**CITY OF DARWIN**

**TWENTY NINTH ORDINARY MEETING OF THE TWENTY-FIRST COUNCIL**

**TUESDAY, 16 JULY 2013**

MEMBERS: The Right Worshipful, Lord Mayor, Ms K M Fong Lim, (Chairman); Member J M Anictomatis; Member R K Elix; Member H I Galton; Member G J Haslett; Member R M Knox; Member G A Lambert; Member G Lambrinidis; Member R Lesley; Member A R Mitchell; Member S J Niblock; Member R Want de Rowe; Member K J Worden.

OFFICERS: Chief Executive Officer, Mr B P Dowd; General Manager Corporate Services, Dr D Leeder; General Manager Infrastructure, Mr L Cercarelli; General Manager Community & Cultural Services, Mr J Banks; Executive Manager, Mr M Blackburn; Acting Committee Administrator, Kerry Berry.

Enquiries and/or Apologies: Arweena Smit
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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
Nil

4.2 Leave of Absence Granted

( / )

THAT it be noted Member G Lambrinidis is an apology due to a Leave of Absence previously granted on 14 May 2013, for the period 27 June 2013 to 10 August 2013.

DECISION NO.21\() (16/07/13)

4.3 Leave of Absence Requested
Nil

5. ELECTRONIC MEETING ATTENDANCE
Nil

6. DECLARATION OF INTEREST OF MEMBERS AND STAFF
Nil
7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S

7.1 Confirmation of the Previous Ordinary Council Meeting
Common No. 1955119

( / )

THAT the tabled minutes of the previous Ordinary Council Meeting held on Tuesday, 25 June 2013, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.21\( ) \(16/07/13\)

8. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETING/S

8.1 Business Arising

9. MATTER OF PUBLIC IMPORTANCE
10. DEPUTATIONS AND BRIEFINGS

10.1 LGMA Management Challenge – Team Members

Common No. 2353752

THAT Council congratulate the LGMA Management Challenge Team, consisting of Hayley Barich, Cindy Robson, Kersten Seipel, Renee Van Der Poel, Judith Scott, Amber Gardens and Nadine Douglas as mentor, winning 3rd place in Australia and New Zealand competition be received and noted.

DECISION NO.21\(\) (16/07/13)
11. CONFIDENTIAL ITEMS

11.1 Closure to the Public for Confidential Items
Common No. 1944604

( / )

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the Confidential matters referred from Committees including Confidential Committee Items, and the following Items:-

<table>
<thead>
<tr>
<th>Item</th>
<th>Regulation</th>
<th>Reason</th>
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</thead>
<tbody>
<tr>
<td>C28.1</td>
<td>8(c)(i)</td>
<td>information that would, if publicly disclosed, be likely to cause commercial prejudice to, or confer an unfair commercial advantage on, any person</td>
</tr>
<tr>
<td>C28.2</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 is discussed</td>
</tr>
</tbody>
</table>

DECISION NO.21(16/07/13)

11.2 Moving Open Items Into Confidential
Common No.

11.3 Moving Confidential Items Into Open
Common No.
12. PETITIONS

12.1 Petition

Nil

13. NOTICE(S) OF MOTION

Nil
14. OFFICERS REPORTS

14.1 CBD Parking Strategy - Update July 2013
Report No. 13TS0148 LC:mm (16/07/13) Common No. 1952026

Report Number 13TS0148 LC:mm attached.
**Purpose**

The purpose of this report is to advise of the outcomes of the community consultation on the City of Darwin CBD Parking Strategy and to seek Council endorsement of the strategy.

**Link to Strategic Plan**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 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**
  - 2.1.4 Provide parking facilities to meet community needs

**Key Issues**

- The provision of parking facilities is essential for the functionality of the Darwin CBD and there is a high value placed by the community on this service.
- The City of Darwin has a CBD Parking Strategy and numerous associated policies which require a review and updating to reflect a changing City and community.
- Over the years Council has undertaken various bodies of work relating to specific elements of parking within the Darwin CBD.
- Periodic reviews of Council’s strategies and policies is considered good governance.
- In July 2011 Council awarded a consultancy to Tonkin Consulting to undertake a complete review of parking within the Darwin CBD, to establish a draft strategy for Council’s consideration.
- On 22 August 2012 the draft Darwin CBD Parking Strategy (July 2012) and the Darwin CBD Parking Strategy Background Report (June 2012) were presented to the CBD Parking Advisory Committee for comment by 5 October 2012.
Council received feedback from the following Committee Member groups:
- Department of Lands, Planning and the Environment (DLPE);
- Department of Transport;
- Urban Development Institute of Australia – Northern Territory (UDIA (NT));
- Property Council of Australia (PCA).

In December 2012, Council endorsed the draft Darwin CBD Parking Strategy (December 2012) with minor amendments and Darwin CBD Strategy Background Report (June 2012) for the purpose of broader community consultation.

To make the key issues more accessible, a summary document was also produced.

All three (3) documents were released for public consultation on 17 December 2012. As this fell just before the Christmas holiday break, the consultation period was extended to 28 February 2013.

This report summaries the feedback received and proposes adoption of the Darwin CBD Parking Strategy (June 2013).

The outcomes of the community consultation were presented to the Parking Advisory Committee at a meeting on 3 June 2013.

**RECOMMENDATIONS**

A. THAT Report Number 13TS0148 LC:mm entitled CBD Parking Strategy - Update July 2013, be received and noted.


C. THAT Council endorse the development of a Darwin CBD Parking Strategy Implementation Plan and that the draft plan be presented to Council for consideration.

**BACKGROUND**

Tonkin Consulting were engaged by Council in July 2011 and since then have undertaken:

- detailed on and off street parking surveys of Council managed car parks;
- mapping of current parking zones and total number of on and off street Council managed car parks;
- widespread community and stakeholder consultation;
- a review of parking signage throughout the city;
- the development of an economic model to assess alternative parking costs and charges scenarios;
- research into the legislative conditions associated with parking supply and management in Darwin;
- a review of all relevant strategic documents (Council and Northern Territory Government).
In May 2012, Tonkin Consulting presented an update of the study and key findings of research to date, to Council and the CBD Parking Advisory Committee.

In July 2012, Council adopted the draft Darwin CBD Parking Strategy (July 2012) for consultation with the CBD Parking Advisory Committee.

The draft Darwin CBD Parking Strategy (July 2012) and the Darwin CBD Parking Strategy Background Report (June 2012) were presented to the CBD Parking Advisory Committee on 22 August 2012. The Committee resolved to provide comments on the draft strategy by Friday 5 October 2012, to enable the draft strategy to be amended, if need be, prior to community consultation.

At Council’s December 2012 Ordinary meeting, the following was resolved:

**CBD Parking Strategy Review – Public Consultation**

Report No. 12TS0236LC:KB (11/12/12) Common No. 1952026

A. THAT Report Number 12TS0236LC:KB entitled Draft CBD Parking Strategy Review – Public Consultation, be received and noted.

B. THAT Council endorse the minor amendment to the Draft CBD Parking Strategy relating to car parking generation as outlined in Report Number 132TS0236LC:KB.


D. THAT Council continue to work with the members of the CBD Parking Advisory Committee in relation to the issues raised in their submissions in regard to the Draft Darwin CBD Parking Strategy (July 2012), during the broader community consultation and that their feedback be considered in conjunction with the outcomes of the broader community consultation.

E. THAT a further report be prepared on the outcomes of the consultation for Council’s consideration.

DECISION NO.21\722 (11/12/12) Carried

The draft CBD Parking Strategy, together with the Background Report (June 2012) and Summary Document (December 2012) were released for public comment on 17 December 2012. Because this fell just before the Christmas holiday break, consultation was extended to 28 February 2013.

The outcomes of the community consultation were presented to the CBD Parking Advisory Committee on 3 June 2013. The Advisory Committee resolved:
CBD Parking Strategy – Update May 2013
Report No. 13TS0130LC:kb (04/05/13) Common No. 1952026

THAT it be a recommendation to the Environment and Infrastructure Committee:-

A. THAT Report Number 13TS0130 LC:kb entitled CBD Parking Strategy - Update May 2013, be received and noted.

B. THAT the CBD Parking Advisory Committee recommends the adoption by Council, of the draft Darwin CBD Parking Strategy (December 2012) and the Darwin CBD Parking Strategy Background Report (June 2012).

C. THAT the CBD Parking Advisory Committee supports the development of an action plan to implement the Darwin CBD Parking Strategy (December 2012), for consideration by Council.

Carried

The draft Darwin CBD Parking Strategy (July 2012) and the Darwin CBD Parking Strategy Background Report (June 2012) have been previously circulated to Elected Members and included in previous reports. The documents used during the consultation period are available on Council's website.

http://www.darwin.nt.gov.au/node/4409

DISCUSSION

CBD Parking Advisory Committee Comments on Initial Draft

In August 2012, the draft Darwin CBD Parking Strategy (July 2012) and the Background Report (June 2012) were presented to the City of Darwin’s Parking Advisory Committee and feedback was sought.

Feedback was received in October 2012, from the following CBD Parking Advisory Committee members:

- Department of Lands, Planning and the Environment (DLPE) (Attachment A);
- Department of Transport (Attachment B);
- Urban Development Institute of Australia – Northern Territory (UDIA (NT)) (Attachment E); and
- Property Council of Australia (PCA) (Attachment D).

Comments received were considered by Council prior to the documents being released for public comment in December 2012.
As a result of these comments, Council amended the documents prior to public consultation as follows:

**Original**

*An over-requirement for car parking as part of statutory planning is leading to an over-supply of on-site parking, by at least 30%. This results in:*

**Amended to:**

*An over-requirement for car parking as part of statutory planning is leading to an over-supply of on-site parking.*

The following is a summary of the feedback received by Council from various Advisory Committee Members.

Overall, the above mentioned stakeholders are supportive of the draft Parking Strategy and feel that it is comprehensive. Many of the comments received reinforced the key themes of the draft Parking Strategy, namely:

- The need for coordination between the Northern Territory Government and Council regarding both land use planning (notably parking generation rates) and transport (notably public transport);
- Support for non-car modes as a means of reducing reliance on parking; and
- Support for Council to move towards more commercially oriented parking fees, as a means of encouraging modal change away from single-occupant passenger car use.

Specific comments from the various members included the following:

**Northern Territory Government**

**Department of Lands, Planning and the Environment (DLPE)**

The Northern Territory Government Department of Lands, Planning and the Environment has noted during discussions with City of Darwin Officers, that several administrative amendments relating to Northern Territory Government report titles, as referred to in the draft Parking Strategy, are required. These have been addressed and do not impact on the Strategy.

Furthermore, the submission mentions the policy statements regarding potential amendments to the Northern Territory Planning Scheme, such as reviewing car parking requirements and including bicycle, small car and motorcycle parking requirements. DLPE support the ongoing working relationship between the City of Darwin and the Northern Territory Government as proposed in the draft Parking Strategy and the policy statements included.

Further explanation and justification on the issue of the 30% over-requirement for car parking under the Northern Territory Planning Scheme noted in the draft Parking Strategy is also requested.
Department of Transport

The Department of Transport support the approach and outcomes of the CBD Strategy. The increased provision for cyclists in the CBD and increased bicycle parking are particularly supported, as is the emphasis on the impact of parking management on alternative transport modes. The Department states that the outcomes and actions of the strategy could be more clearly summarised in an action plan with associated timeframes.

The following comments are also provided:

- Query the statement in the strategy that multi-storey off-street car parks are operating under capacity without exploring why this is the case;

Occupancy rates of all on and off-street car parks were surveyed during September 2011. The Background Report discusses the imbalance between on and off-street parking charges, and also notes the problem of all day parking in the commercial main streets.

- No evidence to support the statement that statutory planning requirements for car parking leads to an over requirement of 30%;

Reference to the 30% requirement is discussed in this report.

- An NT News article on 12 September 2012 regarding City of Darwin rate increase includes mention of a proposed $11million car park in Cavenagh Street. This proposal contradicts a key outcome in the strategy which states that “Council should not proceed with investments in parking garages on the basis of expectations of income generation” and that it will be difficult to justify such parking in terms of community benefit;

This car park proposal is only under consideration by Council.

- Highlighted outcomes from the Darwin Regional Transport Study (DTRS) which indicated that traffic flows along Tiger Brennan Drive steadily reduced and public transport patronage steadily increased when CBD parking costs are increased beyond current levels;
- Made note of the fact that the Department of Lands, Planning and the Environment is already progressing an amendment to the Northern Territory Planning Scheme to include rates for bicycle parking and end of trip facilities;
- The strategic direction that the City of Darwin adopts for parking supply in the CBD will impact on the role of public transport and Government’s investment in public transport;
- They call for further discussion on the City of Darwin’s role in developing linkages on public transport and considering parking in lieu contributions for provision of public transport services instead of additional parking.
Many of these comments reaffirm the need for the development of an integrated transport strategy in collaboration with the Department of Transport. The need for a strategic collaboration with the Northern Territory Government is already addressed within the draft Parking Strategy (for example the need to develop a master plan for the City’s future and review of parking generation rates).

**Urban Design Institute of Australia Northern Territory (UDIA (NT))**

UDIA (NT) noted some disappointment that detailed consultation with developers had not occurred, but this should be addressed through the broader public consultation process.

UDIA (NT) reiterated that a strategic approach to planning for CBD car parking needs to be informed by a strategic approach to the planning for the growth of the city. To this end, UDIA (NT) strongly supports the need for Council and the Northern Territory Government to work together to develop an agreed, clear and consistent approach to the provision of parking within the CBD, as well as the provision and promotion of alternate transport types to and within the Darwin CBD.

- Quantification of the short-medium-long term planning horizons; for example, basing the planning horizons on reaching a specified volume of traffic, or specified level of demand for parking appears to be a sensible approach;

  The draft strategy proposes a regular review process with a range of monitors and triggers for change. This is considered a more appropriate approach recognising the changing horizons and planning framework.

- Support for more work being done on setting realistic car parking generation rates for CBD buildings, taking into account the effects of likely demographic changes in the future;
- Support for further consideration to short-fall levies and manner in which these funds are used;
- The desirability of unlocking the availability of surplus office car parking for public use;
- A need to plan for the provision of long-term car parks on the fringes of the CBD, supported by a loop public transport service;
- Strong support for additional facilities for cyclist parking (similar to those recently installed in Chinatown Car Park); and
- Support for improved public transport facilities (through discussion with the Northern Territory Government).

These aspects are considered already addressed in the draft Parking Strategy and its resulting actions. The comments from UDIA (NT) are considered to add support and importance to these activities.
Property Council of Australia (PCA)

The Property Council of Australia (PCA) was generally supportive of the draft Parking Strategy. It acknowledged the strategy “comprehensively addressed many of the issues raised in the past”. Notwithstanding this, the PCA raised some major issues for discussion and sought further information in other areas including:

- Further discussion on competitive neutrality and Council pricing policies;
- Various comments throughout the draft concerning the economic modelling, value of parks, rates of return and impact on investment;
- Concern over the arguments used in the discussion for and against moving toward a full cost recovery model;
- The time frame for increasing parking charges is too slow.

PCA would prefer a more expeditious change toward commercial parking charges. However, the Parking Strategy is based on incremental changes and no change is considered needed at this stage;

Concern over re-committing to Cavenagh Street car park development;

This is an existing commitment within the Car Parking Contribution Plan Central Business Zone (Contribution Plan) and cannot be altered; however, no formal investment decision has been made by Council. This will be further considered in light of the Parking Strategy and CBD Master Plan;

- PCA does not support the reduction in the discount of the parking contribution within the Contribution Plan from 50% to 40%.

It ultimately may not be possible to reach full consensus with all of the views presented by the UDIA (NT), PCA or other individual stakeholders. For example, while the PCA would seek to expedite increases in parking charges toward ‘market rates’, other feedback presented to Council stresses the importance of making changes incrementally to maintain balance in the overall transport planning regime.

Issues raised by member stakeholders of the CBD Parking Advisory Committee were considered on balance with other feedback that was received as part of the broader community and stakeholder engagement process. There were two specific items emanating from the consultation with the members of the CBD Parking Advisory Committee that warrant being formally brought to the attention of Council. These are outlined below.

The draft Parking Strategy notes a 30% over-requirement for car parking under the NTPS, but does not substantiate this figure.

The figure of 30% is broadly derived from discussions contained in the Background Report and previous confidential reports to Council. One of these reports estimated a 30% over-requirement office development, based on case studies.
Over-requirements may be higher for some land uses. As the parking requirements vary with land uses, it is not obvious or easy to substantiate without introducing unnecessary complexity. Furthermore, the actual figure is not central to the direction or recommendations contained in the draft Parking Strategy.

