 6.3.1, 6.3.2 and 6.3.3, which relate to built form and building design in Central Darwin to align with the Area Plan.

RESOLUTION ORD190/19
Moved: Alderman Gary Haslett
Seconded: Alderman Peter Pangquee
1. THAT the report be received and noted.
2. That Council endorse the draft submission to the Planning Commission, within Attachment 1 to this report.

CARRIED 10/0

13.6 DARWIN ENTERTAINMENT CENTRE FUNDING AGREEMENT

SUMMARY
The purpose of this report is to confirm Council’s support for increasing the operating subsidy, applying CPI and extending the duration of the funding agreement to the Darwin Entertainment Centre.

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.

RESOLUTION ORD191/19
Moved: Alderman Robin Knox
Seconded: Alderman Justine Glover
1. THAT the report entitled Darwin Entertainment Centre Funding Agreement be received and noted.
2. THAT an additional amount of $100,000 plus CPI be applied annually to the Darwin
Entertainment Centre’s operating subsidy and that this agreement be for a period of five (5) years from 2019/20 to 2023/24.

3. THAT Council note that the final determination of the funding agreement amount for the Darwin Entertainment Centre and the funding agreement duration are subject to finalising negotiations with the Northern Territory Government.

4. THAT the 2019/20 to 2023/24 funding agreement be subject to a standard compliance audit of the current 2018/19 funding agreement.

5. THAT Council note the correspondence in Attachment 1 from the Chair of the Darwin Performing Arts Centre Ltd (trading as the Darwin Entertainment Centre) and the response from the Acting Lord Mayor in Attachment 2.

6. THAT Council pursuant to Section 32 (2) of the Local Government Act 2008 hereby delegates to the Chief Executive Officer the power to finalise and sign the new five (5) year tripartite agreement with the Northern Territory Government for the Darwin Entertainment Centre from 2019/20 to 2023/24.

7. THAT this decision be moved into open.

CARRIED 10/0

14 RECEIVE & NOTE REPORTS

14.1 MONTHLY FINANCIAL REPORT - MAY 2019

SUMMARY

The purpose of this report is to provide a comparison of income and expenditure against the budget for the period ended 31 May 2019 in accordance with the Local Government (Accounting) Regulations 2008.

RESOLUTION ORD192/19

Moved: Alderman Gary Haslett
Seconded: Alderman Peter Pangquee

THAT the report entitled Monthly Financial Report – May 2019 be received and noted.

CARRIED 10/0
14.2 PUBLIC LIBRARY FUNDING AGREEMENT UPDATE

SUMMARY
The purpose of this report is to present correspondence received from the Department of Tourism, Sport and Culture.

RESOLUTION ORD193/19
Moved: Alderman Mick Palmer
Seconded: Alderman Emma Young
THAT the incoming letter from the Department of Tourism, Sport and Culture dated 14 June 2019 regarding an update on the public library funding agreement be received and noted.
CARRIED 10/0

14.3 PETITION - HELP NT - THE ROCK CENTRE

SUMMARY
The purpose of this report is to provide details to Council of a petition tabled on Tuesday 11 June 2019 requesting that Carolyn Reynolds trading as HELP NT continue to lease the WWII Oil tank at Doctors Gully (Lot 5245 Town of Darwin).

RESOLUTION ORD194/19
Moved: Alderman Gary Haslett
Seconded: Alderman Emma Young
THAT the report be received and noted.
CARRIED 10/0

14.4 MINUTES OF THE RISK MANAGEMENT & AUDIT COMMITTEE MEETING HELD ON 31 MAY 2019

RESOLUTION ORD195/19
Moved: Alderman Justine Glover
Seconded: Alderman Simon Niblock
That the Minutes of the Risk Management & Audit Committee Meeting held on 31 May 2019 be received and the recommendations therein be adopted.
CARRIED 10/0
15 REPORTS OF REPRESENTATIVES

15.1 REPORTS OF REPRESENTATIVES

RESOLUTION ORD196/19
Moved: Alderman Gary Haslett
Seconded: Alderman Simon Niblock
THAT the following Reports of Representatives be received and noted CARRIED 10/0

15.1 Attendance Australian Local Government Association National General Assembly
Alderman Gary Haslett reported on his and Alderman Peter Pangquee’s attendance, with the Lord Mayor and Chief Executive Officer, at the Australian Local Government Association National General Assembly in Canberra.

Alderman Haslett reported that he and Alderman Pangquee also attended the regional summit and it was very enlightening. He noted that they attended the Smart City forum and felt that the City of Darwin were ahead of the game. City of Darwin also won a Mobile Muster award for the most phones collected in the Northern Territory.