Local Rate Levy

A common theme that has emanated from discussions during the CBD Parking Advisory Committee meetings for some time, and also highlighted in the recent submission from the PCA in response to the draft Parking Strategy, is the notion that the Darwin Parking Local Rate was introduced to fund the West Lane Car Park and should therefore be immediately ended.

The Darwin Parking Local Rates Manual states that: “Funds raised from the scheme are paid into Council’s Car Parking Fund which may only be used to provide and maintain parking facilities and services in the CBD.” There is no mention of the funds being used solely to pay for the West Lane Car Park. Furthermore, Part 3. Application (2) of the Local government (Darwin Car Parking Local Rates) Regulations states that: “The proceeds of a local rate levied under these Regulations shall be applied by the council to the trading fund established by the council for the provision and maintenance of land, facilities, services and improvements for and in conjunction with the parking of vehicles in the central business district.”

It is Council’s opinion that while the West Lane Car Park debt gave rise to the introduction of the local rate, there is no link between the extinguishment of this debt and on-going use of the local rate. However, the continued use of two (2) systems is considered confusing, creates an administrative burden and, as affected land owners had no say in its introduction, it has always been unpopular. The draft Parking Strategy therefore recommends its removal through phasing out, over a period of time.

The Local Rate and Contributions Plan systems are distinct and disparate. A previous report to Council showed that someone paying the local rate would have paid the same amount as someone making an in-lieu contribution as per the Contribution Plan. This is assuming that the former had been paying the local rate since 1981 and that the latter was calculated in 1991, when the Contributions Plan was brought in. The draft Parking Strategy has recommended 2021 as the year when the local rate system should cease to operate. It also recommends reviewing the incentive offered to exit the local rate system.

Public Consultation Outcomes

The attached Community Consultation Report prepared by Michels Warren Munday (MWM) details the outcomes of the broader community consultation phase (Attachment E).
Key outcomes of the Public consultation have been summarised hereunder:

- Council’s website was viewed 191 times, with 109 unique visitors, which shows that some people looked at it more than once.
- However, only 11 written responses were received from various stakeholders including community members, community groups, city traders, business associations and Council Alderman. (These responses were additional to the four (4) responses previously received from Member Groups of the Parking Advisory Committee).

Overall, stakeholders welcomed the strategy and agreed with most of the proposed strategies. Some respondents, particularly key stakeholders, acknowledged that development of the Draft Strategy has taken some time and they are now interested to see progress with actual implementation of change.

Some feedback also sought greater detail on any changes to the on street parking zones (A, B, C) and additional spaces for disabled parking. A revised parking plan will be prepared for Council’s review following endorsement of the Strategy in principle.

Other comments received during the community consultation are considered adequately addressed by the existing Draft Strategy, as summarised below:

- Several respondents highlighted the relationship between parking and the broader transport context.
  
  The Strategy acknowledges the need for ongoing liaison with the Northern Territory Government to ensure alignment of the Parking Strategy and transport plans, including the promotion of alternative transport modes and public transport

- The need for adequate parking as part of any new developments.
  
  The Strategy includes a review of parking generation rates and reduction in the current discount rate applied to parking shortfall.

- Importance of having a parking strategy relative to Darwin and not based on interstate experiences/models.
  
  The Draft Strategy has been developed with considerable involvement of local stakeholders. The Background report also highlights detailed investigations based on local practices (parking surveys and the like).

- Changes should not have a significant economic or social impact.
  
  The overarching context of the Draft Strategy is for incremental change, recognising that parking is only one part of the transport framework.
- Poor utilisation of off street parking stations while on street parks are being 'abused' by repeat offenders and long term parkers in short term parking spaces.

  The Draft Strategy and Background report highlights the extent of over-stay parking on street and the need for targeted enforcement.

- The need for additional motorcycle parking spaces and/or free parking for motorcycles on footpaths.

  On street parking surveys undertaken as part of the Background Report did not reveal any apparent shortage of on street parking spaces for motorcycles. Permitting verge or footpath parking of motorcycles would be contrary to the Australian Road Rules.

- Provision of long term parking and/or bus station on the fringe of the city together with mini-bus shuttle services throughout the CBD.

  This idea has previously been identified as part of Council’s Parking Contribution Plan. However, land for this purpose has not been available.

- Need for additional off street parks by private developers (and Council’s involvement in the provision of parking spaces).

  The Draft Strategy has been developed on the basis of progressively becoming more competitive neutral to enable the involvement of the private sector in the provision on a future car parking.

- Concern that increased parking charges and promotion of alternative transport modes is impractical and does not recognise the need for private motor vehicle travel.

- One respondent suggested all angle parking become ‘rear-in’ (rather than ‘front-in’) parking.

  Common convention throughout Australia is for front-in angle parking. Rear-in angle parking has been used in some areas of New South Wales and Queensland. The type and/or use of angle parking should be reviewed as part of any significant road upgrade works.

Feedback provided by the CBD Parking Advisory Committee members (October 2012) has been reviewed along with comments received from the broader community (February 2013). Overall, the feedback is supportive of the Draft Parking Strategy.

Following the review of the feedback on the draft CBD Parking Strategy (December 2012), the strategy document has been modified to remove actions identified and to provide a policy document that establishes the broad direction for CBD Parking into
the future. The strategic document contains the aim, goals and related parking statements, *(Attachment F)*. It will be recommended that this document be endorsed as the Darwin CBD Parking Strategy (June 2013).

It will be further recommended that Council in consultation with the CBD Parking Advisory Committee develop an Implementation Plan. The Implementation Plan should outline the desirable actions and related timeframes for each of the identified Goals and associated Parking Statements that should be undertaken to bring the Strategy to fruition.

Many of the issues raised by the CBD Parking Advisory Committee members can, and should be further considered in the development of a detailed Implementation Plan. That said, it must be acknowledged that Council may have a varying view on some issues, which have been raised. This matter was discussed at the CBD Parking Advisory Committee Meeting on 3 June 2013.

Some of the actions and triggers are outside of Council’s immediate control and will rely upon ongoing working partnerships between Council, the Northern Territory Government, private industry and the community. The Implementation Plan should clearly identify these issues.

The Implementation Plan must contain a program of constant monitoring and review of the parking situation and actions to ensure that the recommended policy settings are appropriate and actions are implemented at the correct time.

As an indication on what an Implementation Plan might look like and include, a concept draft has been included in this report, *(Attachment G)*. This draft includes various actions which were contained in the Draft Darwin CBD Parking Strategy (December 2012) and feedback received, however is only provided as an indicative document at this stage.

**CONSULTATION PROCESS**

In preparing this report, the following External Parties were consulted:

- Tonkin Consulting
- Michels Warren Munday

Consultation was undertaken as described in the report.

**POLICY IMPLICATIONS**

City of Darwin Policy Number 004 – Central Business District Parking Strategy and Contribution Plan

City of Darwin Policy Number 025 – Community Consultation
Implementation of the Parking Strategy will require changes to Council policies relating to parking within the Darwin CBD. These changes will be implemented progressively following Council’s adoption of a new strategy.

**BUDGET AND RESOURCE IMPLICATIONS**

The estimated value of the CBD Parking Strategy review is $237,000 (GST exclusive).

The review is being funded via the Council’s Car Parking Reserve Fund, namely funds acquired via the Darwin Parking Local Rates (annual shortfall levy). There will be costs associated with implementing various actions. These will need to be costed, budgeted and considered at the time of implementation.

**RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

All actions resulting from the Parking Strategy will need to be implement with consideration of risk, legal and legislative issues.

Further legal advice will be required on various actions we implemented. This includes Council’s obligations regarding existing contribution plans into the future and the development of any new contribution plans.

**ENVIRONMENTAL IMPLICATIONS**

If implemented the strategy should result in improved environmental outcomes.

**COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION**

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

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**DROSSO LELEKIS**  
MANAGER DESIGN, PLANNING & PROJECTS

**LUCCIO CERCARELLI**  
GENERAL MANAGER INFRASTRUCTURE

For enquiries, please contact Drosso Lelekis on 89300414 or email: d.lelekis@darwin.nt.gov.au.
Attachments:

The Report and Attachments are available on Council’s Website at the following link, with the exception of Attachment F and Attachment G, which are included with the Report.

http://www.darwin.nt.gov.au/node/4409

Attachment A: Incoming letter from - Department of Lands, Planning and Environment
Attachment B: Incoming letter from - Department of Transport
Attachment C: Incoming letter from - Urban Development Institute of Australia – Northern Territory (UDIA (NT))
Attachment D: Incoming letter from - Property Council of Australia (PCA)
Attachment E: Community Consultation Report – Draft Darwin CBD Parking Strategy
Attachment F: Darwin CBD Parking Strategy (June 2013)
Attachment G: Draft Implementation Plan (June 2013)
The Right Worshipful Lord Mayor of Darwin
Ms Katrina Fong Lim
City of Darwin
GPO Box 84
DARWIN NT 0801

Dear Lord Mayor

RE: Darwin CBD Parking Strategy

I refer to the Darwin CBD Parking Strategy released by the City of Darwin in August 2012 for review by the CBD Parking Advisory Committee.

The policy statements detailed in the draft Strategy include potential amendments to the NT Planning Scheme such as reviewing car parking requirements and including bicycle parking, small car and motor bike requirements. Policy Statement 1: Alignment of Statutory Parking Obligations proposes an ongoing working partnership between the City of Darwin and the Northern Territory Government to ensure that parking requirements contained in the NT Planning Scheme promote the characteristics and needs of the Darwin CBD, and to ensure that the design, location and operation of on-site parking by statutory planning meets the needs of its users.

The Department of Lands, Planning and the Environment (DLPE) supports the policy statements in the draft Strategy, and in particular I look forward to working closely with the City of Darwin on reviewing the statutory parking requirements for the Darwin CBD.

I wish to bring to your attention that the statement in Section 1.1.2 of the draft Strategy that the statutory parking requirements for car parking lead to an over-requirement of 30% requires more explanation and justification. DLPE Officers recently met with staff from the City of Darwin on this issue and I understand that further discussions will be held with the consultants.

Some minor edits to the draft Strategy have also been referred to your staff for consideration.

Should you require further information, please do not hesitate to contact my nominated representative to the CBD Parking Advisory Committee Mr Mark Meldrum, Director Strategic Lands Planning on telephone 8999 6109.

Yours sincerely

KEN DAVIES

19 October 2012
Mr Luccio Cercarelli
General Manager Infrastructure
City of Darwin
GPO Box 84
DARWIN NT 0801

Dear Mr Cercarelli

RE: DARWIN – CBD PARKING STRATEGY – CITY OF DARWIN

I refer to the Darwin CBD Parking Strategy released by the City of Darwin in August 2012 for review by the CBD Parking Advisory Committee.

The Department of Transport supports the approach and outcomes of the CBD Parking Strategy. Recommendations regarding increased provision for cyclists in the CBD and increased bicycle parking are particularly supported in addition to emphasis on the impact of parking management on the use of alternative transport modes. However, the outcomes and actions of the Strategy could be more clearly summarised in an action plan with specific actions and timeframes. This would also assist Public Transport in planning for demand inline with any changes in cost and supply of parking in the CBD.

The Department of Transport offers the following comments for your consideration:

- Section 1.1.1 states that multi-storey off-street car parks are operating under capacity, but does not explore why this is the case.
- Section 1.1.2 states that the statutory planning requirements for car parking leads to an over-requirement of 30%, but this is not evidenced.
- A NT News article of 12 September 2012 regarding City of Darwin’s rate increase includes mention of a proposed $13 million car park in Smith Street. This proposal appears to contradict a key outcome of the CBD Parking Strategy which highlights that ‘Council should not proceed with investment in parking garages on the basis of expectations of income generation’ and that it will be difficult to justify such parking in terms of community benefit (Section 3.4).
- There are multiple references in the Parking Strategy to the Darwin Regional Transport Study (DRTS) and the need to integrate the parking strategy with the results of the DRTS. Initial data from the DRTS is expected to be available by mid October. In the interim it should be noted
that the DRTS undertook sensitivity testing for the effects of increased parking costs in the CBD. The outcome of this sensitivity modelling indicated that traffic flows on Tiger Brennan Drive steadily reduced and public transport patronage steadily increased when CBD parking costs are increased beyond current levels.

- It should be noted that the Department of Transport and the Department of Lands, Planning and the Environment are already progressing amendment of the NT Planning Scheme to include rates for bicycle parking and end of trip facilities.

- The strategic direction that Council adopts for parking supply in the CBD will impact on the role of public transport and government's investment in public transport, e.g. the increase in demand for on-street parking spaces may impact on already limited space for buses, while more space may be required as public transport increases services in line with demand. Public Transport would welcome any future opportunities to discuss prioritisation of on-street space.

- The Council's role in developing linkages to public transport, e.g. providing covered walkways to bus stops, allocating on-street space to public transport (parking, bus lanes, etc) and considering parking in-lieu contributions for provision of public transport services instead of additional parking are issues for further consideration and discussion.

Should you wish to discuss the above-mentioned further, please contact Mr Geoff Horni, Director Road Planning, on 8924 7340.

Yours sincerely

SHARRON NOSKE
Executive Director Transport

8 October 2012
The Urban Development Institute of Australia (Northern Territory) congratulates the City of Darwin for addressing the critically important and complex issue of CBD parking in such a comprehensive, detailed manner, and also congratulates Tonkin Consultants on the quality of the work that has been done on this project.

The study and the document itself are necessarily of substantial magnitude, which makes the provision of objective and meaningful comment a challenge. Nevertheless, the issue of CBD car parking is one which affects the development industry and we believe it is important to put forward our perspective on what we see as important issues.

Some of the comments below are intended to support points made in the Strategy; UDIA (NT) agrees with the majority of the points and discussion as presented in the draft. However, we have received some feedback indicating there has been limited consultation with some key CBD developers; this is unfortunate, as we believe it is critically important to promote a sense of ownership of the final plan among key stakeholders.

As noted in the draft Strategy, there is insufficient coordination of car parking issues for buildings within the CBD. The Territory Government sets rules for the numbers of car parks in CBD buildings while the Council controls on-street (and some off-street) parking. UDIA (NT) strongly supports the need for both organisations to work together to develop an agreed, clear and consistent approach to the provision of parking within the CBD, as well as the provision and promotion of alternate transport types to and within the CBD.

A Strategic Approach to planning

UDIA (NT) believes that a strategic approach to planning for CBD car parking needs to be informed by a similarly strategic approach to the planning for the growth of the city. For example, in the absence of information on what we want the city to become, how it is planned to get to that point, and the Darwin CBD’s maximum development capacity, objective and accurate planning for CBD parking becomes extremely difficult.

We believe the parking strategy and the forthcoming Darwin City Masterplan should inform each other in an effective two-way process; knowledge of what the city will look like and how it will function are critically important elements in determining parking needs.
Quantifying the Planning Horizons

UDIA (NT) believes the concept of planning horizons is a sound one. But because it is very difficult to make accurate predictions regarding how current major developments will affect the city, and at what rate, we would prefer to see the planning horizons quantified. For example, basing the planning horizons on reaching a specified volume of traffic, or specified level of demand for parking appears to be a sensible approach.

Development of indices to guide the passage through the three planning horizons would be helpful. For example passage from the short-term (horizon 1) to medium term (horizon 2) is identified as taking between one and seven years. If the strategy was to use indices such as a certain number of daily trips, and certain levels of capacity and uptake of off-street car parking facilities, the triggers for passing from one horizon to another would be easily recognised and transparent. This would aid private developers in assessing feasibility and the appropriate timing of entry into the parking market as a commercial venture.

Parking in CBD buildings

Demographic changes over the past decade or so have led to a reduced demand for car parking spaces in CBD apartment complexes. Further, Darwin CBD hotels catering for corporate “fly-in fly-out” customers do not appear to have the same requirements for car parking as other types of hotels may have. This is because of reliance on walking to CBD meeting venues, or taxis, or pick-up and drop off by local work colleagues.

UDIA (NT) supports more work being done on setting realistic car parking requirements for CBD buildings and believes that the effects of likely demographic changes in the future should be taken into account in the Strategy.

Levies for shortfalls in provision of car parking in CBD buildings have increased substantially over recent years. UDIA (NT) believes there is scope for introduction of a more equitable approach to contributions to car parking across the entire industry. The timeliness of provision of additional parking using the funds generated, and the manner in which these funds are spent may also be issues worthy of further consideration.

Some of the current capacity for additional off-street parking in CBD buildings could be made available to the public through amendments to the Planning Scheme. For example automatic Planning approval for public car parking in CBD buildings (subject to meeting agreed standards, to be specified at the time of original development approval) would enable excess capacity to be used where appropriate.

There appears to be a lack of knowledge on the ways in which private car parks in the CBD are currently being used. For example, how many people are leaving the CBD by vehicle to drive to work in Palmerston or Winnellie each working day? Better information these daily movements and vacant private parking rates could help to inform the CBD car parking strategy, as well as future moves to more efficient parking ratios and sharing arrangements.
**Addressing the need for parking for CBD office workers**

There may be scope for some parking sites in CBD buildings (see above) to be leased to CBD workers on an annual basis. However, there is also a need to plan for the provision of long-term car parks on the fringes of the CBD, as acknowledged in previous Council commitments and the Strategy. Introduction of a public transport service (such as small buses) on a continuous daily loop with a high frequency would encourage workers and shoppers to park at designated sites outside the CBD and would a further aid to reducing congestion in the CBD.

There may be scope for some of the funds gathered for the provision of car parking through parking shortfall levies to be used to fund the establishment of such a service, as it is clearly directly related to parking, the reduction of congestion and improvement of public amenity. Several examples of similar, highly successful systems are available across Australia in similar sized city and town centres.

**Public transport and pedestrian access issues**

There is an obvious link between the availability of efficient public transport and the need for provision of car parking in the CBD. UDIA (NT) believes that planning for the enhancement of Darwin’s public transport system should inform planning for the provision of CBD car parking, and vice-versa.

While parts of the CBD are well-serviced with verandas to protect walkers from the sun and / or rain, much more can be done through landscaping and provision of covered walkways to enhance the “walkability” of the CBD. This in turn has an obvious relationship to the location and quantity of car parking, and could be a stronger focus in the draft Strategy as an informant to the upcoming Darwin CBD Masterplan project.

The recent provision of facilities for bicycle riders at China Town is an excellent initiative; we congratulate the Darwin City Council on this project, and would strongly support the introduction of further initiatives of this type.

**Managing public perceptions**

While Darwin residents and retail businesses seemingly expect parking to be available outside most CBD stores, this is clearly not the case in other capital cities. A study of distances people are currently prepared to walk to reach certain retail outlets may be informative. But irrespective of the results of such research, it is highly likely that residents of Greater Darwin will face increasing difficulties finding car parking in close proximity to where they wish to shop.

An efficient, clean public transport system within the CBD would help to encourage the adoption of different attitudes among shoppers and other visitors to the CBD, and support retail activities in spatially marginalised areas such as the Darwin Waterfront and Cullen Bay.

**In summary**

The draft CBD Car Parking Strategy is a significant step forward in addressing this issue. It is a very comprehensive and informative document and the strategy is generally based on sound principles.
Nevertheless, UDIA (NT) believes that any consideration of car parking in the CBD also needs to take into account broader strategic planning matters such as those addressing growth of the city and public transport for the Greater Darwin area.

It is also important that parking is informed by broader traffic studies and strategic planning in areas within Greater Darwin designated for development (such as Casuarina), acknowledging that changing traffic conditions and consumer behavior across the city could lead to changes in transport patterns with onward impacts on the Darwin CBD, and resultant parking requirements.

The impact of ongoing and potential decentralization of office facilities and workers to locations such as Parap, Palmerston and Casuarina as well as the closure and relocation of two Darwin-based Northern Territory Government Departments to Alice Springs, should also be acknowledged.

UDIA (NT) is happy to meet with the consultants to discuss the issues we have raised above in greater detail, and / or to clarify our perspective on issues, if required.

Graeme Suckling
CEO UDIA (NT)
5th October 2012

LUCCIO CERCARELLI
GENERAL MANAGER INFRASTRUCTURE
GPO Box 84
Darwin NT 0801

Dear Luccio,

On behalf of the Property Council of Australia we would like to thank Darwin City Council for inviting us to comment on the Darwin CBD Parking Strategy – Draft for PAC Review. We are generally in support of the Draft for PAC Review which comprehensively addressed many of the issues raised in the past. We are providing some preliminary comments with a request for some further information in some areas.

We look forward to continuing to work with you on the Darwin CBD Parking Strategy - Draft for PAC Review.

Yours sincerely,

Paolo Randazzo
Division Council
Property Council of Australia

Raquel Nicholls-Skene
Executive Director
Property Council of Australia
1.1.1 Context
Like many cities, Darwin is on a continuum in the balance of parking and travel demand needs (wants) of the community. There are a number of weaknesses in the overall policy framework set by the various policy approaches to car parking provision and management in the Darwin CBD. Over time, these have led to the accumulation of unintended consequences, unfortunately reinforced by the comprehensive approach to car parking undertaken by the Northern Territory Government and the City of Darwin. These are evident in that:

- There is very little provision of commercially operated, publicly accessible off-street car parking in the Darwin CBD.
- Low vacancy rates and high sales/rental prices indicate that development activity is not keeping pace with demand.
- Multi-storey off-street car parks are operating under capacity despite offering discounted Early Bird parking.
- More strategic/holistic comments – these are too numerous and often specifically phrased to be addressed on a comment-by-comment basis (unlike the zone change comments) and are addressed through policy settings.

What is important to note is that although comments in the second category may appear diverse and sometimes contradictory, overall there is a consistency in the comments that reflects the distortions that have emerged in Darwin CBD’s car parking environment – the unintended consequences of the current car parking policy settings.

If the policy weaknesses are left unaddressed, Darwin will face increasing demand for low cost parking through increased motor vehicle usage at the expense of liveability, sustainability and economically sound management. Expected strong population growth will only exacerbate these problems. However, Council can use its role in managing parking supply to transition to a new policy framework for the future.

The themes identified to be addressed in parking policy are as follows.

1.1.2 Statutory planning
While Council does not set or assess the NT Planning Scheme, it does retain the role of collecting and administering funds provided in lieu of car parking provided on-site, in line with statutory planning requirements. This occurs under two systems: the current Contributions Plan system; and the preceding Darwin Parking Local Rates system, which still applies to some properties. Council also prepares and maintains the Contributions Plan that specifies the cost structure for in-lieu contributions and their expenditure, and sets the parking policy that underlies the Contributions Plan.

As a key stakeholder, Council should endeavour to engage with the NT Government to achieve the most optimum result for the CBD from the planning system. The approach to parking requirements evident in the statutory planning rates is based on an assumed dependence on car use, reinforced by interpreting public transport modal data in isolation from other transport modes.

1. An over-requirement for car parking as part of statutory planning is leading to an oversupply of on-site parking, by at least 30%.

- Under-development due to the cost impost of car parking requirements on developers;

1.1.4 Economic efficiency
The opportunity to develop new open lot parking within the CBD is limited and its future provision would be an under-development of valuable CBD land. As new car parking facilities are developed as multi-storey facilities, the user-pays costs associated with parking will increase because of the high capital cost of multi-storey facilities, and returns to Council will decrease. This places increasing pressure on Council’s ability to provide off-street parking without support from the private sector.

Currently, Council subsidises some forms of car parking as a non-commercial decision linked to
There are three main income areas for Council, relating to parking:

- high occupancy vehicles;
- statutory obligations on Council
- user pays pricing of multi-storey car parking discourages its use in favour of all day car parking that costs less than a public transport ticket;
- exclusion of non-car modes from the parking dynamic, e.g. reduced fees for parking of high occupancy vehicles;
- low returns on investment threaten the long-term economic sustainability of Council's parking operations, particularly given statutory obligations to provide additional parking;
- user pays pricing of multi-storey car parking discourages its use in favour of inappropriate use of on-street parking and fringe parking locations, which are managed with a different pricing philosophy.

Adequate financial planning for parking assets is a requirement of the Planning Act.

The parking technology currently in use in both on-street and off-street locations has been adopted fairly recently but is already superseded by technologies that would improve the user experience (convenience, ease of use, etc), assist in effective management of car parking, and better support Council enforcement activities.

2.4.1 Statutory Planning and Funding of Off-Street Parking

There are three main income areas for Council, relating to parking:
- Council collects funds from developers in-lieu of car parking required under the Northern Territory Planning Scheme, the Territory's statutory planning framework1. Council has statutory obligations to apply the funds raised from these sources in a prescribed manner. Council's obligations regarding funds under the NT Planning Act thus have implications on how it supplies and manages off-street parking, and creates obligations on Council.
- For land uses not covered by the current provisions of the Northern Territory Planning Scheme, Council collects funds under the Local Government (Darwin Parking Local Rates) Regulations as a 'grand-fathering' provision2. These Regulations impose further statutory obligations on Council WHAT SPECIFIC OBLIGATIONS ARISE FROM THE COLLECTION OF THESE LEVIES?
- Council also collects funds from the general rate and fees and charges (including

Comment [R16]: This has long been a complaint of the PCA and to this day the system of subsidy to end users of car parking has not been adequately addressed. FURTHER DISCUSSION WILL BE REQUIRED REGARDING THIS MATTER.

Comment [R17]: The pursuit of this ‘community obligation’ also inevitably leads to artificially increased motor vehicle usage. In the PCA’s view, this increased usage has in turn distorted the data set upon which past car parking generational studies have relied, leading to unnecessarily high car parking Generational Rates under the NT Planning Act.

Comment [R18]: Can a reference be provided for these guidelines?

Comment [R19]: Did the consultants consider whether the Council was in breach of its obligations under this policy?

Comment [R10]: Did the consultants establish actual numbers of bays that have historically been levied with either an in lieu payment or the RSL as compared to the actual number of off street car bays provided by Council?

Comment [R11]: Did the consultants consider what rights accrue to the developer from the payment of both the RSL and the in Lieu payment over the life of a development and in the event of the redevelopment of a property? In this regard it is noted that in the past, on redevelopment of a site that was paying the RSL, the Council has allowed the continuation of payment of the RSL rather than assessing a further In Lieu payment.
parking charges). There is no statutory obligation relating to the use of these funds, though Council has a general duty to collect and apply such general revenue funds in an efficient and transparent way.

There will be interactions between the way Council collects and discharges its income from these different sources.

The Council’s goal is:

2.4.2 Functionality, Liveability and Sustainability
The Council is the custodian of the public realm and must manage its public space for the benefit of the wider community. This includes constructing and maintaining assets, allocating space and managing use of the space with an emphasis on efficiency and safety. It does so in a consultative manner to reconcile competing claims. Management of long and short-term parking within the road space is a key function.

The availability and pricing of parking has a significant effect on travel behaviour and hence mode choice and therefore is a major factor in achieving sustainability objectives in the transport system. Moreover, allocating space to parking – including developing off-street space – instead of other activities affects the functionality and liveability of the City.

The Council is politically accountable for its performance in carrying out its functions.

The Council’s goal is:

2.4.3 Asset Management and Pricing of Off-Street Parking
The Council is the custodian and manager of valuable assets deployed to provide parking services to the community. It desires to manage these assets for maximum community return, with any gap between financial returns and market rates justified by consideration of the public interest, in accordance with the principles of competition policy.

To the degree that Council’s parking business negatively affects the private sector’s ability to supply parking on a commercial basis, this will be transparently brought to account, understood and justified as a community obligation.

The Council’s goal is:

2.5.1 Horizon 1 – Short-term
In this period (present to 5 to 7 years), change is expected to be incremental. There will be an emphasis on more efficient use of existing on and off-street car parking capacity rather than major increases in supply. Adjustments to the allocation, pricing and management of parking resources will be made in a consultative manner to achieve better use of the existing assets.

Supply issues will focus on balancing loss of parking due to transport initiatives against community needs and statutory obligations, and putting initiatives in place to assist in modal shift and other techniques to reduce reliance on parking supply.

The Council will develop its systems for management of its parking assets, including funding, in the most efficient and equitable manner. It will upgrade its technology to meet customer needs. In this period, preserving options for implementing future strategies will be a high priority. Land assets will be closely evaluated against their most strategic future use to keep options open.

Land needs to meet expected strategic requirements will be reviewed.

2.5.2 Horizon 2 – Medium-term
In this period (say years 8 to 15), increasing commercial development in the CBD will increase demand/supply issues.

There will be pressure to convert longer-term on-street spaces (currently Zone B and C) to shorter-term use for shoppers and visitors, and these short-term needs will have to be a priority to maintain the functionality of the City and its businesses.

There will also be growing demand for long-term (all day) spaces, met by statutory requirements.
and new parking facilities located outside the CBD core. Within the CBD core, active land uses will take precedence over Council provision of long-term (all day) parking.

The Council will be in the process of encouraging private sector supply of parking by transitioning to pricing for demand management.

2.5.3 Horizon 3 – Long-term
In this period (say 16+ years), the Council’s role will have been defined by a process of constant monitoring and review of the situation as it emerges. There will have been five-yearly reviews of the strategy, including reviews of:
- Trends and emerging patterns in parking needs;
- Travel behaviours and modal splits;
- The nature of and performance of parking supply;
- Major investments; and
- Pricing and funding systems.

3.2 Responding to Unconstrained Demand
In this scenario, Council expands the supply of long-term off-street parking without pricing for demand management. The outcome would be:
- Council invests very significant funds into multi-storey parking garages.
- Parking fees are kept low due to community pressure, yielding a very low rate of return on the capital deployed.
- The private sector is ‘crowded out’ because investments in commercial parking garages cannot be profitable when the fees are so low.
- Costs of development are high as the return to the private sector on statutorily required parking is low. Costs of ‘free’ parking are incorporated into tenancy costs, reducing the competitiveness of the CBD compared to suburban centres.
- There is little incentive for people to change their travel behaviour when parking costs are low, hence private vehicle use is encouraged. This creates congestion and leads to pressure for new investment in road capacity, with detrimental effects for the liveability of the CBD and for the environment.

Under this scenario, the community is likely to be satisfied with low parking fees but dissatisfied with congestion and the adequacy of parking supply compared to demand.

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3.4 Revenue Implications for Council
The question arises whether Council will forego parking fees as an income stream in the demand management scenario.

There is a perception that providing off-street parking is a profitable enterprise for Council. However, under close examination this is a difficult proposition to support. While parking fees for on-street spaces certainly are significant net income earners, and at-grade off-street car parks on low value land yield similar returns, multi-storey parking garages are more of a financial burden. Council should not proceed with investment in multi-storey parking garages on the basis of expectations of income generation.

Instead, demand management would sustain and potentially increase car parking revenue as the fees for existing parking facilities (both on-street and off-street) would increase. In comparison, multi-storey parking garages are both very capital intensive and can generate quite modest returns to Council, which cannot take advantage of the tax benefits that provide additional value to private operators.

For example, the yields on Council’s two parking garages are estimated in the table below.

TABLE DID NOT COPY TO WORD FORMAT.
Off-Street Parking

Goal 1 – To administer Council’s statutory obligations for parking in an efficient, equitable, transparent and accountable manner, in keeping with sound economic management principles applied elsewhere in the organisation.

As Council does not set or assess parking requirements under the Northern Territory Planning Scheme (NTPS), it has a limited role in being able to influence the parking requirements adopted or their interpretation. Nonetheless, it is a key stakeholder for the Darwin CBD and should endeavour to use its role as the local government representative and road manager for the Darwin CBD to lobby the Northern Territory Government regarding the NTPS. A particular role that Council does have is that it administers some outcomes of application of the NTPS, namely in-lieu contributions determined under the NTPS; and the development of the Contributions Plan that sets cost rates and sets expenditures for in-lieu contributions. The City of Darwin also administers the Darwin parking local rate as a measure that preceded the current NTPS and has been retained for equity reasons.

4.1 Alignment of Statutory Parking Obligations

Currently, under the NTPS:

- These issues point to a need to better align the NTPS to the realities of parking usage. This could have multiple benefits in increasing the use of the existing parking supply. It is noted that while the NT Government has commissioned the Central Darwin Car Parking Generation and Utilisation Study, a review of this undertaken as part of the background to the Parking Strategy has found its results and conclusions to be questionable.

- Statutory requirements for private parking also dictate the level of ‘self containment’ of land uses and hence the extent of any overspill into demand for public parking. There are strategic options to consider:

4.2 Car parking in-lieu contributions

However, where a discount to the construction cost is applied, this leaves Council with a shortfall in the capital cost that needs to be funded through additional developer contributions (if Council does not provide any funding towards the parking garage), or other reserves, or through borrowing. This is an important point in considering whether Council will have the capacity to construct the car parking required under its statutory obligations, in the envisaged timeframe.

- There are arguments for and against retaining any discount to the actual costs of providing a car parking space in the CBD. (An examination of issues is provided in Section 9.2.) Overall, the Contributions Plan rate discount of 50% of the actual cost to provide a parking space in the CBD appears high, taking into account the parking facilities currently envisaged, and an initial reduction in the discount to 40% is recommended.

However, moving further towards a full cost recovery approach without changing statutory requirements entails risks of overcharging developers. A full cost recovery approach for in-lieu contributions would be best adopted in conjunction with the application of minimum car parking rates; and giving the private sector flexibility in complying with statutory requirements, e.g. by allowing unbundled parking combined with commercial letting of under-utilised space. Even then, there is some rationale for retaining at least a modest discount (say, 10%) as a ‘buffer’ against inaccuracies in cost estimates.