15.2 Northern Territory Water Safety Advisory Committee Meeting
Alderman Robin Knox reported on her attendance at the Northern Territory Water Safety Advisory Committee meeting. Work from the committee continues to be excellent. The Committee are still trying to progress stinger signs at foreshore beaches: Alderman Knox looks forward to signs being posted prior to the Wet Season. She also noted that a long-serving member, Jill Dowd, is leaving the committee and expressed her gratitude towards her contribution.

15.3 International College of Advanced Education Graduation 19 June 2019
Alderman Robin Knox attended the International College of Advanced Education Graduation. The college attracts a lot of international students who are then placed in businesses in Darwin.

15.4 Wash and Waste Community Hub Launch
Alderman Robin Knox attended the Wash and Waste Community hub launch at Parap Markets on Saturday. The trailer was a result of community grants funding from council.

15.5 Australasian Reporting Awards
The Lord Mayor noted that the City of Darwin won gold in the Australasian Reporting Awards in 2019, for the 6th year. The Lord Mayor congratulated everyone involved.
16 QUESTIONS BY MEMBERS

THAT the following Questions by Members be received and noted.

16.1 GARDENS PARK GOLF DRAINS

RESOLUTION ORD197/19
Moved: Alderman Gary Haslett
Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted.

Alderman Mick Palmer queried the Gardens Park golf course drain that runs from the lake at the golf course and bisects the 6 and 7 fairways then runs into Mindil Creek. On occasion council has been responsible for cleaning the drain out and ensuring that the water runs freely. Alderman Mick Palmer noted it is important to some constituents, that, unless the drain is clean, the balls are lost in the mud or water.

Are Council going to clean the drain shortly?

The General Manager Engineering & City Services responded and took the question on notice.

ACTION: GENERAL MANAGER ENGINEERING
CARRIED 10/0

16.2 MAINTENANCE OF VERGES

RESOLUTION ORD198/19
Moved: Alderman Gary Haslett
Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Robin Knox noted that there are senior citizens who are unable to clean and tidy their verges. Did City of Darwin have a previous system where we either notified a community group, or the Department of Justice prisoner work program, or council cleaned it themselves? The current answer from Council is that residents must do it themselves. Can Council go back to the previous system?

The General Manager Engineering and City Services responded and took the question on notice.

ACTION: GENERAL MANAGER ENGINEERING
CARRIED 10/0

16.3 BAGOT PARK TRAFFIC STUDIES

RESOLUTION ORD199/19
Moved: Alderman Gary Haslett
Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Robin Knox asked about that the traffic studies for Bagot Park. Can the study be delayed due to information received that normal activities do not happen in this area in July? To make the
Alderman Peter Pangquee asked if the traffic survey could be undertaken across quiet and busy periods to achieve a balance in the data.

The General Manager Engineering and City Services responded and took the question on notice.

**ACTION:** GENERAL MANAGER ENGINEERING

**CARRIED 10/0**

### 16.4 CLIMATE CHANGE ACTION PLAN

**RESOLUTION ORD200/19**

Moved: Alderman Gary Haslett
Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted

Alderman Robin Knox asked about the Climate Change Action Plan. Councils current plan expires in 2020. When will council receive a report on the revised action plan?

The General Manager Community and Regulatory Services responded and advised that as stated in the Strategic Plan City of Darwin will renew Council’s commitment to Climate Action.

This will include a review of the strategy and a realignment of priorities to better reflect the Strategic Plan, changes in territory and national policy and a general shift in the urgency in responding to changes in our climate.

It is also worth noting that staff are working on the implementation of the City of Darwin Energy Strategy, which includes a commitment to zero net emissions from Council Operations by 2030.

The original Climate Action Plan provided significant background information to the causes and explanation of climate change and drew heavily on policies at other levels of government.

City of Darwin has matured over the past ten years.

A renewed commitment to climate action will reflect current best science and the urgency of reducing our contribution to greenhouse gas emissions and even more so, the importance of adaptation.

A detailed project plan has not been developed at this time, however it is reasonable to expect there will be some level of community consultation, desktop review and targeted stakeholder engagement.

The original Climate Action Plan provided significant background information to the causes and explanation of climate change and drew heavily on policies at other levels of government.

City of Darwin has matured over the past ten years. A renewed commitment to climate action will reflect current best science and the urgency of reducing our contribution to greenhouse gas emissions and even more so, the importance of adaptation.

A detailed project plan has not been developed at this time, however it is reasonable to expect there will be some level of community consultation, desktop review and targeted stakeholder engagement. This will happen in 2019/20.