4.3 The Darwin Parking Local Rate and In-lieu Contributions

The Darwin Parking Local Rate (‘local rate’) was introduced as a measure that predated in-lieu car parking contributions to take into account a shortfall in car parking provision. It is maintained as a ‘grand-fathering’ provision based on the Darwin Town Plan car parking rates in place at the time i.e. for those properties whose parking requirements have not been reassessed under the...
NTPS as a result of development. As such, the parking requirements that underlie the local rate are not compatible with the current parking requirements of the NTPS.

During the early years of its implementation, the local rate was the main component of Council’s annual car parking income. Its introduction was also shortly followed by the development of West Lane car park. This has led to an incorrect perception amongst some in the business community that the local rate was introduced specifically to fund West Lane car park – and should therefore now be abandoned.

The local rate is no longer the major source of parking income for Council but remains an important revenue source – particularly as it can be directed to other parking-related uses apart from those specified in the current Contributions Plan.

The use of two schemes to fund parking short-falls contributes to complexity and confusion, particularly if the two schemes overlap e.g. if a property that has been paying the local rate is redeveloped and provides all required parking, should the owner – or others still paying the local rate – be eligible for a credit towards the short-fall already paid for?

3 Including bike parking and end of trip facility in-lieu contributions, as and when supported by the NTPS.

The fact that the parking generation rates quoted in the NTPS (the basis of in-lieu contributions) are different to those in the Local Government (Darwin Parking Local Rates) Regulations (the basis of the parking local rate) can give rise to arguments about appropriate parking generation rates4.

The Background Report’s assessment of the local rate plus in-lieu contributions identified a formal under-supply of car parking of some 5,500 spaces, plus 500 ‘informal’ spaces. There are some 4,300 publicly-accessible on and off-street car parks in the CBD – pointing to supply lagging demand by some 1,200 to 1,700 spaces.

This could arguably be the case in relation to free, unlimited parking, but surveys indicate an under-utilisation of Council’s multi-storey off-street car parks with user pays charging. (Chinatown car park has a typical utilisation of 30-40%; West Lane of 55-65%, but peaking at 76%). As any new supply will be in this form, the utility of using the local rate to fund this parking is questionable, as is the assessed short-fall in supply.

There are also some complexities related to how the local rate is assessed.

Council has offered property owners the opportunity to pay out their remaining obligations under the local rate to exit the system, including an incentive to do so; this has not been taken up so far.

Policy Statement 3

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Car Parking In-Lieu Contributions

In-lieu parking contributions charges reflect realistic costs that would be incurred in providing well-located public parking and promoting alternatives to car use. Appropriate legislative arrangements, including the Contributions Plan, are maintained accordingly.

c) Prepare a new Contributions Plan as per Section 9.1, for future in-lieu contributions:

- Reduce the discount to the construction cost to 40% (i.e. raise the funds recovered for constructing parking in-lieu of on-site provision from 50% of its construction cost to 60%).
- Examine the pros and cons of moving towards recovering the full cost of constructing in-lieu parking within the CBD, taking into account NTPS car parking requirements. (See Section 9.2). Maintain at least a 25% discount until:
  - NTPS car parking requirements are reduced to appropriate levels (below 3 per 100m² of net floor area for most non-residential land uses); and/or
  - NTPS car parking requirements are assessed as maximum rather than minimum requirements; and/or
  - Amendments or initiatives allowing shared parking arrangements are put in place.

Policy Statement 3: The Darwin Parking Local Rate and In-Lieu Contributions

- Have provided other on-site facilities (e.g. bicycle parking, linkage to public transport) that reduce on-site car parking requirements.
- 30 May 2021 is the point at which the local rate levy achieves parity with the equivalent one-off contribution and the local rate system is ended.

6 Including bike parking and end of trip facility in-lieu contributions, as and when supported by the NTPS.

Ref No. 20110140RA5 DARWIN CBD PARKING STRATEGY The Parking Strategy 35

Policy Statement 4: Disbursement of Fees and Other Income

Seek legal clarification of Council’s statutory requirements and possible Contributions Plan provisions.

- Construct an 800 bay multi-level public parking facility at Council’s existing Cavenagh Street car park (Lot 5803) as at or about 2014 or thereabouts (subject to population trends and community needs and expectations), in accordance with Council’s statutory obligation.

- Allocate a portion of the funds from the local rate to develop a sustainable transport plan (including bicycle plan) aimed at initiatives to reduce car parking demand. The overview results of a feasibility study undertaken regarding installation of bicycle lanes in the CBD is provided in Section 9.3. This could inform an adopted bicycle plan.

- Monitor the effects on revenues of the parking changes implemented.

DARWIN CBD PARKING STRATEGY The Parking Strategy 36

Policy Statement 6: Strategic Transport and Land Use Planning

Increase the provision of bicycle parking rails in the public realm.

Policy Statement 7: Design and Construction of Car Parks

Public parking facilities are developed and managed in as efficient a manner as possible, having regard for optimum sustainability, design results, usage of land, and financial benefit to the Council.

- Provide and market secure, undercover bicycle lock-up facilities in each of Council’s offstreet car parks having 200 car parking spaces or more (in the first instance).

DARWIN CBD PARKING STRATEGY The Parking Strategy 39

Subject to confirmation of a timetable for the duplication of McMinn Street, reduce parking availability and/or increase fees to gradually reduce parking in McMinn Street so that use of this car parking area is minimal when McMinn Street is duplicated.
u) Review existing parking enforcement activities with respect to resourcing and the ability to ensure that enforcement activities are promoting turnover (and hence availability of spaces) as appropriate to zoning.

Ref No. 20110140RA5 DARWIN CBD PARKING STRATEGY The Parking Strategy

Review the pricing, revenues, number and take-up of reserved parking permits on an ongoing basis.

Reserved permits are a premium parking product that offers a designated space and the ability to enter and exit parking stations throughout the day.

Early Bird pricing (which is a demand/supply response to under-utilised casual parking) provides a benchmark for permit pricing for multi-storey off-street car parks.

The combination of fewer permits at ground level car parks and higher pricing, including at multi-storey car parks, will enable a better assessment of the commercial opportunities from this market sector and hence stimulate commercial competition for this parking. Revenue loss to Council stemming from fewer reserved parking spaces and anticipated competition will be off-set by higher fees charged and greater turnover in spaces released.

dd) Increase charges for on-street and off-street car parking at above-CPI rates for the next seven years to bring charges onto a more commercially-realistic footing.

Increase the per-hour pricing for on-street car parks by at least CPI + 5% each year (rounded to the nearest ten cents).

Increase the price limit for all-day on-street parking by at least CPI + 5% each year (rounded to the nearest fifty cents).

Increase the per-hour pricing for ground level off-street car parks by at least CPI + 5% each year (rounded to the nearest ten cents). At this rate, this would bring the higher cost car parks to within about 30% of the theoretical benchmark pricing by the end of seven years.

Consider additional tailoring of parking fees to different car parks, related to utilisation and strategic location.

Price on-street parking with respect to off-street parking charges as well as differentiation between the zones, i.e. by implementing “first hour free” for off-street car parks.

Publicise initiatives being implemented to reduce car parking demands (as per the sustainable transport plan) in conjunction with pricing changes.

ee) Include an assessment of community service obligations in reporting of car parking activities, in accordance with the principles of competition policy.

7.2 Horizon 2 – Medium Term (8-15 years)

9.1 Contributions Plan Framework

9.1.2 Administration

Section 72 of the NT Planning Act also requires that the collection of monies under the Contribution Plan be designated for the purpose of providing infrastructure or public car parking. Developer contributions managed by the City of Darwin must be kept in a Trust Account for development contributions (one for each Plan Area) in accordance with the requirements of Section 72 of the NT Planning Act. The funds expenditure must be auditable, and within a reasonable period of time expended on the appropriate infrastructure. All interest in these accounts will be retained in the Trust Accounts and expended on management of the Contribution Plan or on relevant infrastructure.

Any expenditure from the above accounts will be specified in Council’s Annual Report. Also, within the Annual Report, Council will detail the extent to which infrastructure is funded from this Contribution Plan and/ or other funding sources.

9.1.3 Policy

Comment [RI33]: In view of the issue of affordability (Office, commercial, retail and residential) raised earlier in our comments we are concerned that the timeframe for increasing charges for on and off street charges is too slow. The objective of raising charges should be articulated. We believe that off street charges should be raised to a level reflecting 12 -14% of asset replacement costs, including design, construction and land costs.

Comment [RI34]: During this time horizon we believe that the Council should divest of all of its smaller on grade car parking sites which cannot be utilised to construct efficient multi storey car parking facilities to allow for the sites to be redeveloped and contribute positively to the urban renewal of the CBD.

Comment [RI35]: It is essential that the contributions plan not favour the Council over the private sector as a preferred developer of car parking.

Comment [RI36]: What is the treatment of revenue from assets purchased and/or developed utilising trust funds ie: proceeds from sale of land or off street car parking income?
Introduction

The overall policy of the City of Darwin is to have a Contribution Plan for infrastructure and public parking that provides certainty to the City of Darwin, to developers and to the community with respect to the funding and provision of such infrastructure.

Policy objectives

The over-arching policy objectives with respect to the parking infrastructure provision of the City of Darwin are provided in its Parking Strategy.

Underlying Philosophy

The City of Darwin supports the philosophy that:

“Developers should contribute to the cost of physical and community infrastructure to the extent that the demand for such infrastructure is generated by their specific development, at appropriate standards and to meet threshold demand, in accordance with legislative provisions” (Urban Development Institute of Australia, 1998).

Council supports the view that the requirements of the existing population should be provided for separately from the development. That is, development is viewed as incremental to the existing situation and costs of infrastructure (new or enhanced) should be borne by the developer (i.e. the beneficiary).

Council also recognizes that the obligation to fund physical and community infrastructure beyond the extent to which it is required by a specific development and beyond the appropriate standard must rest with the community.

9.1.4 Basis of Charges

Introduction

Consistent with Council’s objective of certainty, developer contributions will be assessed on the basis of the NT Planning Act provisions including amendments and any relevant studies.

In general, in determining the level of developer contributions, the following costs need to be considered when assessing infrastructure required to meet the defined need:

- studies;
- acquisition of land;
- construction costs (including entry/exit barriers, revenue collection devices, signage etc).

Contribution charges for provision of facilities in the CBD Plan Area are based on the land and construction costs of a multi-storey (>500 bay) facility, for cars and other modes.

9.2 Cost Recovery for In-lieu Contributions

The following table outlines arguments for and against setting cash-in-lieu amounts for parking provision shortfalls at the full construction cost for the spaces provided by Council as a result. Currently, the in-lieu contribution is set at 50% of the assessed cost to Council to construct a space at a parking garage in the CBD. It should be noted that this does not automatically mean that Council is obliged to fund any or all of the other 50% of the cost.

There are two main issues that have given rise to this examination of the pros and cons of full cost recovery:

- A perception that as the cash-in-lieu contribution is half the actual construction cost, developers have an incentive to provide a cash-in-lieu contribution instead of providing on-site parking. This builds up a deficit in parking as Council will only construct a parking garage when sufficient funds have been collected, instead of these spaces being provided at the same time as development. Hence it is considered desirable to reduce the discount in order to encourage developers to provide for their parking requirements on-site.

- From information considered in the Background Report, it is concluded that the current NTPS parking requirements are set at about 30% above the actual needs — on average, across all lands uses in the CBD (they may be set too low for certain land uses). On this basis, setting the in-lieu contribution at the actual cost of development represents
an impost on development over and above actual needs. It has been calculated that a discount of 25% to the actual construction cost would have the effect of evening out the cost of this over-requirement.

Allocation
On-street parking is one of several competing needs for kerbside space. Other needs include bicycle lanes, no parking (to aid traffic flow), bus stops, and wider footpaths to support activity along the street frontage.

In terms of allocating kerbside space:

[Table did not convert to word document]
Community Consultation Report
Draft Darwin CBD Parking Strategy
Prepared by Michels Warren Munday, March 2013
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Consultation
Since the City of Darwin announced its parking study in September 2011, the Darwin community has been invited to have its say about parking in Darwin City throughout the various stages of the project.

Given that parking affects every aspects of commerce, planning and living, working and visiting the city, this feedback was a critical element of the parking study.

The first round of consultation was conducted over 10 weeks, between 1 September 2011 and 15 November 2011. It comprised several workshops, meetings with stakeholders, a comprehensive communication strategy as well as encouraging people to complete an online survey to gather community feedback to help inform future Council decisions.

The feedback from the initial consultation was reported against in the Draft Parking Strategy and Background document released for feedback in December 2012.

This report summarises the feedback received on the draft documents and should be read in conjunction with the earlier report.

Release of draft parking strategy
All comments received during stakeholder interviews and the online survey were incorporated into the study along with various technical studies. Tonkin then combined everything into the draft Darwin CBD Parking Strategy Background report and the associated draft Strategy for public feedback. The draft documents were workshipped with the City of Darwin elected members and Parking Advisory Committee. The Committee was given approximately 6 weeks to consider the documents before the Draft Strategy was approved by Council for public distribution.

To make the key issues more accessible a summary document was produced and distributed widely.

All three documents were released for public comment on 17 December 2012. Because this fell just before the Christmas holiday break, consultation was extended to 28 February 2013.

All stakeholders recorded from the first phase of consultation were sent emails advising that the draft documents were available for feedback. The full documents and draft were placed as PDF documents on the council’s website but, given the size of the document, hard copies were provided to key stakeholders, libraries and people who requested them.

Other stakeholders were contacted by phone and several reminder emails were sent to ensure council received comprehensive feedback.

This was supported by media coverage, regular commentary by the Lord Mayor in radio interviews and several public notices in local media.

During the public comment phase the parking strategy website was viewed 191 times, with 109 unique visitors, which shows that some people looked at it more than once. Feedback was received from various stakeholders including community members, community groups, city traders, government, councils and business associations.

In general, stakeholders and key organisations welcomed the strategy and agreed with most of its findings, congratulated the consultants for a comprehensive document. They contributed many additional thoughts, some
specific to the draft strategy and some addressing broader issues, in particular the need for a holistic approach to parking and transport studies.

Key issues

**Actions and timeframes:** The Department of Transport thought the actions and timeframes could have been more clearly summarised to help Public Transport plan for demand in line with any changes in cost and supply of parking in the CBD.

The City of Darwin Parking Advisory Committee community representative felt the timeframes were too long and could be better defined. She commented that people will be most concerned with implementation of the strategy and the elements that directly affect them. She felt the strategies could be broken down into more-clearer activities with a defined starting point and timeframes. For example, should Council build a multi-storey car park now when the current ones are underutilised or would efforts be better directed to moving the illegal parking in McMinn Street ahead of the proposed duplication? She would have liked to see clearer directions on how to change zones A, B and C rather than the open suggestion that they need to be changed. The timeframe of one to seven years is good for longer term plans, such as building bike lanes and working with government but the public will expect a clear outline of proposals that impact on them. It will be important to keep communicating with the public on these issues.

One community member suggested making some streets one-way as a short-term option, for example Mitchell Street could be south bound only.

**Alternative transport modes and a liveable city:** The Department of Transport supports the approach and outcomes of the draft Darwin CBD Parking Strategy. It particularly supports recommendations to provide more for cyclists in the city, and liked the emphasis on the impact of parking management on alternative transport modes.

The Department suggested a clearer summary of the actions and timeframes to help Public Transport plan for demand in line with any changes in cost and supply of parking in the CBD.

There are multiple references in the parking strategy to the Darwin Regional Transport Study (DRTS) and the need to integrate the parking strategy with the results of this strategy. Initial data from the DRTS is expected to be available by mid-October. In the interim it should be noted that the DRTS undertook sensitivity testing for the effects of increased parking costs in the CBD. The outcome of the sensitivity modelling indicated that traffic flows on Tiger Brennan Drive steadily reduced and public transport patronage steadily increased when CBD parking costs rise beyond current levels.

The Department of Transport and the Department of Lands, Planning and Environment are working on an amendment of the NT Planning Scheme to include rates for bicycle parking and end of trip facilities. The strategic direction that Council adopts for parking supply in the CBD will impact on the role of public transport and government’s investment in public transport. For example, the increased demand for on-street parking spaces may impact on already limited space for buses, while more space may be required as public transport increases services in line with demand.
The Department of Transport would welcome further discussion on the prioritisation of on-street space. The Council’s role in developing linkages to public transport, eg providing covered walkways to bus stops, allocating on-street space to public transport (parking, bus lanes) and considering parking in-lieu contributions for provision of public transport services instead of additional parking are issues for further consideration and discussion.

One trader disagreed that higher parking fees will encourage people to ride bikes, carpool or use public transport, suggesting that Darwin’s population is decades away from a public transport system that is well priced, safe, convenient and efficient. Until such a system is up and running people will continue to be attached to their cars as no one wants to walk to a bus stop in the distance during a monsoonal downpour, and it’s too hot and wet to walk around Darwin city. Referring to a recent Google search this trader believes there are conflicting opinions in Sydney after the City of Sydney’s approach to make it a more bicycle friendly city, saying it has divided the community rather than bringing people together. The trader believes the city’s retail sector is in decline and Council needs to avoid giving the public to have another reason to avoid the city. Rather, they would like to see Council working to make the city vibrant to attract people and suggests that the Council promote itself, its assets and facilities more.

Another city trader says if there’s a move for people to use public transport it would need to be done over a period of time and the Northern Territory Government.

Several respondents raised the issue of the need to incorporate the parking strategy with the government’s transport strategy (the City of Darwin and Northern Territory Government are discussing how to work closely together on these issues). One member of the public commented that a return trip from Palmerston to the city on an express bus is extremely restrictive; parking provided at Palmerston is unsafe for both vehicles and people and he has heard of several assaults taking place during daylight hours. While it sounds good in theory to keep cars out of the city in reality this respondent says the geographic nature of Darwin, Palmerston and the rural area makes it inconvenient to use buses for most trips, light rail to Palmerston is unlikely to ever be viable due to capital costs and the inflexible nature of a rail system and public transport doesn’t allow him the flexibility to make multiple stops on the journey. He feels people would not feel secure on Darwin buses, and that distance, weather conditions and work demands make it almost impossible to car pool or ride a push bike to work. He feels it’s a very hot 25 kilometres from Palmerston - and even further for rural residents - and for most people in private enterprise inconsistent start and finish times makes car-pooling very difficult.

Another member of the public wasn’t sure if the old fuel tank farm along McMinn Street was available to the Council suggested it would make a good location for a bus interchange area with all day parking. This could cater for all buses from Casuarina and Palmerston, including Greyhound, Airport, Ghan, special events and shuttle services, that this could be a station for light rail or similar in the future. From this terminal a fleet of minibuses would service the CBD and perhaps further afield. The bus ticket cost could cover the minibus into the city. The all-day parking fee could also cover the minibus into the city.

One City of Darwin councillor says the strategy needs to address more than parking, it needs to move people’s thinking towards change, suggesting the document title be amended to something like ‘Liveable Darwin – CBD Parking Strategy’ or Darwin Transport Management – CBD parking Strategy.’ She would like to see parking polices support the City of Darwin environmentally sustainable goals outlined in the Council’s strategic plan.

Another City of Darwin councillor felt in places the strategy placed cyclists, pedestrians and public transport as competing modes, whereas the City of Darwin is trying to get people out of their cars and onto their bikes. He thinks the focus should be on giving people more choice and levelling the playing field with fewer subsidies for car
parking.

The Urban Development Institute of Australia NT strongly support the need for NT Government and Council to work together to promote alternative modes of transport to and within the CBD. There is an obvious link between the availability of efficient public transport and demand for car parking in the CBD. An efficient, clean public transport system within the CBD would make it a more acceptable option, and support retailers in spatially marginalised areas such as the Darwin Waterfront and Cullen Bay. UDIA NT believes that planning for an efficient public transport system and a CBD car parking strategy are two sides of the same coin. While parts of the CBD are well-serviced with verandas to protect walkers from the sun and or rain, much more can be done through landscaping and provision of covered walkways to enhance the walkability of the city. The recent provision of facilities for bicycle riders at China Town is an excellent initiative and the UDIA NT congratulates the City of Darwin on this project and would strongly support the introduction of further initiatives of this type.

**Better linkages:** People using the city need a choice of parking options that suits their needs. For example, people going to the cinema face a two hour parking zone before 3 pm. One resident commented that with cinema being near a tourist precinct parking in the evening is scarier than during the day. Sometimes he parks in Mott Court and looks over at the mostly empty China Town car park. He thinks an opportunity was missed, not necessarily by Council but that there should be some means of covered access pedestrian, if not vehicular, from Mott Court to the China Town car park.

**Darwin model:** Traders don’t like being compared to Sydney or Melbourne, one city traders says this is Darwin and wants to hear things from a local perspective.

**Developer contributions:** A community member said developers should not be given the opportunity to pay a levy or any other measure to reduce the number of car parks they are required to build. He says they receive massive commercial windfalls from such relaxed requirements and must provide adequate parking within their developments.

UDIA NT says the Territory Government sets rules for the number of car parks in CBD buildings while the Council controls the on-street (and some off-street) parking. They strongly support the need for both organisations to work together to develop an agreed, clear and consistent approach to providing parking within the CBD. UDIA NT says demographic changes over the past decade or so have led to a reduced demand for car parking spaces in CBD apartment complexes. CBD hotels catering for corporate fly-in-fly-out customers don’t appear to have the same requirements for car parking as hotels because of reliance on walking to CBD appointments or being picked up by taxis. They support more work being done on setting realistic car parking requirements for CBD buildings believing the effects of likely demographic changes in the future should be taken into account in the strategy. Levies for shortfalls in provision of car parking in CBD buildings have been increased substantially over recent years. UDIA NT believes there is scope for introduction of a more equitable approach to contributions to car parking across the entire industry. The timeliness of provision of additional parking using funds generated, and the manner in which these funds are spend may be worthy of further consideration.

The Department of Lands, Planning and Environment said the strategy includes potential amendments to the NT Planning Scheme such as reviewing car parking requirements and including bicycle parking, small car and motor bike requirements. DLPE supports the policy statements in the draft strategy and looks forward to working closely with the City of Darwin to review the statutory parking requirements for the Darwin CBD. However, it would like more explanation about the statement that statutory planning requirements for car parking lead to an over-
requirement of 30 per cent.

**Disability parking:** The community representative who sits on the Parking Advisory Committee would like to see a more direct plan for disability parking. The strategy states more parks are needed but she asks what is ‘more’ and how many currently exist. She wants to know who will be responsible for developing a disability parking plan and in what timeframe, the next seven years is too open. She would like Council to look at who the permits are issued to and advise permit holders that any misuse by others may result in permit withdrawal. She found an interesting idea for the monitoring of disabled parking which is being trialled in New Zealand. People with disabilities purchase an electronic tag which stays in the car and can be read by sensors located in the parking bay. The wireless relay identifies genuine users and alerts enforcement staff when the bay is being used by someone without a tag. The tag cost $50 for 5 years or $35 for 12 months.

**Draft Darwin CBD Parking Strategy:** The Urban Development Institute of Australia (Northern Territory) congratulates the City of Darwin for addressing the critically important and complex issue of CBD parking in such a comprehensive, detailed manner, and also congratulates Tonkin Consulting on the quality of work that has been done on this project. The UDIA NT agrees with most points and discussion as presented in the draft but they had received some feedback indicating there was limited consultation with some key CBD developers. The impact of ongoing and potential decentralisation of office facilities and workers to locations such as Parap, Palmerston and Casuarina as well as the closure and relocation of two Darwin-base NT Government Departments to Alice Springs should also be acknowledged.

The Parking Advisory Committee community member is comfortable that the strategy is heading in the right direction but says progress is slow.

The Property Council is also largely supportive of the draft strategy and is now keen to see progress with actual implementation of change.

**Economics:** One City of Darwin councillor says while he’s no economist he does have an interest and some appreciation for the economics of car parking. To him the report uses a number of references to economic terms that either don’t work or make sense; he doubts the average reader would make sense of these and that they need closer attention.

**Enforce parking limits to change behaviour:** One city trader says she hears people say it’s cheaper to park all day and risk the $40 fine. She suggests Council consider looking at their by-laws so someone overstaying their time limit can be given multiple fines on the one day, believing they will soon be discouraged if they found their car with $80 or $120 worth of fines.

Another city trader said parking limits should be enforced so the spots are used to support retailers.

One community member says new policy is not needed to enforce existing parking restrictions that people laugh at Council’s relaxed attitude. Council needs to implement effective management of the existing parking so two hour parks are only used for two hours. He says the draft strategy itself reports that 20 per cent of parks in the main shopping area are being used by people parking all day.

A city councillor would like to see legislation changed so penalties can change the behaviour of those parking all day in two hour spaces.
**Future growth:** After reading the strategy one city trader said he was particularly struck by the statistics about the city’s growth saying he hadn’t realised that such strong growth was likely. He agreed it was important to plan for it.

One city councillor says the 2006 statistics used in the strategy need to be updated.

The Urban Development Institute of Australia NT believes that a strategic approach to planning for CBD car parking needs to be informed by a similarly strategic approach to the planning for the growth of the city. For example, in the absence of information on what we want the city to become, how it is planned to get to that point, and the Darwin CBD’s maximum development capacity, objective and accurate planning for the CBD becomes extremely difficult. They believe the parking strategy and the forthcoming Darwin City Master plan should inform each other in an effective two-way process; knowledge of what the city will look like and how it will function are critically important elements in determining parking needs.

**High cost of living:** Understanding the need for annual price increases one city trader said any increase in parking fees shouldn’t be to the point of 30 to 40 per cent, saying people are already hurting and combating rental increases of up to 30 per cent because of INPEX.

One community member says Council mustn’t keep adopting policies that increase the cost of living, citing unreasonable restrictions and price increases at the Darwin Waterfront. He is frustrated that the time allowed to park in the open car parks at the waterfront is less than the average time of a standard convention centre function and says there is no other means of transport to and from the area. *(It should be noted that the Darwin Waterfront is outside this brief and control of the City of Darwin.)* He suggests the strategy should incorporate a discussion about the social impacts of the parking strategy and is concerned that people are leaving the Northern Territory because of the high cost of living. The $20 daily parking fee reported in the strategy as the full commercial rate equates to $5,200 a year. While this might sound great as an investment return he doesn’t understand how an average person is expected to find another $500 a year just to park.

The Department of Transport says a *NT News* article dated 12 September 2012 regarding City of Darwin’s rate increase includes mention of a proposed $13 million car park in Smith Street. This proposal appears to contradict a key outcome of the draft CBD Parking Strategy which highlights that ‘Council should not proceed with investment in parking garages on the basis of expectation of income generation’ and that it will be difficult to justify such parking in terms of community benefit (section 3.4).

**Increased parking fees:** Concerned that an increase in the parking fees could deter people from coming into the city, one city trader highlighted that the study showed that City of Darwin managed off street car parks are under-used by between 30 and 55 per cent, while on the other hand one in five (20%) people are parking all day in two hour parking zones. He hopes that Council doesn’t punish the 80 per cent of people doing the right thing by increasing parking fees as a way to manage the 20 per cent of people doing the wrong thing. The trader would like to see more done to focus on meter-feeders suggesting a four-week warning campaign, followed by fining anyone caught breaking the law. He hopes his suggested approach will push all-day parkers into the under-utilised City of Darwin managed car parks. Another city trader said any increase in parking fees would need to be gradual — they believe the cost of parking has turned people away from the city. They understand it’s reality but say it is a real concern.

One community member says increased parking costs in the city would make it more attractive for already
struggling city traders to move out of the city where parking issues and costs for staff don’t exist.

The community representative on the parking advisory committee wants to know how much costs will increase over the seven years.

**Motor cycle parking:** After reading the strategy one community member felt more consideration could have been given to motorcycle parking. He refers to Victoria where motorcycles can park on footpaths as long as they are not obstructing pedestrian traffic, saying they introduced these changes to reduce traffic congestion and to increase car parking spaces, referring the City of Darwin to VicRoads for more information. He says the approach lessens greenhouse gas emissions, reduces congestion on the road, reduces the cost of living for people riding motor bikes, allows more space for disabled parks, means more spaces are available for cars and omits confusion when car drivers attempt to park in spaces taken up by motor bikes.

**Multi-storey car parks:** One city trader queries the finding that the West Lane car park is under used – ‘well for the general public anyway.’ She says the car park is under pressure Monday to Friday explaining there are no parks available after 8.30 am. For this reason her staff park all-day undercover at the Darwin Convention Centre and walk back into the city. She paints a different picture on Saturday and Sunday saying the parks are all empty but the public can’t access them because they are reserved. This trader wonders if corporate parks can be moved to China Town, but says it’s important for hotel parking to remain as many retailers rely on their business. She also stated that she wouldn’t like to lose her reserved space at West Lane. As a trader, this location means everything to her and her business. She encourages Council to promote China Town car park more if it’s not at capacity.

With the draft strategy reporting that China Town and West Lane car parks are operating well below capacity one community member asks why he has heard on a number of occasions there is a long waiting list of people trying to secure all day reserved parking at China Town. He asks if it’s so empty then why such a long waiting list? He would like to see policy reviewed after finding no discussion about it in the report.

The Department of Transport says the strategy states that multi-storey car parks are operating under capacity but doesn’t explore why.

A keen cinema goer sees opportunity for Council to work with business to offer combined ticket discounts when using the China Town car park combined with city destinations. As a way of moving some cars off-street he suggests locations such as the cinema could offer combined ticket or discount prices for people parking in China Town and using their facility, he doesn’t expect Council to bear all the costs saying maybe the cinema could hold their end.

One City of Darwin Councillor says it’s an uncomfortable truth to say as the city grows, space will be at a premium so open parking lots are no longer economically viable and additional multi-storey car parks may be needed. He says multi-storey car parks cost between $30,000 and $40,000. Darwin isn’t the only city that mostly manages car parks: the City of Adelaide owns and manages more parking than any other city in Australia.

**Park and ride and parking on the city fringes:** A city businessman commented that he liked the park ‘n’ ride idea and asked why didn’t Council use the old hospital site for parking saying it’s the most under-used vacant land on the peninsula. Council could use it for parking until government develops the land. A covered walkway could be built along Mitchell Street and for six months of the year people can walk or ride along the street. Perhaps there should be a shuttle bus too. Others disagree, saying Darwin people won’t walk long
distances and arrive at work or a meeting all sweaty. However, there was support from many for all day parking on the city fringes with a shuttle bus to bring people into the centre of town.

The Urban Development Institute of Australia NT supports the provision of long-term car parks on the CBD fringes, as acknowledged in previous Council commitments and the strategy. The introduction of a public transport service (such as small buses) on a continuous daily loop with a high frequency would encourage workers and shopper to park at designated sites outside the CBD and would help reduce congestion in the CBD. There may be scope for some of the funds gathered for the provision of car parking through parking shortfall levies to be used to fund the establishment of such a service, as it is clearly directly related to parking, the reduction of congestion and improvement of public amenity. Several examples of similar, highly successful systems are available across Australia in similar sized city and town centres.

Parking availability: One city trader says it’s not realistic to provide a car park for everyone and it shouldn’t be Council’s responsibility, but perhaps Council should consider the proportion of parking spots held for commercial use.

Traders and business people are worried about the general economic climate and any factors that contribute to the current challenges facing retailers in the city. People find it easier to go to Casuarina where they can access free undercover parks. However, Fishing and Outdoor World does well which shows people will make the effort to come into the city for a good shop. One businessman commented that what distinguishes the city is the ability to come in for a good meal, but people need parking and the Esplanade was taken up by public servants parking all day.

Traders in Cavenagh Street say the big issue at the Bennett-Knuckey Street end of Cavenagh Street is the lack of short-term parking options and there would be fierce resistance to the loss of any further parking. If spots were to be lost, they need to be replaced at the same time and close by.

There were comments that valuable parking spaces are taken up on Saturdays when people leave their cars in the city after drinking on Friday nights. A well-placed parking station in the city centre would be beneficial, such as the proposed Anthony Plaza development which appears not to be going ahead. People would have been able to walk out of the car park into the mall. That there needs to be a focus on getting people back into the city to shop.

The parking advisory committee community representative says McMinn Street parkers would like to see a clear strategy with timeframes for transitioning illegal parkers other parking spaces before the street duplication project begins.

The Urban Development Institute of Australia NT says while Darwin residents and retail businesses seemingly expect parking to be available right outside most CBD stores, this is clearly not the case in other capital cities. A study of distances people are prepared to walk to reach certain retail outlets may be informative. But irrespective of the results of such research, it is highly likely that residents of greater Darwin will face increasing difficulties finding car parking near to where they wish to shop.

One City of Darwin councillor believes you can always get a park in the city but this will change in the future, underscoring the need to plan for this and start changing behaviour.

Privately managed car parks: There was considerable discussion on the issue of whether council or private enterprise should manage car parking with many business people saying that the provision of subsidised
parking makes it unattractive for private enterprise to invest in car parking.

For example, Colemans had planned a night market on one of their blocks in Mitchell Street, but the business case was predicated on the site being a parking lot during the day. They abandoned the idea because the cost of parking at a council site over the road was so much cheaper, there was no incentive for people to pay the commercial operator.

Some traders commented that Council shouldn’t be competing with the private sector in developing the Cavenagh Street site but rather making this available for private development.