**CARRIED 10/0**
16.5 MOTIONS PRESENTED AT AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION CONFERENCE

RESOLUTION ORD201/19

Moved: Alderman Gary Haslett  
Seconded: Alderman George Lambrinidis  

THAT the following Questions by Members be received and noted  

Alderman Simon Niblock asked a question to the delegates attending Australian Local Government Association. A number of motions were put forward regarding climate change. What was the position of the council delegates in that discussion?  

The Lord Mayor responded and advised that the motion was supported and went through with very little discussion.  

The Chief Executive Officer clarified that the motions are meant for Australian Local Government Association only, and are not to be policy positions for individual local government associations.  

Alderman Gary Haslett noted that the Australian Local Government Association often receives a lot of motions that are similar and that these are grouped together. There was nothing particularly notable in the climate change debate.  

CARRIED 10/0

16.6 STUART PARK STORM WATER UPGRADES

RESOLUTION ORD202/19

Moved: Alderman Gary Haslett  
Seconded: Alderman George Lambrinidis  

THAT the following Questions by Members be received and noted  

Alderman Simon Niblock asked about the Stuart Park stormwater upgrades. These works will displace a lot of footpaths in the area. Has Council contacted the schools about discussing requirements for footpaths, including widening of footpaths? Can council also look at replacing the old trees with decent trees in the area and improve local amenities.  

The General Manager Engineering and City Services responded and noted that there are substantial works going on. There has been consultation with neighbours, including the school. He took the question on notice.  

ACTION: GENERAL MANAGER ENGINEERING  
CARRIED 10/0

16.7 PARKING SHORTFALL FUND

RESOLUTION ORD203/19

Moved: Alderman Gary Haslett  
Seconded: Alderman George Lambrinidis  

THAT the following Questions by Members be received and noted  

Alderman Simon Niblock queried recent Development Consent Authority submissions. There was one item regarding Darwin Hospital and creating a new parking. Council originally identified a
shortage of 37 bays that would have resulted in $100,000 of parking shortfall. What would Council have done with that money as it was not council's land.

_The Chief Executive Officer responded and advised that the money goes into parking pool funds, and it's not necessarily spent on the area they are collected in but must be used for car parking. Car parking shortfall is recognition that the developer has not been able to meet the car parking needs for the area._

**CARRIED 10/0**

### 16.8 CAR PARK ACROSS FROM THE DECK BAR

**RESOLUTION ORD204/19**

Moved: Alderman Gary Haslett  
Seconded: Alderman George Lambrinidis

**THAT** the following Questions by Members be received and noted

Alderman Emma Young queried the car park opposite The Deck Bar. Currently it is being utilised by contractors from the State Square Car Park development, including illegal parking in the disabled zone, all day. How are council enforcing this?

_The General Manager Engineering and City Services responded and advised that car park is considered to be on street car parking and is a timed parking zone (2P). Currently there are no parking permits issued for the contractors to be parking all day in that area. Council’s permits officers are working with the contractor onsite to resolve the parking issue. If permits are to be issued to the workers in the area, they will be charged accordingly and will not be allowed to park in the disable bays._

Alderman Peter Pangquee noted that construction workers often block Herbert Street off for the whole day.

_The General Manager Engineering and City Services took the question on notice._

**ACTION:** GENERAL MANAGER ENGINEERING

**CARRIED 10/0**

### 16.9 WILSON CRESCENT PARK

**RESOLUTION ORD205/19**

Moved: Alderman Gary Haslett  
Seconded: Alderman George Lambrinidis

**THAT** the following Questions by Members be received and noted

Alderman Emma Young queried the park in Wilson Crescent, Moil. The play equipment is very outdated and has had a constituent contact her regarding the park. The resident in the area are very keen to have a new playground installed like the one in Borella Circuit.

1. Is an upgrade to the park possible?
2. The park has itinerates camping there at night and it is being used as a toilet.

_The General Manager Engineering and City Services responded and advised that current play equipment is compliant with standards and there are no immediate plans to upgrade. He also noted the cleaning schedule of the park. The park upgrade can be put forward on the small project list if the ward alderman would like._
16.10 UPDATE ON RSPCA FUNDING

RESOLUTION ORD206/19
Moved: Alderman Gary Haslett
Seconded: Alderman George Lambrinidis
THAT the following Questions by Members be received and noted
Alderman Emma Young asked for an update on the RSPCA funding agreement.

The Chief Executive Officer responded and advised that the budget has now been adopted with the original funding in place. There is no additional funding.

CARRIED 10/0

16.11 CSIRO URBAN LIVING LAB

RESOLUTION ORD207/19
Moved: Alderman Gary Haslett
Seconded: Alderman George Lambrinidis
THAT the following Questions by Members be received and noted
Alderman Peter Pangquee asked what is happening with the CSIRO Urban Living Lab.