A body corporate manager recommends that Council encourage developers to build more car parks such as China Town so spaces can be sold to primary users as well as investors. There is a shortfall of parking spaces in many city buildings as most occupants have two vehicles and most building car parks provide 1.5 spaces only. Strata titled car park spaces could alleviate this situation. Council could consider strata titling China Town and use the revenue from the sale of these spaces to fund other car parks. Any Council car park can be strata titled. There is an issue with open car parks being trees and animals resulting in messes on vehicles. This and other reasons not excluding security should be an encouragement for the construction of China Town type car parks and for open car parks to be sold.

A respondent agreed with the view that parking infrastructure for the most part should be paid for by developers who will derive from the benefits.

The Urban Development Institute of Australia NT believes the concept of planning horizons is a sound one. But because it is very difficult to make accurate predictions regarding how current major developments will affect the city, and at what rate, they would prefer to see the planning horizons qualified. For example, basing the planning horizons on reaching a specified volume of traffic, or specified level of demand for parking appears to be a sensible approach. Development of indices to guide the passage through the three planning horizons would be helpful. For example passage from the short-term (horizon 1) to medium term (horizon 2) is identified as taking between one and seven years. If the strategy was to use indices such as a certain number of daily trips, and certain levels of capacity and uptake of off-street car parking facilities, the triggers for passing from one horizon to another would be easily recognised and transparent. This would aid private developers in assessing feasibility and the appropriate timing of entry into the parking market as a commercial venture.

The UDIANT says some of the current capacity for additional off-street parking in CBD buildings could be made available to the public through amendments to the Planning Scheme. For example automatic planning approval for public car parking in CBD buildings (subject to meeting agreed standards, to be specified at the time of original development approval) would enable excess capacity to be used where appropriate. There appears to be a lack of knowledge on the ways in which private car parks in the CBD are currently being used. For example, how many people leave the CBD by vehicle to drive to work in Palmerston or Winnellie each day? Better information on these daily movements and vacant private parking rates could help to inform the CBD parking strategy, as well as future moves to more efficient parking ratios and sharing arrangements. There may be scope for some parking sites in CBD buildings to be leased to CBD workers on an annual basis.

**Reverse angle parking:** One respondent suggested reverse angle parking in busy streets as a safety measure. This one-time city worker who now frequents the city twice a week during business hours and chooses to park in Cavenagh Street, between Bennett and Knuckey Streets. He says it takes “all his ANZAC spirit” to reverse out during peak hour into the traffic. He proposes that all angle parking zones become reverse angle
parking zones, so one’s tail is at 45 degrees to the kerb. The reward is that motorists then leave nose out to the direction they intend to travel. He cites Coffs Harbour as adopting this strategy.

**User pays verses rate payer:** In relation to suggestions that people living outside the municipality might pay more, a respondent comments that anyone visiting the city contributes to its economic vitality. He says outer Darwin residents already pay rates and rent in other locations.
## Document History and Status

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Introduction

Background

Tonkin Consulting was appointed with SGS Economics and Planning (SGS), Masterplan NT and Michels Warren Munday (MWM) to develop a Public Parking Strategy for the Darwin Central Business District. The aim of the project was to:

*Provide the City of Darwin with a contemporary CBD Parking Strategy and associated Policies based on sound research and analysis of parking requirements and economics within the Darwin CBD.*

This Parking Strategy is intended as a policy document replacing Council's current *Policy 004 – Central Business District Parking Strategy.*

Structure of Strategy

This Parking Strategy establishes the strategic framework and direction for the future supply and management of on and off street parking with the Darwin CBD. The Strategy is based on an overall **AIM** for the management of parking supported by three **GOALS** that broadly respond to the following themes:

- Statutory Obligations and Funding
- Functionality, Liveability and Sustainability
- Asset Management and Pricing.

A series of **POLICY STATEMENTS** provide further detail on the direction required for each of the Goals, as outlined below.
Supporting Documentation

This Parking Strategy has been developed on the basis of extensive research, surveys, community and stakeholder consultation. The Strategy is founded on information contained in the following two documents in particular:

- Darwin CBD Parking Strategy – Background Documentation (June 2012)
- Darwin CBD Parking Strategy – Draft for Community Consultation (December 2012)

These two documents provide considerable background data, analysis and explanation to the intent and direction established by the Parking Strategy.

A further report will detail the Implementation Plan required to achieve the Strategy.

Darwin CBD Parking Strategy – Background Documentation

The Background Report documents a comprehensive review of factors influencing parking in Darwin CBD. An indication of the size and scope of the report is provided in the following table, which also reflects the structure of the Background Report:

| Strategic Policy Review          | Historic perspective |
|                                 | Statutory planning and legislation |
|                                 | Strategic transport |
|                                 | Competitive neutrality |
|                                 | Asset procurement and asset management systems |
|                                 | Parking management |
|                                 | Funding |
| Darwin in the Future            | Greater Darwin Plan 2012 |
|                                 | Greater Darwin Transport Plan |
|                                 | Future parking demands |
| Data Review and Analysis        | Statutory car parking requirements |
|                                 | Public and private parking opportunities |
|                                 | Parking shortfall (rateable levy) |
|                                 | Car parking competitive neutrality |
|                                 | Parking management in Darwin CBD |
|                                 | Spatial parking efficiency |
|                                 | Traffic volumes |
Darwin CBD Parking Strategy – Draft for Community Consultation (December 2012)

A Draft CBD Parking Strategy was endorsed by the City of Darwin in December 2012 for widespread community and stakeholder consultation. The Draft Strategy is based on the same structure as this document (with regard to the Aims and Goals) and provides discussion surrounding the intent of each of the policy statements.

The Draft Strategy for Consultation also outlines some of the anticipated actions to support each of the Strategies and Policy Statements. It is anticipated that these actions will be refined into the Implementation Plan.

The Draft Strategy for Consultation also:

- Summarises the Background Report (to provide a contextual setting for the Strategies)
- Considers alternative strategic directions
- Considers a framework for a new Contributions Plan
- Documents guidelines for the management of on street parking.

Darwin CBD Parking Strategy – Implementation Plan

This Darwin CBD Parking Strategy is intended as a policy document.

The (proposed) Implementation Plan will document the actions required for each Goal and associated Policy Statements that should be taken to bring the overall Strategy to fruition.

Many of the actions and triggers will be outside of Council’s immediate control and will rely upon an ongoing working partnership between the City of Darwin, various Departments within the Northern Territory Government, private industry and the community.

The Implementation Plan will clearly identify those actions that rest in the control of Council (for example changes to the current on-street parking zones A, B and C), and other actions that will require Government agencies to implement (eg changes to the Northern Territory Planning Scheme the setting and assessment of which is outside the powers of Council). In these instances, Council’s role will be one of advocacy for change.
The Parking Strategy has been based on an incremental approach to change, recognising that the supply and management of parking has an inter-relationship with various other strategies being developed for the Darwin City and surrounding areas (refer below).

It is anticipated that the Implementation Plan will set out short, medium and longer term actions required to bring this Strategy to fruition. The Implementation Plan will also document a program of ongoing monitoring and review of the parking situation in Darwin.

**Relationship to Other Strategic Directions**

The City of Darwin recognises that the provision and management of on and off street parking within the CBD has an inter-relationship with various other strategies being developed for the Darwin City and surrounding areas.

At the time of this report, some of these associated investigations included preparation of:

- Darwin CBD Master Plan
- Darwin Strategic Transport Plan
- Public Transport Strategy
- Traffic Management Strategy
- Cycling Strategy

It is hoped that this Parking Strategy will both inform and have relevance to these other strategies under development.

The timing of some actions to be identified within the Implementation Plan will be dependent upon the outcomes from these associated strategies and any actions contained within them. For example, the Parking Strategy has been developed on the basis of supporting alternative transport modes including public transport and cycling. However, initiatives to improve the public transport system will need to occur concurrently for this objective to be realised, and implementation of the Parking Strategy in isolation cannot occur in some instances.

This Parking Strategy recognises the need for an ongoing working partnership between the City of Darwin, various Departments within the Northern Territory Government, private industry and the community.

Ongoing review of this Parking Strategy (and Implementation Plan) should be undertaken to ensure consistency between the various strategic directions.
Aim

The Council will ensure that the provision and management of car, bicycle, motorcycle and other parking facilities in the CBD meet community needs for convenient access and land use servicing, while balancing parking supply and any adverse impacts this has on the social, environmental and economic health of the City and its people.
Goal 1
Statutory Obligations and Funding of Off-Street Parking

To administer Council’s statutory obligations for parking in an efficient, equitable, transparent and accountable manner, in keeping with sound economic management principles applied elsewhere in the organisation.

Policy Statement 1.1 – Alignment of Statutory Parking Obligations

An ongoing working partnership is developed with the Northern Territory Government to ensure that parking requirements contained in the Northern Territory Planning Scheme (NTPS) promote the characteristics and needs of Darwin CBD, and to ensure that the design, location and operation of on-site parking required by statutory planning meets the needs of its users, including:

- customers/visitors
- servicing
- non-car modes.

Policy Statement 1.2 – Car Parking In-Lieu Contributions

In-lieu parking contributions charges reflect realistic costs that would be incurred in providing well-located public parking and promoting alternatives to car use. Appropriate legislative arrangements, including the Contributions Plan, are maintained accordingly.

Policy Statement 1.3 – The Darwin Parking Local Rate and In-lieu Contributions

There is equity in the costs incurred in relation to car parking amongst developers who:

- have provided on-site car parking;
- have not provided car parking facilities, but who have paid in-lieu;
- have not provided car parking or in-lieu contribution payment, but have been paying the Council local rate levy;
- have provided other on-site facilities (e.g. bicycle parking, linkage to public transport) that reduce on-site car parking requirements.

30 May 2021 is the point at which the local rate levy achieves parity with the equivalent one-off contribution and the local rate system is ended.

Policy Statement 1.4 – Disbursement of Fees and Other Income

In-lieu contributions and local rates funds continue to be managed and expended in accordance with legislated requirements, with non-legislated income from parking activities treated as general income.

The current statutory obligations to construct an off-street multi-storey car park on Council’s Cavenagh Street site (Lot 5803) and to provide an off-street multi-storey car park at the CBD periphery are acknowledged and fulfilled as appropriate.

A new Contributions Plan enables future in-lieu contributions to be directed towards initiatives that reduce the demand for car parking, as an alternative to supplying additional car parking.
Goal 2
Functionality, Liveability and Sustainability

To manage Council’s on and off-street parking within the context of Council’s statutory and administrative responsibilities:

- To achieve a balance between users of the City
- To maximise the functionality, liveability and sustainability of the City
- For the maximum social, environmental and economic benefit of all users.

Policy Statement 2.1 – Priorities and Principles for Allocating Kerbside Space

Kerbside space is allocated and managed in a way that is equitable, financially viable and fosters economic development in the best interest of the city, having regard for all issues relating to competing demands for kerbside space in the Darwin Central Business Zone and Council’s administrative and legislative responsibilities.

Policy Statement 2.2 – Strategic Transport and Land Use Planning

CBD parking is planned and managed in the context of broader strategic transport and land use planning policies.

In particular, future multi-level public parking facilities that serve the Darwin Central Business Zone are located considering the overall economic well-being of the Zone, as well as future site access, traffic flows and other transport planning imperatives; and community obligation penalties to revenue streams are used for maximum strategic benefit.

Policy Statement 2.3 – Design and Construction of Car Parks

Public parking facilities are developed and managed in as efficient a manner as possible, having regard for optimum sustainability, design results, usage of land, and financial benefit to the Council.

Policy Statement 2.4 – Enforcement

The availability and efficient operation of on-street and off-street parking, for short to long-term use, is maintained through effective enforcement activities.

Policy Statement 2.5 – Technology and Information Systems

Appropriate, proven technologies are employed to provide user-friendly systems that enhance customer satisfaction, assist in effective management of car parking, and support enforcement activities related to parking.
Goal 3  
Asset Management and Pricing of Off-Street Parking

To manage off-street parking assets, especially pricing of parking, in accordance with the principles of competition policy and for maximum social, environmental and economic benefit.

Policy Statement 3.1 – Pricing Principles

The pricing structure for on and off-street parking is equitable, financially viable and fosters economic development in the best interest of the city, having regard for all issues relating to the supply and demand of short to long-term car parking in the Darwin Central Business Zone.

Council’s involvement in the parking market, reflected through its pricing management, is primarily to support local business through short to medium-term parking.

Where consistent with other planning objectives, the return from public parking facilities is maximised.

Policy Statement 3.2 – Asset Management Principles

Forward physical and financial plans are maintained for the upgrading, development and capital renewal of public on and off-street parking facilities in accordance with the principles of the Contribution Plans required under the Planning Act and Council’s asset management policy.
**Document History and Status**

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Introduction

In xxxx 2013 the City of Darwin endorsed the Darwin CBD Parking Strategy, to establish Council’s long term direction to the provision and management of parking throughout the Darwin CBD.

The Parking Strategy is based on an overall **AIM** for the management of parking supported by three **GOALS** that broadly respond to the following themes:

- Statutory Obligations and Funding
- Functionality Liveability and Sustainability
- Asset Management and Pricing.

A series of **POLICY STATEMENTS** provide further detail on the direction required for each of the Goals, as outlined below.

The Darwin CBD Parking Strategy is a policy document that establishes a broad direction for parking into the future.

**This Implementation Plan outlines desirable actions for each Goal and associated Policy Statements that should be taken to bring the Strategy to fruition.**

Both the Strategy and Implementation Plan are based on an incremental approach to change, recognising that the supply and management of parking has an inter-relationship with various other strategies being developed for the Darwin City and surrounding areas.

Many of the actions and triggers are outside of Council’s immediate control and will rely upon an ongoing working partnership between the City of Darwin, various Departments within the Northern Territory Government, private industry and the community.

The parking ‘landscape’ in the CBD is likely to respond to various external events including population growth, economic development, City developments, etc, as much as it responds to car parking policy settings.

The precise timings of even anticipated events such as the duplication of McMinn Street will also change the timing for implementing actions and the impacts of policy settings.

To ensure that the recommended policy settings are appropriate and actions implemented at the correct time, a program of constant monitoring and review of the parking situation is recommended.
These preliminary suggestions are offered as an indication of the types of actions required to progress the Parking Strategy. The details hereunder have been extracted in part from the Draft CBD Parking Strategy for Consultation (December 2012) and feedback received from stakeholders. This list of actions is not exhaustive and further discussion is recommended to complete the list of actions with KPIs, prioritisation and timing.

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<th>Responsible Agency</th>
<th>Goal</th>
<th>Policy Statement</th>
<th>Timing / KPI</th>
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| Engage with the NT Government about revising car parking rates, requiring new on-site parking to be made publicly accessible and amending NTNS to allow car parks with a demonstrated oversupply compared to demand to be converted to publicly accessible commercial off-street parking. | • Consideration of proposed amendments to the Northern Territory Planning Scheme by the Planning Minister, including:  
- ‘Unbundling’ car parking i.e. providing some or all separately to the tenancy, with parking not taken up by tenants for commercial parking  
- Adoption of transparent parking discount rates as a basis for reducing parking requirements  
- Review General parking rates for the CB Zone contained within Clause 6.5.1 of the NTNS | DCC  
Dept. Lands and Planning | Goal 1: Statutory Obligations and Funding of Off-Street Parking | Policy Statement 1.1 – Alignment of Statutory Parking Obligations |
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<tr>
<td>Engage with the NT Government to include rates for bicycle parking and end-of-trip facilities in statutory planning requirements as per Austroads guidelines.</td>
<td>• Provision for alternative road users in future developments • Dept. Lands and Planning</td>
<td>• DCC</td>
<td>Goal 1: Statutory Obligations and Funding of Off-Street Parking</td>
<td>Policy Statement 1.1 – Alignment of Statutory Parking Obligations</td>
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<td>Prepare a new Contributions Plan for future in-lieu contributions</td>
<td>• In-lieu contributions and local rates funds continue to be managed and expended in accordance with legislated requirements • Enables future contributions to be directed towards initiatives that reduce the demand for car parking, as an alternative to supplying additional car parking.</td>
<td>• DCC</td>
<td>Goal 1: Statutory Obligations and Funding of Off-Street Parking</td>
<td>Policy Statement 1.4 – Car Parking In-Lieu Contributions</td>
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<td>Adjust Zone A – B – C on street zones to reflect actual usage/demand as revealed by parking turnover survey</td>
<td>• More appropriate allocation of kerbside space</td>
<td>• DCC</td>
<td>Goal 2: Functionality, Liveability and Sustainability</td>
<td>Policy Statement 2.1 – Priorities and Principles for Allocating Kerbside Space</td>
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<td>Through consultation with stakeholders, consider the implementation of 1 Hour Parking zones in areas requiring higher turnover (eg Cavenagh Street)</td>
<td>• Reduced incidence of all day parking and better turnover of spaces in commercial precinct</td>
<td>• DCC</td>
<td>Goal 2: Functionality, Liveability and Sustainability</td>
<td>Policy Statement 2.1 – Priorities and Principles for Allocating Kerbside Space</td>
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<td>Develop guidelines for the ongoing management of on street parking</td>
<td>• Consistent approach to day-to-day management of on street parking</td>
<td>DCC</td>
<td>Goal 2: Functionality, Liveability and Sustainability</td>
<td>Policy Statement 2.1 – Priorities and Principles for Allocating Kerbside Space</td>
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<td>Review disability parking amounts, locations and access to a Continuous Accessible Path of Travel (CAPT) as part of providing well-located parking for the use of people with disabilities</td>
<td>• Provision of adequate parking for people with disabilities</td>
<td>DCC</td>
<td>Goal 2: Functionality, Liveability and Sustainability</td>
<td>Policy Statement 2.1 – Priorities and Principles for Allocating Kerbside Space</td>
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<td>Review distribution of taxi zones and special use permits (eg tourist operators)</td>
<td>• Provision of adequate and well located taxi spaces to service demand areas</td>
<td>DCC</td>
<td>Goal 2: Functionality, Liveability and Sustainability</td>
<td>Policy Statement 2.1 – Priorities and Principles for Allocating Kerbside Space</td>
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<td>Incorporate Parking strategy goals and objectives into CBD master plan, CBD traffic plan and Darwin Transport (public transport) strategies</td>
<td>• Consistency of objectives in overall transport and land use planning</td>
<td>DCC</td>
<td>Goal 2: Functionality, Liveability and Sustainability</td>
<td>Policy Statement 2.2 – Strategic Transport and Land Use Planning</td>
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<td>Review existing parking enforcement activities to ensure that enforcement activities are promoting turnover (and hence availability of spaces) as appropriate to zoning.</td>
<td>• Reduce incidence of long term parking in Zone A spaces</td>
<td>DCC</td>
<td>Goal 2: Functionality, Liveability and Sustainability</td>
<td>Policy Statement 2.4 – Enforcement</td>
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| Negotiate with the Northern Territory Government regarding the appropriate level for expiation fees | • Reduce incidence of long term parking in Zone A spaces  
• Dept of Transport | DCC | Goal 2: Functionality, Liveability and Sustainability | Policy Statement 2.4 – Enforcement |                                |                          |
| Develop and implement a consistent signage strategy for off street parking areas | • Improved conspicuity and legibility of off street parks and charges | DCC | Goal 2: Functionality, Liveability and Sustainability | Policy Statement 2.5 – Technology and Information Systems |                                |
| Increase charges for on-street and off-street car parking at above-CPI rates for the next seven years to bring charges onto a more commercially-realistic footing | • Incremental move toward commercially based parking charges and rates of return | DCC | Goal 3: Asset Management and Pricing of Off-Street Parking | Policy Statement 3.1 – Pricing Principles |                                |
| Review Council managed reserved parking in off-street car parks. Remove reserved parking from prime lower levels in multi-storey car parks. | • Incremental move toward market-based rates  
• Increase availability of existing parking and to stimulate commercially provided reserved parking. | DCC | Goal 3: Asset Management and Pricing of Off-Street Parking | Policy Statement 3.1 – Pricing Principles |                                |
14. OFFICERS REPORTS

14.2 City Of Darwin Risk Management Policy
Report No. 13A0105 TS:ns (16/07/13) Common No. 2448708

Report Number 13A0105 TS:ns attached.
**CITY OF DARWIN RISK MANAGEMENT POLICY**

**REPORT No.: 13A0105 TS:ns COMMON No.: 2448708 DATE: 16/07/2013**

| Presenter: | Risk & OHS Advisor, Tony Simons |
| Approved:  | General Manager Corporate Services, Diana Leeder |

**PURPOSE**

The purpose of this report is to present the Risk Management Policy for consideration and adoption by Council.

**LINK TO STRATEGIC PLAN**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

**Goal**

5 Effective and Responsible Governance

**Outcome**

5.3 Good governance

**Key Strategies**

5.3.3 Understand and manage Council’s risk exposure

**KEY ISSUES**

Nil

**RECOMMENDATIONS**

A. THAT Report Number 13A0105 TS:ns entitled City Of Darwin Risk Management Policy, be received and noted.

BACKGROUND

- Council implemented its Risk Management Framework in 2010;
- A Risk Management Policy and Risk Management Standard have been developed and presented to the Chief Officers Group for endorsement; and
- COG endorsed the risk management standard as an internal document and requested that the policy be referred to Council for adoption as a Council policy.

DISCUSSION

An internal audit of the Risk Management Framework was undertaken by Deloitte in early 2013 and, whilst the summary of the audit findings reflected very positively on the quality of the Risk Management Framework, one recommendation arising was that a formal Risk Management Policy should be adopted by City of Darwin.

A Risk Management Policy and supporting Risk Management Standard were prepared in 2010/11 as part of the development of Council’s Risk Management Framework.

The policy and standard have been used since 2011 to guide the preparation of Council’s strategic and operational risk assessments, which in turn drive the internal audit program and control self-assessment processes, managed by the Risk Management and Audit Committee.

CONSULTATION PROCESS

This report was considered by the Chief Officer’s Group on 18th March 2013 and is now referred to Council for consideration.

POLICY IMPLICATIONS

Adoption of a new Council policy for Risk Management

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil
COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

TONY SIMONS
RISK & OHS ADVISOR

DIANA LEEDER
GENERAL MANAGER
CORPORATE SERVICES

For enquiries, please contact Tony Simons on 8930 0689 or email: t.simons@darwin.nt.gov.au.

Attachments:

Attachment A: City of Darwin Risk Management Policy
Title: Risk Management

Policy No: (Number to be added by MSO)

Adopted By: Chief Officers Group

Next Review Date: 30 June 2015

Responsibility: General Manager Corporate Services

Document Number: 2448708

1 Policy Summary

The practice of risk management is recognised as being a core component of an organisation’s corporate governance framework.

Risk management is defined through international standards as being an ongoing process of defined steps that are used to support all levels of an organisation’s management in decision making processes by providing a greater awareness of the risks to, and impacts upon, all aspects of business activity.

2 Policy Objectives


Council is committed to a structured approach to managing risk in order to complement its financial and governance strategies. This will support the achievement of Council’s core business objectives and increase stakeholder confidence in the ways in which Council conducts its business.

This will be achieved through the implementation and maintenance of approved, standardised risk management practices at the strategic and operational levels and for project management, occupational health and safety and environmental management initiatives.
Council’s risk management strategies address the eleven core principles set out in ISO 31000:2009, with which an organisation’s risk management strategy should seek to comply:–

1. Risk management creates and protects value
2. Is an integral part of all organisational processes
3. Forms part of decision making processes
4. Explicitly addresses uncertainty
5. Is systematic, structured and timely
6. Is based on best available information
7. Is tailored to the needs of individual organisations
8. Takes into account human and cultural factors
9. Is transparent and inclusive
10. Is dynamic, iterative and responsive to change
11. Facilitates continual improvement

4 Policy Statement

Though the adoption and implementation of its risk management framework and practices, Council aims to ensure that the potential for exposure to risk is identified, risks are assessed for severity, quality of internal control mechanisms are evaluated, treatment plans are implemented and risks are monitored, managed and reported on; with particular regard to the following:–

1. compliance with applicable legal and legislative frameworks, and with Government policy as it impacts on the operation of Council;
2. the effective delivery of services to ratepayers, clients and stakeholders;
3. exercising prudent financial and asset management, ethical conduct and meeting community expectations;
4. management of workers’ safety, consistent with legislation, standards and defined guidelines;
5. management of environmental issues, consistent with legislation, standards and defined guidelines;
6. the management of Council’s corporate responsibilities and the achievement of its strategic and operational objectives; and
7. the protection of the reputation of the City of Darwin and the elected representatives.
In accordance with these stated aims, Council will conduct its operations in a prudent manner whereby risks will be identified and assessed, effectively controlled, monitored and reported; and where relevant and appropriate to do so, transferred to others outside of the Council.

5 Legislation, terminology and references

This policy is supported by the following:-

2. City of Darwin Risk Management & Audit Committee terms of reference
3. City of Darwin Standard on Risk Management
4. City of Darwin Risk Management Lexicon

6 Implementation and delegation

The Council maintains a risk management framework that:-

1. Ensures that Council develops and maintains risk management plans as part of the annual strategic planning processes;
2. Develops and maintains processes to regularly identify and analyse strategic, operational and project specific risks;
3. Effectively assesses, evaluates and controls those risks;
4. Regularly reports on compliance with legislation and policy;
5. Assesses the risks associated with corporate strategies, key business objectives, critical decisions, major business changes, project related activities and major procurement processes;
6. Ensures that a comprehensive internal control framework is in place, supported and driven by structured risk assessments, to protect Council assets from loss;
7. Where there is an identified practical, legal and/or commercial benefit, transfers risks to others outside of Council;
8. Provides a clear understanding of the principles of risk management for all employees and embeds a risk management culture within the organisation;
9. Utilises a risk based approach in the development of internal audit and control self-assessment programs;
10. Ensures outcomes from Council’s internal audit and control self-assessment programs are used to continuously manage and improve risk assessments; and

11. Analyses all incidents that have placed Council at risk and identifies and effectively implements remedial action where required.

7 Evaluation and review

This policy will be reviewed every two years by the Chief Officers Group.

Measurement of performance will be assessed by:

1. Monitoring and reporting on the implementation of strategic plans and successful management of associated risks;

2. Monitoring and reporting on the implementation of risk management plans and associated internal audit and control self-assessment programs;

3. Analysing the findings and recommendations of Internal Audit reports and the control self-assessment program, and their impact on the levels of risk as identified within operational and strategic risk assessments;

4. Analysing the outcomes from OH&S inspections and reports and their impact on levels of risk; and

5. The Risk Management Framework will be subjected to external audit and quality review at such times as is determined by the Risk Management and Audit Committee.
14. OFFICERS REPORTS

14.3 City Of Darwin Seniors Review
Report No. 13C0070 SJ:kl (16/07/13) Common No. 2204776

Report Number 13C0070 SJ:kl attached.
ENCL: YES  1ST ORDINARY COUNCIL MEETING/OPEN  AGENDA ITEM:  14.3

CITY OF DARWIN SENIORS REVIEW

REPORT No.: 13C0070 SJ:kl  COMMON No.: 2204776  DATE: 16/07/2013

Presenter: Community Services Officer, Sheree Jeeves
Approved: General Manager Community & Cultural Services, John Banks

PURPOSE

The purpose of this report is to present to Council the Seniors Review: Draft Terms of Reference for consideration at a dedicated workshop focussing upon Council’s role in servicing the seniors population.

LINK TO STRATEGIC PLAN

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 as outlined in the ‘Evolving Darwin Towards 2020 Strategic Plan’:-

Goal
1  Collaborative, Inclusive and Connected Community

Outcome
1.1  Community inclusion supported

Key Strategies
1.1.1  Develop and support programs, services and facilities, and provide information that promotes community spirit, engagement cohesion and safety

KEY ISSUES

• Consideration of the Seniors Review: Draft Terms of Reference
• Proposed Council Workshop on 8 October 2013 to progress Seniors Review

RECOMMENDATIONS

A. THAT Report Number 13C0070 SJ:kl entitled City Of Darwin Seniors Review, be received and noted.

BACKGROUND

PREVIOUS DECISIONS

Decision No. 19\1128  (22/02/05)
A. THAT Report Number 05C0007 MD:mrg entitled, Aged Care Consultation Feedback report, be received and noted.
B. THAT a further report be prepared for budget consideration detailing the financial and organisational resources required to establish an Aged Care Advisory Committee.

Decision No. 19\1303  (29/03/05)
A. THAT Report Number 05C0033 MD:kl entitled, Financial and Organisational Resources Required to Establish an Aged Care Advisory Committee, be received and noted.
B. THAT as part of the 2005/06 draft budget, consideration be given to extra resources for a Community Development Officer to deal with seniors issues and other activities.

Decision No. 19\2898  (16/05/06)
B. THAT the report on Darwin Seniors Needs Analysis be referred to a special workshop at a date to be determined, for further consideration.

Decision No. 19\3652  (25/10/06)
B. THAT Council endorse the conduct of an annual event to promote seniors life in Darwin and that $5,000.00 be referred to the 2007/08 budget.
C. THAT a further workshop be conducted in respect to the provision of seniors services by Council.

Decision No. 19\3858  (05/12/06)
A. THAT the PowerPoint presentation, Document Number 1129145, in relation to Seniors Needs Analysis, be received and noted.
B. THAT a further report be prepared based on the feedback from the meeting.

Decision No. 19\4979  (11/09/07)
A. THAT Report Number 07C0110 MD:kl entitled, Community Transport Program For Seniors – Council Cab Service, be received and noted.
B. THAT a workshop, to include key stakeholders, be held to determine the parameters and user eligibility of a seniors transport service, the conduct of a 12 month pilot programme, and the development of evaluation criteria.
Decision No. 20\1343 (31/03/09)
A. THAT Report Number 09C0039 entitled, Seniors Transport Needs – Outcomes of Seniors Transport Workshop held 12 November 2008, be received and noted.
B. THAT the amount of $94,500.00 be referred to the 2009/2010 budget for the operation of a 12 month pilot program of a Council Cab Service.

Decision No. 20\3069 (27/07/10)
THAT a strategic report be prepared for Council on the impact and challenges of the changing demographics of the over 50’s on Darwin City Council services and infrastructure design and how Council intends to deal with these issues.

Decision No. 20\3865 (27/04/11)
THAT the presentation from the Senior Territorian Advisory Council, in relation to setting up a Seniors Advisory Council, be received and noted.

Decision No. 20\4899 (13/03/2012)
THAT a report be prepared for the next Council addressing the opportunities for feedback on services from Council to Seniors and the merits of extending the Disability Advisory Committee to include Seniors.

DISCUSSION
The City of Darwin is undergoing a demographic shift signifying an increasing trend towards a growing aged population. This will pose challenges for Council to respond to changing demands and expectations in relation to a greater range of services, facilities and programs to meet the continuing and growing needs of seniors in the community.

The proposed Seniors Review will assist Council with its future direction in the delivery of seniors’ services. The attached Seniors Review: Draft Terms of Reference Attachment A outlines the parameters of the proposed Review, commencing with a workshop to seek the views of Elected Members in the first instance.

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

- General Manager Community and Cultural Services
- Manager Community Development

POLICY IMPLICATIONS
This report identifies with Policy No. 008 Community Services, Cultural and Social – General.
BUDGET AND RESOURCE IMPLICATIONS

The Seniors Review will be completed by the Community Development Team staff within existing budget allocations.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Nil.

ENVIRONMENTAL IMPLICATIONS

Nil.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

SHEREE JEEVES                      JOHN BANKS
COMMUNITY SERVICES                  GENERAL MANAGER
OFFICER                             COMMUNITY & CULTURAL
                                      SERVICES

For enquiries, please contact John Banks on 89300633 or email: j.banks@darwin.nt.gov.au.

Attachments:

Attachment A:   Seniors Review: Draft Terms of Reference
SENIORS REVIEW

Draft Terms of Reference

City of Darwin
Community & Cultural Services Department

July 2013
prepared Sheree Jeeves
approved John Banks
<table>
<thead>
<tr>
<th>Title: City of Darwin Seniors Review</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Council Resolutions:</strong></td>
</tr>
<tr>
<td>The Seniors Review is in response to two outstanding Council Decisions:</td>
</tr>
</tbody>
</table>
| • THAT a report be prepared addressing the opportunities for feedback on services from Council to Seniors and the merits of extending the Disability Advisory Committee to include seniors.  
  DECISION NO.20\4899 (13/03/12) |
| • THAT a strategic report be prepared for Council on the impact and challenges of the changing demographics of the over 50’s on Darwin City Council services and infrastructure design and how Council intends to deal with these issues.  
  DECISION NO.20\3069 (27/07/10) |
| **Scope:** |
| The Seniors Review will seek the views of the 21st Council on its role in the provision of services, facilities and programs for Darwin’s growing population of seniors.  
  The Review will consider population statistics, demographic projections, stakeholder consultation, resourcing and service delivery options and will be informed in part by way of:  
  • Feedback from Elected Members at a Seniors Workshop;  
  • A literature review of best practice in a local government context; and  
  • The outcomes of the NT Seniors Study currently being undertaken by COTA NT. |
| **Background:** |
| Current population statistics indicate the City of Darwin’s senior’s population is growing and is forecast to continue to increase. In the 2006 Census, the total population for the City of Darwin was 66,286 and those aged over 60 was 6,705, comprising 10.2% of the population.  
  By the 2011 Census, this number had increased by 2,401 to 9,106 people aged over 60, comprising 12.5% of the total population of 72,954.  
  Council’s current service delivery for the seniors community includes:  
  • Seniors Month program of events  
  • Seniors and Disability Services Directory |
- Representation of COTA NT as a Specialist Position on the Disability Advisory Committee
- Healthy Darwin (seniors are one of the target groups of this program)
- Community Grants (seniors groups receive funding each year)
- Advocacy and support

**Method:**

This Review will initially be informed by a Council Workshop to seek the views of Elected Members in respect of servicing the seniors population.