The General Manager Innovation, Growth and Development responded and advised that officer have a meeting on Wednesday 26 June 2019 with the working group. The group are looking at four projects. A report is to be presented at next Ordinary Council Meeting.

CARRIED 10/0

16.12 LANEWAY CLOSURE IN KARAMA

RESOLUTION ORD208/19
Moved: Alderman Gary Haslett
Seconded: Alderman George Lambrinidis
THAT the following Questions by Members be received and noted
Alderman Andrew Arthur has been contacted by a constituent regarding a laneway closure in Karama off Vanderlin Drive. Was there any consultation?

The General Manager Community and Regulatory Services advised that Council has received significant advice received from NT Police and stakeholders that it was causing a safety issue. Operational decision made for temporary closure while the works along Vanderlin Drive are being completed.

Alderman Andrew Arthur asked if Council can let the residents know?

The General Manager Community and Regulatory Services took the question on notice
ACTION: GENERAL MANAGER COMMUNITY
CARRIED 10/0

16.13 HENRY ELLIS STREET LANEWAY

RESOLUTION ORD209/19
Moved: Alderman Gary Haslett
Seconded: Alderman George Lambrinidis

THAT the following Questions by Members be received and noted
Alderman Emma Young has received reports that the laneway on Henry Ellis Street in Alawa could have a review and trial of temporary night time closure. Alderman Emma Young has received complaints about break-ins and drug use in the laneway.

The General Manager Community and Regulatory Services took the question on notice

ACTION: GENERAL MANAGER COMMUNITY
CARRIED 10/0

17 GENERAL BUSINESS

17.1 ACTING DEPUTY LORD MAYOR - 26 TO 28 JUNE 2019

RESOLUTION ORD210/19
Moved: Alderman Peter Pangquee
Seconded: Alderman Emma Young

THAT in accordance with Part 4.3 of the Local Government Act, Alderman Haslett be appointed as Acting Deputy Lord Mayor for the period 26 to 28 June 2019.

CARRIED 10/0

17.2 QUIZ4DILI

RESOLUTION ORD211/19
Moved: Alderman Peter Pangquee
Seconded: Alderman Emma Young

Alderman George Lambrinidis reported that this Thursday is Quiz4Dili and is being presented by the Youth Advisory Committee. The Committee would love to see a team of Elected Members and staff come along. He congratulated the Youth Advisory Committee over their work.

CARRIED 10/0
18 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

18.1 DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING

RESOLUTION ORD212/19
Moved: Alderman Simon Niblock
Seconded: Alderman Robin Knox
THAT the next Ordinary Meeting of Council be held on Tuesday, 16 July 2019, at 5:30pm (Open Section followed by the Confidential Section), Council Chambers, Level 1, Civic Centre, Harry Chan Avenue, Darwin.

CARRIED 10/0

19 CLOSURE OF MEETING TO THE PUBLIC

19.1 CLOSURE OF MEETING TO THE PUBLIC

RESOLUTION ORD213/19
Moved: Alderman Peter Pangquee
Seconded: Alderman Simon Niblock
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.

CARRIED 10/0
RESOLUTION ORD214/19

Moved: Alderman Peter Pangquee
Seconded: Alderman Simon Niblock

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 65(2) of the Local Government Act:

24.1 Shoal Bay Waste Management Facility Operations Contract Award

This matter is considered to be confidential under Section 65(2) - 8(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

24.2 Darwin Entertainment Centre Funding Agreement

This matter is considered to be confidential under Section 65(2) - 8(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.

24.3 Haikou Sister City and Shenzen Smart City Summit May 2019

This matter is considered to be confidential under Section 65(2) - 8(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.

24.4 Incoming Correspondence from the Minister for Tourism Sport and Culture, Lighting of Jingili Oval and Moil Oval

This matter is considered to be confidential under Section 65(2) - 8(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.

24.5 PAYMENT LISTING REPORT - MAY 2019

This matter is considered to be confidential under Section 65(2) - 8(a), 8(b) and 8(c)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with 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, information about the personal circumstances of a resident or ratepayer and information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on any person.

24.6 Confidential Minutes of the Risk Management & Audit Committee Meeting held on 31 May 2019

This matter is considered to be confidential under Section 65(2) - 8(c)(iv) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.

CARRIED 10/0
20 ADJOURNMENT OF MEETING AND MEDIA LIAISON

ADJOURNMENT OF MEETING

RESOLUTION ORD215/19
Moved: Alderman Peter Pangquee
Seconded: Alderman Simon Niblock
That in accordance with By-Law 163(d), the meeting be adjourned at 6.30pm for 30 minutes to enable the Council to have a meal break.

CARRIED 10/0

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 16 July 2019.

...................................................
CHAIR