The Seniors Review will be completed in line with Council’s Consultation Policy following advice from Council as to its preferred way forward.

The outcomes of the NT Seniors Study currently being undertaken by COTA NT will be drawn upon to inform the Seniors Review.

A literature review will be undertaken to identify best practice exemplars in services for seniors in a local government context.

**Describe process for way forward:**

- Council Seniors Workshop to be held on 8 August 2013.
- Follow up to actions derived from the Seniors Workshop.
- Findings from COTA NT Seniors Study and literature review to be drawn upon in crafting possible directions.
- Report to Council.

*Council should note the COTA NT Seniors Study will not be available until February 2014.*

**Budget:**

This project will be delivered by Council’s Community Services Officer and Community Development Team staff within existing budget allocations.

**Stakeholders**

- City of Darwin Elected Members
- Territory and Federal Government
- COTA NT
- Darwin seniors population
- Associated community service providers
| **Context:** | The increasing population of the seniors community will impact the level of demand for increasing age based services and facilities. This presents a challenge for Council to ensure the service delivery for seniors is sufficient to meet the demands of an increasingly active and informed generation.

The Seniors Review will be completed within the context of City of Darwin’s Evolving Darwin: Towards 2020 Strategic Plan and the City of Darwin Long Term Financial Plan 2012/13 to 2021/22. |
| **Related Projects** | The Seniors Review will be completed with consideration of the following projects:
- Darwin CBD Master Plan Project (including an Urban Design Audit, Retail Strategy and Landscape Strategy)
- Senior Territorians Advisory Council
- COTA NT Seniors Study
- Healthy Darwin
- Seniors Month Program |
14. OFFICERS REPORTS

14.4 Election of Deputy Lord Mayor 1 August 2013 – 30 November 2013

Report Number 13TC0041MB: as attached.
Presenter: Executive Manager, Mark Blackburn
Approved: Chief Executive Officer, Brendan Dowd

PURPOSE

The purpose of this report is to elect a Deputy Lord Mayor for the period 1 August 2013 – 30 November 2013.

LINK TO STRATEGIC PLAN

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 as outlined in the ‘Evolving Darwin Towards 2020 Strategic Plan’:-

Goal
5 Effective and Responsible Governance
Outcome
5.3 Good governance
Key Strategies
5.3.2 Display contemporary leadership and management practices

KEY ISSUES
Nil

RECOMMENDATIONS

A. THAT Report Number 13TC0041MB:as entitled, Election of Deputy Lord Mayor 1 August 2013 – 30 November 2013, be received and noted.

BACKGROUND

In accordance with the provisions of the Part 4.3 of the Local Government Act 2008 and Policy No.015, Council appoints an Alderman to be the Deputy Lord Mayor for a period of four months during the term of the Council.

DISCUSSION

Nil

CONSULTATION PROCESS

Nil

POLICY IMPLICATIONS

In accordance with Policy No.015

BUDGET AND RESOURCE IMPLICATIONS

Costs are included within the 2013/2014 budget.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

The decision to appoint a Deputy Lord Mayor is made pursuant to the provisions of the Local Government Act 2008 and Council Policy No.015.

ENVIRONMENTAL IMPLICATIONS

Nil

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

MARK BLACKBURN
EXECUTIVE MANAGER

BRENAN DOWD
CHIEF EXECUTIVE OFFICER

For enquiries, please contact Mark Blackburn on 89300 685 or email: m.blackburn@darwin.nt.gov.au
14. OFFICERS REPORTS

14.5 Webcasting of Council Meetings – Draft Policy and Procedures

Report No. 13TC0042 AM:as (16/07/13) Common No. 2158528

Report Number 13TC0042 AM:as attached.
Presenter: Senior Community Engagement Officer, Anna Malgorzewicz

Approved: Executive Manager, Mark Blackburn

PURPOSE

The purpose of this report is to seek Council endorsement of the Webcasting of Council Meetings Policy - Pilot.

LINK TO STRATEGIC PLAN

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 as outlined in the ‘Evolving Darwin Towards 2020 Strategic Plan’:-

Goal
1. Collaborative, Inclusive and Connected Community

Outcome
1.3 Connected community through technology

Key Strategies
1.3.1 Develop and promote information and communication technology capabilities to service and inform the community

KEY ISSUES

- The City of Darwin holds two monthly Council Meetings and consistent with statutory requirements, these meetings are open to members of the public.
- To encourage greater and equitable access to meetings, Council is trialling webcasting of the Open Section of Ordinary Council Meetings for a period of four months from July 2013.
- The City of Darwin sought legal advice from the law firm Cridlands MB who identified key issues Council should consider when broadcasting or publishing materials electronically and recommended measures to minimise Council’s risk exposure.
- A policy has been developed to provide direction for the management of webcasting meetings.
RECOMMENDATIONS

A. THAT Report Number 13TC0042 AM:as entitled Webcasting Of Council Meetings Policy - Pilot, be received and noted.


C. THAT a further report on the adequacy and rate of access to the webcasting service be presented to Council at the conclusion of the trial period.

BACKGROUND

At its 2nd Ordinary Council Meeting of Tuesday 30th April 2013 Council resolved:

B. THAT Council proceed with a four-month trial implementation of Web Streaming of Council Ordinary meetings.

DECISION NO.21\1017 (30/04/13)

DISCUSSION

The City of Darwin holds two monthly Council Meetings. Pursuant to Section 65(1) of the Local Government Act 2012, Council meetings must be open to the public as a general rule. In addition, Council holds a monthly public open forum 30 minutes prior to the 2nd Ordinary Council Meeting each month.

As is required by the Act, Council also ensures business papers and minutes of its meetings are available to members of the public through its website and from its offices and public libraries.

Council is committed to promoting opportunities for community engagement and participation and reducing barriers to equitable access. Consistent with good governance best practice and in the interests of transparency, Council has agreed to trial webcasting of the Open Section of its Ordinary Council Meetings. The pilot project will commence from the 2nd Ordinary Council Meeting to be held on Tuesday 30th July 2013 and be conducted over a period of four months. The pilot is not intended to provide high quality audio or visual webcasting. The quality of webcasts will also be dependent on PC memory and internet connection bandwidth.

During the pilot period, Council will monitor the number of users accessing the service and obtain feedback from the community regarding the quality and adequacy of the service.

In general, the arguments for webcasting local government meetings include creating greater equitable access for the community and also ensuring increased
transparency to local authority decision making processes. However, there is also argument that current statutory requirements for meeting procedure and documentation in Australian jurisdictions are adequate.

In February 2012 for example, the Queensland Government introduced a regulatory requirement for all local authorities with a population greater than 100,000 to live stream council meetings. This was to be implemented from 1st July 2012 however the new Queensland State Government repealed the amendment as it was determined the policy was unnecessary and existing meeting procedures and reporting requirements were deemed adequate for communicating decisions made by local authorities.

In some jurisdictions, the benefits of webcasting Council meetings have been outweighed by concerns of the legal ramifications, in particular the risk of defamation and liability. Port Macquarie-Hastings Council which had been webcasting its meetings since 2008, ceased the practice in February 2013. The Mayor Peter Besseling explained in a media release;

> Webcasting places an unfair burden and risk on Councillors, staff and members of the public speaking at Council meetings. We have agreed that it would be appropriate to reintroduce webcasting at such a time when Council has legal protections and privilege similar to what currently exists in State and Federal parliaments.¹

However, other jurisdictions have implemented preventative measures to minimise the risk of liability. Disclaimers are included on webpages and placed on agenda papers and appropriate notices are placed in Chambers and delivered verbally prior to the commencement of meetings. As an example, the City of Botany Bay, NSW includes the following statement on its website:

**NOTICE OF COPYRIGHT AND DISCLAIMER**
This electronic transmission is protected by copyright owned by Botany Bay City Council and no part thereof may be copied or recorded or made available to others without the prior written consent of Botany Bay City Council. Opinions expressed or statements made by individual persons during the course of this transmission are the opinions or statements of those individual persons and are not opinions or statements of Botany Bay City Council. This transmission is not, and shall not, be taken to be an official record of Botany Bay City Council or of any meeting or discussion depicted therein.

Overseas local authorities also provide Council with other sound examples. The London Borough of Camden includes the following notice on each agenda paper and on signage inside and outside its Chambers:

**WEBCASTING NOTICE**
This meeting will be filmed for live and/or subsequent broadcast on the Council’s website. The whole of the meeting will be filmed, except where there are confidential or exempt items, and the footage will be on the website for 6 months. A copy of it will also be retained in accordance with the Council’s data retention policy.

If you make a representation to the meeting you will be deemed to have consented to being filmed. By entering the body of the Chamber you are also consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you do not wish to have your image captured you should sit in the public gallery area.

Other jurisdictions have also adopted new meeting protocols to model Councillor behaviour. The City of Newcastle has adopted a protocol entitled “Behaviours Required for Effective Interaction” that provides guidance for member conduct at meetings. This is reinforced through the reproduction of the code in card format that is placed at each Councillor’s seating place at the meeting table.

In addition to copyright and liability disclaimers, Lane Cove Council, NSW also carries a disclaimer regarding the quality of broadcasts;

**Using this Service**
The quality of the webcast will depend on your PCs memory and internet connection bandwidth. As the webcast involves video and audio, the data usage is high, at the approximate rate of 40mb per 10 minutes. You will need to have the Adobe Flash Player installed on your computer to view the webcast. Apple mobile device users (iPhone, iPad) can now use SkyFire Web Browser to view the webcast, SkyFire can be purchased from the iTunes App Store for iPad or for iPhone. Please be patient when loading a video as depending on your internet connection it can take time to start playing.

The City of Darwin sought legal advice from the law firm Cridlands MB who identified key issues Council should consider when broadcasting or publishing materials electronically and recommended measures to minimise Council’s risk exposure. The principal intellectual property right engaged by webcasting is copyright. Copyright subsists in published works that includes webcasts for 50 years and the copyright holder or author is Council. Council’s copyright may be infringed and it is recommended an express licence which reflects how others are permitted to use the webcast be included on Council’s website, meeting documentation and for the duration of the webcast, with the © symbol on the webcast itself.

In addition, Council should require users to agree to a set of terms and conditions concerning the viewing and usage of the webcast content. The City of Darwin has requested Cridlands MB prepare appropriate terms and conditions of use/licence...
agreement which are to be displayed on Council’s website and which users are to accept prior to accessing the webcast. Suitable disclaimers in relation to the views and opinions which may be expressed during the webcast will also be prepared for inclusion in Council’s website.

The Information Act requires local authorities to provide the community with information and also to protect personal information. As a result, particular regard needs to be paid not to disclose personal or sensitive information during a meeting which is webcast. To minimise the risk of defamation, Council’s legal firm have also advised that as far as possible, Council should publish facts and avoid opinions which may give rise to a defamation claim.

To ensure effective access to its webcasting service, the City of Darwin will implement a marketing and promotion campaign prior to the commencement of live streaming the 2nd Ordinary Council Meeting in July 2013. In addition, appropriate signage will be produced and installed in Chambers and suitable disclaimers will be incorporated on Council’s website and meeting papers.

A Policy providing guidelines for the management of webcasting Council meetings has been developed. Throughout the pilot period, access and quality will be monitored. Should Council agree to continue with the webcasting service following the pilot period, appropriate amendments to procedural documentation for meetings will also be recommended to Council.

CONSULTATION PROCESS

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

- Business Systems Administrator and Manager, Information Technology
- Corporate Information Coordinator, Business Services

In preparing this report, the following External Parties were consulted:

- Cridlands MB

POLICY IMPLICATIONS

The adoption of the Webcasting of Council Meetings Policy - Pilot will ensure the effective and transparent management of live streaming of Council meetings via the Internet.

BUDGET AND RESOURCE IMPLICATIONS

Nil.
RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Webcasting of Council meetings, including all associated policies, procedures and protocols, is informed by and must provide for the needs of the following legislation:

Copyright Act 1968 (Cth)
Copyright Amendment Act 2006 (Cth)
Information Act 2013 (NT)
Information Act Regulations 2013 (NT)
Privacy Act 1988 (Cth)
Telecommunications Act 1997 (Cth)

ENVIRONMENTAL IMPLICATIONS

Nil.

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

ANNA MALGORZEWICZ
SENIOR COMMUNITY ENGAGEMENT OFFICER

MARK BLACKBURN
EXECUTIVE MANAGER

For enquiries, please contact Mark Blackburn on 89300516 or email: m.blackburn@darwin.nt.gov.au.

Attachments:

Attachment A: Webcasting of Council Meetings Policy - Pilot
1 Policy Summary

This Policy provides standards and guidelines for the transparent management of webcasting of the Open Section of Council meetings. The Policy applies to Ordinary Council meetings to be held in Council Chambers, Harry Chan Ave, Darwin.

2 Policy Objectives

The objective of this Policy is to establish a framework governing the webcasting of Council meetings. The pilot is not intended to provide high quality audio or visual webcasting and Council makes no guarantees against transmission drop outs.

3 Background

The City of Darwin holds two monthly Council Meetings. These meetings are held in Council Chambers at the Civic Centre, Darwin, with the main meeting (2nd Ordinary Council Meeting) being held on the last Tuesday of each month. Council also holds a monthly public open forum session at 4.30pm prior to the 2nd Ordinary Council meeting. The 1st Ordinary Council Meeting is scheduled two weeks prior.

Pursuant to Section 65(1) of the Local Government Act 2012, Council meetings are open to the public. In accordance with Council’s strategic objectives to encourage community participation in the effective and responsible governance of the municipality and to enable greater community involvement in Council meetings, Council has installed webcast equipment in Chambers for the live streaming, or webcasting, of Ordinary Council Meetings over the Internet. Webcasting meetings
will also raise community awareness and understanding of the decision making process in Council.

4 Policy Statement

4.1 Notify Audience of Webcast

At the commencement of each Ordinary Council Meeting held in Chambers, the Chief Executive Officer or his delegate shall notify all those present, including Elected Members, City of Darwin staff members, members of the public in the gallery and the media, that the meeting will be webcast on the Internet.

All those present will also be advised that the webcast will last the full length of the Open Section of the meeting unless terminated in accordance with this policy.

The Chief Executive Officer or his delegate will also ensure appropriate prior notification that the meeting is to be webcast is provided in the form of signage and notices at the entry to the Council Chamber.

The visual recording equipment will be configured to avoid coverage of the public gallery area in the webcast.

4.2 Authority to Terminate

Subject to clause 4.3 below, the Chief Executive Officer or his delegate has the discretion and authority at any time to direct webcasting of the meeting be terminated if his or the Meeting's judicious assessment deem continuation of webcasting may prejudice the Meeting or infringe the rights or safety of an individual.

4.3 Closure of Meeting to the Public

If pursuant to Section 65(2) of the Local Government Act 2012, the public may be excluded while business of a kind classified by the regulations as confidential business is being considered, the webcasting of the meeting shall be terminated.

5 Legislation, terminology and references

This policy is to support a 4 month trial of the webcasting of Council Meetings from 30 July 2013.

6 Implementation and delegation

The Executive Manager will be responsible for the implementation of this policy.

7 Evaluation and review

This policy will be reviewed at the conclusion of the four month trial period.
15. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

16. REPORTS OF REPRESENTATIVES

17. QUESTIONS BY MEMBERS
18. GENERAL BUSINESS

18.1 Election of Acting Lord Mayor – 19 – 21 July 2013

Common No. 375173

THAT due to the Lord Mayor and Deputy Lord Mayor, being unavailable during the period 19 – 21 July 2013, pursuant to Section 43 (3) of the Local Government Act 2008, Council hereby appoints Alderman __________, to be Acting Lord Mayor on those days.

DECISION NO.21\() \) (16/07/13)
19. **DATE, TIME AND PLACE OF NEXT ORDINARY COUNCIL MEETING**

THAT the next Ordinary Meeting of Council be held on Tuesday, 30 July, at 5:00 p.m. (Open Section followed by the Confidential Section), Council Chambers, 1st Floor, Civic Centre, Harry Chan Avenue, Darwin.

DECISION NO.21\(\) (16/07/13)

20. **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.

DECISION NO.21\(\) (16/07/13)

21. **ADJOURNMENT OF MEETING AND MEDIA LIAISON**